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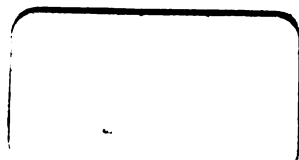
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THE REGISTER

OF THE

PRIVY COUNCIL OF SCOTLAND.

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THE REGISTER  
OF THE  
PRIVY COUNCIL OF SCOTLAND. —

EDITED AND ABRIDGED BY  
P. HUME BROWN, M.A., LL.D.,  
FRASER PROFESSOR OF ANCIENT (SCOTTISH) HISTORY AND PALÆOGRAPHY  
IN THE UNIVERSITY OF EDINBURGH.

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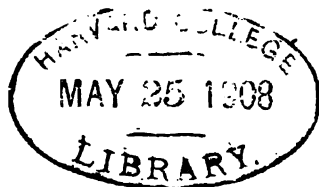
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## INTRODUCTION.

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THE present volume of the Privy Council Register contains a number of miscellaneous documents which could not be conveniently included in the preceding volume, and which it was found advisable to print in a volume apart. These Papers consist of three distinct sections: the first section (pp. 1-60) continues the *Acta*, *Decreta*, etc., of the Council from p. 452 of the preceding volume, and the second (pp. 63-240) continues the *Miscellaneous Papers* of the same volume. The third section (pp. 243-464) is made up of documents which appear by a fortunate accident. Their originals were not among the Records of the Council, but, along with many other documents, were found in a basement room of the General Register House. These supplementary Papers cover the period from 1544 to 1660, and thus break chronological sequence, but no more convenient place could be found where to introduce them than the present volume, and it is imperative that every existing record of the Council should be preserved. From the nature of the contents of the present volume, diverse and incontinuous as they are, a co-ordinated survey of them is impossible, and it is only necessary to indicate briefly their general character.

The period covered by the entries in the first two sections (1643-1660) is one of the most momentous in the national annals, and one memorable in the history of the Council. The year 1643 saw the birth of the Solemn League and Covenant, followed (1645) by the rupture between the Scottish Covenantee party and the English Independents, led by Cromwell. Then came the Engagement (1647) which cleft in twain the ascendant party in

Scotland, and resulted in the eventual ruin of both sections. The execution of Charles I (January 30, 1649); the futile attempt to place his son on the throne; the battles of Dunbar and Worcester (1650, 1651); and the consequent domination of Scotland by the Commonwealth and the Protectorate (1651-1660)—such were the leading events of the period with which this volume is concerned.

The Council of whose transactions the first two sections are the record was that which was appointed during Charles I's visit to Scotland in 1641, and which was chosen "with the advice and approbation" of Parliament—the hard condition to which Charles, under the pressure of circumstances, had reluctantly given his consent. It continued to meet and transact business through all the turmoil of the time till the subjection of the country by Monk which followed Cromwell's victory over Charles II. at Worcester (September 3, 1651). At the end of August, 1651, the Committee of Estates, appointed by the Parliament which met in November, 1650, to carry on the business of the country, was captured at Alyth by Monk, and thenceforward Parliament and Privy Council ceased to exist till the Restoration of Charles II.

It is noteworthy that through all the vicissitudes of parties between 1643 and 1651 the Council continued to meet with as steady regularity as during any previous period. It may be interesting to have before us the names of the Privy Councillors, with the record of their attendances, as showing their respective shares in transacting the business of the country. The number of sederunts during the period was a little over fifty. The names that follow embrace those of all the Councillors that at one time or other put in attendance—the numbers attached to each name indicating approximately the number of attendances.

1. John, Earl of Loudoun, Lord High Chancellor (22).
2. James, Marquis of Hamilton (4).
3. Archibald, Marquis of Argyle (25).
4. John, Earl of Mar (5).
5. William, Earl of Morton (2).
6. Alexander, Earl of Eglinton (15).
7. John, Earl of Cassillis (33).
8. John, Earl of Perth (6).

9. John, Earl of Lauderdale (25).
10. John, Earl of Lindsay, afterwards Earl of Crawford and Lindsay (33).
11. David, Earl of Southesk (4).
12. William, Earl of Lanark (9).
13. John, Lord Yester (19).
14. Alexander, Lord Balcarras (8).
15. Sir Thomas Hope of Craighall, Lord Advocate (23).
16. William, Earl Marischal (11).
17. John, Earl of Kinghorn (14).
18. John, Lord Sinclair (12).
19. Sir Alexander Gibson of Durie, Lord Clerk Register (26).
20. Sir Patrick Hepburn of Wauchtoun (32).
21. Sir John Dundas of that Ilk (13).
22. John, Earl of Sutherland (10).
23. William, Earl of Dalhousie (21).
24. John, Lord Balmerino (32).
25. Robert, Lord Burleigh (26).
26. Sir Robert Innes of that Ilk (14).
27. Alexander, Earl of Glencairn (14).
28. Archibald, Lord Angus (16).
29. Charles, Earl of Dunfermline (13).
30. Sir James Carmichael of that Ilk, Treasurer-Depute (24).
31. Sir Robert Gordon of Drenie (2).
32. Sir Alexander Clerk, Provost of Edinburgh (10).
33. Sir Alexander Erskine of Dun (3).
34. John, Earl of Wemyss (12).
35. Alexander Leslie, Earl of Leven (5).
36. Alexander, Lord Elphinston (12).
37. Sir John Smith [of Grottell], Provost of Edinburgh (30).
38. Sir William Douglas of Cavers, Sheriff of Teviotdale (5).
39. Sir John Hamilton of Orbeston, Lord Justice Clerk (14).
40. Sir Robert Graham of Morpie (2).
41. James, Earl of Callander (3).
42. William, Earl of Lothian (5).
43. James, Earl of Findlater (10).
44. Robert, Earl of Roxburgh (1).
45. James, Earl of Murray (1).
46. Archibald Tod, Provost of Edinburgh (2).

When we turn to the contents of the volume, we are struck by the subsidiary part which the Council played throughout the period. From its pages we hardly receive a suggestion of the momentous events that were convulsing the two kingdoms. In March, 1648, met the Parliament in which the Marquis of Hamilton, with the command of a large majority, obtained the sanction of the Engagement and powers to levy an army to invade England in the interests of Charles. Neither of this meeting of the Estates nor of Hamilton's disastrous expedition is there any suggestion in the Register. The explanation of the nullity of the Council is apparent. It was a body divided

against itself; on the one hand, we have the Chancellor Loudoun and the Marquis of Argyle zealously representing the Covenants; on the other, the Duke of Hamilton and his brother, the Earl of Lanark, representing, though for a time with somewhat hesitating loyalty, the interests of Charles. But, even if the Council had been a wholly unanimous body, it was, in point of fact, overridden by the General Assembly and its permanent Commission till the sword of Cromwell in 1651 gave the deathblow to the existing national institutions. It is not surprising, therefore, that in these circumstances the Council was not the body which, in the reign of James I. and during the early years of the reign of his son, with the power of the Crown behind it, had been the ruling force in the country. It is in other sources than the Register that we must look for a fuller record of the transactions and events which resulted in the destruction of all the parties that had divided the nation from the revolt against Charles in 1638. Such entries, however, as seem to call for special attention may now be noted.

#### AFFAIRS OF CHURCH AND STATE.

Contributions  
for the support  
of the Scots  
army in  
Ireland.

In the beginning of the year 1642 the Council, on an understanding with the English Parliament, had sent an armed force to Ireland to assist in suppressing the rebellion in that country. As originally arranged, the English Parliament had undertaken to pay the expenses both of the English and Scottish troops, but on the outbreak of the Civil War it was unable to fulfil its pledge. In these circumstances the Council had to find the means in Scotland itself for the maintenance of the Scottish army in food and clothing and pay. At first there seems to have been sufficient money in the Exchequer to meet the demand, but in February, 1643, the Council found it necessary to make an appeal for voluntary contributions, on pledge of security, to "all counsellors, judges, noblemen, and others weill affected." There was a prompt response to the appeal; twenty of the Privy Councillors made offers of various sums—Argyle heading the list with £1000 sterling.

From the first entry in this volume (July 8, 1643) we learn that contributions are still flowing in. On the 6th of July the Rev. Alexander Henderson paid in 1000 merks, and other ministers, probably drawing on the liberality of their congregations, came forward with sums of varying amounts. On pp. 83-90 we have a list of the total contributions given in during the year 1643. First comes the list of sums contributed by the Councillors, which may be regarded as a measure of their relative zeal and substance. Argyle heads the list with his £12,000 Scots (£1000 sterling)—a sum double that of any other contributor. Eleven other Councillors give £6000 Scots each—£600 being the smallest quota. Then comes the list of contributions by the “nighbouris of Edinburgh,” in number ninety-one, and presenting sums varying from £1200 to £66 13s. 4d.—the last sum being the mite of Nicoll Ewing, fishmonger. Other lists of contributors are those of the “gentrie and utheris” of the shires of Fife, Lothian, and Linlithgow, in which the largest sum that appears is £3333 6s. 8d. (contributed by John, Lord Melville), and the least, £266 13s. 4d., from an anonymous donor in the shire of Lothian. Whether the Council was satisfied or not with the response to its appeal does not appear from any entry in the Register.

In 1642 the Council had made a serious effort to renew the ancient compact with France, which had practically ceased to exist, though it had never been formally annulled. The reason alleged by the Council for its action was that, owing to the infringement of the former trading privileges of the Scots in France, “sufferings and losses” were sustained by Scottish traders with that country. With the sanction of Charles, the Earl of Lothian had been dispatched to France with instructions from the Council regarding the conditions on which the old alliance might be renewed. The instructions are dated December, 1642, and under date November 9, 1643, we have in the present volume the reply of the French Government to the overtures of the Council. From this reply it is evident that Charles on his own account had been in communication with France regarding the Council’s proceeding. The reply, in fact,

The Franco-  
Scottish  
Alliance.

was such as to preclude further negotiations. The Scots, without an express commission from Charles, were neither "directly nor indirectly" to take up arms in support of either side in the quarrel between him and his English Parliament. To this condition the French Government demanded "a punctuall and speedie answer," but, as by the date when the reply of France was laid before the Council, the Solemn League and Covenant with the English Parliament had been concluded, to have accepted the condition would have been to stultify the policy of Church, Parliament, and Council. A further condition stipulated by France, it was equally impossible for the Council to accept. In its instructions to the Earl of Lothian the Council had consented to Scottish soldiers enlisting in the French service irrespective of their religious beliefs. The General Assembly, however, had passed an act disapproving of this concession by the Council, and the demand of the French Government was that the Council should "give a sentence of retractation" against the Assembly's act. Even if the Council had been disposed to take such a step, it would have been powerless to give it effect, and its reply to the demand was that "since the Nationall Assemblie of Scotland is independent, therefore what hath beene concluded by them cannot be recalled be the Counsell" (pp. 12-13). Thus the negotiations for the renewal of the old alliance were brought to a summary close. Nevertheless Scottish traders still continued to enjoy certain privileges in France which were denied to those of other nations, and till the union of the Scottish and English Parliaments in 1707 there was a disposition on the part of France and Scotland alike to regard each other as natural allies who might one day find it expedient to make common cause against a common enemy.

The Scottish  
Commissioners in  
London and  
the Irish  
Rebellion.

In November, 1641, the Council, at the request of Charles, had sent the Earls of Lothian and Lindsay as Commissioners to London to consult both with Charles and the English Parliament regarding the most pressing affairs of all three kingdoms. In the preceding volume of the Register we had before us the various grounds on which Charles had taken exception to the action of the Scottish Commissioners relative to his own policy

and that of his English Parliament. In the present volume we have an undated entry pp. (92-3) directly bearing on what had been originally the main object of the Commissioners' errand. That object had been to bring about a common understanding between Charles and his Parliament with reference to the suppression of the Irish rebellion. The misunderstanding between King and Parliament, however, had gone from bad to worse, with the result that no combined effort could be made for the quieting of Ireland. It was from genuine concern that the Council had charged its Commissioners to press the condition of Ireland on Charles and the Parliament. In the north of Ireland there was a numerous Scottish colony which was now exposed to all the fury of the Irish rebels maddened by racial and religious hate.

It is in answer to a communication from its Commissioners in London that the Council in its undated letter insists on joint action if the Irish Protestants are to be saved from extermination. "The distractions in England and the delay of tymous assistance (it wrote) hes lost the lyves of manie thousands of the British, whose blood is daylie shed lyk water and thair bodies given to be meat to the foules of the air and thair flesh to the beasts of the feild, and the benefit of buryal denyed to the dead, suche is the barbarous cruelty of these enemies, bloodie rebels" (p. 92). The rebels, the letter proceeds, have overrun the country, and the forts and towns (Londonderry among them), which should have been secured as places of safety for the Protestants, will speedily be in the enemies' hands if steps are not immediately taken to avert the calamity. Finally, if his Majesty will not turn his attention to the immediate needs of Ireland, the rebels must inevitably become masters of the whole country, when neither troops nor victual could be landed with safety. There were many weighty reasons that decided the ascendant party in Scotland to take sides with the English Parliament against the King, and not the least weighty was the suspicion, shared by his insurgent subjects in England, that Charles found it his own interest that the Irish rebellion should hamper the hands of his enemies at home.

Convention of  
Estates—  
June 1643.

When Charles left Scotland in November, 1641, the administration of public business fell to the Privy Council and the Commissioners for the Peace and the Commissioners for the Common Burdens—the last two bodies having been appointed with the joint consent of the King and the Estates. In the course of the years 1642 and 1643, however, events of such moment had occurred in England that these three bodies felt the necessity of a higher authority to decide what action should be taken in the circumstances. The most momentous question to be determined was what part Scotland was to play in the conflict that had arisen between Charles and his English Parliament. However the contest might end, the ascendant party in Scotland fully realised that its interests would be vitally involved. In the circumstances only one body, the Estates of the Realm, was competent to deal with the emergency. But constitutionally the right of summoning the Estates belonged to the King, and there was little prospect that at this moment Charles would give his consent to their being summoned. He had too good reason to forebode that a meeting of Estates, as they would be constituted, would in the most favourable event give but a dubious support to his own cause.

In the Introduction to the preceding volume (pp. xliii–xliv) it was related how the dilemma had been met. At a joint meeting of the Council, the Commissioners for the Peace, and the Commissioners for the Common Burdens it had been determined that a Convention of the Estates should be summoned without the warrant of the King. In the present volume (pp. 93–4) we have an undated entry which carries us a stage further back in the proceedings that resulted in the summoning of the Convention. Before meeting with the other two administrative bodies, the Council had to decide whether it were “fitting” that the joint meeting should take place. The question was apparently considered one of importance, since a vote was taken as to whether strangers should be allowed to be present when it was put to the meeting. Of eighteen Councillors who took part in the proceedings, thirteen voted in favour of opening the doors, one voted against, and one did not record his vote. Before the joint

meeting of the three bodies the Council had determined the line it would take. There were two questions that would come up for settlement—was it “necessary” that the Estates should be summoned, and, if so, should they be summoned at once without communication with the King? On both questions the vote was taken in the Council; out of twenty Councillors present eighteen voted that the summoning of the Estates was necessary—two not voting; and out of sixteen present twelve voted that the Estates should be summoned at once, and three that the King should be first informed—one not recording his vote. The entire proceedings afford one of many other instances in Scottish history of the national habit of attaching a factitious importance to the forms of law.

An entry under date September 23, 1644, notes the measures “Irish Rebels” taken to check the career of Montrose which had begun with <sup>in Scotland.</sup> his victory at Tippermuir on the 1st of that month. It was apparently the presence of “Irish rebels” as allies of Montrose that had chiefly raised the Council’s alarm. The Earl of Tullibardine was ordered to seize all the boats on the river Tay to the north of Perth and to bring them to that town. He was to station horsemen at all the fords of the same river, and to put the shire of Perth in a posture of defence, as the Irish rebels were expected “to return that way.” For the safety of Stirling, the town, castle, and bridge were to be made secure; all the boats on the Forth were to be brought to Stirling Bridge, and breast-works and redoubts were to be constructed at the main fords of the river. The magistrates of Glasgow were instructed to put their town in a state of defence, and 100 pistols were to be sent for the use of the troops that had been raised in the shires of Renfrew and Ayr. Beyond these items there is nothing in the present volume to indicate the dismay and confusion which Montrose’s campaign created in the party that directed the government of the country.

Other entries with a political bearing may be briefly noted, as they contain no new information on the points to which they refer. At p. 210 we have a letter to the Commissioners, who in 1650 were charged with the negotiations which resulted in the

acceptance of Charles II. as King of Scots, and at p. 238 the obligation exacted of members of Parliament and of holders of office not to seek the repeal of the existing laws regarding religion. Finally, two other entries (pp. 6, 11) indicate the measures that were taken for the compulsory subscription of the Solemn League and Covenant.

The miscellaneous entries in the first two sections of the volume do not call for special mention, as they present no new points of interest. By far the most numerous of them are those which refer to cases of witchcraft, for with the exception of the years, immediately following the Restoration, the period between 1643 and 1650 was distinguished by the greatest panic at the widespread commerce with the powers of darkness. With regard to the third section, containing miscellaneous papers from 1544 to 1660, its contents have been covered in the Introductions to previous volumes of the Register, edited by Dr. Hill Burton and Professor Masson.

I have again to thank the Rev. Henry Paton, M.A., for his valuable assistance in the preparation of this volume.

P. HUME BROWN.

**REGISTER**  
**OF THE**  
**PRIVY COUNCIL OF SCOTLAND.**

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**ACTA, DECRETA, &c.**



# REGISTER

## OF

### THE PRIVY COUNCIL OF SCOTLAND.

#### ACTA, DECRETA, &c.

Acta, November 1641–October 1646.  
Fol. 98, a.

*Sederunt*: — Chancellor; Hamilton; Argile; Mar; Morton; Edinburgh, Eglinton; Cassills; Perth; Lauderdaill; Lindsey; Southesk; 8th July 1643.  
Lanrick; Yester; Balcarres; Advocate.

“Forsamekle as Mr Alexander Henderson, minister at Edinburgh, hes payed and delivered in reall moneys to Johne Jossie, deput to William Thomsonsone, commissar of the Scots armie in Ireland, the soume of ane thousand merkes, as hes cleerlie appeared by the discharge upon the receipt thereof of the date the sixt of July instant and this day produced in Counsell, therefore the Lords of Privie Counsell, according to ane act made be them with consent of the Commissioners for conserving the peace and Commissioners for commoun burdens upon the 4 of March last, doe declare that the said soume of ane thousand merkes is lent be the said Mr Alexander for the present supplee of victualls and cloths to the Scottish armie in Ireland, and that the same sall be payed to him, his airs, executors and assigneyes conforme to the said act abonewritten,”

“The like upon Mr John Inglis of Neather Cramonds discharge of j<sup>m</sup> merks, dated the first of July. The like upon the Lord Melvills discharge of v<sup>m</sup> merkes, dated the 20 of May last. The like upon Mr Archibald Newtoun, minister at Libberton, his discharge of 500 merkes dated the 25 of Aprile last.”

Acknowledgments of loans of money for supplies to the army in Ireland.

*Sederunts*, February 1635–November 1643.  
Fol. 108, b.

“A letter from his Majestie concerning some imputations made aganis the Queenes Majestie.”

Edinburgh, 8th July 1643.  
Letter from his Majesty.

*Decreta*, November 1641–October 1646.  
P. 274.

*Sederunt*:—Chancellor; Mairshell; Mar: Eglinton; Kingorne; Edinburgh, Sinclair; Clerk Register; Wauchtoun; Dundas. 11th July 1643.

The Lords, having heard Sir Robert Innes of that Ilk, John Leith of Harthill, Sir George Johneston of Caskiben, and Mr William Gordon, advocat, in name of Arthur Forbes of , anent the right pretended by them to the riding of Bartill fair and uplifting the customs thereof,

Anent Bartill Fair in Aberdeenshire.

ordain the sheriff of Aberdene and his deutes to ride the said fair and uplift the customs this year and make them forthcoming to the party having best right, and discharge all others from interfering therewith as they will answer at their peril. This is not to prejudice the legal rights of parties.

Edinburgh,  
12th July  
1643.

*Sederunt*:—Chancellor; Mairshell; Mar; Eglinton; Kingorne; Sinclair; Clerk Register; Wauchtoun; Dundas.

Decreta,  
November  
1641–October  
1646.  
P. 274.  
  
Sederunts,  
February 1635–  
November  
1643.  
Fol. 108, b.

[No record of business.]

Edinburgh,  
19th July  
1643.

*Sederunt*:—Chancellor; Sutherland; Kingorne; Lindsey; Dalhousie; Balmerino; Burlie; Wauchtoun, Dundas.

[No record of business.]

Edinburgh,  
25th July  
1643.

*Sederunt*:—Chancellor; Argile; Eglinton; Kingorne; Lauderdale; Lindsey; Dalhousie; Sinclair; Burlie; Balcarres; Clerk Register; Advocate; Innes; Dundas.

Decreta,  
November  
1641–October  
1646.  
P. 274.

Complaint by John Schipphird, kitchen boy to the Earl of Kinnoull, against John White, tailor in Erroll, and others for illegal warding in the tolbooth of Perth.

Complaint by John Schipphird, kitchen boy to the Earl of Kinnoull, as follows:—On 2nd May last John Qubite, tailor in Erroll, Thomas Broun, John Sym, Thomas Ritchie and Andrew Anthony there, apprehended the complainer and carried him to the tolbooth of Perth, where they still keep him in great misery, "being ane parentlesse orphan unable to interteane himself," and they will not challenge him for any crime but purpose to keep him in prison till he starve. Charge having been given to these persons and to the provost and bailies of Perth; and the pursuer compearing by Robert Hepburn, his procurator, but none of the defenders, the Lords ordain the provost and bailies of Perth to liberate the pursuer in so far as he is warded by the persons above named.

P. 275.

Supplication by Youngham Grounds anent the payment of oats, to the value of £72 sterling, which he delivered to George Monro, lieutenant-colonel.

Supplication by Youngham Grounds, as follows:—He delivered to George Monro, lieutenant-colonel to his Excellency's regiment, oats to the value of £72 sterling, as the said lieutenant-colonel's acknowledgment bears, and he craves payment. The Lords give warrant to John Jossie, depute to William Thomson, commissary of the Scottish army, to pay the same, and declare that the said certificate and the Lord General's consent that the same be allowed in the accounts of his regiment shall be his warrant.

P. 276.

Anent the cutting of the fruit trees of Cuikspow.

The Lords, having heard and considered the report of Alexander, Lord Elphinston, and Mr John Rollock, sheriff depute of Stirlingshire, the commissioners appointed for surveying the fruit trees and orchard of Cuikspow, bearing that on 4th July instant, which was the day appointed, Mr John Rollock went to Cuikspow and desired John Ewin of Cuikspow to go with him or send some one to make the said survey,

Decreta,  
November  
1641-October  
1646.  
P. 276.

when Ewin refused to do so because because Lord Elphinston was not present; and having also heard Sir Thomas Hope of Craighall, his Majesty's Advocate, who compeared for Sir Charles Areskine, his son-in-law, and Michael Elphinston, who compeared for the said John Ewin, his son-in-law, who both agreed to a new commission, appoint hereby Mr John Rollock, and Mr James Cunningham, brother to the Laird of Drumquhassill, or either of them in case of the other's absence, to make the said survey on 15th August next and report to their Lordships on the first Council day of November, until which day they continue the discussion of the suspension raised by the said John Ewin against Sir Charles Areskine anent the cutting of the fruit trees and finding of caution.

P. 277.

*Sederunt ut die prædicto.*

Edinburgh,  
27th July  
1643.

Complaint by Duncan Garro, servitor to Mr James Forbes of Haughton, and the said Mr James for his interest, as follows :—On when the said Duncan was on the way from Aberdene to Haughton with his master's carriage horse laden with some commodities and provisions, Sir George Currou, younger of Fingask, William Garro, younger of Little Endowie, and John Garro, *alias* Bang the Wind, "sett upon the poore man in the hie way, gave him manie bauch and blae straiques in diverse parts of his bodie to the great effusion of his blood, tooke aff the graith aff the hors with the commoditeis and medled therewith and spoyled that which they could not make use of, drank out a quart barrell of aquavytie and then barbarouslie filled the same with urine; and when the poore man came home, throw the violence of the strokes he continuallie spate blood as he does yitt to the hazard of his life." Charge having been given to the said William Garro, and Mr James Forbes compearing for himself and his servant and the said William Garrioh being also present, who, upon probation being referred to his own oath of verity, denied the complaint, the Lords assoilzied him.

Complaint by  
Duncan Garro,  
servitor to Mr.  
James Forbes  
of Haughton,  
against Sir  
George  
Currou,  
younger of  
Fingask, and  
others for  
assault.

P. 278.

Complaint by Agnes Renny, widow of William Spence, burgess of Monrose, and Janet Spence, her daughter, as follows :—On July, 1639, James Smith and John and David McKenes, burgesses of Monrose, "came be way of hamesucken to the saids compleanners duellin hous under cloud of night and, without respect to their sexe and weake condition, with a great rung they cruellie battonned the said Agnes and umquhill Margaret Chalmers, her mother, upon the head, armes, shoulders and other parts of their bodeis to the effusion of their blood, so as the said Margaret continued ever thereafter under great pane and weakenes till she died, and the said Agnes is not yitt weill recovered, and brake the said Jonnet Spence her head." Agnes Renny compearing for herself and her daughter, but of the defenders only James Smith, the Lords after hearing parties remit the trial of this complaint to David, Earl of Southesk, Sir Alexander Areskine of Dun, Sir Robert Graham of Morphie, and the

Complaint by  
Agnes Rennie,  
widow of  
William  
Spence,  
burgess of  
Montrose, and  
Janet Spence,  
her daughter,  
against James  
Smith, burgess  
of Montrose,  
and others for  
hamesucken.

P. 279.

provost and bailies of Monrose, or to the said provost and bailies with Decreta,  
any one of the said three councillors, and to report to their Lordships November  
with their best convenience. Further, they ordain James Smith to find 1641-October  
caution for the safety of the said Agnes Renny in 500 merks within 1646.  
twenty-four hours, as he will answer at his peril. P. 279.

Edinburgh,  
1st August  
1643.

*Sederunt* :—Chancellor ; Argile ; Cassills ; Glencarne ; Lauderdaill ; P. 280.  
Lindsey ; Angus ; Burley ; Balcarres ; Dundas ; Innes.

The great  
seal to be  
appended to  
his Majesty's  
signature  
appointing Sir  
Thomas Hope  
commissioner  
to the ensuing  
General  
Assembly.

The Lords ordain and command the Director of Chancery to write and  
expede to the great seal the signature signed by his Majesty on the 22nd  
July last appointing Sir Thomas Hope of Craighall to be his Majesty's  
Commissioner to this ensuing General Assembly, which is to be held  
here, and that the Lord Chancellor append the great seal thereto not-  
withstanding the want of an express clause therein for doing so ; and  
that without passing any other registers or seals.

Anent the  
same.

"A warrant to the Director of the Chancellarie for writing the signa-  
ture to the great seale quherby his Majesties Advocat is made Commis-  
sioner at the Assemblie."

*Sederunts*,  
February 1635-  
November  
1643  
Fol. 109, a.

Edinburgh,  
2nd August  
1643.

*Sederunt* :—Chancellor ; Argile ; Mairshell ; Sutherland ; Kingorne ; Acta, Novem-  
Dunfermline ; Lauderdaill ; Lindsey ; Yester ; Angus ; Sinclar ; ber 1641-  
Balmerino ; Burlie ; Balcarres ; Clerk Register ; Treasurer October 1646.  
Depute ; Wauchtune ; Innes ; Sir Robert Gordon ; Provost of Fol. 98, b.  
Edinburgh.

The Lord  
Chancellor not  
to bear the  
great seal  
before the  
Commissioner  
at the next  
General  
Assembly.

"The whilk day the Lord Chancellor, having represented to the Counsell  
that his Majestie had nominat and appointed Sir Thomas Hop of Craig-  
hall to be his Majesteis Commissioner at this Generall Assemblie and  
desired to know whether his Lordship sould carie the great seale before  
him as if his Majestie wer present himselfe ; and the Counsell consider-  
ing that the great seale has not at anie time bygone beene carried before  
anie Commissioner at Generall Assemblies, and being loath to make anie  
innovation of what has beene the custome heerin doe therefore think it  
not fitt that the Lord Chancellor carie the seale before the Commissioner  
at this time."

3rd August  
1643.

*Sederunt* :—Chancellor ; Argile ; Eglintoun ; Cassills ; Glencarne ; *Sederunts*,  
Kingorne ; Lauderdaill ; Lindsey ; Angus ; Yester ; Sinclar ; February 1635-  
Clerk Register ; Wauchtoun ; Din. November  
1643.  
Fol. 109, a.

[No record of business.]

Edinburgh,  
10th August  
1643.

*Sederunt* :—Chancellor ; Argile ; Sutherland ; Eglinton ; Cassills ; Acta, Novem-  
ber 1641-  
October 1646.  
Fol. 98, b.

Acta, Novem-  
ber 1641-  
October 1646.  
Fol. 98, b.

Dumfermline; Lauderdaill; Lindsey; Wems; Balmerino; Burlie;  
Balcarres; Wauchtun; Dundas; Din; Sir Robert Gordon.<sup>1</sup>

"Forsamekle as the Marquis of Argile hes by publict warrant and otherwayes advanced great soumes of money for furnishing victuell, herring and other necessars for the use of the Scottish armie in Ireland, extending to the soume of fourescore one thousand three hundreth seventie seven pundis, ten shillings, fyve pennies Scots, as be the particular compt thereof revised and allowed be the commissar of the armie under his hand doth appeare; and the Lords of Privie Counsell finding that the said soume has beene undertane and advanced be the said Marquis for the necessarie good of the armie, and that it is just his Lordship have releeff and repayment thereof, they doe therefore declare and ordaine that the said soume with the annual rent thereof from the terme of Lambmes last aucht to be as tymouslie and thankfullie payed to him, and is als just a debt upon the armie as anie other soumes advanced for furnishing the armie by contract with the Counsell, and that they will have a care to see the same payed with the first publict course that sall be tane for releeff of the said armie or payment of anie soumes that have beene advanced for furnishing thereof. It is alwayes heirby declared that notwithstanding the tuelffe thousand pundis Scots lent be the said Marquis upon the act of the Counsell, Commissioners for Peace and Commoun Burdens is compted a part of the said soume, yitt the same (with the Lord Marquis his owne voluntar consent) is onelie to be paid when payment sall be made to others who advanced upon that suretie; and the haill soume abonewritten being payed, all former acts, contracts or bands for the same sall be voide and of none effect.

Fol. 99, a.

"Forsamekle as James, Vicount of Dudhop, having in Januarie last obteained ane decreit before the Counsell against the provest and bailleis of Dundie ordaining them to repesesse him to his wounted priviledges of ryding of the faire of Dundie upon the 15 of August yeerlie, doing of justice, receaving the keyes of the tolbuith and others more fully conteanned in the said decreit; and the Counsell being informed that the provest and bailleis of Dundie hes or intends to keepe a publict mustour or weaponshowing within their burgh upon the 15 day of this moneth, quhilk is the dyet of ryding the said faire, and that thereby occasioun of trouble may fall out betuix the saids parteis, to the breake of the peace of the countrie, and considering that the dyet of ryding that faire cannot be altered and that the toun of Dundie may without prejudice keepe their mustours upon anie other convenient day, therefore and for preveening all occasioun of the breache of the peace the Lords of Secreit Counsell hes discharged and doe heirby discharge the provest, bailleis, counsell and communitie of Dundie of keeping anie mustours or weaponshowing within their toun upon the said 15 of

The magis-  
trates of  
Dundee for-  
bidden to hold  
a wappin-  
schawin on the  
15th of August  
as that is the  
day on which  
the Viscount  
of Dudhope is  
to ride the  
Fair.

Fol. 99, b.

<sup>1</sup> In the Sederunts, Sir Robert Gordon is omitted.

August nor during the time of the first or latter Marie faire as they will answer upon their obedience, without prejudice alwayes to them to appoint their mustours to be kept anie other convenient day, not being the time of the faire foresaid."

Acta, November 1641—October 1646. Fol. 99, b.

Edinburgh,  
27th September 1643.

*Sederunt*:—Lauderdaill, *proeses*; Generall, Dumfermline; King-orne; Lindsey; Wemes; Elphinston; Balmerino; Burlie; Advocate; Treasurer Depute; Wauchtoun.

*Sederunts*, February 1635–November 1643. Fol. 109, a.

Lauderdale.

"Lauderdaill chosen president of the Counsell."

Edinburgh,  
17th October 1643.

*Sederunt*:—Chancellor; General; Argile; Cassills; Dumfermline; Lauderdale; Lindsey; Dalhousie; Sinclair; Clerk Register; Treasurer Depute; Wauchtun.

*Decreta*, November 1641–October 1646. P. 281.

Supplication by Donald Roxburgh, indweller in Coleraine in Ireland, who has been spoiled of all his property by the rebels there.

Supplication by Donald Roxburgh, indweller in Culrayne in Ireland, as follows:—"He being ane gentleman of ane hundreth pundis sterline of yeerlie rent and having ane good hous with movables and plenishing of good worth quherupon he interteanned his familie in ane honest conditioun and was stedable to his Majesteis subjects, yitt now by the barbarous crueltie of the rebels in Ireland he is stript naked of all and turned begger and forced for releeff to come to this his native countrie, as by ane testificat from the magistrats and others in Culrayne will appeare." He craves their Lordships to commiserate his distressed condition and grant him their recommendation. The Lords recommend the supplicant to the charitable consideration of all noblemen, barons, gentlemen and burghs, synods, presbyteries, sessions of kirks and others, within the bounds of the north side of the Water of Forth.

Edinburgh,  
18th October 1643.

*Sederunt*:—Chancellor; General; Argile; Cassills; Dumfermline; Lauderdale; Lindsey; Weems; Dalhousie; Sinclair; Balmerino; Burlie; Clerk Register; Provost of Edinburgh.

Acta, November 1641–October 1646. Fol. 99, b.

Sir John Smith, provost of Edinburgh, admitted into the Council.

"The whilk day Sir Johne Smith, provest of Edinburgh, was admitted on Counsell and gave the oath of alledgance and of a Privie Counsell."

Act ordaining that the Solemn League and Covenant be signed by the Council and all the lieges.

"The quhilk day some of the ministrie of the presbyterie of Edinburgh, compeirand personallie before the Lords of Privie Counsell, did in name and be warrant of the said presbyterie give in the Solemn League and Covenant, together with the Acts of the Convention of Estats and of the Generall Assemblie, and of the Commissioners of the said Convention and General Assemblie made for swearing and subscribing of the same, and desired the said Lords of Privie Counsell to concurre by their exemple and auctoritie with the Commissioners of the General Assemblie in the swearing and subscribing thereof; and the Counsell having read and considered the said acts and covenant and finding the same to tend to the good of religioun, his Majesties honnour and peace of thir kingdoms, they doe

Acta, November 1641–  
October 1646.  
Fol. 100, a.

heartilie concurre with the judgement of the Conventioun and Commissioners of the Generall Assemblie thereanent, and accordinglie ordains the same to be sworne and subscribed be all his Majesteis subjects of this kingdom and appoints the second day of November nixt for the Counsell to sweare and signe the said League, and that letters be writtin to the whole counsellors to keep the said dyet preciselie as they desire not to be esteemed enemeis to religioun, his Majesteis honnour and peace of thir kingdoms.

*Sederunt* :—Chancellor; General; Argile; Cassills; Dumfermline; Edinburgh, 19th October 1643.  
Lauderdail; Wems; Sinclar; Balmerino; Burlie; Balcarres;  
Sir John Smith.

“Forsamekle as George Gardin, burges of Bruntyland, hes payed and delivered in reall moneyes to Johne Jossie, depute to William Thomsons, commissar of the Scots armie in Ireland, the soume of six hundreth pundis as hes cleerlie appeared to the Lords of Privie Counsell by the discharge upon the receipt thereof of the date the 20 of May last produced in Counsell, therefore the Lords of Privie Counsell doe, according to ane act made be them with consent of the Commissioners for conserving the peace and commoun burdens upon the 4th of March last, declare that the said soume of six hundreth pundis is lent be the said George for the present supplee of victualls and cloths to the Scottish armie in Ireland, and that the same sall be payed to him, his heirs, executors and assigneyes conforme to the said act abovewritten.”

l. 100, b.

“The like act upon the discharge of v<sup>o</sup> merkes givin to Robert Richartson in Bruntyland dated the 20 of May; and upon M<sup>r</sup> Johne Charters, minister at Curreis discharge of j<sup>m</sup> merks dated the first of Junij last; and upon Andro Bryson, merchand, his discharge of 500 merks of the 15 May last; and upon John Arnot of Wodmilnes discharge of v<sup>o</sup> merks of the first of July; and upon Andro Watson in Bruntylands discharge of j<sup>m</sup> merks of the 6 of Junij last; upon Johne Futhie, cordonners discharge of 400 merks of the 28 of Aprile; upon Jonet Nimmo wedow, her discharge of 200 merks of the 17 May; upon Alexander Cleghorn, wrights discharge of 200 merks 28 Aprilis; upon John Scot, merchants discharge of j<sup>c</sup>l<sup>bs</sup> of the first of Aprile; upon Patrik Crichton merchants discharge of ij<sup>o</sup> merks of the 31 Martij; upon Andro Crichton's discharge of ij<sup>o</sup> merks the same day; upon William Mure, baxters discharge of ij<sup>o</sup> merks 17 May last; upon Thomas Gourlay in Bruntylands discharge of v<sup>o</sup> merks of 26 May; upon Captan Thomas Weirs discharge of ij<sup>o</sup> merks 15 May; upon James Wilson, merchants discharge of iiij<sup>o</sup> merks, 31 Martij; upon M<sup>r</sup> James Schairps discharge of v<sup>o</sup> merks, 10 Junij; upon Marion Sandelands, relict of David Murreyes discharge of v<sup>o</sup> merks 22 Aprilis; upon John Hamilton, apothecars discharge of 800<sup>lb</sup> 15 Aprilis; upon Patrick Angus, burges of Brunty-

lands discharge of ij<sup>c</sup> merks 20 May ; and upon Thomas Begs discharge of 200<sup>lb</sup> 27 Aprilis."

Acta, November 1641–October 1646. Fol. 100, b.

Edinburgh,  
19th October  
1643.

[Sederunt as recorded above.]

Decreta,  
November  
1641–October  
1646.  
P. 282.

Complaint by the Commissioners for the royal burghs anent the excessive prices charged by the coal-owners on the Firth of Forth.

Complaint by the commissioners for the royal burghs, as follows :—In December 1620, the Council, upon the complaint of his Majesty's Advocate and the noblemen and inhabitants of the sheriffdom of Hadintoun, annulled a bond entered into by the coalmasters upon the water of Forth for raising the prices of coal, and discharged the export of coal by either natives or strangers ; and in April following the Council further dealt with the sale of coal. Again, on 29th November, " the same year," the Council, considering " the prejudices and sufferings of the countrie by the exhorbitant prices sett upon coale and the preferring of strangers to natives in the sale of coale " ordained the masters of the coal heughs upon the water of Forth to prefer the natives to all strangers, not to postpone them on account of any contracts with strangers, " and to serve them with the like measure and prices used and takin at the said coaleheuches the space of three moneths, under the pane of ane hundreth pundis to be payed to the pairtie wronged, ather by highting the prices, altering the measure, or delaying and postponing them to strangers," *toties quoties*. The said prices and measures were ordered to stand in force till Pasche thereafter and further order was to be taken thereanent. The coalmasters cannot pretend ignorance of this act, as it was so often and carefully published, yet against the tenor thereof the abuses complained of are continued and are come to a greater height than formerly. Not only have the price and measure of the coal been altered, natives postponed to strangers, and great quantities of coal exported, but the natives are " altogether defrauded of coale after long attendance upon the same." Charge having been given to John Cornwall of Bonhard, Mr Robert Cornwall, his brother, Sir William Dick of Braid, Mr Andrew Dick, his son, James Hamilton of Grange, John Hamilton of Kinglassie, John Hamilton, chamberlain of Kinneill, Robert Elphinston of Querrell, James Spittell, there, Edward Cowie, tacksman of the coal of Fawkirk, William, Earl of Airth, George Forrester, tacksman of the coal there, Alexander, Lord Elphinston, John, Earl of Mar, Harry Stuart of Baith, Sir Alexander Schaw of Sauchie, Mr Robert Bruce of Kennet, Edward P. Bruce now of Culros, Mr Alexander Clerk of Pittinbreiff, Thomas Charters, James Loch, and John Rynde for the coalheughs of Tulliallan, John Bairdie in Innerkeithing, Sir John and George Preston of Valafeild, John, Earl of Wemes, Sir Alexander Gibson, elder of Durie, John Coil-year of Kirkaldie, John, Lord Sinclair, David Boswell of Balmowto, David Beatson of Carden, George, Earl of Wintoun, Sir John Johneston of Elphinston, Captain Robert Hamiltoun, Captain Thomas Hamiltoun, Robert Cokburne of Butterden, James Dischington in Elphinstoun, Robert Greirson, skipper in the Panns, John Aikman there, and David Preston

P. 283.

P. 284.

Decreta,  
November  
1641-October  
1646.  
P. 285.

P. 286.

P. 287.

of Craigmillar; and the pursuers compearing by George Suttie, dean of guild and commissioner for Edinburgh, many other commissioners from divers particular royal burghs within the kingdom, and Mr Alexander Guthrie, clerk to the Burghs, with John Ramsay, their agent; and of the defenders Mr Andrew Dick, Mr Robert Bruce of Kennet, Mr Alexander Clerk of Pittinbreiff, John, Earl of Wemes, John, Lord Sinclair, David Beatson of Carden, David Boswell of Balmowto and James Dischington of Elphinston compearing personally, and Sir William Dick by his said son, Lord Elphinston by Hall, his servant, and John, Earl of Mar and John Hamilton of Kinglassie by Mr David Williamson; "the said Earle of Wemes and remanent coalmaisters compeirand declared all with one voice that as they ever had so they would still continue in their obedience to the act of Counsell for preferring natives to strangers," and were content that the said act should stand in full force against them. Further, the said Earl declared that "he sold the load of his land coale, being a water boll, for fyve shillings tuo pennies, and the load of his sea coale of the measure foresaid at seven shillings one pennie." The commissioners for the burghs offered to prove that they bought the load of his land coal at 4s. 2d. seven years since. This the Lords refer to their probation upon 2nd November next, until which time they ordain the pursuers to pay 5s. 2d. to the said Earl of Wemes for his land coal and 7s. 1d. for his sea coal. David Beatson acted himself "to keepe eight men still working at his great coale for furnishing the countrie and to sell the load thereof, being a water boll, at three shillings six penneis." The Lords ordain the Laird of Balmowto to sell his coal to the country people at the price he has charged for the last five years; and they ordain the Earl of Mar and the rest of the coalmasters on the water of Forth who sell their coal by chalders to sell the same at 5 merks the chalder until the pursuers prove that they sold the same at an easier rate, for which the 2nd November has been fixed with consent of parties. Mr Alexander Clerk acted himself to furnish the country with his coal at 3s. 6d. the load, "being a water boll." The Lords ordain Mr Andrew Dick and his father and John Hamiltoun of Kinglassie to sell the chalder of their coal, "which is the double of Alloway chalder, at ten merkes," until the burghs prove that they sold the same cheaper before; and the said Mr Andrew to sell the load of his land coal at 6s. the load "of the mett foresaid." Richard Chaplane, commissioner for the burgh of Hadinton, offering to prove "that the countrie people had at the Earle of Wintons coaleheuches 3 coale creills (which would be a full hors load and conteane ane water boll in his estimatioun) for three shillings foure penneis and tua pennies to the caryer," the Lords assign to him the 2nd November to prove the same. Further, the Lords ordain the whole remanent coalmasters abovementioned and their tacksmen to sell the load of their coals, being a water boll, at the same price as they have been receiving for the past three years until the pursuers prove that they sold them cheaper. Moreover, as "the coale of Elphinston hes

ever beene a land coale for furnishing the countrie," the Lords discharge James Dischington and the other tacksmen of that coal to sell any of it for export under the penalties contained in the Acts of Parliament thereanent, or to increase the price above 3s. 4d. the load, being a water boll, which is the price taken by them for the past three years. The Commissioners for the Burghs declared they would use the same probation on 2nd November respecting the coal of Dysert belonging to Lord Sinclair as against the Earl of Wemes. And finally the Lords ordain the whole coalmasters to prefer the natives coming to them for coal to all strangers and not delay them on any pretext of a contract with strangers, but to serve them at the prices and measures abovementioned under the penalty of £100 to be paid to the party wronged *toties quoties* in terms of the act and proclamation of 29th November 1621, and under the further penalty of being altogether prohibited to export coal, and to be censured and punished in their persons and goods at the will of the Council.

Anent the supply of coal in Linlithgow shire.

Mr Andrew Dick, compearing personally in name of Sir William Dick of Braid, his father, declared that being summoned by the Burghs anent furnishing the country with the coal of Caribdin, specially within the sheriffdom of Lithgow, "he was willing to give all possible satisfaction in that particular, providing the whole furnishing should not be layed upon his coale but that the remanent coalemaisters of the shire should furnish their proportionall part according to ane visitation to be made by order of the Counsell of the severall coalheuches in the said shire by persons to be nominat be the Counsell for that effect, and desired this visitation to be done with all possible diligence." The Lords, considering the desire reasonable, hereby appoint Sir Robert Drummond of Medhop, William Drummound of Rickartoun, Mr George Dundas of Manner, George Dundas of Duddingstoun, and George Bell, provost of Lithgow, or any three of them, to visit the whole coalheughs of the shire of Lithgow, take trial of the number of colliers at each and the benefit of their coal, and set down the proportion of coal to be supplied by each of these coalheughs for the use of the said shire, and how the same shall be observed, and report to the Council with all diligence.

"The Frensh monsieur gave in his propositions."

Decreta,  
November  
1641-October  
1646.  
P. 287.

P. 299.<sup>1</sup>  
P. 300.

[<sup>1</sup> Out of its proper place in the Register.]

Sederunts,  
February 1635-  
November  
1643.  
Fol. 109, b.

Edinburgh,  
2nd November  
1643.

*Sederunt* :—Chancellor ; Argile ; Mar ; Eglinton ; Cassills ; Dunfermline ; Lauderdaill ; Lindsey ; Dalhousie ; Angus ; Yester ; Sinclair ; Elphinston ; Balmerino ; Burlie ; Balcarres ; Clerk Register ; Advocate ; Treasurer Depute ; Wauchtun ; Sir William Douglas ; Sir John Smith.

Acta, November 1641-October 1646.  
Fol. 100, b.

Subscription of the Solemn League and Covenant.

"The quhilk day the counsellors present subscribed the Solemn League and Covenant."

Decreta,  
November  
1641–October  
1646.  
P. 288.

[Sederunt as recorded above]

Edinburgh,  
2nd November  
1643.

P. 269.

Supplication by Laurence Mercer, son of the Laird of Aldie, Rorie Clerk, son of Mr Donald Clerk, minister at Lochells, James Borthuick, son of the deceased Mr Eleazar Borthuick, minister at Leuchars, and Peter Hay, son of George Hay, younger of Nauchtane, students in the College of St. Andrews, as follows:—In the process by them in June last against James Stuart of Ardvorlich and Robert Stuart, his son, touching the alleged slaughter of the deceased Alexander Stuart, son of the said James, their Lordships gave commission to the Earls of Lindsey and Wemes and Lord Balcarres to investigate the matter and report, and ordained the Justice to continue the criminal diets until 1st November. These noblemen appointed several diets for the hearing of evidence during last vacance, and witnesses were cited for both parties, but owing to the commissioners being taken up with public business they could not attend. They have now appointed the 15th instant for this purpose and the Justice has continued the criminal diet until the 22nd, yet it is probable that if some others be not added to the commission the delays may continue to the great charges and trouble of the supplicants, who crave accordingly. The Lords adjoin Robert, Lord Burlie, and Sir Thomas Myrtoun of Cambo, and ordain the commission to report on 1st January next, unto which date they also ordain the Justice to continue the case.

Supplication by Laurence Mercer, son of the Laird of Aldie, and others, all students in St. Andrews, anent the trial for the slaughter of Alexander Stuart, son of James Stuart of Ardvorlich. See Index to the preceding volume.

Sederunts,  
February 1636–  
November  
1643.  
Fol. 110, a.

“The Duke of Hamiltons patent presented to the Lord Chancellor and recorded by the Erle of Lindsey.”

The Duke of Hamilton's patent.

“A letter to his Majestie anent the restraint of the Earle of Lothian.”

The Earl of Lothian.

*Sederunt*:—Chancellor; Argyle; Mar; Eglinton; Cassills; Weemes; Yester; Elphinston; Balcarres; Treasurer Depute; Wauchtoun.

Edinburgh,  
4th November  
1643.

“The quhilk day the Councel acquainted the Committee of Estats with the letters they had reseaved from the noblemen who were written to come in and subscriye the Covenant.

The subscription of the Solemn League and Covenant.

Acta, Novem-  
ber 1641–  
October 1646.  
Fol. 100, b.

*Sederunt*:—Chancellor; Argyle; Mar; Eglinton; Cassills; Wemes; Angus; Yester; Elphinston; Balmerino; Balcarres; Clerk Register; Treasurer Depute; Wauchtun; Sir John Smith.

Edinburgh,  
7th November  
1643.

“The Lords of Privie Counsell gives commissoun be thir presents to his Majesties Advocat and Justice Deputs to peruse the processe and delations givin in against witches, and to report to the Counsell their opinion thereanent.”

Trial of  
witches.

“Forsamekle as Sir William Armyne, one of the commissioners frome the Parliament of England, has represented to the Counsell that on the William Hamon, Englishman, maister of the ship called the ‘William and Judeth of Lun,’ has givin out threatning speeches, that when he is

Bailies of Burntisland ordered to arrest the ship of William Hamon, who

threatens to  
become a  
pirate.

at the sea he will turne pyret, therefore the Lords of Privie Counsell, according to the desire of the said Sir William Armyne, ordains the bailleis of Bruntlyland, where the said William Hamon and his ship lyes, to arrest the said ship and not to suffer her goe away till first the said William Hamon appeare that order may be takin with him, and ordains the bailleis for this effect to take the whole sailes of that ship frome the roes and to keepe them till they receave farther warrant thereanent."

Acta, Novem-  
ber 1641-  
October 1646.  
Fol. 101, a.

[Sederunt as recorded above.]

Edinburgh,  
7th November  
1643.

Protest by  
Robert Bruce,  
son of William  
Bruce,  
portioner of  
Lyth, for  
himself and as  
commissioner  
for Alexander  
Cogill of that  
Ilk, against a  
summons at  
the instance of  
Alexander  
Duncan in  
Kirk.

This day compeared Robert Bruce, son of William Bruce, portioner of Lyth, for himself and as commissioner for Alexander Cogill of that Ilk, and producing copy of a summons at the instance of Sir Thomas Hope of Craighall, his Majesty's Advocate, and Alexander Duncan in Kirk, for them to appear before the Council this day and answer to the charge of bearing hagbuts and pistols and wounding the said Alexander, protested in respect of the non-compearance of their party, that they should not be held to answer until they were cited of new and their expenses paid. About a year previously they had been summoned upon the same complaint, and because of their non-compearance Alexander Duncan protested and obtained modification of 100 merkes for expenses for payment on which he caused charge the said Alexander, who suspended the charge and consigned the money in the hands of the Clerk of the Council. He therefore further protested for the delivery of the consigned money to him upon his discharge for himself and the said Alexander Cogill. The Lords admit the protestation.

Decreta,  
November  
1641-October  
1646.  
P. 289.

P. 290.

Doom to be  
pronounced on  
Margaret  
Hutton, spouse  
of Edward  
Ezat, burgess  
of Culross, who  
has been  
found guilty of  
witchcraft.

7th November  
1643.<sup>1</sup>

The coal-  
owners and  
the burghs.

The Lords, having on 12th October last granted a commission to the provost and bailies of Culros, Sir Robert Colvill of Cleish, Sir George Preston of Valafield, Mr Robert Colvill of Kynneddir, and James Aitkin of Middle Grange, or any three of them, for the trial of Margaret Huttoun, spouse of Edward Ezat, burgess of Culross, by an assize for witchcraft, ordaining them to report before pronouncing sentence, and their report being this day produced, showing that the said Margaret was convicted of the said crime at a justice court held by the said commissioners at the burgh of Culros on 25th October, ordain the said justices or any three of them to pronounce doom against her according to the laws of the kingdom and see the same put to execution.

P. 291.

"A Committee to meet with the borrowis and coalmaisters."

Sederunts,  
February 1635-  
November  
1643.

*Sederunt* :—Chancellor ; General ; Argile ; Mar ; Cassills ; Wems ; Angus ; Yester ; Elphinston ; Balmerino ; Balcarres ; Clerk Register ; Treasurer Depute ; Wauchtune ; Sir John Smith.

Edinburgh,  
9th November  
1643.

Acta, Novem-  
ber 1641-  
October 1646.  
Fol. 101, a.

"The answers of the Counsell of Scotland to the propositions givin in to them be Monsieur Bosivous from the King of France.

<sup>1</sup> The Register of Sederunts ends on 9th November 1643.

Acta, Novem-  
ber 1641-  
October 1648.  
Fol. 101, a.

"To the first, when the Counsell sall receive ane accompt from the Earle of Lothian of his proceedings in his imployment to France, they will then according to their power give such ane respective answer as may show their willingness to interteane and confirme the ancient alliance betuix the kingdoms of Scotland and France.

Answers of  
the Council to  
the proposi-  
tions of  
Monsieur  
Bosivous anent  
the ancient  
alliance  
between  
Scotland and  
France.

Fol. 101, b.

"To the second, the Counsell can give no other answer then that the conserving of peace betuix the tua kingdoms of Scotland and England is remitted be his Majestie and Estats of Parliament to a commissoun appointed for that effect, and that the late Convention of Estats having receaved some propositions frome commissioners of both houses of the Parliament of England for the further securing of religion and peace of thir kingdoms, they have entrusted the consideration thereof to ane committee of their owne number, who (the Counsell are confident) will proceed in these affaires as becometh them in dutie and conscience towards God, in loyaltie to the King and with regard to the good of the kingdoms.

"To the thrid, since the Nationall Assemblie of the Church of Scotland is independent, therefore what hath beene concluded be them cannot be recalled be the Counsell.

"As the Counsell have answered these principall propositions according to their power, and in such sort as can give no just occasion of offence to the King of France, being willing inviolablie to keep that amitie quhilk hes beene so religiouslie observed these manie ages, and ar confident that the Queene Regent, and these who have the charge of the King of France and his affaires in his noneage will be better advised then to make these particulars ane occasioun of breach with his ancient allyes, whom his royall predecessors in their greatest difficulteis have found to be their readiest and surest freinds, so when anie other proposition sall be made unto them by Monsieur Bosivous they will returne such ane answer thereto as apperteaneth."

"The propositions (translated out of French in English) which Monseieur Bosivous, sent from the most Christian King, is commanded to make to the Lords of Counsell of Scotland.

"That according to the instructions which the Lords of the Counsell of Scotland hes givin to my Lord the Earle of Lothian, their deputie in France, with consent of the King of Great Britane, the said Lords (so far as their power doth reach) ar to confirme the ancient alliances betuix France and Scotland.

Fol. 102, a.

"That for this effect the Scots directlie nor indirectlie enter not in armes in England, whether under pretext of serving the King of Great Britane or under pretext of serving religioun without expresse commission from the King, their maister, and forasmuch as this article is of present concernment the most Christiane King desires a punctuall and speedie answer.

"That the Lords of the Counsell of Scotland in imitation of the most

Christiane King have no regard to the difference of the religioun of these who serve in France or ar inrolled or to be inrolled to serve there. And forasmuch as the churches of Scotland in their Assemblie have determined to the contrare, that the Counsell of Scotland give a sentence of retractation. Monsieur de Bousivous hath further commandement frome the King his maister to make some other propositions. But as these ar the principall and which concerne the manutention of the alliance of the two kingdoms, or the breach of the same, he hath order to have answer first."

Acts, November 1641–October 1646. Fol. 102, a.

Edinburgh,  
9th November  
1643.

[Sederunt as recorded above, with the addition of Sinclair and the Advocate.]

Decreta,  
November  
1641–October  
1646.  
P. 291.

Complaint by James Maxwell of Innerwick against Alexander Livingstone of Saltcoats, for illegally obtaining relaxation from letters of lawburrows.

Complaint by James Maxwell of Innerweik, one of his Majesty's Bed-chamber, as follows:—He raised letters of lawburrows against Alexander P. 223. Levingtoun of Saltcoatts, under the penalty of 3000 merks, who refused to obey and went to the horn, whereupon the complainer was forced to raise letters of caption and apprehend and ward him in the tolbooth of Hadinton. But he has obtained letters of suspension and relaxation upon some frivolous reasons which he cannot make good, only intending hereby to elude the law. Both parties compearing, James Maxwell produced documents showing that the said Alexander was personally charged on 5th March, 1643, to find lawburrows, and for refusing was put to the horn on 1st November, 1643; while Alexander Levingtoun produced his letters of suspension and relaxation showing that he had found Robert Acheson of Sydserf cautioner for him conform to the charge of lawburrows; but he contended that the penalty should be modified as being beyond that prescribed by the Acts of Parliament. The Lords ordain this caution to stand in force against the defender and find the horning orderly proceeded until the defender find sufficient caution to the pursuer for his indemnity from the said 5th of March, under the penalty of 3000 marks without any modification. This caution was immediately found by the said Robert Achesoun of Sydserf.

Complaint by the commissioners of the royal burghs against certain coal-owners for exporting coals against the law.

Complaint by the commissioners of the royal burghs as follows:— P. 294. "Albeit the transportation of coale be straitlie prohibite and discharged be diverse acts of parliament under certain panes mentiouned and conteanned therein, nevertheles it is of truth that there hes beene and still is great transportatioun of coale frome the particular coalheuches underwritin, which being land coale and wherewith the toun of Edinburgh and parts adjacent wer served and the same never heir-to-fore till of late transported, yitt now the countrie about these parts by the said transportatioun is so heavilie prejudged as they cannot have the benefit of the said coalheuches for their necessarie use, and what they gett is at exorbitant prices, farre beyond that quhilk wes payed formerlie; viz., at the coalheuches of Carbarrie perteaning to James Rig of Carbarrie, and of Natoun perteaning to Sir William Murrey, and of

Decreta,  
November  
1641–October  
1646.  
P. 294.

Wolmettt perteaning to , Ladie Wolmettt, of Gilmertoun perteaning to Sir David Crichtoun of Lugtoun, of Leswade perteaning to Sir Johne Nicolsons of Leswad, of Cokpen pertaining to Mark Cas, of Stobhill perteaning to Dundas of Arnestoun, of Bryanburne pertaining to the Earle of Lothian, of Bannockburne pertaining to John Rollock, of Achinbowy pertaining to Bruce of Achinbowy, of Mekle Fawside pertaining to Mr James Durhame, of Little Faside to Johne Hamiltoun, and of the coale of Painston perteaning to Sir William Baillie of Lamingtoun, knight; quhilk transportatioun and exorbitancie of prices at the saids coalheuches if they sall be of anie longer continuance the countrie will suffer verie heavilie." Charge having been given to the coalowners named above and to Lady Lothian, and the pursuers compearing by George Suttie, dean of guild of Edinburgh and commissioner for the said burgh, with several other commissioners for particular burghs, and Mr Alexander Guthrie, clerk, and John Ramsay, agent to the said burghs, and of the defenders compearing, the said Mark Cas, Dundas of Arnestoun, John Rollock, Robert Bruce and Sir William Baillie, personally, and Sir William Murray by

P. 296.

Murray, his son, the Lords, after hearing parties, discharge the coalmasters above written "to sell anie of their coale to be transported out of the kingdome under the panes conteanned in the Acts of Parliament but that they sell the same to the natives at the prices and measure formerlie receaved be them these seven yeeres bygane," the defenders having shown no reasonable cause why this should not be done.

P. 296.

Complaint by the commissioners for the royal burghs as follows:—In the process lately pursued at their instance against the coalmasters they undertook to prove that they bought the load of the Earl of Wemes's land coal and that of Lord Sinclair at 4s. 2d. seven years since; that the Earl of Mar and other coalmasters on the water of Forth who sell their coal by chalders sold the same several years ago cheaper than five merks the chalder; that Sir William Dick, Mr Andrew Dick, his son, and John Hamilton of Kinglassie have sold the chalder of their coal, "being the double of Alloway chalder," cheaper than ten merks; that the country people in East Lothian received at the Earl of Winton's coalheughs "three creills (quhilks would be a full hors laid and containe a water boll)" for 3s. 4d. and 2d. to the carrier; and that the remaining coalmasters of the kingdom have sold their coals cheaper some years past than they do now; and the Lords appointed 2nd November for leading this probation. Charge having been given to Cornwall of Bonhard, Sir William and Mr Andrew

Complaint by the commissioners of the royal burghs against certain coal-owners for selling their coals at too high prices.

P. 297.

Dick, James Hamilton of Grange, Hamilton of Kinglassie, John Hamilton, chamberlain of Kinneill, Robert Elphinston of Querrell, James Spittell there, Edward Cowie in Fakirk, William, Earl of Airth, George Forrester, Harie Stuart of Baith, Sir Alexander Schaw of Sauchie, Mr Robert Bruce of Kennat, Edward Bruce of Carnock, Thomas Charters, James Loch and John Rynd, John Bairdie, Sir John

and Sir George Preston, John, Earl of Wems, John, Lord Sinclar, <sup>Decreta, November 1641-October 1646.</sup> Sir Alexander Gibson of Durie, John Coilyear and George, Earl of <sup>P. 297.</sup> Wintoun, and the pursuers compearing by George Suttie, dean of guild of Edinburgh, commissioner for the said burgh, and many other commissioners for other particular burghs, with Mr Alexander Guthrie, clerk to the said burghs, and John Ramsay, their agent, and of the defenders compearing John, Earl of Mar, John, Earl of Wems, John, Lord Sinclar, Mr Robert Bruce of Kennet, Mr Andrew Dick for himself and his father, and Sir George Preston of Valafield, personally, and John Hamilton of Kinglassie by Mr David Williamson, the Lords, after hearing the depositions of the witnesses produced and advising, ordain <sup>P. 298.</sup> "the chalder of coale of the old measure kepted thir diverse yeeres bigane at the coalheuches of Alloway, Airth, Tulliallan, Sauchy and Kennet to be sold at three punds; and the chalder of the coale at Caribdin, Grange, Bonhard, and Borrowstounes, quhilk is the double of Alloway measure, to be sold at six punds, and the land laid, being ane measure of ane water boll at six shillings; and in regard the measure of Sir George Prestoun of Valifeild his coale is alledged to be foure and a halfe of Alloway measure and somewhat more nor the double of the measure of Borrowstounes, ordains the said Sir George to sell his said measure at tuelffe punds, quhilk is the double of Borrowstounes measure and the quadruple of Alloway measure ay and quhill the said Sir George his measure be compared with the measure of Alloway and so the true proportion be knowne; and siclyke ordains John Bairdie of and Harie Stuart for their coale of Innerkething and John Coilyer in Kirkaldie for his coale at Lochgellie to sell the laid of their coale of a water boll at three shillings six penneis; as alsua ordains the said Robert Elphinstoun and James Spittell for the coale of Querrell and Edward Cowie for the coale of Fakirk, to sell the laid of their coale at the same price and measure; and ordains the Earle of Wems and the Lord Sinclair and the Lord Durie to sell the laid of their land coale, being 18 pecks water mett, at fyve shillings tua penneis, and the laid of sea coale at seven shillings one pennie; and last ordains the said Earle of Winton to sell a full hors laid of his coale, being three creills full and ane water boll, at fourtie penneis the laid and tuo penneis to the caryer; and thir prices and measures to stand onelie till the terme of Witsonday nixt and ay and whill the Counsell take farther order anent this mater and the Burrowes be warned and heard heeranent." The Lords ordain likewise that if the coalmasters fail in obedience <sup>P. 299.</sup> of this ordinance they will incur *toties quoties* a penalty of £100. It is also declared that the said coalmasters shall not be tied to serve any of the burghs with coal "but such as sall have a note under their magistrats hands that they ar to serve the countrie with the coale to be receaved" on production of which note they will be preferred to exporters, under the penalty of £100 for each offence and absolute prohibition of exportation. Further, it is provided that the Burghs

Decreta,  
November  
1641-October  
1646.  
P. 299.

may use their own barques and vessels or such as they may hire from others for conveying their coal on attestation that the coal is for the country and not for exportation and giving surety to the coalmasters for that effect, or failing this, on enacting themselves to report to the coalmasters a certificate from the magistrates or the master of the ground where they unloaded their vessels, otherwise they are not again to be served by the coalmasters.

P. 300.

*Sederunt*:—Chancellor; Argile; Cassills; Dalhousie; Balmerino; Edinburgh, 14th November 1643.  
Advocate; Justice Clerk; Wauchtun; Provost of Edinburgh

P. 301.

Supplication by the barons and freeholders of the shire of Inverness, as follows:—No commission has yet been granted to anyone to be sheriff of Inverness for the following year, and the same has been neglected for former years whereby many inhabitants are disappointed in their actions and services before the said sheriff, and they crave that their Lordships would take some course for obviating this inconvenience. The Lords hereby continue Thomas Fraser, elder of Streachin, late sheriff of Inverness, in the said office until Michaelmas next, if he be not discharged before that time.

Supplication by the barons and freeholders of the shire of Inverness for the appointment of a sheriff.

Supplication by Mr Patrick Maxwell, sheriff clerk of Perth, as follows:—There have been several actions and causes depending before the sheriff of Perth since before Michaelmas last and others are pending, but these cannot proceed as no sheriff has been appointed. He craves that their Lordships would continue Sir Robert Blair of Baltheyock in this office. The Lords hereby continue him in the said office until Michaelmas next unless he shall be discharged before then.

Supplication by Mr. Patrick Maxwell, sheriff-clerk of Perth, for the appointment of a sheriff of Perth.

Acta, November 1641-October 1646.  
Fol. 102, a.

*Sederunt*:—Chancellor; Argile; Cassills; Kingorne; Lauderdaill; Edinburgh, 23rd November 1643.  
Sinclar; Balmerino; Hamiltoun; Wauchtune.

"Forsamekle as the Lords of Secreit Counsell, considering the great prejudice likelie to ensue to his Majesteis service in ingadding of his rents and to the lieges in the course of justice performable be the shireffs and stuartis of this kingdom who ar at his Majesteis nominatioun throw the neglect of the tymous appointing of the said shireffs for this yeere, and that thir services cannot be discharged without the shireffs formerlie in office be continued for this yeere, therefore the said Lords hes continued and be thir presents continues the said shireffs and stuartis in thir services foresaids till Michaelmes nixt except they be discharged before that time, viz., Sir Johne Dalmahoy, shireff of Edinburgh; Sir Johne Achinmoutie, shireff of Hadinton; Sir Alexander Swintoun, shireff of Beruick; Sir William Scot of Harden, shireff of Selkirk; Johne Naper of Kilmahew, shireff of Dumbartane; David Grahame of Fintrie, shireff of Forfar; Alexander Hamilton of Hags, shireff of Lanrick; Sir Alexander Irwing of Drum, shireff of Aberdeen; Sir Alexander Abircrombie of

Existing sheriffs and stewards to continue in their offices till the following Michaelmas.

Fol. 102, b.

Birkinboig, shireff of Bamf; James Johnstoun of Corheid, stuart of Annerdaill; Foullertoun of Dreghorne, baillie of Kylestuart; and Bryce Sempill of Cathcart, shireff of Renfrew and baillie of Paisley; and ordains letters to be direct to make publicatioun heirof be opin proclamatioun at all places neidfull wherethrow nane pretend ignorance of the same, and to command and charge the shireffs, stuarts and bailleis above specifeit to goe on in the discharge of their offices and performance of the duteis incumbent to their places till Michaelmes, except they be discharged, as they respect the good of his Majesteis service, the weale of the countrie, and will answer upon the contrare at their highest perrell."

Edinburgh,  
23rd November  
1643.

*Sederunt* :—Chancellor; Argile; Cassills; Kingorne; Lauderdaill; Balmerino; Advocate; Justice Clerk; Wauchtoun; Provost of Edinburgh.

Acta, November 1641–October 1646.  
Fol. 102, b.  
Decreta, November 1641–October 1646.  
P. 302.

Gavin Mairshall, prisoner in the tolbooth of Edinburgh, to be released.

The Lords ordain the provost and bailies of Edinburgh to liberate Gavin Mairshall, presently prisoner in their tolbooth for the slaughter of David Bruce, son to the young Laird of Clackmannan, seeing he has found caution to keep ward in Edinburgh till he be relieved by the Council under the penalty of £2000.

Complaint by Mr. Thomas Young of Leny, writer to the Signet, against George Samuell, baker in Edinburgh, for robbing the complainer's servant of two bags of oatmeal.

Complaint by Mr Thomas Young of Lēny, writer to his Majesty's signet, as follows :—On the 10th instant his servant was "carying upon hors tua bags of his owne meale frome his rounge of Leny for the provisioun of his owne hors in Edinburgh, where he now resides, expecting no trouble for this caus, since the mater is unchallengable in it self and wes never challenged in the like caise heirtofore, nevertheles, as his said servant wes comming along the Cowgait with his said meale, George Samwell, baxter of Edinburgh, violentlie reft the same frome his said servant and caried it whether he pleased and keepes the same from the compleaner. Whereanent he being loath to make hearing and having compleanned to the bailleis of Edinburgh, who wer sensible of the wrong and dealt by their officers and themselves also for restitutioun of the meale, nevertheles he stubbornlie refuses." The pursuer compearing but not the defender, the Lords ordain the latter to be put to the horn and escheated.

Edinburgh,  
30th November  
1643.

*Sederunt* :—Chancellor; Argile; Cassills; Kingorne; Lauderdaill; Balmerino; Sinclar; Justice Clerk; Wauchtoun.

Order to the justices of Perth to pronounce sentence on three persons convicted of witchcraft.

On 25th July last the Lords granted commission to the sheriff of Perth and his deputes and to the provost and bailies of Perth, or any three of them, the sheriff or provost being one, to put Agnes Stoddart and Thomas and Jean Rob, prisoners in the tolbooth of Perth, to the trial of an assise for witchcraft, and the Lords, having seen the report thereof, stating that the said three persons had been convicted of some points of the said crime in a judicial court held at the burgh of Perth

Decreta,  
November  
1641-October  
1646.  
P. 304.

on 30th August last, ordain the said justices to pronounce sentence against these persons according to the laws of the country and see the same put to execution.

Complaint by David Hunter, provost of Forfar, Thomas Hunter of Roswallie, George Wod, burgess of Forfar, and John Hunter in Glammis, curators to Margaret Hunter, daughter of the deceased John Hunter, tailor burgess of Edinburgh, and John, Earl of Kingorne, and James, Earl of Hartfell, overseers to the said Margaret, as follows:—They are informed that Alexander Forbes, brother-in-law of the said Margaret, has taken her away out of the house of the said John Hunter in Glammis and carried her they know not where, intending to dispose of the young woman's person and estate to his own advantage, "to her wrack and undoing and prejudice of the trust lying upon the compleanners and dangerous exemple aganis minors." Charge having been given to the said Alexander Forbes to produce the said Margaret, and the Earl of Kingorne and John Hunter compearing for themselves and the remanent pursuers, but not the defender, the Lords ordain the latter to be put to the horn and escheated.

Complaint by David Hunter, provost of Forfar, and others, curators to Margaret Hunter, daughter of the deceased John Hunter, tailor, burgess of Edinburgh, against Alexander Forbes, brother-in-law of the said Margaret, for carrying off the said Margaret.

P. 305.

*Sederunt*:—Chancellor; Glencarne; Dalhousie; Yester; Durie; Advocate; Treasurer Depute; Justice Clerk; Morphie.

Edinburgh,  
7th December  
1648.

This day being assigned to Sir Charles Areskine of Cambuskenneth, knight, and John Ewin of Cuikspow for the discussion of the suspension raised by the latter, and Sir Charles compearing by Sir Thomas Hope of Craighall, his father-in-law, and John Ewin compearing by Michael Elphinstoun, his brother-in-law [*sic*], the Lords, after hearing the parties, considering that the said Michael Elphinstoun refuses to be cautioner that the said John will not cut the planting of Cuikspow, and that the said John was denounced for not appearing to answer for his refusal to permit Mr John Rollock, sheriff depute of Stirline, to make a survey of the manor place, orchard and fruit trees of Cuikspow in terms of the Council's warrant, and for destroying the trees and planting and not finding caution not to destroy any of those now extant and arrested by warrant of the Council, find the said horning orderly proceeded, and ordain the same to be put to further execution until the said John Ewin find caution in 1000 merks not to cut any of the said planting.

John Ewin of Cuikspow to find caution not to cut the woods of Cuikspow.

See ante, p. 2.

P. 306.

Complaint by John Purdie in Lammertoun, as follows:—On 15th October last he was coming out of Dunce from the market there in peaceable manner, when Alexander Fish, portioner in Flemington, and John Greeve, portioner in Aittoun, "sett upon him in the hieway and with battouns and other weapouns gave him manie strokes on the head and other parts of his bodie to the effusion of his blood, threw him to the ground, trampled upon him with their feet and barbarouslie and cruellie spurred him with their spurres on the face to the great effusioun of his blood." Both pursuer and defenders compearing,

Complaint by John Purdie in Lammerton against Alexander Fish, portioner in Flemington, and John Grieve, portioner in Aytoun, for assault.

P. 307.

probation was referred unto the defenders' oaths of verity, whereupon being sworn, they denied the charge against them. The Lords therefore assoilzie them, and because they have attended this matter for four days, and the pursuer undertook to prove them guilty or pay their charges, the Lords ordain the pursuer to pay £8 to each of the defenders.

Decreta,  
November  
1641-October  
1646.  
P. 307.

Edinburgh,  
14th December  
1643.

*Sederunt*:—Chancellor; Argile; Cassills; Dumfermline; Lindsey; Yester; Balmerino; Clerk Register; Advocate.

Mr. John  
Robertson,  
priest, prisoner  
in the tolbooth  
of Edinburgh,  
sentenced to  
banishment.

The Lords, having heard the petition presented to them by Mr. John Robertstone, priest, who has been thirty weeks in close prison in great miserie, not having anything to live upon, ordain him to enact himself in the books of Adjournal to leave the kingdome and never return upon pain of death. Meanwhile, the Lords ordain the provost and bailies of Edinburgh to relieve him from close prison, giving him the liberty of a "free prisoner" until the occasion of a ship offer for his transport.

P. 308.

Duncan Cam-  
eron, prisoner  
in the tolbooth  
of Stirling, to  
be liberated.

The Lords, having heard the petition of Duncan Cameron, *alias* Clerick, bearing that he was accused at the justice court held at Stirling in August last of certain crimes to which he was ready to answer, but because the court did not sit was committed to prison in the tolbooth of Stirling, where ever since he has been kept "in the yrnies in great pane and miserie like to sterve," and none press to pursue him, in regard of the miserable condition of the supplicant, ordain the provost and bailies of Stirling to take him acted in 300 merks to appear to his answer before the Council or his Majesty's Justice whenever he shall be lawfully cited at the instance of any party, and then set him at liberty.

P. 313.

[<sup>1</sup> Out of its  
proper place in  
the Register.]

Edinburgh,  
19th December  
1643.

*Sederunt*:—Chancellor; Argile; Cassills; Kingorne; Dumfermline; Lauderdaill; Lindsey; Calander; Angus; Yester; Balmerino; Clerk Register; Advocate; Justice Clerk; Treasurer; Depute; Innes.

Acta, Novem-  
ber 1641-  
October 1646.  
Fol. 102, b.

Witches in  
Queensferry.

"The Lords of Secreit Counsell declares that the Commissioun this day past for tryell of some witches in the Queinsferry sall be no wayes prejudiciall to the Earle of Dunfermline his right of regalitie of the lordship of Dunfermline within the quhilk the burgh of the Queensferrie is comprehended."

*Sederunt*:—Chancellor; Argile; Cassills; Kingorne; Lauderdaill; Lindsey; Yester; Balmerino; Advocate.

Decreta,  
November  
1641-October  
1646.  
P. 308.

Finding by the Council that there is no just ground for criminal pursuit against Complaint by Lawrence Mercer, son of the Laird of Aldie, Peter Hay, son of Mr George Hay, younger of Nauchtane, Rorie Clerk, son of Mr Donald Clerk, minister, and James Borthuick, son of the deceased Mr Eleazer Borthuick, in reference to the criminal pursuit of them by

Decreta,  
November  
1641–October  
1646.

P. 309.

James Stuart of Ardvorlich and Robert Stuart, his son, for the alleged slaughter of Alexander Stuart, son of the said James (as formerly narrated p. 11), and to the commission appointed and enlarged for hearing the evidence in the case so that the Lords may give order either to proceed with the criminal pursuit or discharge it, charge having been given to the said James and Robert Stuart, and to Sir Thomas Hope of Craighall, his Majesty's Advocate, to have compeared this day to hear the Council's decision, and the pursuers compearing by George Hay, younger of Nachtane, also the Lord Advocate being present, but not the said James and Robert Stuart, the Advocate declared that, in respect of their absence, he would not insist in this matter. The Lords thereupon having taken the case to their consideration and the various procedure taken therein, and that on 15th November last Lord Balcarras and Sir Thomas Mortoun of Cambo met at St. Andrewes to attend the probation when the said James and Robert Stuart did not compear to lead any probation, but heard what was led by the other side—viz., the depositions of Mr Robert Blair, minister of St. Andrewes, the principal and regents of the said College, the surgeon who attended the deceased student, and several of his condisciples and other famous persons, who clearly proved that on the occasion libelled the said Alexander Stuart "receaved no bloodie wounds nor contusion in his bodie but shortly after the squable kepted the schooles, attended the same, exercised himselfe at all sorts of pastymes and recreations with his condisciples and speciallie with the persewers and bursted a poore mans hors at Couper race in April thereafter, and was fullie reconciled with the persewers and continued in his studeis till Lambmes and then parted frome his saids condisciples in good termes and health and promiseist to returne to the colledge at the end of the vacance," find no just ground for this criminal pursuit and discharge his Majesty's Justice and his deutes from all proceeding in this matter against the pursuers, and that they give order that no letter be directed for that purpose.

Lawrence  
Mercer, son of  
the Laird of  
Aldie, and  
others for the  
slaughter of  
Alexander  
Stuart, son of  
James Stuart  
of Ardvorlich.

P. 310.

P. 311.

P. 312.

*Sederunt*:—Argile; Dumfermline; Lauderdaill; Calander; Angus; Edinburgh,  
Yester; Advocate; Innes; Provost of Edinburgh. 28th December  
1643.

Complaint by Sir Thomas Hope of Craighall, his Majesty's Advocate, and John Hay of Park and John Hay of Knockondie, one of his tutors, as follows:—The bearing of hagbuts and pistols and convocation of the lieges is strictly prohibited, yet on 5th February, 1641, Major Alexander Sutherland, Alexander Gilbert, servant to the sheriff of Murray, Adam Dumbar, son of John Dumbar, sheriff clerk of Forres, and other persons armed with guns, pistols and other weapons, "came be way of hame-sucken under cloud and silence of night to the place of Inschoth perteaning to the said Laird of Park and possest be the said John Hay who wes fra home for the time, fearefullie threatned his wife and children with all violence if they did not make readie the best cheere

Complaint by  
John Hay of  
Park and John  
Hay of Knock-  
ondie, one of  
his tutors,  
against Major  
Alexander  
Sutherland  
and others for  
hamesucken.

for them and their horse that could be had ; and, becaus they refused, they preast by force to breake up their doors and behaved themselves in such ane outrageous and insolent manner that the said John Hay his wife wes so affrighted that she almost lost her life ; and by this affront they resolved to have drawin the said Johne Hay in blood with them." Charge having been given to the persons complained upon, and also to Alexander Dumbar of Inchbrok and Patrick Dumbar of Roshauch as witnesses, and his Majesty's Advocate and John Hay compearing personally, but neither the defenders nor witnesses, the Lords ordain both the latter to be put to the horn and escheated.

Decreta,  
November  
1641-October  
1646.  
P. 812.

P. 313.

Edinburgh,  
2nd January  
1644.

*Sederunt* :—Argile ; Dumfermline ; Lauderdaill ; Lindsey ; Angus ; Yester ; Treasurer Depute ; Innes ; Sir John Smith.

Acta, Novem-  
ber 1641-  
October 1646.  
Fol. 102, b.

James Con, papist, to be liberated from ward in the tolbooth of Edinburgh on condition of his leaving the country.

" The Lords of Secreit Counsell ordains and commands the provest and bailleis of Edinburgh to putt James Con, prisouner in their tolbuith for poprie to libertie, he acting himselfe before the Justice to depart furth of the kingdom and never to returne agane within the same under the pane of death, as alsua finding caution for the same effect in the bookes of Privie Counsell, under the pane of ane thousand punds, and that he be kept prisouner as a free warder till occasioun of a ship be offered for his transport."

Fol. 103, a.

Edinburgh,  
30th May  
1644.

[No record of *Sederunt*.]

Decreta,  
November  
1641-October  
1646.  
P. 408.<sup>1</sup>

Complaint by Charles, Earl of Dumfermline, against John Henderson of Fordell for detaining a collier belonging to the said Earl.

Complaint by Charles, Earl of Dumfermline, as follows :—In the parliament held at Edinburgh in July, 1606, it was statute and ordained that no person shall hire colliers " without testimoniall of the maister whom they last served under his hand or a sufficient attestatioun of a reasonable caus of removing in presence of the baillies or magistrats quher they come fra ; and in caise anie receave, hire, supplee or interteane anie of the saids colyears or coalbearers without testimoniall, as said is, the maisters challenging their servants within yeere and day, the partie challenged sall deliver them back within 24 houres, under the pane of ane hundreth punds to be payed to the partie challenger *toties quoties* frome whom they past, how oft challenge sall be made and they not delivered ; and the saids colyears to be reput and holdin as theeves and punished in their bodeis." Now, in January last John Henderson of Fordell received Andrew Adamsoun, " fied colyear " to the said Earl, " who had served in his coale of the Crocegates of the Mures of Dumfermline tuo yeeres bygane or thereby, and who did remove himselfe away and is interteanned and kept be the said Johne without testimoniall, as said is." In terms of the above act James Walwood, officer to the said Earl, did in his name on 22nd and 30th April, 1st, 2nd,

[<sup>1</sup> Out of its place in the Register.]

P. 409.

P. 410.

Decreta,  
November  
1641-October  
1646.  
P. 409.

P. 410.

P. 411.

P. 412.

P. 413.

3rd, 4th, 9th, 10th, 11th, 13th, 14th, 15th, 16th, 17th, 18th, 20th, 21st, 22nd, 24th, and 25th May, require delivery of the said collier, but was refused, for which the said John ought to be decerned to have committed a great wrong against the complainer, being a Councillor, and his neighbour, and not only censured and ordained to restore the collier, but caused pay to the said Earl the sum of £100 for each refusal, extending in all to £2000. Charge having been given to the said Laird of Fordell and Andrew Adamsoun, and the pursuer compearing personally and producing the act of Parliament above written with twenty instruments of requisition conform thereto made as above by James Walwod, the said John Henderson also compeared and gave in his defence in writing, in which he contended that the matter being purely civil, ought to be remitted to the Lords of Session as proper judges to deal with the validity of writs to be produced by him, viz., a contract dated at Fordell and Bruntyland 14th and 15th October, 1639, between the said Laird of Fordell and Andrew Adamsoun, whereby the latter bound himself "to work a levell to the said Andro his mayne coale upon the conditionns therein exprest, and the said Laird is obliged to grant to the said Andro and his partner ane nynteene yeers tack of his coale, conforme quherunto the said Andro performed a part [of] the work and thereafter relinquished the same; and, as he might have used executioun of the law against the said Andro for returning to his work, so might he be veritie of the said contract lawfullie receive him when he returned willinglie, otherwise he should susteane great prejudice and his coale become improfitable, seing he is tyed be the said contract to suffer no other coilyear to breake coale in his coalheuche till the said levell be wrought, quhilk is not done; and in this respect the said Andro, being bound to the said Laird of Fordell as his tacksman, he could not be burdenned with deliverie of him, not being his coilyear but tacksman of his coale, as said is." To this the Earl replied that their Lordships were competent judges, and had on 9th February, 1642, given their decree in a similar case at the instance of Sir William Scot of Clerkintoun against one John Furd for delivery of David Leggat, his collier, and payment of the penalty of £100 in case of failure; and as for the said contract, though he were the Laird of Fordell's tacksman, yet being the Earl's hired collier and having served at his coal in the Mures of Dumfermline for the past two years and then gone away without a testimonial, he lawfully might require him back. Besides the act of Parliament extends only to colliers that are "fied," and though the said Andro were Fordell's tacksman, he was not his "fied" servant, and therefore he had no right to retain him from the Earl whose "fied" servant he was for two years, and also being so more than year and day unchallenged. The Lords, after hearing and advising, find themselves judges competent in the said matter and ordain the said Laird to deliver back the said Andro to the Earl and pay to him £100 for each of the times he was requisitioned and refused, extending in all to £2000.

Edinburgh,  
21st August  
1644.

*Sederunt.*—Lauderdail ; Lothian ; Wems ; Finlater ; Angus ; Yester ;  
Elphinstoun , Balmerino ; Wauchtune.

Decreta,  
November  
1641–October  
1646.  
P. 314.

Complaint by  
John Laing in  
the Muredyes  
against Alex-  
ander Belseis  
of that ilk for  
illegally  
detaining a  
collier belong-  
ing to the  
complainer.

Complaint by John Layng in the Muredyes, tacksman of the coal of Ormestoun, as follows:—In terms of the act of Parliament anent colliers in 1606 (mentioned *ante*, p. 22), he had on 15th and 17th July P. 315. last and 19th August instant required Alexander Belseis of that ilk to return to him Adam Jacksoun, his collier, who had removed from his service without a certificate, but he refuses to restore him. The pur- P. 316. suer compearing by , the said Alexander Belseis also compeared and produced an instrument under the hand of William Wallas, notary, dated 9th May last, wherein the said Adam Jacksoun gave over his service with the pursuer as being fied from Midsummer, 1648, to Midsummer, 1644. To this it was replied that the renunciation was invalid, not being conform to the act of Parliament, as colliers and coalbearers were hired from Yule to Yule. The Lords, after hearing and advising, find that the said Adam Jacksoun left the pursuer's service without a lawfull testimonial and was received by the defenders, who thrice refused to return him, and they therefore ordain the defender to restore the said Adam Jacksoun to the pursuer and pay also to him £300.

Similar com-  
plaint by  
Edward Bruce  
of Carnock.

Similar complaint by Edward Bruce of Carnock, as follows:—On 21st P. 317. May last James McIlroy, as his procurator, and on 30th May and 8th June last, James Rollock, also as his procurator, made requisition from James Spittell, tacksman of the coal of Querrell, and Robert Elphinstoun of Querrell, of James Craiglie, William Wauch and John Wauch, servants at his coalheughs of Culross and Kincarne, who within this year had run away from his service and been hired by the said James P. 318. Spittell and Robert Elphinstoun, and who refuse to restore them. Charge having been given to these persons and the three colliers, and the pursuer compearing by Peter Algeo, his procurator, who declared that he P. 319. insisted only against the said James Spittell and James [*sic*] Wauch, the said James Spittell also compeared and declared upon oath that he was only tacksman of a fourth part of the coal of Querrell and that the said John Wauch did not serve him only, so that he could not deliver him. The Lords find that the defender has incurred the fourth part of the penalty decerned in the act of Parliament for every one of four refusals made by him to restore the said John, amounting in all to £100, but they declare him free of the delivery of the said John.

Similar com-  
plaint by Sir  
John Preston.

Similar complaint by Sir John Prestoun of Valafeild and Sir George P. 320. Prestoun, his son, as follows:—On 23d August, 1643, John Rannald, as their procurator, went to George Logan, tacksman of the coal of Airth, and craved delivery of James Imrie, collier, and Christian Penman, his spouse, and Margaret Dustan, their servant, coalbearers, who having served the complainers at their coal of Valafeild, went away without attestation and were hired by the said George, in whose service they

Decreta,  
November  
1641–October  
1646.  
P. 320.

presently are, but who refused to restore them though frequently required to do so. Thereafter these persons were put to the coal of Querrell, whereupon the complainers sent Mr Robert Prestoun, son to the said Sir John, who made the like requisition to the said George Logan as pretended tacksman of a part of the coal of Querrell, James Spittell, tacksman of another part, and Robert Elphinstoun of Querrell, heretor of the said coal and having another part in his hand, who also refused to restore these persons, as instruments dated 3d May last bear. Charge having been given to these persons mentioned and the pursuers compearing by Mr Robert Prestoun, son of the said Sir John, the said James Spittell also compeared and declared that he had only a fourth part of the coal of Querrell, and that the persons demanded did not serve him only. The Lords find that he has incurred the penalty of the act of Parliament in respect of not delivery of the three colliers and coal-bearers, extending to £74. The said George Logane, who did not compear, the Lords ordain to have incurred the penalty of £600 for their not delivery on two requisitions.

P. 321.

P. 322.

Complaint by Sir John Achmowtie, sheriff principal of Hadinton, and George Pringill, his depute; Archibald Douglas, lawful son of the deceased Sir Arthur Douglas of Whittinghame, Sir Archibald Douglas of Keillour, his tutor at law, Elizabeth Cranstoun, Lady Stanypeth, his "gud dame" and nearest of kin on the mother's side, as follows:—  
On May last Dame Elizabeth Prestoun, widow of the said Sir Arthur, Agnes Haitlie, her mother, Jean Hepburn, widow of Quhytfurd of Mylnetoun, Mr Robert Hay, advocate, Andrew and Robert Hepburne, sons of the deceased Sir Robert Hepburne of Barefute, Patrick Tempill in Quhittinghame, Thomas Stevinsoun, smith in Stentoun, Mr John Keith, writer, Jasper Wilsoun, stabler in the Cannogait, and others to the number of twenty persons, armed with swords and other weapons, came "before the dawning of the day to the mannour place of Quhittinghame (quhair of the yetts wer sealed and closed be the said shireff and his deputs be vertue of a commission direct to make inventar of the writts and evidents in the said place and goods and geir being thairin from the Lords of Counsell and Sessioun, in regard the shireff could not gett accesse to the roumes quhair the chartour kist and diverse of the movables wer inclosed, the keyes of the saids roumes being abstracted), and in contempt of auctorite and lawes of the countrie clam the walls, brake up the doores of the yetts and hous, being sealed and locked, entered within the same, medled with the goods, geir, insicht and plenishing being thairin and with the haill writts and evidents and keepes all, with the said Archibald Douglas closse prisoner, suffering nane to come neir him, and threattens the said Sir Archibald, his guidschir and tutor of law, of his life." Charge having been given to the persons above complained upon, and Sir John Auchinmowtie compearing by Mr William Oliphant, his procurator, and Archibald Douglas, pupil, compearing personally with the said Elizabeth Cranstoun, his grand-

P. 323.

Complaint by Sir John Auchmoutie, sheriff principal of Haddington, Archibald Douglas, son of the deceased Sir Arthur Douglas of Whittinghame, and others against Dame Elizabeth Preston, widow of the said Sir Arthur, and others for breaking into the place of Whittinghame and seizing the property therein.

mother on the mother's side, Dame Elizabeth Prestoun being also present, the Lords, after hearing parties, sustain this pursuit at the instance of the said sheriff and his depute for the wrong libelled, but continue the discussing thereof until the judge ordinary decides which of the parties has the best right of tutorie. Meanwhile, they ordain both parties to remove from the place and house of Whittinghame and to deliver the keyes of all the trunks, chests and rooms, before the 29th instant to the said sheriff, whom they appoint to inventory the writs and moveables in the house and seal and close up the same within the said house to be forthcoming to the party having best interest. Further, the Lords, with consent of both parties, appoint Patrick Quhytlaw of that ilk to uplift the rents and teinds of the lands and living of Whittinghame and account for the same to the party having right thereto; and for the present maintenance of the said persons until Candlemas next to pay £500 to the said Lady for herself and her two children, and the like sum to the said pupil and her sister out of the readiest of the rents and teinds uplifted by him.

Decreta,  
November  
1641-October  
1646.  
P. 324.

Complaint by  
Patrick  
Martin in  
Campsie  
against Alex-  
ander Inglis,  
portioner  
of Craig  
McKerrane,  
and others for  
assault and  
robbery of the  
complainer's  
property.

Complaint by Sir Thomas Hope of Craighall, his Majesty's Advocate, P. 325. and Patrick Martine in Campsie, as follows:—Though the bearing of hagbuts and pistols and convocation of the lieges is strictly forbidden by law, yet on 31st May last, Alexander Inglis, portioner of Craig McKerrane, "came upon horsback and did pursue the said Patrik Martine upon his owne ground of the mures of Craig McKerrane, quher the said Patrik wes casting turfes, and the said Patrik fearing his invasion ranne away from him till he overtooke him, lighted aff his hors and drew his sword, and the said Patrik having gripped him, he tooke his sword frome him and then went away and delivered the sword to the said Alexanders owne servant; and then the said Alexander, having a pistoll drew it aff his side, quherupon the compleanner fearing that he sould bend his pistoll, entered upon the said Alexander and tooke the same from him, quhilk the said Alexander yitt keepes. Lykeas upon the day of Junii thereafter the said Alexander, accompanied with Mr Gilbert Stuart, son to the Commissar of Dunkelden, Patrik Inglis, fear of Byres, William Hay in Balleid, James Tyrie, litster, burges of Perth, Robert Jack, baxter there, William Leask, burges there, Johnne Henrysone, baxter there, William Spence, servitour to the said Alexander Inglis, George Ritchie in Craig McKerran, Androw Mairshell P. 326. there, Patrik Davidstone there, Robert Fairlie there, Patrik Coupar there, Johnne Lawer, servitour to the said Mr Gilbert Stuart, Andro Gib, maltman in Perth, Alexander Cuninghame, burges there, Harie Drummond there, Harie Gib in Dunkelden, John McKie, burges of Perth, Archibald Young and Johnne Smith, burgesses there, Robert Clerk, skinner, burges there, and Margaret Oliphant, spous to the said Alexander Inglis, to the number of threttie persons or thereby, armed most part of them with three or foure shott, long banded staves and swords, and convocation of his Majesties lieges, came he breake of day

Decreta,  
November  
1641–October  
1646.  
P. 326.

frome Perth to Campsie, six myles distant or therby, and searched for the said compleanner throw the whole toun of Campsie, vowing, if they could gett him, that he sould not escape their hands, and being disappointed they went and brake down his folds and searched and sought sundrie houses and tooke away eight great oxin and a kow belonging to the said compleanner; thereafter went to the toun of Craig McKerrane and searched and brake the doores of the houses for the compleanner of the same intention and tooke away frome him thair nyne great oxin and deteanes the same as yitt." Parties being cited and Patrick Martine compearing personally, and of the defenders Alexander Inglis, Andrew Marshall and Robert Fairhar, who confessed the taking of the foresaid goods by virtue of a decret obtained before the sheriff of Perth and his deutes against the said Patrick "for fyftie punds of fynes imposed upon him for blooding of the said Alexander," and 50s. of poynd silver, and that three of the said oxen were returned, to which the said Patrick replied that this decret was illegal, "becaus the said Patrick wes cited upon the Sunday to compeir on Moonday, being ane unlawfull day, and sentence givin sixteene houres after the charge, against diverse acts of Parliament, and the said Patrik decerned guiltie of the wrong howbeit not compeirand, and the poynding used before anie charge upon the decreit for payment," the Lords remit the reduction of the said decret to the judge ordinary, and ordain the said Alexander Inglis to restore the fifteen head of cattle in as good condition as they were taken upon the ground whence they were taken, or pay £24 for each of them; the said Patrick meanwhile finding caution to pay the said fine and poind silver if the judge find the decret lawful.

P. 327.

P. 328.

*Sederunt*:—Lauderdaill, *proeses*; Eglinton: Cassills; Kingorne; Edinburgh, 11th September 1644.  
Angus; Treasurer Depute; Advocate; Sir John Smith; Wauchtun.

The Lords, having heard the Laird of Wedderlie on behalf of Archibald Douglas of Whittinghame, and Dame Margaret Preston, Lady Quhittinghame, for herself, anent the leading of the teinds of the mains and lands of Quhittinghame this year, with consent of both parties, ordain the said teinds to be uplifted and led by the same persons and to the same barns who dealt with them last year, and who shall answer therefor to the person found to have best right thereto.

Acta, November 1641–October 1644.  
Fol. 103, a.

*Sederunt*:—Eglinton; Glencarne; Cassills; Kingorne; Lauderdaill; Balmerino; Treasurer Depute; Wauchtun; Sir John Smith. Edinburgh, 2nd October 1644.

"The Lords of his Majesties Privie Counsell, taking to their consideration the present condition of affaires of this kingdome and the necessarie attendance and service of manie of his Majesties good subjects in the armeis now sitting of the Court of Session postponed till the

8th of January next. leveyed for the defence of religion and saifetie of the kingdom so as they cannot goodlie attend their civill processes in law, have therefore thought fitt, and accordingle continues the doun sitting of the Sessioun till the eight day of Januar nixtocome, and ordains heralds and purse-vants to pas to the mercat croce of Edinburgh and others places neid-full, and there be opin proclamatioun to make intimatioun heirof that none of his Majesties good subjects nor members of the Collodge of Justice pretend ignorance of the same." Acta, November 1641 - October 1646. Fol. 103, a.

Sheriffs, stewarts, and bailies to continue in their offices till they receive further orders.

" Forsamekle as there is great prejudice like to fall out to the lieges in the course of justice throw the not nominatioun of the shireffs, stuarts and bailleis for the yeere to come, who ar at his Majesties dispositioun, for remeid quherof the Lords of Privie Counsell doe therefore ordaine letters to be direct to command and charge the shireffs, stuarts and bailleis at his Majesteis nomination who served the yeere before to proceed and goe on in the executioun and discharge of their severall offices conforme to the tenor of their severall commissiouns, and accordingle to minister justice to the lieges and to doe everie thing incumbent to their places and offices ay and quhill further order be tane anent the saids offices, as they will be answerable upon their highest charge and perrell."

Edinburgh, 2nd October 1644.

[Sederunt as recorded above, adding Angus, and omitting the Treasurer Depute.]

Decreta, November 1641 - October 1646. P. 328.

Supplication by Margaret Young, prisoner in the tolbooth of Dysart, on a charge of witchcraft, that she may be freed from ward as no one has appeared to accuse her.

Supplication by Margaret Young, spouse to William Moresone, merchant burgess of Dysert, as follows:—She is a prisoner in the tolbooth of Dysert on a charge of being a consuler in witchcraft, having been accused most wrongfully by "some malicious persons who wer brunt out of splene and invy," and she has now "lyin most miserablie ther ten weekes bygane albeit she is ane honest young woman of good reputation without anie scandall or blott and never knew nothing of that is putt to her charge, nor never wes art and part of none of that sort, as is notourlie knowne to hir nighbours." She cited the bailies and ministers of Dysert before their Lordships on 11th September last for her release, when Mr. James Wilson, one of the said ministers, compeared in their name and craved a continuation of the case for twenty days to see if any accusation would be given in against the supplicant. None has been given in, and she therefore craves warrant for her release. The Lords, in respect of the non-appearance of the said bailies and ministers, ordain the bailies to liberate her, and William Moresone, her husband, became cautioner in 500 merks to exhibit her whenever he shall be required.

P. 329.

Complaint by Mr. John Veitch, minister at Robertson, in name of the

Complaint by Mr John Veitch, minister at Robertoun, present moderator of the presbytery of Lanerk, and Mr John Weir, minister at Car-louk, who was moderator at the time of the committing of the insolencies after mentioned, for themselves and in name of the whole brethren of

P. 329.

Decreta,  
November  
1641–October  
1646.  
P. 330.

the presbytery, as follows:—"The perturbing of kirks or raising of frayes in kirks or kirk yairds" is strictly prohibited by law, especially by the 27th act of the 11th Parliament of the late King, the persons guilty being punishable by the loss of their moveable goods and otherwise. Now the kirk of Wandell and Lamington, within the said presbytery, being vacant by the death of Mr James Baillie, the late incumbent, the complainers were carefull, according to the duty of their place, to see the same filled by an able and qualified man, in which, because of some conflict anent the patronage, they acted by advice of the commissioners of the General Assembly, and they proceeded to the trial of Mr Andrew M<sup>c</sup>Gie, "an expectant of good literature and conversation." After all the usual trials, which he "performed exactlie with the compleanners approbation," they purposed "to goe on in the ordinarie solemniteis for planting the said kirk," whereupon Dame Grissell Hamilton, Ladie Lamingtoun (not without the knowledge, as appeares, of Sir William Baillie of Lamington, her husband), taking exception heerat and grudging that anie thing sould be done heerin without her husbands consent (as she alledges), and misconceaving that upon the Lords day thereafter, the day of Februarie last, the said M<sup>r</sup> Andro wes to be directed be the presbyterie to preach at the said kirk, she resolved in a proud and contemptuous way to oppose the presbytereis orders, and for that effect upon Sunday in the morning or Saturday at night caused ramforce the doores of the kirk with clog stones and others the like materials, using heerin the counsell, concurse and assistance of the persons following, viz.:—William M<sup>c</sup>Clellan, Johnne Forrest, Johnne Schankila, Patrik Baillie, Katharine M<sup>c</sup>Watt, Thomas Moffett, Andro Mitchell, William and James Tennents, Laurence and William Bailleis, Thomas Laidla, James and Edward Gallowayes, Robert Currie, William Neilsone, Johnne M<sup>c</sup>Watt, William M<sup>c</sup>Wat, James Baillie, Martine Watt, Bessie Carmichell, Jonnet Forrest, Eufame Douglas, Grissell Fisher, Margaret Watt, Christiane Baillie, Grissell Watson, Margaret Patersone, Marion Baillie, Bessie and Grissell M<sup>c</sup>Watts, Jonnet Weir, Margaret and Katharine Bailleis and Jonnet Schankila, who by this insolent cariage debarred the people from accesse to the kirk and interrupted the performance of divine service that day, to the offence of God and scandall of the Christiane profession. Lykeas upon the tent of Marche last, being the Lords day, M<sup>r</sup> George Bennet, minister at Caquhan, and the said M<sup>r</sup> Andro M<sup>c</sup>Gie, by speciall warrant of the said presbyterie being appointed to come to the said kirk to preach and intimat the said presbytereis ordinances, the said ladie resolved to oppose the same, and for that effect came airlie in the morning, accompanied with the persons foresaids for the most part and the foresaids weomen, and planted themselves about the pulpit, the said ladie being covered with a pluid, so-as the ministers after they had beene at the place of Lamingtoun to acquaint her with this bussines, and not finding her there, came to the kirk and could not discern her, but manie weomen about the pulpit quherof ane Katharine M<sup>c</sup>Watt went in to the

presbytery of  
Lanark,  
against Dame  
Grissell Hamil-  
ton, Lady  
Lamington,  
and others for  
violently  
resisting the  
ordination of  
Mr. Andrew  
M<sup>c</sup>Gie in the  
kirk of  
Lamington  
and Wandell.

P. 331.

P. 332.

pulpit, and the saids                      layed hands upon the said M<sup>r</sup> Andro, sup-  
 posing he wes to preach first. And the said M<sup>r</sup> George, having wiselie  
 and discreitlie reproved their miscariage and compecsed the tumult, he  
 went to sermon, which being ended, he intimat that the presbyterie,  
 upon lawfull and exact tryell of the said M<sup>r</sup> Andro his abilitis, had  
 sent him there to preach, that, being heard, if they had anie lawfull ex-  
 ceptions against him they sould shew the same, if not, that the presby-  
 terie would goe on, withall declaring that his preaching there wes not to  
 establish him minister, and exhorted them to a reverent and quiet  
 behaviour, otherwayes they could not eshew condigne censure; and in  
 the midds of his exhortatioun the said Johne Forrest interrupted him;  
 and, when as he came down from the pulpit, the saids ladie, Katharine  
 M<sup>c</sup>Quhat, and Jonnet Baillie went up to the pulpit, and the said ladie  
 cried, 'Heir am I, who darre take me out'? And the said M<sup>r</sup> Andro,  
 minting to goe to preach, the weomen violentlie stayed him. Where-  
 upon he declared he wes come there by appointment of the presbyterie  
 and in their name craved libertie to preach thrise, but wes ansuered be  
 the said ladie that he sould not come there, saying that, 'Howbeit yow  
 be compared to a dog, yow sall not bark heir.' As also the said M<sup>r</sup>  
 Andro, desiring to know if there wer anie men who opposed him, and  
 some beginning to speak, the said ladie interrupted them; and all this  
 time the said Johne Shankila had his hands in the guards of his sword,  
 and the said Johne Forrest behaved himselfe most insolentlie. And after  
 dinner the said M<sup>r</sup> Andro, having discreitlie and modestlie urged the  
 ladie to give way to the ordinance of the presbyterie and suffer him to  
 preach, she declared he had no calling to come there, and wes too bold  
 to come without the Laird of Lamingtouns leave; and she stayed be  
 the space of foure or fyve houres in the pulpit, refusing in anie  
 sort to permitt the said M<sup>r</sup> Andro to preache." Charge having  
 been given to the persons complained upon to compear and underlie  
 the censure of the Council, and find caution not to do the like again,  
 and also to the husbands to find caution for their wives and children,  
 and the pursuers compearing by Mr William Somervell, elder, and Mr  
 Alexander Livingstoun, two of their number, sufficiently instructed and  
 authorised by commission, dated 25th September last, which they pro-  
 duced, but the defenders not compearing, the Lords, after the examina-  
 tion of certain witnesses, find and declare "that the said Ladie Lamingtoun,  
 Jonnet Baillie and Katharine M<sup>c</sup>Watt went up to the pulpit the time  
 libelled and stopped the said M<sup>r</sup> Andro M<sup>c</sup>Gie to preach, against the  
 warrant and ordinance of the said presbyterie, and that the said ladie,  
 when she was in pulpit said, 'I am heir, I would see who darre take  
 me out,' and said also to the said Andrew M<sup>c</sup>Gie, 'Your brother  
 called yow a dog, but yow shall not bark heir this day,' and that she  
 would not suffer him to preach; and that the saids William M<sup>c</sup>Clellan,  
 Johne Forrest, Johne Shankila, Patrik Baillie, William and James Ten-  
 nents, Bessie Carmichell and Jonnet Forrest, with diverse others, con-

Decreta,  
 November  
 1641-October  
 1646.  
 P. 332.

P. 333.

P. 334.

Decreta,  
November  
1641-October  
1646.  
P. 335.

veenned themselves together in a rude way in the kirk out of thair owne seats to oppose the orders of the presbyterie; and that thereby they have committed a verie great insolence of dangerous and evill exemple." The Lords therefore ordain all these persons to be charged to enter in ward within the tolbooth of Edinburgh, and the Laird of Lamingtoun to enter his lady, and the husbands of the other two women their wives within six days, on pain of rebellion, until order be taken with them. They also ordain the Laird of Lamingtoun to pay £3 Scots to each of the witnesses.

P. 336.

*Sederunt*:—Lauderdaill, *proeses*; Craford; Kingorne; Lanrick; Edinburgh, Angus; Balmerino; Treasurer Depute; Wauchtun; Sir John 23rd October 1644.  
Smith.

P. 337.

Complaint by Dame Grissell Hamiltoun, spouse to Sir William Baillie of Lamingtoun, Janet Baillie in , Katherine McWatt, William McClellane, John Forrest, Johnne Shankilaw, Patrick Baillie, William and James Tennent, Bessie Carmichell and Janet Forrest, the said Sir William Baillie, and the husbands of the other four females mentioned, as follows:—The moderator and remanent brethern of the presbytery of Lanark, upon a decreet obtained against the complainers on 2nd October instant (*ante*, p. 28) have caused charge them to enter prisoners within the tolbooth of Edinburgh under pain of horning, but most wrongfully, for their absence and null defence was not of contumacy but necessity, seeing that that very day they were by ordinance of the kirk appointed to attend the provincial assembly at Air, whereas, could they have been present, the defence they had to offer would have doubtless stayed the pronouncing of the said decreet. Meanwhile, the presbytery of Biggar has been erected to which the kirk of Lamingtoun belongs, and upon 17th July last, when the presbytery of Biggar met at the said kirk of Lamingtoun for visitation thereof, there compeared Mr John Veitche, moderator of the presbytery of Lanark, and, as their commissioner, transferred the trial of any offence committed by the complainers against them to the presbytery of Biggar, which accepted the same upon them; and to this Lord Angus, being present, was a consenting party. Further, the said presbytery of Biggar thought fit to delay the business until the church was settled, as their act of the above date shows. The matter ought not, therefore, to have been pursued by the presbytery of Lanark, especially as the moderator of the presbytery of Lanark has declared that he granted no warrant for raising of the complaint and knew of no act for that effect, as an instrument taken thereupon shows. So the complainers were *in bona fide* not to have compeared before the Lords on 2nd October, seeing the kirk was to be provided in the interim. If they had compeared, they would have alleged they did no wrong, seeing the said Sir William and his predecessors have been for many years patrons of the said kirk and been alone in use to present the minister.

P. 338.

Complaint by  
Dame Grissell  
Hamilton,  
spouse to Sir  
William  
Baillie of  
Lamington,  
against the  
presbytery of  
Lanark, on the  
ground that  
the patronage  
of the kirk of  
Lamington  
belongs to the  
said Sir  
William.

The deceased William Baillie of Lamingtoun, his "grandshir" (great grandfather), presented Mr James Baillie, the last minister who lately deceased, and conform to his right the said Sir William presented to the presbytery Mr John Currie or Mr John Bartrum to be minister there, which presentation the said presbytery refused to accept, while they accepted one made by Lord Angus of Mr Andrew McGie and appointed him to preach at the kirk of Lamingtoun. This being done in the absence of Sir William Baillie on the public service in England, the said Dame Grissell Hamiltoun, his spouse, went in person to the said presbytery and made appellation to the next provincial assembly, which appellation, containing "most pregnant reasons," the said presbytery accepted on 7th March last, and the matter was discussed at the provincial assembly, and referred by them to the General Assembly, which again remitted the same to the provincial assembly to meet at Air on 2nd October, and they have ordained the said church to be supplied by Mr William Young, attendant upon the Earl of Glencarne. Notwithstanding of which appeal and process the said Mr Andrew McGie came on 10th March last accompanied by several persons to preach at the said kirk without any consent or desire of Sir William, the patron, or of the parishioners, and therefore the said Dame Grissell and remanent complainers made interruption to his preaching and took instruments thereupon, which it was quite competent for them to do in name of the said Sir William in his absence, seeing the said Mr Andrew had no lawful calling nor warrant from the presbytery, and, even if he had such warrant, the same was null *stante appellatione*. If it be alleged that the presbytery proceeded with the trial of the said Mr Andrew on a recommendation from the commissioners of the General Assembly, the truth is that such recommendation was procured by Lord Angus and some of the brethern of the said presbytery in the absence of the said Sir William in England, before whose return James Baillie, his brother, did supplicate the said commissioners and give in reasons why the said Mr Andrew McGie should not be admitted, whereupon the commissioners by their act of 15th February last remitted the matter to the said presbytery either to follow out the advice formerly given them, or, if they found the difficulties insuperable, to refer the matter to the next provincial assembly. This was done, and yet, notwithstanding thereof, the said Mr Andrew came to preach. The whole process has been the work of Lord Angus, who pretends to be infeft in the barony of Wendell with the patronage of the kirks and chaplanries thereof (though his infeftments can no way include the kirk of Lamingtoun in which the said Sir William and his predecessors for these many years past stand *per expremum* infeft), but he has never claimed interest to any kirk or benefice within the said barony, not did he or his predecessors ever present a minister to the kirk of Lamingtoun, but Sir William does not in any way impede his presenting any person he pleases to another beneficed kirk or chaplanry in Wandell. At the same time Sir William is informed that

Decreta,  
November  
1641-October  
1646.  
P. 338.

P. 339.

P. 340.

P. 341.

Decreta,  
November  
1641–October  
1646.  
P. 341.

P. 342.

P. 343.

P. 344.

it is not Lord Angus but his brother, Lord James Douglas, who has the right to the barony of Wandell. The complainers therefore have done no wrong in their said interruption, but the said presbytery have wronged Sir William in refusing his presentation and accepting that of Lord Angus who could show no right thereto. This, if it pass uncensured, may give occasion to presbyteries at their pleasure to make void the rights of patrons at the bare word of any party who pretends to a right and has power and credit with the presbytery. And, further, even if Lord Angus could have proved his right, in a disputed case of patronage the law provides six months for dealing with the matter, whereas in this case, immediately after the death of the last incumbent, at the desire of Lord Angus, the presbytery gave order for the trial and admission of the said Andrew McGie and would not so much as delay the same for fifteen days until Lamington could be advertised in England of the state of matters. The case being then appealed, the lady was but maintaining her husband's rights in his absence. It is the patron's duty "*defendere ecclesiam ab oppressionibus*, and there can be no greater oppressioun done then to the presbyterie to plant a kirk without consent of the patron and against the hearts of patron and parochin; in the which parish Lamington hes his cheefe residence and the most part therof belongs to him in propertie and superioritie." In consideration hereof the provincial assembly ordained another to supply the place and to take presentation from him who shall be found to have best right; for which effect Lamington has long ago raised summons against the presbytery and all others pretending interest. And yet thereafter the presbytery most wrongfully and at the instigation of Lord Angus raise this complaint, wherein "they show themselves in their usuall maner most partiall, in this also that they call the kirk of Lamington the kirk of Wendell and Lamington, whereas it never had anie other name nor the kirk of Lamington conforme to Lamingtons ancient infeftments; and if there be anie kirk or benefice belonging to Wendell it is within the baronie thereof called Cald chappell." Lady Lamington's action was not therefore invasion or troubling of divine service or raising tumult or fray, but only the maintenance of her husband's right against those who offered to wrong both patron and parish, for those who came with Mr Andrew McGhie and were sent for this purpose by Lord Angus "did offer in a violent maner to lift the said M<sup>r</sup> Andro McGhie and sett him in over the pulpit to preach, after the ladie and her tennents had in all sober and quyet maner onelie desired them to forbear the same; quhilks persons nevertheles, in absence of the compleaners, wer receaved witnesses against them in the said caus, being manifest parteis." The complainers, however, have found caution to obey the decreet if it be found they ought so to do, and meanwhile crave suspension. Charge having been given to Mr. John Weir, minister at Carlouk, Mr John Home, minister at Lesmahago, Mr Alexander Livingstoun, minister at Carmichell, Mr

William Mortoun, minister at Woustoun, Mr Robert Birnie, minister at Lanerk, Mr John Veitch, minister at Robertoun, moderator, Mr Richard Inglis, minister at Douglas, Mr John Lindsay, minister at Carstairs, James Douglas, minister at Carnwath, Mr William Somervell, minister at Pettinane, and Mr John Wilson, minister at Crawford, ministers of the said presbytery, who compeared by Mr John Weir and Mr Alexander Livingston, but did not produce the decreet and letters of horning foresaid, in respect thereof the Lords grant suspension as craved until these are produced and the parties lawfully warned.

Letters of horning against Dame Elizabeth Preston, Lady Whittinghame, not to be suspended.

This day John Edgar of Wedderlie compeared as procurator for Sir John Achinmoutie, sheriff of Hadinton, and producing a copy of letters of suspension at the instance of Dame Elizabeth Preston, Lady Quhittinghame, whereby Sir John was charged to compear this day, and produce his letters of horning against the said lady for her removal from the house and place of Quhittinghame and delivery of all the keys, trunks and chests being therein to the said sheriff, protested that, as the said lady had not appeared to insist in this suspension, the horning might proceed to further execution. The Lords admit the protestation.

Edinburgh,  
7th November  
1644.

[No record of Sederunt.]

P. 366.

Complaint by Sir John Scot of Scotstarvet, Director of Chancery, against John Peter, writer, for encroaching on the duties of the complainer's office.

Complaint by Sir John Scot of Scotstarvet, Director of Chancery, as follows :—In right of his office he is the only writer of all patents and writs passing his Majesty's great seal and no one has ever heretofore presumed to encroach thereupon, yet John Peter, writer, and several others "have attempted and still intends to write immediatlie to the said great seale, so that by their ignorance and informalitie in wryttings (quherof some ar sent out of the countrie) the dignitie of this kingdom is much impaired and the said Sir Johne his office much prejudged." Charge having been given to the said John Peter, and both parties compearing and having been heard, the Lords discharge the said John Peter "to usurp to write anie patent or other writt that passeth the great seale without warrant of the said Sir John Scot."

[Out of its place in the Register.]

Edinburgh,  
12th November  
1644.

*Sederunt* :—Lauderdaill, præses ; Craford ; Morton ; Eglintoun ; Cassills ; Dunfermline ; Dalhousie ; Lanrick ; Yester ; Elphinstoun ; Balmerino ; Burlie ; Balcarres ; Advocate ; Treasurer Depute ; Wauchtun ; Dundas.

Acta, November 1641–October 1646.

[No record of business.]

Edinburgh,  
12th November  
1644.

*Sederunt* :—Craford Lindsey ; Cassills ; Lauderdale ; Angus ; Elphinstoun ; Balmerino ; Burlie ; Balcarres ; Advocate ; Treasurer Depute ; Wauchtun.

Decreta, November 1641–October 1646.  
P. 346.

Dame Grissell Hamilton, spouse to Sir William Hamilton of

In the action of suspension raised by Dame Grissell Hamiltoun, spouse of Sir William Baillie of Lamington, and others against the presbytery of Lanerk (as formerly narrated, p. 31), the cause being continued from

Decreta,  
November  
1641-October  
1648.  
P. 354.

P. 355.

P. 360.

P. 361.

23rd October last, and the chargers having now caused warn the suspenders to compear on 7th November instant, the former compeared by Mr Robert M<sup>c</sup>Birnie, Mr James Douglas and Mr Robert Inglis, three of their number, together with Lord Angus for his interest, who produced the decreet and letters of horning, and the suspenders being also present, produced the letters of suspension. The Lords, having heard parties, ordained *ante omnia* the said Lady Lamingtoun and remanent persons against whom decree was given to enter into ward within the tolbooth of Edinburgh conform to the decree; which these persons then did; and the Lords continued the further hearing until this day. Parties again compearing, Lord and Lady Lamingtoun produced "ane eik to their suspensioun bearing that, quher it is alledged that they did ramforce the doores of the kirk with clog stones and other materialls, they are confident no such thing is provin, being false, becaus diverse Sundayes before the alleged ryot the kirk doores being without lock or slott, the beddell to save the kirk from violence putt some stones to the back of the doore to hold the same to till time of divine service. And whereas it is libelled that the Ladie Lamingtoun sould have spokin thir words to M<sup>r</sup> Andro M<sup>c</sup>Gie, 'Howbeit ye be compared to a dog, yee sall not bark heir', the truth is that M<sup>r</sup> George Bennett, who had preached in the forenoon compared ministers to dogs, the people to sheepe and the devill to ane foxe; quhilk comparison she did onelie apply to the said M<sup>r</sup> Andro in thir termes, 'If yee be compared to a dog, yow ar not our dog, nor we your sheep'; in the quhilk applicatioun she did no wrong. And anent hir going to the pulpit she did no wrong, for thereby she prevented further inconveniences that might have followed frome the people in caise the said M<sup>r</sup> Andro had entered the same. And, farther, the time of giving the said decreet there was not a quorum of Counsell present without Lord Angus, who refused to declyne himself as not being partie, and yitt, if he had beene declynnne, the said decreet would not have beene given furth against the suspenders; and now sensyne he hes compeired at the bar with the chargers against them, and the haill summounds and letters ar raised and execut upon his expenses and be his servants and agents, and from the beginning he hes givin advice and counsell therintill against the suspenders, and namelie, the ladie, being his neir kinswoman." All which being considered by the Lords of Privy Council, they find it incumbent to consider the reasons of suspension without prejudice to either party's right, which, having done "with great advice and deliberatioun," they find that the decreet given by them against the Lady Lamingtoun and other suspenders was lawfully given notwithstanding the reasons foresaid, and the letters of horning thereupon accordingly valid. The said Lady Lamingtoun and remanent suspenders are therefore to remain in prison until the Laird of Lamingtoun make payment of 1000 merks to the presbytery as a fine imposed upon his lady for the riot foresaid "to be bestowed be the said ladie" [*sic. l.*

Lamington, to remain in ward in the tolbooth of Edinburgh and to pay a fine of 1000 merks to the presbytery of Lanark.

presbytery] for their own expenses in this matter and pious uses. <sup>Decreta, November 1641–October 1646. P. 361.</sup> This judgment is to be without prejudice to the right of parties. Further, the said Laird of Lamingtoun is to become cautioner in 3000 merks that neither he nor any under his control will hinder the said Mr Andrew M<sup>c</sup>Gie from preaching once at the said kirk, if he shall come to do so by warrant of such as have power to send him for that effect. The Laird of Lamingtoun, being personally present, consigned the said sum of 1000 merks in the clerk's hands, and enacted himself as aforesaid, whereupon the Lords suspend the decreet and horning *simpliciter* and direct the said money to be given up to the said presbytery upon a sufficient acquittance.

Supplication  
by Archibald  
Douglas of  
Whitting-  
hame that  
some person  
be appointed  
to take care of  
his house and  
uplift his  
rents.

Supplication by Archibald Douglas of Whittinghame, as follows:— P. 362. Twelve months ago his father died in France, and since then, on account of a dispute between his grandfather and stepmother for the tutory, there has been no course taken for managing his estate or keeping the house of Whittinghame, "quhilk is now like to turne ruinous and the tenants unable to pay his rents." Unless their Lordships deal with the matter it is not likely to be decided in haste, and therefore he craves that they would appoint some person to take care of his house and uplift his rents. The Lords, having heard Lady Whittinghame, who was present, appoint Mr James Sydserfe of Rouchla, and, if he refuse, William Dickson in Beill, to keep the said house, and intromit with the teinds and rents of the lands for this crop, and out of the same to pay the lady £500 for her entertainment till Candlemas next and £500 for the maintenance of the young laird in terms of their decreet of 21st August last. He is also to repair the said house and keep it water-tight, making it and the rents forthcoming to whomsoever shall be found to have best right thereto. For this effect the Lords ordain the sheriff of Hadintoun to deliver the keys of the place and houses of Qubittinghame to the said Mr James Sydserfe or, failing him, to William Dickson, and they also ordain the tenants and possessors of the teinds and rents to make payment to them.

Supplication  
by Archibald  
Walker and  
others, sailors  
in Leith, and  
now prisoners  
in Algiers, for  
a recommen-  
dation for the  
collection of  
their ransom.

Supplication by Archibald Walker, Alexander Gudalie, and William P. 363. Lawson, sailors in Leith, now prisoners "with the mercilesse Turkes at Argeir," as follows:—They have been prisoners there for the past three years, "suffering all indigniteis and cruelteis that by savage barbarians can be inflicted upon them; and all for their Christiane professioun, which, as it hes borne them throw hithertills by the secreit strenth of Gods mercifull hand, so they ar assured that their particular sufferings being knowne would move all Christiane hearts to contribut for their ransom, least their weaknesse being overcome by their unsupportable and longsome sufferings they sall succumb and yeeld to their godlesse desires." They crave their Lordships' recommendation; and the Lords, "commiserating the deplorable conditioun of the supplicants," recommend the same to all noblemen and gentlemen, magistrates of burghs and towns and others to burgh and land and to all presbyteries, synods and

Decreta,  
November  
1641–October  
1646.  
P. 363.

sessions of kirks within the bounds of Edinburgh, Hadintoun, Lithgow, Pebles and Roxburgh, who are requested to deliver their charitable contributions to such as the kirk session of Leith shall appoint to receive them.

P. 364.

*Sederunt*:—Crafurd; Glencarne; Cassills; Lauderdaill; Balmerino; Burlie; Balcarres; Advocate; Treasurer Depute. Edinburgh,  
21st November 1644.

Complaint by Margaret Thomsoun, spouse to Archibald Gray in Calder, as follows:—"About tuentie dayes since she conveenned the Tutor of Calder and minister thereof before the Lords of Privie Counsell for their cruell dealing against her in waking her the space of tuentie dayes naiked and having nothing on her but a sack cloth," and they were appointed to compear this day and produce such evidence as they had against her for the crime of witchcraft for which she is most unjustly challenged. Since then "she has beene layed in the stocks and kepted in great miserie, separat from all companie and worldlie confort and can see no end of her miserie by (except) lawfull tryell." Charge having been given to the defenders to compear and undergo their punishment "for tormenting the compleanner without warrant," and see her liberated, and the pursuer compearing by her husband, and the defenders also being present, the Lords, after hearing parties, ordain the pursuer to be put to liberty on finding caution to compear before the Justice on lawful citation, under the penalty of 500 merks.

P. 365.

Supplication by the provost and bailies of Air, as follows:—"In the particular Convention of Burghs held at Edinburgh, on 28th August last, it was thought fitting that the supplicants should obtain from their Lordships an impost of 4s. Scots for each ton upon all ships entering their harbour, for the repairing of the same and bulwark thereof for nineteen years. Without this their harbour cannot be upheld, and they crave accordingly; and also a renewal of the impost formerly granted to them upon all goods passing their bridge to their market. The Lords, having seen the act of the Convention, grant their warrant as craved.

P. 366.

*Sederunt*:—Argile; Crafurd; Cassills; Lothian; Balhousie; Balmerino; Burlie; Clerk Register; Sheriff of Teviotdaill. Edinburgh,  
6th December  
1646.  
(*Sic l.* 1644.)

P. 367.

Supplication by Sir Robert Colvill of Cleish, Mr Alexander Colvill, Justice Depute, Murrey, Commissary of Stirling, and Archibald Mercer, bailie of Culros, commissioners appointed by their Lordships for the criminal trial of Mary Cunningham, prisoner in the tolbooth of Culros, for witchcraft, adultery and incest, as follows:—"They held a court on 28th August last for the said trial, "but in regard of manie defences givin in be M<sup>r</sup> David Williamsone, her advocat, quhilks could not be answered be the procurator fiscall, who had no skill of law, as also of the contingencie of manie of the judges to the said Marie so as

they could not warrantable sitt upon her tryell, the supplicants thought fitt to forbear anie farther proceeding and judge it more saife that this tryell be at the instance of his Majesties Advocat befor the Justice in the tolbuith of Edinburgh." They crave accordingly and that order be given for transporting of the said Mary. The Lords, having read a letter from the commissioners and also heard Mr Alexander Colvill, ordain the bailies of Culros to bring over the said Marie and enter her in the tolbooth of the Cannogait, and they also ordain the bailies of the Canongait to keep her therein until some course be taken for her trial.

Decreta,  
November  
1641-October  
1646.  
P. 367.

Complaint by  
William Rig of  
Carbarrie  
against  
Sir John  
Wauchope of  
Niddrie for  
assault and  
violently  
taking posses-  
sion of the  
complainers  
coal-heuch.

Complaint by William Rig of Carbarrie, Robert Mure in Inneresk, P. 368.  
Alexander Murdo, collier, and Janet Richardsone, his coalbearer, as follows:—The said William Rig was served heir male to the late Laird of Carbarrie and infest in his lands, but the whole being liferented by the relict he had no part thereof free for his maintenance save the coal of Carbarrie, and he therefore gave order to the said Alexander Murdo and his coalbearer to enter upon and work the said coal of which his predecessor died in possession. "Whereat Sir Johne Wauchop of Niddrie, having conceived ane unjust indignatioun, with a resolution against order to possesse himselfe in the said coale without anie right, at least upon ane unwarrantable and pretended writt drawin from the compleanners predecessor at the point of death when his whole witts and senses wer gone, not being able to subscribe himselfe without one leading his hand, the said Sir Johne, for this purpose, upon the day of November last, sent tuo coalhewers to the said coalpott of Carbarrie and caused them hoch and cutt the stoups thereof, thereby to make them unprofitable to the compleanner, to his undoing and prejudice of the countrie people who had the benefit of the said coale. Quherupon the compleanner came upon the day of the said moneth with a notar and witnesses in sober maner and made civill interruption; and upon the 12 of the said moneth entered a coalzier and coalbearer to rin a myne in the said coale and so to putt himselfe in possession of his right. Quherof the said Sir Johne being informed, he, accompanied with William Wauchop, his brother, Michell Turnbull, William Pater-sone, James Reid, gairdner, John and William Knoxes, George Cluny, Andro Rammage, William Johnstoun, Johne Dicksoun, Johne Clerk, P. 369.  
came with swords, banded stalfes and others weapons invasive in a hostile maner upon the 13 of November to the mouth of the coal myne, and the said Sir Johne pursued the said Robert Mure with a drawin sword and had killed him therewith if he had not hardlie escaped, stood with his said sword drawin in his hand till the persons foresaids digged up the mouth of the coale with timber and earth and inclosed the said Alexander Murdo and his coalbearer, intending to smore them and they wer forced to creip throw the coal pott a great way where they had beene almost drowned with water and suffocat with paddocks and the like till with great hazard he wrought himselfe out another way." Charge having been given to the persons named, and the

Decreta,  
November  
1641-October  
1646.  
P. 369.

pursuers compearing, as also the said Sir John Wauchop, James Reid, John and William Knox, George Cluny, Andrew Rammage, William Johnstoun and John Dicksoun, probation was referred to the oaths of the defenders, and they denying the riot the Lords assoilzie them, and remit the discussing of the right to the coal to the judge ordinary.

P. 370.

*Sederunt* :—Argile; Craufurd; Cassills; Lauderdail; Dalhousie; Edinburgh, 12th December 1644.  
Balmerino; Burlie; Clerk Register; Sir John Smith.

"Forsamekle as the Lords of Privie Counsell hes ordained Marie Cuningham, who hes beene long prisouner in the tolbuith of Culros for diverse crimes, to be transported be the bailleis of the said burgh to the tolbuith of the Cannogait there to remaine till she be tryed for the saids crimes, the Lords of Secreit Counsell doe therefore ordaine the said Marie to pay the expenses the toun hes been at in keeping her in prison or bringing her to Edinburgh."

Mary Cunningham, who is accused of witchcraft, to pay the expenses of her ward in the tolbooth of Culross and of her transport to Edinburgh.

This day compeared James Peitt in Ballachie and producing copy of a summons at the instance of William Williamsone, burgess of Abernethie, in which he is charged with taking away some corn, protested in respect of Williamson's absence that the complaint against him should not be proceeded with until he were cited of new and his expenses paid. The Lords admit the protest.

*See ante*, p. 37. James Peitt in Ballachie.

*Sederunt* :—Craufurd; Cassills; Dalhousie; Lanrick; Balmerino; Edinburgh, 12th December 1644.  
Burlie; Treasurer Depute; Advocate; Sir John Smith.

Complaint by John, Lord Barganie, and Adam Quhytfurd, his servant, as follows :—Thomas Kennedie, sometime of Bargany, and Thomas and William, his sons, have conceived a deadly hatred against the said lord, and are resolved to have his life; and they have not only conspired among themselves for this effect, but also on several occasions "gave presumptions of this their resolutioun." The said Thomas Kennedie on

Complaint by John, Lord Bargany, and Adam Whitefurd, his servant, against Thomas Kennedy, sometime of Bargany, and others, for assault.

November last sought the loan of a gun from Mr Alexander Younger at the Mill of Aird, and publicly said "he had a doller and would bestow a merks worth of poulder and lead upon the best of them before they past Bennenhill, quhilk is the said lord his hieway home to Bargany." On the forenoon of the following day the said Thomas Kennedy, elder, being in conference with the said lord, among other things said "his eldest sone had nothing to lose but his life." And that afternoon the said Thomas Kennedy, elder, came to the place of Ardstinfell belonging to the said lord, who was there for the time attended by "his said servant Adam Quhytfurd, and, er ever the said Adame wes awar, strake him above the right pape with a knife a deepe and dangerous wound to the hazard of his life; of the quhilk hurt the saids tua sonnes being informed and grudging that the stroke wes not givin to the said lord, said to their fater, 'What ailed you at Adame Whyt-

P. 371.

furd?' and he replied, cursing his younger son William as the author of all. Quhilk being ane bold and dangerous plott and attempt against one of the members of Parliament deserves exemplarie censure and punishment." Both parties compearing and probation being referred to the defenders' oaths, the said Thomas Kennedie, elder, confessed the striking of the said Adam Quhytfurd with a knife, for which the Lords fine him 1000 merks, and ordain him to be warded in the tolbooth of Edinburgh until he pay the same and further course be taken with him.

Sir William  
Dick of  
Braid to pay  
10s. Scots  
daily for the  
maintenance  
of George  
Aitken of  
Underedge in  
ward.

The Lords, having heard and considered the complaint by George Aitkin of Underedge against Sir William Dick of Braid and William Dick, his son, for keeping him in ward in starvation while they possess all his estate, and having also heard the said George and Mr Alexander Dick, who compeared for the defenders, who declared that they would rather grant maintenance to the said George than consent to his being liberated, the Lords modify the sum of 10s. Scots to be paid by them to him daily.

Complaint by  
William  
M'Lymont,  
elder and  
younger,  
of Colquhoun-  
stoun, against  
James Boyle,  
son of William  
Boyle of  
Dalduff, for  
assault.

Complaint by William M'Lymont, elder and younger, in Colquhoun-stoun, and Thomas McKerneth at Bandismilne, as follows:—John Boyll, son to William Boyll of Dalduff, on May last sett upon the said Adam M'Lymont, elder, an aged man of fourscore years, "and with a great battoun strake him on the head and had almost killed him thereafter with a whinger. And upon the day of October last the said John lay at await under night for the said William M'Lymont, younger, as he was going home and first strake him with a battoun, thereafter with a whinger brake his arme and bruised his bodie." Both parties compearing, probation was referred to the defender's oath, who denied the charge, and therefore the Lords assoilzie him.

Counter-  
complaint by  
John Boyle of  
Dalduff and  
Margaret  
Crawford, his  
spouse, against  
John M'Lymont in Colquhounstoun,  
and William  
M'Lymont,  
his brother,  
for hamesucken.

Counter complaint by Sir Thomas Hope of Craighall, his Majesty's Advocate, John Boyll of Dalduff and Margaret Craford, his spouse, as follows:—In contravention of the law which prohibits the bearing of hagbuts and pistols, on 26th October last John M'Leymont in Cohounstoun and William M'Leymont, his brother, at the instigation of William M'Leymont, their father, lay in wait under cloud of night for the said John Boyll, as he was coming from Maybole, for the purpose of taking his life, "and, er ever he wes awar, first the one strake him with a rung and then the other, and had not failed to have murdered him wer not the nighbours comming by releevd him." Again on the 28th of that month the said two brothers, accompanied by William Ord in Machirmoir, Thomas McKerrell at Bardismilne and William Ord in Maybole, armed with muskets, pistols and other weapons, came by way of hamesucken to the complainer's dwelling house under cloud of night, and thinking he was there, shot in at the glass windows; and when the said Margaret, supposing they had met with her husband, came forth and cried for him, they shot thrice at her with their muskets and once with a pistol, and had she not entered a stable and closed the doors they had killed her. And she being great with child was forced thereafter for fear to remove

Decreta,  
November  
1641–October  
1646.

P. 372.

P. 373.

P. 374.

Decreta,  
November  
1641–October  
1646.  
P. 374.

herself and her family to Kyle and remain there with her friends. Both pursuers and defenders compearing, except William McLymont, elder, for whom a certificate of inability was produced, the said John Boyll declared he would refer the probation of their striking him with batons to their oaths, but would prove the rest by witnesses; and the Lords having heard both their depositions on oath and the averments of the witnesses, who failed to prove anything against the defenders, assoilzie the defenders from all points of the charge.

P. 375.

*Sederunt*.—Lauderdail; Perth; Lothian; Angus; Balmerino; Clerk Register; Advocate; Wauchtun; Sir John Smith. Edinburgh,  
2nd January  
1646.

The Lords, having granted commission to Sir James Lockhart of Lee, Sir John Dalzell of Newtoun, James Lockhart of Cleghorne, Mr John Lockhart of Heids, James Cunninghame of Bonytoun and the baillies of Lanerk, or any three of them, for the trial by assise of Jean Lauchlane in the parish of Jean Lauchlan  
in Lanark  
condemned for  
witchcraft. for witchcraft, with instructions to report before sentence, and, having now seen the process of her conviction in a court held at Lanerk on 31st December, ordain the said commissioners "to proceed and doe justice against the said Marion [*sic*] according to law."

P. 376.

Complaint by Sir Thomas Hope of Craighall, his Majesty's Advocate, and by Patrick Hannay, provost, Patrick Cowtran and William Clugstoun, bailies of Wigtoun, as follows:—Although the bearing and shooting of hagbuts and pistols is strictly prohibited by law, yet, on 24th October last, John Murdoch, elder, John, William and Thomas Murdoch, his sons, Rodger McKorskie and others, armed with swords, pistols and other forbidden weapons, "sett upon Johne McDowall, one of the counsellors of the said burgh of Wigtoun, as he was going to his malt kill and fiercelie pursued him of his life, forced him for saifetie therof to take ane hous upon him, quhilk he assured the best he could, but they followed and unbesett the hous on all quarters and preassed to breake up the doores; and, becaus they could not, they stogged in at the windowes and doores with their swords and ranne one Marioun Turnour throw the gowne and petticoat to the hazard of her life. And the said Johne, being environed and not finding himselfe sure in the hous, ventured out and ranne to a nighbours, they still pursuing him with drawin swords, and had not failed to have killed him if the nighbours had not releevd him." The provost hearing of this, in the duty of his place convened some of the neibours and went and took the said John McDowall, brought him to his own house and kept him there for safety until he thought his assailants had gone. About 7 o'clock at night he went to the house of Alexander McKie, and thither also shortly afterwards came the said John McDowall. "But the persons foresaids having spyes in all parts of the town, and the said Johne Murdoch, elder, being the author of all this disorder, who come to the hie streets with ane halbert in his hand and bade them prove men, they made all their Complaint by  
Patrick  
Hannay,  
provost, and  
Patrick  
Cowtran and  
William  
Clugstoun,  
bailies of  
Wigtoun,  
against John  
Murdoch,  
elder, and  
others for  
assault and  
breaking the  
laws of the  
burgh.

P. 377.

addresse to the hous of the said Alexander M<sup>c</sup>Kie under cloud of night, entered the same with drawin swords and bended pistolls, crying 'Where is the theeves; lett us have them; for we vow to God we sall hew them in clowtts.' Quherupon the said provest desired his Majesties peace of them, at quhilk they in great fume sett upon the said provest and wounded him in the right hand. And when he inquired if they wer seeking his life, the said John Murdoch, younger, answered, 'We ar behind with yow, it is onlie yow we would have'; and still pursued and stogged him through the cloathe, he being without armes and unable longer to resist; till at last some ministers of the presbyterie who wer supping in another rounge came and dealt with the saids persons to remove; quhilk they refused, speciallie the said John Murdo, younger, who wes under their censure for double adulterie and had sittin in the place of repentance the Sabboth before and wes not yitt receaved; and then the touns people gathered in armes and releaved the provest and magistrats, charged the saids persons to enter in waird and come furth, but they refused; and when the people called for fore-hammers they receaved in from some of their complices at backe doores and windowes musketts, picks, pistolls and halberts and manned the hous, crying out they would ken no magistrats, but, if any brake up their doores, they sould shoott bulletts in their breasts. And, at lenth, being persuaded be the ministers, they entered in a scornfull way in the tolbuith, having the said William Clugstoun, baillie, in companie with them. But after a little space the said John Murdo, younger, brake up the doore quher the chartour kist lay; and the baillie opening the tolbuith doore to lett furth Thomas Stuart, they threw him over the staires and went furth to John Murdoch, elder, his hous about tuelffe houres at night and shott out at the windowes ten or tuelffe shott. Lykeas in August the said Patrik Cowtrane and John Murdoch, being bailleis, and Jonnet Murdoch, sister to the said John Murdoch, being conveyened before them for some debts, when as the said Patrik inquired if she wes owing anie debts she disgracefullie called him 'scabbed mouthed lowne' and 'creished couloured swinger.' And he having desired her brother, the other baillie, to give him justice, he said he would not for anie thing she had spoken. And, when as the baillie come from the court, the said Jonnet renewed her speeches, tooke up great stones and gave the baillie diverse strokes therewith; and, being warded for the same, she brake ward and said she would not ly there for anie baillie unhanged. Quhilks ar fearfull affronts and contempts of auctoritie and deserve exemplarie punishment." Charge having been given to the persons complained upon, and the pursuers compearing, likewise also the said John Murdoch, elder, and John and Thomas, his sons, who took burden for the said Jonet Murdo and Roger M<sup>c</sup>Korskie, both parties submitted this complaint, the examination of witnesses and censure thereof to the judgment of Sir John Smith, provost of Edinburgh, and the remanent commissioners of burghs presently in town, obliging themselves to abide by their decision without appeal.

Decreta,  
November  
1641-October  
1646.  
P. 377.

P. 378.

P. 379.

Decreta,  
November  
1641–October  
1646.  
P. 379.

*Sederunt* :—Craufurd ; Glencarne ; Perth ; Dalhousie ; Balmerino ; Edinburgh,  
Balcarres ; Burlie ; Din ; Sir John Smith. 4th February 1645.

P. 380.

Supplication by the bailies of Culros, as follows : — Marie Cuninghame, indweller in their town, was a long time ago committed to ward within their tolbooth for the crime of witchcraft and other capital crimes and commission was granted by their Lordships to the Laird of Cleish, Mr Alexander Colvill, Justice Depute, Mr Robert Murrey, Commissary of Stirline, and some others, who, having sat and heard the advocates of the said Marie, forbore to go on with her trial and caused represent to their Lordships that she should be tried before the Justice and his deputies in the tolbooth of Edinburgh. Thereupon their Lordships ordained the supplicants to enter her within the tolbooth of the Cannogait, and that the said Marie should pay the charges they had been at before her transportation. While “she was providing the charges, some in her name kept up the warrant from the supplicants and compleanned to the saids Lords that they would not transport her,” and so obtained a warrant for her liberation on caution to compear before the Justice. And when the supplicants on the first warrant transported her to the Cannogait, they were confronted with the posterior warrant and obliged to release her, “and now she and her freinds boasts they sall saddle her in the said toun in despite of the supplicants. In regard quherof and least so scandalous ane offender sould goe unpunished or her impunitie be imputed to anie neglect on the supplicants part or that by her returning to the said toun anie thing sould fall out by the rage of the people mightilie incensed against her,” they crave that the Lords would ordain his Majesty’s Advocate to receive from the supplicants the process deduced against the said Marie and raise a criminal action before the Justice against her. This the Lords do, and ordain that she may be charged to compear on a certain day and her cautioner to produce her. The following is here entered, “Edinburgh, 2nd January, 1645. The Lords of Secreit Counsell ordains the bailleis of Culros to putt Marie Cuninghame to libertie, becaus she hes found caution to appeare quhen she sall be required under the pane of a thousand punds.

Acta, Novem-  
ber 1641–  
October 1646.  
Fol. 104, b.

*Sederunt* :—Balmerino, Præses ; Argile ; Cassills ; Perth, Rox- Edinburgh,  
burgh ; Lothiane ; Lanrick ; Yester ; Advocate ; Wauchtune ; 11th April 1645.  
Sir William Douglas.

“The quhilk day there wes a commissioun past to the Earles of Buccleuche and Annandaill against mosse trouppers, who being personallie present accepted the commissioun and gave their oath *de fidei administratione*.”

“The Lords of Secreit Counsell declares that, if anie particular person sall be interest be the generall designatioun of lands exprest in the commissiouns granted to the Earles of Buccleuch and Annandaill, they

Anent the  
trial of Mary  
Cunningham  
in Culross for  
witchcraft.

Commission  
against moss-  
troopers.

Declaration  
anent the  
above com-  
mission.

shall be heard to propone what they have to say thereanent, and the Counsell will take course therein as if the commissiouns wer granted." Acta, November 1641-October 1646. Fol. 104, b.

Next meeting  
of Council.

"The next meiting of Counsell appointed to be upon Wednesday come eight dayes."

Edinburgh,  
7th May 1645.

*Sederunt* :—Mar; Eglintoun; Cassills; Lothian; Wems; Dalhousie; Lanrick; Angus; Yester; Elphinstoun, Balmerino; Advocate; Justice Clerk; Treasurer Depute; Wauchtun; Dundas; Provost of Edinburgh.

Warrant to  
the Earl of  
Buccleuch as a  
member of the  
above com-  
mission to try  
moss-troopers  
in Selkirk and  
Jedburgh.

"Anent the supplicatioun presented to the Lords of Secretit Counsell be Francis, Earle of Buccleuch, makand mentioun that quher he hes apprehended diverse of the mosse trouppers be virtue of the commissioun granted be the saids Lords to him for that effect, and he is readie to doe justice upon them conforme to the tenor of his commissioun, but, in regard it is not exprest in his commissioun that he may sitt upon them in Jedburgh or Selkirk, which ar the tuo most convenient parts for their tryells, humblie desiring therefore the saids Lords to give power to the said Earle and his deputs to judge and try the saids mosse trouppers in the saids tolbuiths of Jedburgh or Selkirk, as at mair lenth is conteanned in the said supplicatioun; quhilk being read, heard and considered be the saids Lords and they advised therwith, the Lords of Secretit Counsell gives power to the said Earle and his deputs to doe justice upon the mosse trouppers he hes alreadie takin within the touns of Jedburgh or Selkirk, and ordains the magistrats of these burrowes to make their tolbuiths patent to the said Earle and his deputs to that purpose." Fol. 2, a.

Proclamation  
to be made  
that the  
Court of  
Session will sit  
in Edinburgh  
on the 3rd of  
June next.

"Forsamekle as be Act of Parliament the meiting and sitting of the Lords of Sessioun wes continued till Junij nixt and the Counsell, finding it verie expedient that tymous intimatioun be made to the lieges that the Sessioun is to sit down then to the effect they may be prepared to attend their causes which ar to be before that judicatorie, they doe therefore ordaine and command maissers of Counsell or heralds to pas to the mercat croce of Edinburgh and there be opin proclamatioun to make intimatioun to his Majesties lieges that the Sessioun is to meit and sitt down at Edinburgh upon the third day of Junij nixtocome, quherthrow nane pretend ignorance of the same.

Edinburgh,  
7th May 1645.

*Sederunt* :—Crafurd; Mairshell; Eglintoun; Cassills; Dalhousie; Lanrick; Yester; Elphinstoun; Balmerino, prases; Burlie; Clerk Register; Justice Clerk; Wauchtoun; Innes; Dundas; Sir John Smith. Decreta, November 1641-October 1646. P. 381.

Complaint by  
Margaret  
Cunningham,

Complaint by Margaret Cunninghame, lawful daughter of Harie Cunninghame, portioner of Restalrig, as follows :—She has undoubted

Decreta,  
November  
1641-October  
1646.  
P. 381.

right to these ten acres of land in Restalrig called Peirshill and Three- daughter of Harry Cunningham, portioner of Restalrig, against Mr. William Cunningham, styled of Ballindallach, and others for violently taking possession of the house and belongings of Restalrig.

stops, and also to the great mansion house with meddows, holme yards, dove cots and other dwelling houses all lying within the town and territory of Restalrig, with parts and pendicles thereof conform to her securities and infetments, and she has been in undisturbed possession thereof since 1636, dwelling in the said mansion and other houses, and tilling and labouring the said lands at her pleasure, until on 9th March, 1644, Mr William Cuningham, styled of Ballindallach, Anna Naper, his spouse, and Agnes Cuningham, his lawful daughter, accompanied by John Kilgour in Edinburgh, Thomas Johnstoun there and George McMichell, servitors to the said Mr William, William Blair, messenger, John Malcolm, indweller in Edinburgh, William Kirkwood and Matthew Smith, craftsmen, indwellers there, and others, came armed with swords, guns, pistols and other invasive weapons, violently broke up the gates and doors of the said great mansion, barns and other houses, and took possession thereof and of the whole plenishing goods, chests, trunks, evidents and others therein, and the corn and straw in the barn and barnyards, all belonging to the complainer and extending to a considerable value. Thereafter they threatened and menaced her tenants who were mowing her meadows and clad with possession by tacks from her, "and shoared to take their lyffes if they would maw anie more nor they had done, quhilks grasse so mowin be the saids tennents and away takin be them exceeded not six laids; and all the rest of the hail medowes and grasse wes violentlie intrometted with be the said Mr William and his saids complices and assisters. And, also, not having regard to the Lords day, being the Sabbath day and the tenth of the said moneth, the saids persons, at the least the said John Kilgour and Thomas Johnstoun, at the command and directioun of the said Mr William and his spous, dang up a laich seller doore and rave up a loft within the said laich seller and wan to the north tour of the said mansioun hous the said day and having win in they thereafter neid-wailed the inner and utter yetts of the said mansioun hous to debarre the compleanner and her servants out thereof, she herselfe being in Edinburgh visiting her father who wes deidlie seik lying in prissoun and incarcerat be the said Mr William for alledged beiring and wearing of gwnnes and pistolls, and who wes incarcerat there eight dayes before the said violent ejectioun and oppressioun." Further, on the following day, the said Mr William with these whole persons came armed to the said great mansion house and barn and without any warrant violently "dang up the hail doores thereof, entered and possest himselfe therein and intrometted with the hail goods, geir, plenishing, cornes and crop, and the hail sawin cornes upon the foresaids lands, quhilk wes all laboured and sawin upon the compleanners charges and hes tane the hail cornes and crop that wes standing in the barn and barnyaird for the crop 1643 and hes rivin up and teilled her wheit that she sew upon the saids lands this last yeere, and hes made it to be beir land to keep

P. 382.

P. 383.

the said compleanner fra her possession." Charge having been given to these persons, and the pursuer and defenders compearing except the wife and daughter of the said Mr William, who answered for them, the Lords, after hearing parties, find that the pursuer was in possession of the houses and lands libelled in virtue of a right from her father and was unwarrantably dispossessed by the said Mr William and remanent defenders, whom they therefore ordain to repossess her before next Saturday. They also ordain the said Margaret to enact herself to keep this crop of these lands uninjured for the year 1645 and make the same forthcoming to whomsoever shall be found to have best right. This sentence is to be without prejudice of the rights of either party.

Decreta,  
November  
1641-October  
1646.  
P. 384.

Complaint by  
John White-  
ford of Balloch  
against James  
Kennedy,  
sometime of  
Blairquhan,  
and others for  
violently  
taking  
possession of  
the manor  
place of  
Blairquhan,  
which right-  
fully belongs  
to the com-  
plainer.

Complaint by John Quhytfurd of Balloch and Adam Quhytfurd, his brother, as follows:—The said John has been in possession of that part of the barony of Blairquhan within the bailiary of Carrick and of the manor place of Blairquhan by virtue of good rights flowing from James Kennedie, sometime of Blairquhan, and the deceased James Kennedie, his father; and because the said John dwells in Maybole he gave the use of the manor place to his said brother, who with his family have been there this long time. "And the said John himselfe, being latelie imployed in searching for runawayes, he came upon the fourth of Aprile last to the said place, his brother being absent, expecting no injurie. Notwithstanding quherof it is of truth that the said James Kennedie, Mr Alexander, Johnne, and Hugh Kennedeis, his brether, and Johnne McCall, their servant, all boddin in hostile maner, came to the said place airlie in the morning and finding William McAlexander at the yett, and understanding by him that the said Adam was not at home, they removed him and Johnne Nevein, servant to the said Johnne Quhytfurd, to the yett and entered the hous, fearfullie threatning the said Adams wife and her familie with all crueltie till they revealed quher the said Johnne wes. And so they come to the chamber quher he lay threatning to breake up the doores if he did not opin, quhilk he wes forced to doe; and in like maner threatned to take his life and compelled him to deliver tuo keys of the place, and hardlie could obteane libertie to goe away with his life. And they have ramforced the doores, shott out the said Adame, his wife and familie, brokin up the doores of the office houses, disposed upon the provisioun, vivers and plenishing being therein and upon the hay being without the same, and keepes all by ane high hand of oppressioun." Charge having been given to these persons, and the pursuer compearing but not the defenders, the Lords, after hearing the witnesses produced, find that the said James, Mr Alexander and Hugh Kennedie, and John McCall their servant, dispossessed the complainers of the said house of Blairquhan, broke up the doors, and disposed of the "vivers and hay"; and for this insolence they ordain them to be charged to repossess the pursuers in the said place, and also to enter themselves as prisoners within the tolbooth of Edinburgh within six days and there remain until order be taken with them, upon pain of horning.

P. 385.

P. 386.

Decreta,  
November  
1641–October  
1646.  
P. 336.

P. 337.

Complaint by Mr Thomas Young of Leny, W.S., and Mr Robert Logan, indweller in the Cannogait, as follows:—The deceased Harie Howstoun, litster, burgess of the Cannogait, and the complainers as cautioners for him, gave bond to Simon Chalmers, merchant burgess of Edinburgh, for 300 merks and £40 of expenses, which the said Simon registered in the books of Council and Session and the complainers long since paid the said principal sum and £4 debursed by the said Simon for registration. And yet he will neither deliver the bond nor a discharge, but keeps up the same over their heads against all conscience and equity. Both pursuers and defender compearing, the latter acknowledged “he was satisfied of this hundreth pounds conteanned in the band and foure pounds of expenses, quherupon the pursuers asked instruments.”

Complaint by  
Mr. Thomas  
Young of  
Leny, W.S.,  
and Mr.  
Robert Logan,  
indweller in  
the Canongate,  
against Simon  
Chalmers,  
merchant  
burgess of  
Edinburgh, for  
non-delivery of  
a bond to the  
complainers.

P. 338.

Complaint by Sir Thomas Hope of Craighall, his Majesty's Advocate, Mr James King, advocate, Marion Hart, his spouse, and David Wright, messenger, as follows:—On 6th February, 1644, the said messenger went to the barn yard of Jean Watson, widow of Hugh Elder of Milnedykes, and by virtue of letters of poinding at the instance of Mr James King and his spouse, poinded certain corn there, by drawing out a handful out of every one of the said stacks, whereupon Robert and James Dalyell sons of Sir John Dalyell, accompanied by three or four score persons armed with halberts, lances, swords and other weapons, set fiercely upon the said messenger, took the corn out of his hands and carried it away, thus violently deforceing him in the execution of his office so that he was forced to break his wand and give way. Charge having been given to these persons and both pursuers and defenders compearing, probation was referred to the oaths of the defenders. These denied the complaint, and the Lords assoilzie them.

Complaint by  
David Wright,  
messenger,  
against Robert  
and James  
Dalyell, sons of  
Sir John  
Dalyell, for  
deforcement in  
the execution  
of his office.

Acta, Novem-  
ber 1641–  
October 1646.  
Fol. 105, a.

*Sederunt*:—Balmerino, præses; Argile; Eglintoun; Glencarne; Stirling, 6th June 1646.  
Dumfermline; Lauderdaill; Lothiane; Lanrick; Elphinstoun; [Sic. l. 1645.]  
Burlie; Justice Clerk.

Fol. 105, b.

“Forsamekle as commissioun is granted be the Counsell to the Earle of Buccleuch and his deputs against the mosse trouppers and others delinquents therein mentiouned, and the Counsell, finding it verie expedient for the good of the service and for publict exemple that warrant be given for doing of justice upon such of the delinquents as sall be apprehended within some of the royall burrowes of these bounds, they doe therefore heirby give warrant and command to the Earle of Buccleuch and his deputs to doe justice in Jedburgh or Selkirk upon such persons as they sall apprehend be vertue of the said commissioun, and that notwithstanding of anie claus conteanned in the commissioun restricting the same to the Earle of Buccleuchs owne bounds; whereanent these sall be their warrant.”

Commission to  
the Earl of  
Buccleuch to  
try mosse-  
troopers in  
Selkirk and  
Jedburgh.

Edinburgh.  
15th April  
1646.

*Sederunt*:—Crafurd; Cassills; Lanrick; Yester; Clerk Register; Treasurer Depute; Wauchtune; Dundas; Innes; Sir John Smith. Acts, November 1641–October 1646. Fol. 105, b.

Earl of Lanark appointed president of the Council during the absence of the Chancellor.

“The Lords of Privie Counsell, in respect of the Chancellers absence out of the kingdom in publict employments in England, doe nominat and make choice of William, Earle of Lanrick, to be president of his Majesteis Counsell till the nixt session of Parliament or till the Chancellers returne to attend the dyets of Counsell.”

Edinburgh,  
16th April  
1646.

*Sederunt*:—Lanrick, præses; Crafurd; Cassills; Yester; Clerk Register; Treasurer Depute; Wauchtune; Innes; Dundas; Sir John Smith.

Earl of Buccleuch continued in the Commission of Justiciary.

“Forsamekle as the Earle of Buccleuch hes this day presented to the Lords of his Majesteis Privie Counsell tua acts of court kepted be him be vertue of the Commissioun of Justitiarie granted be the Counsell of the date the ellevent of Januarie, 1645, the one at Jedburgh and the other at Selkirk in Junij and November, 1645, and the Counsell having read and considered the same doe find that the said Erle hes beene verie carefull and diligent in the discharge of the said commissioun, and doe approve his proceedings therein, and ordains the commissioun to be renewed for another year.”

“Intimatioun of the Counsell meittings to be everie 14 dayes.”

Edinburgh,  
13th May  
1646.

*Sederunt*:—Crafurd; Mairshell; Eglintoun; Glencarne; Cassills; Finlatter; Burlie; Clerk Register; Wauchtoun; Dundas; Innes. Fol. 106, a.

Earl of Crawford to act as temporary president of Council.

“The Lords of Privie Counsell nominats the Earle of Crafurd to be president of Counsell in absence of the Lord Chancellor and Earle of Lanrick for this dyet and during the Counsellis pleasure in absence foresaid.”

Edinburgh,  
20th May  
1646.

*Sederunt*:—Argile; Crafurd; Mairshell; Glencarne; Perth; Dalhousie; Finlater; Burlie; Clerk Register; Advocate; Treasurer Depute; Wauchtun; Innes; Sir John Smith.

Earl of Crawford continued in the office of president.

“The Counsell, conforme to the former act of the 13 of May, continues the Earle of Crafurd President of the Counsell in absence of the Lord Chancellor and Earle of Lanrick and during the Counsellis pleasure.”

Commission anent prisoners in the tolbooth of Edinburgh.

“The Counsell nominats his Majesteis Advocat, the Laird of Innes and Provest of Edinburgh to meit with the Justice Deputs and to consider the condition of all criminall prisouners within the tolbuith of Edinburgh not having relation to present bussines and what is cleered or to be said against them, and, as they sall find occasioun, to

Decreta,  
November  
1641-October  
1646.  
P. 388.

putt anie of them to libertie and to report everie Counsell dyet how far they have proceeded be vertue thereof."

"The Lords of Privie Counsell prorogats the warrant formerlie granted upon the 12 day of November, 1644, for coyning the fyfteene hundreth stone of weight of copper conteanned in that warrant till the ellevent day of November nixtocome, conforme alwayes to the said former warrant."

Coining of  
1500 stone  
weight of  
copper post-  
poned till 11th  
of November  
next.

[Sederunt as recorded above.]

Edinburgh,  
20th May  
1646.

P. 389.

Complaint by John Wilkie of Foulden, John Wilkie, apparent thereof, and James Wilkie of Cammo, nearest friends on the mother's side of Alison Troup, only daughter of the deceased James Troup, merchant burgess of Edinburgh, as follows:—Sir William Gray, as tutor to the said Alison, has had the custody of her person and dealt with her means and estate for several years past, and she is now past the years of tutory and ought to choose her curators with advice of her nearest and best friends. They have little or no access to her as she is so closely kept by the said Sir William, so it is very necessary that the said Lords should sequester her for a time that she may have the liberty of a free choice of her curators and that her friends may have access to her for advice and counsel. Charge having been given to the said Sir William Gray to compear and produce the said Alison, and he having done so and asked instruments thereupon, there also compeared the said James Wilkie and Sir William Carmichael, son of the Treasurer Depute, for themselves and the remanent pursuers, and the Lords, having heard the parties, ordain the said Alison to be sequestered in the hands of the Clerk of Council until she make choice of her curators and the Lords release her. They allow twenty-one days for making choice of her curators and ordain that the pursuers have access to her between 10 and 12 in the forenoon, and the defenders in the afternoon.

Complaint by  
John Wilkie of  
Foulden, and  
others,  
relatives on  
the mother's  
side to Alison  
Troup,  
daughter of  
the deceased  
James Troup,  
merchant  
burgess of  
Edinburgh,  
against Sir  
William Gray,  
tutor to the  
said Alison.

Acta, Novem-  
ber 1641-  
October 1646.  
Fol. 106, b.

*Sederunt* :—Argile ; Craufurd ; Glencarne ; Weems ; Dalhousie ; Edinburgh,  
Finlater ; Yester ; Advocate ; Innes ; Wauchtune ; Dundas ; Sir 27th May  
John Smith. 1646.

"Forsamekle as the Estats of Parliament, be their act of the fourth of Februar last, ordained the Lords of Session to sitt down in session for administratioun of justice to his Majesteis lieges upon the secund of Junij nixt and to continue at the ordinar times appointed for sitting of the Session at Edinburgh, and the Lords of his Majesteis Privie Counsell, finding it expedient in regard of the long interruption of the Session this time bygane that new intimatioun be made thereof to all his Majesteis good subjects, doe therefore ordaine heralds and pursevants to pas to the mercat croce of Edinburgh and there be opin proclamatioun to make intimatioun to all his Majesteis subjects that the Lords of Session ar to

Proclamation  
that the Court  
of Session will  
sit in Edin-  
burgh on the  
2nd of June  
next.

sitt down in sessioun for administration of justice at Edinburgh upon the secund of Junij nixt, and to warne all and sindrie whom it effeirs to attend accordingle.

Acts, November 1641  
October 1646.  
Fol. 106, a.

Proclamation to be made that the Council will meet on Tuesday next, the 2nd of June, and on every Tuesday and Thursday thereafter.

"The Lords of his Majesteis Counsell, considering that be order of Parliament the ordinarie courts of justice ar to sitt at Edinburgh upon Tuisday nixt, the secund of Junij approaching, hes accordingle thought fitt that the meittings of the Counsell sall be kept heerafter at the ordinarie times weeklie every Tuisday and Thursday in the afternoone, and the first meiting to be on Tuisday nixt the secund of Junij and so furth thereafter, and ordains heralds and pursevants to pas to the mercat croce of Edinburgh and there be opin proclamatioun to make intimatioun heirof to all his Majesteis lieges quherthrow nane pretend ignorance of the same."

Fol. 106, b.

Edinburgh,  
27th May  
1646.

[Sederunt as recorded above, omitting Sir John Smith.]

Decreta,  
November  
1641-October  
1646.  
P. 390.

Complaint by the magistrates of Edinburgh in name of the ministers and poor of the said burgh against John Inglis, late bailie of Edinburgh, for refusing to undertake the office of treasurer.

Complaint by the provost, bailies and council of Edinburgh for themselves and in name of their ministry and the poor of their burgh, as follows:—John Inglis, late bailie of Edinburgh, "according to the lovable custome within burgh," ought to be chosen kirk-treasurer of the said burgh for this year. He gave his great oath "to obey as he sall answer to God the acts and statuts of the burgh"; yet he, unmindfull thereof, and "to the overturning of all governement within burgh, contempt of the ministrie and pitifull neglect of the poore, and evill exemple of others, refuses to embrace the said office and exerce the same." The pursuers compearing by Mr George Norwell, their procurator, but the defender not compearing, the Lords ordain him to be put to the horn and escheated.

Complaint by Harry Black, tenant in Wester Lawes of Quhitsome, who, having accidentally shot Janet Sleich, daughter of George Sleich in Hutton, has been committed to ward in Duns by the Sheriff.

Complaint by Harie Black, tenant in Wester Lawes of Quhitsome, as P. 391. follows:—The late Jonet Sleich, daughter of George Sleich in Hutton, while on 3rd May instant she was cresssing the road, "wes rackleslie shott be the compleanner with a gun quhilk he wes trying, not knowing the same to be charged, and the kin and freinds of the said Jonet, knowing the compleanners innocencie heerin and his sorrow for this unhappie accident, her father and brother, George Bowmaker, John Haistie and James Galbraith, her neerest kin, hes remitted to the compleanner the said slaughter and granted him a letter of slayns" dated 12th May. The Sheriff of Bervick has committed him to ward in Duncce, and he is content to find caution to underlie the law for this accident whenever lawfully cited. Charge having been given to George Sleich in Huttoun, George Sleich, his son, George Bowmaiker, John Haistie, and James Galbraith, and to William Home of Linthill, sheriff depute of Bervick, to produce the complainer, the pursuer compeared by John Black, his brother, but not the defenders. The Lords therefore ordain the Sheriff of Bervick and his deputes to liberate the pursuer, seeing his brother has become cautioner for his compearance when

Decreta,  
November  
1641-October  
1646.

called and that he will pass his remission under the great seal under the penalty of 400 merks.

P. 391.

*Sederunt*:—Glencarne, præses; Mairshell; Weems; Dalhousie; Edinburgh, 9th June 1646.  
Finlater; Angus; Balmerino; Burlie; Advocat; Treasurer  
Depute; Justice Clerk; Wauchtun; Innes; Dundas; Provost  
of Edinburgh.

The Lords, in respect of the petition of the uncles of Alison Troup, Case of Alison Troup.  
continue her sequestration for other twenty days and until they give new orders; and they ordain the provost and bailies of Edinburgh to continue the diet for the election of her curators until , and till then Sir William Gray or any from him are to have access to her from 9 to 11 in the morning, and no further, the mother's friends from 2 to 4 in the afternoon, and the father's friends from 4 to 6. These diets are to be kept precisely. See ante, p. 49.

P. 392.

*Sederunt*:—Chancellor; Mairshell; Dalhousie; Roxburgh; Wems; Edinburgh, 18th June 1646.  
Angus; Yester; Balmerino; Burlie; Advocate; Treasurer  
Depute; Justice Clerk; Wauchtun; Innes; Dundas; Provost  
of Edinburgh.

Complaint by John Inglis, late bailie of Edinburgh, as follows:—On Complaint by John Inglis, late bailie of Edinburgh, in which he craves suspension of horning under which he lies at the instance of the magistrates of Edinburgh.  
26th May last he was cited at the instance of the provost, bailies and council of Edinburgh to compear before their Lordships on the 27th and answer for refusing the office of kirk-treasurer for this year, and he understands they have obtained letters of horning against him, though most wrongfully, because "the warrant to cite the compleanner wes past upon the 26 to cite him to the 27, and he wes onelie summound at his duelling hous of Laureston, fyve or six myles from Edinburgh, of purpose to surprise him that he sould be ather unable to keepe the dyet or come unprepared to answer; and he had just caus of feare that his citatioun wes onelie to draw him in to Edinburgh where the provest and bailleis would have committed him to waird upon pretext of disobedience of thair acts, which they take to be a sufficient ground of imprissonment. And therefore and becaus of before when they conveenned him before the Committee of Estats and gott not their desire in this mater, after his comming frome the Committee they sett musket-teirs to apprehend him, he wrote to William Inglis, writter, to petition the Privie Counsell for a protection, and before he could gett the bill writtin and presented (having receaved the letter about nyne houres) the Counsell wes rissin in the forenoone. So as there wes no contumacie in the compleanner but just feare." Further, his copy of the summons bore no certification of horning. Still he has found caution to appear before their Lordships on the 25th instant under the penalty of 1000 merks and answer to this complaint and meanwhile craves suspension See ante, p. 50.

P. 393.

of the horning. In the letters of suspension, dated 2nd June instant, Decreta, the pursuer gives reasons for desiring the matter to be remitted to the November 1641-October 1646. Lords of Session. Both parties compearing and having been heard, the P. 393. Lords find themselves competent judges in this business, and that the said John Inglis ought to accept the said office. They therefore ordain him to do so, and in respect of his compearance at this time suspend the letters of horning.

Edinburgh,  
1st July 1646.

*Sederunt* :—Cassills, *proeses*; Mairshell; Glencarne; Kingorne; P. 394.  
Wems; Dalhousie; Finlater; Burlie; Treasurer Depute; Advocate; Justice Clerk; Wauchtun.

Case of Alison  
Troup.  
See *ante*, p. 51.

The Lords ordain the provost and bailies of Edinburgh to continue the diet for the choosing of curators by Alison Troup till Thursday, 23rd July, when she is to do so without further delay, till which time and further until they release her they continue her sequestration.

The same.

The Lords allow Sir William Gray and the friends on the father's P. 395. and mother's sides of Alison Troup, or any from them, to have access to her "each day *per vices*; Sir William Gray for this day, the father's freinds the next day, and the mother's freinds the thrid day, and so furth thereafter," between 9 and 12 in the morning and no further; and the party failing herein to be debarred further access.

Edinburgh,  
16th July  
1646.

*Sederunt* :—Crafurd Lindsey; Mairshell; Southerland; Cassills; Burlie; Clerk Register; Advocate; Justice Clerk; Treasurer Depute.

Complaint by  
John Chrystie  
in Slaines, and  
others, tenants  
of Gilbert,  
Earl of Errol,  
against Robert  
Deugat, some-  
time tenant to  
the said Earl,  
for assault and  
robbery of  
their goods.

Complaint by John Chrystie in Slayns, David Sim in the Waird of Crudane, Alexander Dalgarno in Crudan, Arthur Ligertwod in , William Clerk at the Kirk of Crudane, Gavin Cruikshank in , tenants to Gilbert, Earl of Erroll, and James Hay of Muriefad, his bailie, for his interest, as follows:—Robert Deugat, sometime tenant to the said Earl, is now become so very insolent and dissolute that, taking advantage of the troubles of the time, he has for several years past very heavily by night and day oppressed the said Earl's tenants. On he broke up the doors of the said John Chrystie in the night and P. 396. wounded his wife and children to the effusion of their blood; and on several other occasions "spoiled and abused their vivers of meat and drink." About the same time he broke up the house of the said David Sim and made search for him to kill him, "being ane old aged man." On several occasions in September, November, December, and January last, he came to the house of the said Alexander Dalgarnoe, "being a brewer, wounded himselfe, and disposed upon his whole vivers at pleasure, and caused his hors consume his cornes; and come upon a Sunday thereafter in the morning and abused his wife; and shortlie thereafter within his owne hous wounded him dangerouslie, and when

Decreta,  
November  
1641–October  
1646.  
P. 396.

his wife come for his refeeff he gave her three or four strokes on the head and manie with his hands and feet so as she parted with barne to the hazard of her life, and kuist out all the aill in the hous. And come after that to the said Arthure Ligertwods hous, wounded him and his wife, drank what he pleased and kuist out and spilt the rest, and wounded the honest man and his wife dangerouslie, who ar not yitt recovered. And he hes done the like at severall times to the said Robert Clerk; and hes ane ordiner custome in time of sommer and harvest to ly furth in the night with his horses and to wait his opportunitie to breake up the tennents doores and spoile their houses, so as the said Earles tennents darre not live in their houses nor attend their affaires." Charge having been given to the said Robert Deugat, and the pursuers compearing by Robert Hepburne, advocate, their procurator, but not the defender, the Lords ordain the latter to be put to the horn and escheated.

P. 397.

*Sederunt* :—Cassills, *prosses*; Sutherland; Murray; Finlater; Burlie; Edinburgh, Clerk Register; Advocate; Treasurer Depute; Justice Clerk; 23rd July 1646.  
Wauchtun; Innes; Provost of Edinburgh.

The Lords allow Alison Troup to be delivered by the Clerk of Council Alison Troup, to her curators.

The Lords, understanding that John Innes of Leuchars, late heretable William Laing continued in the office of bailie-depute of the regality of Spynie, is dead, and his son and apparent heir not entered to his father, also that the deputation of the said office granted by the deceased John to William Layng, his depute, ceases, and that thereby the lieges of the said regality are prejudged for want of justice, empower the said William Layng to continue in the administration of his said office in everything competent thereto till 1st November next.

P. 398.

Complaint by Sarah M<sup>c</sup>Nacht, only daughter and heir of the deceased John M<sup>c</sup>Nacht of Kilquhannitie, heretor of the lands of Over Kilquhannitie, and Samuel Lokhart, merchant burgess of Edinburgh, her spouse, as follows :—On June or July, 1645, Nicholas M<sup>c</sup>Nacht, spouse to Robert Lennox of Dusdow, accompanied by her said husband, came to the said lands of Kilquhannitie, "brake up the doores of the hous, medled with the hail goods and plenishing being therein, per-teanning to the said Sara and quherof her father wes in possessioun long before, and oppressed the tennents of the said lands, compelling them to pay the maills and dueteis thereof without forme or order of law, to the compleanners great prejudice." Samuel Lokhart compearing for himself and his wife and the defenders being also present, the pursuer referred probation of their breaking up the doors and taking possession of the house of Kilquhannitie to their oaths, whereupon the said Robert Lennox confessed that, at the bidding of himself and his wife, a soldier and another young man broke up the doors of the said

Complaint by Sara M<sup>c</sup>Naught, daughter and heir to the deceased John M<sup>c</sup>Naught, of Kilquhannitie, and Samuel Lockhart, merchant burgess of Edinburgh, her spouse, against Nicholas M<sup>c</sup>Naught, spouse to Robert Lennox of Dusdow, for breaking into the complainant's house, and oppressing their tenants.

house and entered therein. The Lords, after hearing and advising, <sup>Decreta, November 1641-October 1646.</sup> ordain the defenders to enter the pursuers to the possession of the said house and goods as at the time they took possession and that before 1st August next; but without prejudice to the rights of parties which are to be dealt with by the judge ordinary. <sup>P. 398.</sup>

Edinburgh,  
28th July 1646.

*Sederunt* :—Cassills, *proases*; Sutherland; Glencarne; Dalhousie; P. 399.  
Balmerino; Burlie; Clerk Register; Justice Clerk; Sir John Smith.

Prohibition  
against  
infringing the  
office of the  
Director of  
Chancery.

The Lords, having seen an act dated 7th November, 1644, whereby John Peter, writer, "is discharged to write anie patents or other writts to the great seale without warrant frome Sir Johne Scot, Director of the Chancellarie, and understanding that diverse others persons also presume to write birth breeves to the said great seale against the priviledge of the said Sir Johne his place and to the prejudice of the lieges, thir persons being ignorant of that service," discharge all other persons thereof in like manner.

Case of George  
Aitken of  
Underedge,  
now in ward at  
the instance of  
Sir William  
Dick of Braid.  
*See ante*, p. 40.

The Lords, having heard Sir William Dick of Braid and George Aitkin of Underedge upon the act of Council of 26th December, 1644, whereby Sir William was ordained to pay 10s. daily for the maintenance of the said George from that date and during his remaining in ward at his instance, ordain Sir William to pay the same and all arrears due from that date until this present 28th July; and they ordain the said George either to make and subscribe in ample form *cessio bonorum* to the said Sir William, or deliver the keys of his house and manse in Dunbar to him; either of which being done, he is to be liberated in so far as he is in ward at the instance of Sir William or his sons. If the said George refuse to do this, the Council declare that he shall remain in ward upon his own charges, and if Sir William refuses, then he is to pay the foresaid modification so long as he will not consent to the liberation of the said George. <sup>P. 400.</sup>

30th July  
1646.

*Sederunt* :—Cassills, *proases*; Mairshell; Sutherland; Glencarne; P. 401.  
Dalhousie; Balmerino; Burlie; Clerk Register; Advocate;  
Treasurer Depute; Justice Clerk.

The History of  
Douglas and  
Angus to be  
sold for the  
benefit of  
Anna Home  
and Mr. John  
Home.

"The Lords of Secreit Counsell discharges heirby the arrestment layed upon the bookes of the Historie of Douglas and Angus at the instance of Archibald, Lord Angus, to the effect the same may be vented and sold for the use of Anna Home and M<sup>r</sup> Johne Home, minister at Eckills, at whois charges they wer printed."

Complaint by  
Mr. George  
Home of  
Kimmerghame  
against Sir  
George Home

Complaint by Mr George Home of Kimmerghame, as follows :—On 18th July instant Sir David Home of Wedderburn and George Home, ffar thereof, accompanied by Thomas Simsoun in Dryburnfurd, their tenant, Mr Patrick Home in Manderstoun, Broun, and William

Decreta,  
November  
1641-October  
1646.  
P. 401.

Home, son of George Home, carter in Wedderburn, came to the com- of Wedder-  
plainer's lands of Kimmerghame, and cast down parts of a stone dyke. burn and  
And on the 20th of the same month, the said George, accompanied by others for  
John McDougall and James Swan, servants to the Laird of Wedderburn, casting down  
came to these lands and cast down a great deal more of the same dyke. parts of a  
The pursuer compearing personally and the Laird of Wedderburn, stone dyke.  
younger, compearing for himself and the remanent defenders, the Lords  
after hearing parties find nothing in this complaint to infer any riot or  
censure and therefore assoilzie the defenders; but they ordain both  
parties to find caution to keep the peace with each other, the said Laird  
of Wedderburn, younger, in 5000 merks, and Mr George Home in 3000  
merks.

P. 402.

Acta, Novem-  
ber 1641-  
October 1646.  
Fol. 107, a.

*Sederunt* :—Cassills, *proeses*; Duke of Hamilton; Craford; Mairshall; Edinburgh,  
Sutherland; Eglinton; Perth; Southesk; Wems; Dalhousie; 19th August  
Elphinston; Balmerino; Burlie; Advocate; Treasurer Depute; 1646.  
Justice Clerk; Sheriff of Teviotdale; Dundas; Morphie;  
Provost of Edinburgh.

"Forsamekle as the Kings Majestie understanding that there is a place Letter from  
of Counsell vacant by deceasse of Sir Thomas Myrton of Cambo, and his Majesty  
knowing the worth and abilitieis of Sir Johne Wems of Bogie for dis- expressing his  
charge of that place, hes by his letters to the Counsell of the 7<sup>th</sup> of pleasure that  
August instant nominat him thereto, and therefore hes required the Sir John  
Counsell that, according to the act of Parliament anent the electioun of Wemyss of  
counsellors, they caus warne all on Counsell to meit on 15 dayes warning Bogie be nom-  
that his Majestie may have advice and approbatioun thereanent as at inated to the  
lenth is conteanned in his Majesties letter. Quhilk being read and con- place in the  
sidered be the Lords of Privie Counsell, and they having likewise con- Council vacant  
sidered the act of Parliament mentiouned therein, they doe accordingle by the decease  
ordaine missive letters to be direct to all such of the Counsell as ar within of Sir Thomas  
the kingdome to warne them on 15 dayes to be present at Counsell upon Myrton of  
the 9<sup>th</sup> day of September nixt, to the effect abonewritten. Lykeas all Cambo.  
such as ar present this day ar warned *apud acta* and promiseist to keepe  
the dyet. Followes his Majesties letter abonementiouned.—CHARLES  
R. Right trustie and right welbelovit cousines and counsellors, right  
trustie and welbelovit counsellors and trusty and welbelovit, we greit  
yow well. Whereas by act of Parliament of the 16<sup>th</sup> of September,  
1641, anent the electioun of counsellors, we have declared that, if anie  
of the counsellors place sall vaike and must be provided in the intervall  
betuix parliaments, we will make choice by advice of our Counsell, and  
now understanding that there is a place vaikand by deceasse of Sir  
Thomas Myrtoun of Cambo, and understanding the worth and abilitieis  
of Sir Johne Wems of Bogie for discharge of the place, and being willing  
(for his better encouragement and enabling for our service heerafter) to  
promove him to be one of our Privie Counsell of that our kingdom, it is

Fol. 107, b.

our pleasure to nominat him to the said place, and therefore doe require yow that (according to the act of Parliament) yow caus warne all of our Counsell to meit upon fyfteen dayes advertisment that we may have your advice and approbatioun theranent, and he (having the oath administred in the like caises) may be admitted upon our said Counsell as one of your number, wherein we expect your care. We bid yow farewell. Givin under our hand and seale the 17<sup>th</sup> day of August, 1646."

Acta, November 1641–October 1646.  
Fol. 4, b.

Edinburgh,  
19th August  
1646.

[Sederunt not filled in.]

Decreta,  
November  
1641–October  
1646.  
P. 402.

Complaint by John Peter of Whitslade, advocate, against Mr. Alexander Home of St. Leonards, Harry Home, his brother, and others for taking possession of part of the complain-er's lands.

Complaint by John Peter of Quhitsled, advocate, as follows:—He is heritably infett in the lands of Whitsled and Brighauch and pertinents thereof as is manifest by his infettments, by virtue of which he and his predecessors and authors have been in peaceable possession thereof past memory of man until that lately Mr Alexander Home of St. Leonards, Harie Home, burgess of Lauder, his brother, and others at their instigation "have teilled, laboured and rivin out foure butts or rigs of land lying in the hauch called ewest the Water of Leader within the bounds, meiths and merches of the saids lands." They have sown the same with corn and intend to shear, win and lead the same whereby they may obtain the possession of the land. He has raised an action "of contraventioun, molestatioun and declaratour of propertie before the Sessioun," against them, but, in respect of the shortness of the time, this action cannot be dealt with till next session and the complainer must have warrant and letters of sequestration presently. Charge having been given to the said Mr Alexander and Harry Home, and the pursuer compearing but not the defenders, the Lords appoint Mr Robert Hart of St. John's Chapell to sequesterate the whole crops sown by the said Mr Alexander or Harry Home or any in their names upon the said four butts or rigs of Lauder this year, and shear, win and stack the same upon the said lands or wherever he thinks fit for preserving the same, "upon the expenses of the selfe," until it be found to whom the same belong, or caution be found to make the same forthcoming to the pursuer according to law.

P. 403.

Complaint by John Niven, servant to Adam Whiteford, brother of John Whiteford of Blairquhan, against Peter Tod of Blairquhan for assault.

Complaint by John Nevein, servitor to Adam Whytfurd, brother of John Whytfurd of Balloch, as follows:—On April last Peter Tod in Blairquhan came to John Logie's house at the kirk of Stratoun after sermon where the complainer was, and although it was the Lord's day, "er ever he was awar strake him first in the thigh and then in the arme with a drawin whinger, to the great effusioun of his blood." Both pursuer and defender compearing, the latter produced an act of court at Croceraguell, dated 8th April last, showing that he had already been censured by John Binning, bailie depute of Croceraguell, upon his own confession, and fined £50 to the judge and 20 merks to the party, and therefore contended that he could not be held to answer also before the Council. To which the

P. 404.

Decreta,  
November  
1641–October  
1646.  
P. 405.

pursuer replied that he was no party to the prosecution before the bailie depute and did not compear in that cause, and ought therefore to have justice before the Council. The Lords ordain the defender to pay a fine of £50 to the pursuer and to enter in ward until he pay the same as well as two dollers each to John Logie in Stratoun, John Logie in Bennen, and John Kennedie in Crassick, who had come hither as witnesses in the case.

*Sederunt*:—Duke Hamiltoun; Craford; Mairshell; Sutherland; Edinburgh, 26th August  
Cassills, *præses*; Dalhousie; Southesk; Finlater; Clerk 1646.  
Register; Sir William Douglas.

P. 406.

In the action of suspension raised at the instance of Sir William Dick, Sir William Dick *versus* George Aitken of Underedge anent the arrears of a modification ordered by the Council to be paid by the said Sir William to the said George. who has been charged at the instance of George Aitkin of Underedge to pay the arrears of the modification of 10s. daily ordered by the Lords of Privy Council from 26th December, 1644, to 30th July last, the suspender pleads that he was never heard to give his reasons against the granting of this modification which “wer verie pregnant,” although after it was granted he paid it for months, but thereafter “withheld the same upon his wicked provocatiouns,” until on 30th July the said George was ordained to grant *cessio bonorum* to the suspender or deliver the keys of his house, and the complainer was to pay the balance of his modification, amounting to £198. Of this sum “he caused make offer at the tolbuith, but he wes going upon the streits and could not be found, and therfoir he consigned the same in the hands of the Clerk of Counsell.” Parties compearing, the charger produced a procuratory whereby “he gave power to the suspender to enter in his hous, and gave his great oath that he had not the keyes, but they were lost—which the Lords finds equivalent to the deliverie of the keyes, and ordains the procuratorie to be delivered to the suspender, who refused the same, and declared he would rather consent to the payment of the modificatioun foresaid nor consent to his libertie upon the conditioun abovementioned except he would also give him *cessio bonorum*.” The Lords, after advising, “ordane the consigned moneyes to be delivered to the charger upon ane receipt to be givin be him to the suspender, whom the Lords ordains to pay the modificatioun foresaid,” so long as he keeps him in ward, otherwise to be put to liberty. The Lords also suspend the horning.

Acta, Novem-  
ber 1641–  
October 1646.  
Fol. 107, b.

*Sederunt*:—Glencairne; Weemes; Southesk; Sutherland; Dal- Edinburgh, 9th Septem-  
houssie; Yester; Burley; Advocate; Wauchton; John Smyth, ber 1646.  
Provost of Edinburgh.

“Forsameikle as be act of Councell of the 19 of August last intimation Sir John Wemyss of Bogie admitted into the Council. wes to be given to the haill counsellers within the kingdome to be present in Councel this day to give their advyce and approbation to his

Majesties nomination of Sir John Weemes of Bogie to [be] one of his Majesties Privie Council in place of Sir Thomas Morton of Cambo now deceased; and accordingly, lawful intimation being given be letters and otherwayes to suche of the Council as are within the kingdome to be heere this day, and the Council takeing into their consideration his Majesties letter and choise of Sir John Weemes to supplee the place of Sir Thomas Morton of Cambo, doe give thair advyce and approbation thereto, and accordingly doe admitt and ressave the said Sir John Weemes to be one of his Majesties Privie Councell, and to bruike and enjoy all the liberties and priviledges belonging thereto. Lykeas the said Sir John being called upon wes admitted on Councell, and gave the oaths of alledgance and of a privie counceller, upon his knees."

Acta, November 1641-October 1644. Fol. 108, a.

Payment of 3000 marks, the penalty of Mr. William Lumden for returning from exile against the law, to Sir Archibald Primrose, late Clerk of the Council, in remuneration of his services from March 1640 till September 1641.

"Forsameikle as Sir Archibald Primerose, Clerke to the Council, being assigned be James Philp, late Clerke of Council, to all fees or allowances due to him as Clerke of Council, or writer of the commissions of the Justices of Peace dureing his service frome Marche, 1640, till September, 1641, and the Council finding thameselfes obleidged in regard of the said Sir Archibald his good service to contributt what in him (*sic*) lyis for his payment of the saids fees, and being informed that M<sup>r</sup> William Lumisden of                    hes now come into this kingdome contrare to ane act quhereby in presence and be order of the Council he and his cautioner were obleidgit not to doe the same under the paine of three thousand merkes quhereby he and his cautioner have incurred the said penalty, they doe therefore assigne the said penaltie and contravention to the said Sir Archibald for payment of the fees and allowances afore-said in so farre as the same will extend to; with power to him or anie haveing his order to call for, persew and uplift the same, and to give discharges upon the receipt thereof; quhilk the Council declars sall be sufficient exoneration to the said M<sup>r</sup> Willam Lumisden and his cautioner."

Edinburgh, 9th September 1646.

Order for the convening of the small barons and freeholders of the sheriffdom of Inverness for the election of commissioners for Parliament.

[Sederunt as recorded above, omitting Wauchtun, and adding Bogie.]

Decreta, November 1641-October 1646. P. 407.

The Lords, understanding that the Laird of Streachin, late sheriff principal of Inverness, is long since dead, and that no one is appointed in his place, whereby the public service, and especially the election of the commissioners for the Parliament, is like to be prejudged, hereby grant commission to Sir James Fraser of Brae, and Hugh Ros of Kilraock, or either of them, to convene the small barons and freeholders of the said sheriffdom, and make choice of able and well affected men as commissioners for the Parliament.

Complaint by Mr. William Cunningham of Ballindalloch against Margaret Cunningham for illegally taking possession of the

Complaint by Mr William Cuninghame of Ballindalloch, as follows:— In May, 1645, he was ordained to repossess Margaret Cuninghame, daughter of Harie Cuninghame, in the houses and lands in Restalrig then possessed by him, and, because he had laboured the lands and sowed the crops that year, the Lords ordained the said Margaret to enact herself to keep the said crop of 1645 scatheless, and make it

Decreta,  
November  
1641-October  
1646.  
P. 407.

forthcoming to the party who should be found entitled thereto. Yet she and her father have "disponed and spent the said crop. And in respect she is not responsall, and is going about to intromett with this crop, 1646, she will dispone upon the same, notwithstanding he hes undoubted right both to the lands and crop." Charge having been given to the said Margaret, and both parties compearing and having been heard, the Lords ordain the said Margaret to find sufficient caution in the books of Secret Council to make this crop 1646 forthcoming to the party who shall be found entitled thereto in place of the crop 1645 medled with by her, and that within 48 hours, otherwise the Lords hereby grant commission to Robert Hog in Restalrig to shear and bring in the said crop of the said lands to the barnyard of John Fultoun in Restalrig or any other convenient place, to be stacked and sequestered there on "the expenses of the selfe," until it be seen who shall have best right thereto, discharging the said Margaret and her father from all interference therewith.

crop of the  
lands of  
Restalrig of  
the year 1645.

P. 408.

Acta, Novem-  
ber 1641-  
October 1646.  
Fol. 108, a.

[*Sederunt*]:—Hamilton; Callander; Crawford; Casillis; Lanerick; Yester; Sinclar; Balmerino; Clerk Register.

Edinburgh,  
18th October  
1646.

"The Lords of Privie Councill nominats the Earle of Lanerik to be president at this meeting.

"Forsameikle as the King's Majestie, with advyce and consent of the Estates of Parliament, have be thair several acts of the 13 and 16 of November, 1641, nominat and elected the provest of Edinburgh for the tyme being to be one of his Majesties Privie Counsel of this kingdome, and the Lords of his Majesties Council having this day seene and perused ane Act of the Toun Council of Edinburgh quhairby Archibald Tod is made choise of to be provest of Edinburgh for this present yeere, and haveing at lenthe considered the saids acts of Parliament and act of election, they doe accordinglye admitt and ressave the said Archibald Tod, provest of Edinburgh, to be of his Majesties Privie Council of this kingdome, and to bruike and enjoy all the dignities, immunities and priviledges belonging thairto. Lykeas the said Archibald Tod, being personallie present, was admitted on Council, and on his knees gave the oath of alledgance and of a privie councillor.

Archibald Tod,  
provost of  
Edinburgh  
admitted into  
Council.

Fol. 108, b.

"The Lords of his Majesties Privie Council taking to thair consideration the prejudices aysing to this kingdome be the unwarrantable transporting of oxin and ky out of the same, and finding it necessar that some course were tane for the restraint thair of and punishment of the transporters, doe thairfore ordane and comande heraulds, pursevants and messingers at armes, to pas to the mercat croces of Edinburgh, Stirline, Dumfreis, Jedburgh and other places neidful, and thair be opin proclamation to command, charge and inhibit all and sundrie persons quhatsoever that none of thame [presoomer] to carie or send out of this kingdome anie oxin or kyne, under the paine of confiscation of the goods to be transported,

Proclamation  
forbidding th  
export of  
catlle.

and of the moveables of the transporters, besydes suche farder personal punishment as the Councel sall thinke fitt to inflict; comanding heirby all sheriffs, stuarts, magistrats of borrowis, customers and all others whome it concernes to be careful to sie this act punctuallie obeyed, and for that end with power to thame to sease upon anie goods going out of the country, and upon the persons of the transporters to be disposed of as aforsaid."<sup>1</sup>

Acta, November 1641–October 1646.  
Fol. 108, h.

Edinburgh,  
13th October  
1646.

[Sederunt as recorded above, adding the Provost of Edinburgh.]

Decreta,  
November  
1641–October  
1646.  
P. 413.

Order to Sir  
William Dick  
of Braid to pay  
10s. daily to  
George Aitken  
of Underedge  
during the  
time he detains  
him in ward.

The Lords, having heard Sir William Dick of Braid and George Aitkin of Underedge respecting the keeping of the latter in ward and not paying the sum of 10s daily modified to him by decreet of Council on 26th August last, ordain the said Sir William to pay the said sum to the said George from 26th August last to this date and in time coming, and that letters be direct hereupon for payment on pain of horning; and that payment be made hereafter weekly, with certification that, if two weeks run on unpaid, letters will be granted to the provost and bailies of Edinburgh to liberate the said George in so far as he is warded by Sir William.<sup>2</sup>

<sup>1</sup> The Register of Acts is wanting from this date until 13th July 1661.

<sup>2</sup> This Register is wanting from this date until 18th July 1661.

# MISCELLANEOUS PRIVY COUNCIL PAPERS.

A.D. JULY 1643—AUGUST 1660.



## PRIVY COUNCIL PAPERS.

Miscellaneous  
Papers.

1. "Edinburgh, 4 July, 1643—Whither or not the Lords may have their advocats to come and stand at the bar and heare that as occasion offers they may give to thame their advyce.

They may, 1 ; may no, —.

"Whither or not in ordaning the lords, etc. to give in thair defenses and ansuers in writt and in permitting such lawers as they will make use of to give thaim thair advyce, concurrence and assistance thairin, it be meant that thair lawers sall compeir and stand at the bar to give and suggest thair advyce and informatiouns to thame or that they advyse with thame outwith judgement." [All the above is deleted.]

"7th July, 1643, *Sederunt ut die predicto*. Chancellor; General; Hamilton; Argyll; Eglinton; Dumfermline; Lauderdaill; Lindsay; Balmerino; Kerse; Warestoun; Harden; Amisfeild; Dundas; Durhame; Barclay; Bamff.

"Mr James Primrose admitted clerk to the Conservers of Peace.

"The Commissioners, in respect of the contumacie [and] not compeirance of the Earle of Carnwath, declares that, conforme to the articles of the treattie and act of pacification, the said Earle sall nocht enjoy anie benefit, civil or ecclesiasticall, or have anie protection within this kingdome, and that this sentence sall be without prejudice of the lawfull defenses of the other noblemen conteand in the sumonds abovewritten as if this sentence had not beene given against Carnwath. Agree, 8; No, 1."

4th and 7th  
July 1643.

Question as to  
whether  
advocates  
should stand  
at the bar of  
the Council.

Mr. James  
Primrose.

Earl of Carn-  
wath.

2. "Sir William Dick of Braid, knyght, Justice and Shireff principall of Orkney and Zetland, to my lovitts , officeris and serjendis in that pairt, conjunctlie and severallie, speciallie constitut, greiting. I chairge you that ye lawfullie summound, warne and chairge Thomas Corse in and Margaret Craigie, his spous, Jonet Sklatter, spous to William Traill, Thomas Irwing, younger, Katherin Windwik, spous to Gilbert Mowat, Margaret Irwing, sumtyme servant to Jonet Sklatter, Magnus Harcas in , Elspeth Smyth, spouse to James Caithnes, Jonet Ingsger, spous to Magnus Craigie in Skaebrack, Katherine Barnie, and Katherin Ethay, spous to John Work in Egilscha, thir witnesses with sevin or aught honest men to pas upoun hir assyse, Patrik Halcro in Weyr, Henrie Harrald thair, Thomas Sabistoun thair, James Alexander in Bankis, Henrie Ingsger in Four Wosebuster, Henrie Ingsger, Barbara Harcas, to compeir befoir me or my deputis ane or mae at Kirkwall, the ellevent day of July, in the hour of caus, to bear leill

7th July 1643.  
Letter of Sir  
William Dick  
of Braid,  
knight, sheriff-  
principal of  
Orkney,  
summoning  
certain  
witnesses to be  
present at the  
trial of  
Katherine  
Craigie for  
witchcraft.

and suthfast witnessing in so far as they knowe or sall be speirit at thame for proving the poyntis of dittay of witchcraft, sorcerie and divinatioun persewit at the instance of Abraham Stevinsone, procurator phiscall of the said schirefdome, againes Katherine Craigie *alias* Estaquoy and to pas upoun hir assyse, ilk persoun undir the paine of xl lib., according to justice, as ye will ansuer, etc. Gevin under the seall of office and subscrivit be my clerk of court at Kirkwall, the sevint day of July, 1643. (Signed) A. ELLIS." [On the back] "xij Julij" 1643, in presens of M<sup>r</sup> George Graham, David Hert, Gairsay, and the chalmerlane.

Depositions in  
the trial of  
Katherine  
Craigie for  
witchcraft.

"Katherine Craigie deponit that Margaret Ranie *alias* Todlock heallit a kow of Johne Bellis in Quoyskowis of the baneschaw.

"And that Cristane Pooch, late servitour to Henrie Ingisgar in Forse and now with Rowie Ingisgar, can charme the worme and the fauld seiknes and that scho usit the said fauld seiknes to ane ox in Savaskaill, and that scho got for doing thair of a pleat of meill and a blood pudding upoun the head of the pleat.

"Scho confest the going to the watter and casting the watter over Thomas Irwingis heid, and that scho learnd the charme fra umquhile Elspeth Linay be the using of the stones, and that scho learned a charme for stemming of blood fra hir umquhile husband."

10th July  
1643.

Summons at  
the instance of  
Robert Dunbar  
of Burgie, pro-  
prietor of the  
lands of  
Hemprigs, and  
others against  
James Dunbar,  
son of John  
Dunbar, some-  
time of Hempt-  
rigs, and  
others.

3. Summons directed to Alexander Dumbar and James Grahame, messengers, at the instance of Sir Thomas Hope of Craighall, his Majesty's Advocate, and Robert Dumbar of Burgie, heritable proprietor of the lands of Hemprigs, and Ninain Dumbar of Grangehill and Partick Campbell of Both, his curators, also Andrew Sym, George Russell and David Watson, tenants and possessors of the said lands, narrating that in violation of the law prohibiting the bearing of hagbuts and pistols on 28th last, [John Dumbar, elder, sometime of Hemprigs],<sup>1</sup> James Dumbar, his brother, and William Dumbar, his natural son, "armed with swords, pistolls, long gunnes, steil bonnets and gantlets, came under cloud and silence of night to that part of the saids lands where the saids tennents had bigged their houses and demolished the walls thereof, brake doun the couples and cutted the timber of the same"; wherefore charge is given to cite these persons to compear before the Council at Edinburgh on to answer thereto, dated at Edinburgh, 10th July, 1643, and signed, ARCH. PRIMEROSE, Cler. S. Cons. On the margin is the following note of hearing:—"3 August, 1643, Burgie personalie for himself and in name of the remanent persewers. Defenders absent. Ordans the witnesses to be examined without prejudice to the defenders to compeir and use all their lawfull objections and defensses on Tuesday." On the back is a note of the execution of the summons on 2d August, 1643, by James Grahame, messenger, against the said William Dumbar, personally

<sup>1</sup> The words in brackets are deleted.

Miscellaneous  
Papers.

apprehended within Edinburgh tolbooth, to compear on 3d August; witness, Gawne Syme, painter in Edinburgh, and David Tailyeour, writer there. On a paper apart attached to the summons is the following :—  
“ Pleas your Lordships caus call Robert Dunbar of Burgie, Georg Russell in Hemprigs, Androw Sym thair, David Watson thair *contra* John Dunbar, elder of Hemprigs, James Dunbar, his brother german, William Dunbar, naturall son to the said James Dunbar. Witnes names that ar present, William Pettrie, induellar in Earnsyd, Androw Dick in Haltounne, John Russell thair, John Dick in Earnsyd, Androw Sutherland in Hemprigs.”

4. “ Intrat upoun pannell Katherine Craigie *alias* Estaquoy for the 12th July  
abominable superstitioun useing and practeising of witchcraftis 1643.  
underwritin, viz :—

“ Ye, the said Katherine Craigie *alias* Estaquoy, ar indytit and accusit for airt and pairt of the abominable superstitioun of the contraveining of the tennour of the act of Parliament maid be our unquhile dread soverane, Ladie Marie, be the grace of God Queene of Scotis, with the adwyse of hir thrie Estaites in hir nynth Parliament, that quhair they being informit of the heavie and abominable superstitioun usit by dyverse of the liedgis of this realme be useing of witchcraft, sorcerie and necromancie and credens gevin thairto in tymes bygane against the law of God, and for awaydyng and awayputting of all sik superstitioun in tyme cumming it was statut and ordanit be the Queenis Majestie and thrie Estates forsaid that no person or personis of quhatsumever estat, degrie or conditioun they be of tak upoun hand in any tyme thairefter to use any maner of witchcraftis, superstitiounes, sorceries, necromancies or divinatiounes or give thameselfis furth to have sik craft or knoweledge, thairthrow abuseand the people, undir the paine of death : And trew it is and of veritie that ye, the said Katherine, hes contravennit the tennour of the said act of Parliament be useing and practeising of witchcraftis, sorceries and divinatiounes and in geving your self furth to have sik craft and knoweledge and in companie and societie keiping with the devill, your master, at dyverse and sundrie places and thairthrow abuseand the people in maner following, and thairfoir and for useing and practesing of the said abominable superstitioun aught and suld be adjudgit to the death in example of utheris to doe the lyk.

“ And in speciall ye ar indytit and accusit for airt and pairt of the Fyllie. abominable superstitioun in that upon the day of March, 1642 Abusing since yeiris, James Caithnes in Rowsay having gone ower to Westray for doing she was sum of his effairis thair and culd not get home tymeouslie to his hous for abstinence. Confest onlie ill weather, in the meantyme quhill his wyiff was thinking long for hir husbandis homecumming ye cam to hir and said to hir, ‘Give me ane piece that scho said of cloath als much as will be ane pair of handskouse and your husband for alms God sall get fair weather to come home schortlie befoire ye get your supper’ ; wether.

and upon the morne the weather becam fair and the said James cam home, quhilk was done be your witchcraft and devilrie. Miscellaneous  
Papers.

Fyllis.

Divination and  
strong pre-  
sumption of  
witchcraft.

Denyit.

"*Item*,—ye ar indytit and accusit that yeiris since or thairby Thomas Corse in being lying deadlie seik and in all menis judgement quha saw him without hope to live langer and being for the tyme sensles not knoweing quhat was done or said to him ye cam to his hous and said to Margaret Craigie, his wyif, that the said Thomas wold not die of that seiknes and ye assurit hir thairof, and ye brocht with yow thrie stanes to the hous quhilkis tymous in the morneing ye laid in thrie corneris or nookis of the hearth quher the samen continwit till about daysetting, and then ye did with your awin handis tak up the thrie stanes from thair severall places and laid thame behind the dore all night and tymous in the morneing ye did tak up these thrie cold stanes and put thame in ane vessell with water wher the said Margaret hard on of these stones chirme and churle in the water, but as yit ye told hir not quhat spirit trublit hir husband. Efterward ye cam with the water and washed the said Thomas Corse thairwith, at quhilk tyme he was so sensles that he knew not quhat was done to him. Efter as ye haid washen him the first tyme ye again took the thrie stanes and usit thame the secund and thrid tyme as at the first and washed him with the water as at the first and quhill we war wasching him the thrid tyme he becam somquhat sensible and knew that ye war wasching him quhich he perceavit not the two former tymes ye did wash him. And immediatelie the same day, tymous in the morneing efter as ye haid washen him the thrid tyme, ye desyrit the said Margaret Craigie, his wyif, to goe about the loch with yow for getting of her husbandis health, but the said Thomas Corse, beginning at the same tyme to recover and to becom sensible, hearing your speich to his wyfe stayit hir that shoe went not with yow; quhilkis war done be your witchcraft and devilrie.

Fyllis.

Witchcraft.

Confessis at  
desyr scho  
went to the  
schoir, etc.

"*Item*,—ye ar indytit and accusit for airt and pairt of the abhominable superstitioun and witchcraft in that fyve yeiris since or thairby Thomas Irwing, younger, being verie seik in Quondale, quherfra he was flitting, he was brocht in to Jonet Sklatterss hous in Cogare heavilie diseasit with a senslesnes that he knew not quhat was said or done to him, ye cam to the said Jonet Sklatteris hous and, knoweing that the said Thomas was lying seik in hir hous, ye said that it was the sea trow or spirit that was lying upoun him, which might weill enuch be fleyed away; and efter this ye went and brocht with yow thrie stones and laid thame in three corneris or nookis of the hearth from morneing till night, then ye took thame up in your hand and laid thame behind the dore all night till tymous in the morneing at which tyme ye took up the thrie cold stones and put thame severallie into a weschell with water quhar the said Jonet hard on of the stones chirme and churle. Thair-efter ye took the water and washed the said Thomas thairwith, but he was so sensles that he knew not that ye haid washen him. This ye did

Miscellaneous  
Papers.

with the stones and water thrie severall tymes and morningis together to him, and efter as ye haid washen him the thrid tyme immediatlíe that same night following ye causit him to ryse out of his bed undir silence and cloud of night to go with yow to the sea schore forbidding him to speak at all be the way till your retorne to the hous of Cogar and so ye went befor and the said Thomas followit yow and be the way he was sore affrayed and many tymes thocht not to have gone further with yow, but ye speaking nothing onlie beakned to him with your hand to goe forward with yow to the appoyntit place, so ye went with the said Thomas down beneath the bridge of Savaskaill at the sea schore wher ye did tak thrie loofull of water and did cast the samen ower his head and afterwardis he retournit with yow to the hous of Cogar befor any of the house war risen out of thair beddis, and everie day thairefter he convalescit and becam better of his seiknes, quhilk was done be your witchcraft and devilrie.

Confest scho  
gaid to the  
water and  
casting it ower  
his heid.

" *Item*,—ye ar indyted and accusit that yeiris since or thairby, Fyllia ye being in Margaret Craigies hous, the said Margaret haid ane young quoyak calf whilk did eat ane beat of lint unto yow, quherupon ye being verie angrie said to the said Margaret, 'Ye sall nevir milk hir, dogis sall eat her, knowe ye not quhat becam of Rowie Flawis kow quhilk did eat my courtch' (for it was of treuth that efter the kow haid eattin your curtch shoe nevir did moir good.) Efter these your words the calf becam a beast of thrie yeiris auld, went to the hill quher it died, was nevir found till the doggis haid eattin, quhilk was done be your witchcraft and devilrie.

Divination.

Denyis.

" *Item*, ye ar indyted and accusit that upoun ane Saturday in winter yeiris since or thairby when William Flawis in Cogar was lying Fyllia seik ye cam to Henrie Yorstounes hous and lodgit thair all night and arose tymous in the morneing, being Sunday, a litle befor the break of day, being verie tempestuous weather with snow and sleit, the said Henrie and Katherin Windwik, his spous, and thair children being all as yet in thair beddis, ye sought ane garter from ane of the bairnes, but they unwilling to ryse refusit yow. As ye wer going out of the hous ye wold have haid ane of the bairnes to have steikit the dore efter yow, but the bairnes unwilling to ryse desyrit yow to draw to the samen efter yow, quhilk ye wold not doe. Upoun Monday in the morneing the said Katherin Windwik went to Thomas Corse his hous to visit him, thinking that he was eather dead or verie neir and non that haid sein him the night befor thocht that he culd escap, and quhen schoe cam in to his hous, sieing the said Thomas lying in his bed laughing and yow sitting in the hous, steppit in by to goe neir to Thomas Corse quher he lay and in the bygoing ye spake quyetlie to hir in her ear on this maner, 'Quhat sik ane morneing think ye haid I yesterday?' Quha ansuerit you, 'Quhy, quhat glangoir war ye doing in that ill weather?' Ye said to her againe, 'I was about the loch with Jonet Sklatter, spous to William Flawis, but it is for no stead, it will

Confessis hir  
going about  
the loch and  
hir report that  
it would not  
mend her.

nevir mend hir.' These things began to be rumourit, and the sessioun being acquaintit thairwith the said umquhile Henrie Yorstoun was cited and declarit the samen done by yow and told to him be his wyff. Afterwardis, ye being lodging in Essen Corse his hous short efter, ye said, Henrie Yorstoun hes bein making reportis of me, but er ane yeir be at ane end he sall find it. And so it fell out that the said Henrie Yorstoun contracted great seiknes and died within the yeir efter as ye haid wented your yre against him. And efter the death of the said Henrie Yorstoun the said Essen Corse told the said Katherine Windwik your irefull wordis uttered against hir said umquhile husband, and this also cumming to the knoweledge of the sessioun and being cited to declair quhat he knew thairin, but er the sessioun day cam the said Essen, taking with him his sone ane young boy to the craiges to draw fish, but the said Essen Corse was takin out with ane swelling sea and drouned and the chyld escaped, quhilk was done be your witchcraft and devilrie.

Miscellaneous  
Papers.

Fyllis. "Item,—ye are indyted and accusit that yeiris since or thairby, quhen William Flawis in Cogar wes lyand seik, ye took Jonet Sklatter, his wyif, and Margaret Irwing, his servant woman, with yow quher ye direct the said Jonet to follow yow and causit the said Margaret Irwing follow the said Jonet and went about the loch in this ordour and about the four nookis of the kirk yaird, and none of yow spak ane word all the while quher in your progress and regress ye retournit in that same maner, the said Katherine going still befoir. At last cumming to the hous ye enterit in the hous first and steppit into the seller, quhair the said William Flawis was lying seik, and the said Jonet Sklatter and her woman followit yow and quhen ye and they enterit in the seller ye than began to speak and bad the said Margaret lay her hand in William Flawis hand quher he was lying, quherat the said Margaret began to fear some mischeif intendit against her and was verie loth to do it, yit at last shoe took him by the hand verie slenderlie. This done ye bad the said Margaret gang but the hous, quherat the said Margaret became verie fearit and weipit and sat down and wold onnawayis stirr nor goe first out. Thairfoir ye went out first yourself and quhen the lass cam but the house ye began to flyt with her becaus shoe wold not goe first out. After these thingis, upoun ane uther day quhen the said Margaret haid come in from her work, the said Williame being lying seik, shoe fand yow standing upoun the floore holding something close betuix your handis and ye cam to hir and held the samen to hir left ear and said to hir, 'Hearst thow that,' and the said Margaret hard sumtyme chaking werie quyetlie at hir ear, then shoe askit yow quhat it was shoe hard and ye answerit it was ane stane which was clowen and water haid enterit in betuix both halfis of it and it was the water that pized within the stone quhilk was done be your witchcraft and devilrie.

Abusing and a  
strong pre-  
sumption of  
witchcraft.

Denyis bot  
scho went  
about the loch  
with the rest  
and wes in the  
hous.

Fyllis.

"Item,—ye are indytit and accusit that yeiris since, ye being dwelling with Thomas Corse wyf, Margaret Craigie, said if it happnit yow

Miscellaneous  
Papers.

to be out of the house in the farthest pairt of the yle all that shoe wold <sup>Devilish</sup> speak in hir awin hous most secretlie and privatelie ye at your first <sup>revelation.</sup> home cumming to the hous ye wold tell her of it, quhilk revelatioun <sup>Denyis.</sup> and foir-knowledge ye haid of the devill, your master.

"*Item*,—ye ar indytit and accusit that yeiris since or thairby, Fyllis. quhen ye dwelt with Katherin Windwick, spous to Gilbert Mowat, if it haid chanced yow to have bein furth at work or haid bein in the <sup>Devilish</sup> farthest pairt of the yle though shoe suld even a thing nevir so secretlie <sup>revelation.</sup> Denyis. and it haid bein but to heat a drink to herself quyetlie, quairof shoe thought thair was none that culd have knoweledge, yit quhen ye cam home ye wold tell her of it, quhilk revelatioun and foirknowledge ye haid of the devill, your master.

"*Item*,—ye are indytit and accusit that this last yeiris since or Fyllis. thairby, quhen Magnus Harcas was tormentit with ane intollerable paine in his leg, ye cam to him quher he was lying and desyrit to sie <sup>Strong pre-</sup> his leg quha let yow sie it and ye strakit your hands tenderlie upoun it <sup>sumption since</sup> so it fell out that immediatlie efter, as ye went furth, the great paine <sup>she was</sup> slacknit and ay becam better, quilk was done be your witchcraft and <sup>enacted for</sup> devillrie. <sup>abstinence.</sup> Denyis.

"*Item*,—ye ar indytit and accusit that this last yeir, when Magnus Fyllis. Craigie in Skaebrek was verie seik, Jonet Ingsger his wyif going to <sup>Superstitious</sup> Hunclet to seik some help for him and be the way shoe met with yow <sup>abuse since</sup> and told yow of her husbandis seiknes and ye said unto her that ye haid <sup>she enacted</sup> Ursulla Alexanderis snood quhilk he haid keipit since ye put hir in hir <sup>her selfe.</sup> winding scheit and said unto hir that ye wold give it hir and caus bind <sup>Confessis scho</sup> it about hir husbandis waist and if it war the dead manis sting which <sup>said that scho</sup> trublit him it wold cuir and heale him. Ye said also that Bessie Spence <sup>haid Ursullas</sup> hes ay ane sore head, it is ay pained and shoe wold faine have this <sup>snood and said</sup> snood fra yow to wear in her head for this snood is good for thame that <sup>if that help ye,</sup> have sore headis, quilk shoe ressavit from yow and band it about hir <sup>have it.</sup> husbandis waist.

"*Item*,—ye ar indyted and accusit that yeiris since or thairby Fyllis. Katherin Barnie, upoun ane certain day quhen ye wer out of the hous, did goe to your heavie [*sic*] quhar it did hing upoun the wall to sik for ane <sup>Strong pre-</sup> spindle and thairin fand bound in a knott within a clout thrie grasses <sup>sumption.</sup> whilk shoe reveilit to Annabill Murray, sumtyme spous to Magnus Corse, quha reveilit it againe to hir mother, Margaret Craigie, and shoe told Hairie Ingsger, hir husband, thairof, quha took with him Thomas Craigie in Savaskaill (being both elderis) they went and found the thrie grasses <sup>Denyis.</sup> bound in a knot and lying in your heavie; and short efter the said Annabill Murray contractit ane lingring disease and nevir recoverit thairof quhill shoe died, quhilk wes done be your witchcraft.

"*Item*,—ye ar indytit and accusit that thrie yeiris since or thairby Clengis. quhen Katherin Ethay, spous to John Work in Egilschae, was contractit in mariage and proclamit in the kirk with him, and befor they wer mairyt together, ye cam to her and said, 'Quhat now, ar ye going to

Superstition  
since she acted  
herself.

Denyis.

Fyllis.

Denyis.

dwel in Egilschae? Tak my counsale with yow and ye be wyse and ye sall not speid the worse. Quhen ye ar going out of Rowsay to your awin hous to Egilschae, remember to tak home with yow the wash cog and the catt of this hous with yow to your awin house.'

Miscellaneous  
Papers.

"And generall, ye, the said Katherine, ar indytit and accusit for contraveining the tennour of the said act of Parliament and for airt and pairt of the using and practeising of the witchcraftis, sorceries, divinationes and superstitiones abone specifeit and in geving yourself furth to have sik craft and knoweledge, expreslie againes the tennour of the said act of Parliament, thairby abuseand the people, and that by your cursingis and superstitiones that wrongis and hurtis both man and beast, quhilk evillis ar brocht to pas by your devillrie and the working of the devill, your master, and swa ye ar haldin and reput ane commoun notorius rank witch, diviner and sorcer, and thairfoir aught and suld undirly the law and be adjudgit to the death thairfoir, and your haill gudis and geir escheit and inbrocht to his Majesties use, conforme to the lawes and practique of this kingdome.

"Curia vicecomitatus Orcadensis tenta apud Kirkwall in lie Walhous ibidem per magistrum Henricum Aitkin, vicecomitem deputatum, die undecimo Julij, 1643, et affirmata.

"Compeirit the procuratour phiscall and producit the pannell with the dittay and desyrit the said pannell to be accusit thairupoun.

"Quha could allege no ressonabill caus why shoe sould not pas to the tryell of ane assyse.

"Assisa.—Magnus Irwing in Ovirgarsen; William Sabistane in Stove; Alexander Kirknes in Myre; Hew Hourstane, portioner of Hourstane; Alexander Linkletter in Skavie; Hew Redland in Skail; Patrick Miller in Aithstoun; Rolland Ingisgar in Wesbuster; Henrie Ingisgar thair; James Alexander in Bankis; Niniane Folsetter in Quendale; James Brand in Knarstane; Robert Mowat in Quendall; Henrie Harrauld in Wyr; Thomas Redland of Redland; Rolland Loutut in Gwe.

"Upoun the admission and sweiring of the assyse the procurator phiscall askit actis.

"The assyse passing out of judgment electit for the most pairt Alexander Kirknes in chancellor and re-entering in ane voice be his mouth fyllis the pannell in ellevin poyntis of the particular dittayis and also of the generall, and clengis hir of the twelff, referring sentence to the judge and dome to the dempstar. (Signed) ALLEX<sup>r</sup> KIRKNES.

"Acceptis the determinatioun of the assyse and continewis sentence.

"xij Julij, 1643. Ordanis the pannell to be tane be the lockman, hir handis behind hir back, and caryit to the place of executioun and thair wirreit at a staik and brunt in ashes, quhilk Hew Hewsone, dempstar, gave for dome."

Miscellaneous  
Papers.

5. "Intrat upoun pannell Jonet Reid for the abhominable super-12th July 1643.  
stitioun, using and practeising of the witchcraftis undirwrittin,  
viz.:—

"Ye, the said Jonet Reid, ar indytit and accusit for airt and pairt of the contraveining of the tennour of the act of Parliament maid be our umquhile dread sovirane ladie Marie, be the grace of God, Queen of Scottis, with the advyse of her thrie Estates in her nynth Parliament, that quhair they being informit of the heavie and abhominable superstitioun usit be dyverse of the leidges of this realme be using of witchcraft, sorcerie and necromancie and credens gevin thairto in tymes bygane against the law of God, and, for awoyding and away putting of all sik superstitioun in tyme cuming, it was statut and ordanit be the Queenis majestie and thrie Estates forsaidis that na persoun or personis off quhatsumever estat, degrie or conditioun they be of tak upoun hand in any tyme thairefter to use any maner of witchcraftis, sorceries or necromancies or give thameselffis furth to have sik craft or knoweledge thairthrow abuseand the people, undir the paine of death: And trew it is and of veritie that ye, the said Jonet, hes contravenit the tennour of the said act of Parliament be using and practeising of witchcraftis, sorceries, divinatiounes and superstitious charmeingis and in geving your self furth to have sik craft and knoweledge and in companie keiping with the devill, your master, at dyverse and sundrie places and tymes and thairthrow abuseand the people in maner following, and thairfoir and for using and practeising of the said abhominable superstitioun aught and suld be adjudgit to the death in example of utheris to doe the lyk.

Case of Janet  
Reid who is  
charged with  
witchcraft.

"And in speciall ye ar indytit and accusit for airt and pairt of the abhominable superstitioun, in that about aught or nyne yeiris since William Kirknes in Pow, being bigging his bear stak, ye cam to him and offered him ane grass as ye callit it, but to his appearance nothing but ane litle quantitie of quhyt moss or fogge and baid him put it in his stak, affirmeing that it suld mak him keip the profeit of his cornis so that none suld be abill to tak it from him, which notwithstanding he refusit to doe saying that he saw no profit in it, quhairupoun ye went away discontented.

Confessit scho  
offerit mint to  
put away  
myce.

"Item, ye ar indytit and accusit that about the tyme forsaid, ye being inswoman in the said William Kirknes hous, as he was rysing in the morneing, he hard yow say to your doghter, wha was onlie with yow in the fyrehous, ye being in the meantyme drying corne with ane hott stone on ane flakkie, 'I am drying this corne to the devill,' and with that word he stepped out of the cellar wher he lay and saw incontinent the stone and the whole corne ye war drying flie throw the house, so that thair culd be nevir ane bit of the stane or ane pickle of the corne be sein againe, quhilk was done be your witchcraft and devilrie, and quhilk ye offerit in ane sacrifice to the devill, your maister.

A strong pre-  
sumption of  
sacrificing to  
the devill.

Confessit scho  
was drying  
corne and that  
quhen the  
stone brak scho  
curst and that  
the corne on  
the stone lap.

"Item, ye ar indytit and accusit that about aught yeiris since or thairby Robert Sinclair of Nether Gersand, being impotent at that tyme,

Fyllis.

- A strong presumption of witchcraft. Denyis. as he gave it out himself, ye gave Margaret Sinclair, naturall dochter to the said Robert, some liquor lyk water in ane stoup and direct hir to put it twa or thrie severall tymes in his meat, and he, having suppit thair of within ane night or at most twa after, he fand himself restorit to his wountit vigour and abilitie, and William Kirknes, hearing how the said Robert was restorit, jesting with yow, askit yow how ye had helped Robert Sinclair, his father-in-law, ye ansuerit if he haid cum to you befor he was married ye suld have helpit him than alsweill as ye have done now, quhilk was be your witchcraft and devilrie. Miscellaneous Papers.
- Fyllis. "Item, ye ar indytit and accusit that yeiris since or thairby Robert Sinclair in Gersand, being efter he haid married his secund wyif Abuse. sore troublit in his sleip with apparitiounes of his first wyif which wexit him and disquietit him verie much, he was adwysit be yow to goe to his Denyis. first wyifis grave and to chairge hir to ly still and truble him no moir.
- Fyllis. "Item, ye ar indytit and accusit that about nyne yeiris since or thairby John Kirknes in Housgar, being heavilie diseasit, ye cam to his hous and Charming and abuse. said to his wyif 'Your husband hes the beanschaw, and, gif ye will, I can help him'; quhairupoun his wyif cam to him and desyrit him to ryse and cum to the fyrehous, quhich he did at his wyfis desyr, and ye said to him, Confessis scho told the charm anent the beanschaw. 'Guidman, if ye will, I sall charme yow of the boneschaw,' and he consenting, ye gropped all the joyntis of one of his sydes with her hand and spake certain wordis ower him, and causit Katherin Kirknes, his servant woman, for the tyme repeat everie word efter you at your direction in presens of his wyif and servant woman.
- Fyllis. "Item, ye ar indytit and accusit that yeiris since or thairby ye charmed Elspeth Sinclair, spous to William Kirknes, of the baneshaw Charming. (as ye callit it), and that ye usit besyd wordis nyne blew stones quhilk shoe did put in ane vessell with water, twitching her joyntis with each of Confessis. the severall stones which ye keepit in your lap, and went fourth with and efter washed her with the water that was in the wessel in which the stones lay.
- Fyllis. "Item, ye ar indytit and accusit that yeiris since or thairby ye charmed Henrie Sowie, servitour to Alexander Linklatter in Housgar of the boneshaw, and that ye causit ane sone of the said Alexander Charming and abuse. repeat the charme after you, and that ye usit water and stones as is Confessis. afore said, whilk was alreddie confest be yow; and the said Henrie, being unabill to stirr out of his bed for the space of fourtein dayis befor, recoverit his health and was abill for his work within twa dayis efter as ye haid said the charme ower him, quhilk was done by your witchcraft and devilrie.
- Fyllis. "Item, ye ar indytit and accusit that yeiris since or thairby that ane of Alexander Linklatteris children in Housgar, being leane and Fearfull abusing by many damnable superstitions. ill lyke, ye said that the child haid the hart cake and that, gif he pleasit, ye wold cast the hart cake and sie what would become of him, which ye did on this maner. Ye took ane pott with water in it and laid the tonges Confessis. athwhart the mouth of the pott and than laid ane codd above the tonges

Miscellaneous  
Papers.

and sett the child on it; thairefter ye took ane seif and set on the childis head and set ane cogge full of water in the seive and then laid ane woll scheir on the coggis mouth, and then ye took lead and put it in ane iron lamp and meltit it and powrit it throw the boul of the scheir in to the water thrie severall tymes devining throw the lead whither the child wold recover or not and, quhen ye haid done all, ye gave the child ane drink of the said water and he wold be weill [but as yit the child is no (deleted)].

"*Item*, ye ar indytet and accusit that yeiris since or thairby Fyllis ye usit the hail particular charme abonewrittin in all poyntis with ane Confessis. child of Robert Sinclairis in Nether Gersand.

"And generallie ye are indytit and accusit for airt and pairt of the using and practiveising of witchcraftis, sorceries, divinatiounes and Denyis. charmes as particularlie abonewrittin and in geving your selff furth to have sik craft and knowledge, thairthrow abuseand the people, and that Fyllis hir as by your cursingis and imprecationes ye wrong both man and beast, a common charmer. quhilk evillis ar brocht to pas be the power and working of the devill, your maister, and thairfoir ye ought and suld undirly the law and be adjudgit to the death thairfoir, in example of utheris to do the lyk."

"Assisa:— . . . . .

"The assyse, passing out of judgement, electit for the maist pairt Alexander Kirknes in chancellor, and returning, all in ane voice, be his mouth fyllis the pannell in the first, thrid, fourt, fyft, sext, sevint, aught and nynt poyntis, as also of the generall as a commoun notorious abuser and charmer and clengis hir of the secund. (Signed) Allex<sup>r</sup>. Kirknes.

"Acceptis the determinationn of the assyse and continews sentence.

"xij Julij, 1643—Ordanis the pannell to be taken be the lockman, hir handis bundin behind her back, convoyit to the place of executioun, wirreit at a staik and brunt in ashes."

[On a leaf of paper inserted] "Depositions against Janett Reid, taken up at the kirk of Sandwick, the 14 of May, 1643.

(1) *Imprimis*, depones Williame Kirknes in Powe that aboutt eight or Fearfull abuse. nyne yeares since, he being bigging his bear stack, the said Janett came to him and offered him ane grasse (as shoe callit it), bot to his appearance nothing bot ane little quantitie of whyte mosse or fogge and bade him putt it in his stack, affirming that it should make him keip the proffitt of his cornes, so that none should be able to take it from him, which notwithstanding he refused to doe, saying that he sawe no proffitt in it, wheirupon shoe went away discontented.

(2) Further, the said William depones that (the said Janett being A strong presumption of inwoman in his house aboutt the time abowreatten) as he was rising ane morning he heard her say to her daughter (who was only with her in the fire house) shoe being in the meantime drying corne with ane hott stone on ane flakkie, 'I am drying this corne to the dewill,' and that with that word he stepped out of the cellar wheir he lay and sawe incontinent the stone and the whole corne shoe was drying flee through the house the devill.

so that their could nevir ane bitt of the stone or ane pickle of the corne be seene againe. Miscellaneous  
Papers.

A strong pre-  
sumption of  
witchcraft.

(3) Thomas Kirknes in Housgair depones that, he being serwitour to Robert Sinclair of Garsend aboutt eight yeares since, he sawe the said Janett give unto Margaret Sinclair, naturall daughter to the said Robert, ane stoope with some thing in it bot knewe not what it wes and that he sawe the said Margaret afterward pour out of the same stoope in the said Robert his meatt, who at that time wes impotent, as he gave it out himself, and that it wes done as he suspected to cure the said Robert, his master, at that time.

"Robert Sinclair depones in this same poynt that his daughter forsaide bade him indeid suppe such meatt as shoe then presented unto him (which to his knowledge wes the verie same that his serwant forsaide sawe something poured in out of that stoope which his said daughter receaved from the said Janett) and that his said daughter said unto him as shoe presented the meatt, 'Suppe, it will doe you good,' which he did and within ane night or at most [twa] after fand himself restored to his wonted vigour and abilitie.

"Margarett Sinclair forsaide depones in the same poynt that the said Janett came to her and gave her some liquour in a stoope like water, and bade her putt of it in her fathers meatt and that shoe did it two severall times.

"Williame Kirknes in Powe depones in this same poynt that he, being on ane time jesting with the said Janett and asking her whither or not it wes shoe that had helped Robert Sinclair, his father-in-law, shoe answered. 'If he had come to me befor he wes married, I should have helped him then alsweill as I have done now.'

Abuse.

(4) Robert Sinclair forsaide depones that he being, after he had married his second wiff, troubled in his sleep with apparitions of his first wiff, which waxed him and disquieted him verie much, he was advysed by the said Janett to goe to his first wiff her grave and to charge her to ly still and trouble him no more, bot that he refused to doe it.

(5) Further, the said Robert depones that about saxe yeares since the said Janett came to his house and that his wiff gave her ane cowes milk and that that cowe the next time shoe wes milked gave nothing but blood and continued so for two dayes space, which blood dogges wold not lick when it wes casten foorth and as for the cowe shoe dwyned still after for ane long time and never recovered untill shoe died.

Charming and  
abuse.

(6) Johne Kirknes in Housgair depones that aboutt nine yeares since, he being heavily diseased, the said Janett came to his house and said to his wiff, 'Your husband hes the bone shawe and, if he will, I can helpe him, wheirupon his wiff came to him and desired him to rise and come beout, which he did at his wiffs desire, and that, when he came beout, the said Janett said, 'Goodman, if yee will, I shall charme yow of the boneshawe,' and, he consenting, shoe groped all the joynts of one of his sides with her hand and spake ceirtaine werds over him,

Miscellaneous  
Papers.

which he does not remember, Katherine Kirknes, his serwant woman for the time, repeating everie word after her at her direction, which shoe did in presence of his wiff and serwant woman forsaide, but that he thought himself never ane white bettered by the meanes.

(7) Elspett Sinclair, spouse to William Kirknes in Powe, depones that the said Janett charmed her of the bone shawe (as she called it), and that shoe used beside words nine blew stones quhilk shoe did putt in ane wessell with water, touching her joynts with each of the severall stones which she keiped in her lappe and went foorth with whether shoe knewe not, and after washed her with the water that was in the wessell in which the stones lay. Con[fest?]

(8) Alexander Linkletter in Housgair depones that the said Janett charmed his serwant, Henrie Sowie, of the bone shawe and that shoe caused ane sonne of his repeatt the charme after her, and that shoe used water and stones, as is aforesaid, which shoe also confesses, and that the said Henrie, being unable to stirre out of his bedde for the space of fourteene dayes befor, recovered his health and wes able for his worke within two dayes after shoe had said the charme over him.

(9) Further, the said Alexander depones that ane child of his being leane and ill like, the said Janett said that the child had the hartcake and that if he pleased shoe wold cast the hartcake and see what wold become of him, which also shoe did in this maner. Shoe tooke ane pott with water in it and laid the tonges athwart the mouth of the pott and then laid ane codde above the tonges and sett the child on it, thereafter shoe tooke ane sieve and sett on the childs head and sett ane cogge full of water in the sieve and then laid ane wooll sheir on the cogges mouth and then shoe tooke lead and did putt it in ane iron lampe and melted it and poured it through the bowle of the sheir into the water three severall times, divining by the lead whether the child wold recover or not, and, when shoe had done all, shoe gave the child ane drink of the said water and said he wold be weill, bot as yet the child is neither better nor worse than he wes. Conf[est.]

(10) The verie like in all poynts shoe did to ane child of the forsaide Robert Sinclair his as [sic] is deponed by the said Robert and his spouse and confessed by herselff.

Nota, that these things were done since she was acted in the session for abstinence."

6. Note of executions on 15th July, 1643, by Alexander Dunbar, messenger, of a summons at the instance of Sir Thomas Hope of Craig-hall, his Majesty's Advocate, and Robert Dunbar of Burgie and others as narrated *ante*, No. 3; (1) against John Dunbar, elder of Hemprigs, and William Dunbar, his brother's son, at the dwelling house of the former, where both reside, and against James Dunbar, his brother, personally apprehended, to compare before the Council at Edinburgh on 3rd August next; witnesses, Alexander Bruntfeild in Struderis, Andrew Sutherland

15th July 1643.  
Notes of executions at the instance of Robert Dunbar of Burgie, and others against John Dunbar, elder of Hemprigs, and others.

in Hempriges, and Robert Dunbar and John Vatsone, servitors to the goodwife of Burgie, elder; and (2) against William Peter in Earnesyde, John Dick there, Gilbert Vatsone in Cautfald, Thomas Hatmaker there, James Syme in Haltone, Andrew Dick in Haltone, John Russall in Haltone, and Andrew Sutherland, indweller in Hempriges, all personally apprehended, to appear as witnesses in the above cause; witnesses, James Falconer, portioner of Cautfald, John Sime in Haltone, Robert Farquhar in Vastfeild, Alexander Falconer in Haltone, and Robert Dunbar in Hempriges.

Miscellaneous  
Papers.

1st August  
1643.  
Supplication  
by Alexander  
M'Dowall of  
Logane, and  
others that  
their wives  
whom, at the  
instance of Mr.  
James Bonar  
and Mr.  
Gilbert Power,  
they have been  
charged to  
enter within  
the tolbooth of  
Edinburgh,  
and whom the  
supplicants  
have brought  
to the said  
burgh, may be  
suffered to  
return to their  
homes.

7. Supplication by Alexander M'Dowall of Logane, Uthreid M'Dowell of Freuch, Alexander McCulloch of Ardwall, Andrew M'Dowell of Killester, and Quintin M'Dowall of Barlochart, for themselves and for their wives, and Sarah Dumbar, widow, as follows:—They have been charged at the instance of Mr James Bonar and Mr Gilbert Power to produce and enter their wives within the tolbooth of Edinburgh until order be taken with them for opposing Mr James Bonar's receiving the said Mr Gilbert Power to the kirk of Staniekirk, in terms of their Lordships' ordinance dated 1642. "And we acknowledging our selfis to be bund in all dewtie to geve all obedience to your Lordships have moved our saidis wyffes, altho manie of thame be weak, seiklie, and not able to undirtak a journey of fyve score myles, to leive their families and childrein destitute, some of thame being heavilie diseased, ar now come to this toun overweariet with travell, as some of thame ar in danger to contract seiknes to the extreme danger of thair lyffes. And we persuading our selfis that the toyle and disease they have indured in thair so long a journey haith bein a greater punischment unto thame than your Lordships intendit in justice to so poore and weik weomen, and becaus since your Lordships ordinance our saidis wyffes, according to the act of our presbitrie have satisfied for the scandall of the fact by making publict confessioun thair of," they crave their Lordships to mitigate the sentence and set them free, "suffering them to returne to thair familie and childrein." They shall thus have occasion to pray for their Lordships and shall obey whatever they may be pleased to impose. [On the back] "Edinburgh, *primo Augusti*, 1643. The Councel ordans maissers to passe and charge M<sup>r</sup> Gilbert Power and M<sup>r</sup> James Bonar to compeir on Thursday, and to produce thair decret and letters of horning to heere and sie the same suspendit, and in the meane tyme continowis all execution. (Signed) ARCH. PRIMEROSE, Cler. S. Cons." Also, note of execution on 3rd August, 1643, by Mr John Henrysone, messenger, against Mr James Bonar and Mr Gilbert Power, ministers, both personally apprehended in Edinburgh, to compear this 3rd of August before the Council; witnesses, Mr Mathew Weymes, Mr John Gibbisone, and Mr John Edmonstoun, ministers. [On the margin] "3 *Augusti*, 1643. Suspenders be the husbands; chargers personalie. Continowis till Tuesday."

Miscellaneous  
Papers.

8. "4 August 1643.

Andro Dick in the Halton of Kinlosse, sworne, depons he saw the houses lybellit standing up at night, bot they were doune er the morne; bot knowis not how nor be whome.

William Petre of the age of 50 yeeres, married, depons *conformis*.

Andro Russall in Halton, of the age of 26 yeeres, sworne, depons *conformis*.

John Dick in Earnsyde, *conformis*."

4th August  
1643.  
Depositions in  
a demolition  
case.

9. Supplication by Archibald, Marques of Argyle, as follows:—"At the first going of the Scots armie to Ireland and since, I, out of my affection to his Majesties service, did advance and send over certane quantities of victualls and others necessars for the good of that armie, as will appear by his accounts, which he craves that they will ordain William Thomesone, general commissary of the said army, to receive and pay with similar accounts. [On the back] "Edinburgh, 8 August, 1643. The Councel gives warrand to William Thomesone to ressave and take tryell of the compts of what hes beene furnished be the supplicant; and declares that the samen being cleared and compted sall be ressaved in and be payed with the moneyes dew to these furnished be contract; it being alwayes allowed in the first end of the arrears dew to his regiment, and the pryces being suche as wes gevin to others at that tyme, and they being kept in the same fitting with the rest of the armie. (Signed) LOUDOUN, Can<sup>ll</sup>rius, I. P. D."

8th August  
1643.  
Supplication  
by Archibald,  
Marquis of  
Argyle, anent  
the victuals  
and other  
necessaries  
which he sent  
to the army in  
Ireland.

10. Note of execution by Patrick Andersone, messenger, on 14th August, 1643, of a charge at the instance of James Dalgleische, merchant burges of Edinburgh, against James Arnat, personally apprehended within the burgh of Edinburgh, to pay a debt of 1000 merks for which he is cautioner, with 38 merks of interest, and 200 merks of expenses, within six days; witnesses, Mr Samuel Blaikburne, merchant burges of Edinburgh, and Thomas Wricht, tailor, burges of the Cannogait.

14th August  
1643.  
Note of  
execution at  
the instance  
of James  
Dalgleish,  
merchant  
burgess of  
Edinburgh,  
against James  
Arnot.

11. Summons at the instance of Richard Bowstoun in Dernick, narrating that Michael Fisher, Alexander Fisher, his son, William Fisher, Andrew Kennedie, John Moss, James Simsone, Nicol Mos, James Fisher, Robert Mercer, younger, William Spotswod, James Hietoun, George Hownem, James Mudie, John Ischer and John Mercer in Dernick, and Andrew Mercer in Baitsheill, for themselves, and in name and behalf of the rest of the inhabitants of Dernick, have cited the complainer before the bailie of Melros for the alleged resetting "of three falls of beir extending to fyve pecks of corne or thereby," and that the said bailie intends to proceed in this action, but wrongfully, because, 1st, when for the same offence the complainer was ordained by the said bailie and his deutes to be banished from the lordship of Melros, he suspended the

16th August  
1643.  
Summons at  
the instance of  
Richard Boston  
in Dernick  
against  
Michael Fisher  
and others.

said decree upon good reasons, specially "that the said beir was bought be him frome Johnne Mudie and James Thomsone, servitours to the saids Michael and Alexander Fishers, of bounteth corne by and attour their fee for their service"; and he has raised action of reduction before the Session of the said decree "as being given in a criminall mater be a baillie of regalitie without commission, the theefe not being tane rid hand": 2nd, these two persons from whom the complainer bought the corn are hired servants to the said Alexander and Michael Fisher and dwell in the said lordship, and yet were "never called to their answer, and so it is verie partiall dealing to suffer the principall actors to remaine uncensured and banish the compleaner": (3) "Hew Scot of Galloscheills, baillie of Melros, is secund and thrids of kin with Thomas Linlithgow, chalmerlane of Melros, whois daughter Alexander Fisher, one of the persewers, hes married; lykeas William Wallace, clerk of court, is sone in law to the said Michael Fisher," and so ought not to sit upon the complainer's life. Charge is accordingly to be given to the above persons, and the bailie, procurator fiscal and clerk to appear before the Council on 2nd November next. Meanwhile suspension is granted to the complainer until 10th November, as he has found caution in the bookes of Adjournal to appear before the Justice and his deputes whenever lawfully charged so to do. The summons is dated at Edinburgh, 16th August, 1643, and signed ARCH. PRIMROSE Cler. S. Cons. On the back there is a note of execution on 19th August, 1643, by John Hamiltoun, messenger, who went to the burgh of Melros, and, finding the bailies and clerk sitting in judgment, discharged them from all further proceeding in this case, and to compear as within directed; witnesses, Robert Blindlie, James Cairncross, fiar of Hilslap, and Andrew Tinno, messenger in Melros. There is also the following docquet—"At Melrois, the xix day of August, 1643. *Productum per Joannem Hamiltoune, nuntium et admissum.* W. WALLACE. Before thir witnesses, Robert Pringill of Blindlie, James Cairncrosse, fiar of Hilslope, Andro Tinno, messinger."

6th October  
1643.

Summons at  
the instance  
of James  
Bordlands,  
and others,  
portioners and  
tenants in  
King's Stables,  
against James  
Cranstoun,  
deacon of the  
cordwainers  
of Edinburgh,  
and others,  
members of the  
craft of cord-  
wainers.

12. Summons at the instance of James Bordlands, maltman at the West Port of Edinburgh and portioner of the land called the King's Stables, John and Clement Brotherstones, also portioners there, John Moir, James, Robert and Thomas Broun, William Elder, John Hepburne and John Mawers, cordiners, tenants of the said lands, narrating that they have been in peaceable possession and occupation of the said lands, and the said tenants have exercised their trades and brought their work to the market of Edinburgh on market days and sold the same there without challenge for many years past until that lately, on 22nd September last, James Cranstoun, deacon of the cordiners of Edinburgh, John Pollock and John Fithie, cordiners there, came to the houses of the said tenants in King's Stables, where they have no power nor jurisdiction, and threatened to demolish and break down the houses if they dwelt or

Miscellaneous  
Papers.

Miscellaneous  
Papers.

wrought there. Further, on the 27th of that month, when the said tenants were selling their work in the public market of Edinburgh, the said deacon and others came to the complainers and took three pairs of boots from John Moir, one pair from Robert Broun, one pair from James Broun, three pairs of shoes from Thomas Broun, two pairs from William Elder and a pair from either of John Hepburne and John Mawers, and these they retain, and the petitioners cannot pursue their calling because of the violence with which they are threatened. Charge is given for citing these persons complained upon to compear before the Council on ; dated at Edinburgh, 6th October, 1643, and signed ARCH. PRIMEROSE, Cler. S. Cons. On the back there is note of execution on 10th October, 1643, by James Hamiltoun, messenger, against the deacon and whole cordiners and shoemakers at their dwelling houses in Edinburgh; witnesses, Andrew Geddie, messenger in Edinburgh, and James Foullis, sheriff officer there. [But this note is scored through, and on a paper attached to the summons are the following three notes of execution by George Neill, messenger: (1) On 20th November, 1643, against James Cranstoun, John Pollock and John Fithie, all personally apprehended, to appear before the Council on 21st November instant; witnesses, James Grahame and Alexander Porteous, messengers; (2) on the same day, against William Simsone, cordiner in Leith Wynd, personally apprehended, and John Bowry, cordiner in Edinburgh, at his dwelling house to appear as witnesses in this cause; witnesses, the said Alexander Porteous and John Kyninmont in Edinburgh; and (3) on 21st November, 1643, before noon, against Robert Clerksone, hammerman in Edinburgh, and William Hamiltone, cordiner there, both personally apprehended, also as witnesses, the charge being given before the same witnesses as in the last.

13. Summons at the instance of Sir Thomas Hope of Craighall, his Majesty's Advocate, and of Margaret Naper, Lady Rassyth, and Alexander Stuart, her son, narrating that, in contravention of the laws prohibiting the convocation of the lieges, on 19th October instant Charles Alexander, accompanied by John Yowman, his servant, John, Laird Steill, Alexander and James Steill, his sons, Alexander Alexander and John Alexander, his son, in Drymine, Alexander Reid and Alexander Harrower in Baharly, Robert Drysdaill, John Watts elder and younger, John Dickie, John Dempstertoun, David, William and James Drysdaill, Thomas and Christie Burns and James Ewart in Wester Tilliculture, John Harla, Thomas Duffie, John Bowry, John, James and Alexander Harrower, Martin Patoun, Robert and Alexander Huchescos in Easter Tulliculture, and others, armed with swords, staves and other invasive weapons, "came all over the water of Dovan to the said ladie her coaleheuche of Shendall, tooke the work loomes frome her servant working there and discharged him under the pane of his hanging to worke anie more, and putt away two men of Gartwhingyan who came for

26th October  
1643.  
Summons at  
the instance  
of Margaret  
Naper, Lady  
Rassyth,  
against Charles  
Alexander and  
others for  
interfering  
with her  
servants  
working on her  
coalheuch of  
Shendon.

coales. And that same night the said Charles, accompanied with Alexander and James Steill, Alexander Reid and Andro Alexander sett upon ane boy, being carying ane laid of coales for furnishing the said ladie her owne chamber fire, and the said Andro Alexander strake him with a battone, and drew ane whinger to putt the same throw his cheekes, cutted the hors helter and tooke the laid from him. And upon the morne thereafter in the afternoone the said Charles, accompanied with the haill persons foresaids and diverse others, came to the said coaleheuch and went down to the coale pott with some of his servants and tooke the coale picks and others instruments from them and putt them all away, and thereby intends to lay the compleanners coale waist." Charge is given for citing these persons complained upon before the Council on next; and also for the citing of as witnesses. The summons is dated at Edinburgh, 26th October, 1643, and signed ARCH. PRIMEROSE, Cler. S. Cons.

Miscellaneous  
Papers.

6th November  
1643.

Note of  
execution by  
John Scobie,  
messenger,  
against John  
Drysdale in  
Manse of  
Dollar and  
others.

14. Note of execution on 6th November, 1643, by John Scobie, messenger, of the summons (No. 13 *supra*) against all the persons therein complained upon, some personally apprehended and some at their dwelling places, (John Dempstone being here called James); as also on the same day at the market cross of Clackmannan; likewise against the following persons as witnesses,—John Drysdell in Manes of Duller, Thomas Drysdell there, and Alexander Leckie, all personally apprehended, also Symon Drysdell, James Furgnes, and James Cunssing at their dwelling places; witnesses, Alexander Reiddoch in Garfin, James Patton in Baupertie, Thomas Burn in Tullcuture and Alexander Harrower there.

7th November  
1643.

Summons at  
the instance of  
Sir John  
Sinclair of  
Stevinsons and  
Mr. George  
Douglas,  
minister at  
Cullen, against  
Sir Walter  
Innes of  
Balveny, and  
others.

15. Summons at the instance of Sir John Sinclair of Stevinsons and Mr George Douglas, minister at Cullen, narrating that on the 3d, 19th and 21st January, 1637, respectively, Sir Walter Innes of Balveny, Walter Innes, apparent of Auchlonkhart, Adam Duff of Driminoir, Archibald Innes of Haltoun and Walter Innes of Balcormy were put to the horn for not paying to Sir John the sum of 5000 merks with interest and expenses, and on 14th June of that year the said Sir Walter and Walter Innes and Adam Duff were denounced for non-payment to the said Mr George, and Jean Stuart, his spouse, for themselves, and in name of George and Elizabeth Douglas, their children, of the sum of 2000 merks and interest and expenses, as also for non-payment to the said Mr George for himself and in name of Marie Douglas, his daughter by Katherine Stuart, sometime his spouse, of 1000 merks with interest and expenses. But to these hornings they take no heed. Charge is therefore given to cite them to appear before the Council on 7th January next; dated at Edinburgh 7th November, 1643, and signed ARCH. PRIMEROSE, Cler. S. Cons.

Miscellaneous  
Papers.

16. "My very honorable good Lordis, Haveing receavit a letter from the Erle of Dorby the eleventh of this instant derect from the Ile of Man, I have thought good to send the same to your Lordships that ye may considder of the same. My ansuer to him was that it was for no private man to medle thairein, and his lordships best course was to wryte to your Lordships of his Majesties Counsall, who I knew in your wisdomes would tak such course as his lordship and his people might have content. This I have taine occasioun to doe leist your Lordships might be misinformed of me who shall never be wanting quhairin I can serve the countrie and your Lordships, and so I remaine your Lordships most humble servant. (Signed) Newark. Clarie, the 13th of November, 1643."

15th November  
1643.  
Letter from  
Lord Newark  
forwarding a  
letter of the  
Earl of Derby.

[Addressed on back] "For my very honorable good Lords off his Majesties Privie Counsall, thaise."

17. "15 Novembris, 1643, in presence of the Lord Register.

Ladie Rassyths witnesses—Johne Drysdail, suorne, depons he knowes the heuche of Sheirdail hes lyin ydle thir 6 or 7 yeeres unpossesst be anie, and the last time he knew anie to be wrought in wes about 7 yeeres since be Duncane Drysdail, to whom at that time Charles Alexander and his men made interruption, and that there wes no working thair since; and depons that the ladie entered not to the heuche till a day or tua before the last ryot libelled, and at that time the depouner wes there where he saw Charles Alexander with about 30 men come to the coale heuche who had no other weapons but ganging staffes, and that Charles went doun to the coale heuche and cast out the coalyers instruments, which the ladie refused to take, and so the said Charles caused his men take them away; and declares that the ladie would suffer none to goe in to the coalheuche except the said Charles himselfe alone except one man who went doun and brought up the coilyer and that he heard Charles discharge the coilyers to work anie there, and knowes no farther.

15th November  
1643.  
Depositions  
anent the case  
of Lady  
Rassyth's  
coalheughs.

"Thomas Drysdail, suorne, *conformis in omnibus*.

"James Cuissine, suorne, depons the coale of Sheirdail hes not beene wrought thir 6 or 7 yeeres till about Martimes and a little before that the ladie entered to the coale, and knowes no farther at all.

"Symon Drysdail, suorne, *conformis primis duobus testibus*.

"James Fergus, *conformis*. (Signed) M. A. Gibsone Durie.

18. Bond of caution by John Greirson of Nether Keer for Homer Maxwell, brother german of Alexander Maxwell of Conhaith, and for Edward Herres, brother german of the deceased John Heires of Mabie, that they will compeare before the Council at Edinburgh on 14th December next and answer to the charge of conniving at the escape of Robert Maxwell, brother german of the said Alexander, out of a chamber within the burgh of Drumfres whereto he was directed by the commissioners of the shire until he had found caution to compear before the Council

16th November  
1643.  
Caution by  
John Greirson  
of Nether  
Keer for  
Homer  
Maxwell and  
for Edward  
Herries that  
they will  
appear before  
the Council.

to answer for his excommunication and rebellion, under the penalty of 500 merks and expenses in case of failure; dated at Drumfres, 16th November, 1643; witnesses, John Johnstone, bailie of Drumfres, Thomas Irwing, merchant, Mr Cuthbert Cunynghame, burgh clerk of Drumfres, and James Maxwell, his servant. (Signatures.)

16th November  
1643.

Bond by  
Alexander  
Maxwell of  
Conhaith  
narrating that  
William  
Douglas of  
Kelheid and  
others have  
apprehended  
Robert  
Maxwell, his  
brother  
german, as an  
excommunic-  
ated papist.

19. Bond by Alexander Maxwell of Conhaith narrating that William Douglas of Kellheid, Sir Robert Greirson of Lag, James Dowglas of Mowswald, John Crechtone of Crawfordston, Mr John Corsane, provoet of Drumfres, and Thomas Makburnie, one of the bailies thereof, have in terms of a commission granted to them on 5th July, 1642, by the Privy Council, apprehended Robert Maxwell, his brother german, as an excommunicated rebellious papist, who was so designated to them by Mr William Makjore, minister at Carlawerok, moderator of the presbytery of Drumfres; and obliging himself as cautioner that his said brother will compear before the Council at Edinburgh on 14th December next and answer to this charge under the penalty of £1000 Scots; dated at Drumfres, 16th November, 1643; witnesses, Thomas Rome, apparent of Irnegrey, John Corsane, eldest lawful son of the said Mr John Corsane, and Mr Cuthbert Cunynghame, burgh clerk of Drumfres. (Signatures.)

17th November  
1643.

Similar bond  
by the said  
Alexander  
Maxwell.

20. Similar bond of caution by the said Alexander Maxwell of Conhaith in 1000 merks for the compearance of Jeane Maxwell, spouse to John Irwing, merchant burgess of Drumfres, who is presently incarcerated within the wardhouse of the said burgh as "ane excommunicate rebellious papist"; dated at Drumfres, 17th November, 1643; witnesses, John Herres of Mabie, James Newall, smith, burgess of Drumfres, Mr Cuthbert Cunynghame, burgh clerk of Drumfres, and James Maxwell, his servant. (Signatures.)

25th-27th  
November  
1643.

Notes of  
executions of  
summons at  
the instance of  
James Weir of  
Kirkfield and  
others against  
John Bannatyne  
of Corehouse,  
and others.

21. Notes of executions by James Forrest, messenger, of a summons at the instance of James Weir of Kirkfield and John Muir and John Stewart; his servitors; (1) On 25th November, 1643, against John Bannatyne of Corhous, at his dwelling place of Corhous, and Christopher Bannatyne in Overhall and Robert Tailzefer there, at their dwelling houses, to compear before the Council at Edinburgh on 30th November instant; witnesses, James Forrest and George Gray, students in Lanerk: (2) On the same day against John Pumphray, elder and J. . . Braikenrig, both personally apprehended, and against Christopher Bannatyne at his dwelling house in Byll of Corhous by delivery of a copy of the summons to Bessie Galla, his spouse; before the same witnesses: (3) On 27th November, 1643, against James Brentoune, Christopher Pumphray and James Schirulaw, all personally apprehended; witnesses, William Wilsone, burgess of Lanerk, . . . Steill in Helisgill and William Wilsone in Kinkaidyow: (4) On 25th November, 1643, against William Dick in Culterschogill, personally apprehended,

Miscellaneous  
Papers.

and against Thomas Prett, at his dwelling house in Overhall; witnesses, the foresaid James Forrest and George Gray: and (5) On 28th November at the market cross at Lanark, against John Bannatyne of Corhous, Cristopher Bannatyne and Robert Tailzefer, principal parties, and Thomas . . . ; witnesses, William Lithgow, burgess of Lanerk, and Andrew Alisone there.

22. Supplication by James Wallace, merchant, as follows:—He entertained . . . [torn] “De Vorseum, lait agent for the French king, in ludging and dyet during his abaid heir, who went away and [left] unpeyed to me four thousand fyve hundreth merks, as appeires by his subscryvit accomptis.” He intends proceeding to France to suit payment and understands that the proper and best course is to obtain a duplicate of his commission so as to prove him a person publicly authorised by that country, and that, if he will not or cannot pay, the supplicant may petition those who commissioned him to come here for his satisfaction. He therefore craves that the Clerk of Council may be authorised to give him this copy and a warrant for his passage to and from France in case he is challenged by the Parliamentary forces by sea or land.

[Undated c.  
November  
1643.]  
Supplication  
by James  
Wallace,  
merchant,  
agent an  
agent of the  
French King  
whom he had  
entertained  
while he was in  
Edinburgh.

23. Note of execution on 15th December, 1643, by James Petrie, messenger, of a summons at the instance of Sir John Sinclair and Mr George Douglas against Sir Walter Innes to compear before the Council at Edinburgh on 2d January next upon pain of letters of treason; witnesses, Patrick Grant, brother german to the Laird of Grant, Alexander Innes in Oldmilins, Walter Innes of Orttane and Walter Innes, portioner of Drumnakillich.

15th December  
1643.  
Note of  
execution of  
summons at  
the instance of  
Sir George  
Sinclair and  
Mr. George  
Douglas  
against Sir  
Walter Innes.

24. “Scrow of Johne Jowsies accompt, 1643.

“Followeth the accompt of Johne Jousie his receipts of the volontour lone made be the Lords of his Majesties Privie Counsell, the Commissioners of Peace and Comoune Burdings, as heirunder is exprest, for reliefe of the Scottish army in Ireland, anno 1643.

Account of the  
sums contri-  
buted in loan  
for the support  
of the army in  
Ireland by  
the Lords of  
Council, and  
the Commis-  
sioners of  
Peace and  
Common  
Burdens.

Marche 6.—Sir Thomas Hope, his Majesties Advocate,	tuo thowsand four hundreth pound,	£2400	0	0
„ 7.—The Lord Balmerinoch, six thowsand pound,		6000	0	0
„ 7.—The Earle of Lotheane, six thowsand pound,		6000	0	0
„ 7.—The Earle of Lawtherdaill, six thowsand pound,		6000	0	0
„ 7.—The Earle of Cassellis, six thowsand pound,		6000	0	0
„ 7.—The Earle of Lindsay, six thowsand pound,		6000	0	0
„ 7.—Sir Archibald Johnstowne of Warrestoune,	tuo thowsand four hundreth pounds,	2400	0	0

		Miscellaneous Papers.		
Marche 7.—Sir Adame Hepburne of Humbie, tuo	thowsand four hundreth pound, . . .	£2400	0	0
„ 7.—James Swoord, ballie of St. Androse, six	hundreth pound, . . . . .	600	0	0
„ 8.—Lord Marques of Argyll, tuelve thowsand	pound, . . . . .	12,000	0	0
„ 10.—The Earle of Eglingtoun, six thowsand	pound, . . . . .	6000	0	0
„ 10.—The Lord Burghlie, thrie thowsand six	hundreth pound, . . . . .	3600	0	0
„ 10.—The Laird of Wauchtoun	} amongst them } six thowsand } pound, . . . . .	6000	0	0
„ 10.—The Laird of Innes				
„ 10.—The Laird of Cammo				
„ 10.—The Lord Yeaster, thrie thowsand six	hundreth pound, . . . . .	3600	0	0
„ 13.—The Earle of Lewen, six thowsand	pound, . . . . .	6000	0	0
„ 17.—Sir David Home of Watherburne, tuelve	hundreth pound, . . . . .	1200	0	0
„ 18.—Sir Charles Ersking of Camboskeneth,	tuelve hundreth pound, . . . . .	1200	0	0
„ 23.—Sir James Carmichall, Thesaurer deputt,	tuo thowsand four hundreth pound, . . . . .	2400	0	0
„ 23.—Sir Gilbert Ramsay of Balmaine, tuelve	hundreth pound, . . . . .	1200	0	0
„ 23.—Sir Johne Hamiltoun of Orbistoun, tuo	thowsand four hundreth pound, . . . . .	2400	0	0
„ 31.—The Lord Chancelour, six thowsand	pound, . . . . .	6000	0	0
Apprylle 4.—The Earle of Morray, six thowsand	pound, . . . . .	6000	0	0
„ 6.—Sir Johne Wauchope of Nithrie, tuo	thowsand merks, . . . . .	1333	6	8
„ 28.—Sir Alexander Clerk, provest of Edinburgh,	on thowsand merks, . . . . .	666	13	4
„ 28.—The Earle of Glencairne, six thowsand	pound, . . . . .	6000	0	0
„ 28.—Johne Benni, merchant of Edinburgh, six	hundreth pound, . . . . .	600	0	0
„ 28.—Sir Patrick Hamiltoun of Littill prestoun,	tuelve hundreth pound, . . . . .	1200	0	0
„ 28.—Sir Thomas Ruthwin of Frieland, tuelve	hundreth pound, . . . . .	1200	0	0
„ 28.—George Gardin, ballie of Bruntland, six	hundreth pound, . . . . .	600	0	0

Miscellaneous  
Papers.

Followeth Johne Joussie his receipt of the wollunter lone maide be the gentrie and utheris in the schirrefdome of Fyfe for reliefe of the Scottish army in Ireland, *anno* 1643.

Account of the  
sums contri-  
buted in loan  
by the gentle-  
men and  
others of the  
sheriffdom of  
Fife for the  
same purpose.

. . .	Johne Gibsoun, on of the Clerkis of Sesioun,			
	one thowsand merkis,	£666	13	4
May 1.	—Johne Inglis of Kirkchaldy, for himselfe and			
	on thowsand merks,	666	13	4
„ 16.	—Robert Ritchardsoun in Bruntiland, fyve			
	hundreth merks,	333	6	8
„ 16.	—Patrick Angus thair, tuo hundreth merkis,	133	6	8
„ 16.	—Thomas Gourlay thair, fyve hundreth merks,	333	6	8
June 3.	—Johne, Lord Melvell, fyve thowsand merks,	3333	6	8
„ 6.	—Andrew Watsoun in Bruntiland, on thow-			
	sand merks,	666	13	4
„ 13.	—James Melvell of Halhill, tuo thowsand merks,	1333	6	8
„ 13.	—Robert Balfour, brother to Mitchell Balfour			
	of Graindge, four hundreth pound,	400	0	0
„ 29.	—Johne Arnote of Woodmylne, four hundreth			
	merkis,	266	13	4

Followeth Johne Joussie his receipts of sowmes receaved be him frome the nighbouris of Edinburgh for the wollountour lone made be them for the reliefe of the army in Ireland, *anno* 1643.

Sums contri-  
buted by the  
citizens of  
Edinburgh.

Marche 29.	—John Edgar, merchant in Edinburgh, six			
	hundreth pound,	£600	0	0
„ 29.	—Edward Littill in name of			
	ane thowsand merks,	666	13	4
„ 29.	—Johne Meane, merchant thair, six hun-			
	dreth pound,	600	0	0
„ 29.	—Mr Andrew Ramsay, minister thair, one			
	thowsand merks,	666	13	4
„ 29.	—Archibald Sydserfe, ballie thair, one			
	thowsand merks,	666	13	4
„ 30.	—James Stewart ther, tuelve hundreth			
	pound,	1200	0	0
„ 30.	—Johne Denholme, on thowsand pound,	1000	0	0
„ 30.	—Gilbert Atchesoun, merchant, fyve hun-			
	dreth merks,	333	6	8
„ 30.	—James Wilsoun, merchant, four hundreth			
	merks,	266	13	4
„ 30.	—Andrew Crichtoun, merchant, tuo hun-			
	dreth merks,	133	6	8
„ 30.	—Patrick Crichtoun, merchant, tuo hun-			
	dreth merks,	133	6	8

			Miscellaneous Papers.		
			£	s	d
Apprylle	1.—Edward Edgar, ballie, fyve hundreth merks,	£333	6	8	
„	1.—Helin Gilkrist, relict of umquhill Alexander Wright, fyve hundreth merks,	333	6	8	
„	5.—Marioune Wilkie, relict of umquhill Androw Ainslie, one thowsand merks,	666	13	4	
„	5.—Johne Livingstoune, merchant, thrie hundreth merks,	200	0	0	
„	5.—Robert Fleming, ballie, ane thowsand pound,	1000	0	0	
„	5.—The relict of umquhill Johne Fleming, merchant, on thowsand merks,	666	13	4	
„	5.—James Calquhoune, merchant, thrie hundreth merks,	200	0	0	
„	5.—James Wright, hatmaker, fyve hundreth merks,	333	6	8	
„	6.—Thomas Young, merchant, thrie hundreth merks,	200	0	0	
„	6.—Robert Lockhart, merchant, twelve hundreth pound,	1200	0	0	
„	6.—The relict of wmquhill Mr Johne Gallaway, one thowsand merks,	666	13	4	
„	6.—Johne Bannatyne, wrytter, fyve hundreth merks,	333	6	8	
„	6.—Alesoune Forman, relict of Gilbert Dick, on thowsand merks,	666	13	4	
„	6.—Patrick Nicoll, merchant, tuo hundreth merks,	133	6	8	
„	6.—Margaret Sinklar, dochter to wmquhill David Sinklar, Burley, on hundreth pound,	100	0	0	
„	6.—Androw Law, merchant, tuo hundreth merks,	133	6	8	
„	6.—Mr George Gillespe, minister, on thowsand merks,	666	13	4	
„	6.—Mr Robert Douglas, minister, on thowsand merks,	666	13	4	
„	6.—Mr William Bennit, minister, on thowsand merks,	666	13	4	
„	17.—Johne Ramiltoune, appothecary, eight hundreth pound,	800	0	0	
„	19.—George Jollie, merchant, fyve hundreth merks,	333	6	8	
„	20.—Doctor Johne M'Clour, on thowsand merks,	666	13	4	

Miscellaneous  
Papers.

Apprylle 22.—Elisabeth Fram, relict of William Douglas, tuo hundreth merks, . . . . .	£133	6	8
„ 22.—William Scotte, merchant, thrie hundreth merks, . . . . .	200	0	0
„ 22.—The relict of umquhill Daved Morray, fyve hundreth merks, . . . . .	333	6	8
„ 25.—Elisabeth Duff, relict of umquhill Adame Gardin, six hundreth pound, . . . . .	600	0	0
„ 27.—George Reid, merchant, thrie hundreth pound, . . . . .	300	0	0
„ 27.—Thomas Patersoune, merchant, fyve hun- dreth merks, . . . . .	333	6	8
„ 27.—Walter Rankeing, merchant, fyve hundreth merks, . . . . .	333	6	8
„ 27.—Thomas Beg, merchant, thrie hundreth merks, . . . . .	200	0	0
„ 28.—Johne Scotte, merchant, one hundreth pound, . . . . .	100	0	0
„ 28.—Lawrence Scotte, merchant, thrie hundreth merks, . . . . .	200	0	0
„ 28.—Thomas Leishman, merchant, fyve hun- dreth merks, . . . . .	333	6	8
„ 28.—Hew Hameltoune, merchant, fyve hun- dreth pound, . . . . .	500	0	0
„ 28.—Robert Meikljohn, skinner, thrie hundreth merks, . . . . .	200	0	0
„ 28.—Archibald Tood, deane of gild, on thowsand merks, . . . . .	666	13	4
„ 28.—Simeon Chambers, merchant, fyve hun- dreth merks, . . . . .	333	6	8
„ 28.—James Monteith, pewterer, tuo hundreth merks, . . . . .	133	6	8
„ 28.—James Chambers, tuo hundreth merks, . . . . .	133	6	8
„ 28.—Johne Futhie, cordiner, four hundreth merks, . . . . .	266	13	4
„ 28.—Robert Carnegie, merchant, four hundreth pound, . . . . .	400	0	0
„ 28.—Alexander Cleghorne, wright, tuo hundreth merks, . . . . .	133	6	8
„ 28.—Thomas Weir, pewterer, fyve hundreth merks, . . . . .	333	6	8
„ 30.—Thomas Calderwood, merchant, fyve hun- dreth pound, . . . . .	500	0	0
„ 30.—Robert Limpetlaw, skinner, thrie hundreth merks, . . . . .	200	0	0

Apprylle 30.—Johnne Marjoribanks, merchant in Edinburgh, fyve hundreth merks, . . . . .	£333	6	8	Miscellaneous Papers.
„ 30.—Alexander Lockart, merchant, fyve hundreth merks, . . . . .	333	6	8	
„ 30.—Alexander Bennie, merchant, thrie hundreth merks, . . . . .	200	0	0	
„ 30.—James Johnstoune, merchant, ane hundreth merks, . . . . .	66	13	4	
„ 30.—Robert Corsser, merchant, tuo hundreth merks, . . . . .	133	6	8	
„ 30.—William Sandelands, baxter, on hundreth pounds, . . . . .	100	0	0	
„ 30.—Robert Finlaw, merchant, fyve hundreth merks, . . . . .	333	6	8	
„ 30.—Mr Robert Nicolsoune, comisary of Edinburgh, one thowsand merks, . . . . .	666	13	4	
„ 30.—Daved Wilkie, merchant, six hundreth pound, . . . . .	600	0	0	
„ 30.—William Castellaw, apothecary, fyve hundreth merks, . . . . .	333	6	8	
May 15.—Nicoll Eving, fishmounger, one hundreth merks, . . . . .	66	13	4	
„ 15.—Andrew Bryssonne, merchant, fyve hundreth merks, . . . . .	333	6	8	
„ 15.—William Schaw, merchant, ane hundreth pound, . . . . .	100	0	0	
„ 15.—The relict of wmquhill Johnne Mitchell, baxter, tuo hundreth merks, . . . . .	133	6	8	
„ 15.—Johnne Bonner, merchant, four hundreth merks, . . . . .	266	13	4	
„ 15.—James Dagleish, one thowsand merks, . . . . .	666	13	4	
„ 15.—Captaine Lovetenent Thomas Weir, tuo hundreth merks, . . . . .	133	6	8	
„ 15.—Lawrence Russell, thrie hundreth merks, . . . . .	200	0	0	
„ 15.—Johnne Liddell, merchant, four hundreth merks, . . . . .	266	13	4	
„ 15.—George Stiverling, merchant, four hundreth pound, . . . . .	400	0	0	
„ 16.—Thomas Muddie, thesaurer, on thowsand pound, . . . . .	1000	0	0	
„ 16.—Johnne Smyth, merchant, in the Bow, four hundreth merks, . . . . .	266	13	4	
„ 16.—Jonet Nemo, relict of wmquhill James Edmis- tounne, tuo hundreth merks, . . . . .	133	6	8	
„ 16.—William Mure, baxter, tuo hundreth merks, . . . . .	133	6	8	
„ 16.—James Stevinsoune, merchant, fyve hundreth merks, . . . . .	333	6	8	
„ 31.—William Mure, marchant, fyve hundreth merks, . . . . .	333	6	8	

Miscellaneous Papers.	Junij	3.—Adame Scotte, marchant, four hundreth merks,	£266	13	4
	„	7.—Adame Greine, marchant, thrie hundreth merks,	200	0	0
	„	7.—James Gardin, litster, fyve hundreth merks, .	333	6	8
	„	7.—John Gardine, litster, fyve hundreth merks, .	333	6	8
	„	12.—Doctour Alexander Ramsay, phesitioune, fyve hundreth merks, . . . . .	333	6	8
	„	20.—Johne M'Neish, marchant, thrie hundreth merks, . . . . .	200	0	0
	„	20.—Humfray Dowie, comisary clerk, four hundreth merks, . . . . .	266	13	4
	„	21.—Hew Boyd, merchant, fyve hundreth merks, .	333	6	8
	„	26.—Partick Hepburne, appothecary, on thowsand merks, . . . . .	666	13	4
	„	27.—Samvell Lochart, marchant, on thowsand merks,	666	13	4
	„	27.—Mr Johne English of Nether Crawmond, on thowsand merks, . . . . .	666	13	4
	„	27.—Mr Alexander Henrysoune, minister, on thowsand merks, . . . . .	666	13	4

Followeth Johne Joussie his receipts of the wolluntour lone maide be the gentrie and uthers in the schirrefdome of Lotheane for relife of the Scotts army in Ireland, *anno* 1643.

Contributions  
from the  
sheriffdom of  
Lothian.

March	29.—Daved M'Culloch of Gutters, ane thowsand pound, . . . . .	1000	0	0
„	29.—The Ladie Carnegie, one thowsand merks, .	666	13	4
„	29.—Mr Samvell Johnstoune of Scheins, eighteine hundreth merks, . . . . .	1200	0	0
Apprylle	4.—The parosh of Saltprestoune, eight hundreth pounds, . . . . .	800	0	0
„	24.—Johne Peirrie in name of . . . . ., on thowsand merks, . . . . .	666	13	4
„	26.—Mr Archibald Beatowne, minister at Libertoune, fyve hundreth merks, . . . . .	333	6	8
„	26.—Johne M'Dull in name of . . . . ., four hundreth merks, . . . . .	266	13	4
„	26.—Mr George Wynrame of Libertoune, eighteine hundreth merks, . . . . .	1200	0	0
May	30.—Mr William Arthour, minister at Wastkirk, fyve hundreth merks, . . . . .	333	6	8
„	30.—Mr Alexander Gibsoune, minister at Leith, fyve hundreth merks, . . . . .	333	6	8
June	1.—Mr Johne Chartres, minister at Currie, one thowsand merks, . . . . .	666	13	4
„	3.—Mr George Laslie, minister at the Abey, Hallirudhous, fyve hundreth merks, . . . . .	333	6	8

June	3.—Mr James Fleming, minister at Bothames, fyve hundreth merks, . . . . .	£333	6	8	Miscellaneous Papers.
„	3.—Mr James Charpe, minister at Leith, fyve hundreth merks, . . . . .	333	6	8	

Contributions from the sheriffdom of Linlithgow. Followeth Johnne Joussie his receipts of the voluntour lone maid be the gentrie and uthers in the schirrefdome of Linlithgow for relife of the Scotts army in Ireland, *anno* 1643.

Apprylle 12.—Sir Robert Adair of Kilhilt, in name of Sir William Sandelands and Dame Elisabeth Coninghame, tuo thowsand merks, . . . . .	£1333	6	8
Junij 2.—Mr Robert Melvill, minister at Simpermie, in name of his doughter, Margaret Melvell, on thowsand merks, . . . . .	666	13	4
May 23.—Johnne Gilon of Walhous, one thowsand merks,	666	13	4
„ 23.—Andrew Dick, in the Hauch of Kilpunt, fyve hundreth merks, . . . . .	333	6	8
„ 23.—William Tennent of Mossyde, fyve hundreth merks. . . . .	333	6	8
„ 23.—James Cochrane of Balbauchlaw, six hundreth pound, . . . . .	600	0	0
Received of William Thomsone, commissar depute, nyne thowsand one hundreth and elleven pounds towards payment of six thousand pound to James Hamiltone of Boiges for meall, upon a letter of my Lord Marques of Argyells, and to provid shoes and cloth for the armye be ordour of the Gennerall his Excellence; which 9111 li. wes out of the mony apoynted for incident chairdges, . . . . .	9111	0	0

Disbursements of John Joussie. Followeth the accompt of Johnne Joussie his disbursments be ordour of the Lords of Secreitt Counsell for the use of the Scottish armye in Ireland, *anno* 1643.

Marche	15.—Paid to James Hamiltoune of Boges and James Stewart, merchant in Edinburgh, <i>per</i> precept and ther recept will appeir, as the halfe pryce of sevin thowsand bollis meall at sevintene merks the boll, is threttie nyne thowsand six hundreth sixtie six pound thretteine schillings four penneyis, . . . . .	£39,666	13	4
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Miscellaneous  
Papers.

Apprylle 1.—Paid to James Boswall, merchant of Edinburgh, <i>per</i> precept and his receipt will appeir, for the halfe of ane thow-bollis meall at sevintaine merks the boll is sevintaine thowsand pound,	£17,000	0	0
„ 12.—Paid to Sir Robert Adair of Kilhilde, <i>per</i> precept from the Generall his Excellence upon the Lords of Secreitt Counsellis refference maid to Kilhildis suplicatione anent his troupe in Ireland, as <i>per</i> Sir Robert his receipt and assignatione to his pay dew to him be the Parliament of Ingland for the lyke sowme may appeir, tuo thowsand four hundreth pound,	2400	0	0
May 10.—Paid to James Hamiltone of Bogs in pairt of ane other thowsand bollis meall, <i>per</i> precept and his receipt appeireth, six thowsand pound,	6000	0	0
„ 16.—Paid to Hew Kennadie, ballie of Ayre, <i>per</i> precept and his receipt apeireth, tuo hundreth pound sterling,	2400	0	0
„ 15.—Paid to Captaine Johne Montgumrie conforme to the Lords warrand and his discharge, on hundreth pound starleing,	1200	0	0
„ 16.—Paid to Johne Campbell be the Counsellis ordour and his discharge, fourscoir ten thowsand pounds Scotts,	90,000	0	0
Jany. 6.—Paid to William Dumbar, servitour to the Lord Waristoun, be the Lords warrand and his discharge, thrie hundreth pounds,	300	0	0
„ 6.—Paid to Captaine William Stewart conforme to the Lords warrand and his receipt, thrie hundreth lb.,	300	0	0
„ 20.—Paid to Johne Broune be the Lords warrand in full of Johne Campbells bills of exchange of thrie hundreth and nyne pounds starling,	3708	0	0
„ 20.—Paid to Hew Mc Cartour be ordour of the Lords of Privie Counsell ane hundreth and four pounds starling for the pryce of 80 bollis oatts delyvered to the Lord Marques of Argylls regiment be the said Hew,	1248	0	0
„ 24.—Paid be the Lords warrand to the mareners that was robbed be the Irish rebbells,	50	0	0

July 18.—Paid to Mr Robert Meldroume <i>per</i> precept and his discharge, on hundreth pound sterling, . . . . .	£1200	0	0	Miscellaneous Papers.
Junij 13.—Paid to James Hamiltoun of Bogs in full of ane precept, nyne thowsand merks for meall granted be the Marques of Argyll, . . . . .	6000	0	0	
„ 13.—Desbursed to messingers for chargeing and denuncing my Lord Carnwath, and uthers small disbursments, <i>per</i> accompt thair of appeirs, . . . . .	72	4	4	
„ 13.—Peyed to David Wilkie, merchand in Edinburgh, for fouertie fouer dossens of cleth bought of him be ordour of the Generall his Excellence and delyvered to the Commisser, John Campbell, which he received for the use of the army at threttie sax pound <i>per</i> peece is one thousand fyve hundreth fouer scoir fouer pound,. . . . .	1584	0	0	

c. 1643.

Letter from the Council to the Scots Lords at London anent the disputes between his Majesty and the English Parliament, and anent the rebels in Ireland.

25. “Our verie honorabill good lords, Wee have this day ressavd your lordships letter with the copies of his Majesties letter direct to your lordships, your ansuer and desyr to his Majestie, and your advyce given in to the Parliament there for composeing the differences betuix his Majestie and the Parliament, and as wee doe approve your dutiful offer of our humble service for removeing of those distractions so is it our earnest desyre that yow continow in useing your best endeavors for settling a right understanding betuix his Majestie and the Parliament in suche a way as may best witnessse our heich tender respect to his Majesties royall auctoritie and our true affection to the Parliament of England.

“Wee cannot lykewayes bot acquaint your lordships with the hard and almost desperat estate of his Majesties good subjects and our countrey-men in Ireland (as will appeare by the enclosed petitions and letters sent to us from thence) and to desyre your lordships to be earnest solicitors to his Majestie that some present course may be tane for thair releiffe.

“The distractions in England and the delay of tymous assistance hes lost the lyves of manie thousands of the British, whose blood is daylie shed lyk water and thair bodies given to be meat to the foules of the air and thair flesh to the beasts of the feild, and the benefit of burial denyed to the dead, suche is the barbarous cruelty of these enemies, bloodie rebels. The rebels hes runne over all that countrey, and these touns and forts for whiche yow are disputing with the Parliament to be places for retreat will in all appearance be in the rebels hands before any assistance can winne to thame, and, if Londondarrie be not taken be thame, wee conceive it is most reasonabill yow plead for it as a place

Miscellaneous  
Papers.

necessar for our retreat. Bot if your lordships and the Parliament there sall lay any other ground then to find the hail kingdome of Ireland in a general revolt and all places possest be the enemies and so nather saife landing nor victual to be expected thair, your lordships will be deceaved and therefore these are to requyre yow to be earnest sollicitors to your [*sic*] Majestie that some present course may be tane for thair releiffe." [Draft.]

26. "Whither or not it be expedient that the Council and Comis-  
sioners for the peace and burdens sall sit and vote joyntlie in affaires  
concerning the publict and hail kingdome in general, and whiche falls  
within the compas and consideration of the severall commissions. [This  
paragraph is deleted.]

Question  
whether the  
Council and  
the Commis-  
sioners for the  
Peace and for  
the Common  
Burdens

"Whither or not it be fitting, in respect of the present condition of  
the publict affaires of this kingdome, that at this tyme the Council,  
Commissioners for the peace and common burdens, sall consult and  
resolve joyntlie what course is best to be tane theranent.

should vote  
jointly anent  
the general  
welfare of the  
kingdom.

"Whither or not the Council will in tyme of voiceing allow anie  
others to be present with thame. (Allow, 13; No, 1; no voice, 4.)

"Whither upon the great and urgent affaires of this kingdome it be  
necessarie at this tyme that there be a Convention of the Estates, that  
the advyce and resolution of the kingdome may be knawin anent suche  
things as sall be represented to thame be the Council, Commissioners of  
Peace and Comon Burdens, according to thair several commissions. (No  
voice, 2; Necessar, 18.)

Question  
whether a Con-  
vention of the  
Estates should  
be summoned.

"Whither in respect of the present necessitie of publict affaires it be  
fitting that the tyme of the Convention be presentlie appoynted and  
warneing presentlie given to all parties haveing enteresse, and that his  
Majestie be acquainted thairwith; or if the tyme of meiting sall not be  
appoynted until the King be acquainted and his Majesties pleasure  
knawin thairanent. (Presentlie, 12; Acquaint the King, 3; No  
voice, 1.)

Question  
whether the  
Estates  
should be  
immediately  
summoned or  
not before his  
Majesty's  
pleasure be  
ascertained.

"The quhilk day his Majesties Advocat declared as Kings Advocat  
he could not voice anent the calling a meiting of the Estats without  
his Majesties warrand thereto since he mainteans the indiction of a  
meiting of the Estates doth properlie belong to his Majesties prero-  
gative, quhilk sould not be called in question." [This paragraph  
deleted.]

Declaration of  
the Lord  
Advocate that  
he cannot  
vote for the  
summoning of  
the Estates  
before con-  
sultation with  
his Majesty.

"The quhilk day the Marques of Hamilton declared that as a  
counseller he could not give voice joyntlie with or in presence of the  
Commissioners of the Peace and Burdens to ane of the articles above-  
written, and as a conserver of the peace he will willinglie give his  
opinion when it sould be craved be anie judicatorie, whiche is in this,  
that no meiting of the Estates can be called without his Majesties  
special warrant for that effect."

Declaration by  
the Marquis of  
Hamilton to  
the same  
purport.

"The Kings Advocat declared as a Counseller or his Majesties

Advocat he adhered to the declaration abovewritten." [Dated on the back, 1643.] Miscellaneous  
Papers

1643.

Supplication  
by Thomas  
Cunninghame,  
factor in  
Campvere, for  
a certificate  
from the  
Council  
attesting his  
faithful  
services, for a  
recommenda-  
tion to the  
office of  
Commendator,  
and for powers  
from the burgh  
of Edinburgh  
to maintain  
Scottish  
privileges in  
the Low  
Countries till  
the said office  
be filled.  
Granted  
under the  
Counsellis  
seale.

27. Supplication by Thomas Cuninghame, factor in Campheer, as follows :—" I and uthers my compairtneris (att the earnest request of the Lordes [and] otheris of the committee of this kingdome (as thair severall missive letteris [and] commissiones directed to us will witnes) did not only undergoe all the paynes and travell we wer able in obeying the commissiones and missives sent [to] them and me, but did also hazarde and adventure all our stockes and al[smeikle] more as we wer able to uplift upone our credite in buying of these c[ommodities] so necessar and important for the defence of this our native kingdome [and] menteinance of the reformed religione; and, because the best of [mens] actiones are subject to misinterpretationes, my humble desire is that y[our] Lordships may be pleased to take my paynes, service and affectione in that emp[loy]ment to your Lordships good consideratione, and, accordingly as I have done thairin, to grante me ane testimoniall and testificat with warrand by your Lordships act of Counsall for wryteing and appending the great seal therunto as a testimony of your Lordships favor to me and a witnes of my faithfull service to my countrey.

" And sicklyke I humbly crave that your Lordships wilbe pleased yet againe to supplicatt his Majestie in my behalfe for the office of Conservatory in the Low Countreyes and for that effect, eyther to cause insert your Lordships desire heiranent in the instructiones to be given to the Lordes and others commissioners frome the Parliament or any other way your Lordships thinkes fitting.

" And, last, I humbly entreat your Lordships to recommend me to the toune of Edinburgh and remanent burrowis of this kingdome and to desire them that in the interim, untill the place and office of Conservatory be provyded, they wold subscribe a power to me to doe quhat is fitting att the staple porte of Campheere and in the saidis Low Countreyes for preservatione of the libertyes dew to the natione without prejudice or wronging his Majesties right in any sorte," [Votes] Recommended, 11; *Non liquet*, 3.

Fiat.

Recomendis to  
the Borrowis.

[Undated c.  
1643.]

Supplication  
by James  
Crichtoun of  
Frendraucht,  
and others  
anent Walter  
M'Whait  
and others,  
murderers of  
William  
Crichtoun, son  
of the said  
James.

28. Supplication by James Crichtoun of Frendraucht, Dame Elizabeth Gordone, his spouse, and James, Vicount of Frendraucht, their son, for themselves, and on behalf of the remanent kin and friends of the deceased William Crichtoun, son of the said James Crichtoun of Frendraucht, as follows :—" In August last, 1642, Walter McQuhaet of Crombie and James McQuhaet of Auld craige, his brother, with others, their accomplices, cruelly murdered the said William, for which they were not only declared fugitives from the law, but denounced as rebels. Yet, as the supplicants are certainly informed, these persons are now dealing with his Majesty by false informations to procure a remission and intend to have the same

Miscellaneous  
Papers.

passed in Exchequer in a clandestine manner without notice given to the supplicants. They will then return to their homes and move about in the country as if they were innocent persons, and so be the occasion of bringing on a new trouble. They therefore crave that the Lords of Exchequer be recommended to issue no such remission until that the nearest of kin to the murdered man be cited and heard against the same.

29. Supplication by Katharine Blaikie, widow of Thomas Alexander, 22nd January 1644.  
cordiner in Dunkeld, William Alexander, her son, and James Bannerman, Supplication by Katherine Blaikie, widow of Thomas Alexander, cordwainer in Dunkeld, and others for summons against John Fentoun in Dunkeld, for assault on the said Katherine.  
bailie of Dunkeld, for his interest, as follows:—On 2d July last John Fentoun in Dunkeld, tenant to Mr James Stewart, commissary there, came by way of hamesucken to the said Katharine's dwelling house there, and without any offence given by her, he "patt violent hands in my person, threw me to the ground and with his hands and feit gave me manie bauche, blae and bloodie straiques upon the head, face and others parts of my bodie, to the effusion of my blood; and, when my said sone, ane sickelie youth, new rissin out of the fever, came for my releefe, the said Johnne strake him also to the effusion of his blood; and being challenged for the same be the said baillie he shamefullie upbraided him without respect to his place, calling him deboshed lowne, bidding him goe hang himselfe." Summons is craved against the said John Fentoun. [On the back] "Apud Edinburgh, 22 January, 1644. *Fiat ut petitur.* M. A. GIBSONE, Durie.

30. "At Edinburgh, the second of Februar, 1644.

2nd February 1644.  
Forsamekle as James Bosuall, merchant in Edinburgh, having by Warrant to the collector of the Irish loan to pay to James Boswell, merchant in Edinburgh, the sum of £17,000 as payment of half of the 3000 bolls of oatmeal which the said James contributed for the relief of the army in Ireland.  
warrant and contract made betuix him and the Lords of his Majestys Privie Counsell transported three thousand bolls oat meale to Ireland and delivered them at Carictfergus for the use of the Scots armie there to Alexander Mure, receaver of the victuall of the said armie, as the note of receipt under the hand of the said Alexander of the 7th of September last beirs, for ilk boll of quhilk meale thus transported the Counsell wes bound to pay to him, his airs, executouris or assigneyes, seventene merks Scots money, the one halfe thair of upon demand (quhilk wes accordingly payed at the transporting of the said meale) and the other halfe after report of the note of the receipt of the meale in Ireland, with the ordinair annualrent so long as the soume sould be unpaid after the termes above sett down; and the Estats of the kingdom presentlie conveenned, remembring that, in consideration and for payment of the great soumes of money awand for victualls and other necessars furnished to that armie granted and loane to be uplifted in this kingdom, and finding it just and reasonable that the said James Bosuall be speedilie payed of the other halfe of the price of the said meale so tymouslie transported be him, as said is, doe therefore give warrand and command to the generall collector of the loan and taxt and his deputs, to pay and

deliver to the said James Boswell, his heirs, executours and assignees, the soume of seventeen thousand pounds, as being the just price of ane thousand fyve hundredth bolls of meale at seventeen merks the boll, with ane quarters annualrent thair of fra Mertimes to Candlemes last extending to three hundreth and fourtie pundis, and that they pay this out of the first and readiest of the loan not heirtofore disposed upon by publick warrant, wherenant thir presents shall be their warrant. And it is heirby declared that quhat proportioun heirof sall not be payed, as said is, the soume with the annualrent thair of sall remaine as a publick debt due be this kingdom to him and his foresaids, who sall have payment thair of from the publick. *Extractum, etc.* Arch. Primerose, Cler." Miscellaneous Papers.

8th May 1644.

31. "At Ormistounhall, May eight, j<sup>m</sup>vj<sup>c</sup> fourtie and four yeires.

Notarial instrument attesting the affirmation of John Laing in Murraies that Alexander Belshes of that ilk had feed Adam Jackson, servant to the said John.

The quhilk day in presence of me, notary publick, underwritten compeirit personallie John Layng in Murraies quho affirmit that Alexander Belshes of that ilk had feed Adam Jackson, servant to the said John, and the said Alexander being present said that he had not hyrit him. Upon the quhilkis the said John Layng asket and tooke instruments in my hand. Thir things was done about fyve houres or thairby, day, yeir and place abonewrittin.

*Ita est Willielmus Wallace, notarius publicus, in premissis requisitus, testantibus his meis signo et subscriptione."*

9th May 1644.

32. "At Westbyris, the nynth day of May, j<sup>m</sup>vj<sup>c</sup>fourtie and foure yeires.

Similar notarial instrument attesting the declaration of John Laing in the Murraies that Adam Jackson was his feed servant till Christmas and should not be removed from him till then.

The quhilk day, in presence of me, notar publick, and witnesses underwrittin, compeirit personally John Layng in the Murraies, quho after Adame Jackson, coalhewer in Ormistounhall coalpit, had given over the said John Layng, the said John Layng declairit and affirmit that the said Adame Jackson was his feed servant till Yule nextcome and that he ought not to remove from him till then. Upon the quhilkis premisses the said John Layng askit and tooke instruments in my hand. This was done betuixt tuo and three houres in the afternoone or thairby, day, yeir and place abovewritten. James Ballantyne in Ormistounhall and James Johnstoun in Westbyris, witnesses heirto specially desyrit and requyrit.

*Ita est Willielmus Wallace, notarius publicus, in premissis requisitus, testantibus his meis signo et subscriptione."*

9th May 1644.

33 "At Westbyris, the nynt day of May, j<sup>m</sup>vj<sup>c</sup> fourtie and foure yeires.

Similar notarial instrument anent the said Adam Jackson.

The quhilk day, in presence of me, notar publick undersubscrivand, and witnesses underwrittin, compeiret personallie Adame Jackson, one of the tacksmen of the coale of Ormistounhall for ane yeir, viz., fra mid-

Miscellaneous  
Papers.

summer, 1643, to midsummer, 1644, and gave over into the hands of John Layng in Murrayes his service and worke of the said coale of Ormistounhall in due tyme before the said tyme to the effect the the said Johne pretend na ignorance of the said Adame his lafull overgiving and renunciatione of the said coale, as said is, duely before the tyme of his removing, and in respect the said Johne had not fullfillit to the said Adame the conditiones agreeit betuixt them at midsummer last abonewrittin. Upon the quhilkis all and sundry the premisses the said Adam asket and took instruments ane or mae in my hands. Thir things were done in the place forsaid betuixt three and foure houres afternoone or thairby, James Ballantyne in Ormistounhall and James Johnstoun in Westbyres witnesses heirto speciallie desyrit and requyrit.

*Ita est Willielmus Wallace, notarius publicus, in premissis requisitis, testantibus his meis signo et subscriptione manualibus."*

34. "At Quarrell, the tuentie ane day of May, j<sup>m</sup> vj<sup>o</sup> and fourtie  
four yeiris, and of our Soverane Lords regne the tuentie yeir.

21st and 30th  
May and 7th  
and 8th June  
1644.

The quhilk day in presence of me, notar publict undersubscriyvand, and witnesses efternamet, compearit personallie James Makleroy, servitour to the Right Hon<sup>ble</sup> Edward Bruce of Carnock, wha past with me and the witnesses efter namet to the personall presence of James Spittell, takisman to Robert Elphingstoun of Quarrell of the halff of the coalles and coall hewes within the bounds of the lands of Quarrell, and thair the said James Makleroy, in name of his said master as havand his procuratory and warrand subscribit with his hand to the effect underwritten, lafullie requeyrit James Spittell, takisman foirsaid, conforme to the act of Parliament maid be King James the Sext of worthie memorie in the yeir of God j<sup>m</sup> vj<sup>o</sup> and sex yeiris anent coallzearis and salters, to restoir and delyver bak to the said James Makleroy in his said maisteirs name the particular persons efter namet; to witt, James Caiglie, William and Johne Wauchis, wha had been servands and coallzearis to the said Edward Bruce and to umquhile George Bruce, his fayther, diverse and severall yearis befor thair running away and diverting thame selffis from thair maisteris service and quha and everie ane of them ran away and left thair said maisteris service within thir tuelff monethis without any sufficient testimoniall of thair said master and without any sufficient attestatioun of ane reassonable caus of thair removeing maid in presence of ane baillie or ane magistrat off the burght of Culrois quhair they last served and come fra, and wha hes bene receavit, fied, hyred and interteanit be the said James Spittell, takisman foirsaid, continowallie sensyne, and that within the space of twentie four houris nixt efter this present challenge or requisitione, under the pane of ane hunderethe pundis to be incurrit be him for ilk persone sua challenged and not delyverit, as said is. Whairunto the said James Spittell, takisman foirsaid, answerit that naither the Laird of Quarrell nor he war obleist to delyver bak the said coallzearis, in respect

Notarial  
instrument  
attesting the  
declaration of  
James Makle-  
roy, servitor to  
the Right Hon.  
Edward Bruce  
of Carnock,  
anent certain  
colliers who  
have deserted  
his master's  
service.

they had bene serving thair as coalzearis thir four or fyve yeiris bygaue as he alledgit, and thairfoir refusit to delyver thame bak. And immediatlie thairefter the samyn day the said James Makleroy past with me and the witnesses efter namet to the principall messuage or duelling place of Quarrell quhair the said Robert Elphinstoun, his wyfe, bairnes and servands hes thair actuall duelling and residence, and thair, efter sex severall knockes maid be the said James Makleroy at the maist patent doore of the said duelling place, he lafullie requeyrit the said Robert Elphinstoun at his duelling place, becaus he could not gett him presentlie apprehendit, to delyver bak agane to him the foirnamet thrie coalzearis within tuentie four houris, under the said paine of ane hundereth punds to be incurrit be him for ilk persone sua challenged and requeyrit and not delyverit, as said is, being challenged within yeir and day, off the quhilk challenge and requisitione the said James affixt and left ane copie upone the maist patent doore of the said duelling place. Upone the quhilks all and sundrie the premisses the said James Makleroy, in name of his said master, askit and tuik instrumentis in the hands of me, notar publict under subscriyvand, ane or moir. Thir thingis war done within the said James Spittell his duelling hous in Quarrell and at the said maner place of Quarrell betuix nyne and ten houris befoir noone, day, yeir and place and of our soverane lordis regne abonewrittane, in presence of John Colt, ourseman in Tulliallane, and John Horne in Lethenes, witnesses callit and requeyrit to the premisses."

*Ita est ut premittitur, ego, Robertus Newall, notarius publicus in premissis requisitus, attestor, sub his meis signo et subscriptione manualibus.*

Further  
requisitions  
suent these  
runaway  
colliers.

There are other three further requisitions all at Quarrell House and dwelling house of James Spittall (1) on 30th May; witnesses, John Lein in Quarrell, and John Belfarege, servitor to the said Robert Elphinstoun; (2) on 7th June; witnesses, Alexander Gib, collier in Quarrell, John Buchannane and John Belfarage, servitors to the said Robert Elphinstoun of Quarrell, and James Pudrathe, lawful son to Robert Pudrathe in Kynecairden; and (3) on 8th June, in presence of Andrew Erskene, collier in Valayfeild, and the last named witnesses.

31st May  
1644.  
Note of  
execution of  
summons.

35. Note of execution on 31st May, 1644, by Alexander Porteous, messenger, against George Dobsoun in Stanepeth, John Hunter, servitor to Robert Sprot<sup>1</sup> in Quhitinghame, James Mure there, and Thomas Harvie, gardener, all personally apprehended to compear before the Council on ; witnesses, George Ogill, writer, and John Pater-soun, indweller in Edinburgh, and Thomas Schorwood, servitor to Mr John Skene, Clerk of the Bills.

12th June  
1644.

36. Summons directed to James Grahame, messenger, at the instance of Sir John Achmowtie, sheriff principal of Hadintoun, and others,

<sup>1</sup> This name scored through.

Miscellaneous  
Papers.

against Elizabeth Prestoun, widow of Sir Arthur Douglas of Quhittinghame, and others, as narrated ante p. 25. Parties are to compear on 21st August. The summons is dated at Edinburgh, 12th June, 1644, and signed ARCH. PRIMEROSE, Cler. S. Cons. On the back is noted the execution of this summons on 20th August against Jasper Wilson and others, as noted *postea* No. 60.

Summons at the instance of Sir John Achmowtie, sheriff-principal of Haddington, against Elizabeth Preston, widow of Sir Arthur Douglas of Whittinghame.

37. Duplicate of the above summons.

38. Summons at the instance of Sir John Prestoun of Valafeild and his son against George Logan as narrated *ante*, p. 24; dated at Edinburgh, 12th June, 1644, and signed ARCH. PRIMEROSE, Cler. S. Cons. On the back there is a scroll of the finding, and also a note of the service on 26th June, as noted *infra*.

12th June 1644.  
Summons at the instance of Sir John Preston of Valleyfield against George Logan.

39. Summons at the instance of Edward Bruce of Carnock, against James Spittell, as narrated *ante*, p. 24; dated 14th June, 1644, and signed ARCH. PRIMEROSE, Cler. S. Cons. On the margin there is a note of the finding on 21st August, and on the back there is a note of the service of the summons on 26th June against James Spittell, James Caglie, and William and John Waiche, all personally apprehended; witnesses, James Rollok in Kingkairn and John Gray there.

14th June 1644.  
Summons at the instance of Edward Bruce of Carnock against James Spittell.

40. Sir,—Being informed that Materine Bellott, merchand in Rowan, having shiped, in the monnth of May last by past at Rowan in ane shipe of Dover in England, ane quantitie of merchant guids belonging to Materin Bellott, William Tod, Scottishman, and certaine merchands in Edinburgh to be transported to Leith in Scotland, and the saids shipe, by reasoun of an leik and contrarie wind, went into Holy Iland, wher shoe is areisted and the merchandes guids seasid on by comand of the governour there, wee doe earnestly desire and entreate that yow wold give comand for releasing of the said shipe and the hooll merchands guids therein to be transported therfra to Leith that they may be delivered to William Tod, Scottishman, and remanent merchands, owners of the saids guids, seing the saids guids ar in a free botome and bound to a free port, being willing and ready to keepe the same correspondence with yow in the lyk caise. Wee rest your affectionat freinds. [Dated on the back, 22nd June, 1644, and marked as a copy and as addressed to] the rycht worshipfull Sir Arthour Hasilrige, Governour of Newcastle.

22nd June 1644.  
Petition to Sir Arthur Hazelrig, Governor of Newcastle, for the release of a Scottish vessel which has been arrested by the Governor of Holy Island.

41. Note of execution on 26th June, 1644, by Robert Hendrie, messenger, of summons at the instance of Sir John Prestoun and Sir George Prestoun, his son, against James Imrie, collier, Christian Penman, his spouse, and Margaret Dustane, their servant, all personally apprehended; as also against George Logane at his dwelling house, "and from thence I went to James Spittell his dwelling hous in

26th June 1644.  
Note of execution at the instance of Sir John Preston against James Imrie, collier, and others.

Quarrell, quhair the said George Logane wes drinking and mad intima-<sup>Miscellaneous</sup>tioune of the said charge that I had gevin to him at his said duelling<sup>Papers.</sup> hous in presence of the witnesses efter namet and desyrit his presence quhilk I could not have"; witnesses, James Merchell, wright in Kyncairne, James Rollocke there, John Gray there.

[29th June  
1644.]

Summons at  
the instance of  
the Lord  
Advocate  
against Alex-  
ander Inglis,  
portioner  
of Craig  
M'Kerrane.

15th July  
1644.

42. Summons at the instance of his Majesty's Advocate and Patrick Mairtene in Campsie against Alexander Inglis, portioner of Craig M'Cerrine, as narrated *ante*, p. 26; dated at Edinburgh 29 . . . [torn], and signed ARCH. PRIMEROSE, Cler. S. Cons. On the back there is a scroll of the finding.

Notarial  
instrument  
certifying that  
John Layng in  
the Murraies  
has desired  
Alexander  
Belses of that  
Ilk to restore  
Adam Jackson,  
coalhewer,  
servant to the  
said John.

43. "At Belses, the fyftein day of Julie, j<sup>m</sup>vj<sup>e</sup> fourtie and foure yeires, of our soveraigne Lords reigne the tuentie yeir.

The quhilk day in presence of me notar publict and witnesses underwrittin compeirit personally Johnne Layng in the Murraies, quho desyrit and requyrit Alexander Belses of that Ilke to send back to him Adam Jacksone, colhewer and servant to the said Johnne, as he affirmit, and also requyrit the said Adame to returne back to his service to the said Johnne, quhilk to doe the saids Alexander and Adame baith refusit; upon the quhilk refusall the said Johnne Layng askit and tooke instruments in my hands. This was done about eight houres or thairby in the morning, day, yeir and place abonewrittin, Robert Adamsone in Ormistounhall and William Hinsonne, hynde to James Johnstoun in Westbyres.

*Ita est Willielmus Wallace, notarius publicus in premissis requisitus, testantibus his meis signo et subscriptione.*

There is a second requisition, dated 17th July, which was made about 9 a.m.; witnesses, Alexander Johnstoun in Westbyris and James Layng, brother to the said Johnne.

8th July 1644.

Finding of the  
Committee of  
War of  
Haddington  
anent the  
above-named  
Adam  
Jackson.

44. At Hadingtone, 8th July 1644.

Quhilk day anent the complaint given in beffoir the committe of warr of Hadingtone be Johnne Layng in Ormestone against Adam Jacksoun for deserting his service at Witsonday without the said Johnne his licence, contrair to the act of the Conventione of Estaitis, and against Alexander Belsches of that Ilk for resetting of the said Adam and detenning him contrair to the said act, the Committe hes fund the said Adam to be ane taksman and no hyred servant, and thairfoir they will determine nothing thairin, bot referres the determinatioun thairfo to the Lordis of Sessione or to the high court of Parliament to be determined be tham. *Extractum.* Mr J. Broune, clerk to the said Committe.

Miscellaneous  
Papers.

45. Summons at the instance of George Forbes, (*sic* l. Johnstoun) 5th August 1644.  
 younger of Caskieben, narrating that in September, 1636, his father was Summons at  
 imprisoned in the tolbooth of Edinburgh for not paying to Alexander the instance of  
 Forbes of Auchintoull £1000 for a wrong done to him by Thomas George Johnston,  
 Farquharstone, one of his tenants, and another £1000 to the Crown for younger of  
 the same wrong, with £100 additional for disobeying the ordinance of Caskieben,  
 the Council by going out of town before finding caution for the said against Alex-  
 Alexander's indemnity. The complainer became cautioner for his father, ander Forbes  
 who was thereupon released; and the said Alexander afterwards raised of Auchintoull.  
 letters of horning against the complainer as cautioner foresaid, of which  
 he obtained suspension in September, 1641, on the ground of his having  
 revoked the same as he was minor at the time it was granted. Yet the  
 said Alexander, not being satisfied with his father's long and present  
 imprisonment for this debt, has raised a new charge against the com-  
 plainer to enter his person in ward, notwithstanding of the suspension  
 for the same cause, yet undiscussed, and his inability to find caution.  
 Charge is therefore given to cite the said Alexander Forbes and his  
 Majesty's Treasurer Depute for his interest to compare before the  
 Council on 5th December next, till which time and a few days beyond  
 the Lords have relaxed the horning and process against the complainer.  
 The summons is dated at Edinburgh, 5th August, 1644, and signed  
 ARCH. PRIMEROSE, Cler. S. Cons. A note on the deed intimates that it  
 was produced at Aberdene on 9th August, 1644, by George Johnstoun  
 above-written, and recorded in the Sheriff Court Books there. (Signed)  
 M. J. CHALMER.

46. Supplication by Mary Cunningham, as follows:—"My Lordis of 6th August 1644.  
 Counsell, Unto your Lordships humblie meanes and schawes, we your Supplication  
 Lordships servitouris, Marie Cunnighame, relict of unquhill Johne by Mary  
 Erskine of Cheappelland, and Jonet Erskine, my dochter, that whair we Cunningham,  
 have bein keipit in miserable prisone and captivitie in the tolbuith of Erskine of  
 Culrois be the baillies of the said burgh and have bein most barbarouslie, and Janet Chapelland,  
 cruellie and inhumanelie usit be thame be the advyce and instigatioune Erskine, her  
 of James Kennowie, thair clerke, first by taking and apprehending of us daughter, her  
 under cloud of night furth of our owne hous, quhilk lyis not within thair illegal  
 jurisdictione, without any warrand or lawfull authoritie, harling and imprisonment  
 drawing of us throw thair streittes to prisone lyke notorius and declarit and maltreat-  
 malefactoris, and when they hade putt us in prisone they causit thair ment by the  
 officeris and hangman tirre us mother naked, rype and search our bodies Culrois on a  
 and secreitt memberis for witchmarkis, and, when they could find none groundless  
 upon us, they patt on sackloath gounes upon us and loakit our leggis in charge of  
 yron gaddis and wald suffer nether meatt nor drink to cum in to us bot witchcraft.  
 by the handis of thair jeavellour, wha intercepted the samyne be the way  
 and first satisfied thair owne apietyde thairwith and send in the rever-  
 siounes thair of to us, and so throw famyne and cold brought us to great  
 miserie and seiknes, upon no lawfull ground nor warrand bot upon the

declaratiounes of tuo infamous persones wha, being apprehendit for witch-  
craft and haveing evill will againes us, said that we war also great  
witches as thameselffis; and haveing purchest ane commissiounes intending  
in a manner to steall from us our lyves they held ane court and sum-  
mond ane assyse, bot when they saw that thair was ane advocat  
compearing to speake for us eftir outering of some bitter and malicious  
speiches they dissolved the court and dismissit the assysse and refused to  
minister justice, and have made us so odious to the ignorant comones,  
whom they intend to make our assysouris that they wald be content to  
tear us in peices farr more to fyle and condemne us upon the most  
sklender and frivolous reasones that can be alleadgit. And, finding our-  
selffes redactit to this miserie, we meant ourselffes to the Committee of  
Parliament, wha remitted the saymne to your Lordshipis, as being most  
proper and competent judges thairunto, and gave warrand to intimat the  
said remitt to the saidis baillies of Culros and to warne thame to  
compeir befor your Lordshipis the tuentie ane day of August instant,  
and dischargit the former commissiounes in the meane tynie. And we,  
haveing desyrit Maister David Williamson to intimat the said warrand,  
he was most vyldlie abused and railed upon by Alexander Eysatt,  
one of the saidis baillies, who wald not look upon the committies warrand,  
bot called the said M<sup>r</sup> David and his servand fals knawes, threatned and  
minassed thame and did convocatt ane number of weemen and people so  
that the said M<sup>r</sup> David and his servand war forcitt for fear of thair  
lyffes to tak thame to thair horses and leave the toune. Lykeas in farder  
contempt and disobedience [of] the said warrand, eftir the samyne was  
intimatt to everie ane of thame be way of instrument, they held ane  
justice court upon the fyftein day of this instant, and, Patrick Drumond  
of Lenocho being thair present, they ke[pt] him in prisone whill they  
forcit him to subscrieve ane act under the paine of ane thowsand merkis  
to re[enter] me the said Jonet againe, whom they had not  
long befor putt at libertie; and, last of all, the saidis baillies  
have intrudit thameselffis in the possessiounes of our landis and  
yairdis and have arreistit our hails meanes for jeavellour fies and  
uther charges quhilk they have heaped up upon us. Heirfoir we  
humblie beseich your Lordshipis to discharge the commissiounes, and  
thaireftir befor any uther commissiounes be grantit [that] the groundis and  
reasones of the commissiounes be sein and considderit be your Lord-  
ships, and in the meanetyme [to sett] us at libertie upon cautione  
to reenter whenever any new commissiounes salbe direct to uther judges  
[and to] caus lous the said arreastment maliciously layed upon our  
meanes and to caus us be restored [to our] former possessiounes with  
damage and expenses, and to inflict such punishmentis upon the saidis  
baillies [for] the foirsaidis wronges done to us, our advocattes and  
freindis, as your Lordshipis thinkes meitt and expedient. And, last of  
all, the saidis baillies have delt most craftelie with the said Marie  
Cunynghame by conceilling fra [her the] foirsaid warrand of Parlia-

Miscellaneous  
Papers.

ment, and as I, the said Jonet Erskine, is informed, hes purchest ane consent in w[riteing] fra hir allowing there commissioun, quhairby it may evidentlie appeir that the saidis baillies doe [most . . .] delie, by all meanes both direct and indirect seike unto thameselffis to be judges of our lyves notwith[standing] they have schawne thameselffis as pairteis."

47 Note of execution of the foregoing summons (No. 45) at the instance of George Forbes (here Forbes is scored through and Johnestoune written above). 1. On 6th August, 1644, by John Oliver, younger, messenger, against Sir James Carmichaell of that Ilk, knight, his Majesty's Treasurer Depute, personally apprehended; witnesses, Alexander Schaw, servitor to the Laird of Caskieben, elder, and James Nuckell, servitor to George Johnstoun younger of Caskibene; and 2, on 12th August, 1644, by James Pettindreiche, messenger, against Alexander Forbes of Achintowll at his dwelling house in Aberdene, a copy of the summons being delivered to his daughter; witnesses, John Wilsone in Aberdene for the present, and William Robertstone, the messenger's servitor.

6th, 12th  
August 1644.  
Note of  
execution of  
summons at  
the instance of  
George John-  
ston against  
Sir James  
Carmichael of  
that Ilk, his  
Majesty's  
treasurer-  
depute, and  
another.

48. "At Edinburgh the sixt day of August 1644.

"The Committee of Estats, having seene the complaint given in to the Parliament be Marie Cuninghame, relict of umquhill Johne Areskin, and Jonet Areskin, her daughter, propoting that they have been deteanned in prissoun be the baillies of Culros thir tuentie weekes bygane upon misinformation that they ar guilty of witchecraft and other odious crimes, and when they conveyned the whole parish aganis them and called ane assise for thair tryell they dismissed the assise, and yitt would not putt the gentlewomen to libertie upon caution to compeir to thair tryell but intends to keepe them still in prissoun without tryell, and therefore desiring that they might be putt to libertie upon caution in maner foresaid; and the committee, having seene the remitt of Parliament of this desire to them, and understanding that there is a meeting upon the tuentie ane of this instant appointed to be of the Counsell unto whome this mater properlie belongs, therefore the committee remitts the same to the Counsell and discharges all farther proceeding upon the commissioun granted aganis the said Marie Cuninghame and her daughter till the 26<sup>th</sup> day of the said moneth of August instant, and ordains intimatioun to be made to the saids bailleis of Culros to keepe the said tuentie ane day before the Counsell to heare thair desire granted or show a caus why. *Extractum.*

6th August  
1644.  
Warrant of  
Parliament  
anent Mary  
Cunningham  
and Janet  
Erskine,  
her daughter,  
who had been  
imprisoned on  
a charge of  
witchcraft by  
the magis-  
trates of  
Culross.

See ante, p. 101.

Arch. Primerose, Cls."

49. "At the place off Belscheis, the sevint day off August, the 7th August  
yeir off God j<sup>m</sup>vjc fourtie and four yeiris. 1644.

"The quhilk day in presence off me notar publict and witnesses underwrittin compeirit personallie Johnne Layng in Murrayis off Ormestoune in presence off Alexander Belscheis off that Ilk, and Adame

Notarial  
instrument  
attesting that  
John Laing in  
the Murrayes  
of Ormiston

desired Alexander Belscheis of that ilk to restore Adam Jackson, the said John's feed servant.  
See ante, p. 100.

Jacksone, collair thair, being both personallie present togidder in the said Alexander Belscheis hous, and thair the said Johnne Layng requyrit and desyrit the said Alexander Belscheis to delyver the said Adame Jackson to him, being the said Johnne Layng his feit and hyrit servand tua yeiris since or thairby, and that within tuentie four houris efter the said wairning; as also the said Johnne Layng requyrit and desyrit the said Adame Jackson the samin instant tyme to enter home to his said service within the said space off tuentie four houris efter the said wairning; quhilkis persones abonenamit absolutlie refusit to do the samin, whairupoun the said Johnne Layng, being personallie present, askit instrumentis ane or mae frome the said notar publict under subscrivband. Thir presence [*sic*] was done within the said Alexander Belscheis of that ilk his duelling hous, day, moneth and yeir of God abonewrittin at thrie houris efternune or thairby, in presence off Androw Edmestoun, servitour to Mr Williame Cokburne off Stobis, George Jackis, ourman in Falsyd pott, Williame Howesone, servitour to James Johnnestoun in Westbyris off Ormestoun, and Michael Archebald, servitour to the Laird of Belscheis, witnesses speciallie callit and requyrit heirto.

*Ita est Cuthbertus Gibsone, notarius publicus in premissis requisitus, teste manu propria.*

8th August  
1644.

Supplication by Margaret Young, daughter of John Young, mariner in Queensferry, who is imprisoned by the bailies and minister of the said burgh on a charge of witchcraft, that she may be brought to trial.

50. Supplication by Margaret Young, daughter of John Young, mariner in Queensferry, as follows:—"I have beene keeped since the first of Aprile last and watched as some notorious malefactor in the tolbuith of the Queensferry by the procurement of the baillies and minister there upon misinformation of my unfriends that I am guilty of witchcraft, howbeit most innocent of the same and most willing to underly all lawfull tryell, quhilk they refuse and intend to undoe me by long imprissonment without remeid be provided." She therefore craves that her incarcerators may be charged to bring her to trial within a short space or else that she be put to liberty. [On the back]. "Apud Edinburgh, the 8 of August, 1644. Ordains the minister and ballies to be summoned to heire the desire granted or ellis to show a caus why. (Signed) ARCH. PRIMEROSSE."

9th August  
1644.

Note of execution of letters of suspension in favour of George Johnston, younger of Caskieben.

51. Note of execution on 9th August, 1644, by James Pettindreiche, messenger, of letters of suspension and horning in favour of George Johnstoun, younger of Caskiben, dated 5th August, 1644, which he did by open proclamation at the market cross of Aberdene, giving the wand of peace to William Cuthbertsoun, merchant burgess of Aberdene, who accepted the same in name of the said George; witnesses, William Seattoun, younger of Disblair, William Blakhall, burgess in Aberdene, Patrick Wanhagen, bookbinder there, and Thomas Swentoun, cordiner there. It is noted that the same was also produced and registered on 7th August, 1644. (Signed) M. J. CHALMER.

Miscellaneous  
Papers.

Miscellaneous  
Papers.

52. *Apud Culros, tredecimo die mensis Augustii anno Domini millesimo sexcentesimo quadragésimo quarto.* 13th August 1644.

The quhilk day in presence of me, nottar publict and witnesses underwretine, personallie compeirit David Moir, servitor to M<sup>r</sup> David Williamsone, advocatt, procuratour for Marie Cuninghame, in the personall presence off Archibald Mercer, Thomas Ezatt and Alexander Ezatt, baillies of the burgh of Culros, and produced to them ane commissioun direct from the Committie of Estaittis makand mentioun thairin—Quhairas the said Marie Cuninghame and Jonet Erskyne, hir dochter, was detained be thame in the tollbuith of the burgh of Culros for certane crymes of alledgit witchecraft, and that the Parliament being suplicat be the said Marie and Jonet, hir dochter, of thair hard and extraordinier dealling with them in prissone and thair instant tryell to be takine of thair inocencie, as thair suplication to the Parliament at lenth bearis; the said Parliament remittit the saymne to the said Committie of Estaittis, and the said committie directit the foirsaid commissioun that quhair they dischargit all farder proceidingis upoun ane commissioun direct frome the Lordis of his Majesties Prive Counsell againes the said Marie Cuninghame for putting hir to ane tryell of ane assayse quhill the tuentie sext day of the said moneth of August instant, quhill the said Committie of Estaittis remittit to the saidis Lordis of his Majesties Privie Counsell, unto quhom the matter proparlie belongis, quhill commissioun being red to the saidis ballies, the said David Moir, procuratour foirsaid, maid dew and lawfull intematioun thairof and causit reid the samyne to the effect they might not pretend ignorance thairof, and protestit, give they obeyitt nor fullfillit the premisses of the said commissioun, that they sould be answerabill to the said Committie of Estaittis and all flowing thairupoun. Quhairupoun and upoun all and sindrie the premisses the said David Moir, procuratour foirsaid, askit instrumentis, ane or ma, of me nottar publict, day, yeir and place foirsaid, befor thir witnesses, David, sone lawfull to the said Thomas, and Eduard Ezatt, burges of Culros, witnesses to the intematioun maid to the said Thomas and Johnne Hunter, maltmane, burges of Culros, and George Clark, servitour to the Laird of Carnok, and Robert Aytikine, servitor to me, Robert Forrett, nottar under subscriyving, witnesses to the intematioun maid to the said Archibald Mercer and Alexander Ezatt, *testibus ad permissa rogatis et requisitis.*

*Ita est Robertus Forrett, notarius publicus, ad permissa rogatus et requisitus, teste manu propria.* (Signed) R. Forrett.

53. Holyruidhouse, 14th August, 1644.

Master William Oliphant, I am ordaned be the Lordis of his Majestys Right Honourable Privie Counsell to attend ther Lordshipis the morrow in the forenone concerning a ryot persewed against the Ladye Whittinghame, younger. But, because my urgent effairs doethe call my returne

14th August  
1644.

Letter to Mr.  
William  
Oliphant from  
John Auch-  
moutie  
desiring him

Note of  
executions at  
the instance of  
Sir John  
Auchmuttie of  
Gosford  
against Dame  
Elizabeth  
Preston and  
others.

Gosfurd, knight, sheriff principal of Hadingtoun, George Pringill, his depute, Archibald Douglas of Quhittinghame, and Sir Archibald Douglas of Keilour, knight, against (1) Dame Elizabeth Prestoun, Patrick Tempill in Quhittinghame, and Thomas Stevinsoun, smith in Staintoun, all personally apprehended, and against Andrew and Adam Hepburne in Bairfurde, at the manor place of Bairfurde, where they have their residence, as also at the market cross of Hadinton, to compear before the Council; witnesses, Alexander Crumbie, elder in Stanton, Thomas Hawe in Quhittinghame, and Archibald Bald, burgess of Hadintoun; and (2), against Alexander Miller in Quhittinghame, Robert Mure there, and Adam Skirving there, at their dwelling houses and also at the market cross of Hadinton; witnesses, the said Patrick Tempill and Archibald Bald, and Thomas Mackall, messenger.

Miscellaneous  
Papers.

20th August  
1644.  
Note of  
execution of  
summons at  
the instance of  
Sir John  
Auchmuttie  
and others  
against Jasper  
Wilson,  
stabler, and  
others.

60. Note of execution by James Grahame, messenger, on 20th August, 1644, of a summons at the instance of Sir John Auchmowtie, sheriff principal of Hadingtoun, George Pringill, his depute, and others, against Jasper Willsoun, stabler, Mr John Keith, merchant, and Mr Robert Hay, at their dwelling houses in Edinburgh and Cannogaite, and at the market crosses of these places, to compear before the Council; witnesses, Thomas Deanis and Alexander Haitlie, burgesses of . . . John Olipher, younger, messenger in Edinburgh, and David Carse there, . . . Lynsay, post, and Alexander Croce.

20th August  
1644.  
Case of Adam  
Jackson,  
collier.

61. Summons at the instance of John Layng in the Murreyes against Alexander Belseis of that Ilk, and Adam Jacksoun, collier, as narrated *ante*, p. 24; dated at Edinburgh 20th August, 1644, and signed ARCH. PRIMEROSE, Cler. S. Cons. A note of the finding is upon the summons.

20th August  
1644.  
Adam  
Jackson,  
collier.

62. Note of execution on 20th August, 1644, by James Sandelandis, messenger, against Alexander Belses, at his dwelling house of Belses, and against Adam Jacksone, indweller there, who was personally apprehended, to compear before the Council on 21st August next; witnesses, Andrew Lawder, servitor to Mr William Cokburne of Stobbis, and Thomas Jonestone, son to James Johnstoun in Westbyres. On the other side of the paper there is a note of the finding in the cause.

20th August?

63. Pleis your Lordshipis caus call the letters of complaint at the instance of Margret Thomsone, spous to Archibald Gray in Calder, aganes the Toutour of Calder, and minister thairat, and to caus thame produce the said Margret, supplicant.

Interrogatories  
to be addressed  
anent  
Margaret  
Cunningham,

*Item*, that your Lordshipis wauld interrogat the witnesses anent the crueltie usit aganes the said Margret be tormenting of hir in prisone as followis:—

Miscellaneous  
Papers.

To wit, the said Margret hes beene keipit in prisone thir sexteine oulkis, off the quhilk space scho wes compellit to stand on hir feit upoun ane stand only without removeall to any place, haiffing ane gown of sackcloth upoun hir naiked bodie the haill space of tuentie sex dayes togidder without anie leive to sit or ly down, and that scho wes ordanit to be haldin waiking all that space and men dailie and nichtlie attending upoun hir for that effect, quhairby scho, wanting sleip and rest, did sindrie tymes stumbil and fell down to the ground, quhair scho did braik hir face and heid to the affuising of hir blood sindrie tymes, quhairby scho wes in perrill of hir lyf by dining out of hir braines by falling so oft.

*Item*, to interrogat James Sandielandis, baillie of Calder, whither or not he did straik the supplicant with ane staff or not when scho fell for weirines to compel hir to stand up.

*Item*, to interrogat the minister whither or not he did straik the supplicant with his wand and becaus the same wes not of greit force he did straik hir with ane rung, and that at the last night when scho did stand with the gown of sackcloth.

And that the supplicant be confrontit with the pairties and witnesses to be interrogat and examined as saidis.

64. Summons at the instance of Margaret Young, prisoner in the 20th August  
tolbooth of Queinsferrie, narrating that she has been detained a prisoner 1644.  
since 1st April by the minister and bailies of Queinsferrie upon misin- Summons at  
formation that she is a witch, but who is refused a lawful trial and Margaret the instance of  
Young, prisoner in the  
very miserably treated "against law and conscience"; and charging the tolbooth of  
said minister and bailies to compear before the Council on 21st August Queensferry,  
to see her put to liberty upon caution to answer as required; dated at against the  
Edinburgh, 20th August, 1644, and signed ARCH. PRIMEROSE, Cler. S. minister and  
bailies of the  
said burgh.  
Cons.

On the back there is a note of execution the same day by John Hairt, elder, messenger, against Edward Litill, one of the bailies of the Queinsferrie, personally apprehended, for himself and on behalf of Thomas Wilsone, the other bailie, as also against the said Thomas Wilsone, and Mr Ephraim Melvill, minister there, at their dwelling houses; witnesses, Thomas Achesone at the ferry, and Thomas Thomesoun there.

65. Dilaciones maid be the witches eftir specifit aganis Margaret 20th August  
Young, lawfull dochter to John Young, mariner in Queens- 1644.  
ferrie, quhais mother, mother sister and sister wer all Dilations by  
brunt for witchcraft, and being dilaited is now appre- certain witches  
hendit and detenit in ward for the odious and abominable at their execu-  
cryme of witchcraft, quhairof sche is guiltie, collectit and tions that  
extractit furth of the saidis witches thair severall confes- Margaret  
Young, daughter of  
siones, processes and dittayis be me John Mylne, clerk of John Young, mariner in  
Queensferry,  
is guilty of  
witchcraft.

the said brucht and als clerk to the saidis processes of the saidis confessing witches, as followis, viz.:—

Miscellaneous  
Papers.

Umquhill Elspat Cant, being brunt for witchcraft, confest upon the sext day of December last that umquhill Isobell Young, dochter to the said John Young and sister to the said Margaret Young and the said Margaret, ar bothe richt ill of witchcraft.

Umquhill Katherin Logie, being laitlie brunt for witchcraft, confest the said Margaret Young is als great a witche as the said umquhill Isobell, hir sister, was quha wes laitlie brunt.

Umquhill Marione Little, being laitlie brunt for witchcraft, confest saying to Mr Ephraim Melvill, minister of God's word at Queensferrie, and Samuell Wilsone, ane of the baillies of the said brucht, 'Quhy doe ye wathe me rather then Margaret Young,' and ane uther apprehendit witche quhais mother sister, mother and sister wer all brunt for witchcraft, and ane hirself quha hes beine bred and brought up ane witche and is assuiredlie ane witche and the said Marione did deiply swear the premisses to be of veritie.

In witnes of the quhilkis premisses I, the said Johne Mylne, have subscriyvit thir presentis with my hand, day yeir and place abone-wrettin.

Jo. Mylne.

Mairover, umquhill Cristiane Melvill, parochiner of Abercorne, being laitlie brunt thair, confest that umquhill Helene Hill wha wes laitlie brunt at our brucht of Queensferrie, being mother to the aboue specifeit Margaret Young, sche being coming fra Winchbrucht to the said brucht of Queensferrie accompanied with umquhill Isobell Young thair, wes lykwyse laitlie brunt, and the said Margaret Young, hir tua dochteris, the devill met with them at ane place callit the Swynisburne quhair the said umquhill Helene did give over hir saidis tua dochteris to the devill, and the said umquhill Cristiane being demandit iff sche wes with them, confest sche wes nocht thair at that tyme bot affirmit sche hard it wes at that place, and that it wes werie trew as the confessione of the said umquhill Cristiane herewith to produce and subscriyvit be famous witnesses can testifie.

21st August  
1644.

Question of  
the appoint-  
ment of a  
tutor of law in  
the Whitting-  
hame case.

66. It is answerit that the said sentence and service of the tutour of law cannot be respectit, being cleirlie null be reassone of the manifest iniquitie committit be the judge in serving of ane tutour of law eftir that the tutrix nominat did compeir and alledge that no persone could be servit tutour of law and becaus there wes ane tutour nominat to the defunct, viz. his spous, and it is cleir in law that *quamdiu operatur testamentarius tutor non est locus neque legitimo neque dativo* and scho as tutrix nominat is offerit presentlie to be provin be production of the nominatioun; and quhill this questioun be decydit be the judges ordinar, the Lordis of Sessioun, the pairties must continew in the case and

Miscellaneous  
Papers.

possessioun they ar in presentlie. [On the back are the following jottings]—"The Councell [*sic*] the shireff mayst lauffullie seale the doores be vertew of his commission. And therefore susteans the summonds at the instance of the shireff, and for the tutorie remits thame to be decydit be the judge ordinar. The Councell susteans the procuratorie given be Sir John Achinmowtie to William Oliphant."

67. Scroll of the finding in the action by Sir John Achmowtie, [21st August 1644.]  
sheriff principal of Hadinton, and others against Lady Whittinghame,  
and others, as narrated *ante*, p. 25. Case of Lady Whittinghame and others.

68. Paper containing a draft of the finding in the action about the [21st August 1644.]  
office of tutor to Archibald Douglas of Whittinghame. Containing  
also as follows:—"The witnesses names. Alexander Millar, p., con-  
fessed he wes a tenent of the lands of Whittinghame, Robert Mure, p.;  
Adam Scrivener, p.; Thomas Hewie, gardener, whae ar hear present to  
prove the ryot." Anent the office of tutor to Archibald Douglas of Whittinghame.

69. Information for Patrick Mairtene in Campsie *contra* [21st August 1644.]  
Alexander Inglis, Shireff Deput of Perth.

If Alexander Inglis alledge absolvitour from the second pairt of the  
complaint upon his decreit of bluid unlawis and upon his poynding be  
vertew of the said pretendit decreit. Information for Patrick Martin in Campsie *contra* Alexander Inglis, sheriff-depute of Perth.

To answer that the said pretendit decreit and poynding thairupoun  
cannot be respected becaus the said pretendit decreit of blood unlawes is  
null for the reasones following:—

First, because the said persewer was sumond at his dwelling hous  
(beinge absent for the tyme), upon ane Sabboth day at night, to com-  
peir upoun Munday thaireftir and wes decernet befor twelff houres  
quhilk was scarcelye sextene houres betuixt the citatioun and the  
decerning, quhairas be the act of Parliament of King James the 5, par.  
6, caput 72, all citatiounes ar ordanit to be upon fyftene dayes in all  
actiounes and causes befor shireffis and temporall judges and to direct  
thair preceptis in that maner thairupoun, and the said pretendit  
decreit, not being upon 15 houres, quhair 15 dayes is ordainet be the  
said act of Parliament the said pretendit decreit is *ipso jure* null.

If it be alledgit that it is contrair to custome,—To answer that the  
lawis rewlis the leidges and not custome, quhair lawis are standing  
unrepelled; (2) If custome wer to be observed in this cais, the said  
custome is onlie in favoris of barrones quha ar in use to wairne pairties  
to thair courtis upon twentie foure houres wairning and not within, bot  
shireffis hes not, at the leist sould not have discussed him, becaus the  
said act of Parliament prescryvis fyftein dayes to shireffis *per expressum*; (3) If shireffis sall have power to hold courtis not onlie within fyftein  
dayes bot within twentie four houres, then all nobillmen and barones

salbe prejudgit of thair priviledge and right of holding courtis and un-  
lawing for blood, becaus the shireff sall hold court within quhat space  
he pleises without controlment (if this practique have place) and the  
noblemen and barrones salbe to the keiping of the space of twentie  
four houres at leist, and so shireffis sall evir prevein them if this cita-  
tioun be sustenit quhairwith the persewer is alledgit to be sustenit.

Miscellaneous  
Papers.

Secondlie, the said act of court is null *ipso jure*, becaus it findis  
the defenders to be guiltie of the blood albeit they be not compeirand  
and the most that the shireff could have done for thair not compeirance  
(albeit thair citatioun had bein laful as it wes not) wes to have  
unlawed them for thair not compeirance.

Thirdlie, the said blood unlaw could not bein decerned against  
the saidis defendares as contumacious for thair not compeirance, except  
they had bein lafullie wairnet upon fyftene dayes, as said is.

Fourtlie, the said pretendit act is null becaus it is given upon  
ane Munday, quhilk is not ane laful court day according to daylie  
practique and custome of the kingdome, the said day being keiped as  
feriot in all places in judicatorie throu the wholl yeir.

Fyftlie, the said pretendit poynding is null becaus the saidis  
cattell and guidis lybellit ar alledgit poyndit without ony preceeding  
chairge given to the compleinar upon the said pretendit act for making  
of payment of the saidis blood unlawis, quhilk chairge according to  
daylie custome behoved to be given befor any poynding could have  
bein given.

Last, the Lordis of Counsall wald be pleased to consider the malice  
of the defender in this maitter and haill proceidingis thair of that he,  
being this long tyme and as yit the cheif deput of the shireffdome of  
Perth, the said court hes onlie bein rewled and directit be him in everie  
thing, and in this business it clearlie appeares that he hes bein both  
judge and pairtie and be all indirect meanes stryves under the cullor of  
justice (quhilk of all injuries and wronges is the greatest) to force and  
compell the defender to quyt his heretage, quhilk lyes in nightbourhead  
and in pairt in rinrig with the defendares landis.

c. 21st August  
1644.

70. Answers for M<sup>r</sup> Gilbert Stewart and Alexander Inglis,  
shireffs deputis of Pearth, to the pretendid complaint given  
in against them be the Earl of Perth and Patrik Mairtein,  
his tennent.

Answers by  
Gilbert  
Stewart and  
Alexander  
Inglis, sheriff-  
deputes of  
Perth, to the  
complaint  
given in by the  
Earl of Perth  
and Patrick  
Martin, his  
tenant.

The complaint conteans tuo particularis as alledgit upoun the last of  
May be Alexander Inglis, and the uther in Junij last be the said  
Alexander and M<sup>r</sup> Gilbert Stewart, shiref deputs and thair complices.

As to the first poynt alledgit committit be Alexander Inglis foundit  
upoun the contraventioun of the actis maid against the beiring and  
wearing of hagbits and pistols, quhilk the complaint beirs the said  
Alexander did contravein upoun the said last of May and with ane

Miscellaneous  
Papers.

drawen suord did invaid Patrik Mairtein, it is answerit, as said is, that that poynt cannot be a ryot or a breach of the peace, thair being no convocation lybellit, and as for the wrong lybellit it is cleirly libellit to have bein done be the compleiner himself in sa far as be his own lybell he confesses that he tuik the sword and vapons lybellit from Alexander Inglis; naither is it lybellit that ewer Alexander Inglis did any wrong with the vapons bot that the compleiner tuik the vapons from him, so that all the wrong lybellit is that Alexander Inglis intendit to taik the compleiners lyfe, quhilk, as it is not ane ryote, so it is cleirly proven and judgit alreadie that the wrong committit wes done be the compleiners themselves and thay adjudgit in a blood and wrong be the shiref of Pearth his decreit deduceit upoun lafull probatioun, quhilk is instantlie produceit for verifieing of this defence. And as for the poynt of beiring of pistolis, the same can be na wronge now in thir trubilsome tymes quhen the leigis ar commanded, under all heighest pain to airme themselves and put themselves in a postour of war in the tyme of this combustion and commoun trouble of the keingdome; in respect quhair of and that thair wes na convocation bot that the wrong committit is judgit and fund to have bein done be Patrik Mairtein himself and his complices and not be the said Alexander Inglis, shiref depute, and the said Alexander aucht not onlie to be assoilzeit, bot the said Patrik punisht for the wrong committit and for trubling of the Lordis of Privie Counsell and this defender thairanent.

As for the nixt particular alledgit committit be M<sup>r</sup> Gilbert Stewart and the said Alexander Inglis, shiref depute, and thir complices in Junij last in taiking away the guidis lybellit be way of convocation from the said Patrik, it is answerit that the defenders aucht to be assoilzeit, becaus they offer to prove and instantlie instructis that thay lafulie poyndit the guidis lybellit be vertew of ane decreet pronounceit be the shiref of Pearth upoun the thrid of Junij last, and did convocat the leiges lafulie conforme to the lawes of the keingdome for executioun of the said sentence as the decreit, precept and executiounis of poynding produceit be the defenderis for verifieing heirof beiris, and sua quhat the defenderis did in Junij last, haveing done the same *autore pretore* and be vertew of ane laful sentence be poynding conforme to the lawes of the keingdome, the same can be no ryote, but thay aucht to be assoilzeit thairfrae; lykeas the said poynding and decreit wald be sufficient to assoilzie the defenderis befor ane civill judge meikle more of the law in justice must the same assoilze the defenderis from ane rayote befor the Counsell; and the defenderis adhears to the decreit, precept and executiouns of poynding produceit standing valeid and unreduceit till the same be taiken away *via ordinaria* befor the Lordis of Sessioun efter lafull citatioun of all pairties haveand intres quhilk ar not heir sumound; and if the persewars intends reduction befor the Lordis of Sessioun the defenderis sall answer and sustean the decreit to be lafull and valeid, bot *hoc loco* thay adhear to the forsaid defence,

decreit, precept and executiouns produceit, quhilk is sufficient to eleid the complaint. Upoun the production quhair of and of thir defences the defenderis taikis instrumentis. Miscellaneous  
Papers.

29th August  
1644.

71. At the maner place of Whitinghame, the tuentie nynt day of August, j<sup>m</sup>vj<sup>e</sup> fourtie four yeiris, and of our soverane Lords reigne the tuentie yeir.

Notarial  
instrument  
attesting that  
Dame Eliza-  
beth Preston,  
Lady Whit-  
tinghame, has  
obeyed the  
decreit of the  
Council anent  
the manor-  
place of  
Whittinghame.

The quhilk day in presence of ane nottar publict and witnesses under-written compeirit personallie Dame Elizabeth Prestoun, Laidie Whitinghame, within the said maner place of Whitinghame, and thair for obedience of ane decreit and warrand grantit be the Lordis of his Majesties Privie Counsell to the shireffe principall of the constibullarie of Hadingtoun and his deputs to pass to the said maner place of Whitinghame and tak inventer of the haill guidis and geire thairintill and ane inventer of the chartour keyst, and also ordaining the said Dame Elizabeth Prestoun to remove from the said maner place and house of Whitinghame, and to delyver the haill keys of the haill rouns, trunks and cheists thairin to the said shireffe of Hadingtoun and his deputt, the said Dame Elizabeth went withe the said shireffe his deput and clerk throw out the heall rounes and chalmers of the said house of Whitinghame and gaw up the just and trew inventer to the said shireffe his deputt and clerk of all the guidis and geir that was within the said place, and opened the studie dore quhair the chartor kist [is] quhair the said shireffe and his deputt fand the said chartor kist seilled be hir umquhill husband seall and stamped thairwith sua that the said Dame Elizabeth had never beine in the said studie since the sealling and stamping of the dore thair of, quilk they fand seallit and stamped, as said is. And, eftir all, the said Dame Elizabeth, in obedience of the said decreit, conforme thairto, delyverit the heall keys of all the rouns, trunks and kists of the said hous of Whitinghame and being within the samyne to the said shireffe his deputt and cleirk, and ther instantlie removit hir selfe and heall familie furthe and fra the said place and house of Whitinghame. Upon the quhilk all and sundrie the premeissis the said Dame Elizabeth Prestoun askit and tuik instruments and declairit that she had obeyit and fulfilled the said Lords decreit and ordinance in all points. Thir things wer done befor William Awchinleck and Hew Sinclar, servitour to Sir Johne Awchmoutie of Guisfurde, knytt; witnesses requyrit and desyrit heirto, day, yeir and place forsaid.

*Ita est Magister Joannes Alexander, notarius publicus in premissis requisitus, testantibus manu mea signoque.*

11th Septem-  
ber 1644.

Supplication  
by Archibald  
Douglas, son  
of Sir Arthur

72. Supplication by Archibald Douglas, son of Sir Arthur Douglas of Quhittinghame, Sir Archibald Douglas of Keillour, his tutor, and his grandmother, on the mother's side, narrating that on 22nd August last they obtained decreet against Margaret Prestoun, spouse to

Miscellaneous  
Papers.

the said deceased Sir Arthur, decerning her and her accomplices, surprisers of the house of Quhittinghame, to remove therefrom and give the keys to the Sheriff of Hadintoun. She has not obeyed the decreet but still by one, Patrick Tempill, keeps possession of some houses within and of some houses without Quhittinghame, and Patrick Whytlaw of that ilk, who was ordained to have intromission with the whole, refuses to meddle. They crave that power may be given to the said sheriff to remove the said Patrick Tempill, and that the tenants may be ordained to retain their teinds as in the preceding years at the same rate. On the back is a finding signed by LAUDERDAILL, I.P.D., and a scroll in terms of that noted *ante*, p. 27.

73. Summons directed to John Hutsone, messenger, at the instance of Mr John Veitch, minister at Robertoun, and others, against Dame Grissell Hamiltoun, Lady Lamington, and others, as narrated, *ante*, p. 28; and also against Mr George Bennet, minister at Cathquhon, John Jarden in Robertoun, William Inglis there, Robert Johnstoun in Catchapill, Richard Jarden in Overhouses, Thomas Jarden in Wandeldyk, James Galloway in Hartsyde, William Baillie of Hardington, Archibald Lyndesay in Robertoun, and John Mairshell in Hartsyde, as witnesses, to compare before the Council on 2nd October next; dated at Edinburgh, 12th September, 1644, and signed ARCH. PRIMEROSE, Cler. S. Cons.

74. "Memorandum for Archibald Prymrose. First, to wreat to the Earle of Tullibairdin for taking a care of all the boats upon Tay above Saint Johnstoun and to bring thame all doune to Saint Jonstoun, and, if thair be any foords upon Tay that ar passable, to caus some horse have ane eye to the foords, and to send intelligence to the comittie heir upon all ocasioness and to have the schyre alwayes ready in a posture of defence in respect that the Irische rebellis<sup>1</sup> ar thought to returne that way.

"*Item*, to wreat ane order to the Laird of Swintoun, shireff of Berwick, for goeing to Berwick and to receave the prisoners thair and to bring thame to Edinburgh as he will be ansuerable to the Estates upon his dissobedience.

"*Item*, to wreat ane letter to Westquarter to have ane cair of the toune and castell and bridge of Strivilling, and to have ane cair of all the foords above Stirling of the water of Forth and to secure the maine passages be breist-workes and redoubts, and to bring doune all the boats upon Forth to the Bridge of Strivilling in respect that the Irische rebellis ar thought to returne that way.

"*Item*, to wreat ane letter. . . .

"Letters to the provest and bailles of Glasgow for securing thair toun. Committie of Warre, Jo. Sempill, Glencarne, Westquarter, Carnegie.

<sup>1</sup> These were the Irish who took part in the campaigns of Montrose in 1644-5.

"Precept for 100 pistolls to Rootmaister Campbell for the use of Air and Renfrewes troupes, the rootmaster being comptable to the publict. use Miscellaneous Papers.

"Halfe a moneths meanes to Lieutenant Colonel Lumsden.

"Precept for moneyes to Rootmaster Campbell for carying his pistolls to Glasgow.

"Orders to Clakmannan to putt out the like number of hors as in the first expeditione under Rootmaster Stenhous and Palmer?"

26th September 1644.

Election by the Presbytery of Lanark of Mr. William Somerville, elder, and Mr. Alexander Livingstone as their commissioners to the Council anent the case of Mr. Andrew M'Gie, whom the kirk of Wandell and Lamington has refused to accept as their minister.

75. At Lanerk, the 26<sup>th</sup> of September, 1644.

The quilk day the presbiterie, efter long patience, seriouslie resenting the great indignitie they suffered into the kirk off Wandell and Lamingtoun, by repelleing in a violent and tumultuous manner, even upon the Lordis day, M<sup>r</sup> Andro M<sup>c</sup>Gie, wha was sent their with M<sup>r</sup> Georg Bennet, commissioner from the presbiterie, to preach their in ane orderlie and peacable manner, quilk indignitie, if it be not condignlie punished, cannot but inferr great prejudice to the presbiterie of Lanerk, in particular and to ecclesiasticall authoritie in generall; hes thairfoir eleckit M<sup>r</sup> William Somervell, elder, and M<sup>r</sup> Alexander Livistoun, their lawfull commissioneris, with full power and expresse command to them, to attend the meeting of the honorable Lordis of Counsell upon Wednesday nixt, the 2<sup>nd</sup> of October, for calling of the summondis raised theiranent; representing the particularis of the foiresaid indignitie, that the honorable Lordis may be pleased to take such order theirwith as the nature of a fact of such dangerous consequence sall be found to require. Extract out of the bookis of presbiterie. (Signed) W<sup>m</sup> Somervell, clerk.

26th, 28th, and 30th September 1644.

Notes of execution of summons at the instance of Mr. John Veitch and the presbytery of Lanark against Dame Grissell Hamilton, Lady Lamington, and others.

See ante, p. 28.

76. Notes of execution by John Hutsone, messenger, of the summons at the instance of Mr John Vetch, minister of Robertoun, and the presbytery of Lanark: (1) On 26th September, 1644, against Dame Grissell Hamiltone, Lady Lamyngtoun, at her dwelling place of Lamingtoun ("being assurit that scho was within"), also Sir William Baillie of Lamingtoun, personally apprehended; witnesses, James Galloway, officer of Wandell, and Robert Porteous in Bour of Wandell: (2) on 28th September, 1644, against John Forrest, miller at Lamingtoun, Bessie Carmichell, his spouse, and Janet Forrest, their daughter; John Schanklawe, barony officer there; William M<sup>c</sup>Cleland, kirk officer there; James Tennent and Eupham Douglas, his spouse, there; William Tennent there; Lawrence Baillie there; William Baillie and Grissell Fischer, his spouse, there; Thomas Laidlaw and Margaret Wat, his spouse, there; James Galloway and Christian Baillie, his spouse, there; Grissell Watson, spouse to Edward Galloway, there; Margaret Patterson, spouse to Robert Currie, there; William Neilsone in Byres there; Adam Baillie in Eastertoun of Lamingtoun; Marion Baillie, his spouse; Patrick Baillie there; John M<sup>c</sup>Wat in Kaegill; Bessie M<sup>c</sup>Wat, spouse to William M<sup>c</sup>Wat, there; Janet Weir, spouse to William

Miscellaneous  
Papers.

McWat in Baitlawes; Grissel McWat, daughter to the said William; Margaret Baillie, servitor to Richard Baillie in Maynes of Wistoun; Archibald Mitchell in Culter; and Thomas Moffatt, notary and messenger in Skirlling, all personally apprehended; also Edward Galloway in Lamingtoun, James Baillie and Janet McClelland, his spouse, there; Martein Wat and Katherine Baillie, his spouse, there; Robert Corrie there; Grissell McWat, spouse to William Neilson in the Byres, there, Margaret Unes there, William McWat in Baitlawes, William McWat in Kaegill, and Katharine Baillie, servitor to Luke Patterson in Hardington, all at their dwelling places in the town of Lamington, Byres thereof, Baitlawes, Kaegill and Hardington; witnesses, Martin Smith in Hillhouse of Wandell and John Jardine in Hollhouse there: (3) on 30th September, 1644, at the market cross of the burgh of Lanark against the forenamed persons not personally apprehended; witnesses, Michael Lamb, writer there; Thomas Lawrie, tailor burgess there; Lawrence Wod in Peperknowes, Robert Tod in Carmichell and others. On the back of this paper there is a scroll of the finding in the cause.

77. Note of execution on 27th and 28th September by John Hutsone, messenger, of the same summons, against Mr George Bennet, minister at Quodquan, John Jardine in Robertoun, William Inglis there, Robert Johnstone in Caldchappell, Richard Jardine in Overhouses of Wandell, Thomas Jardine in Wandelldyk, and James Galloway in Hartsyd, all personally apprehended, and against Archibald Lindsay in Robertoun and John Marchell in Hartsyd at their dwelling places, to compear as witnesses, in the foregoing cause before the Lords of Council on 2nd October; witnesses, John Jardine in Hollhouse of Wandell and Martin Smith in Hillhouse thereof.

78. Summons at the instance of Margaret Thomson, spouse to Archibald Gray in Calder Mure, narrating that on misinformation against her of being guilty of witchcraft "she wes apprehended by order from the Tutor of Calder and minister there and putt and kept in the vestrie of the kirk of Calder and cruellie tortured for the space of a quarter of a yeere," though she is most innocent thereof, and a free subject not convicted of any crime; and craving to be put to liberty on caution to compear to her trial when cited. Charge is given to cite the said tutor and minister to compear before the Council on , and also for citing witnesses; dated at Edinburgh, 2nd October, 1644, and signed ARCH. PRIMEROSE, Cler. S. Cons.

On the back of the summons there are the depositions of the witnesses, as follows:—

"Harie Elphinston, being sworne, depons he come in severall tymes to the kirk and saw the supplicant standing with a sackcloth on her nixt her bodie and nothing more on her; and this he saw two or three

27th and 28th  
September  
1644.  
Note of  
execution of  
same summons  
against Mr.  
George  
Bennet,  
minister at  
Quodquan, and  
others.

Summons at  
the instance of  
Margaret  
Thomson,  
spouse to  
Archibald  
Gray in  
Calder Muir,  
against the  
tutor of  
Calder and the  
minister there.

Depositions  
anent the  
treatment of  
the said  
Margaret in

the kirk of  
Calder when  
confined there  
under  
suspicion of  
witchcraft.

tymes and that he saw her fute brokin, and that the men that keeped her saw her fall; and that to his knowledge she stood there about 20 dayes. Miscellaneous  
Papers.

"George Elphinston of Selnes, sworne, deponis he knowis nothing bot be report of the keepers that they stood 26 dayes, and that he went in severall tymes, at least 4 or 5 tymes in, and saw her with a sackcloth on her and no more, and her fute wes hurt.

"Alexander Gowans, sworne, depons he walked the supplicant one night and that she had no more on her but ane sackcloth, and that they kept her awakening.

"Gawin Vernor depons he walked the supplicant one night, *et in ceteris conformis precedenti*; and that several tymes she desired to sleep and satt doune, bot they raised her up agane.

"James Aikman, sworne, depons he walked tuo nights but not when the other tuo witnesses walked, and that she had a haircloth on her naiked bodie, and that they kept her walkening.

"James Sandelands, baillie, depons he walked her tuo nights and that she wes in hairecloth. Depons he knowis not how long she wes kept that way bot he believes it wes above 14 dayes.

"Richard Wallas depons the supplicant wes kept 20 dayes, and that he walked one night and she had on a sek gowne.

"John Wallas, he walked one night, and that she wes kept standing in sackcloth about 20 dayes."

2nd October  
1644.  
Summons at  
the instance of  
Mr John  
Veitch,  
moderator of  
the presbytery  
of Lanark,  
against Dame  
Grissell Hamil-  
ton and others.  
*See ante*, p. 116.

79. Summons directed to James Grahame and John Hutson, messengers, in terms of decret of this date at the instance of Mr John Veitch, minister at . . . , present moderator of the presbytery of Lanark, and Mr John Weir, minister at Carlouk, against Dame Grissell Hamiltoun, Lady Lamingtoun, Janet . [torn] . . lie in . . , Katharine McWatt in . . , William McClellan, John Forrest, . . . Shankila, Patrick Baillie, William and James Tennent, Bessie Carmichell and Jonet . . . to enter themselves in ward within the tolbooth of Edinburgh, and the husbands of the said women to enter their wives, until further order be taken with them for their insolence and riot in the kirk of Lamingtoun, on pain of horning; dated at Edinburgh, 2nd October, 1644, and signed, ARCH. PRIMEROSE, Cler. S. Cons.

2nd October  
1644.  
Supplication  
by Margaret  
Young, spouse  
to William  
Morrison,  
merchant  
burgess of  
Dysart, that  
she may be  
put to liberty.

80. Supplication by Margaret Young, spouse to William Moriesoun, merchant burgess of Dysart, as narrated *ante*, p. 28. She craves that she may be put to liberty on caution as her husband and she are "bot poore, simple and honest persones, and he not able to sustene me any langer in ward." [On the back] . . . torn . . . "Ordains the supplicant to be put to liberty, her husband being caution to exhibit her when ever he sall be required under the pane of fyve hundreth merks. LAUDERDAILL, I.P.D." Also a scroll of the finding.

Miscellaneous  
Papers.

81. Supplication by the provost and bailies of Air as narrated *ante*, 2nd October 1644.  
p. 37. [On the back] "2. October, 1644. *Fiat ut petitur*, they repairing and keeping up also the bridge of Duin. LAUDERDAILL, I.P.D. by the provost and bailies of Ayr.  
21 November, 1644. The Counsell grants this desyre simple without the addition of the bridge of Dun. LAUDERDAILL, I.P.D." Also a scroll of the finding.

82. Note of execution of summons at the instance of the moderator and presbytery of Lanerk. (1) On 5th October, 1644, by James Grahaime, messenger, against Sir William Baillie of Lamington, knight, personally apprehended within the burgh of Edinburgh, to enter Dame Grissell Hamiltoun, his spouse, in ward; witnesses, Alexander Campbell and John Hairt younger, messengers in Edinburgh: and (2) on 7th October, 1644, by John Hutsone, messenger, against Janet Baillie, Katharine McWat, William McClelland, John Forrest, John Schankila, Patrick Baillie, William and James Tennant, Bessie Carmichell and Janet Forrest, all personally apprehended, and Dame Grissell Hamiltoun, at her dwelling place of Lamington, to enter as above; witnesses, John Galloway, son to James Galloway in Hartsyde, Robert Chisholme in Hillhouse of Wandell, Martin Smith there, and John Frissell and James Williamsone, servitors to Richard Baillie in Maynes of Wistoun.

83. Summons directed to John Hutsone, messenger, at the instance of Dame Grissell Hamiltoun and others against the presbytery of Lanerk, as narrated *ante*, p. 31; dated at Edinburgh, 5th October, and signed ARCH. PRIMEROSE, Cler. S. Cons.

84. Note of executions by Samuel Johnestoun, messenger, of a summons at the instance of Margaret Thomson, spouse to Archibald Gray in Calder, (1) On 9th October, 1644, against William Sandilands, Tutor of Calder, and Mr Hew Kennedie, minister at Calder, both personally apprehended, to compear before the Council on 23rd October; witnesses, Allan Tennant in Calder, Robert Baine there, and John Hamiltoun, servitor to the messenger; and (2) on 17th, 18th and 19th October, against Harie Elphinstoun of Calderhall, George Elphinstoun of Selmes, Mr Alexander Kennewie, indweller in Lynlythgow, Alexander Gowans in Nether Howdane, James Aikmane in Cockrig, James Sandilands of Murhousdykes, bailie of Calder, Richard Wallas in Gawisayd, John Wallas in Cleuchaid, Gawin Vernor in Dodrig, and James Dowglas of Baddes, all personally apprehended, as witnesses, to compear as above; witnesses, Mr George Hakket, servant to the said Harry Elphinstoun, Harry Pittkairne, cousin to the said Harry Elphinstoun; David Lyon and Thomas Clerkson, tenants to the said George Elphinstoun; Arthur Phalupe and Gilbert Jeamesoun in Lynlythgow; Thomas Smyth in

Clowinfurdayke, John Aikman in Dresselrig, Hew Walker in Easter Muristoun and William Weir, servant to the messenger. Miscellaneous  
Papers.

11th, 14th, 15th, and 17th October 1644. 85. Note of executions by John Hutsone, messenger, of summons at the instance of Dame Grissell Hamiltoun, Lady Lamington and others. Note of executions at the instance of Dame Grissell Hamilton, Lady Lamington, and others against Mr. Weir, minister at Carlouke, and others. (1) On 11th October, 1644, against Mr . . . Weir, minister at Carlouke, Mr John Home, minister at Lesmahago, Mr Alexander Livingstoun, minister at Carmichell, and Mr William Mortoun, minister at Wistoun, brethren of the presbytery of Lanerk, all personally apprehended, to compear before the Council on 23rd October instant; witnesses . . . Sandilands, servitor to Sir William Baillie of Lamington, and John Stoddart and Richard . . ., indwellers in Sornffalla: (2) on 14th October, against Mr Robert Birnie, minister of Lanerk, personally apprehended; witnesses, James Broun, son of Bernard Broun, maltman in Wistoun, and James Disquane, servitor to William Disquane there: (3) on 15th October, against Mr John Vetch, minister at Robertoun, moderator of the said presbytery, personally apprehended; witnesses, Thomas Johnstoun, schoolmaster in Wistoun, and John Rae . . ., smith there: and (4) on 17th October, against Mr Richard Inglis, minister at Dowglas, Mr John Lindsay, minister at Carstairs, Mr James Dowglas, minister at Curnwath, Mr William Somerville, minister at Pettinane, and Mr John Wilsone, minister at Craufford, all personally apprehended; witnesses, James Forrest, notary and messenger in Lanerk, Andrew Alisone, commissary officer there, and Patrick Schankilawe, burgess thereof.

12th October 1644. 86. Copy of summons at the instance of Dame Elizabeth Prestoun, Lady Whittinghame, against Sir John Auchinmutie, sheriff of Haddingtoun, who has charged her on pain of horning to remove from the house and place of Whittinghame and to deliver the keys of all the rooms, trunks and chests therein, of which charge she seeks suspension, because that upon 22nd August she went with the said sheriff and delivered the keys of her whole rooms, chests, etc., and he inventoried all that was therein before she removed from the said place. She further denies having put any one in possession of houses in the "utter close"; and as to her inhabiting the barns and byres and dowcats, she was ordained to remove from the place, and having nowhere else to go with her family she was necessitated to live in the barn. Charge is therefore to be given to the said sheriff to compear on 23rd October instant; dated at Edinburgh, 12th October, 1644. On the back is a note of the finding on 23rd October, as narrated *ante*, p. 34.

16th October 1644. 87. Bond of caution by Sir Patrick Hepburne of Wauchtoun, as principal, and Patrick Congiltoun of that ilk, as cautioner, for the indemnity of James, Earl of Home, and his men, tenants and servants, under the penalty of 20,000 merks; dated at Edinburgh, 16th October,

Miscellaneous  
Papers.

1644; witnesses, Mr James Anderson, servitor to Sir Patrick, and Andrew Garioch, servitor to Sir Thomas Stuart of Garntullie. (Signatures.)

for the  
indemnity of  
James, Earl of  
Home, and  
his depend-  
ants.

88. Extract of the decreet of the Lords of Council in the action by Dame Grissell Hamiltoun, Lady Lamingtoun, against the presbytery of Lanark, as narrated *ante*, p. 31, signed by ARCH. PRIMEROSE, Cler. S. Cons.

23rd October  
1644.  
Case of Dame  
Grissell  
Hamilton,  
Lady Laming-  
ton, *versus*  
the presbytery  
of Lanark.

There is also written at the foot a note of the proceedings on 7th November, 1644, as follows:—"Chargers personalie with the Lord Angus, who produced the decreit and letters of horning with answers to the reasons of the suspension. The Lords *ante omnia* ordans the persons against whom the decreit was gevin to enter thair persons in warde within the tolbuith of Edinburgh conforme to the decreit; and continowis the discussing of the reasons of the suspension till the 12th [of this] moneth." There is also a note of the proceedings upon the 12th.

89. The answer of the presbyterie of Lanerk to the pretendit reasones of the Laird of Lamyngtounis suspensioun.

c. 23rd October  
1644.

Thogh it be trew that quhen we haif to doe befor the Lordis of Sessioun, we meet some tymes . [torn] . . in the mater of our stipendis, yitt it is far contrarie to our expectatioun and may appeir very . . . to the auctoritie of the most honourabill Counsell table, that suspensiounes could be purchased in pre . . . ordinances thair of and that eftir we haif done our dilligence in complaining to the sover[aign] . . . and hes verifieit our complaintis by famous witnesses for repressing of gros ryotis and . . . we could be divertit from our callingis againe and againe by suspensiouns and new summo[nds] . . . no small greif to us, that the long lybell of many gros imputatiounes allegit against us quhich . . . last day in the hearing of the honorabill Lordis could not haif bein immediatlie answered for fear of . . . impressioun against us, for it seems our pairtie hes learned the old Matchiavelian maxime an . . . *calumniare semper aliquid adhærebit*, bot we are most confident now in end to find a . . . hearing without all prejudice, and that the honourabill Lordis will not think it a thing of litle con[sequence] or altogether unworthie of thair paines to hear and sie the ministeris of the gospell cleered of . . . aspersiounes as mycht tend to the discredit of thair calling and prejudice of Godis work in thair ha[nds] . . . under the paine of the highest censure that can be inflicted upoun us, we offer to make . . . contrarie of such crymes as are allegit against us for cleering quhair of we doe humble . . . a few instanceis of many quhich are multiplied and confusedlie repeated *ad nauseam usque* . . . long lybell.

Answer of the  
presbytery  
of Lanark to  
the reasons of  
the Laird of  
Lamington  
anent the  
induction of  
Mr. Andrew  
M'Gie to the  
kirk of  
Wandell and  
Lamington.

First, quhairas it is alledgit that the Laird of Lamyngtounes absence from the Counsell was not contumacious bot necessitat becaus he was

appointit by ordinance of the kirk that same day to att[end] the provinciall assemblee at Aire, we deny that thair ever was any such ordinance. For cleer . . . the act of reference of the Generall Assemblee heirwith productit ordaines the provinciall if the . . . sould not amicable agrie befor that tyme, to plant the kirk of Wandell and Lamyngtoun with . . . qualifeit man without relation to ather of them, citeing nather of them to keip the dyett for . . . oneris wer sent from the presbytrie of Biggar to call the reference, and the Assemblee for . . . more easie and advysed procedour aucht not to haif been troubleit with the sollistatiounes . . . of the patrones, so that the Lairdis presence thair was meerly voluntar and unnecessar and deser[ves] . . . to be constructed by the honourabill Lordis as a kynde of continuatioun of the insolencie now compla[ined] upon, viz.:—the malicious and unreasonable opposeing of M<sup>r</sup> Andrew M<sup>c</sup>Gie; for that was the . . . poynt quhich the Laird pressed at the Assemblee, that he mycht be excludit. Moreover thogh . . . Laird behoved to schew himself at that assemblee, yitt the assemblee sitting down upon Tuisday and . . . expeding a great parte of thair effaires that day, the weather being very seasonable, we . . . very possible for the Laird to haif proponit his desyres to the assemblee upon Tuisday and . . . to haif keapit the Counsell dyett at Edinburgh upon Weddinsday. Farther, we say it was the l[ady] and not the Laird quha was principallie cited before the Counsell.

Secundlie, quhairas it is alledgit that the presbytrie of Lanerk did by thair commissioner transmitt the . . . prosecuting of the offence now complained upon to the presbytrie of Biggar, we answer, [that] the presbytrie of Lanerk had never any such thought, bot by the contraire the commissioner foirsaid was sent to requyre the presbyterie of Biggar according to the order of the kirk [to] cite the delinquentis to come and receave thair censure from the presbytrie of Lanerk ag[ainst] quhois auctoritie this insolencie was committed, without prejudice of our resolutioun to com . . . to the honourabill Lordis of Counsell for the civill pairt, as our act heirwith produced will testifie. And [see]ing the mater had been transmitted, we humble desyre that it be considered whither it wer m[ore] reasonable for us to complaine of the presbytrie of Biggar for useing no dilligence in such [a] matter or for thame to oppose our just complaint in a thing quhairin the auctoritie of the kirk in . . . is concerned, for quhich even yisterday they receaved condigne censure in the face of the Assemblee.

Thridlie, quhairas it is allegit that our moderator of the presbytrie of Lanerk hes declaired that [he] gave no warrand for rayseing of the said complaint, we answer that it is of veritie that the [said] moderator was present and als forward as any other in the judiciall choysing of our commissioner for prosecuting of these summondis and that he could doe nothing in privat in prejudice

Miscellaneous  
Papers.

thair of. Lykeas he hes since judicially declaired that his wordes quhair-  
upon the Laird took advantage did esca[pe] him through his igno-  
rance of legall formalitie, quhich declaratioun is heirwith to be produced.

Fourthlie, quhairas it is alledgit that the Lady Lamyngtoun did  
no wrong bot did only mak civill interruptioun in hir husbandis absence  
for preservatioun of his rycht, we answer that at this tyme thair was no  
appearing wrong or hazard of rycht, for the young man was not sent  
thair to be admitted minister, no not so much as with ane edict for his  
admissioun, bot simplie to be heard preach by that people, that it mycht  
efftirwardis in dew tyme appear quhither he had a calling from that  
people or not. Now, if in such a cais a presbytries proceeding may be  
interrupted, we sie not how it is possible to plant a vacant kirk. And  
quhairas papistes are constrained to hear that they may gett informa-  
tioun, and the most violent opposeris of the entrie of a minister quhich  
we have hard of hes ever been content to hear, and thaireftir pretend  
some reasones of non-satisfactioun, this cannot bot appeer ane intoler-  
able and insolent contempt of all order and auctoritie of our kirk to  
interrupt the naked hearing of ane approvin preacher sent from a  
presbytrie. And farther, thogh thair had been any occasioun of civill  
interruptioun, as indeed thair was none, we humblie demand if ever  
such civilitie was seen or hard of for a lady with a company of vain  
weemen gathered out of divers parochines for the purpose to ascend the  
pulpit and fill it up. If the spirit of God in Scripture forbid weemen  
even to speik in the church, quhat a monstrous inverting of all order is  
this, for weeman in such a tumultuous maner to possess thameselfis of  
the chaire quence Godis worde is ordinarlie uttered, and thence pro-  
claime blasphemous calumnies and reproaches. This was the doctrine  
of that Assemblie. Bot it is found of late and added in the eekit  
reasones that men wer sent quho did offer in a violent maner to lift up  
M<sup>r</sup> Andrew M<sup>c</sup>Gie and sett him in over the pulpit. It may appear that  
thair is great scaircetie of defenceis quhen, with untrewthes, impossibili-  
ties ar allegit, for how sould he haif been lifted in over the pulpett quhen  
the lady with two grosse countrie weemen had well stuffed the pulpett  
befoir ever he proponed his commission. Thair is no probabilitie that the  
latitude of the pulpett could receive a fourth, bot the trewth is that  
the commissioner sent from the presbytrie with the young man will  
testifie that my Lord of Anguse sent not a man thither that day except  
two, and yitt thair was present als many ordinar parochineris of the  
baronie of Wandell quho wer most desyrus to hear the young man, as  
wold both have been willing and able to have purged the pulpett of the  
lady and her weemen, except they had received peremptour directioun  
to behave thameselfis orderlie quhatsoever sould occur, so that if thair  
was so much as the least meaning of violence or tumultuous dealling on  
thair pairt, we sall be content to acknowledge all that is lybellit against  
us to be trew.

Fyftlie, quhairas it is alledgit that the said M<sup>r</sup> Andrew M<sup>c</sup>Gie

went to that kirk to preach without a calling or warrand from the presbytrie, we cannot bot admire such impudencie in abuseing the eares of so honorable a judicatorie, since it is of undenyable veritie that the said M<sup>r</sup> Androw was commandit thither not only by ane act of presbytrie for his warrand, bot also M<sup>r</sup> George Bennett, a brother of the presbytrie, was sent with him for more abundant evidence to the people that he was directed from the presbytrie, as our act heirwith produced will testifie.

Miscellaneous  
Papers.

Sextlie, quhairas the presbytrie of Lanerk is most groslye traduced to the honourabill Lordis of Counsell as unjust, partiall and injurious oppressoures, first for refusing to receave a presentatioun from the Laird of Lamyngtoun, we answer that the act of our presbytrie, heirwith produced, will testifie the contrare. For the trewth is that we did receave a presentatioun from the Laird, first, with M<sup>r</sup> Johne Curries name, quho being ane actuall minister of the presbytrie, was found for divers weightie reasones to be intransportable; then the Laird in face of presbytrie cancelling M<sup>r</sup> Johne Curries name causit put in M<sup>r</sup> Alexander Bartrumis name, a young man quho did never to this hour appeare to accept and offer himself to tryallis, so that this presentatioun becam voyd of itself, nather can the Laird say that ever to this houre he did present or so much as nominat a thrid. Bot it is allegit that our partialitie did appeir by receaving a presentatioun from my Lord of Angus quho had no rycht. We answer that it was not our pairt to judge of contraverted rychtis, yitt generall equitie taught us that the parochine consisting of two independing baronies, since all burdenis concerning the kirk ar commoun to both, that both lykwayis sould have interest in the priviledgeis. Next, we found in our old presbytrie registeris that the last incumbent was cloithed with a presentatioun *nominatim* to the benefice and kirk of Wandellis, quhich may also plead our apologie with the Laird for giving the kirk that name, quhich act we have heir to be produced. Bot not trusting our awin judgement in such a matter for the legall pairt, that our proceedingis mycht be clear with the satisfactioun of bath pairties, we keepit many divers meetingis at Edinburgh by our commissioneris with the pairties and laweris quhair both thair evidentis war seen and considerit, and in end we receaved ane informatioun in writ subscrybit by Sir Thomas Nicolsone, Sir Lues Stewart and M<sup>r</sup> Thomas Nicolsone, that my Lord of Angus was standing infest in the baronie of Wandell and patronage thair of, and that in thair judgement we aught to proceed in planting the kirk upon my Lordis presentatioun, quhich advyce we have heer to produce, notwithstanding we wald not yitt proceed till we sent commissioneris againe to Edinburgh to requyre the advyse of the commissioun of the Generall Assemblie quhat wer expedient for us to doe in such a case, quho did advyse us to proceed and plant the kirk with M<sup>r</sup> Androw M<sup>c</sup>Gie, without relatioun to ayther of the patrones till the questioun sould be legallie decyded, quhich advyce we have heer to produce. Lykas we

Miscellaneous  
Papers.

resolved to follow the samen, and prevailed so farr with my Lord of Angus for furthering the plantatioun, to tak back his presentatioun for that tyme, labouring to give all assuurance to the Laird of Lamyngtoun in the strictest maner that could be devysed that this plantatioun sould nawayis prejudge his rycht, bot that the young man sould be bund to tak his presentatioun from the rychtwus awner quhen it sould be decyded. Nixt, quhairas it is allegit that we war so peremptour and uncourtus that we wald not delay eftir the last incumbentis deceis for the space of fyftein dayis, we offer to make it guid that we delayed not only fyftein dayis, bot above fyftein weekis till we was much weighted with the long desolatioun of the people, useing all possible meins to bring the mater to ane faire and amicable conclusioun, and so long tyme being past, the Lairdis presentation being voyd in itself, as hes been cleered befor, any rycht of presentation quhich the Laird had *pro hac vice* did fall into the presbytries hand *jure devoluto*, thogh for respect to the Laird we made no use of it, quhich priviledge of the Kirk it seemis the Lairdis advocat hes forgotten quhen he alledgis that maxime of law to militat against us *spatium sex mensium expectari debet et si tunc non fuerit definita contraversia provideri debet de ecclesia*.

Sevintlie, quhairas it is alledgit that the lady appealed from our presbytrie, and we could doe nothing *stante appellatione*, we answer that we have givin satisfioun to all the pretendit reasones of that appellatioun befor our ordinar judgeis, both provincially and Generall Assemblie, quho hes fully approvin the proceedingis of our presbytrie, thogh for peacis cause they recommend ane amicable composeing of the questioun betwixt the patrones, quhich we have ever laboured for by all meinis possible for us.

Lastly, quhairas it is alledgit that the lyball quhairupon the decreit was procured was intentit only by my Lord of Angus, the trewth is, immediatlie efter the committing of that insolencie, the presbyterie, haveing givin order to cite the Lady Lamyngtoun and her associatis in that offence, by the earnest intreatie of my Lord of Angus was perswaded to delay any process, ather civill or ecclesiastick in that mater, till the Laird of Lamyngtounes cariage in the bussines should further appeir, quhich indeed hes been the cause quhy we have been so slow in complaining to the honourabill Lordis of Counsell. Bot, understanding that the Laird provis still more and more untractable, haveing now of late in the face of the commissioun of the General Assemblie [fallen] from a submissioun absolutelie and judicallie embraced the very day befor, so that the [kirk is] desolat and the peoples soules famishes through his willfullnes. We began to conce[ave that im]punitie had produced further insolencie and securitie quhich mycht justlie be imputed to [our not having] used dilligence in complaining to your Lordships as the honourabill patrones both of church and . . . of disorder and insolencie, quho we are perswaded will now tak such course, that it may be kna . . . the kingdome that such a barbarous ryot and contempt of all order is exemplarely punished,

urtherwayis all presbyteries may expect this to prove such a preparative, that they have . . . lie proceedingis in planting of desolat kirkis. Miscellaneous Papers.

We have been bold to trouble your Lordships with the hearing of these many words quhairunto we h[ave been] necessitat for cleering ourselfis of the great multitude of gross aspersiones alledgit against [us]; bot as for a legall answer to all the pretendit reasons of that illegall suspensioun, we returne . . . bot the inviolable authoritie of your Lordships sentence alreadie pronounced, humble supplicating . . . that sentence your Lordships wald be pleasit to tak to your consideratioun of quhat consequence the . . . of the ministeris of the gospell is, in the poyntis of thair callingis; and if we have cleered our . . . as we wische to your Lordships satisfioun, for our Maister his sake not to suffer it to p[ass un]censured.

23rd October  
1644.

Reasons in  
defence of the  
proceedings of  
Lady Lamington  
in the  
same case.

90. Eikit reason.

Farder, if any injurie has beine committit, it is by the presbytrie of Lanerick or the said M<sup>r</sup> Andrew M<sup>c</sup>Kie and . [torn] . . Lamington, becaus, Lamington haveing showin to the presbytrie his right of patronage of the kirk of Lam[ington] with his predecessoris presentatioun to the last incumbent, the presbytrie did not only manifest wrong to refuse, but that wrong is the greater that they did admit to tryell the said M<sup>r</sup> Andrew M<sup>c</sup>Gie, who was presentit and . . . Lord Angus who nevir did nor can show any right at all or possession of presenting a minister to the kirk of La[mington] quhich] wrong, if it should pas uncensured, presbyteries at thair pleasur may mak voyd patrones rychtis of presentatioun [by] affirmatioun of a pairtie pretending rycht and haveing power and credit with the presbytrie, and albeit the Lo[r]d Angus could have shewine any pretendit right to the presentatioun, as he could not, yitt when any contentioun aryses . . . tantes by all law, *spatium sex mensium expectari debet pro definienda contraversia inter disceptantes patronatus et si tunc non fuerit definita providere tunc debet de pastore*. But sua it is that immediatlie eftir the deceis of the said last incumbent, and at the desyre of the Lord Angus did pro . . . ordour for the said M<sup>r</sup> Andrew M<sup>c</sup>Gie his tryell and admissioun to the said kirk, and wold not doe [soe much] as delay the samen for the space of fyftene dayis untill Lamington should be advertised being [abroad] in the publict service, and presentlie appoyntit the said M<sup>r</sup> Andrew to preache at the said kirk inten[ding] (as the] lybell raiseit at the instance of the said presbytrie beiris) to goe on in the ordinarie solemnities and ag . . . for planting of the said kirk, and that also eftir the ladie had appealed to the provincially assemblie . . . being the seventh of Marche befor the tym of his coming to preache at the kirk, whois preacheing thair [shoe] in name of hir husband, might lauchfullie oppose, haveing cum'd thair so farr againes all rule and ordour et . . . and to mainteine hir husbands right of patronage in his absens, whom it cheifle concernes

Miscellaneous  
Papers.

*defendere . . . oppressionibus*; and ther can be no greater oppressioun done then to the presbytrie to plant a kirk with[out] the patrone and againes the heartis of patron and paroshine in the which paroshin Lamingtoun has his chieff . . . and the most part thairroff belongis to him in propertie and superioritie, quhilk, when the provinciall assemblie considerit they have ordained another to supplie the place, and to tak presentatioun from him who sall [be found] to have best right, for the which effect Lamingtounes hes long agoe raiseit summondis the presbytrie [against] and all uther parties pretending intres. Eftir raiseing off which summondis the presbytrie most wronge[fullie] and by instigatioun of the Lord Angus raiseit the said complaineit, in the which complent they show themselfis in ther usuall maner most partiall in this also that they call the kirk of Lamingtoun the kirk of Wandell and Lamingtoun, quhairas it haid nevir any uther name nor the kirk of Lamingtounes conforme to Lamingtounes ancient infett[ment], and, if thair be any kirk or benifice callit Wandell, it is within the baronie thairrof and callit Cald chappell. Sua it is manifest how partiallie and injuriouslie the presbytrie hes behaved themselfis againes Lamingtounes and . . . quhairupon he has given in a complaint to the Lordis of Secret Counsell against the said presbitrye. And as to the act of Parliament quhairupon . . . is foundit, it can in no sence be interpret againes the Ladie Lamingtounes, who what shoe did wes not for invasioun [or] trubleing of divyne service or raiseing any tumult or fray but only to maintane hir husbandes right and . . . againes those who without lauchfull calling cam to preache at Lamingtounes, and so wronged both patrone [and] paroshine and who offered to do the samen in a violent maner in suae far that these persones who . . . said M<sup>r</sup> Androw M<sup>c</sup>Gie, and wer sent with him by the Lord Angus, did offer in a violent maner . . . said M<sup>r</sup> Androw M<sup>c</sup>Gie, and sett him in ovir the pulpit to preache efter the Ladie and her tenentis . . . all sober and quyat maner only to forebear the samen, quhilk persones nevirtheles in absens of the . . . wer ressavit witnesses againes them in the said cause, being manifest parties.

23rd Octobris, 1644.

*Sederunt* :—Lauderdaill, præses; Craford; Kingorne; Lanerick; Balmerinoche; [Treasurer] Deput; Wauchtoun; Sir John Smith.

Quhilkis being called and the saidis suspenders compeirand personallie and the [said] M<sup>r</sup> Johne Weir and M<sup>r</sup> Alexander Livingstoun compeir- and in name of the brethren of the presbyterie of Lanerk, who did not produce the decreit abonewrittin nor the letters of horning, in regard quhairof the Lordis of Secret Counsell suspend the saidis decreit and letters, haill effect and executioun thairrof, upon the suspenders [ay and]

Suspension of  
the decreit in  
the above case  
postponed till  
the said  
decreit be  
produced  
before the  
Council.

quhill the same be produced and the suspenders lawfullie warned [for] production of the same. Miscellaneous  
Papers.

26th October  
1644.  
Summons at  
the instance of  
the moderator  
and presbytery  
of Lanark  
against Lady  
Lamington  
and others.

91. Summons directed to John Hutsone, messenger, at the instance of the moderator and brethren of the presbytery of Lanerk, narrating that on the 2nd October instant they obtained a decret from the Lords of Council for charging the Lady Lamington, Janet Baillie, Katharine M<sup>c</sup>Watt, William M<sup>c</sup>Clellan, John Forrest, John Schankila, Patrick Baillie, William and James Tennant, Bessie Carmichell and John Forrest, to enter within ward in the tolbooth of Edinburgh, and the husbands of these women to enter their wives, but that suspension has been raised thereof for frivolous reasons. Charge is therefore given for citing these persons before the Council on 7th November to hear the suspension discussed; dated at Edinburgh, 26th October, 1644, and signed ARCH. PRIMEROSE, Cler. S. Cons.

26th October  
1644.  
Summons at  
the instance of  
Dame Eliza-  
beth Preston,  
Lady Whit-  
tinghame,  
against John  
Cranston of  
Skaitshus and  
John Edgar of  
Wedderlie.

92. Summons at the instance of Dame Elizabeth Prestoun, Lady Quhittinghame, narrating that John Cranstoun of Skaitshus and John Edgar of Wedderlie with concurrence of Sir John Auchinmowtie, sheriff of Hadintoun, had charged her to remove from the house and place of Quhittinghame and deliver the keys. She had done so and did not expect further trouble, or that it was necessary for her "to come in and call the suspensions." Of this they have taken advantage to protest and denounce her to the horn, and that without the knowledge or warrant of the sheriff. In respect hereof she seeks suspension of their horning. Charge is therefore given to cite the said John Cranstoun and John Edgar before the Council on 7th November next; dated at Edinburgh, 26th October, 1644, and signed ARCH. PRIMEROSE, Cler. S. Cons.

26th October  
1644.  
Depositions  
aneut the  
proceedings of  
Lady Lamington  
in the  
kirk of  
Wandell.

93. M<sup>r</sup> George Bennet depons upon the tent of Marche, he being directed be the presbeterie to preach in the kirk lybellit, and haveing gone thair and M<sup>r</sup> Andro M<sup>c</sup>Gie being with him and following in throw the kirk, the said M<sup>r</sup> Andro wes stayed, and after sermon the deponer acquainted the people that M<sup>r</sup> Andro wes to preach in the afternoon, and the deponer, haveing gone out of the pulpit after he had ended sermon, imediatelie thairafter three weemen went up to the pulpit in plaids, quhairof the Ladie Laminton wes one; who said "I would see who darre take me out," and said farder, "Albeit you be compared to a dog, ye sal not barke heir." And M<sup>r</sup> Andro having desired to have accesse to preach conforme to the presbiteries orders, they refused him.

John Jerdane, sworne, depons *conformis*, and that John Shankilaw wes not in his awne seat, bot wes neir the pulpit, and held his sword in his hande.

William Inglis depons *conformis*, and that the twa weomans names were Janet Baillie and Katherine M<sup>c</sup>Wat.

Miscellaneous  
Papers.

Robert Jonston, sworne, depons he saw the Ladie Lamynton and two weomen goe up to the pulpit and that one of the weomen was called McWat, bot remembers not the words lyballit.

Richard Jerdan depons conforme to the first witness, and that the two weomen that were in the pulpit with the Ladie were Janet Bailie and Kate McWat.

Thomas Jerdane, sworne, depons as the last witness.

James Galloway, sworne, depons conforme except he hard not the ladie say these words, "I am heir, who darre putt me out." Depons the haill men conteaned in the lybel were in a tumultuous way gathered in the queir and were not in their awin seats.

John Marshal, sworne, depons conforme to the other witnesses.

Archibald Lindsay, sworne, depons [conforme] to James Galloway.

Finds the lybell proven against the ladie and the two weomen that they went up to the pulpit and stopped Mr Andro M'Kie to preache conforme to order given him be the presbeterie, and that the ladie said when she wes in the pulpit, "I am heere, I would sie who darre take me out," and she said to Mr Andro M'Gie, "Your brother called you a dog, bot you shall not barke heir this day," and would not suffer him to preache. And finds that the persons following

convocate themselves in a rude way in the kirk out of their own seats. For which ordains letters to be direct charging them to enter thair persons in ward and the husbands to exhibit their wyffs within 6 dayes.

Modifies 3 pund to each witness, to be paid be the Laird of Lamyntoun.

94. At the manerplace of Adame, the twentie nynt day of October, 29th October  
j<sup>m</sup> vj<sup>o</sup> and fourtie foure yearis. 1644.

The quhilk day in presence of me, notar publict, and witnesses under-  
writtin compeirit personallie Adame Hepburne, sone lawfull to umquhill  
Sir John Hepburne of Beirfurde, as procuratour in name and behalfe of  
Dame Elizabeth Prestoun, Lady Quhittinghame, and past to the personall  
presence of the rycht honourabill Sir Johne Auchinmouttie of Gosfurde,  
knycht, shiref principall of the constabularie of Hadingtoun, and presentit  
and delyverit to him the haill keyis, great and small, being fyve in number,  
of and belonging to the maner place and hous of Quhittinghame, and of  
all the roumes, trunks and kistes being thairin, and of the barnis, byres  
and doweries about the said place, quhair of the same Dame Elizabeth  
Prestoun had possessioun, and thairby removet hirself thairfra; and  
that for obedience of the ordinance of the Lordis of his Majesties Secreit  
Counsall, and of his Majesties letters of horneing and charge direct and  
gevin for that effect at the instance of the said Sir John Auchinmouttie  
and to the effect thairin specifeit. Quhilkes fyve keyis respective above  
mentionat, the said Sir John Auchinmoutie acceptit and ressavet fra the  
said Adame Hepburne as procuratour and in name and behalfe of the  
said Dame Elizabeth Prestoun, Lady Quhittinghame; quhairupoun and the  
haill premissis the said Adame Hepburne, as procuratour and in name

Notarial  
instrument  
attesting  
that Adam  
Hepburn, as  
procurator for  
Lady Whit-  
tinghame,  
presented the  
keys of the  
manor-place  
and house of  
Whittinghame  
to Sir John  
Auchinmoutie,  
sheriff-princi-  
pal of the  
constabulary  
of Haddington.

and behalf foirsaid, tuike and askit instrumenttis ane or mae in the handis of me, notar publict under subscrivand. This was done day, year and place respective foirsaides, about tuelf houres of the day, in presence of Robert Myllar and William Auchinleck, servitouris to the said Sir Johne Auchinmouttie, witnesses asket and requyret to the premissis.

*Ita est Joannes Martine, notarius publicus in premissis requisitus, testantibus manu signoque proprio.*

1st November  
1644.

95. Court of Justiciarie haldin at the place of Finlastoun within the shireffdome of R[enfrew] be ane nobill Erill, William, Erill of Glencairne, his Hienes Justeice in that [pairt] . . . constitute be our soverane Lord his Hienes commissioun, gevin under his Majesties signet . . . dait at Edinburgh, the 2nd of September last, and be Allexander Porterfield of that Ilk, his . . . justeice deput in that pairt, lawfullie constitute upone the first day of November j<sup>m</sup>vj<sup>o</sup> fourtie four yeiris. Court affixit. Suittis callit. Patreik Corruith, dampster; Patreik Ramsay, officer.

Robert Turner in Blackholme found guilty by the justiciary court held at Finlastoun within the sherifffdom of Renfrew of stealing sheep belonging to the Earl of Montrose.

The quhilk day, forsameikill as Robert Turnour in Blakholme being taikin and apprehendit of befoir be the said nobill Erill . [torn] . . cryme of thift alledgit committed be him quhairupone commissioun was gevin be our soverane lord, makand and constituand the said . . . and his deputies quhom he sould mak conjunctlie and severallie justeices in that pairt, gevand and committand to them full power, auctoritie [and] commissioun, justeice courtes to set, hald and continew, etc., and in the same courtes the said Robert Turnour, as alledget steiller [of] kye to call, be dittay to accuse and him to the knowledge of ane assyse to put and, as he sould be fund culpabill or inn[ocent] of the said thift, to caus justeice be ministrat upon him, as in the said commissioun of the dait foirsaid judiciallie red at lenthe is . . . and this day being appoyntit for putting the said Robert Turnour to the knowledge of ane assyse and he lawfullie sum[mond and] warnet thairto and gettand ane coppie of the dittay, and compeirand in faice of court to undirlie the law and presented upone pennall, was indyttit and accusset for the thiftious steilling of sax kye furthe of the park of Mugdok in the moneth [of] September last, quhairof tua belongit to James Stirling, chambirland to the Erill of Montrois within the barronie of Mugdock; and four belongit to M<sup>r</sup> Johne Stirling, minister at Badernok, brother to the said James; quhilk kye thaireftir was sau[ld be] the said Robert Turnour to Johne Barrie and Robert Broun, fleschoures in Hamiltoun, and in taikin thair of the samyn sax kye being challengit be the said James Stirling in the handis of the saidis fleschoures thay war restoiRET bak to the said James Stirling for himself and in name of the said Master Johne, his brother, as the samyn dittay givin in against him be Master Johne Connyinghame in Kilmacolme as procuratour fiscall or

Miscellaneous  
Papers.

advocatt deput lawfullie constitute be the said nobill lord his Hienes justeice in t[hat] pairt for his Majesties entres beires. Lykas the said M<sup>r</sup> Johne Conynghame, procurator fiscall foirsaid, persewar, desyrit that the said dittay be put to the knowledge of ane assyse lawfullie summoundit to that effect. The said Robert Turnour pennallit heiring the s[aid] dittay red, and he accusset thairupone answerit and declairit that in all tyme bygaine it is weill knowin to the said justice and [his de]put and to the baill cuntrie quhair he dwalt that he leiffet honestlie without blame or spot of thift in ony sort, bot . . . and knowing that the Erill of Montrois maist unnaturallie hes invaidit this kingdome of Scotland, his native cuntrie and [taken] up airmes against the samyne, for the quhilk he is excommunicat and his gudis, geir and rentes ordainit to be escheit for the use of [the] publict, and he thinking it wauld be good service to the publict to tak up the said Erill of Montrois gudis quhair-ever the s[amyn] could be fund and to be answerabill only to the Estaites of this kingdome thairfor, and not knowing bot all the gudis in the P[ark of] Mugdok pertenit to his lordship, it being his lordships proper park, he grantes and confesses he went to the said park in the eaving [after] daylight was past and tuik with him sax kye furthe thairfor, quhilk sax kye he drawe away a lyttill be eist Glasgow, and [in] the morning efter the ryssing of the sone, meitting be accident with the saidis fleschoures, he sauld the samyn sax kye to them for [the] sowme of ane hunderethe and thrie merkis money, and helped them to dryve in the said kye to Hammiltoun and gat payment of [the said] sowme fra them. And thaireftir he heiring that the said kye was challengit be the said James Stirling to belong to him a[nd to the] said M<sup>r</sup> Johne, his brother, and that they upon the said challenge gat redelyverie bak of the saidis gudis fra the saidis fleschoures, [he] furthewith and immediatlie thairefter delyverit the said hunderethe and thrie merkis money to the saidis fleschoures as being the pryce [he re]ceavet fra them for the said sax kye and swa alledgit the samyn cannot be imputed to him as thift, nather he put to the know[ledge of] ane assyse thairfor for the ressounes and causses above writtin, in respect he was ever heirtofoir knowin to be ane honest m[an not] reput nor suspect guiltie of thift, bot quhat he did thairin to the said M<sup>r</sup> Johne and James Stirlingis was out of ignorance . . . bot the saidis guidis belongit to the Erill of Montrois quha had invaidit his native kingome and had committed and sched sameikill . . . reiff and oppressioun thairin. The said M<sup>r</sup> Johne Conynghame, persewar, procuratour fiscall foirsaid, answerit and replyet that the samyn [aught] to pass to the knowledge of ane assyse as thift, notwithstanding of the alledgance and defence propounet be the pennall [because] he had no commissioun nor warrand fra the Estaittis to tak up the said Erill of Montrois gudis, nather tuik the guidis to the Esta[itte, bot] privilie stoll and tuik them away and sauld them for his awne gaine; and thairfor, notwithstanding it is notour that restitution [was maid to] all the parties interest, yit he aught to pass to the

knowledge of ane assyse and thairupone deasyret interlocutour. The [justeice] and his deput foirsaid, efter advysement, ordainit the said dittay and thift thair contentit to be put to the knowledge of the assyse [forsaid] lawfullie summoundit to that effect, thay ar to say, Robert Blair in Corruithe, Patrick Houstoun in Miltoun, Gabriell Lynd [say of] Syd, Johnne Haltrig, elder in Paismure, Johnne Morisoun in Knappes, Robert Holme in Rowntrie hill, Johnne Forrester in Ach . . . , Allixander Kellso in Wrayes, James Park in Auchindares, Mathow Toft in Haltrig, Johnne Laird in Dennestoun, Patrick Layng [in] Achinbothie, Patrick Layng in Bulross, Johnne Or in Syd and John Baxter in Craiglunschioche; quhilk assyse being callit and . . . and being admitted be the pennall and judicialle sworne in his presence past furthe of faice of court apairt be themselffis . . . thair chooset and electit the said Gabriel Lindsay, ane of thair number, to be chancelar of the said assyse, and thaireftir the said [assyse] heiring the said dittay red and advysand thairwith and with the alledgances and defences propounet be the pennall, and with the answers [and] replies maid be the said procuratour fiscall, persewar, they all in ane voyce fyllit the said Robert Turnour of the thiftious steilling and aw[ay] taking of the said sax kye furthe of the said park of Mugdok, for the quhilk he was indytte, as said is, in respect he had no commissioun [fra] the Estaittes ather to intramet with the said Erill of Montrois guidis nor ony of his servandis or tennentis guidis, notwithstanding restitution [was] maid to the pairties and persounes damnifet. And thairefter the said assyse returneand in faice of court, the said Gabriel Lyndsay of [ ] for himself and in name of the rest of the persounes of assyse above namet reported thair said delyverance and declairit the [said assyse] all in ane voyce had fyllit the said Robert Turnour of the said cryme of thyft above writtin. Quhairupone the said procuratour fiscall askit act [and] . . . the said Robert Turnour, heiring the declaration of the said assyse, maist humblie requeistit and supplicat the said justeice and his deput to contin[ow] pronouncioun of sentence against him till thay advysset with the Lordis of his Majesties Privie Counsall, and had thair resolutioun thairin. Quhairupone the said justeice and his deput, advysing with the said process, continewes pronouncioun of sentence against the said Rob[ert] for the said cryme quhill the fyftein day of November instant, till they may have tyme till advyse the samyn; and presentlie causset warne the said Robert *apud acta* to compeir the said day in this pleace in the hour of cause to heir sentence pronounced, and in the mein[tyme] ordainit him to be keipit in sure ward till than. Extractit and drawin furthe of the actis of the said justeice court be me David Watsoun, [clerk] to the said court, witnessing my subscripcioun manuall. (Signed) D. Watsoun.

[On the back.]

7th November  
1644.

The Counsell, haveing considered the processe of conviction within

Miscellaneous  
Papers.

written, ordains the justices to pronounce doome and sentence of banish- Sentence of  
ment, and that he never returne into the kingdome under the paine outlawry to be  
of death, and that he be tane acted for that effect. And ordains the pronounced on  
pryce of the ky to be restored to the awner if it be not alreddie the said  
restored. (Signed) LAUDERDAILL, I.P.D. Robert Turner.

96. Note of executions by John Hutsone, messenger, of a summons 1st and 4th  
at the instance of the presbytery of Lanerk, (1) On 1st November, 1644. November  
1644, against John Forrest, David Carmychell, William Tennent, Note of  
Patrick Baillie, Bessie Carmichell, Katharine McWat, Janet Baillie and executions at  
Janet Forrest, all personally apprehended, and against Dame Grissell the instance of  
Hamiltoun, Lady Lamington, and Sir William Baillie of Lamington, the Presbytery  
knight, her husband, and John Schankila, James Tennent and William of Lanark  
McClelland, at their respective dwelling places in Lamington, against John  
appear before the Councill on 7th November next; witnesses, John Forrest and  
Frissell, servitor to Richard Baillie in Mains of Wistoun, James Hut- others.  
sone, son of the messenger, John Jardine in Hollhouse of Wandell, and  
Alexander Marchell, son to John Marchell in Hartsyd; and (2) on 4th  
November, 1644, at the market cross of the burgh of Lanerk, against  
the above-named persons not personally apprehended; witnesses, John  
Cunninghame, potter, burgess of Lanerk, James Stevinsone in Wistoun,  
and William Wilsone and Andrew Weir, town officers of Lanerk.

97. Note of executions by James Edmiston, messenger, of a sus- 3rd and 4th  
pension and letters of relaxation at the instance of Dame Elizabeth November  
Prestoun, (1) On 4th November, 1644, at the market cross of the 1644.  
burgh of Hadingtoun, where he relaxed the said Dame Elizabeth Note of  
Prestoun from the horn to which she had been put at the instance of executions of  
Sir John Auchmouttie, the wand of peace being delivered in her name summons at  
to Adam Hepburne in Bairfurd; witnesses, Alexander Porteous, mes- the instance of  
senger in Edinburgh, and Robert Smyth and Robert Dawsoun, merchants, Dame Eliza-  
burgesses of Hadingtoun; and (2) on 3rd November 1644, against Sir beth Preston  
John Auchmouttie, personally apprehended, to compear as in the sum- against Adam  
mons; witnesses, Alexander Auchmouttie, his brother, Alexander Auch- Hepburn in  
mouttie, his son, and Patrick Sandilands, his servitor. Bairfurd and  
Sir John  
Auchmouttie.

98. "Charles, be the grace of God, King of Great Britane, France 6th November  
and Ireland, defender of the faith, to all and sundrie our lieges and 1644.  
subjects whom it effeirs, to whois knowledge thir our letters sall come, Commission  
greiting: Forsamekle as Marion Shenan, spous to Johne Jameson in appointing  
Drochdooll, Jonnet McKennan, spous to Alexander Lourie in Bal- James  
murrie, Africk Elam, spous to Johne McLung in Knockibae, Marion M'Donald of  
Russell in Glenluce and Isobell Bigham in the parish of Stranrawer Garthland, and  
ar delate guiltie of the crime of witchecraft, as the depositions showin others to try  
to the Lords of our Privie Counsell beiris, therefore we have made and Marian  
constitut and be thir presents makes and constituts James McDowgall of Jameson in  
Garthland, Andro Agnew, younger of Lochnew, McDowgall of Logan, Drochdool,  
and others  
on the charge  
of witchcraft.

James Ros of Barneill, M<sup>c</sup>Culloch of Ardwell and Patrik Agnew Miscellaneous  
Papers.  
of Sewchan, or anie three of them, our justices in that part to  
the effect underwrittin, givand, grantand and committand to them our  
full power, auctoritie and commissioun, expresse bidding and charge,  
courts of justitiarie at quhatsomever places lawful and convenient to  
sett, affixe, hold and continue, sutes to make be called, absents to  
amerchiat, unlawes, amerchiements and escheits of the saids courts to  
aske, lift and raise, and for the same, if neid beis, to poynd and distrenze,  
and in the same courts the saids persons to call, be dittay to accuse, and  
them to the knowledge of ane assise to putt, and, as they sall be found culp-  
able or innocent of the said crime of witchecraft, to caus justice be ministrat  
upon them conforme to the lawes of our realme, assysse neidfull for this  
effect, ilk person under the pane of fourtie pundis to summond, warne, choose  
and caus be sworne, clerkes, sergants, dempsters and others members of  
court neidfull to make, creat, substitut and ordaine, for whom our saids  
justices sall be haldin to answer, and generallie all and sundrie others  
things to doe, exerce and use, quhilks for executioun of this our com-  
missioun ar requisit and necessar; firme and stable holding and for to  
hold all and quhatsomever things sall be lawfullie done heerin. Givin  
under our signet at Edinburgh, the sixt day of November, 1644. (Signed)  
Argyll; Craford and Lindesay; Cassillis; Lothian; Dalhousie; Balmerino;  
Burghly; M. Gibsone, Durie; A. (?) Douglas."

6th November 1644. 99. Summons at the instance of Agnes Fynn timer, prisoner in the  
Summons at the instance of Agnes Fynn timer, prisoner in the  
Agnes Fynn timer, prisoner in the  
Edinburgh, on a charge of witchcraft,  
against the magistrates of Edinburgh.  
tolbooth of Edinburgh, narrating that, on the malicious informations  
made by Harry Moriesoun at the Potterraw port she is guilty of witch-  
craft, the provost and bailies of Edinburgh have apprehended and  
detained her in ward for eighteen weeks in great misery, and they will  
neither try her nor liberate her, so that she is likely to die in prison  
"under the blame of so detestable ane imputatione." Charge is there-  
fore given to the provost and bailies of Edinburgh and the said Harry  
Moriesoun to compear on 12th instant before the Council; dated at  
Edinburgh, 6th November, 1644, and signed ARCH. PRIMEROSE, Cler. S.  
Cons.

On the back is a note of execution on 9th and 11th November, which  
is noted *infra*, and on the margin is a note of the hearing on 12th  
November. "Persewer be . . . , defenders be Mr John Sharp and  
a baillie who tooke this day fyftene dayis to persew the complainer  
before the Justice."

9th November 1644. 100. Supplication by A[lexander] Inglis of Craig M<sup>c</sup>Keran, dean of  
guild of Perth, as follows:—He recently petitioned their Lordships for  
a suspension of a decret recovered by Patrick Martine in Campsie  
anent the restitution of fifteen head of goods or payment of their value,  
and he craves that charge may be given to the said Patrick and Alex-  
ander Miller, his advocate, to compear. [On the back] "At Edinburgh

Miscellaneous  
Papers.

the 9 of November, 1644. *Fiat ut petitur*, Elphingstoun." There is also a copy with note of execution of the summons by John Hart, younger, messenger, against these two persons. payment of a sum of money due to him.

101. Note of executions by James Grahame, messenger, of a summons at the instance of Agnes Fynnies, (1) on 9th November, 1644, against Andrew Symesone, George Walker, Robert Achiesone and John Inglis, bailies of Edinburgh, all personally apprehended, and against Harry Moriesone, also personally apprehended, to compear before the Council; witnesses, David Wright, messenger in Edinburgh, and John Peirsone, post there, Richard Guthrie and James Grahame, officers in Edinburgh, Thomas Allane, messenger there, John Rowane, writer there, John Hart, younger, and George Neill, messenger in Edinburgh; and (2) on 11th November, 1644, against Sir John Smyth, provost of Edinburgh, personally apprehended; witnesses, the said Robert Achiesone and Andrew Symesone, bailies of Edinburgh, and James Cleghorne, town officer there. 9th and 11th November 1644.  
Note of executions at the instance of Agnes Fynnies against Andrew Simson and other bailies of Edinburgh.

102. Draft of the finding of the Council in the process by the Presbytery of Lanark against Dame Grisel Hamilton, Lady Lamington, and others, as narrated *ante*, pp. 34-36. [c. 12th November 1644.]  
Presbytery of Lanark and Lady Lamington.

103. Another paper of addition in the above finding narrating the "Eik" to the reasons of suspension adduced by the defenders (some-what torn) narrated *ante*, p. 35. [c. 12th November 1644.]  
The same.

104. "Edinburgh 12 November, 1644. Lauderdail, *preses*; Callender, Craufurd, Cassills, Dumfermline, Lanerick, Angus, Balmerino, Tresaurer Deput, Justice Clerk, Advocat, Wauchtoun, Dundas, P[rovost of] Edinburgh. 12th November 1644.

"The Council appoynts thair nixt meiting to be on Thursday come eight dayes and everie Thursday thairafter till the meiting of Parliament. Next meeting of Council.

"The Council gives warrand for coyneing fyftene hundreth stane weight of copper conforme to last act of Counsell made in Februar, 1642, and that the Master of Cunzie house find caution that no more sall be cunzied than the quantitie abovewritten, and it is heirby declared that this act and finding of caution sall be without prejudice of anie right the General of the Cunziehous sull claime to the keeping of a key of the printing hous, as accords of the law, and that this warrand be extendit for six moneths after the date heirop. (Signed) LAUDERDAILL, I.P.D." 1500 stone weight of copper to be coined.

105. "At Edinburgh, the 12 day of November, 1644. Forsameikle as in the moneth of Februar, 1642, the Lords of his Majesteis Privie Counsell, for preventing the prejudice susteanned by the lieges by the 12th November 1644.  
Warrant for the coining of

1500 stone  
weight of  
copper.

huge quantitie of base copper coyne farre within the intrinsick value of the copper coynned and brought within the kingdom, and for releeff of the poore and exchange of small commoditeis, did ordaine fyftene hundreth stone weight of copper to be coynned in maner following, which being now of a long time agoe all coynned and the said copper coyne become skarse, to the losse of the poore and prejudice of exchange in small commoditeis and pennyworths, therefore the Lords of the Privie Counsell, for remeid heiroy, after mature advice and deliberatioun, hes found it necessar and expedient, concluded and ordained that with all convenient diligence other fyfteene hundreth stone weight of copper unmixed with anie other mettall be wrought and prepared for the printing, and to be printed be swey and presse in twa pennie peeces of a drop weight and ane halfe, to prevent counterfooting quherof ten and a tua part of the saids tua pennie peeces to be in the unce weight and fourscore fyve and a thrid part thereof to be in the mark weight, with tua and a halfe of the saids peeces for remeid of weight als weill heavie als light on the mark weight thereof, the saids peeces having on the one side ane imperiall crowne and the letters C.R. at the sides therof, with this circumscription CAR. D.G. SCOT. ANG. FRA. ET HIB. R., and on the other side the thrissell with tuo leaves and this circumscription NEMO ME IMPUNE LACESSET, and ordains the saids peeces to have course among his Majesteis subjects for tua pennies, with this provisioun and conditioun, that none of the subjects sall be astricted to receave of this copper coyne above the value of six penneis in ilk pund in payment of debts, blocks, wairs or merchandice: Commanding heirby the generall, maister cunzeare, wardane, counterwarden and sinker to prepare themselves and to proceid with all convenient diligence to the melting, forging, cutting and printing the saids twa pennie peeces to the effect the saids hail fyfteene hundreth stone weight may be in readiness for the use of the lieges betuix and six months after the date heiroy as they will answer to the Counsell upon the dutie of thair offices. And the saids Lords discharges the course of anie other copper coyne of quhatsumever stampe or weight heirtofore current, and ordains letters to be direct to make publicatioun heiroy be opin proclamation at the mercat croce of Edinburgh and other places neidfull, and to command and charge all and sindrie his Majesteis lieges to receave the saidis tuo pennie peeces in payment of debts, blocks, wairs and merchandice in maner foirsaid and in no wayes to refuse the same under quhatsumever cullor or pretext under all highest pane, and that they give nor receave no other copper coynes quhatsumever under the same pane; and ordains the maister of the coynehous to find caution that no more sall be coynned but the quantitie abonewritten. And it is heirby declared that this act and finding of caution sall be without prejudice of anie right the generall of the coynehous sall clame to the keeping of a key of the printing hous as accords of the law. (Signed) ARCH. PRIMROSE, Clr. S. Cons."

Miscellaneous  
Papers.

Miscellaneous  
Papers.

[On the back] "1 Marche, 1648. The Councell ordans this warrand to be renewed for coyneing ane thousand stoneweight of copper. (Signed) ARGYLL, I.P.D.

106. Another copy of the foregoing act for the copper coinage.

12th November 1644.  
The same.

107. Supplication by Archibald Walker, Alexander Gudale and William Lawsoun, sailors in Leith, now prisoners with the merciless Turks, as narrated *ante*, p. 36. [On the back] "Edinburgh, 12 November, 1644. *Fiat ut petitur*. LAUDERDAILL I.P.D. Also a scroll of part of the finding and state of the vote, being 8 for and 2 against.

12th November 1644.  
Supplication by prisoners with the Turks.

108. Summons at the instance of Margaret Thomson, spouse to Archibald Gray in Calder, on complaint as narrated *ante*, p. 37; dated at Edinburgh, 12th November, 1644, and signed ARCH. PRIMEROSE, Cler. S. Cons. On the margin is a note of the hearing on 21st November.

12th November 1644.  
Summons at the instance of Margaret Thomson.

109. Supplication by Archibald Douglas of Quhittinghame, as narrated *ante*, p. 36. On the back there is a scroll of the finding.

12th November 1644.  
Supplication by Archibald Douglas of Whittinghame.

110. "At Lanark, the 14 of November, 1644. The quhilk day M<sup>r</sup> Johne Weir reports that, haveing attended the Counsell according to the ordinance of the presbyterie for prosecuting the complaint of the presbyterie against the Ladie Lambingtoune, that the suspension was discussed in favours of the presbyterie, and that the most honorable Lords of Counsell, amongst other articles of their decreit, hes ordained the Laird of Lambingtoune to pay the sowme of ane thowsand merks Scotsmoney to the presbyterie to be employed by thame for sick pious uses as they shall think expedient; and, therefore, the presbyterie ordains M<sup>r</sup> John Hume, minister of Lesmahago, to goe in to Edinburgh upon Fryday nixt and extract the foresaid decreit, as also to receive the sowme of money abovewritten and deliver the presbyteries discharge thereupon, giveing power also to him, if anie thing further shall be required for secureing and satisfying the partie, to doe whatsoever is incumbent to the presbyterie, being countable the nixt day for his diligence. Written and subscribed be me, M<sup>r</sup> Johne Patersone, clerk to the presbyterie. (Signed) M<sup>r</sup> J. Patersone, clerk.

14th November 1644.  
Report by Mr. John Weir that Mr. John Hume, minister of Lesmahago, has received 1000 marks—being the sum decreed by the Council to be paid to the presbytery of Lanark by Lady Lamington.

"I, M<sup>r</sup> Johne Hume, be vertewe of the commissione abovewritten, grantis me to have receaved from Archibald Primrose, clerk to the most honorable Lords of Concill, the soume of a thowsand merkes consigned in his hands be Sir William Baillie of Lamintoune according to the decret of the most honourable Lords of Council, and discharges him thereof be their presents, writtin and subscryvit with my hand at Edinburgh, the echten of November, 1644 yeares. M<sup>r</sup> J. Hume, minister at Lesmahagoe."

16th Novem-  
ber 1644.  
Note of execu-  
tion against  
Patrick  
Martin in  
Campsie.

111. Note of execution by William Cathrow, messenger, on 16th Novem-  
ber, 1644, against Patrick Mairtine in Campsie, at his dwelling place there,  
to compear before the Council at Edinburgh on 21st inst. ; witnesses, John  
Duncane, servitor to the said Patrick Mairtine, and James Dowie and  
Andrew Mersoell, servitors to the said Alexander Inglis.

Miscellaneous  
Papers.

18th Novem-  
ber 1644.  
Note of execu-  
tion of a  
summons  
against Mr.  
John Sandi-  
lands, tutor  
of Calder, and  
others.

112. Note of execution by Patrick Dennystoun, messenger, on 18th Nov-  
ember, 1644, of a summons against Mr John Sandielands, Tutor of Cather,  
Mr Hew Kennedie, minister there, and James Sandielands, bailie of Cather,  
all personally apprehended, to compear before the Council on 21st inst. ;  
witnesses, Martin Ker in Ca[ther], John Calquhowne, servitor to the said  
James Sandielands, and Alexander Calq[uhowne], servitor to the said Tutor.

19th Novem-  
ber 1644.  
Summons at  
the instance of  
William Rig of  
Carbarrie, and  
others.

113. Summons at the instance of William Rig of Carbarrie, and others  
as narrated *ante*, p. 38. Charge is given for the persons complained upon  
to be cited to compear before the Council on 5th December; dated at  
Edinburgh, 19th November, 1644, and signed ARCH. PRIMEROSE, Cler. S.  
Cons. On the back is a note of the execution of summons on 4th  
December following as noted in No. 118.

20th Novem-  
ber 1644.  
Supplication  
to be made by  
the presbytery  
of Linlithgow  
to the Council  
anent Margaret  
Thomson,  
detained in  
prison on a  
charge of  
witchcraft,  
whom the  
Council has  
ordered to be  
set at liberty.

114. "At Linlithgow, the twentie day of November, 1644. The quhilk  
day the breithrein of the presbyterie of Linlythqw being conveynit,  
report was maid to thame be M<sup>r</sup> Hew Kennedie, minister of Calder, and  
the Tutor of Torphichen, ruling elder thair, that Margaret Thomsoun,  
being delaitt for ane witch be thrie or four confessing witches and tua  
severall chairmeing provine agains hir, was incarcerat and is detained in  
prisoun, and that the Lordis of the Secreit Counsall hes causit chairge thame  
to sie hir sett at libertie, and thairfoir humblie cravit the breithreins  
advvis quhat to doe thairintill. The breithrein thinks it most expedient  
that scho be keipit yit still in prisoun and that the said maters  
be representit to the comissionars of the Generall Assemblie and thair  
advvis to be desyred quhat to doe thairintill ; and in the meanetyme does  
earnestlie supplicat the Lords of his Majesties Privie Counsall to grant  
permissioun for detensioun of the said Margaret in prisoun untill the  
comissionars advvis be obtenit thairintill. Extractit furth of the buikis  
of the said presbyterie be me. (Signed). A. KER, cls."

21st Novem-  
ber 1644.  
The Bridge  
of Ayr.

115. Extract of the Decreet by the Lords of Privy Council anent the  
Bridge of Air; dated 21st November, 1644, and narrated *ante*, p. 37.  
Signed by ARCH. PRIMEROSE, Cler. S. Cons.

28th Novem-  
ber 1644.  
Summons at  
the instance of  
John Boyle of  
Dalduff  
against John  
M<sup>c</sup>Clymont  
and others.

116. Summons directed to John Cochrane, messenger, at the instance  
of Sir Thomas Hope, his Majesty's Advocate, and John Boyll of Dalduff,  
and Margaret Crawford, his spouse, against John M<sup>c</sup>Clymont, and others  
as narrated *ante*, p. 40; dated at Edinburgh, 28th November, 1644,  
and signed ARCH. PRIMEROSE, Cler. S. Cons.

Miscellaneous  
Papers.

117. Note of execution on 3rd December, 1644, by Robert Pentland, messenger, of a summons at the instance of William Rig of Carbarrie and others, as noted *ante*, p. 38, against Michael Turnbull in Carbarrie, James Reid there, John and William Knox, George Clunie there, Andrew Ramage there, William Jonstoun there, John Diksone and John Clerk, all personally apprehended, to compear before the Council; witnesses, John Hog, indweller at the back of Carbarrie hill, James Knox in Carbarrie, and Thomas Wrycht in Inneresk.

3rd December  
1644.  
Note of  
execution of  
summons at  
the instance of  
William Rig  
of Carbarrie  
against  
Michael  
Turnbull in  
Carbarrie and  
others.

118. Note of execution by James Graham, messenger, on 4th December, 1644, of a summons at the instance of William Rig of Carbarrie and others, against Sir John Wauchope of Nidrie . . . and William Wauchope, his brother, both personally apprehended, to compear before the Council on 5th December instant; witnesses, John Dikesoun in the Potterrow, Gilbert Monttago, merchant in Edinburgh, and John Hartt, younger, messenger there.

4th Decem-  
ber 1644.  
Note of  
execution of  
summons at  
the instance of  
William Rig  
of Carbarrie  
against  
Sir John  
Wauchope of  
Niddrie and  
his brother.

119. Supplication by Sir Robert Colvill of Cleish, Mr Alexander Colvill, Justice Depute, Murray, commissary of Stirling, and Archibald Mercer, bailie of Culross, commissioners appointed by the Lords of Council for the trial of Marie Cunynghame, prisoner in the tolbooth of Culross, for witchcraft, adultery and incest, narrating that they held a court for her trial on 28th August last, but because that the prisoner's advocate, Mr David Williamsoun, gave in such defences as could not be answered by the procurator fiscal, who had no skill of law, and also because "of the contingency of manie of the judges to the said Marie," they could not "warrantably sitt upon her tryell," they thought fit to forbear and judge it more safe that her trial be before the Justice in the tolbooth of Edinburgh, at the instance of his Majesty's Advocate. They therefore crave their Lordships to ordain the Advocate to prosecute in the case; the bailies of Culross to transport the prisoner and enter her in the tolbooth of Edinburgh, and the Clerk of Culross to deliver the whole process to the Advocate. [On the back] "6 December, 1644. The Counsell ordains the baillies of Culross to bring over Marie Cunynghame and enter her in the tolbuith of the Cannogait. LAUDERDAILL, I.P.D. Com. Edinburgh, 12 December, 1644. The Councell ordains Marie Cunyngham to pay the expenses the toun of Culros hes beene putt to be keeping of her in prison or in bringing her to Edinburgh. LAUDERDAILL, I.P.D. Com." There is also a scroll of the finding.

6th Decem-  
ber 1644.  
Supplication  
by the  
Commissioners  
appointed by  
the Council  
for the trial of  
Marie Cun-  
ningham for  
witchcraft  
that the Lord  
Advocate may  
be charged to  
prosecute in  
the case.

120. Copy of Decreet of the Lords of Council for the payment by Mary Cunynghame of her prison expenses, narrated *ante*, p. 39. In the copy "the bailleis of Culros" is inserted where "Marie Cunynghame" is in the record.

12th Decem-  
ber 1644.  
Prison  
expenses of  
Marie Cun-  
ningham.

12th Decem-  
ber 1644.

Protestation  
by James  
Peitt in  
Ballachie.

121. Copy of protestation by James Peitt in Ballachie, as narrated, *Miscellaneous Papers.* *ante*, p. 39. On the back is note of execution of summons by John Williamsone, messenger, against James Peit in Balaquhie, to compeir before the Council on 12th December instant, at the instance of William Williamsone, burgess of Abernethie, in terms of summons dated penult October, 1644.

12th Decem-  
ber 1644.

Summons at  
the instance of  
Lord Barganie  
against  
Thomas  
Kennedy,  
sometime of  
Barganie, and  
others.

122. Summons at the instance of John Lord Barganie and Adam Quhytfurd, his servant, against Thomas Kennedie, sometime of Barganie, and others, as narrated, *ante*, p. 39; dated at Edinburgh, 12th December, 1644, and signed ARCH. PRIMEROSE, Cler. S. Cons. On the back is engrossed a note of the hearing and decree against Thomas Kennedie, elder; and also as follows:—"Thomas Kennedie, younger, sworne anent that part of the lybel concerning the poulder and lead, depons he sought a gun from John Clerie and told him, albeit my lord should give him no money, he had a merk he would wair upon poulder and leade and would goe to the shooting thairwith. Thomas Kennedie, elder, and Thomas and William Kennedies actit thameselfes not to trouble, invade or molest the Lord Barganie nor nane that belongs to him in thair persons and goods under the paine of infamie and j<sup>m</sup> pund Scots each of thame; and if they failyie to be declared infamous and ly in prison till they pay the failyies."

c. 12th Decem-  
ber 1644.

123. "The names of the compleanners of the ryotts, committit be the Mackclymonts againes Johne Boill, Sir Thomas Hope of Craighall.

Names of the  
complainers in  
the case of the  
riots commit-  
ted by the  
M'Clymonts  
against John  
Boyll.

"Johne Boill of Dalduff and Margaret Crawford, his spous.

"The defenderis complaint upoun John M'Clymont in Cahoustoun (*p.*), Williame M'Clymont, his brother (*p.*), Williame M'Clymont, thair father (*ab.*), Williame Or in Mayboll (*p.*), Williame Or in Machrimoir (*p.*), Thomas M'Kerrell at Bairdismylne (*p.*).

"The witnesses names, Hew Foulton in Garpeyne (*ad.*), Thomas M'Clymont in Clonclache (*p.*), Williame M'Clymont in Garpeine (*p.*), Andrew M'Mirtrie in Bogtoun, Johne M'Clymont in Croyshill, Gilbert M'Ure in Killquhinzie, Johne Speire at Bairdismylne, Johne Mortoune in Chappelltoun, James Mure, tailzeour in Mayboll, James M'Rankene writter in Edinburgh."

c. 12th Decem-  
ber 1644.

Depositions  
in favour of  
John Boyll  
against the  
M'Clymonts.

124. " . . . Boyll contra M'Cleymonths.

" . . . [per]sewer [dec]laire that they offer to preive . . .  
sewar be Johne and Williame M'Cleymonthes under [silence ?]  
of nicht be witnesses quho saw theme lying in wait betwixt the towne  
of Meyboill and the persewars [house ?] or to quhome they have con-  
fessit the samyn.

"Item, that they strake him with battouns, quhair no person was bott  
themsellfes, refers that to the aithes of the said Johne and Williame  
M'Cleymonthes.

Miscellaneous  
Papers.

"*Item*, as to the persuitt of the persewer made at his hous with hagbutts and pistolls being under night, offers to preive be witnesses that they came to ane hoisler hous in Garpine with hagbutts and pistolls from Mayboill quhilk is within in a bouschoitt to the persewars hous of Dalduffe and drank aill thair till it wes gloumed, haveing thair hagbutts and pistolls thair.

*Item*, offers to preive be witnesses quho hard the schots schott in at the hous window to the number of four or fyve schotts.

"And because quhen the schotts wer schott they could nott be sein or knawin, refers to all thair aithes that they schott the saidis schotts or wes presentt with them quho schott the saids schotts.

"*Item*, refers to the aith of William M<sup>c</sup>Cleymonthe, the father, that this wes done of his knowledge, befor the doeing therof, and that he resett them efter the doeing therof." There is a scroll of the finding on the back.

125. "Interrogatouris for the pairt of Johne Boll anent the c. 12th Decem-  
ryott committit againes him be Johne and Williame ber 1644.  
Clymontis and certane utheris to be inquiryt at Gilbert Interroga-  
Mure in Kilquhinzie, ane of the witnesses ressaveit for tories for the  
proveing the first ryott continet in the complaint. part of John  
Boill anent  
the riot  
committed  
against him by  
the M<sup>c</sup>Cly-  
monts.

"First, quhither or not the said Johne Boll, coming fra Mayboll to his awine dwelling hous of Dalduff, being tua myles distant, came to the said Gilbert Mure his hous, being in the way, and creavit his company to convoy him, quha vent with him till the said Johne come to ane peynystane cast neir to ane of his awin coithhouses, and thairefter he left him; and the saidis Johne and Williame Clymonts haveing of sett purpose a wayting to tak advantage of the said Johne Boll, finding him alone, being unawares of thame, ane of thame struk him with ane rung and being undir night culd not persawe for ane guid space quha haid done the samen. Thairefter makeing releiff to eschew thair furie crying and defending himself againes thame both, the said Gilbert Mure, heareing the din and strackis, came back and spak to thame, saying it wes evill favored to sett upoun ane mane him alone undir nicht, quherto ane of thame ansuerit he avowit the doeing of it.

"And to inquiryre at Johne Speire at Bairdismylne, eftir this thair conflict, he also hearing the strakis and din, came and spack and conferred with the saidis Johne and Williame Clymonts and came back to the first pairt quher they meitt and liftit the rung, quherwith they haid struckin the said Johne Boll and declairit thane that they expectit to have forgathered with him farder frome his awine hous but being than so neir at this tyme they wald leave him, and avowit to be about with him at ane uther tyme.

"As also till inquiryre at the saidis witnesses whither or not they hard the pairties confes the schouting of with the gunes in at the windows and efter the comeing out of ane womane out of dorres they schot at hir."

Further inter-  
rogatories  
anent the  
same.

"Interrogatouris for Johne Boll anent the ryott comittit against him be Johne and Williame Clymonts, Williame Or in Mayboll, Williame Or in Machremoir, being the second ryott contenit in the complaint referrit to thair aithes be the persewar be ressoun the samen wes done undir silence and clud of nicht and being verie mirk and onlie thamselves thar. Miscellaneous Papers.

"First, quhither or not the said Johne M<sup>c</sup>Clymont, upoun the tuentie aucht day of October, being the day eftir the solemne fast throw the quhole kingdom, he haveing his creuell and malitious desing to have wrangit the said Johne Bell, [*sic*] came to Mayboll and convenit the foirsaidis persones, impairting to thame that he and his brother and father haid ressavit sum wrang and injurie of the said Johne Boll, as they alleadgit, and quheroff he wes frie, avowit that nicht to be revengit of him, and they all came fra Mayboll by the Bogtoun, quhilk is be the way as thai wer comeing to the said Johne Boll his duelling hous of Dalduff and than seperat thamselves be devyding thair companyies and thairefter all mett at the Garpene neir hand to the compleaneris hous in ane hosler hous thair, haveing thair gunes, muskettis and pistollettis with thame, and thair chairgit thame, and came undir silence and clud of nicht to the compleanneris duelling hous of Dalduff, and finding light in the laiche hous thairoff, the said Johne Boll his vyiff sitting at the fyresyd, thay schot in at the window; quhilk of thame it wes they knaw best. Thairefter schoe feireing thai haid forgathered with hir husband came out of the doores, being mirk, they sieing hir quhit kurcheschott thrie schottis at hir with muskettis and with ane pistole but be the providence of God schoe was saif. And thaireftir she closit herselfe in a stable for saiftie of hir lyiff, and the perseuer that nicht wes forcit to stay in Mayboll for saiftie of his lyiff.

"*Item*, to inquiryre the samen interrogatouris at Thomas M<sup>c</sup>Clymond in Crolclache, ane of the witness, for proving of the second ryot."

c. 12th Decem-  
ber 1644.

Depositions in  
the same case.

126. "Gilbert Mure, sworne, denyes he knowes anie thing anent the lying in wait nor anent the defenders being at the oastler hous with gunes. Grants he heard onelie one shott, and, as he beleeves, it wes doun about the water and knew not in what airt the shott wes or whether it wes toward the persewers hous, becaus he wes a myle and a halfe from the hous.

"Johne Speir, sworne, depons *quod nihil scit in causa*.

"William M<sup>c</sup>Lymont, sworne, depons he saw William Ore in October in his mothers hous at Garphin with a gwune about the gloming, and that Johne M<sup>c</sup>Lymont and William Or, elder and younger, wes there and knowes not quhilk of the tuo had the gwune, and that they stayed onelie till they drank tuo pynts of aill and departed. Depons he saw no pistolls and knowes not quher they went frome the hous, and denyes he heard anie shotts.

"Hew Fultoun, sworne, depons he wes in Johne Boylls hous the

Miscellaneous  
Papers.

time libelled and heard a shott in at the window, but knowes not who shott it, and thairafter he come out of the hous to a neighbours hous neere by and heard 3 or 4 shotts but knowes not frome whome.

" Andro M<sup>c</sup>Murthie, sworne, *nihil scit.*

" Johne M<sup>c</sup>Leymont, sworne, *nihil scit.*

" Thomas M<sup>c</sup>Leymont, sworne, *nihil scit.*

" James Mure, *nihil scit.*

" James M<sup>c</sup>Rankene, sworne, *nihil scit.*"

127. " Mayboill, the 14 of December, 1644, William M<sup>c</sup>Lymont in Cohounstoun, in the parochie of Mayboill, being by his awin relation and opinion of the countrey neir fourscore of yeires of a seiklie and in a part decreipt bodie, is not able to travell to Edinburgh this tyme of the yeir without hazard of his lyff and health. Testified unto the richt honorablill the Lords of his Majesties Secret Counsaill, upon the conscience and by the hand of me, J. BONAR, minister."

14th December 1644.  
Certificate by J. Bonar, minister at Maybole, that William M<sup>c</sup>Lymont is unable to travel to Edinburgh on account of old age.

128. Note of three executions by Gilbert M<sup>c</sup>Connelly, messenger, of a summons at the instance of John, Lord Bargany, and Adam Quhytfurd, his servant, on 17th December, 1644, (1) against Thomas Kennedy, sometime of Bargany, and Thomas and William Kennedie, his [sons], " they being within ther awne duelling house within the leffyn and the dore barr . . . them not giving no entrie, I having knokit therat, but speirit all thrie what I would . . . Thomas Kennedy, elder, came and opened ane window in quher at I delyverit him ane just . . . of the saids letters persounallie in his hand, and the said Thomas and Williame Kennedyes . . . speiking to me in audiens of the witnesses efter specifeit, would not open the dore but . . . ther coppies at the windowe," to compear before the Council on 26th December; and immediately thereafter he intimated the same to the said William Kennedy, personally apprehended in Ballantray; witnesses, John Slowane in Foirland of Ballantray, John M<sup>c</sup>Teir there, and James M<sup>c</sup>Kimay, sometime in Ballebege; (2) against John M<sup>c</sup>Crerie in Cra . . . William M<sup>c</sup>Maister in Downance, Adam M<sup>c</sup>Cullie of Auchairne, John M<sup>c</sup>Allexander at the . . . of Aird, Patrick Murdoch in Ballhomie and Gilbert Baird in Corrarie, all personally apprehended, to compear as above; witnesses, Alexander Erle in Ballhomie, Alexander Ramsay in Ballantray, Gilbert Ramsay, his son there, and John M<sup>c</sup>Cawell there; and (3) against Mr Robert Hamiltoun, minister at Ballantray, Andrew Adame in Ballnowtart, and John M<sup>c</sup>Kissoke in Kirkhome of Kirkcudbright, all at their dwelling places, to compear as above; witnesses, Alexander Ramsay in Ballantray, Gilbert Ramsay there, John Brackanridge in Polcairdoche, John M<sup>c</sup>Clorkane, servitor to the said Andrew Adame, and John M<sup>c</sup>Cawell in Ballantrey.

17th December 1644.  
Note of three executions of summons at the instance of John, Lord Bargany, against Thomas Kennedy, sometime of Bargany, and others.

19th December 1644.  
Note of execution of a summons against John Boyle, younger of Dalduff.

129. Note of execution on 19th December, 1644, by Johne Hart younger, messenger, of a summons against John [Boyle] younger of Dalduff, personally apprehended in Edinburgh, to compear before the Council on 19th December and answer at the instance of William McClymont, elder and younger, and Thomas McKerneck; witnesses, James Gledstaines, servitor to Gilbert Neilsone of Kirkcaldie, and Francis Cathcart, merchant in Edinburgh. Miscellaneous Papers.

19th December 1644.  
Summons against John Boyle.

130. Summons at the instance of William McClymont, elder and younger, and others, against John Boyle, younger of Dalduff, as narrated *ante*, p. 40; dated at Edinburgh 19th December, 1644, and signed, ARCH. PRIMEROSE, Cler. S. Cons.

19th-25th December [1644].  
Notes of executions at the instance of John Boyle, son of William Boyle of Dalduff, against John McClymont in Colhounstoun, and others.

131. Notes of executions by George Gordon, messenger, of a summons at the instance of Sir Thomas Hope, his Majesty's Advocate, and John Boyll, son of William Boyll of Dalduff: (1) On 19th December, [1644], against [John McClymont in Colhounstoun], William McClymont, his brother, William Or in Machirmoir and . . . to compear before the Council on the 26th instant; witnesses, Walter Mure in Glenkaird, William Lindsay, common post, and others; (2) on 19th and 20th December, against Gilbert Mure in Kilquhenzie, John Speir in . . . Garpane, John McClymont in Croyshill, Andrew Makmutrie in Boigtoun and . . . as witnesses, all personally apprehended, before the witnesses abovenamed and . . . Jamesone, John Peirsone, Thomas Glaidstone and Thomas Patersone, mason, burgess of Edinburgh; (3) on 21st December against William Ore in . . . personally apprehended at the Castlegate of Edinburgh; witnesses, William G . . . , keeper of the outer gate, Walter Mure in Glenkaird, and Andrew McMurtie in Boigtoun; (4) on 21st December against . . . McClymont in Garpeine as another witness, personally apprehended in Edinburgh before the foresaid Walter Mure and Thomas Patersone; and (5) on 25th December against Thomas McClymont in Clonclache and James McCranekine, writer in Edinburgh, both personally apprehended in Edinburgh, as witnesses, before the said Walter Mure, Thomas Glaidstane, writer in Edinburgh, and John Hairt, elder and younger, messengers in Edinburgh.

23rd December 1644.  
Supplication by George Aitken of Underedge that he may be freed from ward in the tolbooth of Edinburgh, where he is unjustly detained by Sir William Dick of Braide.

132. Supplication by George Aitkin of Underage as follows:—He has been detained in the tolbooth of Edinburgh for a long time in great misery at the instance of Sir William Dicke of Braide, knight, who promised with Andrew Dicke, his son, not to arrest the supplicant during his being in Edinburgh for the purpose of settling with him; yet, before the promised limit of time expired, he caused the supplicant to be apprehended for the sum of forty thousand pounds, "albeit it be ane debt made up and contracted of unhappie bargaines for herring, quhilk, when they swame and I might have rendered them, hee deferred

Miscellaneous  
Papers.

and postponit to accept them, and when they could not be gotten hee craved them extremely so that, having penalties set down in our indentour . . . yeere, I wes forced to acknowledge the samyne as ane principall sowme, quhilk being added to the principall and annuelrent payed furth thereof yeerely, it hath accresced to such a quantity without any reall payment or delyverance made be him to me of saxe thousand pounds money in doune told silver of all the foresaid principall sowme and that he hath infetment and present possession of all my estate for the samyne and he intends never to let me to liberty but to keept my whole estate and starve me in the said prison unlesse I would grant him an renunciation of the heretable right of my said estate in his hands to the ruine of myselfe and prejudice of my hail creditours, and for the not subscribing thereof I wes incarcerat, although the samyn be meekle more worth nor hee can crave, swa that he give to me faire compt and reckoning according to his intromission and the band granted to me be M<sup>r</sup> Andrew Dick, his sone, thereanent, with his voluntare deduction and discharge of swa meekle of the said debt, whilk hee hath often promised; and this unjust dealing and detention of me in the said prison, having no meanes to sustaine myselfe therein, may be the cause and occasioun of my utter ruin and misery unlesse your Lordships provide remeede be deliberation of me and making him to compt whereby hee may have seven or eight thousand merks of yeerely rent in heretage to him for payment of such a debt whilk is onely made up of penalty [and] failyees." The supplicant therefore craves to be liberated and his creditors to be warned to appear for seeing this done; "the rather because the said Sir William Dick hes present infetment of all my estate, quhilk I am content remaine with him whill faire compt [and] reckoning be made betwixt us, and that the samyn be presently done, whereby he will suffer no prejudice but satisfie his just debt. I am content yet for my liberation to give new disposition to him and also disposition and assignation to all my creditours who have arrested me in the said prison whose names are given up in the rolle and insert particularly [the] sowmes of money in the said assignation and disposition of all my lands and geir whill they be satisfied of the said debts obliged be me to them." [On the back] "*Apud Edinburgh*, 23 December, 1644. *Fiat summonitio ut petitur*. (Signed) J. CARMICHAELL." [In a paper attached is a list of the creditors, viz.] "Sir Williame Dick, Williame Dick, his son, Williame Bryssoune in Dunbar, George Purves thair, Jonett Broune thair, James Kirkwood in Skowgall, Violet Corsbie thair." [There is noted on the margin as follows]:—"26 December 1644. Persewer personallie, Sir William Dick and his sone William be M<sup>r</sup> Alexander Dick, who declared in name of his father that they would rather condescend to the supplicants maintenance then that he sould goe free, in respect quhair of the Lords modifies ten shillings Scots to be payed daylie to the supplicant be the defenders so long as he is arrested at thair instances." [This finding is also noted on the back,

and there is a note of execution of the summons on 26 December 1644, by John Hart, younger, messenger, against Sir William Dick of Braid, knight, personally apprehended at his own dwelling house, and William Dick, merchant, his son, at his dwelling house in Edinburgh to compear before the Lords at two o'clock in the afternoon of the same day; witnesses, George Donald and James Grahme, messengers (Signed) Jo: Hart, younger, messenger." Miscellaneous  
Papers.

31st Decem-  
ber 1644.

133.

Curia justiciaria supremi domini nostri regis, tenta in pretorio burgi de Lanark ultimo die mensis Decembris anno Domini millesimo sexcentesimo quadragesimo quarto per honorabiles viros, Dominum Jacobum Lockhairt de Ley, militem, Dominum Joannem Dalzell de Newtoun, militem, Jacobum Lockhairt de Cleghorne, Magistrum Joannem Lockhairt de Heides, Jacobum Cunninghame de Bonietoun and the baillies of Lanark, commissioneris and justices dicti supremi domini nostri regis, per commissionem suam legitime constitutos de data septimo die mensis Novembris ultimo elapso; curia legitima affirmata.

Trial of  
Margaret  
Watson and  
Jean Lachlan,  
in the parish  
of Carnwath,  
for witchcraft,  
by a justiciary  
court held in  
Lanark.

The quhilk day anent the commissiounne grantit be our said soverane lord to the foirsaidis persownes, commissiouners efterspecifeit, to the effect followeing, makeand mentiounne that Margaret Watsoun and Jeane Lachlane, within the parochin of Carnewathe, ar dilait guyltie of the cryme of wichecraft, as the depositions schawin to the Lordes of his Majesteis Privie Counsell beires. Thairfor our said sowerane Lord maid and constitute the saides Sir James Lockhairt of Ley, knyght, Sir Johne Daliell, James Lockhairt of Cleghorne, M<sup>r</sup> Johne Lockhairt of Heides, James Cunninghame of Bonietoun, or anie thrie of thame, our said soverane lordis justicares in that pairt to the effect underwrittin, giveand, grantand and commitand to them our said sowerane lordes full power, authoritie and commissiowne, express biding and charge justice courtes at quhatsumever places and dayes lawfull and convenient to set, affix, hold and continew, suittes to mak be called, absentes to amerchiat, unlaues, amerchiamentes and escheites of the saides courtes to ask, lift and raise and for the samin, if neid beis, to poind and distreinzie, and in the samin courtes the saides tua wiches to call, be dittay to accuse and them to the knoweledge of ane assyse be put, and, as schoe salbe found culpable or innocent of the said cryme of witchcraft, to caus justice be ministrat upon thame conforme to the lawes of this realme; assyse neidfull for that effect, ilk persone under the paine of fourtie pundes to summond, wairne, choose and caus be sworne, clerkis, serjandis, dampsteris and utheris memberis of court neidfull to mak, creat, substitute and ordaine, for quhome the saides justices salbe holdin to answer, and generallie all and sundrie uther thingis to doe, excerce and use for executioun of the said commissioun [quhilk] are requisite and necessar: Firme and stable haldand and quhat [*sic*] to hold all and quhatsumevir thingis

Miscellaneous  
Papers.

salbe lawfullie done heirin, as the said commissioun of the dait the said sevint day of November anno 1644 at mair lenthe proportes.

Compeirit personallie James Forrest, wryttar in Lanark, procurator fiscall to the saids commissioneris, laufully authorized and electit be thame for persewing of the saidis twa witcheis upone the severall pointis of dittay underwrittin, commissioun foirsaid being red in audience of the saides judgeis and of the pennell, persones of inqueist and utheres present, the saides judgeis ordaines the pointis of dittay underwrittin to pas to the knowledge of ane inqueist:—James Hunter in Grematowne, William Glaidstanes in Arthourscheill, Robert Somervell in Eardhouses, James Somervell in Greinfeild, Robert Craig in Lempittes, William Schawe in Haywood, William Tennent in Crofthill, Walter Somervell in Cauldlaw, James Walker in Clewche, John Somervell in Ampherlaw, James Somervell in Throwburne, David Lockie there, James Somervell in Ampherlaw, John Ormeston in Greinscheill, Thomas Watsone in Grematowne. Robert Somervell in Eardhouses is electit chancellor to the said inquest.

Followes the pointes of dittay gevin in and persweit be James Forrest, procuratour fiscall chosin and electit be the sadis justices, commissiouneres abovewrittin, against Margaret Watsoun and Jeane Lachland within the parochin of Carnewathe for witchecraft, consulteing with the devill, renunceing of ther baptisme and geving themselffes ower to Sathane and of thair soule and bodie totallie to his service, chairmeing be the devill his meanes, and quha themselffes ar possest be the devill and haveing of familiar spiriteis, and for practeising, useing and frequenting with the devill and of his chairmes, airtes and pairtes of wichecraft respective and particularlie underwritten ilk ane of you for your awin pairtes as is heirefter dewydit, divers and severall tymes confest be yourselffes in presence of

be vertew of our soverane lordis commissioun gevin under his Hienes signet and subscriptiounes of ane number of his Majesteis Privie Counselloures, at Edinburgh, the sevint day of November, 1644.

Forsameikle as the word of God expreslie commandes by Exodus the 22 chapter at the 18 verse that ane wiche sould not be suffered to leive, lykeas the said word of God by Dewtrimonie, the auchtein chaipiter [*sic*] at the 10, 11 and 12 verses of the samin chapter, sayes Thair sall not be found amang you any ane that usethe divynatioun or ane observour of tymes or ane inchaunter or wiche or ane chairmer or consuler withe familiar spirrites or a wizard or a necromancer, for all that does those thinges ar ane abominatioun unto the Lord, etc.; and in lykemaner be the lawes, edictes and actes of Parliament and commowne pretticque of this realme, namelie be the 9 Parliament, haldin be Quein Marie of happie memorie and thrie Estaites of this kingdome of Scotland at Edinburgh, the fourt day of Junij, 1563 yeires, and in the thrie scoir threttein chapter thairof, quhairby it is ordanet by the Queines Majestee and thrie Estaites that na maner of persone nor

persones of quhatsumever estaite, degrie or conditioun they be of, tak upone hand in ony tyme thairefter to use any maner of wichecraftes, socereis, necromancie nor give themselffes foorth to have any suche craft or knowledge thair of, thairthrow abuse and the people, under the pane of deathe, as the foirsaides trewth and veritie of the writtin word of God and actes of Parliament set downe thairanent at len the beres, under the quhilk writtin word of God and actes of Parliament respective foirsaides grounded thairupone ar comprehendit all necromancers, magitians, socerreres, divyneres, charmeres and utheres particularlie abonewrittin under the generall word of wichecraft; notwithstanding quhair of thow, Margaret Watsons and Jeane Lacheland, wiche now personallie present, ar indytit and accused for wichecraft, excerceisers, useres and practeiseres of the unlawfull, divilleische and damnable airtes of wichecraft respective abone rehearsit and moir particularlie heirefter expremitt, ather of you for your awin pairtes, as is heirefter mentionat, and quha have gevin yourselffes out for chairmeres, laying one of seiknes, taking off of seiknes, consulteing with the devill, renunceing of your covenant with the God and of your baptisme, possess with the evill spirreites and haveing of names quhairby thai answer and obey you, and of uther devillsche airtes and pairtes of wichecraft by your conventioun with the uther wiche quhair the devill is present, in maner heirefter declairit, be the space of many yeires bypast, to the great dissavoweing of your Creatour, abjureing of your Redeimer and contemneing of the Holie Spirit, hurtfull to the honour of God, trew religioun and all weill effectit christianes, contrair to the expres lawes of God set downe thairanent and actes of Parliament groundit thairupone, geiving thairby great offence and evill exemple to all trew weill effectit christianes to committ the lyke errour gif ye and sic as ye, pernicious and divillische persones as you ar, be sufferit to leve and pas unpunischit. Quhairfoir necessar it is that ye and ather of you be condignellie and exemplarlie punished for your dimeriteis conforme to the dittayes respective and particularlie underwrittin gevin in against you and ather of you, as is heirefter specified.

First. Thow, Margaret Watsons, is indytit and accused for keiping meitinges and being at the conventioun with the uther wiche, namelie at ane meiting of the wiche in the hie kirk of Lanark, at ane uther meiting with wiche in the kirk of Carnewathe, and at ane uther meiting with wiche at Nivengseat and at Tormonquheill. To testifie the samin ane Helein Stewart, ane penitent wiche quha suffered laitlie deathe at Cader, told thow wes ane wiche and wes with the hir at meitinges, as also umquhile Katherein Schaw, ane uther penitent wiche, did dilait the to be ane wiche and that thow wes with the hir at the meitinges in the places foirsaides. Of thir thou art guyltie and as ane notorious wiche thow aucht to be punishcet to the deathe, and this thow cannot deny.

M<sup>r</sup> James Dowglas, minister at Carnewathe, witness, sworne and

Miscellaneous  
Papers.

admittit, deponit be his great oathe that he receavet ane lettre fra M<sup>r</sup> Hew Kennedie, minister at Cader, testifeing that Margaret Watsoun wes ane wiche and keipit severall meitinges, did not expres hir name bot by circumstance declairit hir to dwell in Carnewath.

M<sup>r</sup> Robert Birnie, minister at Lanark, witnes, sworne and admittit, deponit that he hard Catherein Schawe dilait Margaret Watsone and Jeane Lachlane to be wiches. Uthers affirmed the lyke.

Secondlie. Thow being dilait be the saidis Helein Stewart and Katherein Schawe, tuo penitent wiches quha suffered deathe, as said is, quhairupone thow wes apprehendit as ane notorious wiche, thow hes (without any tortour or hard useage) at Carnewathe the penult day of September, in presence of Sir John Dalziel of Newtowne, knight, M<sup>r</sup> James Dowglas, minister at Carnewathe, William Inglis of Eastscheill, M<sup>r</sup> Robert Alisowne and William Dowglas and of divers uthers, frielie confest as follows :—First, that thow was ane wiche and that malice and invy wes the caus and occasioun that thow enterit in covenant withe Sathan, and that he appeired to the thryse, the first tyme lyke ane blak man and gripped the about the left pape and then had carnall deale withe the, and thow decerned his nature to be cold, and that he come to the thrie severall tymes to thyne awin hous and promittit to give the ane mendes of suche as haid wrongit the, and particularlie of William Simpstone, father, quha, as thow alledgit, haid tane ane peace of land quhairof thow wes in possessioun. This thow art guyltie of lyke ane notorious wiche and this thow can not deny and art accused thairof.

The said M<sup>r</sup> James Dowglas, witnes, sworn and admittit, aggreit *ut supra* withe this depositioun and dittay abonewrittin.

The said M<sup>r</sup> Robert Birnie, witnes, sworne, deponit *ut supra* with the said M<sup>r</sup> James Hunter, schoolmaster in Carnewathe, witnes, sworne and admittit, aggrees withe the uther tua witnesses.

Thridlie. Thow art indytit and accused that, by thy devillische dispositioun and by the devillische airt, thow wes the deathe of severall horses and ky that pertenis to the said Williame Simpstone, quhairby he hes suffered great skaithe, and thow hes confessit the samin in presense of the saides witnesses. This thow did by thy devillis meanes and thow hes confessed the devill desyret the to doe it, and this thow can not deny.

The said M<sup>r</sup> James Dowglas deponit that [he] hard the said Margaret Watsone say and confes that the devill promiseit her ane mendes and did not declair that schoe spak any farther of the said dittay.

The said M<sup>r</sup> Robert Birnie, witnes, sworne, deponit that he hard Margaret Watsone declair schoe sought ane mendis at the devill and the effect followit.

Fourtlie. Thow hes confessed in presense of the saides persones, witnesses, that thow wes at diverse meitinges withe uther wiches in the devilleis companie, viz., at Niveinseat, heighe kirk of Lanark and in the kirk of Carnewathe (as the saids penitent wiches have declairit) and

that at severall tymes in the night seaseone at the wiche meittings thow and the rest of the wiches that wer withe the being ane great multitude did lift corpes of deceissit persones fra quhom ye tuik memberes, to accomplische thy devillische designes upone men and women, quhairby thow and they tuik severall lyffes, and at your meittings thow and the rest blasphemit Godis name and that ye usit to drink and daunce. Thir also thow art accused of, lyke ane notorious wiche, and this thow can not deny. Miscellaneous  
Papers.

The said M<sup>r</sup> James Dowglas depones as witnes *ut supra* and agrees withe the point of dittay abonespecifeit.

The said M<sup>r</sup> Robert Birnie agrees *ut supra* conforme to the said point of dittay.

Fyftlie. Thow art accused and indyttit for ane notorious wiche, commonne brute of witchcraft, practeiser and user of witchcraft, and this thow can not deny. And to the toakin that thow is ane notorious witch, guiltie of the fairsaidis severall crymes, thow had thy meittings in the places abone designit, and thow hes testifet and declairit that thow knew perfytlie Mailie Pattersone in Carnewathe, Jonet Lockie thair, and Margaret Watsone thair, thy aunt, and that the said Mailie Pattersone read upone ane cat, Jonet Lockie read upone ane cock and thy aunt Margaret Watsone read upone ane thorne trie and thyself read upone ane bottell of strae and the said Jeane Lauchlane upone ane bourtrie.

M<sup>r</sup> James Douglas depones as witnes *ut supra* conforme to the said dittay.

M<sup>r</sup> Robert Birnie depones *ut supra* and agrees with the said M<sup>r</sup> James.

The saids persones of inqueist and chancellor all in ane voice fylles the said Margaret Watsone of the fairsaidis particulares of witchcraft respective abonewrittin. (Signed) G. Weir, clerk to the premisses.

First. Thow, Jeane Lachlane, art indyttit and accuseit for ane notorious witch, as being dilattit be umquhile Kaithrein Schaw, ane penitent witch, who laitlie sufferit death at Lanark, and quha befor hir death did declair, upone the haizard of hir salvatione at severall tymes and constantlie till death avowed the to be guiltie of witchcraft and went thairwith to the fyre, affirmand the samein to be of treuth. This thow art guiltie of and this thow can not deny lyke ane notorious witch as thow art.

The said M<sup>r</sup> James Dowglas depones as witnes that the said Katherein Schawe dilaittit *ut supra*.

The said M<sup>r</sup> Robert Birnie, witnes, agrees withe this dittay as witnes that he hard the samin.

Utheres did the lyke.

Secondlie. Thow art indyttit and accuseit as ane witch, for thow, being confrontit with the said Margaret Watsone at Carnewathe befor M<sup>r</sup> James Douglas and M<sup>r</sup> Robert Birnie, ministers, the said Margaret Watsone did in thy face avow that thow wes one of the first quho maid

Miscellaneous  
Papers.

hir acquaintance with the devill and that thow wes at the meittingis quhen the said Margaret Watstone and the rest of the witcheis wes at the meittingis with Satan in the severall kirkes and places particularie abonewritten in the toakin thow read upone ane bourtrie. This thow art also guiltie of lyke ane notorious witch and this thow canst not deny.

The said M<sup>r</sup> James Dowglas depones as witnes and agrees with the said dittay.

The said M<sup>r</sup> Robert Birnie, witnes, sworne, depones with the said M<sup>r</sup> James, and addit that Margaret Watstone said that Jeane Lachland wes moir guyltie nor schoe wes hir[self].

Thridlie. Thow being first conveyed befor the sessioun of Carnewathe and efterward befor the presbitrie of Lanark, thow confessit that thow gave ane drink of the foxtrie leife to Williame Denholme, perswading him thairto, and that the said drink wold either mend him or end him; quhilk drink the said Williame tuik and within sex houris thairefter depairtit this mortall lyfe. This thow art indyttit and accuseit of as ane notorious witch, and this thow can not deny; and in corroboratioun of the premisses thow com within ane quarter of ane hour efter the death of the said Williame Denholme to thy nighbour Bessie Lindesay, being within hir awin hous and befor schoe knew of his death, and told hir and in the heiring of Alexander Gray, hir sone, thow did schow to the said Bessie that the said William Denholme wes depairtit this mortall lyfe, and schoe speirand at the how wes he deid, thow quyettlie schow to hir that yow had gevin to him the said drink of the said faxtrie leafe quhilk wes the caus of his death, and then thow schew to hir if thow haid not gevin him the said drink then wold he leivit sex yearis and troublit hir sone [and all the rest and declairit that schoe . . . the drink be the said William Denholme . . . sone his adwyse (marginal addition)].

Fourtli. Thow being convict by thy awin confessioun of the death of the said William Denholme, as said is, and thow being urgit to mak further confessioun off thy charmes quhilk thow by the devillis meanes usit for quhat farder confessioun thow wold make anent anie other dealling thow had with Satan, thow then judiciallie befor the said presbitrie wes content, lykeas thow then actit thyselff that, gif ever anie charmes or farder dealling in that kynd sould be provin against the, thow sould be then content to suffer the death as ane witch, and tuk upone the as guiltie of witchcraft without ony inqueist or assyse. And trew it is and of veritie that upone the second day of October last bypast, thow being re-examined in presens of the saidis M<sup>r</sup> James Douglas, M<sup>r</sup> Robert Birnie and of M<sup>r</sup> Robert Alisone, thow confessit that thow haid bein ane charmer for the space of tuentie yeiris bygain and that all thy charmes wer useit for sic as wer foirspokin or for wresting and the charmes that thow useit for anie that wes foirspokin wer thrie thingis hes foirspokin the

and quhither thow wes absent or present from that quhilk wes chairmed it wes alyk for thy charme and wrought als weill absent as present, and consequentlie thow art ane witch by thy awin confessioun and by the fairsaid act maid in presens of the presbitrie, to the quhich thow consentit and so thow art guiltie of witchcraft, lyk aue notorious witch as thow art, and this also thow art indyttit and accuseit for, and this thow canst not deny. Miscellaneous  
Papers.

The said M<sup>r</sup> James Douglas, witnes, sworne, deponit as this said point of dittay beires, and farder declairit that the quhole presbitrie, all in ane voice, declairit that Jeane Lachland hir pointtis of dittay that wes gevin in against hir were witchecraft, becaus they were persuaded in their conscience that the chairmes in that kynd gevin in ar be the devillis meanes, and knew that schoe haid said schoe could mend any that wer seik, ather beast or bodie, altho absent if thai beleivit and askit healthe for Godis saik, quhilk the said Jeane also confessit before the saides commissiouners.

The said M<sup>r</sup> Robert Birnie aggreis withe M<sup>r</sup> James Douglas as witnes, sworne and admittit, as said is.

Fyiftlie. Quhairas thow did declare as of befor judicallie befor the said presbitrie that thow useit no sort of charmes bot sic as thow did to umquhile Williame Denholme by making him drink of the fax trie leife and if thow did anie uther charme thow wes content, lykeas thow inactit thyselff to tak the crime of witchcraft upone the and to suffer death as ane witch without ane assyse, as said is, notwithstanding quhairof trew it is and of veritie that thow hes confessit that thow could doe no good by thy devilisch airt nather to beast nor bodie except the pairtie beleive and askit health at the for Godis sake and beleivit that thow could do the pairtie gude and consequentlie by thy awin confessioun thow art guiltie of the cryme of witchcraft and thairfoir aught to suffer death. This also thow art indyttit and accuseit for and this thow canst not deny.

Sextly. Quhairas thow did declare as of befor judicallie befor the said presbitrie that thow useit noe sort of charmes but sic as thow did to umquhile Williame Denholme by making him drink of the faxtrei leafe and if thow did anie uther charme thow wes content lykeas thow inactit thyselff to tak the cryme of witchcraft upone the and to suffer death as ane notorious witch without ane assyse, as said is; notwithstanding quhairof trew it is and of veritie that thow hes frielie confessit that, quhen thow charmeit ather beist or bodie that wes foirspoken, the seiknes cam upone thyselff so that thow wold geap and gant and sweit for a tyme, and consequentlie by thy awin confessioun thow art guiltie of the cryme of witchcraft and thairfoir aught to suffer death. This also thow art indyttit and accuseit for and this thow canst not deny.

Bessie Lindesay in Eardhouses, sworne and witnes admittit to the inqueist, deponit that Jeane Lachland come in to hir hous, thai dwelland neir uther, and schew hir that the said Williame Denholme wes deid

Miscellaneous  
Papers.

and that schoe asked at hir how, and the said Jeane Lacheland ansuerit hir that schoe haid gevin him ane drink of the fox trie leaff that maid him die and that schoe gave the drink by William Denholme his sones adwyse, and if sche haid not gevin the drink he wald have cumerit all of thame sex or sevin yeris yet to come.

Sevintly. Quhairas thow did declair as of befor judiciallie befor the said presbitrie that thow useit no sort of charmes but sic as thow did to the said umquhile Williame Denholme by making him drink of the foxtrie leife, and if thow did anie uther charme thow wes content, lykeas thow inactit thyselff to tak the cryme of witchcraft upone the and to suffer death as ane witch without ane assyse, as said is; notwithstanding quhairof trew it is and of veritie that thow chairmeit ane meir to Robert Somervell in Eirdhousses, and consequentlie thow art guiltie of the cryme of witchcraft and aught thairfoir to suffer death. This also thow art indyttit and accuseit for as ane notorious witch, and this thow canst not deny.

Aughtly. Quhairas thow did declair as of befor judiciallie befor the said presbitrie that thow useit no sort of chairmes but sic as thow did to the said umquhile Williame Denholme by making him drink of the foxtrie leafe, and if thow did any uther charme thow wes content; lykeas thow inactit thyselff to tak the cryme of witchcraft upone the and to suffer death as ane witch without ane assyse, as said is; notwithstanding quhairof trew it is and of veritie that about tuelff yeiris syne or thairby thow charmed James Leischmanis dochter and that thairby scho grew presentlie better, but by taking of the seiknes of the said James Leischmanis dochter thow geapit, gantit and swat for a tyme, and sua consequentlie thow art guiltie of witchcraft by thy foirsaid confessioun and devilisch practeis of charmeing by taking of of the said seiknes of the said James Leischmanis dochter by the devillis help and assistance, quherby the seiknes wes upone the selff for a space. This thow art indyttit and accuseit foir as ane notorious witch, and this thow canst not deny.

Nyntlie. Quhairas thow did as of befor judiciallie declaire befoire the said presbitrie that thow useit no sort of charmeing but that quhilk thow did to umquhile Williame Denholme by making of him drink of the foxtrie leafe, quherby within sex houres thereafter he depairtit this mortall lyfe in maner foirsaid, and if thow did anie uther charme thow wes then content, lykeas thow then inactit thyselff to be guiltie of witchcraft and to tak upone the the cryme thairof and without ane assyse to sufferre death for the said cryme of witchcraft; notwithstanding quhereof trew it is and of veritie that thow charmeit Walter Somervell his wyfe for milk to hir chylde. This thow did by Satan his meanes and by thy airt of witchcraft, quhilk thow hes confessit and thairfoir thow art guiltie of the said cryme of witchcraft and aught to sufferre death for the samen. This also thow art indyttit and accused for lyke ane notorious witch, and this thow can not deny.

Tently. Thow hes confessit that thow never chairmed aither beast or bodie bot thy chairmes maid thame ever the better. This thow did also by the devillis helpe as ane notorious witche and this thow can not deny. Miscellaneous  
Papers.

Elevintly. Thow art indyttit and accuseit for ane commoun chairmer, laying one and taking of of seikenes, comoun bruit of witchcraft and namelie quhen thow charmeit thow had ane oratione that begane with, "Our Lord out Reid, etc.," quhilk thow hes confessit, and to the toakin quhen thow was confessand the samein thy evill spirit came to the and hinderit the to tell out the samein oratione and thairby thair come upone the ane horrible trimbling and schaiking in presens of the sadis tuo ministeris. This also thow art indyttit and accuseit for as ane notorious witch and this thou canst not deny.

The said M<sup>r</sup> James Douglas, witnes sworne and admittit, deponit as the foirsaid point of dittay beires.

"Tueltlie and lastlie. Thow art indyttit and accuseit for this poynt of witchcraft underwritten, viz.: Helein Heides in Craigiehall within the said parochin of Carnewathe, nerest nighbour to the Eirdhousses, quhair thow duelt, cam to the and shew the that hir milk wes goud frome hir papes and desyreit thy helpe and cure thairto and that for Godis sake and thairefter scho beileivand that thow could doe hir gude thow then by Satan his meanes under cullour of charmeing restorit hir to hir milk againe and within ane schort space thairefter the milk went frome hir breast quhairby schoe wes forced for supplie thairto to cum to the againe and thow then answerit that thow could not helpe hir againe but behoved to goe to ane man in Dunsyre quha wold helpe hir, and that the said man in Dunsyre as thou directit did helpe hir. This thow did by thy devilisch airtes and this thou canst not deny.

George Adame in Cauldlay, witnes swore and admittit, deponit with the said dittay in all pointis—witnes also to the said inquest.

The haill persones of inqueist, all in ane voice, thinkes that the said Jeane Lachland is ane witche and hir chairmes comes be Sathan his meanes and thairfoir fylles her of the saidis pointis as witchecraft, in regaird that the saides tuo penitent witches haid dilaittit hir to be ane wiche and that the said Katherein Schawe tuik it to death that it wes trew and the inqueist declairit that the chairmes respective abonewritten wer be the devilles meanes done and not by na naturall way could have bein done and thairfoir all the persones of inqueist fylles the said Jeane Lachland of witchcrafte, as said is. (Signed) G. WEIR, clerk to the proces."

2 January, 1645. The Councel haveing considered the report abovewritten, ordans the justice to proceed and doe justice according to law. (Signed) LAUDERDAILL, I.P.D."

c. 1644.

134. "Thes ar the supplies that we desyre from the Counsall. First, Supplie of moneyes for mantenans of ane vatch, quhilk if they refuse, to

Miscellaneous  
Papers.

command some noble man to defend and saiff us from indemntnities sic as the Marques of Hountly, the Earle of Murrey, the Laird of Grant or the Laird of McKintoche, such as ar powerfull to doe the sam.

Secondly. Thes being refuisit, to purches ane ample comission inserting the names contenit within your letter therin, with power to the said commissioners to stent the lands, exact penulties, to punnis refragantis and receptors incaice of disobedience or not concurrens, all maner of persones within the lordshipe of Balvany, barronry of Auchindoun and haill lands of Stradoveran and Straith Ila.

Thirdly. Ane strait command to the schireff of Aberdeen, Bamff or Elgin to receave from the said comissioners such broken men or women vagabound as it sall happin the said commissioners till apprehend within the said bounds, and to gif them justice according to information and law.

*Item.* To eik be your better consideratione all uther supplementis for funderans of this guid caus as is usfull in suche caises.

*Item.* Communicat thir our informationes and letter with M<sup>r</sup> Walter Innes of Auchhincart quhom to we have wreittin to concur with yow in the business."

[Addressed on the back]. "Thes be for our honnorabill guid frend, ALEXANDER LESLY, wreitter in Edinburghe."

135. Supplication directed to John, Lord Lowdown, Chancellor of Scotland, as follows :—" Pleis your honorabill lordship, be informitt that Margaret Sinklar, spous to William Bruce, schomaker, burges of the Cannogaite, upone the fyft day of November last desyrit William Andersoun, notar, to reid ane decreit arbitrall to hir pronounceit be George Crawford, schomaker, burges of Edinburgh, and Andro Malloche againes hir husband in favors of Alexander Alschunder, baxter, burges of the Cannogaite, and the said Williame Andersoun, beginning to reid the samein to hir schoe in the meantyme pulled the samein out of his hand and hes distroyit it; and when we complained to the baillie, Henrie Ballanden, he desyrit hir to rander and delyver the samein bak againe, quhilk scho wald onnawayis obey his ordinance; so we ar forceit to compleine to your honorabill lordship for suche ane wrang done to us quhilk is againes all equitie and reassoun that evidents sould be pulled out honest mens hand, beseikand your honorabill lordship for Gods caus the samein be reparrit in suche forme as it was at that tyme, and your lordships ansuer. And the said William Bruce being lawfullie wairnit to compeir befor the said baillie wald not, bot left and fled away aff the toun threttein dayis."

[On the back]. "Call the pairties, 6 [votes]; grant 2."

136. "Information from the Presbitrie of Lanerk to the Lords of his Majesties honorable Privie Counsell of dittaes and presumptiouns of witchcraft proven and confessit aganest Kathern Shaw and Margret Reid, induellaris in the

[Undated,  
c. 1644.]  
Supplication  
that Margaret  
Sinklar,  
spouse to  
William Bruce,  
shoemaker,  
burgess of the  
Canongate, be  
compelled to  
restore a  
decreit  
arbitral  
pronounced  
against her  
husband.

Information  
from the  
presbytery of  
Lanark anent  
Katherine

Shaw and Margaret Reid, indwellers in the parish of Carnwath, who are accused of witchcraft, with a view to obtaining a commission for their trial.

parochin of Carnevath, that thair Lordships may be pleisit to tak the samen to thair consideratioun and if it sall seime expedient to grant ane commission for thair further tryall and conding punishment. Miscellaneous Papers.

*"Imprimis.* Thair wes sent to Mr James Douglas, minister at Carnevath, ane informatioun from the minister of Calder declairing that ane Helene Stewart, who hes maid large confessiouns thair, had [delait] amongst the rest the forsaid Cateren Shaw to have bene present to hir knowledge at thair solemne meitingis with the devill, quherupoun the said Mr James gettis ordour to caus summond the said Katheren to the nixt meiting of the presbitrie.

"The said Katren Shaw, compeiring befor the presbitrie, at the first showis hirself obstinat, bot being comitted in the tolbuith of Lanerk, eftir some few dayes conferance with the minister of Lanark and uther guid people, without ony tortour or hard useage, she maks cleir confessioun of many gross poyntis of witchcraft, some of the principall quhereof followis.

"First. She confest in generall, that it wes of treuth that she had bene in the devill service and had renuncit hirself saule and bodie to him.

"That the first occasioun of her acquaintance with the devill proceidit from ane injurie done to hir by ane Issobell Haistie who had third hir hous over hir head and killit tua of hir henes, which movit hir to [fall] out in a fearfull passioun and say, 'Now aither God or the devill give me a sein mendis of her.' Shortlie eftir, she cuming abot tuelff houres at evening from the fornameit Margret Reids hous to hir awin, thair appeired to hir ane meikle rouch dog and utered speich to hir, asking what she would give to have ane mends of Issbell Haistie, promising that, if she would becum his servant, he wold give hir ane mends, quherupoun, she begining to feir and trimble, the dog or rather Sattane in his liknes evenizzed.

"*Item*, ane other nicht he appeired to hir eftir the same maner, and haiffing convoyed hir to hir hous evanised with ane horrible noyse.

"*Item*, shortlie efter he appeired to hir in licknes of ane colt foill and followit hir home to hir hous, and being enterit into the hous appeired lyk ane Johnne Johnstoun, ane neichbour sone, and when she looked to him she said, 'Johnne, I sall tell your father ye ar come to terrifie me.' He said, 'I am not Johnne.' 'Quhom then,' said she. He ansuerit, 'I am your husband, Johnne Clerk,' and when she said that hir husband was dead and lying in the kirk yaird of Lanerk, he said that he wes come to fetch hir to him and askit if she wald be his servant as he had bene speaking to hir befor and she sould fair weill. 'Quhat would ye give me?' said she, 'for I have meall and keall.' He ansuerit, 'I sal mak ilk day [als] guid as thy yuill day'; and with that he grippit hir with his hand which wes cold as leid, [and] struglit with hir and, she haiffing no power to resist, he had carnall copulatioun with hir and [put] his mark upoun hir, quhilk she shew in hir richt arme.

Miscellaneous  
Papers.

"*Item*, ane other nicht she wes coming to hir bed, and he being in it befor hir pullit hir in to him, [and] had carnall copulatioun with hir agane.

"*Item*, she declares that the fornameit Margret Reid wes the chief instrument of making hir [have?] acquaintance with the devill, whome she had sene at many uther of thair soleme meitingis in chief respect with him.

"As concerneing the fornameit Margret Reid, she being convenit also befor the presbitrie con[fest] the devilish lyk charmes following, which had also bene cleirly proven befor by famous witnesses befor the sessioun of Carnevath.

"*Imprimis*, she confessis that, being ane midwyfe to ane woman of Carnewath parochin, she put hir [bairne] newlie delyverit throw ane hesp of grene yairin thryse to prevent the gand as she alledgeis.

"*Item*, that for the cureing of ane child whome she callit maturned, eftir the mother had socht from hir the health of the child thryse for God sak, she pat it thryse withershines about ane aiken post; quhilks tua being confest and uthers alledged, she wes content to act hirself that, if further sould be proven aganes hir, all sould be trew which Cathren Shaw had said of hir and that she sould willinglie die; notwithstanding quherof, it is judicially proven and now confest that, being midwyffe to tua sisters at tua severall tymes, she useit the charmes following, first, the seik woman being delyverit hir left foot sho wes taine away and never thaireftir sein; nixt, the barne lying upoun the ground, she drew ane number of strange compases about it and then pat it thryse whitheshenes about it mothers left houch and thaireftir the woman being led up she took ane lichtit candle whithersheins about all the corners of the bed, murmuring sum secret words as witnessses hes deponit bot cannot tell them.

"*Item*, being confrontit with the forsaid Cathern Shaw in prisson, who standing constantlie to hir former delatioun in the presence of many witnesses, the said Margaret flew maist barburslie upoun Cathren Shawis face and being restranit utered thir words, 'If I had gottin blood of the theiff, she sould had never had power to haiff told mair teales of me.' (Signed) M. R. Birnie, minister at Lanark; M. R. Inglis, minister at Douglas; M<sup>r</sup> Jo. Weir, minister at Carlouk; M. Al. Levingstoun, minister at Carmichaell; M. J. Lindesay, Carstairs; M<sup>r</sup> Ja. Douglas, minister at Carnwath; M. J. Hume, minister at Lesmahagoe; M. W. Somervell, minister at Pettinane."

137. "I, Alexander Mure, apoynted by the Counsel of Scotland to 2nd April  
resaufe al such provision as sould come from Scotland to Ireland 1645.  
for the intertainment of the Scottis army ther, grantis me to haufe Acknowledgement by  
resaved out of Gabrel Homes, Andro Garvie, Carl Morisone, Johne Alexander  
Culbert, Jo. Wilsone, Gorge Crafurde, ther barks, the number of thrie Mure of meal  
thousand fyfe hundreth fyftie aught bollis, one firlet tuo peckes meil in received for  
the use of the  
Scots army in  
Ireland.

the monthis of Agust, September last bypast by the wav of Glascon from James Hamilton of Bogis for the use of the forsaid army, quherof I grant the rebaite ; as witnes my hand at Craigfergus, the 2 Apryle, 1645. (Signed) Alexander Mure."

Miscellaneous  
Papers.

7th May 1645.

Summons at  
the instance of  
William  
Jameson,  
minister at  
Jedburgh,  
against  
Alexander  
Kirkton,  
provost of  
Jedburgh.

138. Summons at the instance of Mr William Jameson, minister at Jedburgh, narrating that, upon occasion of the recent burning of the town of Kelso, he and Mr Robert Knox, minister at Kelso, with some others were sent by the presbyteries of Jedburgh and Kelso to the Committee of Estates and Commissioners of the General Assembly to represent the miserable condition of that town, whereupon a recommendation was issued by the said Committee for a voluntary contribution towards its relief and the collection was committed to any one of the ministers within the respective presbyteries to be nominated by the moderator and brethren thereof. This recommendation was printed and many copies circulated among the Commissioners of the General Assembly, who sent the same with their own missive letters to the several presbyteries in the counties of Roxburgh, Berwick and Selkirk and to the presbyteries with the army at Newcastle, the whole being inclosed in one packet directed to the complainer and Mr Robert Knox, who were desired to see the same delivered as directed. It was received by them, and the packet for the army was left with the complainer to be sent by him to England. The kirk session of Kelso, having resolved to send two of their number to the army on this mission, they sent one of them on Monday, 21st April last, to Jedburgh to receive the packet from the complainer and convey it to the presbyteries there. By virtue of his commission he was received within the ports of Jedburgh, but as the said complainer was at the church engaged in the morning's service, he retired to a house till the same was ended, and then sent by one of the bailies of the town to acquaint the complainer with his errand. Shortly thereafter the complainer was informed that Alexander Kirkton, provost of Jedburgh, had thrust the commissioner out of the town, whereupon he went to the provost and "verie deftlie intreated him to permitt the commissioner to come and deliver his commissioun for so charitable ane earand, recommended both from the commissioners of Kirk and State. But the said provest, stirring up a great number of the touns people to follow him, not onelie refused to suffer the said commissioner to come within the toun, but also in publict streit uttered manie reproachfull and injurious speeches against the said Mr William, his owne minister, and lifted a rod to stryke him therewith, quhilk he eshewed by retiring back. Yitt the said provest in his furie followed and despitefullie gave the said Mr William tua boxes on the breast and had not failed to have committed further insolence upon the said Mr William, if he had not removed himselfe. Which being a verie malapert and proud attempt against the said minister in his owne parish be one who sould have protected him

Miscellaneous  
Papers.

in prosecution of the orders of the Committee and Generall Assemblie, aucht therfoir to be censured." Charge is therefore given for citing the said provost before the Lords and others of the Committee of Estates at Edinburgh on , and also for citing the following persons as witnesses, William Rutherfurde, bailie of Jedburgh, Andro Rutherfurde called the Burges, Andrew Mortoun, merchant, John Skougall, William Murray, James Kirktown Archibald Rutherfurde, notary, James Gledstanes, burges of Jedburgh, and Thomas Chatto, merchant in Kelso. The summons is dated at Edinburgh, 7th May, 1645, and signed by ARCH. PRIMEROSE.

139. Note of execution on 12th May, 1645, by Andrew Craig, messenger, of a summons at the instance of Mr William Jamesone, minister at Jedburgh, against Alexander Kirktowne, provost of Jedburgh, the service being against Thomas Chatto, merchant in Kelso, personally apprehended, to compear as a witness in the case; witnesses, Robert Craig, son to the messenger, and James Leidhous, servitor to Mr Robert Knox, minister at Kelso.

12th May 1645.  
Note of  
execution  
of above  
summons.

140. Note of executions by Andrew Graden, messenger, upon 13th May, 1645, of a summons at the instance of Mr William Jamesone, minister at Jedburgh, against (1) Alexander Kirktown, provost of Jedburgh, personally apprehended, to compear before the Lords of the Committee of Estates upon 16th May; witnesses, Andrew Jamesone, indweller in the Abieclose, and John Loukupe, burgess in Jedburgh; and (2) William Rutherfurd, bailie of Jedburgh; Andrew Rutherfurd called the burgess, Andrew Mortoune, merchant, John Skuggeld, William Murray, James Kirktown, Archibald Rutherfurd, notary, and James Gledstanes, burgesses in Jedburgh, all personally apprehended, to compear as above as witnesses in the cause; witnesses, Andrew Jamesone and Robert Robsone, clerk of Jedburgh kirk.

13th May  
1645.  
Note of  
executions of  
summons at  
the instance of  
Mr. William  
Jameson,  
minister at  
Jedburgh,  
against the  
provost of  
Jedburgh,  
and others.

141. " 16 May, 1645, in presence of the Lord Craighall and Tofts. M. W. Jamesons witnesses :—William Rutherfurd, baillie of Jedburgh, sworne, depons he wes at home in his hous and not present when the squable wes, but that Thomas Chatto at sermon being at the port and the baillie having seen his testificat, and, knowing his earand wes to the minister, he told the said Thomas that the minister wes at the kirk and desired him to stay at the port till sermon wes ended, and then told the minister that one wes seeking him from Kelso and wes at the port, and knowes no further, and depons he cannot write.

16th May  
1645.  
Depositions in  
the case of the  
minister of  
Jedburgh  
against the  
provost of  
Jedburgh.

Johne Skougall, sworne, depons that Thomas Chatto being at the croce the provest seing him inquired how he came in, and Thomas ansuered the baillie brought him in to deliver his letter to the minister, quherupon the provest desired him to goo to the port till the minister come, quhilk he did, and, the minister coming from the port with

Thomas Chatto, the provest held up his staffe to the said Thomas and desired him to goe back, and the minister affirming that he would take him to his hous, the provest said he sould not come in, who would not, and the minister said he sould come. Knowes no further. Miscellaneous  
Papers.

William Murrey, sworne, married, depons *conformis precedenti*; onelie denyes he heard the provest boast or threaten the minister or use injurious words.

James Kirktown, sworne, depons he saw the provest hold up his staff but knowes not to quhom, and also saw him putt the minister by with his elbow and guirdie him, but heard no speeches.

James Gledstanes in Jedburgh, married, sworne, depons *conformis secundo testi*. (Signed) CRAIGHALL; BELSCHES.

*Post meridiem*, in presence of the Lord Craighall and James Stuart."

6th June  
1645.

Bond by Mr.  
William  
Cunningham  
of Ballin-  
dalloch to pay  
for his escheat  
goods if he is  
found lawfully  
denounced by  
Margaret  
Cunningham,  
portioner of  
Restalrig.

142. Bond by Mr William Cuningham of Ballindalloch with Thomas Johnsonsone, burgess of Edinburgh, as cautioner, that he will pay to his Majesty's Treasurer and receiver of rents for his escheat goods, if he is found lawfully denounced at the instance of Margaret Cuninghame, daughter of Harry Cuninghame, portioner of Restalrig. [See *ante*, p. 44]: With clause of relief; dated at Stirline, 6th June, 1645, witnesses, John Stirling of Harbertshyre and George Makmichall, servitor to the said Mr William. The bond was written by Mr John Callendar. The cautioner cannot write and signs by the aid of John Gawie, notary.

c. November  
1645.

Petition by  
Alexander  
Inglis, dean  
of guild of the  
burgh of  
Perth, anent  
the poynding  
of oxen  
belonging to  
Patrick Mar-  
tin, elder and  
younger.  
See *ante*, p. 26.

143. Unto the Lords of Secretit Counsall, humblie means and shawes Alexander Inglis, Dean of Guild of the burgh of Pearth, that quhair Patrik Mairtein, elder and younger, being unlawit in ane shiref court of Pearth, and poynding direct furth against tham thairanent, I causit lauffullie poynd certain oxen fra them thairfoir, as the said decreit, precept and executionis bears, nochtheles quhair of your lordships did ordain me to redelyver fyftein oxen, allegit poyndit be me or els tuentie foure punds for the pryce of ilk ane of them, and the saids Patrik Mairtein, elder and younger, to find caution to pay the unlawes. And I being chairgit for payment of the pryce of the said oxen wes forceit to consing the same and to suspend the said decreit upoun the fyft day of December j<sup>m</sup>vj<sup>o</sup> and fourtie foure yeirs; quhairupoun the said Patrik Mairtein, elder and younger, did upoun the penult day of December, the said yeir, 1644 yeirs, purchases your Lordships letters and thairupoun did charge me to compeir befor your Lordships upoun the ellevint day of November thaireftir to hear the foirsaid reassouns dicussit; and thairfoir I now produce the saids reassouns eftir specefeit, quhilk I use for eleiding of the said decreit, humblie intreating your Lordships to considder the same. In the first, the foirsaid decreit aucht to be suspendit for the number and quantitie of thrie oxen of the said fyftein decernit to be restoirit be me, becaus thair nather wes nor could be decernit against me

Miscellaneous  
Papers.

moir than the number of twelve oxen conteanit in the said poynding, nather did the foirsaid decret proceed upoun any uther probatioun than upoun the poynding produceit. And trew it is that, albeit the poynding bear that thair wer sextein oxen and ane kow at first apprehendit upoun the ground of the lands, yit nevertheles it is maist trew, lykas the poynding bears, that thrie of the saids seixtein oxen wer challengit be Jean Mairtein, dochter to the said Patrik Mairtein, elder, as hir owin propper goods, whairupoun shoe maid faith and in respect thair of they wer delyverit back to hir be Alexander Conynghame, shiref officer, user of the said poynding, as the executioun bears, and in lyke maner ane uther of the said oxen wes challengit be William Stewart, whairupon he maid faith, and the foirsaid broun kow wes challengit be John Spense, whairupoun he made faith, and wes redelyverit bak to them be Harie Droummound, ane uther of the said sherif officeris, as the executioun in lyke maner bears; so that thair wer only twelve oxen lawfullie poyndit, as the poynding bears. And in so far as the foirsaid decret siems to be foundit upoun my confessioun, the samen is null and aucht to be suspendit, becaus the said Patrik Mairtein, compleaner, did not refer the veritie of the complaint to my declaratioun, nather wes ever my aith taiken, nor did I depon in the said mater, bot only produceit the said poynding, and thairfoir thair could be no further decernit to be restoirit than wes poyndit. In respect quhair of the forsaid decret, in sa far as the samen decerns thrie oxen by and attoure twelve conteanit in the poynding, is null as wanting probatioun.

Secondlie, the foirsaid decret aucht to be suspendit for the remnant twelve oxen conteanit in the poynding, becaus I offer to prove and instantlie instructs that immediatlie [after] the charge given to me for restitutionoun of the said oxen, I, for obedience of the said decret conforme to the charge, did be Andro Marshall in Craigmackuiran, my procuratour, mak reall offer to the said Patrik Mairtein of the said twelve oxen, personalie apprehendit upoun the ground of his owin lands of Campsie, out of which they wer poyndit in als good cais as they wer the tyme of the poynding, quhilk the said Patrik did refuis, quhairupoun I be my procuratour left the saids goods upoun the ground of the saids lands, conforme to your Lordships decret and charge foirsaid, in respect of the which obedience instantlie done be me conforme to your Lordships ordinance instantlie verifiet be lauful instrument, the said decret aucht to be *simpliciter* suspendit.

Thridlie, albeit thair had not been any lauful offer maid for obedience, as trewlie wes, yit the foirsaid decret aucht to be suspendit and the said Patrik Mairtein, elder and younger, can never be hard to suit execution thairupoun, becaus I offer me to prove and instantlie instructs be tua severall lafull instruments that the said twelve oxen wer in the chargers possessioun since the dait of the foirsaid decret upoun the ground of thair lands and houses belonging to them, and thairfoir can never be hard to seik executioun for delyverie of the said oxen or

pryces thairof, in respect quhairof the said deceit aucht to be suspendit *simpliciter*. Miscellaneous  
Papers.

Fourtlie, giveing and not graunting that thair had not bein any reall offer maid, as trewlie wes, and that the saids twelve oxen had not bein in the chargers possessioun since the decreit, as they trewlie wer, yit nevertheles the said decreit aucht to be suspendit *simpliciter*, and the chargers cannot be hard to seik any executioun thairupoun becaus the fairsaid decreit is affectit with ane expres conditioun that the saids chargers should find cautioun to me of the unlaues decernit against them, quhilk as yit thay have not done, nor maid any payment of the samen to me, so that till the saids unlaues be fullie satisfiet for the which the saids goods wer poyndit, I cannot in justice be lyable ather to mak restitutionoun of the tuelve oxen or pryces thairof, the said chargers conforme to your Lordships decreit, quhilk is the ground of the charge and conforme to the shireffs decreit of Pearth, being verifiet to be debtoris to me in the saids unlaues, quhairupoun *de liquido in liquidum* conforme to the act of Parliament compensatioun aucht to be grauntit, all quhilk is instantlie verifiet. In respect quhairof the said decreit and executioun thairof aucht to be suspendit *simpliciter* and the consingit mony given up to me, or otherwayes, as your Lordships thinkis expedient. I humblie crave that, sieing the said mater is mearlie civeill, that your Lordships would be pleasit to remit the same to the Lords of Counsell and Sessioun to be cognoscit as being competent judges thairto, and for that effect to ordain the consingit mony to be given up to me upoun sufficient cautioun to be answerable thairfoir, as law will, according to justice. And your Lordships answer humblie I expect.

c. 1645. 144. "It is desyred your Lordships wold be pleased to gett the cause depending before the Bills at the instance of Robert Stewart of Navie and others, heretores of Glenlyvit, vassals to the Marquis of Huntley, against the Laird of Leslie Forbes may be remitted to the Secrett Counsell. Remitte to the Councel. (Signed) CRAFTURD LINDESAY."

[c. 23rd July 1646.] 145. Supplication by the noblemen, gentlemen and other inhabitants within the regality of Spynie, as follows:—Since the death of John Innes of Leuchars, heritable bailie of the bailierie and regality of Spynie, there has been no one to dispense justice therein, and Innes, his son, has not entered and does not intend to enter as heir. They are hereby much prejudged, and some of them are deprived of the right of serving themselves heirs to their predecessors in certain lands. They therefore crave that William Layng, one of the bailies of Elgine, who was formerly depute to the said John Innes in the office foresaid, or some other able and qualified man, may be appointed to act. The decision of the Lords is given *ante*, p. 53.

Miscellaneous  
Papers.

146. Finding of the Lords of Council in the process by William Rig of Carbarrie and others against Sir John Wauchope of Niddrie, as narrated *ante*, p. 38. On the other side of the papers are the following depositions in the case:—

James Rid, sworne, depons he did cast in yeard in the coal pot mouth and whoribusses, and that Alexander Murdoch and his coalbearers were clossed.

John Knox depons he wes not present.

George Clunie depons he did cast in erdd in the coal poat mouth and ditted it up when Alexander Murdoch and his coalbearer were within the coal pot; and that they were not deteaned above ane quarter of ane houre.

Andro Rammage depons he wes not present nor did not cutt anie of the stoups.

Willame Johnston depons he cuist in some yeard in the coal pot mouth when Murdoch and his coalbearer were within the coale pot.

John Dicksons deponis *conformis*.

Sir John Wachop of Niddre, sworne, depons he did not draw his sword, and that he told Robert Mure he would doe weele to goe his way and not to come thair to trouble thaim againe. Depons he did not persew Robert Mure with a drawne sworde. Depons he directed the poor men to fill up the hole." [State of the vote] Proven 3; Not proven 7.

Also, on the same page: "Lieutenant Colonel Monro, cautioner for Captain Leslie; Patrick Scot of Thirlestane, cautioner for William Scot, under the paine of 2<sup>m</sup> merks."

147. Supplication by Andrew Linne as follows:—"I, being ane inhabitant in the kingdome of Ireland thir aughteine yeires bygaine and haveing married ane honest woman ther, callit Elizabeth Redgatt, and haveing procreat betwixt us foure bairnes, trew it is that in the beginning of the lait troubles ther, I, haveing for the suirtie of my wyffe and childrene, intending to doe my best, did then put hir and them within the Castell of Cloch, quherof Captaine Walter Kennedie was then captaine, att quhich tyme the said Captaine sent me with nynteine more of our countreyemen on horseback to wiew the fields, and to interrupt ane passage (iff it wer possible) distant from the said castle aught mylls or therby, and that aboute twelf aclock at night, it being verie dark for the tyme; quherupone we haiffeing gone upone hazard of lyffe and death and that for preservacione of his Majesties honour, our lyffes, our wyffes, childrene and estaites and keipit the passage quherunto we wes direct, and when (after a long tyme) we wer returneing home againe to the said castle we wer informit be the way that the said castel was beseiged be the enemie and that the said Captaine haid renderit the same within few houres after the seidge and

[6th December 1646  
lege 1644.]  
Depositions in  
the process by  
William Rig of  
Carberry and  
others against  
Sir John  
Wauchope of  
Niddrie.

Supplication  
by Andrew  
Linne, Irish-  
man, to be  
allowed till  
the 1st of  
July to  
recover certain  
papers in  
Ireland for his  
defence in an  
action brought  
against him by  
William  
Semple,  
indweller in  
the Canongate.

that without anie sturr or conflict, albeit he wes sufficientlie provydit of men, munitioun and victualls for the space of thrie or four monethes, notwithstanding he most cowardlie and unfaithfullie to his King and countrey men randerit up the said castle to the enemye, seiking allenerlie quarters to himself, his wyffe and children, and remitting the whole rest to the unmercifull crueltie of the enemye, att quhilk tyme ther wes killed by men and boyes that fought quhill ther lives wes quick into them sevinscoire women and children, quherof my wyffe and thrie childrene wes ane part, with diverse uthers my freinds to the number of fyftein or sextein. Upoun the quhilk greivance and crueltie I, with the rest of my saids comerads, wes forcit to fie to the nixt refuge quher oure countrey men haid anie forces, and I have servitt his twelf moneth bygaine as ane voluntire upon my awin charges and expensses, quhill now of laitt within this moneth I came heir to Scotland to visite my freinds, att quhilk tyme I wes summondit to compeir befor the Lords of Sessione at the instance of Williame Semple, indweller in the Cannongait, to mak payment to him off a hudge deall of quantities of guidis and geir alledgit belonging to him as husband to umquhill Helene Semple, the relict of umquhill Thomas Redgat, *jure mariti*, quhilks particulares conteinit in his lybell (extending abowe ten thowsand lbs) he hes referrit to my oath, such [as] I cannot prove be writt. And seing equitie and reassone wold (haiffing my wyffe and children murtherit in maner forsaid and bereavit of my wholl guidis and standing) that I should haiff ane compitent tyme assignit to me for goeing to Ireland to search and seik owt such papers as I can find for my defence in the said actione, iff anie be to fore, and haiffeing no longer tyme allottit to me be my commander in Ireland nor the fyftein day of Februar nixtocum to returne back againe to Ireland to my service, to quhich I am bound be promise, and am not sure quhen I willbe sufferit to returne back againe heir, heirfor I, your poore supplicant, most humblie beseich your Lordships to tak the premisses of my calamitous discourse, it being of treuth in the haill (as I salbe comptable to God) to your Lordships merciefull consideratione and to allow me the first day of July to seik out my saids papers in Ireland in such court books and registers as I can find them for my defence in the said actione, beffoir quhich tyme I am not able either to produce my saids papers or giff my advocatis informatione, and that your Lordships thereafter wilbe pleasit to recomend the same to the Lords of Sessione beffoir quhom the said actione is agitate."

[Undated,  
c. 1646.]  
Supplication  
by the magis-  
trates of  
Irvine for  
directions  
regarding a  
boy who has  
accidentally

148. Supplication by the provost and bailies of Irwing, as follows:—On 19th October instant, a boy within their burgh, aged 13, named Alexander Bankis, was tried by an assize for the slaughter upon the preceding day at Stinstoun of Gilbert or Gilchrist M<sup>c</sup>Ilwaster, a Highland man from Kintyre, with a hagbut. The assize convicted him "of the reckles and negligent slauchter of the said umquhill Gilbert

Miscellaneous  
Papers.

with the foirsaid hagbutt, the samyn being brocht over fra the Hielandis <sup>shot a man with a hagbut.</sup> to the maynland with thes Hieland men who war at that same tym in companie with the said Gilbert, chargit with powdir and leid, the said umquhill Gilbert and James Fultoun, maister of the said boy, being standing together making bargan anent sum ky, erles being laid in his hand of the said kuy be the said James, the said young boy being standing at his maisteris bak and being toiland in his bairnhood with the said chargit hagquebut, not kennand the same to be chairgit, never haifing bein in malic with the said umquhill Gilbert, nor haifing sein uthiris or had midling together." The supplicants, in respect of the circumstances and the boy's age, and also that no one prosecuted him, have continued his sentence, and crave direction herein from the Council. (Signed) ALLANE DUNLOP, proweist; A. CONYNGHAME, bailye; R. BROWN, clerk.

149. " Forsamekle as it hath pleased God to visite the burgh of Dysart <sup>c. 1646.</sup> with the contagious seiknes of the pestilence, quhilk daylie groweth and <sup>Commission to the bailies of Dysart to take steps for the suppression of the plague which has appeared in the said burgh.</sup> incessis within the said burgh be ressoun of the misgovernament thairin, proceeding frome the dissobedience of the inhabitantis within the same, quha can not be retenit and haldin under that commandiment and obedience quhilk becometh, everyone prescryving reulis to thame selffis how to behave thame selffis in this dangerous tyme, sua that be the present confusioun and disourder within the said burgh the said seiknes is lyke to haif a forder course and progress thairin, giff God of his mercy provyde not remeid and that all sich ordinarie and lauchfull meanis be used quhilkis at Godis goode pleasour may stay the course of the said seiknes, thairfoir the Lordis of Secreit Counsaill gevis and grantis power and commissioun to the baillies of Dysert (quhome the saidis Lordis makis his Majesties justiceis in that parte) to mak, prescryve and sett doun actis, reullis and constitutionis within the said burgh for the goode reule and governament thairof during the present seiknes thairin, especialie for retening and keeping of the suspect and foull personis frome the clene, appointing of placeis for the foull personis and commanding of thame to contene thame selffis within the pairtis and placeis appointit for thair tryall and clengeing, ay and quhill efter a sufficient tryall thay be fred and relevit, and to injoyne panes and punismentis upoun the contravenaris of thair saidis actis according to the natour and qualitie thairof, and to execute the same panes accordnglie; with power alsua to thame to tak ordour how the puir and miserable bodyis (quha ar and sal happin to be visite with that seiknes and wantis moyane to sustane thameselffis) salbe sustenit and intertenyt during the tyme of thair suspitioun and seiknes, and the ordour to be tane be thame to cause putt in executioun; and to fense and hald courtis and to creat officeris and memberis of court neidfull, assyisses and witnesses als oft as neid beis, ilk persone under the pane of ten pundis, to summond, warne, cheis and caus be sworne: ferme and stable halding and for to hald all and quhat somevir thingis salbe lauchfullie done heirin: chargeing heirby all the

inhabitantis within the said burgh and utheris whome it effeiris to reverence, acknowledge and obey the said baillies in all thingis concern- ing the executioun of thair officeis, as they and every ane of thame will answer to his Majestie and his Counsaill at thair heichest charge and perrell. This present commissioun during the continuance of the seiknes within the said burgh allanerlie to induir. (Signed) J. BALMERINO." Miscellaneous Papers.

- c. 1646. 150. "Humble Petitiouns to the Lords of his Majesteis most honorabill Privie Counsaill be M<sup>r</sup> Thomas Michell, comissioner for the diocese of Abirdein.

Petitions from Mr. Thomas Mitchell, comissioner for the diocese of Aberdeen. *Imprimis*, concerning Georg Duncan in Lessindrum, parischioner of Drumblet, excommunicat for adulterus incest, having often sensyn invadet the minister of his lyff and at last casten himself out of service, living most scandaluslie, that your Lordships wilbe pleased to grant commissioun to the schirreff of Aberdein present and his successours to apprehend the said Georg and to execute the lawes against him.

Fiat.

"*Item*, becaus the Sabbath day is most hainouslie profained be messengers, schirreffs and commissars, officers and uthers of that sort be executing ther chairges at the churche doores quhen pepill ar guing and comeing fra devyn service, quherthrow the Sabbath day is profained, christian hairts grieved and many therby hendered to resort to the heiring of the word, it will please your Lordships to give ordour for restraint theroff and to inhibit the sam in all tymes comeing under some strait sanctioun against the committars.

"*Item*, it will please your Lordships to consider at quhat extraordinare charges the bishop and ministrie of the diocess hes bein be sending comissioners, executing of charges and suche lyk daylie occatiouns thir yeiris bygon and yit ar, in persewing and prosecuting the lawes of the kingdome against excommunicat papists, and to tak some course theranent.

("Ordains thame to be payed out of the fynes.")

c. 1646. 151. Key to the cypher used in the correspondence of the friends of his Majesty.

A.	E.	I.	O.	U.	Y.
5.	8.	11.	14.	17.	20.
6.	9.	12.	15.	18.	21.
7.	10.	13.	16.	19.	22.

B.	C.	D.	F.	G.	H.	K.	L.	M.	N.	P.	Q.	R.	S.	T.	W.	X.	Z.
25.	23.	29.	27.	33.	31.	37.	35.	41.	39.	45.	43.	49.	47.	53.	51.	57.	55.
26.	24.	30.	28.	34.	32.	38.	36.	42.	40.	46.	44.	50.	48.	54.	52.	58.	56.

From 58. to 200. serve onely for Nulles, that is to distinguish the words and make the whole cypher hard.

Miscellaneous  
Papers.

- |                            |  |
|----------------------------|--|
| 4. King.                   | 241. Hamilton.                           |
| 3. Queene.                 | 242. Huntley.                            |
| 2. Prince.                 | 243. Arguile.                            |
| 1. Duke of Yorke.          | 244. Moutrose.                           |
| 200. P[rince] Rupert.      | 245. Eglinton.                           |
| 201. P[rince] Maurice.     | 246. Nithisdaile.                        |
|                            | 247. Kalander.                           |
| 202. Duches of Buckingham. | 248. Seaford.                            |
| 203. Duches of Richmond.   | 249. Limarick.                           |
| 204. Duke of Richmond.     | 250. Traquair.                           |
| 205. Arundell.             | 251. Aboine.                             |
| 206. Northumberland.       | 252. Lowden.                             |
| 207. Darbye.               | 253. Ballmerinloch.                      |
| 208. Worcester.            | 254. Kirkubright.                        |
| 209. Southampton.          | 255. Johnston.                           |
| 210. Bedford.              | 256. G. Lesley.                          |
| 211. Pembroke.             | 257. Mayor Montroe                       |
| 212. Essex.                | 258. . . . Murrey.                       |
| 213. Hartford.             | 259. Archib[ald] Steward.                |
| 214. Dorcet.               | 260. Ormond.                             |
| 215. Salesbury,            | 261. Thumond.                            |
| 216. Leicester.            | 262. S. Albons.                          |
| 217. Warwick.              | 263. Gormonston.                         |
| 218. Bristowe.             | 264. Montgarret.                         |
| 219. Holland,              | 265. Mr Genish.                          |
| 220. Newcastle.            | 266. Mr Guier.                           |
| 221. Falkland.             | 267. Chichester.                         |
| 222. Saye.                 | 268. Muskry.                             |
| 223. Conway.               | 269. Staire.                             |
| 224. Cottington.           | 270. Sir Phelim O'Neil.                  |
| 225. Manchester.           | 271. Mr Owen O'Neil.                     |
| 226. Secret[ary] Nicolas   | 272. Prestoun.                           |
| 227. H. Percy.             | 273. Galle.                              |
| 228. H. Germaine.          | 274. Berne.                              |
| 229. Porter.               | 275. Antrim.                             |
| 230. Willmut.              | 276. Mr Alexander M <sup>c</sup> Donell. |
| 231. J. Ashburnham.        | 277. Sir D. Gorme.                       |
| 232. General Ruthen.       | 278. Sir H. Tichburne.                   |
| 233. Sir Ar. Aston.        | 279. Sir Jo. Borlace.                    |
| 234. G. King.              | 280. Sir W. Parsons.                     |
| 235. G. Goring.            | 281. Tirone.                             |
| 236. Sir Ar. Hopton.       | 282. Tirconell.                          |
| 237. Alde Hotham.          | 283. Sir James Dillon.                   |
| 238. The Parliament.       | 284. Sir Luke Fitzgarret.                |
| 239. Mr Daniel O'Neil.     | 285. Roger Moore.                        |
| 240. Mr Briant O'Neil.     |  |

## Townes in England.

- 286. London.
- 287. Yorke.
- 288. Oxford.
- 289. Newcastle.
- 290. Hulle.
- 291. Chester.
- 292. Scarbrough.
- 293. Carlile.
- 294. Whitehaven.
- 295. Workington.
- 296. Wirewater.
- 297. Holyhead.
- 298. Barwick.
- 299. Helmsley.
- 300. Burley.

## Townes in Scotland.

- 301. Edenbrough.
- 302. Ayre.
- 303. Erwin.
- 304. Leith.
- 305. Dunbarton Castle.
- 306. Portpatrick.
- 307. Kirkubright.
- 308. Lough Killkeran.
- 309. Lough Fin.

## Townes in Ireland.

- 310. Dublin.
- 311. Galloway.
- 312. Knockfargus.
- 313. Kinsale.
- 314. Killkenny.
- 315. Derry.
- 316. Coleraine.
- 317. Waterford.
- 318. Charlemont.

- 319. Dunluce.
- 320. Balle Castle.
- 321. Olde-stone.
- 322. Glanarme.

## Islands.

- 323. Manne.
- 324. Bute.
- 325. Mull.
- 326. Sleate.
- 327. Raghlen.
- 328. Spaine.
- 329. France.
- 330. Italy.
- 331. Holland.
- 332. Rome.
- 333. Groine.
- 334. Dunkerk.
- 335. Callais
- 336. The Emperour.
- 337. King of Spaine.
- 338. King of France.
- 339. Queene of France.
- 340. Traileman.
- 341. Poole.
- 342. James Steward.
- 343. Sir R. Pye.
- 344. Sowreby.
- 345. Nandick.
- 346. Mons[ieu]r Peeter.
- 347. Mon[sieur] Mich.
- 348. Tom. Lilly.
- 349. Arch[ibald] Hille.
- 350. Will[iam] Whiteheade.
- 351. Sir Jo. Clotworthy.
- 352. John Davis.

Miscellaneous  
Papers.

[Signed on the back] "A. PRIMEROSE."

12th January  
1647.

Approval by  
the presbytery

152. "At Hamiltoun in the presbitery thair off, 12 Januar, 1647.  
The quhilk day thair wes presentit beffoir the presbitery foirsaid ane  
lettir from my Lord Duk of Hamiltoun, all under his Gracis hand,

Miscellaneous  
Papers.

beiring in effect that his lordship wes weill pleisit to give to M<sup>r</sup> Johne Baillie, presentit by his lordship to the kirk of Cambuslang, yeirlie during his lyfytyme and to his successours, ministeris at the said kirk, by way of a constant locall stipend to him and thame for serving the cuir thairat, not onelie the old stipend quhilk his predicessores had of beffoir but farder in way of augmentatioun of the stipend foirsaid that quhilk M<sup>r</sup> Patrik Hammiltoun, last minister thairat, had of his lordship in pensioun, with halff ane chalder of victuall moir out of the first and reddyest of the teynds of the paroch kirk and parochin foirsaid, as the said lettir in the selff at mair lenth beiris. Quhilk being red, hard and considerit be the presbitery, and thai being ryplie and weill advysit thairwith, they fand the said offer ressonabill, requyring M<sup>r</sup> Patrik Scharp, thair moderatour, to give his lordship thankes, ordaining that a contract be drawin up betuix his Grace and the said M<sup>r</sup> John in maner and to the effect abonewrittin. Extract be me, M<sup>r</sup> David Mayne, furth of the buikis of the presbitery of Hammiltoun, clerk thairto. (Signed) MR DAVID MAYNE, clerk.

of Hamilton  
of an offer by  
the Duke  
of Hamilton  
for the settle-  
ment of Mr.  
John Baillie as  
minister of  
Cambuslang.

153. Supplication by Sir William Dick of Braid, knight, as follows:—  
He is charged at the instance of George Aitkine for making payment of ten shillings of daily allowance, "conforme to your lordships act and ordinance maid thairanent dailie and ilk day since the second day of Januar last to the 9 day thairrof, being sevin dayes for ane weik and frae the said nynt day to the 16 day therof, being other sevin dayes for the second weik, and frae the said 16 day to the 23 day therof inclusive, being uther sevin dayes for the thrid weik, within sex dayes nixt eftir the charge under the pane of horneing," and he complains that the said George Aitken "intends to denunce me thairto maist wrangouslie becaus both eftir and befor the geiving of the said chaarge I was ever most willing to pay to the said George the foirsaid thrie weiks mentenance conforme to the said act and ordinance, he alwayes subscriyveing to me ane sufficient discharge thairupone, including all bygane, conforme to other dischairges granted be him formerly to me in the same kynde, quhilk the said George absolutlie refused to doe; quherupon Johne Whytt, my servitour, in my name tuik instrumentis upone his refusall and of my willingnes to mak payment to him in maner foirsaid," which instrument, with a former discharge by the said George to him for his maintenance from 26th December, 1646, to 3rd January, 1647, "including all byganes" are produced. He has thereupon consigned the three weeks' allowance, amounting to £10 Scots, in the Clerk's hands, to be forthcoming to the said George Aitken upon a discharge to be granted by him thereupon. The supplicant therefore craves suspension of the charge, and letters for summoning the said George to see this done.

9th February  
1647.  
Supplication  
by Sir William  
Dick of Braid,  
for the  
suspension of  
a charge  
brought  
against him  
by George  
Aitken,  
prisoner in the  
tolbooth of  
Edinburgh at  
Sir William's  
instance.

[On the back] "*Apud Edinburgh, nono Februarii,*" 1647. *Fiat sum-  
monitio ut petitur* to the first day of March and to suspend and discharge  
unto the tent day of the same becaus the supplicant hes consigned the  
soume within conteaned. (Signed) SOUTHESK."

5th April 1647. 154. Supplication by John M'Callaw, burgess of Haddington, as follows:—Sir John Seattone of Barnes, knight, George and Charles Seattounes, his sons, and James Hammiltoun, his half-brother, molest and trouble him and his men, tenants and servants in the possession of their lands, especially by taking away his horses and oxen when they are labouring the ground and are in the ploughs or about any other kind of work, to his great loss. He therefore craves letters to be directed to messengers of arms for taking his oath that he fears bodily harm, and letters for charging the said persons to find caution for keeping him scathless.

Supplication  
by John  
M'Callaw,  
burgess of  
Haddington,  
for lawburrows  
against Sir  
George Seton  
of Barnes, and  
others.

Miscellaneous  
Papers.

[On the back] "*Apud* Edinburgh, *quinto Aprilis*, 1647. *Fiat ut petitur*. The within nameit Sir Johue Barnes [*sic*] complenit upone under the pane of three thousand merks and ilk ane of the remanent persounes under the pane of ane thousand merks Scots money."

15th April  
1647.  
Supplication  
by James  
Urquhart of  
Oldcraig for  
lawburrows  
against James,  
Viscount of  
Frendraught,  
and others  
who are  
threatening  
and molesting  
the supplicant  
and his  
tenants.

155. Supplication by James Urchard of Oldcraig as follows:—James, Viscount of Frendraught, James Creichtone of Kinnaird, his father, George Creichtone, his sone, Robert Creichtone of Condland, James Creichtone, his sone, Lord Oliphant, Andrew, Lord Fraser, Dunbar of Burgie, and William Creichtone, lawful son of the deceased George Creichtone, uncle to the Laird of Kinnaird, daily trouble and molest the supplicant and his men, tenants and servants in their lands, and threaten all sorts of violence and lie in wait for their lives, "so that I nor my tennents cannot posses my lands without haizard of our lyves nor attend our lauffull effeares." He therefore craves letters to be directed to the messengers of arms for taking his oath that he dreads bodily harm, and for charging the said persons to find caution for his indemnity. [On the back] "*Apud* Edinburgh, 15 *Aprilis*, 1647. *Fiat ut petitur*. The within nameit Vicount of Frendraucht under the pane of fyve thousand merks, the Lord Oliphant and Lord Fraser, ilk ane of thame, under the pane of four thousand merks, the Laird of Kinnaird, Conland and Burgie, ilk ane of thame, under the pane of thrie thousand merks, and ilk ane of the remanent persounes under the pane of tuo thousand merks Scotts."

16th April  
1647.  
Supplication  
by Hew  
Campbell in  
Lochingirroch,  
and others for  
lawburrows  
against John  
Dunbar of  
Knockshin-  
nock and  
others.

156. Supplication by Hew Campbell in Lochingirroch, George Craufurde of Auchincros, Johne Gemmill in , and John Campbell in Pollosh, as follows:—John Dumbar of Knokschinnoch, John and Patrick Dumbars, portioners of Pencloy, and George Dumbar in Laight, daily molest and trouble them and their tenants in the possession of their lands, and threaten violence, and lie in wait for them. They crave letters for directing messengers of arms to take their oaths that they dread bodily harm, and for charging the persons complained upon to find lawborrows.

[On the back] "*Apud* Edinburgh, 16 *Aprilis*, 1647. *Fiat ut petitur*, ilk ane of the persounes within complenit upone under the pane of tuo thousand merks Scotts."

Miscellaneous  
Papers.

157. Supplication by James McMillane, stabler in the Canongate, 16th April 1647. and Christian Johnstoun, his wife, as follows:—Thomas Fodderbie of  
 , Margaret Hunter, his wife, and John, Alexander, and William Supplication  
 Hunters, sons of the said Margaret, daily trouble and molest the suppli- by James  
 cants and their tenants and servants in the possession of their lands, so Macmillan,  
 that they are hindered in attending their lawful business. They there- stabler in the  
 fore crave letters to be directed to messengers of arms for taking their Canongait, and  
 oath that they dread bodily harm, and for charging the said persons to Christian  
 find lawborrows. Johnstone, his  
 wife, for  
 lawborrows  
 against  
 Thomas  
 Fodderbie  
 and others.

[On the back] “*Apud* Edinburgh, 16 *Aprilis*, 1647. *Fiat ut petitur*, ilk ane of the persounes within compleit upone under the pane of ane thousand merks.”

158. Supplication by Douglas, Lady Kirkcudbrigh, as 5th May 1647. follows:—“It haveing pleased God to call frome this lyffe the Lord Supplication  
 Kirkcudbrigh, my husband, and one McClellan of Borg being to succeed by Lady Kirk-  
 to his estate will reddilie upon notice of my lords death sease upon our cudbrigh that  
 houses and intronett with anie moneys, writts or others being within, the bailies of  
 at his awne hand, quherby I may be heavilie prejudged unlesse your Dumfries be  
 Lordschipe provyde remeid.” She craves that warrant be given to the charged to  
 bailies of Dumfries, to take possession of the house of take posses-  
 inventory of the money and moveable goods therein, and “to putt the sion of her  
 same in sure firmance within the hous, and that the hous and all that is house and  
 thairin may remaine in the possession of anie your Lordshipe pleaseth mak inventory  
 till in ane orderlie way the writts therin be lookt unto that it may of the money  
 appeare how the same is to be disposed off.” and moveables  
 therein.

[On the back] “*Fiat ut petitur* to Foullerton of Carleton, William Glendoning and Baillie Corsan or anie tua [of] thame, and discharges all others to medle thairin. (Signed) LOUDOUN, CAN<sup>n</sup>RIUS, I.P.D. COM.”

[Also on the back] “Lady Kirkcudbrigh, 5 May, 1647.”

159. Summons at the instance of Sir Archibald Johnstoun of 4th June 1647. Wariestoun, his Majesty's Advocate, and Robert Pringle of Blindlie Summons at  
 and John Haliburtone, younger of Murehouslaw, narrating that notwithstanding the prohibition by law of bearing hagbuts and pistols and the instance of  
 convocating of the lieges in arms, on 16th May, 1645, John Pringle, Sir Archibald  
 sometime of Smailholme, James Pringle of Buckholme, George Pringle, Johnstone of  
 his son, James Pringle, sometime of Dewer, James Pringle of Heriotmyln, Warriston,  
 David Pringle, his brother, George Pringle of Newhell, James Pringle, and others  
 his son, William Pringle in Stow, James Halden in Fallsheittis, against James  
 Robert Halden, his son, John Lorimer there, William Freir there, John Pringle of  
 Thomesone in Stow, Archibald Lawsone there, James Pringle in Heriot- Buckholme  
 toune, Richard Lawder and John Stoddert in Criblaw, and others to the and others for  
 number of about one hundred persons, “armed in hostill maner with forcibly  
 musket, gunes, hors and side pistollis, corslet, heid peeeces and others entering the  
 houses on the  
 lands of Over  
 Shellis and  
 other lands.

weapons invasive, come to the lands of Over Sheillis, Criblaw and Pherniehist lying in the parishe of Stow possess be the compleners these nyne yeeres bygone be vertue of good and undoubted rights, brake up the doores of the houses of the saidis landis, strake, hurt and woundit the tennentis, women and children with blae and bloodie stroakes; as also woundit and stroake the reader, being visiteing the seike their, so as he wes not able to visite the seike nor discharge his functione; houndit, woundit and putt away the tennents goodis of the saids lands, thrust them frome the same, distroyed their insight and plenishing and possess themselves in the saidis landis without anie lawfull warrant, be plane bangestery." Charge is therefore given for citing these persons to compear before the Council at Edinburgh on \_\_\_\_\_, and also to cite \_\_\_\_\_ as witnesses in the case; dated at Edinburgh, 4th June, 1647, and signed ARCH. PRIMEROSE, Cler. S. Cons.

6th and 7th  
June 1647.  
Note of  
executions of  
summons  
against George  
Pringle of  
Buckholme,  
and others.

160. Note of executions on 6th and 7th June, 1647, by Thomas Murray, messenger, of the immediately preceding summons, against (1) George Pringell of Buckholme, James Pringell, sometime of Dewar, James Pringell of Herriat Mylle, James Hadden in Gallow scheill, Robert Hadden, his son, William Freir in Nether Barne, John Tomsoun in Stow, and Richard Lauder and John Stoddert in Cribella, all personally apprehended, and George Pringell of Newhall at his dwelling house, to compear before the Council at Edinburgh on 10th June instant; witnesses, Alexander Murray, messenger, and Andrew Tomsone in Stow; and (2) Thomas Bruntoun in Fairniehirst, William Tomsone in Bowre, James Scott in Slaknedrowye, William Scott in Knollis, [James Scott in Dewar, \_\_\_\_\_ Howatsoun in Dewar, Thomas Jonstoun thair]<sup>1</sup> Walter Melen there, John Scott in Gattounsyd, James Bowstoun in Westhouses, William Leis in Happing and George Jonstoun in Lindgat, all personally apprehended, to compear as witnesses in the above cause; witnesses, Alexander Murray, messenger in Lauder, and William Allisoun, servant to the messenger.

10th June  
1647.  
Obligation by  
Sir William  
Hamilton of  
Elestoun anent  
his business  
and estate.

161. "Att Edinburgh, the tent day of Junij, 1647. The quhilk day in presence of the Lords of Privie Councell compeired personally Sir Williame Hamiltoun of Elestoun, and the Counsels pleasur for dischairging the commissioun formerlie given for restraining his persoune being intimat unto him, he, to testifie his care and regard for the right manadging of his bussines and his estaitt, did willinglie act and obleidge himselfe to governe his estaitt and not to sell or dispoone upone the same or anie pairt thair of, bot be advyce of the Lord Chancellor, the Earle of Tweddell, and Lord Balmerino or such as sall have powar from thame. *Extractum.*"

<sup>1</sup> These names in brackots are deleted.

Miscellaneous  
Papers.

162. "Edinburgh, Junij, 1647, James Scott in Slaknodrowch, being June 1647. interrogat wher he was when the ryott lybellit was committed, declaires he was two myles of the place and can declare nothing upone the poynts of lybell. Depositions in the action against James Pringle and others.

"George Johnstoun in Nather Lindgat deponis *conformis*.

"Williame Leyis in Happringill deponis *conformis*.

"Williame Thomesone in Boure depones *conformis*.

"James Bowstoun in Westhousses, being interrogat wher he was that day that the defendars possesst thameselffis, declaires, he being upone the ground thair came to the ground with the defendars particularlie contenit in the executions about ane hundreth men, the most part thairof horsmen, on of thame haveing ane headpeice, and those that was upone horse had musketts, the rest upone foott picks. Declaires they brak up ane doore and pat the wholl tennents and thair goods aff the ground and removed the wholl plenisching within the house to dorres and brak it. He declaires farder that the reider being thair was also put af the ground, and thaireftir possesst thameselffes in the housses and the land.

"Walter Meaban in Westhousses, being interrogatt *ut antea*, declaires he was also upone the ground that day lybellit and that thair came to the ground with the defendars particularly contenit in the executions above fiftie men. Declaires thair was at fewest fourtie horss with swords and some of thame pistolls, and those that war upone foott, some war armed with picks and some with lances. Depones also thay brok up only ane doore and thaireftir all doores war maid patent, and eftir they entered within the housse they put the tennents aff the ground and removed the wholl insight and plenisching out of the housses and pat the persewar and his tennents goods aff the ground. Declaires he saw no stroaks gevin nor blood drawin. Depons he saw the reader also ther and was put also af the ground. (Signed) DUNDAS OF THAT ILK; R. GRÆME OF MORPHIE."

163. Supplication by Adam Abircrombie of Auldraine as follows:— 9th July 1647. It was his great misfortune to kill George Leith of Newraine, "for which I doe heartilie crave pardone from God and man, yitt his Majestie being pleased to grant his Hienes remissione to me thairfore, as the same of the date at Newcastle, the 12th of November, 1646, proports, notwithstanding, as I was evir befor, I am still yitt willing to give all assythment to the relict, bairnes and narrest of kin to the partie killed, and for that purpose did by Captane Patrik Campbell, ane of Collonell Pitcotties regiment, my actornay, appoynt ane particular day at Aberdene to have mett with thame for giveing satisfacione, qnhilk was absolutelie refused, as instruments takin upone my willingnes and thair refusall be the said Captane Patrik Campbell, my attorney fairsaid, in my name heir present to schaw beires; and seing be his Majesteis remissione your Lordships ar appoynted to be the judges of the assyth- Supplication by Adam Abircrombie of Auldraine for letters charging the widow and relatives of George Leith of Newraine, who was slaughtered by the supplicant, to appear before the Council and see the assythment for the said slaughter modified.

ment and to decerne thairin incaice of thair refusall," he therefore craves letters to charge the widow, children, and nearest of kin of the defunct with their tutors and curators, to appear and see the assythement modified. Miscellaneous  
Papers.

4th August  
1647.

Summons at  
the instance of  
William  
Garioch, elder,  
in Norum,  
against Duncan  
Forbes of  
Campbell for  
assault.

164. Summons at the instance of William Garioch, elder in Norum, narrating that on 1st June last when the complainer was in the house of the Laird of Craigevar, Duncan Forbes of Campbell, out of some preconceived but causeless prejudice against him, in a most insolent and barbarous way "sett upone him with ane drawin sword at the yett of Craigevar, haveing a full resolutione to tak his lyfe; but, being seperat be some that war standing by, he vowed and swoore be many grievous and horrible oaths to be about with the complenar at another occasione. Quhairupone the said Duncane Forbes, still taking all advantages to wrong the complenar and being informed that he was upone the day of the said moneth of Junij last going to Sir Williame Forbes of Monimusks hous, he took occasione to direct Williame Forbes, younger of Camp-hell, his sone, wher he was, who being commanded and charged be his father to prosecute his wicked designes upone the complenar he, in a most barbarous and cruell way, sett upon the complenar or he was awar, dang him to the ground (being behind his back) upone his face, gave him a soar strock thairupone with his steikit neive to the great effusione of his blood, and eftir he had woundit him he tramped and trode upone him as if he had bene a doge, not being able to recover nor help himself, quhairthow he left him at the point of death, not being able to stur nor move, but wos thaireftir takin up and caried to bed, so that he is still bedfast sinc to his great and heavy prejudice; quhilk is ane unsufferable wrong and aught to be examplarlie punished." Charge is accordingly given to cite the said Duncan and William Forbes to compear before the Council at Edinburgh on , and also for the citation of witnesses. Dated at Edinburgh, 4th August, 1647, and signed, ARCH. PRIMEROSE, Cler. S. Cons.

4th November  
1647.

Summons at  
the instance of  
Gilbert  
Kennedy of  
Ariwillane  
agnist the  
provost of  
Stranraer and  
others.

165. Summons at the instance of Gilbert Kennedy of Ariwillane, narrating that he has been kept prisoner in the tolbooth of Edinburgh since 22nd July last on the complaint of the provost and bailies of Stranrawer, Mr John McClure, doctor of medicine, and Hew Kennedy of Ariheman that he had come out of the [tolbooth of the] said burgh "inorderlie" after being warded therein. Yet the truth is that he was most wrongfully warded by Mr John McClure who, having accepted from the complainer an assignation to a larger sum due by Sir Robert Adair of Kinhilt, knight, than was required to pay his debt, thereupon granted a backbond promising to continue the caption and allow the assignation in payment of the debt whenever Sir Robert paid, and then he transacted with Sir Robert "to qualifie his satisfaction" and "transferrid the complenars said assignatioun in his favoures." Moreover, the com-

Miscellaneous  
Papers.

plainer obtained letters of suspension of these captions. Charge is accordingly to be given to these persons complained upon to compear before the Council at Edinburgh on                      and see the complainer put to liberty. The summons is dated at Edinburgh, 4th November, 1647, and signed ARCH. PRIMROSE, Cler. S. Cons. On the margin is noted as follows:—"21 Januar, 1648, the defenders absent. The Council ordans Gilbert Kennedie to be put to libertie in so farre as he is wardit for the caus lybellit, he first giving his oath that he cannot find caution and than acting himselfe to appeir before the Council on Thursday nixt under the pane of perjury. (Signed) CASSILLIS, I.P.D."

166. "We, minister and elderis, undersubscryveris, doe be thir presentis testifie and declare that Walter Ross of Innercharroun is heavilie deceased and infirme in bodie through ane vehement payne contracted in his legge this tuo moneth bypast and is bedfast thairby, quharbe he is nowayis able to travell nor come to church or markatt. Wryttin and subscryvit at Kincardin, the fourteine day of November, j<sup>m</sup>vj<sup>c</sup> fourtiesevin yearis. (Signed) M<sup>r</sup> H. Munro, minister at Kincardine; Jo. Ros, ane off the elderis; Johne Ros, ane of the elderis. I, David Munro, moderator of the prowince, do trulie testifie the premissis; Tho. Ros, ane of the elderis; Tho. Mackenzie ther; Donald Ros testifies the same."

14th November 1647.  
Certificate from the ministers and elders at Kincardine that Walter Ross of Innercharroun is unable to travel.

167. Scrap of paper on which is written as follows:—"The Counsel appoynts a frequent meiting of Counsel to be kept heere upon the 18 of this moneth for considering the mater of exportatioun of victual and that letters be writtin to the Councillors within distance to keepe that diet. CASSILLIS, I.P.D."

18th November 1647.  
Meeting of Council to be held anent the export of victual.

Edinburgh, 18 November, 1647 . . . Præses; Argyll;  
Crafurd Lindsay; Dalhoussie; Angus; Carnegie; Sinclair;  
. . . Burley; Clerk Register; Advocate; Dundas; Bogie;  
Lee; Provost of Edinburgh . . . as be act of  
Committee of the 29 of October . . . Edinburgh, 2 December, 1647 . . . Præses; Argyll; Crafurd; Eglintoun;  
Glencarne; . . . Advocat; Bogie.

168. Summons at the instance of Susanna Douglas, widow of James Borthuik, brother of the deceased George Borthuik of Todhills, narrating that Alexander Calderwood and Patrick Johnstoun, bailies of Dalkeith, and Mr Hew Campbell, minister there, have conceived a prejudice against her and caused her to be apprehended and warded in their tolbooth, "and as yitt most unmercifullie detenis hir in prisone in great miserie." Charge is therefore given to cite these persons complained upon to compear before the Council on                      , and also to cite                      as witnesses. Dated at Edinburgh, 20th November, 1647, and signed ARCH. PRIMROSE, Cler. S. Cons.

20th November 1647.  
Summons at the instance of Susanna Douglas, widow of James Borthuik, against Alexander Calderwood and others.

24th November 1647.

Note of execution of above summons.

169. Note of execution of the preceding summons on 24th November, 1647, by John Hart, messenger, against Alexander Calderwood and Patrick Haistie, bailies of Dalkeith, and Mr Hew Campbell, minister there, all personally apprehended, to compear before the Council at Edinburgh on 25th instant; witnesses, James Andersone, officer in Dalkeith, and Alexander Forbes there.

Miscellaneous Papers.

25th November 1647.

Summons at the instance of Arthur Forbes at the Mill of Fuchill against Alexander Lesly in Biddiefurro and others.

170. Summons at the instance of Arthur Forbes at the Mill of Fuchill narrating that Alexander Lesly in Biddiefurro, John Gray, sometime quartermaster to Harthill, and William Gordon, outlaw, being causelessly prejudiced against the complainer, on 1646, came to his house, under cloud and silence of night, which being entered, "in a barbarous and uncivill maner they took and apprehendit himselfe, being our frie liedge, gave him manie cruell and bloodie stroaks and took from him the hail weapones perteaning to him within his hous and ane hundreth pundis Scotts." Charge is therefore given for citing these persons to compear before the Council at Edinburgh on and for citing witnesses; dated at Edinburgh, 25th November, 1647.

25th November 1647.

Note of execution of summons at the instance of William Garioch, elder, in Norum, against Duncan Forbes of Campbell.

171. Note of execution on 25th November, 1647, by Thomas Bruce, messenger, of a summons at the instance of William Garioch, elder, in Norum, dated 4th August last, against Duncan Forbes of Campbell, personally apprehended. The messenger then passed to William Forbes, younger of Campbell, and offered him a copy, "but he on na wayes wald accept thairoff but minaced and boasted me with weapones, upone the quhilk I did cast the said coppie from me subscribit, as said is, to him, becaus he wold not suffer me to come neare him." He thus charged both to compear before the Council at Edinburgh on 6th January next; witnesses, James Cushnie, notary, William Merser in Meikle Indivie, Alexander Forbes, lawful son to the Laird of Leslie, and William Bruce, the messenger's son.

17th December 1647.

Summons at the instance of Thomas Gray in the Canon-gate against Thomas Mylne, indweller in Leith.

172. Summons at the instance of Thomas Gray in the Canogait, narrating that on 15th June last the complainer was riding peaceably on the highway from Tranent to the Pannes when Thomas Milne, indweller in Leith, "in a most barbarous and inhumane way, haveing a great mastage doge in his companie, hunded him at the complenar, and the doge haveing drawin him and his hors to the ground, the said Thomas Mylne most cruellie and unmercifullie, haveing his sword drawin in his hand gave him four severall great cuttis on the head, wherthrow thair was ten severall bones taken out of his harnpann, and gave him also another wound in the airme. And eftir he had cutted and wounded the complenar in maner foirsaid he agane most inhumanly and uncristianlie hunded his doge at him, who most cruellie bitt him in the hand wherby ther was tuo sinewis brokin of his hand and ane of his airme. As also the said Thomas Mylne and his doge wounded

Miscellaneous  
Papers.

and bitt the complenar in severall uther partis of his bodie to the effusioun of his blood in great quantitie and great perrill of his lyfe, being left upoun the ground almost dead." Charge is therefore given to cite the said Thomas Mylne and witnesses to compear before the Council at Edinburgh on ; dated at Edinburgh, 11th December, 1647, and signed ARCH. PRIMROSE, Cler. S. Cons. On the back there is a note of the execution on the 18th December. (See under that date).

173. Supplication by Walter Ross of Innercharron and William Ross, 15th December 1647.  
his son, as follows:—They have been cited to compear before their Lordships at the instance of John M<sup>c</sup>Kenzie of Tarbett, knight baronet; John Ross, *alias* M<sup>c</sup>Conill, and William Ross, his brother, tenants of the said Sir John, on a charge of hamesucken upon the said tenants; and because of their non-compearance letters of horning have been taken out against them. Now they were not lawfully cited, as though a copy of the summons was left at the said Walter Ross's house, it was not delivered to him until long after the date of compearing, otherwise they would have appeared in their defence. They crave a new day for hearing and suspension of the horning till then. [On the back] "Edinburgh, 15 December, 1647. *Fiat summonitio ut petitur* to the tuentie-sevint day of Januar nixtto cum and to suspend and discharge *ut infra* till last day of the samen moneth. Becaus Alexander Ross, tailyeour int he Cannogaite, is becum caution for the complenars to the effect and for the caus within contenit."

174. Summons at the instance of Walter Ross of Innercharron and William Ross, his son, narrating as in the preceding supplication, where- 15th December 1647.  
upon charge is given for citing the said Sir John M<sup>c</sup>Kenzie and John and William Ross to compear before the Council on 27th January next at Edinburgh; dated at Edinburgh, 15th December, 1647, and signed ARCH. PRIMROSE, Cler. S. Cons. On the margin is a note of the hearing. "Edinburgh, 27th January, 1648; Suspende personalie; charger be M<sup>r</sup> John Alexander. Walter Ross compeired personalie for himselfe and in name of his father for whome he tooke burden. The Councell assignes this day 20 dayes to the charger to bring in witnesses to prove his lybell and that both parties keepe that diet."

175. Supplication by Isobel Maxwell, only daughter and heir of Sir John Maxwell of Nether Pollok, knight, and John, Earl of Loudoun, High Chancellor of this kingdom, and Margaret, Countess of Loudoun, his spouse, and nearest of kin on the mother's side to the said Isobel, as follows:—"Sir Georg Maxwell, on the ane part, and Sir James Maxwell of Calderwood, on the uthir pairt, hes takin up the house of Nethir Pollok laitlie eftir the said umquhil Laird of Pollok hir fathers deceis on thair pretendit tytills and richtis, and seasit on the haill wrytis, poisse, jewells, gold, silvir and haill plenishing, and also taking me, the 16th December 1647.  
Supplication by Isobel Maxwell, only daughter and heir of Sir John Maxwell of Nether Pollok, that she may be exhibited before the Council in

connection  
with the  
seizure of her  
person and  
property by  
Sir George  
Maxwell and  
Sir James  
Maxwell of  
Calderwood.

said Issobell, his only daughter and aire, and as yitt ane or aither of them keipes and deteines me and the sameine, and on thair contestis hes severall ryots and complaints, each aganis uthir, depending befor your Lordships for keiping, taking up and deteining the said hous and haill gudis abonewrittin. Heirfor we humblie beseich your Lordships to cause exhibite me in the meane tyme befor your Lordships, only aire foirsaid, as also the said chartour kist, haill wryts and evidents, poisses, [and] moneyis that your Lordships may take that course as may be aggrieable to law and justice for the preserving of my rights and protectione of my persone [until it be found] in the ordiner course of justice who hes best right tharto that the said aire may no way be prejudgit in hir persone nor just rights." [On the back] "Edinburgh, 16 December, 1647. The Council ordans Sir George Maxwell [and Sir William Cochran<sup>1</sup>] to exhibit Issobel Maxuel before the Council this day 14 dayes under the pane of horning. CASSILLIS, I.P.D.

Miscellaneous  
Papers.

16th December  
1647.

Opinion of  
persons appoin-  
ted for revising  
the processes  
depending  
between Pat-  
rick Martin  
and Alexander  
Inglis in favour  
of the said  
Patrick.

176. "Wee undersubscryveand, appoynted be the Lords of his Majesties Secreit Councell for reviseing the processes depending betuix Patrik Martine and Allexander Inglis, and haveing mett and considdered the same, wee find that the said Allexander Inglis did not tymouslie mak offer of the goods lybellit, conforme to the decreit pronounced aganes him, as the instruments takin be both parties beares, and the said Patrik Mairtine, giveing his oath that the goods lybellit quhilke war ordaned to be restored to him be the said Allexander Inglis war not the same goods quhilks war poyndit be him from the said Patrik Mairtine and that they war not receaved be him nor pastured be him nor any of his tennents or servands at his command and directioun, it is our humble opinion that the pryces thair of consignit in the Clerks hands sould be given up to the said Patrik Mairtine and recommends to the Councell to modifie such a soume to the said Patrik Mairtine for his expensses for his long attendance as the Councell sall think fitting."

"Edinburgh, 16 December, 1647. The Lords of Secreit Councell approves the report abovewrittin be the subcommittee concerning the poynding of the goods lybellit and ordanes the pryces thair of to be given up to Patrik Mairtene."

18th December  
1647.

Note of a  
summons at  
the instance of  
Thomas Gray  
in the Canon-  
gate against  
Thomas Mylne,  
indweller in  
Leith.

177. Note of execution on 18th December, 1647, by George Gordon, messenger, of a summons at the instance of Thomas Gray in the Canno-gait against Thomas Mylne, indweller in Leith, at his dwelling house to compear before the Council on 21st inst.; witnesses, Walter Muriesone, messenger, and John Peirsone in Edinburgh.

24th December  
1647.

178. Summons at the instance of Robert Miller in Lochfute narrating that he had been in peaceable possession of a croft of land of Lochfute with the pertinents in the parish of Lochruttoun for many years past

<sup>1</sup> Deleted.

Miscellaneous  
Papers.

on a tack or rental granted to him on 5th February, 1634, by the deceased Edward Maxwell of Hills, and the deceased John Maxwell, his eldest son, first husband to Elizabeth Logane, alleged liferentrix of the said lands, and now spouse to James Logane in Hills, which tack was to endure during the complainer's lifetime. Yet on 29th July last or thereby, the said James Logan, accompanied by certain soldiers and others came to the complainer's house, armed with "swords, staves, halberts, polwart axes" and other weapons and "most uncivilly and illegally, without anie ordour of law, broak up the complenaris doores, took doune his crook, slokned his fyre, and broak the haill insight and plenisching within his house and cuist the same to the doore, whereby they most unlauffullie intruded the said James Logane in the possessioun therof; and thairefter most cruellie and unmercifullie stroak and abused the complenars wyfe, gave hir many blae stroaks and trailled her be the hair of the head to the doore; and eftir they had illegallie removed the complenar, his wyfe and familie in maner foirsaid and had put thame from thair possessioun, they loked up the doores so as the complenar and his familie wer forced to retire to thameselfes to a barne neir by, wher, haveing remained a certane space, and thaireftir the complenar finding the doores of his awin hous opin and nobody within the same, he repossesit himselfe thairin agane by putting his wyfe and familie thairunto. Bot, fearing that in the meane tyme the said James Logane might privatlie gett decreit of removing, he to prevent the same obtenit suspensioun befor the Lords, quhilk suspensioun was procured befor the committing of the foirsaid violence and was intimat be ane messenger to the said James Logane of befor; as also caused charge him with lawborrowes for his indemnitie. Notwithstanding of all, the said James Logane, finding the complenar reposest in his awin house, he being accompanied agane in maner above writtin with sojourns and uthers, his complices, being all armed, as said is, they agane in ane most insolent and barbarous maner . . . most violentlie and illegally ejectit and dispossesit agane the compleaner, his wyfe and familie from the said hous and abused the complenars wyfe agane as they did formerlie; and thaireftir loked up the doores so as the complenar was forced agane to retire himselfe and familie to the said barne wher he still yitt remaines." The said James Logane, not being yet satisfied, immediately thereafter, in the complainer's absence, went to the said barn, where his wife and children were, seized his brewing caldron and some other goods belonging to his wife and children, and carried them off without any warrant: and finally in November last he extruded the complainer from his own kiln and forced up the doors thereof. Charge is therefore given to cite the said James Logan to compear before the Council on 27th February next, and also the following persons as witnesses, viz., John Logane in Armannoche, William Sillie there, John Wilsone, walker in Lochfute, John Pott in the Moitt there, James Donnald in Hietis, James Mulliegane in the Moit, John Myller there, Robert Gordoun in

Summons at  
the instance of  
Robert Miller  
in Lochfute  
against James  
Logan in Hills  
for violently  
taking possession  
of the  
said Robert's  
croft.

Lochruttoun gait and Edward Willsons, messenger at the Bridgend of Dumfreis. Dated at Edinburgh 24th December, 1647, and signed ARCH. PRIMEROSE, Cler. S. Cons. Miscellaneous Papers.

27th December 1647.

Summons at the instance of James Mochrie, son of the deceased Robert Mochrie in Chapeltoun, against the widow and kin of William Greddin who refuse to accept assythment for the slaughter of the said William by the said James.

179. Summons at the instance of James Mochrie, son of the deceased Robert Mochrie in Chapeltoun, who narrates that "it was his great misfortune to kill umquhill William Greddin in Gartferrie, for which he doeth heartilie crave pardone from God and man," and that, having received his Majesty's gracious remission dated 2nd November last on condition of his giving satisfaction to the relict, children and nearest of kin of the slain man, the amount of which in case of refusal was to be modified by the Privy Council, he had by Robert Mochrie in Myvell, his attorney made offer of a certain sum of money, which was absolutely refused. Charge is therefore to be given to the widow, children of the said William Greddin, and the tutors and curators of the children to compear before the Council on ; dated at Edinburgh, 27th December, 1647, and signed ARCH. PRIMEROSE, Cler. S. Cons,

30th December 1647 and 5th January 1648.

Execution of summons at the instance of Gilbert Kennedy of Arrewillane against Hew Kennedy and Mr. John M'Clure.

180. Execution of summons on 30th December, 1647, and 5th January, 1648, by John Hart, messenger, at the instance of Gilbert Kennidie of Arrewillane, against Hew Kennidie of Arieheuman, personally apprehended in Edinburgh, and Mr John M'Clure at his dwelling house there, to compear before the Council on 6th January; witnesses, Hew Ros, writer, William Ros, his servitor, Thomas Allan, messenger in Edinburgh, and Alexander Forbes there.

31st December 1647.

Notes of executions at the instance of James Mochrie, son of the deceased Robert Mochrie in Chapeltoun, against Helen Cunyngbrycht, widow of William Greding in Gartsherrie, and others.

181. Notes of executions by James Jack, messenger, on 31st December, 1647, of a summons by James Mochrie, son of the deceased Robert Mochrie in Chapeltoun, (1) against Helen Cunyngbrycht, widow of William Guding in Gartscrowie, James and William Guding, thair children, William Guding and Janet Petigrew, father and mother of the said William, the two last personally and the three former at their dwelling-house, to compear before the Council on 6th January next; witnesses, John Andersone, younger in Cudbertstoun and James Mirk in Chapeltoun: (2) against the same persons at the market cross of the burgh of Ruglen, as the head burgh of the sherifffdom of Lanrik in which they reside; witnesses as above: (3) against the same persons at the market cross of the city and burgh of Glasgow; witnesses as above; and (4) of intimation hereof to the Laird of Minto, bailie of the regality of Glasgow, made in his absence to his lady and servants at his dwelling-house in Ferme; witnesses as above.

6th January 1648.

Summons at the instance of Alexander Kaa, servitor

182. Summons at the instance of Alexander Kaa, servitor to John, Earl of Loudoun, Lord High Chancellor of Scotland, and James Haitlie, tailor, burgess of the Cannogaith, narrating that on 5th January instant the complainers went in a quiet and peaceable manner about 5 o'clock

Miscellaneous  
Papers.

at night to the dwelling house of John Pollock, shoemaker in the Cannogait, and the said Alexander Kaa asked for his servitrix that he might recover a watch which he had left with her. But John Pollock and Marion Rutherford, his spouse, denying that the said servant was in the house, used many opprobrious and reproachful speeches against the complainers, and, because James Haistie reproved them for this, the said Marion lifted a stoup which was standing by and threw it at his face inflicting a sore and cruel wound, to the effusion of his blood and loosening the most part of his teeth—"the wound being so great that it was schewed up with sex or sevin taks of a neidle. And efter schoe had committed the said injurie schoe rave a napkine out of his hand all full of blood; and thairefter schoe and hir husband schoott the doores upone the complenars and kept thame a long tyme within, so as the said James could not have the benefit of a chirurgian to pance him; bot, on the contrare, the said John Pollock pulled him by the neck avowing to ding out his brains if he offered to stur, and thairupone rent his coatt from the hand to his schoulder"; and he was in great hazard of his life from the loss of blood. Charge is therefore given for citing these persons to compear before the Council on , and also as witnesses; dated at Edinburgh, 6th January, 1648, and signed ARCH. PRIMROSE, Cler. S. Cons.

to the Lord  
Chancellor,  
and James  
Haistie, tailor  
burgess in the  
Canongate,  
against John  
Pollock and  
Marion  
Rutherford,  
his spouse, for  
assault.

183. Note of execution by George Stewart, Kintyre pursuivant, on 19th January, 1648, of summons at the instance of Alexander Kea and James Haistie (1) against John Pook and Marion Rutherford, his spouse, at their dwelling house in the Cannogait heid; witnesses, Thomas Hamiltoun and William Jaksoun, stabler in the Cannogait; and (2) against Thomas Whytt, John Whytt and Robert Whyt, cutlers in Leith Wyndhead, all personally apprehended, to compear before the Council on 20th January instant; witnesses as above.

19th January  
1648.  
Note of  
execution of  
the above  
summons.

184. Note of execution by James Thome, messenger, of a summons by Arthur Forbes at the Miln of Futhill, (1) on 19th January, 1648, against Alexander Leslie in Badifourro and John Gray, sometime quartermaster to Harthill, both personally apprehended, to compear before the Council at Edinburgh on 11th February next; witnesses, Alexander Leslie of Tullous, John Leslie, brother to the Laird of Kin-craigie, James Davidstone in Keithishauche, and Gilbert Molleisone, servitor to the messenger; and (2) on 24th January, 1648, against William Gordon, outlaw, at the market cross of Bamff; witnesses, James Pikin and George Micheall, servitors to the messenger for the time.

19th and 24th  
January 1648.  
Note of  
execution of  
summons at  
the instance of  
Arthur Forbes  
at the Miln of  
Futhill against  
Alexander  
Leslie in  
Badifouro and  
others.

185. Note of executions by Alexander Gibson, messenger, on 20th January, 1648, of a summons at the instance of Robert Myllar (1) against James Logan, personally apprehended, to compear before the

20th January  
1648.  
Note of  
executions at

the instance  
of Robert  
Myllar against  
James Logan  
and others.

Council on 27th January, to see himself ordained to restore goods wrongfully taken from the complainer; witnesses, Edward Maxwell, son-in-law to the said James Logane, and Alexander Hallyday in Nune-land; and (2) against John Logane in Armannoch, William Sillie, his servitor there, John Wilsone, walker in Lochefute, James Sleuame in the Moit of Lochefute, James Myllar, weaver there, and James Donnald in the Hillis, all personally apprehended; as also James Mylligane in the Moit, John Pott, cordiner there, Robert Gordoun in Lochruttoun gait and Edward Roresone, messenger at the Brigend of Drumfreis, at their severall dwelling places, to compear before the Council as witnesses in the above cause; witnesses, Thomas Gordoun in Lochefute and William Mulliegane there.

Miscellaneous  
Papers.

25th January  
1648.

Note of  
execution of  
letters of sus-  
pension at the  
instance of  
Walter Ross of  
Innercharron  
against Sir  
John M'Kenzie  
of Tarbat.

27th January  
1648.

Supplication at  
the instance  
of Gilbert  
Kennedy of  
Ariwillane for  
liberation from  
ward in the  
tolbooth of  
Edinburgh,  
where he lies  
at the instance  
of the magis-  
trates of  
Stranraer and  
others.

186. Note of execution on 25th January, 1648, by Donald Bayne of letters of suspension raised at the instance of Walter Ros of Innercharron, and William Ros, his son, against Sir John M'Kenzie of Terbat, knight, to compear before the Council on ; witnesses, John Kaird and Neill Odoradie, servitors to the said Sir John.

187. Supplication at the instance of Gilbert Kennedy of Ariwillane, as follows:—He has been detained prisoner in the tolbooth of Edinburgh for the last half year in great misery upon a complaint against him to their Lordships by the provost and bailies of the burgh of Stranraer, Mr. John M'Clure, doctor of medicine, and Hew Kennedy of Arihemman of his "goeing furth of the tolbuthe of the said burghe inordourlie" after he was lawfully warded at their instance. He had already petitioned their Lordships on several occasions and lately they ordained him to be liberated in so far as he was warded for riot, provided he enacted himself to compear this day, being Thursday, 27th January. This, however, he cannot do on account of the violence of his adversaries who have lately raised new captions against him, which may tend to his utter ruin, seeing he is secluded from all his means and estate by these courses, and he and his wife and children are likely to perish in misery unless their Lordships ordain the provost and bailies of Edinburgh to release him, and grant him their protection against these new captions.

27th January  
1648.

Supplication  
by the  
presbytery of  
Linthgow for  
a standing  
commission for  
the trial of  
witches within  
the bounds of  
the said  
presbytery.

188. "It pleased your Lordships upon our humble supplicatioun to give ane commissioun to sundrie gentlemen within our presbiterie of Linlythgow for tryell and for executioun of justice upon sex witches within the parochine of Carriddin, and now, justice being adminstrated upon thes, sundrie of them confessing hes delated others who are both in the said parochen of Carriddin and in other adjacent paroches; therfor thes againe are humblie to supplicat your Lordships that, according to the overtures of the Generall Assemblie set doune upon the 19 of August, 1643, ane standing comissioun for a certaine tyme may be given from your Lordships either to thes gentlemen to whom your Lordships gave

Miscellaneous  
Papers.

the former commissiounes or to any uthers understanding gentlemen and magistrates within our presbiterie whom it sall pleas your Lordships to nominate and appoint, giving them power to apprehend, try and execute justice against such persounes as are guiltie of witchcraft within the bounds of our said presbiterie. Expecting your Lordships answer commends your Lordships and your grave counsalle and deliberatiounes to the directiounes of God only wisse, rests, your Lordships humbell servantes and supplicantes, the bretheren of the presbiterie of Linlythqw and subscribes in thair name (Signed) M. Pa. Sheills, moderator; M<sup>r</sup> Ro. Row, cler. presbyt.

"Edinburgh, 27 January, 1648. The Councel refuiseth the desyre of this bill as unreasonabill and contrarie to the ordinarie course kept in the lyke caises, bot when any particulars salbe offered concerning anie parties guiltines, the comittie will then tak suche [course] as salbe agreeable to justice. (Signed) CASSILLIS, I.P.D."

189. "Edinburgh, 27 January, 1648. John Logane of Armannoch of 20 yeires, sworne, being interrogat, how and in what maner James Logane entered the hous lybellit possessit be James Miller, persewar, depones the said James Logane entered in a peaceable and legall maner to the house and used no kynd of violence aganest the persewars wyfe, bot haveing a messinger of armes with him legallie removed the persewars wyfe, he being absent himselfe for the tyme. Depones that the defender was entered to the possessioun long befor the pursewar raiseit anie suspensioun or at leist intimat the same. Depones that at nather of the tymes lybellit that thair was any violence committed be the defender or anie with him. Depones that the defender took out of the persewars barne the caldron lybellit, with two clokis and some uther goods, and thaireftir took thame to the mercat croce and pryseit the same for ane unlaw of fiftie pundis decernit aganes the persewar for a blood committed be him.

"Johne Wilsone, walker in Lochfutte, of 24 yeires of age, married, deponis he knawis nothing of the particulars lybellit, only declaires he saw ane caldrone, two clocks and some other plenishing lying at the barne doore lybellit, bot knowis not who took them out.

"Johne Pott, cordener in Lochfoott, of 40 yeires, married, depones *conformiter* to the said Johne Wilsone.

"Johne Miller, wobster, of fourtie yeires of age, meried, depones he saw the defender enter the persewars hous and takk out a pott of itt and brak a foott off the pott bot saw no violence done to the persewars wyfe; depones he saw ane caldron and some other plenisching takin away be the said defender and these who war with him.

"James Slowan in the Mott of Lochfutt, of 26 yeires of age, married, deponis *conformis precedenti in omnibus*.

"James Donald in the Hills, of sevintene yeires of age, depones that two troupers broak up the persewars doore bot knowis not thair names and declaires that it was done by the knowledge of the defender, bot

27th January  
1648.  
Depositions  
anent the  
manner in  
which James  
Logan entered  
the house of  
James Miller.

declaires that he saw him thaireftir and the troupers with him cast out some plenishing out of the house, and that they caried the persewars wyfe to the doore so that thaireftir for feare shoe fell a sound. Depones he knowis nothing of the rest of the particulars contenit in the lybell (Signed) Robert Innes of that Ilk. A. Tod." Miscellaneous Papers.

3rd February  
1648.  
Supplication  
by the presby-  
tery anent  
certain priests  
in the said  
burgh.

190. "Unto the right honorable the Lords of his Majesties Privy Councell the humble petition of us undersubscribers, in name and behalf of the presbytery of Edinburgh, humbly sheweth. That whereas the said presbytery understandeth there is a great scandall concerning a preist in the Frensh agents house, which preist was also observed to be with him at Neucastle and to have said masse diverse times in Gateside, it being also observed by the elders of the Cannogate, who search that parish, that some knouen papists resort to the said agents house in sermon time upon the Lords day, the presbytery likewise understanding that the letters of horning given out against the Countesse of Nidsdail after her excommunication are not execute, and that there is one Mackartone who haunteth in her family whom the presbytery after nearer enquiry conceiveth to be a preist, it is therefore our humble desire in name of the said presbytery that your Lordships would be pleased to interpose your pouer and auctority in a speedy and effectual way for removing of these great scandalls, and your Lordships ansuer we humbly desire. (Signed) Geo. Gillespie, Mungo Law, G. Leslie."

"3 February, 1648. The Councel haveing considered this desyre have thought fit to continow the consideration of the I. article anent the Frensh agents preist till this meiting of Councel and concerning McCarton the Councel ordans the magistrates of Edinburgh to apprehend him and committ him to prison and the lyke warrand to be granted to all other magistrates for apprehending him."

24th February  
1648.

Supplication  
by Charles,  
Earl of Dun-  
fermline, and  
William  
Seton of  
Meanie, his  
tenant, for  
letters of  
treason against  
William  
Seton of  
Meldrum,  
whom they  
accuse of  
violently  
taking posses-  
sion of the  
Earl's lodging  
in Old Aber-  
deen.

191. Supplication by Charles, Earl of Dunfermline, heretable proprietor of the lodging underwritten, and William Seattoun of Meanie, his tenant and tacksman thereof, as follows:—On 21st August and 9th October, 1647, William Seattoun of Meldrum was put to the horn for not compearing before the Lords to answer at the supplicants' instance anent his coming upon the day of May last "under cloud of night, being accompanied with ane number of brokin men in ane most insolent and barbarous way, with swords, bandit staves and other weapons invasive, to myne the said Earle of Dumfermline my ludging in the old tounne of Aberdene whilk was possest be me, the said Williame Seattoun, and takin be me of the said Earle of Dumfermline or at leist of William Seattoun of Minnes, his chalmerlane, and for breaking up of the yettis and durris of the said ludging in ane oppressing and maisterfull way, haveing no warrand be ordour of law for that effect, intrometting with and awaytaking of myne the said

Miscellaneous  
Papers.

Earle of Dumfermline my hail writtis, plenisching, silver work and goods being within the said ludging for the tyme, extending to and above the value of sex thousand merks at lenth contenit in the said letters as the samen dewlie execute, indorsat and registrat heir present to schaw beares," which horning the said William Seattoun of Meldrum ignores. They therefore crave letters charging him to appear before the Lords to hear and see letters of treason directed against him for rendering his houses and entering in ward in Blackness Castle upon his own expenses, or to shew a reasonable cause to the contrary. [On the back] "Edinburgh, 24 February, 1648, *fiat summonitio ut petitur.*"

192. Supplication by John Peter of Whitslead, advocate, complaining 1st April 1648. against Gilbert Lawder, sometime of Whitslead, now portioner of the lands of Lawder and Burnmylne thereof, "who, haveing conceaveit ane deidlie heatred, malice and evil will causles aganest me, be himself, his bairnes, men, tenents and servants and uthers, his complices, of ther causing, sending, hunding out, command, reseat, assistance and ratiha-bitoun daylie and continuallie molests, trubles and oppressis me, my wyfe, bairnes, men, tenents and servants in the peiceable possession, bruiking and joysing of my lands of Whitslead, tour, housses, yairds, lands of Brighauch, mylne therof, pairts, pendicles and pertinents of the samyn, quherin I am heretable infet and seasit, and I and my authouris and predicessouris hes bein in peiceable possession this long tyme bygane, lyand within the schireffdome of Bervick, and of uthers my lands and heretages, cornes, cattall, goods and geir, eits, stramps down and distroyes my cornes, gras, pasturage, and planting with ther bestial and goods, maks comoun rods and pasturages therthrow, casts down my dyks, meithes and merches of the saids lands, casts and wins turfis, devits, fewall and feall, therupon cuts and distroys my growing tries, woods, planting and brome, teillis and ryves out ane great pairt of the saids lands, intruds themselves in the possession therof and appropriats the samyn to themselves, intending to mak the samyn altogidder unprofitable to me, and he yit still perseveiring in his deidlie heatred and malice aganest me, takeing occasioun of my absence fra the saids lands hes leatlie so threatned and bostit my heall tenents therof that they ar not able to labour and possess the samyn peiceablie, bot forces them to give over the samyn and will suffer non to tak any pairt fra me thair of, thinking therby to cast the samyn weast; daylie shores and boasts to bereive us of our lyfes, and lyes at a wait for that effect, and many utherwyis molests, trubles and oppresses me and my forsaidis by ordour of law and justice, not onlie in hie and proud contempt of the authoritie and lawes, bot also to my great hurt and prejudice and evill exmple to uthers to committ the lyck in tyme cuming without your Lordships provyd tymous remeid therto." He, therefore, dreading bodily harm at the hands of the said Gilbert Lauder, craves letters charging him to

Supplication  
by John Peter  
of Whitslead,  
advocate, for  
letters of law-  
burrows from  
Gilbert Lauder,  
sometime of  
Whitslead,  
whom he  
accuses of  
seeking his  
life and  
abusing his  
property and  
tenants.

find lawborrows for the safety of himself, his wife, children, men, tenants and servants, within six days after the charge. Miscellaneous  
Papers.

[On the back] "*Apud* Edinburgh, *primo Aprilis*, 1648, *fiat ut petitur*, the within nameit Gilbert Lauder complenit upone under the pane of two thousand punds Scottis money."

29th July 1648.

Supplication  
by Jean Foulis  
for lawborrows  
against  
Thomas  
Young.

193. Supplication by Jean Foulles, liferenter of the lands of Or-cheardfeild, and John Stirline, heritor thereof, and John Robertstone, their gardener, as follows:—Thomas Young, tailor at the West Port, and Margaret Lourie, his wife, "haveing conceived some prejudice against us, they be thameselfes, thair servands, complices and others in thair names, of thair causing, sending and hunding out, not only boast, schore and minase to wrong us in our persons bot most unjustlie and barbarouslie waist and destroy our young growing trees, eat our gras and most illegally to manifest thair evill will and malice against us offer to stope a passage from our orchard to the West Port, whilk hes bene a passage uninterrupted past memorie of man, whilk undoubtedly they will not only faile to doe bot also much prejudge us in our goods and wrong us in our persounes without remeid be provydit." Therefore, fearing bodily harm they crave letters to charge these persons to find lawborrows under the penalty of a thousand merks, within six days after the charge.

[On the back] "Edinburgh, 29 July, 1648, *fiat ut petitur*, ilk ane of the persounes within complenit upone under the pane of ane thousand merks Scotts money."

29th August  
1648.

Caution by  
John Leith  
of Kirkton of  
Oyne for John  
Leith of  
Harthill.

194. Bond of caution by John Leith of Kirkton of Oyne, for John Leith of Harthill, that he will keep the peace with the lieges, dated at Harthill, 29th August, 1648; witnesses, John Cruikschank in Kirktone of Oyne, and George Scott.

30th August  
1648.

Supplication  
by Sir William  
Cockburn of  
Langton for  
suspension of  
horning under  
which he lies  
at the instance  
of Dame Helen  
Elphinstone.

195. Supplication by Sir William Cockburne of Langtoun, knight baronet, as follows:—He is charged by Dame Helen Elphingstoun to find caution and lawborrows in their Lordships' books for the safety of her and her tenants and servants, under the penalty of ten thousand merks, within six days after the charge. He is willing to find the same conform to the Acts of Parliament, whereby he should only be liable at most in two thousand marks; also, he has already found caution as required in the books of Session, and therefore does not expect to be ordained to find caution "for my said mother and her tennents" in their Lordships' books in addition thereto; and further, he states that he dreads bodily harm from the said Helen. He craves suspension of the horning, and the said Helen to be charged to produce the letters of horning for that effect.

[On the back] "Edinburgh, 30 August, 1648. *Fiat summonitio ut petitur* to the twelff day of October nixt, and to suspend and

Miscellaneous  
Papers.

discharge to the 20 day of the same moneth becaus Johne Fortoune of Duysehauch is become caution to the effect within conteaned. (Signed) SIR J. W. BOGIE."

196. Supplication by James . . . in Mord[ing . . . ] as 1648. follows:—He was walking quietly about the fields and bounds of Mordingtoun when Robert Sleich, Harry Muirtoun, John Howatsoun, inhabitants in the town of Berwick-on-Tweed, "without any just cause of offence offerit be me persewit and invadit me most fearslie, and cruellie woundit me with swords and staiffis to the gryt effusion of my blood, and they, not therewith being content, rydding on horseback did ryd over me and bruised all [my] body withe thair horses feitt, quherby continuallie since syne, now be the space of ane monethe or thairby, I am maid unable to sture or doe anything for getting my interteiment in ane lawfull maner; and haveing supplicat the Major of Bervick for justice aganes the said persones . . . redrese of my wrong, he daylie postpones and deferris to doe the samyne, to my gret hurt and utter ruine." He therefore requests their Lordships to write a letter to the mayor of Berwick to redress the injury, and if he defer the same, to cause the said offenders to be apprehended (if they can be apprehended in Scottish territory) and to find caution for giving satisfaction.

Supplication  
by James . . .  
in Mordington  
that the  
Council would  
request the  
Mayor of Ber-  
wick to redress  
injuries he has  
received from  
Robert Sleich  
and others.

[Nothing on the back.]

197. Supplication by Sir James Nicolson of Cockburnspathe, as c. 1648. follows:—The bridge at Dunglass mill, lying in the high road and post way to and from England, was so ruinous, "that it would not have failed to have gone away with the first spaitt of rain, and iff the said bridge had bein brok downe by inundatione of watter, as wes apparent to all that passed by if they had taken inspectione therof, the same could not have bein built of new againe under the expence of tuell hundreth merks, and I, the said Sir James, finding that the said bridge wes so ruinous that it could admitt of no delay, did repair the said bridge upon my own proper charges and expences, quhich amountit and extendit to the soume of four hundreth merks Scotts money, as sall be maid apparent befor your Lordships. Thairfore I beseech your Lordships to tak the premisses to your consideratione, having bein in latte tymes of trouble wasted, plundered and quartered upon severall tymes by the armies in thair marching to and from England, my lands lying upon the rod way, quherby I sustained great losse and prejudice, and to grant ane act of Counsall for levying of the said soume of four hundreth merks by ane stent to be imposed upon the severall heritors of the tuo nixt adjacent paroshes to the said bridge, Oldhampstoks and Cockburnspathe, to be uplifted fra the saids severall heritors by ane stent according to the valuatione of the excyse is presently gathered for the land excyse, and to caus pay in to me, the said Sir James

Supplication  
by Sir James  
Nicolson of  
Cockburnspathe  
that he has incurred  
in repairing  
the bridge at  
Dunglass Mill.

Nicolsonne, the same, or otherwayes that your Lordships will be pleased to tak some uther effectuall course concerning the premisses, and not suffer me to be ower-burdened beyond my neighbours." Miscellaneous Papers.

c. 1648.

198. Duplicate of the foregoing Supplication.

c. 1648.

Supplication  
by Mr. Gilbert  
Mowat of Ure  
for protection  
for some  
months that  
he may proceed  
to Ireland for  
the recovery of  
certain papers  
requisite in a  
case now  
pending  
against him.

199. Supplication by Mr Gilbert Mowat of Ure, as follows:—He is charged at the instance of the heirs of the deceased Andrew Mowat, merchant, indweller in Leith, to pay 5000 merks due by him to the said Andrew, of which sum he has already a discharge; but "in the late troubles, being forced for his loyaltie to flee from London in anno 1646, he left a trunk there with severall papers in the house of Duncan Mantoue, shoemaker in the Covent Garden, amongst which were the discharges of the forsayd fyve thousand merks payed at severall tymes. The sayd Duncan shortlie thereafter dying, the trunk with the papers and many other things was intrometted with be M<sup>r</sup> John Traill, now indweller in Irland, and transported thither be him, and now since the sayd petitioner to your Lordships is in danger for want of these discharges and papers to be denounced his majesteis rebell and cast in prison and consequentlie not to have *persona standi in judicio* for recoverie of the small estate left to him by his father, and now violentlie possessed by his brother-in-law, M<sup>r</sup> Patrick Oliphant," he therefore craves a protection for some months till he may recover the papers" and be in a capacite to pursue his brother-in-law for recoverie of his estate." [Marked on the back] "Delayed."

c. 1648.

200. "A Informations for the honorable Lords of the Secreit Counsall concerning the act to be rectified in thes particulars following, viz. :—

Information by  
Mr. Andrew  
Cant of  
Colmiston  
anent his case.

First, that the reason of the factorie be deletted.

Secundlie, that Sir Luis Steuart and Sir Thomas Jamison's namis may be putt out, or els that they be not in the quorum.

Thridlie, that I may be *primum movens* in my owne affaires.

Fourtlie, that I may have a frie dispositioun of my estate, both in propertie and annuelrent.

Fyftlie, that it expires at the will and the tyme of the mandator.

The honorable Counsill would command that I may have the ordinarie course of justice for the saftie of my persone.

Also, your Lordships would appoynte M<sup>r</sup> Thomas Nicolsonne to redelyver my writts. Your Lordships humble servant. (Signed) ANDREW CANT.

The honorable Council would appoynte Sir Luis and Sir Thomas to give in their relevant and qualified reasons of this their irratiounall and uncivill proceeding with me, for, iff I be ether furious or prodigall quherupon inhibitione properlie is served, the burden of probationis lays at their doore, quherupoun presentlie befor your Lordships' hearing I shall

Miscellaneous  
Papers.

make answer to them. *Quæ quæstio est majis facti quam juris.* Your Lordships humble servant, M<sup>re</sup> ANDREW CANT OF COLMISTOUNE."

201. "The sevinth day of June, 1649, in presence of M<sup>r</sup> Johne Makghie, minister of Diriltoun, Alexander Levingtoun of Saltcottis, James Borthwick, chamberlane, William Ferguson, George Temple, Walter Mairshall, and William Daliell, notar. 7th June 1649.

Compeered Agnes Clarkson, widow in Diriltoun, prisoner in the Castle of Diriltoun, suspect of witchcraft, and confessed that 18 weeks since or thereby came to the said Agnes her hous in Diriltoun the pyper's mother in Longnidrie, latelie brunt for a witch, and lodged with her all night, who rysing about the midst of the night did use fearefull curses and execrations, intysing the said Agnes to become the devill's servant, which at that time she would not consent unto: but thereafter she perceived as it wer a black wind and mist, wherewith the hous wes filled, wherat she wes verie affrayd, and, the said pyper's mother goeing furth of the hous in the morning efter, she had continued intysing the said Agnes and she still refusing, said 'I shall garre you rew it.'

Confession of  
witchcraft by  
Agnes Clark-  
son, widow, in  
Dirleton.

Further confessed that the same day, about the dead time of the day, came in the devell in the liknesse of a black dun dogge and went up and down the hous, and seised upon the said Agnes her cloths, and thereafter, turning into the liknesse of a black man, had carnall copulation with her; and she did find his nature cold; also he spoke to her and he desyred her to become his servant and she sould want nothing, desyred her to renounce God and Christ, and her baptisme, all which she says she hes done, and now, 'How shall I gett mercie,' said she: but being interrogat of the way of renounceing Christ and baptisme, whether she did it by expresse words, answered not, but that she had done it reallie in lying with him, and that he went not away without his earand: also that he gave her a mark at that time in the back side of her left arme beneath the elbow, further confessed that he changed her name, called her Nan Clark or Nan Clatt, and that he said he would meet with her againe, and then went out of the hous as he came in.

Further, that about a fourteen days agoe there was a meeting of the devill and sundrie others with him upon the green of Diriltoun foranent James Nicolson's hous in the tweylight, and she hearing a great noise and dinne came furth and they all danced thair, the devill appearing among them in the liknesse of a black man with a staffe in his hand, wherewith he knocked their heads; she knew none of them but Patrik Watson in West Fentoun, his wife Manie Haliburtoun, and Besse Hogge. All the rest went away with him down under the dyks with black heids and danced thair with the devill. She came home to her hous; also the saids Patrik, Manie and Besse, as she thinks, went home to Fentoun.

Further, the said Agnes depones that 8 days since efter the chamberlane told her in Marion Temple's hous that he would have her tryed for witch-

craft, she went over to West Fentoun and mett with Besse Hogge and Manie Halyburtoun and told them at the end of Patrik Watson's hous that the chamberlane had threatened to try her, therfor she sould be no soonner seised upon but she sould caus the saids Patrik, Manie, and Besse be seised upon also: and that they, when she said this to them clapped upon their hippe and mocked her.

The saids Patrik, Manie and Besse being sent for upon this deposition, and severallie confronted with the said Agnes, she did boldlie avow it in their faces in presence forsaid. (Signed) J. MAKGHIE, minister at Dirilton; ALEX<sup>r</sup>. LEVINGTON.

There are also sundrie particulars of malefice offered to be made good against the said Agnes Clarkstone by witnesses. (Signed) J. MAKGHIE, minister at Dirilton.

At Hadintoun, June 13, 1649.

The Presbytrie, having red and considered the within written depositions and confessions of Agnes Clerkstone, find them a sufficient ground for supplicating a commission to sitt upon and try the said Agnes. (Signed) A. MAKGHIE, Clerk."

8th and 20th  
June 1649.  
Confession of  
witchcraft by  
Agnes Hunter  
in Penston.

202. "At Painstone, 8 Junij, 1649. Quhilk day Agnes Hunter in Painstone, suspect of witchcraft, being examinit be M<sup>r</sup> Robert Ker, minister at Hadingtone, beffoir Thomas Foullis, Johne Eastone and Johne Baillie, deponit as follows:—

1. First, coming from Ormestone about ten yeiris since she saw the divell in the licknes of ane gentilman and suspectit him to be the devill and that he came to hir bot spak nothing nor offerit to touch hir, bot went away beffoir hir in the licknes of ane meikle grayhound.

2. The second tyme the devill appeired to hir at the foot of hir owen yaird about fyve yeiris efter in the licknes of ane man in grein cloathes, and that he desyrit hir to become his servant; that she ansuerit quhat service could she doe, for she nicht not come out at dooris, that the devill replyed, 'Thow salt never neid to come out bot quhen Marion Richesone comes,' and that she promeisit to become his servant. Quherupone he desyrit hir to renunce hir baptisme and Jesus Chryst, quhilk she did, and for quhich she is now most greivit, bot cannot presentlie remember quhither he had carnall dealling with hir at that tyme or not, bot rememberis perfytlie that efterward he did ly with hir.

3. A thrid time she mett with him about half ane yeir eftir in hir owen yaird, that he appeared in the liknes of ane black man, and desyrit hir to meitt with Marion Richesone and divers others in Langnudrie in Thomas Dicksones hous, and that she asked him quhat rewaird he wold give hir and quhat good she sould gait from him, that he ansuered she sould gait quhen she came to the meitting with the rest and that at this tyme he had carnall dealling with hir, she found him cold, not lyk to ane man.

Miscellaneous  
Papers.

4. The fourt tyme she mett with him at Langnidrie, conforme to the former appointment, quher wes with hir Marion Richesone, Marjorie Adamsone, Margaret Russell, Margaret Richeson, Margaret Staig and another long heigh woman that she doeth not know; that they mett in Thomas Dicksones hous (the said Thomas not knowing of thair being thair), that thair wes meatt and drink provydit for tham, which they eat and drank, that they had ane quart of wyne, that they stayed about ane hour and ane half, and that the devill promised to give tham thair rewaird at Pasche.

5. That the fyft tyme she mett with him wes in that same hous at Fastinges even thairefter with the same companie mentionat formerlie and that they supped altogither and appointit another meitting at Pasche, at quhich tyme he promiseit to give tham thair rewairdis, that he appointit tham to devyd companies and that he sould come to Painstone and enter hir, the said Agnes, to that companie quhich he had in Painstone.

6. That, at the said tyme of Pasche, he did meitt with hir at Painstone, quher wes with hir Johne Dickson, Grissell Andersone, Margaret Dickson, that they wer bot gathering togidder and that Marion Richesone came and said, 'God speed,' quherupone the devill vanishit away, and they did all pairt."

"At Painstone, 8 Junij, 1649. Quhilk day Margaret Dickson, in presens of M<sup>r</sup> Robert Ker, minister of Hadingtone, Thomas Foullis, Johne Eastone, Johne Baillie, deponit as followes:—That the occasi-  
Confession of witchcraft by Margaret Dickson in Penston.  
of hir coming in the snare of the devill wes ane heaveie trouble she wes in be hir doughters seiknes, for quhoes healling or cuiring she had spent all hir meanis, and that, being in great necessitie, she wes expecting hir doughter, being now somquhat better, to go out and gather in the harvest feild, who refusit, quherupone she strak hir and said, 'Since thow art such a burthen to me, ather God or the devill pairt me and the.' That upon this that same nicht about midnicht the devill appeired to hir and came in to hir bed and lay a quhyll with hir, and desyrit hir to become his servant, which she was unwilling to [do] at the first, yet he by his farder speiches perswadit hir in the end, quhar he had carnall dealling with hir, and bad hir forsaik God and tak himself to him, quhilk she did, and said she wold come in his will and become his servant and renuncit hir baptisme, that he promised to hir that she sould never want, and this was about fyve yeiris since. Deponit that he gave hir ane name and called hir Marret, and gave hir ane nip under the richt airme quhar thair is ane mark ever since. That he appointit to meitt with hir about half ane yeir efter at Nisbot dein heid and promiseit to give hir some rewaird.

The second tyme he mett with hir at Nisbot dean head, according to thair appointment, in the licknes of ane gentilman in grein clothes at twelve hours in the day, quhar he had carnall dealling with hir; that she asked for the rewaird he had promiseit to hir bot that he answered, 'Thow salt gait quhen the rest gaitis thairis.'

The thrid tyme she mett with the devill wes at the gait bank head of Nisbot; that she saw Agnes Broune lying betuixt tuo rigges, who arose and came to hir and that, quhill they wer meitting the devill appeired in the way betuixt them and went to Agnes and imbracit hir in his airnes, that the said Margaret, sieing him dealling thus with the said Agnes, left tham and quhat they did moir she knew not. Efter this a litle space the said Margaret mett with the devill at the lymekilne in the westsyd of the moorshot, that he offerit to ly with hir and that she refuisit, quharupon he strak hir and flang at hir lyk ane beast, quherby she became verrie seik and that she never saw him after that till she wes heir in Painstone, quher he fell upon hir in the nicht and band doune hir head till she cryed outt, being lyk to be opprest with him. That efter this Johne Dicksone came to hir and desyrit to come out quher she saw the devill with Johne Dicksone and Johne Weir togidder with Issobell Murray, Agnes Hunter, and Grissell Andersone; that they did litle thing, being hinderit be the comming of Marion Richesone who bad tham God speed.

Miscellaneous  
Papers.

That about half ane yeir since she was at meitting in Gladsmoor quhar the devill with Johne Dicksone, Johne Weir and his wyfe, Marion Richesone and they dancit for the space of ane hour. That the devill lay with Marion Richesone at that tyme bot with no moe of tham at that tyme.

That she mett with the devill also in Agnes Brounes hous in Nisbot. That quhill she was sitting with the said Agnes the devill came in to tham and said that he knew not quhich of tham to turn to. That Agnes answered, 'Even any of us ye lyk.' Thairupon he turned to Agnes who winkit at the said Margaret and bad hir go out, and quhill she was going out the devill pulled hir back again and joyned the handis of the said Margaret and Agnes and bad tham be good servantis to him and they sould not want thair fie quhen the[y] lyked to crave it, which they promised to do.

That Issobell Johnstone in Nisbot, having ane bairne seik, came to hir and desyrit to gait some south running water to washe hir chyld in and told hir, the said Margaret, that some had bein advysing to this and askit at the said Margaret if it would do good. That she bad hir assay it, and that the nixt tyme she mett with the devill she askit his advyce about it, who had hir fetch that watter and give it to the mother of the chyld and directit hir that she sould not use the watter to the chyld himself bot that the mother sould apply the water, onlie she, the said Margaret, sould fetch it."

Confession of  
witchcraft by  
Isobel Murray  
in Penston.

"At Hadingtone, 9 Junij, 1649. Quhilk day Issobell Murray, spous to Johne Weir, maillmaker in Painstone, being put in waird upon ane alledgment of hir being ane witch in presens of M<sup>r</sup> William Trent, minister, Johne Cokburne, proveist, and Patrick Young, baillie of the brugh of Hadingtone, confessit that she hes bein ane servant to the devill since Pasche last and that she, lying in hir bed, the spireit tooock

Miscellaneous  
Papers.

hir bed and she walked out of hir hous about the yard and that he was in the licknes of ane great black dog, and that he nipped her on the left shoulder and that she found ane great pain of it, and that thereafter she returnit homb in the licknes of ane catt and so soone as she camb to hir owen hous she returnit to hir owen liknes, quhilk first tyme wes upon ane Monday; and on Tuesday nixt thairefter she came to Johne Hamilton's yaird in Painstone and thair she mett with Johne Dicksone, Agnes Hunter, Grissell Andersone, Barbara Purdie, Margaret Dicksone, Helen Lausone, Margaret Hog, about tuo houris in the morning, and that Marion Richesone came by and said 'God be with you,' and that the devill brack hir airme and fled; and that they had no conference with him, and that beffoir they dancet she sat down on hir knees at the said yairdhead and renunced hir baptisme and that he gart her cast a stane over hir shoulder and called hir Lisbie and lay with hir lyk ane ruch<sup>2</sup> man all black.

Grissell Andersone, spouse to Alexander Baillie, elder in Painstone, being also delaitit for ane put in waired in presens of the foirsaid judges abnewreatten" . . . [This paragraph deleted.]

"At Hadingtone, 12 Junij, 1649. Quhilk day, in presens of M<sup>r</sup> William Trent, minister, John Aytone and Patrick Young, baillies of Hadingtone, George Cockburne, thesaurer, James Borthuick and Patrick Dausone, compeirit Issobell Murray and delaitit Margaret Bartilman, spous to Forrester, and that she wes tua severall tymes at meitting with hir and hir neighbouris, the devill being present, the first meitting being at that loch called Painstone loch, and Johne Dicksone, Marion Richesone, Grissell Andersone and Margaret Hog and Agnes Hunter in Painstone and Barbara Purdie, and that the devill tooock the said Margaret Bartilman apairt and spak with hir and whither he lay with hir or not she knew not. The tyme wes about the first weik of Pasche last and our meitting was at or about ane efter midnicht, and declairit that Grissell Andersone did adverteis hir that nicht to meitt hir that nicht and we sould have gotten at our meitting our pay.

Deposition by  
Isobel Murray  
accusing  
Margaret  
Bartilman of  
witchcraft.

And the second tyme that they mett with the same foirsaid persones and Margaret Bartilman the said second meitting was within ane weik efter the said Pasche last, and the said meitting wes appointit and that they called him 'Sir,' the meitting wes at ane pairt called Butter dam at ten houris at nicht, and that devill danced among them with Grissell Andersone in his hand and that Margaret Dicksone sang at that tyme, and that quhen he went away the same tyme that he onlie bad be with you and that she saw him nocht lie with any of tham.

And she declairit that she wold stand to the confessione that she had maid of beffoir in presens of the proveist and M<sup>r</sup> George Gray, clerk to the brugh of Hadingtone, 9 Junij."

"At Hadintoun, June 20, 1649, whilk day the abovewritten depositions and confessions of Agnes Hunter in Painstoun, Margaret Diksone.

thair, and Isobell Murray their. Find the said depositions and confessiones sufficient grounds for suting a commission for trying and examining them according to law. (Signed) A. MAKGHIE, clerk." Miscellaneous Papers.

13th June  
1649.

Mr James  
Primrose  
appointed  
clerk of  
Council and  
writer of the  
commissions  
of the Justices  
of Peace.

203. Extract of the Act of the Estates of Parliament dated at Edinburgh, 13th June, 1649, appointing Mr James Primrose, son of the deceased James Prymrose, to be sole Clerk of the Privy Council of Scotland for life, and sole writer of the commissions of the justices of peace, in room of Sir Archibald Prymrose, late Clerk, now deposed. (*Vide* Acts of the Parliaments of Scotland, vol. vi., part ii., p. 410.)

June 1649.

204. "At Dirltoun the . . . of [Junij], 1649, in presence of Johnne . . . , bailze of Dirltoun, James Levington thair, Johne [St]alker in Lairhill thair, James Speir, Richard Ferguson, William Hanney and William Daliell.

Manie Halliburton, prisoner in the castle of Dirlton, charged with witchcraft.

Compeirit Manie Halliburton, prisoner within the Castell of Dirlton, suspect of the cryme of witchcraft, dilaited guiltie be Agnes Clerkson, lait sufferrar for the said cryme, as also be Patrik Watsone, spous to the said Manie, who lykewyse sufferrit thairfoir, and confessit that auchtein yeir syne or thairby, hir dochter being seik, scho first sent for Patrik Chrystisone in Aberledie to cum and cure hir dochter, and he refusing went herselff for him, who refused to cure hir, and within dayes efter came the divell in licknes of a man in to hir hous, calling himself a phisition, and said to hir that he had goode salves (and namelie oylyspek) whairwith he wold cure hir dochtir and aggrieing with him for some of his salves, quhilke he gave hir. Sho gave him tuo Inglis shillingis. He than depairted and promised to come agane within eight dayes, whilk accordinglie he did, bot, or he went away the first tyme, she gave him milk and breade, and Patrik Watsone comeing in he sent for a pynt of ale, bot at his second comeing he stayit all night and upon the morne airlie (Patrik being furth) in came the divell and lay down with her (scho being yit in bed) and had carnall copulatioun with hir, his nature being cold. He desyirit hir to renounce Christ and hir baptisme and become his servand, quhilke scho did, and sayes that hir dochter had the wyte of all hir woe, wissing scho had never bene borne.

This deposition was renewed in all the particulars by the said Manie in the forsaid place on Sunday the first of July, 1649, before Alexander Levingtoun of Saltcottis, James . . . . . Johne Stalker . . . William Daliell [noter], Mr Johne McGhie, minister at [Dirlton]. (Signed) J. Makghie; Alex<sup>r</sup> Levingtone, witnes; Ja. Borthuikie; James Lauder; Johnne Stalker; W. Daliel; Villiam Duill; Walter Marshall."

"July 2, at Hadintoun. Whilk day the Presbyterie having red and considered the former depositions and confession of Manie Haliburton, find the samyne a sufficient ground for suting the judge competent to grant a commission for trying and judging her according to law. (Signed) J. Stirling, clk."

Miscellaneous  
Papers.

205. "At Dirlton . . . of . . . yeiris.

c. June 1649.

The quhilk day in presence of Alexander Levingtone of Saltcoitis, James Borthuik, chalmerlane of Dirlton, John Stalker, bailze thair, James Foirman [in] Drem, M<sup>r</sup> James Acheson in Northberuik, and Williame Daliell, notar. Patrik [Wat]son in West Fentoun and Menie Hallyburton, his spous, bruited and long suspect [of] witchcraft, of thair awne frie will uncompellit, heiring that I, John Kincaid, undirsubscryvand, wes in the toun of Dirlton and had some skill and dexteritie in trying of the divellis marke in the personis of such as wer suspect to be witches, came to the broadhall in the Castell of Dirlton and desyred me, the said John Kincaid, to use my tryall of thame as I had done on uthers, whilk when I had done I fand the divellis marke upon the bak-syde of the said Patrik Watson a little under the point of his left shoulder, and upon the left syde of the said Meinie Halliburton hir neck a little abone hir left shoulder, whairof they wer not sensible, nether came furth thair of any bloode efter I had tryed the samen als exactlie as evir I did any uthers. This I testifie to be of veritie upon my credite and conscience. In witnes quherof I have subscryvit thir presentis [with] my hand, day and plaice foiresaid, befor thir witnesses abonespecifeit. (Signed) I: K: Alex<sup>r</sup> Levingtone, witnes; W. Daliell, witnes; Ja. Borthuik, witnes; John Stalker, wittness; James Forman, witnes; M. J. Achesone, witnes.

Testimonial by  
John Kincaid  
that he had  
found the  
devil's mark  
on Patrick  
Watson in  
West Fentoun  
and Menie  
Halliburton,  
his spouse.

206. "At Eymouth, the second day of July, 1649. The quhilk day M<sup>r</sup> Samuell Douglas, M<sup>r</sup> James Straitone, M<sup>r</sup> George Home and George Halliday, clark to the Sessione, having gon up to Issobell Broune after prayer shee confest to them these particullars, viz.: that sax quarters of ane yeir since the said Issobell wes coming out of Berwik at ane low place above Cransmouth, the devill appeared unto hir in the liknes of ane great man and offered hir money iff she wald consent to be his servantt, quhilk money he laid in hir hand and shee cast it from hir. Again she met with him at the sam place and offered hir money and promised that shee and hir bairns sould never want. A third tyme shee met him at the sam place, quher the divell prevaild so much with hir that upon his desyr shee renuned hir baptisme and he took hir hand and laid it upon hir heid and caused hir give over all betuixt hir hand and the earth to him, and he said, 'Now yea ar ane off my folkis.' Thus far shee hes confessed. (Signed) M<sup>r</sup> Samuel Douglas, minister at Coldinghame; M. G. Home, minister at Aitone; M<sup>r</sup> James Straton, minister at Aymouth; G. Halliday, clark to the session of Eymouth."

2nd July 1649.  
Confession of  
witchcraft by  
Isobel Brown  
at Eymouth.

"5 Julij, 1649. The Estaittis grants commission to Wedderburne, elder and younger, Blacader, Suintoun, elder and younger, Patrick Home in the Law, William Somervell, Laird of Edintoun, and M<sup>r</sup> John Wilke."

8th July 1649.  
Confession of  
witchcraft by  
Margaret  
Dobson.

207. "The Confessione off Margarit Dobson, July 8, 1649. First, Miscellaneous Papers. in the morning shee confessed befor Samuell Lawder, Johne Robisone and George Halliday, and lykwayis renewed hir confessione of the same particullars befor M<sup>r</sup> Samuell Douglas, minister at Coldinghame, Samuell Lauder and Johne Gray; the particullars ar as followis, first, shee deponed that about the space of four or five yeir since shee becam the divells servand.

Secondlie, shee deponed that the first appeiring of the divell to hir was at young Thomas Broun his bak barn, Issobell Broun and Allisone Cairns being with hir [the] divell appeared to hir in the liknes of ane great dogg, and then appeared [in] the liknes of ane man, layd his hand upon hir head, and speiking to hir [askit hir to re]nunce hir baptisme and becom his servand.

[Thirdlie], shee depones that Allisone Cairns that . . . hir a pei[ce] off flesh saying it was hair flesh, and declairs that evir since hir heart hes bein hard as a stone and deid within hir.

Fourtly, shee depones that within a quarter of a yeir efter the divell appeired the second tyme at the bak of the Laird off Wedderburns hous, Heilein Tailyear, Issobell Broun and Alisone Cairnes being thair with hir; whair they danced ane hours space; efter that Allisone Cairnes went into Thomas Brouns byer in the liknes of ane catt, quherupon ane broun kow of Thomas Brouns died on the morrow.

Fourtly [*sic*], shee deponed that about fourteine dayis befor William Burnit his death the abonenamed persons and Beatrix Young with hir self, the divell also being present in the liknes of ane foall, about midnight they went all to William [Burnits hous . . .], going in at the bak door went throw all the hous and Heilen [Tailyear going?] first, with intention to tak William Burnits lyff, but Issobell Broun wold not, and that Issobell Broun caried the candill, and when they sindred the divell went away rowling, and that Beatrix Young went up the gait.

Fyftlie, shee deponed that a good space after, that shee and the forsaid persons, the divell being with thame, had a meitting at the yallow karrs under the Forth of Eymouth at midnight, and did dance thair the space of ane hour and lykeways about the cobillis, quher they had intention to have done some harm [to] them, but they went not on upon the morrow to the sea.

Sixtly, shee depones that Allison Cairns and Issobell Broun was Thomas Hairs death; and did rost him to death a long tyme befor he died.

Sevintly, shee declaired that Helene Tailyear was Thomas Steinsons death. (Signed) M<sup>r</sup> Samuel Douglas, minister at Coldinghame; Johne Gray; S. Lauder; G. Halliday; Johne Robesone."

8th July 1649.  
Confession of  
witchcraft by  
Helen Taylor.

208. "The Confessioun of Helene Tailyear, July 8, 1649, Being the Sabbath day, M<sup>r</sup> Samuell Douglas, preaching at Eymouth efter sermon, Helein Tailyear desyred to speik with the said M<sup>r</sup> Samuell, who

Miscellaneous  
Papers.

cuming to hir, thair being also present Samuel Lauder and George Halliday, shee confessed these particulars, viz. First, at Candlemes bygan tuo years shee cam into Issobell Brouns hous quher the divell was sitting in the liknes of a gentillman at the tabill drinking with Issobell Broun, who took hir in [his] airmes, without any moir speaking at that tyme.

Secondlie, shee declairs that after that she cam to Issobell Brouns hous . . . whair the divell was in the same liknes as befor, and layd his hand upon hir head and said, 'Yea sall be on of myn so long as yea live,' and that he gave hir tuo dollers, and when she cam hom they wer butt tuo stones.

Thirdlie, shoe declairs that shee was at ane meitting with Issobell Broun, Allison Cairns, Margarit Dobson, and Beatrix Young, and that thair all went along to William Burnitts hous, he lying seik, and that, coming to the hous, Margarit Dobsone was in the liknes of ane blak hen and went in at the chimley heid, and Beatrix Young in the liknes of ane littill foall, and that hir self was in the liknes of ane littill quhelp; Issobell Broun was in hir owen liknes with a long tailed courtshaw upon hir heid, and Allison Cairns was in hir owen liknes, and that Issobell Broun desyred hir to go into William Burnitts, but shoe refused, quher-upon Issobell Broun did stryk hir . . . upon the back.

Fourthly, shee declairs that Marion Robison was ane witch and that shee was Williame Burnitts death. (Signed) M<sup>r</sup> Samuel Douglas, minister at Coldingham; S. Lauder; G. Halliday."

209. "At Hadingtoun, the 13 July, 1649.

The quhilk day Margrat Vaith, being wardit within the tolbuith of 13th July 1649. H[adingtoun] for the cryme of wichcraft, depond and confessit in presens of M<sup>r</sup> . . . Ker, minister at Hadingtoun, George Pater-  
soun, shireff clerk of H[adingtoun], Johne Pow, Johne Dicksoun and Richard Whyt, burgesses, that the [first] tyme she met with the devill wes at the Seneines befor Pash last and that he appeard to her in the liknes of ane gentlman and desyrit to ly with her, and she refusing, he said that the nixt tyme they sould meite they sould not pairt so, and the divell appoyntit to meit with her that same day fourtein dayes . . . that same place.

Confession of  
witchcraft by  
Margaret  
Veitch,  
prisoner in the  
tolbooth of  
Haddington.

Secundlie, she depond and confessit that accor[d]ing to thair apoyntment she had ane secund meiting with the [divell at that] same place quhair thair first meiting wes, at which tyme the . . . had carnall dealing with her and that she thought his [nature] cold, and that she renuncit her baptisme and becam his servant and sat doune one hir knees and becam his servant.

This we testifie to be of veritie be thir presentis subscriyvit with our hands as followes. (Signed) G. Patersone; Ro. Ker.

"At Hadingtoun, the 16 day of July, 1649. The quhilk day in presens of M<sup>r</sup> Robert Ker [and . . . ] at Hadingtoun the said Margrat Vaith acknow[ledged her] former depositiones abonewrittin to

be of veritie, and further confessit that she had ane thrid meiting with the devile at the Byrilaw, and that she saw ane Margarit Robertstone in Ha[dingtoun] ane litle space frome her gathering sticks and that [the] devill went to her and stayed with her about half ane hour or thairby, but quhat they did or said she knew not, and that he returnit to her againe and thairefter went away. (Signed) Ro. Ker;

Miscellaneous  
Papers.

John Cokburne . . .  
The Laird of Smeitoun.  
John Aiton, bailzie of Hadingtoun.  
Patrick Young, bailzie thair.  
The Laird of Beinstoun.  
Patrik Hepburne of Munchrig."

"Hadingtoun, the 18 of July. The presbytery, having read and considered the within wretten depositions and confessions of Margaret Vaitche in Hadintoune, finds the samin a sufficient ground to sut a commissione for trying and judging them according to law. (Signed) J. Stirling, clerk."

9th August  
1649.

Summons—  
Thomas David-  
son *contra*  
Rankine.

210. Fragment of the end of a summons dated at Edinburgh, 29th August, 1649, and signed H. OSBURNE "writtin be Tho. Edzer." On the back it is docketted "Summonds Thomas Davidsone *contra* Rankine, 1649; *Per* Dalrympl to Mowat. Also on the margin is noted "*Ultimo Februarij, 1650, partibus ut in processa*. The Lords recommendis Toftis and Hairtrie to heir the pairties and to agrie thame gif they can; utherwayes to report."

14th September  
1649.

Depositions  
against Mauld  
Galt in Loch-  
winnoch, who  
is accused of  
witchcraft.

211. "At Kilbarchane 14 September 1649.

"The quhilk day M<sup>r</sup> Hew Peibels, minister at Lochinnoch, the said parochine not having ane actual minister for the tyme, and keiped session in the said parochie, unto the which session was presented ane letter of M<sup>r</sup> Hew Blairs requyring the gentilmen and elders of the said parochie to mak ane diligent searche to find out quhat could be prowyn in the cariage of Mauld Galt in relation to witchcraft, charming, etc., and what could be fund out in hir cariage from our church register, for the quhilk the session had ceited several witnesses quho wer neibors and best aquaint with hir conversation; who being called compeired and solemnlie gave thair oathe whose names and depositions efter followes:—

1. "Wer interrogate whither they evir hard or knew any thing of Mauld Gaut hir acts of witchcraft, charming, malicious speitches, which efterward has succes as schoe wisches or promised.

2. "Whither they knew or hard that schoe had comited any vyle act in abusing ane of hir servants with ane peis of clay formed lyk the secreit members of ane man or not.

"Compeired Jonet Sempil, spous to , cordiner thair, hir neibour

Miscellaneous  
Papers.

about the tyme of that alledgit act, who declaired that the serwant so abasset brocht the same peis of clay to hir and reported to hir that scho had so dealt with hir. This dittay relevant if it wer proven, bot the testimonye is *ex relatu*.

"Compeired Marion Sempil and, being requyred upon hir oathe, deponed that scho cam to Mauld Galt and hir tua women, the ane Nans Nonsense. Mitchel abussed, and Nans Neisbit, the said Nans Mitchel, and Mault Galt, flytting with thame to cairie the said peis of clay to the Laird of Johnstoun, thair maister, was hindered be me, the said Marion Sempil.

"Compeired Margret Arthur and deponed scho was leming at the said and I, the said Margret, being delyvired of ane chyld at that tyme, the said Nans Mitchel was up with me the said Margret al night and coming into hir maistres hous Maul Galts fell a sleip and the said Maull abusing hir cam to me weiping and told me all which . . . forsaid receued be the forsaid session and subscrivit be me . . . clark. This is *ex relatu*, but lett Nance Mitchel . . . confronted. (Signed) Joseph Tenent, clark to the session."

. . . "4 December, 1649. In presence of M<sup>r</sup> James Durhame, M<sup>r</sup> Hew Blair, and the elders of M<sup>r</sup> James sessione being convenit in the Blakfreir kirk.

"Arthour Hammiltoune, merchand, sworne as witnes, deponis that about tuentie weiks since or thairby, upon ane Sabothe day, Mauld Galt was fund be the said Arthour siting with William Philp his wyfe in the entrie to the pulpit, the outer dor be the quhilk the minister enters being schut, and the said Arthour admiring how scho cam in tuik the chyre scho sat on in his hand, the quhilk cam asunder, upon the quhilk action the said Mauld promisit to win him ane pirn, and immediatlie thairefter went out of the church and that the said Arthour sum few dayes thairefter tuik ane sueiting and weaknes of bodie, quhilk continewit with him the space of sex weiks or thairby, and was most affectit with that diseas in the nicht seasson, and also that, after he had drunken with the said Mauld, his diseas decessit daylie and did find himself in ane schort tyme weall agane, and also about sex weiks thairefter the said deponer, going to Gabriel Wilsone his hous and finding the said Mauld thair, scho offerit to drink to him and said to him that they had bein to long at wariance, the quhilk the said Arthour acceptit of.

"Catrein Ruff, spous to William Philp, saidler, suorne, deponis that scho did sie Mauld Galt put hir hand to the dor that enters to the pulpit and that it did go up, scho not knowing quhither the said dor was lockit by yea or not, and, that efter Arthour Hamiltoune had brockin Mauld hir chyre, scho went out of the churche bot nather hard nor knew funder.

"Margret Wilsone, spous to Gabriel Wilsone, talyeour, deponis that Arthour told hir he was not weill since Mauld Galt hir stoole was brokin and that he suat in the nicht seassone and was not weill and that he wald desyre to drink with hir becaus he feirit hir ewill. Upon the quhilk

speitches the said Mauld cam in to the deponers hous, quho with the said Arthur did drink ane pynt of aill, efter quhilk he grew daylie better. Miscellaneous Papers.

"Gabriel Wilsone, talyeour, suorne, deponis that he hard Arthur Hamiltoune say that since he put his hand to Mauld Galts stoole he thocht himself unweil, and ay in ane feir and sueitand and nevir weill since he fand hir betuixt the dores going into the kirk and that he cairit not to drink with hir; and that Mauld being in the deponers hous, Arthur cam in and drank with hir."

27th September 1649.

Commission to try Elspeth Ronaldson and others in Burntisland for witchcraft.

212. "27 September, [1649], Commission against Janet Murray and uthers.

"Sir James Meluill; M<sup>r</sup> Robert Aytoun of Inchderny; Alexander Orrock of that ilk; Robert Ged of Baldrig; and the baillies of Brunt-iland or the baillies thereof to be chosen for the ensewing yeir; to be commissioners for tryall of Jonet Murray in Brunt Iland, Elspeth Rannaldsone thair, Agnes Waterstoun thair.

"27 September, 1649. Commission given to the said persones against the witches underwrittin put in the ordinare forme. Depositions subscriyvit be the ministers of Brunt Iland and Kingorne. Presbitrie of Kircaldie."

c. September 1649.

Further depositions against Maud Galt.

213. . . . "Fyft[lie] . . . is accusit that being dueland in the paroch of Kilbarchane . . . Agnes Mitchel, quho was hir servand woman with ane peice of clay formed be hir to the liknes of a mans priwie members doing quhat is abominable to think or speik of and this being tryed in the paroch of Kilbarchan in the session thair of haldin be M<sup>r</sup> Hew Peibils upon the fourtein day of September last, quherby was prowyn be thrie witnesses, That the said Agnes Mitchell cam to thame with the said clay sua formed, complening of the said injurie done to hir be the said Mauld and desyring to go to the Laird of Johnston, maister of the ground quhair they duelt for the tyme, and was hinderit be sum of thame for the abominableness of the said act that it sould nevir be hard of, as the extract of the probation under the subscription of Joseph Tenent, clerk of the session of Kilbarchane, beires.

"Also accusit that Jonet Mur, spous to Mungo Miller, that nothing thrive of hir aill of tua or thrie brewings being als long as roapes that nane could drink of it and that dewil have it could thryve of it with hir becaus scho tuik the hous fra hir gudman against hir will and that nothing could thryve with her in it so that scho and his spous went out of that hous within ane quarter of ane yeir efter they com to it.

"The presbitrie of Glasgow, having seriouslie considerit the premisses, do earnestlie recommend the same to the rycht honorable the Comite of Estaites or Lords of his majesties Priwie Counsil that thair Lordships may grant ane comission for trying and punisching thair of as they sal find the same to deserwe."

Miscellaneous  
Papers.

214. "At Glasgow, the 15 day of October, 1649 yeeres.

15th October  
1649.

"The quhilk day, M<sup>r</sup> Hew Blaire and his sessionne being conveynit with concurrence of M<sup>r</sup> James Durhame, M<sup>r</sup> George Young, George Porterfeild, proweist, Williame Dunlop, baillyie, and diverse uther sessioners being present, compeiret Mald Galt, spous to Johne Dickie, wright, who is accusit of the particulare dittayes of witchcraft underwrytten.

Charges  
against Maud  
Galt.

First, scho is accusit that sho minassit and threatnit evils to fall out upon sume of hir neighbours, quhilks fell out accordingly.

That quhen Jeane Fisher, spous to umquhill James Stewart, younger, merchand burges of Glasgow, befor Witsonday, 1648, had taken ane hous in the Briggait belonging to tbe Laird of Newwark, quher the said Johne and Mald dwelt for the tyme, and, Jeane coming to sie the hous, the said Mald threatnit, saying, 'Have yea taken this hous over my head; I find yow Godis brugh, yee sall goe worse out of this hous nor yea come to it, and yee are grienand fast to come to it, bot yee sall greine fast [to goe out?] of it'; and it fell out so that, within half ane yeere efter they come to the hous, the said umquhill James Stewart contractit ane dwyning and unkow deseis quherof he diet, and her sounne, umquhill James Stewart, meltit away also, being ane lywely lyk chyld, quhilk the said Mald tuik to hirself as doer thairof in swa far as shoe said that umquhill James Stewart never did thrywe efter hee tooke her hous over hir head, and he could not thryve; and lykwyse, the said Jeane Fisher being ane taverner, nothing ever luckit in her hand in that hous bot all went back with her that shoe undertooke to goe about.

"Mald present denyet the former article.

"Jeane Fisher, Jonet Moresounne, spous to Alexander Maxvell, merchand, Issobell Fork, spous to Johne Willsounne, younger, merchand, and Hellein Woddrow, spous to Johne Pettigrew, couper, being warnit as witnessis, Mald objectit nothing against Jonet Moresounne, and Issobell Fork alledgit against Jeane Fisher that sho had sclanderit her name and was gatherand witnessis throw the towne against hir and alledgit that Hellein Woddrow had her at mallice and wraith. Jeane Fisher declarit sho never desyrit any witnes against her and that sho never spake to her bot befor the saids Jonet Moresounne and Hellein Woddrow. Hellein Woddrow declares that sho had no mallice against her, and that scho never had anything adoe with her. Finds no ground to set them. They purgit themselffs of all mallice and illwill . . . they, sworne and admitit as witnessis, deponis as followes: Jonet Moresoun, sworne, depons that sho went downe with Jeane Fisher to the hous quher Mald Galt was dwelland, in Briggait, and that Mald said to Jeane Fisher, 'I hop to sie her goe war out of the hous nor sho came in and to grein faster to goe out of the hous nor sho greinit to come in it.'

"Jeane Fisher, sworne as witnes, deponit that sho went to the hous in the Briggait quher Mald dwelt and that Mald said to her, 'Quhat

needs yow to be swa haistie to come heir; look how faine yea would be heere; yea sall be alse faine to goe away againe'; and that sho said to the said Jeane, 'Yea sall go war out of it nor yee came to it'; and depons that within fywe weekes to her entrie to the hous they wer inclosit under suspition of the plague for sume weekes and that at Mertimes efter thaire entrie to the hous umquhill James Stewart, her spous, contractit ane lingring deseis accompaniet with sweiting and weaknes, quherof he diet at Candillmes, and that umquhill James Stewart, ther sounne, of ten quarters old, contract ane deseis and sweitt and wastit away and diet within sex weekes efter his fathers deceis; and depons that Mald said to her sho hoipit schoe sould never luck nor thryve in that hous. Hellein Woddrow, spous to Johnne Pettigrew, couper, sworne, depones that Mald said to Jeane Fisher, 'Is it thow that hes taken this hous over my head. Thow greines fast to come to it, bot thow sall goe worse out of it nor thow came to it.' Quhilk wordis sho spak to them the tyme before sho spake them in the heareing of Jonet Moresoune.

Miscellaneous  
Papers.

"Issobell Fork, spous to Johnne Willsoune, younger, merchand, sworne as witnes, deponis that Mald said to the deponer, 'Alexander Maxvell hes set my hous over my head to James Stewart,' and that sho said James Stewart he never did weill nor could doe weill becaus he tooke the hous over my head.

"Secundly, shoe is accusit that about fyve yeeres since in Paisley sho threatnit ane Jonet Patersoune, spous to Walter Mountgomry in Yocker, upon ane discord falling out betwixt her husband and the said Mald, and that the said Jonet went home and fell presently seik and meltit away bit and bit quhilk shoe became lyk ane stock and diet.

"Mald denyit the former artickle.

"James and Alexander Patersounes in Yocker and Williame Duncan in Blawarthill being warnit as witnessis, Mald declaret that shoe kent them not. They sworne and admitit deponis as followes:

"James Patersoune in Yocker, sworne as witnes, depones that he and umquhill Walter Mountgomrie and umquhill Jonet Patersoune, spous to the said umquhill Walter, being drinkand in Mald Gatis hous in Paisley and ane contest being betwixt the said Mald and them for ane pynt of aills pryce, and Mald keipand Walter Mountgomerie horsse, ther fell out ane contest betwixt the said umquhill Jonet Patersoune, spous to the said umquhill Walter, and the said Mald with continuall scalding and flytting ane with other, and the said umquhill Jonet, when shoe come home, reportit, and the said umquhill Jonet efter her home coming fell seik and meltit away bit and bit quhill sho diet and became sensles befor shoe diet.

"Williame Duncane in Blawarthill, sworne as witnes, depons that he, being in companie in Mald Galts hous in Paisley with James Patersoune, umquhill Walter Mountgomrie and umquhill Jonet Patersoune, his spous, Mald keepit the said umquhill Walters hors for ane pynt of

Miscellaneous  
Papers.

aills pryce in contest betwixt them and flait and scaldit with the said umquhill Jonet Patersoune, spous to the said umquhill Walter, and that the said umquhill Jonet comeing home, [the paines of] chyld birth come upon her shortlie thereafter, and being delyverd the . . . ane lingring seiknes and became sensles and thereafter diet when shoe had lyen nyne or ten weekes or therby.

"Alexander Pattersoune in Yocker, sworne as witnes, ignorant.

"Thridlie, those [sic] accusit that quheras some persounes in this place had fallen out with her and eivills had befallen the saids persounes, that Mald tuik the said evills quhilk had fallen out to her self as actrix of them, and said in ane proud insulting way to some three of her nighbours that thaire was never ane wrongit her bot sho gat her hart sythit on them and gave for instance that littill doddell deame up the gait, Johne Auldcorne his wyff being meanit thairby, let her take up what shoe wane at hir hand had her with it, quhilk, as it is notour that the said Johne Auldcorne, who is now deseissit, died of ane disease quhilk was not lyke ane ordinar deseise bot as doctours both in Leith and at home thought hee was bewitched, being so long sensles in all; and Johne M<sup>c</sup>Cen, who said he sould caus my goodman sell my cour-cheiff off my head, let him take up quhat he wan of it, hold him with it, the said Johne since being in strait prisone in this place; threatning the saids persounes that they sould goe the same gait iff they wrought her and buire her goodman company.

"Mald Galt, compeirand befor M<sup>r</sup> Hew Blaires session upon the 27 day of Agust last bypast, 1649 yeeres instant, denyit the former article.

"Ninian Darroch, Archibald M<sup>c</sup>Key, hammerman, Marioune Daroch, spous to the said Archbald, and Marioune Snyp, spous to Johne Young, couper, being warnit as witnessis the said 27 day of August last bypast, Mald Galt being interrogat what shoe could object against the saids witnesses shoe alledgit that they had her at ill will bot could not condescend upon particulares.

"Ninian Dorroch, sworne and admitit as witnes, purgit himselfe of all spleen and malice against the [said] Mald, deponit he heard Mald say, 'Never any wrongit me bot I gat my heart sythit of them. The doddell deame up by fillit drink to my spous and I have gotten my heart sythit of her, let her hold her with it; and for M<sup>c</sup>Cen that thought to caus my husband drink my curchaff off my head I have gotten my hearts will of him'; and said to the deponer, 'I would you wer out of the gait too,' and that sho cursit and banit the deponer and all that he might dow and that sho would get her heart sythit of the deponer and wissit that he wer out of the way too.

"Archbald M<sup>c</sup>Key, sworne as witnes, depons that Mald Galt cursit and banit Ninian Darroch, and as Ninian prayit to God sho said, 'The divill will help yow to work'; and that shoe said, 'Ane littill deame dottell up the gait took in my goodman and gave him drink; look quhat reward

sho hes gotten for the doeing of it; let her hold her with it'; and depones <sup>Miscellaneous Papers.</sup> sho said, 'Johne McEn was myndit to caus my goodman drink all I had and the curchaffe off my head and he was aines out of the gait, and I would have yow out of the gait too.'

"Marioune Darroch, spous to Archbald McKey, sworne as witnes, depons that Mald Galt cursit and bannit Ninian Darroch, and quhill he prayit shoe said, 'The devill help yow to worke ill; may the said Ninian thrywe, and that the deponer and hir spous ill might thrywe; and that shoe said, 'Thair is none that angers me bot I get my heart sythit on them; and Johne McEn thought to have causit my husband drink my [curtchaff] off my head and sie quhat is come to him and that sho said the doddell deame . . . my husband ay drinkand and sottand and sie quhat is come of her and that shoe hopit that sould come off Ninian Darroch giff he usit her husbands company.

"Jonet Hall, relict of umquhill Johne Auldcorne, skiner, being warnit as witnes to the 15 day of October instant, Mald Galt declares sho had nothing to object against her, who, sworne, depones that sho, being desyrit by uther wysser nor herself to send for Mald Galt to her husband who was lyeing seeck of ane lingring and ane unkow deseis, and quhilk Mald was suspect to have occasionat, the said Mald come in to her husband and two in company with her and efter shoe came in sho profest, giff it wer in her power, shoe would be willing to set him to his foot presentlie, and thereafter the said Mald Galt drank to the said umquhill Johne Auldcorne, quherupon the said umquhill Johne, who had lyne speitchles fra the Twisdey untill that tyme, quhilk was the Thursday thereafter at alleeven houres, uttered these words, 'I thank yow guidwyff,' and, takeand the drink frome her, drank it out, efter the quhilk drink he fell in trembling shortly befor Mald went downe the staire and neither spak nor drank any more quhill he diet his death, quhilk was on the Fryday thereafter.

"Fourthlie, ther is ane woman namit Elspet Love in this brugh, who, coming in suddenly upon the said Mald in her hous, saw her ther alon and ane riddle asyd her, quhilk the said Mald was turning about, quherupon the said Elspeth was exceedingly affraid and went her way home, bot saw not, being stricken blind.

"Mald declairet sho had nothing to object against her.

"Elspeth Love, sworne as witnes, depons that sho, going into Malds hous to seik barme at Witsonday, 1648, sho saw the said Mald sitting and ane riddell in her hand, and that Mald was turning it about as bairnes uses to turne ane trunshour, and that the deponer grew afrayet and went her way. Extract be M<sup>r</sup> ARCHBALD LONIE, clerke of session, furth of the session bookes."

[Undated,  
c. 1649.]  
George Hutson  
and others

215. "Dilat this day in my , George Hutson, Issobell Hutson, Marion Hutson, Euphame Haliburtoun, Marion Wood in Yewingstoun, Begis Bathcat in Baigbie, Jeane Deanes in Braidwoodsdyd, Agnes

Miscellaneous  
Papers.

Murray. The commission to beir with power to the commissioners to delat for witchcraft.  
try and examine them and mak report."

"Agnes Williamson, Helen Deanes, Anna Pilmore, confessors, and in Agnes Williamson  
the old commission; [Nicoll Stillie, Issobell Stillie (deleted)], confesses; and others  
Elspeth Baillie in Pilmore, Issobell Richardson there, Elisabeth Lawson confess to the  
in Kirkland, also confesses; George Miltoun, Christian Blek, delat and crime of  
apprehendit; Patrik Meikkie, Helen Reid, Jonet Wast, Issobell Cathie, witchcraft.  
Jonet Kempe, Susanna Bannntyne, dilate and to be apprehendit alreddie  
upon band to enter; Adam Harlaw, Johne Home, Margaret Blak, Helen  
Scharpe, Issobell Cairnes, and utheris dilate and to be apprehendit."

"Memorandum for Thomas Crombie—To signifie to my Lord that upon Memorandum  
the old commission the judges wer angrie that it did not carie powr to for Thomas  
them to cause sumond assyse and ilk person under ane penaltie; and Crombie anent  
that in the commission and the diligation of the persones to be judges and a commission  
thair quorum as former commission of old usit to say, with power to them for the trial of  
to hald courts, creatis members, as clerk, etc., and to caus cit and con- witches.  
veyne such persones as are knowne to be honest without any suspition  
to pas upon the assyse, ilk person under the pane of ane unlaw of  
thrieskoir pound or fiftie pound.

*Item*, to informe my Lord that there are many delet not mentionat in  
Helen Deanes her confession, and thairfor that his Lordship wold get  
out the commission not onlie against these alreddie apprehendit and  
confessing but also that such as are or sall be delet therafter may be put  
to execution, to save his Lordship from furder trouble and paines."

"Georg Seaton of Barns; Patrik Broun of Colston, yonger; Francis  
Hepburn of Beinston; M<sup>r</sup> John Butler of Kirkland; Thomas Hallie-  
burton of Edgearnie; Alexander Borthike of Johnatonsburn; Patrik  
Yong, baillie of Hadinton; M<sup>r</sup> Jo. Dougall; [Doctor Hepburne (deleted)];  
Archbald Elot in Daurein; M<sup>r</sup> Alexander Hay of Baro; M<sup>r</sup>  
Abererombie; Sir Jo. Sinclare of Harmistoun; William Seatoun, proveist  
of Hadingtoun."

216. Supplication by Isobel Wilson in Carradin, as follows:—She [Undated,  
has been imprisoned in the tolbooth of upon a false charge c. 1649.]  
of witchcraft, and upon her petition their Lordships were pleased to Supplication  
order her liberation, she finding caution to compear when cited before his by Isobel  
Majesty's Justice. She fears that her former troublers may take it upon Wilson in  
them to question and annoy her, and, as she has none to speak or plead Carriden,  
for her, she prays their Lordships to discharge any from questioning her, formerly a  
but that, if she is to be questioned, she may be convened before the prisoner under  
Justice or his deputes, whereby she would have the benefit of advocates the charge of  
to plead for her. witchcraft.

217. Supplication by William and Robert Monteith, as follows:—[Undated,  
They intend, God willing, to go abroad for business purposes and possibly c. 1649.]  
may make their residence abroad, and they crave their Lordships' warrant Supplication  
by William

and Robert Monteith, who are about to go abroad, that they may obtain a Birthbrief.

to the Director of Chancery and his clerks "for extending ane testificat of our genealogie conteining therein the families quherof we ar discended in the maist ample and large forme, conforme to ane testificat heirwith produced," and the same being written to the great seal that the keeper thereof might seal it.

Miscellaneous Papers.

[Undated, c. 1649.]

Supplication by William Douglas and William Vause, soldiers in the tolbooth of the Cannogate, that they may be relieved from their present ward.

218. Supplication by William Dowglas and William Vause, soldiers, "wairders in the tolbuith of the Cannogate," as follows:—Upon their former supplication for relief out of their ward in which they had remained since Lammas last in great distress and misery, Thomas Robiesone, jailer of the Cannogate, was ordained either to hand them over to some captain for service in the wars upon his paying for their maintenance in ward, or to consent to their release, before 1st March thereafter. That date is now past and they cannot obtain their liberty, but remain in ward, alike unprofitable to the said Thomas and themselves. They crave their Lordships to pity their hard and miserable state, and to ordain the bailies of the Cannogait to liberate them.

[Undated, c. 1649.]

Supplication by the feuars, wadsetters, and indwellers within the lordship of Balvenie that the Council would take steps to protect the supplicants from certain of the Clan Gregor.

219. Supplication by the feuars, wadsetters and indwellers within the lordships of Balvenie, as follows:—For several years past "we have monie tymes suffered dyvers oppressiones and ryotts, boith in our bodies, guidis and geir, as also by rawishinge of our women, married and unmarried, by certane sawadge, laules and broken men of the Clangregor and their accomplices conjoynit with them in felloushipe," and they have been forced to take arms in self-defence and to keep nightly and daily watches in force. Being unable to continue the strain of this throughout the winter, they had recourse to the Marquis of Huntlie for his assistance, and he immediately ordered his vassals nearest to them to assist. They have thereby in a manner expelled their assailants and gained a breathing time, but they are daily threatened with a greater invasion, which, without their Lordships assistance, they will not be able to resist, seeing they "are ane confuisit multitud of fewers and yeomane, not haiffing ane superior nor ane man of respect to follow, quhilk maks us ane pryse to all broken men." Further, notwithstanding of these oppressions, several of the petitioners were fined at the committees held last year in Elgin for intercommuning with these raiders; though it was because these savage men took several of the countrymen prisoners and held them to ransom. And now recently, on 9th January last, they oppressed "ane sufficient gentillman," John Stewartt of Ardrak, in his own house for refusing to give them money and weapons, seized and wounded him to the great effusion of his blood, spoiled his house, and, when he fled to the kirk for safety, "they braischit the kirk dores and brak the haill vindowes of the kirk." They crave their Lordships to take consideration of the miserable conditions under which they live and take steps for their security. Addressed on the back, "For Alexander Lesley, wrytter in Edinburgh, thes."

Miscellaneous  
Papers.

220. Supplication by Sir William Hamiltoun of Elistoun, as c. 1649.  
 follows:—Upon misinformation there was an act of Council passed for securing his person and managing his estate, “which act, as most groundles and unjust, was by your Lordships rescindit, and I, at your Lordships desyr, obleiged myself by a small paper to gyde and manage my estate be the advyce of my Lord Chancellor, the Earle of Tuadell and my Lord Balmerino, which paper I could not by any law have bein urged or compelled to subscribe, neither wold I ever have condescendit so to doe, if it had not bein for the great trust that I reposed in the saidis Lords, being confident that they wold thereafter, upon my demand at any tyme, cancell the same. And now sieing I hope it is sufficiently manifest to your Lordships that the allegations formerlie made against me, which wer the ocasion of demanding the said paper, ar most false and unjust, therfor I humbly desyr that the forsaid nott, which is most prejudiciall to me, my credit and effairs, may be cancellit and no illegall and unusuall tye putt upon me, and I may be reponit to my owne place as if the samen had never bein givin.”

Supplication  
by Sir William  
Hamilton of  
Eliston that an  
act of Council  
for securing  
his person and  
managing his  
estate may be  
cancelled.

221. Supplication by Dame Katharene Swyntoun, Lady Westnisbet, as follows:—Her husband's creditors, in the name of William Monteith of Carriber, also one of his creditors, having procured their Lordship's letters against her for rendering the house of Rumiltounlaw under the pain of treason, she upon complaining obtained a suspension thereof until 17th January next; “aganes the quhilk suspensioun the saids creditors hes raisit ane sumonds *prevento termino*, and hes summond me to this day for that effect; and the saids creditors, not contenting thame-selfis with the estait, lands, baronie and leiving of Westnisbet pertaining to my said husband, quherof thay ar alreddy in possession, not only of the maner place, houses, yairds and pertinents therof, bot also of the resaving and uplifting of the mailles, rentis and dewties therof, as is manifest and notour, bot thay in all rigour hes enterit in upoun me be thame-selfis and uthers in thair names at thair command in the said hous of Rumiltounlaw, quhilk wes acquyrit be my meanes, and that littill corne quhilk I be my industrie and help of freinds in absence of my spous had labourit, sawin and brocht to the barneyairds of Rumiltoun, thay have mellit and intromettit thairwith and uses all meanes, not only to put me altogidder to the duires now in the dead tyme of winter, I having no uther residence, bot also to mak me sterve for famine, I having no uther meanes to interteny myself with bct the saids littill cornes, quhilk is now in the said barne and barneyaird of Rumiltounlaw, intromettit with, as said is; albeit the saidis creditouris wer anes willing and content to geve me ane yeirlye portioun out of the said estait for my aliement and intertenyment, quhairthrow I am in ane hard estait and conditioun without your Lordships tak pitie and consideratioun thairfor.” She therefore craves permission to dwell and reside in the said house of Rumiltounlaw during such a period as the Lords will allow, with power

[Undated,  
c. 1649.]  
Supplication  
by Dame  
Katherine  
Swinton, Lady  
Westnisbet,  
that she may  
be permitted  
to remain in  
the house of  
Rumiltounlaw,  
from which  
her creditors  
have ejected  
her.

to use the corn presently in the barn and barnyard of Rumiltoun for her sustenance, "and that in tyme cumyng it will pleis your Lordships to move the saids creditouris to grant ane yeirlie portioun to me out of the said estait for my aliement and intertenyment for the causes forsaid." Miscellaneous  
Papers.

[Undated,  
c. 1649.]

Supplication  
by Dame  
Katherine  
Swinton, Lady  
Nisbet, for  
maintenance  
out of the  
estate of  
Rumiltonlaw,  
which has been  
seized by her  
husband's  
creditors.

222. Supplication by Dame Kaithrin Swyntone, Lady Nisbit, as follows:—The creditors of Sir Alexander Nisbit, her husband, "haveing not onlie purchased letters for medling with these cornes sawin and schorne be my privat credit upon the maines of Rumiltonlaw, but also having letters for removeing me from the house therof under the paine of treasone, quhilkis letters of removeing, being thereafter suspendit be your Lordships and the same suspensioun being callit, the creditoris and I wer apoyntit be your Lordships to meit befor the Earle of Southask and the Lord Register, gif sua the buissnes nicht the better accomodat, quherin I, haveing not onlie at first willinglie offered what was prestable be me to consolidat the richt of my said husbandis estait in the favouris of the creditoris, but thereafter (by motion from your Lordships) to secuere thair furdur feiris, I prevailed so with sume of my freindis to become suirtie for what I offered; notwithstanding they have still refusit to consent to ony thing unless I wold purchase my said husbandis consent, quhilk is notar to the most pairt of thame and to all knowis my conditione that the samyne is not facible be me; heirfoir in respect of the considerable sowme of ane hundreth thowsand merkis got be my said husband by me swa that I may justlie be esteimed the most considerable creditor (now in the hardest conditione of any of thame), quherof thair hes bein diverse precedentis in law evicted in the lyk caice, quhilk onlie my present necessitie baris me to prosecuit against the confluence of so powerfull pairties, as also in respect it was notour to the most pairt of the saidis creditoris how lairg a conjunctfie was secuired to me for the same meanis; thairfoir I humblie beseik, since your Lordships can onlie moderat the hard usage of a distressed laidie and sevin children and schelter thame from the pinching calamities of the pressing creditoris, your Lordships wold allow sume considerable maintenance of the forsaid estait upon me, and, if your Lordships sall find it fit quhat now salbe allowed to me, I salbe content to rebait alsmeikle yeirlie in thair favouris of my said conjunctfie gif swa it pleis God I come be the same."

[Undated,  
c. 1649.]

Supplication  
by the com-  
missioners of  
the burgh of  
Aberdeen for  
the disbanding  
of troops  
quartered in  
the said  
burgh or for  
the payment  
of their main-  
tenance.

223. Supplication by the commissioners of the burgh of Aberdeen, as follows:—The regiment of Lord Sinclair has been quartered upon them for the last fifteen months, and since the disbanding of the army in England without any allowance therefore, to the great injury and ruin of the inhabitants, and also entailing a useless charge to the public of over 10,000 merks monthly, without any services rendered. They therefore crave that their Lordships would take some course for paying what is due to the inhabitants and either disband the said regiment or remove it somewhere else to the southward.

Miscellaneous  
Papers.

224. Remonstrance by Sir James Hope to the Lords of Secret Council :—" May it pleas your Lordships to take to your consideratione the great skarcetie of copper coyne quhairunto this kingdome was redacted of late throw the decrying of the small turnouris coyned be vertew of the warrand granted be his Majestie to the umquhill Erle of Stirling, the quhich skarcetie is in no considerable measure yett removed throw the quantitie of the coper coyned be vertew of your Lordships warrandis granted since that tyme, and that in respect the turnouris now coyned, being by your Lordships ordinance of about sevin tymes weightier then these utheris, a small number of these respective doe extend to the quantities of coper ordinarily contained in your Lordships warrands; and the skarcetie of copper coyne, thoghe it be not so apparent in this toun quhair the samyne is first vented from the Mintt, yett in uther places of the kingdome, whither the samyne is not yett fullie dispersed, it is most evident throw the daylie complaint of the leiges thairanent, as possiblie some of the honorabill members of this judicatorie can testifie; and thairfoir that your Lordships wold be pleased to grant ane new warrand for coynage of the lyke quantitie of coper of the samyne weight and impression and according to the forme and tenor of your Lordships former warrands. And your Lordships answer."

[Undated,  
c. 1649.]  
Remonstrance  
by Sir James  
Hope, in  
which he  
craves that a  
warrant may  
be granted for  
a new copper  
coinage.

225. Supplication by the same, as follows :—" May it pleas your Lordships to take to your consideratione that the skarcitie of coper coyne within this kingdome (occationed throw the late decrying of the small turners coyned be vertew of his Majesties warrand granted to the umquhill Erle of Stirling) being not yet fullie repared by the warrands granted be your Lordships since that tyme, in respect that one of the turners now coyned wyand neirby eight of those uthers, few of them goes to a great weight, so that the quantities contained in your Lordships late warrands, howbeit at the first vew they appeare to be greate, yet being compared with the former warrands granted to the lyke effect of befoir, frequencie therof, and quantities therin contained, thir are nothing considerable in respect of those, nather wold this skarcitie of coper coyne be judged from what is current in Edinburgh or in the places neir adjacent therto in respect of their vicinitie to the Mintt quher what is ishewed forth therof is alwayes first vented and outed (thoghe even in these places also ther be no great abundance) bot rather from the places more remote, whither the samyne cannot be dispersed in a sudane, and quher for the present ther is almost nothing to be found bot a comon and generall complaint of the leiges for the skarcity therof, as severall members of this honorable judicatorie can witnes; and thairfoir that your Lordships wold be pleased to grant ane new warrand for coyning of the lyke quantitie of coper, of the lyke forme, weight, and impressione, as wes contained in your Lordships former warrands."

Supplication  
by the same to  
the same  
effect.

c. 1649-1650.

Instructions to  
the Commis-  
sioners sent to  
Charles II.  
prior to his  
coming to  
Scotland.

226. "Instructiones.—As your letter with your secretarie desyred the returne of our directiones, so upon the consideration of your papers and his relation and of the doubtles and objectiones that did occurre theranent, wee desyre and require yow, for preventing of mistakes and procureing a right understanding betuix his Majestie and this kingdome and church by his cleare satisfactioun to their necessarie desyres, to give in the four demands as they are revised according to your former instructiones and heirwith sent unto you, and to doe your outmost endeavours for obtaneing his Majesties positive grant thair of according to the frame heirwith sent or else to seik and obtaine from his majestie the positive grant of all these four demandes *in terminis* be way of explanatioun of his Majesteis former grantes, as that which onlie can be satisfactorie to this kirk and kingdome and which is the faithfull advyce of his Parliament and of the Commissioun of the Church, which his Majestie by his letter promised to follow, and which for many reasones is much more convenient that his Majestie sould grant to yow before or at his landing, then to come hither without the satisfactours desyred, and thereby not onlie impead that joy and chearefullnes quherwith all his good subjectes desyres to receave his Majesty, bot also delay his coronatioun and necessitate this church and kingdome to declarationes which be very inconvenient to him and to them: Yow shall lykewayes communicate to his Majestie in quhat sense and meaning and with quhat explanatiounes we onlie can and doe agrie to the paper of invitatioun and assureance gevin to his Majestie at Breda, that his Majestie may be tymeouslie acquainted therewith. You shall accordingly to your former instructioun desyre his Majestie to leave behind him all those persounes who wer excluded by the propositiounes of both kingdomes or againes whom this kingdome hath just caus of exceptioun, and yow shall show and declair that, if they be fund within this kingdome, they cannot remaine heirin with securitie. And seing by the large treatie and be the propositiounes of both kingdomes these that are debarred be the Parliament from places of public trust are also debarred from haveing access to the Kinges Majesteis persoune or from comeing within the verge of the Court, thairfor yow are to show to his Majestie, and with all in name of the Parliament of this kingdome, yow are to discharge and not to permitt all persounes that falles within the first or second classe of the Act of Classes made at S<sup>t</sup> Androis, 1646, and at Edinburgh, 1649, dureing the respective tymes therein conteinet, from haveing access to his majesteis persoune or comeing within the verge of the Court without the express warrand of the Parliament."

Miscellaneous  
Papers.

5th February  
1650.  
Summons at  
the instance  
of Patrick  
Chapman,  
tenant of Sir  
Peter Hay of

227. Summons at the instance of Patrick Chapman, tenant of Sir Peter Hay of Megginsch, and the said Sir Peter for his interest, narrating that "everie other night this half yeir bygane thair hes bene stollin and takin away great numbers of geis and duikis from about the said Sir Piter and the complenars houses, wherof he could never gett

Miscellaneous  
Papers.

anie tryell or who war the steillers thairof, till of late that the said Piter Chapman, complenar, being watching about his maisters and his awin housses, upone the ellevint of December last at ten houres at night, knowing that that was the accustomed tyme when they war stollin and takin away, trew it is that [Patrik]<sup>1</sup> David Slicht in Kilspindie, who is now knowin to be the stealler thairof formerly, was takin and apprehendit be the complenar with two geis and ane duik takin and killed be him, wherewith he was goeing privatly away; and eftir the complenar had apprehendit him, he stryveing to escaip out of the complenars grips he most cruellie and unmercifully, unawars of the complenar, stroak him with a durk throw the left airme to the effusioun of his blood in great quantitie, thinking to have struckin him throw the heart and killed him deid, by the which stroak he maid ane escaip and fled away that night from the complenar, and sensyne has committed sundrie insolences upone him and his said maisters tennents to thair heavie prejudice." Charge is therefore given for citing the said David Slicht to compear before the Council on \_\_\_\_\_; dated at Edinburgh, 5th February, 1650, and signed JA. PRYMEROSE.

Megginch,  
against David  
Slicht in  
Kilspindie.

228. "Articles proven and confessed apon the lybell given in 26th February  
against Margaret Finlasoun. 1650.

1. There being discord betwixt Margarat Finlasoune and Robert Patersone, millar of Blauarthill mill, the said Margarat vented and uttered sundrie threatnings and cursed both him and his wyfe, saying the devill grind him as small as gun poudre amongst the mill wheelles, and threatned that shoe should garr him sweat at the shill of the forrat and doe him ane evill turn and he should never witt how; and in the meane tyme, while shoe was cursing and the mill grinding, the millstone did leap off the reine. And, this discord still continueing, about ane yeare thereafter the said Robert did finde in his yard something lyke a putch tyed together with stringes of three sundrie coloures and within it three coloures of worsat, a baneprick and ane lead broach and turned it over with his foot and cam in and told his wyfe that he had found something in the yard, and shoe, suspecting it to be some of Margarat Finlasounes witchcraft, would have been furth to have burnt it, but hire said husband stayed hire till the morne, at quhich tyme he and shoo went foorth together, and shoe took it up and opened it and laid it up in hire house, and immediately the said Robert took a strang and uncow disease, sometymes trembling for cold, and uthere tymes as he had been rosted betuixt tua fyres, crying to cast cold water on him, and said as if he had been pricked with elsines and was heard say that he hade gotten ane drink of milk from Margaret Finlasoune which never went from his heart thereafter. This disease continued with him in this strang manner for about the space of half ane yeare. And in the tyme of his

Articles proven  
and confessed  
on the libel  
given in  
against  
Margaret  
Finlayson.

<sup>1</sup> Deleted.

sicknes, being once goeing to the Yoker, the said Margarat Finlasoune <sup>Miscellaneous Papers.</sup> crossed his way three tymes, and himself was heard compleane of hire that he could never be quyt of hire, for he had laboured to goe out of hire gate, but, goe quher he lykit, shoe had crossed the gate thryce upon him. And all this space of the half yeare forsaid the said Roberts wyfe, haveing kept the poutch with the colours of yairn, etc., some gave hire advyce to burn it, quich shoe did, and it craked in the fyre lyk great salt and within 2 dayes the said Robert died.

2. In harvest last after that John Yrone had refused the leane of a kreell of peats to Margarat Finlasoune's husband and hire sonne, about 4 or 5 dayes thereafter the said Margarat Finlasone cam in to John Yrones house to his wyfe, who was never knowne to be a semister, nor never made a mutch to one of hire owne bairnes, and brought hire a mutch to make for one of hire bairnes, and bade hire try it one one hire yongest bairnes head, for shoe said if it gained hire bairne it would gaine hires, quhich the said John Yrones wyfe did and made the mutch to hire, suspecting hire of witchcraft, durst not refuse; and in the meanetyme that shoe was giveing hire the mutch to make, another of the said John Yrones bairnes tooke up a locke green yairne which the said Margarat hade letten fall, and the child's mother took it and delyvered it to the said Margarat, which shoe receaved and did let fall at the doore againe; and the said Johns wyfe, knowing it, brought it in and hung it up in hire house. And the same night both the child that had the mutch tried one and the child that had taken up the yairne tooke a verie strang lyke disease and were sometymes as they hade been rosted, and that same night that they beguth to recover, quhich was 4 or 5 dayes after they took the forsaid sicknes, ther father, John Yrone, took this selfsame disease and kepted it for the space of 7 or 8 weeks in great extremitie. And after he beguth to recover, he, suspecting the said Margarat both for his owne sicknes and his bairnes caused some of his nighbours deale with hire to aggrie with him and came himself and begged his health and offered hire money, but she refused to gree with his wyfe and said shoe should have amends of hire; quherupon he and shoe did not agree at all, as apeares by hire often threatning them that shoe should have amends of them, and cursing of them. And, not long after shoe refused to gree with the said Johns wyfe, shoe contracted ane uncow disease, and ever sinc the said Johns refuseing the kreell of peats forsaid all or some of his houshold hath been under great sicknes.

3. The said Margarat is guiltie of witchcraft as apeares by hire earnest pressing aggreement with all that were offended at hire, quhich scho never did till about the tym of the executioun of Thomas Lich and Jeanat Mount-gomerie, confessing witches, about quich tym shoe employed sindrie persones to deale with them and offered them money to cause them deny all things that they hade spoken of hire, and call hire ane honest woman; and desyred some of them that shoe had employed to threatne these forsaid persounes offended at hire, notwithstanding that befor shoe

Miscellaneous  
Papers.

had refused to agree with them when they pressed earnestly agreement with hir, as particularly John Yron and Margarat Gilmuire, etc.; and lykewyse did offerr Helen Rodman ane hyre at hire owne makeing to goe to Thomas Lich (a confessing warloch) this same day of his asyse and cause him denay the thing that he hade said of hire, or, if he would not denay it, that he would had his tongue for the thing that he spoke that day (it being his last day) would be beleaved.

4. There being some discord betwixt James Patersoune and the said Margarat, the said James being at table eating and drinking with sundrie persounes in the said Margarats house upon occasiune of agreeing his marriag with Marioune Robisoune, then servitrix to the said Margarat, whom afterwards he married to his secund wyfe, the said Margarat Finlasoune was heard say that shoe would eat and drink with them that shoe would put a whinger to there heart, which the said James did in the meane tyme quarrell and said he knew that shoe meant by him. And after that the first bairne that the said Marioune Robisoune hade to the said James, shoe was laid up after hire birth with appearance of milk as uther woman useth to have, and the said Margarat Finlasoune cam to hire and bowed herself in over in the bed and laid in a peec breed beyond hire, and the said Marioune after that had no milk to nurish that child, nor to the nixt; and the thrid child that shoe hade, the said James, hir husband, suspecting that Margarat Finlasoune had taken hire milk from hire, commanded that noe woman should come neare hand his wyfe except the midwyfe, assuring them who ever cam near hire, if shoe wanted milk at that tyme, they should be blamed for it, quherupon the said Margarat cam not neare hire and shoe hade abundance of milk to that chyld.

5. The said Margarat Finlasoune, being feared and suspicious to be apprehended, about the tym of Thomas Lich and Jeanat Mountgomeries executiune, as appears by hire sollisting and suborning parties injured by hire and dealing soe earnestly with uthers to sollicit them in hire behalf to that effect, Margarat Patersoune, goeing throw the towne of the Yoker, said in the forsaid Margarats hearing shoe would goe over the water on the morne and see the witches burnt, and immediately shoe took sicknes ere shoe could attaine the house and keepped it all that night in most vehement manner, and was lyk to burst, till the morn that the said Margarat Patersone (suspecting that Margarat Finlasoune had done hire wrong) cryed to send for one of hire sones, and qhen he come shoe hireself followed him and went to the sick womans bedsid and took hire by the hand and prayed God send hire hire health and immediately shoe recovered and grew better.

6. James Patersounes mother in the Yoker, haveing pulled some kale out of Margarat Finlasounes yard quhich shoe suspected the said Margarat hade drawne out of hire yard befor, not long after that went in to the said Margarats house to see hire and that same night shoe contracted ane uncou disease quherof shoe became sensles and died after shoe had keepped it the space of half ane yeare.

7. Margarat Finlasoune, being upon a tym comeing over the water in Robert Patersounes wyfes boat, and shoe herself with hire, who suspected hire for hire husbands death, and in anger said it was better hire duetie to tow some of them that was there at the boat stern then to bring them over in hire boat, quherupon the said Margarat Finlasoune was heard say as good as shoe hade wanted a boat, and about 14 dayes thereafter the water took away the boat. Miscellaneous  
Papers.

8. The said Margarat Finlasoune, suspecting that James Patersounes servant woman hade stolne ane linnine ruff from hire, came to the said James wyfe, and desyred hire to try it, and said shoe and hire Goodman receipt a picker, and shoe should make them repent it; and immediately the said James wyfe took heavie sicknes, quherof shoe parted with child, and keepped it for the space of 5 or 6 weeks.

9. One of Adam Woddrows bairnes haveing st[r]icke one of Margarat Finlasounes bairnes with a plough goad, the said Margarat cam to him and took the goad out of his hand and brack it, and threatned the said Adam Woddrows child, and called him misell bleckenned shit, and said shoe should ryve him all in bits; and immediately the child took sicknes and still apprehended that he saw the said Margarat comeing to him to doe him harm, and alwayes cryed out, "Dear Margarat Finlasoune, let me alone and I shall never stuir your bairne againe," and continued that way till his father (suspecting the said Margarat for his bairnes sicknes) said publickly if ought ailed his chyld he should have Margarat Finlasoune burnt; after which threatning the child immediately grew better, and verie shortly recovered.

10. Margarat Finlasoune, haveing discorded with Wiliam Patersoune upon occasiounes of striking one of hire kyne that had been pushing one of his kyne, shoe herself seing him, spok nothing at that tym, but conceaved malice against him; as appeares by hire saying about 14 dayes before shoe was apprehended, 'If I had been the woman that I am called, I might have done ill enough to Wiliam Patersounes kyne when he rann at my kow with a whinger,' and ever sinc the tyme that he did runn at the said Margarats kow, quhich is about the space of tua or three year since, never one of the said Wiliams kyne hath thryven, nor hath given milk, albeit his step-fathers kyne that fed with them upon this same pastour and stood in this same byre with them did thryve and give milk; and, the yeare after the said Wiliam did runn at hire kow, his kow that shoe was pushing and the calf that shoe was with in the tyme, with uthere 2 or 3 of his cattell, died.

11. Thomas Lich, a confessing warloch, haveing delated the said Margarat guiltie of witchcraft and off keeping diverse meettings with the devill and uthere witches, haveing consulted about and execut diverse malefices against sundrie persounes, and he, being confronted with the said Margarat and seriously requyred to speake nothing of hire but the trueth, he avowed it in hire face as is foirmentioned in presence of Mr John Maule, minister, John Symmervell and Georg Winett, elders, as lykwyse

Miscellaneous  
Papers. Jeanat Mountgomerie, a confessing dieing witch, affirmed the said Margarat to be guiltie of witchcraft befor M<sup>r</sup> Alexander Dunlope, minister at Paislay, and M<sup>r</sup> John Maule, minister of Renfrew.

12. That both the said Margarat and hire mothere hath been *mala fama* and for thire many yeares bygone hath been suspected of witchcraft.

13. Marioune Angous, having a paire of hose to sell, Margarat Finlasoune desyred Jeanat Yong to buy them for hire use to hire daughter, quhich the said Marioune at first promised to doe, but afterwards haveing gotten counsell from hire mistress, John Yrons wyfe, not to sell them to Margarat Finlasoune, becaus shoe was not called good, shoe told Jeanat Yong that shoe would not sell them, quherupon immediately shoe contracted ane uncow disease with a great swelling in hire bodie.

14. Agnes Knox, being at the schoole in the Yoker, discorded with one of Margarat Finlasounes bairnes and rave a leafe out of his book, and the said Margarat cam to hire and boasted hire and said shoe should cause hire sone ryve another leafe out of hires and was verie angrie; quherupon the said Agnes went home to the Barnes and by the way there cam a blast of wind and dang hire speachles, and shoe continued so till shoe cam to hire fathers house in the Barnes, and could not speak to them that met hire but glaured in there face as shoe had been mad, and upon the morrow therafter she fell in a dead sowne upon a stone and was unwell all that day.

15. Jeanat Scot, sometymes servitrix to Margarat Finlasoune, left the said Margarat hire service, quherupon did follow a hote discord betwixt the said Jeanat and hire, in so much that the said Jeanat did pursue the said Margarat befor the sheriff for hire fies; and at the faire of Renfrew, after the Whitsunday that shoe left hire service, the said Margarat, meeting the said Jeanat at Renfrew, took hire by the hand, quherupon shoe took ane uncow and lingering disease and keepest it till shoe died, and in the tym of hire sicknes shoe was heard diverse tymes blame the said Margarat for all that hade come upon hire and was heard say that shoe could not stay in hire service becaus shoe hade a dead mans hand that shoe keepest and stirred about the kirn with it.

16. Margarat Finlasoune, haveing a sone called Mathew very sick and by appearance at the poynt of death, Margarat Jack came in with hire mothere, who was wakeing the said Margarats sone, and immediatly the said Margarat Jack went home, took ane uncow disease and died within 8. dayes, and the said Mathew grew presently better and shortly recovered, and the said Margarat Finlasoune was heard say that Margarat Jack had releaved hire Mathew. And, ghen some asked hire how that could be, shoe answered that, in the tyme the said Margarat Jack was in hire house with hire mothere, shoe heard lyke the rumbling of wild horses running by the window and shoe thought by that, that that same sicknes that was upon hire Mathew cam upon Margarat Jack.

17. About 17 yeares agoe James Patersoune in Yoker wanted some <sup>Miscellaneous Papers.</sup> linline cloathes, and he asked at the said Margarat Finlasoune (becaus shoe was his nighbour, and washing besid his folks in the tym they were away) if shoe knew quhat becam of them, and the said Margarat at that tym slighted it, but afterwards bade him goe to M<sup>r</sup> George Sempill in Paislay and he would tell him who had taken his cloathes, which accordingly the said James did, goeing to M<sup>r</sup> Georg, who advysed him to com back upon Saturday, and he for a chappin of wine should tell him, befor which tym both the said Margarat and hire husband went to the said M<sup>r</sup> Georg and gave him wine. And quhen the said James came back againe upon the Satyrnday (as the said M<sup>r</sup> Georg had apoynted) he told that if he had knowne it hade been that sort of folks that he had had to doe with he would never have spoken of his cloathes to him, and the said Georg said he wished he had given 20 merks that he had never done it, and the said James might look for ane evill turn at there hand. And after this tym the said Margarat, haveing a bairne to baptise, the said James Patersoune was invited to the feast, quhere hire mother was present, quhere they aggreed and shok hands together, and that same night the said James took a very strang disease quhich he keepped for 3 quarters of one year quich he himself and his nighbours suspected to proceed from witchcraft; and Andrew Robisoune, that was always reputed ane warloch, and Jeane Craufurd, that was bnrrnt for witchcraft thereafter, told him that he had gotten wrong and it was a nighbour woman that had done it; and he himself, suspecting the said Margarat Finlasoune, both used the mediatioune of uthirs and cam himself to aggree with hire, and shoe told him he hade gotten wrong by his nighbours and it was no wonder for he dowed and they dowed not; but shoo was free of it; and at the same tym shoe did aggree and shook hands with him, wherupon he grew better, and upon occasioun of that same discord he had tua bairnes that died of ane strange and sudden disease, the one lying but 4 dayes, the uthir on night sick, and were both buried at one tym.

18. One of Jeanat Gilmuire's bairnes in the Yoker having stricken one of Margarat Finlasoune's bairnes, the said Margarat followed the said Jeanat's bairne into hire mother's house, uttering these words, 'I would give a penance of my flesh for all my dayes to have amends of the,' and the child leaped in hire mother's armes and instantly contracted a great flux, and hire bodie cam out and died within tuentie dayes thereafter.

19. A man, called Bargans, fugitive from Borrowstouneness for the alleadged crym of sorcerie, that was never knowne in that place of the counterie befor, being in Alexander Duglass house in the Yoker, said if he knew quhere Margarat Finlasoune were, shoe would give him a bunnock, and quhen it was told him that shoe lived in the nixt house, he went in to hire and shoe immediatly followed him out with a bonnock as he hade said, and they drank tua chappins of aile together in Alexander Duglass house befor they pairted.

Miscellaneous  
Papers.

20. There being evident discord betwixt the said Margarat Finlasoune and John Yron, he being lying in his bed about midnight, the said Margarat cam into his house and a little bodie with hire, and he being wakeing saw them with a glanc of light, quich he knew not quherfrae it came, and after the light evanished he fund something lying upon him, pressing him while he was lyke to lose his lyfe and be smored, and all that week thereafter he hade a strang disease with a great swelling in his bodie."

"Pasley, 21 March, 1650.

The quhilk day the Presbyterie of Pasley, haveing considered the particular confessions of Margarat Finlasoun, parochiner of Renfrew, under the challenge of the cryme of witchcraft and the depositions of witnesses led against her befor the session of Renfrew, they doe find the most pairt and most materiall of the above written articles proven by diverse witnesses and the confession of the said Margaret Finlasoun and the rest of them proven by on witnesse, and therfor they doe seriously recommend the sam to the rycht honorabill the Committee of Estates of Parliament or the Lords of Secret Counsell that thair Lordships may grant commission for tryall and punishment therof; and if it please their Lordships lett the commission be given to the Lairds of Houstoun, Neather Pollock, Craigends, Ralstoun, Glanderstoun, Southbarr, Weitlands, Ramferlie younger, John Spreull, proveist of Renfrew, or any other, if their Lordships sall find fitt. (Signed) Alex<sup>r</sup>. Dunlop, moderator; Ro. Park, cls."

229. "The Confessions of Margaret Finlasoun, under suspicioun  
of witchcraft befor the Session of Renfrew. 26th February 1650.

At Renfrew, February 26, 1650. The quhilk day the Sessioun of Renfrew being conveyened, Margaret Finlasoune, suspected of the crime of witchcraft, called, compeared and being posed upon the particulares of hire lyball, answered to every article as followes :—

Confession of  
witchcraft by  
Margaret  
Finlayson  
before the  
kirk-session of  
Renfrew.

To the 1 article confesses that shoe said to Robert Patersoune, millar of Blawarthill mill, that hire corn was ill grind, and that shoe knew him half ane yeare sick of the gulsoch befor he died.

To the 2 article confesses that, notwithstanding shoe never heard tell that John Yrons wyfe was a sewer of cloathes, shoe went to her with a mutch to sew for one of hire children, and shoe will not say but shoe let some gren unbleached yarne fall from hire in John Yrons house; as alsoe shoe confesses that John Yron both sent utheres to desyre hire to gree with him and cam himself and offered hire money to buy some beare with, and begged his health and said he would give the thing that he was mynded to bestow upon utheres, and that shoe said shoe would agree with himself but not with his wyfe; and confesses that shoe refused to gree with him at first when he cam to presse earnestly to gree with hire, and that shoe said shoe should have

amends of him at the kirks hands, and continued in this resolutionne Miscellaneous  
Papers.  
till about the tym of Thomas Lich and Jeanat Mountgomerie there.  
executioun, at which tyme shoe confesses that shoe sought agreement  
with him becaus (as shoe sayes) shoe saw shoe could not get amends of  
him by the kirk.

To the 3 article confesses that shoe desyred John Yron to tell noe  
more of hire but the veritie and no to slander hire good name, and that  
shoe promised Helen Rodman anything that shoe would ask to goe to  
Thomas Lich upon the day of his assyse and desire him, if he had said  
wrong, to deny it, for shoe would get speaches of him, quhen shoe  
would not; but denyes the rest of the article.

The 4 article denied.

To the 5 article confesses that shoe went to Margarat Patersoune  
and prayed Lord help hire, but shoe remembers not well whither shoe  
took hire by the hand or not.

The 6 article denied.

To the 7 article confesses that shoe cam over severall tymes in  
Margarat Gilmuires boat efter hire husbands death and that shoe said  
as good had wanted a boat as shoe.

The 8 article denied.

To the 9 article confesses that shoe knew hire children and hire  
nighbours plea and fight oft enough together, but denyes that shoe  
knowes anything particularly of Adam Woddrows bairn.

The 10 article denied.

To the 11 article shoe confesses that shoe heard Thomas Lich (a  
confessing warloch) say in hire face that shoe hade been at severall  
consultatiounes with the devill, but shoe denyes that it was true.

To the 12 article shoe confesses that shoe knew Margarat Gilmuire  
suspect hire of witchcraft, but shoe sayes that it was not true.

The 13 article denied.

To the 14 article confesses that shoe was angrie at Agnes Knox and  
boasted hire and said that shoe should garr hire sone ryve another  
book to hire, and that shoe knew hire to be a day or tua out of the  
schoole, but shoe sayes it was only for anger.

To the 15 article shoe confesses that shoe would not pay Jeanat  
Scot hire fie till shoe confessed that shoe had wronged hire by main-  
swearing falsely for it, and that there was no discord betwixt hire and  
the said Jeanat till shoe craved hire fie from hire befor the sheriff.

The 16 article denied.

To the 17 article shoe confesses that shoe heard James Patersoune  
say that his cloathes was away, and that shoe complained of him to the  
kirk becaus shoe was ill content with him, as also that the said James  
had tua bairnes dead both at on tyme but it was of the kinkhost.

To the 18 denyes.

To the 19 article confesses that a man called Bargans, whom shoe  
never saw in this countrie befor, cam in to hire house and went out

Miscellaneous  
Papers.

again to Alexander Duglass house and that shoe immediately followed him with a bunnock and drunk tua chappins of aile with him, but shoe sayes shoe never saw him again sinc that tyme.

The 20 article denyed. (Signed) W. Winett; Jo. Maule."

230. "At Renfrew, February, 26, 1650.—The quilk day Margarat <sup>26th February 1650.</sup> Finlasoune, suspected and apprehended for witchcraft, being called, <sup>Depositions against Margaret Finlayson in Renfrew, who is accused of witchcraft.</sup> compeared before the sessioun, and haveing denyed the most part of the articles containd in the lyball given in aginst hir, and put them to probatioun of witnesses, admitts the persounes afternamed as ther depositions subscribed by the minister and clerk of the sessioun and uthers underwritten beares.

#### Depositions of Witnesses.

"John Gembill, sworne, depones to the [18]<sup>1</sup> article that shoo desyrd him to speak to William Duncan, Margaret Gilmures goodman, after they had been speaking of the scandall of witchcraft that the said Margarat Finlasone was under, but shoo did not expressly desyre him to bid them gree with hire, but he sayes he was assuird that that was hire mynd, and he said he should speak to them both. Lykwyse to the 22 [article] he depones that shoo and hire mother was of ane evill report. Lykwyse to the 14 [22] [15] he sayes that he knew Robert Patersoune verie sick a long tym befor his death, and that it was called the gulsoch, but he thocht it ane uncow sort of it, and depones that he hath heard him say that he was soe gripped with gripps qhen he went to draw one the water upon the mill that he was not able to draw the water off hire tho the milstones were comeing but the mill. (Signed) W. Winett; Jo. Maule.

"George Knox, sworne, depones to the [35] [21] that he hard his sister say that there was some discord betwixt on of Margarat Finlasones bairnes and hire, and that the said Margarat cam in to red them and he will not say but shoo was somewhat rough, and be the way comeing home there cam a blast of wind and blew hire over, quherupon shoo becam speachles, and the day thereafter shoo fell dead upon a ston which he himself saw and took hire up in his armes but he knowes not except by hire relatione how soone this was after the fornamed discord.

"Lykwyse to the [22] he depones that he hes heard some say that shoo was under ane evill report and that shoo had a mother that was not called good. (Signed) George Knox; Jo. Maule.

"Alexander Knox, sworn, depones to the [22] [17] that he hes heard after some outcasts betwixt the said Margarat and uthers that some uncow thinges hes fallen out, and that he hes heard that hire mother was not cannie.

"To the [21] [35] he depones conforme to his brother, except that he heard his sister say that shoo had ryven a leafe out of Margarat Finlasounes bairnes book, and the said Margarat cam in to ryve another

<sup>1</sup> The numbers within brackets [ ] are scored through in the original, and also similar numbers in the margin of the original.

out of hires, and that he saw hire not quhen she fell upon the ston but only heard of it by his sister and brother. (Signed) Alexander Knox; Jo. Maule. Miscellaneous  
Papers.

"Jeanat Gilmuire, sworn, depones to the [2] that shoo heard it reported that Margarat Finlasoune should have said shoo wished that they brock there legg that went to visit John Yron.

"To the [5] [6] shoo says that shoo heard Margarat Fynlaysoune say that shoo saw hire husband get his death at his owne kill ers tho the said Jeanat saw not.

"Lykwyse to the [6] [7] article depones that shoo had a daughter of 4 yeare old that discorde with Margarat Fynlasoune's eldest sone and he went in greeting to his mother and told hire, quherupon shoo cam in to hire hous after hire child, uttering those words, 'I would give a pennanc of my flesh for all my dayes to have amends of the,' and the bairne in a great fear came to hire said mother and instantly contracted a flux and her bodie cam out and died that day tuentie dayes. And the said Jeanat said to hire after hire bairnes death, 'Ye have gotten your will of my bairne now,' and that shoo doubted hire for hire bairnes death.

"To the [8] [7] shoo depones that a fugitive warloch since burnt, called Bargans, whom shoo never saw or had heard to be in this place of the countrie befor, cam in to hire house to drink a pynt of aile and he said if he had Margarat Finlasoune shoo would give him a bonnock; and quhen the husband of the said Jeanat told him that shoo lived in the nixt house he went in to hire and cam presently out again and shoo following him with a bonnock as he had said before, and after that they drank tua chappins of aile together.

"To the [18] shoo depones that the said Margarat cam in to hire and drew hire by to a private roome and drank a chappine of aile with hire, and desyred the said Jeanat to deale with hire sister Margarat Gilmuire to gree with hire and denay all that she had spoken of hire, and the said Jeanat says that shoo caused hire sister Margarat twa yere sinc offerr to gree with hire and drink twyse to hire, and shoo would not tak the cup from hire and never did speak of aggreement till that same day Thomas Lich wes execute, upon which day shoo was verie earnest to have hire goeing to seek hire sister over the water becaus shoo was not at home for shoo would faine have greeed with hire.

"To the [14] [15] shoo depones that in the tym of Robert Patersones sicknes, about 14 dayes befor his death, hire husband Gabriel Patersoune and shoo went to see him and, quhen they invited him to come over to the Yoker to there house, he told them that he could not for heat for he was rosted with hate and pricked as it had been with elsines; yet notwithstanding he com to there house the morrow and qhen he cam in shoe heard him say, 'This is a strange matter that I can never be quyt of Margarat Finlasoune, for sinc I cam from my owne house, goe where I will shoo has crossed the way thryce upon me.

"Likwyse to the [8] [9] shoo depones that shoo heard hire servant

Miscellaneous  
Papers.

woman, Margarat Patersoune, say that shoo said in Margarat Finlasoune hearing that shoo would goe over and see the witches burnt, and shoo fell as shoo cam in, and depones that that same night shoo had an uncow disease and rammished as shoo had been mad, and could not be gotten hadden off the yeard till be fore they laid hire in hire bed and did hold hire till the morrow that Margarat Finlasoune cam in to desyre Alexander Duglass to goe to John Yron to gree with hire; who went to the sick womans bedsid and she heard hire pray for hire and this was after the sick las had biddin all bodie pray for hire, and within les nor half ane houre shoo grew better.

"To the [22] [17] shoo depones that shoo heard an evill report of both Margarat and hire mother, and lykwyse that hire mother was not good. (Signed) W. Winett; Jo. Maule.

"Marioune Robertsoune, sworn, depones to the [31] [19] that shoe heard by the voice of the countrie that the said Margarat had a dead mans hand, but shoo never saw it.

"To the [29] [18] shoo depones that Margarat Finlasoune cam to hire and told hire that shoo had wanted a ruff and said shoo suspected that they were in hire house that had it, for ye have a servant that is a piccer, and desyred hire to try at that servant if shoo had seen it, and the said Marioune answered that shoe needed not suspect any within hire house; quherupon the said Margarat was verie angrie and left hire soe, and within ane houre the said Marioune took a sore sicknes and within a 14 night thereafter shoo pairted with child.

"To the [13] [14] shoo depones that the first tyme shoo was with child befor the birth shoo had appearanc of milk as uther woman uses to have, and after the child was born the said Margarat bowed hireself in over hire bed and laid in a litle peec of bread besyd hire, after which tyme the said Marioune took sicknes and hire milk went away.

"To the [22] [17] shoo depones conform to the rest that shoo knew hire always to be of ane evill report.

"To the [3] depones that shoo knew Margarat Finlasoune very angrie at John Yron, and said it was said in the countrie that he cam to hire to seek his health, but if he had come to hire that errand he should have gonn away worse then he cam and that shoo should have amends of him, and if shoo got it not shoo should tak it with hir owne hands. (Signed) M<sup>r</sup> Joh. Winett [deleted]; W. Winett; Jo. Maule.

"Jeanat Gilmure, sworn, to the [14] [13] depones that shoo knew Marioune Robertsoune, James Patersoune's wyfe, to have appearance of milk qhen shoo was laid up of hir first child and that shoo saw Margarat Finlasoune upon hire bedstock but remembers not whither shoo bowed hireself in over or not but as shoo heard uthers say, and that shoo knew the said Marioune to have no milk nether to that child nor to the nixt, but the 3 child that shoo had, shoo heard hire husband James Patersoune forbid any women to come near hand hire except shoo that should come, and that tym shoo had milk. (Signed) M<sup>r</sup> Joh. Winett. [deleted]; W. Winett; Jo. Maule.

"Katharin Angous, sworn, depones to the [1] article that in harvest last shoe knew hire husband refuse the len of a crill of peets to Margaret Finlasoune, hire husband and hire sone, and shoo requested him to lend them or utherwayes he would repent it (becaus shoo was ay doubting hire and fled for hire evill), and within 4 or 5 dayes after that Margaret Finlasoune cam to the said Katharines house with a bairnes mutch in hir hand which shoo deasyred hire to make and bad hire try it one one hire bairnes head, and said, 'If it gaine your bairnes heed, it will gaine myne'; quhich shoo did, and in the meane tyme another of the said Katharines bairnes took up a lock green threed and let hire said mother see it, and shoo said shoo had no sich yairn in that pairt, quherupon the said Margarat said, 'I true it be mine,' and took it from the bairne and went to the doore quher shoo let it fall again, and shoo knew it and brocht it in and hung it up to keepp it to hire, and that same night both these tua bairnes took ane uncow disease, sometymes verie cold and sometymes as they had ben rosted and keepped it 4 or 5 dayes, and, immediatly after they beguth to recover, hire husband contracted this same verie disease (as shoo thinks) and keepped it 7 or 8 weeks.

"To the [3] article depones that quhen hire husband was very sick shoo went doune to Alexander Duglass house and was praying that God would try the veritie, and expressing meikle anger and grieff for hire goodmans sickness and after that night he was never rosted as befor.

"Lykwyse sho depones that shoo heard say that the said Margarat said shoo would gree with hire husband but not with hireself, and that after that shoo contracted ane uncow disease and is not well yet.

"To the [22] [17] shoo depones that shoo both knew uthers suspect the said Margarat of witchcraft and suspected hire herself. (Signed) W. Winet; Jo. Maule.

"[Margaret Finnie, sworn, depones to the nothing (all deleted):]

"Robert Gembill, sworne, depones to the [17] [15] that he knew that there was anger and flyting betwixt Margarat Gilmure and Margarat Finlasone but he remembers not the words.

"To the [22] [17] he depones as the rest viz.—that shoo was ill reported off by the countrie, and that hire mother was [and] is suspected. (Signed) W. Winett; Jo. Maule.

"Marioune Robertsoune, sworn, depones that shoo heard that Margarat Finlasoune said tho shooe hade tuentie bairnes there would never one live of them. (Signed) W. Winett; Jo. Maule.

"John Patersoune, elder, sworne, depones to the [14] article that he heard Robert Patersoune say a little befor his death that he was never well sinc he got a drink of milk from the said Margarat, and that he was rosted within; and to the [22] he depones that he heard hire get ay ane ill report and alsoe hire mother. (Signed) W. Winett; Jo. Maule.

Miscellaneous  
Papers.

"John Yron, sworn, depones to the [1] that he refused a crill of pits to John Patersoune, Margarat Finlasoune's husband, and he offered them the loan of 40 or 20 lb. because he was feared for there ill, and within 4 or 5 dayes thereafter tua of his bairnes took an uncow disease and keepped it 3 dayes and 3 nights in great extremitie, which was that same day that the one of them had the mutch tyed on, and the uther fund the threed quhich Margarat Finlasoune did let fall quhen himself was out, quich he hes only by his wyfes report who told him and let him see the threed afterwards, and this same night that the bairnes became a little better he himself contracted this same disease and keepped it 7 or 8 weeks, sometymes as if he had been rosted betwixt tua fyres.

"To the [3] article he depones that he both dealt with hire himself and caused uthers deale with hire to gree with him, quhich shoo offered to doe but refused to gree with his wyfe, and if shoo got not amends of hire shoo would tak it with hire tua hands herself, and within a verie short space shoo contracted an uncow disease.

"To the [4] [3] he depones that he is suire that he saw aither Margarat Finlasoune or the devill in hir cloathes come in to his house about midnight with some litle bodie with hire, but he could not discern who it was, and, as soone as he tint sight of the said Margarat and the uther litle bodie, he was lyk to lose the life, and as he had beene smored, and all the week thereafter he lay sick and swelled.

"Moreover he depons to the [37] that sine the beginning of that discord betuixt him and the said Margarat some of his houshold hath ay been sick, and at this tym the whole number of them (quhich are six) ar lying under sicknes.

"To the [22] [37] he depones that Marioune Angous, his servant, haveing a paire of hose that was litle for hire, Margarat Finlasoun desyred Jeanat Yong to buy them to hire, and his wyfe counselled hire not to sell them to the said Margarat, quherupon shoo did refuse to sell them, and he sayes that he himself advysed hire to sell them or uther-ways shoo would rew it; and within tua dayes shoo contracted a heavie disease and that same swelling in hire bodie that he hade befor. (Signed) W. Winett; Jo. Maule.

"Margarat Gilmure, sworn, depones to the [15] [14] that shoo knew Margarat Finlasoune and hire husband discord about the grinding of meale, and that shoo heard hire into the mill bid the devill grind him as small as gunpowder among the mill wheeles, and shoo would doe him an evill turn and he should not know how, and garr him sweat at the shill of the forrat. As also shoo depones that at ane uther tym after the fornamed discord (the mill being goeing and shoo being cursing and railing both upon hire said husband and herself) the milstone did lap off the mill rynd. And about ane yeare thereafter hire husband fund in his owne yeard three coloures of worsat bund together with a bone prick, a lead brooch and three stringes of three coloures binding it, and, qhen

he cam in and told hire, shoo was verie sorie becaus shoo suspected it was of Margarat Finlasounes witchcraft, and speired at him if he stirred it, and he said he had but turned it over with his foott, and shooe and hee went the morne and brocht it in, and verie soon thereafter he took ane uncow disease and was sometymes as if he had been rosted betwixt tua fyres, and sometymes trembled for cold, and keepped it about half ane yeare, all the tyme that the coloures of yarne forsaid was keepped in the house till John Calbraith cam in to see him and bad them burn it quhich shoo did and it crakked in the fyre lyke great salt and within 2 or 3 dayes after he died.

Miscellaneous  
Papers.

"To the 16 [17] article shoodepones that the forsaid Margarat came over in hire boat and shoe, suspecting hire of hire husbands death, was lyk to burst qhen shoo saw hire, and said in hire hearing that it was better hire duetie to draw them at the boat stern then to bring over some that was in the boat; but that shoo did not heare hire threatne that shoo should want hire boat, but heard utheris report it, which fell out within 14 dayes accordingly.

"Lykwyse to the [14] [15] shoo depones that shoo did hear hire fornamed husband tell John Patersone, elder in Blawarthill, that after he got a drink of milk from Margarat Finlasoune he was never well and he thocht it never went fra about his heart till his death.

"Lykwyse shoo depones that not long befor his death, qhen he was goeing to the Yoker and shoo with him, the said Margarat Finlasoune crossed his way, and quhen they pressed to go off the gate, shoo still pursued till shoe crossed the way three severall tymes, and, qhen he cam to Gabriell Patersoune and his wyfes house, shoe heard him say to them that he could never be quyt of the said Margarat for shoo had crossed his way thrice sinc he cam from his own house. (Signed) W. Winett; Jo. Maule.

"Alexander Duglass, sworn, depones to the 4 [5] article that Margarat Finlasoune desyred him to goe to John Yron and desyre him to gree with hire and to denay all that he hade spoken of hire, as also desyred him to say to the sheriff that all that was spoken of hire was lies and out of envy.

"To the [6] [5] he depones that he heard hire say to his wyfe that shoo saw hire goodman get his dead at his own kill ers but shoo saw it not.

"To the [8] [7] he depones that a fugitive wharloch, called Bargans, qhom he never saw befor nor sinc nor heard tell that he was acquaint with any in this countrie, was one day drinking a choppine of aile in his hous and he said if he had Margarat Finlasoune, shoo would give him a bonnock, and qhen he told him that shoo lived in the nixt house he went in to hire and cam presently out and shoo followed him with a bonnock as he had said, and drank twa chappins of aile with him.

To the [8] [9] he depones that Margarat Patersoune took ane verie uncow and sudden brash of sicknes and sowned and was lyke to goe

Miscellaneous  
Papers.

rammage, and keepped it all night till the morne that Margarat Finlasoune cam in and he heard hire pray God send hire hire health. (Signed) W. Winett; Jo. Maule.

"William Fergissonne, sworne, depones to the [5] [4] that about the same tym of the executione shoo desyred him to deal with John Yron to gree with hire, and denay the thing he had spoken of hire and cause him say, 'False tongue, he lyed,' and desyred him (if the said John would doe soe) to bring him to Alexander Duglass house quhere shoo should meet him, which if he would doe, shoo promised him a hyre, and further the said Margarat added that it was better for him to sufferr the punishment of the kirk then shale [*sic*] hire houshold. Withall shoo desyred that he would make his errand to buy ane ell of harden, and bad him say if any thing ailed hire, hire sones perhaps would be shouldiers, and, if they took not amends of it, it mycht be that the nyntteen degree of hire kynd would revenge it.

"Lykwyse depones that shoo desyred him to deale with James Patersoune for aggreement and to terrifie him with words, and alsoe to deall with Jeanat Gilmure to gree hire with hire sister Margarat Gilmure.

"To the [8] he depones that Margarat Patersoune had ane uncow disease that he thocht shoo was not lyk to live a moment, and upon the morrow he saw Margarat Finlasoune come in tuyse to hire and say God help hire and send hire hire health. (Signed) W. Winett; Jo. Maule.

"Jeanat Yong, sworn, depones to the [37] [22] that Margaret Finlasone desyred hire to ask the price of Marioune Angous hose, quhich shoo did accordingly, but afterwards the said Marioune said that shoo would not sell them. (Signed) W. Winett; Jo. Maule.

"Allexander Pattersoun, sworne, deponis to the [17] [16] article that he heard Margrat Gilmour and Margrat Finlaysoune flyting togither and he heard the said Margrat Gilmour say that that wer mor almous to traill the said Margret Finlaysoun at the boat sterne then to carry hir over. (Signed) W. Winett; Jo. Maule.

"Margrat Pattersoune, sworne, deponis to the 8 article that sho was goeing up throu the towne to hir mothers hous and within Margrat Finlaysouns hearing sho was saying that sho wald goe over the watter and see the witches burnt, and immediatlie sho took ane foot of sicknes and fell tuyse or sho could win in to the house, and sho sayes that hir diseas did tack hir in such ane unknowne maner as sho nevir had the lyck of befor, that sho was lyck to swalt and goe mad. And sho, suspecting that Margrat Finlaysoun had doone hir wrong, cryed to send for hir sone or some of hir bairnes, thinking that quhen they wer send for sho wald come hirself, quhich sho did, and sho laye in hir armes in the bed and laid on the cloathes upon hir and took hir be the right hand and sho hirself desyrit all people to pray for hir becaus sho thought that sho wald not be weill quhill the said Margret Finlaysoun did pray for hir quhich sho thinks sho did, bot becaus of hir sicknes remembers

not the expresse words except that sho heard hir say God help hir and verie shortlie thereftir sho grew better. Miscellaneous  
Papers.

"The said Margret deponis, being sworn, to the [14] [15] article that sho heard the said Margret Finlaysoune in the mill curse and scold both with Robert Pattersoune and his wyff, saying that sho sould doe them ane evill turne and bad deivill grind him as small as gunepowder among the mylne wheills, and in the meane tyme the mylnestone did leap of the rynd and quhen scho saw him sweitting with the mill righting sho said he sould sweitt at the shell of the forret and he sould not know how. And sho remembers that the said Robert did tack ane verie unknowne diseas thaireftir and was sometymes as he had bein roasted with heat and had exterordinar sweitting, with all quich he died off thereftir. (Signed) W. Winett; Jo. Maule.

"Margret Gilmour to the [14] [15] article, being sworne, deponis that Thomas Leich, ane confessing warloch, sent for hir befor his death. Being possed to tell nothing bot the treuth, declaired in presence of James Landes and Hendrie Snaip that hir husband had gotten wrang be Margret Finlaysoune, He asket if sho had ony help. He said that Issobell Mories, quho was now dead, did help hir. (Signed) W. Winett; Jo. Maule.

"Issobell M<sup>c</sup>Hutchsoune to the [3] article sworne, deponis that sho heard Margret Finlaysoune say, if sho wer ane mane, as sho was ane womane, shoe sould have ane mends of John Airne and his wyff, (Signed) W. Winett; Jo. Maule.

"Adam Wodrow, being sworne, deponis to the [20] [33] article that he had ane chyld that took ane unknowne diseas for 3 or 4 dayes and he apprehendit in his sleip, wackening with cryes, that Margaret Finlaysoune was comming to him to ryve him all bitts; and he sayes that he was informet that, immediatlie befor that, the bairne had tacken out ane plough gaid and strucken ane of hir bairnes with, and sho came to the said bairne in anger and tooek the gaid out of his hand and brack it, and, quhen he saw the chylds diseas continew, he, suspecting that the said Margret was the caus of it, was verie discontent and said if ought ailled his chyld he sould have hir brunt, quherupon the chyld grew better.

"The said Adam Wodrow deponis to the [22] [17] article that he hes heard both hir mother and hir to be of ane ill report and suspectis hir himself. (Signed) W. Winett; Jo. Maule.

"James Pattersoune, being sworne, deponis to the [10] [9] article that some questioun being falling out betwixt him and Margrat Finlasoune about some lining cloathes that he wanted sho desyred him to goe to M<sup>r</sup> George Sempill in Paslay and he wald tell him quho had tackin away his cloathes, quhich he did accordinglie, and the said M<sup>r</sup> Georg bad him bring the neighbouris of the toune with him and come to him upon Saturday and he sould tell him quho had tackin them. And that same night that he left him, Johne Pattersoune, spous to Margrat

Miscellaneous  
Papers.

Finlaysoune, come to the said M<sup>r</sup> Georg and gave him wyne, and lyckwyse that Satturday morning he and his wyff both had bein at the said M<sup>r</sup> Georg and given him some wyne and had left him befor he came till him, and quhen he came M<sup>r</sup> Georg said to him, 'I wish I had given yow 20 merks quhen yee first come to me about your clothes, and, if I had known that it had bein thes sort of folks that ye had had to deale with, I wald nevir have had spoaken of them, for yee may be sur of ane ill turne at thair hands.' And eftir that they invitted him to ane banquet, quherat hir mother was present, and they drank together and shook hands with the said James, and that same verie night quhich sho and I did shak hands together he contracted ane unknowne diseas and keipet it for the space of 3 quarters of ane yeir quhich both neighbours about and, in particular, Jeane Craufurd, quhich was brunt since that tyme in Glasgow, called it witchcraft.

"The said James, being sworne, deponis to the [11] [10] article that in the tyme of his sicknes, quhen he by the mediatioune of uthers gatt hir drawne to ane aggreement with him quher they drank together and shook hands in Johne Pattersouns hous, and the said Margret told him that he had gotten wrang be ill neighbours bot she was free of it, and he sayes that efter the said aggreement he grew better.

"The said James, being sworne, deponis to the [12] [11] article. He sayes that he saw his mother draw some kaill out of Margrat Finlasounes yaird, quhich the said Margret had drawin out of his yaird befor, and not long eftir sho went in to se the said Margret to hir hous, and immediatlie sho contracted ane strang and unknown diseas that sho became sensles and keipt it till sho dyet.

"The said James Pattersoune, sworne, deponis to the [13] article that upon occasioune of the foirnamet discord he had tua bairnes that died, the ane of 4 dayes sicknes or thairby and the uthir chyld of ane nightis sicknes and were buried together.

"The said James Pattersoune, sworne, deponis to the [13] [14] article that his wyff Mareoun Robisoune had to him ane chyld. He heard the women say quhen sho was laid up, [sho] had appeirance of milk and that he saw the said Margret Finlaysoune immediatlie eftir sho was laid up bow himself over hir in the bed and also he heard that sho gave hir some bread, quherof he himself did eat, and that it is notour to himself and all uthers that sho had no milk to foster that chyld. Lyckwyse that he heard the said Margret did say to ane womane, quho is now dead, the tyme his wyff was with chyld the secund tyme, "Deivell ane drop milk sho shall have to give this bairne mor nor to the last," quhilk accordingle fell out, and the 3<sup>d</sup> chyld that sho had, he, suspecting the said Margret for the waytacking of hir milk, he dischairget any woman to goe neir hir except the midwyff and said, if sho wanted milk that tyme, thes that yaid neir hir sould have the wytt of it, and non went neir hir as he

commandit at that tyme, and sho had milk enoghe to foster that chyld as was weill knowne. Miscellaneous  
Papera.

"The said James Pattersoun, being sworne, deponis to the [9] [16] article that Margret Finlaysoun said to him that that same diseas quhich was upon hir Mathew yaid upon Margret Jack and sho died of it. And quhen he asked hir how that could be sho said that sho heard lyck wyld horse going by the window in the tyme that the said Margret was in hir house quhen hir bairne was verie sick and past all appeirance of lyfe and sho thought be that the self sicknes yaid of hir sone Mathew sua that he grew better and recoverit and the said Margret died and he sayes, moreover, to his certane knowledg he knew hir chyld at that time verie sick and sundrie tymes laid by for the being straight and knew that the said Margret contracted ane unknown diseas and died thereftir within the space of tua or thrie dayes.

"The said James Pattersoun, being sworne, deponis to the [29] [18] article. Margret Finlaysoun said to him that he and his wyff held ane loune in the hous to steill hir cloathes and sho sould gar them repent it; and within ane quarter of ane hour thereftir his wyff took ane sudden diseas that sho parted with chyld. (Signed) W. Winett; Jo. Maule.

"Grissell Wodrow, being sworne, deponis to the [20] [33] article that sho remembers that ane womane quhich was hir fathers servant and the bairne that was hir brother told hir that he hurt Margret Finlaysouns bairnes thomb with the pleugh gaid, and the said Margret came to him in anger and took the gaid frae him and brack it; and sho knew the chyld took ane diseas thereftir and was affrighted with continuall apprehensioun and fear that the said Margret Finlaysoun was going to wirrie him and ordinarlie cryed "Margret, let me allone, and I sall never strack your bairne againe," and he continued that way till thair father went out and publickly cryed that if ought ailled his bairne Margret Finlaysoun sould be brunt on ane hill, and eftir that tyme the chyld grew better.

"The said Grissell Wodrow, being sworne, deponis to the [22] [17] article that the said Margret gott ane ill report evir sinc sho did remember, both becaus sho was said to be doing ill to hir neighbours and hir mother was callit ane witch. (Signed) W. Winett; Jo. Maule.

"Kathrein Currie, being sworne, deponis to the [20] [33] article that sho saw Adame Wodrows bairne strack Margret Finlaysouns bairne with the plough gaid and that the said Margrat came and took the gaid and brack it and cald the chyld, 'unsell bleknit shitt, if yu strack my bairne I sall ryve the all byttis,' and sho knew the bairne immediatlie thereftir tack ane sicknes and in fear used to cry, 'Dear Margret Finlaysoun, let me be and I sall nevir stur your bairne againe,' and sho heard Adam Wodrow say that he said to hir if ought ailled his bairne he sould have hir brunt, and eftir the tyme that he had so said to hire, sho knew the bairne did recover.

"The said Kathrine Currie, being sworne, deponis to the [22] [17]

Miscellaneous  
Papers.

article that the said Margret hes beine ay under ane ill report. (Signed) W. Winett; Jo. Maule.

"Jonnet Knox, being sworne, deponis to the [19] article that sho knew that Margret Finlaysouns bairne was very sick and that hir mother yaid doune to wack the bairne, and that Margret Jack was in that hous at that tyme and came hooome presentlie and took sicknes and died within 5 or 6 dayes. (Signed) W. Winett; Jo. Maule.

"Helen Rodman, sworne, depones to the [24] article that the for-said Margarat Finlasoune cam to hire the day of asyse about the ringeing of the last bell to sermone, and did offerr to give hire drink and said to hire, 'They say that ye use to goe sometymes to Thomas Lich, I would desyre you to goe to him now qhen the casie is tum and all the people ar in the church and deale with him sinc I am ane honest woman and he hes blundered my name and cause him to denay all that he hes said of me, and speak terrible words and that will flee him'; and hearupon shoo offerrd hire ane hyre, and it should be at hire owne makeing; all which shoo refused to doe. Quherupon the said Margarat desyred hire that, if shoe would doe no more, shoe would desyre him to be silent, for that was lyke to be his last day and the thing that he spoke would be taken hed unto, and soe shoe left the said Margarat and went to the kirk.

"Moreover, sayes the said Margarat cam bake to hire upon the afternoon, craveing ane accompt qhither shoe hade done as shoo desyred hire or not but shoe herself was not present, but shoo asked hire mother quhere shoo was and said, 'If I escap at this tyme it shall be a dear doeing to them,' and qhen hir mother asked how, shoe answered, 'If my hands be to the fore,' and stopped and said no more. (Signed) W. Winett: Jo. Maule.

"John Morisoune, being sworne, depones to the . . .

"Walter Brock, sworne, depones that he heard that John McCrae poyned John Patersoune in Yoker, and thereafter he fell sick and was never well after that till he died, but he says he cannot well tell whither he had sore leggs befor or not. (Signed) W. Winett; Jo. Maule.

"Agnes Knox, being sworne, depones to the [35] [21] that shoo and ane of Margarat Finlasounes bairnes pleaed and that shoo rave a leafe of hire bairnes book quhich, quhen Margaret Finlasoune saw, shoo would have been at the ryveing of hir book and boasted hire and scolded but does not remember what was hire words. And quhen the said Agnes went home there cam ane sudden blast of wind and blew hire over and made hire speachles and hire hair stood up whiddirrsuns and qhen shoo went home to hire father's house shoe could not speak but stood and glaured; and the morrow thereafter shoo fell a sowne upon a stone and could not ryse till hir brother lifted hire up, and was sick that whole day, and shoo, haveing heard the said Margarat called a witch befor, shoo suspected that shoo had been the cause of that which had befallen hire. (Signed) W. Winett; Jo. Maule."

"Chrystian Wright, sworne, depones to the [19] that shoe heard Jeanat Scot say that shoo saw Margarat Finlasoune have a dead mans hand and keepped it in a sevit and stirred about the kirk with it, and that shoo told hire this when shoo was sick of a disease, quhich the said Jeanat suspected Margarat Finlasoune to have laid upon hire becaus shoo left hire service against hire will at the Whitsunday; and the said Margarat, meeting hire at the faire of Renfrew upon Saint Nicolaus day and took hire by the hand, after which tym immediatly shoo said shoo took sicknes and never recovered till shoo died. (Signed) W. Winett; Jo. Maule. Miscellaneous Papers.

"Bessie Symmervell, sworne, depones to the 16 that [shoo knew a discord to be betwixt Margarat Gilmuire, Robert Patersoune and the said Margarat, and that shoe heard hire say it might be that hire prid would fall] (all within brackets deleted).

"Bessie Symmeruell, being sworne, depones to the [31] [19] that shoo knew hire sister Jeanat Scot leave Margarat Finlasoune's service against the said Margrats will and that John Patersoune went to the court with the said Jeanat for leaving off his service against his wyfes will, after which tym shoo contracted ane uncow and lingering disease which shoe keepped till hire death; and that shoo hes often heard hire suspect Margarat Finlasoune for hire sicknes and that shoo heard hire often say that shoo wished that shoo had not left hire. As alsoe the said Bessie depones that shoo hireself suspected the said Margarat for hire sisters sicknes. (Signed) W. Winett; Jo. Maule.

"William Knox, being sworne, depones to the [19] 16 that his step-daughter, Margarat Jack, went in to Margarat Finlasoune's house when hire bairn Mathew was sick and stayed all night, and cam home and took sicknes and died within 8 dayes thereafter, and that the said Mathew within a litle grew better. (Signed) W. Winett; Jo. Maule.

"William Duncane, being sworne, depones to the [15] [14] article that he heard Thomas Lich (a confessing wharloch) say to him and John Yron that Margarat Finlasoune was Robert Patersoune's death; John Yron, being sworne, depones this same except that he says that he heard the said Thomas say that shoo had some moe with hire. (Signed) W. Winett; Jo. Maule.

"John Patersoune in Yoker, being sworn, depones to the [8] that he knew Margarat Patersoune take ane uncow disease that he never saw the lyck of it, and shoo suspecting Margarat Finlasoune cryed to send for hire sone and that after that tyme he cam in and his mother after him and shoo looked to Margarat Patersoun and prayed God send hire hire health, and presently the sick las grew better. (Signed) Johnne Pattersoune; Jo. Maule.

"[Robert Morisoune, elder in Kilbuie, being sworne, to the depones nothing]. (This is deleted.)

"[Jeanat Cynnyngham, being sworne depon . . .]. (Also deleted.)

"Marioune Angous, sworne, depones to the [37] [22] that, shoo

Miscellaneous  
Papers.

offered to sell a paire of hose (qnhich was too litle for himself) to Jeanat Yong, qhich Jeanat Yong said was to Margarat Finlasounes daughter by commissioun from the said Margarat, and afterward, haveing gotten counsell from hire mistress not to sell them to Margarat Finlasoune, shoo refused to sell them, and within a day or tua thereafter shoo contracted ane sore disease and a swelling in hire bodie. And further shoo depones that hire maister, John Yron, said to hire that if shoo refused to sell them shoo would rew it, qhich fell out as is aforesaid. (Signed) W. Winett; Jo. Maule.

"Marioune Millar, being sworne, depones to the [14] that shoe heard Margarat Finlasoune curse and ban Robert Patersoune and his wyfe, and say the devill grind the said Robert as small as gunn powder among the mill wheeles, and that shoo should doe him ane evill turn and he should not know of it. (Signed) W. Winett; Jo. Maule.

"Agnes Rodman, sworne, depones to the [24] that Margarat Finlasoune cam in to hire fathers house about the ringeing of the last bell to sermone the day of the asyse, and desyred hire sister Helen Rodman to goe to Thomas Lich now quhen the gate was quyet and desyre him to eat in that which he had spoken of hire, and shoe would give hire quhat ever shoo pleased for hire hyre; and, quhen she said shoo behoved to goe to kirk, shoo desyred hire to goe afternoone; and quhen shoo cam back again afternoone, shoe heard that shoe asked if hire said sister hade gone to the said Thomas. (Signed) W. Winett; Jo. Maule.

"Marioun Eistoune, sworne, depones to the [14] that shoo heard Robert Patersoune say qhen he cam in to his wyfe that he had found something in the yeard, and qhen shoo speared quhat it was he said that it was something bound together lyke a pouche; and his wyfe, suspecting witchcraft (as shoo thought), was verie sorie and would have gone out that same night and have burnt it, but he hindered hire till the morrow that he and shoo went both out together, and quhen his wyfe brought it in in hire hand and hade opened it there was 3 coloures of worsat in it and a bane prick and a lead broach, and three coloures of yarne; and immediatly thereafter he took ane uncow disease and often tymes said he was as he hade been rosted betwixt tua fyres and cryed that they would cast one cold water upon him and oftentimes he was chikking for cold. Depones lykwyse that shoo heard the said Robert say that he hade gotten a drink of milk from Margarat Finlasoune qhich he thocht never gad from his heart. (Signed) W. Winett; Jo. Maule.

"Jeanat Gembill, being sworne, depones to the [24] article that Margarat Finlasoune cam into hire house and desyred hire daughter, Helen Rodman, to goe to Thomas Lich (a confessing wharloch) and see if he would say that in hire face quhich he had spoken of hire or if he would denay it, and shoo would give hire ane heire for hire paines. And qhen she told her that shoo hade ane evill report of hire nighhours, shoo answered, 'Well, if I have dayes and escaip at this tym' (shoo knowes not whither of the tua expressiounes she used), but shoo knows shoo said

they should pay for it, and qhen shoo asked how, shoe said, ' And hire hands be to the fore,' and stopped there. (Signed) W. Winett; Jo. Maule. Miscellaneous  
Papers.

"Jeanat Patersoune, sworne, depones to the [12] 11 that shoo saw hire goodame pull the kale out of Margarat Finlasounes yeard, quhich shoo suspected the said Margarat had pulled out of hire yeard befor, and that shoe saw hire goe in to Margarat Finlasounes house, and verie shortly thereafter hire said goodame, James Patersounes mother, took sicknes quherof shoo died. (Signed) W. Winett; Jo Maule.

"James Landess, sworne, depones to the [14] [15] article that he heard Thomas Liche say that Margarat Finlsoune had hand in Robert Patersounes death. (Signed) James Landess.

"Crystian Patersoune, sworne, depones to the [3] article that Margarat Finlasoune came to hire and desyred hire to bid hire goodman, Robert Gembill, goe to John Yron and speare at him quhat he would be at, quhich shoo told hire husband, but he refused and bade hire tell the said Margarat qhen shoo cam again that the thing that John Yron was seeking was to have her burnt, quhich shoe sayes shoe told hire quhen the said Margarat cam again to hire to speare if hire goodman had gone to John Yron; quherupon the said Margarat cursed the said John Yron and said, 'God confound him,' and wished him to goe undermost into the pit and all that beleéved him above him. Depones, moreover, that shoe desyred hire to goe to hire father, James Patersoune, and bid him denay the thing that he had spoken of hire, and, if he would doe it, shoe would be frinds with him, but if not, shoe should never gree with him soe long as hire eyne were open. And depones lykwyse that shoe hes seen great appearanc of malice and heard hire ordinarily curs.

"Also, the said Chrystian Patersoune depones to the [22] [17] article that she heard hire alwayes by the brut of the countrie that shoe was suspected of witchcraft. (Signed) W. Winett; Jo. Maule.

"The [21] article is to be verified by [these three] the minister, [John Spreule], John Symmervell, bailei, Georg Winet. (Words in brackets deleted.)

"To the [14] article Margrite Gilmore, sworne, deponis that in the tyme of Robert Patersone hir umquhil husbandis seiknes he was going from his owne house to the Yocker, and she went with him to waite on him, and Margrit Finlasoune did meit them, and they both went of the way and yet the said Margrit did crose the way thrise on them both, go wher they lykit to goe. (Signed) Jo. Maule; G. Winzett, elder; J. Spreull, elder.

"William Patersone, sworne, deponis that he did heare Margrit Gilmor werry angrie with Margrit Finlasone, and that the watter did tak away the boat, bot knowis not howlong after that tyme it was, bot rememberis weill that itt was after that tyme. (Signed) William Pattersoune; Jo. Maule.

"Robert Gemble, sworne, deponis to the [15] article that he did

Miscellaneous  
Papers.

heare Margrit Gilmore werry angrie att Margarit Finlasone qhen they cam ower together in the said Margrit Gilmoris boat, and that he dois remember that the boat was taken away with the watter bot can not remember how long itt was after that tyme, bot he knowis that itt was after that tyme. (Signed) Jo. Maule; Adame Gemmell, elder; J. Spreull, elder; G. Winzett, elder.

"To the [24.] article William Patersoune, sworne, depones that one of Margarat Finlasounes cowes being pushing on of his cowes that was with calfe, and, he runing at the said Margarats cow to stryck hire cow, shoe himself being present, he fell in the tym that he was strycking hire; and the nixt yeare that same cow (and that same calf shoe was with at that tyme) that hire cow was pushing, with uther tua cattell died, quhen noe uthere in the towne aither died or mis[th]ryve except his and them that was in the house with him. Depones, moreover, that ever sinc that tym sinc he strack the said Margarats cow, all the rest of his cowes hes been yeald and never looked sinc. (Signed) William Pattersoune; Jo. Maule.

"Alexander Patersoune, sworne, depones to the [15] article that he heard Margarat Gilmure angrie at Margarat Finlasoune qhen they cam over in the boat together, and remembers well that the water took away the boat thereafter, but he knowes not how soone.

"Lykwyse he depones to the [24] article that he knew that William Patersone had 3 or 4 cattell died within this year or 2, and the rest of them did mishtryve soe farr that he hes heard the said William say that it were better for him to fell his cattell then to keepp them, for he was lyk to lose both the corn that he gave them and the cattell themselves. (Signed) Jo. Maule; W. Winett.

"Alexander Duglass, sworne, depones to the [24] that he saw William Patersoune run at one of Margarat Finlasounes kye and strick hir becaus shoe had pushed one of his kye, and the said Margarat cam out and saw him, and in the tym that he was runing at hire he snappered and lighted upon ane cart wheele, and after that, that same cow that the said Margarats cow was pushing, with some uther 3 or 4 died, but he remembers not how soone after, but he thinks it was the winter immediatly following the foirnamed discord. And depones, moreover, that the rest of the said Williams kye hes never thryven but hes been yeald, and the kye that stands in this same byre and feeds upon this same pastoure with them gives milk. Depones, moreover, that about 14 dayes befor the said Margarat was apprehended he heard hire say, 'If I had been the woman that I am called, I might have done ill enough to all your kye qhen your stead sone, Wiliam Patersoune, cast a whinger at my cow.' (Signed) W. Winett; J. Maule.

"Jeanat Gilmuire, sworne, depones to the [24] that shoe saw Wiliam Patersoune runn at one of Margarat Finlasounes kye to sfryck hire that had been pushing one of his kye, the said Margarat being present, and that shoe saw him fall when he was runing at the said

Margarats cow and lighten upon ane cart wheele, and within ane yeare and ane half the same cow that Margarat Finlasounes cow was pushing with uther 3 died, and all the rest of his kye that are liveing sine hes never thryven nor given milk, as hire kye does that feeds upon this same pastoure with them and stands in this same byre. As alsoe the said Jeanat depones that Margarat Finlasoune about 14 dayes befor shoe was apprehended said to hire, 'If I had been one of these women that I am called, I might have done ill enough to all your sones kye quhen he cast a whinger at my cow.' (Signed) Jo. Maule; W. Winett.

Miscellaneous  
Papers.

"John Airne, sworne, depones to the [1] article that his wyfe never made a mutch to one of hire owne bairnes nor yet to any utheres, nether was shoo ever a semester to hire tread.

"Moreover, to the [8] article he depones that he knowes befor the sicknes cam upon Margaret Patersoune, the said Margarat Finlasoune was verie feared by occasioun of the executioun of Thomas Lich and Jeanat Mountgomerie, qhich he knew by his owne earnest dealing with hire husband to aggree him and hire, and hire husband promised to doe soe and bring him ane answer, and therafter told him that he had spoke to his wyfe but it would not be; but about the tym of the executioun shoe sent sundrie to tryst for aggreement both with him and uthers; and the night immediatly preceeding the said executioun shoe sent hire sone to him to that effect, who cam into his house, notwithstanding he had not been in it a quarter of [a] yeare befor, and pressed him to aggree with hire, and qhen he refused he used that expressioun 'Albeit my mothere die at this tym, it may be we die not all.' (Signed) W. Winett; Jo. Maule.

"Katherine Angous, sworne, depones to the [1] article that shoe never was a semester to hire tread, and never sewed a mutch to one of of hire owne bairnes or to any uthere bodies, except that mutch which shoe made to Margarat Finlasoune, and that shoe marvelld that shoe brought hire a mutch to sew that had never sewed one befor, but shoe sayes that shoe did it for feare becaus shoe had no will to anger, for shoe suspected that shoe was not good. (Signed) W. Winett; Jo. Maule.

"James Patersoune, sworne, depones to the [8] article that he knew Margarat Finlasoune to be exceedingly affrighted upon the occasioun of Thomas Lich his executioun and Jeanat Mountgomerie, and that it was about the tym of Margarat Patersounes sicknes, and depones that he knew the said Margarat to be verie feared by hire coming to him after hire sone had been at him befor and had quarrelled him for goeing to Thomas Liche, and said that he hade been garring him make lies upon honest folk, and that shoe at hire owne comeing said the lyk, and spake of hir owne feares particularly, and shew herself (as he thought) verie feared and suspicious-lyke.

"To the [9] article he also depones that Thomas Lich said to him that he had gotten mikle wrong by his neighbour, Margarat Finlasoune, and it was begun 18 yeare sinc.

Miscellaneous  
Papers.

"The said James Patersoune, being sworne, depones to the [3] article that in harvest last John Airne took sicknes, and ever sinc some of his houshold hes been sick.

"To the [5] article he depones that he never heard that Gabriell Patersoune hade gotten a fall or that ever any cause of his sicknes was knowne to any.

"Moreover, he depones to the [11] article that that same night that his mother cam out of Margarat Finlasounes house shoe took the sicknes.

"To the [13] article he depones that qhen he was greeing his marriage with Marioune Robisoune, his wyfe, whose milk he afterward suspected Margarat Finlasoune had taken away, shoe being the said Margarat Finlasounes servant, the said Margarat was at the greeing of the marriag and seemed to be verie great with him and hire, and in the meantime shoe said that shoe could eat and drink with them that shoe would finde in hire heart to put a whinger to there heart, and in that meane tym he suspected that shoe meant by him and quarrelled hire for it.

"To the [14] he depones that he never knew Robert Patersoune and Margaret Finlasoune gree betwixt the tym of there discording and the tym of his sicknes. (Signed) W. Winett; Jo. Maule.

"Jeanat Gilmuire, being sworne, depones to the [1] article that shoe knows John Airnes wife not to be a semister.

"To the 3 article shoe depones that sinc harvest last John Airnes houshold hes never beene well all at onc.

"To the [8], being sworne, depones that that same day that Margarat Patersoune took sicknes shoe knew Margarat Finlasoune to be very feared upon the occasioun of the executioun, by dealing with hire very earnestly to cause hire sister Margarat to gree with hire, althoe shoe had refused to gree with hire sister qhen shoe offered to gree them and caused hire drink tuyse to hire, and the said Margarat Finlasoune refused to pledge hir.

"To the [14] article shoe depones that schoe knew that there was discord betwixt the said Margarat Finlasoune and Robert Patersoune and his wyfe and that they never greid thereafter. (Signed) W. Winett; Jo. Maule.

"Marioune Robisoune, sworne, depones to the [13] article that shoe heard Margarat Finlasoune say quhen shoe and hire goodman was greeing about there marriage that shoe would eat and drink with them that shoe would put a whinger to there heart, and this was the meane tym quhen they were at the table quherat they did eat and drink, and shoe heard hire goodman James Patersoune quarrell it; and depones, moreover, that shoe hes heard the said Margarat say that shoe had hire husband James Patersoune at no goodwill. (Signed) W. Winett; Jo. Maule."

"Edinburgh, 29 Junij, 1650. The Committie appoyntit be the Parliament for tryall of the witches recommends to the Justice Deputts to revise the proces abovewrittin and report their opinion to the said Committie."

"John Calbraith, sworne" . . . (nothing further) . . .

31st May 1650.

Application to  
the Council by  
the commis-  
sioners for  
trying Isobel  
Anderson for  
witchcraft,  
regarding  
whose guilt or  
innocence  
they are  
uncertain.

231. "Unto our verie honorable Lords, the Lords of His Majesties most honorable Privie Councell, the commissioners appoynted for executione of Issobell Alexander do humbly remonstrate, That wheras your Lordships were pleased to give a commissione to us, your Lordships humble servants, Andro Hay of Hayestoune, John Scott of Hundhillshope, James Scott of Cruikstoune, William Douglas younger of Spittallhaugh and M<sup>r</sup> Alexander Spittall, younger, of the date the last of Januarie, or any three of us, for tryall and executioun of Issobell Alexander, one incarcerat in Pebles for witchcraft, wherin then and ever since we have bene most willing to execut your Lordships commands; but though many things be knowne to us as great presumptions of her guiltienes, yet they can not as yet be got so cleare as to give light to a jurie for convicting her (she passing from all her former confessions mentioned in your Lordships commissione, and standing stubbornly to the asserting of her innocencie), we, feareing if we should have rashly proceeded to have fallen in one of these two extremis to absolve the guiltle or fyle the innocent, have hitherto laboured for clearing in the mater, which (notwithstanding our utmost indevoures through such obstructions as the enemie of truth hath thrown in our way) hes hitherto bene mightilly retarded, and, while we are thus indeavouring, we meet with letters of horning to put her to the tryall of a jurie befor the last of May or be denounced, which (besids that it can hardly be done, the time being so short as a jurie can hardly be called) we resolve to obey, though we conceive it may prove a meane to fall into one of the forementioned extremis, and rather the first then the last. This we thought our dutie in all humilitie to represent to your Lordships that if so your Lordships could think fitting she might be remitted one caution to a more exact tryall to the paroch wher she lived formerly, and in all this we submitt and are, Your Lordships most humble and obedient servants. (Signed) A. HAY OF HAYISTOUN: JO. SCOTT OF HUNDILSTOP; A. SPITTALL."

Miscellaneous  
Papers.

[On the back] "Edinburgh, penult Maij, 1650. It is the humble opinioun of the Committee that the charges of hornyng raised and execute against the supplicants within named be suspendit and dischargeit, and that the haile depositiones and confessiones maid be the prisoner within named, together with all the delatiounes against her be exhibit befor the Comittie betwixt and the day of June instant to be considerit befor giveing answer to the supplicatioun within-written. (Signed) W. L. Torphichen, I.P.C."

"Edinburgh, 31 May, 1650. The Estates of Parliament approves the report abovewrittin and suspends the letters *quoad* the Commissioners. (Signed) LOUDOUN, CAN<sup>n</sup>RIUS, I.P.D.P."

c. 1650.

232. "To the Honorable Lords of Privie Counsell the humble Petition of the Commissioners of the Generall Assembly.

Miscellaneous  
Papers.

Being certainly informed of the frequent resort to this kingdome of some sectaries who goe abroad in the countrie for perverting and seduceing of the people to their errors, we thought it our dewtie to represent so dangerous ane evill to your Lordships, earnestly desiring that your Lordships may be pleased to provid what you shall find necessary for restraining and preventing the dangerous and pernicious practises of such cuning impostures. (Signed) A. Ker.

Petition from  
the Commis-  
sioners of the  
General  
Assembly  
anent certain  
sectaries who  
have appeared  
in the kingdom.

The Council thinks fit that some effectual course be tane in this particular and appoynte the Lord Cassills and Advocat to peruse the Council acts formerlie made anent papists and to report thair opinion."

233. " as principall and . cautioner and surety for me c. 1650.  
do heerby bynd and obleidge us, conjunctly and severallie, that, I the said  
shall be obedient and answerable to the lawes of the kingdome, Bond of  
and shall satisfie and redress all pairties that have since the date of any obligation by  
capitulations made in my favors by publict authoritie, or shall in tyme members of the  
comeing susteane any harme or scaith by me, and that I shall appeare Clan Gregor.  
personallie before the Lords of his Majesteis Privie Counsell, Committee  
of Estates, or his Majesteis Justice whensoever I shall be charged for  
that effect upon fyfteen dayes warneing, and answeare to whatsoever  
complaints to be made against me, and that I shall not do nor attempt  
any thing to the prejudice of the peace of this kingdome by joyneing  
with any of the enemyes theirof, or otherwise contrare to the tennor of  
the bond mentioned in the Act of Parliament of the 26<sup>th</sup> of January,  
1649, quhich is halden as herein exprest; and further that I shall not  
intrude myself in any mans houses or lands, nor disturbe them in the  
peaceable possession thearof, and that I shall not haunt nor be found in  
companie with ten of the said Clangregor at any tyme heerafter without  
speciall permission of the Parliament, Committee of Estates, or Secret  
Counsell, and that I shall quyte, forsake and never take unto myself  
the name of Clangregor in tyme comeing, but shall take unto myselff  
some other surname. And I, the said as principall and , as  
cautioner, do faithfullie obleidge us conjunctlie and severallie, as said is,  
that I the said shall duely observe, keepe and fulfill all the  
premisses and every article theirof under the paines followeing, viz.: I,  
the said to bee esteemed ane rebell and proceeded against accord-  
inglie, and also I and my said cautioner conjunctlie and severallie under  
the paine of to bee payed to the publict, incaice of faillie:  
Consenting for the more securitie that these presents be registered in  
the Books of Parliament, Secret Counsell, or Committee of Estates, that  
all execution, personall or reall, may pass heerupon which hath beene  
ordinary in the lyke cases, or which the Parliament or Committee of  
Estates or Secret Counsell shall think fitt, and to that effect constitutes  
our procurators, *promitten. de rato*. In witness whereof I and  
my said cautioner have subscriybed thir presents with our hands at

the day of one thousand six hundreth and  
years before thir witnesses."

[Endorsed] "Bond by the Clangregor."

Miscellaneous  
Papers.

c. 1650. 234. [Another draught of the preceding Bond, not so complete.]

c. 1650. 235. "To the Lord Commissioner his grace and Honorable Lords  
of Privy Councill, The Humble Petition of the Magistratts,  
dean of gild and Thesaurar of the burgh of Kirkcaldy,  
sheweth,

Petition of the  
magistrates of  
Kirkcaldy for  
the remission  
of a cess.

That the petitioners are latly charged at the instance of Sir John  
Weymes of Bogie to make payment to him of thrie monethes old  
mantinence, viz., September, October and November, 1648, the exacting  
and uplifting of quhich old mantinene being by his Majestie upon most  
grave and serious considerations forboren for some tyme, is now elapsed;  
and seing the toune doeth groan under many heavy burdens of cesse,  
taxation, and besyds that the advancing or fiftie li. sterling monethly to  
the companyes of the forces that doe ly there, so that if at this tyme  
the petitioners shall be distrest for these old rests, they shall be  
necessitat to desert and leave the burgh. Wherefore it is humbly desyred  
your grace and Lordships upon the consideration forsaid would be pleased  
to suspend and continow the exacting of the said cesse for some further  
tyme."

[Undated,  
c. 1650.]

Caution by  
John Blackhall  
of that ilk for  
Sir Gilbert  
Menzieis of  
Pitfoddels.

236. Bond of caution by John Blackhall of that ilk in 10,000 merks  
for Sir Gilbert Menzeis of Pitfoddells that the latter will keep the peace  
with . . . Forbes of Leslie and his household and conduct himself  
otherwise as a peaceable and obedient subject; with clause of relief.  
Signed by the parties in presence of the Council.

c. 1651.

Obligation by  
members of  
Parliament and  
office-holders  
not to seek the  
repeal of laws  
that have been  
passed anent  
religion,  
especially such  
laws as have  
been passed  
since the year  
1648.

237. "Whereas by Act of Parliament, daited at Stirling, the penult  
day of May j<sup>m</sup>vj<sup>c</sup> fyftie ane yeires, wee undersubscrivers are ordaynit to  
give band to the Estates of Parliament, they being sitting, or to such as  
shalbe authorized by them in the interval of Parliament, that wee shall  
never directly nor indirectly seek nor indevoure to repeall any of the  
lawes and acts of Parliament which are for establisheing and promoveing  
of religion, especiallie such as have beene since the yeir j<sup>m</sup>vj<sup>c</sup> fourtie  
eight yeires for that effect, and siklyk that wee shall never directlie nor  
indirectly seek to revenge ourselves any way upon any man for oppose-  
ing us in the matter of the sinfull engadgement, or for opposing us in or  
for censuring us for any malignant course whatsoever; and that wee  
shall not quarrell nor indevoure to alter any offices or places of trust or  
power, as they ar presently possessed according to their rights, contrair  
to the forsaid Act of Parliament, daited the penult day of Maij  
j<sup>m</sup>vj<sup>c</sup> fyftie ane yeires; thairfore wee doe willingly and in obedience

Miscellaneous  
Papers.

to the aforsaid act bind and obleidge us, each on of us for our awne selves allannerlie, to obtempter and obey the said act in all premisses with certificatioun and under the payne following, viz., that, if wee or any of us as aforsaid shall fail in the premisses or any of thame and doe in the contrar heirof, then the samen being found and declared befor the Parliament, Committie of Estates, or Privie Counsell, in maner conteenit in the forsaid act, the faillyear shall amitt and loose his capacitie of sitting in Parliament or injoying of any other office or place of trust or power wherein he is for the time, and shalbe content thereafter to be removed thairfrae that the place may be declared voyd and be filled conforme to lawes of the kingdom. (Signed) CRAIG-MILLAR; BALTHYOK."

238. "*Apud Glasgow, decimo octavo Aprilis anno Domini, 1652.* 18th April 1652.  
The quhilk day the proveist, bailyeis and counsell of the said brughe being conveyned, Forsameikille as of befor report was maid that Robert Sempille, wha was collectour at the old mylne of Partick, had givine upe ane schort compt the last weik of his collectioun be not giving upe all the maskis of malt that was ground at the said mylne the said weik, and giving upe bollis for maskis, thairby deteaneing back some of the townes moneyis and dewis, and he being this day present in judgement to answer thairto, as also Johne Reid, wha calls the malt horses to and from the said mylne, Johne Corse and William Purdoun mylnears thairat, being warnet and compeirand to beir witnes in the said mater, the saidis thrie witnesses being solemnlie sworne and examinnet in presence of the said Robert Sempille himselfe and the compt givine in be him of his said last weikis collectioun being particularlie red anent quhat malt was ground at the said mylne and takine away everie day, and the saidis thrie witnesses being examinnet and interrogat thairintill, in some dayes thair depositions did aggrie with the said Robert his compt, bot did differ in the most pairt; all this being done in presence of the said Robert himself, as said is, and thair depositions and his compt being compared, it was fund that the said Robert had givine upe thrie maskis malt les nor he sould have done (the maskis of malt following being also compted and layd by, viz., twa to the colledge, ane to M<sup>r</sup> Robert Baillye and four to the gorballs), and that he had givine upe in compt seivine bollis malt to have beine grund at the said mylne that weick, quhair of four of them was full maskis, and so deteanet thairby the dewis to be payed for four firloftis, in respect it was cleirlye provine be the depositions of the saids witnessis that thair wes onlie thrie bollis malt ground that weick at the said mylne, and so it was maid most manifest and knowne that the said Robert Sempill had wronged the towne in deteaneing bak of its dewis, he being sufficientlie satisfieit for his paynes and service; and the said Robert, being interrogat quhat he could say to these particulars provine against him, replyet that the said John Reid quha callis the said malt

Robert Milne, collector at the old mill of Partick, convicted of giving in fraudulent returns on the last week of his collection.

horse to and from the said mylne durst not nor wald not say that he had gottine payment for all the malt he had led from the said mylne that weick ; quhairunto the said Johne answerit quhither the said Robert had gottine satisfactioun or not for the dewis of the said malt caryed be him out of the said mylne that weick he could not tell, bot he was not permitted at no tyme to carye any malt out thair of that weick without licence of the said Robert first had and obteanet thairto ; and the saidis magistratis and counsell haveing advyset thairanent, they ordanit the said Robert to be deteanit in waird quhill he pay to James Bornis sone moneys he was restand of his preceiding weiks collectioun and the dewis quhilk he aught to have payed for thrie maskis and ane boll malt omittit and not givine upe be him in compt, as said is. Extractit furthe of the Counsell buikis of the said brughe be me, (signed) W. Yair."

Miscellaneous  
Papers.

21st March  
1660.

Caution by  
David Ramsay  
of Balmain,  
younger, for  
Alexander  
Melville and  
John Hood,  
prisoners in  
the tolbooth of  
Edinburgh.

239. Bond of caution by David Ramsay of Balmaine, younger, for Alexander Melvill in Pitnamoone, and John Hwd, prisoners in the tolbooth of Edinburgh, that on being liberated from prison they will compear before any judicatory in this kingdom whenever cited and answer to any crime laid to their charge, under a penalty of 2000 merks ; dated at Edinburgh, 21st March, 1660 ; witnesses, David Peter, servitor to the Lord Register, and John Murray, writer in Edinburgh.

17th October  
1660.

Reward offered  
for the apprehension  
of Sir Archibald  
Johnston of  
Warriston.

240. Note of execution by Robert Hamilton, one of the ordinary macers to the Lords of Council and Session, at the market cross of Edinburgh on 17th October, 1660, in the forenoon, being the chief market day there, where by sound of trumpet he read a warrant to a herald, named Andrew Lytlejohn, who made intimation to his Majesty's lieges, that if any person or persons could apprehend and bring in Sir Archibald Johnston of Waristoun to the Committee of Council they would be rewarded ; witnesses, James Wallace, also macer, Lues Menteth and Patrick Nisbet, messengers, and many others.

APPENDIX  
TO  
MISCELLANEOUS PAPERS.  
*c.* 1544–1660.



## PRIVY COUNCIL PAPERS.

Miscellaneous  
Papers.

1. "My Lordis, It will pleis your Lordships to be informit for the c. 1544. pairtis of our soverane lady, and Jonet and Margrete Dischingtonis anent the allegiance maid for the pairt of Thomas Dischingtoun, berand that oure umquhill soverane lordis revocation neydit necessarilie special declaratour thaireftir or the infetmentis cumin under the samyn meycht be takin away, your Lordshipis sall undirstand the said declaratour is nocht necessar be the law, as my uther informativis beris, nor yit be the practik, in respect of the said generall revocation berand expres cassation of all tailyeis maid in his hienes minoritie and ordanand the said revocation to be of als grete effect and als largelie extendit in generall and in speciall as ony revocationis maid be ony his progenitouris, kingis of Scotland, of befoir, and specialie be his derrest fader and King James the Secund; and it is of veritie that his grace derrest fader revokit all resignationis ressavit be King James the Thrid to the exheredatioun and disherising of the rychtuus airis, be quhilk revocation he ordanit the samyn to be of nane avayle, force nor effect in ony tyme cuming, but that all personis hurt thairby be vertew of the said act restorit *in integrum* like as thai wer of befoir the ressaving of the saidis resignationis. And, sen our said soverane lordis revocation that last decessit is ordanit to be of als grate effect as ony his predecessouris and specialie of his said umquhill faderis revocation, *necessario sequitur* that be oure said umquhill soverane lordis revocation all sic infetmentis as is libellat wes cassit and annullit in the self without ony uthir declaratour."

Opinion that  
no declarator  
is necessary to  
give effect to  
the revocation  
of infetments  
by his late  
Majesty,  
James V.

### 2. "Memorandum."

c. 1560.

"Item, gif this contract be maid of the dait now presentlie it suld nocht contene thai wordis (Efter his perfit aege of xxiiij yeris) for he is past the aege of xxxi yeris, and thairfoir it is nocht neidfull to mak mentioun of his aege, for that supponis that he is past laitlie xxiiij yeris, quhilk we will nocht grant."

Contract  
between the  
Earl and  
Master of  
Crawford.  
"this claws  
mendit."

"It is to be providit that at the secund redemptioun, quhilk is to be maid at Witsounday in the yeir of God v° threskoir, that the Maister certefei the Erll in dewe tym of the day quhilk he appointis to the redemptioun forsaide, and that it be tua or thre dayis afair the terme of Witsounday for ingetting of silver for redemptioun of the saidis landis."

"xxij day of  
May in  
Aberdene and  
the xxix of  
May in Dundo,  
and to declar  
in this contract  
quhat silver  
it salbe, etc."

"It is to be providit that the maister mak the warneingis sufficient agane the feist of Witsounday nixt, that the said Erll tyn not his proffit thairthrow."

<sup>1</sup> The marginal notes are in another handwriting.

"It is to be providit that the Maister faille nocht to mak lauchfull premunitione for all redemptionis yeirlie in all tymis cuming as silver happynnis to be gottin in, that it may be warit conforme to the provisione of the contract now last maid, and that he attempt nocht to intromett with ony proffittis of the saidis landis that ar to be redemit unto the tym the haill erldom be redemit. Miscellaneous Papers.

"Item, anent the artikle of Carney, etc., it will pleis your lordship extend that part mair cleirly, prowying that the said Erll suld nocht be haldin to assist to the said Maistar contrar thame quhom he is obleist to warrand. "Ordenis to stand as it dois of befor."

"It will pleis your lordship, sen this contract is maid and wes devisit halely for stanching of all pleyis, debaitis, and besynesses in tym cuming and intertenyng of amite and hartlie kyndnes betuix the saidis Erll and Maister and their posterite, and that the haill declaratione thair of is submittit to your lordship, and that it may weill and cleirly appeir be the obligationis now ratefit that the said Maister is obleist nocht to persewe the said Erll in ony of his heretages quhilks ar reservit to him of the said erldom or any utheris his lands or heretaige quhatsumevir, that your lordship will cleir the said artikill of Carney, etc., prowying tharintil that it be nocht lefull to the said Maister to persewe the said Erll upoun the reductione of his heretable infetment therof, uthairwayis it wilbe the begynnnyng of ane new pley betuix thame contrar the mynd of the contract.

[In the Earl's handwriting.]

"Item, I desyr to be clerit in this last contract that the Maister sall nocht persew me for ony dettis, landis, obligationis, arshippis or utheris chargis as air and successour to his gudschir and fader respective, and that conforme as he hes me bound to warrand him of all detis, bandis and obligationis, etc., maid be his gudschir to my breder and fader breder, etc.

[The following portion is in another handwriting]:—

"Reversion of the customes of Dundee maid be Issobell Deuer (?) contenand the sowme of j<sup>m</sup> merkis.

"The reversion of outquitting of the myln of Downy upon the sowm of ane hundreth merkis.

"The reversion maid be the vicaris of the queir of Abirdene for redemption of x li. of anuell rent of the customes of Abirdene contenand the sum of iij<sup>c</sup> merkis.

"The reversion of the landis of Levington pow fra the Lard of Powre and possessouris thair of, contenand the soum of v<sup>c</sup> merkis.

"Item, the said Erle to deliver the sowme of vij<sup>c</sup> l merkis for redemption of the landis of Kylhill, Sandfurd and Begwit, of the quhilk the Erle sall pay vij hundreth merkis and the maister l merkis, quhilk salbe allowit to him of the first proffettis.

"Erll of Crawford."

"The second day of Junij in the lx yeir is Witsonday."

Miscellaneous  
Papers.

3. " My Lordis Regent and of Secreit Counsale, unto your Grace and Lordshipis humlie menis and schewis, we, your servitouris, Maisteris Johne Spens of Condry and Robert Crechtoun of Eliok, Advocatis to our soverane lord, that quhair the jowells, houshald stuf, munitions and movable guidis quhatsumevir, sumtyme pertening to our soverane lordis mother, the Quene, and pertening to his hienes sen his coronatioun, ar dispersit and fallin in the handis of diverse subjectis of this realme and utheris, quhilkis hes the samin and dalie sellis and disponis or hes sauld and disponit thairupoun to thair uses, to the greit damnage and prejudice of our soverane lord, quhairfoir it is fundin expedient be his Hienes, with avise of your grace and haill body of the last Parliament haldin at Edinburgh in the moneth of Januar last bipast, that your Grace caus persew the havaris, ressetteris, sellaris or intromettouris with the saidis jowellls, houshald stuf, munitionis and movable guidis now pertening to our said soverane lord, as said is, for recovering and collecting the samin agane to his Hienes use and behuif, and hes declarit and decernit that your Graces acquittance thairupoun salbe sufficient discharge and warrand for deliverance of the saidis jowellis, houshald stuf, munitionis and movables presentlie and in all tymes cuming, as the act of Parliament maid thairupoun beiris. And treuth it is and of veritie that James, Lord of Torpchechin, in the moneth of                      the yeir of God j<sup>m</sup>v<sup>c</sup> yeiris, intromettit with and hes in his handis or hes disponit and put away the houshald stuf and movable guidis and geir underwrittin, that is to say, the rufe of ane reid bed of crammasie velvot freinzeit with gold and lynit with reid tafteis, thre courtingis of reid dammase, ane steikit matt of reid tafteis, twa pandis of reid crammasie velvot freinzeit with gold, ane under cover of reid crammasie velvot freinzeit with gold, ane ruife of ane bed of tanny dammase with twa courtingis and twa hingairs of the same stuf with ane steikit mat of gray, ane bed of blak velvot with thre courtingis and pandis of the same all freinzeit with blak silk with sex knoppis of blak silk, four pece of courtingis of Turke sating and five pece of pandis of the same stuf, ane cannaby of raw silk wovin variane hewit with freinzeit of gold on every seme, ane blak burde anniallit with gold with ane dowble standart, ane reid chyre of crammasie velvot, sex pece of tapestrie, five of thame bot secund, the sext utter fyne, with ane coffer full of buikis, with the haill knoppis concerning the reid bed and the violet bed, ane clayth of crammasie velvot browderit with silk, and ane palzeoun for the feildis, quhilkis pertenit sumtyme to our soverane lordis moder and now to his Majestie, and will nocht deliver the samin to your Grace to the effect abonewrittin, conforme to the said act of Parliament, without he be compellit. Heirfoir we beseik your Grace that sen the said James, Lord of Torpchechin, is present in Leith neirby this toun, to geve command to ane macer or uther officiar of armes to charge him to exhibit and produce befoir your Grace and Lordshipis the houshald stuf, guidis and geir abonewrittin, the tent day of Aprile instant, and to heir and see him

8th-15th  
April 1573.  
Petition by  
Mr. John  
Spence of  
Condry and Mr.  
Robert Crichton  
of Eliok,  
Advocates,  
that James,  
Lord Torpchechin,  
be compelled to  
restore certain  
property which  
belonged to  
Queen Mary.

decernit be your decrete to deliver the samin to your Grace to our <sup>Miscellaneous Papers.</sup> soverane lordis use and behuif, conforme to the said act of Parliament, or ellis that he the samin day compeir personalie and schaw ane ressona-bill cause quhy he suld not do the samin, with certificatioun to him, and he failze, letters salbe direct to charge him *simpliciter* thairto according to justice; and your Grace and Lordships ansuer humblie we bespeik." [On the back] "*Apud Halirudhous, octavo Aprilis anno Domini, etc., lxxiiij. Fiat ut petitur.* (Signed) JAMES, REGENT,"

Also note of execution by Archibald Douglas, messenger, charging James, Lord Torphichen, to compear; witnesses, John Litill, bailie in Leith, Thomas Inglis and Mowat, servants to Lord Torphichen.

Thomas Inglis in Newlistoun appears for Lord Torphichen.

"*Apud Halyruidhous, xj Aprilis, 1573.* Thomas Inglis in Newlistoun, compeirand for my Lord Torphechin, Weddinsday nixt the xv day of the said moneth, is assignit to him to compeir befor my Lord Regentis Grace and to bring and present sic jowellis, houshald stuf and movable gudis as he hes or had in his handis quhilkis sumtyme pertenit to the Quene, our soverane lordis moder, and now to his Hienes, and to gif his ayth *de calumpnia* upoun the rest gif he hes just caus to deny it, with certificatioun as is within-writtin."

Lord Torphichen undertakes to restore the property in question.

"*Apud Halyruidhous xv Aprilis 1573.* James, Lord Torphechin, compeirand personalie, wes content and promiseist to compeir befor my Lord Regentis Grace and Lordis of Secreit Counsale the morne and to bring and present sic jowellis, houshald stuf and movables gudis as he hes or had in his handis, quhilkis sumtyme pertenit to the Quene, our soverane lordis moder, and now to his Hienes, and to gif his ayth *de calumpnia* that he hes just caus to deny the rest."

20th March 1574.  
Alexander, Commendator of Culross.

4. Extract of the Act of Council anent Alexander, Commendator of Culross, and the rentals of his abbacy, printed in vol. ii., pp. 348, 349; dated at Halyruidhous 20th March, 1574, and signed Alexander Hay.

20th May 1583.  
George Abernethy certified to be a fit person for the office of notary.

5. "Robert Scot, wit ye us, haifand tryit and examinat this beirare, George Abernethy, hes fund him apt and habill to use the office of notarie and hes admittit him thairto, thairfoir ye sall mark his buik and ressave M<sup>r</sup> Johne Cramont or Andro Jowsie cautioner for dew administration, as use is in sic caissis. (Signed) Ad. Orchard., Quhittinghem."

Holyrood House, 15th May [1584].  
Proclamation requiring noblemen and others to come to the approaching Parliament in peaceable guise.

6. "*Apud Haliruidhous xv Maij,* : . . Forsamekill as certane nobill men and utheris of wreittin for and summonit to cum to this present rynnand Parliament to advise and conclude upoun certane greit and wechtie effairis concerning our soverane lord his estate and commoun quietnes of his realme and liegis, amangis quhome it is necessar that gude ordour and quietnes be kepit and that they cum in peceabill maner, quhairthrow all occasioun of troubill quhilkis ony wayis may hinder the gude effectis to follow be thair convening may

Miscellaneous  
Papers.

be removit, and thairfoir ordanis letters to be direct chargeing officiariis of armes to pas to the mercat croce of the burgh of Edinburgh and all utheris places neidfull, and thair, be oppin proclamatioun in his Majesties name and autoritie, command and charge all and sindrie the saidis nobill men and utheris of his estaittis writtin for be his Majestie to cum to the said Parliament, that thay cum in quiet and peciabil maner with thair ordinar houshaldis and trynis without uther armour sauffand thair accustumat maner to ryde with thair swerdis and quinzearis, and in thair cuming, remaining and departing that thay behave thame selffis modestlie and quietlie, and on na wayis invade, molest or persew utheris owther for auld feid or new, or mak provocation of troubill in word, deid or countenance, under the pane of deid, with certificatioun to thame that dois in the contrair being apprehendit and tryt be sic nobill men and utheris as his Hienes hes expreslie appointit to this effect salbe puneist to the deid with all rigour and extremitie in exemple of othis. JAMES R."

7. Letters under the Signet directed to Robert Davidsons, William 9th August  
1585.  
Letters  
charging John,  
Earl of Atholl,  
and others to  
desist from  
demolishing a  
linn on the  
Water of  
Elicht.

Grig, and John Anderson, messengers, narrating that some evil-disposed persons have lately "sinisteruslie purchest in privat maner oure utheris letteris chargeing our rycht traist cousing, Johne, Erle of Athoill, and utheris specifiit thairin to dimolische, cast down and distroy the biggit lyn of the kaith upon the Water of Elicht and being distroyit to stop the heritabill possessouris thairof to build or big the samin agane, and sa oft as the same sal happin to be biggit that our said rycht traist cousing and utheris his colleigis specifiit in our saidis utheris letters als oft dimolische, rut out and distroy the same agane *de novo* undir the panis expressit in the saidis letters . . . and knowing perfittie that the said lyn and fisching pertenis, the ane equall half thairof to our said rycht traist cousing and his airis heritable and the uther half thairof to our lovit George Drummond of Blair and his airis, lyke as they and thair predicessouris hes bene in peciabil possessioun thairof be fisching and using thairof as ane propir lyn and fisching in all tymis bypast past memour of man without stop, trubill or impediment, althocht that now laitlie be the malice of unfreindis oure saidis utheris letters ar privatlie purchest, expres aganis all gud ordour and actis of our Counsall, tending to compell our said rycht traist cousing to distroy and rute away his awin auld heritage as he myndis indede for obedience thairof," wherefore charge is given to command and inhibit "our said rycht traist cousing to desist and ceise fra all dimolesching, douncasting or distroying of the said lin and fisching"; and also to charge William Hering of Kellie, Andrew Hering of Glasclune, William Chalmer of Drumloch, Archibald Butter of Gormoche, Andrew Blair of Ardblair and all others who have purchased the said private letters, not to proceed to the casting down of the said linn and fisching until the heritable possessors thereof have been called and heard; dated at Edinburgh, 9th August, 1585. Subscribed JAMES R.; Pettynwem, Montroiss.

Attached thereto is a paper containing notes of the execution of the summons, (1) on 11th August by William Greig, messenger, against John, Earl of Athole, at his dwelling place in Dunkeld, and against William Hering, personally apprehended, who was offered a copy of the summons but refused it; witnesses, Robert Davidsoun, James Sandersoun, John Pilmour, James Baxter: (2) On 12th August by William Greige against Andrew Hering of Glasclune and William Hering, his brother, personally apprehended, and against Andrew Blair of Ardblair at his dwelling place there, and Archibald Butter of Gormock at his dwelling place; witnesses, Robert Davidsoun, messenger, Alexander Robertsoun, notary, and Alexander Millar: (3) On 13th August by the same at the market cross of Cowper in Angus against all the lieges; witnesses, Andrew Blair of Balgirsho, Robert Spalding, Laurence Dun and John Cargill: and (4) On 24th August by John Andersoun, messenger, at the market cross of Cowper in Angus against all the lieges; witnesses, Andrew Blair, portioner of Durdo, Henry Brown and Alexander Kyncragy of Polkmylln.

Miscellaneous  
Papers.

21st August  
1585.

Letters under  
the Signet  
directed at the  
instance of  
Patrick Butter  
of Marytoun,  
and others  
against George  
Drummond of  
Blair, who is  
accused of  
constructing a  
linn on the  
Water of  
Ericht to the  
injury of  
the fishings  
belonging  
to other  
proprietors.

8. Letters under the Signet directed to David Bennat, messenger, at the instance of Patrick Buttir of Marytoun, William Harine of Munkiscallie, William Chalmer, apparent of Drumloquhy, and Laurence Halyburntoun of the Mains of Mawis, narrating that George Drummond of Blair has "biggit ane fische yair with uther ingyne of tymmer upon the Watter of Ericht and throuche the samin, in forme of ane lyn of sick hicht, strenthe and thiknes that na fisches may cum over the samen, adjacent to his landis foiranent the kirk of Blair within the shirefdome of Perth expres aganis the Actis of Parliament," and that the complainers and others are infett in divers fishings on the said Water of Ericht and Airdill far above the said yair or lin. They had complained to the Lords of Session and obtained decree ordaining the Sheriff of Perth and his deputes and other judges to pass with convocation of the lieges and "cast down and distroy the said fische yair and tymmer lyn and to hald the samen down and mak the midstreme of the said Watter of Ericht to be frie at that parte quhair the said fische yair now is be the space of sax futis within ten dayis nixt after the charge"; but George Drummond had upon sinister information obtained letters ordaining John, Earl of Athole, not to cast down the same, which have been inconsiderately granted. Charge is now ordained to be given to John, Earl of Athole, and other judges to put the former letters to due execution and with the aid of the lieges to cast down the said yair, and also to inhibite the said George Drummond from making any opposition thereto; dated at Stirling, 21st August, 1585. (Signed) JAMES R., M<sup>r</sup> of Gray, Thyrlstane.

21st August  
1585.

Summons at  
the instance of

9. Summons directed to John Andersoun and William Greig, messengers, at the instance of Dame Margaret Flemyng, Countess of

Miscellaneous  
Papers.

Atholl, liferentix of the half fishing aftermentioned, George Drummond of Blair, heritable portioner of the fishing "of the Lyn of the kaith upoun the watter of Erycht" in the sherifffdom of Perth, and John, Earl of Montrois, Lord Grahame, sheriff principal of Perth, for his interest, narrating that William Hering of Kelly, Andrew Hering of Glasclune, William Chalmer of Drumloquhy, Archibald Butter of Gormok, Andrew Blair of Ardblair and certain others, or some of them, had purchased letters under the signet commanding John, Earl of Atholl, Lord Balvany, equal heritable portioner of the said fishing, to destroy the said linn and that as often as it should be rebuilt, which letters were granted simply on the application of the party without hearing and without any decreet, and charge thereupon given to the said Earl of Athole "and his and the said compleneris competitouris in the said fisheing to cast down, distroy and rute oute the commoditie of his awne heritage and the lyferent of oure said consignes, his mother, baith to his awne prejudice and the grite hurte and skaith of the said George, being equall heritable portioner with him of the said fisheing," being also expressly against the Act of Parliament anent the casting down of cruives and yairs and slaughter of red fish and the fry of fish, for the execution of which special commission is granted to the said Sheriff of Perth, the Sheriff of Forfar, the Steward of Stratherne and their deputes, and the provosts and bailies of the burghs of Perth and Dundee for the Waters of Tay and Erne and "thair granis." The complainers had therefore been obliged to obtain letters inhibiting the Earl of Athole from casting down the linn, but they are informed that since then their party has obtained new letters to enforce the former, whereby great injury and wrong will be done. Charge is therefore given for citing the said John, Earl of Athole, and other persons before mentioned to compear before the Council at Stirling or wherever it may be on 1st October next, the public charge to be given at the market cross of Coupar in Angus "becaus of the infectioun of the pest within oure burgh of Perth"; and meanwhile the destruction of the linn is discharged until 10th October next; dated at Stirling, 21st August, 1585, and signed J. HAY.

the Countess  
of Atholl and  
others against  
William  
Herring of  
Kelly and  
others in  
connection  
with the  
aforesaid linn.

On the back are notes of two executions by William Greig, (1) on 20 (*sic*) August, 1585, against William Hering of Callie, personally apprehended; witnesses, Adam Grahame and John Andersone, messengers: and (2) by the said William Greig and Johne Andersone, against all the persons named at the market cross of Cowper in Angus; witnesses, Robert Allexander, John Rroy, John Edimane, Robert Porter, Donald Wricht, and Alexander Chalmer, all in Cowper.

There is also affixed to the summons a note of another execution by the same two messengers on 24th August, 1585, against John, Earl of Athole, at his dwelling place in Dunkeld; Andrew Hering of Glasclune, personally apprehended, and William Chalmer of Drumloquhy, Archibald Butter of Gormok and Andrew Blair of Ardblair at their respective dwelling places; witnesses, James Fowles, citizen of Dunkeld, James Reith, Patrick Pulchenour and others.

c. 1588.

Letters of  
James VI.  
anent a  
supplication  
by Thomas  
Acheson,  
master-coiner.

10. "James be the grace of God, King of Scottis, to our lovittis our schireffis in that pairt, conjunctlie and severalie, specialie constitute, greting; Forsamekle as anent the supplicatioun gevin in be Thomas Achesoun, maister cunyeour to our soverane lord, aganis Williame Fairlie, ane of the baillies of Edinburgh, and Jonet Ferguissoun, makand mentioun that quhair in the moneth of May last bipast Williame Fairlie, ane of the baillies of the burgh of Edinburgh, and Mr Michael Chisholme, dene of gild thair, come to the said Thomas ludgeing and duelling hous within the said burgh in the Cowgait thair of and ressavit . . . . ." (Nothing further.)

Miscellaneous  
Papers.

30th August  
1589.

Threat of  
horning  
against small  
barons and  
freeholders  
unless they  
pay their  
quota of  
taxation for  
the repair of  
the Castle of  
Edinburgh.

11. Extract under the hand of "Joannes Skene, Cls. Regri." of Letters of Horning registered at Dumbartane on the penult day of August, 1589. The letters are directed to Robert Campbell, Carrik pursuivant and messenger, at the instance of James Home of Coldounknowis, knight, Captain of the Castle of Edinburgh, and collector of the second term's payment of the taxation of £40,000 granted by the small barons and freeholders for their vote in Parliament and general councils, and which second term's payment is appointed to be expended on the repairing of the said castle and to be paid to the complainer before 1st November last. This has not been done, and charge is therefore to be given to the said small barons and freeholders to pay the same within ten days on pain of horning; dated at Halyrudhous, 18th December, 1589 (*sic, l. 1588*). Also, note of execution on 28th June, 1589, by William Forsyth, messenger, against Sir Umphra Colquhoun of Luss, collector for the schireffdom of Dumbarton, personally apprehended; witnesses, David Kelso of Kelsoland, William Rowand and Robert Symontoun; and notes of execution of horning on 27th July, 1589, by Robert Campbell fore-said again upon the said Umphra Colquhoun of Luss in presence of Robert Naper and Mungo and Williame Rowane, his servants; and denunciation of him to the horn at the market cross of the burgh of Dumbartane on 30th August following; witnesses, Robert Sempill of Corruithe, Mr William Houstoun, Thomas Buquhannane and David Spalding.

20th March  
158 . . .

Signature by  
James VI.  
anent the  
lands of  
Halyburne.

12. Signature (unsigned) by King James the Sixth after his perfect age of twenty one years complete declared in Parliament and general revocation and dissolution made of the lands of Ettrik Forrest annexed to the Crown, ordaining, with advice of Sir John Seytoun of Barnis, knight, his Majesty's Comptrollar, a charter to be made under his great seal of the lands of the half of the lands of Halyburne *alias* Halybank aftermentioned in feu farm to Robert Murray, then of Orcheardfeild, and his heirs and assignees; which lands, lying within the lordship of Ettrik Forrest and sherifffdom of Selkirk, were of old disposed by his Majesty's progenitors to the deceased Janet Liddell, Lady Halkerstoun, and her heirs and assignees, and she sold to the deceased Alexander Murray in Orchard and the deceased Margaret Neisbitt, hir spouse, and

Miscellaneous  
Papers.

their heirs male, that half of the said lands then occupied by James Buckye, Janet Legis, Robert Watsoun and Thomas Brunttoun, with the houses in which James Buckye dwelt, and of which they obtained confirmation from his Majesty's dearest father and mother. Robert Murray is son and heir of the said Alexander and is infeft in these lands; and he is to hold the same for payment of £15 yearly of feu duty to the Crown. Dated at Halyrudhous, 20th March, 158 . . Composition £40.

13. Precept signed by J. T. Cancellarius, directed to John Johnestoun, <sup>31st July 1590.</sup> scribe, narrating that Lord Claud Hamiltoun, Commendator of Paisley, <sup>Lord Claud Hamilton, Commendator of Paisley.</sup> has intimated by letter that he is willing that Hew Wallace of Carnell, John Wallace of Dundonald, William Wallace of Dullaris and Michael Wallace in Burnbank, who were charged to find caution at the instance of several of the said Commendator's friends and servants, give caution only in half the sums originally appointed, and ordaining that this modified caution be accepted; dated at Edinburgh, 31st July, 1590. It is added that the original cautions were, for Hew and John Wallace, 5000 merks each, and for William and Michael Wallace, 1000 merks each.

14. Summons directed to Barthyll Kneland, narrating that 8th <sup>31st July 1592.</sup> November next has been appointed by the Lords of Council to John Roy McCalpie in Callemoir for probation of an answer made by <sup>Summons against Alexander and Andrew Lowrie, burgesses of Stirling, and others in connection with an action for spulzie.</sup> him to the fifth of the articles given in by Thomas, Robert and Daniel Gounokan in an action of spulzie by them against him, wherein he offers to prove that the deceased Gilbert Gounakan, father of his pursuers, was alive at the date of the making of a contract produced by him dated 10th September, 1569, and for a long time thereafter, and ordaining that the following witnesses be cited to compare that day before the Council, viz.:—Gilbert Robertsoun in Fintrie, John Provand in Lyncheid, Gilbert Paul there, Walter and William Drummound in Drummound, John Makesoun there, Alexander and Andrew Lowry, burgesses of Striviling, Walter Robertsoun *alias* Buchannane, John and Robert McClandroise in Drummakeill, Robert Arrall in Dalnair, Gilchrist Wricht in Auchingyle, Donald McCalpie in Ballyglass, John Wabster in Inchefad, John McInhugater in Arrochmoir, Walter and Thomas McGoun in Ballaird in Cassaly, [Walter] Provand in Kiptulloch and John Buchanan in Buchlass; dated at Edinburgh, 31st July, 1592, and signed J. HAY. On the back are notes of three executions of the foregoing summons by the said Barthill Kneland, (1) on 2nd November, 1592, against Alexander and Andrew Lowrye, burgesses of Stirling, personally apprehended; witnesses, William Parland in Wodend and Thomas Halden in Balwell: (2) On 3rd November, 1592, against John and Donald McClandreise in Drummakeill, Robert Arrole in Dalnair, Gilchrist Wrycht in Auchingyle, John Wobster in

Inchefad, and John M<sup>c</sup>Inhugutar in Arichmoir, all personally apprehended, and against Gilbert Robertstone in Fintrie, Donald M<sup>c</sup>Calpie in Ballyglass, Walter and Thomas M<sup>c</sup>Gown in Ballard in Cassalie, John Buchannan in Buchlass, Walter Provand in Kiptulloche, Walter and William Drummound in Drummound and John M<sup>c</sup>Kesone there, at their respective dwelling places; witnesses as before: and (3) on . . . November, 1592, against Walter Robertstone *alias* Buchannan at the market cross of . . . because he has no certain dwelling place, before the same witnesses.

Miscellaneous  
Papers.

12th-29th  
April 1594.  
Note of  
execution of  
precepts from  
his Majesty's  
Exchequer  
charging  
Gavin Lock-  
hart, bailie of  
Lanark, and  
others to  
appear before  
the Lords  
Auditors.

15. Note of execution of precepts from his Majesty's Exchequer charging the persons named to compare before the Lords Auditors, (1) by Daniell Boill, messenger, on 12th April, 1594, against Gavin Lokhart, one of the bailies of Lanark, personally apprehended; witness, Barnard Lindsay; also against Archibald Hamiltoun, sheriff depute of Lanrik, personally apprehended: and (2) by Daniel Grahame, Dingwell pursuivant, on 20th April, 1594, against Adam Cokburne, sheriff depute of Berwik, William Hoppringill, hailie of Lauder, and John, Lord Thirlstane; on 23d April, Douglas, sheriff of Roxburgh; on 24th April, Patrick Murray, sheriff of Selkrik, George Mitchelhill, bailie thereof, and Scot of Balcluch, chamberlain of Ettrik Forest; on 25th April, James, Lord Hay of Yester, sheriff of Peblis, and John Hoppringill, hailie thereof; on 26th April, John, Earl of Mar, sheriff of Striviling, receiver of Striviling, Anthoun Bruce, bailie of Striviling, David Dundas, sheriff of Lynlythgow, James Hamiltoun, sheriff of Lynlythgow within Bathcat, Cornwall of Bonhard, provost of Lynlythgow, the bailies of Lynlythgow, and M<sup>r</sup> James Durhame, chamberlain of Lynlythgow; on 27th April, my Lord Duke, sheriff of Edinburgh, John Robertstone, one of the bailies of Edinburgh, John Gourlay, customer of Edinburgh, David Murray, feuar of his Highness's park, and the Laird of Merchesoun, feuar of the King's Meadow; and on 29th April, Robert Lauder, bailie of North Berwik, John Murray of Blakbaronie, receiver of Ballinreiff, William Lauder, bailie of Dumbar, John Arnot, feuar of Cokburnespeth, and Robert, Lord Seytoun, provost and customar of Cokany, all personally apprehended, and Alexandar, Lord Home, feuar of Merche, and Carkettill, customar of North Berwik, at their dwelling houses; M<sup>r</sup> Robert Lyndesay and John Balfour being witnesses throughout. The name "Adam Cokburn" is on the margin of the paper.

12th June  
1594.  
Letters under  
the Signet  
anent the  
feuing to  
the kindly tenants  
(1) of certain  
of the King's

16. Letters under the Signet narrating the act of dissolution of the King's property made in the late Parliament so that the same may be set in feu to the kindly tenants for payment of certain feu duties and compositions at the sight and modification of some noblemen of the Privy Council and officers of State, to whom commission is granted for this effect, and to compone for new infeftments to be granted to the

Miscellaneous  
Papers.

vassals and others who formerly held their lands of William, sometime Earl of Angus; George, sometime Earl of Huntly; Francis, sometime Earl of Erroll, and Patrick Gordoun, sometime of Auchindoun, who have been forfeited for certain crimes of treason; and directing messengers to make public intimation hereof at the market crosses of the head burghs of the kingdom and other necessary places, and that the kindly tenants and possessors of the said dissolved property and vassals and tenants of the said forfeited lands repair to the burgh of Edinburgh and deliver their securities, desires and supplications to the said Lords Commissioners on 4th July next, wherein, if they fail, the lands will be otherwise dealt with; dated at Edinburgh, 12th June, 1594, and signed J. ANDRO. On the back is a note of the executions, (1) on 23rd June, 1594, by Patrick MacThomas, at the market cross of the burgh of Kirkcudbrycht, as the head burgh of the Stewartry of Kirkcudbrycht, where the lordship "of Gallawa, ane pairt of his Majesteis propirtie, lyis"; witnesses, Thomas Gledstanis, Robert Lintoun and John Mekill, burgess of Kirkcudbrycht: and (2) on 24th June, by Nicol Newall, messenger, at the market cross of Drumfreise; witnesses, John Fargusoun, Richard Knowis and John Peris.

lands, and (2) of the forfeited lands of the Earls of Angus, Huntly, and Errol, and of Patrick Gordon of Auchindoun.

17. Another copy of the foregoing letters directed to Patrick Kynros, messenger; with note of executions on the back thereof, (1) on 14th June, 1594, by the said Patrick Kynros at the market cross of Striviling, as the head burgh of the shire "quhair the lordship of Strivilingshyre, ane pairt of our soverane lordis propirtie, lyis"; witnesses, Antonie Bruce, portioner of Levelandis, David Forestar of Logy, and Robert Alexander, burgess of Striviling; and (2) on 24th June by William Killing, messenger at the market cross of the burgh of Linlithquow for the lordship of Linlithquow; witnesses, Robert Ker, notary, Robert Bynne, messenger, and John Findlasoun.

12th June 1594.  
Another copy of the foregoing letters.

18. Another copy of the same letters directed to John Allane, messenger, with note of executions on the back thereof, (1) on 23rd June, 1594, by the said John Allane at the market cross of the burgh of Selkirk; witnesses, Symon Scot of Bonitoun, James Scot of Quhit-hope, James Scot, burgess of Selkirk, and George Michalhill, also burgess thereof; and (2) on 24th June, 1594, by Daniel Boill, messenger, and John Strachachan, messenger, at the market cross of Duns; witnesses, Cuthbert Home in Duns, Cuthbert Hendirson there, and Thomas Balfour.

12th June 1594.  
Another copy of the same letters.

19. Note of execution on 23rd June, 1594, by John Allane, messenger, at the market cross of Selkirk, as noted above, save that here it is added that Selkirk is the head burgh of the shire within which the King's proper lands of Ettrik Forest and lordship of Selkirk, sometime belonging to William, Earl of Angus, lies. (Signed) J. Allane, messenger; w<sup>t</sup> my hand.

23rd June 1594.  
Note of execution of the same letters.

- 24th June 1594. 20. Note of execution on 24th June, 1594, by William Kaling, messenger, at the market cross of Linlythquow, as noted above. (Signed) William Kaling, messinger. Miscellaneous Papers.
- The same. 6th September 1594. 21. Extract of act of caution dated at Edinburgh, 6th September, 1594, by James Maistertoun, merchant burgess of Edinburgh, for John Murray of Tuchadam, in £500 that he will not molest Henry and James Richardsoun, burgesses of Stirline, nor their wives, children, servants and goods. Extracted from the book of Acts and signed JOANNES SKENE, Cls. Regri., etc.
- Caution by James Master-  
ton, merchant  
burgess of  
Edinburgh,  
for John  
Murray of  
Tuchadam.  
10th Novem-  
ber 1599. 22. Original bond of caution by Adam Fairnlie of Boge for David Fairnlie, son of the deceased John Fairnlie of Over Mynock, noted in vol. vi., p. 632.
- Caution by Adam Fairnlie  
of Boge for  
David Fairnlie.  
25th Novem-  
ber 1599. 23. Original bond of caution by Arthour Gairdin of Banchorie and John Collison of Auchdowneis, as noted in vol. vi., p. 632.
- Caution by  
Arthur Garden  
of Banchory  
and John  
Collison of  
Auchdowneis.  
27th Novem-  
ber 1599. 24. Original bond of caution by John Irvyng of Kyncowsie for Alexander Irwing of Drum, noted in vol. vi., p. 631.
- Caution by  
John Irvine of  
Kyncowsie for  
Alexander  
Irvine of  
Drum.  
30th Novem-  
ber 1599. 25. Original bond of caution by Andrew Gray of Kingornie, for John Allardes, younger of that Ilk, as noted in vol. vi., pp. 632, 633.
- Caution by  
Andrew Gray  
of Kingornie  
for John  
Allardyce,  
younger of  
that Ilk.  
18th December  
1599. 26. Original bond of caution by Robert Semple of Fulwod, for John Wod of Mildovine, as noted in vol. vi., pp. 636, 634.
- Caution by  
Robert Semple  
of Fulwood  
for John Wood  
of Mildovine.  
22nd Decem-  
ber 1599. 27. Original bond of caution by William Lawder of Quhitsled and Mr Alexander Hamiltoun of Drumcorse as his cautioner, for the indemnity of Elizabeth Lawder and others, as noted in vol. vi., p. 634.
- Caution by  
William  
Lander of  
Quhitsled and  
Mr. Alexander  
Hamilton of  
Drumcorse for  
Elizabeth  
Lander.  
22nd Decem-  
ber 1599. 28. Original bond of caution by James Weymis of Bogy, in reference to the house of Dunbog, noted in vol. vi., p. 633.
- Caution by  
James Wemyss  
of Bogy in  
reference to  
the House of  
Dunbog.  
October 1602. 29. Copy of the General Band as printed in vol. vi., pp. 825-828. (Torn and imperfect.)
- Copy of  
General Band. 30. "Signatura. Act of Counsall 8 Martij, 1603.  
Ane chartar maid be his Majestie of the date of Halyruidhous, 6 January, 1587, to umquhill James, Lord of Doun, of all and sindry particular tounis and landis, etc., thairin conteinit unitit in ane barony and lordship callit the lordship of Doun for the fewferme dewtyey theirin exprest and for the office of stewartrie of Menteith and custodie of Doun, forrestis and woddis of Glenfinglas and utheris wodis and schawis thairin expremitt, with the fishings of Loch Vannaquar and Loch Lipnoch and of the wateris of Teith and Guddie, ane penny blench, and

Miscellaneous  
Papers.

for the advocatioun and patronage of chapellanryes ane penny blench.—8th March 1603.  
*Tenet pro maxima parte*, for this hes the word fewferme mair nor the  
uther in the halding.

“Ane anterior charter, 6 Martij, 1563, of the fyve merk land of Doune,  
Cultintogill, fyve merk land of Brokland and of sundry utheris specifeit, granting all  
alsweill thairintill as in the said charter of the foirnamit lordship.—lands, etc.,  
This wantis out of the act. contained therein.

“Ane chartour maid be our soverane lordis father and mother, Charter of the  
20 Junij, 1566, of the erldome of Murray containeing thairintill all and Earldom of  
sindry the, etc., thairin specifeit, togidder with the salmond fischings in Murray by his  
the wattiris of Spey, Findorne, Slewpule and Lossie with the custumes Majesty.  
thairof, the borrowmaillis and custumes of Elgyn and Fores and Castel  
of Darneway, and alse of all and hail the landis and lordship of Abirnethy  
and all and hail the landis and lordship of Stratherne, viz., the landis of  
Pettie, Brachlie, and Stratherne, the milne of Conage, the tour of Hallhill,  
the toun and tour of Cullard, the Brodland, the half land of Holme, with  
the fischeing in the wattir of Nys.—*Tenet*.

“Item, all and sindry charteris of the Erledome of Buchane, lordshipis Charters of  
of Ochtirhous, Glendovachie, etc.—This is not in the signature. the Earldom  
of Buchan.

“Item, ane charter maid be umquhill Patrik, Bischop of Murray, to Charter by  
the Erle of Murray, 10 Aprill, 1568, of the toun and landis of Spynie the deceased  
and utheris thairin contenit.—Spynie is not namit in the act, bot it Patrick, bishop  
aggreis with the signature in the generall. Item, the act beiris—of Murray, to  
and all utheris charteris, of quhatsumever landis, etc., of the bischoprik of the Earl of  
Murray. Murray of the  
town and lands  
of Spynie, etc.

“Ane charter 13 Julij, 1569, be Robert Innes of the toun and landis, Charter by  
callit Bischopis milne and milne thairof, multures, etc., the landis callit Robert Innes  
the aikeris with the four cott houses adjacent, the landis of Pettintreich of the town  
liand in the barony of Spynie and shirefdome of Elgyne, the corne- and lands  
mill, etc.  
milne of Kynnedour, with the bischoppis confirmation, 14 July,  
1569.

“Ane charter be Johne, Abbot of Lyndoris, to umquhill my Lord of Charter by  
Murray, of Eister Fintrayes and Westir Fyntrayis, medow thairof, lochis, John, Abbot of  
stankis and maner place of Fyntrayes, yardis thairof, Wod of Garvok and Lindores, to  
fisching upoun Done, all and sindry the landis of Langcruik with pendicles the late Lord  
and pertinentis liand in the baronye of Fyntrayis and regaltie of of Murray of  
Lyndoiris, November, 1560, with the confirmatioun thairof be the Quen, Easter  
Fintrayes,  
Wester  
Fintrayes, etc.  
Marche, 1565.—In the act generallie the charteris and infetmentis of  
the landis of Fyntrais and utheris thairin specifeit with wodis, etc.  
“Quhilk confirmatioun confirmes also ane uther charter maid 20 Martij,  
1557, be umquhill Johne, Commendatour of Coldinghame, of all and  
sindry the landis of Fischewik with the poirtis, loches and fischings thairof  
in the wattir and river of Tweid with the of Sant Eweburgo  
St Ebbis burgh liand in the barony of Coldinghame, quhilk few  
charter is now also ratifeit.—Thair is nothing heiroy in the act of  
Counsall.

- Charter by Patrick, Commendator of Lindores. "Aue uther charter be Patrik, Commendatour of Lyndoiris, of all and haill the aucht pairt of the Halton of Fyntray and aucht pairt of the wod, with the pertinentis, upoun Andro Pitcarnes resignatioun. Miscellaneous Papers.
- Charter by James Hervie, advocate. "Ane uther be James Hervie, advocat, of four oxingait of the said toun of Haltoun extending to the xvj pairt of the said toun, with the xvj pairt of the wod callit the wod of Garvok, 9 May 1591.
- Charter by the Abbot of Inchcolm. "Ane charter be the Abet of St Columbus Inche of the landis and barony of Baith contening the landis of Craigbaith, Kirkbaith, Bathillokis, Scheillis, Hiltoun, Eistertoun and Nethertoun, Muirtoun, Coillheuchlandis, coilheuch thairof and milne of Baith, &c., liand in the schirefdome of Fyf, with the confirmatioun heiroy be the Quein.
- Another charter by the same. "Ane uther charter be the said abbot of the landis of Killery, the milne callit Paskar milne, with Fyf and Cramond milne within the schirefdome of Edinburgh, the landis of Duddingston within the schirefdome of Linlithgow, and the landis of Clarveston within the schirefdome of Edinburgh.
- Divers charters of the lands of Newtown, etc. "Diverse charteris of the landis of Newtown, Tuthillhill, Seysyd and Caik Inche, ane aiker of land bewest the brig of Abirdour and milne of Abirdour with multuris, &c., the landis of Donybirsell, Barnehill and Grange with thair pertinentis and of nyntein aikeris land thairin specifeit, Eister and Wester Baclavies, Killery, of all and sindry the landis of Croftgarie and Brago, liand in the barony of Baith, the landis of Muirtoun, Knoksydrum, of all and hail Paskar milne with multuris and suckin, and pasturage on the landis of Killery within Fyfe, and also of the landis of Clairnestoun within the schirefdome of Edinburgh, twa oxingait of the said Abbotis landis of Duddingston within Linlythgowshyre, of the Isle of St Colme monastery or abbey place with houses, dowercattis and cunyingairis.—Act of counsall; All charteris and infettmentis grantit be the Commendatouris of St Colmes for the tyme to James, now Erle of Murray, his authouris and predicesouris, of the landis and barony of Baith, Downybirsell, Grange, Barnehill, Baclaveis, landis and aikeris of Abirdour west the burne thairof, milne of the samyn and of sundry uther landis, coilheuchis and uther pertening to that abbacie liand within the schirfedomes of Fyfe and Edinburgh, generallie of quatever dait or daittis.—Nothing heir of Duddingston nor uther thing within the schirefdome of Linlythgow.
- "Signatour. The landis of the Bischoprik.
- "That the custumes of the salmond fischingis within the schirefdome of Murray nor the custumes and borrowmailis of Elgin and Forres be nawayis dissolved.
- "Drawing bak of this ratification to the dait of the first infettments notwithstanding ony act of Parliament or uther warrant or preceeding impediment or ony richt whilk the King mycht pretend, and notwithstanding any decreit or protestation obtaned on the King or his officiariis whilk the King renunes. Ratifies this dissolution and draws it bak to the dait of the charters *cum supplemento omnium defectuum*.

Miscellaneous  
Papers.

"Dissolution of the landis from the abbayis and bischopriks that they may be disposed to the Erle of Murray. Grants to the Earl of Murray.

"Reservand onlie to the King the fewferme dewties or convertit pryces thair of.

"Taxed wairds for foure hundreth merkis and taxed mariage for twa thousand merks.

"Command to the Kingis officiars to re-enter the Erle to his possessions of lands, fisheings, borrowmaills and custumes.

"That the lands sall be haldin be the Erle of the King notwithstanding any erections of abbacies or annulling the annexation of bischopriks.

"That this ratification be als sufficient as gif all the chartouris wer insertit thairin."

31. "[Please] your Lordship, I resaveit your lordships letter and delyverit the uther letters to M<sup>r</sup> Nathaniel [U]dward with the houe that mater salbe brocht to sum goode poyntes. Thair [is] ane petition exhibited to the King in that mater by the Maister [of Re]queists. At the Kings direction it wes remitted to me I enterit . . . Windsoire the last oulk with his Majestie anent that mater . . . pleadit your lordships just richt ye had to mell with that schip. The Kings ansuer wes this, 'I beleive my Lord Newbottle will do no wrang; if he hes done any, he is one of my maist responsall and ansuerabill to the lawes of ony subject I haif thair, and thay may recover befor the ordiner judge reparatioun of any wrang he hes done. Alwayes ye sall wryte ane letter to the Consell willing thame to tak tryall in the mater and to certifie me quhat is the haill progress of that mater. According to this I wrett ane letter and delyverit it to him that wes the presenter of the petition. At thair nixt meiting with M<sup>r</sup> Nathaniel Udward thay wald haif affirmed that thay had ane cloised letter with direction to the Consell to delyver schip, goodes and all. I haif declaireit to M<sup>r</sup> Nathaniell quhat wes conteinit and offerit, quhensoevir thay wald meitt, to oppin the letter to thame that thay nicht reid it. I hoipe it salbe brocht to ane goode middes. As for your lordships turne, if my Lord Dumber wald tell the treuthe he culd schaw how gude ane remembrance I wes of him. Lett him renew his promise to do it at his returne and I will undertak for him and be ansuerabill it salbe done. Your lordship wald continew to be officious to him. Thair is one mater that I mon haif your lordship to advyise quhich way ye think meitest to give sum contrair assurance to that opinioun that is apprehendit of your lordship that ye ar ane stark puritane. This your lordship will keip to your self and advertise me quhat way ye intend to certifie the contraire *quoniam pro illis nulla est gratia*. I haif spokin very far in your lordships behalf and hes said far aneuch. Your lordship heiranent will advertise me by [the . . .] quhatevir may concerne your lordship, I protest I sall not be sleuthfull in it . . . plaice in many thingis must be ke[ . . .] the maisteris turne. It may worke

19th July  
1603.  
Letter from  
Alexander  
Hay anent  
Nathaniel  
Udward and  
other matters.

bo[ . . . ] as your lordship sall perhappis know be an[ . . . ] very schortlye, humblye entreating your lordships pa . . . for my bygane silence, my commendationis of service rememberit to my Ladye, my Lord Collectour and the Maister to quhilk tuo [I] wald haif written, if the haiste of this packett had nocht forceit me to cut schort. We ar heir all quyett bot our Abirdeyne conventioun hes angerit us and the ministeris that mett thair must be wairdit. Your lordships humble servitour. (Signed) Alex<sup>r</sup>. Hay, xix July 1603." Miscellaneous Papers.

c. 1604.

Note of execution of royal letters anent kindly tenants and others.

32. Note of execution by Patrick Kinross, messenger of royal letters, dated at Edinburgh, 12th June instant, charging "all and quhatsumever kyndlie tennentis and possessouris of propertie within this realme, as also all foirfaultit personis and thame in speciall contenit in the foirsaid daitit letters," to appear at Edinburgh on 4th July next, and there "to mak thair securiteis, compone and aggrie for thair rowmes, upone sic payment and dewteis as the Lordis of Counsall quhome his Hienes hes appointed to decerne upone sall advyse and conclude upone." Done at the market cross of Stirling, before witnesses, Anthony Bruce, portioner of Livelands, David Forrester of Logie, and Robert Alexander, burgess of Stirling. (Signed) "Patrick Kynross, messinger."

13th December 1604.

Letter from John, Earl of Cassillis, praying that he may be released from the Castle of Stirling, where he has been ward for an offence against the Council.

33. Supplication by John, Earl of Cassillis, as follows:—"For ane oversight committit be me in your Lordships presence it pleasit your Lordships to commit me to warde, first within the castell of Blaknes and thairefter within the castell of Striviling, quhairin I haive remanit this lang tyme bigane, albeit it be of veritie that in the particular quhilk fell oute at that tyme I protest befor God I had na intention to have offendit your Lordships, and I am sory that ony thing sould have fallin oute in my persone quhairby your Lordships mycht consave ony offence aganis me, seing I cary a hairt everie way disposit to serve his Majestie and to honnour your Lordships in that plaice quhairin his Majestie hes placeit your Lordships, and will imploy my hail moyane to assist your Lordships in all thingis tending to the furtherance of his Majesty's service and repressing of quhatsumever insolenceis and indigniteis to be offerit in prejudice of the majestie and honnour dew to that place quherin his Majestie hes settled your Lordships. And seing I have mony grite and wegthie effearis and adois at hame, especialie anent the setling of sindrie troublis in thay boundis, quhilkis be my absence ar lyke to grow to a greitar hicht, besydis the ordour taking with sindrie of my awne particulairis quhairin be my said warding I am very havelie interest and prejudgeit, I maist humblie beseik your Lordships to freith and releve me of my said warde, and for this effect to gif command to the captane, constable and keiparis of the castell of Striviling to put me to libertie and fredome and suffer me pas quhair I pleis, I first finding caution actit in your Lordships buikis that I sall compeir personallie befor your Lordships and ansuer to the

Miscellaneous  
Paper

oversight allegeit committit be me under sic panes as your Lordships pleis modifie." [On the back] "*Apud Hadingtoun, xij Decembris, 1604. Fiat ut petitur*, caution being fundin to the effect withinwritin as alsua that this complener sall not repair be eist Lynlythq<sup>w</sup> under the pane of v<sup>m</sup> lib. (Signed) NEWBOTLE; HALYRUDHOUS; JO. PRESTOUN; QUHITT-INGHAM; CRANSTOWNRIDDELL; TRAKQUAIR; I have ressavit cautionoun conforme to this delyverance, J. PRYMROIS; M. R. YOUNG."

34. Note of execution by William Symson, messenger, of summons at the instance of David Bettoun, fiar of Balfour, against Sir James Scot of Balwerray, knight, to appear before the Lords of Council at Holyroodhouse or wherever they may be for the tyme, on 2nd April. Done at the market cross of Kirkcaldy; witnesses, James Law, George Hegys, bailies, and Robert Hall and Andrew Trumbill, officers, and others; also at the dwelling place of the said Sir James Scot of Balwerray; witnesses, David Law and William Symson, messenger, and others. (Signed) "William Symson, messenger, with my hand."

29th March  
1605.  
Note of execu-  
tion of sum-  
mons at the  
instance of  
David Beaton,  
fiar of Balfour,  
against Sir  
James Scot of  
Balwerray.

35. Summons directed to James Rutherford, messenger, narrating that complaint has been made by William and George Grimsley, sons of the deceased Harry Grimsley of Little Newtoun, that they, having been apprehended by the bailies of Hawick for the slaughter of Robert Turnbull in Halroull and committed to their tolbooth for a few days, were by the direction of the Lords of Privy Council transferred to the tolbooth of Edinburgh, where they still remain, and they are informed that their party has no intention of insisting in their prosecution but desire only to bring them into excessive expense and to utter wreck and undoing by keeping them in perpetual ward. Charge is therefore to be given to the widow, children and brothers of the slain man to prosecute the complainers before the Justice within fifteen days, otherwise the complainers will be released. Dated at Edinburgh, 17th May, 1606, and signed JA. PRYMROIS. [Cf. vol. vii., p. 213.]

17th May  
1606.  
Summons  
directed at  
the instance of  
William and  
George  
Grimsley,  
against the  
widow and  
children of  
Robert  
Turnbull in  
Halroull, of  
whose slaugh-  
ter they are  
accused, and  
on which  
charge they  
are warded in  
the Tolbooth  
of Edinburgh.

36. Note of execution by James Rutherford on 19th May, 1606, of the immediately preceding summons against Grizel Turnbull, widow of Robert Turnbull of Howe, Robert Turnbull, his eldest son, and Gawin Turnbull in Howe and Hector Turnbull in Steneledrig, brothers to the said deceased Robert, at their dwelling places; and also on the same day at the market cross of Jedburgh; witnesses, John Crystisoun and Andrew Hietoun, servants in the Nutoun, and George Mirscop, bailie in Jedburgh, and Robert Turnbull and William Allesoun, burgesses there.

19th May  
1606.  
Note of  
execution of  
the above  
summons.

37. Supplication by Alexander Cunynghame at the mill of Cathcart and James Craufurd in Hagthornehill, as master, and Patrick Crawford and Andrew Smythis, his servants, as follows:—Gabriel Semple of Cathcart, "haveing consavit ane deadlie malice and haitrent aganis us

2nd February  
1607.  
Supplication  
by Alexander  
Cunynghame  
at the mill of

Cathcart and  
James Craw-  
ford in  
Hagthornhill  
for summons  
against Gabriel  
Temple of  
Cathcart.

without any just caus of offence offerrit be us to him, hes be all meanes Miscellaneous  
Papers.  
socht occasioun to execut thair [*sic*] privat grudge agains us. As namlie  
upoun the            day of December last bipast he come [to] the ground  
of the saids lands of            and their maist barbourislie with ane drawin  
sword cuttit and houckit ane kow pertening to me, the said Alexander  
Cunynghames, and, not contenting himeselff thairwith, upoun the xx  
day of Januar last bipast come to that pairt of the landis of Cathcart  
pertening to me, the said James Craufurd, in tak and assedatioun, quhair  
my saids tua servandis wer gangand at my said pleugh in quyat and  
peaceable maner and thair . . . sett upoun thame, and with ane  
drawin sword invadit and persewit thame of thair lyfes, hurt and  
woundit me the said Patrik Craufurd in diverse pairtis of my body to  
the effusioun of my blood in great quantitie, and gave mony bauch and  
blae straikis to me, the said Andro Smyth, and left us lyand for dead.”  
They crave summons against him.

[On the back] “*Apud Edinburgh, secundo Februarij, 1607. Fiat ut  
petitur.* (Signed) S. R. COKBURNE.”

2nd February  
1607.

Supplication  
by James  
Crocket in  
Blaiklaw and  
John Thomson,  
his servant,  
for summons  
against James  
Haugh, whom  
they accuse of  
assault.

38. Supplication by James Croket in Blaiklaw and Johne Thomesoun,  
his servant, for his interest, as follows:—On 2nd June last the said John  
Thomson was keeping his said master's goods on his own lands in quiet  
manner, “lippyning for na harme, trouble nor injurie of ony personis,”  
when James Hauch, portioner of the Mains of Rattray, “haveing lang  
of befor consavit ane haitrent and malice aganis me, and thinking that  
tyme maist meit for him to put his intendit purpois to executioun  
aganis me, he maist schamefullie, cruellie and unmercifullie invadit and  
persewit me of my lyff with ane grite bandit stauff and thairwith brak  
my thie baine in peiceis, to the grite hasard and perrell of my lyff, lyke  
as continewalie sensyn I have lyne, as I do zit, bedfast in grite dolour  
and pane unable to do ony kynd of service.” They therefore crave  
summons against the said James Hauch.

[On the back] “*Apud Edinburgh, secundo Februarij, 1607. Fiat ut  
petitur.* (Signed) S. R. COKBURNE.”

3rd February  
1607.

Supplication  
by David Dew  
in Dunlapie  
and his spouse  
for summons  
against George  
Davidson in  
Dunlapie, and  
others, whom  
they accuse of  
assault.

39. Supplication by David Dew in Dunlapie and            his spous,  
as follows:—They being in quiet and peaceable manner in their own  
dwelling house in Dunlapie, “lippning for na harme, injurie nor oppres-  
sioun to have bein offerrit to us be any persone, it is of treuth that  
George Davidsone in Dunlapie, William Proffeit, elder, and William  
Proffeit, younger, thair, William and            Andersones thair, and David  
Smyth thair, upoun a malice consavit be them aganis us, upoun the xx  
day of December last, bodin in fear of weare, with swordis, quhynyeris,  
gantaltis, halbertis and utheris vapouns invasive, come to oure said  
hous, violentlie brack up the dur thairof, enterit within the same, first  
cruellie and unmercifully with great rungis strack and dang me, the  
said David, and gaffe me mony bauch and bla strak thairwith, and

Miscellaneous  
Papers.

thairefter band me with ane cord and keipit and detenit me captive as prisoner be the space of            dayis; as lyikwise schamfullie and un-honestlie patt handis on my said wyff and bairnis, dang thame with thair neivis and feit and perforce pat thame furth of thair said hous, and will not suffer us enter agane within the samen." They crave summons accordingly.

[On the back] "*Apud Edinburgh, tertio Februarij, 1607. Fiat ut petitur.* (Signed) S. R. COKBURNE."

- 40. Supplication by William Douglas of Eirlismylne, for himself and 3rd February 1607.  
as master and near kinsman to the deceased John Douglas, his herd and servant, with the rest of the kin and friends of the said John, as follows:—  
On 1st November, 1605, Duncan Mc Mertene of Lethrinley, and Donald and Ewne Mc Mertines, his brothers, were put to the horn at the instance of the complainers for not finding caution in the books of Adjournal to compear before the Justice and his deputes to underlie the law for stealing from the said William Douglas's lands of Auchindaver thirty-six oxen, twenty ky with calf, ten horses, sixty sheep, and twenty goats pasturing thereon, and for the cruel slaughter of the said John Douglas who was tending the goods. The offenders being men, tenents and servants of George, Marquis of Huntly, he by law ought to present them to justice to be punished; and they therefore crave letters charging the said Marquis to produce the said rebels before the Lords.

[On the back] "*Apud Edinburgh, tertio Februarij anno, etc., 1607. Fiat ut petitur.* (Signed) S. R. COKBURNE."

41. Supplication by Isobel Chapman, lawful daughter of the deceased 3rd February 1607.  
Robert Chapman, burgess of Perth, as follows:—On 29th December last Walter Stewart of Innerdonyng was put to the horn at her instance for failing to fulfil to her for herself and as assignee to her mother, Helen Murray, widow of the said Robert Chapman, and Peter Balmanno, now her spouse, for his interest, and Marjory Chapman, the supplicant's sister, and James Murray, her spouse, for his interest, a bond and obligation made by him to them, dated 28th January, 1594, for payment of an annualrent of twelve bolls of victual for certain terms bypast but he still withholds payment. She therefore craves summons against him.

[On the back] "*Apud Edinburgh, tertio Februarij, 1607. Fiat ut petitur.* (Signed) S. R. COKBURNE."

42. Supplication by Andrew Arnot of Caskelpie against David Sib- 4th February 1607.  
bald of Lethame, as narrated vol. vii, p. 310. [On the back] "*Apud Edinburgh, quarto Februarii, 1607. Fiat ut petitur.*" Andrew Arnot of Caskelpie against David Sibbald of Lethame.

43. Another supplication by the foresaid Isobell Chapman desiring letters to be directed to the sheriff of Perth and the provost and bailies 4th February 1607.

Isobel  
Chapman for  
the apprehen-  
sion of Walter  
Stewart.

thereof and all other magistrates in whose bounds the said Walter Stewart, rebel, may be, to apprehend him. Miscellaneous  
Papers.

[On the back] "*Apud Edinburgh, quarto February, 1607. Fiat ut petitur.* (Signed) S. R. COKBURNE."

4th February  
1607.

Supplication  
by John  
Stewart, mer-  
chant burges  
of Perth, for  
summons  
against  
Andrew Cowie,  
notary.

44. Supplication by John Stewart, merchant burges of Perth, as follows:—On 27th January last Andrew Cowie, notary, was put to the horn for failing to produce before the Lords a contract and appointment made between Alexander Mauchline, merchant burges of Edinburgh, Thomas Younger in Coulros, Daniel Bryce in Airth, and Thomas Younger there, on the one part, and George Brice, elder, and George Bryce, younger, on the other part, whereby the former parties obliged themselves to relieve the latter at the supplicant's lands concerning payment of a thousand merks "addetit be thame to him and for thair bettir releif to have maid payment to me of the said sowme and that conforme to ane decrite obtenit be me aganis the said Andro before the saidis Lordis of Counsale of the date the xvij of Febuair j<sup>m</sup>vj<sup>c</sup> and sex yeires." He therefore craves summons against the said Andrew Cowie to compear and answer upon thair rebellion.

[On the back] "*Apud Edinburgh, quarto Februarij, 1607. Fiat ut petitur.* (Signed) S. R. COKBURNE."

4th February  
1607.

Supplication  
by John  
Wilson in  
Godnis that  
David Moncur  
of Pendrich  
find caution  
for the  
supplicant's  
indemnity.

45. Supplication by John Wilsone in Godnis as follows:—He has a tack of a quarter of the town and lands of Godnes and has peaceably possessed the same for a long time, and was "nevir troublit nor molestit thairin quhill of lait David Moncur of Pendrich, upoun a malice consavit be him aganis me, not onlie havelie troublis and molestis me in the possessioun of the saidis landis, bot lyikwise boistis, schoiris and minasses and avowis to have my lyffe, quhairthrou I may neither peaceably labour the saidis landis nather yit saiflie hant nor repair in the countrey for doing of my lawfull effairis without hasard and perrell of my lyfe." He therefore craves letters charging the said David Moncur to find caution in their Lordships' books for his indemnity within six days.

[On the back] "*Apud Edinburgh, 4 Februarij, 1607. Fiat ut petitur,* the within wreattin David Moncur under the pane of ane thousand merkis. (Signed) S. R. COKBURNE."

4th February  
1607.

Supplication  
by William  
Stark, servitor  
to Adam  
Couper, for  
summons  
against John  
Robertson,  
younger,  
burgess of  
Edinburgh.

46. Supplication by William Stark, servitor to Adam Couper, one of the ordinary clerks of Session, as follows:—On 21st January last John Robertson, younger, burges of Edinburgh, was put to the horn at his instance for not paying 500 merks of principal and £50 of expenses contained in his bond. He craves summons accordingly against the said John to compear and defend himself. [On the back] "*Apud Edinburgh, quarto Februarij, anno, etc., 1607. Fiat ut petitur.*" [No signature.]

Miscellaneous  
Papers.

47. Supplication by Sir Thomas Hammiltoun of Monkland, King's 5th February 1607.  
Advocate, as follows:—Divers acts of Parliament have been made by his Majesty for abolishing "all superstitious and popish rites, customes, ceremoneis and observationis usit within this kingdome during the tyme of papistrie, nochtwithstanding it is of treuth that at the tyme of the buriall of umquhile Isobell Auchterlony, Lady Gaicht, quhilk wes upoun the day of the yeir of God j<sup>m</sup>vj<sup>c</sup> and four yeiris, David Wilsone, tenant and occupyar of ane pairt of the landis of Geicht, caried ane crucifix upoun ane spere immediatlie befor the corps of the said umquhile Isobell the haille way to the place of hir buriall and that be the speciall command and directioun of Gordoun now of Gaicht, sone to the said Isobell; lyik as upon the day of the yeir of God j<sup>m</sup>vj<sup>c</sup> and fyve yeiris George Craufurd, now servitour to Hay of Urie, of the speciall causing, command and directioun of the said

Supplication  
by Sir Thomas  
Hamilton of  
Monkland,  
King's Advo-  
cate, for  
summons  
against . . .  
Gicht, for  
papistical  
practices at  
funerals.

Gordoun of Gaicht, bure ane crucifix upoun ane spere at the buriall of umquhile William Gordoun of Gaicht the haille way befor his corps to the place of his buriall; the said Gordoun now of Gaicht being present at both the tymes foirsaidis and assistit this superstitious and popisch custome be his presence, continence and allowance, quhairby, as he hes offendit God, slanderit his kirk and halie ministrie, sua he hes committit a very great contempt aganis our soverane lord and hes violat his Majesteis lawis and actis of Parliament, for the quhilk he and the saidis David Wilsone and George Craufurd aucht and sould be persewit and puneist in thair personis and goodis to the terror [of utheris] to committ the lyik heirefter." He craves summons accordingly. (Signed) "S. TH. HAMILTON."

[On the back] "*Apud Edinburgh, quinto Februarij, 1607. Fiat ut petitur.*" (Signed) S. R. COKBURNE."

48. Supplication by James, Lord Balmerino, President of the Council 5th February 1607.  
and principal Secretary of this kingdom, as follows:—He has possession of the Park of Halierudhous by virtue of rights and securities made to him thereof, but his tenants and servants there are daily molested and oppressed by James Ker in Dudistoun, Richard Carnes there, John Ker, Robert Ker there, James Hay there, John Stanhop there, George Ker in Todrige, James Murray, James Chrychtoun there, Nicol Craige there, Archibald Wauchop there, William Wauchop, John Cuming, George Broun, John Wallace, Michael Wilsone, Thomas Thomsone, David Kilpatrik at the mill of Dudistoun, all tenants of the lands of the park of Dudistoun, Stevin Raa in St. Leonards, James Robesoun in Pleasance, John Hendersone there, John Wilsone there, Jeromy Stevinsone there, Thomas Laurestoun in the Canongate, John Heriot in Clokmyll, John Baxter in Restalrige, John Huntar there, and Mr John Hart in the Canon-gate, "quhilkis personis, be thame selfeis, thair tenentis and servandis in thair names, of thair speciall causing, command and directioun imputtis, haldis and pasturis thair saidis goodis [bestiall] within the said park,

Supplication  
by James, Lord  
Balmerino,  
President of  
the Council,  
that James  
Ker in  
Duddingstone  
and others be  
compelled to  
find caution  
not to invade  
his rights to  
the park of  
Holyrood-  
house.

castis down the park dykis, braikis up the yettis thair of, castis fail and deviotis within the same and makis the girse of the said park altogether unprofitable to me, to my havie hurt and prejudice." He therefore craves letters charging them to find caution in their Lordships' books within six days, for securing him and his servants from molestation. Miscellaneous  
Papers.

[On the back] "*Apud Edinburgh quinto Februarij, 1607. Fiat ut petitur*, George Todrig and M<sup>r</sup> Johne Hairt, ather of thame under the pane of j<sup>m</sup> merkis, James Lies, Richard Cairnis, Johnne Ker, Robert Ker, James Kay, Johnne Stenhop, James Creichtoun, Nicol Craig, Archibald Wauchop, Williame Wauchop, Johnne Young, George Broun, David Kirkpatrick, ilkane of thame under the pane of v<sup>c</sup> lib and ilkane of the remanent personis within complenit upoun v<sup>c</sup> merkis. (Signed) S. R. COKBURNE."

6th February  
1607.  
Alexander  
Mowat for  
summons  
against  
Andrew Mowat  
of Swynzie.

49. Supplication by Alexander Mowat, as follows:—On 23rd July, 1605, Andrew Mowat of Suynzie was put to the horn at his instance for not paying to him ten pounds for each of fourscore bolls of oatmeal due by his bond, and he still remains thereat. He therefore craves a summons against him.

[On the back] "*Apud Edinburgh, vj Februar, 1607. Fiat ut petitur*. (Signed) PETER ROLLOK."

6th February  
1607.  
Supplication  
by Ninian Hog  
of Blarydene  
for lawburrows  
from Thomas  
Fraser in  
Pitquotins, and  
George Fraser  
in Corsquie.

50. Supplication by Ninian Hog of Blarydene, as follows:—Thomas Fraser in Pitquotins and George Fraser in Corsquie, having conceived malice against him, daily and continually "bostis, minassis, schoris and avowis" to have his life, and will not fail to take some "unhonnest advantage" of him as they may find occasion, so that he cannot resort in the country. He craves they may be cited and placed under caution of lawburrows. Cf. vol. vii, pp. 314, 315. On the back, "*Apud Edinburgh, sexto Februarii, 1607. Fiat ut petitur*, athir of thir personis within complenit upoun undir the pane of j<sup>m</sup> merkis. S. R. COKBURNE."

6th February  
1607.  
Archibald,  
Earl of Argyll,  
against Harry  
Stewart of  
Barskimming.

51. Supplication by Archibald, Earl of Eryll, against Harry Stewart of Barskymming, as narrated in vol. vii. p. 336. On the back "*Apud Edinburgh, sexto Februarij, anno 1607. Fiat ut petitur*. S. R. COKBURNE."

6th February  
1607.  
Supplication  
by Walter  
Grahame in  
Mossop for  
summons  
against James  
Johnstone in  
Chappell and  
others, whom  
he accuses  
of assault.

52. Supplication by Walter Grahame in Mossop, as follows:—On May last he was in the town of Moffat, "doing certane my lesum effairis, and, efter the dispatche thair of, I being in sober maner passing furth at the wast end of the said town, lippyning for na harme, trouble nor injurie of ony personis, it is of treuth that James Johnnstoun of Chappell, Thomas Johnnstoun of Corheid, with others thair complices, all bodin in feir of weir, with swordis, lang staulffis, gantellatis and others waponis invasive, haveing dernit thame selfis at the said toun and attending my bycomeing, and, how sone they persavit

Miscellaneous  
Papers.

me, they maist schamefullie, cruellie and unmercifullie invaidit and persewit me of my lyff with drawin swordis for my bodelie harme and hurte, and woundit me in the rycht airme and utheris pairtis of my body to the effusioun of my blude in grite quantitie; lyke as they had not faillit to have slane me, wer nocht they wer stayit be certane personis thair present for the tyme. And, not content thairwith, upoun the last day of December thereafter, I being in the dwelling house of Andro Sampsoun in Ammigshaw in sober maner, lippyning for na harme, trouble nor injurie of any personis, it is of treuth that the saidis William Carmichael

enterit within the said house or evir I wes wer of thame and maist schamefullie, cruellie and unmercifullie invaidit and persewit me of my lyff with drawin swordis and slang ane quhin-year at me of purpois and intentioun to have slane me thairwith wer nocht," etc. He therefore craves a summons against them.

[On the back] "*Apud Edinburgh, sexto Februarij, 1670. Fiat ut petitur.* (Signed) S. R. COKBURNE."

53. Supplication by Sir Thomas Hamiltoun of Monkland, knight, 7th February 1607. King's advocate, for his Majesty's interest, and Sir George Elphinstoun of Blythiswode, knight, and Mr George Stirling for their interests, as follows:—There have been many good acts of Parliament made by his Majesty and his predecessors "anent the staying of all tumultis and unlauchfull meitingis and convocationis within burgh and anent that modest, quyet and peceable behaviour quhilk becometh civile and honnest citizenis to cary within burgh," by which acts all ranks and degrees of persons are forbidden to assemble together upon any pretext whatsoever, except they duly intimate the lawful causes of such meetings to the provost and bailies of the burgh and obtain license thereto, and allow nothing tending to the derogation of the acts of Parliament for the good government of burghs to be done at the said meetings; as also there have been many good acts of Parliament, Convention and Secret Council made against bearing and wearing hagbuts and pistolets. Nevertheless, on 26th January last, John and Thomas Clogyis and Umphra McCalpine, indwellers in Glasgow, "bodin in feir of weir with hacquebutis, pistollettis and utheris waponis invasive come under cloude and silence of night to my duelling house in Glasgw and dernit thame selffis covertlie and obscurelie aboute my said house, attending and awaiting my outcomeing upoun sett purpois and provisioun to haif slane and mordreist me, and, efter thay had remanit a lang space aboute my house, finding no appearance of my outcomeing and persaveing Mr George Stirling, my neir kynnisman and servand, comeing to my house, thay moist feirsleie and cruellie sett upoun him and or evir he wes war of thame invadit and persewit him of his lyffe, dischargeit tua pistollettis at him, wherwith thay schoit away the taillis of his doublatt, and tharefter the said Umphra invadit him of his lyffe with ane drawne sward and hurte him thairwith in the hand sua that he eschaiped very

Supplication  
Sir George  
Elphinstone of  
Blythswode  
for summons  
against  
Thomas  
Clogyis and  
Humphrey  
McCalpine,  
indwellers in  
Glasgow, whom  
he accuses of  
seeking his  
life.

narrowlie with his lyffe. And, not contenting thame selffis with this barbarous and detestable fact committit under silence of nycht, as said is, and continewing constant in thair former resolutioun to haif my lyffe, thay immediatlie that same nycht associat unto thame selffis Niniane Andersoun, deacone of the cordinaris, Thomas Fawsyde, deacone of the baxtaris, Alexander Cauldwell, deacone of the skynnars,

Miscellaneous  
Papers.

with utheris, thair compliceis, to the number of tua hundreth personis, quha wer all attending and awaiting upoun the event of the first persute and invasioun, of purpois and intentioun to haif assisted the said Clogyis and McCalpine in caice thai had bene persewit or that ony resistance had bene maid unto thame; bot being by the providence of God thair barbarous and detestable purpois misgaif thame, the foirsaidis haill personis than assemblit and amassit thame selffis togidder with a resolute purpois and determinatioun to have assaileit myne the said Sir George house and to have mordreist and slane me within the same; and after a lang conference and dispute amangis thame selffis anent the forme and maner of the brasheing of my house, and finding that thair wald be ane very great difficulty in that mater and that goodlie thai could not come to thair intent, thay dissolvit for that nycht with mony promisses, vowis and protestationis to do thair turne upoun the second day thairaftir following. And for this effect the foirsaid deaconis and the said Niniane Andersoun, usurping upoun him the name of deacone convenair, directit Symon Baird, generall officer for the craftis, to warne the haill craftis to be in reddines upoun the morne thairefter in thair best aray to assist thair deaconis in sic interpryisses as thai had to be put in executioun that day, whilk wes to persew me, the said Sir George, of my lyffe; bot it pleased God, who is the protector of the innocentis, to frustrat and disapoint lykwise that thair interprise. Quhilkis haill personis abonewrittin wer principall authoris, divisars and personall executouris of the formar troublis whilkis fell oute within that burgh, and of the persute and invasioun of some of your Lordships honnorable number who wer within the citie of Glasgw for the tyme; lykeas, thai being callit and convenit for the same, they wer be a very famous tryell convict gilty and wardit for the same, bot the great lenitie shawin to thame at that tyme hes encourageit thaim, upoun the hoip of the lyke oursyght, lenitie and impunitie in all tymes heirefter, to committ this new insolence and ryot and to violat the lawis and actis foirsaid, for the whilk thai aucht to be persewit and punist in thair personis and gudis to the terrour of utheris." They therefore crave summons against them. (Signed) "S. Th. HAMILTON."

[On the back] "*Apud Edinburgh, septimo Februarij, 1607. Fiat ut petitur.* (Signed) S. R. COKBURNE."

9th February  
1607.  
Supplication  
by Thomas

54. Supplication by Thomas Fraser in Pitquottines and George Fraser in Corsquie, as follows:—Ninian Hog of Blarydryne and Ninian Hog, his son and apparent heir, "haveing consavit ane deidlie haitrent

Miscellaneous  
Papers.

and malice aganis us, causes daylie and continewalie boistis, minassis, schoris and avowis to have our lyffis and will not fail to tak sum unhonnest advantage of us as they may find the commoditie." They therefore crave letters charging the offenders to find caution for their safety within fifteen days.

[On the back] "*Apud Edinburgh, nono Februarij, 1607. Fiat ut petitur*, the said Niniane Hog, elder, j<sup>m</sup> li., and his sone j<sup>m</sup> merkis. (Signed) S. R. COCKBURNE."

Fraser in  
Pitquottines  
and George  
Fraser in  
Corsquie for  
letters of  
caution from  
Ninian Hog of  
Blarydryne  
and Ninian  
Hog, his son.

55. Supplication by David Cumming in Ardormie and Archibald and John, his sons, against Lawrence Reid in Ardormie, William, his sen, and Patrick, William and George Reid, his brothers, as narrated in vol. vii., p. 326. On the back "*Apud Edinburgh, nono die mensis Februarij, 1607. Fiat summonitio ut petitur* to the xxvi day of Februar instant, and to suspend and dischairge *ut infra* quhill the last day of the samyn moneth; becaus the complenairis hes found caution to the effect within writtin as ane act maid thairupoun beiris. S. R. COCKBURNE."

9th February  
1607.  
Supplication  
by David  
Cumming in  
Ardormie and  
his two sons  
against Lawrence  
Reid in  
Ardormie and  
his sons.

56. Supplication by George Bruce of Carnock, as follows:—He has for the past twelve years upheld and maintained a dam upon the common muir of Culross for retaining water to serve the mill of his heugh of Culross, and there is a "watter gang" therefrom to the said heugh, whereof he has been in peaceable possession during the said time, "lykeas the same wes the ordiner course and passage of the watter fra that parte of the muire of Culrois to the sey in all ageis bigane, and the same wes nevir quarrellit, impedit nor stayed, nather yitt wes I interrupted or troublit in my possession thair of and of the said dam nor na questioun moved aganis me thairanent whill now of lait that Johnne Gaw of Maw and his spous and Broun, his moder, upoun what pretens or occasioun I knaw not, bot upoun a malicious humour and dispositioun aganis me, disdaining to quarrell my possessioun be the ordinair forme of law and justice, hes enterit in a very violent and laules course aganis me, hes demolisheit and brokin down my said dam sua that the haill watter quhilk now in winter I had provydit for the service of my heuch in this nixt soumer is lost; lykeas thai have teillit up the said wattergang, and intendis be thir and utheris the lyke violent courses to hasard and perrell the estate of my heuch and to draw me to grite and extraordinair chairgeis and expenses in preserving my said heuch be the force of men and horses wher as of befor the same wes done with watter, to the whilkis violent and insolent courses thay ar encourageit be my patience and peaceable behaviour, and becaus thay knaw that in all my actionis I haif conformed myself to the obedience of the law and that it will not ly in thair power be thair misbehaviour to move me to attempt ony violent or privat revenge, whilk is the onlie bute thay schoit at, that thairby thay may haif some

9th February  
1607.  
Supplication  
by George  
Bruce of  
Carnock for  
letters  
charging John  
Gaw of Maw  
and his mother  
to find caution  
for the safety  
of him and his  
tenants and  
servants, and  
of a certain  
water-way and  
coal-heugh.

mater of complaint aganis me. Alwayes, howevir thay haif behavit thameselfis to me, I will content myselff with the remeid of law and that ordinarie suirtie usuall to be givin be your Lordships to his Majesteis goode subjectis." He therefore craves letters for chargeing the said John Gaw of Maw and his mother to find caution for the safety and indemnity of him and his tenants and servants, and the said watergang and coalheugh, within six days.

[On the back] "*Apud Edinburgh, nono mensis Februarij anno, etc., 1607. Fiat ut petitur*, the said Johnne Gaw of Maw undir the pane of ane thowsand pundis and Broun, his moder, undir the pane of ane thowsand merkis. (Signed) S. R. COKBURNE."

10th February 1607. Violet Tweedy, widow of Harry Bickerton, writer, against James Tweedie of Drummelzier. 57. Supplication by Violet Twedy, widow of Harry Bickartoun, writer, as follows:—On 23rd December last James Twedy of Drummelzier was put to the horn at her instance for a debt of £1000 of principal and £100 of annualrent due for the years 1603-1606, and he still remains thereat. She therefore craves summons against him. [On the back] "*Apud Edinburgh, decimo Februarij, 1607. Fiat ut petitur*. (Signed) S. R. COKBURNE."

10th February 1607. Robert Murray, maltman, burgess of Perth, and [Agnes] Broun, his spouse, against Mr Robert Ross of Cragie, as principal, and Patrick Kynnard, John Broun and Alexander Miller in Cragie, as cautioners, as narrated in vol. vii, pp. 319-320. [On the back] "*Apud Edinburgh, decimo Februarii, 1607. Fiat ut petitur*. S. R. COKBURNE."

10th February 1607. Hector Turnbull of Stanyledge against Robert Scot in Northhous, as narrated in vol. vii, pp. 325, 326. On the back, "*Apud Edinburgh, decimo Februarij, 1607. Fiat ut petitur*. S. R. COKBURNE."

William Allanson, burgess and bailie of Jedburgh, against Walter Turnbull of Badreull, as narrated in vol. vii, p. 333. On the back, "*Apud Edinburgh, tent Februarii, 1607. Fiat ut petitur*. S. R. COKBURNE."

Edward Maxwell of the Isle against Francis Johnstone in Priestwoodside and his brothers. 61. Supplication by Edward Maxwell of the Ile, against Francis Johnstoun in Priestwodsye, John and Thomas, his brothers, and others, as narrated in vol. vii, p. 345. On the back, "*Apud Edinburgh, decimo Februarii, 1607. Fiat ut petitur*. S. R. COKBURNE."

Supplication by Henry Wardlaw of Balmull, chamberlain of Dunfermline, 62. Supplication by Henry Wardlaw of Balmull, chamberlain of Dunfermline, as follows:—As chamberlain of the said lordship he is charged to make payment to James Hay of Kingask, collector general of the taxation, or his deputies, of the sum of £1148 3s. 0d. for the first

Miscellaneous  
Papers.

term's payment of the said lordship, "and, albeit it be providit and appoint be act of Parliament that all prelatis and beneficit personis sall convene thair fewaris, takkismen and pensionairis, and be common consent mak a distribution of the taxatioun of the prelatie amang thame according to the proportioun and frie rent quhilk everie ane of thame hes of the said prelatie, nevertheles the vassaillis, fewairis, takkismen and pensionairis of the said lordship of Dunfermling onnawyse will conveyne with me and gif their consentis to the seting down of ane stent roll and making of ane equall distribution of the taxatioun of the said lordship amang thame without remeid be providit." Therefore he craves letters charging the feuars and pensioners to meet with him in Edinburgh on a certain day for the purpose of making a stent roll for his relief, and failing their compearance that he shall be at liberty according to the act of Parliament to make the stent roll himself.

[On the back] "*Apud Edinburgh, decimo Februarij, 1607. Fiat ut petitur.* (Signed) AL. CANCELLS."

63. Supplication by Janet Boyd, widow of Jonat [*sic*] Watt, burgess of Edinburgh, and liferenter of the lands aftermentioned, as follows:—  
She has the half merk land of Litle Cowcadenis in the barony of Glasgow in liferent, and has possessed the same peaceably for a long time, but, on 17th March last, Elspeth Buchanan, wife of John Galbraith, merchant burgess of Glasgow, and Buchanan, her brother, and other accomplices, "boddin in feir of wear, off the speciall causing, command, directioun and hounding out of the said Johnne Galbraith, come to my saidis landis of Litle Cowcadenis, quhair I had enterit my pleugh for teilling of the same, and, efter diverse injurious and reprochfull speiches utterit be thame agains my servandis gangand at the said pleugh, first with guilleis and quhytillis wiolentlie cuttit the theittis and sydreppis of my said pleugh and nixt houndit and chassit my saidis servandis from the same, schoring and awowing to berefe thame of their lyves, lyik as they haid not failzit to have slene thame of sett purpois, provision and foirthocht felony wer [not] they fled away for saiftie of their lyfes." She therefore craves summons against them.

[On the back] "*Apud Edinburgh, decimo Februarij, 1607. Remittis to the judge ordinar.*" (No signature.)

[Also on the back] "*Apud Edinburgh, decimo 5 Februarij, 1607. Fiat ut petitur.* (Signed) S. R. COKBURN."

64. Supplication by Mr Robert Ker, husband of Helen Grymaslaw, Lady Newtoun, as follows:—On February instant he was pursued and asseged in his house of Newtoun by Ker of Newtoun and his accomplices carrying forbidden weapons, and fearing a disturbance of the peace of the country Sir William Cranstoun, captain of his majesty's garrison, came to the said house, removed the besiegers

for letters charging the feuars of the said lordship to meet with the supplicant in Edinburgh for the purpose of preparing a stent-roll.

10th February 1607.  
Supplication by Janet Boyd, widow of a burgess of Edinburgh, for summons against Elspeth Buchanan, wife of John Galbraith, merchant burgess of Glasgow, and her brother.

10th February 1607.  
Supplication by Mr. Robert Ker for the delivery of his house of Newton.

therefrom, and took the same from him, which is yet detained and kept undelivered to the petitioner. He therefore craves letters for charging the said captain and all other keepers thereof to restore his house to him within six hours, or allege a cause for refusing the demand. Miscellaneous  
Papers.

[On the back] "*Apud Edinburgh, decimo Februarij, 1607. Fiat ut petitur*, or ellis to compeir upoun the xv day efter the charge. (Signed) MONTROISS, COMMISSIONER; AL. CANCELL<sup>r</sup>."

11th February  
1607.  
Supplication  
by George  
Brown of  
Colston.

65. Supplication by George Broun of Colstoun against James Broun, elder, merchant burgess of Edinburgh, as narrated in vol. vii., p. 318. On the back, "*Apud Edinburgh, undecimo Februarii anno, etc., 1607. Fiat ut petitur.* S. R. COKBURNE."

11th February  
1607.  
Supplication  
by James  
Maisterton in  
Beath against  
Patrick  
Halket for  
assault.

66. Supplication by James Maistertoun in Baith as follows:—On 8th February instant, being Sabbath, he being "in the kirk of Dunfermling at the eftirnone's preitching siting besyde the bailleis of the toun of Dunfermling and lippynning for nathing les than ony harme or injurie to have beene offerit to me in that place, being the house of God quhair the hail parriochynnairs wer convenit to his service, notwithstanding it is of treuth that Patrik Halket, brother to Sir Patrik Halket of Pitfirren, being informit that I wes in the said kirk and nocht contenting himselff to await the ending of the preitching bot in contempt of God and of his Majestie resolveing to execute his privat grudge aganis me within the said kirk in the verie meantyme of the preitching, he for this effect addresses himselff directlie towardis the place quhair I wes sitting in the kirk besyde the bailyeis, as said is, and in his going by me he, with his fauldit neve, strak me upoun the face, with the quhilk attempt, in regaird of the tyme and place, I patientlie comportit, houping to have ressaved na forder injurie of him at that tyme, bot he placeing himselff upoun the other syde of the baillie quha sat betuix us awaiting the occasioun to be forder revengit upoun me, sa sone as the minister wes at the prayer, persaveing me at my prayer, having my face coverit with my hatt, he moist schamefullie, cruellie and unhonnestlie er evir I wes war of him, strak me behind my bak with ane durk upoun the heid and hes woundit me deidlie therwith and preissit to have bereft me altogidder of my lyff wer not he wes stayed be the said baillie and certane utheris quha wer sitting in the dask besyde us. Quhilk vyld and detestable fact commitit within the kirk of God in tyme of preitching, as it is maist offensive to God sua is it a insolence verie contemptible aganis his Majestie and of a maist wiked and foull example, the oursicht and impunitie quherof will incurage utheris insolent and lawles personis to commit the lyk, without remeid be providit." He craves summons against the said Patrick to compear and give his oath anent the premises, under pain of exemplary punishment.

[On the back] "*Apud Edinburgh, undecimo Februarij, 1607. Fiat ut petitur.* (Signed) S. R. COKBURNE."

Miscellaneous  
Papers.

67. Supplication by John Stalker in Ava, as follows:—James Drysdale in Ava and William Monteith his son-in-law, “haveing consavit ane deadlie malice aganis me without ony just caus of offence offerit be me to thame, and being suirlye informit that upon the       day of September last I was retourning to my hous from the harvest feild quhair I haid bene all that day wyning my cornes, lippning for na thing les then ony injurie, harme or oppressioun to have bene offerit to me, they thinking that tyme maist meitt for executing thair privat gruge aganis me, lay in waite be the way and as I come by thame sett upoun me and with ane halbert and corne fork cruellie and unmercifully invadit and persewit me of my lyfe, brack my left schulder blaid and arme thair-with and gaff me mony bauch and bla strackis and left me lyand for deid.” He craves summons against them.

11th February  
1607.  
Supplication  
by John  
Stalker in  
Ava against  
James  
Drysdale  
there, and  
another for  
assault.

[On the back] “*Apud Edinburgh, xij Februar, 1607. Fiat ut petitur.*  
(Signed) S. R. COKBURNE.”

68. Supplication by Henry Forbes and William Skene, burgesses of Aberdeen, as follows:—On August, 1598, John Abirnethie, sometime in Caskieben and now in Cairnefeild, was put to the horn at their instance for not paying £8 for each of forty bolls of beir conform to his obligation. They therefore crave letters charging him to compear, or else to be apprehended by the captain of the guard and his property confiscated.

12th February  
1607.  
Supplication  
by Henry  
Forbes and  
William Skene  
against John  
Abernethy.

[On the back] “*Apud Edinburgh, xij Februarij, 1607. Fiat ut petitur.*  
(Signed) S. R. COKBURNE.”

69. Supplication by John Rait, sometime in Silliflat, and Mr David Rait, principal of the College of Abirdene, against Arthur Stratoun, as narrated in vol. vii., p. 327. On the back, “*Apud Edinburgh xij Februarij, 1607. Fiat ut petitur.* S. R. COKBURNE.”

12th February  
1607.  
Supplication  
by John Rait  
and Mr.  
David Rait.

70. Supplication by George Wairdlaw, sheriff clerk of Forfar, as follows:—On 6th February instant, being in his own house in peaceable and quyett maner doing my leasome effairis, lippning that no harme nor injurie to have bene done to me, it is of treuth that Sir David Wod, being in Bonytoun, directit and send       , his servand, to me desyring me to come and speik with the said Sir David, his maister, for certane his effairis, and, suspecting nathing les than that quhilk wes intendit be the said Sir David, I come fra my awin hous the space of half ane myle to him, single myne alene, without any kynd of armour except ane litle gangand staff in my hand, and, how soone I come unto him, first upbradit me with injurious and dispytfull speiches without any occasioun of offence or injurie done be me to him bot simplie laying to my chairge that I haid wreattin ane missive letter at the desyre of his mother quhilk wes directit from his father and mother unto himself, and albeit I did quhat in me lay to have satisfeit him in reasone yit he, not

13th February  
1607.  
“in  
Supplication  
by George  
Wairdlaw  
charging  
Sir David  
Wod and  
others with  
assault.”

contentit him selfe with his injureing of [me] by his contumelious and dispyteful speiches, he and his servandis, quha were in company with him, drew all thair swordis and feirslie and cruellie invadit and persewit me of my life, I haveing no thing to defend myselfe bot ane litle gangand stafe in my hand. And I being at that tyme by the great providence of God, quha is the protectour and defendar of innocentis, fred and releiwit of that appeirand danger, the said Sir David upoun the ellevint of this instant directit Alexander Wod, his servand, to my said duelling hous to berefe me of my lyfe, lyik as the said Alexander come upoun horsbak to my said hous, red about the same, schoutting and provoking me to cum furth, and had not failit to have slain me were not I gave place to his insolence; and I, being a publick officer, may not in peace and suirtie resort and repair in the countrey for dischaarge of my office and serveing of his majesties lieges for fear of my lyfe." He therefore craves summons against them.

[On the back] "*Apud Edinburgh, xij Februar, 1607. Fiat ut petitur.* (Signed) S. R. Cokburne."

13th February  
1607.

Another  
supplication  
by the same.

71. Supplication by George Wairdlaw, sheriff clerk of Forfar, as follows:—Sir David Wod and Alexander Wod and James Fenton, his servitors, "haveing consavit ane deidlie malice aud haitrent aganis me without anie just caus offerit be me to thame, hes not onlie diverse tyme umbesett and persewit me of my lyfe bot also bragis, boistis, schoiris and avowis to have my lyfe, lyik as they will not faile to tak some unhonest advantage of me quhen occasioun sall offer, quhairthrow I being ane publict officer of this kingdome may not saiflie hant and repair in the countrey for the dischaarge of my office and serving of our soverane lordis lieges." He therefore craves letters charging them to find caution within six days.

[On the back] "*Apud Edinburgh, xij Februarij, 1607. Fiat ut petitur,* the within wreittin Sir David Wod, under the pane of ane thousand pundis, and ather of his tua servandis within wreittin under the pane of 2<sup>e</sup> merkis. (Signed) S. R. COKBURNE."

13th February  
1607.

72. Supplication by Adam Menezeis of Enoche, complaining against John, Earl of Wigton, Lord Fleming, etc., Sir James Dowglas of Drumlanrig, knight, William Dowglas, his son and apparent heir, Dowglas, his second son, John Dowglas, his son natural, Sir Robert Dalzell, elder of that Ilk, Sir Robert Dalzell, younger of that Ilk, knight, Sir Robert Creghtoun of Cluny, knight, John Menezeis of Castelhill, Creghtoun, younger of Innerneytie, James Menezeis of Auchinsell, Archibald Menezeis, bailie of Enoche, Archibald Dowglas of Carranhill, Hew Dowglas of Mortoun, William Bel of Blackethous called Ridcloick, Alexander Cairlell of called young Alexander, Adam Cairlell of Bankis, Rany Bel of Godsbrig, Mr Robert Henrysone, minister at the kirk of Durrisdeir, James Mackmathe of , James Creghtoun, brother

Miscellaneous  
Papers.

german to William Creghtoun of Ryhill, and Robert Makghie at the walk mill of Enoche, as follows:—The said Lairds of Drumlanrig, elder and younger, and the said Mr Robert Hendersone, minister, having lately “barbarouslie and inhumanelie raisit the corpis of umquhill William Menezeis, my sone, buryeit within my awin proper ile of the kirk of Durrisdeir, quhilk being tryit be your Lordships decreit wes given in my favouris aganis thame, yit it is of treuthe that the saidis persones and all the uther particular persones abonewryttin hes conceived ane deidly haitrent, rancour and evill will aganes me, and hes oppynlie and privatlie avowit to have my lyffe swa that I dar nocht saifelie repair for doing of my lawfull effairis for just feir of my lyffe; lykeas thai lykewyse intendis to truble and oppress me in the saidis landis of Enoches and teyndis thairof, and be cutting of my wodis and parkis, giveand thairby evill exampill to utheris to commit the lyke.” He craves that they may be charged to find lawborrows within six days.

[On the back] “*Apud Edinburgh, xij Februarij, 1607. Fiat ut petitur*, the Laird of Drumlanrig, elder, four thousand merkis, the Laird of Drumlanrig, younger, iij<sup>m</sup> merkis, the Lairdis of Dalzell, elder and younger, the Laird of Cluny, ilkane of thame, under the pane of tua thousand merkis, the Lairdis of Castelhill, Innernytie, younger, and Auchinsell, and Hew Douglas of Mortoun, ilkane of thame, under the pane of ane thousand pundis, and ilkane of the remanent personis within complenit upoun under the pane of ane thousand merkis. (Signed) S. R. COKBURNE.” [Also signed at foot] “JO. YOUNG.”

73. Supplication by John, Earl of Montrose, and Sir Robert Graham 13th February 1607.  
of Scottistoun, knight, his son, as follows:—On 10th January last John Sibbald, portioner of Kinkell, was put to the horn at their instance for not paying a debt of £309 6s. 8d. of principal and 100 merks of expenses contained in his bond, and he still remains thereat. They crave summons against him.

[On the back] “*Apud Edinburgh, xij Februarii, 1607. Fiat ut petitur*. (Signed) Pr. ROLLOK.”

74. Supplication by Mr James Durhame of Duntervie, as follows:—13th February 1607.  
On 3rd January last James Bannatyne in Moit, John Weir in Southfeild, and Gavin Cleland under the Bank, were put to the horn for not collecting and uplifting the teind bolls, bear and meal, of the kirk and parish of Lesmahagow, conform to the old rental thereof of crop 1604, and paying the same to him, and in otherwise failing to fulfil their agreement with him. He craves summons against them.

[On the back] “*Apud Edinburgh, xij Februarij, 1607. Fiat ut petitur*. (Signed) Pr. ROLLOK.”

75. Supplication by George Edzer, merchant burgess of Dumfries, 14th February 1607.  
Gilbert Greirsone in Little Dempstertoun, Cubert Greirsone there, William

George Edzer  
and others  
against  
William Grier  
of Lag and  
others.

Makfedzeane there, Thomas M<sup>c</sup>Fedzeane there, Bessie Maxwell there, <sup>Miscellaneous Papers.</sup>

John M<sup>c</sup>Kinnay there, and Janet M<sup>c</sup>Chachter there, as follows:—  
William Greir of Lag, William Greir of Dalgono, Thomas Greir, his brother, Gilbert Greir of Dastairt, James Maxwell of Porterak, Robert, John, and Hamour Maxwellis, his sons, Gilbert Greir called Thomas Gibbie, John Haning in Glenguber, and Arthur Cunynghame of Cragnestoun, “haveing consavit ane deadlie malice and haitrent aganis us, not onlie bragis, boistis, schoiris and avovis to have our lyfes bot also havelie trublis and molestis us in the possessioun of our saidis landis [of] Dempstertoun pertening to us heretablie, as our infetmentis maid to us thairupoun beiris, lyik as they will not faile to tak some unhonneat advantage of us quhen occasion sall offer, quhairthrow we may not saifie hant nor repair in the countrey nather yit peaceablie labour and mannour our saidis landis.” They therefore crave that the persons complained upon may be charged to find caution for their indemnity, within six days.

[On the back] “*Apud Edinburgh, xiiij Februarij, 1607. Fiat ut petitur,* the Laird of Lag under the pane [of] j<sup>m</sup>lib., the within wreattin James Maxwell of Porterak, William Greir of Dalgono, Gilbert Greir of Dastairt, and Arthour Cunynghame of Cragnestoun, under the pane of v<sup>o</sup> lib., and ilkane of the remanent persones under pane of iiij<sup>o</sup> merkis. (Signed) S. R. COKBURNE.”

14th February  
1607.

George Edzer,  
merchant  
burgess of  
Dumfries, and  
others against  
William Grier  
of Lag, and  
others.

76. Supplication by George Edzer, merchant burgess of Dumfries, Gilbert Greirsone in Little Dumstertoun, Cuthbert Greirsone there, William M<sup>c</sup>Fegzean there, Thomas M<sup>c</sup>Fegzeane there, John M<sup>c</sup>Kinnay there, as follows:—They possess heretably the lands of Litle Dempstertoun according to their infetments, and for long have enjoyed peace, until of late William Greir of Lag, William Greir of Dalgono, Thomas Greir, his brother, Gilbert Greir of Dastairt, Gilbert Greir called Thomas Gibbie, James Maxwell of Porterak, Robert, John and Hamour, his sons, John Haning in Glenguber, Arthur Cunynghame of Craigneston, “for quhat caus we knaw not intendis by oppin violence to debar us fra the possessioun thair of and to mak the same altogether unprofitable unto us, and for this effect, upoun the ellevint day of Februar instant, they all boddin in feir of weir with swordis, lances, secreitis, plaitsleivis and utheris waponis invasive come to oure saidis landis of Demstertoun, quhair we and our servandis wer gangand at oure pleugh in quyat and peaceable maner, first utterit diverse and many injurious and despytfull speiches aganis us, schoring and avowing to have oure lyfes incaice we lousit not oure said pleugh, and in end forcit and compellit us to leaf the samen, houndit and away chessit our goods and bestiall thairfra and with drawin swordis and lances invaidit and persewit us of our lyfes, hurt and woundit me, the said Thomas M<sup>c</sup>Fegzeane, in diverse pairtis of my body to the effusioun of my blood in great quantitie. They therefore crave summons against them.

Miscellaneous  
Papers.

[On the back] "*Apud Edinburgh, xiiij Februarij, 1607. Fiat ut petitur.*  
(Signed) S. R. COKBURNE."

77. Supplication by Sir James Maxwell of Calderwode, knight, as follows:—He has been charged to make payment of taxation for his lands, viz., xxxs. for every pound land belonging to him for his part of the taxatioun granted to his Majesty's marriage, also xxxs. per pound land for the taxation granted to the baptism of the prince, xls. per pound land for the taxation of 200,000 merks of which the Earl of Lothian was collector, and xxs. per pound land for the taxation of 100,000 merks of which the Duke of Lennox and the Earl of Mar were collectors; all which taxations were duly paid by him, and by virtue of the acts of Parliament and Council anent taxation he ought to be relieved at the hands of his vassals, subvassals, ladies of terce, conjoint fears, and liferenters, but this he cannot obtain. He therefore craves letters against them to pay to him the above taxations, each for their respective lands held from him, within 20 days after the charge, under pain of poinding.

[On the back] "*Apud Edinburgh, xiiij Februarij, 1607. Fiat ut petitur.*  
S. R. COKBURNE."

78. Supplication by William Lymburner, goldsmith, and Simon Stewart, merchant, burgesses of Glasgow, as follows:—Although there are acts of Parliament and Council anent the staying of tumults and convocations in burghs, and for the peaceable and quiet behaviour of citizens, yet Sir George Elphinstoun of Blythiswode, having "throw the occasioun of the lait trouble and discord fallin out betuix the Laird of Mynto and him notour to your Lordships maid ane solempe vow to get us and certane our nychtbouris burgesses of the said burgh hangit; lykeas the said Sir George, alsweill be law as by law, be all indirect meanis hes socht us for our utter ourthrow, as namelie upoun the xxvij day of Januar last, haveing gottin intelligence that I, the said William Lymburner, was past up the hie streit of the said burgh of Glasgow, with certane silver work maid be me to the Laird of Mynto, younger, and knowing that I wes schortlie to returne bak agane doun the said streit, he, accompanyit with the nowmer of fyftene personis or thairby, his associatis, all bodin in feir of weir with swordis, daigeris, gantillatis and utheris wapponis invasive, lay at await for me attending my doun coming; lyk as howsone the said Sir George persaveit me to be comeand doun the said streit he maist feirslie sat upoun me and maist schamefullie, cruellie and unmercifullie invadit and persewit me of my lyff with ane drawin daiger, and stak and dang me thairwith on the shoulder; lykeas sindrie of his saidis associatis drew furth their swordis and maist schamefullie and unhonestlie invadit and persewit me thairwith of my lyff of purpois and intention to have slane me thairwith; lykeas they had not faillit to have bereft me of my lyff wer not they war stayit be

certane our nychtbouris of the said toun quha stayit thame. Lykeas immediatlie thairefter I past to the baillieis of the said burgh to have gotin redress of the injurie and wrang done be the said Sir George to me, the said Sir George, haveing gottin intelligence thair of, associat unto himself the nowmer of fyftie personis or thairby at his awne dwelling house in Glasgow, all bodin in feir of weir with swordis, steilbonnetis, bandit staulfis and utheris wapponis invasive, of purpois and intencion to have come doun the hie gait and invaidit and persewit me of my lyff; lykeas he had not faillit to have come doun the said streit and invaidit and persewit me of my lyff wer not he wes stayit be Thomas Mure, ane of the saidis bailleis, and certain of the ministerie of the said burgh. Lykeas upoun the nynt day of Februar instant the said Sir George instigat and steiritup Johne Galbraith, burges of said burgh, to come to the dwelling house of me, the said Symone Stewart, to persew me of my lyffe, quha, according to his command and direction, come to the dwelling house of me, the said Symone Stewart, quher I was in peceable and quyet maner for the tyme, lippyning for na harme or injurie of ony personis, and thair the said Johne violentlie and perforce enterit within my said house and efter mony threatning and minassing speitches utterit be him aganis me he in end maist ferslie invaidit and persewit [me] of my lyff with ane drawin sword of purpois to have slane me thairwith, lykeas he had not faillit to have slane me wes not be the providence of God, my awne better defence and help of some nychtbouris thairabout come and stayit him. Lykeas upoun the elevint day of the said month of Februar the said Sir George directit George Cairnis, his servand, and Archibald Mure to my said dwelling house quha, according to his direction, that same nycht the said George come to ane laich sellair of my said dwelling house under silence of nycht cloik allane, and I upoun accident coming to my awne stair to sie quhat company wes in the said sellair before I past to my bed, haveing nather belt nor knyf about me, the said George wes standing in the dure of my said sellair with sword and daiger and the said Adam Mure and certane his complices wer standing at my foir yet awaiting my out coming of purpois and intencion to have bereft me of my lyfe, lykeas they had not faillit to have bereft me of my lyff wer not I suddenlie eschewit thame up my awne stair and eschaiped." They therefore crave summons against these persons.

[On the back] "*Apud Edinburgh, xvj die mensis Februarij, 1607.*  
*Fiat ut petitur.* (Signed) S. R. COKBURNE."

17th February  
1607.

Supplication  
by Mr. Patrick  
Henryson,  
session-clerk  
to the kirk of  
Musselburgh,  
for caution  
from Robert

79. Supplication by Mr Patrick Henrysone, "scribe to the session of the kirk of Mussilburght," as follows:—Robert Dowglas, burgess of Musselburgh, Hew Douglas, his brother, Matthew Wallenge, burgess of Musselburgh, and John Johnstoun in Wester Panes, "haveing consavit ane deadlie haitrent, rankour and malice agains me without ony just caus of offence offerrit be me to thame, they daylie and continewaly

Miscellaneous  
Papers.

Miscellaneous  
Papers.

boistis, schoirs, avowis and minasses to have my lyfe, sua that I may not Douglas, in peace and suretie remane within the said toun for discharge of my burgess of service and doing of my uther effairis for feir of thair persute and Musselburgh, and others. invasion, to my havie hurt and skaith and heich contemptioun of oure soverane lordis auctoritie." He craves letters charging them to find caution for his safety, within six days.

[On the back] *Apud Edinburgh, xvij Februarij, 1607. Fiat ut petitur*, ilkane of the personis within wreattin under the pane of fyve hundrethe pundis. (Signed) P<sup>r</sup> ROLLOK."

80. Supplication by James Leslie, fiar of Otterstoun, Patrick Broun, 17th February his servant, Robert Dumber and David Bennet, servitors to Patrick, 1607. Lord Lindores, as follows:—Alexander Kincragie of Haltounhill daily James Leslie troubles and oppresses them and their servants and friends, "stoppis and debarris us fra pasturage of our horses and guidis upon the gress against Alexander Kincragie. and pasturage properlie pertenis to our maister, and utherwayis schoris and avowis to persew and seik us for our bodellie harme." They therefore crave letters charging him to find lawborrows, upon their making faith that they dread bodily harm of him.

[On the back] "*Apud Edinburgh, xvij die mensis Februarij, 1607. Fiat ut petitur*, undir the pane of ane thowsand merkis. (Signed) S. R. COKBURNE."

81. Supplication by William M<sup>c</sup>Ghie at the Miln of Reidgothenis, as 17th February follows:—On the day of last he with Robert Mill, his 1607. "guid sone," going towards the place of Blair "without ony kynd of William M<sup>c</sup>Ghie against Robert Mill. airmour lippyning for na harme, trouble nor injurie of ony personis, it is of treuth that Johnne Blair, noter, sumtyme in Cassar, haveing lang of before consavit ane deidlie haitrent and malice aganis me, the said William M<sup>c</sup>Ghie, and thinking that tyme maist meit for him to put his said haitrent and malice aganis me to executioun, he maist schamefullie, cruellie and unmercifullie invaidit and persewit me of my lyff with ane drawin sword and hurte and woundit me thairwith in my arme, to the effusioun of my bluding in grite quantitie, of purpois and intentioun to have slane me, quhilk he had not faillit to have done wer not he wes stayit perforce be my said guid sone." He craves summons against him. [On the back] "*Apud Edinburgh, xvij Februarij, 1607. Fiat ut petitur*. (Signed) P<sup>r</sup> ROLLOK."

82. Supplication by Walter M<sup>c</sup>Gregor, fireman and porter of his 17th February Majesty's kitchen, as follows:—On the day of last "I, being 1607. appointit keipar and watchman of the Erle of Dunbar his ludgeing and Walter M<sup>c</sup>Gregor, fireman and porter of his planisching, being thairintill in Nudreis Wynd unto his Lordschips Majesty's kitchen, retorne unto the same, and lippyning for na thing les then ony harme, against Robert Hogg. injurie or oppressioun to have bene offerrit to me be ony persone, it is of trewth that betuix xj and xij houris at nycht, I heiring some tumult

in the close of the said ludgeing come furth thair of, quhair finding Robert Hoge, servitour to James Galloway, accompanyeit with tua women and inquiring at him quhat he wes seiking thair at sic unlaifull tyme, he first utterit many injurious and dispytfull speiches aganis me, and thairefter he and the saids tua women violentlie tuik and apprehendit me, raschit me to the eard and with ane hammer cruellie and unmercifullie gaff me mony strackis upoun the head, brack and contused the same and harne pane thair of in diverse pairtis thair of quhair out of thair ar mony bones taken, and quhair of I have continewally sensyne lyne bedfast and not lyiklie to convaless and thairby hes lost his [sic] haill senses, in curing of the quhilkis woundis I have wairit the haill moyane I haid to live upoun." He craves summons against the said Robert Hoge.

[On the back] "*Apud Edinburgh, xvij Februar, 1607. Fiat ut petitur.* (Signed) Pr. Rollok."

17th February  
1607.

Supplication  
by Dorothy  
Dunbar, Lady  
Westfield,  
for letters  
charging her  
husband, Alex-  
ander Dunbar  
of Westfield,  
and others to  
appear before  
the Council.

83. Supplication by Dorothy Dunbar, Lady Westfield, spouse to Alexander Dunbar of Westfield, as follows:—The deceased James Dunbar, sheriff of Murray, her brother, having died without heirs male of his body, she succeeded to him, and being first married to the deceased James Dunbar of Tarbert, thereafter the said Alexander Dunbar, now of Westfield, "rather for the desyre and conquest to him aleweill of my saidis landis and liveing quhilk fell to me be my said umquhill brotheris deceise as my lyferent landis fallin to me be decease of the said umquhill Laird of Tarbet, nor upoun that love and dewty that he aucht to have hadde to me, maryeit me, and efter he hadde maid my said haill landis and leveing proper and particular to him he laborit be all indirect meanes continually thir twa yeiris bygane ather privilie to bereafe me of my lyffe or to tak sum extraordinar and damnable course aganes me, his lawfull spous, for my wraick, disgrace and infamie quherby he nicht be sum cullour or pretext repudiat me fra his company, I haveing done na amiss in any poynt of my dewtye in thocht, word or deid. And, first of all, the said Alexander Dunbar in the moneth of December or thairby, j<sup>m</sup>vj<sup>c</sup> and fyve yeiris, privilie delt with William Burt, than his servand, that he wald tak upoun hand to be the instrument of any cullour or pretext of my repudiation, to quhom he offerit the soume of thrie hundreth markis with sum uther guid deed gif he wald accompleas his unlawfull desyre be witnesses tyme and in sum suspicious place, quha, according to the dewtye of ane honest man, refusing, the said Alexander immediatly remuifeit the said William fra his service; yit the said Alexander, schaiking of all fear of God, humane honestye, and forgetting altogether that luife and dewtye quherintill he is obligat to me, still prosecuteit his unhappy and ungodly resolution and first in the monethe of or thairby in the yeir of God j<sup>m</sup>vj<sup>c</sup> and yeiris, enteris in the lyke indirect develing with James Lyndesay, his awin paidge, brother to David Lyndsay at Quarrelhill. First in the dwelling

Miscellaneous  
Papers.

Miscellaneous  
Papers.

house of Alexander Tulloch in Forres, guidfather to the said schiref, takis the said James to the yaird and first simulatlie accusis him of the abusing of me his wyfe, and be that forne not prevailing at the handis of the said James, he than oppynnys up the mater to him and desyeris him than under na less pane than his lyffe to tak upoun him to deflore his awin bed, quha at that tyme refusing thereafter tuik the said James to the dwelling house of M<sup>r</sup> Thomas Dumbar of Pinzet, Deane of Murray, quher he haveing burdingit the said James with the committing of that veyle act, he for just fear of his lyffe condescendit thairto, and within the space of aucht dayes thairefter the said Alexander brocht back agane the said James to the dwelling house of the said Alexander Tulloche and he and the said James being than alane inclosit in the said chalmer began to lay and injoyne to the said James the vyle and unleasum way he suld abuse me in my bed under clud of night; quhilk being terribill to the said [James] to prosecute, and desyring the said Alexander rather to tak his lyffe, he without ony farther drew ane quhinger and straick the said James upoun the face, quha, eschewing his present furye and retearing him furth of the said house to the toun of Forres, the said Alexander fearing that the said James suld have fled away and detectit his wicked proceedingis immediatlie he drectit the said Alexander Tulloche, his awin guidfader, to follow the said James, quha brocht him perforce back agane to the chalmer, and thair the said schiref, incisting with him, promiseit to him the sowme of fyve hundreth merkis, his browne cloick and ane naig, quher for just fear and dreadour of his lyffe undertaking the accomplisment of sa veyle ane act the said Alexander keipit him the space of twentye dayes in strait captivitie within the dwelling house of Thomas Urquhart, quhill that upoun the                    day of the monethe of                    last bypast being the hour appoynted betuix the said Alexander and the said James for the finising of thair concludit villany aganes me, ane harmeles and innocent woman, the said Alexander drectit in haist for the said James Lyndesay about midnycht, and cuming altogither with thrie or four witnesses to the chalmer dure (the lock quhairof being befor purposlie tane away be the said Alexander for keiping of his halkis as he pretendit) and thair the said James resaveing from the said schireff him selff his last drection to enter in the bed with me and be ane hoist or chappe of his fute or hand to give ane singne quhon he was in the bed with me. As the said James come to the bed syde, I being at my rest, I cryit immediatlie, and incontinentlie the said Alexander with his hyreit, suborneit and corrupt witnesses with candillis in thair handis and ane quhinger in the said Alexanderis hand, [came] and thair fand the said James in the chalmer, quhom the said Alexander tuik back with him, keipit him be the space of thrie or four dayes in his cumpany, and the hail cuntrye knawing perfytelie of his unfamouse proceadings cryit out aganes him that he was constraineit to put away the said James Lyndesay, to quhom he delyverit sum quantitie or silver, his brown cloick

and his naig, quha sensyne haveing retearit him selff to Angus, the said Alexander, fearing that his unhonest dealing suld be detectit, he hes keipit tryst with the said James and with the said David Lyndesay of Quarrelhill, his brother, at Killimure, intysing him to be constant with promeis of great rewaird, yit the said James tuicheit in conscience and being now frie fra the power of the said Alexander, hes refusit his unlawfull desyre; and seing be this execrabil and inhumane proceeding of sa rair and veyle exampill as the lyke is seandill hard of, the said Alexander, as gif the samyn wor trew, proceedis aganes me and he and his hyreit and suborneit witnesses howping all together for impunitie continews and resolveis to have me alutterly wraickit and defameit, I being always maist innocent; and thairfore seing this importis sa dangerous exampill the said Alexander and the said James aucht to be conveneit befor your Lordships and swa tryit and tane ordour with as utheris sa evill disposit may eshew the committing of the lyke heirefter." She therefore craves letters charging them to compear and answer for their offence.

[On the back] "*Apud Edinburghe, decimo septimo Februarij anno, etc., 7<sup>m</sup> vij<sup>o</sup> septimo. Fiat ut petitur.* (Signed) AL. CANCELL<sup>r</sup>." (Signed also at foot "JO. YOUNG.")

18th February  
1607.

James Chalmer  
of Gaitgirth  
against John  
Glendinning of  
Drumrasche,  
and others.

84. Supplication by James Chalmer of Gaitgirth, as follows:—John Glendoning of Drumrasche, Alexander Glendoning of Partoun, Glendoning, his son and apparent heir, Alexander, Robert and William Glendonings, brothers german to the said John Glendoning of Drumrasche, James, William and George Glendonings, his father's brothers, John Gordoun of Murefad, Alexander Gordoun of Auchland, Robert and William Gordouns, brothers to the said John Gordoun, and Simon Glendoning, servitor to the said John Glendoning of Drumrasche, "be thame selffis, thair men, tennentis and servandis and utheris in thair names of thair speciall causing, command, directioun and hounding out, maist havelie molestis, troublis and oppressis me, my tennentis and servandis, in the peceable possessioun of my proper lands of Park, wode thairof and Clonlie, cuttis down and distroyis the growand trees of the said wode, boistis, minasses my servandis and plewman sua that they may not peciablle teill nor labour the saidis landis for feir of thair lyffis, and committis mony uther pointis of oppressioun upoun me and my saidis tennentis [and] servandis, in heich and proud contemptioun, etc." He therefore craves letters charging them to find caution for his safety, within six days.

[On the back] "*Apud Edinburgh, xviij Februarij, 1607. Fiat ut petitur*, the saidis Johne Glendoning of Drumrasche, Alexander Glendoning of Partoun, Johne Gordoun of Murefade, and Alexander Gordoun of Auchland, ilkane of thame undir the pane of ane thowsand merkis, and ilkane of the rest undir the pane of fyve hundreth merkis. (Signed) P<sup>r</sup>. ROLLOK.

Miscellaneous  
Papers.

85. Supplication by Sir Thomas Hamiltoun of Monkland, knight, 18th February  
King's Advocate, for his Majesty's interest, and James Chalmer of Gait- 1607.  
girth, as follows:—Notwithstanding the acts of Parliament and Council The same.  
prohibiting the bearing and wearing of hagbuts and pistolets, yet John  
Glendoning of Drumrasche, "haveing shaikin of that reverence of  
the law and obedience to his Majestie, they daylie and continewalie beiris  
and weiris hagbuttis and pistolletis upoun thair personis and hes thame  
in thair companyis of set purpois and provision be way of deid, oppin  
and manifest oppressioun and bangastrie, outhier to debar and seclude me,  
the said James Chalmer, fra my proper landis and heritage of Park,  
Fintellach and Clonlie or then to have my lyfe; and for this effect the  
saidis personis, bodin in feir of weir with the saidis unlawfull and  
forbidden waponis, come upoun the            day of            to my saidis  
landis of Park and Clonlie, quhair my servandis and plewmen wer,  
gangand at my pleuch in peciable and quiet maner, lippyning for na  
harme, trouble nor injurie to have bene done to thame, and efter mony  
threatning and minassing speitches gevin to my saidis plewmen, schoring  
and avowing with mony horrible and blasphemous aithis to have thair  
lyveis gif they continewit ony forder in labouring or manureing of my  
saidis landis, they maist schamefullie and unhonestlie strak and dang  
the puir men, hound and chaissit thame fra thair plewis, lowsit the  
pleuch and strak the oxin and horse being within the pleuch, and thair-  
etter came to the dwelling houses of            my tennentis and searchit  
and socht thame for thair bodelie harme and slauchter, quherthrow my  
tennentis of the saidis landis ar sua affrayit and terrifeit that they dar  
not remane langer upoun the ground bot wilbe constrayned to leive the  
same and sua to lay my landis waist. Lykeas the said Johne Glendoning  
of Drumrasche, not contenting himselff with the oppressioun of my pure  
tennentis and labourairis of the ground, he hes lykewyse directit ane  
cartale unto me quherin he hes gevin up kyndnes with me, appeallit me  
to the combat and hes avowit to be revengit upoun me and all myne as  
he may find the advantage; and for executioun of his wicked and  
detestable resolutions come upoun the            day of            be way of  
hamesuckin to myne the said James dwelling house of Coull, quhair I  
wes in peciable and quiet maner, and raid about my said house a lang  
tyme with a bendit pistollet in his hand and a pair of pistolletis about  
him and maid mony provocationis to me to cum furth to the effect he  
mycht have schot me with his pistollet, quhilk he had not faillit to have  
done wer not I gaif plaice to his furie and remanit within my house."  
They therefore crave summons against the said persons.

[On the back] "*Apud Edinburgh, xviiij Februarij, 1607. Fiat ut petitur.*  
(Signed) P<sup>r</sup>. ROLLOK."

86. Supplication by William Wod, Tutor of Lambielethame, and 18th February  
Alexander Wod of Greinsyd, against William Leirmonth, apparent of 1607.  
Dairsie, and others, as narrated in vol. vii., p. 330. On the back William Wood  
against Alex-  
" *Apud Edinburgh, 18th Februar, 1607. Fiat ut petitur.* PR. ROLLOK." ander Wood.

- 18th February 1607. Hew and Thomas M<sup>c</sup>Connell against George, Earl of Dunbar, Treasurer, and Sir Thomas Hamilton of Monkland, his Majesty's Advocate, as narrated in vol. vii., p. 336. On the back, "*Apud Edinburgh, xvij Februarij, 1607. Fiat summonitio ut petitur, to the tuelfe day of March nixtcome and to suspend discharge and relax ut infra quhill the last day of the same moneth, becaus the Lordis hes sene the letters of consent within writtin and assignation within specifeit and als hes fond caution for thair compeirance ather of the complineris within writtin under the pane of iij<sup>e</sup> mercis. S. R. COCKBURN.*" Miscellaneous Papers.
- 19th February 1607. James Lindsay of Torrie, against Sir James Scot of Balweirie, as narrated in vol. vii., p. 326. On the back, "*Apud Edinburgh, xix Februarii. Fiat ut petitur. P<sup>r</sup>. ROLLOK.*"
- 19th February 1607. Lord Elphinstone against Robert Buchanan. 89. Supplication by Alexander, Lord Elphinstoun, against Robert Buquhannan of Spittell, and others, as narrated in vol. vii., p. 334. On the back, "*Apud Edinburgh, xix Februarii, 1607. Fiat ut petitur. P<sup>r</sup>. ROLLOK.*"
- 19th February 1607. Supplication by Alexander Home, son of the deceased David Home of Whitefield, for summons against John Boge and others for assault. 90. Supplication by Alexander Home, lawful son of the deceased David Home of Quhytfeild, as follows:—He was in Dunbar on 10th February instant in quiet and peaceable manner, not expecting any harm, when John Boge, lawful son of Robert Boge of Lochend, James and Abraham Boigis, brothers of the said Robert, "upoun a deadlie malice and haitrent consavit be thame aganis me, come under clud and silence of nycht to me within the said burgh upon the calsey of the same, and with drawin swordis, bandit staffes, cruelly and unmercifullie invaidit and persewit me of my lyfe, hurt and woundit me in the syd, and in diverse utheris pairtis of my body, to the effusioun of my blood in great quantitie and hasard and perrell of my lyfe; lyikas they haid not failit to have then slane me of sett purpois, provisioun and forethocht felony, wer not be the providence of God and my awin better defence I wes fred and relievit." He craves summons against them.  
[On the back] "*Apud Edinburgh, xix Februarij, 1670. Fiat ut petitur. (Signed) P<sup>r</sup>. ROLLOK.*"
- 19th February 1607. Supplication by John Forbes, sheriff officer of Inverness, for summons against Murdo M<sup>c</sup>Kenzie and others for 91. Supplication by John Forbes, sheriff officer of Inverness, as follows:—He was employed by John Campbell of Briauch in executing a precept obtained by him before the Sheriff of Inverness against John Grant, burgess of Rosmerky, for not making payment of some debts, by virtue whereof, upon the 20th January last, the supplicant went to the town and lands of Balmungie, where the said John Grant remained for the time, and apprehended seventeen head of ky and oxen belonging to

Miscellaneous  
Papers.

the said John, "and being bringing the same to the mercat croce of assault while  
Innerness of purpois to have comprisit the same conforme to the ordour, in the  
lypppyning for na harme, trouble nor injurie of ony personis, it is of discharge of  
trewth that Murdo M<sup>c</sup>Kenzie, Johnne M<sup>c</sup>Kenzie of the Ord, servitouris  
to Kenneth M<sup>c</sup>Kenzie of Kintail, Johne Grant, burges of Roismerky,  
of the speciall causing, command, directioun and hounding  
out of Kenneath M<sup>c</sup>Kenzie of Kintail, being all bodin in feir of weir  
with swordis, langstaulffis and utheris wapponis invasive, followit me  
and, haveing overtane me, they not onlie violentlie and perforce reft  
and away tuke the said guidis fra me bot lykewyse maist schamefullie,  
cruellie and unmercifullie invalidit and persewit me of my lyff with  
drawin swordis and hurte and woundit me thairwith, and with lang  
staulffis and bottis in diverse pairtis of my body, and left me lyand  
upoun the ground for deid." He craves summons against them.

[On the back] "*Apud Edinburgh, xix Februarij, 1607. Fiat ut petitur.*  
(Signed) PETER ROLLOK."

92. Supplication by James Young, chirurgon, burges of Dumfries, 19th February  
Patrick Young, chirurgon, and John Young, notary, his sons, Helen 1607.  
Newall, spouse to the said Patrick, Michael Newlands, glover, burges by James  
of Dumfries, son-in-law to the said James, William Muikie, notary in Young,  
Mynnigoffe, William Maxwel, oye to the deceased Harbert Maxwel at burges of  
Port, complaining against John Newall, maltman, burges of Dumfries, and  
Nicoll Newall, messenger, James Newall, son of the deceased James others for  
Newall, sometime bailie of Dumfries, John Annan there, and Martin letters of law-  
Newall, son of the said Nicol, and Patrick Newall, tailor, as follows:— burrows from  
"Amangis the rest of the honest famileis of the burgh of Dumfreis, I, James Newall  
the said Patrik, and my said spowes, haveing twa yeir syne or thairby, be and others  
the derectioun and ordinance of M<sup>r</sup> Thomas Ramsy, minister of Drum- threatened the  
freis, and Johne Corsane, bailze of the said burgh, and the elderis and lives of the  
deakones of the kirk and session thairrof, biggit and erectit ane dask supplicants.  
ewest the pulpet abone the buriell and graffe of umquhill Airchibald  
Newall, notar burges in Dumfreis, father to me, the said Helene, upoun  
our awin expenses; lykeas we at the tyme foirsaid enterit and placeit  
our selffis within the said dask and hes continewally sensyne sittin and  
hard the Word and discipline thairintill untrublit or interruptit be ony  
persone or persones quhill now of lait that the said James Newall be  
the intysement, concurrence, directioun and hunding out of the foirsaidis  
persones, upoun the day of being Sondag, shaiking of all  
feir of God, humane honestie and the reverence he suld have caryit at  
that tyme and place, come to the said parochie kirk of Drumfreis quhair  
I, the said Patrik, wes sittand in my awin dask disposing myselff only  
for heiring of the holy Word, and in respect of the tyme and place  
lypppyning for na evill, the said James first boastit and schore me and  
then drew his quhinger, offerit to streak me thairwith gif I wald not  
displace myselff that he nicht sitt downe in my dask and did quhat

in him lay to have hairmeit me war nocht I wald nocht suffer him bot resistit his rashe and humerous dispositioun, thinking by his inordinat forme of bangistrie to appropriat the said dask to himself; and sicklyke boastis, schores and menasses us and avowis to have our lyffs, trublis and molestis us in the peaceabill possessioun of our landis, rowmes and possessiones, giveand thairby evill exampill to utheris evill disposit persones to attempt the lyke heirefter." They crave letters charging the said persons to find lawborrows, as they fear bodily harm of them.

[On the back] "*Apud Edinburgh, xix Februarij, 1607. Fiat ut petitur*, Nicoll Newaill, Johnne Newaill and James Newaill, ilkane of thame under the pane of ane thousand markis, and ilkane of the remanent persounes within complenit upoun under the pane of fyve hundrethe merkis. (Signed) S. R. COKBURNÆ." [Also signed at foot] "JO. YOUNG."

19th February  
1607.

Supplication  
by Sir Thomas  
Hamilton,  
Lord Advocate,  
that the  
Marquis of  
Huntly be  
summoned for  
trial of his  
religion.

93. Supplication by Sir Thomas Hamiltoun of Monkland, knyght, King's Advocate, as follows:—His Majesty having considered the petition presented from the General Assembly of the Kirk held at Linlithgow in December last anent the warding of certain noblemen "gevin up to his heyne as avowed professit papistes, his heyne hes declairit his will and pleasour anent the forme and maner of proceding aganis thame quhairin his heyne hes ordanit that thai salbe conveyned befor your Lordships and thair behaviour in repairing to the kirk, participatioun of the communioun, and in the government of thair houshald and familie examined and, accordinglie as salbe foundin and tryat aganis thame, to confyne thame, as in the declaration of his Majesteis will at lenth is conteyint; and trew it is, as I am informit, that George, Marques of Huntley, nawayes repairis to the kirk and heiring of the sermone, abstenis frome the communioun, and in the government of his houshald and familie professes and utteris himself to be ane direct adversair and nocht weill resolved in the treuth, and thairby gevis very just occasioun of scandall to the kirk, for the whilk he aucht to be confynnit and wardit in maner specified in his Majesteis will returnit heiranent." He craves therefore that the said Marquis may be charged to appear on 19th March next, and underlie his trial, and if he is found guilty, to be confined and warded; and also that the Bishops of Aberdeen and Moray, the moderator of the presbytery of                      and                      minister at the kirk of                      may be charged to appear as witnesses; "and to the effect the said Marques sall nocht pretend ane excuse of his absence and nocht compeirance upoun pretext of ony proces intentit aganis him be the Synodis of Abirdene and Murray for his not communicating, that I may haif letters direct to command, charge and inhibite the ministeris of the saidis Synodis of Abirdeyne and Murray that they on nawise proceid to excommunicatioun aganis the said Marques for his refusall to communicat bot that they desist and cease theirfra, and suffer the course and ordour appoyntit and prescryvit be his Majesty to

Miscellaneous  
Papers.

be prosecuted and followit oute againsts the said Marques, as they will answer to his Majestie and your Lordships upoun thair obedyence."  
(Signed) "S. TH. HAMILTON."

[On the back] "*Apud Edinburgh, xix Februarij, 1607. Fiat ut petitur.* (Signed) S. R. COKRURNE."

94. Supplicatioun by William Carmichell, natural son of Archibald Carmichell of Edrem, against Henry Sinclair of Quhitekirk, as narrated in vol. vii, p. 325. On the back, "*Apud Edinburgh, xx Februarii, anno 1607. Fiat ut petitur.* PETER ROLLOK."

20th February  
1607.  
Supplication  
by William  
Carmichael  
against Henry  
Sinclair.

95. Supplication by David Dick in Bursk, Robert and Alexander Dicks, his sons, as follows:—John Watsons in Broichmond mylne, having conceived a hatred against them daily threatens and avows to have their lives, "lyikas he will not faill to tak some unhonnest advantage of us quhen occasioun sall offer, quhairthrow we may not peaceablie hant and repair in the countrey for feir of our lyfe." They crave letters charging the said John Watson to find caution for their indemnity.

20th February  
1607.  
Supplication  
by David  
Dick and his  
sons that John  
Watson in  
Broichmond  
find caution  
for their  
indemnity.

[On the back] "*Apud Edinburgh, xx Februarij, 1607. Fiat ut petitur,* under the pane of v<sup>o</sup> lib. (Signed) Pr. ROLLOK."

96. Supplication by Alexander Forbes of Towy as follows:—Alexander Fyff *alias* Mylne, "haveing committit diverse crymes and offences, for the quhilis he wes arrestit to my court of the barony of Towy to have abiddin tryall for the same, he fand Duncane Thomsone of the Milnetoun of Toweis and William Fyff in Nather Toweis cautioneris and souerteis, conjunctlie and severlie, for his intrie to the said court under the pane of fourty punds, quhairupoun the saidis cautioneris, being chairgit to have enterit the said Alexander to my court quhilk wes haldin on that pairt of my barony of Toweis, callit Corriecron, upoun the fyft day of July, 1605 yeiris, the said Alexander, accompaneit with John Gairdin, his bruther in law, with utheris his complices, boddin in feir of weare, with swordis, plaitsleiwis, secretis, gantaleittis, and utheris waponis invasive, come in a very braging maner neir hand the place quhair my said court wes haldin and disdaining to enter to my court, albeit he hard and knew that his cautioneris wer callit and unlawit for his not entrie, I and my bailleis send to him and desyrit him to compeir and answer in my court, quhilk he not onlie maist disdainfullie and prouddie refusit to do bot with that he and his said good bruther and the rest of thair complices, quha wer brocht with thame of purpois to mak a brage and to truble my court, drew thair swords and cruellie and ferselie invadit and persewit my bailie officeris and memberis of court quha wer sittand in judgment for thair bodely harne and slauchter, compellit thame to raise the court and to forbear all forder proceeding that day, quhairby, as they committit a very great

20th February  
1607.  
Supplication  
by Alexander  
Forbes of  
Towy for  
summons  
against Alex-  
ander Fyfe and  
others who  
have defied  
the suppli-  
cant's baron-  
court.

ryott and insolence aganis me, so they have committit a most heycht attempt and indignitie aganis oure soverane lord in troubling and reasing of ane court lauchfullie fensit in his Majesteis name for doing of justice to his heyne [subjects]." He therefore craves summons against them. Miscellaneous  
Papers.

[On the back] "*Apud Edinburgh, xx Februarij, 1607. Fiat ut petitur.*  
(Signed) P<sup>r</sup>. ROLLOK "

20th February  
1607.

Supplication  
by David  
Young in  
Dalgarnock  
Gate and  
others for  
letters of  
caution for  
their indem-  
nity from  
John Hiddel-  
stoun of  
Templeland,  
and others.

97. Supplication by David Young in Dalgarnock gait, William Young, his eldest son, Thomas Bell in Schealegreane, William and Walter Bell, his sons, John Hairstanes in Know, Alexander Amuligane in Holme, John Tait in Kirkland, James Ker there, James Young, chirurgion, burgess of Dumfries, Patrick Young, his son, James Young, maltman, burgess of Dumfries, John Young in Connyngholme, John and James Young, his sons, complaining against John Hyedilstoun of Templeland mylne, John Hiddilstoun, his eldest son, John Davidstone in Thornehill, Peter Davidstone, his brother in Holme, William Rid, brother-in-law to the said John Hiddilstoun, John Dowgane, sister son to the said John, John Fischer, son-in-law to the said John Hiddilstoun, William Hiddilstoun in Buy, John Hiddilstoun, miller at the Water of Milk, William Andersone, Hiddilstoun in Aleisland, Harbert Hunter in Thornehill, Edward Kirkpatrick of Dresselland, John Kirkpatrick of Auchincairne, George and Thomas Kirkpatrick, his brothers, Henry Horner of Campbell, Roger Kirkpatrick of Rig, Gilbert Greir of Auchingibbert and James Greir of Ranturk, his brother, William Maxwell, apparent of Tynwald, and Harbert Maxuel of Bruntscarthe, his brother, as follows:—The persons complained upon, "haveing laitlie conceived ane deidlie haitrent and rancour aganes us, for quhat caus we know nocht, daylie and continually boistis, shores and menasses us, and avowis to haive our lyffes and lvis continually at avaitt for the samyn swa that we dar not for fear thereof haunt nor repair publictlie within that pairt of the cuntrey quher we dwell for doing of our leasum effairis and bissines, and sicklyke trublis, molestis and oppresses us in the peaceabill possessioun of our landis, rowmes and possessiones and debarris us of the peaceabill possession thair of, and committis dyverss utheris poyntis of oppression." They crave letters charging them to find caution for their safety, as they dread bodily harm of them.

[On the back] "*Apud Edinburgh, vigesimo die mensis Februarij, 1607. Fiat ut petitur,* William Maxwell, appeirand of Tinvell, under the pane of ane thousand pundis, Harbert Maxwell of Bruntskarth, Edward Kirkpatrick of Dresselland, Johne Hiddilstone of Templandmylne, Roger Kirkpatrick of Rig, Gilbert Greir of Auchintibbert, Henry Horner of Campbell, James Greir of Barturk, and Johne Kirkpatrick of Auchincairne, ilkane of thame under the pane of ane thousand merkis, and ilkane of the remanent personis within complenit upoun under the pane of fyve hundrethe merkis. (Signed) S. R. COKBURNE."

[Also signed at foot] "JO. YOUNG."

Miscellaneous  
Papers.

98. Supplication by George Oliphant of Bachiltoun, as follows:—He possesses heretably the lands of Bachiltoun and Drumdevane, mill of Bachiltoun, mill lands and dams of the same, according to his infeftments, and has not been molested therein, “the quhilk mylne hes bene very profitable unto me thir mony yearis bigane and I nevir troublit nor molestit thairin be ony persone quhill of lait Sir George Dowglas of Kirknes, knycht, upoun a malice consavit be him aganis me, without ony just caus of offence offerit be me to him, intendis be way of deid and violence to debar me fra the possessioun of my saidis landis and to mak the said mylne altogather unprofitable unto me. And for this effect, upoun the day of Februar instant, he, accompanyit with Robert Dowglas of Caveris, James Fairny, younger of that Ilk, William Dowglas, appeirand of Auchrieoch, James Craufurd in Glaslocheis, Johnne and James Dowglas and Mathew Colwill, servitouris to the Erle of Mortoun, James Schaw, bruther to Schaw of Lathangyie, with convocation of oure soverane lordis [liegis], to the number of thriescoir personis, all boddin in feir of weare, with lances, halbertis, dowis, darlochis, durkis, swordis, secretis and uthairis vaponis invasive, come in hostile and wairlyk maner to the ground of my saidis landis of Bachiltoun and Drumdevane and to the mylne dame of the same mylne of Bachiltoun and violentlie and perforce dimolischit and cast downe the dyik and wall of the said dame to the ground, haldis the same down and onawise will suffer and permitt me to big the same agane, nather dar I edifie the same for feir of thair invasion. He craves summons against them.

[On the back] “*Apud Edinburgh, xxij Februarij, 1607. Fiat ut petitur.* (Signed) PETER ROLLOK.”

99. Supplication by Robert Borthwick in Leith and William Borthwick, writer in Edinburgh, as follows:—The said Robert, having obtained decreet against Andrew Borthuik, burgess of Edinburgh, for payment of a certain sum, and having employed the said William Borthuik “as a freind for raising of letters and chairges thairupoun aganis the said Andro, quhairupoun he, consaving ane malice aganis me and the said William, upoun the xxij of this instant come to me, the said William, upoun the hie streit of Edinburgh, first upbradit me with many injurious and contumelious speiches, schoiring and avowing to have my lyfe incaice I assistit or gafe counsell to the said Robert Borthuick in that mater and than schamfullie and unhonestlie with his neifes strak and dang me, the said William, upoun the face to the effusioun of my blood in great quantitie.” They crave a summons against him. [On the back] “*Apud Edinburgh, xxiiij Februar, 1607. Fiat ut petitur.* (Signed) PETER ROLLOK.”

100. Supplication by Barbara Cranstoun, widow of Robert Tait in Composlak, Margaret Tait, his daughter, and the other daughters and

He 23rd February 1607.  
Supplication by George Oliphant of Bachiltoun for summons against Sir George Douglas of Kirknes and others who have molested him.

24th February 1607.  
Supplication by Robert Borthwick in Leith and William Borthwick, writer in Edinburgh, for summons against Andrew Borthuick, burgess of Edinburgh, for assault.

24th February 1607.

Supplication by Barbara Cranston against Steven Scott. kinsfolk of the said Robert, against Stevin Scot in the Stow, as narrated in vol. vii., p. 343. On the back, "*Apud Edinburgh, xxiiij Februarij*, 1607. *Fiat ut petitur*. PETER ROLLOK." Miscellaneous Papers.

24th February 1607. 101. Supplication by Sir Robert Crichtoun of Cluny, knight, Sir David Hering of Lethintie, knight, and James Scrymgeour of Fordall against Patrick Eviot of Kirkcoun of Maler, as narrated in vol. vii., p. 394. On the back, "*Apud Edinburgh, xxiiij Februar*, 1607. *Fiat ut petitur*. PETER ROLLOK."

25th February 1607. 102. Supplication by David Kennedy of Balmaclennoquhen against Hew Kennedy of Penquhry, Margaret Dalrumple, widow of David Kennedy of Ardlessane, and Anna, Jean and Isobel Kennedy, her daughters, as narrated in vol. vii., p. 415. He craves they be charged to compear. On the back, "*Apud Edinburgh, xxv February*, 1607. *Fiat ut petitur*. PETER ROLLOK."

25th February 1607. 103. Supplication by the same in the same matter, craving that the persons complained against may be apprehended. On the back, "*Apud Edinburgh, xxv die mensis Februarij*, 1607. *Fiat ut petitur*. PETER ROLLOK."

25th February 1607. 104. Supplication by Edward Maxwel of Ile, John Maxwel, his natural son, John Maxwel at Bankend, William and John Maxwell, his sons, Edward Patersone, David Hesloppe, Nicol Edyar, eldest lawful son of John Edyar of Tarmuck, Patrick Young, Richard Patersoun, and John Mackeoune, tenants to the said John in the lands of Bankend, against Clemmet Edyar of Kirkblane, Thomas and John Edyars, his sons, John Edyar of Lands, Robert Edyar of Blaikschaw, Mr David Roger, minister, alleged vicar of Carlaverok, Harbert Baty, burgess of Dumfries, and William and John Edyars, sons of John Edyar of Tarmuck, as follows:—The said Mr David, alleging himself to be provided as vicar of the parish of Carlaverok "be the intysement, concurrence, directioun and hunding out of the foirsaidis persones withowt ony richt or possessioun, intends at his awin hand to enter and intruse himself by all ordour of law in myne the said Edwardis landis, callit the kirkland of Carlaverok, with the teynd shaves and uther small teyndis of the said parochyn of Carlaverok, byres, howses and yairds of the samyn, bauldin be me, the said Edward, in few and heretage of our soverane lord and, quhereof I, according to my undowtit rycht, hes bene in peaceabill possessioun thir many yeiris bygane and thairthrow intendis to trubill and molest me and my saidis tennents and servands thairintill." They therefore desire letters charging the said persons to find lawborrows for the complainers' safety. [On the back] "*Apud Edinburgh, xxv Februarij*, 1607. *Fiat ut petitur*, Clemmet Edyar of Kirkblane, Robert Edyar of Blaikschaw, and Johne Edyar of Lands, ilk ane of thame under the pane of ane thowsand

Miscellaneous  
Papers.

merkis, M<sup>r</sup> David Roger fyve hundreth pundis, and ilk ane of the rest fyve hundreth merkis. (Signed) LOTHIANE." [Also signed at the foot] "JO. YOUNG."

105. Supplication by William, Earl of Morton, as follows:—He has heretably pertaining to him the lands of Laith and the tower and fortalice thereof, conform to his infettments, by virtue whereof he himself and the deceased Dowglas, his tenant, during her lifetime and immediately after her decease Dowglas, his servant, have peaceably possessed the same without impediment, until on last, in his absence from the country, John Dowglas, called Eckeis John, accompanied with several persons, "boddin in feir of weir, with swordis, lances, secretis, plait sleavis and uthairis vaponis invasive, of the speciall causing, comand, hounding out, assistance and rathabition of Sir James Dowglas of Drumlanrige, knyght, come to my saidis landis of Laith and fortalice thair of, quhair the said Dowglas, my servand, wes in quyat and peaceable maner, efter mony minassing and injurious speiches utherit be thame aganes my said servand, violentlie and perforce tuik and apprehendit him and masterfullie reft frome him the keyis of the irne yett of my said hous and haill remaneing keyis of the same, enterit thairintill, and maid thame selves maisteris of my said hous and landis, keipis and haldis the same as yit as yf it wer thair awin propper hous and landis, quhairby, as thay haiff usurpit his Majesteis princelie power and auctoritie in taking of his frie liege and my said hous with[out] commission to that effect, sua withall thay haiff committit a very great insolence upoun [me] and my said servandis." He craves letters for charging them to render the house and keys again or allege a reasonable cause for refusing to do so. [On the back] "*Apud Edinburgh, xxv Februarij, 1607. Fiat ut petitur, etc.* (Signed) PETER ROLLOK."

25th February  
1607.

Supplication  
by William,  
Earl of  
Morton, for  
letters charging  
John  
Dowglas and  
others to  
render the  
House of Laith  
of which they  
have taken  
illegal  
possession.

106. Supplication by Thomas Mackclelland, notary, George Mack- gairmorie, his tenant, John Moresoun of Culloche, James Moresoun, his brother, John Moresone, servant to the said John, Robert Browne and John Thomsone, also his servitors, Adam Cultellar of Bidrin, Robert Rerik and John Ramsy, his servitors, and John Tait there, against Thomas Mure, burgess of Kirkcudbright, John Mure, his brother, Andrew Quhyteheid there, William Fullertoun, burgess of Kirkcudbright, Michael Mackclelland, called of the Kill, Harbert Mackclelland, his son, William Mackclelland of Natherthrid, Fergus Fowler "at the samyn mylne," Fergus Fowler, his son, James Fowler there, John Fowler, his son, William Gordoun at the mill of Keltoun, John Ewart, elder, burgess of Kirkcudbright, William Ewart, his brother, John Browne in Auchinguile, John Mackcom in Lochdowgane, Ninian Mackculzeane in Keltoun, William Mackculzeane, his brother, John Mackculzean there, John Fowler in Kirkland of Keltoun, George Herroun in Carlingwork, George Macknyer (?) there, John Mackmollen in Kel-

25th February  
1607.

Supplication  
by Thomas  
Macklellan,  
notary, and  
others, for  
lawburrows  
from Thomas  
Mure, burgess  
of Kirkcud-  
bright, and  
others.

toun hill, John Mackcurtnay, called the Laird, there, George Mure and Adam Mure and Alexander Mure, "his oye," John Macknyer in Spottis, Thomas Macknyer, his brother, James Mackclelland in Lonwey, John Mackclelland there, Thomas Mackcitrick there, John Mackclelland of Overlaw, Patrick Clune there, Thomas Bredye in Galtway, Rolland Wolsone there, James Thomsone in Gribtie, John Hendersone there, John Browne in Auchingule, John Gilmure in Newlaw, Patrick there, William Deanes there, John Clune there, John Claspie there, as follows:—The foresaid persons and their accomplices "daylie boastis, shores and menasses the saidis compleneris and avowes to have thair lyffis, and sicklyke trublis and molestis thame in the peaceabill possession of thair landis, rowmes and possessiones, and specially the said Thomas in his aikeris of land of Carlingwork and aikeris of land in Kirkcudbright, eattes and destroyes thair growand cornes and garse with thair bestiall and guidis and committis utheris dyverss poyntis of oppressioun upon thame." They crave letters charging the said persons to find lawborrows for the indemnity of the complainers. [On the back] "*Apud Edinburgh, xxv Februarij, 1607. Fiat ut petitur*, William Mackclelland of Natherthrid, John Mackclelland of Overlaw, and John Mackmyn in Spottis, ather of thame under the pane of fyve hundreth pundis and ilk ane of the remanent persones under the pane of fyve hundreth markis. (Signed) LOTHIANE." [Also signed at the foot] "Jo. Young."

26th February  
1607.

Supplication  
by Mark  
Dunbar of  
Durriss for  
letters charg-  
ing Thomas  
Urquhart of  
Burdysyards,  
and others to  
find indemnity  
for the  
supplicant's  
salmon  
fishings.

107. Supplication by Mark Dunbar of Durriss, as follows:—He has pertaining to him a salmon fishing on the water of Findorne, but it is most heavily molested and oppressed by Thomas Urquhart of Burdisyairdis, provost of Forres, Robert Tulloch of Tannacheis, Alexander Tulloch, his son and apparent heir, Nicolas Dumbair of Boigis, James Dumbair, his son, James Urquhart, burgess of Forres, William Carrach in Greischip, William Blair in Forres, John Dumbair, burgess there, Francis Forbes, burgess, Charles Reid, burgess there, Alexander Nicolsoun, merchant burgess there, Robert Winster there, and James Barclay there, "quha be thameselffis and thair servandis in thair names daylie fishes my said fisheing and in effect hes maid the same unprofitable to me, to my havie hurte and skaith." He therefore craves letters charging them to find caution for his and his servants' indemnity. [On the back] "*Apud Edinburgh, xxvi Februarij, 1607. Fiat ut petitur*, the provest of Forres, Tannacheis, his sone and apperand air, Bogis and his sone and apperand air, ilkane off thame j<sup>m</sup> merkis, and ilk ane of the rest v<sup>c</sup> merkis. (Signed) PETER ROLLOK."

26th February  
1607.

Supplication  
by John  
Ogilvie, parson  
of Cruden, for

108. Supplication by John Ogilvie, parson of Cruden, as follows:—He is charged to pay for his parsonage his part of the taxation granted to his Majesty's marriage of £100,000, and of the like taxation granted to the Prince's baptism, and the taxation of 200,000 merks, whereof

Miscellaneous  
Papers.

Miscellaneous  
Papers.

Mark, Earl of Lothian, was collector, and 100,000 merks, whereof letters charging his feuars to make payment of their proportionate taxation. Lodovick, Duke of Lennox, and John, Earl of Mar, were collectors, and has accordingly made payment thereof; but the feuars, tacksmen and pensioners of his said parsonage will not relieve him for his debursements, although the acts of Parliament regarding these taxations ordain this to be done. He therefore craves letters charging them to make payment of their proportionate taxation for his relief. [On the back] "*Apud Edinburgh, xxvj Februarij, 1607. Fiat ut petitur.* (Signed) PETER ROLLOK."

109. Supplication by David Brownlie, smith in Newbigging, as 26th February 1607. follows:—On 21st February instant he, being in the burgh of Kirkcaldy Supplication by David Brownlie, smith in Newbigging, for summons against Laurence Sinclair and others for assault. in the company and house of Robert Kedy, smith there, "doing my laufull effairis and in quhais stable I haid stablit ane broun naige of myne, lippning for na thing les than ony injurie, harme or oppressioun to have bene offerrit to me within the said burght, it is of treuth that Laurence Sinclare in , Patrick Weymis, younger, in Dysart, accompaneit with fywe or sex personis, thair complices, boddin in feir of wear with swordis, secretis, gantaletis and utheris vaponis invasive, come under clude and silence of nycht about aucht houris at ewin to the said stable, enterit within the samen and wiolentlie and perforce reft and away tuik with thame my said horse. Quhairupoun I followit thame for recoverie of my said horse, and maist soberlie entreatit thame to delyver me my said horse, the said Laurence beand rydand on my said horse, and the said Patrick and thair saidis complices gangand besyd thame, efter mony minassing and threttning speiches utterit be thame aganis me, first wiolentlie patt handis in me and reft fra me my sword, and than entering in a dispute among thame selffes gif thay sould sla me or not, and in end the maist pairt concluding to bereffe me of my lyfe maist ferslie sett upoun me, and with drawin swerdis cruellie and unmercifullie invadit and persewit me of my lyfe, lyikas they haid not failit to have than slene me of sett purpois, provision and foirthocht felony wer not be the providence of God and the help of some good nychtbouris I wes fred and releiwit." He therefore craves summons against them. [On the back] "*Apud Edinburgh, xxvj Februarij, 1607. Fiat ut petitur.* (Signed) PETER ROLLOK."

110. Supplication by Patrick McEwne, Andrew McAlester, Duncan 26th February 1607. McGlassen and Steven McEane Moir, all in Dunfallidis, and others, against Sir James Stewart of Ballachan, as narrated in vol. vii., p. 355. Supplication by Patrick McEwne and others against Sir James Stewart of Ballachan. On the back, "*Apud Edinburgh, xxvj die mensis Februarij, 1607. Fiat summonitio ut petitur* to the xvj day of April nixtocome, and to suspend and discharge *ut infra* whill the last day of the samen moneth; becaus thir complenaris hes found caution to the effect within writtin; every ane of thame under the pane of j<sup>c</sup> merkis, as ane act maid thairupoun beiris. PETER ROLLOK."

- 26th February 1607. Supplication by James Melville of Daysart and Richard Melville, his son, against James Vaterstoun, fiar of that ilk, as narrated in vol. vii, p. 363. On the back, "*Apud Edinburgh, xxvj Februar, 1607. Fiat ut petitur.*" PETER ROLLOK." Miscellaneous Papers.
- 26th February 1607. Supplication by Sir Thomas Hamilton, King's Advocate, for summons against certain persons in the debatable lands for resisting the king's commissioners. 112. Supplication by Sir Thomas Hamiltoun of Monkland, knight, King's Advocate, as follows:—His Majesty has granted a commission to certain barons and gentlemen in Nithsdale and Annanderdale "for surveying of ane parte of the landis sometyme callit debetable," according whereunto the commissioners went on to the said lands to make survey, "and lippyning for no thing less then ony trouble, harme or impediment to haif bene maid to thame bot that a reverent and deuitfull obedyence sould have bene givin to the executioun of his Majesteis princelie directioun, notwithstanding it is of treuth that the personis following, thay are to say , preferring thair bigane unhappie trade and forme of leving in stouth reiff and maisterfull oppressioun to that civile and modest forme quhilk his Majestie intendis to establishe in the said boundis, and being laith that ony peaceable and ansuerable subjectis sould haif place or residence amangis thame, they convocat and assemblit thame selfis togidder in armes, come to the said landis and be way of deid opponit thame selfis to the executioun of the said commissioun, sua that the commissioneris were constraint to departe and gif place to thair insolence." He craves summons against the offenders to appear and underly trial and punishment (Signed) "S. TH. HAMILTON." [On the back] "*Apud Edinburgh, xxvj Februarij, 1607. Fiat ut petitur.*" (Signed) PETER ROLLOK."
- 26th February 1607. Supplication by James Maxwell and Robert Douglas, servitors to his Majesty, for letters of indemnity from Walter Scot of Tushielaw, and others for themselves and their tenants in the debatable lands. 113. Supplication by James Maxwell and Robert Douglas, servitors to his Majesty, as follows:—The King disposed to them the lands, formerly called "debetable landis," to enable them to continue in his Majesty's service, and granted a commission to some barons and gentlemen for surveying the said lands, "in the executioun whereof as they wer impedit and stayed be Walter Scot of Tuschelaw, Archibald Armestrange in Flascolme and Barnegleis, Francis Armestrang, called of Kinmont in Monbieherst, David Armestrange in Wodisleis, Johne Armestrang of Hoilhou, Hectour Armestrang in Wodhead, Hectour Armestrang in Harla, Symone Armestrang in Qubitliesyd, and Niniane, his sone, Cristie Armestrang in Bankhead, Eckeis Richie Irwing in Staikhewch, Willie Irwing callit the Cang there, George Irwing callit Curst Georgie, Armestrange of Corcune, Johne Armestrange callit of Longholme in Tounischilburne, young Cristie Armestrange in Glunyaird, Johne Armestrange in Rowingburne, Blench Irwing, relict of umquhile Young Will of Kinmont in Mortountour, [Dorathie Armestrange, (deleted)], Johne Armestrange in Boholme, Christie Armestrange callit of Longholme in Bigholme and Turr esfute, Archibald Armestrange, bruther to the umquhile Laird of Mengertoun in Brunschilboge and Menger-

Miscellaneous  
Papers.

toun, Archibald Armestrange callit the merchand in Thorniequhatis, Thomas Johnestoun, younger of Fingland in , Will Irwing, elder and yonger, in Kirkconnell, sua the same personis continewing in thair insolent caryage and behaviour hes resolved and avowed be way of deid, oppressioun and bangstrie to debar us fra the possessioun of the saidis landis and to mak his Majesteis patent and gift maid to us ineffectuall." They therefore crave letters charging them to find surety for the indemnity of the complainers and their tenants and servants. [On the back] "*Apud Edinburgh, xxvj die mensis Februarij, 1607. Fiat ut petitur*, Walter Scot of Tuschelaw and William Irwing of Kirkconnell, ather of thame under the pane of j<sup>m</sup> merkis, and ilk ane of the remanent personis within complenit upoun under the pene of fyve hundreth merkis. (Signed) PETER ROLLOK."

114. Supplication by Walter Scot, servitor to Sir George Touris of 27th February Garnetoun, knight, as follows:—Mr Patrick Schaw, minister at Selkirk, 1607.  
George Mitchelhill, bailie, and James Scot, bailie of the said burgh, Supplication by Walter Scot, servitor to Sir George Tours of Garnetoun, for letters charging Mr. Patrick Shaw, minister at Selkirk, and others to find surety for himself and his tenants.  
Patrick Kene, John Scot, George Halywall, Robert Scot, John Liddirdaill, William Nicoll, Walter Dalgleiss, John Small, Mungo Curroure, George Dun, James Wynt, William Fulret, James Mynto, Robert Melbeis, Mungo Johnstoun, David Moffet, Andrew Bryden, James Turneble, Thomas Ker, John Wilkiesoun, Robert Hawis, Thomas Scot, Malcolm Turnble, John Noitman, Walter Freir, Walter Gawinlock, Mungo Flescher, James Stevinsoun, William Inglische, John Kene, George Andirsoun, Mungo Cruikschanks, Andrew Turnble, Mungo Nicoll, John Feirgreif called of Coitha, Gavin Murray, William Broun, James Wauch, Walter Halywall, John Cuke, John Allane, Thomas Johnstoun, James Bullerwall, James Turnble, Andrew Anguse, James Thomesoun, Robert Dun, David Dun, John Feirgreif, Robert Heislop, Robert Fyntoun, Robert Coline, Mungo Cavers, Thomas Curroure, Thomas Flescher, Robert Dobie, Andrew Dobie, Thomas Turnble, Robert Turnble John Ewart, Alexander Hall, Richard Cavers, William Purves, Thomas Freir, George Young, James Turneble, Mungo Burne, James Burne, George Wode, Mr Patrick Schaw, Andrew Speir, Robert Watsoun, John Curroure, Thomas Jaksoun, Thomas Patersoun, Robert Gledstanes, Alexander Young, James Young, Quentin Grenscheillis, George Young, William Mitchell, John Mitchell, Alexander Heislop, James Scot, Jok Harweyis James, John Inglis, John Flescher, John Lumisdane, John Lowaie, James Halywell, Richard Brewhous, Adam Lammart, John Curroure, and David Curroure, all burgesses and inhabitants of the town of Selkirk, "haveing consavit ane deidlie haitrent and malice agains me, daylie and continewalie boistis, minassis and injuris me, sua that I may nocht peceable hant nor repair in the cuntrey for doing of my lesum effairis for feir of thair persute and invasoun." He therefore craves letters charging them to find surety for the indemnity of himself and his tenants and servants. [On the back] "*Apud Edinburgh, xxvij Februarij,*

1607. *Fiat ut petitur*, ilkane of the personis within complenit upoun under the pane of four hundreth merks. (Signed) PETER ROLLOK." Miscellaneous Papers.

28th February  
1607.  
Supplication  
by Archibald  
Campbell,  
against James,  
Earl of Atholl.

115. Supplication by Archibald Campbell, brother of David Campbell of Denhead, against James, Earl of Athoill, as narrated in vol. vii., p. 334. On the back, "*Apud Edinburgh, ultimo Februarij, 1607. Fiat ut petitur.* PETER ROLLOK."

February  
1607.  
Supplication  
by Ogilvie  
and James  
Gordon, his  
servant, for  
summons  
against Sir  
John Ogilvie of  
Innerquharritie,  
and others.

116. Supplication by Ogilvie of and James Gordoun, his servant, as follows:—John Murduch, likewise his servant, having conceived a deadly malice against the said James, and meeting with him, he fiercely attacked him with a drawn sword and further hurt and wounded Agnes Robertstone, mother of the said James, in divers parts of her body to the effusion of her blood and hazard of her life, she being an aged woman of sixty; "and thay lippning for na thing les than ony forder injurie or violence to have bene offerrit unto thame, it is of treuth that upoun the day of Sir John Ogilvie of Innerquharritie, knycht, avowing himselfe to be pairty with the said Alexander Murdoch and a mentenner of him in this mater aganis my said servand, resolveing so far as in him lay to execut his privat gruge aganis the said James, directit and houndit out David and Johne Ogilveis and Thomas Auchinleck, his domestick servitores, accompaneit with diverse uthairis thair complices, boddin in feir of weare with swordis, durkis, bowis, darloch, secretis, plaitselevis, steilbonatis and utheris vaponis invasive to the Nyne Madene Kirk, quhair the said James wes in quyatt and sober maner, and thair the said persons ferslie sett upoun him, tuik and apprehendit him and led him away bound with thame as a prisoner to the place of Innerquharritie, putt him in the theivis hoill as yff he had bene a theiff, quhairin he detenit him be the space of and thairefter locked him in a pair of stockis, quhair he also detenit him be the space ; quhairby as he hes usurpit his Majesteis princelie auctoritie and power in taking his Majesteis frie liege without power or commissioun, he having committit no cryme nor offens aganis the said Sir, and the said Sir haveing no auctoritie nor jurisdictioun over him, sua he hes committit a very great insolence upoun the said compliner." The supplicants crave summons against the parties complained upon.

[On the back] "*Apud Edinburgh, die mensis Februarij, 1607. Fiat ut petitur.* (Signed) PETER ROLLOK."

2nd March  
1607.  
Supplication  
by David  
Dundas of  
Priestinch  
against  
Margaret

117. Supplication by David Dundas of Preistinch, against Margaret Auchincraw, widow of Richard Spens of Chirnesyde Maynis, and their five fatherless bairns, as narrated in vol. vii., p. 335. On the back, "*Apud Edinburgh, secundo die mensis Marcij, 1607. Fiat summonitio ut petitur* to the tuelf day of Marche instant and to suspend and

Miscellaneous  
Papers.

discharge *ut infra* quhill the xx day of the samyn moneth.  
CANCELL<sup>s</sup>."

AL Auchincrow  
and others.

118. Extract of act of Council dated at Halyruidhous, 24th September, 1607, remitting the complaint of Robert Rowatt and Matthew Turneble to the Duke of Lennox and Archbishop of Glasgow, as narrated in vol. vii., p. 441; signed by JACOBUS PRYMROIS.

24th September 1607.

Complaint of  
Robert Rowatt  
and Matthew  
Turnbull.

119. "Rycht assurit freind, I am informit that my lord of Abircorn, quho is appointit commissioner in our Sinode of Glasgo, hes neyther resavit the copie of the acte of Lynlythquow nor the chargis that suld be directit thairwith; at leist his Lordship on Monday last had resavit none of tham; quhairfoir it man please yow to send the sam to me with the berar with all diligence or let me know be quhom thai war sent to him that I may inquyr in tym thairfore, if thai be alredy furth of Schir Johne Arnots hands, to quhom you said al wes delyverit. Tuysday nexte is the day of our sinode, and for this I expect your answer the soner. Also, if yow wilbe plesit to send me the buke of counsel that I had of yow befor, you will do me grit pleasure, and I sal not fail to delyver it the first of September or soner as yow sall requyr it in your awin house. So committing yow to God his protection I rest, your very assuirit at my power. (Signed) GLASGOW. Glasgo, this Thurisday at nycht. [Noted below] "Act and letters send according to this letter, 15 being Saterdag at 12 of the cloke in the foirnoone. [Addressed on back] "To my assurit freind James Primrose, clerk of his Majesteis Secreit Counsell."

Letter from  
the Arch-  
bishop of  
Glasgow  
to James  
Primrose,  
clerk of  
Council,  
requesting  
him to send an  
Act passed by  
the Council at  
Lindlithgow  
that it may be  
forwarded to  
Lord Abercorn.

120. The Lordis of Secrite Counsale gevis and grantis libertie and licence to Johnne Hammiltoun of Haggis to remaine and abyde at hame fra his Majesteis oist and armye appointit to have conventit and met at Yla upoun the first day of July, thair to have attendit the directionis of his Heynes Lieutenant during the hail space and tyme of that service conforme to the proclamatioun direct thairanent, without pane, cryme, skaith or danger to be incurit be him thairthrow in his persoun, landis or guidis, notwithstanding of quhatsumevir actis, statutes and proclamatioun maid in the contrair; quhairanent and all panes contenit thairintill the saidis Lordis dispensess be thir presentis. Gevin under the signet at Edinburgh, this xxiiij day of July, and of his Majesteis reigne the sext and fourty ane yeiris, 1608. *Compositio ten pundis*. (Signed) AL. Cancell<sup>s</sup>. Halyrudhous: J. Compt. J. Arnott.

23rd July 160  
Exemption  
from attending  
his Majesty's  
host granted  
to John  
Hamilton of  
Haggs.

121. Original bond of caution by Sir Robert Halket of Pitfirren, knight, for Robert Cunningham in Urquhat, and others, as narrated in vol. viii., p. 593; dated 20th March, 1609.

20th March  
1609.  
Caution by  
Sir Robert  
Halket for  
Robert  
Cunningham  
in Urquhart.

- 6th September 1609. Alexander Ord of Fyndachtie and Alexander Gordon in Farnachtie. 122. Original bond of caution by Alexander Ord of Fyndachtie, for Alexander Gordon in Farnachtie, as narrated in vol. viii., p. 708 ; dated at Fyndachtie, 6th September, 1609. Miscellaneous Papers.
- 13th September 1609. Sir Walter Stewart and Sir William Callendar and James Crawford of Fermes. 123. Original bond of caution by Sir Walter Stewartt of Arthourlie and Sir William Callendar of Ballencloich, knights, for James Crawford of Fermes, as narrated in vol. viii., p. 709 ; dated at Glasgow, 13th September, 1609.
- 10th November 1609. Arthur, Lord Forbes, and George Sinclair. 124. Original bond of caution by Arthur, Lord Forbes, for George Synclair of Dunbaith, as narrated in vol. viii., p. 712 ; dated at Edinburgh, 10th November, 1609.
- 29th December 1609. Charles Chalmer and William Chalmer. 125. Original bond of caution by Charles Chalmer portioner of Wester Fintray, for William Chalmer, portioner of Wester Disblair, as narrated in vol. viii., p. 716 ; dated at Aberdene, 29th December, 1609.
- 10th January 1610. Extension of time for removing granted to Mr. William Wutson. 126. "The Lordis of Secreit Counsaill prorogatis and continewis the terme appointit to Mr William Watsoun, minister, for his removing furthe of the burgh of Brintyland for the space of ten dayis nixt efter the expyryng of the said terme, and declairis that he sall incur no skaithe nor danger thairthrow in his persoun, landis, goodis nor geir, nochtwithstanding the caution fundin be him for his removing furthe of the said burgh at the tyme mentionat in the said act of caution, wheranent the saids Lordis dispenses for the said space of ten dayis. Gevin at Edinburgh, the tent day of Januar 1610. (Signed) Jo. Prestoun, J. Murray, Alex<sup>r</sup> Hay, S. W. Oliphant."
- 21st March 1610. John Lewis and Philip Scot of Dryhoip. 127. Original bond of caution by John Lewis of Meneris for Philip Scot of Dryhoip, and Philip and William Scot, his sons, as narrated in vol. viii., p. 724 ; dated at Dryhoip, 21st March, 1610.
- 23rd April 1610. John Crichton and John M<sup>c</sup>Call. 128. Original bond of caution by John Creichtoun of Craufurdstoun for John M<sup>c</sup>Call in Glenjane, as narrated in vol. viii., p. 727 ; dated at Dunreggane, 23rd April, 1610.
- 25th April 1610. Thomas Aikman and John Allan. 129. Original bond of caution by Thomas Aikman, burgess of Abirbrothok, for John Allane, skinner, and Thomas Allane, burgesses there, as narrated in vol. viii., p. 727 ; dated 20th April, 1610.
- 5th May 1610. Thomas Aikman and George Liddell and Thomas Pearson and David Auchterlony. 130. Original bond of caution by Thomas Aikman and George Liddell, burgesses of Abirbrothok, for Thomas Persone and David Ouchterlony, bailies thereof, as narrated in vol. viii., p. 728 ; dated at Abirbrothok, 5th May, 1610.
- 15th May 1610. 131. Original bond of caution by James Sterling, merchant burgess

Miscellaneous  
Papers.

of Glasgow, for Hew Craufurd, younger of Clobarhill, and Janet Craufurd, his sister, widow of John Somervell, burgess of Renfrew, as narrated in vol. viii., p. 728; dated at Glasgow, 15th May, 1610.

James Sterling  
and Hew  
Crawford and  
Jane Crawford.

132. "Our soverane Lord, remembring that his Majestie and the Estaites of this kingdome quhilkis convenit in the Parliament haldin at Edinburgh in the moneth of Junij, 1609, having wyselie forsene and considered that no thing gave so grite grouth and strenth to the manyfold insolenceis quhilkis were so frequent and commoun in this kingdome as the sleuth of magistratis in not suppressing the seidis of these dissentiones, quhilkis being vaik and small in the beginning were then easilie to haif bene setled yf diligence and auctoritie had been used for repressing thair of, bot, being neglected be these to whome it appertenit, these licht insolencyes did verrey oft kendle suche flames of disordour and feid as hardlie thairefter culd be quenched, and that, for remeid thair of, his Majestie and his Estaites statute and ordanit that in everie schyre within this kingdome thair suld be yearlie appoynted be his Majestie sum godlie, wyse and verteous gentlemen of guid qualitie, moyan and report makand resydence within the same schyres to be commissioners for the keiping of his Majesties peace, as in the said statute and act of Parliament at lenth is contenit: Thairfore his Majestie, with advyse of the Lordis of Secreit Counsell, ordanes ane commissioun to be maid under the greате seall in dew forme makand and constituand, etc., etc., his Majesteis judges delegat and commissioneris, conjunctlie and severallie, for keiping of his Majesteis peace within the boundis of the schirefdome of, etc., as alsua the provest and bailyeis of all and sindrie the citeis and burghes within the said schirefdome and everie ane of thame within the boundis of thair awne jurisdictiones his Majesteis judges and commissioneris for the use and to the effect underwrytin. Lykeas his Majestie and the saidis Lordis hes nominat, ordanit and constitute and be the tennour hei of nominatis, ordanes and constitutes the said, etc., to be keiper of the rolls, who is to nominat a clerk to put in forme and register the hail actis, writtis and letters concerning the executioun of this commissioun, gevand, grantand and committand unto thame, conjunctlie and severallie, within the boundis of the said schirefdome full power, auctoritie and commissioun, expres bidding and charge to oursee, try and prevene all such ocasioness as may breid truble or violence amongis his Majesteis subjectis or forceable contempt of his Majesteis auctoritie or breck of his hienes peace within the boundis abonewrittin, and to command all persounes in quhom they sall sie manifest intentioun to mak trouble and disordour, ather be gaddering togidder of ydle and disordoured persones or by public bearing and wearing of pistolletis and uther forbiddin wapounes and sik uther suadgering and ryotous behaviour, to bind tham selfis to find cawtioun under competent panes to observe his Majesteis peace and for thair compeirance before the Lordis of his Majesteis Privie Counsell or befor the justice to underly

28th August  
1610.

Signature for  
the Commis-  
sion for  
appointment of  
justices of  
peace in each  
shire.

sik ordour as salbe fund convenient for punisching of thair transgressiounes or staying of trouble and enormiteis; and, gif neid beis, to tak, apprehend and to commit to waird all wilfull and dissobedient persones, committeris and fostereris of the saidis crymes, and to requyre the dewtiefull and obedient subjectis of the said schirefdome to concur with thame in preventing of all such attemptis and violences or for taking and wairding of the saidis wilfull and dissobedient authoris, committeris and fostereris of the saidis crymes; ordaining heirby the saidis commissioneris to give trew advertesement and informatioun to the Lordis of his Majesteis Privie Counsell, Justice Generall and his deputtes, his Majesteis Thesaurer and utheris his Majesteis officiaris and magistrates, quhom it effeiris, of the names of sic faythfull and unsuspect witnesses and assyssees to be summond in all crymes and disordouris quhilkis sall happin to fall furth in the said schirefdome as sall be knowne to be most meit and hable for tryell and probatioun of the same, and for eschewing of sik as are ather aiged, seiklie and unhable to travell or ar ignorant of the factes to be tryed be not injustlie vexed or unnecessarlie drawne frome thair awin housses and affaires for materis quherin thay ar not hable to give any licht; and generallie all and sindrie uther thingis to do, exerce and use quhilkis for executioun of this commissioun ar requisite and necessar and according to the instructiounes to be send to thame for that effect; firme and stable halding and for to hald all and quhatsumever thingis salbe lauchfullie done heirin: and that the said commissioun be extendit in the best forme with all clauses neidfull, with command in the same to all his Majesteis liegis and subjectis to reverence, acknowledge and obey, ryse, concur, fortifie and assist the saidis commissioneris, conjunctlie and severallie, in all thingis tending to the executioun of this commissioun, as they and ilkane of thame will answer to his Majestie and the saidis Lordis upoun thair obedience at thair heighest charge and perrel; and that thir presentis be a sufficient warrant to the great seall without any forder preceptis to be direct therupone and to indure during his Majesteis will and pleasure and ay and quhill his Majestie speciallie discharge the same. Gevin at Edinburgh, the xxviiij day of August, 1610. *Sic subscribitur*, J. Prymrois." [Endorsed] "Copie Commissioun for the Peace."

28th August  
1610.  
Another copy  
with the  
names of the  
justices of  
peace.

133. Signature for the Commission to the Justices of the Peace containing the names for each sheriffdom, etc., as given in vol. ix., pp. 75-80, but in addition appointing one of each of the districts "to be keiper of the rollis, quho is to nominat ane clerk to put in forme and register the hail actis, wrytis and letters concerning the executioun of this commissioun," viz.:—Alexander Home of Rentoun for the sheriffdom of Berwick and bailliary of Lauderdaill; Andrew Riddell of that Ilk for the sheriffdom of Roxburgh; Pringle of Torvodlie for the sheriffdom of Selkirk; Murray of Blakbarrony for the sheriffdom of Peiblis; Sinclair of Hirdmestoun for the constabulary of

Miscellaneous  
Papers.

Hadingtoun; Sir James Foulis of Collingtoun for the sheriffdom of Edinburgh principal; Dundas of that Ilk for the sheriffdom of Lynlythgow; Morray of Polmais for the sheriffdom of Stirling and Clackmannan; Buquhannane of that Ilk for the sheriffdom of Dumbartane; Alexander Cuninghame of Craiganis for the sheriffdom of Renfrew; Lockhart of Cleghorne for the sheriffdom of Lanerk; Sir John Wallace of Carnell for the sheriffdom of Air and bailiaries of Kyll, Carik and Cunninghame; Mr Gilbert Gordoun of Schirmes for the sheriffdom of Wigtoun and stewartry of Kirkcudbright; Sir James Douglas of Drumlanrig for the sheriffdom of Drumfreis and stewartry of Annerdaill; Campbell of Auchinbrek for the sheriffdoms of Argyll and Tarbert; John Stewart of Askok for the sheriffdom of Bute; James Weymis of Bogy for the sheriffdoms of Fyffe and Kynroscheir; George Aflek of Balmano for the sheriffdom of Perth and stewartries of Stratherne and Monteth; Sir David Carnegy of Kinaird for the sheriffdom of Forfar; Alexander Burnett of Leyis for the sheriffdom of Kincairdin; Mr John Cheyne of Pitfeythie for the sheriffdom of Abirdeyne; Sir Walter Ogilvie of Findlatter for the sheriffdom of Bamff; William Sutherland of Duffus for the sheriffdoms of Elgin, Forese and Nairne; the Laird of Grant for the sheriffdoms of Invernes and Cromertie; Hew Halcro of that Ilk for the sheriffdom of Orkney; and Arthur Sinclair of Ethay for the bounds of Yetland. The provosts and bailies of the burghs and towns within the respective sheriffdoms, etc., are also included in the commission, within their own jurisdictions. The commission proceeds as follows:—"Gevand, grantand and committand to them, conjunctlie and severallie, within the boundis particularlie and respective above specifeit full power, commissioun and authoritie, expres bidding, command and chairg to owersy, try, prevent all such occasiounes as may breid trubill and violence amangis his Majesteis subjects, forceabill contempt of his Majesteis authoritie and brek of his Majesteis peace within the boundis particularlie abowryttin quherin they ar nominat comissionaris, and to command all persouns in quhom thai can sie manifest intentioun to mak trubill or disordour, ather by gaddering togidder of all ydill and disordourit persouns or by publick wying and beiring of pestoletis or uther forbidden weapounis and such other swaggering and ryteous behaviour to bind them selffis and find cautioun under competent panes to observe his Majesteis peace and for their compeirance befor the Lordis of his Majesteis Privie Consell or befor his Majesteis Justice to underly sic ordour as salbe fund convenient for punishing of ther transgressiounes or staying of trubill and enormities; and yff neid beis, to tak, apprehend and committ to waird all willfull and dissobeydent authoris, committeris and fostereris, and to requyre the dewtifull and obedient subjectis of the schyre to concur with them in preventing all such contempt and violences or for taking and wairding of the saidis willfull and disso-bedyent authoris, committeris and fosteraris of the saidis crymis;

ordaining heirby the saidis commissioneris to give trew adverteisment and informatioun to the Lordis of his Majesteis Privie Consell, Justice Generall and his deputis, his Majesteis Thesaurer and utheris his magistratis and officeris, quhome it effeiris, of the names of such faythfull and unsuspect witnesses and assyssis to be sumond in all crymes and dissobeydences quhilkis shall happin to fall furth in the said schyre as salbe knawin to be most meit and able for tryell and probatioun of the same, and for eschewing of suche as ar ather aiged, seiklie or unhabill to travell or ignorant of the factis to be tryit, be nocht unjustlie vexit or unnecessarlie drawin from thair awin houses and effaires for materis quherin thai are nocht abill to gif any licht; and generally all and syndrie uther things to do, exerce and use quhilkis for executioun of this commissioun ar requisit and necessar, and according to the instructiones to be send to thame under the hand of his Majesteis Chancellor and Thesaurer; firme and stabill haldand and for to hald all and quhatsumever thingis salbe lauffullie done hairin; and that the said commissioun be extendit in the best forme with all clauses neidfull, with command in the samyn to his Majesteis leiges and subjects to reverence, acknowledge and obey, ryse, concur, fortife and assist the saids commissioners, conjunctlie and severally, in all thinges tending to the executioun of this commissioun, as thai and ilk ane of thame will ansuer to his Majestie and the saidis Lordis upoun thair obedience at thair heichest charg and perrell; and that thir presents be a sufficient warrand to the greit seill without farder preceptis to be direct thairupoun, and to indure during his Majesteis will and pleasour, and ay and quhill his Majestie specially discharg the same. Gevin at Edinburgh, the xxviiij of August, 1610. (*Sic subscribitur*) Alex<sup>r</sup> Canll<sup>r</sup>.; Dunbar.”

c. 28th August  
1610.

List of justices  
of peace.

134. Another list of justices of the peace for the several scheriffdoms,

c. August 1610.

Royal letter  
addressed to  
justices of  
peace.

135. “*Jacobus Dei gratia Anglie, Scotie, Francie et Hibernie Rex fideique defensor, etc., predilectis et fidelibus consiliariis suis A. B., etc., ac dilectis et fidelibus suis C. D., etc., salutem: Sciatis quod assignavimus vos, conjunctim et divisim, et quemlibet vestrum justitios nostros ad pacem nostram in comitatu nostro a[d] conservandam ac ad omnia ordinationes et statuta pro bono pacis nostre ac pro conservatione ejusdem et pro quieto regimine et gubernatione populi nostri editam omnibus et singulis suis articulis in dicto comitatu nostro, tam infra libertates quam extra, juxta vim, formam et effectum eorundem custodiendum et custodiri faciendi et ad omnes contra formam, ordinationum vel statutorum illorum aut eorum alicujus in comitatu predicto delinquentes castigandum et puniendum prout secundum formam, ordinationum et statutorum illorum fuerit faciendorum et ad omnes illos qui alicui vel aliquibus de populo nostro de corporibus suis vel de incendio*

Miscellaneous  
Papers.

domorum suarum, minas fecerint ad sufficientem securitatem de pace vel bono gestu suo erga nos et populum nostrum inveniendum coram vobis seu aliquo vestrum venire faciendum, et si hujusmodi securitatem invenire recusaverint tunc eos in prisonis nostris (quousque hujusmodi securitatem invenerint) salvo custodiri faciendum. Assignavimus etiam vos et quoslibet duos vel plures vestrum quorum aliquem vestrum A. C. c. d. unum esse volumus, justiciarios nostros ad inquirendum per sacramentum proborum et legalium hominum de comitatu predicto per quos rei veritas melius sciri poterit de omnibus et omnimodis felonis, veneficiis, incantationibus, sortilegiis, arte magica, transgressionibus, forstallariis, regratariis, ingrossariis, et extortionibus quibuscunque ac de omnibus et singulis aliis malefactis et offensis de quibus justiciarii pacis nostre legitime inquirere possunt aut debent per quoscunque et qualitercunque in comitatu predicto factis sive perpetratis vel que imposterum ibidem fieri vel attemptari contigerint, ac etiam de omnibus illis qui in comitatu predicto in conventiculis contra pacem nostram in perturbationem populi nostri seu vi armata ierunt vel equitaverunt, seu imposterum ire vel equitare presumpserint, ac etiam de omnibus hiis qui ibidem ad gentem nostram machinandam vel interficiendam in insidiis jacuerunt, vel imposterum jacere presumpserint, ac etiam de hostellariis et omnibus aliis et singulis personis qui in abusu ponderum vel mensurarum sive venditione victualium contra formam ordinationum vel statutorum vel eorum alicujus inde pro communi utilitate regni nostri Angliæ et populi nostri ejusdem editorum deliquerunt vel attemptaverunt seu imposterum delinquere vel attemptare presumpserint in comitatu predicto, ac etiam de quibuscunque vicecomitibus, ballivis, senescallis, constabulariis, custodibus gaolarum et aliis officiariis qui in executione officiorum suorum circa premissa seu eorum aliqua indebite se habuerunt vel imposterum indebite se habere presumpserint aut tepidi, remissi vel negligentes fuerunt, aut imposterum fore contigerit in comitatu predicto; et de omnibus et singulis suis articulis et circumstantiis et aliis rebus quibuscunque per quoscunque et qualitercunque in comitatu predicto factis sive perpetratis vel que imposterum ibidem fieri vel attemptari contigerit qualitercunque premissorum vel eorum alicujus concernentibus plenius veritatem et ad indictamenta quecunque sic coram vobis seu aliquibus vestrum capta siye capienda, aut quorum aliis nuper justiciariis pacis in comitatu predicto facta siye capta et nondum terminata inspiciendum; ac ad processus inde versus omnes et singulos sic indictatos vel quos coram vobis imposterum indictari contigerit quosque capiantur reddant se vel ut legentur faciendum et continuandum et ad omnia et singula felonias, veneficia, incantationes, sortilegia, artes, magicas, transgressiones, forstallarias, regratarias, ingrossarias, extortiones, conventicula, indictamenta, predicta ceteraque omnia et singula premissa secundum leges et statuta regni nostri Anglie prout in hujusmodi casu fieri consuevit aut debuit audiendum et terminandum et ad eosdem delinquentes et quem-

libet eorum pro delictis suis per fines, redemptiones, amerciamenta, forisfacturas ac alio modo prout secundum legem et consuetudinem regni nostri Anglie aut formam ordinationum vel statutorum predictorum fieri consuevit aut debuit castigandum et puniendum: Proviso semper quod, si casus difficultatis super determinatione aliquorum premissorum coram vobis vel aliquibus duobus vel pluribus vestrum evenire contigerit, tunc ad indictum inde reddendo nisi in presentia unius iusticiarii nostrorum de uno vel de altero banco aut unius iusticiarium nostrorum ad assisas in comitatu predicto capiendum assignatorum coram vobis vel aliquibus duobus vel pluribus vestrum minime procedatur. Et ideo vobis et cuilibet vestrum mandamus quod circa custodiam pacis, ordinationum, statutorum et omnium singulorum ceterorum premissorum diligenter intendatis et ad certos dies et loca que vos vel aliqui huiusmodi duo vel plures vestrum, ut premissum est, ad hoc provideritis super premissis faciatis inquisitiones, et premissa omnia et singula audiat et continuetis ac ea faciatis et expleatis in forma predicta fieri inde quod ad iusticiarios pertinet secundum legem et consuetudinem regni nostri Anglie, salvis nobis amerciamentis et aliis ad nos inde spectantibus. Mandamus enim cum tenore presentium vicecomiti nostro et quod ad certos dies et loca que vos vel aliqui huiusmodi duo vel plures vestrum ut predictum est scire feceritis venire faciat coram vobis vel huiusmodi duobus vel pluribus vestrum, ut dictum est, tot et tales probos et legales homines de balliya sua tam infra libertates quam extra, per quos rei veritas in premissis melius sciri poterit vel inquiri. Assignavimus denique te prefatum A. B. custodem rotulorum pacis nostre in dicto comitatu nostro ac preterea tu ad dies et loca predicta brevia, precepta, processus et indictamenta predicta coram etc., et dictis sociis tuis venire faciatis ut ea inspiciantur et debito fine terminentur sicut predictum est. In cujus rei testimonium has literas nostras fieri fecimus patentes, teste me ipso, apud Westmonasterium.

Oath to be  
taken by  
justices of  
peace.

"Ye sall suear that as justice of peice in the cuntrie of A. M., all artickles in the Kinges comissioun to yow directed, ye sall do equall ryght to the pure and to the ritche after your counyng, wet and power and after the lawes and customes of this realme and statutes thairof maid, and ye sall nocht be of counsall with any persone in any quarrell hanging befor yow, and that yow hald your sessiones after the forme of statutes thairof maide, and the yssues, fines and amerciamentis which sall happin to be maid and all foirfatouris which sall fall befor yow, ye sall treulie caus to be entred without any concealment or imbesealing and treulie send thame to the Kinges exchekquer. Ye sall not let for guifte or uther caus, bot weill and treulie ye sall do your office of justice of the peace in that behalff, and that yow tak nothing for your office of justice of the peace to be done, bot of the King and fees accustomed and costes lymited by the statut, and ye sall nocht direct or caus be

Miscellaneous  
Papers.

directit any verrant by yow to be maid to the pairteis, bot ye sall direct thame to the bailleis of the said countie or other the Kinges officeris and ministeris or other indifferent persones to do executioun thair of. So help the God and by the contentis of this buik.

"I A. B. do utterlie testifie and declare in my conscience that the Kinges hienes is the onlie suprem governour of this realme and of all uther his Hienes dominiounes and cuntreyis, alsweill in all spirituall or ecclesiasticall thinges or causses as temporall, and that no forrane prince, persone, prelat, stat or potentat hath or ought to have any jurisdiction, power, superioritie, preheminance or authoritie ecclesiasticall or spirituall within this realme; and thairfor I do utterlie renunce and forsake all forane jurisdictiones, poweris, superioriteis and authoriteis, and do promeis that from hencefurth I sall beir fayth and trew alledgance to the Kinges hienes, his hearis and lafull successouris, and to my power sall assist and defend all jurisdictiones, priviledgis, preheminencis and authoriteis grantit or belonging to the Kinges hienes, his hearis and successouris, or united and annexit to the imperiall croun of this realme. So help me God and by the contentis of this book."

136. "Instructionis to the commissioneris appoyntit for keiping c. August 1610. and preserving of his Majesteis peace.

"You ar all of you to conveye togidder yeirlie four tymes a yeir, Four meittings ilk year. viz.:—The first Tyisday of Februaire, the first Tyisday of May, the first Tyisday of August, and the first Tyisday of November, and your first meitting yeirlie to be at the heid burgh of the schyre, and the rest of your meittings to be in suche uther pairt and place as you sall agrie upoun amang your selfis at your first meitting, and you ar to consult, Consultation to prevent disorders and puneis offences. advyse and deliberat upoun all the best meanis for preventing of ensewing disordouris and puneissing of offences past, and for that effect you ar to certifie by your lettre the Lordis of his Majesties Privie Counsell at everie tyme of your meittings concerning the present Certifie the Counsell be writt of the estait of the province. estait and conditioun of these boundis within whiche you [are] nominat Intimation of ryottis to the Counsell with all necessar circumstances. commissioneris of all suche ryottis or utheris trespass committit tending to the breache of the peace within these pairtis since the tyme of your last meitting; and you ar to send the same with a particulare informatioun of the names of the parteis dilinquent, the circumstances of the deid it self and of the best prooffis that can be useit in the tryell of the mater.

"You are to mak inquirye of all jesuittis, seminarie preistis and excommunicat trafficquing papistis within your boundis and of ther Inquiry of papists and their resettaris and advertisment to the Counsell. resettaris and supplearis and mentenaris and to give informatioun thair of to his Majesties Counsell or privallie to his Majesties Chancellor, Thesaurar, the two Archbishoppis or any one of the Counsell quhome you sall think meit; and you sall command the persoun in quhome you sall find or try any of the saidis personis, jesuittis, Command to the resettar to mak the papist further cummand. seminarie preistis and excommunicat trafficquing papistis to be resset to

mak the same personis furthcumand to the Counsall as they salbe callit for. Miscellaneous  
Papers.

**Information of  
apparent  
troubill and of  
the remeid  
thair of.** "You ar to certefie the Lordis of Counsall at everie tyme of your convening yf thair be ony likliehead or appearance of ony trouble betuix parteis within the boundis of your commandement and thairwith you ar to send your best advyse how the same by your auctoritie may be stayit so that upoun your adverteisment they may tak the most expedient course for preserving of the peace.

**Repressing of  
beggars.** "At the tyme of your meitingis you ar to consult amang your selffis upoun the best meanis for repressing of this gret growth of strong and ydill vagaboundis and beggaris so as they may be forceit ather to tak themselffis to work or then compellit to leave the cuntrey, and everie one of you, when you ar returnit to your awin houses and duellingis, ar to be cairfull to sie these ordouris executit and speciallie to have stokkis at your owin houses for the more reddie puneissing of suche ydill peopils.

**Repairing  
briggis.** "You are lykwyse to be cairfull concerning the upholding and repairing of the briggis that ar not utterlie ruyned, that some course may be taikin by the cuntrey nixt adjacent to give some supplie for that matter, and quhen by your endeavouris you have procurit the cuntrey willing to contribute you ar to certifie his Majesties Counsell thair of that they may approve the same by thair auctoritie.

**Helping the  
kingis hie-  
wayes.** "And also you ar to provyde for helping of the kingis heiche wayis alsweill for the benefite of careagis as ease of passingeris, and speciallie you ar to be cairfull that no privat persoun encroatche upoun the same way by making the same straitter nor formerlie it hes bene, and as you find ony trespas committit in this kynd and the parteis refuissing to repair it, you ar then to put him under suirtie for his appeirance befor our Counsell, and you ar to certifie the Lordis of our Counsell.

**To stop  
incroacheing  
upoun the  
kingis hie-  
wayes.** "At the tyme of your meitting you ar to consult eftir what forme the cuntray may be best provydit of goode innes and luidgeings for the ease of the passingeris of all sortis and, as ye resolve upoun ane guid overtour for that effect, you ar to aquent the Counsall thairwith and procure of theme thair approbatioun, assistance and auctoritie to the samen.

**Suretie of  
incroachers to  
compeir before  
the Counsell.** "You are to mak speciall inquire at your meittings of all suche as do cut grene wode, distroy planting, use unlawfull and prohibited gayme with lying doigis, slayaris of blak fische and uther fische in forbiddin tyme, or ony offendouris in crymes of the lyk qualitie, and to put theme under suirtie for their appeirance ather befor the Counsell or Justice quhen-soever they salbe chargeit.

**Consultation  
how to provyde  
gude innes.** "You ar to informe the Lordis of Counsall of all suche as salbe delaittit unto you to beir hacquibuttis and pistolettis, and gif ony of your selffis sall deprehend ony man offending in this kynd, you sall committ him presonare in the nixt gaole unto suche tyme as he doeth find suirtie for his compeirance to ansuer that mater ather before the Counsell or Justice.

**Tryell of  
cutting grene  
woode,  
destroying  
planting,  
lying doggis,  
fisch slayaris,  
in forbidden  
tyme.**

**Bearars of  
hagbnttis and  
pistolettis.**

**Committing to  
prison bearers  
of hagbnttis.**

Miscellaneous  
Papers.

"As ony of you sall tak ony surtie for the appeirance of the offendour you sall ingross the same in ane privat book whiche you sall bring with you the tyme of your nixt meiting with the rest of the justices, and then all suche bandis of cautionarie tane by ony of you that ar justices ar to be insert in a register by one quho salbe appoyntit to be your clerk for attending those meittingis, who is to send a schort abstract of the same everie half yeir to his Majesties Thesaurer or to his depute. Breif abstract of the actis of caution to be send to the Counsell.

"You ar to inquyre of all foirstalleris and regraitaris of mercattis, and to give informatione of theme to his Majesties Thesaurer or his depute. Forestallaris and regraitaris.

"You ar to inquire of all unnecessar ailhousses in the cuntrey whilkis ar the resset of ydill vagaboundis and beggaris and gives occasione to the frequent beggaris and pykaris and stouthis in the countrey." Unnecessar ailhousses.

137. "JAMES R.—Trustie and weilbeloved counsallour, we greit yow hairtlie weill: Becaus we ar informed that sum burrowes, barrones and uthers of thatoure kingdome makis actis in thair courtis dischairgeing thair tennentis to acknowledge the justices of peace, taking upon thame power to cheise and appoynt constables, and usurping upon thameselfis unlawfullie dyvers thinges to the derogation ofoure authoritie and hinderance ofoure service committed to the saids justices ofoure peace, and thairfore it isoure expres will and command that whansoever you sall ressave information from any ofoure justices of peace of suche abuses that incontinent thairefter you cause raise summonds aganis these usurpars ofoure authoritie and hinderars ofoure service, aither before the Justice or the Lords ofoure Secret Counsell, and that you insist earnistlie in persute thairfor for reformation of the aforesaidis abuses and puneishment of the authours thairfor and suche as meanteane the same, and that yow give your faithfull counsell and gude assistance tooure saids justices of peace in evrie thing concerning the advancement ofoure service committed to thame as you will do us most acceptable service. So we bid you hairtlie faireweill." c. August 1610.  
Royal letter to Sir William Oliphant, Lord Advocate, anent the interference of burghs, barons, and others with the justices of peace in the discharge of their office.

[Addressed] "Tooure trustie and weilbeloved counsallour, Sir Williame Olifant of Newtoun, knight,oure advocat inoure kingdome of Scotland."

138. "Warrant to the estaites for ratification of the commission of Justices of the peace, instructions, articles, etc. peace.

"Commission for consideration of the penall statutes.

Penal statutes.

"Warrant for payment of the chairges of the commissioners for the justices of peace. Justices of peace.

"Letter to the Advocat to assist the justices of peace.

The same.

"Warrant for drawing up James Douglas his pension."

James Douglas.

"Bischop of Caithnes."

139. Supplication by Sir Thomas Otterburne of Reidhall, against John Houstoun, elder of Leny, and John Houstoun, his son and heir 22nd February 1611.

Sir Thomas  
Otterburn of  
Redhall  
against James  
Houstoun of  
Leny.

21st March  
1611.  
Hercules  
Cramond  
against David  
Beatoun.

27th March  
1611.  
Supplication  
by Patrick  
Drummond,  
son of James  
Drummond of  
Leitchhill, for  
a summons  
against Harry  
Drummond,  
his brother,  
whom he  
accuses of  
assault.

27th March  
1611.  
Supplication  
by John  
M'Donald of  
Moydart  
against the  
Captain of the  
Clanranald,  
whom he  
accuses of  
illegally  
warding him  
and seizing  
his lands.

apparent, as narrated in vol. ix., p. 142. On the back, "*Apud Edin-* Miscellaneous  
*burgh, xxij Februarij, 1611. Fiat ut petitur. S. R. COKBURNE.*" Papers.

140. Supplication by Hercules Cramond against David Beatoun of Carsgownie as narrated in vol. ix., pp. 157-158. On the back, "*Apud Edin-*  
*burgh, xxi Martij, 1611. Fiat ut petitur. S. R. COKBURNE.*"

141. Supplication by Patrick Drumond, lawful son of James Drummond of Leitchhil, sheriff-clerk of Perth, as follows:—Harry Drumond, his brother, "haveing shakin of that brotherlie love whiche he aucht to haif caryed to me, and being unmyndfull of the monyfauld benefeittis quhilkis from tyme to tyme he ressavit from me, he hes oft and diverse tymes soght the occasioun how to execut his privat grudge aganis me, as namelie upoun the day of Merche instant the said Harie Drumond, understanding that I wes myne allane within the wreatting chalmer of my said father thair doing my lauchfull affairis in sober and quiet maner, resolveing at that tyme to attempt some violent interpryse aganis me, enterit violentlie within the said chalmer, closit the duris thair of behind him, came unto me quhair I wes wreatting at the lettering in peaceable maner, and, or I wes wer of him, pat violent hand in me, pullit me from the said lettren, rasht me under his feitt and shamfullie, cruellie and unhonnestlie straik and dang me upoun the face and diverse utheris pairtis of my body to the effusioun of my blod in grite quantitie at my mouth and neis and left me lyand for dead, and haid nocht failit to haif slane me of sett purpois, provision and foirthocht felony." He therefore craves a summons against "the saidis personis." [On the back] "*Apud Edinburgh, xxvij Martij, 1611. Fiat ut petitur. (Signed) S. R. COKBURNE.*"

142. Supplication by John M<sup>c</sup>Ronnald of Mudart, as follows:—Donald M<sup>c</sup>Allane M<sup>c</sup>Eane of Yllantyrin, Captain of the Clanronnald, "haveing upoun sinister informatioun purchest ane commissioun of your Lordships for the taking and apprehending of suche personis of his kin as ar suspect guyltie of capitall crymes, hes be verbew of this commissioun tane and apprehendit me in the moneth of last, keepisand detenes me in most strait and miserable prisone, bund and fetterit in yrnis, caryis me fra hoill to hoill and daylie threatnis me with most cruell death unles I renunce and discharge to him my just richt and title of successioun to all these lands presentlie possesst be him, quhair of I am the undoutit heretour, althocht be force and violence I be detenit and withhaldin from the same, and he will nocht fail to caus murdour me incaise I yeild nocht to him in that his unjust and unreasonable demand althocht it be of veritie that I am ane answerable and law-byding subject who to this hour hes contenit my self within the boundis of my allegiance and obedience to his Majestie and his lawes, foirbering all such actionis as ather micht seame offensive to the

Miscellaneous  
Papers.

peace and quietnes of the countrey or prejudiciall to ony of his Majesteis good subjects. And farder, I am nocht sic a persone as may be comprehendit under the generallitie of his commissioun in so fer es, althocht I be ane of his clan and kin, yitt I haif nevir bene a follower of him nor a partaker with him in ony his actionis, bot he hes bene a prosecutor of me continewallie sen I come to the yeiris of majoritie with all kynd of extremitie, and am one aganis whome he hes evir professit his deadlie haitrent and malice, and be all his endevoiris hes huntit for my lyff, and so he, being of suche a malicious humour and dispositioun aganis me, no suche commissioun can stand in his persone aganis me and he aucht nocht to be sufferrit to cover and cloke the revenge of his awne particulars with the pretext of his Majesteis auctoritie; and thairfoir the said commissioun, in so far as the same may be extendit aganis me, aucht to be suspendit and dischairgit and he aucht and sould be decernit to put me to libertie quhilk he on na wyse will do without compulsion." He therefore craves letters for charging "the said Donnald McAllane personalie yf he can be apprehendit, and failyeing thair of at his duelling place of the Castle of Tyreine, quhair his wyff, bairnis, servandis and familie hes thair residence, and be oppin proclamatioun at the mercat croce of the burgh of Innernes, quhilk is the head burgh of the schyre quhair he duellis, becaus at all suche tymes as ony messinger repairs to his boundis for executing ony chairges aganis him he upoun informatioun thair of he then convoyis and transportis him self to ane litle yle in the sey xxx myles af land quhair no man can haif access to his personall presence, to compeir, bring and present and exhibit me with the commission fairsaid befor your Lordships at ane certane day to heir and see the commissioun fairsaid in so far as it may be extendit aganis me to be suspendit and dischairgit *simpliciter*, and him decernit to put me to libertie and fredome, and suffer me pas quher I pleis as his Majesteis frie liege, or ellis to show a caus, and in the meantyme to discharge." [On the back] "*Apud Edinburgh, xxvij Martij, 1611. Fiat ut petitur*, to the xxij day of Maij nixtocome and to discharge *ut infra* to the last day of the same monethe for the causses within wreattin. (Signed) JO. PRESTOUN."

143. Supplication by Andrew Dickie in Aden of Deir, as follows:—  
 On 22nd January last Alexander Naper, merchant in Deir, "bodin in feir of wearre with sword, gantelett, plaitsevis and utheris vapponis invasive, upoun a malice and haitrent consavit be him aganis me, come be way of hamsuckin to my dwelling house in Aden under clud and silence of nicht about nyne houris at ewin, quhair I wes for the tyme takand the nichtis rest in my naked bed, and thair efter a most insolent maner forceable brak up the dure of my said hous, violentlie enterit thairintill, come to the bed quhair I lay, pullit me naked out of the same, I being an agit man past lx ane yeirs, and shamefullie, cruellie and unhonnestlie with ane rung and with his feitt and handis strak and  
 30th March 1611.  
 Supplication by Andrew Dickie in Aden of Deir for summons against Alexander Naper, merchant in Deir, whom he accuses of assault.

dang me upoun diverse pairtis of my body and left me for dead lyand on my awne floore, quhairof I contractit suche a haviie disease as I haif evir since lyine bedfast and am nocht lyklie to convalesce." He therefore craves summons against him. [On the back] "*Apud Edinburgh, penultimo Martij, 1611. Fiat ut petitur.* (Signed) S. R. COKBURNE." Miscellaneous Papers.

1st April  
1611.

Thomas  
Paterson,  
against Sir  
James Stewart  
of Balliachan.

144. Supplication by Thomas Patersoun, merchant burges of Edinburgh, against Sir James Stewewart of Balliachin, knight, as narrated in vol. ix., p. 158. [On the back] "*Apud Edinburgh, primo Aprilis, 1611. Fiat ut petitur.* S. R. COKBURNE."

2nd April  
1611.

Supplication  
by Andrew  
Gray of Lour,  
constable of  
Forfar, for  
summons  
against John  
Mylne in the  
said burgh for  
contempt of  
court and  
breaking  
ward.

145. Supplication by Andrew Gray of Lowr, constable of Forfar, as follows:—On 26th March last he, having fenced a court in the tolbooth of Forfar and called John Mylne in Forfar to appear "for the hurting and bluding of Johne Strang, indwellair in the said burgh, and the said Johne Milne compeirand personalie and be reasoun of his misbehaviour in uttering of hard and undecent speitcheis aganis me, being commandit to silence and nocht to perturb the same court, and ordour being taking for the triell of the said mater, the said Johne Mylne not onlie persistit and continewit in his misbehaviour foirsaid, I being sittand in judgement, not onlie refusit to do the same, bot being arrestit be the officiar of the said court to remane in ward within the said tolbuith quhill he had payit the unlaw he wes convictit unto, he contemptuously brak the said waird in heich and contemptioun of his Majesties auctoritie." He craves a summons against him. [On the back] "*Apud Edinburgh, secundo Aprilis, 1611. Fiat ut petitur.* (Signed) S. R. COKBURNE."

2nd April  
1611.

Supplication  
by Thomas  
Ewing,  
portioner of  
Smithfield, for  
summons  
against James  
Graham of  
Dumblane and  
others for  
contempt of  
horning.

146. Supplication by Thomas Ewing, portioner of Southfeild, as follows:—On 23rd March last, James Grahame of Drumlene, Patrick Norie in Wester Bogwhopill, William Spittell in Bordland, John Kendow in Ballebeg, Donald Kendow in Tor of Rusky, Gilfillen Blair at the mill of Rusky, Patrick Baxter there and John Symie there, James Baxter in Lenysoun, John Stirling in Shireftoun, John Norwall in Snyok, Patrick Grahame there, Finlay and John McGownis in Denhead, Donald McKinla in Balliknok, and Patrick McUlben in Dalduran, were put to the horn for failing to pay and deliver to him some victual, according to their dues, viz.:—James Grahame 8 bolls teind meill for the lands of Daldowran, crop 1610, the said Patrick Norie in Wester Boquhopill 4 bolls meill for the quarter lands of Boquhop the said year, William Spittell and the others respectively for their own parts as specified in the execution of the letters of horning; but they still remain unrelaxed. He craves summons against them. [On the back] "*Apud Edinburgh, secundo Aprilis, 1611. Fiat ut petitur.* (Signed) S. R. COKBURNE."

3rd April  
1611.

147. Supplication by

Cockburne, servitor to Thomas Lintoun

Miscellaneous  
Papers.

in Blakhous, as follows:—On 1st April instant, he being on the said lands of Blakhous, "thair doing my said maisteris affairis in sober and quiet maner, lippning for no violence, injurie nor oppressioun to haif bene done to me be ony persone, it is of treuth that Walter Scot in Montbenger, upoun a deadlie malice consavit be him aganis me, come rydand on horsbak to the saidis landis of Blakhous, quhair I wes for the tyme in quiet maner, as said is, and thair brak at me, chassit me a long space and, upoun extreme hasaird of my lyff, compellit me to tak the water of Yara, quhairin I wes almost drownit, I being on fute, and in end, haveing overtane me, pat violent hand in me and with a grite batoun shamfullie, cruellie and unmercifully invadit and persewit me of my lyff and so havielie straik and dang me upoun my heid, armes and utheris pairtis of my body as I am not able yit to lift my armes to my head, and left me lyand upoun the ground for dead." He craves a summons against "the saidis personis." [On the back] "*Apud Edinburgh, tertio Aprilis, 1611. Fiat ut petitur.* (Signed) S. R. COCKBURN."

Supplication  
by  
Cockburn,  
servitor to  
Thomas  
Linton  
in Blakhous  
for summons  
against Walter  
Scot in  
Mount Benger  
for assault.

148. Supplication by Simon Scot of Bonytoun against John Carruthers, elder of Holmends, and William Carruthers of Knox, his son, as narrated in vol. ix., p. 158. On the back, "*Apud Edinburgh, quarto Aprilis, 1611. Fiat ut petitur.* S. R. COCKBURN."

4th April 1611.  
Supplication  
by Simon Scot  
of Bonytoun  
against John  
Carruthers of  
Holmends.

149. Supplication by the provost and bailies of Edinburgh, as follows:—They appointed a certain number of persons to keep nightly watch upon the streets of the burgh for staying the insolent behaviour and carriage of great numbers of swaggering, idle and "deboshed bodyis who, debording in all kynd of ryott, excesse and drukkynnes, maid very frequent commotioun, troublis and perturbationis in this burgh and sometymes invadit the nychtbouris and inhabitantis of the same, brak housses and committit sundrie robbries and spoillis to the hurte of nombris of poore people; and now laitlie upoun the secund of instant about midnycht some of the personis of our gaird, being walking upoun the streitis of this burgh and going athort the toun according to thair wounted maner, thay forgadderit with Richard Abircrumby of Poltoun, David Forrester, secund sone to the Laird of Corstorphin, Alexander Drumond, second sone to umquhill Sir Johnne Drummond of Hathronedaill, Andro Abircrumby, sone to Abircrumby in Dunfermeling, and Robert Nicolsoun, writter, quho had past the maist pairt of that day and nycht in beistlie drukkynnes, and having in very peaceable termes found fault with thame for contravening of his Majesteis proclamatioun, quherby the resoirt of people upoun the streits of this burgh after the ringing of the ten hour bell wes prohibite, and desiring thame to go to thair ludgeing, without offerring ony injurie or mater of offens to thame in worde or deid, the said personis most cruellie with drawin swerdis invadit and persewit our gaird of thair lyveis, hurte

4th April 1611.  
Supplication  
by the magis-  
trates of  
Edinburgh for  
summons  
against  
Richard Aber-  
cromby of  
Poltoun and  
others for riot  
in the streets  
of the said  
burgh.

and woundit diverse of thame, as namelie \_\_\_\_\_, quhom thay <sup>Miscellaneous</sup> left for deid." They crave summons against these persons, with <sup>Papers.</sup> execution against them personally if they can be apprehended, and failing thereof "at thair duelling placeis yf thai ony haif" and by proclamation at the market cross of Edinburgh. [On the back] "*Apud Edinburgh, quarto Aprilis, 1611. Fiat ut petitur.* (Signed) S. R. COKBURNE."

4th April 1611. 150. Supplication by Sir John Arnott, Treasurer Depute and general receiver of H.M. casualties and property, as follows:—Notwithstanding of several acts of Parliament and Privy Council ordaining merchants and traders of this kingdom to bring home a certain quantity of bullion answerable to the goods transported by them out of his kingdom, "to the effect the cunyeehous mycht be furnist and money enterdenyit amangis the liegeis," yet a great number of these merchants and traders in Dundee "ar restand awand the haill bulyeoun whilk sould haif bene brocht home to thame for the goodis transportit be thame and shippit at the poirt of Dundee sen the first day of November, 1607, to the last day of October, 1610, and they on nawise will mak payment thairof without thay be compellit." He therefore craves letters for charging them to pay to him and to Andrew Flesheour, burgess of Dundee, as his factour, the whole bullion due to be paid by them, within ten days after the charge. [On the back] "*Apud Edinburgh, quarto Aprilis, 1611. Fiat ut petitur.* (Signed) S. R. COKBURNE."

Supplication by Sir John Arnott, Treasurer-Depute of his Majesty's casualties, that the traders and merchants in Dundee be charged to pay the bullion which they ought to have brought into the country in return for goods exported.

5th April 1611. 151. Supplication by John Whytefeild, Englishman, merchant in Great Yarmouth, as follows:—On 29th March last, Thomas Richartsoun, mariner, burgess of Anstruther, was put to the horn for not paying to him £60 sterling with £5 of expenses, and he still remains thereat. He therefore craves a summons against him. [On the back] "*Apud Edinburgh, quinto Aprilis, 1611. Fiat ut petitur.* (Signed) S. R. COKBURNE."

Supplication by John Whytefeild, Englishman, for summons against Thomas Richardson, mariner burgess of Anstruther.

6th April 1611. 152. Supplication by Thomas Mavitie, servitor to David Johnstoun in Kindleheid, as follows:—On \_\_\_\_\_ March last, John Carmichaell, son of William Carmichaell, sometime of the Maynis, and Richard Jerdane, son of the deceased Thomas Jerdane of Birnok, "upoun a particular haitrent and malice consavit be thame aganis me, persaveing me upoun the landis of \_\_\_\_\_ ryding single and allone neir the watir scheit of Clyde, they thair feirsilie set upon me and cruellie and unmercifullie invadit and persewit me of my lyff with suerdis and quhinzeairis and thairwith hurte and woundit me in diverse pairtis of my body and left me for deid." He therefore craves summons against them. [On the back] "*Apud Edinburgh, sexto Aprilis, 1611. Fiat ut petitur.* (Signed) S. R. COKBURNE."

Supplication by Thomas Mavitie, servitor to David Johnstone in Kindleheid, for summons against John Carmichael and others for assault.

Miscellaneous  
Papers.

153. Supplication by Robert Futhie of Foddismylne against William Davidson in Crombie, and others, as narrated in vol. ix., p. 158. On the back, "*Apud Edinburgh, octavo Aprilis, 1611. Fiat ut petitur.* S. R. COKBURNE."

8th April 1611.  
Robert Futhie  
of Foddismylne  
against  
William  
Davidson in  
Crombie.

154. Supplication by Alexander Lowis, merchant burgess of Edinburgh, against Sir Harry Lindesay of Carrestoun and Sir John Lindesay, his son and apparent heir, as narrated in vol. ix., p. 158. On the back, "*Apud Edinburgh, decimo Aprilis, 1611. Fiat ut petitur.* S. R. COKBURNE."

10th April  
1611.  
Alexander  
Lowis against  
Sir Henry  
Lindsay of  
Carristoun.

155. Supplication by Hew Douglas of Bellibotht, as follows:—Sir Robert Dowglas of Cashogill, William Dowglas, fiar thereof, Robert Dowglas, son of the said Sir Robert, Peter Reid in Durrisdeir, William Menzeis there, Andrew Sampsons there, Thomas Fingland there, Andrew Clerk there, Simon Purdy there, Peter Broun in Skarheid there, Peter Broun, called the Laird, there, John Williamsone there, William Roxburgh there, Michael Baillie there, John Hunter there, John Menzeis there, Archibald Dalyell there, William Kirkpatrick there, Robert Wilsone there, John Broun in Inglishtoun, and John Rowan in Enterkinfoote, "haveing consavit a deadlie malice and haitrent aganis me, daylie braggis, boistis, shoiris and avowis to haif my lyff, hes committit mony pointis of injurie of oppressioun upoun me." He craves that they may be charged to find caution for his indemnity. [On the back] "*Apud Edinburgh, xj Aprilis, 1611. Fiat ut petitur,* the Lairdis of Cashogill, elder, and Cashogill, younger, ather of thame under the pane of ij<sup>m</sup> lib., Robert Dowglas, sone to the said Laird of Cashogill, elder, j<sup>m</sup> merkis, and ilk ane of the remanent persons under the pane of v<sup>c</sup> merkis. (Signed) S. R. COKBURNE."

11th April  
1611.  
Supplication  
by Hew  
Douglas of  
Bellibotht for  
summons  
against Robert  
Douglas of  
Cashogill and  
others for  
lawburrows.

156. Supplication by Alexander Martene in Skedowye as follows:—George Allerdes of Skedowye, Robert and Henry Skedowye, his sons, "haveing consavit a deadlie malice and haitrent aganis me," trouble and molest him and his tenants and servants. He therefore craves letters charging them to find caution for his indemnity. [On the back] "*Apud Edinburgh, xij Aprilis, 1611. Fiat ut petitur,* the Laird of Skedowye under the pane of j<sup>m</sup> lib., and ather of his tua sones under the pane of v<sup>c</sup> lib. (Signed) S. R. COKBURNE."

12th April  
1611.  
Supplication  
by Alexander  
Martin in  
Skedowye  
against George  
Allardye and  
others for  
lawburrows.

157. Supplication by Andrew Barclay in Renshaw against David Chrystesoun in Glenburne and John Davidsoun in Holme of Auchnewis of Glenesk, as narrated in vol. ix., p. 184. On the back, "*Apud Edinburgh, xij Aprilis, 1611. Fiat ut petitur.* S. R. COKBURNE."

13th April  
1611.  
Andrew  
Barclay in  
Renshaw  
against David  
Christison  
and John  
Davidson.

158. Supplication by Mr John Russell, advocate, elder, and Mr John Russell, younger, his son, against William Carmichaell, bailie of Dysart, as narrated in vol. ix., p. 164. On the back, "*Apud Edinburgh, xij Aprilis, 1611. Fiat ut petitur.* S. R. COKBURNE."

13th April  
1611.  
Mr John  
Russell,  
advocate,  
against  
William Car-  
michaell, bailie  
of Dysart.

13th April 1611. Thomas Bray, cordwainer, burgess of Perth, agninst James Stewart in Redcastle. 159. Supplication by Thomas Bray, cordiner burgess of Perth, as follows :—On 30th March last James Stewart in Reidcastell was put to the horn for not paying to him £60 of principal and £8 of expenses. He craves summons against him. [On the back] "*Apud Edinburgh, xiiij Aprilis, 1611. Fiat ut petitur.*" Miscellaneous Papers.

15th April 1611. Supplication by John Clyde in Watstoun and Arthur Robeson in Hunterhill for summons against Thomas Smellie in Breadiescheilburne and others for assault. 160. Supplication by John Clyde in Watstoun and Arthur Robeson in Hunterhill as follows :—On September last Thomas Smellie accompanied with other accomplices, "all bodin in fear of weir, with swordis, gauntelettis, plaitislevs and utheris vapponis invasive, upoun a malice consavit be thame aganis us, persaving us in the Longbyris thair doing our lauffull affairis in sober and quiet maner, most ferslie sett upoun us and with drawin swordis shamfullie, cruellie and unmercifullie invadit and persewit us of our lyffis, gaf me, the said Arthour Robeson, a deadlie wound in the head, hurt and woundit me, the said John Clyde, in the right elbo to the effusion, etc.; and upoun the 7 of Aprill instant, also being Sondag, the said James Smellie umbesett my way betuixt Culnes and Watstoun and, persaving me comeing by him, ferslie sett upoun me, strak at me a lang tyme." They crave summons against these persons. [On the back] "*Apud Edinburgh, xv Aprilis, 1611. Fiat ut petitur.*" (Signed) S. R. COKBURNE."

16th April 1611. Supplication by Thomas Urquhart, sheriff of Cromarty, for letters charging the sheriffs of Edinburgh and to apprehend John Wilson, some time in Inverichnie. 161. Supplication by Thomas Urquhart, sheriff of Cromarty, as follows :—On 28th March last John Wilson, some time in Innerichnie, was put to the horn at his instance for not removing from the east half town of Walkerhill, and not paying the violent profits thereof, conform to a decret dated 3d November last by the sheriff of Aberdeen and his deputes, and also 40s. of expenses; and he still remains at the horn. He craves letters charging the sheriffs of Edinburgh, Fife, Perth, Forfar, Kincardine, Aberdeen, Banff, Inverness and Nairn, and their deputes, the provosts and bailies of the whole burghs within these scherriffdoms, and also within the sheriffdom of Cromarty, messengers of arms, etc., and all others his Majesty's judges and officers, to seek and apprehend the said John Wilson within three days, under pain of rebellion. [On the back] "*Apud Edinburgh, xvj Aprilis, 1611. Fiat ut petitur.*" (Signed) S. R. COKBURNE."

17th April 1611. David Donaldson, shopman traveller in Fyfe and Angus, against Thomas Findlay in Kinsleith. 162. Supplication by David Donaldsone, shopman traveller in the country of Fyiff and Angus, against Thomas Findlay in Kinsleith and others, as narrated in vol. ix., p. 172. On the back, "*Apud Edinburgh, xvij Aprilis, 1611. Fiat ut petitur.*"

17th April 1611. Supplication by Andrew Cristall in Ardo, George Smyth there, Arthur Rae there, William Shand there, David Lyoun there, Gilbert Joffray there, John Bayne there, John Lyoun there, Patrick Ray at the

Miscellaneous  
Papers.

mill thereof, Paul Rae in Wrangum, Gilbert Sandie in Midlemure, John Sandie there, Bernard Hendry in Whytehillis, Gilbert Smyth in Balmedie, John Tilliry there, Andrew Tailyeour in Keir, Thomas Sandie there, Walter Wod there, George Clerk in Auld Overtoun, Robert Jaksoun there, Andrew Milne in Hattoun, Patrick Ramsay there, George Clerk there, George Edmond there, Thomas Simpstone there, John Cay there, Alexander Hendersoun in Layngis Seat, George Clerk there, William Clerk there, John Hendersoun there, Robert Davidstone in Muretoun, Alexander Cay there, Patrick Nicoll in Whytecarnis, Gilbert Smythe there, Alexander Pantoun in Cragy, Robert Shand there, John Baverlay there, Alexander Myll there, John Litlejohn there, John Skene in Overhill, Andrew Skene there, William Clerkis there, Jonet Maitland in Freichsyd, Thomas Riddell there, and William Seatoun in Kingis Seat, as follows:—Mr Robert Gardin of Blairtoun, Mr Alexander Gardin, Thomas Gardin, burgesses of Dundee, and George Gairdin, brother to the said Mr Robert, Andrew Davidstone in Blairtoun, Thomas Blak there, George Jonkyne there, Patrick Schives there, Alexander Henry there, William Hendersoun, servitor to John Mylne in Blairtoun, Gavin Cruikshank, servitor to the said Mr Robert, and David Mudie in Auld Aberdeen, “haveing consavit a malice aganis us, committis mony pointis of oppression upoun us.” They crave letters charging them to find caution for their indemnity. [On the back] “*Apud Edinburgh, xvij Aprilis, 1611. Fiat ut petitur, M<sup>r</sup> Robert Gairdin of Blairtoun under the pain of j<sup>m</sup> merkis, ilkane of his thrie brether within nameit under the pane of v<sup>o</sup> merkis, and ilkane of the remanent personis within complenit upoun under the pane of iij<sup>o</sup> merkis. (Signed) S. R. COKBURNE.*”

Chrystal in  
Ardo and  
others for  
letters of  
caution from  
Robert Gardin  
of Blairtoun  
and others.

164. Supplication by John Hamnyltoun in Hairshaw and Gawin Hamnyltoun, his son, against James, Earl of Abercorne, as narrated in vol. ix, p. 163. [On the back] “*Apud Edinburgh xvij Aprilis, 1611. Fiat ut petitur. Ross.*”

18th April  
1611.  
John Hamilton  
in Hairshaw  
against James,  
Earl of Aber-  
corn.

165. Supplication by the provost and bailies of St. Andrews, as follows:—Walter Geddie, sometime burgess there, “having tane upoun him the cryme of clipping and ringeing of his Majesteis cunye, and being fugitive fra the lawis for the samin, your Lordships hes ordanit us to searche, seik and apprehend him and to present him unto your Lordships, and that in respect of some trouble and commotioun quhilk happynnit and fell oute in our towne the tyme that his Majestys gard come thair to seeke him, and the said Walter, knowing the diligence that we haif used in searcheing and seiking of him, whairin we haif omitted nor shall omitt no pane, travell, charges nor expenses that possiblie can be done in suche a erand, and he, finding no place of suirtie for him in this cuntrey, intendis, as we ar informed, to pas furth of this cuntrey and sua to eschew his awne punishment and to leave us

18th April  
1611.  
Supplication  
by the magis-  
trates of St.  
Andrews for  
letters charg-  
ing all the  
lieges not to  
transport  
Walter Geddie  
out of the  
country.

under the danger of your Lordships censure for his eschaip without some remeid be providit." They crave letters for charging all masters, shippers and mariners, and all the lieges "be oppin proclamatioun at all placeis neidfull that nane of thame presoum nor tak upoun hand to transport the said Walter furth of this realme, upoun quhatsumevir cullour or pretens, under the pane of confiscatioun of the ship and of the remanent goodis and geir pertening to the skipparis, maisteris and marinaris of the ship wherein the said Walter sal happin to be transported." [On the back] "*Apud Edinburgh, xvij die mensis Aprilis, 1611. Fiat ut petitur.* (Signed) Ross." Miscellaneous Papers.

18th April  
1611.

Supplication  
by the magis-  
trates of St.  
Andrews for  
summons  
against certain  
persons who  
were guilty of  
riot in connec-  
tion with the  
above-named  
Walter Geddie.

166. Supplication by the provost and bailies of St. Andrews, as follows:—Their Lorchips, "upoun consideratioun of that insolence and ryott committit within our towne aganis suche of the gaird as wer directit thair for the apprehensioun of Walter Geddie, suspect guiltie and delait and now fugitive fra the lawis for clipping and ringeing of his Majesteis cunye, to ordane us to tak, apprehend, examine, try and present unto your Lordships suche personis as we will avow and verifie befor your Lordships to haif bene the actoris and committaris of the insolence foirsaid, and we, having done our diligence in the tryale and examinatioun of that mater, we haif found by clear informatioun that the personis following, thay ar to say, wer speciall committaris of the insolence and ryott forsaid, who being strangars for the maist pairt and nocht nyctbouris and inhabitantis of our towne, on nawayes will compeir with us befor your Lordships at the dyet affixt be your Lordships to that effect to underly thair awin tryall and censure and it lyis nocht in our possibillitie and power to apprehend thame without your Lordships provide remeid." They crave summons against them. [On the back] "*Apud Edinburgh, xvij die mensis Aprilis, 1611. Fiat ut petitur.* (Signed) Ross."

19th April  
1611.

James Ramsay  
of Arbeky  
against Sir  
Robert Crichton  
of Cluny  
and James  
Naismyth of  
Inver.

167. Supplication by James Ramsay of Arbeky against Sir Robert Creichtoun of Cluny and James Naismyth of Inver, as narrated in vol. ix., p. 171. On the back, "*Apud Edinburgh, xix Aprilis, anno, etc, 1611. Fiat ut petitur.* S. R. COKBURNE."

19th April  
1611.

Supplication  
by David  
Fethie, son of  
the deceased  
David Fethie  
of Hodgstoun  
for summons  
against James  
Gairdin in  
Ballindoch  
and others for  
hamesuckin.

168. Supplication by David Fethie, son of the deceased David Fethie of Hodgstoun, and John Dog, his servant, as follows:—On 14th April instant James Gairdin in Ballindoch, accompanied with James Honnour, Robert Edisone, Alexander Edisoun, John Edisoun (deleted), Robert Smart, Andrew Ramsay, his servants, and John Edisoun, servant to Alexander Shipherd in Grange, "all bodin in feir of weir, with swordis, gantelettis, plaitslevis and utheris vapponis invasive, come be way of hamesuckin to my duelling house in Hodgstoun under clud and silence of nicht quhair I wes for the tyme doing my lauchfull affairis in sober and quiet maner, and thair first upbradit us with mony injurious

Miscellaneous  
Papers.

and reprochfull speiches, and than put violent hand in us and with drawin swords shamefullie, cruellie and unmercifullie invadit and persewit us of our lyves, gaf ather of us diverse deadlie woundis in oure heads and hurt and woundit us in sindrie uther pairtis of our bodyis and left us for dead." They crave a summons against them. [On the back] "*Apud Edinburgh, xix Aprilis, 1611. Fiat ut petitur.* (Signed) S. R. COKBURNE."

169. Supplication by George Hepburne, son of Robert Hepburne, 20th April 1611. elder of Haillis, against William Leirmonth, younger of Hill, John Leirmonth, his brother, William Drum, Robert Lugtoun, and Alexander Simpson, servitors to the said William Lerimouth, elder, William Lermonth, smith in Markill, William Yong, servitor to Gilbert Hill in the Brigend of Lintoun, as narrated in vol. ix., p. 219. On the back, "*Apud Edinburgh, xx Aprilis, 1611. Fiat ut petitur.* S. R. COKBURNE." George Hepburn, son of Robert Hepburn of Hailes, against William Learmonth, younger of Hill, and others.

170. Supplication by Mr Alexander Levingstoun, advocate, as 20th April 1611. follows:—On 8th and 9th November, 1610, William Douglas, apparent of Corschogill, and Robert Johnstoun of Reacleuch, tutor of Johnstoun, were put to the horn at his instance for not paying 3000 merks of principal and £300 of expenses contained in their bond; and thereat they remain. He craves a summons against them. [On the back] "*Apud Edinburgh, xx Aprilis, 1611. Fiat ut petitur.* (Signed) S. R. COKBURNE." Alexander Livingstone, advocate, against William Douglas, apparent of Corschogill, and Robert Johnstone of Raecleuch.

171. Supplication by Cuthbert Borthuik, merchant burgess of Edinburgh, and John Borthuik of Collelaw, against Robert, Earl of Lothian, and others, as narrated in vol. ix., p. 164. [On the back] "*Apud Edinburgh, xxij Aprilis, 1611. Fiat ut petitur.* AL. CANCELL." 22nd April 1611. Cuthbert Borthwick against Robert, Earl of Lothian.

172. Supplication by Alexander Schorte, son of Moses Schort in Leith, John Cunynghame, servitor to the said Moses, and the said Moses Short for his interest, as follows:—On 10th April instant John Mathesoun, younger in Brochtoun, John Kello, indweller in the Canon gate, "all bodin in feir of weir, with swordis, dagiris, gantilatis, langstaulffis and utheris wapponis invasive, off the speciall causing, command, directioun and hounding out of John Mathesoun, elder, porti[oner] of Brochtoun, come to the ground of myne, the said Moses Schorte, proper landis of Westerdail, quhair my said sone and servand wer in sober maner for the tyme gangand at the pleuch teilling the said land, and thair ferslie set upoun thame and cruellie and unmercifullie invadit and persewit thame of thair lyves, gaf thame mony bauch, blai and bludy strykis upoun diverse pairtis of thair bodyis of purpois to have slane thame, quhilk thay had not faillit to have done wer nocht we for saiftie of our lyves eschaipit." They crave summons against them. [On the back] "*Apud Edinburgh, xxij Aprilis, anno, etc., 1611. Fiat ut petitur.* (Signed) S. R. COKBURNE." 22nd April 1611. Supplication by Alexander Short, son of Moses Short in Leith, for summons against John Mathieson, younger in Broughton, and others for assault.

22nd April  
1611.

Supplication  
by Neill Ewart  
of Bodsbeck  
and others for  
summons  
against James  
Grahame of  
Longtoddom  
and others for  
lawburrows.

173. Supplication by Neill Ewart of Bootsbeck, John, Alexander, and Ninian Ewart, his sons, John and David Ewart, his brothers, Matthew Ewart in Clarefoote, Robert Moffett there, Adam Ewart there, and John Beatie there, as follows:—James Grahame of Longbodome, Robert and James Grahame, his sons, Robert and Walter Grahame, his brothers, David Johnnstoun in Kendlehead, Thomas and James Johnnstone, his sons, Andrew Johnnstoun in Marjoribanks, John Johnnstoun in Arshebog, James and Francis Johnnstone, his sons, John Johnnstoun, called of Mosstop, James Johnnstoun of Bentholme, Thomas and Andrew Johnnstoun, his sons, Robert Johnnstoun of Wanfray, James and William Johnnstoun, his brothers, Robert Carrutheris in Logane, John Johnnstoun there, Robert Frenshe of Frensheland, William Frenshe, his son, Adam Frenshe in Moffat, Robert Moffett of Auldtoun, Thomas Johnnstoun in Arshebank, James Johnnstoun, his brother, James, William, and John Achesoun in Polmudie, Thomas Mureman in Murefute, John Mureman there, Gavin Johnnstoun, called in Midlegill, James Grahame in Moffat, Thomas Mudie there, Robert Ewart, sometime in Clarefoote, and James and Ewart, his sons, “haveing consavit a deadly malice aganis us, daylie and continewallie troublis and molestis us, our men, tennentis and servandis in our landis, possessionis, cornis, cattell, goodis and geir, braggis, shoiris and avowis to haif our lyffis, lyis at await for us and will not fail to tak some unhonnest advantage of us.” They crave summons against them. [On the back] “*Apud Edinburgh, xxij Aprilis, 1611. Fiat ut petitur, Robert Johnnstoun of Wanfray, under the pane of ij<sup>m</sup> merkis, James Grahame of Longbodome, Johnstoun of Beirholme, and Robert Frenshe of Frenshland, ilkane of thame under the pane of j<sup>m</sup> lib., and ilkane of the remanent personis under the pane of v<sup>c</sup> merkis. (Signed) S. R. COKBURNE.*”

Miscellaneous  
Papers.

23rd April  
1611.

Supplication  
by Alexander  
Conquergood,  
son of James  
Conquergood  
in Over  
Liberton, and  
others for  
summons  
against Alex-  
ander Jok in  
the West End  
of the Burrow-  
muir and  
others for  
assault.

174. Supplication by Alexander Conquergood, son of James Conquergood in Over Libbertoun, and Isobel Hepburne there, as follows:—On April instant, while they journeyed from Edinburgh toward Liberton, Alexander Tok in the westend of the Burrowmure, William Tok, his brother, and Richard Kill in Edinburgh, “all bodin in feir of weir, with swordis, ganteletis, stingis, batounis and utheris vaponis invasive, lay at wait for us in the said way, lykas how soone we come by thame thay ferslie sett upoun us and with grit stingis and forkis gaif us bauch, blae and bloody straik [is] upoun diverse partis of our bodyes and left us baith for deid, quhairof I, the said Isobell, am yitt lyand bedfast nocht lyklie to convalesce.” They crave a summons against them. [On the back] “*Apud Edinburgh, xxij Aprilis, 1611. Fiat ut petitur. (Signed) S. R. COKBURNE.*”

23rd April  
1611.

Walter  
Quhyteock in  
Nether

175. Supplication by Walter Quhyteock in Nather Banchell, as follows:—On August last, while travelling in the highway, he was assaulted “under silence of nicht” by John Pitscottie, younger of Loncardie,

Miscellaneous  
Papers.

and his accomplices, "all bodin in feir of weir" and struck in the shoulder with a "grit durk" and left for dead. He craves summons against them. [On the back] "*Apud Edinburgh, xxij Aprilis, 1611. Fiat ut petitur.* (Signed) S. R. COKBURNE."

Banchall  
against John  
Pitcottie,  
younger of  
Lonsdale, and  
others.

176. Supplication by Ralph Ker and Robert, Earl of Lothian, as follows:—On 17th April instant "the Erll of Lothiane, our maister, being recreating him self upoun the feildis at the hunting, accompanied with the Laird of Edmestoun and some four or fyve servandis, in peaceable and quiet maner, lippyning for no thing less than ony trouble, harme or indignitie to haif bene offerrit unto him, and we two in the tyme of the chaise having fallin a litle af the said Erll and ryding peaceable upoun the feildis in conference and discourse about some of our awin particularis, in the very meantyme Borthuik of Collilaw forgadderis with us, who being a gentilman with whome, as we belevit, we stooode in gode termes of frendship, seing be worde, deid nor countenance we nevir gaif him mater of discontentment or offenses, he notwithstanding, upoun some privat passioun and humour, drew his sword sa sone as he saw us and, or ever we wes war of him, invadit and persewit us of our lyves, strooke mony straikis at us, and missing us, he straik the horse whereon I, the said , wes ryding throw the heid and did what in him lay to haif bereft us of our lyveis, sua that with verie grite difficultie we eschaped." They crave summons against him. [On the back] "*Apud Edinburgh, xxij Aprilis, 1611. Fiat ut petitur.* (Signed) S. R. COKBURNE."

23rd April  
1611.  
Supplication  
by Ralph Ker  
and another,  
servants to  
Robert, Earl of  
Lothian, for  
summons  
against Borth-  
wick of  
Collilaw for  
assault.

177. Supplication by Archibald Prymrois, writer, as follows:—On 10th April instant, John M<sup>c</sup>Gawan, provost of Quhittorne, was put to the horn for not paying to him £50 2s. 2d. of principal and £20 of expenses due by his bond; and thereat he remains. He craves letters charging him to appear before their Lordships, or, if he refuse, that they will give commission to the Captain of H.M. guard to seek and apprehend and imprison him, and take his houses and goods. [On the back] "*Apud Edinburgh, xxij Aprilis, 1611. Fiat ut petitur.* (Signed) S. R. COKBURNE."

23rd April  
1611.  
Supplication  
by Archibald  
Primrose,  
writer, for  
letters for the  
apprehension  
of John  
M<sup>c</sup>Gawan,  
provost of  
Whithorn.

178. Supplication by James Gairdin of Pressick, as follows:—Alison Keill, widow of David Futhie of Ogstoun, David, Mr John, and Henry Futhie, her sons, Dog, their servant, Thomas Honnour in Pressick, and Robert Edisoun there, "haveing consavit a deadlie malice and haitrent aganis me, most havelie troublis and molestis me in the possessionis of my landis, goodis and geir, avowis to haif my lyff and lyis at avait for me. He craves letters charging them to find law-borrows. [On the back] "*Apud Edinburgh, xxij Aprilis, 1611. Fiat ut petitur,* Alesoun Keill under the pane of v<sup>o</sup>lib., and ilkane of the remanent personis under the pane of v<sup>o</sup> merks. (Signed) S. R. COKBURNE."

24th April  
1611.  
Supplication  
by James  
Gairdin of  
Pressick for  
letters of law-  
borrows from  
Alison Keill,  
widow of  
David Futhie  
of Ogstoun  
and others.

24th April  
1611.

Supplication  
by John Kirk-  
land, gardener,  
burgess of  
Glasgow, for  
caution from  
Mr. David  
Wemyss,  
minister there,  
and others  
whom he  
accuses of  
injuring his  
property.

179. Supplication by John Kirkland, gardener, burgess of Glasgow, as follows:—Mr David Weymis, minister there, William Weymis, his son, John Knox, Robert Spreull, John Patirsoun, William Craufurd, Archibald Dalyell, and David Campbell, mariners, servitors to the said William Weymis, William Andirsoun of Stobcorse, and John Andirsoun, his son, with a causeless malice against him, do much molest and oppress him in the possession of the vicars yards pertaining to the College of Glasgow, and also his own yard lying on the south side of the Dryguit, by breaking down the hedges thereof, cutting down and destroying the apple and pear trees therein growing, “pulling and rugging up of the unzeoun seid and quhyte bowkail set and sawin within the same yairds and sawing of the same yaird over agane with mustard and yaild hemp seidd and sic uther seid as will never be gottin ruttit out of the said yaird,” and likewise threaten his life. He therefore craves that they may be charged to find caution for the indemnity of his tenants and servants and himself. [On the back] “*Apud Edinburgh, xxiiij Aprilis, anno etc., 1611 yeires. Fiat ut petitur, the saidis Mr David Weymes, William Weymes, his sone, William Andirsoun of Stobcorse and John Andersoun, his sone, ilkane of thame v<sup>c</sup> lib., and ilkane of the rest iiij<sup>o</sup> merks. (Signed) S. R. COCKBURN.*”

Miscellaneous  
Papers.

24th April  
1611.

Supplication  
by Magdalen  
Haliburton,  
Lady Dun, and  
others for the  
apprehension  
of John Crichton  
of Airlie-  
wicht and  
others for  
assault.

180. Supplication by Sir Thomas Hammyltoun of Bynnie, knight, King's Advocate, for his Majesty's interest, and Magdalene Haliburtoun, Lady Dun, Jean Haliburtoun, Lady Fintrie, her sister, Grahame of Fintrie, spouse to the said Lady Fintrie, and James Haliburtoun of Pitcur, father to the said Magdalene and Jean, for their interest, , servitor to the said Laird of Fintrie, and , servant to the said Laird of Pitcur, as follows:—Contrary to the laws John Creichtoun of Airliewicht, “haveing shakin of all feir of God and reverence of the law, resolveing with himselff be some violent attempt and interpryse to revische me, the said Lady Dun, furth of my said fatheris place of Pitcur, with quhom and in quhois company I haif remanit sen the deceise of umquhile Johne Erskine of Dun, my spous, the said Johne for the better effectuating of this his wicked interpryse, upon the xj day of this instant, being informit that my said father haid riddin to the countrey of the Mernis, convocat and assemblit togidder the personis underwritten, thay ar to say, Robert Creichton, his uncle, James Creichtoun in Muresyd, James Creichtoun, bruther to the Laird of Strathurde, who all, bodin in feir [of weir], with swordis, gantelettis, plaitslevis, secreitis and utheris vapponis invasive, in a most unlauffull and unseamelie maner mett at the said Johne Creichtonis place of Airliewicht, the said day in the ewining, quhar they, haveing stayit togidder all that nicht, upoun the morne thairefter the xij day of the same moneth the said Johne Creichtoun, accompanied onlie with the saidis James Creichtoun in Forgoundeny, Lamb and come directlie to the said place of Pitcur and

Miscellaneous  
Papers.

appointit the haill remanent personis abovewrittin to convoy thame selffis to the toun of Newtyle and thair abynd untill adverteisment wer maid to thame for thair repairing to the said place of Pitcur, and the said Johnne Creichtoun, entring within the said place of Pitcur, pretending that he haid some bussynes ado with me, the said Laird of Fintrie, wes verie freindlie ressavit and hartelie acceptit of be all these who haid the charge of the said place in absence of me, the said Laird of Pitcur, and efter deuner, haveing cravit furth the said Laird of Fintrie, his said spous, and the said Lady Dun outwith the yettis of the same place under schaw, cullour and pretext of some ghame and pastyme as namelie the rynning at the glove, he causit privilie adverteisment be gevin to the personis particularlie abonewrittin, who and all of thame being bodin in feir of weir, as said is, and with long gunnis, hacquebutis and pistolettis prohibite to be worne be the lawis of this realme in maner foirsaid, come upoun suddantie in a tumultuous and wearrelyk maner to the yett and grene of Pitcur and thair, or evir it could be understand quhat they intendit, the said Johnne Creichtoun, assistit be thame, pat violent hand in me, the said Magdalen, band me hand and foote, kaist me four severall tymes upoun horsbak, and I doing quhat in me lay to withstand thame in this thair wicked interpryse they presentit bend pistolettis to my breist, schoring with mony horrible aithis to schut and discharge the same at me and my said sister and our servandis thair present, and finding thame selffis unable to effectuat that thair wicked interpryse they schamfullie, crullie and unhonestlie with hacquebutis bandit stalffis gaf me and my said sister, and Thome Robertsone abone nameit, mony bauch, blae and bloody straik to the effusioun of our bloodis in grite quantitie, reft myne the said Magdalenis head geir of my heid, caryed the same away with thame, pullit the plettis of my heare out of my head and left me and my said sister for dead, quherof we ar yit lyand bedfast in grit dolour and pane not lyklye to convalesce." They crave letters charging "the saidis personis personalie yf they can be apprehendit, and failyeing thair of at thair duelling places yf they ony haif, and be oppin proclamation at the mercat croces of , admitting the same charges at the saidis duelling places or marcat croces to be als lauchfull as yf they wer personalie chairgit, becaus, since the committing of the insolence abone wreattin, they ar all fugitive and hes dispersit thame selffis in severall secrete corneris of the countrey, to compeir personalie befor your Lordships at ane certane day to ansuer," etc. [On the back] "*Apud Edinburgh, xxiiij Aprilis, 1611. Fiat ut petitur.* (Signed) S. R. COKBURNE." [Also written at the foot] "Sir, pleis pas this. (Signed) Ja. Wynrame."

181. Supplication by Sir Thomas Hamilton of Bynnie, his Majesty's Advocate, and Patrick, Earl of Orkney, against Francis Mudy of Breknes, as narrated in vol. ix., p. 205. [On the back] "*Apud Edinburgh, xxv Aprilis, anno, etc., 1611.* (Signed) S. R. COKBURNE."

25th April  
1611.  
Patrick, Earl  
of Orkney,  
against Francis  
Mudy of  
Breknes.

25th April  
1611.

Supplication  
by John Craig  
in Ormeshowch  
for summons  
against Robert  
Graham of  
Grouger and  
others for  
assault.

182. Supplication by John Craig in Ormeshowch, and his spouse, as follows:—On the            day of            Robert Grahame of Grouger, accompanied with some accomplices, “all bodin in feir of weir, with swordis, gantelettis, plaitislevis and utheris vapponis invasive, come to me, the said John Craig, being attending my awin cattell in the landis of            in sober and quiet maner, and thair pat violent hand in me and with grit batonis and staffis gaf me mony bauch, blae and blody straik and left me for deid; and siclyk upoun the            day of            the said Robert Grahame, bodin in feir of weir, as said is, come to me as I wes in the convoy of ane milstone hame to the mylne of Gruigar and thair with a drawin quhinger shamefullie, cruellie and unmercifullie invadit and persewit me of my lyff, gaif me a deadlie straik thairwith in my            shoulder to the effusion of my blod in grit quantitie; and upoun the            day of            Margaret Montgomery, spous to the said Robert Grahame, accompanyit with diverse personis hir servandis, come to my duelling hous in            quhair my said spous wes lyand in chyldbed laitlie xij houris befoir delyverit of hir birth, and thair the said Margaret Montgomrie, without ony pittie or regaird haid be hir of the present estait of my said spous, first efter a insolent maner mad searche for the haille keyis of all the kistis within my said hous and than schamfullie, cruellie and unhonestlie pullit my said spous out of hir said bed, tirrit hir naiked of the haille bed claithis and left hir lyand naked upoun the could floore, quhair of she hes contractit suche havie sort of disease as she never since hes haid the richt use of hir wittis.” They crave a summons against them. [On the back] “*Apud Edinburgh, xxv Aprilis, 1611. Fiat ut petitur.* (Signed) S. R. COKBURNE.”

, Miscellaneous  
Papers.

26th April  
1611.

Supplication  
by David,  
Lord Scone,  
for summons  
against one  
Abercromby  
for shooting  
the King's  
geese.

183. Supplication by Sir Thomas Hammiltoun of Bynnie, knight, King's Advocate, for his Majesty's interest, and David, Lord of Scone, his informer, as follows:—Although the carrying of firearms is forbidden,            Abircromby in            “daylie beiris and weiris hacquebutis and pistollettis upoun his persone and in his company, rydis and gangis thairwith in all pairtis of the cuntrey at his pleasour, as namelie in the monethis of            and upoun divers and sindrie dayis of the saidis monethis he hes borne, worne and shut hagbutis and pistollettis and thairwithall hes maid ane grite spoyle and destruction of his Majesteis geise within the park of Falkland, quhairthrow he hes violat and contravenit the saidis actis and aucht therefore to be punist in his persone and goodis to the terrour of uthers. He craves a summons against him. (Signed) S. TH. HAMILTON. [On the back] “*Apud Edinburgh, xxvj Aprilis, 1611. Fiat ut petitur.* (Signed) S. R. COKBURNE.”

26th April  
1611.

Supplication  
by William  
Gordon of  
Brachlie for

184. Supplication by Sir Thomas Hammyltoun of Bynnie, knight, King's Advocate, for his Majesty's interest, and William Gordoun of Brachlie, as follows:—Contrary to the acts forbidding the wearing of hagbuts and pistolets, on 14th April instant, “being Sounday,”

Miscellaneous  
Papers

and Troupis sons of William Troup of Pittindreich, "both bodin summons against the sons of William Troup of Pittindreich for hamesucken and carrying forbidden weapons, in feir of weir, with swordis, gantelettis, plaitslevis, lances and utheris vapponis invasive and with pistollettis and hacquebutis upoun thair bodyis and in thair companyis, prohibite to be worne, as said is, off the speciall causing, sending, ressett, directioun and hounding out of the said William Troup, thair father, come be way of hamesuckin to myne, the said William Gordonis duelling house in the Hawch of Seindlie, quhair I wes for the tyme doing my lauchfull affairis in sober and quiet maner, and thair with drawin swordis schamfullie, cruellie and unmercifullie invadit and persewit me of my lyff and haid not failit to haif than slane me of sett purpois, provisioun and foirthocht felony wer not be the providence of God and my awin better defence I eschaipit. Lykas the saidis William Troup of Pittindreich, Johnne Troup, William and Patrick Trowpis, his sones, and Pittindreich of that Ilk, in the monethis of Januar, Februer, Marche, Aprile, May, Junij, Julij, Agust, September, October, November, and December respective, in the yeiris of God j<sup>m</sup>vj<sup>c</sup> and nyne and vj<sup>c</sup> and ten yeiris, and in the saidis monethis of Januar, Februer and Marche last bipast and Aprile instant, in this present yeir, 1611 yeiris, and almost upoun ilk day of the same monethis they haif borne and worne hacquebutis and pistolettis, hes riddin and gane thairwith in all pairtis of the countrey quhair they haid occasioun to repair and usit and usis the same for thair particular revenge upoun all suche personis aganis whom they bere querrell." He craves summons against them. [On the back] "*Apud Edinburgh, xxvj Aprilis, 1611. Fiat ut petitur.* (Signed) S. R. COKBURNE."

185. Supplication by Adam Hoip in Newtoun, and Mark and James, 27th April 1611. his sons, tenants and servants to Robert, Lord Roxburgh, and Dame Adam Hope in Janet Douglas, Lady Roxburgh, his mother, against John Pringle, son to Newton against John Alex. Pringle in Caldstreame, as narrated in vol. ix., p. 173. [On the back] "*Apud Edinburgh, xxviij Aprilis, 1611. Fiat ut petitur.* S. R. Pringle in Coldstream. COKBURNE."

186. Amended copy of the same supplication, but including Sir Thomas Hamilton, his Majesty's Advocate as a party.

187. Supplication by William Fullertoun of that Ilk, John Ramsay 27th April 1611. of Jordanstoun, John Rattray of West Forrest and Thomas Moncur, Supplication by William Fullerton of that Ilk and others for summons against William Tyrie of Drumkilbo and others. brother german to Andrew Moncur of that Ilk, as follows:—On 20th April instant William Tyrie of Drumkilbo, Stevin Currou, fiar of Logy Megil, Andrew Hering of Litle Blair, Chalmers, apparent of Drumloquhy, M . . . servitor to the said Andrew Hering, Harry Drummond, "with convocation of his Majesteis leiges to the number of xxxvj personis, all bodin in feir of weir, with swordis, daggeris, gantillatis and uther wapponis invasive, come to the dwelling house of Tulloch in Couper of Angus, quher I, the said William

Fullertoun, wes in sober maner for the tyme doing my lesum effairis and preist to have enterit in the said house and to have persewit me of my lyff; and being disapointit of thair intendit purpois be the discretioun of some persons who, persaveing thame, close the duris, thay lay about the said house a lang space and assedgeit me thairin calling for fyre of purpois to have brunt me and the haille company being within the same house, and wer not the inhabitants of the town of Couper and uther gentlemen of the countrey come and relevit me, thay had nocht faillit to have put fyre in the said hous and to have brunt the same; and seing thay could nocht get a advantage of me bot wer withstood and resisted be us, the saidis John Jordanstoun, John Ratray and Thomas Moncur, thay feirslie sat upoun us and cruellie and unmercifullie invaidit and persewit us of our lyvis and hurte and woundit us in diverse partis of oure bodyis to the effusioun of our bloodis and perrell of our lyves." They crave summons against them. [On the back] "*Apud Edinburgh, xxiij Aprilis, 1611. Fiat ut petitur.*" (Signed) S. R. COKBURNE." Miscellaneous Papers.

29th April  
1611.

Supplication  
by James  
Wightman in  
Over Dormond  
for summons  
against John  
Carruthers of  
Holmains and  
others for  
illegal  
warding.

188. Supplication by James Wichtman in Over Dormond, as follows:—  
On April instant John Carrutheris, elder of Holmaynis, and John Carrutheris, younger thairof, accompanied with Carrutheris in Denby, "ane notorious and commoun theiff, fugitive and outlaw," and other broken men of the Borders and with convocation of the lieges "all bodin in feir of weir, with swordis, gantelettis, plait-slevis and utheris vapponis invasive, come to my awne duelling house in Dormond," apprehended him and put him in "strait prisone within the pitt in place of and thair keepis and detenes me in grite miserie as yf I wer a notorious malefactour, I being his Majesteis frie liege, haveing committit no cryme nor offens, nor thair being no lauchfull sentence nor decreit standing aganis me." He therefore craves summons against them, and letters charging them to put him at liberty. [On the back] "*Apud Edinburgh, penult April, 1611. Fiat ut petitur.*" (Signed) S. R. COKBURNE."

30th April  
1611.

Supplication  
by Bessie  
Johnstone,  
daughter to  
Archibald  
Johnstone,  
cordwainer in  
Falkirk, for  
summons  
against Mungo  
Richardson,  
servitor to  
William Flynt,  
miller.

189. Supplication by Bessie Johnnstoun, lawful daughter to Archibald Johnnstoun, cordiner in Falkirk, as follows:—On April instant, she being in Breichmylne about her business, Mungo Ritchesoun, servitour to William Flynt, miller at the said mill, "schamfullie and unhonnestlie strak and dang me with and thairwith hes cuttit me in the ovir lip and dung furth tua of my foremost teith to the effusioun of my blood in grete quantitie, etc." She craves summons against him. [On the back] "*Apud Edinburgh, ultimo Aprilis anno, etc., 1611. Fiat ut petitur.*" (Signed) S. R. COKBURNE."

30th April  
1611.

Alexander  
Innes of  
Coittis against

190. Supplication by Alex Innes of Quottis against John Innes of Crombie, brother to Innes of that Ilk, William Innes of Blak-hillis and Thomas Innes, his brother, as narrated in vol. ix. p. 188.

Miscellaneous  
Papers.

[On the back] "*Apud Edinburgh, ultimo April, 1611. Fiat ut petitur.* John Innes of Crombie.  
S. R. COKBURNÆ."

191. Supplication by John Maxwell, servitor to the Earl of Orkney, 30th April 1611.  
as follows:—On March last Adam Bellindane of Stanehouse assaulted him on the lands of in Orkney and pursued him John Maxwell, servitor to the Earl of Orkney, against Adam Bellenden of Stonehouse.  
with a "drawin quhinger or dagger" and wounded him in the arm.  
He craves a summons against him. [On the back] "*Apud Edinburgh, ultimo Aprilis, 1611. Fiat ut petitur.* (Signed) S. R. COKBURNÆ."

192. Supplication by Sir John Arnott, Treasurer Depute, as follows:— 30th April 1611.  
On 18th April instant he obtained a decreet of their Lordships against Sir John Arnott, Treasurer-Depute, against David Lindsay of Quarrellhill.  
David Lindsay of Quarrellhill as cautioner for Mosie Faw for payment of £1000 as penalty for failing to exhibit the said Mosie Faw before them; but he refuses to pay. He craves letters charging him to make payment within ten days in his Majesty's name and to his Highness' use. [On the back] "*Apud Edinburgh, ultimo Aprilis, 1611. Fiat ut petitur.* (Signed) S. R. COKBURNÆ."

193. Supplication by George, Earl of Caithness, as follows:—He is 30th April 1611.  
informed that their Lordships have ordained letters of horning to be issued against him at the instance of Sir Thomas Hammiltoun of Bynnie, knight, His Majesty's Advocate, George Sinclair of Dunbaithe, and the tenants, inhabitants on the lands of Dunbaithe, Raesandsyd, Boirlun, Daothon, Dishald, Milntoun, Downray, Shurarie, Brontstair, Steimster, and Spittell, because he failed to exhibit before their Lordships on 5th March last William Bayne in Billister, Alexander Mansoun in Geis, John McInnes McEane VcEane in Oust, Neil Finla Begstoun in Leyth, William Finla Begstoun, his brother there, and Tormett McInteir in Herspdaill, alleged to be his men, tenants and servants; but these persons are not men, tenants or servants to him, dwell not upon his lands, and are "na suche personis as I can be haldin to ansuer for be the lawis of this realme, actis of Parliament or generall band; whilk being notour and weele knowne to the said Laird of Dunbaithe, he raised letters and causit charge the Erll Mairshaell, as maister and landislord to thir same personis, to haif exhibite thame befor your Lordships the said fyft day of Marche instant, whilk dyet your Lordships, upoun some speciall considerationis, did prorogat and continew to the first Counsaill day of May nixtocum; and, this being a mater whilk will come in dispute betuix the Erll of Mairshaell and me whiche of us tuo sould be ansuerable for thir men, I hoped that your [Lordships] wald lykwayes hafe continewit that dyet of myne to the same first Counsaill day of May that then, we being bothe present, the mater mycht be fullie disputed and reasouned in your Lordships presence, and the Laird of Dunbaithe therby putt in a certantie quhiddir of us sould be ansuerable for thir men, and sua my nocht compeirance befor your Lordships procedit not upoun contempt  
Supplication by George, Earl of Caithness, anent a charge that he has failed to produce certain persons for whom he alleges he is not responsible.

or disobedience bot upon the occasioun foirsaid. Alwayes I am content to find cautioun actit in your Lordships buikis that I sall exhibite the personis abonewritten befor your Lordships in cais it salbe fundin that I aucht to do the same." He therefore craves suspension of the horning. [On the back] "*Apud Edinburgh, ultimo Aprilis, 1611. Fiat summonitio ut petitur* to the fyft day of July nixt, and to suspend and discharge and relaxe *ut infra* to the xv day of the same moneth, becaus this petitioner hes found cautioun for the entrie of the personis within-writtin, ilkane of thame under the pane of j<sup>m</sup> pundis, as alsua hes found cautioun for payment to his Hienes Tresaurer depute of the soume of j<sup>c</sup> pund for his eschete guid, as ane act maid therupoun beris. (Signed) J. COKBURNE."

Miscellaneous  
Papers.

April 1611.  
George, Earl  
of Caithness,  
against Alex-  
ander, Lord  
Elphinstone.

194. Supplication by George, Earl of Caithnes, against Alexander, Lord Elphinstoun, in reference to William Bellenden of Gairsay, as narrated in vol. ix., pp. 203, 204. On the back, "*Apud Edinburgh, die mensis Aprilis, 1611. Fiat summonitio ut petitur* to the day of and to suspend and discharge *ut infra* to the day of becaus (Signed) AL. CANCELL<sup>r</sup> I. GLENCARNIE.

April (?), 1611.  
Supplication  
by Josias  
Stewart of  
Bonytoun for  
suspension of  
horning under  
which he lies  
for refusing to  
pay customs  
at Ayr—his  
plea being that  
he is a private  
gentleman and  
therefore not  
liable to pay  
the said  
customs.

195. Supplication by Josias [Stewart] of Bonytoun, as follows:—He has been charged at the instance of Mr . . . Bothwell, Mr Thomas Barclay, Michael Finlay, James Inglis, John McKiesone, for themselves and in name of the other customars and tacksmen of the customs, to make payment to James Johnstoun, burgess of Ayr, their subtacksman and under-receiver, the sum of £100 for each of seven voyages made by him and his servants in his boat or bark lying in Ballintrae trading with goods and merchandise between Scotland and Ireland; and to give up an inventory to the said James Johnstoun of the quantity and kind of wares transported and imported. He complains that "the saidis pretendit generall letters are verry evill direct and als wrangouslie execut aganis me expres contrair the actis of Parliament, being ane privat gentillman nevir knawin reput nor haldin to have bene ane [traffi]quer with merchandice nor to be onywyse subject to the trend therof bot be the [contrair] according to the actis and ordinances set down be his Majestie and Lordis of his Hienes Privie [Counsell] in favours of Scottismen, undertakeris of the landis within the kingdome of Irland, I [being] employit in that bussines and haveing the possessioun and manuring of certane landis within the said kingdome, quhatsoever traffique or handling I haid betuix Scotland and Irland w[es] be ane boit biggit be myselff employit in my awin effairis for transporting . . . guidis, viveris and otheris necessaris to and fra the saidis kingdomes for the better melioratioun and labouring of my landis possesst be me within Irland, quhilk is licentiat nocht only to me bot to all utheris his Hienes liegis, conforme to the actis, ordinances and proclamatiouns respective maid thairanent, and so these

Miscellaneous  
Papers.

customars have no power to exact customs for freights or voyages made "be schipis, boitis or crearis bot onlie for payment of the customes of guidis and merchandice transportit to and fra be merchandis." He also pleads, "albeit it wer of veritie that I had ane boit and had trafficquing thairwith as ane merchand betuix Scotland and Irland, yit thair is na grund nor argument inferrit in favouris of the saids customeris be ony act or ordinance that they suld have ane hundreth pundis for ilk weyage maid be my said boit, nather is thair ony tryell or cognitioun tane quhat weyages scho maid to and fra Scotland and Irland and quhat merchandice or uther guidis hes bene transportit thairintill, sua that quhill sufficient tryell and probatioun be tane anent the transporting of the guidis and merchandice allegit pertening to me within the said crear or boit to and fra the saids kingdomes I can nawayis be justlie chargeit nather for payment of the said soume of j<sup>e</sup> li. for everie veyage of the said boit nor for ony customes of guidis thairintill except that thair had bene first ane particular serche or entrie maid therof and according to the entrie cautioun had bene fund for payment of the custome of the saidis guidis and merchandice quhair it is licentiat and power grantit to his Majesteis customeris to mak serche of all guidis and merchandice transportit to and fra this cuntrey; and gif ony trafficqueris be fund contravening the actis of Parliament maid thairanent the saidis customeris had power to mak inventar and confiscat all guidis and geir transportit to and fra this cuntrey or inventar coquet and custome obtenit and payit conforme to the lawis of this realme and actis of Parliament maid thairanent, sua that it can never be licentiat to the saidis customeris or thair takismen to chairge everie persone at thair optioun and pleisour for payment of customes or upgeving of inventar of guidis except sic persounis be first knawin to be notorious trafficqueris and merchandis ather friemen, strangeris or utheris usurperis of frie liberties, in the quhilkis caices or ather of them the saidis customeris hes sufficient provisioun, warrand and tollerance to mak serche, sequestratioun and confiscatioun according to the ordour observit in sic caices, and be the lawis and actis of Parliament they can use na summar chairgis aganis me quha am nor evir hes bene reput ane burges, merchand or trafficquer with merchandice, bot only ane privat gentillman for handling of my awin particular bussines as appertenis, warrandit be his Majesteis lawis, actis and proclamatiouns maid thairanent. Always I am content to find cautioun to mak payment to the saids customeris and to the said James Johnestoun, thair subtakisman, of sic soumes of money and customes as salbe fund be your Lordships to be restand awand be me to them ony maner of way and als that I sall satisfie his Hienes Thesaurer for my escheit guidis gif it salbe fund that I am ordourlie denunciit rebell and put to the horne be vertew of the saids letters." He therefore seeks that the horning be suspended. [On the back] "Apud Ed[inburgh] . . . *Fiat summonitio ut petitur* to the xxiiij day of May nixtocome and to suspend

and discharge *ut infra* to the last day of the same moneth, becaus  
 Gilbert Neilsoun and Patrik Cowane, taillour burges of Edinburgh, ar  
 become cautioner. (Signed) S. R. COKBURNE." Miscellaneous  
Papers.

April 1611.  
 Supplication  
 by Janet  
 M'Ilwright,  
 daughter to  
 Morris  
 M'Ilwright  
 in Knokmae,  
 anent her  
 trial on a  
 charge of  
 adultery.

196. Supplication by Janet M'Ilwrycht, daughter to Moreis M'Ilwrycht in Knokmae, as follows:—Some persons bearing malice and envy to her delated her to the presbytery of Kyle and Carrick as suspected guilty of adultery with John Kennedy of Blaquhan, and the presbytery has charged her either to confess and make her repentance, or to purge herself of the scandal. But this crime laid to her charge is a criminal cause, "importing the hasard and perrell of my lyffe," wherein the said presbytery cannot be competent judges, "thay having no power nor jurisdiction establisheit in thair persons nouthor to absolve me incas I wald purge my selff be my oathe nor yitt to inflict punishment upoun me incas I confest the fact and so wer found guyltie, bot yf thay haif ony presumptionis aganis me of my guiltynes thay sould haif gevin informatioun thair of to the Justice and his deputis, ordinar judgeis in suche materis, and assistit to my persute in that judgement, and the said Laird of Blaquhan, being convenit befor thame in this samin mater, your Lordships upoun his supplicatioun hes dischargeit thame of all proceeding aganis him quhill a certane day in this approcheing moneth of May, and this mater for the quhill I am troublit being that same for whilk the said Laird wes convenit befor thame, they aucht lykewyse be dischargeit of all proceeding aganis me." She craves summons against the ministeris of the said presbitrie to compear by one of two or their number and be discharged of all proceeding against her in this matter. [On the back] "*Apud Edinburgh, . . . Aprilis, 1611. Fiat summonitio ut petitur to the and to suspend and discharge ut infra to the day of .*"

5th March  
 1612.  
 Questions  
 submitted by  
 justices of  
 peace to the  
 Council, and  
 the Council's  
 answers  
 thereto.

197. "Certane questionis and articles gevin in be the justices of peace to the Lordis of his Majesteis Prevey Counsaill, with the saidis Lordis answer gevin to the same articles, wharin his Majesteis awne advise, approbatioun and allowance is craved.

"At Edinburgh the fyft of Marche, 1612.

Question.—Sall not all the justices of peace, alsweill to burgh as to land, convene and be present at the quarter sessionis and give thair oathis to the benche at thair admissioun and gif in thair recordis and mak compt and payment of thair fynes within burgh and land to the benche and thair collectour?

Answer.—All justices to the burgh and land sould convene, gif thair oath, mak their recordis and gif compt and payment of the fynes intro-mettit with and upliftit be thame as justices of peace.

Question.—Quhat number of justices of peace salbe present at every

Miscellaneous  
Papers.

particular session and meeting (by the ordinar four sessionis) to heir and decyde upoun ryottis and complaintis?

Answer.—It is thoght that four justices of peace may be a full number and session to decyde in materis occurring betuix the four quarter sessionis.

Question.—Quhat rankis and qualiteis of personis salbe subject to thair appeirance befor ony ane justice of peace to answer and be examined upoun thair misdemeanour, being for that effect send for and required?

Answer.—All personis whois yeirlie rent is within ane thousand merkis of silver or ten chalderis of victuall salbe haldin to compeir befor ony justice of peace.

Question.—Quhairas the slayng of blak fische is capitall be the law, quhat forme of proceidour salbe usit be the justices of peace in the tryall and censuring of that offence?

Answer.—Ane commissioun mon be haid from his Majestie for trying of offenderis in this caise, and the probatioun to be witnesses or aith of pairty; the puneishment to be inflictit salbe ane pecuniall fyne answerable to the circumstances of the offence and qualitie of the offendour, with this proviso alwise, that the said commissioun be not extendit to ony who salbe convenit befor ony uther judge to underly the law for the said cryme.

Question.—Sall ony judgeis within the kingdome (except the Lordis of His Majesteis Prevy Counsaill and Session) judge and determine upoun the particular actis underwritin, sett down be the justiceis of peace, viz., anent the fees of laboraris, servandis and scheraris, anent the prices of craftismentis worke, anent the ordinarie at penny brydallis, anent the ressettaris of vagaboundis, anent the settaris of housses to idill personis without a certane tread, calling or occupation, and anent commoun and notorious drunkards?

Answer.—No judgeis within this kingdome (except the Lordis of Previe Counsaill and Session) sall judge or determine upon the particular actis abonewritin bot the same salbe reservit to the justices thameselffis.

Question.—Whare as it is sett down be the instructionis gevin to the justices of peace that poor miserable prisounaris salbe intertenyed be a oullkie contributioun to be lifted of the parrocheis of the schyre quhair the prisonaris ar detenit, the justices craves to be resolvit in quhat forme and manner this contributioun salbe lifted from the parrocheis?

Answer.—The box maister within every parroche salbe haldin to pay the sowme sett down in the saidis instructionis according to the discretioun of the justices, and letters of horneing salbe direct aganis him for that effect.

Question.—Becaus the magistrattis within burgh refusses to ressave in thair wairdis suche prisounairis as ar directit and send unto thame

from the justices of peace unles cautioun be foundin be the justices for paying of the prisounaris chairges during thair remaneing in waird, the justices desyres to know quhat course salbe tane for keeping of the prisounaris ? Miscellaneous  
Papers.

Answer.—Letters of horneing salbe direct aganis the magistratis within burgh for ressaveing from the justices of thair prisounaris, with this proviso that, whair the prisounaris hes not of thair awne to mak thair chairges, the justices of peace sall releve the burgh of thair chairges be geving unto thame allowance furth of the reddiest of the contributioun abonewrittin.

Question.—Whereas the triall of the contravenaris of penall statutis is appointit to be ane assise, the justices cravis to be resolvit yf thay may proceid in the tryall of these contraventionis be confessioun of partie, aith of veritie or be witnesses ?

Answer.—In the tryall of countraventioun of penal statutis, whair of the pane is pecuniall and not corporall, and the tryall not appointit be the lawis and practique of the countrey, to be ane assise, the justices of peace may proceid in the tryell of these contraventionis be confessioun of party, aith of veritie or be witnesses.

Question.—Where as in every schyre of this kingdome thair wilbe a number of personis fyned in certane sowmes of moneie, it is craved that letters of horneing be grantit at the instance of the collectour of the fynes within the schyre for payment of thir fynes fra the first of Januar to the last of December ilk yeir, according to ane roll to be subscryvit be the convenar within the schyre and that the signet of thir letters be gratis and no suspensioun grantit thairupoun.

Answer.—Upoun production of the actis of fynes letters salbe grantit as is desyrit upoun fyftene dayis and no suspensioun salbe grantit bot upoun obedience of the decreite and satisfactioun of the chairges of the justices according to the modificatioun of the Lordis.

Question.—Quho salbe the executouris of the justice of peace thair warrandis and preceptis ?

Answer.—The constabillis within every parroche salbe executouris of the saidis preceptis.

Question.—May the justices of peace within every schyre caus sufficient double aill and beir be browine and appoint personis and visitouris for that effect ?

Answer.—The justices of peace within every schyre sall caus sufficient double aill and beir be browine and sall appoint personis and visitouris for that effect with consent of the barone and overlord of the ground.

Question.—In regaird of the extraordinar panes and travellis tane be the clerkis of the peace and thair officiaris, quhat fees salbe allowit to thame and be whom sall the same be payit ?

Answer.—The consideratioun of the travellis of the clerkis and officeris is remittit to the discretioun of the justices of peace to be tane out of the reddiest of the fynes quhill furdur ordour be tane.

Miscellaneous  
Papers.

Question.—Whereas letters of captioun ar somtymes grantit by forme and ordour aganis the justices of peace for apprehending of rebells it is cravit that no suche letters be grantit heirefter.

Answer.—No letters of captioun salbe grantit heireftir aganis justices of peace for apprehending of rebellis.

Question.—It is craved that the justices of peace haif power to mak actis aganis notorious drunkardis and to impose sowmes upoun the countravenaris according to thair qualiteis, and to uplift the same sowmes and employ thame upoun the constabills of the peace according to the discretioun of the benche.

Answer.—This article is thocht meete to be grantit. (Signed) J. PRYMROIS."

198. Another copy of the foregoing paper.

"Certane questionis and articlis," etc., containing the following additional question and answer occurring as the fourth in the list:—

5th March  
1612.  
Another copy  
of the fore-  
going paper.

Question.—Gif the justiceis of peace sal happin to be the first citaris and arrestaris of ony personis upoun offenses and wrangis committit be thame, sall not thay be preferrit in the tryall and punischeing of the offence, and sall not thair citatioun stay all utheris frome proceeding in that mater?

Answer.—Giff the magistrat, haveing heritable previledge of jurisdiction, delay his citatioun and persute the space of fyftene dayis after the offence committit, the justiceis of peace, being than the first citaris aud arrestaris, salbe preferrit and thair citatioun sall stay all uther procedour.

"Fra this answer the justiceis of peace disassentis becaus this interim of fyftene dayis will frustrat and mak voyde thair service as thay alledgit, seeing, whereas now it hes pleasit his Majestie to authorize thame with previledge of jurisdiction, this interim of fyftene dayis will mak thame to be bot as serjandis and officiaris to the uther judgeis in the cuntrey, and whereas thay with the hasard of thair lyveis hes at the first committing of ony wrang or appeirance of commotioun and trouble tane panes and travellis in thair awne personis (as thay evir do, to stay all forder trouble) to assuir his Majesteis peace and to arrest the offendouris to thair ansuer, then the uther judgeis will tak upoun thame the tryall and decisioun of that offence and wrong which be the justiceis hes bene setled and pacifeit; and thairfoir thair humble desyre and petitioun is that his Majestie wald condescend to the article in the forme and tennour as it is consavit and set down, speciall consideratioun being had that the justiceis ar to be comptable for the fynes imposit be thame ather to his Majesteis resset, or ony uther lord, prelate or barone who haith richt to challenge thame, so as thay have no respect of privat benefite, bot onlie ames at the peace of the cuntrey and good of his Majesteis service."

This copy is not signed.

16th July 1612. 199. Copy of the "Certane Articles" anent the Justices of Peace, dated 16th July, 1612, and given at length in vol. ix., pp. 409-411. Miscellaneous Papers.

22nd August  
1612.  
Letter from  
his Majesty  
anent the  
justices of  
the peace.

200. "Trustie and weilbeloveit counsallour, we greit yow weill. Haiffing formerly requyrit our Clerk of Register (as being then our Secretare and so the most fit for that imployment) to assist and further the justices of our peace there in all that they can ather desyre for thair incuragement willinglie to undergo and execute thair chairge or for their satisfacioun in any thing whiche may give thame just matter of greif, the ressones quhairof they had then expressed in certane articles exhibite to our Counsell thair reporting suche satisfacioun in their ansueris therto returned, as did at that tyme move theme to rest weill satisfeit in all except one or two of these articles at most, whereanent, for their better contentment and the more evidentlie to manifest our desyre in a full and perfyte power to establich thair jurisdictioun, we did not onlie declair our pleasure to our said Clerk of Register, requyring him to acquaint theme therewith, but lykwyse willit him to convine and insist with theme, for drecting two of their owne nowmer and choise to informe us, bothe of their furder regraitis and of that whiche they wald wische us to do, ather for redress therof or for the better enhableing theme dewlie to execute their charge; whiche being by him accordinglie obeyed, so as they being conveyned wer acquaintit with our will signifeit to thame thairanent, we ar not the les credible informit that some of theme more perverslie disposed did so oppone themselfis at that meitting to that goode course of sending two of thair nowmer to us for informing us of their grieves and further desyres, as the conclusioun theirowes wes by thair perversnes wholie crossed, wheirby, as they have schowne themselfis altogidder unworthie of our favour, so wald we upoun knowlege of thair names for a manifest mark of thair disgrace and our just dislyk of theme presentlie discharge and remove theme frome that imployment as unworthie to possess any place in our peace or service heirefter. And therefore these ar to requyre yow, as being now our Secretarie, to informe yourself by our said Clerk of Register how far he hathe proceidit in the discharge of our directiones committit to him concerning the saidis justices of peace, and the establissing of thair jurisdictioun so mucche by us desired, and thairupoun to conveyne thame befoir both of yow, declairing to theme in how mucche we mervell that any of their nowmer durst in any sort presume to be refractorie to the advancement and obedience of our pleasure so manifest to all theme, whom yow sall earnestlie insist with for moveing thame speidilie to condescend upoun their grieves and for acquainting us therewith or ony uther thing whiche they may with reasoun demand, to direct Sir James Weymes of Bogie, knyght, and Mr Samuell Cokburne to accompany the Archbishope of Glasgow and yourself comeing to this Court, allowing for their chairges to eache of theme a hundrethe angellis a peace, to be payit to theme at thair returne, furthe

Miscellaneous  
Papers.

of the first and reddiest of thair fynes, and herein desyryng yow to be in so muche the more instant becaus the establisshing of their jurisdiction is one of the principall causes occasiouning our ensueing Parliament. We bid yow fairweill; frome our Court at Holmebie, the 22 of August, 1612."

[On the back] "Copie of his Majesties missive to me anent the justices of peace, ressavit 28 August 1612."

201. "James R.—Richt trustie and richt weilbelovit cowsigne and counsallour, we great yow heartlie weill. Your knawin affectioun to the weill of our service and gude of your countrey hathe moved us to desyre that yow, as one quhome we cheafie trust in your estait, might be elected upone the Articles, assuering our selves that according to your formerlie observed custome ye will not onlie give your consent to materis proponed in Articles by our warrand and directioun bot interpone your best advyse and credite with utheris to move thame to the lyke forwardnes in propositiones tending to the comounweall and our contentment, whairof we haif not thocht it so fit langsumlie hear to set down the particulares as to refer the same to the report of the Archebishops of Sanctandros and Glasgow, whome we will desyre yow to credite in these materis and utheris moir neirlie concerning your self, whiche we sall not cease to respect so long as we find continewance of your accustomed dewtyfull regaird to our just intentiones. And so perswading our selves that yow will nowayis divert frome so gude ane cowrse which is the most assured meane to conserve and incres our gracious affectioun towardes you, we bid yow heartlie fairweill. Frome our Court at Theobaldis the 21 of September 1612."

21st September 1612.  
Letter from his Majesty to the Lord of Scone.

[Addressed on the back] "To our right trustie and weilbeloved Counsallour, the Lord of Scone."

202. "Be deliverance of the Lords of Secret Counsall letters of poynding wes granted to justices of peace upon their decreitts with allowance to thair constables and officers at the consideration of the Counsall."

27th October 1612.  
Justices of the peace.

203. "My Lord, I being sumound befor the Counsail to bear vitnes of the ryot comittit be the Laird of Ruthven in Dundie in presence of the justices of peace, I am forcit to crave your Lordships favor to mak my excuys, for treulie I am troublit with the hemeroids so that I can nocht ryd, as the doctoris testimoniall quhiche I have send with the berar vil testifie. I dout not bot your Lordship is sufficiently informed alreadie, suppois Ruthven vil scarsly houp any good of me in this erand becaus I heve spokin my mynd freely both to himself and uthers (quhilk vas sumquhat hard as I had just caus), yit I vald desyre vith al my hart his punischement to be als licht as may stand vith the veil of that bussines and that it vent no further nor to utheris terrificatioun; yea

15th December 1612.  
Letter from John Scrymgeour of Dudhope excusing his appearance before the Council to give evidence against the Laird of Ruthven, who is charged with riot in Dundee.

suppois his arrogance be suche as he querelis Kynnard and me becaus  
 ve resoned aganis his admissioun the same verie day [quhen] he comittit  
 the ryot I wald vish he var found be the Counsail to be incapable of  
 that office, utherwayis he vil marr vs all in suche sort that ve vil rather  
 quyt our offices nor rapp hard heidis vith suche one. I request your  
 Lordship most humbly to pardon and pitie this my presumtioun in  
 giving my advyse, quherof your Lordships favor and guid countenance  
 is the caus. My loving duetie rememberit, I rest, your Lordships to  
 his power. (Signed) Jhone Scrymsour of Dudop. Dundie, 15  
 December, 1612. I heir Kynnaird is stayed be the tempest of  
 weather."

Miscellaneous  
 Papers.

[Addressed on the back] "To my verie guid lord, my Lord Secre-  
 tarie." [Sealed with two small seals.]

[Also on the back] "Ressavit 17 December, 1612."

1612.

Letter from  
 his Majesty  
 requiring the  
 payment of  
 £100 each to  
 Sir James  
 Wemyss of  
 Bogie and  
 Mr. Samuel  
 Cockburn of  
 Temple, com-  
 missioners  
 sent to his  
 Majesty as  
 representatives  
 of the justices  
 of peace.

204. "James R.—Oure will and plesure is that ye upoun the sight  
 heiroy allow to Sir James Weymes of Bogie and Mr Samuell Cockburne  
 of Tempell, lait commissioneris sent from the justices of oure peace of  
 that oure kingdome unto us, to ilk ane of thame j<sup>c</sup> pundis sterling for  
 thair chargis and expenses hither and till thair returne, and that furth  
 of the reddiest of the fynes ather levyed or to be levyed from the  
 accomptar of any of the schyres of that oure kingdome, and that yow  
 caus expeid and delyver particular warrandis of exoneratioun thairupoun  
 in both thair favouris, gevin at the day of 1612."

"To oure right trustie and welebelovit cousing and counsellour,  
 the Erle of Dumfermeling, Chancellor of that oure king-  
 dome, and to oure right trustie and welebelovit counsel-  
 louris and otheris appointed for managing of oure rentis  
 of that oure kingdome."

25th Novem-  
 ber 1612-  
 6th January  
 1613.

Letter of  
 Council to the  
 justices of the  
 peace requir-  
 ing them to  
 give in a  
 report of their  
 deliberations  
 at an  
 approaching  
 meeting to be  
 held for the  
 discussion of a  
 recent act  
 anent weights  
 and measures.

205. Copy of Act of Council appointing the conference between the  
 Lords of Council, the justices of the peace and the Commissioners of  
 the Burghs, dated 25th November, 1612, and printed in vol. ix., p. 496;  
 also of the Articles anent the justices of the peace in relation to the  
 Burghs, dated 6th January, 1613, and printed *ibidem*, p. 525; and the  
 following Act of Council and missive thereupon.

"The Lordis, haveing hard the difficulteis and impedimentis propounit  
 be the Burrowis aganis the ressaveing and imbraceingof the meettis and  
 measouris conforme to the act of Parliament, thay have continewit all  
 deliberatioun upoun that article till the same be fullie reasouned and  
 resolved upoun be the justiceis of peace through all the quarter sessionis  
 at thair approcheing meeting upoun the first Tuisday of Februar nixt,  
 and ordanis missives to be writtin to thame for this effect, of the quhilk  
 missive the tennour follows:—After oure verie hairtlie commendationis,  
 being informed of some questioun and contestatioun lyke to haif arissin  
 betuix the justiceis of peace and the Burrowis of this kingdome anent

Miscellaneous  
Papers.

the executioun of the act of Parliament maid anent weghtis and measouris which wes urged be the saidis justiceis of peace, and whairupoun the Burrowis hes purchest ane suspensioun, we being cairfull that all suche mater of contestatioun sould be eschewit and that ane mutuall concurrence and harmony sould be amongis you for the furtherance and advancement of his Majesties service and weill of the cuntrey, for this effect we procurit lailie ane meeting of some of the justiceis of peace and of certane commissionairis frome speciall burrowis maist ewest and had ane lang conference with thame in this mater, whairin thair wes some difficulteis and objectionis proponit aganis the imbraceing of the prick mett in the quantitie sett doun be the act of Parliament, especiallie the questionis whilkis wald aryise betuix the maister and his tennent and upoun contractis and obligationis for blookis and barganis of victuall in regaird of the disproportion betuix the mettis and the prejudice whiche thairupoun wald fall out to sindrie of his Majesteis subjectis; and in end the Burrowis aggreit that thair salbe ane constant mett universallie ressavit throughout the haill kingdome, conditionalie that it be aggreable in quantitie to the mett and measure of Lynlithqu. Lyke as we haif had some conference with thame anent weghtis and measouris, whairin it hes bene alledgeit that the act of Parliament in that point proceedit upoun the diversitie of the trois weght allanerlie, being than thrie in nomber, Franshe, Flemis and Englishe, without ony mentioun or intentioun of alteratioun of the trone weght whilk is the ordinair and proper weght of the kingdome; bot becaus thair wes not ane full nomber of the justiceis of peace at this meeting whairby with ane uniforme consent this mater nicht haif bene brought to some good end, we haif thocht meete that the same sould rest and ly over till it wer fullie reasouned, debeatid and resolved upoun through all the quarter sessionis at thair approcheing meeting upoun the first Tuisday of Februar nixt, quhair we expect the Burrowis will convene and meete and hairtelie joyne with you in all and everie thing quhilk may furdur his Majesteis service. And thairfoir these ar to requeist and desyre you that at your meeting foirsaid you advise, reasoun, treate and confer upoun the twa headis and articlis abonewrittin and upoun the conveniencie and inconveniencie of the same and upoun suche uther course as you hald fittest to be tane thairintill for the weele of the cuntrey and good of his Majesteis subjectis, and returne unto us your resolutionis thairantill in write betuix and the first day of Marche nixt to cum, to the effect we may imparte and relate the same to his Majesteis Counsell whairthrou suche ordour and directioun may be gevin as sall seame best for the weill of the cuntrey. So we committ you to God. Edinburgh, the 6 of Januar, 1613. *Sic subscribitur*, S. T. Hammiltoun, Alex<sup>r</sup>. Hay, S. J. Murray, S. W. Oliphant."

206. "Our maist humble duetie premittit. Pleis your Lordships, we  
commissionaris of peace within the schirefdome of Perth at our quarter  
1613.  
Letter from

the Justices of  
Peace within  
the sheriffdom  
of Perth anent  
uniformity of  
weights and  
measures.

sessionis, the secund of this instant, recevit ane letter direct be your Lordships and sum otheris of the Counsell for our advyse tuiching the wechtis and measouris, and haiffing considerit the contentis thair of and conferrit at lenth thairanent with sick of the burrowis as wer present, we all hairtly wishe as ane thing most necessar and profitabill to all the liegis that ane uniforme wecht and measour be appointit to serve universallie throw the haill kingdom, quhilk we find hes euir bene intendit be the Kingis and thre Estaittes of this realme, bot, quhat by the policie of the burrowis and negligence of the magistratis, the samin hes nevir as yit tane effect, sua that scairsliè now at this present tua schirefdomes in all the kingdome agreis with ane measour. And seing the Burrowis yit withstandis the reformatioun of this abuse by admitting the prick firlo set down be the act of Parliament and inclynes rather to receive universallie ane new firlo agreabill in quantitie with the measour of Linlythgow as being les different fra that measour quhilk is now maist in use and will breid least questioun amongis the liegis, we of this schireffdome, for our pairt, haiffing only the peace and commone weill of the cuntrey befor our eyis, submittis our jugement in this point tuiching the quantitie of the measour to the will and pleasour of his Majesteis Counsell, nocht doubting bot thair wisdom will mak choyse of that measure quhilk sall seme most expedient and be least prejudiciall to the subjectis by the alteratioun thair of; wisching alwayes that the samin be appointit ane strek mett in tyme cuming and all cheriteis be dischargeit, quhilk is growin to ane great abuse and will increas daylie to ane greater if the samin be not restranit in tyme; as also that sum gude ordour be sett down that the Burrowis haif not liberte to eik or alter at their pleasour this measour that salbe appointit, as they haif bene in use to do befor, bot that yeirly thair commone wechtis and measouris be sichtit and tryett and the altering and abusing of thame punischit be sum utheris conjoynit with thame selfis. As tuiching the wechtis, the libertie to use divers wechtis is the occasioun of great fraude committit be merchandis, sua that we wish ane certane and proper wecht for weying of all sortis of wairis and merchandrice be appointit to serve throw all the kingdome; for we se no reasone quhy merchandis suld sell the wairis they transport hither out of uther cuntreys with ane forrane wecht mair nor they mett thair inbrocht victuall, licuris and claythe with ane forrane measour, and it semis to be aganis all equitie that they suld be sufferit to receive all waires that servis to be transportit furth of the cuntrey with ane great wecht and to sell thair inbrocht merchandrice with ane les, seing we find in the actis of Parliament ane stane wes ordeined to wey both woll, irne and all uther merchandice, sua that this diversitie of wechtis hes croppin in by evill custome without ony warrand of law. Bot we remit the wholl premisses to the wyse consideratioun of the Counsell, quhais determinatioun we mynd in all humilitie to reverence and obey, and so restis, Your Lordships humble servitouris. (Signed) Scoone; Madertie; Dunblanen; J. Moncrief of Kinmonth; Duncan

Miscellaneous  
Papers.

Miscellaneous  
Papers.

Campbell of Glenurquhay; William Murray of Ochitryr; S. W. Murray; George Auchinlek of Balmanno; J. Grahame of Balgowan. Perth, 2 of Februar, 1613."

[Addressed on back] "To our werry good lord His Hienes Secretar, etc." [Also on the back] "Ressavit 2 Merche, 1613."

207. "Oure very honorabill gude Lordis. Pleis your Lordships, that, 23rd February 1613. efter the ressait of your Lordships letter concernyng the contraversie betuixt the justices of peace and the Borrowis tuiching the mesuris and wechtis within this realme, I wrait particularlie to everye persone contenit in our commissioun to have met the first Twisday of Februar instant and, the wedder being so unseasonable, thair onlie convenit of our haill numer thre, and the cause of thar stay I imput to have bene the unseasonableness of the wedder, yit, for the better discharge of my dewtie and that thayis of our numer suld be the moir unexcusable, we appointit to have met the 23 of Februar, to the quhilk day I particularlie acquaintit everie ane of our benche and we being convenit exceedit nocht our former numer, sa that we, quha is very willing to obtemper his Majesties will in administratioun of justice, wilbe forceit to dimit our office without your Lordships provyd sum remeid, ather be forceing of thayis to keip our assembleis or be placeing suche uther gentlemen of qualitie as will supplie thair rowmes, swa that for the present we have nocht deliberat nor resolvit upoun the particular heidis of your Lordships letter. Sa, leving the consideratioun of this unto your Lordships gude discretioun, we tak our leive and restis, Your Lordships to be commandit. (Signed) James Douglas of Cavers; Andro Riddell of that ilk; Johnne Mow of that ilk. Jedburgh, this 23 of February, 1613."

Letter from James Douglas of Cavers and others stating that they have been unable to convene a sufficient meeting to discuss the Council's letter anent the uniformity of weights and measures.

[Addressed on the back] "To the right honorabill our moist noble and gude lordis, my Lordis off his Majesties Privie Consall"

[Also on the back] "Ressavit 3 Marche, 1613."

208. "Our maist humbill dewtie rememberit, Pleis it your Lord- 24th February 1613. ships, we, the commissioneris of the peice within the schirefdome of Edinburgh principall, at our quarter sessioun, the second day of Februar instant, ressavit ane letter direct be your Lordships for our advyce and report tuicheing the wechtes and measures, and, haveing considerit the contentes thair of and conferrit at lenth amanges our selffes apairt and with the thesaurer, dean of gild and bailzeis of Edinburgh at that tyme and divers meitingis sensyne, we for our selffis do hairtly wisch and expect, as ane thing maist necessar and profitable to all the leigis, that ane uniforme wecht and measur war apoyntit to serve universallie throuch the haill kingdome, quhilk we find hes evir bene intendit and inactit be the Kingis Majestie and his hienes progenitours of sacred memorie and the thrie Estaites of this kingdome, bot, pairtly be the policie of the Burrowes and negligence of the magistrates, the samyn hes

Letter from the Justices of Peace within the sheriffdom of Edinburgh anent uniformity of weights and measures.

nevir as yit tane effect; and the reformatioun of this abuse by admitting the prik furlot, maist gravelie and worthelie sett down be the last act of Parliament, is resistit be the Burrowes, inclyning rather to ressave universallie ane new furlot aggregabill in quantitie with the measur of Linlithgow. We of this schyre, haveing no uther respect save onlie the peice and cownone weill of the cuntrey, dois all aggrie that thair salbe ane straik met in tyme cuming according to the mening of the said act (quhilk cleiris the inconvenience betuix the maister and his tennent, contractes and obligatiouns of barganes of victuall) and all chirriteis to be dischairgit, quhilk is growin to ane extraordinar abuse, refusing the quantitie of the furlot of Linlithgow as wanting the originall and being ane abuse cropin in custome without ony warrand of law, and that sum constant ordour be set down that the Burrowes have not the libertie nor oversicht to eik or alter this measur quhilk salbe apoyntit, quhilk may be controlled be the just double and proportioun committit to the Register within the castell of Edinburgh. And as tuicheing the wechtes, the libertie to use divers wechtes is the caus of greit fraud committit be merchandis, sua that we desyre ane certane and proper wecht for weying of all sortes of waires and merchandeice to serve universallie, thair being na reasone that merchandis suld sell thair waires quhilk they transport in out of uther cuntreies with ane forene wecht mair nor they met thair inbrocht victuall, liquores and claith with ane forene measure; and they suld not in equitie be sufferit to ressave all waires that serve to be transportit furth of the cuntrey with ane greit wecht and to sell thair inbrocht merchandeice with ane les, sieing we find be the actes of Parliament ane stane wes ordanit to wey boith woll, yron and all uther merchandeice, sua that this diversitie of wechtes hes cropin in by evill custome without ony warrand of law. Bot we remit the whole premisses to the wyse consideratioun of your Lordships, his Majesteis Counsell, quhais determinatioun we mynd in all humilitie to reverence and obey, and so restes, Your Lordships humble and obedient servitouris, (Signed) Torphechin; Haltoun; S. Williame Heart; J. Foulis of Colintoun; W. Adamsoun; S<sup>r</sup> James Dundas of Arnistoun; J. Cokburne. Edinburgh, this 24 February, 1613."

[Addressed on back] "To oure verie good lord, his Majesties Secretar."

[Also on the back] "Ressavit 2 Merche, 1613."

25th February  
1613.

Letter from  
the Justices of  
Peace within  
the sheriffdom  
of Forfar anent  
the uniformity  
of weights and  
measures.

209. "My very honorabill guid Lordis, Haveing considerit your Lordships letter direct to us beiring that, upoun informatioun given to your Lordships of sum contestatioun and questioun quhilk haid laitlie arisen betuix the justices of peax and Burrowis of this kingdome anent the executioun of the actis of Parliament made anent weychtis and measures, your Lordships haid procured ane meiting of sum of the justices of peax and sum of the commissionaris of the maist ewest burrowis and haid conference with thame anent that matter, quhairin

Miscellaneous  
Papers.

Miscellaneous  
Papers.

their was diverse difficulties proponed speciallie the questionis quiche nicht arise betuix the maister and the tennent, and upoun contractis for blockis of victuall in regarde of the disproportioun of the measure; bot becaus their was not ane full number of the justices of peax than convenit, quha be thair uniforme consentis nicht have removed the saidis questionis, your Lordships haid thocht meitt that the same suld ly over quhill the nixt meitting of all the commissioneris of peax upoun the first Tuysday of Februare instant, at quhilk tyme your Lordships willit us to meitt with the burrowis of this schireffdome and to reasone and confer upoun the fairsaidis controversies and upoun the fittest courses to give satisfaction to all the liegis, and to returne to your Lordships oure opinioun thairanent. We undersubscribearis, efter long reasoneing and debaitting of that matter among oureselffis could not resolve upoun any uther course nor to urge the executioun of the actis of Parliament, quhilkis we esteme standing lawis, quhairby his Majesteis liegis suld be governit in thir particularis, and can find no reasoun in the contrair. Alway in respect of many difficulties quhilkis may fall out upoun this course and speciallie upoun consideratioun off the wechtiness of this errand, quhilk requires ane verie wise and grave deliberatioun, we have thocht meitt out of oure simple and weak judgementis to wish that ane more frequent meitting sould be appointit by your Lordships both of the justices of peix and commissioners of the burrowis for resolveing upoun the best meanes that can be proponed for the guid of all the subjectis and removeing of all impedimentis quhilkis may be bred by this contestatioun to the hinderance of his Majesteis service, quhilk meitting, gif it be thocht necessar by your Lordships, we sall, God willing, cause be keipit by our commissioner preceislie, and so we rest, your Lordships verie assuirit guid freindis readie to serve your Lordships, the Commissionaris of peax within the sheriffdome of Forfar. (Signed) Jhone Scrymsour of Dudop; D. Carnegy, Kynnard; James Halyburtoun of Pitcur; S<sup>r</sup> Jhone Ogilwy of Innerquharitie; S<sup>r</sup> David Wod of Crag, W<sup>m</sup> Fullartone of that ilk; W. Grahame of Clawerhowse; Thomas Wentoun off Strikmertin; R. Collace. Dundee, 25 Februarij, 1613."

[Addressed on back] "To our honorabill gude lordis my Lordis Secretar, Register, and Advocate."

[Also on the back] "Receaved 27 Februar, 1613."

210. "Oure maist humble dewtie rememberit, Pleis your Lordships, we, <sup>25th February 1613.</sup> commissioneris of peace within the schirefdome of Fyffe, having <sup>Letters of the Commissioners of Peace within the sheriffdom of Fife anent the same.</sup> ressavit your Lordships letter direct to us craving our advyse tuiching the wechtis and messouris, and having considerit the contentis tharof and conferrit with the commissioneris of burrowis present, we all agrie and thinkis maist expedient that thair be onlie ane messoure appointit universallie to serve throw the hail kingdome and that the said meassour be straik mett. As for the quantetie thair of and the con-

veniensië and inconveniensië of the sammyn we esteme the prik met set downe alreddy so advysitlie be the Estaittis that thair can no uther met [be] set downe with les inconveniensië. And as tuicheing the wechtis we find that it hes ever bene the mening of the Kingis Majestie and Estaittis that thair suld be lykways ane wecht universally observit and usit throw the haill cuntray, and the act of Parliament verie weill set doune thairanent, and for our awne partis we refferr the samyn to be considderit be your Lordships quhat salbe the quantetie boithe of the ane and uther, quhais determinatione we sall maist humblie reverence and obey, and restis, your Lordships maist willing and obedient to serve yow. (Signed) Johne Bosuall of Balmouto; H. Pitcairne of that ilk; S. D. Lyndesy of Balcarres; D. Bethune, fear off Creich; S. J. Wemys of Bogie; Aytoune of Dynmuir; Ro<sup>t</sup> Arnot of Ferny; Jhone Boisuille; Thomas Gourly off Kyncrag. Cuper, the xxv of Februar, 1613." Miscellaneous Papers.

[Addressed on the back] "To the very honorabill loirdis the Loirdis of his Majesteis Prive Counsall, theis." [Also on the back] "Ressavit 2 Merche, 1613."

25th February  
1613.  
Letter from  
the Justices of  
Peace within  
the sherriffdom  
of Linlithgow  
anent the  
same.

"211. "My Lord our humbill service being rememberit, Pleis your Lordship, we receavit your Lordships letter makand mentioun of sum questioun and contestatioun lyk to have rissin betuix the justices of peace and the burrowis of this kingdome anent the executioun of the act of Parliament maid anent wechtis and mesouris, and your Lordships being willing that all such matteris of contestatioun should be eschewit and that ane mutuall concurrence and harmonie should be amongst us for the furtherance of his Majesties service and weill of the contrey, thairfor requisting and desyring us to advyse, ressonne, treat and confer anent the saidis maiteris and upoun the conveniencie and inconveniencie of the same and upoun the fittest course to be taine thairanent for the weill of the contrey and good of his Majesties subjectis, as at lenth is conteinit in your Lordships letter direct to us. Conforme to the quhilk letter we, being conveyit, and efter lang ressoning and conference had be us and sufficient tryall taine be us anent the saidis maiteris, hes all in ane voice thocht expedient and concludit that thair be ane constant mett universallie receavit throughout the haill kingdome and that the samyne be ane straik mett and the firloft to containe tuintie ane pyntis of the jug mett of Stirling conforme to the auld judge and mesour of the burgh of Linlithqw, and that thair be sex mesouris giffin for the boll and thrie for the half boll of heapit stuff and four for the boll of uther stuff, quhilk we find to be ane mesour maist meitt for our soverane lordis lieges of all estaittis and for the weill of the cuntrey. As concerning the maiter of the wechtis, efter tryall taine be us thairanent, as said is, we find that the trone wecht whiche is presentlie usit within this kingdome is the proper wecht thairfor for suche geir as growis within the same. As for the troyis

Miscellaneous  
Papers.

wecht it is commonlie usit for ourseae wairis, and, as we ar informit, the said wecht to be conforme to the Frainsche wecht quhilk is maist usit heir, the quhilk wecht we refer forder tryall thair of to your Lordships, provyding it be ane constant wecht. We rest, your Lordships verie humbill servitouris. (Signed) S<sup>r</sup> W. Dundas off that Ilk ; Dundas of Newlistoun ; Pumferston ; S. J. Bruce of Kinkavill ; M<sup>r</sup> Alex<sup>r</sup> Hamyltoun ; S. A. Hamiltoun ; Bathgatt. Linlythqw, this 25 Februar 1613."

[Addressed on back] "To our verie guid lord my Lord Secretarie."  
[Also on back] "Ressavit 2 Martij 1613."

212. Rycht honorabill, Pleis your Lordship, The letter direct to our 24th March 1613.  
bensche to have bene presentit the first Tuisday of Februar past being  
now sene, becaus til now, be resone of the violent storme quhilk in the foir-  
end of Februar fell out and of uther impedimentis intervening, we have  
not conveyit, and we, having punctuallie considerit the same, for-  
ansuer to the quhilk our hail bensche in ane opinion do approve the  
act of Parliament concerning the mettis and measouris in all pointis  
and do verie muche reverence the wisdome, pains and diligence of thais  
commissionaris be quhais opinioun and judgement the same act is so  
prudentlie in all circumstances establishit. This we thought gude with  
ane uther particular sent heirwith by this berar to returne to your  
Lordship and Counsall, intreating humblie this our lait ansuer in respect  
of the impediments to our meting to be excusit, referring a moir  
speciall informatioun of our uther particular to be dilaitit to your Lord-  
ship by this same berar, we tak leave humblie and committis your  
Lordship to the blessit protection of the Almighty God. Your Lord-  
ship to be commandit. (Signed) George Houme ; Alexander Houme.  
Duns, this 24 Marche 1613."

[Addressed on back] "To the rycht honorabill our verie gude lord  
my Lord Secretar of Scotland. These."

[Also on back] "Ressavit 27 Marche 1613."

213. "Rycht honorabill, Pleis your Lordship, Quhairas by the com- 24th March 1613.  
missioun of the peace it is expreslie injoynt be our articles that we  
censure and tak ordour with the slayaris of fysche in red tyme, etc., off  
the quhilk we have had speciall cair so that sum we have tryit alreddy,  
utheris we have under proces and securitie for the said offence, and  
upon our knowledge none sall escape censure for the same, nochttheles  
ane, namit James Cranstoun, pretending ane particular commissione  
and powir to censur delinquentis of this kynd, came heir to Duns of  
befoir and now of lait hes bene agane heir keiping courtis, quhairat  
under pretext of justice he hes convenit many sindrie of our countrie  
people and, by all ordour but only for privat advantage to himself and  
his officiariis, hes exactit of sum of thame compositionis and keipis  
utheris under caution, and thus trubillis the leidges, notwithstanding  
that we our selfis do knaw thame for the maist pairt to be frie of all

Letter from  
the Justices of  
Peace within  
the sherifdom  
of the Merse  
anent the  
same.

Letter from  
the Justices of  
Peace within  
the sherifdom  
of Roxburgh  
requesting  
that James  
Cranstoun,  
whom they  
charge with  
illegally  
enacting fines  
in connection  
with the  
slaying of fish,  
be summoned  
before the  
Council.

just caus and cryme in this behalff. Quhairfoir, my Lord, as formerlie <sup>Miscellaneous Papers.</sup> we meanit us to Counsall by Alexander Home of Rentoune, ane of our number, evin so ar we now agane constreanit to signifie this greiff to your Lordship, requeisting arnestlie that it may pleis your Lordship mak the Lordis of Counsall acquaintit thairwithe and that this man may be citatt and convenit befor Counsall to bring with him his commissione, and we our selfis and sic utheris of our barons as hes thair servandis in this sort trublit may be present to plead the mater, quhairthrow we may be respectit in our credit and the subjectis easit of suche fascherie and truble. So, referring this to your Lordships favorable consideration, taking our leave for the present, we committ your Lordship maist hairtlie to God his blessit protection. Your Lordships to be comandit. (Signed) George Houme; S. W. Cokburne; Ro. Suyntone. Duns, this 24 Merche, 1613."

[Addressed on back] "To the rycht honorabill our verie gude lord, my Lord Secretar of Scotland. These."

[Also on back] "Ressavit 27 Merche, 1633."

20th September 1614.

Letter from his Majesty enclosing a petition from the burgh of Aberdeen anent a dispute between the said burgh and the clergy as to the tithes of the fish caught by the boats belonging to the burghs.

214. "JAMES R.—Right trusty and right welbeloved cosen and counsellour, and right trusty and welbeloved counselloures, wee greete you well. Wee send you here inclosed a petition preferred unto us in behalf of our burgh of Abberdene and remanent burrowes of thatoure kingdome to the effect that yee may thereby understand the summe and substance of their desires annent the clargies right acclaimed to the tithes of fishes killed byoure burrowes bushes, inoure farr seas, and the dueties whiche they are willing to pay to the Bishope of the Iles and other churchemen having right to the tithes of fishes tane and killed in loches, firthes, creekis, and other places in and abouteoure Iles there. And because wee doubte not but the remanent clargie will (according to the appoyntement concludit betwene them and the said Bishope) willinglie yeald to the satisfaction ofoure burrowes desires in the last poynte, so in the former concerning the bushes and the right acclaimed by the Bishopes to the tithes of fishes killed byoure subjectis in our farr seas, wee nather sie a ground whereupon they should pretend any right thereto, nor can allow that so necessarie a worke as is that bushe fishing, both foroure privat and the countries commoun good, should thus (in the beginning) be interrupted in the due course thereof by such untymelie rubbes and impediments. In whiche respect, and the rather becauseoure subjectis sue no further by their petition but to be partakers of that benefite (they importing profite both tooure customes and countrie) whiche straingers are presentlie sufferd to injoy, without benefite either of the one or the other, wee have thoght good herein earnestlie to recommend to you the satisfaction of their desires nightbrowing exemples teaching us how beneficiall that only commodity hath bene heretofor unto them, and may hereafter prove unto us, by the right use and exercise thereof, besides that a greate sorte of poore and

Miscellaneous  
Papers.

neidy people shalbe thereby imployed and sett on worke. And so referring the contents of the said petition to your more judicious consideration, and desiring you to omitt no lawfull meanes whiche may incurage the undertakers to proceide in a worke so universally necessarie for the commoun good of that oure kingdome, by appoynting and removing of all matter of contraversie and difference betwene the bishoppes and burrowes, concerning the tithes of both the afoirsade fishings, wherein wee doubt not of your care and diligence, as yee wold do us most acceptable service, wee bid you farewell. From oure Courte at Theobaldis, the 20 of September, 1614."

[Addressed] "To oure right trusty and right welbeloved cosen and counsellour, the Earle of Dumfermeline, oure Chauncellare, and to oure right trusty and welbeloved counselloures, the remanent lordis and others of oure Privie Counsell of oure kingdome of Scotland."

215. "After oure verie hairtlie commendationis. Some motioun 26th October 1614.  
having bene maid unto the Kingis Majestie anent the transportatioun  
of coales oute of this kingdome, it has pleasit his Majestie, out of his  
princelie regard to the commounwele, quhilk his Majestie hes evir pre-  
ferrit to all privat consideratiouns, to gif directioun that the maisters  
and awnairs of the coilheughis and some of the justices of peace with  
the commissionairis of suche burrowis as hes cheif interesse in this  
mater be convenit and hard before his Majestes Counsell and thair to  
reasoun upoun the expediencie of this mater, and to resolve his Majestie  
upoun the thrie articles following send down be his Majestie, whair of  
his Majestie is verie desyrus to haif ane spedie ansuer returnit, to witt:  
[1.] Whethir thair be any actis of Parliament or otheris forbidding the  
transporting of coales into foreyne countreyes. 2. Whethir the cuntrey  
complenit evir of the transporting of thame or feared scairstie of thame  
be that meanis. 3. Whethir the transporting of grite quantitie of coale  
taikin in places narrest to the sea and farrest frome the hairt of the  
cuntrey wilbe prejudiciall to the kingdome or not, and whethir the  
cuntrey hes sufficient for it self and to furneis plentifulle otheris  
cuntreyis; for the resolutioun of the quhilkis articlis and questionis and  
geving satisfactioun unto his Majestie thairin we haif appointit a  
meating of all pairtyis haveing interesse to be heir upoun the xxij day  
of November nixttocum. And thairfore these are to requeist and desyre  
you, seing this is a mater of the commoun wele, that you will direct  
some of your number to be present heir with us the said day to reasoun,  
confer and speik upoun this subject and upoun suche questionis, propo-  
sitionis and objectionis as salbe propounded and moved thairupoun, and  
so, lookeing preceislie for one of your number the said day, we commit  
you to God. Your verie assured good freindis. (Signed) Al. Cancell\*;  
Binning; Jo. Prestoun; S. R. Cokburne; S. W. Oliphant; S. G.  
Murray; Alex. Hay.—Edinburgh, the 26 of [Octo]ber 1614." [Ad-  
dressed] "To our right traist freind the Laird of Bogye, convenair, and  
remanent justiceis of peace within the schirefdome of Fyffe."

Letter to the  
justices of  
peace within  
the sheriffdom  
of Fife requir-  
ing certain of  
their number  
to appear  
before the  
Council to  
consider the  
expediency of  
exporting coal.

11th January  
1615.  
Letter from  
the justices of  
peace within  
the sheriffdom  
of Berwick  
anent thefts  
and robberies  
committed in  
the said  
sheriffdom.

216. "Rycht honorabill and our verie gude Lord, Being convenit this xi of Januar treating of sum materis concerning our commissioun of the peace and knowing the quyet estait of many peceable and weil effectit of the schyre to be muche disturbit be the busines of many pernicious lymmeris lurking in the countrie, quha throw impunitie have bene enbaldned frome pykreis and pettie stouthis frequentlie in all the corneris of the countrey to persist to manifest and oppin stouthis, so as no man may promeis to him self securitie of quhat qualitie so evir. Thair hes bene also sindrie slauchteris committit, for the quhilkis, albeit the actoris wer for a tyme fugitives, yit now agane ar returnit, and, seing thir enormiteis appertenis not properlie to us be our commissioun, we have takin occasioun to direct the berar heirwith to your Lordship that the mater may be signifeit to Counsall and that sum summar and exact caus may be taking for tryall and punisching of suche offendouris. The berar can gave informatioun of sum particularis; we have communicat to him our awin opinionis heirin, quha will impairt the samyn to your Lordship, if neid beis. So leving to impesche your Lordship forder by lettir, maist humblie intreating your Lordship that we may know your Lordships pleasour heirin, referring the samyn to your grave consideratioun, our humble dewtie remembrit and committing your Lordship to the gracious keiping of the Almightye, we humble tak our leave and sall remane, your Lordships servandis to be commandit. (Signed) George Houme; S. W. Cokburne; Ro. Suyntone; Allexander Home. Duns, 11 Januar, 1615."

Miscellaneous  
Papers.

[Addressed] "To the rycht honorabill and our verie gude lord my Lord Byning, Secretar of Scotland, these."

[Also on back] "Ressavit 24 Januar, 1615."

[On an enclosed paper is the following].

Information  
concerning the  
said thefts,  
robberies, and  
murders.

"Informatioun to my Lords of his Majestys Secret Counsall be the justiceis of peace of the schirefdome of Berwick of particular stouthes, slauchteris and uther crymes commitit within thair bounds, for tryell and punisching of the quhilks they desyre the Lords of Counsall to direct sume exact expedient conforme to thair missive letter sent to that effect.

*Item*, Beayde the manifold and frequent pykreis within the schyre thir thrie or four yeiris bypast, thair hes beine committit the manifest and notorious stouthis eftirspecifeit within this four monethes last bygaine:—

*Item*, Fra the Laird of Blakader furth of his landis of Blacader fourscoir scheip.

"Fra the Laird of Langtoun fourscoir scheip furth of his landis and ground of the baronie of Langtoun.

"Fra Sir James Home of Eccles, furth of his rowme and lands of . . . within the parochin of Eccles fyftie scheip.

"Fra Mr William Home of Gradin, furth of his lands of Darneschester within the parochin of Cauldstreime, fyftie scheip.

Miscellaneous  
Papers.

"Fra Robert Home of Crocerig, laillie within this fyfteine dayis or thairby, furth of the lands of Crocerig fourtie scheip.

"Ane slauchter committit be Henrie Huid, indueller in Eymouth, in slaying ane namit William Small, committit sevin yeir syne and mair, for the quhilk the actour was fugitive ane certane space and is now returneit and recident in Eymouth without feir of law or punischment.

"Ane slauchter committit be Home, sone to Thomas Home, callit the 'Persones Thoim,' in the toun of Duns, within this tuelf moneth, and the actour is sumtymes seine in the cuntrie; the persone slaine be him namit Mark Lindoris, falkoner.

"Thair is ane murthour privatlie committit be poysons detectit be tua severall wemen alledgit done be Agnes Nisbet, spous to Francis Melvill in Coldinghame, in poyssoning of ane woman and tua bairnes, quhilk the detectaris declairis sould have beine gevin to Archbald Lermouth in Coldinghame and Agnes Craw, his spous, with quhome Francis Melvill hes had and as yit hes depending diverse actionis of law."

[Addressed] "To the rycht honorabill and our verie gude lord, my Lord Bynning, Secretar of Scotland, these."

"Ressavit, 24 Januar, 1615."

217. "Right honorable, according to the desyre of your letter I<sup>24th January 1615.</sup> proponed to my Lordis of Secret Counsall the dissordoures begun in your countrye be manifold stowthes and otheres crymes latlie committed, <sup>Letters to the justices of peace of the Merse anent lawlessness on the Borders.</sup> whereof nather tryall nor punishment hes beine taine. My Lordes have considdered that the discoverie of suche malefactoures and thair apprehensioun and puneishment is proper to the captane of his Majesties horsmen and commissionares of the late Bordours, of whom my Lordes Cranstoun and Thesaurar deputie, being present, have promised upoun your requisitioun to appoynt ane courte, and to caus use diligence for taking suche persones as by yow they shall know to be probable suspect of thoyse crymes. Thairfor it appeares convenient that, after yow have advysed upon the best meanes of discoverie of the authouris of those crymes, yow may by your letter adverteis my Lord Thesaurar of your desyre anent the appoynting of ane court or drecting the captan of the garde for taking the suspect persones, whose names yow shall send to him in roll, wherein I am perswaded his diligence will give yow satisfaction. So to your forder adverteisement I commit yow to God. Edinburgh, this 24 of January, your loving frend at powar. [No signature.]

[Docqueted] "Copie of my letter to the justices of peace of the Merse, 24 Januar 1615."

218. Note under the hand of John Skene of the following persons<sup>6th July 1616</sup> having found caution for the indemnity of Alexander Colwhown of <sup>Cautions for the indemnity of Alexander</sup> Luss and John Colwhown, fiar of Luss, his son, and their wives, children, of Alexander

Colquhoun of  
Luss.

tenants and servants, etc., viz.—Alexander, Earl of Eglintoun, in 4000  
merks; John Montgomrie of Scottistoun, and John Montgomrie, his  
son, each in 1000 merks, and Henry Montgomrie in Eister Scottistoun,  
William Scott, miller, Andrew Thome in Eister Scottistoun, David  
Montgomrie there, Montgomrie there, John Rowane in  
Wester Scottistoun, William Gemmill there, Thomas Kynnok there,  
Alexander Haitrig there, Andrew M<sup>c</sup>Indo in Hilheid, John Moresone  
there, Gabriel Montgomrie in Conmmounsye, James Montgomrie, his  
servant, John Grahame in Cult, David Tarbert in Wester Scottistoun,  
Tarbert, his son, and David Montgomrie, cooper, burgess of  
Glasgow, each in 400 merks. At the foot there is written in another  
hand, "That we quha hes fund cautioun be skaythles of the personis  
contenit in this uther tickett, speciallie in possessioun of the landis of  
Scottistoun, mossis and muiris thairof, quhilkis thai eat and distroy  
daylie."

Miscellaneous  
Papers.

12th July 1616.

Letter from  
his Majesty  
desiring that  
proclamation  
of the  
approaching  
General  
Assembly at  
Aberdeen be  
made at the  
market-crosses  
of the  
kingdom.

219. JAMES R.—Righte trustie and righte welbeloved cosen and  
counsellour and righte trustie and welbeloved counsellours, wee greete  
yow well. Whereas wee have given licence to the cleargie and other  
deputyes of the Church to meete at Aberdene the xiiij<sup>th</sup> of Auguste  
nextcome, there to treat of suche thingis as shalbe thoughte requisite  
to hinder the encreas of Poperie in that our kingdome and procure an  
uniformitie in religion amongst our subjectes, it is our pleasour that  
yee cause make proclamation of the said meeting to be at the time and  
place abovesaid, at all the mercat crosses accustomed in the like cases,  
which, knowing that yee will cause be readilie performed, wee bid yow  
farewell. At Wansted, the xij<sup>th</sup> of Julie, 1616."

[Addressed] "To our righte trustie and righte welbeloved cosen and  
counsellour, the Earle of Dumfermline, our Chancellour, and to our righte  
trustie and welbeloved counsellours the remanent Lordes and others of  
our Privie Counselle in our kingdome off Scotland."

c. 1616.

Supplication  
by Marie  
Stewart,  
natural  
daughter of  
the deceased  
Patrick, Earl  
of Orkney,  
who is in a  
state of desti-  
tution, that  
she may be  
provided with  
means out of  
the debts due  
to him by his  
creditors.

220. Supplication by Marie Stewart, daughter natural to the deceased  
Patrick, Earl of Orkney, and Katherine Patersone, daughter lawful to the  
deceased Thomas Patersone, burgess of Kirkcaldy, as follows:—About  
two years ago the said Earl of Orkney committed his said daughter to  
the education and upbringing of the said Katherine, in the burgh of  
Kirkcaldy, "to haif bene educat and upbrocht be hir in wertew and  
leirning at the scuillis during my minoritie and les age," and so the said  
Katherine "hes not only educat and upbrocht me to the uttermost of  
hir powar in meit, drink, bedding and claithing and utheris necessaris  
bot lykwayis in respect that my said umquhile father faithfullie promittit  
to content and pay to the said Katharene yeirlie and ilk yeir for myne  
the said Mariouns intertenement the soume of ane hundreth pundis  
money and that I, the said Katherine hes interteniet me, the said Marie,  
in meit, drink, bedding and utheris necessaris, extending to the soume

Miscellaneous  
Papers.

of twa hundreth pundis money, quhair of nather I, nor the said Katharene, can get payment, bot I in the meantyme [am] in grite distres and miserie and am lyk to perisch for famyn, seing that the said Katharene will furnes me na langer, seing sche hes na warrand for that effect, unles your Lordships provyd remeid thairto. Heirfoir we maist humlie beseik your Lordships in considderatioun of the premisses and that, as we are informit that it is [his] hienes will and pleasour that all my said umquhile fatheris debtis and soumes of money adebtit and restand awand be him to ony persone or persones befor his deceis salbe satisfeit and payit to thame according to their bandis, decreittis, obligatiouns and comptis lawfullie to be deducit befor your Lordships, quhair of I doubt not befor your Lordships this is one compt." [Nothing on the back.]

221. "At Stirling, the xxvij day of Februar, the yeir off God <sup>27th February</sup> j<sup>m</sup>vj<sup>e</sup>xxvij yeiris, in presens of the ministeris, eldaris and <sup>1617, and 20th</sup> diacunis of the parochie kirk of Stirling convent in <sup>December</sup> assemblee. <sup>1621.</sup>

"The quhilk day compeirit Jonet Andirsone, servitur to Johnne Andirsone, sone-in-law to umquhill Andro Andirsone, baxter and burges of Stirling, quha being undir ane great scandir of ane commone charmer is accusit thair of, she denyes it *simpliciter*, and thairfor she is now admonesit in the name of God and his kirk that she abstein fra all charming, witchcraft and abuseing of the pepill frathynefurth, with certificatione if she do in the contrar she salbe severlie punesit according to the lawis. Extract furth of the buke of discipline of the said kirk be me James Duncansone, notter and clerk thair of, witnessein heirto my subscriptione manuall. (Signed) J. DUNCANSONE." <sup>Confessions of charming by Janet Anderson, servitor to John Anderson, son-in-law to the deceased Andrew Anderson, baker in Stirling, before the Presbytery of Stirling.</sup>

"At Stirling, the xiiij day of December, the yeir of God j<sup>m</sup>vj<sup>e</sup>xxj yeiris, in presens of the brethrein of the presbytrie off Stirling conveynit in assemblee.

"The quhilk day compeirit Jonet Andirsone abonewrittin and confesses that she was inhibit be the eldarship of the kirk of Stirling that she sould noght charme any persone frathynefurth, and yit nevertheles confesses that she hes done the samin in maner undirwritin.

"The said Jonet Andirsone confesses that Patrik Mungwall in Falkirk come to hir with his wyfis sark, quhilk she charmit in this maner; she put hir handis on it and said thir wordis,

"Three bittir thingis hes yow bittin, ill hairt, ill ee, ill tounge all meast; uther three, may the beit, the Father, the Sone, and Holy Ghost.

"Confesses that Agnes Wat, spous to William Burne, cordenar in Stirling, feachit to hir the said Patrik Mungwall, Johne Wardane and Johne Levingstone.

"Confesses she lernit the said charme fra ane man callit Litill Dik, servand to the auld Laird of Gleneglis, quhen he was charmen ane hors in ane medow, and denyes she hes any uther charmes.

" The said Jonet Andirsonne confesses ane man in the Falkirk come to hir with ane bairnis sark to be charmit, quha haid tane ane brash of seiknes through ane ill ee, quhome she charmit on the said sark as abone she hes confessit, and affermis that she hes na uther charme for ony kynd of seiknes. Miscellaneous Papers.

" The said Jonet confesses that Johne Wardane in Falkirk come to hir with ane sark of his sistiris, and desyrit the samin mycht be charmit, quhais desyr she satisfeit in maner foirsaid.

" The said Jonet Andirsonne confesses that ane tailyour in the Falkirk, callit Sandie Wear, come to hir with ane sark of ane bairne of the Chalmerlane of Kinneill and desyrit the sark mycht be charmit; he affirmit that she soght ane knyf to that effect. The said Jonet confesses that she charmit the said sark, and that in the tyme thereof she haid ane knyf in hir hand, bot denies she soght any, and confesses she said to the tailyour, ' Ye neid not seik this charme, the bairne wilbe ded or ye cum hame'; quhilk was fund of veretie, and, being demanded quhow she knew the bairnie wald be ded, ansuered that she wald not receave meat quhen the said man cam fra hir.

" The said Jonet confesses that Robert Hodge in Airth come to hir with his wyfis sark, quhilk she charmit at his desyr in maner foirsaid.

" The said Jonet Andirsonne confessis that she charmit Cathrein Stevinsone, doghter to James Stevinsone in Stirling, becaus she was foirspokin befor hir mariage with Alexander Cunnynghame, merchand, quha sen hir mariage hes bein lang out of hir rycht mynd.

" The said Jonet Andirsonne confessis that ane come fra Agnes Roy in Elphinstone to have hir charmit, and to that effect delyverit the said Agnes ruff, quhilk she receavit and deteinit with hir quhill that day viij dayes that she mycht advyse if that ruff wald instruct hir als weill as the womanis sark wald, and being demandid with quhome was it that she did advyse, refusit to ansuer.

" At Stirling, the xx day of December, the yeir of God  $\text{j}^{\text{m}}\text{vj}^{\text{c}}\text{xxj}$  yeiris, in presens of the brethrein of the presbitrie of Stirling convenit in assembleie.

" The quhilk day compeirit the said Jonet Andirsonne and denies that she usis ony uther wordis in hir charmis bot as is abonewritin confest be hir the last day.

" Nevertheles she confessis that she charmit ane bairne of Johne Levingstone, callit Johnne, in the Haining be saying of thir wordis on his sark.

" ' He that made the of flesh, blude and beane, restore to the thy haill againe'

" The said Johne Wardane in Falkirk confesses that the said Agnes Wat convoyit him to the said Jonet Andirsonne, and quhen hir company was furth he gaive hir ane sark of his sisteris, quhilk she receavit and immediatlie passit thairwith to the bak of ane pillar and theraftir returnit to him, and said she could do nathing to him at that tyme

Miscellaneous  
Papers.

quhill he come bak againe, and baid him than bring ane new washin sark of his sisteris and she tuke fra him his knyfe and made it rattill on the sark as if it haid bein ane canwas, quhilk declaratioun she all confesses and that she charmit the sark, and said if she haid bein witchit she wald have knawin it, bot it was bot ane blast of ill wind. And being demandit how she did know thais who war witchit, be thais who war hurt be ane blast of ane ill wind, refusit to ansuer; and confesses she said his sistir wald de, and that upone ane narratioun of the said Johnne that she was swollin, quhilk narratioun he affermis that he nevir spak to hir.

"Patrik Mungwall in Falkirk confesses that his wyf was seik and sum tymes better and sum tymes war, and being informit that thair was ane woman in Stirling that wald do hir gude thairfore he came to the said Jonet Andirsone and desyrit hir to mend his wyff. Thay baithe confes the said Jonet askit him for ane claythe, to whome he delyverit tua claythes, and being half charmit she said he was overlange in seiking of it, and in end said his wyf wald be weill yneugh, and she baid him put on that sark charmit be hir on his wyff quhen he come home, quhilk he did. And aftir he lay down in his hous, he confesses that thair appeirit to him ane whyt thing lyk ane woman quherby he was feirit, and on the nixt Saturday theraftir quhen he come to hir, he tauld hir the said apparitioun, and she ansuered that na thing sould aill any of his hous, and being demandit how she knew that na thing sould aill any of his hous, refusit to answer. And albeit she hes obstinatlie denyit that she usit any uthir wordis in charming nor thais set down of befor, yit quhen it was avowit in hir faice she confessis that she said in thir wordis in the charme, 'Earthles king and earthles queen, God let the nevir gait rest in kirk nor christiane beireis quhill thay restore this woman Jonet Wilsone to hir heall againe, in name of the Father, the Sone, and the Holy Ghost.' Also confesses she baid the said Patrik Mungwall keep it quyete.

"Johnne Fergusson, *alias* Souter, confesses he brocht ane sharg bairne sark to hir that was in his hous, and the said Jonet Andirsone crost it with ane knyfe, bot he wist not what she said. She ansored to him that quhilk is away is away, salang as he haid that seik bairne in his hous, he sould not want, quherupone she being demanded how she knew that, and what she meinit be thais wordis (that quhilk is away is away) said she wist not, and wald nocht ansuer farther.

"She confesses she could not help the gravell, bot she could give ane charme for the waff of ane ill wind or foirspeiking, quhilk she lernit of Litill Dikie, servand to the auld Laird of Glenegeis, and wald not ansuer farther.

"Ita est Jacobus Duncanson, notarius publicus ac clericus dicti Presbiterij, teste manu propria. J. DUNCANSON."

16th June  
1619.  
Regulations  
imposed by  
the town  
council of  
Edinburgh on  
the maltmen  
of Leith.

222. "The quhilk day Sir Williame Nisbet of the Deyne, knight, Miscellaneous  
Papers.  
Provest of the burgh of Edinburgh, Alexander Clark, Johnne Byris,  
George Foulls and David Mitchelsoun, baillies, David Aikinheid, deyne  
of gild, and Williame Dick, thesaurar . . . with the remanent  
counsell and deakynis of crafts of the said burgh being conveynit,  
s[tatutis] and ordains that ilk maltman admittit to the fredome and  
libertie of making of malt in the toun of Leith salbe oblist to keip and  
underly the acts and statutis maid be the provest, baillies and counsell  
of Edinburgh anent the order to be observed in all tyme coming be the  
maltmen th[air], that thay and ilk ane of thame salbe oblist to grind thair  
malt maid be thame with . . . [torn] . . . of Leith at the touns mylnis  
in all tyme to cum, secludand the ellevin commoun mylnis to the guid  
toun of auld, to the quhilk thay salbe nawayis subject to cum; lykas  
thay sall . . . thankfull service for payment of an firlothe of  
chiritete multer for ilk sextene bowis chiritete ground at the saidis  
mylnis and payment of utheris dewties accustomed to be payit . . .  
and servands as is now givin to thame at the said touns mylnis, thay  
sall not . . . any man mak malt within thair barnes nor associate  
or be partiner with any malt[man] making of malt in Leyth quha is  
not admittit to the libertie thair of, be the provest [baillies] and counsell  
of this burgh; they sall brew na malt within the toun of Leith, bot  
[that] is maid thair and grund at the touns mylnis; they sall do  
nathing hurtfull nor . . . to the liberties of the guid toun; they sall  
in all questiounis and debaitis amangst tham[eselfis whilk] be the prive-  
ledgis and liberties of this burgh aucht to be decydit befor the saids  
provest . . . of this burgh or thair baillies of Leith submitt  
thameselfis to thair judgement . . . in speciall sall not convene  
utheris befor the schereff and sall use the toun . . . writting of  
thair writtis and securities, reserveing alwayis to the Lords of . . .  
ane uther for quhatsumever caussis conforme to the priveledge grantit  
to . . . better order keiping amangst thame in all tyme to cum,  
statutis and ordainit . . . friedome and libertie of making of malt  
thair within the said toun of Leith . . . tyed and fund qualfeit  
for using of the said tred be thrie or four maltmen of Leyth . . .  
to the friedome thair, to be chosin be the counsell of the guid toun to  
that effect and . . . report to the counsell ane testificat of thair  
qualificatioun and ane approbatioun given and . . . be the said  
maltmen of Leith chosin, as said is; and als statutis and ordains that  
. . . childrene of thame quha ar presentlie admittit to the fredome  
of making of malt thair . . . to the fredome thair of; also they  
being fund qualfeit for payment of compositioun of . . . thay  
alwayis keiping the conditiounis and provisiounis abovementionat.  
Extractum de Libro Actorum Consilij burgi de Edinburgh per me,  
Magistrum Joannem Hay, communem clericum [dicti] burgi, testantibus  
his meis signo et subscriptione manalibus. (Signed) J. Hay.

Miscellaneous  
Papers.

223. "The compte of the guidis delyverit be Ewis Zansone, c. 1619.  
admirall of Delphe, for the Busches:—

Account of the  
commodities  
delivered by  
Ewis Zansone,  
admiral of  
Delft, for the  
boats.

"*Item*, thrie brasine peissis; four borellis powder; ane brasine chalmer, ane poutthe borrell poulder; tuelfe cariedgis; thrie scoir sex small bulatis; ane melting pane; tua picke pottis; tua corse baris; fourtene grait bullatis; fourtye fyve muscattis; fourtie swordis and rapperis; tua heid peissis; ane tairdge; ane quantitie of bandilzeas; sewine waist peissis; nyne pair breikis; nyne dowbillettis; fourtene cloikis; tuentie sevine plaidis; tua fetther coiddis; tua kistis, ane trunke; ane sword and pestilot of the capitanes, tuentie tua pickis; four pond xv s. sterling of the capitanes; ane goldine ring and ane hatt band of the capitanes; ane uther ring and ane silver seyill; sevine pound x s. sterling of the skipperis; ane peice leid of ane hundreth weghte."

"The compt of the guidis delyverit be Andreis Clouse Clewe, veise admirall for the busches:—Tua braissine peissis; ane hundreth small bullatis; ane peice of lunt; nyne pickis; tuelf heid peissis; sex corslettis; sex collar peissis; tua braisine kettillis; sevine trie plaittis; ane yrne leddill; ane yrne pott; ane trie stowpe; tuentie tua muscatis; fyvetene swordis and rapperis; ane tairdge; aucht halbertis and blak bullis; thrie firne kistis; fyve calfe bedis; tua fetther coidis; four auld seckis; ane borrell; tua buird claithis; sevintene plaidis; ane cloike, ane gowne; thrie waist coittis; four coitis and dubilletis; four pair of breikis; tua seckis; tua hattis; aucht rowing airis."

224. "My verie gude Lord, It will pleis your Lordship, according to 11th February 1620.  
ane commissioun direct to us be his Majesteis Counsall for conveyning befor us the landislordis, justices of pece and ministeris within the boundis of Nithisdaill and Annanderdaill, to giff up the names of all idill vagabondis, maisterles men and all sik utheris meitt to be put under cautioun for keeping of his Majesteis pece, we haiff diverse tymes mett in the burgh of Drumfreis and hes convenit befor us the maist pairt of the landislordis, the haill justices of peace and ministeris within the saidis boundis; we haiff tane thame solemlie sworne and thai haiff gevin up ane resonabill nowmer of idill vagabondis, bot ane greiter nowmer that is thocht gude sall be put under cautioun for keeping of the Kingis pece. We haiff be opin proclamatioun at the mercat croces of the burrowis of Drumfreis, Lochmabane, Annand and toun of Moffett chargeit the saidis personis to compeir befor us the tuentie fyve day off Februar instant to find the said cautioun. As we get obedience we sall mak reporte to his Majesteis Counsall, bot we feir the tyme is so schorte appoyntit to us to mak reporte we sall nocht be abill to use any uther lauchfull citatioun to the fairsaidis personis for finding the said cautioun except it will pleis the Counsall to grant us ane langer tyme to that effect. Heirfoir we desyre it will pleis your Lordship to schaw the Counsall how far we haiff proceidit in this

Letter from  
Dumfries  
from the  
Border Com-  
mission anent  
masterless  
men.

service, and to let us knaw thair Lordships farder mynde giff thai will allow of this citatioun, or utherwyse that thair Lordships will be plesit to grant us the first Counsall day in Aprile to mak reporte of our last diligence, and we sall in the menetye gar the saidis personis be chargeit of new at the speciall paroche kirkis quher thai remane and mercat croces foirsaidis to find the said cautioun. Uther citatioun we can nocht use in regaird thair is ane greit nowmer that hes na certane duelling place. We intreit your Lordship to acquent the Counsall with this letter and reporte us thair Lordships ansuer with sik diligence as your Lordship can convenientlie do. So we rest, your Lordships verie affectit freyndis to serve yow. (Signed) LAG; HEREIS; CLOSBURN; ROBERT McBRER."

"Drumfreis, the xj of Februar, 1620."

[Addressed] "To the richt nobill and our verie gude Lorde, the Erle of Lowthiane."

5th July 1620.

Letters of charge at the instance of James Anderson of Dummoys against James Gordon of Lesmoir and others.

225. Letters of charge at the instance of James Andersone of Dummoys narrating that, whereas he owns the lands of Dummoys and the third part of the lands of Garrie with their pertinents within the parish of Dribblait and sheriffdom of Aberdeine, yet James Gordoun of Lesmoir, Mr Robert Bissett of Lessindrum, George Gordoun of Conclarachie, Alexander Lyoun of Braickay, William Troup of , Thomas Spens of Bruntstoun, John Gordoun of Adamstoun, Andrew Mitchell of Corsknowes, Andrew Rany of Carnehill, Patrick McKie in Bordelseat, Thomas Skynner there, Andrew Nory in Newbigging, George Nory there, and William Gallane in Conclarachie, daily and continually molest him and his tenants and servants in the possession thereof, destroying their grass and corn by pasturing their beasts and goods thereupon, making roads through the same and casting and winning peats and turf thereon; and ordaining messengers that having taken the complainer's oath that he dreads bodily harm of the said persons they thereupon charge these persons foresaid to desist from troubling him as above under the penalty of £1000 in the case of each landed person and of £400 in the case of each of the rest; wherein if they fail to put them to the horn; dated at Edinburgh 5th July 1620, and signed J. ANDERSONE.

29th September 1621.

Caution by John Leslie of Pitcaple for Alexander Leslie, his brother, and John Leslie, his son.

226. Bond of caution by John Leslie of Petkeppill in 400 merks for Alexander Leslie, his brother, and 1000 merks for John Leslie, his own son, that they will not molest Alexander Andersone in Newmilne of Cremont, nor his wife and household, etc., with a similar bond by the said Alexander and John Leslie and by Francis Leslie of Balcarne for John Leslie of Petkeppill in 1000 merks to the same effect. The bond is written by Mr Patrick Cheyne, notary, and dated at Petfuthie, 29th September, 1621; witnesses, Mr John Cheyne of Arnage, James

Miscellaneous Papers.

Miscellaneous  
Papers.

Cheyne, apparent thereof, John Sim, his servitor, and the said Mr Patrick Cheyne. [Signatures.] On the back is a clause of registration dated 4th October, 1621, and signed by J. KAY, on behalf of the cautioners.

227. Bond of caution by John Collace of Peithill in 1000 merks for 3rd October 1621. Thomas Collace of Petforkie that he will not molest John Ramsay of Balnabreiche, David Lindsay, bailie of Brechein, James and Thomas Ramsay, lawful sons of John Ramsay, Commissary of Brechein, James Ramsay, lawful son to Mr Thomas Ramsay, Commissary Clerk thereof, David Ramsay, messenger there, and David Simmer, burgess of Montrois, or their wives, children, tenants, servants and goods. The bond is written by Mr Patrick Collace, servitor to Mr Robert Nairne, advocate, at the Miltoun of Balhalwell, 3rd October, 1621; witnesses, Mr Andrew and David Leiche, sons of the deceased Mr Andrew Leiche, Alexander Sanderis in Cosyde and David Strange in Forfar. [Signatures.] On the back is a clause of registration on behalf of the cautioner, signed by Mr John Dauling, and dated 5th October, 1621.

Caution by John Collace of Peithill for Thomas Collace of Petforkie that he will not molest John Ramsay of Balnabreiche and others.

228. Bond of caution by John Campbell of Newcalsay of Couper in 1000 merks each for Patrick Campbell of Kethik and Gilbert Campbell, his son, fiar thereof, that they will not molest William Rettray of Corb, James Rettray of Monydie, Roger and John Rettray in Ramagullane, nor their wives, children, tenants and servants. The bond is written by William Many, notary, and is dated at Kathik, 3rd October 1621; witnesses, John Campbell, lawful son to the said Patrick, John Quhyttak in Kathik, John Campbell there, Thomas Drummond, servitor to the said Patrick Campbell, and the said William Many. [Signatures.] On the back is a clause of registration on behalf of the cautioner signed by Mr Alexander Cnmmyng, dated 4th October, 1621.

Caution by John Campbell of Newcalsay for Patrick Campbell of Kethik and Gilbert Campbell, his son.

229. Fragment of a Supplication by Sir William Oliphant of Newton c. 1622. and Mr Thomas Hope of Craighall, his Majesty's Advocates, and by William Naper and David Forbes and others against James Keyth and Robert Keyth and others for, among other things, coming in arms to the Moss of Blaklawis and destroying the complainer's fuel; going to David Forbes's house, where having found a young damsel, who was keeping the house, took her "be hair of the head and thairby drew and harlit hir up and downe . . . strykeing and dinging hir with hir feitt and handis on the head, breast . . . of his bodie, and thair left hir lyand for dead, bleiding both at mouth and neise." Further they came to the said William Naper's lands, threatened his servants if they should till his lands and destroyed his ploughs, etc., and the said James came riding on horseback armed with pistols, accompanied by others with hagbuts, lances and swords to their lands as they and their servants were at work and discharged their hagbuts at them, besides otherwise assaulting them.

Supplication by Sir William Oliphant of Newton, William Naper, and David Forbes against James Keith and others for assault and destruction of property.

They crave summons against their assailants. [On the back] "*Apud Edinburgh, xiiij Junij* [?] *anno . . . Fiat ut petitur.*" Cf. vol. xiii. Miscellaneous Papers.  
pp. 31-34.

4th February  
1623.  
Forged letter,  
purporting to  
be from  
Mr Gavin  
Dunbar to Sir  
James Reid,  
which see  
explained in  
vol. XIII.  
pp. 165-167.

230. "Most vorschipful Sir, My service remembered to yow. These ar to schaw yow that I have bene heir quyet with my kynd freind, Johne Borthuik, in the vaster toun Dudistoun sent this morning vpone the occasione of ane unexpected accident quhilk did fal out betuix sum of Bourge, his followeris and me in goeing from my hous to Elgen quher Alexander Adamsone is left deid upone the grund with the great lose of my awin blood and hesert of my lyfe at lest mutilatioun, as is thoght be my chirurgen, quhilk at meitting I sal impart to yow at mor length. Quharfor, Sir, doe not fail with al possible diligenc to sie me that I may have your consal and best advyse quhat cours to tak for my saiftie and that so much rather that ve know a great many of his freindis to be heir in the south, quha wil be cairful to search and apprehend me upon the first advertisment. This, Sir, I earnestly desyr yow for the love that ye cary to my lyf, ye wald not fail to do, not letting your errand knawin to sue much as any of your servandis, sieing I repose my lyf in yow; sue expecting your vndelayed cuming I tak my leive to meitting and restis, your humble and affectionat freind, M<sup>r</sup> GAWEN DUMBAR." "Sir, In respect of my sudden vay coming ye wil please bring with yow any money as ye wil spare and if it be possibell that ye can find Thomas Wilsone, servitor to Sir Johne Prestoun, and my awin cousin, I pray yow fail not to bring him only with yow becaus I wil trust to send him home for my adoes."

[Addressed] "To the right worschipful Sir James Reid, those be delyvered."

16th-27th  
May 1623.

Depositions by  
Isabel Hal-  
dane, who is  
suspected of  
witchcraft.

231. "Depositionnes of Issobell Haldane, suspecht of wischcraft, confessit be hir the 16 of May 1623 as followis, etc. :—

"Being convenit befor the Sessioun of Perth, efter prayeris maid to God to oppin hir hairt and louse hir tounge to confes the treuth.

"Being askit gif scho hed onye skeill of cureing men, wemen or bairneis that war diseiseit, scho ansuerit that scho hed nane.

"Being requirit if scho cureit Andro Duncaneis bairne, ansuerit that, according to the directioun of Jonat Kaw, scho went with Alexander Lokhart down to the turret port, tuik watter frome thence being down, brocht it to Andro Duncaneis house and thair upone hir kneis, in the name of the Father, Sone and Holye Geest, weisch the barne, efter that tuik the watter with the bairneis sark, accompaneit with Alexander Lokart, and kaist baith in the burne, bot in the going scho skeallit sum, quhilk scho rewis and ever will rew, because that if ony hed gone ower it they hed gottin the ill.

"Item, being askit if scho hed onye conversatione with the farye folk, ansuerit that ten yeiris syne, lying in hir bed, scho wes taikin furth

Miscellaneous  
Papers.

quhidder be God or the devill scho knawis not, wes caryit to ane hill syde; the hill oppynnit and scho enterit in, thair scho stayit thrie dayis, viz., fra Thursday till Sondag at xij houris, scho mett a man with ane gray beird quha brocht hir furth agane.

"*Item*, that same day Johne Rioch deponit that about that same tyme, he beand in James Chrystie the wrichtis buith, causing the wricht mak ane credill to him becaus his wyff wes neir the down lying, the said Issobell Haldane com by, desyreit him nocht to be sa haistie for he neidit nocht, his wyff suld nocht be lighter till that tyme fywe outhis, and then the bairne suld never ly in the creidill, bot be borne bapteisit and never souk bot die and be tayne away, and as the said Issobell spak so it cam to pass in everie poynt.

"The said Issobell, being demandit how scho knew that, ansuerit that the man with the gray beird tauld hir.

*Item*, the said Johne Rioch deponit that Margaret Buchannan, spous to David Rand, being in helth at hir ordinare wark, the said Isobell Haldane come to hir and desyreit hir mak hir for deith, for befor fastingis ewin, quhilk wes within few dayes, scho suld be taikin away, and as scho said, so it wes, befor that terme the woman died.

"Being askit how scho knew the terme of hir lyfe, the said Issobell ansuerit scho hed speirit it at that same man with the gray beird, and he hed tauld hir.

"The xvj day of May, 1623.

"Patrik Ruthven, skynner in Perth, compeirit and declairit that he being wischit be Margaret Horniscleuch, Issobell Haldane com to sie him; scho com in to the bed and straichit hir self abone him, hir heid to his heid, hir handis ower him and so furth mumbling sum wordis, he knew nocht quhat they war. The said Issobell confesses the said cure and deponit that befor the said Patrik wes wischit scho mett him and foirbad him to go till scho hed gone with him.

"The xix day of Maij, 1623.

"Compeirit Stephan Ray in Muretoun and deponit that thrie yeiris syne that Issobell Haldane, haveing stollin sum bere furth of the hall of Ballhoussye, he followit hir and brocht hir back agane, scho claipit him on the schulder, saying, 'Go thy way, thou sall nocht win thyself ane bannock of breid for yeir and day,' and as scho threttinit, sa it cam to pas; he dwynit havelie diseiseit. The said Issobell confesses the away taking of the bere, the diseise of the man, and affirmeis that onlye scho said he that delyverit me frome the farye folk sall tak amendis the.

*Item*, the same day scho confest scho maid thrie severall kaikis, everie ane of theme of ix curneis of meill gottin fra ix wemen that wer maryit madynnis, maid ane hoill in the crown of everie ane of theme, and pat ane bairne throw it thrie tymeis in the name of the Father, Sone and Helye Geest to wemen that pat the saidis bairneis thryce throw bakward, wseing the saidis wordis.

*Item*, the said Issobell confest that scho went silent to the well of Ruthven and returneit silent, bringing watter from thence to wasch Johne Gowis bairne. Quhen scho tuik the watter from the well, scho left ane pairt of the bairneis sark at it, quhilk scho tuik with hir for that effect, and quhen scho cam home wousch the bairne therewith. In lyk maner scho confest scho hed done the lyk to Johne Powryis bairne.

Miscellaneous  
Papers.

"The xxvij day of Maij, 1623.

"The said Issobell confessit that scho hed gevin drinkis to cure bairneis, amongis the rest that David Moreis wyff com to hir and thryse for goddis saik askit help to hir bairne that wes ane scharge, and scho send furth hir sone to gather fochsterrie leaweis, quhairfof scho directit the bairneis mother to mak ane drink, bot the bairnes mother deponit that the said Issobell Haldane onrequirit cam to hir house and saw the bairne, said it wes ane scharge taikin away, tuik on hand to cure it and to that effect gaiff the bairne a drink, efter the ressait quherof the bairne schortlie died.

"William Young, scribe to the presbytrie of Perth, at command of the samyne with my hand.

"James Davidsone, notare publict and clerk to the session of Perth, at thair command and directioun with my hand."

c. 1623.

Report of the  
Justices of  
Peace within  
the sheriffdom  
of Forfar  
anent the  
poor of the  
said sheriff-  
dom.

232. "It may please your Lordships, wee, the justices of peace within the sheriffdome of Forfar, being convened within the counsell hous of the burgh of Dondie upone the fourt day of November instant (being the first Twysday of the same moneth), be vertue of the commissione and for obedience of the letter direct to us be your Lordships, whereby we wer desyred to tak some solide course for interteaneing of the poore within the boundis of oure sheriffdome, and siclyke upone the aughtene day of the same moneth thereafter, being lykewayes convened for the same effect, after due and mature deliberatione takine thereanent, hes thought it most fitting for the weill of the cuntrie and the suppressing of the growthe and incres of beggaris within the same, that everie persone of whatsoever degrie be ordaned to interteanie their owne poore, and that they be keiped and interteained within the boundis of their owne paroche and not suffered to vaig or beg abroad therefra, and to this effect (and for the better prosecutione thereof) wee have dividit oure selves in such proportionabill forme within that sheriffdome as effeiris, and hes undertakine the said chairge upone hope of assurance of your Lordships concurrance and auctoritie to be interponed heirto, and is most willing to prosecute your Lordships determinatione thereanent so far as lyes in our power. Wee have for obedience of your Lordships letter maid repourt thus of oure proceedingis, whilk we have ordaned to be subscribed be our ordinar clerk at our command. So restis, your Lordships most willing servitouris, Wedderburn." [Addressed] "Reporte of the Justices of Peace for the scherriffdome of Forfar to the Lordis of his Majesties most honorable Privie Counsell."

Miscellaneous  
Papers.

233. "To the Kingis most excellent Majestie, The humble petition of April 1624. David Nairne of Sampford, in your Majesties realme of Scotland, on the behalfe of the fishermen of that kingdome, shewing. Whereas by sundrie actes of Parliament it is ordayned that barrells should be of a certaine greatenes sett downe in the said actes and none to presume to make the said barrells of any greater or lesser measure; nevertheles the merchants who buy the fish of the said fishermen doe bring barrellis to pack the salmond and herrings in of a lardger size then the said actes doe allowe of, and yet doe give no greater price then if the said fish were packed according to the lawe, whereby the poore fishermen are daily impoverished and cannott longer subsist without speedie reformation touching the premisses. Now, forasmuch as the gauging of those vessells is conferred by statute to some particuler townes who have and doe neglect the execution of your Majesties lawes in that behalfe, and forasmuch as your petitioner hath divers fishermen under him who wish divers others his neighbours (having daily made complainte thereof without redresse), have solicited him to become an humble suitour to your Majestie for their releefe, your petitioner is thereby incyted humbly to praie that your Majestie wilbe graciously pleased to referr the consideration of the premisses to your Majesties honorable Counsell of Scotland, and (if their honours shall thinke fitt) to authorise and appoint your petitioner by himselfe and his deputies to survey the gauging of the said vessells and to sett a stampe or marke on every vessell that shalbe found of such quantitie as the lawe alloweth, and that no fish shalbe hereafter packed in any vessell unmarked on paine of confiscation; and the petitioner (for his paines and labour therein) will accept of such allowance for every barrell as the said fishermen shall thinke meete for his maintenance and service. And your petitioner, with the said fishermen, their wyves and children (as in duty bound), shall daily praie for your Majesties long and prosperous raigne."

234. "Intrat on pannell Marable Couper, spous to Johne Spens 7th July 1624. in the North syd of Birsay, befor Sir Johne Buchannane of Scottiscraig, knyght, justiciar and shireff principall of Orkney and Zetland, to answer at the instance of Robert Chalmer of Ryssay, procurator fischall of the schireffdome, for certane pointis of witchcraft, sorcerie and superstitioun, at the least behaveing himselff to have sic skill and knowledge, thairthrow abusing the people as followis.

"In the first ye, [the] said Marable Couper, ar indyttit and accusit for airt and pairt of the useing, comitting and practising of the divelish and abominable cryme of superstitioun, witchcraft and sorcerie in that at Midsommer four yeiris syne or thairby David Mowat in Bankis in Birsay, haveing mareit Margaret Corstoun, they haid thrie new callowit kyne quherof the said Margaret wantit the proffeit and, suspecting yow,

Petition to his Majesty from David Nairne of Sampford anent the size of barrels for the packing of fish.

Charges of witchcraft against Marable Couper, spouse to John Spens in Birsay.

"Margaret Corstoun present maid fayth that the first poynt of dittay was trew."

"The pannell denyet it."

"Fyllis hir of the first pairt of the dittay and that in the secund point that sho gave hirself hir knowledge in that sho said sho should want worth the best horse in Birsay."

scho came to you and reprovit yow calling, 'Banished witche, quhy had ye tane the proffeit of hir kyne.' Quha answerit hir that it sould be sevin yeiris or ony witche tuik the proffeit agane from hir kyne, quherupoun followit that the nixt yeir the said David and Margaret had thrie kyne quherof the ane deit in callowing and the calff tane out of hir wounbe, the nixt callowit ane calff and never gave milk, and the thrid thir four yeiris past never tuik bull, and at the Candlemes efter the said Margaret meitting with yow at your awin dore and efter many wordis and flytting the said Margaret, haveing struken yow for the lose that sho haid of hir kyne, you said to hir that by the lose of hir kyne sho sould want worth the best horse that was in Birsay, and at the Beltane thairefter sho had ane kow that deit and tua young beastis, quhilk ye did not onlie be your witchcraft and divelrie bot gave your self furth to have skill to do thingis, and quhilk, rank witche, ye can not deny.

"The said Margaret maid fayth conforme to the secund point."

"The pannell denyet."

"Fyllis hir in respect of the dittay suorne, and that scho gave hirself furth to have skill quha said sho sould lay hir lyf for him."

"The said Margaret maid fayth conforme to the thrid."

"The pannell denyet."

"Fyllis hir in respect of hir frequent coming to the hous and the last tyme anent the staying of the quernis."

"Secundlie, in that immediatlie efter the tyme forsaid the said David Mowat, haveing met you cuming to your hous with ane stoup of aill, quherof ye causit him to drink, and that same night efter he contractit seiknes, and fyftene dayis thairefter ye came to visite him, quha said, 'Ye wald lay your lyff for him,' and that he wald ly yit ane moneth seik or he war heall, quha continwit seik according to your speiche and never slip . . . and at the sext oulkis end he became heall, be your witchcraft and divelrie, quhilk, rank witche, ye can not deny.

"Thridlie, in that in harvest four yeiris syne or thairby, quhen the said David first gaid to his barne with his new corne, ye came to his hous and quhen he gaid to the kill ye came agane, and quhen the said Margaret was grinding ane lock of beir on the quernis ye came to the hous and said ye was cum to get your kiltreis that hir guidman haid borrowit and the said Margaret gaid furth to hir gudman and tald him that ye was cum to get your kiltreis that he had borrowit, and he haveing borrowit nane was werrie angrie and said he was ever cumerit with yow and thought to have dung yow [bot] quhen he saw yow he haid no power to ding yow bot reprovit yow, flet with yow and bad yow away, quha gaid away, bot efter beath the said Margaret and hir servand could not gar the quernis gang about and the thing that was grund was lyk dirt, and going to the milne with the rest it was lyk dirt as the uther; and James Spens, your gud brother, being servant with thame and thay geving yow the wyte he came to yow and reprovit yow and incontinentlie the rest of the meall was als gud and fair as could be possible, be your witchcraft and divelrie, quhilk, rank [witche], ye can not deny.

"The said Margaret maid fayth conforme to the fourt."

"The pannell denyet."

"Fourtlie, in that upoun Monday befor Fastingis evin thereafter ye came to the said David his hous and efter many wordis and flytting he gave yow ane cuff and pat yow to the dore, and ye suore that he sould repent that straik. And four dayis efter he haveing put sex meillis of

Miscellaneous  
Papers.

Miscellaneous  
Papers.

aittis upoun his kill to dry, the kill tuik fyre and brunt and the cornes that he . . . he tuik to . . . seyis kill quhilk lykwayis tuik fyre and brunt, be your witchcraft and divelrie, quhilk, rank witche, ye can not deny.

"Fyftlie, in that at Alhallowmes thrie yeiris syne the said Margaret Corstoun, haveing contractit seiknes, dwyned be the space of four moneth and could get no mendis at hame nor quhen sho wes brocht to the toun of Kirkwall and sua returning hame agane and going to Alexander Philpis hous by your hous ye was standing at your dore and the said Margaret, entering in wordis and flytting with you, called yow ane banished witche and said giff scho deid sho sould lay hir dead upoun yow. And ye said to hir sho nicht have reprovit yow quyettlie giff sho had ony thing to say to you, and ye tuik hir in to your hous and tuik ane bristane stane and pute it in the fyre and hate ane drink of aill with it and gave hir to drink, quherby, as be your witchcraft and divelrie ye cast the seiknes, so be the lyk divelrie and witchcraft sho gat hir health, quhilk, rank witch, ye can not deny.

"Sextlie, in that twentie dayis efter Candlmes thrie yeiris syne the said Margaret Corstoun, cuming to your hous efter Alexander Philpis wyff and ye discordit, ye being in your bed, ye layid by the lap of the claithe and lat hir sie besyd yow as it haid be[ne] ane great bag lyk ane swynes bledder, great at the ane end and small at the uther, quhilk ye said was your guttis that Alexander Philpis wyff had tramped out with hir knees, and that same day Oliver Garatoat (?), haveing cum to summond yow to compeir befor the sessioun, ye said to him, 'How could ye cum?' for Alexander Philpis wyff had possit out your guttis and lute him sie as it haid bene your guttis lying besyd yow, most fearfull to look to and was nothing bot divelrie, quhilk, rank witche, ye cannot deny.

Item, ye, the said Marable Couper, ar indytit and accusit for airt and pairt of the useing, comitting and practising of the divelish and abominable crime of superstitioun, witchcraft and sorcerie, in that upoun Monday efter Sanct Magnus day in Voir j<sup>m</sup>v<sup>j</sup>e tuentie tua yeiris, Thomas Seatter in Seatter, haveing enterit his pleuche to the beir seid, ane Margaret Bimbister, his servant, leading the pleuche, the said Margaret loked about and sawe ane cuming up the burne and ane blak bruch about hir, quha said to hir maister, 'I see ane woman cuming up the burne and ane blak bruche about hir,' and quhen he saw hir he beteached him to God, and said it was Marable Couper; and quhen sho came to the pleuche scho said hir erand was to lay his culter, bot scho haid nane with hir, and he bad hir send hir husband or sone and the turne sould be done, so ye depairting gaid to his hous, and ane kow being calling ane pair of scheittis stentit about hir that scho sould not be sene, and Elspeth Thomesone, spous to the said Thomas, being besyd hir, or ever scho wist ye was within the scheittis and luiking over hir shoulder quherat scho being affrayed and beteaching hir to God, scho comandit yow away, and ye going furth enterit in hir byre and sat

["Fyllis hir in hir frequent coming to the hous and that the quernis wald not gan efter scho gaid"]  
[deleted.]  
"The said Margaret naid fayth conforme to the fyft."  
"The pannell denyet the dittay bot confest the giving of the drink."  
"Fyllis conforme to the dittay suorne and hir confessioun."  
"The said Margaret naid fayth conforme thereto and confest be pannell it was the guttis of ane lambe."  
"Fyllis in respect of the ayth and hir confessioun be dissimulatioun."  
"The said Elizabeth naid fayth conforme to the dittay and Thomas Seatter for the last pairt."  
"The pannell confest the haveing of the grass and that it was tane frae hir and denyit the rest."  
"Fyllis hir conforme to the dittay sworne and in the hail point by hir confessioun."

down betuix twa kyne, and quhen ye was persawit be ane bairne and the said Elspeth advertised theroff scho came furth to you and said it was for na gud that ye was cum thair, and ye *ansuerit* hir ye was cum to advertise hir that hir gudman was wattit on for his lyff and hir kyne for evill, and that scho wald want hir kyne or hir gud man want his lyff, and schew hir that ye haid brocht ane sort of grass to save hir kyne. And the said Elspeth, being afrayed, gaid to hir gudman and tald him, quha came hame with hir and gart yow deliver the grass to his wyff quha draiked it in leaven and gave it to tua dogis quha ran wood, and ane of thame mad the forme of ryding ane kow quha efter he tuiched hir with his feit scho pisched blud and schortlie efter raged to dead, and quhen he was put from the kow he usit the lyk to four caffis quha pished blud lykwayis, and ceaset not quhilk he was stickit; and the uther dog lykwayis raged quhill he was libed. And within tuentie four houris efter the said kow was dead ye came back agane to Seatter as it war lamenting for the dead of the kow, and said to the said Elspeth, giff scho wald let yow sie the place quher the kow deid, ye wad tell hir quhiddir thay war dead or liveing that had the wyt of the kowis death, quhilk ye did not onlie be your divelrie and witchcraft bot gave your self furth to have sic skill and knowledge.

"Elizabeth Thomesoune maid sayth that Agnes Paplay tald hir conforme to the dittay and mair that quhen the said Marable came to heall hir and anethe and . . . being strucken with . . . the bairne sho said it was better that the bairne deit nor hir mother."

"The pannell denyet."

"Ryasis clauso ore."

"The said Elizabeth maid sayth conforme to the dittay."

"The pannell confest the going with the farie twyse."

"Ryasis clauso ore anent the first pairt of the dittay and fyllis hir in

"Secundlie, in that ye gave ane peice bannock to umquhile Katherine Fulsetter, spous to Johne Crowdan, quha immediatlie efter tuik seiknes and dwyned ane lang tyme; and ye cuming to visite hir desyrit almous of hir and said sho wald be weill, quha gave yow ane pynt of aill and, ye sitting the aill besyd yow, ane swyne came and cust it downe. Then ye desyrit ane uther pynt of aill, quhilk sho refusit, and ye being angrie gaid furth at the dore and said sho sould never sell aill agane, quhilk came to pas be your witchcraft and divelrie, for shortlie efter the said Katherine deid, quhilk, rank witch, ye cannot deny.

"Thridlie, in that the said Elspeth Thomesoune came to your hous to seik barme, ye being sitting at the fyre syde, ye gave baith aill and barme to the divell that was in your hous, and, quhen sho reprowit yow and said that ye haid baith aill and barme, ye sat downe upoun your knees and prayed to God that your sowll nicht neiver sie the kingdome of hewen giff ye haid ather barme or aill; bot the said Elspeth, going in your seller, quhilk was dungeoun mirk, and putting furth hir hand to greap about hir, hir hand chanced in ane barrell of aill with ane hat of barme upoun it quhilk scho to be aill and the hous growing sumquhat lighter sho loked about hir and saw ane halff barrell new aill standing of ane chist head. And at the Allhalowmes efter sho reproveand yow for your baning and swearing and that ye sould have gevin your self to the devill, ye said ye haid no thing to do with the devill bot quhen ye lay in gissing of your sone, Robie, your companie came and tuik yow away and that they fetche yow and ye ar with thame ewerie mon[*e*] ans, quhilk ye, rank wiche, can not deny.

Miscellaneous  
Papers.

"And generallie ye, the said Marable Couper, ar indyttit and accusit <sup>the last that sho gaid with hir compaine confest be hir.</sup> as ane commoun witche for airt and pairt, useing, comiting and practising of the abominable cryme of superstitioun, witchcraft and sorcerie and in going with the divell quhom ye confest takis yow away <sup>"Fyllis hir in the hall general dittay."</sup> ilk mone anes and in geving yourselff furth to have sic craft and knowledge, thairthrow abuseing the people and wronging and slaying man and beast, and swa not onlie reput and haldin ane comoun and notorious witche bot, being convict in ane justice court of befor in certane pointis of witchcraft, ye was adjudgit to be banishit the parochin of Birsay of your awin consent and not to be sene nor found within it under the pane of taking the cryme of witchcraft upoun yow, and therefor and, seing ye have maid your continwallie residence in the said parochin sensyne, ye aucht and sould of new agane undergo the tryell of ane assyse and be adjudgit and condemnit to the death for the causses forsaid, and in example of utheris to do the lyk, and your guidis and gear to be escheit and inbrocht to his Majesteis use, conforme to the lawis and daylie practique observit in sic caisses.

"Curia Justiciarie vicecomitatus de Orknay tenta apud Kirk-wall septimo die mensis Julij per Dominum Joannem Buchanane, anno Domini, 1624.

"The pannell entering in judgment could alledge no ressonabill caus quhy sho sould not pas to the tryell of ane assyse, quherupoun the procuratour fishall askit actis and instrumentis and desyrit ane assyse to be called.

"Assise.—Robert Sclaitter in Swannay, Johne Sclaitter in Bea, Robert Sclaitter in Nesthous, Alexander Johnesone in Kirbuster, Alexander Ingsay in Fald, Gawen Fulsetter in Hunland, Jerome Chalmer in Kirki . . . , William Sclaitter in Buirdhous, Edward Donaldsone in Brek, William Ingsay in Kirkim, Alexander Isbister in Gr. . . . , Robert Linkletter in Garsetter, Robert Hunter (?) in Yestaquoy, David Moir in Elibrek, and Johne Moir in Sawaquoy.

"That the assyse being receavit, suorne and admittit but oppositioun of the pannell, the procurator fishall askit instrumentis and protestit for wilfull errour.

"The assyse passing out of judgment nominat Jerome Chalmer in chancellor; and re-entering in judgment all in ane voice be the mouth of . . . fyllis the said Marable Couper in the first point conforme to the dittay . . . and in the second point that sho gave hirselff to have knowledge in that sho said sho sould want worth the best horse in Birsay. Fyllis hir in the second poynt of dittay conforme to the dittay sworne and that sho gave hir furth to have knowledge in that sho said sho sould lay hir lyff for him. Fyllis hir in the thrid point conforme to the dittay sworne anent hir frequent cuming to the hous and at the last tyme that the quernis wald not grind and that quhen sho was reprovit the meall cam gud. Anent the fourit point ryssis *clauso ore* becaus . . . accidental . . . Anent the fyft f[yllis] . . .

sho gave hir ane . . . Fyllis in the sext conforme to the dittay <sup>Miscellaneous Papers.</sup> suorne and hir confessioun that it was lambes guttis. Fyllis in the servint point in respect the same was lauchfullie suorne be Elizabeth Thomesone and hir [hu]sband, and hir awin confessioun that scho haid the gress and gave it. Anent the aucht ryssis *clauso ore* becaus it is nather borne nor sworne. Anent the nynt point ryssis *clauso ore* anent the first pairt anent hir baning and swearing and fyllis hir conforme to hir confessioun anent hir going with hir companie. Fyllis anent the last and generall point that sho is ane witche and for using and practising of witchcraft and geving himself furth to have sick knowledge, abusing the people and in keiping companie and going with the divell; and that thay reput and hald hir ane comoun and notorius witche. Remitis sentence to the judge anent the premisses and dome to the dempster and for contravening the last dome quherin thay fyle hir. (Signed) JEROME CHALLMER.

"The judge acceptis the determinatioun of the assyse and ordanis the panell to be tane be the lockman, hir hands bund, and be caried to the head of the lon, the place of executioun, and thair to be knet to ane staik, wiried to the death and brunt in asses, quhilk Donald Kenner, dempster, gave for dome. Quherupoun the procuratour fishall tuik instrumentis." [On the back] "Schireff Proces, 1624, nocht buikit quherin ar sum nocht concludit."

15th July  
1624.

Charges  
against Anne  
Taylor, who is  
accused of  
witchcraft,  
before  
Sir John  
Buchanan,  
sheriff-  
principal of  
Orkney.

"Thomas  
Burwick  
maid fayth  
conforme to  
the poyntis of  
the dittay."

"The pannell  
denyt."

"Fyllis."

"Thomas  
Logie present

235. "Intrat upoun pannell Anie Tailzeour, *alias* Rwna Rowe, to underly the law befor Sir Johne Buchannane of Scottiscraig, knyght, justice and shireff principall of Orknay, at the instance of Robert Chalmer of Ryssay, procurator fischall of the said schirefdome, for certane pointis of witchcraft, sorcerie and superstitioun, at the least behaveing hir selff to have sic skill and knowledge, thairthrow abusing the people as followis.

"In the first ye, the said Anie Tailzeour, ar indyttit and accusit for airt and pairt of the useing, comitting and practising off the divelische and abhominable cryme of superstitioun, witchcraft and sorcerie in that aucht or nyne yeiris syne in fauchland tyme Williame Burwick in North Ramsay and William Swoinisone thair being in Arislay, ye came and soght ane luik beir fra the said William, and Thomas Burwick, sone to the said William, reproving your importunitie, ye was angrie and called him "gallow bread," quhilk is hangit man; and his father being angrie bade yow away witch, rigand, theiff, quherat ye being angrie, fleit and chyded and past your way and quhen thay yocked the pleuche the pleuche wald not enter in the ground neither for the ane nor the uther temper hir quhat sho wald, and thairefter the culter and sock gaid out off the pleuche be your witchcraft and divelrie, quhilk ye, rank witche ye can not deny.

"Item, ye ar indyttit and accusit for the said cryme of witchcraft in

Miscellaneous  
Papers.

that upoun the thrid day of September j<sup>m</sup>vj<sup>c</sup> and sextene yeiris ye, being maid fayth wardit be the Sessioun in the croce kirk, Thomas Logie cuming to his awin hous leit at evin and meiting ane number of cattis within the dyk of Colzigar upoun the brae among the beir schaues quhilk unbesett him, the said Thomas saw your face upoun ane of cattis, and at the Candlemes thereafter ye cuming to his hous and he reproveing yow alledgeand yow to have bene among the cattis that unbesett him ye lughe and skorned it; upoun the quhilk reproiff the said Thomas contractit seiknes for the space of tua yeiris quhill his wyff came to yow and fleat with yow and thereafter the said Thomas convalest and his said wyff immediatlie tuik seiknes, quha yit continwis seik and nocht lyk to live, be your witchcraft and divelrie, quhilk ye, rank witch, cannot deny.

"Item, ye ar indyttit and accusit in that ane yeir efter ye, cuming to the said Thomas hous, keipit not the hie gait bot went in throught the cornes and came through his kyne quha presentlie wanttit thair proffeit for the space of tuentie dayis. And quhen the said Thomas socht yow and reprovit yow and boastis to ding yow, that same nycht the proffeit of the kyne was restored be your witchcraft and divelrie, quhilk, rank wichie, ye can not deny.

"Item, ye ar indyttit and accusit for the forsaid cryme in that, ye being demandit be M<sup>r</sup> Thomas Cok and Thomas Sinclair, baillie, how ye tuik the proffeit of the kyne and gave it to utheris, ye ansuerit it was to tak thrie hairis of the kowis taill, thrie of hir memberis and thrie of hir papis and gang thryse woderwardis about the kow and straik hir on the left syd and cast the hair in the kirne and say, "Thryse cum, butter, cum," and sua thai sould have the haill proffeit of that flock quher that kow was, quhilk ye practise be the direction of the divell, and ye, rank witche, can not deny.

"Item, ye ar indyttit and accusit for the cryme fairsaid in that about midsomer fyve yeiris syne James Ego, smyth, his wyff, haveing tane ane lock of your beir, ye said she sould repent it, and immediatlie ane meir deit to hir worth xx lib., and becaus scho wald not geve yow ane soup milk of ane new callowit kow, ye said so sould scho find it and presentlie the kow deit, and in winter last ane foill of the said James, haveing eattein ane schave of youris, ye prayed God nor the foill burst and beall, quhilk schortlie came to pas and the foill deit, be your witchcraft and divelrie, quhilk ye, rank witche, can not deny.

"Item, ye ar indyttit and accusit for the cryme fairsaid in that in May j<sup>m</sup>vj<sup>c</sup> and auchten, ye, being cum to Iver Deirnes hous, ye said that Hew Peace was ane havye hand upoun you and that he was getting ane quhip for it, and gyff he wald not lett yow alone he wald get war yit. And the said Hew his wyff being informit therof, he being diseasit of ane byll, ye cam and tuiched the byll quherby he was haill within fourtie aucht houris, quhilk to his opinioun could nocht have bene in ane quarter of ane yeir, be your witchcraft and divelrie, quhilk, rank witche, ye can not deny.

maid fayth  
conforme to  
the dittay  
to his  
knowledge."  
"The pannell  
denyet."

"Lykas the  
said Thomas  
this day  
deponit and  
declarit that  
sho said giff  
he wald get  
hir out sho  
sould do quhat  
sho could to  
gar his wyff  
gett hir health  
and help hir  
giff sho mycht  
be helpit."

Jerohme  
Fotheringhame  
and Archbald  
Dass with  
diverse utheris  
vereseit the  
same."

"Indifferent  
suent the  
unbesetting of  
the cattis and  
fyllis hir anent  
his seiknes."

"The said  
Thomas maid  
fayth conforme  
to this dittay."

"The pannell  
denyet."

"Fyllis."

"Mr Thomas  
Cok confest it  
is trew."

"The pannell  
denyet not bot  
sho said sho  
was uncouth  
and wist not  
quhat to say."

"Fyllis."

"James Ego  
present maid  
fayth conforme  
to the dittay."

"The pannell  
denyet."

"Fyllis."

"Hew Poace  
present maid  
fayth conforme  
to the dittay."

"The pannell  
confest sho  
tuiched the  
byll."

"Fyllis."

"The nycht-burris in Sanday buir it to be trew and Mr Thomas, minister, present declarit that Thomas Mure suir in their sessioun and sho said giff he reveild it he sould repent it and that he is continwallie seik senyne."

"Fyllis."

"William Spens maid fayth conforme to the dittay, because his brother haid tua meills ane he had bocht scairrs being growing on ane rig."

"The pannell denyet."

"For the corne rysses clauso ore."

"The pannell denyet."

"Fyllis."

Mr Thomas Cok present declarit that the said

Marioun in his

presens and

John Ritchar-

sones maid

fayth that the

said Marioun

deponit con-

forme to the

dittay."

"The pannell

denyet."

"Fyllis."

"The minister

declarit that

Johne Flett

suir the dittay

in presens of

the sessioun."

"The pannell

denyet."

"Fyllis."

"Robert

Millar present

maid fayth

conforme to

the dittay."

"The pannell

denyet."

"Fyllis."

"Robert

Millar maid

fayth conforme

to the dittay."

"The pannell

denyet."

"Fyllis."

"Item, ye ar indyttit and accusit for the said cryme in that in November j<sup>m</sup>vjc<sup>c</sup> tuentie ane yeiris, being in Thomas Mure of Quoykan-keris hous, ye came to him in the nycht, he being in his bed and it being ane great storme, and bad him ryse up and gang about the schoir and he sould find fische and, he being sueir to ryse, ye urgit him and said he sould find ane quhaill at the wast bankis, quhilk he did find, quhilk ye fortald be your witchcraft and divelrie and, rank witche, ye can not deny.

"Item, ye ar indyttit and accusit for the said cryme in that in harvest thrie yeiris syne William Spens wyff, haveing refussit yow ane schave of corne, ye tuk the proffeit of his cornes from him and gave it to his brother James Spens, be your witchcraft and divelrie, quhilk ye can not deny.

"Item, ye ar indyttit and accusit for the cryme forsaid in that in somer thrie yeiris syne or thairby upoun our Lady day in harvest ye came and soght ane loik of beir fra William Namlands wyff, and scho refussing yow, ye cast seiknes upoun hir, quha lay almost ane halff yeir; and quhen be the persuasioun of his dochtir ye cam to his hous and gave hir ane peice of bannock to eat, scho presentlie grew hail, be your witchcraft and divelrie, quhilk ye can not deny.

"Item, ye ar indyttit and accusit for the said cryme in that May last Mareoun Paulsone, spous to James Fothringhame in Burnes in Sanday, haveing tane ane luik meall furth of your pock ye prayed that scho sould suall that eat your meall, quherupoun the said Mareoun swalled and now is dead, be your witchcraft and divelrie, quhilk ye, rank witch, can not deny.

"Item, ye ar indyttit and accusit for the cryme forsaid in that fyve yeiris syne or therby, ye being in Johne Flettis hous and haveing brocht in some of Annie Peaces peatis and brunt thame, and scho finding fault with yow ye said scho sould never burne the rest, and sua thair roise ane great storme that same nycht and the sea came up and did wasche all the rest of the peattis away, be your witchcraft and divelrie, quhilk ye, rank witche, can not deny.

"Item, ye ar indyttit and accusit for the said cryme in that efter Yule last, ye being in Robert Ising Millaris hous in Sanday and ane lass of his keiping ane bairne, haveing ane luik thrid in hir hand, ye soght the said thrid and the lass refussit, quha presentlie tuik sick ane franisie that scho almoist cuist the bairne thryse in the fyre giff scho had not bene stayed, and that the franisie continwit quhill ye gatt the thrid, be your witchcraft and divelrie, quhilk ye can not deny.

"Item, in that efter Yule last ye haveing cum to the said Robertis mylne and haveing soght ane luik of meall fra thame that was grinding and lykwayis fra himself and ye being refussit, passing away murmuring and speaking to your self. The said Robert, haveing put on the mylne with the same cornes quherof thair was ane pairt grund, for all his skill he could not mak the mylne to gang that day, be your witchcraft and divelrie, quhilk ye cannot deny.

Miscellaneous  
Papers.

Miscellaneous  
Papers.

"*Item*, ye ar indyttit and accusit for the said cryme in that ye being broght out of Ethay be Stevin Tailyeour in Papa Wastray cam to his hous and efter aucht dayis haveing soght ane peice butter fra the said Stevins wyff and scho refussing, yow, upoun the morne efter the kow wald not suffer ane to milk hir; and ye being challengit and delaitit to the kirk and straitlie flighterd with ane tedder the tyme of the sessioun quhen the sessioun raise, ye was standing at the end of the kirk louse, nane being able to help yow; and the said Stevins wyff thereafter incontinentlie contractit seiknes, continwit seik quhill ye came and charmed hir, falddomeing the woman laying ane hand to hir hand and ane uther to hir fute corslingis, saying, 'Mother blissing to the head; mother blissing to the feit and motheris blissing to the heart,' in plaine scorne, for the wyff continwit seik and deit, be your witchcraft and divelrie, quhilk ye, rank witche, can not deny.

"*Item*, ye ar indyttit and accusit in that in Junij last, ye being tane be Johne Chalmeris, officer, ye prayed him to let yow gang or else ye sould rine on the sea and droune yow, and giff he wald keip yow that nycht undelyverit he sould fische weill and his kow sould milk weill that yeir, quhilk ye, rank witche, ye can not deny.

"And generallie ye, the said Annie Tailyeour, ar indyttit and accusit as ane comoun witche for airt, pairt, useing, committing and practiveing of the abhominable cryme of superstitioun, witchcraft and sorcerie and in geving your self furth to have sic craft and knowledge, thairthrow abuseing the people and wronging and slaying man and beast, and sua reput and haldin ane comoun and notorius witche, and thairfor aucht and sould undergo the knowlege of ane assyse and be adjudgit and condemnit to the death for the causses fairsaidis in example of utheris to do the lyk, and your guidis and gear escheit and inbrocht to his Majesteis use, conforme to the lawis and daylie practique observit in sic caisses.

"Curia Justiciarie vicecomitatus de Orkney et Zetland tenta apud Kirkwall in templo Sancti Magni ibidem per honorabilem Dominum Joannem Buchannane de Scottiscraig, militem vicecomitem principalem ejusdem, et Edwardum Sinclair de Essinquo, ejus deputatum, decimo quinto die mensis Julij, 1624.

"The quhilk day compeirit Robert Chalmer, procurator fischall, and desyrit the dittay to be put to the knowledge of ane assyse.

"The pannell present could alledge no ressonabill caus in the contrar.

"*Assisa*.—James Fea, fear of Claistren, John Ritchertsone in Overbister, Johne Broun in Bea, Iver Turvesone in Brekis, Ritchard Sandesone, Johne Linkletter in Salibister, William Burgar in Holland, Thomas Scot in Langskaill, Walter Thomesone in Burnes, Johne Drever in Sutherbie, William Beg in Crosquo, Jerohme Fotheringhame in Overbister, Johne Symondsone in Kirkwall, Johne Drever in Elwick, and Stevin Ewinsone in Birstane.

"The pannell  
denyet."

"Fyllis."

Mr Thomas  
Cok declarit  
that he sure  
it in the  
sessioun.

"The pannell  
denyet."  
"Fyllis."

"That the assyse was receavit and sworne the procurator fishall askit instrumentis. Miscellaneous Papers.

"The assyse passing out of judgment nominat James Fea in chancellor; and reentering againe the haill assyse, all in ane voice fyllis hir in the haill pointis off dittay abonewrittin, speciall and generall, except the first pairt of Thomas Logeis dittay anent the cattis and anent William Spens dittay anent the corne, quheranent they ryse *clauso ore*, and remittis sentens to the judge and dome to the dempster. (Signed) JAMES FEA, chanssiler."

"The judge ordanis the pannell to be tane be lockman, hir handis bund behind hir bak, and tane be the lokman to the lon head and wirried at ane staik and brunt in asses, quhilk Donald Kenner, dempster, gave for dome."

c. 1625.

Licence to  
Mr. David  
Calderwood,  
minister, to  
return to  
Scotland.

236. "It is our will and pleasure that Mr David Calderwood,<sup>1</sup> minister, be free to returne to his owne native countrie, our realme of Scotland, and there injoy the libertie of a subject under us without molestatioun or trouble, or in anie other of our dominiouns." [Copy.]

March-July  
1626.

The Commis-  
sion for  
Grievances.

237. Copy of the signature by King Charles the First for establishing a Commission for Grievances, which commission is printed at length in vol. I., second series, pp. 263-265. It is dated 8th March, 1626: Also of his Majesty's warrant constituting a Council of War, printed *ibidem* pp. 337, 338. Note of presentation on 13th June, 1626, of the King's letter for the first meeting of the Commission for the Grievances on 19th July; and the following minute of a meeting "*Apud Halvudhous vigesimo quarto Julij*, 1626. The commissioneris for the grevanceis, haveing mett and considering that in this approcheing vacant tyme they cannot convenientlie attend this service, thairfore they continewit all forder meetting and dealling therein untill the aucht day of November nixtocome; whairupoun a proclamatioun wes made, publist and prented:" "A missive from his Majestie to the commissioneris willing thame to proceed in this service reallie and speedilie; which they being personallie present promiseist to do": Also note of his Majesty's letter for the admission of Sir James Skene as legal assesor to the Commission, printed *ibidem*, p. 359. His Majesty's letter regarding the foreign preparations, printed *ibidem*, pp. 333, 344: Also the Council's letter in reply printed *ibidem*: His Majesty's letter on the same subject and the Council's reply thereto, printed *ibidem*, pp. 386-389: His Majesty's letter for securing the attendance of the Councillors, printed *ibidem*, p. 348; and the Council's reply with suggestions printed *ibidem*, pp. 370, 371.

28th April  
1626.

238. "Consilium burgi de Dysert tentum in pretorio ejusdem, vigesimo octavo die mensis Aprilis, anno Domini

<sup>1</sup> The Church historian, who had been banished in 1617, and was not allowed to return to Scotland till after James VI.'s death.

Miscellaneous  
Papers.

millesimo sexcentesimo vigesimo sexto, per Robertum Kay et Alexandrum Simsoun, ballivos, Davidem Simsoun, seniore de Smeitoun, Davidem Gay, Simeonem Ghrame, Patricium Murray, Robertum Hardie, Robertum Corsair, Georgium Broun, Patricium Horne, Jacobum Fermor, Jacobum Wishart et Joannem Seatoun, conburgenses et consiliarios dicti burghi.

Act by the  
Town Council  
of Dysart  
prohibiting  
their friends  
from visiting  
certain witches  
now in ward  
in the said  
burgh.

"The quhilk day the bailleis and counselloris abonenominat, being conveyit within the towbuith of the said burgh for administratioun and government of their commoun effairis and speciallie anent the repressing of the vindictive, injurious and opprobrius speiches utterit be the kinsfolk and freinds of certane persones quha ar delaittit as witches and to be arraigned and accusit and to prevent the evilis, mischeif and danger that appeirandlie nicht aryse thairfra, they thairfoir have not onlie statute and ordanit the kinsfolk and freindis of the persones befor expremitt, quha ar dilaittit as witches, to be modest and sober in thair speiches and behaviour to the magistratis of the said burgh, bot in lyk maner not to resort to the saidis persones nor prissone housses quher thai remaine in firmance and captivitie until their arraignment and tryal, without the special licence of the persone of Dysert or bailleis abonenominat of the said burgh first had and obteanit, under the paine of tuentie pundis for ilk contraventioun, to be exactit with all rigour. And, to the effect that this present act may be the better observit and that na persone pretend ignorance, the saidis bailleis and counsalouris have ordanit the samin to be intimat and divulgitt to the haill inhabitantis of this burgh be touk of drum, quhilk wes actit. Extractum de libris actorum Consilii burghi de Dysert per me, Magistrum Davidem Kingorne, notarium publicum, clericum ac scribam ejusdem, sub meis signo et subscriptione manualibus. (Signed) D. KINGORNE, scriba."

"Curia burghi de Dysert tenta in pretorio ejusdem per Alexandrum Simsoun, ballivorum alterius dicti burghi, ultimo die mensis Junii anno Domini millesimo sexcentesimo vigesimo sexto, sectis vocatis, curia legitime affirmata.

Fines imposed  
for the breach  
of the above  
Act.

"The quhilk day, anent the clame and accusatioun gevin in and persewit at the instance of Johne Simsoun, procuratur fiscal of the said burgh, aganis Euphame Dawling, spous to Johne Simsone, mariner, Issobell Dawling, spous to Johne Heagie, skipper, and Marioun Dawling, relict of umquhil Patrik Cristall, merchand burgess of the said burgh, lauchfull daughteris to Margaret Thompsoun, quha wes imprissoned within the steipil of the kirk of Dysert, being dilaittit as ane witch and aganis the saids Johne Simsoun and Johne Heagie, husbandis to the saidis Euphame and Issobell Dawlingis, for thair interesses, proporting that the saidis Euphame, Issobell and Marioun Dawlingis, upoun the penult day of the said moneth of Junii instant, went to the kirk and

steipill of the said burgh of Dysert quher the said Margarat Thomp-  
 soun, ther mother, wes incarcerat, as said is, and had conference and  
 communicatioun with hir a certane space without licence of the persone  
 or bailleis of the said burgh, direct contrair to the tennor of the act of  
 Counsal abone writtin maid for restraining of the kinsfolk and freindis  
 of the personis dilatit as witches fra resorting to thame without licence  
 of the saidis persone and bailleis, and thairfoir to heir and sie thame  
 and ilk ane of thame, and the saidis Johne Simsone and Johne Heagie,  
 husbandis to the saidis Euphame and Issobell Dawlingis, decernit to  
 pay the sowme of tuentie pundis to the thesaurer and boxmaster of the  
 said burgh for violatioun and contraventioun of the act of Counsal  
 abonementionat; and anent the charge gevin to the saidis persones to  
 the effect fairsaid, compeirit baith the saidis perteis and the saidis  
 Euphame, Issobell and Marioun Dawlingis denyit the clame and con-  
 traventioun of the said act, alledging that they onlie went upon the  
 said day to sie ther mother and had no conference with hir except that  
 they said, 'God be with yow,' and therfoir wer not contumacious to nor  
 contraveineris of the said act. Thaireftir the persewar producit Androw  
 Huttoun and James Sinclair, officiaris of the said burgh, as witnesses  
 for proving of his clame and accusatioun, quha, being ressavit and  
 solemnlie sworne, deponit upon thair greit aithis that efter they had  
 chargit the saidis Euphame, Issobell and Marioun Dawlingis in his  
 Heines name not to resort nor confer with ther mother, nevertheles  
 thai wer disobedient and refractarie and wald not be restranit, and  
 thairfoir the said Alexander Simsone decernit thame to pay the  
 penaltie and fyne abone specifeit conteinit in the said act of Counsal;  
 quhairupon the said persewar askit act of court and instrument.  
 Extractum de libris actorum curie burgi de Dysert per me, Magistrum  
 Davidem Kingorne, notarium publicum clericum ac scribam ejusdem,  
 sub meis signo et subscriptione manualibus. (Signed) D. KINGORNE,  
 scriba."

Miscellaneous  
 Papers.

20th Septem-  
 ber 1626.  
 Charge of  
 horning  
 directed by  
 the Presbytery  
 of Renfrew  
 against Hew  
 Stewart in  
 Cloighoillis,  
 a refractory  
 Papist.

239. Charge of horning directed to Mathow Fischar, messenger, at  
 the instance of the moderator and brethren of the Presbytery of Pais-  
 lay, narrating that in the Parliament held at Edinburgh in June, 1594,  
 it was ordained that all presbyteries should call before them all persons  
 suspected of papistry and, if they would not give satisfaction to the  
 kirk, that the presbyteries should cite these persons before the Privy  
 Council to be dealt with by them, and that the presbytery of Paislay  
 had cited before them Hew Stewart in Cloighoillis, as "a profest and  
 avowed papist" who has made "apostacie and defection fra the trew  
 religioun." On his compearance he was desired "to purge himself  
 thairof and to give ane declaratioun of his religioun and give ane con-  
 fessioun of faith," but replied that "he wes not resolveit thairanent"  
 and desired a short continuation. The presbytery gave him twenty-five  
 days, but "at last, finding nothing in him bot ane wilfull and obdured

Miscellaneous  
Papers.

resolutioun to continew in his folliche and crious oppiniones," they were obliged to excommunicate him. However, he takes no notice thereof, and he has disobeyed the citation to compear before the Council. Charge is therefore given to the foresaid messenger to put the said Hew Stewart to the horn. This the messenger accordingly did on 4th May, 1627, at the market cross of Renfrew with three blasts of his horn as is customary; witnesses, Bryce Sempill, sheriff depute of Renfrew, Robert Stewart, servitor to the Bishop of Galloway, Mr John Sempill, minister, and Robert Sempill, messenger in Paisley.

240. Supplication by Sir James Dundas of Arnestoun, knight, as 28th November 1626. follows:—Being cautioner for Sir David Home of Wedderburne, knight, to Mr David Sommer for the sum of 6000 merks, he was compelled to find caution for satisfying the debt by Martinmas last, "and I haveing provydit the said money and maid offer thairto to the said M<sup>r</sup> David upoun diverse and sindrie dayes of the last weik, the said M<sup>r</sup> David refused to accept the said sowme, and thairfoir I gaif in ane supplicatioun to the Lordis of the Sessioun and wes content to consign the said sowme in thair handis becaus of the said M<sup>r</sup> David his refusall; bot, becaus a pairt of the said silver is doloris and forreigne money, M<sup>r</sup> Johne Skene, clerk to the billis, refuisses to accept my said consignatione in regaird the same consistis of dolouris, as said is, quhilk is to my grite prejudice." He craves justice. [On the back] "*Apud Halcyrud-house 28 Novembris, 1626.* The Lordis ordains the clerk of the billis to receave the consignatioun in foreyne money, provyding that the dolouris to be consignit be suche as hes heirtfore had course and hes bene ordinarlie receaved in payment at fiftie aught shillingis the peece and that no cross nor dog dolouris be receaved thairin, and ordains the partie consigner to condiscend upoun the particular speceis of the dolouris to be sua offered and consignet be him. (Signed) SANCT-ANDREWS, I.P.D., J. PRYMOIS."

241. Supplication by Gabriel Blair in the Cannogait, as follows:— c. 1626. He has been absent fourteen years abroad, during which his parents have died, and he has several criminal and civil actions to prosecute before returning to his charge; but the bailies and council of the Canongate or some of them, "confederating with my adversarie parties," have, on 11th November instant, apprehended him and warded him in their tolbooth "without any kynd of lawfull warrand, caus or occasioun knowne to me, keipit and deteinit me thairin thrie dayis long that the peremptor dayis of compeirance of my actionis hes expyrit and desertit and thairby hes hinderit and disinhabilit me to prosequit my saidis actionis, and myndis daylie and continowallie to comit the lyk aganis me contrair to all law and equitie." He craves summons against the bailies and council to answer, and see a protection also granted to him. [Nothing on the back.]

c. 1626.

Supplication  
by Abakkuk  
Bisset, writer,  
for an allow-  
ance that he  
may be  
enabled to  
finish a book  
on Scottish  
history on  
which he is  
engaged.

242. Supplication by Abacuch Bisset, writer, as follows:—Their Lordships know how he has “bene exercisit thir mony yeiris bygane in collecting and putting togidder in ane buik of aucht quair of paper or thairby concerning all the maist ancient monumentis and antiquities of this kingdome, quhairof be inequitie of tyme and uthir inconvenientis the recordis thairof hes bene destroyit and decayit.” He had laid his collection before their Lordships “to have bene tryit gif the samin had bene wirthy to have come to ony farther licht,” and they had ordained that for his labours hereupon he should receive from the Lord Treasurer and his deutes £100 Scots, of which he has “bene in use of payment thir foure or fywe yeiris bypast precedand this last yeir bygane. And now sen his most gracious and clement majesties succedis eftir his umquhill darrest father, quha restis with God, quhome to I wes of intention to have dedicate and presenttit these my panefull labouris, quhais lamentabill inlaik and deceis (allace!) hes movit me to writ the same our agane mair amplie to be deducate and presenttit to his maist sacreit Majestie that now is, quhais hienes, I dout nocht, will accept of the same as his umquhill darrest father wald have done; and becaus I want expenses to writ and present the same wark to his hienes in wreit as I suld have done to his hienes umquhill darrest father, as patrone of all sic warkis,” he craves their Lordships to grant him an allowance for the accomplishment of this purpose, and his book should be in readiness as they may ordain and command hereafter.

Miscellaneous  
Papers.

9th January  
1627.

Supplication  
by Alexander  
Cranston of  
Moreistoun for  
the recovery of  
a greyhound  
which has  
been taken  
from him by  
David Home,  
son of Alex-  
ander Home of  
Fishik, and  
others.

243. Supplication by Alexander Cranstoun of Moreistoun, as follows:—On 24th December last David Hoome, son of Alexander Hoome of Fishik, and James Bowmaker, servitor to Hoome, younger of Blacader, “being at the hunting upoun my landis of Eist Nisbett and haveing run ane haire hard to my yett, it fell out that a grewhound of myne, being in the close of my place of Nisbett whair I duelt for the tyme, hearing the dinne that the huntaris and thair houndis maid, raikit out at the yett and how soone the saidis personis persaved him thay band a garten about his craig and with all possible speede and haist went away and caried my grewhund with thame fra my awne yett; and it is verie probable and liklie that that dayes hunting wes tane on be thame to sie if thay could catshe my hund. And how soone I understoode of this effront done unto me I send to the personis foirsaidis and in modest and fair termes and in dueties of goode nighbourheade and freindship craved delyverie of my hound, bot I am answerit sometymes with plane refusalls and sometymes with scoffing and tantis, doing what in thame lyis be all appeirance to tempt my patience, and to procure some trouble and disordour to the brek of the peace whilk, for the reverence I cary to his Majesties obedience and lawis, I salbe ever carefull to preserve and keip, and to eschew all occasionis tending to the contrarie, contenting myself with that reparatioun and redres of wronges and effrontis done unto me that the course

Miscellaneous  
Papers.

of law and justice will allow." He therefore craves summons against them for delivering to him his hound and underlying the law. [On the back] "*Apud Halyrudehouse nono Januarij, 1627. Fiat ut petitur.* (Signed) SANCTANDREWS, I.P.D."

244. Supplication by John Hammiltone of Stanehous, as follows:—  
 He and his predecessors have been for many years, beyond memory of  
 man, in peaceable possession of the mill of Staikfurd with the dams,  
 water gangs, and pertinents, lying in the parish of                      and regality  
 of Lincluden, without any interruption, but of late John Cunynghame  
 in the College of Lincluden, "pretending some right and title to my  
 said milne, at the least to the damms and wattergangis therof, and  
 disdaining to persew his right to the samyne (yf he ony hes) be the  
 ordinare course of law and justice, bot resolveing be way of deid,  
 bangsterie and oppressioun to debar and seclud me thairfra and to  
 intrude himself in the possessioun therof, at the least to mak the same  
 unprofitable unto me, he for this effect, accompanyit with  
 and with otheris his complices, all bodin in feir of weir, with swordis,  
 lanceis, long staffis, gantlettis, plaitsleivis, corne forkis and utheris  
 waponis invasive, come upoun the                      day of                      last to the most  
 speciall and profitable dame of the said milne, callit the Lordis mosse,  
 and thair, after a most lawles and malicious maner, with irne selwis,  
 gavelockis and utheris instrumentis broght with thame for the purpois,  
 not onlie pryist and raif up the clouse of the said dame bot also cuttit  
 and dang doun the most speciall pairt therof that dammit and held in  
 the watter therintill, and sua did lett furth the haill watter being in to  
 the same, and sua therby did quhat in him lay to have altogidder  
 distroyit and waschine away by the force and violence of the said  
 watter bothe my said milne and the haill housses adjacent thairto, yf  
 by the providence of God I had not bene tymouslie adverteist therof  
 and sua by the force of men, tymber, stanes and divotts preventit the  
 same and sett the watter by af the milne ane uther way; lykeas the  
 said Johne, since he hes this way dryed the said dame he hes not onlie  
 cassin and wine peattis therintill bot also by his grite ditches, seuchis  
 and peat pottis, quhilk he hes maid thairintill, he haldis the watter  
 frome my said milne, quherby the same is maid unprofitable unto me,  
 to my grite hurt and inconvenient besyds the prejudice sustenit therby  
 be these duelland ewest to the same, who ar forced to thair grite trouble  
 and fashrie to go and seik thair cornis ground at otheris milnes in the  
 countrie about." He craves summons against them. [On the back]  
 "*Apud Halyrudhouse, nono Januarii, 1627. Fiat ut petitur.* (Signed)  
 SANCTANDREWS, I.P.D."

9th January  
1627.  
Supplication  
by John  
Hamilton of  
Stanehous for  
summons  
against John  
Cunningham  
in the College  
of Lincluden,  
whom he  
accuses of  
damaging his  
mill.

245. Supplication by Mr George Innes in Auld Leslie, John Leyth  
 in Ingerrak, James Gib in Flinder, Alexander Peirie at the Mill of  
 Leslie, James Pattersonsone, servant to William Laing in Drumgowane,  
 VOL. VIII. Z

17th January  
1627.  
Supplication  
by Mr. George

Innes in Auld Leslie and others that John Forbes of Leslie be compelled to pay the modification due to them by the said John as awarded by the Council.

George Leslie, servitor to Alexander Burges in New Leslie, George Peter, servitor, George Davidsoun there, David Moreis, sometime at the mill of Auld Leslie, Arthour Mathesone, servitor to John Miller in New Leslie, John Strachane, servant to John Forbes of Leslie, and David Greeve in Auld Leslie, as follows:—They were summoned to appear on 16th instant for bearing witness in an action at the instance of his Majesty's Advocates for his Majesty's interest and Alexander Gordon of Dunkintie against John Forbes of Leslie for bearing hagbuts and pistolets, and having appeared before their Lordships and given witness, the sum of 20 merks was modified to the said Mr George Innes and John Leyth and ten merks to each of the others, to be paid by the said John Forbes; but he declined to make the same forthcoming to them. They therefore crave summons against him for payment thereof within 24 hours. [On the back] "*Apud Edinburgh, xvij Januarii, 1627. Fiat [ut] petitur.*" (Signed) SANCTANDREWS.

Miscellaneous Papers.

18th January 1627.

Supplication by Hew, Lord Semple, that John Maxwell be charged to make payment of a modification to three of the supplicant's servants which had been adjudged to them by the Council.

246. Supplication by Hew, Lord Semple, sheriff of Renfrew, as follows:—On 2nd June, 1626, upon his former supplication to them for modifying a certain sum to his three servants placed by him by their Lordships' warrant in the place of Stanelie, as a daily allowance for keeping the said house which pertains to John Maxwell, who is at the horn at the instance of Bryse Semple of Craighbait, their Lordships modified the sum of 26s. 8d. to be paid as a daily allowance from the time of their first entry to the keeping of the said house, which was upon 23rd May last, and so long as they keep the same, to be uplifted from the living and rents of the said John Maxwell; but the said John Maxwell refuses payment. He therefore craves letters charging him to make payment. [On the back] "*Apud Halyrudhouse, xviij Januarij, 1627. Fiat ut petitur,* for biganes allanerlie and that the supplicant loke the yettes and mak the house fast in tyme comeing. (Signed) SANCTANDREWS, I.P.D."

30th January 1627.

Supplication by John Dunbar of Moynes and others for the suspension of a commission of fire and sword granted against them, on the ground that the said commission is composed of their personal enemies.

247. Supplication by John Dunbar of Moynes, Robert Dunbar, his son, and Thomas Dunbar in Boighall, as follows:—Upon sinister information given to their Lordships by the means of Robert Dunbar of Burgye, "a most unkynd and unnaturall brother in law to me, the said Johnne Dunbar of Moynes," that the said John was put to the horn at the instance of Patrick Dunbar, sometime of Inchebrok, for not paying a sum of money, and that the said John and Robert, his son, were also put to the horn at the instance of Alexander Dunbar of Culboyak for non-payment of certain sums, and also that the said Thomas Dunbar was put to the horn for not paying certain sums to William Forsythe burgess of Forres, and that all three of them deforced the officer, having letters of caption against them, and shot hagbuts out of the place of Moynes and threw over stones upon him, the said Robert Dunbar of Burgye has thereupon purchased a commission from their

Miscellaneous  
Papers.

Lordships to Lord Lovatt, Sir John Campbell of Caddell, sheriff of Nairn, and Colin Campbell, his depute, James Rutherford and Charles Rid, sheriff deputies of Elgin and Forres, and to Alexander Dunbar of Westgrange, the said Robert Dunbar of Burgye himself and Thomas Tulloch of Tannachyis, to pursue the supplicants with fire and sword and apprehend the said John Dunbar of Moynes house; "quhilk commissioun, being onlie groundit and warrandit upoun some civile horningis, is wrangouslie direct aganis us, becaus commissionis of this kynd ar onlie usuall to be grantit upoun criminall hoirningis where the caus of the hoirning importis the lyffe of the pairty denunceit, and in no other caise ar commissionis of this kynd grantit; and forder the commissionaris to whom this executioun is intendit to be execute ar verie suspect to haif ony suche auctoritie over us, and thay will not faill under coulour of his Majesteis name to execute thair awne privat revenge aganis us; as namelie the said Robert Dunbar of Burgye, be whose moyen the commissioun is purchest and whose name is insert as commissionair thairin, is a profest and avowed enemy unto us, and by all indirect meanis procuris our wrack and overthrowe, and, althocht to abuse your Lordships he hes insert the Lord Lovatt and shireff of Nairne thairin, yitt he never myndis to imploy ony of thame in executioun thairof bot onlie the saidis Alexander Dunbar of Westgrange and Thomas Tulloch of Tannachyis, other tua of the commissioneris, who ar bothe his sister sones, and wilbe reddey to prosecute quhatevir he will gif in directioun unto thame, and sua in this caise thay ar bothe jndgeis and pairtyis unto us. And forder I, oute of my honnest dispositioun to gif unto all my creditoris satisfactioun, am now in actioun to dispoone my wholl landis for geving unto thame payment, and now the course of my upright and honnest proceedingis in this caise is interruptit be this commissioun to the grite hinder and prejudice of all my creditouris." They crave suspensioun of the commission. [On the back] "*Apud Halyrudhouse, penultimo Januarij, 1627. Fiat summonitio ut petitur, to the fyftene day of Merche nixtocome, and to suspend and discharge ut infra to the tuentie day of the said moneth of Merche, becaus the supplicant is content that the commissioun be renewed in the persone of indifferent and unsuspect men. (Signed) MELROS.*"

248. Supplication by Mr William Scharp, sheriff clerk of Banff, as follows:—Mr James Ogilvie of Ovir Keith, "haveing consavit a deadlie heatrent and malice aganis me without ony just caus of offence," seeks his hurt, and upon 17th March instant the supplicant, "being all that day in the toun of Fordyce as haveing gone thair upoun some occasionis concerneing my office and charge foirsaid and speciallie for ingaddering and collecting of certane restis of the extraordinar taxatioun and for doing of uther gentlemen thair particular effairis, and efter the dispatche therof, I being at night betuix sax and sevine of the klok at night ryding agaittwards hame to Banff in a sober and quyet maner, accom-

27th March  
1627.  
Supplication  
by Mr.  
William  
Scharp,  
sheriff clerk of  
Banff, for  
summons  
against Mr.  
James Ogilvie  
of Ovir Keith,  
whom he  
accuses of  
seeking his  
life.

panyit onlie with my boy and one Patrik Mure, burges of Banff, and his servand, and, the said M<sup>r</sup> James being lykwyse in the said toun of Fordyce the said day and understanding that I wes going hame, as said is, that night, he come ryding after me on horsbak and, haveing overtakin me on the syde of the hill betuix Durne and Fordyce, he thair schamefullie and unhonestlie, or evir I wes awair of him, come ryding in behind my bak with a drawine sword in his hand of purpois thairwith to have straikin me in the hind head and to have slayne me, gif be the providence of God he had not bene hinderit by the meanis of the said Patrik Mure who wes in company with me for the tyme; and, being disapoyntit of this his wicked intent, he alightit frome his horse and preest of new to have persewit me of my lyffe, bot the said Patrick Mure enterit in grippis with him and wreistlit bothe to the ground, the said M<sup>r</sup> James in the meanetyme still avowing that the said Patrik sould not saiff my lyffe and that he sould draw his sword throw the said Patrik gif he sufferit him not to tak my lyffe and he had not faillit to have bereft the ane of us of our lyves gif by the providence of God two of the said M<sup>r</sup> James his brether and tuo of his uncles fra whome I had laitlie pairtit in Fordyce and who wer lykwyse comeing ryding after us therfra and espying the said M<sup>r</sup> James his wicked dispositioun come running all to us and fred us of the said M<sup>r</sup> James whome thay with grite difficultie held wrestling on his bak till I went away out of sight and reteirit my selff for my saulftie to the place of Durne quhair I stayit all that night. And the said M<sup>r</sup> James, being drawin bak to Fordyce that same night be his said brether and uncles and having remained with thame all night thair, he still contenowing in his malitious and wicked resolutioun aganis me, upoun the morne thairefter, being Sounday and a day of publict fast and humiliatioun, at his awne parochie kirk of Cullen and a day appoyntit for celebratioun of the holie communioun at Fordyce, he, shaikin of all fear of God, reverence to the law and respect to the tyme foresaid, in the morning lap on horsbak and directit his course towardis Bamff of purpois ather at my awne duelling house thair or quhairevir he could apprehend me be the way to have sett upoun me of new and to have schoit and slayne [me] with a gwne prepareit be him for the purpois. And in his way by the place of Durne, he, suspecting me to be thair, directit his man thither, bidding him (gif he fand me) desyre me to come out to the greene to him, and his man, getting knowledge that I wes within the plaice and haveing followit him and told him the same, he alterit his course and come ryding towardis the said place of Durne quhair, espying me at his comeing lookeing throw the chalmer window quhair I lay, he alightit frome his horse and thair, without respect to the tyme or plaice or to the noblemen in whose hous I wes, by a number of threttning, injurious, minassing and revylling speechis provockit me to come furth to him, quhairwith I for the reverence I cary to his Majesteis obedyence and peace patientlie comportit and keipit my selff within the place; and he

Miscellaneous  
Papers.

remaned a long tyme in this his insolent cariage afoir the said windo till the nobleman out of his authoritie as a justice of peace sent furth ane of his servandis and gentlemen to have apprehendit him and teane his sword and gwne frome him or detenit him in firmance till ordour had bene tane with him, quhairupon he returned immediatlie bak to Fordyce where he remanit in ane ailhous drinking and blowing tobacco the whole tyme of the sermone and celebratioun of the holie communion, uttering in the meanetyme mony reprotechfull, injurious and revylling speechis aganis me, quhilk is altogidder undeservit be me; and not being content heirwith he, accompanyit with utheris his complices, gois daylie sensyne after a swaggering maner, bodin in feir of weir, with hagbuttis and pistolettis in all pairtis of the countrie quhair he thinkis I resort of purpois, gif he can forgadder with me, to bereave me of my lyffe." He craves summons against him. [On the back] "*Apud Edinburgh, xxij Martii, 1627. Fiat ut petitur.*"

249. Supplication by John Kirkwod, elder in Pincloy, and William 27th March 1627.  
and Patrick Kirkwod, his sons, as follows:—The Sheriff of Ayr and his deputies have directed letters charging the supplicants to find caution to answer before their court for certain alleged thefts, and intend to proceed to further execution against them, "and will not fail if thay be sufferit maist partiallie, sumarie and unjustlie to convict us, being altogidder innocent of any sic crymes, albeit thay be awayes incompetent judges and aucht and sould be dischairgit for the causes following; in the first, becaus that we nor nane of us ar nawayes giltie and wer never under suspitioun of any poyntis of thift in ony time bygane, nather hes the said shireff tryet nor is abill to try any sic poyntis of thift upoun us, and farder there is na pairtie compleines or that hes just caus to compleene upoun us and to sweir the dittay quhilk of necessitie aucht to be in sic criminall persuittis, sua that it may evidentlie appeir that we ar maist wronguslie opprest and trubillit be the said schireff and his procuratour fischall allanerlie upon malice and evill will and to draw us to trubill and expenses, and to compell us to compone and aggrie with thame without ony just caus. Secundlie, gifand we wer giltie of any sic crymes, yit the said shireff nor na uther judges within this realme (except onlie the Justice Generall and his deputtis) may not lauffullie had courtis, proceid and cognoss in any criminall causes bot onlie in causes civill, except thair were ane speciall command or warrand gifin for that effect, but sua it is that the said shireff of Air and his deputtis hes na privilege be vertew of his office of shireffschip to sit upoun any criminall caus nather hes he ony warrand or commissioun grantit to him for that effect; lykas na sic commissioun is gevin nor can be gevin to any shireff or uther persoun or persounes quhatsumevir to hald courtis in any sic criminall causes except the partie giltie wer tane and apprehendit reidhand with the fang and wer commitit to ward thairfoir, and that thair wer ane pairtie compleinand, as is not

Supplication  
by John Kirk-  
wod, elder in  
Pincloy, and  
his sons, who  
are accused of  
theft, that  
they may not  
be tried by the  
sheriff of Ayr  
as his court is  
incompetent.

in this caise, and nevertheles and notwithstanding that the said shireff of his office culd not direct any sic preceptis furth againes us and that of the law we wer not subject to ansuer in his courtis and to be censurit be him, yit we, upoun simplicite for obedience of the said pretendit chairge givin to us, we haif fundin George Dunbar of Knokschinok caution and soueritie for us actit in the said schireff court buikis that we sall compeir and underly the law befor the said shireff and his deputtis for sic poyntis of thift as can be layid to our chairge quhenver [we] salbe requyrit upoun xv dayis warning, as the act of caution maid thairupoun heirwith producit will testifie, and thairfor the said shireff and his deputtis aucht to be dischairgit of all farder proceeding againes him [*sic*] in the said mater and the samyn aucht to be remitted to the Justice Generall and his deputtis, being onlie judges competent in sic caisses; and, notwithstanding of the caution foirsaid allreadie fund be us, we ar content instantlie to find caution actit in the buikis of Adjornall that we sall compeir befor the Justice Generall and his deputtis the thrid day of the next justice air to be haldin within the shireffdome quher we duell or schoner upon xv dayis warning quhen and quher we sall be citat at the instances of any pairteis for any cryme or thift that can be layit to our chairges according to the daylie ordour observit in sic caisses." They crave that trial may be had before the judge ordinary, and the sheriff and his deputes discharged of all proceeding against them. [On the back] "*Apud Halyrudhouse, 27 Martii, 1627. Fiat summonitio ut petitur* to the day of                      and to suspend and discharge *ut infra* to the                      day of                      becaus                      is become caution actit in the bookis of adjornall for his compeirance before the Justice quhenver thay salbe lafullie chargit. (Signed) GEO. CANCELL<sup>r</sup>, I.P.D."

1st June 1627.

Supplication  
by John  
Butter at the  
Mill of  
Pitlochrie and  
others for  
letters of  
lawburrows  
from John  
Murray,  
eldest son of  
the Earl of  
Tullibardine,  
and others.

250. Supplication by John Butter at the mill of Pitlochrie, John Butter, his son, Archibald Butter in Kynnaired, John, Thomas and Patrick Butter, his sons, Duncan McClagane in Pitlochrie, John McRorie there, and Donald McRorie, his brother, there, Kilroy McEaine, there and John Roy Fishear there, as follows:—John Murray, eldest lawful son of the Earl of Tullibardine, William Murray, his second son, Alester Robertsoun of Leud, John Rid of Pitnacrie, Adam Rid, his brother, Adam Rid in Eastertyre, Alexander Stewart, son of John Stewart of Tulloch, Robert Robertstone of Ballagowland, John Stewart of Balnakellie, William Stewart there, William Fergusson in Ballyeakane, Robert Fergusson of Dunfallandie, Alester Stewart in Urraltnoir, Neill Stewart, his brother, Robert Stewart, son to the said                      , Neill McGilliechallum in Boespik, John Stewart in Scheirglase, and George Stewart in Boespik, his brother, daily molest and oppress them, and threaten their lives, causelessly. They crave letters charging them to find lawburrows for their safety. [On the back] "*Apud Edinburgh, primo Junii, 1627. Fiat ut petitur*, under the panes following, viz., Johne,

Miscellaneous  
Papers.

Maister of Atholl, under the payne of ane thowsand pundis, Williame Murray, brother to the said Johne, Maister of Tullibardine, Allester Robertoun of Leud, Johne Rid of Pitnacrie, Adame Rid in Eistertyre, Robert Robertone of Ballagowland, Johne Stewart of Balnakellie, William Fergusone of Balyekane, Robert Fergusone of Dunfallandie, and Alaster Urquhart in Urrart, ilkane of thame under the pane of ane thowsand merkis, and ilkane of the remanent personis above complenit upoun under the pane of v<sup>c</sup> merkis."

251. Supplication by John Buttir, elder at the mill of Pitlochrie, 1st June 1627. John Buttir, younger, his son, John Buttir, son of Archibald Buttir in Kynnaired, Duncan M<sup>c</sup>Clagane there and John M<sup>c</sup>Rorie, servitor to the said John Buttir, elder, Donald M<sup>c</sup>Rorie, his brother, John Roy Schaw and John Roy M<sup>c</sup>Eane, all servitors to the said John Buttir, elder, against John Murray, eldest lawful son of William, Earl of Tullibardine, "quha, upoun his pretendit maner commounlie styllis himselff Johnne, Maister of Atholl," as follows:—The said John Murray ("for quhat cans or be quhat auctoritie we knaw not"), "usurping the commandement of the haill gentilmen within the boundis of Athoill, convocat and convenit the number of twa hundreth personis or thairby to the effect upoun precogitat malice and evill will careit be him aganis us he might mak revenge thairupoun; and upoun the day of May instant come to the duelling hous of me, the said Johne Buttir, eldar, at the mylne of Pitlochrie, quhair I have lvin bedraill thir thrie yeiris bygane, and thair invadit and persewit my said duelling hous, violentlie and perforce brak up the durris thairoff, carreit and transport and away tuik with them Johnne M<sup>c</sup>Intagart, servitour to me, the said Johnne Buttir, eldar, to the castell of Blair in Athoill quhair they keipit and detenit him in prisone in maist miserable maner be the space of ten days thaireftir or thairby, and ay and quhill he wes tryit be ane assyse, that he wes ane honest man and Kingis frie liege but ony imputatione; quherupoun the said Johne Murray, styllit Maister of Athoill, having conceavit ane deidlie inmitie and hattret aganis us, complinaris abonenamit, for concurring and assisting togiddir anent the releiff of the said Johne M<sup>c</sup>Intagart, he thairupoun daylie callis and conveys us to compeir befor him in his birlae courtis haldin without ony authoritie be himself as baith judge and pairtie and for allegit nocht compeirance, unlawis us at his pleasour, quherthrow we ar so hevelie damnefiet and hurt be his oppressioun and upoun his pretendit authoritie that we cannot live undir Godis peace and the Kingis without your Lordships provyd remeid and exeme us fra his pretendit authoritie and jurisdiction." They crave summons against the said John Murray, styled Master of Athole, and exemption from his jurisdiction. [On the back] "*Apud Halvudhouse, primo Junij, 1627. Fiat ut petitur.* (Signed) GEO. CANCELL<sup>r</sup>, I.P.D."

1st June 1627.

Supplication  
by Sir Richard  
Cockburn of  
Clerkington,  
Lord Privy  
Seal, and  
others for  
summons  
against the  
sheriff of  
Haddington  
for failing in  
the discharge  
of his office.

252. Supplication by Sir Richard Cockburne of Clerkingtoun, Lord Privy Seal, Sir Andrew Hammiltoun of Ridhouse, Miscellaneous  
Papers. Hepburne

of Wauchtoun, Hamiltoun of Innerweik, Hamiltoun of Prestoun, Sir William Seytoun, Sir Patrick Murray of Elibank, Sir John Home of Northberwick, John Auchinmowtie of Gosfurd, Sir John Hammiltoun of Trabroun, Mr. John Hepburne and of Congletoun, as follows:—According to royal proclamation they convened in Haddington on 29th May last to concur with the sheriff in nominating two commissioners for that sherrifdom, “who, with the rest of the commissioneris for the shyris, might advyse and consult together upoun the best and readdiest way how his Majesteis gratus intentioun that every heritour sall haif a right of thair awne teynd might be accomplished and mak and propone overtours thairanent and represent the same to his Majesteis commissioneris appointed to that effect; and wee, hoiping to haif bene admitted for our interesse and that wee should haif had voit and presence in the electionn of the saidis commissioneris, nochtwithstanding it is of treuth that the shireff, finding that he could not compas his intent if wee should assist at the election, he declared that he had no warrand to convene us bot only suche as he had written to in particular and who wer interessid in thair teynds and that if wee wald remove he wald proceed to the electioun of the commissioneris, otherwayes not. And wee, having urgit the shireff to produce his Majesteis proclamatioun whilk wes the warrand of our meeting and wald clear his mistakingis, he ansuerit that he had nocht the proclamatioun nor na other warrand for our meeting. Quherupoun wee having risin and so mony of us as ar justiceis of peace having mett together upoun the executioun of that commissioun direct be your Lordships to us for tryall taking of the number of vagabondis and ydle persons within everie parochie, nowayes expecting that the shireff wald haif slighted and mis-knawne us in a mater of this kynd quher our interesse is so important, yitt, as wee ar informed, the shireff, after the hail meeting had dissolved, reassembled suche particular personis as he pleased and with thair concurrence maid choise of tua commissioneris without acquainting us with thair proceedingis thairin, quherin, as the shireff hes verie far wronged and vilipendit us, so he hes maid a most informall and unlauchfull electioun contrair to the warrand and directioun of the said proclamatioun.” They crave summons against the sheriff, his nomination of commissioners to be null and void, and that they and others interested in the matter “may be allowed and permitted to convene with the commissioneris of the rest of the shyre and joyne with thame bye our best advise and opinioun in such thingis as concernis our estate and the securing thair of.”

[On the back] “*Apud Halyrudhouse, primo Junij, 1627. Fiat ut petitur* to Twisday nixt. (Signed) GEO. CANCELL<sup>r</sup>, I.P.D.”

1st June 1627.

Supplication  
by the magis-

253. Supplication by the provost, bailies, council and community of the burgh of Inverness, as follows:—They and their predecessors, being

Miscellaneous  
Papers,

infest by former sovereigns in the said burgh and pertinents with mures and mosses used and wont, and specially the moss, called Boigbane and . . . davie, and so exercising hitherto the right of casting and winning fuel and peats therein for the town, unmolested, yet now of late James, Earl of Murray, "disdaining to persew his right to the saids moss (if he ony hes) be ordour of law and resolving by way of bangsterie and oppressioun to debar and seclud us thairfra, the said Earle, accompanyit with Symeoun, Lord Lovatt, and Hew, Maister of Lovatt, convocat and assemblit together to the nomber of hundreth personis, all bodin in fear of warre, and with this unseamelie convocatioun thay come upoun the xxij day of May last to the moss foirsaid quher, finding a nomber of poore and naiked people winning peates for thair awne use and the service of the toun, thay threatnit and upbraidit thame with mony injurious and minassing wordis, the said Earle boasting to burne our toun with these peittis and terming the magistratis thairof 'lownes, lowsie knaves, villanes and deboshed doggis,' and that he sould not onlie debar thame frome the moss, bot bereave thame of thair lyves, and with that thay patt violent handis in the workemen, reft their spades frome thame, cuttit all the peittis and kaist thame in the pottis and, nocht content therewith, the said Earle hes gevin ordour and appointed ane Johnne Augussone, ane outlaw and rebell, with tua hundreth armed men to attend and guard the said moss and to invade and debar us if we shall repair thither, whiche is lyklye to produce verie grite inconveniencie to the breache of the peace, oure toun nocht being able to subsist without the benefite of the moss, and the Earle being resolved to debar and seclude us thairfra." They crave summons against the Earl, and also that he be discharged from hindering them in using the moss until the right thereof be tried before the judge ordinary. [On the back] "*Apud Halyrudhouse, primo Junij, 1627. Fiat ut petitur*, for the first pairt of the desyre. (Signed) GEO. CANCELL<sup>r</sup>, I.P.D."

trates of  
Inverness for  
summons  
against James,  
Earl of  
Murray, who  
has taken  
violent possession  
of a moss  
belonging to  
the said  
burgh.

254. Supplication by . . . Betoun, as follows:—He gave com- 2nd June 1627.  
mission to George Ogilvie of Arnes to levy twenty soldiers for him and  
paid four rose nobles in part payment, and these men were accordingly  
levied, but the said George, contrary to his agreement, has delivered them  
to another captain; also James Scrymgeour of Baquhadlie, having  
enrolled himself in the supplicant's service and received payment  
from him, has now deserted. He therefore craves that the said  
George may be ordered to deliver the twenty men to be used by the  
supplicant in the wars, and the said James Scrymgeour to fulfil his  
obligation. [On the back] "*Apud Edinburgh, secundo Junii, 1627.*  
*Fiat ut petitur.*"

Supplication  
by  
Beaton that  
twenty soldiers  
for whom he  
has in part  
paid may be  
restored to his  
regiment and  
that a deserter  
should be  
compelled to  
fulfil his  
obligation.

255. Supplication by Robert Lauder of that Ilk, William Lawder, 2nd June 1627.  
his brother, Gilbert Lauder of Quhitised, William Lauder, his

Supplication  
by Robert

Lauder of that  
Ilk and others  
anent cautions  
of indemnity  
claimed from  
them by  
Francis  
Wilkieson,  
burgess in  
Lauder, and  
others.

brother, William Lauder in Newbigging, John Lawder in Murecleuch, and Charles Lawder, merchant in Lauder, as follows:—

Miscellaneous  
Papers.

They are required at the instance of Francis Wilkiesone, burgess of Lauder, Alexander and James Wilkiesone, his brothers, and Alexander, John, Ephrahame and James Wilkiesone, sons to the said Francis, to find caution for their indemnity under certain penalties, viz., Robert Lauder of that Ilk and Gilbert Lauder of Quhitsled in £1000, and the rest in 500 merks, which penalties are beyond what can be demanded by Act of Parliament, because the said Robert and Gilbert, being "meane friehalderis," are liable only in 500 merks, and the rest in 40. They crave suspension, yet they are content to find caution according to the charge. [On the back] "*Apud Edinburgh, secundo Junii, 1627. Fiat summonitio ut petitur* to the sevint day of Junii instant and to suspend and discharge *ut infra* quhil the tuelff day of the same moneth, becaus Johne Mow of that Ilk is become cautione for the complener to the effect within writtin as ane act maid thairanent bearis."

4th June 1627.

Supplication  
by Mr. Alex-  
ander Lindsay,  
ensign, for the  
delivery of a  
masterless  
man who had  
been pressed  
for foreign  
service but has  
been rescued  
from the  
custody of  
George  
Fleming,  
bailie of  
Kilconquhar.

256. Supplication by Mr Alexander Lindsay, ensign ["ensenzie"] to Alexander, Lord Spynie, as follows:—On 16th April last he delivered to George Fleyming, bailie of Kilconquhar, one David Oliphant, piper, who was lawfully taken and found to be an idle and masterless man wanting a trade and competent means to live by, "to have bene keipit be the said baillie in suretie till the occasioun of his transport for his imbarqueing had offerit so that he might have bene employed in the warres," but Andrew Yong in Kilconquhar, John Young there, John Ireland there, and Andrew Robertsoun there, came to the said bailie and Allan Kipper, his officer, and rescued the said David Oliphant from their hands in contempt of his Majesty's authority. He therefore craves that they may be ordered to redeliver the said David to him and also to answer for this offence. [On the back] "*Apud Edinburgh, quarto Junii, 1627. Fiat ut petitur.*"

4th June 1627.

Supplication  
by Andrew  
Scott in  
Braidmedowis,  
for summons  
against James  
Inglis in  
Huntly, and  
others for  
cutting trees  
in his wood.

257. Supplicatioun by Andrew Scott in Braidmedowis, son of William Scott in Falishope, as follows:—Contrary to the laws prohibiting the cutting and destruction of green wood, policy and planting, James Inglis in Huntlie, Thomas Inglis there, William Inglis there, William Rennik there, William Rennik, younger, there, Robert Rennik there, John Rennik there, William Lauder there, John Manthill, John Hislop there, John Currour in Huttrelburne, William Manthill there, and James Lorymer there, have cut a great many of the growing trees in his wood of Falishoip and so destroyed the wood which was planted with various kinds of timber that it is in great measure waste. He craves summons against them, and in lieu of furthur proceedings is content to accept their declaration on oath. [On the back] "*Apud Edinburgh, quarto Junii, 1627. Fiat ut petitur.*"

Miscellaneous  
Papers.

258. Supplication by Sir William Oliphant of Newtoun, knight, and 5th June 1627.  
Mr Thomas Hoip of Craighall, King's Advocates, for his Majesty's Supplication by Sir William  
interest, as follows:—Contrary to the laws prohibiting the carrying of Oliphant of  
hagbuts and pistols, James Naismith of Posso, Thomas Naismith, his Newton for  
natural son, John Elphinstoun of Henderstoun, William Elphinstoun, his summons  
son, Walter Scott called of Halmaner, Samuel Cokburne of Henderland, Naismith of  
Francis Cokburne there, John Cokburne there, Richard Cokburne there, Posso and  
Alexander Tuedie in Olipher, continually pass to and fro in all parts of others for  
the country whither there business carries them, "useing the same carrying  
alsweill for thair recreation and pastyme as for thair privat revenge forbidden  
aganis suche of his Majesteis goode subjectis as they beare quarrell weapons.  
unto." They crave summons against them to give their oath upon the  
premises in place of other probation. (Signed) "S. W. OLIPHANT; S.  
THOMAS HOP." [On the back] "*Apud Edinburgh, quinto Junii, 1627.*  
*Fiat ut petitur.*

259. Supplication by Sir William Oliphant of Newtoun, knight, and 5th June 1627.  
Mr Thomas Hoip of Craighall, King's Advocates, for his Majesty's Supplication  
interest, and John Lindsay of Bonshaw, as follows:—Although the by John  
bearing and wearing of hagbuts is prohibited, yet on Lindsay of  
his servants and soldiers, having received in his name Hew Maxwell of Bonshaw for  
Teilling's servant, called Alexander Goothrie, to serve as a soldier in his the redelivery  
company under the King of Denmark, the said Alexander was coming of Alexander  
in company with them to Guthrie, whom  
other soldiers, when Alexander Guthrie, younger of Kincaldrum, he engaged for  
William Guthrie, his brother, Alexander Guthrie of Gagie, and six or foreign service,  
seven other persons, their accomplices, "all bodin in feir of weir, with but who has  
swordis, bandit stalffis, gantlettis and utheris wapponis invasive and been rescued  
with hagbuittis and pistolettis prohibite to be worne, as said is, followit by Alexander  
my saidis servandis and sojouris the speace of thrie mylls or thairby Guthrie,  
and haveing overtane thame thay presentit thair gwnis, pistolettis and younger of  
utheris wapponis foirsaidis to thame threattning to bereave thame of Kincaldrum  
thair lyves and violentlie reft and tooke buk with thame the said and others.  
Alexander Guthrie." They crave production and redelivery of the  
said Alexander. (Signed) "S. W. OLIPHANT; S. THOMAS HOP." [On  
the back] "*Apud Halyrudhous, quinto Junii, 1627. Fiat ut petitur.*"

260. Supplication by Captain Francis Cockburne and David Logane, 7th June 1627.  
his ensign, as follows:—The said David agreed with Cristopher Young Supplication  
in Halyburtoun to levy six men for service under the said Captain by Captain  
the wars, who found Cristopher Thomesone in Grinlaw Deane as his Francis Cock-  
cautioner for performing the agreement and received a dollar from the burn for the  
ensign in part payment, but neither the said Cristopher nor his cautioner delivery of  
will deliver the said six men to them. Likewise Mairtene Logie, son of certain  
James Logie, agent in Edinburgh, enrolled himself as a soldier under the persons whom  
said Captain and was for a long time in his pay, but now his father he had  
enlisted.

witholds him and he is "keipit in some quyet plaice nor can I get know-  
ledge quhair he is." Also, in April last some of the Captain's servants  
by his direction went to Edmestoun to bring Patrick Dickson, one of  
his hired soldiers, "to this burgh," but sometime bailie of  
Edmeistoun, with some accomplices delivered the said Patrick from  
their hands and forbade them to meddle with him, "declaring he wald be  
comptabill for him." Further, the said ensign obtained the enlistment  
of William Tait in Carkettill Mill, who received pay, but now absents  
himself. They therefore crave delivery of the said soldiers to them.  
[On the back] "*Apud Edinburgh, septimo Junii, 1627. Fiat ut  
petitur.*"

Miscellaneous  
Papers.

7th June 1627. 261. Supplication by Mr John Houstoun, ensign to Captain  
Hamiltoun, as follows:—On 4th May last, according to their Lord-  
ships' warrant, he went to Kilmaweris and requested the minister and  
magistrates thereof to assist him in the trial and apprehension of such  
idle and masterless men, "wanting competent meanes of interteanyment"  
as were in their town, that they might be employed in the wars, where-  
upon they, "for a culloured show of obedyence, declairit that ane James  
Drummond wes of that qualitie and accordinglie did demonstrat him to  
me, willing me to apprehend and tak him and assureing me of thair  
concurrence thairto"; yet, when the supplicant took him, Robert  
Cunynghame, late bailie of Kilmaweris, John Cunynghame of Hill,  
Thomas Smyth and John Stevinstoun, present bailies, and David  
Cunynghame, messenger there, John Nicoll, cordiner there, Robert and  
John Langmures there, Alexander Rankene, smith, there, Robert Smyth  
there, John Wallace, cordiner there, and William Steill, cordiner there,  
with other accomplices to the number of sixty or eighty persons, "all  
bodin in feir of weir, with swordis, jakis, steilbonnettis, bandit and long  
stalfis and utheris wapponis invasive come to me, sett most feircelie  
upoun me, schamefullie and unmercifullie invalidit and persewit me of  
my lyffe, strak and dang me to the ground, gaif me a number of cruell,  
bludie, bauch and blae straikis on the head and sundrie utheris pairtis  
of my bodie and had nocht faillit to have slaine me wer not be the  
providence of God I wes by the meanis of some weildisposit personis  
thair present for the tyme rescued and convoyit in to the house of  
; and the saidis personis, not content heirwith, they come  
all to the said house and preast by violence to have come in upoun me,  
threattning and avowing to sett the house in fyre and to burne me and  
all that wes within the same gif thay had not bene stayit be some  
gentlemen that came thair for the tyme." He craves summons against  
them. [On the back] "*Apud Edinburgh, septimo Junij, 1627. Fiat ut  
petitur.*"

8th June 1627. 262. Supplication by the provost, bailies, council, community and  
inhabitants of the burgh of Innernes, and Alexander Baillie and James

Supplication  
by Alexander

Miscellaneous  
Papers.

Cuthbert, burgesses thereof, for their interest, as follows:—Having at several times complained to their Lordships of the grievous oppressions committed by James, Earl of Murray, upon their town under pretext of a commission to him from his Majesty against the rebels of the Clanchattan, whereby he threatens to lay upon the town the whole injury and damage sustained by him from the Clanchattan, “for he convenis us befor him in his justice courtis kept be him at Elgin, being xxx myllis fra our town, to underly the law for allegeit intercommoning with the Clanchattane, he produceis witnesses aganis us in his criminall courtis aganis the ordour of the justiciarie, and thir witnesses ar the speciall rebellis aganis whome he had quarrell, he accuseis us criminallie, being bothe judge and pairtye, he convictis and impoises extraordinair fynes upoun us, and wardis us till we mak payment of the saidis fynes, and namelie he hes fynned us, the saidis Alexander Baillie and James Cuthbert, in divers grite soumes of money and hes wardit us in the tolbuith of Elgine till we mak payment of the saidis fynes, and the persounes who wer upoun our assise, the witnesses producit aganis us and all the memberis of his court ar his awne creaturis directit and led be him to his awin humour; and althocht upoun our petition formerlie gevin in to your Lordships it pleased your Lordships to gif us letters aganis the said Earle for exhibitoun of us, the saidis Alexander Baillie [and James Cuthbert (deleted)], befor your Lordships, and whereas lykewayes we haif chargeit him to compeir befor your Lordships, and befor the Commisshouners for the Greivanceis to ansuer alsweill upoun the pointis of his pretendit commissioun as upoun the wrongis and insolencyis committit be him upoun us, nevirtheles he intendis not to putt us to libertie bot by our detentioun in warde thinkis to debar us fra persuite of our just actioun aganis him. And seeing we ar willing to finde caution for our personall compeirance befor your Lordships upoun the said xij of July nixt instant under als grite sowmes as your Lordships pleis modifie,” they crave letters charging the said Earl to liberate them; and as the 28th instant is appointed for their compearance before the Commission for the Grievances, they desire their Lordships to “foirsee that a competent number of that Commisshoun be present the said day.” [On the back] *Apud Halyrudhous, octavo Junij, 1621. Fiat ut petitur*, becaus the complenaris hes found caution to the effect within writtin (Signed) GEO. CANCELL<sup>r</sup>, I.P.D.”

263. Supplication by Alexander M<sup>c</sup>Eane Abrich, *alias* M<sup>c</sup>Donald of 8th June 1627. Glencoane and Archibald M<sup>c</sup>Challome in Innercharnen, as follows:— On 24th March the said Alexander directed the said Archibald as sheriff in that part with a precept to warn Duncan Stewart, younger of Appin, and his subtenants to remove from the said Alexander's lands of Glencoane, but on serving the precept, the said Duncan, “maligning that” the said Archibald “durst come and use suche a warneing aganis him, not onlie most bostuouslie and imperiouslie askit of me how I

Baillie and James Cuthbert, burgesses of Inverness, charging the Earl of Murray to release them from ward in which he illegally detains them.

Supplication by Archibald M<sup>c</sup>Callum in Innercharnen for summons against Duncan Stewart, younger of Appin, for assault.

durst be so peart as to come thair on suche ane earand to him bot also most dispytfullie strampit the copie" of the precept "in a gutter under his feitt and thairefter for testifeing of his forder spyte and malice, alsweill aganis the said Alexander as me, he caused Johne M<sup>c</sup>Coill, his servand, tirr me naikit to the skine and then he tooke a bread sword belt in his awin handis and thairwith, after a cruell and inhumane maner, beltit and scourgit me to the effusioun of my bloode, bidding me then go my way and tak that drinksilver with me for my service." They crave summons against him. [On the back] "*Apud Edinburgh, octavo Junii, 1627. Fiat ut petitur.*"

Miscellaneous  
Papers.

8th June 1627.

Supplication  
by James,  
Earl of Home,  
for summons  
against  
Walter Scott  
of Whitehaugh  
for violently  
taking posses-  
sion of the  
supplicant's  
houses and  
lands of Hart-  
woodburne.

264. Supplication by James, Earl of Home, and Sir William Oliphant of Newtoun, knight, and Mr Thomas Hoip of Craighall, King's Advocates, for his Majesty's interest, as follows:—Contrary to the laws prohibiting the wearing of hagbuts and pistolets and convocating the lieges in arms for committing violence, and although the said Earl has been in possession of the lands of Hartwoodburne for many years undisturbed, yet lately Walter Scott of Quhytehauch, pretending some right to these lands "and disdaining to persew his right, gif he ony hes, be the ordinar course of law and justice, he hes resolved be way of deid, bangistrie and oppressioun to debar and seclud me fra my saidis landis and to appropriat the same to himselff. And for this effect, in the moneth of May last, quhenas George Currou, lait tennent of my saidis landis, wes removed frome the same and that he haid left the duelling and housses thairupoun voyd to have bene enterit to be me and my servandis and tennentis in my name, he, takand the advantage of the tyme and occasioun for accomplisheing of his intent fairsaid, convocat and assemblit togidder the personis underwrittin, Robert Scott of Eidshaw, younger, Walter and James Scottis, his breether, Johne Scott of Kirkhouses, Walter Scott, elder of Huntlie, and Adame Langlandis in with utheris thair compliceis and with convocatioun of his Majesteis leigis to the number of                      personis, all in armes, with hagbuittis and pistollettis, and with thame he come to the saidis landis of Hartwoodburne and thair enterit after a lawles maner within my houses being thairupoun and sua possest thame selfis thairwith, hes furneist the same with victuallis, armour, gwnis and hagbuttis and still remanis thairintill as yitt keiping the same as a house of warre, intending to debar all that sall come thair in my name frome entering to the possessioun of my saidis landis." He craves summons against them. (Signed) S. W. OLIPHANT; S. THOMAS HOP." [On the back] "*Apud Edinburgh, octavo Junij, 1627. Fiat ut petitur.*"

8th June 1627.

Supplication  
by John, Earl  
of Mar, that  
David Plumber  
in Lassudden

265. Supplication by John, Earl of Mar, Lord Erskine, etc., as follows:—He entrusted the collecting of the first, second and third term's payment of the taxatioun of the lordship of Dryburgh granted in 1621, to David Plumber in Lassuddane, who has received payment of

Miscellaneous  
Papers.

the greater part thereof but will not make account to him, and applies the money to his own use, whereby the supplicant has been forced to pay the taxation from his own funds. He therefore craves that the said David may be ordered to make account and reckoning. [On the back] "*Apud Edinburgh, octavo Junij, 1627. Fiat ut petitur.*"

266. Supplication by Sir John Steuart of Tracquir, Sir John Murray of Phillophaugh, Sir Archibald Murray of Darnhall, Sir Patrick Murray of Elibank, James Steuart of Horsburgh, Sir John Hamiltoun of Skirling, and William Vetch of Dawik, for themselves and in behalf of other freeholders in the sheriffdom of Peebles, as follows:—Their Lordships, wisely foreseeing the prejudice that the most of the barons and freeholders of the kingdom would sustain by the course intended for nomination of commissioners for each sheriffdom to attend the Commission and Treaty anent the teinds, "and how that we wald be slighted and neglectit be these intrusted with that bussynes, who wald nather acquent thame thairwith nor with the dyetis appointit nor yitt crave thair advise and opinioun in the choise and nominatioun of the saidis commissionaris," for preventing thereof, ordained those who solicited this business to appoint a day when the choice and election of commissioners should be made throughout the realm, and mention the names of those who should convene the freeholders and heretors in each sheriffdom to this election, "whilk being accordinglie done and ane act and proclamatioun being publist in mony pairtis of the kingdome, quhairby your Lordships declairit that all heretouris and freehalderis who had interesse in the teyndis to buy and sell sould be admittit to be present and to voit at the said electioun and that nane sould be debarrit nor secludit thairfra, and we, lookeing that this course so wyislie foir-seene and prescryved be your Lordships sould haif bene preceislie kept in the electioun of the commissionaris for the shirefdome of Peblis, notwithstanding it [is] of treuth that the said electioun hes bene very factiouslie, tumultuouslie and inordourlie maid without the consent or voites of the speciall freeholders and heretouris within the said shirefdome; for Hay of Smeithfeild, who was nominat convenair for that shirefdome, insteade of convening of the freehalderis and heretouris within the same, broght with him a number of rebellis for criminall causes and many dissobedient personis to law and justice, armed with hacquebutis and pistollettis, be whose voices he overreuld that meeting and did and undid quhat be pleasit, threatning suche with deathe and other violence whose voices wer not ansuerable to his humour, sua that mony who wer convenit and wer reddy in calmnes to haif contributed thair best helpis and advise to the electioun wer constrayned to ryse and go away; lykeas he himself tooke upoun him without speiring the voices of the meeting, the lyteing of suche as he wald haif to be chosin, and he as commissioner gaif the first voit and his sone, as freehaldair of the landis of Smeith-

be ordered to  
make an  
account of the  
taxation of the  
lordship of  
Dryburgh.

8th June 1627.  
Supplication  
by Sir John  
Steuart of  
Tracquir and  
others, repre-  
senting the  
freeholders of  
the sheriffdom  
of Peebles,  
anent the  
illegal pro-  
ceedings at a  
meeting called  
for the  
nomination of  
commissioners  
for the teinds.

feild, secundit him. The voites of a nomber that convenit wer forced and by constraint. And quhenas the proclamatioun, whilk wes the warrand of the meeting, wes desyrit to be producit, the clerk wes commandit be the convenair to conceale it, sua that this wes no free and lauchfull meiting bot by constraynt. And quhen the convenar had overswayed materis to his awne humour and had forced ane electioun accordingle he then, triumphing as it wer of the victorye, causit sehoit a voley of xxx or xl pistollettis, how soone he come out of the tolbuithie, to the grite disgrace of his Majesteis government and contempt of law, ordour and justice." They therefore desire the summoning of the convener and those nominated as commissioners at the meeting in order that the proceedings may be declared invalid. [On the back] "*Apud Edinburgh, octavo Junii, 1627. Fiat ut petitur.*"

9th June 1627.

Supplication  
by Alexander,  
Master of  
Forbes, for  
summons  
against Sir  
Thomas Bur-  
net of Leys  
for the  
destruction of  
a bond.

267. Supplication by Alexander, Master of Forbes, as follows:—There being a controversy between Mr James Forbes of Haugtoun and William Gariauche in Pittinterie anent some dry multures and mill duties of the crop 1625, which they submitted to John Forbes of Leslie and Sir Thomas Burnett of Leyis as their respective arbiters, and being submitted to the supplicant as oversman because of variance, he decreed that they should subscribe some writs in each other's favour for settling differences, which writs concerning the said William were delivered to him, and the writs concerning the said Mr James, especially a bond made by the said William Gariauch to him for payment of fourteen bolls of victual for the bygone multures, were retained by the supplicant till Mr James should come for them. Meanwhile, the said Sir Thomas on a certain day came to the supplicant's house, where he was welcomed, and, after some familiar and friendly discourse, he desired a sight of the said bond, which the supplicant delivered to him trustfully, but, as soon as he received it, "he raive the same in peeceis and in violage and derisioun gaif me, the said Williame Gariauch, his subscriptioun, with the whilk effront and disgrace I comportit, seing the said Sir Thomas wes in my awne house and I wes loathe to violat the laws of hospitalitie." He craves summons against him. [On the back] "*Apud Edinburgh, nono Junij, 1627. Fiat ut petitur.*"

11th June  
1627.

Supplication  
by Arthur  
Hamilton for  
summons  
against John  
Somerville in  
the Green for  
assault and  
threatening  
his life.

268. Supplication by Sir William Oliphant of Newtoun, knight, and Mr Thomas Hoip of Craighall, King's Advocates, for his Majesty's interest, and Arthur Hammiltoun, son of Robert Hammiltoun in Mirretoun, as follows:—On 6th July instant he was in the house of John Mathie, gardener in Cambusnethan, doing his business in sober manner, when John Sommervell in the Greine, coming into the house, having a private hatred and malice against him without any just cause, set upon him fiercely with a drawn whinger and gave him a "cruell and deidlie straik and wound in the lisk and bellie to the effusioun of my bloode in grite quantitie and perrell of my lyffe," and would have slain him if

Miscellaneous  
Papers.

the bystanders had not relieved him. Further, on 8th instant, "being Sunday," he lay in wait for him at the Nethertoun of Cambusnethen with a pair of pistolets to slay him, and, when he saw the supplicant, he presented them at him, but was prevented by the persons present from shooting; and continually he frequents those places in which the supplicant has business, having a charged hagbut and two charged pistolets with him, so that the supplicant "dar skarcelie keip my awne duelling house nor repair in the countrie for doing of my lawfull affairis for feir of my lyffe." (Signed) "S. W. OLIPHANT; S. THOMAS HOR." [On the back] "*Apud Edinburgh, undecimo Junij, 1627. Fiat ut petitur.*"

269. Supplication by Sir William Oliphant of Newtoun, knight, and Mr Thomas Hoip of Craighall, King's Advocates, for his Majesty's interest, and by William Fraser in Milbowye and John Croves, his servant, as follows:—Notwithstanding the laws against wearing hagbutts and pistolets and illegal convocation, yet the said William Croves and some other servants of the said William Fraser, being at the leading of peats from that part of the moss pertaining to the lands of Milbuy, called the Rowdown, Sir Alexander Irwing, younger of Drum, accompanied with George Irwing, George Quhyte, Alexander Rid, Andrew Knox, his servants, William Forbes in Auchinclocht, Patrick Rolland there, Alexander Blakhall there, Alexander Davidsons there, James Paull there, John and James McKai there, Thomas Paull there, and others, with convocation of the lieges in arms, "all bodin in feir of weir, with swordis, longstalfis, battonis, grite kentis, and utheris wapponis invasive and with hagbuittis and pistollettis prohibite to be worn, as said is," met with his servants as they were coming home to his house in Milbuy with the peats, and first commanded them to lead the said William Fraser's horse with the peats to the said Sir Alexander's manor place of Fornat, and on the refusal of the said William Croves, the said Sir Alexander, "with a grite battoun quhilk he haid in his hand, sett feircelie upoun the poore harmeles man and most cruellie strak and feld him to the ground to the effusioun of his bloode in grite quantitie, thairefter ran upoun him with his feitt and so bruisit his haille bodie and bowallis within him that he lay as dead the speace of , and then the said Sir Alexander, assisted with his saidis compliceis, after a violent maner callit away my horse with my peattis agaitwards towards his place foirsaid. Quhairof information being maid to me and I, haveing come in a sober maner to have sene quhat the matter menit, the said Sir Alexander and his saidis compliceis no sooner saw me approtche neir unto thame bot thay come all most furiously running upoun me with bendit gwnis and drawne swordis and utheris wapponis in thair handis threattning and avowing to bereave me of my lyffe gif I prest to toutche any of my saidis horsse and peatts," and would have slain him if some neighbours and country people, hearing

13th June  
1627.  
Supplication  
by William  
Fraser in  
Milbowie and  
his servant for  
summons  
against Sir  
Alexander  
Irwing,  
younger of  
Drum, for  
convocation of  
the lieges and  
for assault.

the fray, had not rescued him. Also, these persons still bear firearms wherever they go, intending to be revenged on him. They crave summons against them. (Signed) "S. W. OLIPHANT; S. THOMAS HOP." [On the back] "*Apud Edinburgh, xiiij Junij, 1627. Fiat ut petitur.*" Miscellaneous Papers.

13th June  
1627.

Supplication  
by Sir Alex-  
ander Irving  
of Drum for  
summons  
against

William Fraser  
in Milnebury  
and others for  
invading the  
supplicant's  
property and  
threatening  
his life.

270. Supplication by Sir William Oliphant of Newtoun and Mr Thomas Hoip of Craighall, King's Advocates, for his Majesty's interest, and by Sir Alexander Irving, apparent of Drum, tutor and administrator to the children of the deceased Mr Robert Irwin, his uncle, as follows:—Contrary to the laws prohibiting the carrying of hagbuts and pistolets, and notwithstanding that [ ] Irwing, eldest lawful son to the said deceased Mr Robert, has the moss of Fernort pertaining to him as his predecessors possessed the same beyond memory of man, yet William Fraser in Milnebury, son who is always dissobedient to law and justice, resolveing to tak his advantage of the minoritie of the said umquhile Mr Robertis bairnis, hes violentlie intruised himself in the possessioun of the said mosse and hes cassin a grite number of peittis thairin; and, informatioun being gevin to me that he intendit with the like violence to leade the peittis, I resolved to mak a legall and lauchfull interruption. And for this effect I past upoun the saxt of Junij instant, accompanied onlie with tua servandis on foote, in a peacable and quiet maner to the said mosse to haif maid ane civile interruption, whairof advertisment being gevin to the said William, he immediatlie convocat and assemblit togidder the personis particularlie underwritin, thay ar to say:—Alexander Tayne in Milbowy, Johnne Gray thair, Andro Fraser thair, Mr George Leslie at Birskokismilne, Michael Fraser in Meikle Clintertie, Patrik Fraser thair, Williame Croufie in Milbwy, Williame Troup there, Williame Blakhall in Achrome, Alexander McKie at the milne of Tofthillis, Andro Andersone in Kintoir, Williame Messer in Achrome, Johnne Leslie, notar, Alexander Touche in Tartowie, Thomas Davidsonsone there, Walter Cheyne in Tillibwy, Johnne Tailyeour in Milbwy, Gilbert Ronaldsone in Wairdheid of Achquhirther, and Robert Keythe in Leyludge, with convocation of his Majesteis leiges to the number of xxx persons, who ar all for the most pairt dissobedient, insolent personis and contempnaris of law, justice, ordour and governament, and, with this unlawfull convocation, boidin with hacquebuttis, pistollis, speiris, swordis, steilbonnettis and utheris waponis invasive, thay come in a tumulteous maner on horsse and foote towardis the said mosse, and how soone thay persaved me thay bendit thair gwes and drew thair swordis, threatning and avowing with many fearfull and execrable oathes to haif my lyffe if I did not presentlie depairt without making of interruption, like as one of thame fyred a gwne at George Whyte, my servandis breast, bot be the providence of God sho misgaif, and, sua yeilding to necessitie, I wes forced to retire. And besides this effront done to me the personis fairsaidis daylie bearis and wearis hacquebuttis and pistollettis, rydis and gangis thairwith in all pairtis of

Miscellaneous  
Papers.

the cuntray whair the necessitie of thair adois drawis thame." They crave summons against them. (Signed) "S. W. OLIPHANT; S. THOMAS HOR." [On the back] "*Apud Edinburgh, decimo tertio Junij, 1627. Fiat ut petitur.*"

271. Supplication by Dame Annas Lindsay, spouse to Sir Alexander Falcouner of Halkertoun, knight, as follows:—Their Lordships, by a decret arbitral dated 8th March last, ordained her said husband to pay 1000 merks yearly to her during their separation "and quhill it sall please God that, with mutual consent or by your Lordships ordinance, we sould be moved to cohabite togidder," and the first year's payment was to be made in full at Whitsunday last, and the following payments at two terms in the year equally, with a penalty of 200 merks additional in the event of delay; and according to the decret the said Sir Alexander found Alexander Guithrie, fiar of that Ilk, cautioner for him. But although the term for the first year's payment is past, there is 500 merks thereof still owing to her, which she cannot obtain payment of, and likewise they do not intend to make further payments. She craves letters for charging them to fulfil the terms of the decret.

[On the back] "*Apud Edinburgh, xij Junii, 1627. Fiat ut petitur.*"

272. Supplication by Alexander Baillie of Dunsane (*sic*), burgess of Inverness, as follows:—James, Earl of Murray, having a pretended commission to try resettlers of the Clanchattan, charged him to appear in the tolbooth of Elgin on June instant for the said offence, which he accordingly did and was convicted by an assise and fined 1000 merks, being warded in the tolbooth till he should pay the same. But this commission was suspended before the Commissioners for the Grievances at the instance of the town of Inverness, and he was charged to appear before the Commissioners on the 28th instant; nevertheless, the Earl sat in judgment upon him, being also party in the case, "producet witnesses aganis me contrar to the usuall forme of the justiciarie, and thir witnesses wer the speciall lymmaris of the Clanchattane aganis whome he had the speciall quarrell and with whome he is now reconciled, hes ressavd and acknowladged thame as his tennentis and servandis and so thay wer verie suspect witnesses." And also, the crime alleged against him "wes a naiked intercommouning; if ony sic intercommouning wes, it wes lang afor the proclamatioun prohibiting the ressett or intercommouning with the Clanchattane." He therefore craves letters charging the Earl "and otheris keiparis and detenearis of me to compeir, bring, present and exhibite me befor your Lordships," and produce the whole process and acts thereupon, in order that he may be liberated and the Earl prevented from enforcing the fine. [On the back] "*Apud Halyrudhouse, xiiij Junii, 1627. Fiat summonitio ut petitur to the day of* and to suspend and discharge *ut infra.* (Signed) GEO. CANCELL, I.P.D."

14th June  
1627.

Supplication  
by Sir William  
Oliphant of  
Newton and  
the magis-  
trates of  
Inverness for  
summons  
against  
William and  
John M'Intosh  
and others  
who, at the  
instigation of  
the Earl of  
Murray, have  
invaded a  
mosse belonging  
to the said  
burgh, and  
have been  
guilty of  
assault.

See ante, p. 376.

273. Supplication by Sir William Oliphant of Newtoun and Mr Thomas Hoip of Craighall, King's Advocates, for his Majesty's interest, and the provost, bailies, council, community and inhabitants of Inverness, as follows:—Contrary to the acts prohibiting the wearing of hagbuts and pistolets and illegal armed convocation, "after mony oppressionis, insolencies and wrongis committit upoun us be James, Earle of Murray, who seikis the utter wraik and overthrow of oure towne, we, haveing complenit to youre Lordships and obtenit letters for chargeing of him to compeir and answeir thairupoun, he, taking offence at us becaus we complenit, he hes bene more violent and intraged aganis us nor before; like as upoun the tuentie eight of May last Williame and Johnne M'Intoscheis, sones to Johnne M'Intoshe of Dowrus, Alexander M'Intoshe, likewayes his sone, with others thair complices, all men, tennentis, followaris and dependaris upoun the said Earle, and boidin in feare of warre, with hacquebuttis, pistolletts and otheris waponis invasive, come to the proper mosse of our said burgh whair Alexander Cumyng and his sone, tua of oure nighbouris, accompanied with thair cottaris and servandis, wer casting thair peattis, and thair presentit thrie bendit pistollettis to the honnest manis breist, threatning him and his servandis with present deathe if thay left not the mosse, sua thair the poore men, for feare of thair lyves, wer constrayned to leave the mosse. And upoun the second day of Junij instant the Earle himself, accompanied with foure hundreth footemen and ane hundreth horssemen, come in hostile and wearlike maner to oure said mosse and causit his servandis cutt the hail peittis cassin be us thairin for our winter provisioun and kaist thaim all in the mosse againe. And upoun the thrid of Junij instant, being Sondag, Johnne Lauchlanesone in , Johnne Johnstoun and Donald Campbell in , men and servandis to the said Earle, come to the duelling house of Williame Stevinson, ane of the nighbouris of oure towne, in tyme of divine service and with ane drawine sword and ane bendit bow persewit him of his lyffe, shamefullie and cruellie straik and dang his wyffe and trade hir under thair feete to the haisard of hir lyffe." They crave summons against them. (Signed) S. W. OLIPHANT; S. THOMAS HOP." [On the back] "*Apud Halyrudhous, xiiij Junij, 1627. Fiat ut petitur.* (Signed) GEO. CANCELL<sup>r</sup>, I.P.D."

Miscellaneous  
Papers.

14th June  
1627.

Supplication  
by Mr. John  
M'Kenzie,  
archdean of  
Ross, anent  
his illegal  
warding by  
the Earl of  
Murray.

274. Supplication by Mr John M'Kenzie, archdean of Ross, in similar terms to that of Alexander Baillie of Duneane given above, but his compearance in the tolbooth of Elgin was on 9th June instant, and his fine 2000 merks. He also objects that the fine is very large for such a simple cause, and without a precedent. He craves in the same terms as in the supplication referred to. [On the back] "*Apud Halyrudhouse, xiiij Junij, 1627. Fiat summonitio ut petitur* to the day of and to suspend and discharge *ut infra.* (Signed) GEO. CANCELL<sup>r</sup>, I.P.D."

Miscellaneous  
Papers.

275. Supplication to the Lord Chancellor by Patrick Murray and Mark Andirson, burgesses of Selkirk, as follows:—In the action at the instance of William Purves, merchant burgess of Selkirk, against Robert Scott of Hartwoodmyres, and Andrew Scott of Aikwood, wherein the supplicants were summoned to appear before their Lordships on the 12th instant as witnesses, they being present to bear witness, the said William Purves has since their coming to the town returned home to Selkirk and has not called them as witnesses, whereby they have remained here since Monday last at their own expense, both horses and men, "haveing scairs to find ourselfis but was forcit to hyre our horses and for everie day we stay heir we most pay vjs. viijd., and that by and attour the meit of the beistis, ourselfis and our first hyre." They can produce the summons, and crave some expenses to be modified to them, seeing the party who called them has passed home, "thinking to scorne us at our homecuming." [On the back] "*Apud Halyrudhous, xiiij Junij, 1627.* Modified to every one of the supplicants four merkis of expenss. (Signed) GEO. CANCELL<sup>r</sup>, I.P.D."

14th June 1627.  
Supplication by Patrick Murray and Mark Andirson, burgesses of Selkirk, who after being summoned as witnesses by William Purves, merchant burgess of Selkirk, the said William returned to Selkirk without calling them.

276. Supplication by Captain James Blair, as follows:—He and his officers and servants in his name hired the following persons to serve in the wars under the King of Denmark, and they received pay and enlisted themselves willingly, viz., Alexander Durhame, younger of the Mill of Patrik Thrislo, Thomas Gregour in the South Ferry of Dundee, Andrew Halyburtoun, brother german to James Halyburtoun of Bittergaske, James Blak in Montrose, James Finlay there, George Ker there, Andrew Rose in Brechin, Arthur Low there, Robert Cowie there, John Durwart there, David Strachane there, James Durhame in Dundee, James Wodderburne there, Walter Smythe there, John Mar, wright there, Alexander Boutcher there, Thomas Smythe there, William Moresone there, William Rudderfurde there, William Spence in Bruntellane, and James Wentoun in Newbruche, John Flures in , Andrew Croll in , David Hendersone in , James Orroke in , Gilbert Mitchell in , Williame Durhame, younger of Grang, Mr William Murray in Ardowny, William Guthrie, lawful son of David Guthrie of that ilk, and Andrew Melwill, servant to Andrew Caldwellis, gardener of the South yard of Holyroodhouse, yet these persons have absented themselves and abandoned his service. "Lykeas a number of utheris of my hyred sojouris underwritin ar most wrongouslie and violentlie withhaldin and detenit frome me be the personis following, who keipis and intertenyis thame and will not suffer me to meddle with thame for bringing of thame to Leyth to be imbarqued, that is to say, Sir of Purie Foddringhame keipis and detenis Thomas Syme, sojour to me; Alexander Maxwell in Forfar keipis and detenis ane other of his sojouris, namit Johne Balfour; Sir Johne Scrymgeour, Constable of Dundie, detenis Archibald Campbell and Piter Peibillis, sojouris; Colin Campbell of Denhead detenis Robert Alexander; Laurence

14th June 1627.  
Supplication by Captain James Blair for letters charging certain persons who have deserted after enlistment to fulfil their engagement, and also charging persons who detain other deserters to restore the same.

Andersone at the milne of Newtyll detenis ane James Tyrie; David Ogilvie of Glaswall detenis ane Johnne Hutchone; John Brae of Mar detenis Andro Balinne; James Carnegie of Balmakie detenis ane Johnne Durhame; Thomas Irland and John Angous in Coupergrange, detenis ane Johnne Thome; Alexander Campbell of Crwnane detenis Alexander Grigorie; James Irland in Langleyis detenis Johnne Thome yownger; M<sup>r</sup> William Morray of Arduie detenis Donald Robertstone; M<sup>r</sup> James Halyburtoun detenis Thomas Gibboun; James Hendersone in detenis David Pattoun; David Rattrey, Laird of Craighall, detenis Johnne Blair; William Blair of Bagillo detenis Laurence Irland and Thomas Oistlar fra me; Alexander Smythe, customer at Dundie, detenis James Martene, his servand; M<sup>r</sup> James Drummond, minister at Kinloche, detenis Johnne Lawis; Piter Balmano in Dundie detenis Andro Ogilvie; Robert Rollok in Watterstoun detenis one David Pherne, quhairby the foirsaidis persones dois quhat in [thame] lvis to croce and hender the service foirsaid so heichlie concerning his Majestie in honour and credit, to his gryt offence and contempt of his Hienes auctoritie and evill exempill of utheris to doe the lyke, without remeid be provydit." He therefore craves letters for charging all the persons foresaid and those who detain them to compear that they may fulfil their engagement and service. [On the back] "*Apud Halyrudhouse, xiiij Junij, 1627. Fiat ut petitur.*" (Signed) GEO. CANCELL<sup>r</sup>, I.P.D.

15th June  
1627.  
Supplication  
by Patrick  
Troup,  
lieutenant to  
Captain Adam  
Gordon, for  
letters charg-  
ing Arthur,  
Lord Forbes,  
to produce a  
deserter  
whom he  
detains.

277. Supplication by Patrik Troup, lieutenant to Captain Adam Gordoun, as follows:—He induced one Patrick Carle in Pittochie, within the lands pertaining to Arthur, Lord Forbes, to serve in the wars under the King of Denmark, who took pay and enrolled himself willingly, but the said Arthur, Lord Forbes, detains and withholds him and will suffer none of the said Captain's men to meddle with him, thereby frustrating his Majesty's service. He therefore craves letters charging the Lord Forbes to produce and deliver the said Patrick Carle. [On the back] "*Apud Edinburgh, xv Junij, 1627. Fiat ut petitur.*"

15th June  
1627.  
Supplication  
by John  
Alane in  
Sheddlestone  
for summons  
against James  
Gilhagie in  
Kendiehill for  
seizing a bond  
and robbing  
him of money.

278. Supplication by John Alane in Sheddlestone, as follows:—  
On May last he entered the house of Robert Miller, maltman, burgess of Glasgow, for receiving from James Gilhagie in Kendiehill the sum of 200 merks due by him to the supplicant conform to his bond, "quhair the said James wes also come with the said money to that effect as he pretendit, and the money being accordinglie tauld and delyverit to me and I thairupoun haveing takin furth the said James his band of purpois to have delyverit the same to him afoir I haid putt up the money, and sua, the band and money being bothe lying togidder on the boord, the said James in the meanetyme most unhounestlie and after a violent and lawles maner, notwithstanding of the lawborrows standing betuix him and me, first pullit up the obligatioun foirsaid afoir the delyverie thereof to him and nixt seased upoun the said ij<sup>o</sup>

Miscellaneous  
Papers.

merkis and caught the most thairof up in his pocket quhilk he keipis as yit." He craves a summons against him. [On the back] "*Apud Edinburgh, xv Junij, 1627. Fiat ut petitur.*"

279. Supplication by Sir William Oliphant of Newtoun and Mr Thomas Hoip of Craighall, King's Advocates, for his Majesty's interest, and by Mr James Raith of Edmestoun, advocate, and John Drysdail, his tenant and servant, as follows:—Notwithstanding the acts prohibiting the wearing of hagbuts and pistolets, yet on last Patrick Edmestoun of Wolmett and his accomplices, "all boidin in feir of weir with pistollettis, swordis, secreteittis, plaitisleivis, longstalfis and utheris wapponis invasive, came be way of hamesuckin under cloode and silence about midnight to myne the said Johnne Drysdailis duelling house in Edmestoun, quhair I and my famelie were all in our beddis takand the nightis rest under his Majesteis protection and peace, and thair violentlie brak up the utter dores of my said house and, becaus thay could not wine in within the house quhair I lay, thay enterit to tirr of the thack thairof of purposis to have wine in throw the rooffe upoun him [*sic*], crying in the meanetyme unto me to rander my selff or utherwayes thay avowit to sett the house in fyre abone my head; and thay still insisted in this thair violence and insolencie notwithstanding of my mony and often cryes for mercie, till the nightbouris of the toun heiring my schouttis come and releived me. Lykeas, upoun the fyftene day of this instant, I, the said Mr James, being ryding furth of this burgh agaitwardis hame to my awne house of Edmestoun in a peceable maner, accompanyt onlie with my servand, expecting nothing les than any violence or injurie sould have bene offerrit or done to me be ony persone or persones, it is of treuth that the said Patrik Edmestoun of Wolmett, being lykewyse ryding furth of this burgh for the tyme and knowing that I wes ridin afoir him, and he haveing a deadlie heatrent and malice in his hairt aganis me, and making choise of that time to execute the same upoun me and to have my lyffe, he for this effect accompanyt with all bodin with pistollettis, swordis and utheris wapponis invasive, come ryding with all speed in ane uther way by Craigmillair and throw my awne hayned medowis and so wane by me unespyed be me and lay at awaitt for me be way of hamesuckin at my awne yaird nooke of Edmestoun ane certane speace, and as I approtched neir my awne house thay come ryding a pair of buttis bak thairfra to meitt me, and or evir I wes awar of thame or knew who it wes, the said Patrik Edmestoun pullit furth a bendit pistollett and presentit the same to me of purposis to have schoitt and slayne me thairwith wer not be the providence of God I alightit frome my horse and patt my horse betuix him and me, and he, not content heirwith, past about thrie or four tymes with the bend pistollett in his hand seiking a schoit of me, bot I evir guardit me with my horse, as said is, sua that in end, fearing my servandis sould have come furth of my house, he with his saidis

19th June  
1627.  
Supplication  
by Mr. James  
Raith of  
Edmonstone  
and his servant  
for summons  
against Patrick  
Edmonstone of  
Wolmett who  
has threatened  
the life of one  
of the suppli-  
cant's tenants.

compliceis raid away." They crave a summons against him and his accomplices. (Signed) "S. W. OLPIHANT; S. HOP." [On the back] *Miscellaneous Papers.*  
*"Apud Edinburgh, xix Junij, 1627. Fiat ut petitur."*

20th June  
1627.

Supplication  
by Andrew  
Guithrie in  
Finmarak and  
his son for  
summons  
against George  
Hunter and  
others, soldiers  
of Captain  
John Lindsay  
of Bonshaw,  
for assault.

280. Supplication by Sir William Oliphant of Newtoun, knight, and Mr Thomas Hoip of Craighall, King's Advocates, for his Majesty's interest, and by Andrew Guithrie in Finmarak and Patrick Guithrie, his son, as follows:—Against the laws forbidding the wearing of hagbuts and pistols, on April last George Hunter, Alexander Scott and Ranye, soldiers to Captain John Lindsay of Bonshaw, accompanied with others of his soldiers, and all at his direction, "boidin in feir of weir, with gwnis, pistollettis, swordis, stalffis, battonis and utheris wapponis invasive, come under cloode and silence of night about tuo of the clock in the morneing to myne the said Andro Guithreis duelling house in the Cottoun of Finmarak, quhair I and my famelie wer all in our bedis takand the nightis rest under our soverane lord his protection and peace, expecting harme of no man, and thair violentlie brak and dang up the doores of my said house, perforce enterit within my said house, patt violent hand in my persone and, after thay haid schamefullie straikin, dang and abused me, thay pullit me out of my bed quhairin I wes lying, quhilk in the meanetyme thay most maliciouslie brak and dang down with certane uther of my houshold gear and plenissing, and thairefter carryed me with thame the space of from my house of purpois, as thay pretendit, to have tane me to the wardhouse of Forfar, althocht I wes his Majesteis frie liege, haveing committit no cryme nor offence, nor thay being cled [with] no lafull power nor auctoritie aganis me. And, I refusinge willinglie to go with thame, thay, after a most cruell and unmercifull maner, strak, dang and hurt me in sindrie pairtis of my bodie and thair left me for dead. And, not being content thairwith, thay thairefter come to the plaice of Finnerak quhair I, the said Patrik Guithrie, wes also lying in my bed, expecting harme of no man, and thair violentlie braik and dang up the doores of the house quherin I lay, enterit in upoun me, pullit me out of my bed and schamefullie and cruellie straik and dang me, commanding me to go with thame; and I haveing putt on my cloithis, thay violentlie pullit of my coit, tooke my bonnet af my head, and with grite coards coft be chance in Forfar the night befor for the purpois thay band and fetterit me as gif I had bene a theiff and malefactour; thairefter thay perforce caryed me with thame from Finnerak the speace of a myll, contenowallie stryking, danging and abuseing me, threattning and avowing with mony horribill oathes to putt me in the theiffis -hoill of Forfar thair to be used as thair slave, notwithstanding I wes his Majesteis frie leige, ansuerable and obedyent to the lawis, and thay haveing no warrand nor power to tak me; and gif by the providence of God some weill disposit personis had not come and disswadit thame frome meddling any forder with me, thay had not faillit to have gone fordwart in their wicked purpois aganis me. Lykeas the

Miscellaneous  
Papers.

said Captaine Johne Lindsay and remanent personis foirsaidis daylie and contenowallie bearis hagbuittis and pistollettis, rydis and gangis thairwith in all pairtis of the countrie quhair thair adois drawis thame, useing the same as a terrour to all these whome thay wald have commandment over." They crave summons against tham. (Signed) "S. W. OLIPHANT; S. THOMAS HOP." [On the back] "*Apud Edinburgh, 22<sup>o</sup> Junij, 1627. Fiat ut petitur.*"

281. Supplication by John Woode of Geilistoun and Patrick Glen, 22nd June 1627. his servant, as follows:—On 3rd May, 1625, as the said Patrick Glen was passing on his master's service along the King's highway at John Naper of Kilmahew met him and knowing whose man he was, he, for spite and malice against his master, "sett most feircelie upoun me with a corne fork and thairwith most cruellie strak, hurt and woundit me in the head and utheris pairtis of my bodie to the effusioun of my bloode in grite quantitie and perrell of my lyffe and thair left me for dead." Also, on 11th August last the said John Napier came to the said John Wood's servants, as they were leading his elding from his lands of Muldoving and Darleisch home to his lands of Geilistoun by the passage and way used by them and their predecessors past the memory of man and stopped his servants from going that way, "and perforce dang, boistit and patt thame bak agane, bot also biggit up a dyok croce the said way so that thay sould not win fordward." Also, on 13th August he met the servants leading corns from the lands of Muldoving home to the lands of Geilistoun, "and violentlie patt thame bak and wald not suffer thame pas that way." And on 11th October last, his servants being on the said highway going to his mure of Muldoving with some horses and sleds to bring home his elding and fuel, the said John Napier pulled the staff out of the hands of one of his servants named James Campbell, who was leading one of the horses, and threatened to strike him and the rest, and also struck his horses on the face, head, and other parts, and would not suffer them to go that way, "sua that I wes by this his bangstrie and malicious proceidour disapoyntit of my elding and winter provision of fyre, the same throw that occasioun being pairtlie reft and stollin be the countrie people about and pairtlie spoylled be the winter rayne." Further, on 4th June instant the said John Napier came to the supplicant when he was "in a peceable maner comeing furth the hie way and passage foirsaid besyds my servandis, who wer leading my elding from my saidis landis of Muldoving hame to Geilistoun and thair not onlie violentlie strak my horse, pullit the helteris of thair headis . . . dang and patt thame . . . wald not suffer thame to com fordward with thair leadis, bot also sett feircelie upoun me, caught me be the gorget and threw me doun upon my bak on the stonis in the burne and watter that runis croce the said way and thairby and be the preassing of me with his kneis so crushed and bruisit my haill bodie and bowellis

Supplication  
by John Wood  
of Geilistoun  
for summons  
against John  
Napier of  
Kilmahew for  
assault on  
Patrick Glen  
the suppli-  
cant's servant.

within me that I have skarce bene able to travell sensyne." He <sup>Miscellaneous Papers.</sup> craves a summons against him. [On the back] "*Apud Halgrudhous, xxij Junij, 1627. Fiat ut petitur.*"

22nd June  
1627.

Supplication  
by Alexander  
Innes of  
Incheberrie  
for letters  
charging John  
Dunbreak of  
Over Urtane  
and others to  
bind them-  
selves not to  
reset Thomas  
Grant in  
Breahill and  
others, now at  
the horn.

282. Supplication by Alexander Innes of Incheberrie, as follows:—  
On 10th March last Thomas Grant in Breahill, James McEane Grant, Robert Pedie and Andrew Geddes, his three servants, were put to the horn at the supplicant's instance for not finding caution in the books of adjournal to appear before the Justice and his deputes to answer for the theft and reset of a brown coloured horse of seven year old and eight oxen of his; and they still remain thereat. Moreover, they are reset and entertained by John Dunbreak of Over Urtane, Walter, Patrick and Thomas Dunbreak, his brothers, William Innes of Mayne, Archibald Innes of Haltoun, Alexander Innes in Parkbeg, Mungo Dowglas in Greistoun, William Broun there, James Innes in Orbleistoun, John Simpsoun in the Inshe, Mr John Mershell, minister at Dundurcus, William Mitchell in Urtane, George Milne in Gerbeittie, James Hay in Dalmeny, Robert Innes of Bowdny, Walter and William Innes, his sons, John Grant of Carroun, Robert Grant of Netherglen, John Leslie younger of Keldelie, George Leslie at the Kirk of Rothies, Leonard Leslie, son to the deceased Mr Leonard Leslie, parson of Rothies, Alexander Leslie, now in Airdcany, John McCagie at the Boit of Fiddach, McCagie his son, Alexander Dunbar of Kilboyak, Walter Innes of Auchluncart, Thomas Yewine in Dagingche, Alexander Grant of Lycarie, Alexander Grant of Tulloch, James Grant in Innerrwrie, John Grant of Elcheis, and Thomas Abirnethie in Cowie, who furnish them with meat, drink, and hospitality. He craves letters for charging them to act themselves in their Lordships' books not to reset or supply these rebels. [On the back] "*Apud Haliruidhous, xxij Junij, 1627. Fiat ut petitur*, under the pane of fyve hundred merkis *toties quoties*. (Signed) GEO: CANCELL<sup>r</sup>, I.P.D."

22nd June  
1627.

Supplication  
by the Presby-  
tery of Loch-  
maben for  
summons  
against John  
Maxwell of  
Castlemilk and  
George Roy,  
his servant,  
for contempt  
of the censures  
of the Church.

283. Supplication by the moderator and brethren of the Presbytery of Lochmaben, as follows:—Having cited before them John Maxuell of Castlemilk for committing adultery with Jonet Chalmeris, spouse to John Park, and for fornication with Jean Irwing, and "for dischargeing his hail tennents of Castlemilk to repair to the preaching for hearing of the word," he refused to compear, wherefore they proceeded against him with the ordinary censures of the church, "and after all the usuall admonitionis gevin unto him and publict prayeris maid to God for reclameing of him from his obstinacie and contempt, and the proces of oure proceidingis being seene and allowed be the Archbishop of Glasgow, oure ordinair, in and upon the 27 of May last, he wes lauchfullie and ordourlie excommunicat in the kirk at Tunergaff be Mr David Roger, minister at the said kirk, as the proces of his excommunication heir present to shawe bearis. Lykeas that same day of the pro-

Miscellaneous  
Papers.

nunceing of the sentence aganis him George Roy, his officer in Castellmilk, wes lykewyse excommunicat after that all the ordinar solempniteis in matteris of excommunicatioun wes used aganis him and that for his contempt of the Word and Sacraments, prohibiteing of the parochineris of Castellmilk to repair to the kirk for heiring of the Word, ilk persone under the pane of ten pundis, and compelling of sundrie of his saids tennentis to prophane the Sabboth by travelling and labour under the pane of fyve pundis ilk persone. Lykeas that same verrie day of the pronunceing of the said sentence the said George Roy, be the directioun and command of the said Johne Maxwell, his maister, come to the kirk and attendit in the kirk quhill the sentence wes pronuncit, and, immediatlíe after the pronunceing thereof, the said George Roy to the grite offence of all who wes present, answerit to the minister, 'As ye haif gevin over my maister in the handis of the devill, so I doe you, for I haif als grite power to doe the one as you haif to doe the other.' Likeas the said Johnne Maxwell himself, in face of oure presbiterie, abused all of us who wer present, blaspheming the name of God and saying, 'By Godis woundis, wer not the Kingis lawis he sould be revengit.' Likeas he lyis as yit under the fearfull sentence of excommunicatioun and will not suffer one that duellis upoun his land to repair to the kirk for hearing of the Word." They crave summons against the said John Maxwell and George Roy, his servant. [On the back] "*Apud Haliruidhous, xxij Junij, 1627. Fiat ut petitur* (Signed) "GEO. CANCELL", I.P.D."

284. Supplication by Johnestoun of thaf Ilk, and John Byres, <sup>23rd June 1627.</sup> his tenant of the mill of , as follows:—Several years ago he sustained much oppression from Fergus Grahame of Blawatwoode, who <sup>Supplication by Johnstone of that Ilk and John Byres, his tenant, for a summons against Fergus Grahame of Blawatwood for assault.</sup> not only intruded in the possession of the complainer's lands and struck and wounded his servants and tenents but intermeddled with their goods and gear, and now on June instant he came under silence of night "and by maisterfull reaff haveing medlit with certane of myne and the said Johne Byres my tenentis goodis quhilkis he violentlie tooke away and kepis as yit, and I the said Johne haveing preist to have rescued the saidis goodis the said Fergus, with a drawine sword schamefullie and unmercifullie invadit and persewit me of my lyffe, gaif me a cruell straik and wound in the arme and hurt and woundit me deidlie in sindrie utheris pairtis of my bodie to the effusioun of my bloode in grite quantitie and perrell of my lyff, and ther left me for dead." They crave a summons against him. [On the back] "*Apud Edinburgh, xxij Junij, 1672. Fiat ut petitur.*"

285. Supplication by Robert Ker, town clerk of Lynlythqw, as <sup>23rd June 1627.</sup> follows:—On 22nd June instant, being in his own house not expecting harm, Cornuall of Bonhard came to his house and sent up his <sup>Supplication by Robert Ker, town-clerk of Lin-</sup> man desiring the supplicant to come down and speak with him, "and,

lithgow, for  
summons  
against  
Cornwall of  
Bonhard for  
assault.

he being a gentleman with whome I stode in goode termes of freindship and fra whome I expectit no evill, I come simplie doun to him without ony cloke ar ony wapone and had not so mutche as ane pen knyffe upoun me, and, finding him walking in my yard with his brother, I saluted him verie respectivelie and enterit in familiar discourse with him, and then he began to questioun me anent some writtis and in speciall anent ane contract past betuix the toun of Lynlythqw and him, whilk wes admittit to my trust and keeping and wherof he desirit me to mak delyverie to him. And I, haveing with ressoun refuisit his unreasonabill demand, he for that caus invadit and persewit me of my lyffe, shamefullie and unhonnestlie straik me upoun the face and heade and then mintit to his sword, whilk he had not faillit to haif drawne wer not he wes stayed. This is ane insolence of ane verie evill example, to persew ane clerk who is a publict persone, at his awne house for not delyverie of writtis committit to his truste quheranent yf exemplare ordour be not tane, mony inconveniencies may fall out to the hurt of mony leiges of the kingdom." He craves summons against him. [On the back] "*Apud Edinburgh, xxiiij Junij, 1627. Fiat ut petitur.*"

Miscellaneous  
Papers.

23rd June  
1627.

Supplication  
by Alexander  
Innes of Inche-  
berrie for  
summons  
against John  
Dunbreak of  
Urtoun and  
others for  
damage done  
to his property  
and for  
threatening  
his life.

286. Supplication by [the King's Advocates for his Majesty's interest<sup>1</sup> and Alexander Innes of Incheberrie, as follows:—[Notwithstanding the laws against wearing firearms<sup>1</sup>] John Dunbreak of Urtoun, "haveing ane vehement and earnest desyre to acqyre the right and possessioun of my landis of and finding that be no lawfull meanis nor intreatie he could come to his intent," resolving to take them forcibly, in the month of violently intruded himself therein and sowed corn, which being arrested when they were ripe for shearing, the messenger who was entrusted with the cutting thereof having come to do so, "the said John Dumbreak, upoun advertiseiment maid thair of to him, he convocat and assemblit togidder the number of lx of men armed with swords, lances, stalffis and utheris waponis invasive and darneit thame selffis in a broome neir to my cornis quhair thay awaittit to have tane my lyffe yf I haid come thair, and missing me he send out two of his nomber to stay the messenger fra wineing of the cornis; whilkis tuo being callit befor your Lordships and thay fearing the event of thair tryall and absenting thame selffis and my complent being cleirlie verifeit and provine and thay for that caus being denunceit rebellis, it fell out that within a schort quhyll thereafter fyre wes sett to my Barneyaird and a stack of corne consoomed and brunt to asses. And scheortlie thereafter, as namelie in the moneth of Robert Peedie, servitour to Thomas Grant in , of the speciall causing, command and directioun of the said Johne Dunbrek of Urtoun, come to my house and be way of stouthreaff reft and away tooke my best horse quhilk he delyverit, at the least sauld, to the said Thomas Grant. And in the moneth of November last, quhen I wes in the burgh of Edinburgh attending my

<sup>1</sup> The clauses relative to these are deleted.

Miscellaneous  
Papers.

affairis in the sessioun, the said Thomas Grant, Robert Peedie, with utheris of the command and directioun of the said Johnne Dunbreak, come to my byres and be way of stouthreaff tooke furthe therof aucht oxen; for the quhilkis thay being callit to thair ansuer befor his Majesteis Justice and takand the cryme upoun thame, thay wer declairit fugitives and denunceit rebellis, and after thair denunceatioun, as namelie in the moneth of May last, thir rebellis with diverse utheris of the causing, command and directioun of the said Johnne Dunbreak of Urtoun, come to my tennentis who wer teilling my ground and threattnit my plewmen to louse their plewis upoun the perrell of thair lyves, saying thay behoved to leive upoun me so long as thay wer rebellis and that I haid any gear. And sua I, persaveing that I could nowayes procure his Majesteis peace of thame nor leive under his Majesteis protectioun and saulfiguard, I raised letters of captioun for apprehending of thir rebellis, wherof thay being adverteist, thay reteirit thame selfis to the said Thomas Grantis house, quhair thay wer ressett and keipit sua that the officer imployed in the executioun of the captioun could not apprehend thame. Lykeas the said Johnne Dunbreak, heiring that I intendit to execute the letters of captioun, he, accompanyit with aucht men, boidin with swordis, bowis and targis, followit me and the messenger and rancountering the messenger in the way thay threattnit him of his lyffe, demanding of him and of these that wer in company with him how thay durst be so bold to come that way for suche ane earand, avowing yf thay come thair the morne it sould coist thame thair lyves. And upoun the morne, being the day of , the said Johnne Dunbreak and Thomas Grant, accompanyit with the rebellis and with convocatioun of lx of men, all in armes, with unlawfull wapponis, come to that same place quhair thay threattnit the messenger, sent two of thair company in to my house, shawing me that the rebellis wer thair, desyreing me, gif I durst for my lyffe come and putt my letters of captioun in executioun, for thay wer thair attending my out comeing; bot I, out of my reverence and respect to his Majesteis obedyence, gaif way to thair folloyes, and not being able to brook my rowme I sett the same and disponit my cornis to M<sup>r</sup> Walter Smith, minister. Lykeas the said Johnne Dunbreak and the rebellis threattnit the minister gif he haid any dealling with me, shawing him thay behoved to leive upoun my gear. And upoun Fryday the day of the said Johnne Dunbreak, accompanyit with fiftie men or thairby, come to the Hill of Urtoun, quhilk lyis contigue to my landis, and thair awaitit a long speace of purpois to have tane my lyffe." He craves summons against them. [On the back] "*Apud Edinburgh, scrij Junij, 1627 Fiat ut petitur.*"

287. Supplication by William Purves, merchant burgess of Selkirk. <sup>25th June 1627.</sup> as follows:—He is charged at the instance of Patrick Murray and Mark Andersone, burgesses of Selkirk, to make payment to both of them of <sup>Supplication by William</sup>

Purves, merchant burgess of Selkirk, that he may be released from the horn as he has offered payment to Patrick Murray and Mark Anderson which he owed them as his witnesses and at whose instance he is at the horn.

four merks for their expenses in coming to this burgh to bear witness in his action against Robert Scott of Hartwoodmyres and Andrew Scott of Aikwoode, and they intend to put him to the horn, although he has already offered payment to them on their granting a discharge thereof, which they refuse. He is content, however, to consign the money in the clerk's hands, and craves suspension of the letters. [On the back] "*Apud Halgyrudhouse, 25 Junij, 1627. Fiat ut petitur* to the tent day of July nixtcome and to suspend and discharge *ut infra* quhill the saxtene day of the said moneth of July becaus the complener hes consigned the sowme abonewrittin."

Miscellaneous Papers.

See ante p. 389.  
25th June  
1627.

Supplication by Robert, Earl of Nithsdale and Lord Spynie for summons against a ship captain for allowing certain soldiers aboard his ship to escape.

288. Supplication by Robert, Earl of Nithisdail, and Alexander, Lord Spynie, as follows:—They freighted David's ship, called for transporting some soldiers, advancing him the freight money, whereupon he received on board the number of of their soldiers, "and, quhairas he sould have bene cairefull for keiping of thame aboard that nane of thame sould have eschaipit, to have ever haid the half of his maryneris at the least aboard with thaim, yet, notwithstanding ather by his neglect in this poynt or by his connivance and assistance of the few maryneris he haid aboard in his schip, thair went out of the said schip upon the day of Junij instant under cloude of night about threttie of our saidis sojours in the shippis boat and sua hes eschewit and run away. Lykeas, upoun the day of Junij instant, the said David craved leave frome me, the said Erll of Nithisdail, to transport his schip frome Bruntylland to Kirkcaldie road, quhairunto, I being most unwilling to yeild in respect of the gritter discomoditie of sending eyther men or provisioun frome Leyth to Kirkcaldie then to Bruntylland, yit by the said David his importunitie and promise to be ansuerabill both for his schip and sojours in that raide in regaird (as he pretendit) he dwelt both himself in the toun and his freindis and cumpany of maryneris wer all thair, I wes in end moved to yeild to his desyre, bot he in the meantyme most undewtifullie and unhonnestlie not onlie forbore to have a sufficient company of maryneris aboard to have reulled and governed his schip in caice of a storme, bot be the want therof patt our saidis sojours in grite fear and dreadour of thair lyves and broght thame all aschoir in Kirkcaldie and, now being full handit with his fraught fairsaid, he uses all soirt of delayes and postpones to go the sea under cullour of wanting some forder acknowledgement for his fraught, quhairas in resson he can not justlie crave a penny frome us and sua hes done quhat in him lyis to hinder the service fairsaid to our grite hurt and inconvenient without remeid be provydit." They crave summons against him. [On the back] "*Apud Edinburgh, xxv Junij, 1627. Fiat ut petitur.*"

26th June  
1627.

Summons at the instance of

289. Summons at the instance of Thomas, Earl of Melrose, Lord Byiris and Bynning, Secretary, against Christian Patersone, widow of Mr John Knox, late minister at the kirk of Melrose, on the first part,

Miscellaneous  
Papers.

and Mr Thomas Forrester, present minister there, on the second part, who both demand payment of the stipend of crop 1624, being £500, which amount was assigned by the Lord Viscount of Haddington, the pursuer's author, and his heirs and successors, Lords of Melrose, to be paid to ministers serving the said kirk, and which year's stipend has accordingly been paid to the said Christian Patersone, "as for hir awin dew to be payit to the relictis of ministeris quho serveit the cure at the kirkis for the yeir and crope nixt following thair deceisses conforme to the use and custome of this our realme." They are charged to appear on 17th July next, bringing their titles and rights to the said stipend, until it is decided to whom the money belongs. Given under the signet at Edinburgh, 26th June, 1627, third year of King's reign. (Signed) "H. VAITCHE." "*Vigesimo octavo Junij*, 1627. Writtin be Johnne Sempill, my servitour." Also execution on the back thereof, on 11th July, 1627, by Thomas Lythgow, messenger, charging the said Mr Thomas Foster and Christian Patersone, both personally apprehended in Melrose; witnesses, William Carnecroce of Colmeslie, James Pringill of Buckholme, Adam Bell in Cauldstreame and Robert Gibsone in Melrose." (Unsigned.)

Thomas, Earl  
of Melrose,  
against  
Christian  
Patersone,  
widow of Mr.  
John Knox,  
late minister at  
the kirk of  
Melrose, and  
Mr. Thomas  
Forrester,  
present  
minister there,  
anent the  
stipend of the  
said kirk.

290. Supplication by John Storrock, mariner, as follows:—He is detained in ward in the tolbooth of Edinburgh at the instance of Thomas Scot, merchant burghess of Dundee, for not making payment to him of 100 merks of principal and £20 of expenses, also for a further sum of 105 merks and £20 of expenses, contained in two bonds by the supplicant as principal and the said Thomas Scot and others as cautioners for him, to Thomas Wychtman in Ballow and his spouse; also at the instance of John Burn, maltman in Leith, for not making payment of so much of 300 merks as is due by him to Mungo Carmichell, tailor in Leith, arrested in the supplicant's hands for a debt of £48, and £20 of expenses; also, at the instance of the deceased William Cuthill, tailor in Leith, for the same 300 merks as assignee thereto; also, at the instance of Eupham Maikduill, for an unjust debt; at the instance of George Rois, merchant burghess of Edinburgh, for £700, for which he apprised two tenements of land of his in Edinburgh, which lands pay £280 of yearly rent, and two tenements of land of his in Dundee and four roods and an acre of his land in Arbroith, which lands extend in value to a greater sum than will satisfy all his creditors. He has offered and is now also willing to dispoine to them his said lands for satisfaction of the debts, but they have refused hitherto, without conscience or pity. notwithstanding "that I vas takin and keipit capteve and slave be the Turkis tua yeir, and thairefter I vas takin capteve presentlie to the Spainzerd and ane yeir ane slave, and, quhen I haid freed my self off slaverie, I come home to Scotland off purpois to sell my land and satesfie all my saidis creditouris, quhilk they, thinking to cache ane vantedg against me,

26th June  
1627.  
Supplication  
by John  
Storrock,  
mariner, now  
prisoner in the  
Tolbooth, that  
his creditors  
may be  
charged to  
accept a  
composition.

throw malleis and rigour hes imprissonet me this lang tyme biggane in the Ironehous of the tolbuith of Edinburgh quhair no doubt I vill perrisch throw famein and your Lordships provyd nocht present remeid." Having no means to preserve his life or plead his relief before the Lords of Session, he craves that his creditors may be decerned to accept of a disposition of his lands, or that an allowance be given to him for his sustenance and payment of jailor fees, and for this effect the provost and bailies of . . . to be charged to exhibit him before their Lordships. [On the back] "*Apud Halvudhouse, 26 Junij, 1627. Fiat ut petitur to Thursday nixt. (Signed) GEO. CANCELL.*"

Miscellaneous  
Papers.

27th June  
1627.  
Supplication  
by James  
Crichtoun of  
Frendraught  
and Thomas  
Nicoll, his  
servant, for  
summons  
against  
William  
Gordon of  
Rothiemay  
and others for  
assault.

291. Supplication by Sir William Oliphant of Newtoun, knight, and Mr Thomas Hoip of Craighall, King's Advocates, for his Majesty's interest, and James Creichtoun of Frendraucht and Thomas Nicoll in . . . , his servant and tenant, as follows:—Notwithstanding the laws forbidding the bearing of hagbutts and pistolets and unlawful armed convocations, yet on 17th June instant, "being Sondag," George Livingstoun, son of Patrick Livingstoun of Millegin, William Abirnethie at the kirk of Rothiemay, George Abirnethie, son of James Abirnethie of Tillydone, . . . and others their accomplices, "with convocation of his Majesteis leiges, all in armes, with pistollettis, swordis, staffis and utheris wapponis invasive, come, all of the speciall causing, command, directioun and hounding out of Williame Gordoun of Rothiemay, to myne the said James Creichtounis landis of Auchingoull [Craighead (deleted)] in tyme of divyne service and thair, haveing in contempt and dispyte of me, after a most insolent and malicious maner, gone throw my growand cornis and thairby trode down, trampit and distroyed ane grite pairt thairof, thay then come to myne, the said Thomas Nicollis duelling house, quhair I wes in a sober and quyet maner for the tyme expecting harme of no man, and thair, without ony just caus of offence, offerrit or done be me to thame, thay schamefullie and unmercifullie invadit and persewit me of my lyffe, gaif me a grite straik and wound in the head with a pistollett to the effusioun of my bloode in grite quantitie and perrell of my lyffe and gaif me a nomber of uther cruell, bauch and blae straikis in sindrie utheris partis of my bodie and thair left me for deid." They crave summons against William Gordoun of Rothemay and the other persons complained of. (Signed) "S. W. OLIPHANT; S. THOMAS HOP." On the back] "*Apud Edinburgh, xxvij Junij, 1627. Fiat ut petitur.*"

27th June  
1627.  
Supplication  
by Patrick  
Anderson,  
burgess of  
St. Andrews,  
that the  
magistrates of

292. Supplication by Patrick Adamsoun, burgess of St. Andrews, as follows:—On . . . June instant he sent Andrew Adamesone, his son, to Torryburn with a message to Elspet Adamesoun, sister to the supplicant, "and, fearing that some of the sojouris lifted for the Germane or Swaden wearis sould have tane him be the way as ordinarlie hes bene done be people of that qualitie within this kingdome," he charged him

Miscellaneous  
Papers.

not to go by the coast side of Fife but by the "over gait," which he did; notwithstanding whereof he was met by some of the said soldiers "and violentlie hurlit aboard of ane of thair shippis wher he wes miserablie keipit in the howe of the schip a certane speace till upoun occasioun of some appeirance of some mutynie within the schip he recoverit to land and wes immediatlie apprehendit of new and schoit in ward within the tolbuith of Kirkcaldie, quher he hes remaned sensyne in grite distres and miserie, he being his Majesteis frie subject and the onlie support and comfort of me, his aiged fater, now in my letter dayes, and who nevir enterit in conditioun nor ressaved arles nor pay fra ony sojour within the kingdome, and the bailleis of Kirkcaldie will onnawayes putt him to libertie and friedome furth of thair said tolbuith without thay be compellit," He craves that the bailies be charged to free him, or to appear on 5th July next that the same may be done, or allege a cause for refusing. [On the back] "*Apud Edinburgh, xxvij Junij, 1627. Fiat ut petitur.*"

Kirkcaldy be  
charged to  
free his son  
from their  
tolbooth  
where he is  
illegally  
detained as a  
deserter.

293. Supplication by James Rutherford, provost of Elgin, as follows:—Adam Gordoun, brother to Alexander Gordoun of Corridowne, in addition to many insolences committed by him against the suppliant, with which he has forborne, came on 28th May last by way of hamesucken to his dwelling house in Elgin with a sword in his hand and broke up the closed gate, entered the house and searched both for him and his wife, enquiring at the servants for them in order to slay them, and missing them he assaulted a poor harmless aged woman, named Isobel Alane, "who attendit upoun my bairnes," and "schamefullie and cruellie strak and dang hir and most dispytefullie rappit hir head to ane coopalmerie and so fleggit and dang my young bairnis that thay have bene evir in perrell of thair lyves sensyne. And not content thairwith he came to the calsay to have persewit my wyffe with a battoun and, he being disapoyntit of his malicious intent by the meanis of some weil disposed personis present for the tyme, he send tuo gentlemen to my wyffe whome he baid tell hir that in dispyte of any man that wald tak hir pairt he sould cutt hir tayle hard be hir erse bot he wald spair hir till scho haid hir taffitie gowne on hir." He craves a summons against him. [On the back] "*Apud Edinburgh, xxvij Junij, 1621. Fiat ut petitur.*"

as 28th June  
1627.  
Supplication  
by James  
Rutherford,  
provost of  
Elgin, for  
summons  
against Adam  
Gordon,  
brother to  
Alexander  
Gordon of  
Corridoun,  
for hame-  
sucken, and  
threatening  
the life of the  
suppliant's  
wife.

294. Supplication by Archibald Pirie at the Mill of Rothiemay, as follows:—On the day of "being Sonday I, haveing come to the watter syde of Ylay to have past over the same agaitwardis to for doing of my lawfull affairis, and James Fraser in Miltoun haveing takin me on his bak to have caryit me over the said watter, and so, I haveing plett my handis about his neck and he preassing to have gone fordward with me, it is of treuth that Robert Gordoun, sone to John Gordon of Litle Milne, and Patrik Gordoun, then his

as 29th June  
1627.  
Supplication  
by Archibald  
Pirie at the  
Mill of Rothie-  
may for  
summons  
against Robert  
Gordon, son to  
John Gordon  
of Little Milne,  
and Patrick

Gordon, his  
servitor, for  
assault.

servitour, being neirby for the tyme, and haveing a privat malice in Miscellaneus  
thair hairtis aganis me and resolveing to tak the advantage of the Papers.  
occasioun for executioun of the same upoun me, the said Robert come  
in behind our baks upoun the head of the watter brae abone us as [we]  
wes entering in the watter and ar evir we wer aware of him without  
uttering of any speeches he with a grite trie or caber gaif me tuo  
violent strais in the head till the said trie brak in peeceis and sua  
fellit me dead in the watter to the grite effusioun of my bloode, and  
after I had recoverit my sensis and haid rissin out of the watter againe,  
the said Patrik Gordoun, servand to the said Robert, with a drawne  
quhinger gaif the complainer diverse cruell strais in the head and  
armes to the effusioun of my bloode in grite quantitie and, not content  
thairwith, thrust me of new agane down in the watter, so that be the  
violence of the watter he was caryed down in the streame thair of abone  
ane pair of buttis speace quhar he had not faillit to have drownit yf  
the watter had not bene somequhat shald at that pairt." He craves  
summons against them. [On the back] "*Apud Edinburgh, xxix Junij,*  
1627. *Fiat ut petitur.*"

29th June  
1627.  
Supplication  
by Alexander  
Forbes in  
Descorie and  
Arthur Forbes,  
brother to . . .  
Forbes of  
New, for  
summons  
against Patrick  
Gayll M'Allan  
in New  
Guodie, and  
others for  
assault.

295. Supplication by Sir William Oliphant of Newtoun, knight, and  
Mr Thomas Hoip of Craighall, King's Advocates, for his Majesty's  
interest, and Alexander Forbes in Descorie and Arthur Forbes, brother  
to Forbes of New, as follows:—Contrary to the acts forbidding  
the carrying of hagbuts and pistolets, on 18th June, 1627, Patrick  
Gayll M'Allane in New Guodie and some accomplices, "all boidin in  
feir of weir with hagbuttis, pistollettis, swordis and utheris wapponis  
invasive, come to us upon the ground of the landis of Ballabeg, quhair  
we wer in a sober maner for the tyme expecting harme of no man, and  
thair first schoit and dischargit a pistollett at me, the said Alexander  
Forbes, of purpois to have shoit me throw the bodie thairwith, whilk  
be the providence of God missing me, thay then with drawne swordis  
schamefullie and unmercifullie invalidit and persewit me and the said  
Arthour Forbes of our lyves, strak out a number of strais at us, hurt  
and woundit me, the said Arthour, in the and had not  
faillit to have bereft us of our lyves, wer not be the providence of God  
and the help of some weildisposed personis thair present for the tyme  
we wer releived." They crave summons against them. (Signed)  
"S. W. OLIPHANT; S. THOMAS HOIP." [On the back] "*Apud Edinburgh,*  
*xxix Junij, 1627. Fiat ut petitur.*"

29th June  
1627.  
Supplication  
by Mr.  
Alexander  
Scrymgeour,  
minister at  
Kinghorn, for  
summons  
against the

296. Supplication by Mr Alexander Scrymgeour, minister at King-  
horn, as follows:—This morning, the 28th instant, about 4 o'clock the  
bailies of Kinghorn with 20 or 30 persons, "all in armes, with halbertis,  
bandit staffis, swordis and utheris wapponis invasive, come to my  
duelling house in Kinghorne, quhair I wes for the tyme lyand in my  
bed, and thair violentlie brak and dang up my upper yett, enterit in

Miscellaneous  
Papers.

throw my cloise and yaird, invyronned my house about on all pairtis and so remaned about the same, threatning and avowing to break up my hall doores untill I upoun occasioun of this thair insolent proceedour aganis me tooke purpois to come over the watter to acquent your Lordships thairwith." He craves summons against the bailies. [On the back] "*Apud Edinburgh, xxix Junij, 1627. Fiat ut petitur.*"

bailies of the  
said burgh for  
invading his  
house.

297. Supplication by Francis Wilkiesone, burgess of Lauder, Alexander, John, Ephraim, and James Wilkiesones, his sons, Alexander and James Wilkiesones, his brothers, and John Wood, burgess of Lauder, as follows:—They have been charged to find caution for the indemnity of Robert Lauder of that ilk, William Lauder, his brother, Gilbert Lawder of Whitised, William Lauder, his brother, Robert Lauder of Murecleuch, John Lauder, his brother, Charles Lauder in Park, William, Charles, Alexander and Andrew Lauders, his sons, Richard Lauder in Pirne, and Charles Lauder, merchant in Lauder, and their wives, children, tenants and servants, under the following penalties, viz., Francis and Alexander Wilkiesons in 1000 merks, and the others in 500 merks; which sums are far exceeding those required by act of Parliament from persons of their station, the said Francis and Alexander Wilkiesons being only feuars and so liable only in 500 merks, and the others, being only yeomen, in £40, the said James Wilkiesone, elder, and John Woode having little or no means "quhairwith to intertene us except be our industrie and labour, and we, the saidis Johnne, Ephrame and James Wilkiesones, sones to the said Francis, being bot all thrie prenteiss boyes in Edinburgh." They seek modification of the amount of caution. [On the back] "*Apud Edinburgh, xxix Junij, 1627. Fiat summonitio ut petitur* to the xij day of July nixt to come, and to suspend and discharge untill the xx° day of the same moneth, becaus William Home of Ugstoun is become cautoun for the compleners to the effect within contenit, as the actis maid thairanent bearis."

29th June  
1627.

Supplication  
by Francis  
Wilkieson, his  
sons and  
brothers, for  
modification  
of the amount  
of caution  
demanded of  
them by  
Robert Lauder  
of that ilk  
and others.

298. Supplication by the magistrates and inhabitants of Inverness, as follows:—James, Earl of Murray, still continues to oppress them, notwithstanding their past complaints against him, and on 18th June instant Thomas Vauss and David Stevinsoun, burgesses there, having won some peats for their winter provision which their servants were conveying home from the moss in peaceable manner, "thay wer followit and persewit at the toun end be Donald, William, Johnne, Lauchlane and Alexander McIntoshes, sones to Johnne McIntoshe of Durris, and Donald McIntoshe, sone to Hectour McIntoshe in Larges, who, according to the instructionis and directioun gevin unto thame be the said Earle, boistit and minassed the poore harmeles men, brak thair cairtes, kaist out the peittes and most maliciouslie and mishantlie cuttit thame all in peeceis, nocht sparing to avow and manteene that quhat thay had done

30th June  
1627.

Supplication  
by the magis-  
trates and  
inhabitants of  
Inverness for  
summons  
against the  
Earl of Murray  
and certain of  
his servants  
for assault on  
Thomas Vaus  
and others,  
burgesses of  
the said burgh.

was by warrant and command of the said Earle, and, nocht content thairwith, thay enterit within the said burgh in a bragging and boasting maner, all bodin in feare of warre, and, forgathering with who is the tounes pyper and ane aged man about fourscore yeiris, thay in contempt and despyte of us patt violent handis in the waik aiged man, cruellie and unmercifullie invadit and persewit him of his lyffe, gaif him a number of bloodie woundis in divers pairtis of his body and left him upoun the ground for deade." They crave summons against the Earl and these persons. Cf. Vol. II., Second Series, p. 5. [On the back] "*Apud Haliruidhous, ultimo Junij, 1627. Fiat ut petitur.*" (Signed) GEO. CANCELL<sup>s</sup>, I.P.D."

30th June  
1627.

Supplication  
by Mr. John  
M<sup>c</sup>Kenzie,  
Archdean of  
Ross, for  
letters charg-  
ing the  
magistrates of  
Elgin to free  
him from  
ward in their  
tolbooth where  
he lies at the  
instance of the  
Earl of  
Murray.

See ante, p. 388.

299. Supplication by Mr John M<sup>c</sup>Kanyee, Archdean of Ross, as follows:—Upon his petition made formerly to them complaining of the wrong done to him by the Earl of Murray, under colour of executing his commission against the Clanchattan, in charging him with intercommuning with the said Clan and fining him 2000 merks, and warding him in the tolbooth of Elgin, their Lordships granted letters for charging the said Earl to exhibit him before them on the 28th instant; nevertheless the said Earl, intending to prevent him from compearing and prosecuting, keeps him still in ward, although he is willing to find caution for his compearance before them on the said 28th June instant. He craves letters for charging the provost and bailies of Elgin to liberate him. [On the back] "*Apud Haliruidhous, ultimo Junij, 1627. Fiat ut petitur.*" (Signed) GEO. CANCELL<sup>s</sup>, I.P.D."

6th July 1627.

Supplication  
by William  
Dollas in  
Cantray for  
summons  
against David  
Rose, apparent  
of Holme, and  
others, for  
injuring his  
property and  
assaulting his  
servants.

300. Supplication by Sir William Oliphant of Newtoun, knight, and Mr Thomas Hoip of Craighall, King's Advocates, for his Majesty's interest, and William Dollas in Cantraiff, as follows:—Notwithstanding the acts prohibiting the bearing and wearing of hagbuts and pistolets, on 17th June last, "being Sounday," David Rose, apparent of Holme, with some accomplices, "all bodin in feir of weir, with swordis, targis, stalffis, battonis and utheris wapponis invasive and with hagbuittis and pistollettis prohibite to be worne, as said is, come in tyme of divyne service to myne the said Williame Dollas landis and grassings of Drummoir and thair, without all fear of God, reverence to the law or respect to the tyme, being the Lordis holie Sabbath and the verrie meantyme of the preatching, thay maisterfullie and violentlie drave my haille goodes and cattell be thame selffes and some grite doggis broght be thame for the purpois af my awne gressingis in amongis my awne growand cornis, and thair with all not onlie battonit and strak , my hird, after a most pitiefull and cruell maner with battonis and rungis, bot also band the said with roapis and coardis and detened him sua bund, as gif he had bene a theiff or malefactour, ane long speace, he being his Majesteis frie leige. And siclyke, upoun the xxviiij day of Junij last, the said David, accompanyit with a

Miscellaneous  
Papers.

number of lawles and maisterles vagaboundis, come to my toun and landis of Cantraiff and thair, after thay haid after ane insolent maner searchit and soght me of purpois to have bereft me of my lyffe and missing me and forgaddering with James McNacaid my servand, thay schamefullie and unmercifullie invaidit and persewit him of his lyffe, gaif him a number of cruell, bluidie woundis in sindrie pairtis of his bodie and thair left him for dead. Lykeas, upoun the day of the said moneth of Junij last, the said David, accompanyit with his complices, come to my tenentis fewall, wine be thame for thair winter provisioun, upon my saidis landis of Drummoir, and thair maisterfullie keast down thair stakkis of fewall, reft and away tooke ane grite number of laadis thairof with horse and sleddis broght with thame for the purpois and quhat of the said fewall as thay gat not caryed away thay most malitiouslie spoyllit and distroyed the same, to my saidis tenentis thair grite hurt and inconvenient. And, not content heirwith, he daylie sensyne comes accompanyit and bodin, as said is, and speciallie with the saidis Robert and Alexander Rosses and perforce dryves and houndis my cattell and goodes with men and doggis af my proper gressingis and pasturage in amongs my awne cornis sua that my cornis ar most pitiefullie eattin, trod down and distroyit to my havie hurt and skaith, intending be way of deid, bangistrie and oppressioun to debar and seclud me frome my saidis landis and to mak the same unprofitable unto me." They crave summons against these persons. (Signed) "S. W. OLIPHANT; S. THOMAS HOP." [On the back] "*Apud Edinburgh, sexto Julij, 1627. Fiat ut petitur.*"

301. Supplication by James Mowat of Fawsyd, as follows:—Alex- 12th July 1627.  
ander Cranstoune of Moristoune, "haveing conceavit ane deidlie hatred againes me because I, according to my calling, had writtin sum letters of horning and inhibitioun at the instance of umquhile Sir Patrik Chirnsyd of Eistnisbet against him, and because I gave my best advyse to Alexander Chirnsyd, now of Eistnisbet, and because I boght with my money the landis of Fawsyd and milne thairof and thirled multouris of the landis of Hexspeth and Rumiltoune pertening to the said Alexander Cranstoune, he for that cause hes instigat and stirred up againes me Patrick Cranstoune of Corsbie, Johnne Cranstoune of Thornidykes, William Cranstoune in Westmoristoune, Claud and William Lylles, sumtyme of Stanipeth, William Cranstoune, sone naturall to the said Patrik Cranstoune of Corsbie, William Hoome, Thomas Sandersoune, Thomas Nisbit and Johnne Alexander, servitouris to the said Alexander Cranstoune of Morestoune, Johnne Mak at the milne of Gordoune, George Broune, miller at the milne of Eistgordoune, Broune and George Fluiker, servitouris to Dame Barbara Cranstoune of Touch," who have associated themselves with intentioun to take his life and debar him from peaceable possession of his lands, and have "dischargit the tenentis of Hexspeth and Rumiltoune, quha are thirled to my milne

Supplication  
by James  
Mowat of  
Fawsyd for  
letters of law-  
burrows from  
Alexander  
Cranston of  
Moristoun and  
others.

of Fawsyd, that thei onnawayes bring thair corne to be grund at my milne, and thei have threatned my tenentis and cottares with all kynd of crueltie sua that manie of thame have left my landis waist and thei have cutted the bridges, by the quhilk I and my predicessouris wes in use this many yeiris bygane," and otherwise they continually oppress him. He craves letters charging them to find lawburrows. [On the back] "*Apud Halgrudhous, xij Julij, 1627. Fiat ut petitur*, under the paines following, viz.:—Alexander Cranstoun of Morestoun under the pane of ane thowsand pund, Johne Cranstoun of Thornedykis under the pane of ane thowsand merkes, and the remanent personis within writtin, ilk ane of thame under the pane of foure hundreth merkes."

Miscellaneous  
Papers.

12th July 1627.

Supplication  
for increased  
amount of  
caution by the  
same.

302. Supplication by James Mowat of Fawsyd, W.S., as follows:—  
"His Majestie and most nobill progenitouris, kinges of Scotland, of worthie memorie, for eschewing barbaritie, murther, slaughter, oppressioun and invasioun of his Majesteis guid leidges and subjectes within the kingdome of Scotland throgh the hatred, rancour, malice and swalling pryde of evill disposit persones and thair followers within the said kingdome, have maid and set doune many lawdabill, guid actes and constitutions, noghttheles, in respect that the greatest paine contenit in letters of lawborrowes raisit be his Majesties guid subjectis againes thair oppressouris exceidis nocht the soume of ane thousand pundis Scottis money, these oppressouris and evill disposit persones brages and makis thair want that thei knew the pryce of such ane mans lyff quha charges thame with lawborrowes and thairfor will not spare to vindicat and follow furth thair wicked intentionis againes his Majesties guid subjectes to beraiff thame of thair lyffes and to disposses thame fra thair possessionis and lawfull heretages without any just caus but out of ane devilishe humour; and because his Majesties guid subjectis will nocht follow and assist such terranous and vyle oppressouris in all thair ungodlie interprysse and assaults, which suld nawayes be sufferrit and tolerat in such ane religious and peacebill kingdome, and, that it may be evidentlie knawin to your Lordships that the lyk oppressouris of his Majesties leidges are verie frequent within this kingdome, I, the said James Mowat, haiffing, according to my office and bound dewetie in serving of his Majesties leidges, raisit letters of horning and inhibitioun at the instance of umquhile Schir Patrik Chirnesyd of Eistnisbet, knyght, againes Alexander Cranstoun of Moristoun for fulfilling to the said Schir Patrik of the heidis of ane contract past betuixt thame, and siklyk because I gave my best advyse and assistance to Alexander Chirnesyd, now of Eastnisbet, my brother in law, to provyd money and to recover his estaite of Eistnesbet out of the said Alexander his handis and because I boght with my proper money the landis of Fawsyd with the milne and milmultours thair of with thirlage of the multours of Hexspeth and Rumiltoun pertening to the said Alexander Cranstoun, [he] and the remanent persones undirwrittin, they are to say, Patrik

Miscellaneous  
Papers.

Cranstoune of Corsbie, Johne Cranstoune of Thornidyks, William Cranstoune in Waster Moristoun, Claud Lyell and William Lyell, some-  
tyme of Stanipeth, William Cranstoune, naturall sone to the said Patrik  
Cranstoune of Corsbie, William Hooime, Thomas Sandersoune, Thomas  
Nisbet and Johnne Alexander, servitouris to the said Alexander  
Cranstoune of Moristoune, John Mak at the Leird of Touches milne of  
Gordoune, and Broune and George Fluiker and William Mak,  
millaris at the mylne of West Gordoun, servitouris to the said Dame  
Barbara Cranstoune of Touch, have convenit thamselffes with ane great  
companie of sorners and deboshit men and have consultit and advysit  
togidder how to beraiff me, the said James, of my lyff if thei can con-  
venientlie apprehend me and find opportunitie for that effect. And to  
declair that the premisses is of veritie the said Alexander Cranstoune  
and Dame Barbara Cranstoune, his sister, and remanent persones, thair  
associates, abonementionet have debarrit and stopit the tenentis of  
Hexspeth and Rumiltoune, quha is thirled to my milne of Fawsyd, to  
bring ony of their cornes to be grund thairat, and siklyk hes instigat  
and stirred upe ane great many of my cottairis and tennentis of Fawsyd  
and milnetoune thair of to pas af my ground intending thairby to cast  
my haill landis and milne west, thinking to appropreat the same to  
thameselffes as thei have done many uthers mens landis within the  
Merse but ony pryce, law, equitie or ressone; and siclyk cuttis the  
bridges that passes betuixt my landis and the landis of Greinknow and  
West Gordoune for transporting of the pettis out of the moss of Fawsyd  
be his Majesties leidges buers thair of. And thei, nocht being content  
thairwith, thei have awowit in thair secreit plattes and decries to  
beraiff me of my lyff ather in Edinburgh or in the Merse at my out-  
cumming in the tyme of harvest; and for effectuating of thair devilish  
enterprysse and, that the same may be coloured and hid to be from  
thair proceedingis (and thair commoune custome is and hes bein to cover  
all thair ungodlie proceedingis and wicked intentionis with ane clok of  
iniquitie) thei have thocht expedient that ane man sall be committ of  
the said villanie aganis me quhen I am in secreit and sall less luik for  
harne; and for that same purpose thei have causit the said Dame  
Barbara mak ane forme of ane discord with the said James Cranstoune,  
hir servand, quha declaires that he is passing to Germany, albeit he is  
in no such intentione but is lying in ane wait for my lyff be the direc-  
tion and instigatione of the saidis persones. Lykas that your Lordships  
may perseave the same to be of truth, upoune the secound day of July  
instant, I being cuming up the hie way alone in sober maner betuixt  
ane and tua houris efternoone to serve his Majesties leidges in my office  
of clerkship to the signet, the said James Cranstoune, accompanied with  
ane number of idle men, com upone me in the hie way and douppit me  
with thair shoulders and pressit to draw ane sword upoune me, and wald  
nocht have failed to have beraiffed me of my lyff, but ony word utterit be  
him to me, giff I be the providence of God had nocht resistit him; so that I

am hevelie troublit and molestit be the saidis persones abbonamit and thair associatis that I may nocht come to my awin paroch kirk and to commone mercates as his Majesties frie leidge, to serve God and to do my lawfull effaires without hasard and perrell of my lyff but any just cause or occasioun given be me to the saidis persones, albeit wold of the ordinarie remeid of law be serving of letters of lawborrowes againes tham for my indemnitie befor the Lordis of Sessione, the paine being so small quhilk thei nawayes regard, to my great hurt and skayth and damage and ruine of me and my haille landis, giveand thairby evill exampill to utheris to intend the lyk murther and to prosecute the samen to utheris thair devilish devises except your Lordships provyde tymous remeid thairto. So necessar it is to me to have thame bound to his Majesties peace quhairby I may be frie and my tenentes and servandis in our bodies, guidis and landis of the saidis persones and of all utheris at thair instigatioun, resait, directioun, hounding out, counsall and devyse quhatsumevir under sik great paines as your Lordships pleiss modefie." He craves letters to that effect. [On the back] "*Apud Halirudhous, xij July, 1627. Fiat ut petitur*, under the panes following, viz., Alexander Cranstoun of Morestoun and Patrik Cranstoun of Corsbie, either of thame, under the paine of a thousand merk, Johne Cranstoun of Thornedykes under the paine of fyve hundreth pund, and ilkane of the remanent persons within compleanit upon under the paine of foure hundreth merks. (Signed) GEO. CANCELL<sup>r</sup>, I.P.D."

18th July 1627.  
Supplication  
by William  
Douglas of  
Eastmilne of  
Calder for  
summons  
against Alex-  
ander Andieson  
and James  
Andieson for  
assault.

303. Supplication by William Douglas in Eastmilne of Calder, as follows:—On July instant, "being Sondag," he was standing at the kirk stile of Calder after the preaching, not expecting harm, when James Andiesone, son of Alexander Andiesone in Dubeid, "come to me and first, or evir I wes awar of him, he with his faldit neiff gaif me a violent straik in the faice, thairefter drew furth his sword and, being assisted with his said father and uthers, thair complices, thay most schamefullie invaidit and persewit me of my lyffe, strak out a number of straikis at me and had not faillit to have slayne [me], wer not be the providence of God and the help of some weill-disposed personis thair present for the tyme." He craves summons against the said Alexander and James Andiesones. [On the back] "*Apud Edinburgh, xvij July, 1627. Fiat ut petitur*."

3rd August  
1627.

Charge by  
William  
Norrie,  
messenger, to  
Alexander  
Irvin of  
Drum to  
apprehend  
certain persons  
for service in  
Lord Spynie's  
regiment.

304. "I, William Norie, messenger, chairgis yow, Alexander Irwin off Drum, to pas, search, seik, tak and aprehend the personis following deletit and given up be the minister and elderis, viz., William Laing in Newtoun of Riffens, James Thomsone in Bellastrad, and Johne Watte in Ower Riffens, and that ye be comptabill and mak deliverance of the foirnameit persons to Capitane Thomas Beitoun and Capitane James Blair, capitanis under Alexander, Lord of Spynie, his regiment, to quhom the numberis within the shirefdom of Aberdein is assignit, and that

Miscellaneous  
Papers.

within ten dayes nixt efter this my charg, under the pane off rebelioun  
and puting of yow to the horne, conform to the tenour of our soverane  
lordis letters, deatit at Helieridhous, the 3 of August, 1627. (Signed)  
W. NORIE, messenger."

305. Supplication by Sir William Oliphant of Newtoun, knight, and 17th August  
Mr Thomas Hoip of Craighall, King's Advocates, for his Majesty's 1627.  
interest, and William Glen, litster at the Brigend of Dumfries, as by William  
follows:—Contrary to the acts against wearing firearms and making Supplication  
armed convocation of the lieges, on last John Neilsoun, younger Glen, dyer at  
of Barnekailie, came by way of hamesucken to the complainer's dwelling the Brigend in  
house at the Brigend of Dumfries, "I being within my lithous for the Dumfries, for  
tyme in a peceable and quyet maner expecting harme of no man, and summons  
thair, haveing violentlie enterit within my said warkhouse, he sett Neilson,  
feircelie upoun me or evir I wes awar of him, patt violent hand in my younger of  
persone and gripping me first be the craig and gorgett with his one Barnekailie,  
hand, he pullit furth a quhynger with the uther hand and thairwith and others for  
preast to have strukin me throw the bodie and to have slayne me upoun hamesucken  
sett purpois, provisioun and foirthocht felony, wer not be the providence and threaten-  
of God and my awne better defence with the help of some weildisposed ing the  
personis that come thair for the tyme, I wes releived. And the said supplicant's  
Johne, out of the spyte of his hairt, maligneing that he had not gottin life.  
his wicked and cruell purpos effectuat aganis me at that tyme, he thair-  
foir upoun the vij and xiiij of August instant, accompanyit with David  
Neilsoun, his father, Gilbert Greirsoun of Chappell, Robert Neilsoun of  
, Richard Morysone, younger in Culloch, William Neilsoun at  
the milne of Bombie, James Kutler there, Neilsoun in Comp-  
stoun, with utheris thair complices and with convo-  
cacioun of his Majesties leigis in armes to the number of personis,  
all boidin in feir of weir, with swordis, quhingeris, secreittis, plaitsleivis  
and utheris wapponis invasive and with hagbuttis and pistollettis  
prohibite to be worne, as said is, come after a verrie tumultuous and  
unseamelie maner be way of hamesukin to my said duelling house the  
day fairsaid, quhair I wes in a quyet maner for the tyme, and thair, so  
soone as thay espyed me, thay presentit thair bendit and chargit  
pistollettis to me of purpois to have schoit and slayne me thairwith  
wer not I the moir quiklie reteirit my selff in to my awne house for my  
saultie, wherunto thay most furiouslie persewit me and preast by  
violence to have come in upoun me wer not be the meanis of some weil-  
dispoised nightbouris thay wer stayed. Lykeas thay daylie and  
contenowallie sensyne bearis and wearis hagbuttis and pistollettis and  
thairwith lyis at awaitt for me in all plaiceis quhair thay think I resoirt  
of purpois to bereave me of my lyffe, gif thay can forgadder with me,  
sua that I dar skaircelie abyed at my awne house without haisard of my  
lyffe." They crave summons against them. (Signed) S. W. OLIPHANT."  
[On the back] "*Apud Edinburgh, xvij Augusti, 1627. Fiat ut petitur.*"

25th August  
1627.

Letter from  
the Lord  
Chancellor  
anent the  
sending of  
certain of his  
Majesty's  
ships as a  
convoy to a  
fleet of fishing-  
boats.

306. "After oure verie hairtlie commendationis to your goode Lord-ship. Although wee haif hard by reporte of the capitanes of the tua waughteris, quho heir attendis the busheis, that thair is fyfteene or sexteene strong shippis of the ennemy upoun the coast, yitt this day thay haif bene verie earnest with us that thay might haif the convoy of his Majestys shippes and otheris being thair with your Lordship a pairt of the way homeward, quhairin, although wee wald willinglie shaw thame all the favour that in a mater of this kynd thay who ar freindis can expect of us, yitt, seeing the advertismentis in thir materis wilbe more frequent and certane with your Lordship then with us and that your Lordship will haif there with yow the presence and advyse of men of judgement and experience we will thairfore recom-mend the consideratioun of this mater to your Lordship, wisheing your Lordship to shaw all the favour to the strangearis that convenientlie yow may without exposing of his Majestys and the other shippis to a seene danger. And, seing wee haif nocht as yitt receaved ony certane reporte from Zetland of the event and succes of materis there, oure opinioun is that the supplie, if ony salbe granted, shall nocht go far off the coast, the particularis quhair of and of the directionis to be gevin in this busynes referring to your Lordships advised consideratioun, wee committ your Lordship to God. Frome Leythe, the xxv of August, 1627. Your Lordships verie assured goode freindis. (Signed) GEO. CANCELL<sup>r</sup>; MELROS." [Written below] "Yow sall give directioun to the captanes of his Majestys shippes, if they perceave the coast to be cleare and free of the ennemy, that then they returne and that the other shippes shalbe dismissed to follow the course intendit be thame befor this thair imployment, willing thame to certifie his Majestys Counsaill or your Lordship fra tyme to tyme as thay can find the commoditie by sea or land of all occurrents thay can learne tuitcheing the course and resolutionis of the ennemye. Thair arryved heir this afternoone three coilyearis who loused frome Midleburgh upoun Tuisday last. The maister of one of thame being broght before us reported that aff Yermouth thay hard a number of shoit upon Thurisday last bot saw nothing and that thair is a hundreth busheis with four waughteris lyand at the Couquet Ilè aff the Skairres; and that thay, having rencontered that morning with tua waughteris and having told thame of the shoit, the waughteris immediatlie tooke thame to the sea."

Miscellaneous  
Papers.

30th August  
1627.

Supplication  
by William  
Haliburton in  
East Links of  
Dirlton, that  
John Guild,  
now warded in  
the tolbooth  
of Edinburgh,  
should be sent  
to the wars in  
Germany.

307. Supplication by William Haliburtoun in Eist Linkis of Dirl-toun, as follows:—John Guild was put in ward by their Lordships in the tolbooth of Edinburgh for a riot committed by him against the supplicant, and their Lordsbips were desired "to send him to the waris of Germanie in respect he wes giltie baith of adulterie and thift, for preving quhair of I have obtenit testimoniallis frome the barrone bailleis of the lordschip of Dirltoun and thair clerk, as alsua fra the elderis and deaconis of the sessioun of the kirk of Dirltoun, as the samyn heir

Miscellaneous  
Papers.

present to schaw beiris. And seing the said Johne Guild is ane idill persone of ane verie evill lyff and conversatioun," he craves that he may be sent to the wars in Germany. [On the back] "*Apud Halyrudhouse, ultimo Augusti, 1627.* Ordanis Johne Guild to be transported to the warres and dispooned upoun be the Laird of Carnichaell his maister. (Signed) GEO. CANCELL<sup>s</sup>, I.P.D."

308. Supplication by Sir William Baillie of Lamington, knight, as follows:—He is charged as justice of peace within his parish to take survey of all idle and masterless men in the parish and towns "wanting traidis, service or competent meines to leive be and to inrolle thair names and delyver the rolls closed, seallit and testified upone my aithe that they ar trewe rollis faithfullie gevin up and nane omittit furthe thair of to Alexander, Lord Spynnie," and others bearing his warrant, and he is threatened with horning by the said Lord Spynie for not delivering the same, but wrongfully because first, "I have no warrand be myself onlie to take tryell and surveye of the saidis idle and maisterless men wanting tredis, service or competent meines to leive be, as said is," and to enrol them as above, but the said trial and survey "sould be takin be the minister of the paroche with tua or thrie of the eldaris and deacones with concurre of the justice of peace, quherunto I was ever willing and as yitt am to giff my concurre with the said minister, eldaris and deacones. Bot sua it is that be myself onlie I can nather take tryell, survey nor inroll na names, and albeit I wald the saidis rollis wald be of nane awaill. Secondlie, the said paroche and boundis, quhairin I am justice of peace, for the maist pairt belongis to James, Marqueise of Hamiltowne, and Williame, Erle of Angus, and certane uther noblemen and utheris of guid qualitie quhais tennentis and servandis I knawe not, nor yit quhidder they be eidle men, maisterless or wanting competent meines nor be quhat traidis they leive be, bot that is onlie knawin to the noblemen and utheris of guid qualitie, thair maisteris, and sik persones as they place and appoynt baillies, factouris and chamberlines ower thame, sua that I can make no roll of thair names; and yit nochtheless I am content to find cautione for taking of tryell and surwaye of the saidis idle and maisterles men within my paroche and boundis wanting traidis, service or competent meins to leive be and for inrolling thair names and delyvering of the saidis rollis closed, seallit and testified, as said is, to the said Alexander, Lord Spynnie, and utheris heaveand his warrand in caice efter the premisses being discussit it sall be fund and declarit be your Lordships that I be my self onlie aught to doe the samein." He craves suspension of the letters of horning. [On the back] "*Apud Halyrudhouse, ultimo Augusti, 1627.* The Lordis ordanis the supplicant together with ane other justice of peace to tak the said survey. (Signed) GEO. CANCELL<sup>s</sup>, I.P.D."

31st August  
1627.  
Supplication  
by Sir William  
Baillie of  
Lamington for  
suspension of  
letters of  
horning which  
have been  
threatened  
against him by  
Alexander,  
Lord Spynie,  
in connection  
with the  
raising of men  
for the said  
Lord's  
regiment.

31st August  
1627.

Supplication  
by Thomas  
Keir, indweller  
in Kynloss,  
that he may  
not be sent to  
the wars as  
he is unfit from  
his age and is  
not an idle or  
masterless  
man.

309. Supplication by Thomas Keir, indweller in Kynloss, as follows:—Miscellaneous  
Papers.  
“ I am ane honest man and ane fewer in the toone of Kynloss and hes leivit thair thir threscoir and sex yeiris in honestye and vertew and am now decraipit in bodye, yit nochtwithstanding I am on great maleic givin upe be the kirk and utheris as ane most feitting for the weares onlye on this respect be the maleic of sum of my nechbooris quha wald have me away and acqyre my littill heritage be violence to them selft and so ruein me now in my old dayes and begger my old wyff and children. Quharfor for God cause I most humble beseik your Lordships to give commissioun and warrand to honorabill sufficient landit countrey gentillmen quha knawes my lyff and conversatione and estait, sic as the Lard of Park, called David Hay of Lochcloy, Jhone Hay of Kynnoweye, M<sup>r</sup> Samuel Falconer of Kyncorth, M<sup>r</sup> William Falconer, minister at Dyk, or any tua of them or to any your Lordships sall appoynt, to try and examein gif I be ane feitting for wearis or that falls under the compas of dilatione and to report to your Lordships ansuer heiranent and that gif I be fre and com not within the warrand or compas of the generall act of dilatione, your Lordships wald discharge and forbid any persone or soulder to molest me heirafter.” [On the back] “*Apud Halvyrudhouse, ultimo Augusti, 1627.* Remittis the tryall of the qualitie of the supplicant to the B[ishop] of Murray or to suche otheris as he sall appoint for this effect. (Signed) GEO. CANCELL<sup>r</sup>, I.P.D.”

31st August  
1627.

Supplication  
by Sir James  
Baillie of  
Lochend,  
collector  
general of the  
ordinary and  
extraordinary  
taxation, for  
letters  
charging  
archbishops  
and others to  
pay their  
quota of  
taxation.

310. Supplication by Sir James Baillie of Lochend, knight, collector general of the ordinary and extraordinary taxations granted to his Majesty in October, 1625, as follows:—Although the first and second terms payment of the ordinary taxation and the first, second and third terms payment of the same extraordinary taxation are now long past, yet several persons who owe the same refuse to make payment. He therefore craves letters charging “all and sindrie archbishopis, bishopis, abbottis, pryouris, as lykwayes all noblemen and utheris in whose favour the erection of ony prelacie or uther inferiour benefice or ony pairt or portioun thair of, be it in landis, kirkis or teindis, or in whose favour the patronage of any benefice, kirk or teindis is past, and all utheris beneficed personis contenit in his Hienes taxt rollis thair heretabill bailleis, chalmerlanes, factour and intronettour with thair rentis and levingis, as lykwayes all and sindrie schireffis, stewartis, bailleis and thair deputtis and clerkis, as lykwayes all and sindrie stewartis, bailleis, mairis of fie, chalmerlanes and ressaveris of his Majesteis proper landis and thair deputtis” to make payment of the first and second terms of the ordinary taxation within 20 days after the charge; and also “for imbringing of the saidis first, second and thrid termes payment of the said extraordinar taxatioun of annuallrentis; chargeing all and sindrie heretable schireffis, stewartis, bailleis, bailleis of regaliteis, thair deputtis and clerkis, and the provestis and bailleis of burrowis and thair clerkis who ar heretable schireffis within thame selfis and the clerkis within the jurisdictionis quhair these

Miscellaneous  
Papers.

offices ar not heretable that thay and everie ane of thame delyver to me ane just and trew accompt and inventar of the haille sowmes of money dew to be payit to [*sic*] ony persone within the boundis of thair jurisdictionis for his pairt of the saidis first, secund and thrid termes payment of the said extraordinar taxatioun and that thay and everie ane of thame give up the same accompt and inventar everie terme severallie be it selff upoun thair aithis solemnelie sworne that the same is just and trew and mak payment to me or to my saidis deputtis in my name haveand my powar to ressave the same off the haille moneyis dew to be payit be [*sic*] his Majestie conforme to the saidis accomptis and inventaris within tuentie dayis nixt efter the charge." [On the back] "*Apud Halryrudhouse, ultimo Augusti, 1627. Fiat ut petitur.* (Signed) GEO. CANCELL<sup>r</sup>, I.P.D."

311. Supplication by Robert Dalzell, lawful son of the deceased Hew Dalzell, merchant burges of Edinburgh, as follows :—Elizabeth Tod, his mother, as principal, and he as cautioner for her, were imprisoned in the tolbooth of Edinburgh a year ago and more at the instance of several creditors, and in December last, upon their complaint to the Lords of Council and Session, they decerned with consent of all the creditors and specially James Richman in Gilmertoun, to whom £40 was due, that they should be put to liberty; whereupon they raised letters charging William Brown, one of the bailies of the said burgh, to liberate them, "quha for obedience relevit my said mother and as yit detenis the said decreit, at the leist hes cancellat and distroyett the samin and onnawayis will put me to libertie conforme to the tennour thair of and letters raisit thairupoun without he be compellit." He craves that the said William Brown may be charged to liberate him or compear and answer. [On the back] "*Apud Halryrudhouse, ultimo Augusti, 1627.* Ordains a maier to pas and warne the bailie within compleit upoun to compear and answer. (Signed) GEO. CANCELL<sup>r</sup>, I.P.D."

31st August  
1627.  
Supplication  
by Robert  
Dalzell,  
son of Hew  
Dalzell,  
merchant  
burgess of  
Edinburgh,  
that William  
Brown, bailie  
in Edinburgh,  
be charged to  
liberate him  
from ward in  
the tolbooth  
of Edinburgh.

312. Supplication by Sir James Ker of Craillinghall, knight, as follows :—He was charged to take and apprehend Ralf Davidsoun in Yettoun, John Young there and James Douglas, "allegit to be thair," as persons given up in roll by the minister and elders of the parish as idle and masterless men, "wanting meanis of intertenyment" and so to be sent to the wars; "and, allthocht the saidis Ralf Davidsoun and Johnne Young be not personis of the qualitie afoirsaid and nather can be justlie givin up nor yitt think I thay be givin up to be so, yit, becaus the messenger that gaif me the charge delyverit me thairwith a tikett of thair names subscryvit with his hand, I thairfor for obedyence of the charge tooke and apprehendit the saidis Ralff and Johnne, bot could not find suche a man in all the said paroche as thay callit James Douglas; and albeit the copie of the charge boore to delyver thir personis to Leutennent Robert Douglas as haveing power frome Sir

31st August  
1627.  
Supplication  
by Sir James  
Ker of Craillinghall  
anent  
certain persons  
whom he has  
been charged  
to apprehend  
for military  
service as  
being master-  
less men.

James Sinclair of Murkle, knycht, to ressave thame, yit, be ressoun that I considderit thay wer not of the qualitie foirsaid as maisterles and idle men, I thocht goode rather to present thame bothe befor your Lordships this day to be tryed of quhat qualitie thay ar, and I have thame presentlie heir attending for this effect. Quhairfoir I most humblie beseik your Lordships to caus call upoun me that I may present thame and so be exonerit of forder trouble of thame as also of the said allegit James Douglas, becaus I can not find suche a man to duell or reseid in the said paroche, nather did the messenger designe him to me." [On the back] "*Apud Halyrudhouse, ultimo Augusti, 1627.* Ordains the pairtye to be summondit for wrongous dilationis of the supplicants, Sir James Ker being caution for thair compeirance the nixt Counsall day. (Signed) GEO. CANCELL<sup>r</sup>. I.P.D."

Miscellaneous  
Papers.

31st August  
1627.

Supplication  
by Captain  
Alexander for  
letters charg-  
ing the magis-  
trates of  
certain burghs  
to apprehend  
certain sailors  
who have  
deserted from  
his ship.

313. Supplication by Captain David Alexander, as follows:—As captain of that good ship, now called "Alexander Magnus," he procured some seafaring men and others to go with him in the ship, "nocht onlie for prosecuting your Lordships and the Lord Admirallis commissioun anent his Majesties service, bot also the letter of marc grantit under his Majesties greal seall with consent of your Lordships aganes his Majesties enemies," and advanced some money to them, but they, "in contempt of his Majesties auctoritie and your Lordships, they being affrighted with feare of the Spaynard," will not go with him. He craves letters charging the provost and bailies of the burghs where these persons reside to apprehend them that they may be caused to fulfil their agreement and be otherwise punished. [On the back] "*Apud Halyrudhouse, ultimo Augusti, 1607.* Ordanis the pairtyis to be wairnit. (Signed) GEO. CANCELL<sup>r</sup>, I.P.D."

31st August  
1627.

Supplication  
by John  
Lawson,  
servitor to Mr.  
Patrick  
Hamilton of  
Little Preston,  
who is accused  
of the  
slaughter of  
John Banks in  
Huntly for  
modification  
of an assyth-  
ment and for  
licence to go  
abroad.

314. Supplication by John Lausone, servitor to Mr Patrik Hammiltoun of Lytill Prestoun, as follows:—He is detained in ward in the tolbooth of Edinburgh in great misery for the alleged slaughter of one John Banks in Huntlie [Coit], "quhilk fell furth throw ane suddan raikles accident and no foirthocht fellonie, quhilk the said John Banks att the hour off his deith declairit thatt I was nocht the actour off his deith, bot wemen and utheris that cum running in upoun us did him all the hurt thatt he reassavit, as also 'tis weill knawin sum medicein and evill drinkis thatt he tuk in tyme off his hurt wrocht contrarie upoun him and was the only occatioun off his deith"; and, although he has offered 500 merks of assythement with an assignation to his goods and gear to the widow, father, and brothers of the deceased, they will not accept thereof. He is also willing to suffer banishment during the party's will, and presentlie to enlist in the King's service. He craves that their Lordships might take some measures for his relief, and modify the assythement and allow him to go abroad in the King's service. [On the back] "*Apud Halyrudhouse, ultimo Augusti, 1627.* The Lordis

Miscellaneous  
Papers.

ordanis the justice to continew the dyet appointit to the supplicant to underly the law for the caus within writtin untill the tuentie day of September nixt. (Signed) GEO. CANCELL<sup>r</sup>, I.P.D."

315. Supplication by Nicolas Foucanote, Frenchman, shewing "his 19th September 1627. Supplication by Nicolas Foucanote, Frenchman, for charitable assistance for himself and family.

simple estate and conditioune, howbeit he be come of ane honourable house, to wit, of my lord the Barrone of Foucarolle, and hes had the honour to have beine the man of chalmer and horalogioure of King Henrie Fourth, King of France and of Navare, and of Madame, his sister, Dutchise of Loren, sevintene or auchteine yeirs keiper general in the province of Champaigne for the great dowane of Lione, twa yeirs comiser depute of the court Minnies of Pareise, two yeirs man of airmis and mortepays in Bayon, for the present horologer of the king and quenis majesties defunct in Scotland, havand all his youth heid served and followed the forsaid Henrie the Fourth in all his voyagis, seidgis of townis, battells, combats and all uther estatis quhilk his Majestie frequentit quhill peace was made, as also did his father, mother and bretheren, yea the mother of the said suppliant, named Marie de Montreull, quha had the honor to have beine the nourish of King Henrie in Beart because the said Montreull, beingthane of birth calmerwoman of Madame the Dutchise of Rochen, tant of the King, quha commanded hir, and the queine to quite hir first sone quhilk schoe nourished and to take the King, quhilk schoe did so long tyme as it pleased God, that thair was ordeined for hir and sett downe a thowsand crownis of pension money of Beort be yeir taken of the lands of the countie of Foy and of Begore payed be Maister Peire de Serre, thane tresiroure, of the nature of the said denyer quhilk he did never nothing nor payed nothing for no mandement, pursuite or sollicitatione, quhilk the said De Montreull could have maid because of the great troubles quhilk came one. In the meine tyme died the father and brother of the said suppliant in the service of thair defunct majesties without onie payment or recompence of his brother quho was slaine in Gaskonie, beingthane gydare of the quhyt cornett of the King of Navare, sua that now, to come to the purpos, the said suppliant remains without onie moyand except his estate of the kingis chalmerman defunct. And efter the death of Madame Dutchis of Loren he gaid to Loudane with some letters of favoure quhilk was drest to the queine Anne defunct, quha send instantlie the suppliant to Edinburgh in Scotland be hir commandement to the Chancler Seatone quhair he remains with his litle pensione quhilk he hes of the King of fyfe schilling be day onlie and ane uther pensione quhilk he had of the queine defunct, of the quhilk he hes received nothing sen hir diseise. Moreover, the said suppliant, be the advyse and counsall of the said defunct Chancler, retired and married himselfe heir with a daughter of ane officer of the Kings Majestie defunct, called Johne Robertsons, cater, purvoyer and keiper of the Kings silver vessell being in Scotland, and quhen his Majestie depairtit

to Ingland the said officer caused ring the bell throw Edinburgh to pay, content and deliver to the creanciers the Kings debts, and efter this he died without anie satisfacione quhatsomever livand his litle bairns without ony moyand. His eldest daughter and the wyfe of the said suppliant sundrie tymes compleined to the defunct Chancleer quha promist daylie to put all thir effairs to good estate and to give the moyand to the said suppliant and to his familie honestlie. In the meine tyme he died upone this, havand done just nothing nether one the one sid nether one the other, sua that the said suppliant, now in his old dayis, seiand himselfe evermore seikly, havand no mair power to travill nor to winne his living, he is constrained efter God to have his recourse to your Lordships to gett some moyand to live unto my poore familie for the rest of his old dayis; quhilk things forsaidis I beseike your Lordships to consider weill for Gods cause quhom I sall pray to have yow all in his protectione for ever." [On the back] "*Apud Halvudhouse, xix Septembris, 1627.* The Lordis recommendis the petitioner to the Lord Naper, Deputie Thesaurar. (Signed) GEO. CANCELL<sup>s</sup>, I.P.D."

Miscellaneous  
Papers.

19th September 1627.  
Supplication by James Steven in Leith and others for the payment of expenses they have incurred in maintaining the crews of three Hamburg ships which have been taken as prizes.

316. Supplication by James Stevin in Leith, Bessie Stevin, his wife, John Inglis there and Helen Coutis, his wife, as follows:—Their Lordships modified the sum of 12s. daily to be paid by Captain Andrew Watsoun to each of the "company and equippage of the thrie Ham-burrie shippis tane as prysses be him" for their maintenance until it was decided that the ships were prizes; and afterwards they modified the same to 8s. daily and recommended "the saidis strangeris to the baillies of Leyth, requiring thame to deale with the personis who had formerlie furnist thame to ressave and interteny thame, still assuring thame that your Lordships sould caus thame be thankfullie payit of the said allowance ather be the Captaine Andro Watstone, or out of the reddyest of the goods being in the saidis schippis gif thay sould happin to be cleirit. Lykas the awneris of the said Captaine Watsonis schip, compeirand in absence of the said Captaine Andro, upoun the xxj of December last (when as he past to court being citit to compeir) and undertooke in his name to mak payment of the said sowme and daylie allowance; and quhairas we have since the xx<sup>o</sup> day of Marche last untill the tent of August last intertenyit certane of the saidis strangeris, viz., I, the said James Stevinsoun, and my said spous, the number of sevin of thame and I, the said Johne Inglis, and my said spous the number of xj of thame, upoun hoip to have bene satisfeit of the said allowance, nevertheles we can get no payment thair of as yit, to our grite hurt and inconvenient, sua that we ar constraynit to have our recourse to your Lordships." They crave some means to be taken for satisfaction of the outlay. [On the back] "*Apud Halvudhouse, xix Septembris, 1627.* The Lordis recommendis this petitioun to the Lord Admirall. (Signed) GEO. CANCELL<sup>s</sup>, I.P.D."

Miscellaneous  
Papers.

317. "At Halyrudhous, the nynteene day of September, 1627. 19th September 1627.  
Anent the supplication presentit unto the Lords of Secreit Counsell be Protection granted to  
Sir David Hume of Wedderburne makand mentioun that quhair he, out Sir David Hume of  
of his affectioun to the furtherance and advancement of his Majesteis Wedderburn that he may  
service, hes undertaine ane charge in this expeditioun toward France come to  
and is to imploy his freindship and credit to levey ane competent Edinburgh to  
number of men for that service, but he is distractit thairfra upoun settle his  
occasioun of some hornings he underlyeth, sua that he darre not travell affairs with a  
in the countrie for taking up of thir men without ane warrant; and view to his  
forder before his departing he is to take some course and ordour anent engaging in  
his teinds and to give commissioun and procuratorais to some procura- the expedition  
tours to attend the commissioun anent the treatie for the teinds for to France.  
treating and dealing anent suche teinds as concerns him, and for this  
effect he must leave with thame suche writts and securiteis as concerns  
that bussines, and his said procuratours being in Edinburgh, he can not  
have occasioun to meete with thame anent this mater without ane  
warrant: Humblie desiring thairfoir the saids Lords that he might  
have ane act and warrant in maner and to the effect underwrittin,  
lykeas at mair lenth is conteanit in the said supplicatioun. Whilk being  
read, heard and considerit be the saids Lords and thay understanding  
the necessitie of the service fairsaid quhairin the said Sir David is  
ingadgit, and how that it imports him verie muche to take some course  
and ordour anent his teinds afoir his depairting, thairfoir the saids Lords  
hes givin and grantit and be the tennour heerof gives and grants libertie  
and licence to the said Sir David to resort and repaire to the burgh of  
Edinburgh and uther pairts of the countrie at his pleasure for the  
effect abonewrittin untill the thrid day of October nixtocum, discharging  
in the meanetyne all shireffs, stewarts, proveists and bailleis within  
burgh, and all uther judges, officiars and magistrats for taking, appre-  
hending, wairding or arreisting of the said Sir David be vertew of anie  
letters of horning or captioun raised thairupoun, discharging thame  
thairof and of thair offices in that pairt whill the said thrid day of  
October nixtocum. Extractum de libris actorum Secreti Consilii S.D.N.  
Regis per me, Jacobum Prymerois, clericum ejusdem, sub meis signo et  
subscriptione manualibus. (Signed) JACOBUS PRYMROIS."

318. Supplication by John Lausone, as follows:—He has been 19th September 1627.  
detained in ward in the tolbooth of Edinburgh for a long time for the Supplication  
"suiddane alledgit raikles slauchter" of John Bankis in Huntlie Cot, by John  
"the quhilk Johne Bankis att his deith, considdering with himself thatt Lawson anent  
sume medicin he tuk presentlie efter he was hurt haid wrocht contrarie his ward in the  
upone him, quhilk he tuik to be the only authour of his deith, quhilk tolbooth of  
muffit him frielie to forgiff me att the hour of his deith," yet in order Edinburgh on  
to be liberated he has at divers times offered 500 merks of assythment the charge of  
to the father, brothers and widow of the deceased, and for their further the slaughter  
satisfaction he is willing to underlie the act of banishment during the of John Banks.  
See ante, p. 414.

party's will, "and ame content to remove presentlie furth off the cuntrie under the Erl of Mortoun in his Majesteis service," but the said friends of the deceased refuse to make agreement. He craves some means to be taken for his relief. [On the back] "*Apud Halyrudhouse, xix September, 1627.* The Lordis ordains the Justice to continew the dyet appointit to this supplicant for the caus within writtin untill the day of . (Signed) GEO. CANCELL<sup>r</sup>, I.P.D."

Miscellaneous  
Papers.

26th September 1627.

Supplication by Robert McCulloch of Keerielach for suspension of horning under which he lies at the instance of John Gordon of Ardwell and others.

319. Supplication by Robert McCulloch of Keerielach, as follows:— He is informed that he has been put to the horn at the instance of John Gordoun of Ardwell, John and James Gordouns, his sons, John Richartsoun, weaver in Ardwell, John Richartsoun, younger, called "the oy" there, Roger Braidyett there, Andrew Dungalsoun there, Alexander Mure in Kirkland of Ardwell, John Bell in Woodend, Andrew Carnoquhen, smith in Mains of Cardynes, William Carnoquhen, his son, John Carnoquhen in , James Gordoun, notary in Cardynes, Alexander Cursen there, Andrew Cursen there, Harbert Denneistoun, Thomas McMerkie, John McIlmorrow there, Patrick Sprot in Killerne, John Livingstoun in Drummor, Walter Black in Glencaprenoth, John McConchie in Drummucklich, John McCucheon and Stevin Clog, millers in Skyreburne Mill, Harbert McKewin, walker there, James Black in Bardarroch, James McKewin in Adland, Andrew and Robert Gordouns in Bardarroch, Alexander Gordoun there, Gilbert Gourlie in Newtown, John Beck in Balmaclail, all tenants and servants to the said John Gordoun, for not finding caution for their indemnity; but shortly after the charge he found this caution and procured a suspension of the letters, and therefore he is now wrongfully charged. He craves suspension thereof. [On the back] "*Apud Halyrudhous, xxvj Septembris, 1627. Fiat summonitio ut petitur* unto the first September [*sic*] and in the meane tyme suspends untill the tent of the said moneth becaus William Adam is become cautioun to the effect within writtin as an act made thairanent beares. (Signed) GEO. CANCELL<sup>r</sup>, I.P.D."

... October 1627.

Supplication by Fergus Grahame of Blaetwood for suspension of horning under which he lies at the instance of James Johnstone of that ilk.

320. Supplication by Fergus Grahame of Blawatwoode, as follows:— He is informed that he has been put to the horn at the instance of James Johnnestoun of that ilk, and John Byres, his tenant of his lands of , for not compearing to answer to a charge of coming to the lands of by night and wounding the said John Byres; but wrongfully, because he was never lawfully charged to appear, either by intimation personally or at his dwelling place, and so was ignorant thereof, whereas he would willingly have compeared and purged himself, and is now ready to do so, and find caution for that effect and for payment of his escheat goods if he be found guilty. He craves suspension of the horning. [On the back] "*Apud Halyrudhous, Octobris, 1627. Fiat ut petitur* to the day of and to suspend and relax *ut infra* quhill the day of , becaus is become cautioun

Miscellaneous  
Papers.

for the complener to the effect within writtin under the pane of  
and also for payment of the sowme of                      for his escheate goods, as  
ane act maid thairanent bearis."

321. "At Riffens, the second day of October, yeir of God j<sup>m</sup>vj<sup>e</sup> and 2<sup>nd</sup> October  
tuentie seven yeirs. The quhilk day in presens of me, notare publict and 1627.  
witnes underwrytene, compeared Sir Alexander Irwing of Drum, younger, Notarial  
knight, heving power and commissioun from Alexander Irwing of Drum, instrument  
his father, be vertue of ane procutorie from the said Alexander Irwing, attesting that  
quhilk he exhibited and produced, and passit to the lands of Riffens Sir Alexander  
lyand within the parochone of Logie in Cromar and sherifdome of Irwing of  
Aberdene, and there for exhoneratione of the said Alexander and giving Drum has  
obedience to his Majesties laws derect for aprehending all eydell men done his  
and persones delet be the kirk and elderis of the said parichone, and utmost to  
speciallie for satisfactioun and obediens to the charg given to the said apprehend  
Alexander for cherching, taking and aprehending of William Large in masterless  
Newtowne of Riffens, James Thomsons in Bollestraid, Johne Vatte in men in the  
Over Riffens within the said lands of Riffens, persones deleitt be the kirk parish of  
and for delevrie of tham to Captane Thomas Beittoune and Capitane Logie who had  
James Blaire, capitane under Alexander, Lord Spynnie his regiment, to been delated  
qhame the number within the schyr of Aberdein ar assigned or ther for military  
sergents, ahandsignes or other having power to recave them and ther, service.  
after diligent scherche of the said persones and evrie one of the[m] in  
the saids bounds and lands in all secret placeses acump[an]ied with M<sup>r</sup>  
James Stracquan, minister of the said parishone, and scherching ther  
masteris howsses and ther awen housses and elssquher, and finding after  
tryell and inquisitione the saidis persones to be fled and away therfre  
sua that be no trawiell nor diligence any of thame culd be aprehendit,  
the said Sir Alexander as proctor forsaid, in taken of his diligence  
ussit in the said scherche of obedience of the forsaid charge, took not  
and instrument in my hand as notar publick, day, yeir and place forsaid  
befor thes witnesses underwryten, Robert Duguid in Bollestraid, Alex-  
ander Irwing, sone lawfull to Johne Irwing of Kincowsie, Georg Ross in  
Cowell and the said M<sup>r</sup> James Straquhan, minister at Logie. *Ita est,*  
*Patricius Iruing, notarius publicus et testis in premissis.*"

322. "Att Lauder, the thrid day of October, j<sup>m</sup>vj<sup>e</sup> and tuentie sevin 3<sup>rd</sup> October  
yeiris, att sex houris in the merning or thairby, and of our soverane 1627.  
Lords regnne the thrid yeir. The quhilk day in presens of me, notter Similar  
publict, and witnesses underwrittin, compeirit Frances Wilkesone, than notarial instru-  
baillie of the brughe of Lauder, seing no uthairis as yitt was admitit in ment attesting  
his plaice, and anent the chairge gevin to him be George Walkir, the diligence  
messenger, yisternicht, the second of October, I being present at the of Francis  
Corse of Lauder, to pass, search, seik, tak and aprehend Johnne Wilkison,  
Cranstoun in Lauder, William Ballentyne, Johnne Robesone, Johnne baillie in  
Gottersoun, and Chairlis Pringill thair, and also George Cranstoun and Lauder, in  
endeavouring  
to arrest  
masterless  
men for  
military  
service in  
Denmark.

Johnne Lowthiane in Newbigging, quha is nowayis induelleris within the boundis of the brughe of Lauder, being persones delaittit for going to the weiris for the supleing of the King of Denmark and to delyver thame to Alexander, Lord Spaynie or Sir Patrick Cokburne, his capitane, or uthairis haveing thair power, within ten dayis nixt efter the said chairge, under the pane of rebelloun and putting of the said Frances to the horne; for obedience of the quhilk chairge and eschewing of the said horning, albeit the tyme of his office was expyrit the tuentie nyne of September, being Michaelmes last hipast, yitt na uther is admittit in his plaice to this day, the thrid of October, thairfoir the said Frances, accompanyit with Andro Pringill, brughe officer, and the bairnis of the said Francis, quhar we fand no utheris to concure, past to the duelling houses verry quyettlie in the morning of the said William Ballentyne, Johnne Robesone, bastard, Chairlis Pringill and Johnne Gottersoun in Lauder, seing he had committit Johne Cranstoun to waird yisternicht, and thair att thair duelling placeis searchit and soucht the foirsaidis personis and could nawayis aprehend thame bot only the said Johnne Robesone, bastard, in William Burnett his nichtbouris hous, quha getting intelligence gatt furth thairof or the said Francis enterit, yitt he was seine bot foirrane ws all towardis the Laird of Lauderis tour and plaice and gatt over att ane slope at the mantill wall thairof; as to the said Johnne Lowthiane and George Cranstoun, thai war nawayis within the boundis of the said brughe; in respect of the quhilk diligence the said Frances Wilkesone protestit that he war na farder haldin to be ansuerabill for the saidis personis nor yitt under the danger of horning, seing he had no farder ado nor tuelff houris the said in [*sic*] day quher he was to renunce the said office quhilk he did, and utheris admittit in his plaice, viz., William Lauder and Chairlis Murray, now present baillieis, quherupoun the said Frances tuik instrumentis in the handis of me, notter publict, ane or mae in presens of Alexander Wilkesone, Johnne Wilkesone, William Woddell, Robert Woddell, all burgesses of Lauder, witnesses requyrit to the premisses. *Ita est Andreas Edmestoun, notarius publicus ac testis in premissis requisitus, teste manu mea.*

10th October  
1627.

Supplication  
by David  
Johnstone and  
Edward  
Farquhar,  
late bailies of  
Leith, for the  
suspension of  
lotteris of  
horning  
directed  
against them  
by Robert,  
Earl of Nith-  
dale, and  
others in  
connection  
with the

323. Supplication by David Johnnestoun and Edward Ferquhar, late bailies of Leith, as follows:—They are charged to tak and apprehend certain idle and masterless men given up in roll by the minister and elders of Leith, viz., Alexander Lavrok, workman, Robert Stewart, tailor, John Wallace, tasker, David Dunlop, workman, William Quhite, John Walker, James Stevinsoun, Alexander Rid, Thomas Wright, John Wright, Cuthbert Bonkill, Salamon Rid, Robert Milne, John Ferquhar-soun, Robert Lay, John Falcouner, James Falcouner, Edward Williame-soun, Andrew Milne, James Blakhall, John Stoks, Patrick Gairdner, and George Gray, and to deliver them to Robert, Earl of Nithisdail, Alexander, Lord Spynie, and Sir James Sinclair of Murkle, or to any of them, and they are threatened with horning by each of these three if

Miscellaneous  
Papers.

the persons are not delivered. But "it is of verritie that we, being apprehension of masterless men for military service. chargit in the moneth of Junij last when your Lordships tooke the first ordour anent idle and maisterles men, to tak tryall and inquiry of all personis of that qualitie being within the toun of Leyth and to inroll thair names and to present the roll cloised and sealed to your Lordships and testifeit upoun oathe that it is a trew roll within a certane speace after the charge under the pane of horneing," and accordingly finding the abovenamed persons to be such, enrolled their names and presented the same to their Lordships in the beginning of June last, since which time the matter rested till now, "and be the first charge we wer no forder obleist bot to inroll thair names, quhilk we did, bot trew it is that soone after we presentit our roll cloised and sealed to your Lordships the same wes maid knawne to all the thrie collonells and suche contestatioun fell out amongis thame quhilk of thame sould have thir men that the men gat knowledge of it and immediatlie thay all or the maist part of thame betooke thame to other serviceis, viz., some of thame in the Kingis schippis, some in the freebooter shippis, otheris of thame left the toun of Leyth and wer nevir sene thair sensyne, and we haveing committit some of thame to our tolbuith for this same caus, thay brak our waird and eshaipit long befor ony chairge givin to us for the taking of thame; lykeas we wer nevir chargit till yisterday, the aucht of this instant, and this day we ar to leave our officeis afor tuelff of the clock in the foirnoone and a new electioun is to be maid of bailleis for the toun of Leyth, sua that we have no forder auctoritie, previledge nor jurisdiction within that toun and the executioun of chargis proper to be used within that toun sould not be layed upoun us bot upoun the personis who ar to be choisen within the said toun this present day." They desire that the three colonels may produce the letters and see them suspended against the complainers. [On the back] "*Apud Halyrudhouse, decimo Octobris, 1627. Fiat summonitio ut petitur* to the day of and to suspend and discharge *ut infra* in the meane tyme quhill the day of for the causes within writtin. (Signed) GEO. CANCELL\*, I.P.D."

324. Supplication by Mr Patrick Adamsone, minister at Buthill, 10th October 1627. James Boden in Almerne, John Smyth there, Fergus Corsbie there, John McGill in Guffokland, and Roger Moreson in Litill Castलगour, as follows:—They were summoned at the instance of Robert Maxwell of Orchardtoun, James Gordoun of Buthill, William Maxwell called of Kirkhous, Robert Maxwell of Bracoch, John McCaitnay of Leathis, David Cannan in Litill Knokis, John Cannan of Barlochan, William McGill in Craigtoun, Donald McGill in Meikill Knokis, William Carnochen in Cuill, Thomas Lowrie in Kirkland, and James Caig in Meikill Castलगour, as the gentlemen and elders of the parish of Buthill, to appear on 9th October instant as witnesses in the complaint given in against Captain Edward Maxwell, and accordingly they have appeared, Supplication by Mr. Patrick Adamsone, minister at Buthill, and others for modification in return for their appearance as witnesses at the instance of Robert Maxwell of Orchardtoun and others.

but they are informed that the parties complainers have passed from the complaint and so the supplicants will not be called. Seeing they have travelled 80 miles and above, "and hes left our hail adoes now in the tyme of harvest to our greit losse, hinder and skaith, our hail cornes being rotting upoun the ground in our absence," they crave some modification of expenses and leave to return home. [On the back] "*Apud Halvudhouse, decimo Octobris, 1627. The Lordis modifeis to every witnes ten pundis.*"

10th October  
1627.

Supplication  
for continu-  
ance of  
protection by  
Sir David  
Hume of  
Wedderburn.  
See ante, p. 417.

325. Supplication by Sir David Hume of Wedderburne, as follows :—The warrant and protection granted by their Lordships to him for remaining in this burgh to consult with his advocates anent his teinds "and utheris belonging to me, quhilkis ar fallin under the compas of his Majesteis revocation for resolveing upoun quhat course I sall tak with his Majestie thairanent afor my depairtour towardis France for following of his Majesteis service thair," has now expired and his affairs are not yet settled, and, unless the protection is extended, they will fail to be arranged before his departure, "quhilk is verrie scheortlie to be." [On the back] "*Apud Halvudhouse, x October, 1627. Fiat ut petitur to the tent of November, nixt. (Signed) GEO. CANCELL<sup>s</sup>, I.P.D.*"

10th October  
1627.

Supplication  
by the magis-  
trates of  
Inverness  
anent the diet  
they had been  
appointed to  
keep in con-  
nection with  
their dispute  
with the Earl  
of Murray.

326. Supplication by the provost and bailies of Inverness, as follows .—"Your Lordships remembers thair is a number of our toun with M<sup>r</sup> Johne McKeinzie, archdeane of Rosse, under caution for thair compearance before your Lordships the first Counsell day of November anent the maters contravertit betuixt the Erle of Murrey and us upoun the points of that commissioun quhilk wes grantit be his Majestie to him, and quheras we ar informed that his Majestie, by a letter written to your Lordships and purchaist be the said Erle quherby he hes signified his royall pleasure that he will reserve to himself the hearing of all things depending upoun that commissioun, our humble petition unto your Lordships is to lett us know if our people sall keepe the dyet foirsaid or if your Lordships will meddle in the maters concerning the same." [On the back] "*Apud Halvudhouse, decimo Octobris, 1627. The Lordis ordains the supplicantis to reenter thair personis in warde within the tolbuith of Elgin. (Signed) GEO. CANCELL<sup>s</sup>, I.P.D.*"

10th October  
1627.

Supplication  
by Captain  
Edward  
Maxwell in  
connection  
with the  
apprehension  
of masterless  
men in the  
parish of  
Buthill.

See ante, p. 421.

327. Supplication by Captain Edward Maxwell, as follows :—He has been summoned at the instance of divers persons, indwellers in the parish of Buthill, to appear on 9th October instant and produce a roll of persons in the parish which they allege that he forced the minister thereof to subscribe, and which they desire to see cancelled. Having compeared to answer, instead of being pursued by these persons according to their summons, he has received "fra the maist pairt of the saidis compleneris contenit in the saidis letters ane testificat that the saidis letters wer purchest againes thair consent and that thair concurrence was desyrit

Miscellaneous  
Papers.

thairto bot that they absolutlie refuisit the samyne in respect that they hed intelligence that all that was done anent the giving up of the said roll was formalie done according to equitie, and thairfoir desyres in the said testificat that these quha ar authores of the said complent be punischit to the exampill of utheris to committ the lyk." It is true that Thomas Lowrie of Kirkland of Buthill, John M<sup>c</sup>Caitnay of Leythis, and Donald M<sup>c</sup>Gill in Meikilknokis, three persons, are the only authors of the said complaint, "quha ar fled out of the toun feiring after trew tryall to be tane be your Lordships anent the foirsaid complaint that they sould not escape seveir punischment, seing that I am so intollerabillie abused be tham as authores of the said complaint in sick sort that I cannot comport thairwith or scairch evir be abill to recover the infinit loss sustenit be me be thair sinistrous dealing, not onlie in the foirsaid false complaint maid againes me in maner foirsaid, quherby I am prejudged of the haille persounes contenit in the foirsaid roll, bot also be the said Thomas Lowrie, ane of the saidis thrie authores of the said complaint his going to the haille parochines within the Stewartrie of Galloway and most falslie and maliciouslie informing the parochineris, baith by alluring requeistis and terrefeing threattis, that, giff they delaitit or delyverit to me thair rollis of the saidis parochines, they wald be punished thairfoir to thair greit damage and disgrace, and thes quha hed delyverit to me thair rollis, giff they sufferit me to apprehend any man contenit thairin, the lyk punischment and worse wald fall upoun tham, so that giff I hed escapit thair foirsaid unlawfull, malicious and scandalous dealing I nicht have beine maister of that bussines committit to my trust quhilk so neirlie concernes your Lordships contentment and my utter ruing." He craves therefore their Lordships "to call the witnesses quha ar sumound be the foirsaid compleneris, and your Lordships, haveing tane tryall anent the haille premisses, that your Lordships will not onlie in sum meassour repair me of my travell and loss bot also impois sick punischment upoun the foirsaidis thre persounes compleneris as your Lordships thinkis expedient to the exampill of utheris to committ the lyk." [On the back] "*Apud Halvudhouse, decimo Octobris, 1627.* Ordanis letters to be direct for summonding of the pairtyis within compleint upoun."

328. Supplication by William, Earl of Mairshall, and William Dalgerne in Creichie, his depute, as follows:—He and his said bailie are charged at the instance of James Blair, one of the captains in the regiment of Alexander, Lord Spynie, to deliver to him certain persons given up in roll as idle and masterless men and wanting competent means to live on, viz., George Bannerman in Gavill, Alexander Pendreich in Petfoure, Alexander Dockar, smith in Kinnadeis, Thomas Hetherweik there, John Bruce there, Thomas Mill in Elrig, John Browne, son of John Browne in Little Elrig, Robert Lobein in Deir, John Hall, younger in Creichie, Robert Murrey, sometime cooper in Aberdeen, gardener in Skeillimarch, and Robert Dalgarno, smith; yet these persons are not

20th October  
1627.  
Supplication  
by William,  
Earl of Niths-  
dale, for  
suspension of  
letters of  
horning under  
which he lies  
at the instance  
of James Blair,  
one of the  
captains in the  
regiment of  
Lord Spynie.

idle and masterless, but "all of thame ar outhir husbandmen and labourers of the ground or then craftsmen living upoun thair handie craft and labour and ar not burdennable or chargable to the countrie, but rather helpful and charitable to others," and, besides, he and his bailie are wrongfully charged to take and deliver these persons because they are neither men, tenants or servants to the said Earl nor dwell on his lands; and further, as soon as they heard that his bailie was charged to apprehend them, these persons fled from their houses, and so the bailie cannot take them. But the Earl is willing to find caution to perform the charge if found liable. Meanwhile, he craves suspension of the horning, and to have letters for charging the said Captain Blair and Lord of Spynie for his interest to appear and see this done, and also charging those who gave up these persons in roll to answer for their error. [On the back] "*Apud Halyruidhous, vicesimo die mensis Octobris, 1627. Fiat summonitio ut petitur* to the day of November nixt, and to suspend and discharge *ut infra* to the day of the said moneth becaus is become cautioner to the effect withinwritin, as an act made thairanent beares."

1st November  
1627.

Supplication  
by John  
Sturrock,  
mariner, for  
letters of  
horning  
against the  
magistrates of  
Edinburgh for  
illegally  
detaining him  
in ward.

329. Supplication by John Sturrok, mariner, as follows:—On 19th September last he obtained a decreet ordaining the provost and bailies of Edinburgh to liberate him from their tolbooth in so far as he was warded at the instance of Thomas Scott, merchant in Dundee, John Burne, maltman in Leith, Eupham M<sup>c</sup>Dowall, and George Rosse, merchant in Edinburgh, who consented to his relief, but the provost and bailies refuse to obey the charge. He craves letters of horning. [On the back] "*Apud Halyrudhous, primo Novembris, 1627. Fiat ut petitur.* (Signed) GEO. CANCELL<sup>r</sup>, I.P.D."

1st November  
1627.

Supplication  
by John  
Turing of  
Foveran for  
suspension of  
letters raised  
against him  
by Captains  
James Blair  
and Thomas  
Beaton  
because he  
has refused to  
arrest certain  
persons as  
masterless  
men for  
military  
service.

330. Supplication by John Turing of Foverne, as follows:—He has been charged by Captain James Blair and Captain Thomas Betoun to search and take Andrew Walker, James Irnesyde, Normand Henrie in Pitmablane, Michael Johnnestoun there, James Irwing in Newburgh, John Clerk there, Robert Lowrenstoun there, Gilbert Blak, son to Jerome Blak there, Alexander Colt, seaman there, James Forsyithe in Kirkmiln, John Coupar, servitor to Thomas Craigheade at the Hill of Fiddes, Andrew Jaffray there, Henry Hill in the Hill of Fiddes, William Aitkin, servitor to John Mitchell at the ailhous of Fiddes, and John Small at the miln of Mones, alleged to be given up in roll by the minister and elders of the parish of Foverne as idle and masterless men, and they threaten him with horning; but he is wrongfully summoned because as a justice of peace and one of the elders of the parish of Foverne he was present and assisted at the enrolling of the idle and masterless men in the parish, but the said Andrew Walker, James Irnesyde and Michael Johnnestoun were never given up as persons of that kind, being honest labourers of the ground and having means

Miscellaneous  
Papers.

sufficient to live, and the other persons are neither men, tenants nor servants to the supplicant nor in any way persons for whom he is responsible, "and so I am wrangouslie chargeit to tak thame and could not eshew the imputatioun of a heigh presumptioun and manifest usurpation of his Majesties royall authoritie yf I, who am a privat persoune, sall presooome to tak his Majesties free subjectis without power or commissioun." He is content to find caution for taking them if he be found liable therein. He craves suspension of the letters. [On the back] "*Apud Halvudhouse, primo Novembris, 1627. Fiat summonitio ut petitur to the xxij day of November instant and to suspend and discharge ut infra to the last day of the same moneth of November becaus the complener hes found caution to the effect withinwrittin, under the pane of v<sup>c</sup> merkis. (Signed) GEO. CANCELL<sup>r</sup>, I.P.D.*"

331. Supplication by Robert Hammiltoun, John Sheillie, and Walter Stirling, burgesses of Glasgow, for themselves and the rest of the merchants, "awneris of the goodes and geir violentlie reft and tane frome us be the rebellious theevis and lymmaris of the Claneane and ressett be the personis underwrittin," as follows:—In February, 1625, they being upon their due course about the Isles with their ships laded with divers commodities, they were pursued by the rebels of the Claneane, their ships boarded, several of the company slain, and the rebels became masters of them and their ships and merchandise; during which possession, Allane M<sup>c</sup>Cleane, brother to Hector M<sup>c</sup>Cleane of Dowart, came on board their ship and "after long speeche and conference with the rebellis, he ressavd out of the said ship xvj barrellis of malt, pryce of the barrell aucht pund; four rubbaris of wyne, pryce of the rubber xl lib.; and thrie hogheads of French wyne, pryce of the hoighead lxvj lib. xij s. iij d.; and siclyke Neill Makrorie, Captaine of Arras, lykwyse come aboard of our schip and, after mutuall taikins of love and kyndnes betuix him and the rebellis, he ressavd out of the said schip xxiiij barrellis of malt, pryce of the barrell aucht pundis; ane muskat worth xx<sup>o</sup> lib., four gallonis of aquavyttie, pryce of the gallone ten pundis; ane hundreth elnes of gray cloith, pryce of the elne xx s.; and ten pund weyght of tobacco, pryce of the pund aucht merkis. Lykeas . M<sup>c</sup>Innes, spous to Mr Mairteyne M<sup>c</sup>Ilwra, minister at Mull, come aboard of our ship and tooke furth thair of barrellis of Frenshe wyne, pryce ; barrellis of Spaynis wyne, pryce of the barrell ; thrie lastis and ane half of herring, pryce of the last aucht scoir of pundis, and j<sup>c</sup> double elnes of plaiding, pryce thair of j<sup>c</sup> lib." The complainers thereupon summoned these offenders before their Lordships in November, 1625, but they not compearing were put to the horn and still remain thereat. Because of this delay the supplicants in July last complained again to their Lordships, and then Hector M<sup>c</sup>Clean, apparent of Dowart, master and landlord to the said persons, being present, undertook to cause them make satisfaction for

2nd November  
1627.

Supplication  
by Robert  
Hamilton and  
others,  
burgesses of  
Glasgow, for  
letters charg-  
ing Hector  
M<sup>c</sup>Lean to  
present certain  
persons of his  
clan before the  
Council who  
have been  
guilty of  
robbing a  
ship belonging  
to the suppli-  
cants.

the goods before 1st November instant, or exhibit the said three persons before their Lordships on that day. Notwithstanding whereof he has neglected to obtain satisfaction and also failed to enter and present the offenders. They therefore crave letters for charging the said Hector McCleane to appear and exhibit the said Allan McCleane, his uncle, Neill McRorie, Captain of Arras, and Mr Martin McIlwra, minister at Mull, to answer anent the premises. [On the back] "*Apud Edinburgh secundo Novembris, 1627. Fiat ut petitur.*" (Signed) GEO. CANCELL<sup>s</sup>, I.P.D." Miscellaneous Papers.

2nd November  
1627.

Supplication  
by Sir William  
Oliphant and  
Mr. Thomas  
Hop, King's  
advocates, for  
summons  
against certain  
persons who  
have broken  
the statute of  
1621 regulating  
the selling-  
price of  
victual.

332. Supplication by Sir William Oliphant of Newtoun, knight, and Mr Thomas Hop of Craighall, King's Advocates, for his Majesty's interest, as follows:—In the Parliament held at Edinburgh in August, 1621, it was "statute and ordanit that it sould not be lauchfull for ony of his Hienes subjectis to block or agrie upoun the pryce of victuall more or les except thei first agrie and condiscend upoun the pryce of the first boll of the bargaine, quhilk being so agreit upoun the said pryce sould rent the whole quantitie of the rest of the bollis to be ressaved be the buyer quho sall have no eik nor additioun of ony forder quantitie except upoun the payment of that pryce as is conditioned for the first boll, and, gif ony persone contraveine, he sall pay fourtie schillingis for everie boll of victuall ressaved be him contrarie the tennour of the said act and that by and attour the pryses of the victuall," as the said act of Parliament bears, yet certain persons (whose names are omitted) for their own gain bought certain quantities of victual from certain persons (not named), "and they wald onnawayes enter in any kynd of conditioun or bargane anent the said victuall till first promeis wes maid unto them of ane pek to everie boll of the said victuall, quhilk pek wes accordinglie ressavit be thame," whereby they have contravened the act of Parliament. They crave summons against them to compear and pay the forfeit and penalties appointed by the act, viz., forty shillings for every boll of the said victual bought by them and in addition the prices of the victual, to be paid in to the Treasurer and Deputy Treasurer. Also that witnesses be summoned. (Signed) "S. W. OLIPHANT; S. THOMAS HOP." [On the back] "*Apud Edinburgh, secundo Novembris, 1627. Fiat ut petitur.*" (Signed) GEO. CANCELL<sup>s</sup>, I.P.D."

2nd November  
1627.

Supplication  
by Mr. James  
Fullerton,  
minister at  
Beath, and  
James, Arch-  
bishop of  
Glasgow,  
against Sir  
James Knel-  
land of  
Monkland  
and others.

333. Supplication by Mr James Fullertoun, minister at Beath, and James, Archbishop of Glasgow, against Sir James Kneeland of Monkland and others (whose names are not inserted), as narrated in Vol. II., Second Series, pp. 119-120. [On the back] "*Apud Edinburgh, secundo Novembris, 1627. Fiat ut petitur.*" GEO. CANCELL<sup>s</sup>, I.P.D."

3rd November  
1627.

334. Supplication by David Arnot of Barkaipell, chamberlain of Galloway, against Robert McClellane of Muretoun, as narrated in Vol.

Miscellaneous  
Papers.

II., Second Series, pp. 133, 134. [On the back] "*Apud Edinburgh, tertio Novembris, 1627. Fiat ut petitur.* GEO. CANCELL<sup>s</sup>, I.P.D."

David Arnot  
of Barcapell,  
chamberlain of  
Galloway,  
and Robert  
M'Lellan of  
Muretoun.

335. Supplication by Allan Wilsoun, John Rewcastle, Walter Scot, John Tait, James Towdop, John Laing and William M<sup>c</sup>Vite, all inhabitants of Hawick, as follows:—On the last Council day their Lordships imprisoned them in the tolbooth of Edinburgh until they might be transported to the wars of Germany, "altho it be of veritie that nane of us ar personis of that qualitie against quhom your Lordships acts tuicheing ydle and maisterlesse men can be extendit, we and everie ane of us being honest, simple men attending that calling quherunto it hes pleased God to call us, and carefullie and diligentlie we worke for our living without being chargeable to anie or offensive in the toun quher we dwell, and we wer never givin up be anie authorized with lawfull warrand and commissioun to be personis of the qualitie foirsaid." They promise to find caution for their compearance when required, and desire letters to be directed charging the provost and bailies of Edinburgh to free them. [On the back] "*Apud Halvudhouse, sexto Novembris, 1627.* The Lords ordanis the persons withinnamit to be delyverit to the Earle of Nithisdail to be transported be him, the said Earle paying for thair interteynment in the meane tyme and delyvering thame to Mowsall upon repayment of the charges to be bestowed be the Earle upon thame. (Signed) GEO. CANCELL<sup>s</sup>, I.P.D."

6th November  
1627.

Supplication  
by Allan  
Wilson and  
others, inhabi-  
tants of  
Hawick, for  
letters charg-  
ing the magis-  
trates of  
Edinburgh to  
free them from  
ward, as they  
are not master-  
less men and  
liable to be  
pressed for  
military  
service.

336. Supplication by Adam Urquhart, burgess of Forres, and Elizabeth Vaus, his spouse, as follows:—In July last the said Elizabeth was warded by the provost and bailies of Edinburgh in their tolbooth, by warrant of their Lordships, and her whole documents then on her person were taken from her by William Browne, bailie, her apprehender; and thereafter being produced with the writs before their Lordships, these were consigned in the hands of James Primrose, Clerk of Council, "in respect of sum difference that than stude betuixt my said husband and me be the informatioun and instigatioun of sum of my unfriendis, quhilk now, praised be God, is reconceiled and settled," but though they have desired delivery of the writs, they cannot obtain them without a warrant from their Lordships to the said Clerk. This they crave. [On the back] "*Apud Halvudhouse, sexto Novembris, 1627. Fiat ut petitur.* (Signed) GEO. CANCELL<sup>s</sup>, I.P.D."

6th November  
1627.

Supplication  
by Allan  
Urquhart,  
burgess of  
Forres, and his  
wife for a  
warrant to  
obtain certain  
writs from the  
Clerk of  
Council.

337. Supplication by John Geddes in Blaetwood, as follows:—On the day of he was walking on the High Street of Dumfries without fear of bodily harm, when the provost and bailies, by the procurement of John Stewart in , caused apprehend and imprison him, and therein he is still confined without reason or any crime alleged against him but only that he will not yield to the said John Stewart's unlawful desires. He craves summons against the said John Stewart.

6th November  
1627.

Supplication  
by John  
Geddes in  
Blaetwood for  
summons  
against the  
magistrates of  
Dumfries for  
illegal ward-  
ing.

and the said provost and bailies. [On the back] "*Apud Halyrudhouse, sexto Novembris, 1627. Fiat ut petitur* with the ordinar provisioun. *Miscellaneous Papers.*  
GEO. CANCELL<sup>s</sup>, I.P.D."

6th November  
1627.

Supplication  
by Sir William  
Bannatyne,  
Lord of the  
regality of  
Broughton,  
for the post-  
ponement  
of the wappin-  
schaw of the  
said regality.

338. Supplication by Sir William Bannatyne, knight, lord of the regality of Broughton, as follows:—The seventh instant is appointed for a general muster and wapenschaw of the inhabitants of the town and shire of Edinburgh in presence of the sheriffs, lord of regalities, and provosts and bailies of burghs, each in their own bounds; and, as he is now in his Majesty's service, "as is knowne to your Lordships, and M<sup>r</sup> Walter Bannatyne, my depute, who sould supplee my plaice is heavilie diseased and cannot attend the ressaiving of the saids mustours," he craves that their Lordships may "prorogat and continew the weapounschawing of the regaltie of Broughton and of the toun of the Cannogait, quhilk hes evir bein in use to give thair mustours with me and my bailleis, till suche convenient tyme heerafter as your Lordships pleases." [On the back] "*Apud Halyrudhouse, sexto Novembris, 1627. Fiat ut petitur* to this day fiftene dayes and that a roll of the persons that sall muster that day be reported to the Counsaill the nixt Consaill day following. (Signed) GEO. CANCELL<sup>s</sup>, I.P.D."

8th November  
1627.

Supplication  
by Mr. James  
Strauchan,  
merchant  
burgess of  
Edinburgh,  
that his goods  
may be loosed  
from arrest-  
ment as they  
do not belong  
to any  
Frenchman.

339. Supplication by Mr James Strauchane, merchant burgess of Edinburgh, as follows:—John Johnstoun, merchant burgess of Edinburgh, and Robert Ker, merchant burgess there, "allegding that thay haive certane goods lying within the kingdome of France, quhilks by reasoun of the tyme ar deteaned and withaldin fra thame, hes thairupoun purchast letters be your Lordships delyverance, proceeding upoun a missive letter direct be his Majestie to your Lordships for arreisting all goodis and debts perteaning to quhatsoever Frenchemen, being within this kingdome to remaine under arreistment at thair instance untill payment be made to thame of the sowmes addebtit to thame within the kingdome of France, and be vertew of thir letters thay haive caused calke my seller doore of Leith and arreist my salt and uthers goods perteaning to me within my seller, allegding the same to perteane to one Monsieur Colon, Frencheman; by the quhilk arreistment they haive givin suche a terrour to the countrie people that nane of thame will blocke, buy or sell with me, albeit it be of veritie that the salt foirsaid and the remanent goodis being in the said seller ar my awin proper goodis and na pairt thairof perteanes to the said Monsieur Colon nor to na uther Frencheman quhatsoever, and I haive no goods in my possessioun and under my power and command perteaning to anie Frencheman, sua that this arreistment is verie maliciouslie made upon my goods purposelie to disappoint me of my mercat and to draw my name in questioun, whilk is a verie great prejudice and discredit unto me." He desires letters charging officers of arms to loose the arrestment, and allow him to dispose of his goods, and he is willing to find caution for

Miscellaneous  
Papers.

making forthcoming to the claimants any French goods which he has. [On the back] "*Apud Halvgrudhouse, octavo Novembris, 1627. Fiat ut petitur*, caution being fundin to the effect within writtin. (Signed) GEO. CANCELL<sup>s</sup>, I.P.D."

340. Supplication by Sir James Sinclair of Murkle, knight, Colonel, as follows:—Notwithstanding of several warrants directed by their Lordships for furthering the levies to supply the King of Denmark in his wars, there are many persons who after enlisting have abandoned their captains and hidden themselves until their captains had embarked, to the example of others to commit the like offence upon the supplicant and any captains under him who are not yet away; and, whereas "thair is no resson that thir personis ones takin on for this service sould be in suretie to remayne heir as gif thay haid nevir bene takin on althocht thair captaines be alreadie gone without thame," he craves warrant that he and his captains and officers may apprehend "all suche fugitive sojourns who hes ressaved pay of any uther colonell and thair captanes and officers for the service foirsaid and ar yitt still in the countrie and to transport thame and putt thame [to] service under my charge. [On the back] "*Apud Halvgrudhouse, octavo Novembris, 1626. Fiat ut petitur*, aganis the Colonell his awne fugitive souldiers and aganis the fugitive souldiers of Colonel Nithisdail and Spynie, Captaine Dickson and Bothwell for the warres of Swaden without prejudice to the Colonells to use thair diligence for apprehending of the saidis fugitives, Colonel Sinclair using alwayes the concurrence of a magistrat in apprehending of the fugitives and proving thame to be suche. (Signed) GEO. CANCELL<sup>s</sup>, I.P.D."

8th November  
1627.  
Supplication  
by Sir James  
Sinclair of  
Murkle for  
warrant to  
apprehend  
soldiers who  
have deserted.

341. Supplication by Sir James Baillie of Lochend, knight, collector general of the taxation granted in October, 1625, as follows:—The first and second terms of payment of the said taxation are past, and the third term is approaching, yet certain persons, feuars of the lands of the lordship of Kinlevin, refuse to pay their proportion save under compulsion. He craves letters charging them to make payment to him and his deputies of the sum of 30s. for each pound land belonging to them within the said lordship, "and that termelie for thair pairtis of the saidis first, secund and thrid termes payment of the said taxation," within 20 days, under pain of poinding. [On the back] "*Apud Edinburgh, octavo Novembris, 1627. Fiat ut petitur*. (Signed) GEO. CANCELL<sup>s</sup>, I.P.D."

8th November  
1627.  
Supplication  
by Sir James  
Baillie of  
Lochend,  
collector-  
general of the  
taxation, for  
letters charg-  
ing persons in  
the lordship of  
Kinlevin to  
pay their share  
of the taxation.

342. Supplication by Edward Reidheid, servant to James Bannerman of Auchsleid, as follows:—On the day of 1626, he was at the smiddy of Corbshill, "bussied about my lawfull adoes, looking for no harme nor injurie to have beene offered unto me," when George Rosse in Brucehill, George Wood and Alexander Wood in Kairbana,

8th November  
1627.  
Supplication  
by Edward  
Reidheid,  
servant to  
James Bannerman of

Anchsleid, for  
summons  
against George  
Ross in Bruce-  
hill and others  
for assault.

James Hauersoun and Andrew Elrik, with their accomplices, "all boddin in feare of warre, with swords, whingeris, forkes and uthers weapouns invasive, most cruellie and unmercifullie invaidit me and persewed me of my lyfe, gave me manie bloodie wounds upon the head, gairdeis and uthers pairts of my bodie, brake my sword in peeces and tooke the same togedder with my whingear away with thame, haiving left me for deid; and, upoun the day of the yeere of God foirsaid, the saids persouns, boddin and accompanied, as said is, come under cloud and silence of night to the ground of Auchsleid, brake doun my fald dykes, destroyit my cornes and most cruellie hurt and woundit me with manie bloodie wounds upoun my head and uthers pairts of my bodie, and then also left me for deid. And upoun the day of the yeere of God j<sup>m</sup>vj<sup>c</sup>xxvij yeeres, I being in peaceable and quyet maner fetching home my cornes, John Craik in Auchsleid, come accompanied with and with convocation of his Majesteis lieges unbesett me and persewed me of my lyffe with swords, whingears, forkes and uthers weapouns invasive, gave me manie cruell and bloodie wounds upoun diverse pairts of my bodie to the great perrell and danger of my lyfe, and had not failed to haive bereft me of the same if they had not beleaved assuredlie that I wes deid, and thairafter perforce tooke away my said cornes with thame; lykeas I lay bedfast under the cure of chirurgians be reasoun of the said wounds for the spaice of halfe a yeere to my heavie hurt and undoing. Lykeas the saids personis oftin and diverse tymes doe ly at await for me under cloud and silence of night at my hous and elliswhair sua that I darre not for feare of my lyfe repaire nor haunt to kirk nor mercat nor anie uther publict plaice as his Majesteis free subject to doe and exerce my lawfull effaires for feare of thair crueltie and oppressioun." He craves a summons against them. [On the back] "*Apud Halyrudhouse, octavo Novembris, 1627. Fiat ut petitur*, with the ordinar provisioun. (Signed) GEO. CANCELL<sup>s</sup>, I.P.D."

Miscellaneous  
Papers.

8th November  
1627.  
Supplication  
by Captain  
Thomas  
Beatoun for  
letters charg-  
ing the  
magistrates of  
Dundee to  
deliver a  
soldier whom  
they have  
warded in  
their tolbooth.

343. Supplication by Captain Thomas Beatoun, as follows:—Six weeks ago or thereby George Duncane, cordiner in Dundee, having freely and willingly enlisted under him for the wars of Germany and received pay, and, "out of ane honest respect to fulfill and undergoe his conditioun being resolved to have attendit his charge and service," yet, as soon as the provost and bailies of Dundee knew of his enlistment, they, for that cause only, imprisoned him in their tolbooth wherein they have detained him these six weeks. The supplicant is now ready to embark his company for Germany, but the provost and bailies will not deliver up the said George Duncane. He craves letters charging them to do so, or produce him before their Lordships to see his transfer effected, or allege a season for refusing. [On the back] "*Apud Halyrudhous, octavo die mensis Novembris, 1627. Fiat ut petitur*, with the ordinar provisioun. (Signed) GEO. CANCELL<sup>s</sup>, I.P.D."

Miscellaneous  
Papers.

344. Supplication by John, Earl of Mar, Lord Erskene and Garviauche, collector general of the taxations granted in August, 1621, as follows:—The first, second, third and fourth terms of payment thereof are now long past, but the feuars of the lordship of Kinclevin neglect to pay. He craves letters charging "all and sindrie fewaris of the landis of his Majesties proper landis of the lordship of Kinclewin" to pay 30s. for each pound land. [On the back] "*Apud Edinburgh, viij Novembris, 1627. Fiat ut petitur.* (Signed) GEO. CANCELL, I.P.D."

8th November  
1627.

Supplication  
by John, Earl  
of Mar,  
collector-  
general of the  
taxation, for  
letters charg-  
ing the feuars  
of the lordship  
of Kinclevin to  
pay their  
proportion of  
the taxation.

9th November  
1627.

345. Supplication by Margaret Steill, spouse to Gilbert Broun, messenger, as follows:—In May last Nicoll Rose of Afflossen, accompanied with Thomas Ferquharson, his son-in-law, Duncan Rose, servitor to the said Nicoll, James Allane in Afflossen, George Lindsay there, James Grant in , and James Rose in , came by way of hame-suckin, "under cloud and silence of night about night, to my said husbands duelling house and quhair we with Robert Broun, my sone, and James Forbes, our servitour, and the rest of our famelie wer all in our beds takand the nightis rest under his Majesteis protection and peace, and thair violentlie brak and dang up our doores, enterit in within our said house upoun us and first patt violent hand in my said husband his persone and after thay had schamefullie and cruellie straikin and dang bothe him and me and had medlit with the hail goods and gear being in our said house, quhilkis thay caryed away with thame, thay then not onlie violentlie and perforce caryed and tooke away with thame my said husband, bot also my said sone and servand and sold and delyverit thame all thrie to Captane George Ogilvie for the soume of fourtie pundis the peece be whome thay wer imbarqued and transported to Germany for the service of the King of Denmark in his warres." She craves summons against them. [On the back] "*Apud Edinburgh, nono Novembris, 1627. Fiat ut petitur.* (Signed) GEO. CANCELL, I.P.D."

Supplication  
by Margaret  
Steele, spouse  
to Gilbert  
Broun,  
messenger, for  
summons  
against Nicol  
Rose of  
Afflossen and  
others for  
assault and for  
carrying off  
her husband  
and son and  
selling them  
for service in  
the wars in  
Germany.

346. Supplication by Patrick McDowall in Powtoun, as follows:—On the day of last, while he was going home from Wigtoun to his dwelling house in Powtoun, he was set upon by Nicoll Kilpatrick in Hardland of Baldone, and John Kirkpatrick, his son, who with swords, whingers, and other weapons pursued him and gave him "a deadlie straik with a long quhinger on the sheort ribbis," and wounded him in other places to the effusion of his blood, leaving him for dead. He craves summons against them. [On the back] "*Apud Edinburgh, nono Novembris, 1627. Fiat ut petitur.* (Signed) GEO. CANCELL, I.P.D."

9th November  
1627.

Supplication  
by Patrick  
M'Dowall in  
Powtoun for  
summons  
against Nicol  
Kilpatrick in  
Hardland of  
Baldone and  
others for  
assault.

347. Supplication by Sir William Oliphant of Newtoun, knight, and Mr Thomas Hoip of Craighall, King's Advocates, for his Majesty's interest, and Mr William Forbes of Craigievar, as follows:—Contrary to

9th November  
1627.

Supplication  
by Mr. William

Forbes of  
Craigievar for  
summons  
against John  
Farquharson  
of Invercauld  
and others for  
destroying his  
peats.

the laws forbidding the carrying of hagbuts and pistollets and the armed convocation of the lieges for illegal purposes, in June last John Ferquharson of Innergald, Robert Ferquharson, his son, and their accomplices, with many other persons, "all boidin in feir of weir, with hagbuittis and pistollettis, javelingis, Lochaber aixis, bowis, darlochis, swords, forks, bandit stalffis and utheris wapponis invasive, come after a verrie tumultuous and unseamelie maner under cloode and silence of night, quhen all uther people wes at rest, to myne the said Mr William Forbes mosse of Tulloch, quhair I and my tennents had cassin and wine our winter provisoun of peattis, and thair in a most lawles and violent maner, in contempt and dispyte of me, thay cuttit and distroyed my said haille peattis except so money of thame as thay could gett convenientlie caryed away with thame, and sua did quhat in thame lay altogidder to disapoynt me and my saids tennents of our winter provisoun of fyre." They crave summons against them. (Signed) "S. W. OLIPHANT; S. THOMAS HOP." [On the back] "*Apud Edinburgh, nono Novembris, 1627. Fiat ut petitur.*" (Signed) GEO. CANCELL<sup>s</sup>, I.P.D.

9th November  
1627.  
Supplication  
by John Dow  
M<sup>c</sup>Chiriter in  
Auchinba for  
summons  
against Alaster  
M<sup>c</sup>Phadrik  
M<sup>c</sup>Dowall for  
assault.

348. Supplication by John Dow M<sup>c</sup>Chiritter in Auchinba, servant to Gorrie M<sup>c</sup>Alester, fiar of Tarbet, and by the said Gorrie as master to him, as follows:—On 20th June last or thereby Alester M<sup>c</sup>Phadrik V<sup>c</sup>Dowill *alias* M<sup>c</sup>Callice, indweller in Canny, came to the said John Dowan upon his said masters' lands of Auchinba and struck him to the ground, and being down still struck and bruised him, breaking two ribs in his side and wounding him in the mouth and nose to the effusioun of blood, "and thair left me lyand as a dead persone bullering in my awne bloode; lykeas I lay bedfast thairafter the speece of in haisard of my lyffe." They crave summons against him. [On the back] "*Apud Edinburgh, nono Novembris, 1627. Fiat ut petitur.*" (Signed) GEO. CANCELL<sup>s</sup>, I.P.D."

9th November  
1627.  
William  
Duncan and  
William  
Congleton  
against David  
Smyth.

349. Supplication by William Duncane, servant to William Congletoun of that Ilk, and by the said William Congletoun against David Smyth in West Fentoun, as narrated in Vol. II., Second Series, p. 129. [On the back] "*Apud Edinburgh, nono Novembris, 1627. Fiat ut petitur.*" GEO. CANCELL<sup>s</sup>."

12th Novem-  
ber 1627.  
Supplication  
by Patrick  
M<sup>c</sup>Connell in  
Appleby for  
summons  
against  
Michael  
M<sup>c</sup>Dougall in  
Barquhannie  
and others for  
assault.

350. Supplication by Patrick M<sup>c</sup>Connill in Apilbie, as follows:—On July last Michael M<sup>c</sup>Dougall in Barquhannie, accompanied with Archibald Dunbar, his brother-in-law, David Dunbar of Baldone, and other accomplices, "all bodin in feir of weir, with swordis, durkis, quhingeris and utheris wapponis invasive," came and invaded him and wounded him on the shoulder blade with a sword, "gaif me ane uther deip and deadlie stog straik right beneth the same with the poynt of a sword and hurt and woundit me [in] sindrie utheris pairtis of my

Miscellaneous  
Papers.

Miscellaneous  
Papers.

body to the effusioun of my bloode in grite quantitie and perrell of my lyffe, and thair left me for dead." He craves summons against them. [On the back] "*Apud Edinburgh, xij Novembris, 1627. Fiat ut petitur.* (Signed) GEO. CANCELL<sup>r</sup>, I.P.D."

351. Supplication by John Blair in Auchincloyche and John Aitkin there, as follows:—Notwithstanding the acts forbidding the convocation of the lieges for committing any violence or lawlessness, yet William Cunninghame, fiar of Carnecurrane, William Blaikburne in Carruth, and others their accomplices, "all boddin in feare of warre, with swords, staves, rungs, battouns and utheris weapouns invasive, come upoun the day of October last, being Sunday, under cloud and silence of night, in ane hostile and unseemelie maner to the hous of George Young at the kirk of Kilbarchane, whair we wer in quyet maner looking for no harme nor injurie to be done unto us but that the religious respect dew unto the Sabboth and reverence of his Majesteis auctoritie sould have secured us from anie violence at that tyme, and thair thay, without all feare of God or regaird unto his Majesteis auctoritie, to the manifest profanation of the said day and opin scandall of the kirk, most cruellie invaidit us, we being simple labourers of the ground and destitute of all weapouns defensive or offensive, strake, hurt and woundit us in diverse pairts of our bodie, and we, being throw manie bauche and blae strakes upon our head and utheris partis feld and dung to the ground, thay than most shamefullie and unmercifullie bladdit and dammeist us with thair falded niffes upoun the faice and head. Lykeas the saids persouns, not content heerewith but persisting in thair malicious and cruell dispositioun aganis us, conveyed thameselves togidder with Daniel Cuninghame, father to the said William, James and William Scots, William Baxter, Alexander Carruth, Archi Parker, Johne Mowdie, and with uthers thair complices, all boddin as said is, come be way of hamesuckin to our dwelling housses upoun the day of under cloud and silence of night and lay about our housses and among our cornes till the morning, resolving at our outcoming to haive slaine us and, we being simple ignorant men and not knowing of suche a wicked course intendit aganis us, how soone we raise in the morning and come to our work to sheir our cornes and inputt that quhilk wes shorne, the saids persouns most cruellie and fiercelie unbesett us unawars of sett purpose and provisioun to have bereft us of our lyves sua that for safetie of the same we wer compelled to flee to the plaice of Craiganes, our maisters house. Lykeas diverse tymes of befor the saids persouns lay at await for us about our houses and among our cornes and as yitt continuallie, quhairthrow we ar constrained to remaine in our maisters said hous and darre not come to our awin houses nor use our lawfull calling in sheiring and winning of our cornes as his Majesties free lieges to our heavie hurt and skaith." They crave summons against these persons. [On the back] "*Apud*

13th November 1627.  
Supplication by John Blair in Auchincloyche and John Aitken there, for summons against William Cunningham, fiar of Carnecurrane, and others for assault and threatening their lives.

*Halvudhous, 13 die Novembris, 1627. Fiat ut petitur.* (Signed) Miscellaneous  
Papers.  
GEO. CANCELL<sup>s</sup>, I.P.D."

13th November 1627.

Supplication by Mr. John Rutherford, minister at Kinbethock, for summons against William Leslie, son of Mr. John Leslie, sometime minister at Tulloch, for injuring his crops, assault, and hamesucken.

352. Supplication by Mr John Rutherfoord, minister at Kinbethock, as follows:—On the            day of            last, William Leslie, lawful son to Mr John Leslie, sometime minister at Tulliche, accompanied with George Andersone in Abirgardin, James Oig in Migvie and John Smyth in Pontlevin, with divers uthers, came with a number of horses, "haveing every one of thame a draught of traylling treyis and uther tymmer, to my gleiblandis and thair, in contempt and dispyte of me, after a malicious and lawles maner went throw my cornes and hayned grease, letting thair horse rug up and eate thair of quhat they pleased, sua that thairby and be thair horse feitt and draught of the saidis treyis a grite pairt of my saidis cornes wes spoyllled and destroyed. And upoun advertisement thair of I haveing come furth frome my booke and studie and in a quyet maner haveing objected unto the saidis personis their wrong, willing thame to forbear the same, the said Williame Leslie, out of his forder spyte aganis me, without respect to my persoune and calling, drew furth his sword and thairwith shamefullie and cruellie invalidit and persewit me of my lyff, strak out a number of straikis at me and haid not faillit to have slayne me gif be the providence of God I had not bene rescued be some weill dispoised nightbouris that, heiring the fray, come running thair for the tyme. And the said William, not being satisfiet heirwith, he upoun the morne thairefter, accompanyit with the said Mr Johne, his father, boidin in feir of weir, with swordis, quhingeris and utheris wapponis invasive, come be way of hamesuckin to my duelling house, and thair after ane insolent maner searched and soght me about all the pairtis thair of of purpois to have bereft me of my lyffe gif thay haid apprehendit me, uttering in the meanetyme a number of injurious and threattning speechis aganis me, saying that I durst not come in thair sight for my hanging and that, gif thay haid haid me, all my kine sould not salff my lyffe, sua that I dar skaircelie abyd at hame for discharge of my functioun and calling at my said kirk for fear of my lyffe." He craves summons against them. [On the back] "*Apud Halvudhouse, xiiij Novembris, 1627. Fiat ut petitur.* (Signed) GEO. CANCELL<sup>s</sup>, I.P.D."

15th November 1627.

Supplication by Agnes Muir for release from the tolbooth of Edinburgh, where she is unjustly warded by Donald Baine Bowar.

353. Supplication by Agnes Muir, as follows:—She has been detained in the tolbooth of Edinburgh for sixteen weeks past in great misery at the instance of Donald Baine Bowar for a debt of £35, "off the quhilk he hes ressavit ane debtour for the sowme [of] fyftene pund and four pund of fie, sua all thatt he hes to alledg aganis me is the sowme of saxtein pund, the quhilk sowme is trustit out in drink be me to utheris during the tyme of my service, and heir I ame stervit to deid with moist lemmmentabill famein be him moist maliciouslie, nochtwithstanding thatt oft and many tymis I have offerrit him my awin

Miscellaneous  
Papers.

band off the first gudis thatt I can or may conques or aquyr to satesfie him, yit he will except of no kynd of conditione," but will starve her to death. She beseeches their Lordships to commiserate her case, "haildin so lang in waird for sick ane semple sowme as saxtein pund, and, as I have schawin your Lordships, I haild perrischit lang ago haild nocht the guidman and guidwyff of the tolbuith throw plane piettie preservit my lyff"; and craves letters charging the said Donald Baine Bower to compeir before their Lordships at Holyroodhouse "or quhair it sall happin your Lordships to be for the tyme" to be ordained to accept her bond and release her, or to pay for her maintenance and jailor fee; and letters charging the provost and bailies of Edinburgh to exhibit her. [On the back] "*Apud Halyrudhouse, xv Novembris, 1627.* The Lordis remittis this supplication to the Lordis of Sessioun. (Signed) GEO. CANCELL<sup>r</sup>, I.P.D."

354. Supplication by John Hiddlestoun at the Mill of Templeland, as 17th November 1627. follows:—On October last John Maxuell, now of Shawis, with his accomplices, "boidin in feir of weir, with battonis, rungis and utheris wapponis invasive," came by way of hamesuckin to his house and attacked him "without respect to my old and waik aige, I being past lxxij yeiris," striking him with the said weapons and their hands and feet, "feld me to the ground, and then the said Johne not onlie most unmercifullie poust and brusit me with his kneis upoun the breast, bellie and utheris pairtis of my bodie, bot also strak me throw the left arme abone the elbo with a quhinger, to the effusioun of my bloode in grite quantitie and perrell of my lyff. And, quhenas my poore, harmeles, aiged wyffe of thriescoir ten yeiris or thairby preast by the small strenth scho haid to have rescued me from his crueltie, he putt violent hands in hir persone and so cruellie strak and bruist hir that scho lay bedfast thair- efter the space of xv dayes in grite haisaird of hir lyffe, lykeas nather will scho nor I be evir able to work for wineing of our leiving, bot be as decrippit personis all our dayes. And the said Johne Maxuell, not being satisfeit heirwith, he, assisted with his compliceis, violentlie and perforce caryed me captive frome my said house to the burgh of Drumfreis and committit me to waird within the tolbuith thair of, quhair I wes detenit prisouner the speace of fyve or sax oulkis, I being his Majesteis frie liege, ansuerabill and obedyent to the lawis, haveing committit no cryme nor offence nor thair being no decreit nor sentence standing aganis me nor the said Johnne haveing no lawfull warrand nor power to tak me." He craves summons against him. [On the back] "*Apud Edinburgh, xvij Novembris, 1627. Fiat ut petitur.* (Signed) GEO. CANCELL<sup>r</sup>, I.P.D."

355. Supplication by Sir William Oliphant of Newtoun, knight, and 20th November 1627. Mr Thomas Hoip of Craighall, King's Advocates, for his Majesty's interest, as follows:—The transport of nolt being found by their by the King's

advocates for  
summons  
against certain  
persons who  
have contra-  
vened the law  
by exporting  
cattle.

Lordships to be a crime most prejudicial and hurtful to the common weal, they by sundry acts and proclamations forbade the same under certain penalties; yet certain persons (names not filled in), "preferring thair awin privat gaine to the obedience of the law and to the weale of the kingdome," have at several times transported from this kingdom great numbers of nolt, "whilk hes raised the pryces of the same to suche ane high and extraordinar rait and hes maid such ane skairsetie of the same that the subjects of the kingdome hes not the meanes convenientlie to furnishe thameselffes thairwith to thair heavie hurt and skaith." They crave summons against these offenders. (Signed) "S. W. OLIPHANT; S. THOMAS HOP." [On the back] "*Apud Halvruidhous, vicesimo Novembris, 1627. Fiat ut petitur.* (Signed) GEO. CANCELL\*, I.P.D."

Miscellaneous  
Papera

22nd Novem-  
ber 1627.

Supplication  
by George,  
Lord Ramsay  
of Dalhousie,  
for letters  
charging his  
vassals to pay  
their propor-  
tion of the  
taxation.

356. Supplication by George, Lord Ramsay of Dalhousie, etc., as follows:—In the taxation granted to the late King in the Parliament held at Edinburgh in October, 1612, every pound land of old extent was taxed in each of the four terms' payment to 18s., and in the taxation granted in March, 1617, they were taxed in each of the two terms to 30s., also to 30s. in each of the four terms of the taxation granted in August, 1621, and to 30s. in each of the four terms of taxation granted in October, 1625. His vassals, subvassals, ladies of terce, conjunct fiars and liferenters ought to relieve him of their proportion of taxation according to their pound lands, but they refuse. He craves letters charging them to pay their taxations for all the fore-mentioned terms within 20 days. [On the back] "*Apud Edinburgh, xxij Novembris, 1627. Fiat ut petitur.* (Signed) GEO. CANCELL\*, I.P.D."

24th Novem-  
ber 1627.

Supplication  
by Andrew,  
bishop of  
Galloway, for  
letters charg-  
ing John  
Gordon, now  
of Lochinvar,  
to pay his  
share of the  
tax imposed on  
the bishopric.

357. Supplication by Andrew, Bishop of Galloway, as follows:—In the taxt roll made for his releif of the tax imposed upon the Bishopric of Galloway for the taxation granted to his Majesty in October, 1625, the aftermentioned lands and teinds pertaining to John Gordoun, now of Lochinvar, held by him of the said bishopric, are stented for each of the four terms of payment as follows:—His lands of Rudrig to £9 termly, his lands of Over and Nether Glashinks and Killair £12 10s. 8d. termly, his kirklands of Girtoun £3 18s., the parsonage of the kirk of Monygooff £37 6s. 8d., and the parsonage and vicarage teinds of the kirk of Girtoun £8 6s. 8d. termly. Likewise in the taxt roll for his relief of the tax imposed upon the abbacy of Tounkland for the above-mentioned taxation, the lands and teinds following pertaining to the said John Gordon are stented termly to the sums underwritten, viz., the lands of Dunjop £9 8s., the teinds of these lands of Dunjop £3 15s., and the teinds of the kirk of Sennyk £12. Also, in his taxt roll of the vicarage of Monygooff for the said taxation, the said John Gordon's vicarage teinds of Monygooff are taxed termly to £17 5s. 4d. Notwith-

Miscellaneous  
Papers.

standing that the said John Gordon is due for the third term's payment of these sums, yet he refuses to pay. He craves letters charging him to make payment within 20 days. [On the back] "*Apud Edinburgh, xxiiij Novembris, 1627. Fiat ut petitur.*" (Signed) GEO. CANCELL<sup>r</sup>, I.P.D."

358. Supplication by Andrew, Bishop of Galloway, as follows:—In the 24th November 1627. tax roll made for his relief of the taxation of the priory of Whithorne in October, 1625, the lands of Balsmith pertaining to Robert McCulloch, apparent of Drummorrell, and held by him of the said priory, are taxed in each of the four terms to £10 11s. 6d.; and although the said Robert is due for the third term's payment, he refuses to pay. He craves letters charging him to make payment. [On the back] "*Apud Edinburgh, xxiiij Novembris, 1627. Fiat ut petitur.*" (Signed) GEO. CANCELL<sup>r</sup>, I.P.D."

359. Supplication by John Campbell of Kendloch, as follows:—25th November 1627. Alexander Fleyming of Mounes and Patrick Fleyming of Carnbrane, his cautioner, were charged at the supplicant's instance to pay to him £1000 conform to a decret of their Lordships, as the fine imposed upon the said Alexander for resetting the Clangregour, which was assigned to the supplicant by Archibald Campbell and Archibald Prymrois, the commissioners appointed by Archibald, Earl of Argyll, for uplifting these fines. But the said Alexander and Patrick Fleymings, "upoun certane freevolous ressonis and be finding of Patrik Fleyming of Ballach, cautioner for them," on 5th May last obtained suspension of the letters until 5th June thereafter, and then their Lordships found the supplicant's letters orderly and decerned that payment should be made, half at Martinmas then next, and half at Whitsunday next to come in 1628. It is necessary that letters should be raised also against the said Patrick Fleyming, cautioner, for payment, and these therefore the supplicant craves. [On the back] "*Apud Halayrudhous, xxv Novembris, 1627. Fiat ut petitur.*" (Signed) GEO. CANCELL<sup>r</sup>, I.P.D."

360. Supplication by Robert, Lord Burley, as follows:—He is 26th November 1627. charged at the instance of James, Duke of Lennox, to relieve him in the first, second, and third terms of the tax imposed upon the priory of St. Andrews for the taxation of October, 1625, being £31 5s. 0d., for each of the three terms for his lands held of the said priory, viz., "the lands quhilks I have in propertie and few of ane pairt of the thrie pairt lands of Ballone, my few lands of Straikinnes and lands of Ballone, quhairof I am superiour"; and he himself ought to be relieved by his vassals and tenants. But because he neglected "upoun some necessar occasioun" to make and set down a taxt roll for his relief, "at the terme appoyntit to that effect be the act of Conventioun maid anent the granting of the said taxatioun," they refuse to make payment. He

craves letters charging them to assist him in making a stent roll according to the act, which failing, it shall be lawful for him to prepare it himself. [On the back] "*Apud Edinburgh, xxvj Novembris, 1627. Fiat ut petitur.*" (Signed) GEO. CANCELL<sup>s</sup>, I.P.D." Miscellaneous Papers.

27th November 1627.  
Supplication by Euphemia M<sup>c</sup>Dull, widow of John M<sup>c</sup>Coul, officer, anent the delivery of writs and infeftments relating to certain lands that belonged to the said John.

361. Supplication by Eupham M<sup>c</sup>Dull, widow of John Makcoull, officer, as follows:—She is charged at the instance of John Sturrok, sailor, son-in-law of the said John Makcoull, to deliver this day before their Lordships the old writs and infeftments of that tenement of land in Halkerstouns Wynd pertaining to the heirs of the said John Makcoull heritably and to herself in liferent. Now the said action belongs to the Lords of Session; yet she is willing to deliver the writs upon inventory and bond, with caution for producing the same for defence of her liferent right therein. She is also troubled for these writs by George Ross, who has apprised the lands. She craves either that the matter be remitted to the Sessioun or an inventory and bond made as above, with caution. [On the back] "*Apud Halvyrudhous, 27 Novembris, 1627.*" The Lordis, with consent of bothe partyis, ordains the writtis to be delyverit and consignit in the handis of the Clerk of Consaill to the intent he may communicat and shewe the same to suche as will offer to buy the landis quhairof the supplicant is lyverenter. (Signed) GEO. CANCELL<sup>s</sup>, I.P.D.'

27th November 1627.  
Supplication by James Donald, miller in Inverkeithing, for letters charging the magistrates of the said burgh to liberate him from their tolbooth.

362. Supplication by James Donnald, miller in Inverkeithing, as follows:—On 20th November instant the bailies of Inverkeithing, at the instance of Margaret Setoun, widow of Mark Swintoun, provost there, warded him in their tolbooth without just cause. He craves letters charging the provost and bailies of Inverkeithing to exhibit him before their Lordships and to liberate him. [On the back] "*Apud Halvyrudhouse, 27 Novembris, 1627. Fiat ut petitur.*" (Signed) GEO. CANCELL<sup>s</sup>, I.P.D."

27th November 1627.  
Supplication by John Anderson in the Walkmilne of Wranghame, and Alexander Shartertie there, for summons against George Gordon of Newton and others for hamesucken.

363. Supplication by John Andersone in the Walkmilne of Wranghame, Alexander Shartertie there, and George Hergare there, tenants and servants to George Gordoun of Wranghame, and the said George Gordon for his interest, as follows:—On July last George Gordoun of Newtoun, accompanied with John Shand, Thomas Moreis in , and other accomplices to the number of twenty persons, "all boidin in feir of weir, with swordis, stalffis, battonis and utheris wapponis invasive, come to our dwelling houses at the walk milne of Wranghame and thair, be way of hamesuckin, violentlie enterit within our saidis houses, searchit and soght us throw all the pairtis thairof, stoggit our beddis with drawne swordis aud stalffis, and used all uther meanis for apprehending of us; and finding me, the said Johne Andersone, thay schamefullie and unmercifullie invaidit and persewit me of my lyffe, most cruellie straik, hurt and woundit me in the head

Miscellaneous  
Papers.

and utheris pairtis of my bodie to the effusion of my bloode in grite quantitie and perrell of my lyffe, and thair left me for dead. And, not content heirwith, being informed that I was liklie to recover, thay upoun the                    day of July last come of new to my said house and thair invadit and persewit me of my lyff of sett purpois to have slayne [me] gif be the providence of God I had not bene rescued frome thair crueltie. Lykeas upoun the                    day of November instant thay come to the duelling housses of us, the said Alexander Shartertie and George Hergar, quher we wer in sober maner for the tyme, and thair violentlie set upoun us with drawine swordis, schamefullie and unmercifullie invadit and persewit us of our lyves, hurt and woundit us deidlie in the head and utheris pairtis of our bodyes, so that we have bothe lyin evir bedfast sensyne and, after that thay haid thus cruellie used us, thay past and pulled down our corne yaird dykis, and after a lawles and maisterfull maner keast four of our best corne stakkis and caryed and transportit the same away with thame to the barneyaird of Newtoun, and keipis the same thair as yit." They crave summons against them. [On the back] *Apud Edinburgh, xxvij Novembris, 1627. Fiat ut petitur.* (Signed) HADINTON."

364. Supplication by William Lamb and Margaret Crunzeoun, <sup>29th November 1627.</sup> widow, his mother, as follows:—On 22nd November instant the said William, while "going along this streit of Edinburgh tending to have <sup>Supplication by William Lamb and his mother for summons against . . .</sup> went to Dalkeith to have servit in the palace thair of as foirman under the maister cuik of the same, quhomwith I was conduit fra Martimes last to Witsunday nixt at leist be sum utheris in his name," was <sup>Borthwick of Johnstoneburne, who has illegally warded the said William as a deserted soldier.</sup> Borthuik, younger of Johnestounburne, who took him away alleging that "I wes his conduit sojour, quhilk was never of veratie bot be way of circumventioun, he being at his dennar in the duelling hous of William Symsonne, burges of Edinburgh, in the moneth of May last with certane his complices, willit me to inquire the reconnyng and report ane ansuer quhilk extend to xvij s., quhilk he delyverit to me for payment of thair said dennar, alledging thairby I ressavit erlis to have went to the waris, and, not content with suche maner of providing, the said Borthuik and his complices hes keipit me fast thir aucht dayis bygane, quhairin I lay pittifullie in grit miserie in ane hous in Edinburgh, committing thairthrow ane manifest rayot and oppressioun quhilk aucht to be punischit that utheris offend not in the lyk kynd." They crave summons against the said Borthuik to produce the said William Lamb that he may be set at liberty, the supplicants being "miserabill and puir persones." Also, they desire letters for summoning witnesses in the case. [On the back] "*Apud Halyrudhouse, 29 Novembris, 1627. Fiat ut petitur.* (Signed) GEO. CANCELL, I.P.D."

365. Supplication by George Hendersoun in Strowie, against Henry <sup>1st December 1627.</sup>

George  
Henderson  
in Strowie  
against Henry  
Robertson in  
Nether Crago.

Robertson in Nether Crago, as narrated in Vol. II, Second Series, pp. 153, 154. [On the back] "*Apud Halvudhouse, primo Decembris, 1627.*" *Miscellaneous Papers.*  
*Fiat ut petitur.* HADINTON."

4th December  
1627.

Supplication  
by James  
Mayne,  
customar, for  
summons  
against David  
Spens, sailor  
in Kirkcaldy,  
and others  
for smuggling  
and assault.

366. Supplication by James Mayne, customar at \_\_\_\_\_, as follows :  
—On 9th November last, there being certain ships in the road of Kirkcaldie ready to sail towards England, and he as customar foresaid, "be vertew and according to the dewtie of my office being attending upoun the sandis of Kirkcaldie that no goodes sould be imbarqued uncustomat, I forgadderit with ane woman betuix sex and sevin of the clock at night haveing on hir bak ane grite burdeyne of small cloith quhilk scho wes going to putt in a boit at ane low watter in a quyet plaice, neir unto the quhik thair wes no persone nor personis for the tyme and thair hard by the said boitt, I haveing apprehendit and takin the said cloith frome the said woman and haveing the same in my armes, bringing it away with me, David Spens, maryner in Kirkcaldie, to quhome the said cloith appertenyt, accompanyit with Henrie Ronnaldsoun, younger, and Johne Tennent, younger, marynaris thair, come to me and simulatlle offerit to carie the said burdeyne of cloith to ane house with me and to gif me contentment for the same, quhilk I simplie delyvering to him in his armes, he immediatlle ran away thairwith in into the sea to the weast and putt the same in a boit and caused row the said boit furth to the raid and imbarqued the same in the schip callit the Daniell, quhereof Johne Balcanquhail wes maister, and after that the said David Spence had come furth of the sea, and that I preast to go aboard of the said schip in ane uther boit, the said David, assisted with the utheris personis foirsaidis, patt violent hand in my persone, uttering and saying that I durst not for my hanging mell with the foirsaid cloith, ruggit my clock frome me and strampit the same most despytefullie under thair feett, held me fast be the armes till thay not onlie shamefullie strak and abused me with stalffis and treyis bot also both pullit furth my quhinger and keast me on my bak and then strak at me most dispytefullie with my said quhinger, thinking to have stobbit me thairwith and to have bereft me of my lyff, wer not be the providence of God I wes releived be certane weill disposed personis that come thair for the tyme. And siclyke upoun the xvj of October last, thair being ane ship of Kirkcaldie, quhairof Johne Balcanquall is maister and skippar, leatlle arryved to the port and harborie of Bruntyiland from the Low Countreis and untill the said schip had bene enterit, I being attending that no goodes sould have bene lossed that his Majestie sould not have bene defrauded of his dew custome, and in the meanetyme rancountering with Alexander Law, callit Blak Alexander Law, in Kirkcaldie, accompanyit with Johne Tennent, younger thair, two of the company of the said schip at ane quyet plaice besyde the east bulwark, quhairafter I had saluted the saidis personis, I persaveing the said Alexander to have under his clock and ockster ane havie pack of ritche wairis, quhilk be all appeirance wes gold leace and

Miscellaneous  
Papers.

pesmentis, and thairupoun haveing tane ane greip of the same, willing the said Alexander to lett me see quhat wes within the said packett, the said Alexander in the meanetyme not onlie flatlie refused to do the same bot perforce putt me bak frome him, and with that the said Johne Tennent come behind my bak and grippit me fast be the bodie in his armes and violentlie drew and withheld me frome the said Alexander till the said Alexander with suddantie past to ane shippis boit with the said packet of goodes and convayit the same away out of my sight thairwithall, most proudlie avowing and affirmeing that in dispyte of my hairt I sould not sie the same, with sindrie utheris injurious and approbrious speechis not worthie to be rehearsed, wherthrow the foirnamed persons and every one of thame hes violentlie withstand and resisted me in the executioun and discharge of my office, heighlie to his Majesteis offence and contempt of his auctoritie and lawis." He craves summons against them. [On the back] "*Apud Edinburgh, quarto Decembris, 1627. Fiat ut petitur.* (Signed) MAR."

367. Supplication .by Fergus Dunbar, burgess of Stranrawer, and Katherine Herroun, his spouse, as follows :—On November last 1627. Supplication by Fergus Dunbar, burgess of Stranraer, and Katherine Heron, his spouse, for summons against Annabell M'Croyne and others for hamesucken and threatening their lives. Annabell M'Croyne, spouse to Thomas M'Kie, burgess of the said burgh, at the instance of the said Thomas came by way of hamesucken, "under cloude and silence of night, boidin with a grite battoun or rung and utheris wapponis, to our duelling house in Stranrawer, quhair we with our bairnis and servandis wer in a sober maner for the tyme expecting hairme of no persone nor personis, and thair sett upoun us unawaris, shamefullie and cruellie invalidit and persewit us and Andro, Gawane and Niniane Dunbaris, our sones and our servandis of our lyves, gaif us a number of bauch, blae and bludie straikis in the headis, faceis and utheris pairtis of our bodyes to the effusioun of our bloode in grite quantitie, uttering in the meanetyme a number of reprochfull and sclanderous speechis aganis us, calling us theivis and robberis and suche lyke, and sho had not faillit to have bereft some of us of our lyves, wer not be the providence of God some weildisposed nightbouris come and releived us. And not being satisfeit heirwith scho daylie sensyne awaittis and attendis the occasioun to gett some unhonnest advantage of us for executting of hir deteatable purpois aganis us. And siclyke, upon the day of the said moneth of November last, William Gordoun, fear of Grang, sett fearcelie upoun me, the said Fergus, at schamefullie and unmercifullie invalidit and persewit me of my lyffe with , and after ane cruell and dispytefull maner strak out a number of straikis at me and had not faillit upoun sett purpois and provisioun to have slayne me, wer not be the providence of God and the help of some weildisposed personis that come thair for the tyme I wes releived. Lykeas daylie sensyne he lyis at await for me of purpois to bereave me of my lyffe gif he can forgadder with me." They crave summons against them. [On the back] "*Apud Halvudhouse, sexto*

*Decembris*, 1627. The Lordis remittis the tryall and redres of the wrong libellit to the provest and bailleis of Stranrawer. (Signed) <sup>Miscellaneous Papers.</sup>  
MAR."

7th December  
1627.

Supplication  
by the King's  
Advocates for  
letters charg-  
ing certain  
persons to  
appear before  
the Council  
who have  
contravened  
the Act  
prohibiting the  
sale of English  
beer at a  
higher rate  
than Scottish  
beer.

368. Supplication by Sir William Oliphant of Newtoun, knight, and Mr Thomas Hoip of Craighall, King's Advocates, for his Majesty's interest, as follows:—Their Lordships, having taken into consideration the great disproportion of price between English beer and the ale of this kingdome, "and finding it na wayes agreeable with ordour, policie nor good governement that anie forraine commoditeis brought within this kingdome sould be sauld at a double rait and pryce of the native commoditeis of the same, especieallie whair the native commoditeis ar als good as the forraine," made an act and proclamation to "all his Majesteis subjects, hamebringers of English beir, that nane of thame sould sell the same darrer nor sax punds the bwnne to the intent the ventenners might accordingle sell the same for auchtein penneis the pynt, under the paine of tuentie punds for everie bwnne that thay sould sell at ane higher rait and pryce nor sax pund, as the said act and proclamatioun publeist thairupoun at lenth beares." Notwithstanding whereof, on 1st September last George Smert, master of the ship called , John Gray, David Rollock and Alexander Byter, merchants, burgesses of Dundee, brought in to Dundee twenty four "twnnes" of English beer and sold it dearer than £6 per "bwnne"; and on the last day of September Alexander Law, younger in Kirkcaldie, master of the ship called , Patrick Baxter and Gilbert Wentoun, merchants, burgesses of Dundee, brought to the port of Dundee forty "twnnes" of English beer which was sold at a dearer rate than £6 per "bwnne"; and on 12th November last David Lindsey, master of the ship, called , James Small, Patrick Kinloch and Robert Hutchoun, merchants, burgesses of Dundee, brought to the port of Dundee forty "twnne" of English beer and sold it dearer than £6 per "bwnne"; also on 12th November last James Young, master of the ship called , James Bowar and Robert Stirling, merchants, burgesses of Dundee, brought to the port of Dundee eighteen "twnne" of English beer and sold it above £6 per "bwnne"; and on 10th April last John Balcalquall in Kirkcaldie brought to the port of five "twnne" of English beer, and on the same day William Young in Kirkcaldie brought to the said port seven "twnnes" of English beer, and both consignments were sold at a higher rate than £6 the "bwnne"; also on 22nd April William Balfoure in Kirkcaldie delivered at the port of Aberdene twenty "twnne" of English beer and sold it dearer than £6 the "bwnne"; on 13th September last William Symson in Dysert brought to the port of seven "twnnes" of English beer and sold the same for more than £6 the "bwnne"; on 2nd October last John Law in Kirkcaldie brought to the port of fifteen "twnnes" of English beer which was sold at more than £6 the "bwnne"; on

Miscellaneous  
Papers.

October 9th James Coilyear in Kirkcaldie brought to the port of twenty "twnnes" of English beer and sold the same for over £6 the "bwnne"; and on 20th November last Henry Schankes in Kinghorne brought to the port of fifteen "twnne" of English beer and sold it dearer than £6 the "bwune." Thereby these persons have contravened the said acts and proclamations, and become liable in the penalty of £20 "for everie bwnne of beir brought hame be thame against the tennour of the said acts." They therefore crave letters charging them to compear and see the offence proved, and be decerned to pay to the Treasurer and his depute the penalties incurred. (Signed) "S. W. OLIPHANT; S. THOMAS HOP." [On the back] "*Apud Halyrudhouse, septimo die Decembris, 1627. Fiat ut petitur.*"

369. Supplication by Alexander Donaldsoun in Sauchtoun against Robert Mowbray at the Bridgend of Cramond, as narrated in Vol. II., Second Series, p. 188. [On the back] "*Apud Edinburgh, xi Decembris, 1627. Fiat summonitio ut petitur* to the ellevint day of Januar nixto-come and to suspend and discharge *ut infra* in the meanetyme quhill the sextene day of the same moneth of Januar nixtocome; becaus John Broun at Gorgy Milne is become cautoun for the complener to the effect within writtin, as ane act maid thairanent beiris. (Signed) S<sup>r</sup> J. SCOTTISTARVETT."

370. Supplication by John Squyar, one of the bailies of Stirling, as follows:—Mr David Drummond of Ledmachaine, burgess of the said burgh, "being stentit with the rest of the nighbours of the said burgh be the stent maisters, chosin and sworne to that effect, in the sowme of fiftie punds for the last taxatioun grantit to his Majestie in October 1625, and that for the said Mr David his pairt of the said taxatioun both ordinar and extraordinar for this present yeere of God j<sup>m</sup>vj<sup>e</sup> and twentie sevin and for the yeere of God j<sup>m</sup>vj<sup>e</sup> and twentie aucht nixtocome, as the rest of the nighbours of the said burgh wer stentit proportionable for the saids twa yeeres"; and he and they being also "stentit" for the preceding two years made payment thereof according to the stent rolls. And the supplicant, as bailie of that quarter wherein the said Mr David resides and to whom the collection of that quarter's stent is appointed, "haiving past sindrie tymes before and since the terme of Mertimes last to the said Mr David to have ressavit payment fra him of his said stent, and last, upoun the fyft day of December instant, haiving forgadderit with him within his closse in the backraw of Stirlie, looking thair to haive ressavit the said stent without anie questioun or contradictioun, neverthelesse it is of truthe that not onlie he refused to pay the said stent unto me but also most shamefullie and reproachfullie abused, traduced and revyled me, being in the executioun of my office, calling me and all the stentmaisters of Stirlie false, mansworne knaves, and that we wer all villaine swingears

11th December 1627.  
Alexander Donaldson in Sauchtoun against Robert Mowbray at the Bridgend of Cramond.  
Supplication by John Squyar, bailie in Stirling, for summons against Mr. David Drummond of Ledmachaine, burgess of the said burgh, for refusal to pay his taxation and threatening assault.

and asses, and he sould have us all hangit and that he sould not pay ane pennie of that stent and we wer all hangit, and that we wer not worthie to be in a toun, with manie uthers injurious and reproachefull speeches; and, not content thairwith, the said M<sup>r</sup> David, to the forder disgraice and contempt of his Majesteis auctoritie, putt violent hands in my persoun, punst me in the breast with my [*sic*] hands, nipped and rugged me be the arme up and down and vowed to have my lyffe before he and I sinderit. And for effectuating of this his lawlesse and cruell intentioun he cryed on Peter Home, his servant, to goe up staires and bring him his sword and commandit him and the rest of his servants to steeke all his yetts, whilk they did, and had not failed to haive bereft me of my lyfe wer not be the providence of God and helpe of the nighbours, who heard the tumultuous and lawlesse proceedings of the said M<sup>r</sup> David against me, I wes delyverit out of thair hands; quhairthrow, as the said M<sup>r</sup> David hes most injuriouslie and disgracefullie abused me in the executioun of my office, so he hes most prouddie and contempnandlie violat his Majesties auctoritie and lawes made for obedience of his Majesteis officiaris and all magistratis in executioun of thair offices, to the great disgrace of his Majesteis government and evill exempill of uthers to committ the lyke hereafter." He craves summons against him. [On the back] "*Apud Halvudhous, undecimo Decembris, 1627. Fiat ut petitur.*" (Signed) MAR."

11th December 1627.  
Supplication by John M<sup>c</sup>Kay and Neill M<sup>c</sup>Kay in Skaill for summons against Alexander M<sup>c</sup>Kay of Langwell and others for killing game in the forests belonging to the supplicants.

371. Supplication by Sir William Oliphant of Newtoun, knight, and Mr Thomas Hoip of Craighall, King's Advocates, for his Majesty's interest, and John M<sup>c</sup>Kay of                      and Neill M<sup>c</sup>Kay in Skaill, as follows:— Although the wearing of hagbuts and pistolets is forbidden and the slaughter of deer, roe and venison, yet Alexander M<sup>c</sup>Kay of Langwell, Neill M<sup>c</sup>Angus in Eister Larg, and Kenneth M<sup>c</sup>Eane V<sup>c</sup>Iven in Synnmes with their accomplices, came in August last to the forests of Beuchlibert and Beustryme, pertaining to the said John M<sup>c</sup>Kay and Sir Donald M<sup>c</sup>Kay, his brother, and there with hagbuts and guns shot and slew a great number of the deer, roe and venison in the said forests, "sua that the saids forrestis, quhilkis wer most plentiful of all soirtis of dear, ar now become in a maner voyd of dear; and at that same tyme forgadder with a kow perteneing to me, the said Neill M<sup>c</sup>Kay, thay, out of thair insolent and malicious dispositioun, schoit and slew my said kow"; and they daily carry these firearms wherever they resort, using them both for their recreation and private revenge. They ought to be exemplarily punished in their persons and goods. They crave summons against them. (Signed) "S. W. OLIPHANT; S. THOMAS HOP." [On the back] "*Apud Edinburgh, xj Decembris, 1627. Fiat ut petitur.*" (Signed) S<sup>r</sup> J. SCOTTISTARVETT."

11th December 1627.

372. Supplication by Patrick Morysoun, sheriff clerk of Clakmannane, as follows:—On 13th May, 1627, William Drysdail, portioner of

Miscellaneous  
Papers.

Wester Sheardall, "being ludged and lying in my house in Clakmannane, he be the break of day, quhill as I and the rest of my famelie wer asleip, raise out of his bed and soght and searched throw my haille house till he fand ane number of my wreittis, quhilkis (at my going to bed) I haid layed under my hatt on my chalmer buird and amongis the quhilkis, thair being ane band subscrivit and grantit be the said William the day preceeding to Adame Moreis, coilyear at the heugh of Sauchie, conteneing the sowme of tuo hundreth merkis money, and bearing the same to be payit at Witsounday nixt with ane heretabill clause incaice of retention thereof, and quhilk band wes with consent of bothe pairtyes putt in keiping in my handis till the morne that it might have bene delyverit to the said Adame, the said William most unhonnestly tooke up the said band and oppinit my doore and quyetlie convoyit him self away furth with the said band; the lyke of quhilk treacherous deid hes not bene heirtfoir hard of in a countrie subject to law and justice, where-with I have thocht goode to acquent your Lordships to the effect your Lordships may tak suche ordour thairanent as the nature of the caus requyres." He craves a summons against the offender. [On the back] "*Apud Halyrudhouse, xj Decembris, 1627. Fiat ut petitur.* (Signed) MAR." (See Vol. II., Second Series, p. 210.)

Supplication  
by Patrick  
Morrison,  
sheriff-clerk of  
Clackmannan,  
for summons  
against  
William  
Drysdale,  
portioner of  
Wester Shear-  
dall, for  
stealing a  
bond which  
had been  
entrusted to  
the supplicant.

373. Supplication by Robert, Earl of Nithisdail, Lord Maxwell, etc., as follows:—There are certain persons arrested and to be arrested before him as Steward of Kirkcudbright and his deutes, to answer for thefts and other indictments, "quhilkis ar maters of small moment, not worthie that thair lyffis sauld be tane quhen thei ar convict in the saidis poyntis of thift and uthers quherof thei ar acusit, being pittie stowthes not exceding the valour of twelf pundis Scottis money, bot that sum uther punishment sould be inflicted upoun thame to saif lyff and member, quhilk I nor my deutes can not do of our selfis without your Lordships warrand had for that effect." He therefore craves license and warrant to be given to him and his deutes "that quhen any sick persoun or persones sall be convict befor me or ony of us in tyme cuming for small poyntis of thift and uthers not exceding the worthe of twelf pundis money be ilk ane of thame, that sick dome and punishment salbe inflicted upoun thame and ilkane of thame as I and my deutes or ony of us sall think maist meit and expedient as thei have demerite, saifand lyff and member as said is." [On the back] "*Apud Halyrudhouse, xij Decembris, 1627.* Ordains the stewart and stewart depute to proceid to tryall and convictioun of the persons within-named, and before the pronouncing of sentence to reporte to the Counsail the cause and ground of thair convictioun. (Signed) SANCTANDRWS, I.P.D."

13th Decem-  
ber 1627.  
Supplication  
by Robert,  
Earl of Niths-  
dale, and Lord  
Maxwell for  
warrant to  
pronounce  
proportionate  
sentences on  
persons guilty  
of petty  
crimes.

372. Supplication by John Dick of Barneill, as follows:—He has been put to the horn at the instance of M<sup>r</sup> Robert Peiblis, minister at

13th Decem-  
ber 1627.

Supplication  
by John  
Dick of  
Barnell for  
suspension of  
horning under  
which he lies  
at the instance  
of Mr. Robert  
Peebles,  
minister at  
Kirkmichael.

Kirkmichaell, for not entering ward in the tolbooth of Edinburgh until order was taken anent an insolence committed by him against the said minister conform to a complaint by him and the King's Advocates against the supplicant; but the horning is unjust, because he was never legally warned to the above effect, and he would willingly have given obedience and cleared himself, he having certain objections to make to the witnesses called in that matter. As for entering in ward, as soon as he knew the tenor of the letters he addressed himself to this burgh of Edinburgh, and willingly entered in ward in the tolbooth, and yet remains there, and promises to find caution for compearing on any fixed day. He craves suspension and relaxation of the horning, and summons against the said Mr Robert Peiblis and also Sir William Oliphant, knight, and Mr Thomas Hoip of Craighall, King's Advocates, for his Majesty's interest, to see the provost and bailies of Edinburgh decerned to liberate him. [On the back] "*Apud Halyrudhouse, xij Decembris 1627. Fiat summonitio ut petitur to the day of and to suspend and relax ut infra to the day of in regaird of the compleneris obedience.* (Signed) SANCTANDREWS, I.P.D."

Miscellaneous  
Papers.

13th Decem-  
ber 1627.

Supplication  
by John  
Lawson in  
Heringdene  
for letters  
charging the  
kin of John  
Hairlawbankis  
in Huntlycoit,  
whom the  
supplicant  
accidentally  
slaughtered, to  
appear before  
the Council  
and accept the  
assaythment  
which the  
supplicant is  
prepared to  
offer.

375. Supplication by John Lawsoun in Heringdene, as follows:—  
"Upoun occasioun of ane unhappie accident and rackles slaughter of umquhile Johne Harlawbankis in Huntlycoit alledgit committit be me I wes, in the moneth of last (quhilk is now about the speace of half ane yeir since), by warrand frome your Lordships apprehendit and committit to waird within the tolbuith of Edinburgh, quhair I have evir remaneit prisouner sensyne in grite distresse and miserie; and your Lordships, upoun consideratioun of the nature, circumstaneis and occasionis of that slaughter, being gratuslie pleased to contenow my tryall, so that I might gif satisfacioun to the relict, kine and frendis of the said umquhile Johne, I in all submissive obedyence and willingnes, caused diverse and sindrie tymes mak offer to thame of the sowme of fyve hundreth merkis money of assaythement, bot thay, being so malitiouslie sett aganis me that thay refused in ony soirt to heir of my said offer, notwithstanding that I often petitioned your Lordships to urge thame thairunto, whereupoun your Lordships wer pleased by your missive letter to recommend the matter to his Majestie, who out of his royall clemencie and mercie (upoun consideratioun of the matter as it fell out and be ressoun of my willingnes to gif satisfacioun to the pairtie in maner fairsaid) hes grantit a remissioun unto me of the said slaughter. Bot now I am become unhable to performe my offer fairsaid be ressoun that throw occasioun of my long imprisonment (proceeding of the malice of all the pairtie that wald not heir of my said offer) not onlie have I spent a grite pairt of my meanis in waird, bot my cattell, bestiall and goodes ar hailylye traikit, lost and stollin, besyds my haille cornes and growth of my rowme and possessioun quhilkis wer the onlie substance I haid wes wilfullie and malitiouslie eattin and distroyed be my said pairtie

Miscellaneous  
Papers.

thair goodis and nolt, thay being my nixt nightbouris, sua that thair wes nevir a boll of it shorne, as is notourlie knawne; and yit nevirtheles for testifeing of my evir willingnes to gif unto my said pairtie satisfactioun so far as my habilitie will reateche, I am content to assigne unto thame the haill goodis and meanis that I have left to the foir, provyding that thay sall not onlie first grant me ane letter of slaynis with a consent to my libertie out of waird and defray the chargis of the passing of an remissioun throw his Majesteis registers and sealls, bot also gif satisfactioun to the gentleman that past to court for my said remissioun of his expenses and acknowledgements due to him for that earand, quhilk the relict and freindis of the said umquhile Johne onnawayes will do without your Lordships provyd remeid." He craves letters charging them to appear and be decerned to accept of his disposition and assignation of his goods. [On the back] "*Apud Edinburgh, xij Decembris, 1627. Fiat ut petitur.*"

376. Supplication by Mr James Baillie of Murrois, as follows:—15th December 1627. He is put to the horn at the instance of James Book, miller at Thankertoun milne, for not compearing at a date long since past to answer before their Lordships to his complaint of being invaded and pursued by the supplicant "and ryding over him with my horse," but he was never lawfully charged or intimation made thereof to him, else he would willingly have obeyed the charge. He now promises to find caution for his compearance when called, and for paying over his escheat goods if need be. He craves summons against the said James Book. [On the back] "*Apud Edinburgh, xv Decembris, 1627. Fiat summonitio ut petitur* until the            day of            and to suspend and relax *ut infra* quhill the            day of            becaus is become caution that the complener sall compeir and ansuer to the said complent under the pane of            as also for payment of the sowme of            for his escheate goodes as ane act maid thairanent beris. (Signed) S<sup>r</sup> J. SCOTTISTARVETT."

377. Supplication by Henry Pilmour, messenger in Couper of Angus, as follows:—15th December 1627. On            March, 1627, David Spalding of Ashintullie, having employed him to execute letters and summons at his instance against John M<sup>c</sup>Allester Roy Fleyming in Middle Innerchroskie to appear before the Lords of Council and Session to give his oath in an action by the said David against him for some violent profits, he on the said day went and charged the said John, who, "out of the pryde of his hairt, maligneing that I durst charge him and for that caus consaveing a deadlie heatrent and malice aganis me, he pullit furth ane sword and a durk, and being assisted with           , his sone, and certane utheris his complices, all bodin in feir of weir, with swordis, durkis, targes, bowis, darloches and utheris wapponis invasive, sett most feircelie upoun me, shamefullie and unmercifullie invaidit and persewit me of my lyffe and

constrayned me for my saulttie to tak ane nightbouris house, wherunto they most furiously followit and persewit me and preast by force and violence to have brokin up the doore of the said house and have wine in unto me, and, finding they could not come speed that way, they then enterit upoun the rooffe of the said house and tirred ane grite pairt thair of to have wine in thairat; lykeas the said John and his said sone cryed for fyre, bidding the rest of thair company bring the same to thame that they might sett the same to the doore and burne the said house abone my head, quhilk they had not faillit to have done gif they had not bene stayed be certane weildisposed nightbouris that come thair for the tyme, heighlie to his Majesteis offence and contempt of his auctoritie and lawis." He craves summons against the said John M<sup>c</sup>Allester Roy Fleyming and his son. [On the back] "*Apud Edinburgh, xv Decembris, 1627. Fiat ut petitur.* (Signed) S<sup>r</sup> J. SCOTTISTARVETT."

Miscellaneous  
Papers.

15th December 1627.

John Brown at Gorgy Milne and James Gray, mealmaker in Edinburgh, against John Stewart or Fisher at Dalry Milne and others.

17th December 1627.

Supplication by the King's Advocates for summons against Thomas Buthill in Anstruther for selling English beer at more than the legal rate.

378. Supplication by John Broun at Gorgy Milne and James Gray, mealmaker in Edinburgh, against John Stewart or Fisher at Dalry Milnes, and others, as narrated in Vol. II., Second Series, p. 163. [On the back] "*Apud Edinburgh, xv Decembris, 1627. Fiat ut petitur.* J. SCOTTISTARVETT."

379. Supplication by Sir William Oliphant of Newtoun, knight, and Mr Thomas Hoip of Craighall, King's Advocates, for his Majesty's interest, [in similar terms to No. 368, p. 442] against the following persons:—Thomas Buthill in Anstruther, who on 22nd February last brought in to the port of Anstruther nine "twnnes" of English beer and sold it dearer than £6 the "bun"; John Simsoun in Kirkcaldie, who on 9th March last brought in to Anstruther nine "twnnes" of English beer which was sold above £6 the "bun"; William Burnesyde in Anstruther, who on 13th March last brought in to Anstruther twenty "twnnes" of English beer and sold the same at a higher rate than £6 the "bun"; James Whyte in Kirkcaldie, who on 16th May last brought in to Anstruther twelve "twnnes" of English beer; Henry Shanke in Kinghorn, who on 16th June brought in to Anstruther twelve "tunnes"; Robert Justice in Kirkcaldie, who the same day brought in to the port of Anstruther twenty "twnnes"; William Balfoure in Kirkcaldie, who on November brought in to Anstruther twenty four "tunnes" and on September ten "twnnes"; all of whom sold the same at a higher rate than £6 the "bun," and so have contravened the acts and incurred the penalty of £20 for every "bun" of beer brought home by them and sold contrary to the act. In the preamble the penalty was stated to be £20 for every "twnne." They crave as in the preceding instance, mentioning besides the treasurer and depute, the Receivers of H.M. Rents—(Unsigned). [On the back] "*Apud*

Miscellaneous  
Papers.

*Halvruidhous, decimo septimo Decembris, 1627. Fiat ut petitur.*  
(Signed) S<sup>r</sup> J. SCOTTISTARVETT."

380. Supplication by Robert Kennedie of \_\_\_\_\_, as follows :—On 17th December 1627. 1st December instant he went to the market and fair of \_\_\_\_\_ in the course of business, and Thomas Moutray sometime of Cambusgavill, who Supplication by Robert Kennedy for summons against Thomas Moultray for assault. bears a deadly hatred and malice against him without just cause, ascertaining the time of his return home, lay in wait for him at the Bridge of Done, with certain accomplices all "bodin in feir of weir, with swordis, langstallfis, battonis and utheris wapponis invasive," and as soon as he approached they set upon him and threatened his life, wounding him in the head, arms, back, and other parts of his body, "strak and dang me aff my feitt to the ground," and would have killed him of set purpose and forethought felony if the providence of God and help of some well disposed persons passing that way had not prevented. He craves summons against the said Thomas Moultray. [On the back] "*Apud Edinburgh, xvij Decembris, 1627. Fiat ut petitur.* (Signed) S<sup>r</sup> J. SCOTTISTARVETT."

381. Supplication by Sybilla Cowper, servitrix to John Binning, 17th December 1627. painter in Leith, and the said John for his interest, as follows :—On the day of \_\_\_\_\_ last, while she was busied in the service of her Supplication by Sybilla Cowper, servitor to John Binning, master in his house in Leith, John Dicksoun, officer in Leith, at the command of David Johnstoun and Edward Ferquhar, bailies thereof, and at the instance of Grissell Denholme, indweller in Edinburgh, apprehended John Binning, painter in Leith, for letters charging Grissell Denholme, indweller in Edinburgh, to appear before the Council and release her from ward in the tolbooth of Edinburgh, where she is illegally detained at the instance of the said Grissell. her and carried her to ward in the tolbooth of Edinburgh on a charge of stealing out of the said Grissell Denholme's dwelling house the sum of £300 in gold and silver, or thereby, with certain jewels; "and the said Grissell, being conscious to her selfe of my innocencie, of her awin proper motive did releve me furth of the said tolbuith after I had remained thairin a certane spaice, quhairupoun I, for clearing of my honest and faithfull cariage and how I was wrangouslie slaundered of the said cryme, having intentit actioun of slaunder before the commissars of Edinburgh, thairfoir the said Grissell upoun the \_\_\_\_\_ day of \_\_\_\_\_ caused committ me of new againe to waird within the said tolbuith, whairin I have beene deteanit sensyne in great miserie, albeit it be of veritie that the saids bailleis, after narrow and exact examinatioun of me can find nothing whairby I can be suspected of the said cryme, and the said Grissell doeth drift and delay to prove the said slander, thereby intending to redact me unto extreme necessitie, thinking that for want I will be compelled to confesse anie thing even against my awin conscience, sua that I will be forced to starve for famine without remeid be provydit." She therefore craves letters charging the provost and bailies of Edinburgh and the said Grissell Denholme to exhibit her before their Lordships that she may be put to liberty. [On the back] "*Apud Halvruidhous, 17 Decembris, 1627. Fiat ut petitur.* S<sup>r</sup> J. SCOTTISTARVETT."

18th December 1627.

Supplication by George Gordon of Dilpersie for suspension of horning under which he lies at the instance of Captain James Blair and Captain Thomas Beatoun.

382. Supplication by George Gordoun of Dilpersie, as follows:— Captain James Blair and Captain Thomas Beatoun, two of the captains in Lord Spynie's regiment, alleging that Alexander Conttis, Pattersone and John Muriesoun were enrolled by the ministers of their parishes as idle and masterless men, obtained letters charging the supplicant to apprehend these persons, and have put him to the horn for alleged disobedience. But none of these three persons are or were ever his tenants or servants, and as soon as they knew of the intention against them they fled from their dwelling places long before the execution of the charge against the supplicant. The said Alexander Couttis went over to West Flanderis and is in service there with William Layng, burgess of Aberdeen, and the said Pattersoun and John Muriesoun went to the Highlands and remain obscurely there, and it is impossible to apprehend them. However, if it is found that he should apprehend them, he is ready to find caution for this effect. He craves suspension of the horning. [On the back] "*Apud Halyrudhouse, xviij Decembris, 1627. Fiat ut petitur* to the fourtene day of Februar nixt to come and to suspend and discharge *ut infra* to the twenty day of the said moneth of Februar nixt, becaus the complener hes fund caution to the effect within writtin under the pane of fyve hundreth merkis and for payment of the sowme of xx<sup>o</sup> lib. for his escheate goods. (Signed) MAR."

Miscellaneous Papers.

18th December 1627.

Supplication by Sir James Baillie of Lochend for letters charging certain persons to pay their proportion of the taxation.

383. Supplication by Sir James Baillie of Lochend, knight, collector-general of the taxations granted to his Majesty in October, 1625, as follows:—Although the first, second and third terms' payment of the said ordinary and first, second, third and fourth terms' payment of the said extraordinary taxation are now long past, several persons have neglected to pay their proportions, and so he craves letters against all churchmen and civil officers and others who are liable in payment of taxation to make the same forthcoming, those in the kingdom within 20 days, and those abroad within 60 days, after the charge. [On the back] "*Apud Edinburgh, xviij Decembris, 1627. Fiat ut petitur.*"

18th December 1627.

Supplication by William Livingstone of Kilsayth for letters charging his vassals and tenants to pay their proportion of the taxation.

384. Supplication by William Livingstoun of Kilsayth as follows:— He is charged to make payment to the collector of taxation of 30s. for each pound land of old extent pertaining to him and held of the King, for every one of the first, second and third terms of the taxation granted in October, 1625, but he can get no relief from his vassals and tenants. He craves that they may be decerned to pay their proportions thereof. [On the back] "*Apud Edinburgh, xviij Decembris, 1627. Fiat ut petitur.*" (Signed) S<sup>r</sup> J. SCOTTISTARVETT."

18th December 1627.

Supplication by the same

385. Supplication by the same as follows:—He is charged as above to pay the said taxation for the first, second and third terms, and that for the chanterie of Glasgow, and should have relief from the tacksmen

Miscellaneous  
Papers.

and subtasksmen of the teinds thereof, which they refuse because he neglected by necessity to set down a taxed roll at the term appointed by the act of Convention anent the granting of the said taxation. He craves letters charging them to meet with him in the city of Glasgow on the day of to set down a stent roll for his relief of the four terms of payment, or that otherwise he may make one himself. [On the back] "*Apud Edinburgh, xvij Decembris, 1627. Fiat ut petitur.* (Signed) S<sup>r</sup>. J. SCOTTISTARVET."

anent the  
taxation of the  
chantry of  
Glasgow.

386. Supplication by John Birsbane of Bishoptoun, as follows:— Their Lordships by decret on 11th December instant ordained Hew, Lord Sempill, to deliver to him the castle, tower and fortalice of Stanelie, wrongfully withheld by him from the supplicant to whom it belongs heritably; but he is disobedient. He craves letters charging him to obtemper the decret. [On the back] "*Apud Halysrudhous, 18 Decembris, 1627. Fiat ut petitur.* (Signed) S<sup>r</sup> J. SCOTTISTARVETT."

18th Decem-  
ber 1627.  
Supplication  
by John  
Birsbane of  
Bishoptoun for  
letters charg-  
ing Hew, Lord  
Sempill, to  
surrender the  
castle of  
Stanelie.

387. Supplication by Mr Walter Whitfurde, parson of Moffett, in reference to Andrew Davidson, as narrated in Vol. II., Second Series, p. 162. (Undated).

c. 18th Decem-  
ber 1627.  
Mr. Walter  
Whitford and  
Andrew  
Davidson.

388. Supplication by Alexander Thomesoun, messenger, as follows:— He was employed by George Hamiltoun, merchant burgess of Edinburgh, in executing his letters of poinding against John Lindsay, portioner of the town of Dirletoun, for satisfaction of his debts, and so having on November last passed to the ground and lands of the town of Dirletoun and apprehended "certain ky and yeild nolt" belonging to the said John Lindsay, and comprised the same upon the ground, "I and my witnesses and comprysouris, whome I haid charged to concurre with me thairin, being carrying the saids goods to the burgh of Hadingtoun, head burgh of the schyre, quhair the saids landis lyes, of purpose to have used the remanent ordour of compryseing at the mercat croce thairof, expecting nothing les then any violence or injurie sould have bene offerit or done to me in the executioun of my office, it is of treuth that the said Johne Lindsay, accompanied with John Bickertoun in Dirletoun, Alexander Lugtoun thair, and Johne Sydserff thair, with utheris thair compliceis, all boidin in feir of weir, with swordis, lanceis, speiris and utheris wapponis invasive, come most furiouslie following after us, schamefullie and unmercifullie invadit and persewit us of our lyves and constrayned us tuo severall tymes to tak houses for our saulftie. In end haveing housed me within the duelling house of Adame Hepburne, portionar of Kingstoun, the said Johne Lindsay with his said compliceis so hardlie and cruellie invadit and persewit me with drawne swordis and spearis that thay had not faillit to have slayne me, wer not the help and releiff maid to me be George Home, portioner of Gulane, and Walter Mershell, his servand, whome the saidis personis for that caus strak most dispytefullie at thame

19th Decem-  
ber 1627.  
Supplication  
by Alexander  
Thomson,  
messenger,  
for summons  
against John  
Lindsay and  
others for  
assault while  
in the dis-  
charge of his  
office.

and feld the said Walter Mershell dead to the ground, quhairthrow he hes lyin bedfast in grite dolour and pane contenowallie sensyne, and thay had not faillit to have bereft me and the said George Home of his lyff wer not he wes (by the providence of God) rescued be some weil-dispoised nightbouris that come thair for the tyme. And, not content heirwith, the said Johnne Lindsay with his said compliceis violentlie reft and tooke bak fra me the guidis foirsaidis, and sua deforceit me in the executioun of my office." He therefore craves a summons against them. [On the back] "*Apud Edinburgh, xix Decembris, 1627. Fiat ut petitur.*"

Miscellaneous  
Papers.

20th Decem-  
ber 1627.  
Supplication  
by John  
Forbes of  
Leslie for  
summons  
against Alex-  
ander Gordoun  
of Dunkintie  
for hame-  
sucken and  
threatening  
his life.

389. Supplication by Sir William Oliphant of Newtoun, and Mr Thomas Hoip of Craighall, King's Advocates, for his Majesty's interest, and by John Forbes of Leslie, as follows:—Contrary to the laws prohibiting the wearing of hagbuts and pistolets, on October last, "being Sondag," the said John, having according to his wont gone to his parish kirk of Premnay to hear sermon, not expecting to be molested on the Lord's Sabbath, Alexander Gordoun of Dunkintie, "knowing that I wes at the kirk the day foirsaid, and making choise of that time, quhen I looked least for trouble, to tak ane unhonnest advantage of me, he, accompanied with a number of his freindis and servandis, bodin in feir of weir, with hacquebuttis and pistollettis and otheris wapponis invasive, come to the said kirk and lay about the same or very neir by all the tyme of the sermone, awaiting my outcomeing all that tyme with a satled purpois and resolutioun to haif slayne me; and persaveing Arthour Forbes of Milbigging, who had bene at the kirk, ryding home, and taking him for me, the said Alexander with a drawne sword in his hand followit the gentleman with all speede and approtcheing neir unto him, finding him self disapointit, he avowed with mony fearefull oathis that yf he had rancounterit with me as he did with the said Arthour that he sould haif had my lyffe. And, not satisfait heirwith, the said Alexander Gordoun, accompanied and bodin, as said is, come be way of hamesuckine upoun the day of November last to my dwelling house of Leslie, resolved yf he could haif fund me going about my dykis to haif persewit me of my lyffe, bot, finding me better accompanied nor he expectit, he shew to the said Arthour Forbes, who wes with me for the tyme, that he come thair purpoislie to tak my lyffe; quhairthrow, as the said Alexander hes violat his Majesteis lawis and actis of Parliament maid aganis the beareing and weareing of hacquebutis and pistollettis, so he hes committit a verie grite insolence aganis me." They crave a summons against him. (Signed) "S. W. OLIPHANT; S. THOMAS HOP." [On the back] "*Apud Halyrudhous, vicesimo die Decembris 1627. Fiat ut petitur.*"

20th Decem-  
ber 1627.

390. Supplication by Captain Thomas Beatoun, as follows:—He and his servants, having taken on William Beatoun, Thomas Innes, Robert

Miscellaneous  
Papers.

Linlithgow, and to serve under him in the service of the King of Denmark, and they having willingly enlisted and received pay, yet Harie Ramsay of Ardowny withholds them from the supplicant, intending to ship and transport them over to Sweden. He craves a summons against the said Harie to produce and deliver these persons to him. [On the back] "*Apud Halyruidhous, xx Decembris, 1627. Fiat ut petitur.*"

Supplication by Captain Thomas Beatoun for summons against Harry Ramsay of Ardowny to produce certain soldiers.

391. Supplication by Marion Home, spouse to Patrick Cranstoun of Corsbie, against her said husband, as narrated in Vol. II., Second Series, pp. 256-260. [On the back] "*Apud Halyruidhous, vicesimo primo Decembris, 1627. Fiat ut petitur.*"

21st December 1627.  
Marion Home against Patrick Cranstoun, her husband.

392. Supplication by Sir John McDowall of Garthland, as follows:— He has been charged to pay 30s. for every pound land of old extent pertaining to him, for each term of the first, second, third and fourth terms of payment of the taxation granted in August, 1621, and likewise for payment of the said sum for every term of the first, second and third terms of payment of the taxation granted in October, 1625; but his vassals and liferenters will not relieve him for their parts. He craves summons against them to compel them to do so. [On the back] "*Apud Halyruidhous, ultimo Decembris, 1627. Fiat ut petitur.*"

31st December 1627.  
Supplication by Sir John McDowall of Garthland for summons against his vassals who refuse to pay their taxation.

393. Extract under the hand of JACOBUS PRYMROIS of the act of Council, dated 14th March, 1628, for payment of the crews of the privateers; printed in Vol. II., Second Series, pp. 269, 270.

14th March 1628.  
Payment of the crews of privateers.

394. Extract under the hand of JACOBUS PRYMROIS of the act of Council, dated 3rd April, 1628, for repayment to William Dick, merchant burghess of Edinburgh, of the money advanced by him for payment of the privateers; printed in Vol. II., Second Series, p. 304.

3rd April 1628.  
William Dick and the payment of privateers.

395. Acquittance by Captain David Alexander to William Dick, merchant burghess of Edinburgh, for 3000 merks, as the wages allowed by the Lords of Council for the 150 men (being 20 merks each man) who went with him in his ship when he was directed by their Lordships to accompany his Majesty's three ships "for discoverie of our ennemeis supposit to be on this coist for the tyme," discharging hereof the said William Dick, John, Earl of Mar, his Majesty's High Treasurer, and Archibald, Lord Naper, Treasurer Depute. The discharge is written by Alexander Dick, writer, is dated at Edinburgh, 23rd April, 1628, and attested by Francis Dick and William Schilthomas, both servants to the said William Dick, and the said Alexander Dick.

23rd April 1628.  
Acquittance by Captain David Alexander to William Dick for 3000 merks—being the wages allowed for 150 men—provided by the said William for his Majesty's service.

396. Similar discharge by Captain Andrew Watstone to William Dick for 2200 merks, as the wages of the 110 men who went with

23rd April 1628.

Similar discharge by Captain Andrew Watson to William Dick. him on that occasion. The discharge is dated at Edinburgh, 23rd April, 1628; witnesses, Arthur Myretoun of Pittowie, James Congiltoun, servitour to the Laird of Wachton, and William Frier, servitor to the Erle of Rothes; Alexander Dick, writer, being writer of the deed. Miscellaneous Papers.

3rd May 1628. Similar discharge by Captain David Robertstone to William Dick for 1600 merks, as the wages of the four score men who went with him on the same occasion. The discharge is dated at Edinburgh, 3rd May, 1628; witnesses, George Arnot, merchant burghess of Edinburgh, and the foresaid Francis Dick and Alexander Dick, the last named being writer of the deed.

18th October 1628. Supplication by John, Lord Hay of Yester, etc., sheriff of Peebles, as follows:—Although the first, second, third, fourth, fifth, sixth, seventh, and eighth terms of payment of the extraordinary taxation granted in August, 1621, are now long past, yet certain persons in the said sheriffdom have neglected to pay. He craves letters charging all “annuelrentars” in the said sheriffdom of Peebles to pay to him or his deputes and clerk in his name “the tuentie penney of all annuelrents frielie dew and payable to thame, and that in sua far as they ar restand aucht and unpayit of the saids hail first, second, third, fourth, fyfth, saxth, sevinth, and eight termes payment” of the said taxation conform to their inventories already given to him. [On the back] “*Apud Edinburgh, xviij Octobris, 1628. Fiat ut petitur.*”

January 1629. Supplication by the presbytery of Muthill that Alexander Drummond, indweller in Auchterarder, who for more than fifty years has practised witchcraft and is now warded in the tolbooth of Stirling, may be conveyed to Edinburgh to be tried by the Lord Justice Clerk and the Lord Advocate. 399. “Unto your Lordships, humblie meines and shawis your Lordships servitors, the ministrie of the presbiterie of Muthill, that quhairas Alexander Drummond, induellar of Ochterardour, hes these many yeris ago bein ane most notorious abuser of Gods peopill in many places of this kingdome by charmes, inchantmentes and uther divellish and unlauffull meanes, and by the gritt concurse of all sorts of peopill, quho upon report of his fame (quhilk hes lasted more nor fyftie yeirs) did resort to him from all the quarters of this realme, did sett up ane publick seatt of abuse in dispyt both of kirk and cuntrey, quhairby he hes involved not only a gritt many ignorants, quho yit attend his oracles and bewitching consenages, bot also many gud christians in a most dangerous guyltines, under collour of giving them the bodily health, quhilk he pretends to doe be lauffull and physicall meanes, quhair of he is altogidder ignorant, as salbe werified be the depositions of many famous witnesses quho have alreddy declared that his cures ar all magicall, fearfully uncouth and unlauffull. And seing the said Alexander hes bein tuys fugitive and denunciit rebell in tuo severall justice airs, on at Perth in Maij, 1624, and the uther in October last bypast, for the quhilk causes he wes apprehendit and committit to ward in Stirling, quhair he remaineth bot nether in sure custodie nor secreit as he ocht to be, quhairthrow he is both confirmed in his obstinat perversnes and

Miscellaneous  
Papers.

stopped to confes the veritie be sic of his freindes and favorits, evill counsellors and subtill intysers quho resort to him daylie; therfor we most humblie beseik your Lordships that he may be transported to Edinburgh and keiped in sure firmance, thair to be tryed be his Majesteis Justice and Advocat, that God may gitt his glory and his kirk on earth may be purged of sic a pestiferous and scandalous instrument; and your Lordships ansuer. (Signed) Mr. [Ja.]? Drummond, moderator; M<sup>r</sup> David Drummond, minister at Creiff; M<sup>r</sup> George Muschett, minister at Donyng; M. Laurence Mercer, minister at Fossoquhy; Mr Jo. Fribairn, minister of Madertie; M<sup>r</sup> J. Grahame, minister at Aughterdour; M<sup>r</sup> Johne Murray, minister at Trinitiegaske; M<sup>r</sup> Arch. Maklachlane, minister at Comry; M<sup>r</sup> Ja. Row, minister at Muithill; M<sup>r</sup> H. Anderson, minister of the evangell at Monyverd and Strowan; M<sup>r</sup> A. Fotheringham, minister at Muckarde; M<sup>r</sup> Jon. Monteath, minister at Monzie, scribe to the presbytery." [Addressed] "To the richt sacred and noble, the Lords of his Majesties Privie Counsell."

400. Acquittance by William Dick, merchant burgess of Edinburgh, 28th July 1629. narrating the arrangements made by the Lords of Council with him for paying the wages of the seamen who served in the ships under Captain Alexander, Captain Watson, and Captain Robertsons, amounting to £4533 6s. 8d.; and the acts of Council thereupon (See Vol. II, Second Series, pp. 269, 270, 304.), and acknowledging that he has now received from Sir Henry Wardlaw of Pittreive, knight, one of his Majesty's receivers, the aforesaid sum; dated at Edinburgh, 28th July, 1629; witnesses, Mr James Durham, Mr William Strang and Archibald Kellie, clerks of Exchequer, and William Geichane, merchant burgess of Edinburgh. The discharge was written by Henry Robertsons, servitor to Sir Henry Wardlaw.

Acquittance by William Dick for money he had expended in paying the wages of seamen in his Majesty's service. ✓

401. "Curia Vicecomitatus et Justiciarie de Orkney et Zetland 11th November 1629. tenta apud Birssay in aula ibidem per honorabilem virum, Trial and condemnation of a witch in the justiciary court of Orkney and Shetland. Magistrum Joannem Dick, vicecomitem et justiciarium deputatum dicti vicecomitatus, undecimo die mensis Novemberis 1629.

"CURIA LEGITIME AFFIRMATA.

"The quhilk day the said shireff deputt chusit M<sup>r</sup> Harie Aickin in clerk, Robert Scollay in procurator fishall, Thomas Young, messenger, in officer.

"Compeirit Robert Scollay, procuratour fishall, and producit the dittayes desyring thame to be red and the pannell accusit thairupoun.

"The pannell present confest that Walliman cam to hir first in Nicoll Jockis hous in Halkland and sho, maining that sho was poor and haid nothing, he said to hir that sho sould leive be almis and that thair

was nother man nor beast seik that wer not deadlie be the hand of God bot sho getting almis and praying to Walliman he wald haill thame, and if sho gat no almis he wald be angrie and mak thair beastis die. Miscellaneous  
Papers.

"Confest the second point of dittay anent Manse Workis wyff that sho said sho sould repent it and that Walliman gared the kow fall over the craig, and efter sho was reprovit that Walliman gared the said Mause wyff die.

"Confest the thrid point that the corne sho got was bot shillingis and that sho was not content and that Walliman slew the meiris and the man and as he promised he was trew to hir.

"Confest the fourt point that sho was discontent that William Work wald not give hir lodging and that Walliman was angrie at it and gared his wyff pairt with chylde.

"Confest the fyft point and that Walliman gared the calff die.

"Confest the sext point that they wald not let hir in and get na almis and Walliman was angrie at it and gared his wyff run mad and the beistis die.

"Confest the sevint point that Gilbert Sandie wald geve hir nothing and that Walliman wrought conforme to the dittay.

"Confest the aucht point and that Walliman took away the proffit of the ky.

"Confest the nynt point that sho put bear in the kowis mouth bot denyis sho spat on it.

"Confest the tent point that sho said to Margaret Alebuster conforme to the dittay and that Walliman keipit promeis.

"Confest the ellevint point that sho got na almis fra David Quoynameikis wyff.

"Confest the twelff point anent the calffis that sho got na almis and giff they deit Walliman did it.

"Confest the threttin point anent Johne Turkis aill that it was bot litill sho got and thairfoir Walliman took away the proffit of it.

"Denyit the fourtene point anent Andro Matchis.

"Confest the fyftene point anent Mause Quoynameikis wyff and that sho sould have ather mair or less milk or sho cam againe becaus sho got no almis.

"Denyit the sextene point anent Mause Quoynameikis ox.

"Denyit the sevintene point.

"Confest the hailing of William Rendallis horse.

"Confest the rest of that point of dittay.

"Dennyit the generall.

"The procuratour fishall desyrit that the pannell mycht be put to the tryell of ane assyse. The pannell present could alege nothing in the contrar.

"*Assisa.*—Hew Halcro of Crook; Johne Rendall in Brek; Henrie Linkletter in Aithtoft; David Sclaitter in Orquyll; James Corrigell in Ercastart; Nicoll Sclaitter in Gorne; Oliver Rendall in Halkland;

Miscellaneous  
Papers.

Manse Scottie in Breken ; Adame Bewis in Goirsnes ; Alexander Rendall in Midgair ; William Kirkum in Kirkum ; Alexander Kirkum in Birs-saybenorth ; William Sclaitter in Buirdhous ; James Ingsay in Ingsay, and James Velzean in Beauquoy.

"That the assyse was lafullie sworne and admittit but objectioun of the pannell ; in contrar the procuratour fishall askit actis and protestit for error.

"The procurator fishall producit Manse Inerair, Manse Work, William Work, Johnne Spence, William Scottie, Gilbert Sandie, John Sandie, Mause Wood, David Quoynameikill, Michael Firth, Johnne Turk, Alexander Matchis, Andro Matchis and Manse Quoynameike as witnesses.

"The assyse passing out of judgment chusit Hew Halcro in chancellor.

"Manse Wood and Gilbert Sandie deponed that they wer send for to bear home the kow, bot Janet Rigga was cuming fra the kow befor they cam thair.

"Michael Firth in Alebuster deponed that quhen he was cuming to Birssay with hir out of the Slap sho confest to him conforme to the dittay that if he haid given hir almes his calff haid not deit.

"Andro Matchis depones that sho spak these words conforme to his point of dittay and that these thingis befell him.

"Manse Quoynameikill depones anent the ox that sho said he sould have colops anew to geve befor she cam againe and that he sould have ather moir or less ait mail or sho cam againe and that the event followit conforme to hir words and dittay, bot will not tak it upoun his conscience that sho did it.

"The assyse reenterand in judgment, all in ane voice be the mouth of the chancellor fyllis the pannell of the hail speciall pointis of dittay conforme to hir confessioun, and in the twelff, fourtene and sextene pointis conforme to the probatioun, and in the generall that sho was ane disceaver of the people and gave hirself furth to have knowledge to do evill, and quhat ever sho promised evill, evill befell ; and reput and haldin ane common witch, and remittis sentence to the judge and dome to the dempster. (Signed) HEW HALCRO.

"The judge acceptis the determinatioun of the assyse and ordanes the pannell to be tane be the lockman and convoyed to the place of executioun with hir hands bund behind hir back and worriet at ane stoup to the dead and brunt in asses, quhilk Robert Sincler, dempster in Birssaybenorth, gave for dome."

402 "The names of those that hes receavit arrellis fra Captane Alexander and is not willing to goe this voyage. In the first William Sympsone of Crealle, 3 dollours, £8 14s.; Andro Daw thair, £22; David Littiljohnne of Sanctandros, £3 6s. 8d.; Robert Dalrumpill in Waster Weymis, £1 10s.; Andro Quhyt in Dysert, £5 16s., quhom Walter

c. 1629.  
Names of  
persons who  
have enlisted  
with Captain  
Alexander and  
refuse to  
accompany  
him abroad.

Alexander thair knawis and wil beir witness; James Steivinsone of St. Nynnenis, £4 7s. 6d.; Troyelous Merse in Craell, 12s.; Andro Jamiesoun thair, 12s.; Johne Andersoun in Wester Anstruther, 12s.; Johne Greigrie in Syllerdyks, £2 18s., William Mylne in Brunt Iland, £14.; James Hewche, xl s.; Robert Thomsone, xxix s. (Signed) David Alexander." Miscellaneous Papers.

21st January-  
25th March  
1630.

The contro-  
versy between  
Edinburgh  
and Leith.

403. Copy of the Acts of the Council respecting the controversy between Edinburgh and Leith on 21st and 26th January; 2nd, 4th, and 11th February; and 9th, 11th, 16th, 23rd and 25th March, 1630; printed in Vol. III., New Series, pp. 422, 429, 440, 443, 454, 475, 480, 483, 489, 497 and 498.

1632.

Elizabeth  
Bathgate.

404. Draft of proceedings in the case of Elizabeth Bathcat, wife of Alexander Pea, maltman in Eyemouth, narrated in Vol. V., pp. 176, 572, 593, 605.

13th Decem-  
ber 1633.

Fragment of  
summons.

405. Fragment of summons, of which the signature "Ja. Prymrois" only remains; on the back of which is a note of execution, on 13th December, 1633, by Hew Lauder, messenger, against John Oliver, younger, personally in Edinburgh, copy; witnesses, George Wast, and Alexander Portiouse, messenger. Also on 28th December, 1633, against John Cuthbertt, personally in Edinburgh, copy; witnesses, John Dunlape and James Leslie, messengers. Also on 29th December, 1633, against Margaret, Alexander, Helen, Bessie and Katherine Cuthbertts, personally, copy; witnesses, John Storrie in Aberladie, and Alexander Tuidie, servitor to John Inglisch, tailor, burgess in the Canongate.

c. 1633.

Letter from  
the King to  
the Chancellor  
to send  
weekly news  
of the  
Council's  
proceedings.

406. "CHARLES R.—Right trusty and right welbeloved cousin and counsellour, wee grete yow [weell]. Being willing that a frequent and constant course be kept . . . intelligence of all affaires worthie to be . . . off amongst yow of our Privie Councill a[ccordin]g to t[he] co[ur]se ac[custo]med, our pleasure is that yow give spe[ci]all ord[er] to the Clerk of Councill for sending to our Court weeklie to our principall Secretar just information and extracts of all such things treated and resolv[ed] in Councill as yow shall think worthie to be made knowen unto [us, that] the same may be imparted unto us at our best convenie[n]ce. Wee bid] yow farewell. From our Court at Whitehall the 4 of [August or April?] . . ." [Addressed] "To o[ur] rig[ht] trustie and right welbeloved cousin and counsellour, the Viscount of Duplin, our Chanceler of our kingdome of Scotland."

[16th] January  
1634.

Protection to  
John Stewart  
of Coldingham.

407. Supplication by John Stewart of Coldingham for an extension of his protection, as narrated in Vol. V., New Series, p. 183. [On the back] . . . "January, 1834. *Fiat ut petitur* to the first day of May next. GEO. CANCELL<sup>r</sup>, GLASGOW, WINTOUN, KINGORNE, ROXBURGH." . . . [This document is much injured by damp].

Miscellaneous  
Papers.

408. Supplication by Edward Johnston, merchant burgess of Edin- [16th] January  
for an extension of his protection, as noted in Vol. V., New Series, 1634.  
p. 183. On the back] . . . "January, 1634. *Fiat ut petitur* to of protection  
the last of Marche. GEO. CANCELL<sup>r</sup>, GLASGOW, WINTOUN, KINGORNE, Johnston,  
ANNANDAILL, DUMFREIS. [The document is much injured by damp. merchant  
burgess of  
Edinburgh.

409. Supplication by James Matheson, servant to his late Majesty, c. May 1634(?)  
as follows:—The warrant granted to him by their Lordships expired at Supplication  
Whitsunday, and they know that his distresses arise from his not by John  
having been paid by Exchequer the fees due for his service, whereby he Matheson,  
has been brought to great extremity. He craves that the Lords would late Majesty,  
continue his protection. [On the back] . . . "*Fiat ut petitur* to for continu-  
the eight of Januair, Morton, Glasgow, Wintoun, Roxburghe, Annan-  
daill, Lauderdaill, Naper." ance of his  
protection.

410. Supplication by John Rynd, James Loche, and Patrick Wode, c. 1634.  
merchants burgesses of Edinburgh, as follows:—Sir John Blacader of Supplication  
Tulliallan, knight baronet, being addebted to certain persons in great by John  
sums of money [for which his lands and barony of Tulliallan and coal Rynd and  
and salt thereof were like to be evicted and appraised] and having others,  
dealt with the supplicants to pay the same, amounting to over merchants  
£40,000, he has dispoened to them his lands and barony of Tullieallane, burgesses of  
and coal and salt thereof; and also, he being put to the horn Edinburgh,  
at the instance of Sir Alexander Falconer of Halkertoun and Mr. craving the  
David Falconar, his brother, for a sum of 3000 merks, they have staying of a  
also paid this money and obtained assignation to the letters of warrant to  
charge, and have thereby got possession of his houses, salt girnells Lord Forrester  
and other pertinents. But now , Lord Forrester, alleging to seek letters  
the said Sir John to be at the horn at his instance for cautionries and of treason  
debts . . . he is also seeking letters of treason and warrant against Sir  
to take the said Sir John Blacader and dispossess the supplicants. John Black-  
They crave the staying of all granting of letters to the said Lord adder of  
Forrester until they are satisfied for their own debts. [The deed is Tulliallan who  
is the debtor  
of the suppli-  
cants and on  
whose lands  
they have  
obtained  
assignation.]  
torn in some parts, and the Lords' decret is wanting.]

411. Latter part of the supplication by John, Lord Kilpont, in 13th Decem-  
reference to his apprehension of John Dow Roy McGregor. The Lords ber 1636.  
approve of his service, finding also that his exhibition of the rebel John, Lord  
before the Justice shall not prejudge the Earl of Airth's right of Kilpont, and  
justiciary within the bounds, and they ordain the supplicant to produce the Earl of  
the Earl's infetment of justiciary before the day of trial, so that the Airth.  
supplicant's desire to sit and judge the said John Dow may be con-  
sidered. [See Vol. VI, New Series, p. 351.]

412. Supplication by the noblemen, gentlemen and other landed Undated,  
men within the sherifffdom of Banff, as follows:—For two years since c. 1636.

Supplication  
from sheriff-  
dom of Bauff.

the Earl of Buchan's demission of the office in the King's hands they have had no sheriff principal, so that there are no sheriff courts for the administration of justice, nor is there any one to take order with "any slicht or laules men." They crave that the Council would appoint some "able sufficient man" to the office.

Miscellaneous  
Papers.

c. 1637.

Appointment  
of a commis-  
sion with  
instructions  
for the reform  
of the  
University of  
Glasgow.

413. "Forsameikill as the Kinges Majestie, out of his most religious and pious dispositioun toward the furtherance and advancement of learning, hes diverse tymes recommended to the Lords of his Privie Counsell and commissioun the cair of the helping of the estate of universities and colledges and establishing of such good ordoures as may procure the advancement of that good warke, and, the saids Lords being cairfull to second his Majesties royall and gracious dispositioun in this poynt, hes for this effecte gewine and granted, and be the tenor heirof gewe and grant full power and warrand and autoritie to the most reverend father in God, Patrik, be the mercie of God, Archbischof of Glasgow; the Earle of Mare; the Earle of Glincairne; the Earle of Eglington; the Earle of Wigtoun, and my lord of Lorne; the Bischof of Brechine and Galua and the Lord Justice Generall and the Theasurer Depute to resorte and repair to the citie of Glasgw, universitie and colledg ther, upon the        day of        or whatsoever dayes that they shall [find to] be convenient, and to call and conveyne befor them the wholl professours, masters and founded persounes of the said colledge, and all other persounes having or pretending to have interest in the matters efter specified and to call for productione of the fundatiounes, records and wryttes, lawes and constitutiones of the said universitie and colledge, and to take ane account of the wholl rentes, patrimonie, mortificationes, legacies, donatiounes, contributiouns or commodities quhatsoever bestowed upon the said colledge, how and efter quhat maner the sam is and hath bein employed; to consider how abuses may be reformed, questiounes and controversies quhatsoever concerning the administratioun thair of may be decydit and determined, how the doctreine and discipline, priviledgs, lawes, constitutiones and good ordours thairin hath bein observed and neglected, and if any abuses be, how the sam may be rectified and repaired and occasiounes and causis thair of takin away in all tyme coming; and what hes or should be the ordinar offices, ordour and stipendes of the professours and masters as the present writes of the said colledge may affurd and in tyme coming, according as they shall happin to increase; and generallie how the estate of the said colledg may be bettered, and to make ane full reporte in wrytt of the proceidings and opiniouns heiranent to the saids Lords under ther handes betuixt and the        day of        nixt tocome, to the intent the saids Lords may tak such ordour herein as they shall think expedient, quherthrow this good and worthie worke, importing so neir the weale of the said colledge, be no longer delayed: Commanding heirby the saids commissionares to accepte the commissioun in and upon

Miscellaneous  
Papers.

them, and to proceed in the executione thair of with all convenient diligence, as they will answer to his Majesties and the saids Lords upon ther obedience." [Draft.]

414. "Answers for George Maxuell and otheris, parochiners  
of Bootle, to the pretendit complaint given in against  
them be M<sup>r</sup> Alexander Robertsoune for himself and in  
name of the presbetrie of Kirkeudbright."

c. September  
1640.

Answers for  
George  
Maxwell and  
others,

parishioners  
of Bootle, to  
the complaint  
given in  
against them  
by Mr.  
Alexander  
Robertson  
for himself  
and in name  
of the presby-  
tery of  
Kirkcudbright.

"Your Lordships will be plesit to consider that the Kirk of Bootle  
hes beine destitut of ane ordinarie minister this lang tyme bypast, at  
which the parochins, being grivit, supplicat the presbetrie for M<sup>r</sup> Robert  
Broune, ane actuall minister, to be-thair pastor, quhair of the presbetrie  
promeist to tak triell of the said M<sup>r</sup> Roberts sufficiencie for the said  
chairge and in the mean tyme promeist not to impose anie upon them  
but ane actual preacher, sine be the lawes of the kirk the parochiners  
consent is now find be actis of assemblies requisit befor plantatioune of  
the kirk of ilk parochine. In the meantyme thair is on M<sup>r</sup> Alexander  
Robertsoune, scoolmaster at Wigtoune, who wes bund to serve scool-  
master thair four yeirs and not to derelinquishe his cuir and chairge  
upon anie conditioune, quho, haveing privileg stollen away from Wig-  
toune and deserted his chairge, contrair to his band, did repair to the  
presbetrie of Kirkeudbright, quiche the toune of Wigtoune heiring and  
understandinge alsso that he was to preache at our kirk of Bootle, did  
acquaint us of his miscariadge not onlie in the deserting of his cuir, but  
also of some other particular faultis committed be him, and with all  
sent to us ane extract of ane act of the toune subscribit be the  
said M<sup>r</sup> Robert, and ane testimoniall of his life to verifie the  
premises; quhicke we haveing receavit and with all considering be  
ane act of the presbetrie we wer speciallie bund not to receive so  
much as ane servant from ane other presbetrie or parochine without  
a lawfull testimoniall, meikle les to receive ane stranger unknowine  
to us quhos mouth was nevir oppenit of befor, and without anie  
lawfull warrand from the presbetrie shawen to us, the said M<sup>r</sup>  
Alexander, notwithstanding of the premises, haveing abriptlie, un-  
knowine to us, cum to the parochine and being accompanied with  
John M<sup>c</sup>Leland of Borge, Robert Bell and utheris, as it wer perforce to  
incadge himself in the ministrie of our kirk, quhairat we mair-  
vailling did inquyr at hime ane warrant of the presbetrie, not  
haveing anie reuling elder or recomendatioune from any minister  
with him, did nochttheles, at the desire of Borge, heir his preaching to  
understand his sufficiencie, quhairin finding so great discontent, we wer  
forcit to withdraw ourselis as we sall be able to justifie befor the  
presbetrie upon faultis and enormities exprest be the said M<sup>r</sup> Alexander  
himself the said day in his awne preaching, quhilk, if this wer ane  
competent playce, we sould express and prove."

"My Lords, thair is now ane complaint movit to your Lordships

against us for withdrawing ourselvis from the preachinge and for alledgit useing of opprobrious words against the said M<sup>r</sup> Alexander, and for the alledgit steiking of the kirk door and for the alledgit being airt and pairt of the Viscount of Kenmuir his alledgit striking of the said M<sup>r</sup> Alexander, quhairunto we answer as followes." Miscellaneous  
Papers.

"In the first, the particulars of the complaint ar of tua natures, civiell and ecclesiasticke, that pairt beiring the not heiring of the preaching and speiking evill of the said M<sup>r</sup> Alexander is onlie proper to be triet be the presbetrie and to be punisht be them according to the lawes of the kirk, and befor quhom we ar content to justifie ourselvis, being cited for that effect at the instance of the said M<sup>r</sup> Alexander. As tuicheing the other pairt of the pretendit complaint, quhilk seimis to be a ryot in closing of the kirk door, we wer neither within the kirk nor towards the door of the kirk, but twa persouns being within the kirk, haveing accidentlie put to the dor and the said M<sup>r</sup> Alexander nevir haveing offerrit to enter but voluntarlie, went and preachit besid the kirk, sua that except ther had beine violence usit and that the said M<sup>r</sup> Alexander had offerrit to have enterit and wes debarrit thair can be no ryot, quhilk being relevantlie lybellit in maner forsaid we ar content to admit this point to thair approbatione. And as for the other poynt anent the not heiring of the efternoone sermone and the alleggit wordis utterit, seing the samen is absolutlie presbeteriall, we ar content to ansuer befor the presbetrie thairfoir and to justifie our selvis befor them."

"And as for the last point in the alledgit being airt and pairt in the Vicount of Kenmuirs alledgit striking of M<sup>r</sup> Alexander, we denie the same and we crave the Vicount himself to be examinert upon this point." Finds the summons relevant. Vote—To examine first upon the last tua poynts, 9; examine upon all, 9.

1643.  
Instructions  
for the  
Scottish  
Commissioners  
to London.

415. "Instructione frome the Councel to the Lord Chancellor for Earle of Lindsay and Robert Barclay, Commissioners for the kingdome of Scotland.

"Altho wee are confident that the Parliament of England be fullie informed be your Lordships and be some of their awne nomber who have latelie come frome Ireland of the necessities of the armie and the dangerous estate of thair affaires in these parts, except some speedie course be tane for the releiffe of these distressed people and the better maintenance of that warre, since nothing is done yit in that kynde, wee cannot bot justlie feare that thair awne troubles and the manifold distractions at home doe divert and disable thame frome preventing of evils more remot and lesse considerable to thame then thair awne saiftie.

"Wherefore your Lordships are seriouslie to consider and in the first place with all earnestnes to crave a present resolution frome his Majestie and the Parliament what sall be done for thair maintenanne; whiche if it be not lyklye to be gottin, as the condition of thair affaires tend, and so publict faith when it is alledgit by us to be brokin salbe excused be

Miscellaneous  
Papers.

publict necessitie, which they cannot overcome for the tyme, then your Lordshipes are to lay before thair eyes the unsufferable disgrace that sall redound to both the nations and the irrecoverable wound that sall be given to the honor of their Parliaments, if these men who by common consent were leveyed and enterteaned for so good a cause sall be abandoned be us all and so left to be consumed in a forrayne land be famine and miserie, which hath seased on thame alreddie in a great measure.

"Withall your Lordshipes sall represent to thame in what strait wee are on all hands; to leave so manie of our friends and countrey men to perish through their default whome it most concernes to provyde for thame were inhumane and unchristian, for which wee could nather ansuer to God nor the world nor our awne consciences, in regarde of the charge wee beare and the assurances wee have given to that armie to be carefull of thair preservation; and to furnish the meanes of thair entertainment frome this were a burden that wee are in nowayes able to beare. On the other part, if they sould be recalled to this kingdome and disbandit without payment of thair arreares were to bring a discontented armie against our selves. Thairfore wee leave it to the wisdom and judgment of the Parliament what they will resolve concerneing that armie, and wee earnestlie entreat your Lordshipes to haisten the ansuer and resolutions heiranent, becaus the armies extremities will admit no longer delayes.

"The daylie and frequent advertisements wee ressave of the hard and miserable condition of the Scots armie in Ireland, which is almost perished throw want of victual and clothes, enforceth us to entreat your Lordships to represent, with our former, thir our enclosed desyres to his Majestie and Parliament, and to sollicit ane present ansuer thairto, which wee doe the more seriouslie recommend to your care in respect that if wee had not presentlie engadgit for                      of money for clothes and                      bolls of victual for thame they could not have subsisted till this tyme, and this weell be able onlie to susteane thame whill wee ressave frome the Parliament ane positive ansuer, anie longer delay quhairof will prove als ill if not worse then a denyal." [Draft.]

416. "The quhilk day the Earle of Lindsay did for ane accompt of his *c.* 1643. proceedings produce the Articles of the Treattie subscryvit be the Clerk of both Housses of Parliament, togidder with ane order of eather House of Parliament of the 7 of July, 1642, quhairby they assented to the saids articles; quhilk being red and considerit be the Councell they ordane the same to be insert and registrat in the Books of Privie Council, and approves of the Earle of Lindsayes diligence in persuance of suche instructions as were entrusted to him be the Council; and as for some others papers produced" (the above is deleted).

Report by  
John, Earl of  
Lindsay, to  
the Council.

"The Lords, having hard the report made be the Earle of Lindsay of his proceedings in England, they doe approve of his diligence in persuance of suche instructions as were entrusted to him be the Council."

c. 1644.

Supplication  
by Dame  
Elizabeth  
Preston, Lady  
Whittinghame,  
for payment of  
her alimant.

417. Supplication by Dame Elizabeth Prestoun, Lady Quhittinghame. *Miscellaneous Papers.*  
as follows:—Their Lordships were pleased to modify £500 for maintenance to her and her children, in respect she had no intromission with “nor hes gotten ane sexpence off” her deceased husband’s estate since his death; which sum was payable to her by Patrick Quhytlaw, who was then to intromit with the teinds and rents of Quhittinghame. Nevertheless, neither has she received any payment nor has the said Patrick intromitted as above. She craves therefore warrant to be issued to the tenants and possessors of the lands to make payment of the sum due to her, and desires their Lordships to modify a fitting allowance for their future support, until the sitting of the session, before whom she may suit for the same and have the benefit of the laws of the country.”

c. 1660.

Petition by  
Patrick  
Hamilton of  
Preston to  
Major-General  
Morgan,  
commander-in-  
chief of the  
forces in  
Scotland,  
anent the  
business  
between the  
petitioner and  
James Murray,  
son of Sir  
James Murray  
of Skirling and  
Anna Hamil-  
ton, his spouse.

418. “To the Right Honourable Major Generall Morgane, Commander-in-cheife of all the forces in Scotland, the petition of Patrick Hamilton of Prestoun humbly sheweth, That your petitioner, haveing sufficientlie holden forth that anie busines betwixt your petitioner and James Murray, sone to Sir James Murray of Skirline, and Anna Hamilton, his spouse, is a bussines belonging to an civill judicatorie, and that no judicatorie within this nation (though lawes wer potent) can be sufficient judges thairto except the heigh court of Justice, to whom in the yeire 1659 by both parties it is advocat; lykas the justices of the peace, taking into consideration the debates liklie to arise in the said bussines, efter heiring of both pairties, did for preservation of the peace continowe ane act of sequestration of the males and duties of the lands controverted in the hands of James Chambers, advocat, conforme to the act of sequestration for the preceeding yeire 1658, as your petitioner is able to instruct, may it please your Honour, the petitioners bussines being meerlie a bill to remit it to the commissioners who shall be apoynted by suppreame authorittie for administration of justice to this nation and to put your petitioner in the same condition whairinto your petitioner was the first tyme that your Honour was pleased to heir the forsaid bussines or continowe the act of sequestration as formerlie ordered by the said justices of peace, and your petitioner shall pray.”

c. 1660.

Summons to  
a meeting in  
Glasgow to be  
held in the  
interest of Mr.  
James Guthrie.

419. Paper endorsed “M<sup>r</sup> Ja. Guthries petition to the King.”  
“Commissione and instructions for our . . . Youe sall [with all possible expedition], so soone as is possible, dispacche a sure bearer or bearers unto Hamiltone, Glasgowe, Pasley, Irvin, Aire, to our brithren M<sup>r</sup> James Nesmith, M<sup>r</sup> John Burnett, [M<sup>r</sup> Patrick Gillespie], Robert Mackvatter, M<sup>r</sup> John Carstairs, M<sup>r</sup> Alexander Dunlope, M<sup>r</sup> James Stirtone, M<sup>r</sup> John Nevay, M<sup>r</sup> Matthew Mowatt, M<sup>r</sup> Gabriell Maxwell and M<sup>r</sup> William Adaire, with ane earnest and pressing letter from your selfe in name of this meiting, earnestlie desiring them to give advertis-

<sup>1</sup> The words within brackets are scored through, the paper being a draft.

Miscellaneous  
Papers.

ment to all the brithren of our judgement in the bounds of there prisbyterie [to meet youe at Glasgowe the day of] that they together with youe sall be carefull to keepe the said dyett at Glasgowe, and by the best and most convincing arguments youe can use persuad them to joine in this addresse and supplication by subscribing thereof themselves would meet youe at Glasgowe the day for busines of speciall concernment to the worke of God whiche youe sall then communicat unto them."

420. "Act for securing M<sup>r</sup> James Guthrie and others. At Edin-  
burgh, the 23 day of August, 1660. The Committee of Estates, now  
presently conveyened by his Majesties speciall warrand and authority, upon information given to them of a conventicle and private meeting of some remonstrator and protesting ministers and others at Edinburgh, for which they had neither warrand from the ordinary civil or ecclesiastick courts; and the said Committee, being by his Majesties speciall commission and commands intrusted and impowered with the caring, [o]rdering and providing for what may conduce for the peace of this his Majesties ancient [kin]gdom, and support of his power and au[thor]ity therein, finding such unlawfull [con]venticles, upon what p[re]text soever, with[out . . .] lawfull authority expresly de[ro]gatory to his Majesties royal prerogative a[n]d tend[ing] to the disturbance of the present [pe]ace of his Majesties dominions, gave orde[r and] command to some of their number to search and make trial after the occasion and reason of their meeting, who in the said inquiry found them with petitions subscribed and some papers and letters scroled, to be sent for convocating all of their own judgement, containing many particulars reflecting upon his sacred Majesty, the government of our neighbour church and kingdom of England, and constitution of this present Committee, and many other [t]hings directly tending to seditions, raising of new tumults, and (if possible) rekindling [civ]il war amongst his Majesties good subjects. Therefore, the said Committee have thought fit, and hereby ordains the persons, subscribers of the said papers, and these in company at the updrawing thereof; they are to say, M<sup>r</sup> James Guthrie, M<sup>r</sup> Robert Trail, M<sup>r</sup> John Sterling, M<sup>r</sup> Alexander Moncreif, M<sup>r</sup> John Semple, M<sup>r</sup> Thomas Ramsay M<sup>r</sup> Gilbert Hall, M<sup>r</sup> John Scot, M<sup>r</sup> George Nairn, M<sup>r</sup> John Murray ministers, and John Kirko, ruling elder, to be committed prisoners within the castle of Edinburgh, therein to remain untill his Majesties pleasure shall be farther made known; and gives warrand to the present captain of the said castle to receive them prisoners, and to keep them in safe custody. Extracted forth of the books of the said Committee be me, Jo. Hay, Cler. Coun. Edinburgh. Printed by a Society of Stationers, 1660."

Edinburgh,  
23rd August  
1660.  
Order by the  
Committee of  
Estates for  
committing as  
prisoners in  
the castle of  
Edinburgh  
Mr. James  
Guthrie and  
others for  
meeting in an  
illegal con-  
venticle and  
other  
treasonable  
proceedings.

24 January  
1618.<sup>1</sup>  
Supplication  
by Andrew  
Hog, customar,  
against George  
Davidson for  
defrauding the  
customs.

421. Supplication by Andrew Hoge, customar at  
follows :—In contravention of the acts and ordinances made for pay-  
ment of his Majesty's customs and punishment of such as defraud the  
same by concealment or otherwise, especially in the transporting of  
animals, George Davidsoun, called of Fandowie, indweller in Over  
Quhirtour, a common driver of goods to England, having recently bought  
twenty-four score of sheep from the Laird of Riddell, "quyetlie con-  
voyed and drave sixteene scoir of thame to England without pay-  
ment of the dew custome of the same; and I being informit that he  
wes to dryve and carye the rest of thame to England upoun the 18  
day of Januar instant and to sell the same in Morpett, I raid to the  
fell at the Coklaw hard at the marches, and, being accompanyed deulie  
with tua witnesses, I attendit thair quhill the said Georg coming.  
Lykas he come about nyne of the cloke that day assisted and accom-  
panyed with Davidsoun, his sone, and they wer dryvand the  
rest of the sheip extending to aucht scoir befor thame; and how  
soone thay approtchit unto me I challangeit him upoun his unexcusable  
oversycht in transporting of the saidis goodis without payment of the  
custome, and I desyrit him to mak me payment of the custome of his  
hail xxiiij scoir of sheip; and he haveing prouddie and disdainfullie  
with mony disdainfull and outrageous speeches refusit to mak me  
payment of the said custome, I preast to haif stayed the goodis and to  
have intromettit with the same quhill the custome had beene payit, bot  
he and his sone were so incensit aganis me for the deed that thay nocht  
onlie violentlie and wilfullie reft the goodis frome me, bot persewit us  
of our lyves." He craves summons against them, with certification.  
[On the back.] "*Apud Edinburgh, xxiiij Januarii, 1618. Fiat ut  
petitur. P. ROLLOK.*"

, as Miscellaneous  
Papers.

<sup>1</sup> This paper was discovered after this volume was in print.

## INDEX.



# INDEX.

ABBACIES: St. Colm's Inch, 256.

— Dougland, 436.

Abercorn, Earl of, James, appointed Commissioner to the Synod at Glasgow, 295; complaint against him, 313.

— parish of, witchcraft there, 110.

Abercrombie (Abircrombie, Abircrumby) of Auldraine, Adam, supplication by him anent the assythment for his slaying the Laird of Newrayne, 173.

— of Birkinboig, Sir Alexander, continued in office as sheriff of Banff, 17, 18.

— of Polton, Richard, charged with assaulting the town guard of Edinburgh, 309.

— Mr. . . ., appointed to examine witches, 205.

— . . ., in Dunfermline, 309; his son Andrew charged with assaulting the town guard of Edinburgh, 309; prosecuted for carrying firearms, 320.

Aberdeen, Bishop of (1607), charged to appear as a witness against the Marquis of Huntly, 284.

— city of, 3, 101, 103; the commissioners of the burgh request that they may be relieved of the burden of quartering Lord Sinclair's regiment, 208; the city objects to the tithes claimed by the Bishops for their whole fishings, 340; the General Assembly held there in 1603, 258; a General Assembly appointed to be held there in 1616, 344; proclamations at the market cross, 104; the customs of the burgh, 244; the vicars grant a reversion, 244; a document dated there, 296; importation of English beer at the port, 442.

— old town of, the Earl of Dunfermline's house there, 184.

— college of, the Principal of the. *See* Mr David Rait.

— diocese of, 166; prosecution of Papists there, 166; the commissioners are to be paid out of their fines, 166.

Aberdeen, shire of, 350, 419; the sheriff is ordained to uplift some fair dues, 2; Sir Alexander Irvine of Drum to be continued in office as sheriff, 17; appointment of justices of peace, 290; decreets by the sheriff, 312; warrant to him, 312; he is to apprehend and deal with lawless Highlanders, 155; to have a commission to apprehend and deal with an incestuous person, 166; recruits supplied thence for the wars, 408, 419; Sheriff Court books of, 101.

— Synod of, not to prosecute the Marquis of Huntly, 284.

Aberdour, bridge and mill of, 256<sup>2</sup>.

— lands of, 256.<sup>2</sup>

Abernethy (Abirnethie) of Tillydone, James, 400; his son George charged with assault and malicious damage, 400.

— George, admitted as a notary, 246.

— John, sometime in Caskiben, now in Cairnfield, debts owing by him, 271.

— Thomas, in Cowie, charged with resetting thieves, 394.

— William, at the Kirk of Rothemay, charged with assault and malicious damage, 400.

— lands and lordship of, 255.

Aboyne, Viscount of, James, mentioned in a cipher code, 167.

Acheson. *See* Aitcheson.

Achinbowy. *See* Auchinbowie.

Act of Classes. *See* Classes.

Adair (Adaire) of Kinhill Sir Robert, lends money for the maintenance of the Scottish army in Ireland, 90; receives payment for supplies to his troop in Ireland, 91; debts owing by him, 174.

— Mr William, minister, a message sent to him, 464.

Adam (Adame), Andrew, in Ballnowtart, execution of summons against him, 143<sup>2</sup>.

— George, in Cauldlay, depones against a witch, 154.

- Adam, William, becomes a cautioner, 418.  
 — the manor place of, a document dated there, 129.
- Adamson (Adamsons, Adamsoun), Alexander, alleged to be killed, 352.  
 — Andrew, a collier, wrongfully retained from his master, 22, 23.  
 — Elspet, sister of Patrick, *infra*, a message sent to her, 400.  
 — Marjory, accused of witchcraft, 191.  
 — Mr Patrick, minister at Buittle, craves payment of his expenses as a witness, 421.  
 — Patrick, burghess of St. Andrews, complains of the illegal seizure of his son Andrew to serve in the wars, 400, 401.  
 — Robert, in Ormistonhall, witness to a deed, 100.  
 — W., signs a letter as a justice of peace for the shire of Edinburgh, 336.
- Adjournal, Books of, registration in the, 20, 78, 261, 374, 394.
- Admiral, Lord High (1627), a commission from him, 414; a claim for compensation referred to him, 416.
- Adultery, cases of, 37, 42, 139, 166, 326, 394, 395, 410.
- Advocate, Lord, or King's. *See* Mr Robert Crichton of Eliock; Mr John Spens of Condy; Sir Thomas Hamilton of Binnie; Sir William Oliphant of Newton; Sir Thomas Hope of Craighall; and Sir Archibald Johnstone of Warriston.
- Advocates: their employment by Councilors discussed, 83.  
 — members of the faculty—James Chambers, 464; Mr William Gordon, 1; James Harvie, 256; Mr Robert Hay, 25, 108; Robert Hepburn, 53; Mr James King, 47; Mr Alexander Livingstone, 315; Alexander Millar, 134; Mr Robert Nairne, 351; John Peter of Whitslead, 56, 185; Mr James Raith of Edmonstone, 391; Mr John Russell, elder, 311; Mr David Williamson, 37, 102, 105, 106, 139.
- Affleck. *See* Auchinleck.
- Agnew of Lochnaw, Andrew, younger, commission to him to try witches, 133.  
 — of Sewchan, Patrick, commission to him to try witches, 134.
- Aikenhead (Aikinheid), David, dean of guild of Edinburgh, imposes restrictions on the maltmen of Leith, 348.
- Aikman (Aikmane), James, in Cockrig, charged to appear as a witness, 119; his evidence, 118.  
 — John, in Dresselrig, witness to the execution of a charge, 120.  
 — John, in the Pans, accused of overcharging his coal, 8.  
 — Thomas, burghess of Arbroath, bonds of caution by him, 296<sup>2</sup>.
- Ainslie, Andrew, in Edinburgh, his widow. *See* Marion Wilkie.
- Airdill, water of, 248.
- Airliewicht, place of, 318.
- Airne. *See* Iron.
- Airth, Earl of, William, accused of overcharging his coal, 8, 15; reference to his right of justiciary, 459.  
 — the coal of, 8, 16, 24.
- Aitcheson (Acheson, Achiesone, Atchesoune), of Sydserf, Robert, becomes a cautioner, 14.  
 — Gilbert, merchant in Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 85.  
 — Mr James, in North Berwick, signs a certificate, 195.  
 — James, in Polmudie, charged to find lawburrows, 316.  
 — John, in Polmudie, charged to find lawburrows, 316.  
 — Robert, bailie of Edinburgh, execution of summons against him, 135; witness to the execution of a charge, 135.  
 — Thomas, Master of the Mint, makes a complaint, 250.  
 — Thomas, in Queensferry, witness to the execution of a charge, 109.  
 — William, in Polmudie, charged to find lawburrows, 316.
- Aitken (Aickin, Aitkin) of Middle Grange, James, commission to him to try a witch, and his report, 12.  
 — of Underedge, George, craves to be released from imprisonment, 40, 144, 145; maintenance allowed to him in prison, 40, 54, 57, 60, 145, 169; he is to surrender his goods or the keys of his house in Dunbar, 54, 57.  
 — Mr Henry, sheriff-depute of Orkney, tries cases of witchcraft, 70; chosen clerk at a witchcraft trial in Orkney, 455.  
 — John, in Auchincloich, complains of assault, 433.  
 — William, servitor to John Mitchell, to be apprehended as fit for the wars, 424.

- Ale, brewing of, 328; prices of Scotch ale as compared with English beer, 442, 443, 448.
- Alebuster, Margaret, alleged to be bewitched, 456.
- Alehouses to be suppressed if they harbour idle beggars and robbers, 305.
- Alexander (Alexander), Alexander, in Drymen, and John, his son, summoned for molesting colliers, 79.
- Andrew, charged with committing assault, 802.
- Charles, summoned for assaulting colliers, 79, 802, 81.
- Captain David, master of the ship *Alexander Magnus*, complains of some mariners refusing to embark in his ship after entering his service, 414, 457, 458; grants a discharge for wages to his crew, 453, 455; his signature, 458.
- James, in Bankis, on an assise, 63, 70.
- Mr John, notary, prepares an instrument, 114; appears as a procurator, 177.
- John, a servitor, charged to find lawburrows, 405, 407.
- Robert, in Coupar, witness to the execution of a charge, 249.
- Robert, Burgess of Stirling, witness to the execution of a charge, 253, 258.
- Robert, illegally prevented from joining his regiment, 389.
- Thomas, cordiner in Dunkeld, 95; his widow, Katherine Blaikie, and their son, William, complain of assault, 95.
- Ursula, deceased, 69.
- Walter, in Dysart, 457, 458.
- See also Alschunder.
- Algeo, Peter, appears as a procurator, 24.
- Algiers (Algeir), some Scottish sailors held captive there by the Turks, 36.
- Aliment, cases of, 387.
- Allan (Alane, Allane), Isobel, an aged nurse, assaulted, 401.
- James, in Afflossen, charged with forcibly seizing and selling some persons as recruits, 431.
- John, skinner, Burgess of Arbroath, caution for him, 296.
- John, in Selkirk, charged to find lawburrows, 293.
- John, in Sheddlestoun, complains of a debtor's dishonest dealing, 390.
- Allan, John, messenger, directed to serve a summons, 253<sup>2</sup>; his signature, 253.
- Thomas, Burgess of Arbroath, caution for him, 296.
- Thomas, messenger in Edinburgh, witness to the execution of a charge, 135, 180.
- Allansone, William, bailie of Jedburgh, complaint by him, 268.
- Allardyce (Allardes, Allerdes) of that ilk, John, younger, cautioner for him, 254.
- of Skedowye, George, and Robert and Henry, his sons, charged to find lawburrows, 311<sup>2</sup>.
- Alliance, negotiations for, between Scotland and France, x, lx, 12-14.
- Allison (Alisone, Alisowne, Allesoun, Allisoun), Andrew, commissary officer in Lanark, witness to the execution of a charge, 120.
- Andrew, in Lanark, witness to the execution of a charge, 83.
- Mr Robert, present at the trial of a witch, 149, 151.
- William, Burgess of Jedburgh, witness to the execution of a charge, 259.
- William, servant to a messenger in Lauder, witness to the execution of a charge, 172.
- Alloa (Alloway), the measure of coal there, 9, 15, 16<sup>2</sup>.
- Alschunder, Alexander, baker, Burgess of Canongate, a decret pronounced in his favour, 155. See also Alexander.
- Alyth, the Committee of Estates captured there by General Monk, vi.
- Amisfield, Laird of. See Charteris.
- Amuligane, Alexander, in Holme, caution for his indemnity, 286.
- Anderson (Andersone, Andirsone, Andirsoun) of Dummoyes, James, caution for his indemnity, 350.
- of Hobcorse, William, and John, his son, charged to find lawburrows, 318<sup>2</sup>.
- Alexander, in Newmilne of Cre-mont, caution for his indemnity, 350.
- Andrew, in Kintoir, charged with armed convocation and riot, 386.
- George, in Abirgardin, charged with assault, 434.
- George, in Selkirk, charged to find lawburrows, 293.
- Grissell, wife of Alexander Baillie in Penston, deponed against as a witch, 191, 192, 193.
- Mr H., minister at Monzievaird and Strowan, signs a petition, 455.

- Anderson, Mr James, servitor to Waughton, witness to a bond of caution, 121.
- James, officer in Dalkeith, witness to the execution of a charge, 176.
- Janet, a servitor in Stirling, tried for witchcraft, 345-347.
- John, in Wester Anstruther, prosecuted as a deserter, 458.
- John, in Walkmill of Wranghame, complains of assault and robbery, 4382.
- John, messenger, directed to serve a summons, 247, 248; executes charges, 248, 249; witness to an execution, 249.
- John, son-in-law of Andrew Anderson, baker, Burgess of Stirling, deceased, 345; his servitrix is tried for witchcraft, 345-347.
- John, younger, in Cudbertstoun, witness to the execution of a charge, 180.
- Laurence, at the Mill of Newtyle, charged with illegal detention of a soldier, 389, 390.
- Mark, Burgess of Selkirk, craves payment of expenses as a witness, 389, 397.
- Ninian, deacon of the cordiners in Glasgow, charged with armed convocation and riot, 2662.
- Patrick, messenger, executes a charge, 77.
- William, in Dunlapie, charged with assault, 260.
- William, notary, a deed is snatched from him and destroyed, 155.
- William, charged to find lawburrows, 286.
- Andiesone, Alexander, in Dubeid, and his son, James, charged with assault, 408.
- Andro, J[ohn], Clerk of Council (1594), signs a document, 253.
- Angus, 10th Earl of, William, his forfeiture, 2532.
- 11th Earl of, William, to be answerable for the transportation to the wars of certain persons on his lands, 411.
- Earl of, Archibald, a member of the Privy Council, charged with usurping the right of patronage of the kirk of Lamington, 31-33, 35, 121, 123, 124, 125, 126, 127; his right of patronage in the barony of Wandell, 32, 33, 124, 125, 127; ordained to refrain from interfering with the circulation of Godscroft's history of the Douglas family, 54; pre-
- sent in Council, vii, 43, 10, 11, 12, 20, 21, 22, 24, 27, 28, 31, 34, 41, 44, 512, 135, 175.
- Angus (Angous, Anguse), Andrew, in Selkirk, charged to find lawburrows, 293.
- John, in Coupergrange, charged with illegal detention of a soldier, 390.
- Katherine, depones against a witch, 222, 234.
- Marion, servant with John Iron's wife, alleged to be bewitched, 215, 223, 225; gives evidence, 230, 231.
- Patrick, Burgess of Burntisland, lends money for the maintenance of the Scottish army in Ireland, 7, 85.
- Angus, 280, 312.
- Angussone, John, an outlaw, prosecuted for illegal convocation, 377.
- Annan, John, in Dumfries, charged to find lawburrows, 283.
- Annan (Annand), proclamation at the market cross, 349.
- Annandale (Annandail), Earl of, John Murray, signs letters and acts of Council, 4592; commission to him to apprehend and try moestroopers, 432, 44.
- Annandale (Annanderdale, Annerdail), stewartry of, a commission to some gentlemen there to survey the Debatable Lands, 2922; appointment of justices of peace for, 299; suppression of vagabonds and masterless men there, 349, 350; the steward, James Johnstone of Corhead, to be continued in office, 18.
- Anne of Denmark, queen to King James the Sixth, 415.
- Anstruther, port of, importation of English beer there, 4481.
- Anthony, Andrew, in Errol, charged with wrongful imprisonment, 2.
- Antrim, Earl of, Randal, mentioned in a cipher code, 167.
- Aquavite, 3; plundered from a ship, 425.
- Arbroath (Abirbrothok), a document dated there, 296; lands there appraised, 399; bailies of. *See* David Auchterlony and Thomas Pearson.
- Archibald, Michael, a servitor, witness to a document, 104.
- Ardstinfell, 39.
- Areskine. *See* Erskine.
- Arislay, in Orkney, 360.
- Argyll (Argile, Argyle), Earl of, Archibald, a supporter of the Covenanters,

- viii; complaint by him, 264; grants a commission for uplifting fines from the resettlers of the Clangregor, 437.
- Argyll, Marquis of, Archibald, lends money for the maintenance of the Scottish army in Ireland, viii, ix, 5, 84; orders by him for the payment of accounts for the army in Ireland, 90, 91, 92; seeks repayment of his advances for provisions, &c., 77; mentioned in a cipher code, 167; present in Council, vi, 1, 2, 4<sup>4</sup>, 6<sup>4</sup>, 7, 10, 11<sup>2</sup>, 12, 17<sup>2</sup>, 18<sup>2</sup>, 20<sup>1</sup>, 21, 22, 37, 39, 43, 47, 48, 49, 63, 175<sup>2</sup>; signs letters and acts of Council, &c., 134.
- Argyll and Tarbert, shire of, appointment of justices of peace, 299.
- Arms and ammunition, list of, provided to the bushes, 349.
- Armstrong (Armestrange) of Corcune, . . ., charged to find lawburrows, 292.
- of Hoilhous, John, charged to find lawburrows, 292.
- of Mengertoun, . . ., deceased, 292.
- Archibald, in Flascolme, charged to find lawburrows, 292.
- Archibald, brother to Mengertoun, charged to find lawburrows, 292.
- Archibald, called the merchant, in Thorniquhats, charged to find lawburrows, 293.
- Cristie, in Bankhead, charged to find lawburrows, 292.
- Christie, called of Longholm, in Bigholm, charged to find lawburrows, 292.
- Cristie, younger, in Glunyaird, charged to find lawburrows, 292.
- David, in Wodisleis, charged to find lawburrows, 292.
- Dorothy, charged to find lawburrows, 292.
- Francis, called of Kinmont, in Monbieherst, charged to find lawburrows, 292.
- Hector, in Harla, charged to find lawburrows, 292.
- Hector, in Wodhead, charged to find lawburrows, 292.
- John, in Boholme, charged to find lawburrows, 292.
- John, called of Longholm in Tonnischilburn, charged to find lawburrows, 292.
- John, in Rowingburn, charged to find lawburrows, 292.
- Simon, in Quhitliesyd, and his son, Ninian, charged to find lawburrows, 292.
- Armstrong, Will, of Kinmont, younger in Mortountour, deceased, 292; his widow Blench Irvine, charged to find lawburrows, 292.
- Army, his Majesty's, licenses given for absence therefrom, 295. *See also* Soldiers.
- Armyne, Sir William, a commissioner from the Parliament of England, desires the arrest of an English ship, 11, 12.
- Arnot (Arnat, Arnott) of Barkaipell, David, chamberlain of Galloway, petition by him, 426.
- of Birswick, Sir John, Treasurer-Depute, signs letters and acts of Council, &c., 295; to deliver up some papers, 295; as Treasurer-Depute and Receiver of Casualties, he craves enforcement of the acts ordaining merchants to furnish bullion to the mint, 310; he seeks payment of fines, &c., 323.
- of Caskelpie, Andrew, complaint by him, 261.
- of Ferny, Robert, signs a letter as a justice of peace for the shire of Fife, 338.
- of Wodmilne, John, lends money for the maintenance of the Scottish army in Ireland, 7, 85.
- George, merchant burghess of Edinburgh, witness to a document, 454.
- James, execution of summons against him, 77.
- John, feuar of Cockburnspath, charged to appear before the Exchequer, 252.
- Arrall (Arrole), Robert, in Dalnair, charged to appear as a witness, 251<sup>2</sup>.
- Arras, captain of. *See* Neill Makrory.
- Arson, cases of, 396; attempted, 448.
- Arthur (Arthour), Margaret, depones against a witch, 199.
- Mr William, minister at the West Kirk, lends money for the maintenance of the Scottish army in Ireland, 89.
- Arundell, Earl of, mentioned in a cipher code, 167.
- Ashburnham, J., mentioned in a cipher code, 167.
- Assault, instances of, 3<sup>2</sup>, 19, 26, 38, 39, 40<sup>3</sup>, 41<sup>2</sup>, 52, 53, 56, 95, 113, 140<sup>2</sup>, 141, 142, 158, 172, 173, 174, 176<sup>2</sup>, 177, 179, 181, 211, 260<sup>3</sup>, 264, 265<sup>2</sup>, 266, 270, 271<sup>2</sup>, 272, 274, 275, 276, 277<sup>2</sup>, 278, 282, 287, 291, 294, 306, 307, 308, 309, 310, 312,

- 314, 315<sup>2</sup>, 316<sup>2</sup>, 317<sup>2</sup>, 318, 319, 320, 321, 322<sup>2</sup>, 323, 351, 352, 382, 384, 385<sup>2</sup>, 388, 392, 393, 395<sup>2</sup>, 396, 400, 401<sup>2</sup>, 402<sup>2</sup>, 404, 405, 407, 408, 430, 431, 432<sup>3</sup>, 433, 434, 435, 438, 439, 440, 441<sup>2</sup>, 449, 452, 462.
- Assizes, trials by, 12, 18, 63, 70, 73, 102, 103, 105, 130-133, 164, 375, 381, 387; required by justices of peace, 328; in witchcraft cases, 359, 363, 456, 457.
- Assythment, cases of, 173, 174, 180, 259, 414, 417, 446, 447.
- Aston, Sir Arthur, mentioned in a cipher code, 167.
- Athole, Earl of, John, Lord Balvany, his right of possession of a fishing linn on the Water of Eriocht, 247-249.
- James, complaint against him, 294.
- Countess of. *See* Margaret Fleming.
- Master of, John, the designation adopted by John Murray, eldest son of the Earl of Tullibardine, 375<sup>4</sup>.
- the bounds of, 375.
- Auchinba, lands of, 432.
- Auchinbowie (Auchinbowy), the coal of, 15.
- Auchincraw, Margaret, widow of Richard Spens of Chirneyde Mains, horning at her instance, 294.
- Auchindaver, lands of, 261.
- Auchindoun, barony of, 155.
- Auchingoull, lands of, 400.
- Auchinleck (Afflek, Awchinleck) of Balmanno, George, appointed keeper of the rolls to the justices of peace for the shire of Perth, &c., 299; signs a letter from them, 335.
- Thomas, servitor to Innerquharity, charged with assault, 294.
- William, servitor to Gosford, witness to a document, 114, 130.
- Auchmowtie (Achmowtie, Achmowtie, Auchinmowtie, Auchmouttie, Auchmowtie) of Gosford, Sir John, 114, 130; objects to the conduct of a sheriff, 376; he is continued in office as sheriff of Haddington, 17; complains of certain persons illegally breaking into the house of Whittinghame, 25, 26, 34, 98, 107, 108<sup>2</sup>, 110, 111, 115, 120, 128, 133<sup>2</sup>; the keys and inventory are delivered to him, 114, 129; he is ordained to deliver the keys to an overseer, 36; grants a letter of procuratory to Mr William Oliphant, 105, 106, 111; his son, Alexander, is witness to the execution of a charge, 133.
- Auchmowtie, Alexander, brother to Gosford, witness to the execution of a charge, 133.
- Auchaleid, lands of, 430.
- Auchterarder, minister at. *See* Mr J. Grahame.
- Auchterhouse (Ochterhouse), lordship of, 255.
- Auchterlony (Ochterlony), David, bailie of Arbroath, caution for him, 296.
- Isobel, Lady Gight, observance of popish rites at her burial, 263.
- Auldoorne, John, skinner, deceased, and his wife, Janet Hall, alleged to be bewitched, 203<sup>3</sup>, 204.
- Axes, Lochaber, 432; Polwart, 179.
- Ayr (Ayre), burgh of, a provincial assembly meets there, 31, 32, 122; the provost and bailies are allowed to levy an impost from ships for maintaining their harbour, 37, 119; also a toll for their bridge, 37, 119, 138; pistols supplied to the troops there, 116; mentioned in a cipher code, 168; a message sent to the ministers there, 464.
- bridge of, an impost to be levied for its maintenance, 37, 119, 138.
- harbour of, an impost to be levied for its repair and maintenance, 37, 119.
- shire of, troops raised there against Montrose, xiii; appointment of justices of peace, 299; the sheriff discharged from trying a case of theft, 373, 374.
- Ayton (Aytone, Aytoune) of Dynmuir, . . . , signs a letter as a justice of peace for the shire of Fife, 338.
- of Inchderny, Mr Robert, appointed to examine witches, 200.
- John, bailie of Haddington, examines a witch, 193, 198.
- minister at. *See* Mr George Home.
- BACHILTOUN, lands and mill of, 287.
- Baclavies, Easter and Wester, lands of, 256<sup>2</sup>.
- Bailiaries: Carrick, 46, 209; Cunningham, 299; Kyle, 299; Lauderdale, 298.
- Bailies of baronies, regalities, &c.: barony of Dirleton, 194, 195; Crossraguel, 56; regality of Glasgow, 180; Thomas Sinclair, 361.
- of burghs: Arbroath, 296; Brechin, 351; Calder, 109, 118, 119, 138; Canongate, 155; Culross, 37, 43, 101, 102, 105, 106, 130; Dalkeith, 175; Dumfries, 82<sup>2</sup>, 171 283<sup>2</sup>; Dunbar, 252; Dunkeld, 95; Dysart, 365<sup>2</sup>; Edinburgh, 50, 51, 135<sup>2</sup>,

- 250, 252, 413, 427; Glasgow, 261, 276; Haddington, 192, 193, 198, 205; Irvine, 165; Jedburgh, 159<sup>3</sup>, 259, 268; Kilconquhar, 378; Kilmaurs, 380; Kirkcaldy, 259; Lanark, 252; Lauder, 252, 419, 420; Leith, 246, 420, 421, 449; Linlithgow, 252; Melrose, 78; North Berwick, 252; Peebles, 252; Queensferry, 109, 110; Selkirk, 252, 293; Stirling, 252, 443; Wigtown, 41, 42.
- Baillie (Bailyie) of Dunearn, Alexander, burgess of Inverness, complains of being fined and illegally prosecuted by the Earl of Moray, 380, 381, 387, 388.
- of Hardington, William, charged to appear as a witness, 115.
- of Lamington, William, deceased, makes presentation of a minister, 32.
- Sir William, knight, 120; accused of exporting and overcharging his coal, 152; Dame Grizel Hamilton, his lady, charged with resisting the ordination of a minister, 29-31, 34, 35, 115, 116, 118, 119<sup>2</sup>, 128, 133; ordained to pay expenses, 31, 129; his absence in England, 32<sup>2</sup>, 33; he has the right of patronage of the kirk of Lamington, 31, 32, 33, 124, 126; he raises action against the presbytery of Lanark for reduction of their process, 31, 35, 121, 126, 127; and pays a sum of money in compensation, 137<sup>2</sup>; authorised to give up lists of masterless men for the wars, 411.
- of Lochend, Sir James, knight, as collector-general of the taxations of October, 1625, he seeks payment thereof, 412, 413, 429, 450.
- of Murrois, Mr James, seeks suspension of horning, 447.
- Adam, in Eastertoun of Lamington, charged with resisting the ordination of a minister, 116; also Marion Baillie, his wife, 29, 116.
- Alexander, elder, in Penston, 193; his wife, Grizel Anderson, accused of being a witch, 191, 192, 193<sup>2</sup>.
- Christian, wife of James Galloway in Lamington, charged with resisting the ordination of a minister, 29, 116.
- Elspeth, in Pilmore, to be tried for witchcraft, 205.
- Mr James, deceased, late minister of Wandell and Lamington, 29; his presentation thereto, 32.
- James, brother to Lamington, supplication by him, 32.
- Baillie, James, in Lamington, charged with resisting the ordination of a minister, 29, 117; also Janet McClelland, his spouse, 117.
- Janet, charged with resisting the ordination of a minister, 30<sup>2</sup>, 119, 128<sup>2</sup>, 129, 133; she raises action for suspension, 31.
- Mr John, presented as minister to the kirk of Cambuslang, 169; his stipend augmented, 169.
- John, present at the trial of a witch, 190, 191.
- Katherine, wife of Martin Watt in Lamington, charged with resisting the ordination of a minister, 29, 117.
- Katherine, servitor to Luke Paterson in Hardington, charged with resisting the ordination of a minister, 117.
- Laurence, in Lamington, charged with resisting the ordination of a minister, 29, 116.
- Margaret, servitor to Richard Baillie in Wiston, charged with resisting the ordination of a minister, 29, 117.
- Marion, wife of Adam Baillie in Lamington, charged with resisting the ordination of a minister, 29, 116.
- Michael, in Durisdeer, charged to find lawburrows, 311.
- Patrick, in Eastertoun of Lamington, charged with resisting the ordination of a minister, 29, 30, 116, 118, 119, 128, 133; he raises action for suspension, 31.
- Richard, in Maynes of Wiston, 117, 119, 133.
- Mr Robert, malt due to him from the mill of Partick, 239.
- William, in Lamington, charged with resisting the ordination of a minister, 29, 116; also his wife, Grizel Fisher, 29, 116.
- Bain. *See* Bayne.
- Baird, Gilbert, in Corrarie, execution of summons against him, 143.
- Simon, officer for the crafts in Glasgow, charged with armed convocation and riot, 266.
- Bairdie, John, in Inverkeithing, accused of overcharging his coal, 8, 15, 16.
- Bairfurde, the manor place of, 108.
- Balcanquhall (Balcalquall, Balcanquhaill), John, master of a ship of Kirkcaldy called the *Daniell*, 440<sup>2</sup>; charged

- with selling English beer at too dear a price, 442.
- Balcarres, Lord, Alexander, a member of the Privy Council, commission to him to take depositions, 11, 21; present in Council, vii, 1, 2, 42, 5, 10, 112, 12, 342, 37, 43.
- Bald, Archibald, burgess of Haddington, witness to the execution of a charge, 1082.
- Baldernock, minister at. *See* Mr John Stirling.
- Balfour of Grange, Michael, 85.
- John, witness to the execution of a charge, 252.
- John, illegally prevented from joining his regiment, 389.
- Robert, brother to Grange, lends money for the maintenance of the Scottish army in Ireland, 85.
- Thomas, witness to the execution of a charge, 253.
- William, in Kirkcaldy, charged with selling English beer at too dear a price, 442, 448.
- Balhalwell, Milton of, a document dated there, 351.
- Balhousie (Ballhousye), the hall of, 353.
- Balinne, Andrew, illegally prevented from joining his regiment, 390.
- Ballabeg, lands of, 402.
- Ballantrae (Ballintrae), the port of, 324; minister there. *See* Mr Robert Hamilton.
- Ballantyne (Ballentyne), James, in Ormistonhall, witness to documents, 96, 97.
- William, in Lauder, to be apprehended as fit for the wars, 419, 420.
- *See also* Bannatyne.
- Ballycastle (Balle Castle, Ballychastle), in Ireland, mentioned in a cipher code, 167, 168.
- Ballenden. *See* Bellenden.
- Ballincrief, receiver of. *See* John Murray of Blackbarony.
- Ballone, lands of, their taxation, 4372.
- Balmano (Balmano). Peter, and Helen Murray, his wife, seek payment of an annualrent, 261.
- Peter, in Dundee, charged with illegal detention of a soldier, 390.
- Balmerino (Ballmerinock), Lord, James, Secretary of State and President of the Council, prosecutes trespassers who feed their beasts in the Park of Holyroodhouse, 263, 264.
- Balmerino, Lord John, a member of the Privy Council, lends money for the maintenance of the Scottish army in Ireland, 83; mentioned in a cipher code, 167; to be consulted in the disposing of an estate, 172, 207; present in Council, vii, 2, 4, 5, 62, 7, 10, 11, 12, 172, 182, 203, 24, 27, 31, 342, 372, 392, 41, 43, 44, 512, 542, 55, 59, 63, 127, 135; as preses, 43, 44, 47; signs letters and acts of Council, &c., 134, 166.
- Balmungie, town and lands of, 282.
- Balsmith, lands of, their taxation, 437.
- Balthayock (Balthyok), laird of. *See* Blair.
- Balvany, Lord. *See* Athole, Earl of.
- Balvenie, lordship of, 155; some feuars and dwellers there harassed by the Clan Gregor, 206.
- Band, the General, 254, 323.
- Banff (Bamff), Laird of, a conservator of the peace, appears in a sederunt of the Council, 63.
- burgh of, 371, 372; proclamation and execution of summons at the market cross, 181.
- shire of, the sheriff of, Sir Alexander Abercrombie of Birkenboig, to be continued in office, 17, 18; to apprehend and deal with lawless Highlanders, 155; to apprehend a fugitive, 312; appointment of justices of peace, 299; the nobility and gentry desire the appointment of a sheriff-principal, 459, 460.
- sheriff of. *See* Buchan, Earl of.
- sheriff-clerk of. *See* Mr William Sharp.
- Banishment, sentences of, 133; voluntary, 414, 417; Mr David Calderwood to be recalled, 364.
- Bankend, lands of, 288.
- Banks (Bankis), Alexander, a boy of thirteen, prosecuted for a slaughter by the accidental discharge of a hagbut, 164, 165.
- John, in Huntly Coit, his accidental slaughter, 414, 417.
- Bannatyne of Corhous, John, execution of summons against him, 82, 83.
- Christopher, in Byll of Corhous, execution of summons against him, 82; delivered to Bessie Galla, his wife, 82.
- Christopher, in Overhall, execution of summons against him, 82, 83.
- James, in Moit, charged to pay his teinds, 273.
- John, writer in Edinburgh, lends

- money for the maintenance of the Scottish army in Ireland, 86.
- Bannatyne, Susanna, to be tried for witchcraft, 205.
- Mr Walter, depute in the regality of Broughton, diseased, and unable to hold a waconschaw, 428.
- Sir William, knight, Lord of the regality of Broughton, craves the postponement of a waconschaw appointed for the said regality and the burgh of Canongate, 428.
- *See also* Ballantyne and Bellenden.
- Bannerman of Auchleld, James, 429.
- George, in Gavill, to be apprehended and sent to the wars, 423.
- James, bailie of Dunkeld, complains of assault, 95.
- Bannockburn, the coal of, 15.
- Barclay, Andrew, in Renshaw, complaint by him, 311.
- James, in Forres, charged to find lawburrows, 290; as a conservator of the peace, appears in sederunts of Council, 63.
- Robert, receives instructions as a commissioner to the English Parliament, 462.
- Mr Thomas, seeks payment of customs, 324.
- Bargans, . . . , a fugitive, and burned for sorcery, 216, 218, 220, 224.
- Barganie, Lord, John, a member of Parliament, complains of his servant being assaulted and himself put in danger, 39, 40, 140, 143.
- Barnehill, lands of, 256<sup>2</sup>.
- Barnie, Katherine, charged to appear as a witness, 63; alleged to be bewitched, 69.
- Baron bailies of the lordship of Dirleton, 410.
- Baronies: of Auchindoun, 155; Beath, 256<sup>2</sup>; Blairquhan, 46; Coldingham, 255; Fintrays, 255; Glasgow, 289; Langton in Berwickshire, 342; Mugdock, 130; Spynie, 255; Towie, 285<sup>2</sup>; Tulliallan, 459; Wandell, 33, 123, 124; Westnisbet, 207.
- Barrels, a special size required for packing fish, 355.
- Barrie, John, flesher in Hamilton, some cattle wrongfully sold to him, 130.
- Bartill fair, its duties and customs claimed by several conflicting persons, 1, 2.
- Bartilman, Margaret, wife of . . . Forrester, deponed against as a witch, 193.
- Bartrum, Mr John, presented by the patron for the kirk of Lamington, and refused, 32, 124.
- Bathgate (Bathcat), Begis, in Baigbie, to be tried for witchcraft, 204.
- Elizabeth, wife of Alexander Pea, maltman in Eyemouth, proceedings in her case, 458.
- (Bathcatt), Laird of. *See* Hamilton.
- Bathillokis, lands of, 256.
- Batons, assaults with, 19, 40, 80, 140, 309, 316, 320, 385, 392, 401, 404, 433, 435, 438, 441, 449.
- Baty, Harbert, burgess of Dumfries, charged to find lawburrows, 288.
- Baverlay, John, in Cragy, caution for his indemnity, 313.
- Baxter (Baxtar), James, in Lenysoun, prosecuted for remaining at the horn, 308.
- James, witness to the execution of a charge, 248.
- John, in Craiglunschioche, on an assize, 132.
- John, in Bestalrig, charged with trespassing in the Park of Holyrood, 263.
- Patrick, merchant burgess of Dundee, charged with selling English beer at too dear a price, 442.
- Patrick, at the Mill of Rusky, prosecuted for remaining at the horn, 308.
- William, charged with assault, 433.
- Bayne (Baine), Donald, executes a charge, 182.
- John, in Ardo, caution for his indemnity, 312.
- Robert, in Calder, witness to the execution of a charge, 119.
- William, in Billester, to be produced before the Council for trial, 323.
- Bayon, garrison of, 415.
- Beart (Beort), in France, 415<sup>2</sup>.
- Beath (Baith), lands and barony of, 256<sup>2</sup>; mill of, 256.
- Beatie, John, in Clarefoote, caution for his indemnity, 316.
- Beaton (Beatoun, Beitoun, Betoun) of Balfour, David, fiar, prosecutes an action, 259.
- of Carsgownie, David, complaint against him, 306.
- (Newton), Mr Archibald, minister at Liberton, 1, 89.
- Captain Thomas, permitted to levy soldiers for service abroad, 377, 408, 419, 424; he prosecutes deserters, 377;

- seeks delivery of some soldiers, 430, 450, 452.
- Beaton, William, illegally prevented from joining his regiment, 452.  
— *See also* Bethune.
- Beatson of Carden, David, accused of overcharging his coal, 8, 92.
- Beck, John, in Balmaclail, caution for his indemnity, 418.
- Bedford, Earl of, mentioned in a cipher code, 167.
- Beds, chaff and feather pillows, 349.
- Beer, brewing of, 328.
- Beg, Thomas, merchant, lends money for the maintenance of the Scottish army in Ireland, 8, 87.  
— William, in Crosquoy, on an assize, 363.
- Beggars, idle, to be dealt with by the justices of peace, 304, 305, 327, 376, those in the Border counties to be put under caution, 349; means proposed for their suppression, 354.
- Begore, county of, in France, 415.
- Begstoun, Neil Finla, in Leyth, to be produced before the Council for trial, 323.  
— William Finla, in Leyth, to be produced before the Council for trial, 323.
- Begwit (?Bogwalk), lands of, 244.
- Beith (Beath), minister at. *See* Mr James Fullarton.
- Bell (Bel) of Blackethouse, William, called Bidcloick, charged to find lawburrows, 272.  
— of Godsbrig, Rany, charged to find lawburrows, 272.  
— Adam, in Coldstream, witness to the execution of a charge, 390.  
— George, provost of Linlithgow, commission to him to visit certain coal-mines, 10.  
— John, in Quoyskowis, his cattle alleged to be bewitched, 64.  
— John, in Woodend, caution for his indemnity, 418.  
— Robert, supports the intrusion of an unlicensed preacher, 461.  
— Thomas, in Shielgreen, and William and Walter, his sons, caution for their indemnity, 286.
- Bellenden (Ballenden, Bellindane) of Gairsay, William, 324.  
— of Stanehouse, Adam, charged with assault, 323.  
— Henry, bailie of the Canongate, desires production of a decret, 155.  
— *See also* Bannatyne.
- Bellott, Materine, merchant in Rouen, seeks the release of a vessel with merchandise, 99.
- Belses, deeds dated there, 100, 103, 107, 108.
- Belsches (Belscheis, Belseis) of that ilk, Alexander, 104; prosecuted for wrongful detention of a collier, 24, 96, 1002, 103, 104, 107, 1082.  
— of Tofts, . . ., a Lord of Session, hears evidence, 159; to reconcile conflicting parties, 198.
- Bennenhill, 39.
- Bennet (Bennat, Bennit), David, messenger, directed to serve a summons, 248.  
— David, servant to Lord Lindores, caution for his indemnity, 277.  
— Mr George, minister at Quodquan (Caquhan), endeavours to suppress the opposition made to the ordination of a minister, 29, 35, 116, 124; charged to appear as a witness, 115, 117; his evidence, 128.  
— Mr William, minister in Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 86.
- Bennie (Benni), Alexander, merchant in Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 88.  
— John, merchant in Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 84.
- Berne mentioned in a cipher code, 167.
- Berwick-on-Tweed, town of, 195; the redress of an assault committed by the inhabitants, 187; the Mayor to be written to by the Council, 187; mentioned in a cipher code, 168; some prisoners to be brought thence to Edinburgh, 115.  
— presbytery of, recommended to raise contributions for relief of the town of Kelso, 158.  
— shire of, 158.  
— the sheriff, Sir Alexander Swinton, to be continued in office, 17; he is ordained to liberate a prisoner, 50; cases of witchcraft there, 195-197; appointment of justices of the peace, 298; letter from the justices of the peace anent one who encroaches on their jurisdiction, 339, 340; the justices write to the Council anent certain robberies and slaughters, 342, 343; the Council's reply, 343.  
— sheriff-depute of. *See* Adam Cockburn and William Home of Linthill.

- Bethune of Creich, D., fiar, signs a letter as a justice of peace for the shire of Fife, 338.  
 — *See also* Beaton.
- Beuchlibert, deer forest of, 444.
- Beustryme, deer forest of, 444.
- Bewis, Adam, in Goirnes, on an assise, 457.
- Bickerton (Bickartoun), Harry, writer, deceased, 268; debts owing to his widow, Violet Tweedie, 268.  
 — John, in Dirleton, charged with de-forcement, 451.
- Bidrin, Laird of. *See* Cutler.
- Biggar, presbytery of, its erection, 31; includes the kirk of Lamington, 31, 1222.
- Bigham, Isobel, in the parish of Stran-raer, to be tried for witchcraft, 133.
- Bills, Clerk of the. *See* Mr John Skene (1626).
- Bimbister, Margaret, a servant in Seat-ter, alleged to be bewitched, 357.
- Binnie (Bynne), Robert, messenger, wit-ness to the execution of a charge, 253.
- Binning, Lord, Thomas (Hamilton), signs letters and acts of Council, &c., 341.  
*See also* Melrose, Earl of.  
 — John, bailie-depute of Crossraguel, pronounces a sentence, 56.  
 — John, painter in Leith, complains of the illegal warding of his servant, 449.
- Birley (Birlae) Courts, 375.
- Birnie (McBirnie), Mr Robert, minister at Lanark, charged to produce a decree, 34, 120; which is done, 35; he depones against a witch, 149<sup>3</sup>, 150<sup>4</sup>, 151<sup>2</sup>, 152; a confession made to him, 156; he signs a report, 157.
- Birsbane. *See* Brisbane.
- Birsay (Birsay), parish of, 359; trials for witchcraft there, 355-364, 455-457.
- Birthbrievies, only to be written in the office of Chancery, 54; some craved and granted, 205, 206.
- Bishops and bishoprics: Galloway, 436; Moray, 255. *See also* Church and religion.
- Bishopsmiln, lands of, 255.
- Bisset (Bisset) of Lessindrum, Mr Robert, charged to find lawburrows, 350.  
 — Abacuch, writer, craves a further allowance to enable him to finish his book on Scottish history, 368.  
 — Walter, tailor, burgess of Perth, witness to the execution of a charge, 107.
- Black (Blak, Blek), Christian, to be tried for witchcraft, 205.  
 — Harie, tenant in Wester Lawes of Quhitsuome, commits an accidental slaughter, 50; his liberation ordered, 50.  
 — James, in Bardarroch, caution for his indemnity, 418.  
 — James, in Montrose, prosecuted as a deserter, 389.  
 — Jerome, in Newburgh, 424; his son, Gilbert, to be apprehended as fit for the wars, 424.  
 — John, brother to Harry, *supra*, ap-pears as a procurator, 50.  
 — Margaret, to be tried for witchcraft, 205.  
 — Thomas, in Blartoun, charged to find lawburrows, 313.  
 — Walter, in Glencaprenoth, caution for his indemnity, 418.
- Blackadder (Blacader) of Tulliallan, Sir John, knight baronet, grants an assig-nation to his creditors, 459.  
 — Laird of. *See* Home.  
 — lands of, 342.
- Blackburn (Blakburne), Mr Samuel, merchant burgess of Edinburgh, wit-ness to the execution of a charge, 77.  
 — William, in Carruth, charged with assault, 433.
- Blackhall (Blakhall) of that Ilk, John, bond of caution by him, 238.  
 — Alexander, in Auchinclocht, charged with armed convocation and riot, 385.  
 — James, in Leith, to be sent to the wars, 420.  
 — William, burgess of Aberdeen, wit-ness to the execution of a charge, 104.  
 — William, in Achrone, charged with armed convocation and riot, 386.
- Blackhouse (Blakhous), lands of, 309<sup>2</sup>.
- Blacklaws (Blaklawis), the moss of, 351.
- Blackness Castle, charges to enter into ward therein, 185; the Earl of Cassillis imprisoned there, 258.
- Blaikie, Katherine, widow of Thomas Alexander in Dunkeld, complains of assault, 95.
- Blair of Ardblair, Andrew, to desist from demolition of a fishing linn, 247, 248, 249<sup>2</sup>.  
 — of Balgillo, William, charged with illegal detention of soldiers, 390.  
 — of Balgirsho, Andrew, witness to the execution of a charge, 248.  
 — of Balthayock, Sir Robert, continued

- in office as sheriff of Perth, 17; he signs an obligation to observe certain acts of Parliament anent religion, 239.
- Blair, Andrew, portioner, of Durdo, witness to the execution of a charge, 248.
- Gabriel, in Canongate, accuses the bailies of Canongate for illegally imprisoning him, 367.
- Gilfillen, at the Mill of Rusky, prosecuted for remaining at the horn, 308.
- Mr Hew, deals with cases of witchcraft, 198, 203.
- Captain James, complains of the non-delivery of soldiers enlisted under him, and prosecutes deserters, 389, 390, 450; permitted to levy soldiers for service abroad, 408, 419, 422, 423, 424<sup>2</sup>.
- John, in Auchincloich, complains of assault, 433.
- John, notary in Cassar, charged with assault, 277.
- John, illegally prevented from joining his regiment, 390.
- Mr Robert, minister of St. Andrews, depositions by him, 21.
- Robert, in Corruith, on an assize, 132.
- William, in Forres, charged to find lawburrows, 290.
- William, messenger, charged with illegal intrusions, 45.
- castle of, in Athole, 375.
- kirk of, in Perthshire, 248.
- place of, 277.
- Blairquhan, Laird of. *See* Kennedy.
- barony and manor place of, 46.
- Boden, James, in Almerne, craves payment of expenses as a witness, 421.
- Bogtoun, the, near Maybole, 142.
- Bogie, Laird of. *See* Wemyss.
- Boig (Boge) of Lochend, Robert, 282; his son, John, charged with assault, 282.
- Abraham, brother to Lochend, charged with assault, 282.
- James, brother to Lochend, charged with assault, 282.
- Boigbane, moss of, 377.
- Boll, measures of the, 338.
- Bonar (Bonner), Mr James, minister at Maybole, resisted in ordaining a minister, 76; signs a certificate of inability to travel, 143.
- John, merchant in Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 88.
- Bonds: form of that to be taken by the Clan Gregor, 237, 238.
- Bo'ness (Borrowstounes), 216; the coal of, and its measure, 163.
- Bonhard, the coal of, 16.
- Bonkle (Bonkill), Cuthbert, in Leith, to be sent to the wars, 420.
- Book, James, miller at Thankerton, horn-ing at his instance, 447.
- Books: *The History of Douglas and Angus*, 54; one on Scottish history in preparation by Habakkuk Bisset, 368; of the Sheriff Court of Aberdeen, 101; of Adjournal, *see* Adjournal; of Council and Session, *see* Session; of Privy Council, *see* Privy Council; of Parliament, *see* Parliament.
- Boquhapple (Boquhoppill), lands of, 308.
- Borders, or Middle Shires: some moss-troopers to be apprehended and tried, 43, 44, 47, 48; a commission appointed to survey the Debatable Lands, 292<sup>2</sup>; a disposition of these lands, 292, 293; insolencies committed there by lawless persons, 322; the apprehension and trial of some Berwickshire criminals remitted to the commissioners, 343; measures taken by the Border Commissioners to suppress vagabonds there, 350.
- Bordlands, James, maltman in the West Port and portioner of King's Stables, complaint by him, 78.
- Borge, Laird of. *See* McClellan.
- Borlace, Sir Jo[h]n mentioned in a cipher code, 167.
- Borlum (Boirlun), tenants of, horn-ing at their instance, 323.
- Bornis, James, his son to have certain dues paid to him, 240.
- Borthwick (Borthike, Borthuik, Borth-wik) of Collielaw, John, complaint by him, 315; he is charged with assault, 317.
- of Johnstonburn, Alexander, appointed to examine witches, 205.
- . . . younger, charged with illegal enlistment of a youth, 439.
- Andrew, burgess of Edinburgh, a debtor, charged with assault, 287.
- Cuthbert, merchant burgess of Edinburgh, complaint by him, 315.
- Mr Eleazer, minister at Leuchars, deceased, 11, 20; his son, James, a student at St. Andrews, defends himself against a charge of murder; he is acquitted, 20, 21.
- James, chamberlain of Dirleton, examines some witches, 189, 193, 195; his signature, 194, 195.

- Borthwick, James, brother to Todhills, deceased, 175; his widow, Susanna Douglas, complains of illegal warding, 175.  
 — John, in Wester Duddingston, 352.  
 — Robert, in Leith, debts owing to him, 287.  
 — William, writer in Edinburgh, complains of being assaulted, 287.
- Bosivous, Monsieur, the French King's Ambassador to Scotland anent the Alliance, gives in his demands, 10, 13, 14; to which the Council replies, 12, 13.
- Boston (Bowstoun), James, in Westhouses, charged to appear as a witness, 172; his evidence, 173.  
 — Richard, in Dernick, seeks suspension of horning, 77.
- Boswell (Boiswille, Bosuall, Boswall) of Balmouto, David, accused of overcharging his coal, 8, 92.  
 — John, signs a letter as a justice of peace for the shire of Fife, 338.  
 — James, merchant in Edinburgh, receives payment for supplies to the army in Ireland, 91, 95, 96.  
 — John, signs a letter as a justice of peace for the shire of Fife, 338.
- Bothanes. *See* St. Bathans.
- Bothwell, Captain, permitted to levy soldiers for service abroad, 429.  
 — Mr . . . , customs owing to him, 324.
- Bowar, Donald Baine, debts owing to him, 434, 435.  
 — James, merchant burges of Dundee, charged with selling English beer at too dear a price, 442.
- Bowie (Bow), John, cordiner in Edinburgh, charged to appear as a witness, 79.  
 — John, in Easter Tillicoultry, summoned for molesting colliers, 79.
- Bowmaker, George, grants a letter of slains, 50.  
 — James, servitor to Blackadder, younger, charged with stealing a greyhound, 368.
- Bows, references to, 294, 388, 397, 432, 447.
- Boyd, Hew, merchant in Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 89.  
 — Janet, widow of [John] Watt, burges of Edinburgh, complains of malicious damage, 269.  
 — William, in Guildwell, charged to appear as a witness, 107.
- Boyle (Boill, Boll) of Dalduff, William, 40, 144; his son, John, charged with committing assault, 40, 144<sup>2</sup>; the latter, with Margaret Crawford, his wife, make a counter-complaint, 40, 41, 138, 140<sup>2</sup>, 141, 142, 144.
- Boyle, Daniel, messenger, executes a charge, 252, 253.
- Boyster. *See* Byter.
- Brachlie, lands of, 255.
- Brackenrig (Brackanridge, Braikenrig), John, in Polcairdoch, witness to the execution of a charge, 143.  
 — J., execution of summons against him, 82.
- Brago, lands of, 256.
- Braidgett, Roger, in Ardwell, caution for his indemnity, 418.
- Brand, James, in Knarstane, on an assise, 70.
- Brass: brazen pieces, for ships, 349.
- Bray, Thomas, cordiner, burges of Perth, debts owing to him, 312.
- Brechin, bailies of. *See* David Lindsay.  
 — commissary of. *See* John Ramsay; commissary clerk of. *See* Mr Thomas Ramsay.
- Breda, commissioners sent there to meet King Charles the Second, 210.
- Bredye, Thomas, in Galtway, charged to find lawburrows, 290.
- Breeches, 349.
- Breich mill, 322.
- Brentoune, James, execution of summons against him, 82.
- Brewhous, Richard, in Selkirk, charged to find lawburrows, 293.
- Brewing, ale and beer, 328.
- Bridges: the repairing and upholding of them to be facilitated by the justices of peace, 304; some maliciously broken, 406, 407; of Ayr, 37, 138; of Doon, 119; at Dunglas mill, 187.
- Brighauch, lands and mill of, 56, 185.
- Brisbane (Birsbane) of Bishoptoun, John, craves delivery of the castle of Stanellie, 451.
- Bristol (Bristowe), Earl of, mentioned in a cipher code, 167.
- Brock, Walter, depones against a witch, 229.
- Brodland, lands of, 255.
- Brokland, lands of, 255.
- Brotherstane, Clement, portioner of King's Stables, complaint by him, 78.  
 — John, portioner of King's Stables, complaint by him, 78.
- Broubster (Broutstair), tenants of, horning at their instance, 323.

- Broughton (Broughtoun), regality of, a wapenschaw to be held there, 428; lord of the. *See* Sir William Bannatyne.
- Brown (Broun) of Colstoun, George, complaint by him, 270.
- Patrick, younger, appointed to examine witches, 205.
  - Agnes, wife of Robert Murray, maltman in Perth, complaint by her, 268.
  - Agnes, in Nisbet, deposed against as a witch, 1922.
  - Bernard, maltman in Wiston, 120; his son, James, is witness to the execution of a charge, 120.
  - George, burgess of Dysart, consents to an act of the town council, 365.
  - George, miller at East Gordon, charged to find lawburrows, 405.
  - George, at the mill of Duddingston, charged with trespassing in the Park of Holyrood, 263, 264.
  - Gilbert, messenger, and his son, Robert, apprehended and sent to the wars, 431; his wife, Margaret Steele, complains thereanent, 431.
  - Henry, witness to the execution of a charge, 248.
  - Isobel, in Eyemouth, accused of witchcraft, 195, 1964, 1973.
  - Mr J., clerk to the Committee of War for Haddington, signs a deed, 100.
  - James, elder, merchant burgess of Edinburgh, complaint against him, 270.
  - James, cordiner in King's Stables, makes a complaint, 78, 79.
  - Janet, in Dunbar, debts owing to her, 145.
  - John, in Auchingule, charged to find lawburrows, 289, 290.
  - John, in Bea, on an assise, 363.
  - John, in Craigie, debts owing by him, 268.
  - John, at Gorgie Mill, becomes a cautioner, 443; complaint by him, 448.
  - John, in Inglistoun, charged to find lawburrows, 311.
  - John, in Little Elrig, 423; his son, John, to be apprehended and sent to the wars, 423.
  - John, receives payment for supplies to the army in Ireland, 91.
  - Patrick, servant to Leslie of Otters-toun, caution for his indemnity, 277.
  - Peter, called the Laird, in Durisdeer, charged to find lawburrows, 311.
  - Peter, in Skarheid of Durisdeer, charged to find lawburrows, 311.
- Brown, Mr Robert, minister, desired by the parishioners of Buittle as their pastor, 461.
- Robert, cordiner in King's Stables, complaint by him, 78, 79.
  - Robert, fleasher in Hamilton, some cattle wrongfully sold to him, 130.
  - Robert, servitor to the Laird of Culloch, caution for his indemnity, 289.
  - R., town clerk of Irvine, signs a document, 165.
  - Thomas, in Errol, charged with wrongful imprisonment, 2.
  - Thomas, cordiner in King's Stables, complaint by him, 78, 79.
  - Thomas, alleged to be bewitched, 1962.
  - William, bailie of Edinburgh, charged to answer anent the imprisonment of a debtor, 413.
  - William, bailie of Edinburgh, takes possession of some writs, 427.
  - William, in Greistoun, charged with resetting thieves, 394.
  - William, in Selkirk, charged to find lawburrows, 293.
  - . . . , miller at West Gordon, servitor to Dame Barbara Cranston of Touch, charged to find lawburrows, 405, 407.
  - . . . , mother to John Gaw of Maw, charged with malicious damage to a mill dam, 267, 268.
  - . . . , charged with casting down a dyke, 54.
- Brownlie, David, smith in Newbigging, complains of being assaulted, 291.
- Bruce of Auchinbowy, Robert, accused of overcharging his coal, 152.
- of Carnock and Culross, Edward, accused of overcharging his coal, 8, 15; complains of the wrongful retention of some of his colliers, 24, 97, 99, 107; complains of malicious damage to a mill dam and coal workings, 267, 268; his father, George, deceased, 97.
  - of Clackmannan, . . . , ordered to send out troops, 116.
  - of Clackmannan, . . . , younger, 18; his son, David, slain, 18.
  - of Kennet, Mr Robert, accused of overcharging his coal, 8, 9, 15, 16.
  - of Kincavill, Sir J., signs a letter as a justice of peace for the shire of Linlithgow, 339.
  - Anthony, portioner of Livielands, witness to the execution of a charge, 253, 258.

- Bruce, Anthony, bailie of Stirling, charged to appear before the Exchequer, 252.  
 — John, in Kinnadeis, to be apprehended and sent to the wars, 423.  
 — Thomas, messenger, executes a charge, 176; his son, William, witness to a charge, 176.  
 — William, portioner of Leyth, 12; his son, Robert, makes a protestation, 12.  
 — William, shoemaker, burgess of the Canongate, flees from justice, 155; his wife, Margaret Sinclair, destroys a document, 155.  
 Bruntfeild, Alexander, in Struderis, witness to the execution of a charge, 75.  
 Bruntoun, Thomas, in Fairniehirst, charged to appear as a witness, 172.  
 — Thomas, his lands, 251.  
 Bruntyland. *See* Burntisland.  
 Bryanburne, the coal of, 15.  
 Bryce (Brice), Daniel, in Airth, debts owing by him, 262.  
 — George, elder, debts owing by him, 262.  
 — George, younger, debts owing by him, 262.  
 Bryden, Andrew, in Selkirk, charged to find lawburrows, 293.  
 Bryson (Bryssoune), Andrew, merchant, lends money for the maintenance of the Scottish army in Ireland, 7, 88.  
 — William, in Dunbar, debts owing to him, 145.  
 Buccleugh, Earl of, Francis, commission to him to apprehend and try moss-troopers, 43<sup>2</sup>, 44, 47; supplication by him thereanent, 44; his commission continued for a year, 48.  
 Buchan, Earl of, demits office as sheriff-principal of Banff, 460.  
 — earldom of, 255.  
 Buchanan (Buquhannane) of that Ilk, . . ., appointed keeper of the rolls to the justices of the peace for the shire of Dumbarton, 299.  
 — of Scotsraig, Sir John, knight, justiciary and sheriff of Orkney and Shetland, tries cases of witchcraft, 355, 359, 360, 363.  
 — of Spittell, Robert, complaint against him, 282.  
 — Elspeth, wife of John Galbraith, merchant in Glasgow, charged with malicious damage, 269.  
 — John, in Buchlass, charged to appear as a witness, 251, 252.  
 — Margaret, wife of David Rand in Perth, alleged to be bewitched, 353.  
 Buchanan, Thomas, witness to the execution of a charge, 250.  
 — . . ., brother to Elspeth, *supra*, charged with malicious damage, 269.  
 — *alias* Robertson, Walter, charged to appear as a witness, 251, 252.  
 Buckie (Buckye), James, his lands and houses, 251<sup>2</sup>.  
 Buckingham, Ducheas of, mentioned in a cipher code, 167.  
 Buittle (Buttull), kirk and parish of, riots at the intrusion of an unlicensed preacher there, 461, 462; some of the heritors' names, 421; lists of masterless men to be given up, 422, 423; minister there. *See* Mr Patrick Adamson.  
 Bullerwall, James, in Selkirk, charged to find lawburrows, 293.  
 Bullets, large and small, 349.  
 Burdens, Commissioners of Common, to deliberate with the Council anent public affairs, xii, 93.  
 Burgar, William, in Holland, on an assise, 363.  
 Burges, Alexander, in New Leslie, 370.  
 Burghs, the: their commissioners complain of the exorbitant prices charged for coal, 8-10, 12, 15, 16; also of the exportation of land coal, 14, 15, 17; a convention held at Edinburgh, 37; the commissioners chosen to arbitrate anent a riot at Wigtown, 42; asked to support the appointment of Sir Thomas Cunningham as conservator in the Netherlands, 94; meetings and assemblies in burghs forbidden unless with the magistrates' consent, 265, 275; magistrates of burghs appointed justices of peace in their bounds, 297, 299; interference by them with the jurisdiction of the justices of peace forbidden, 305, 329; they are to receive prisoners for the justices of peace, 327, 328; further anent their dispute with the justices of peace as to the appointment of standard weights and measures, 332, 333, 334, 335, 336; their distant fishings not to be burdened with tithes, 340; to consider what effect the export of coal abroad may have on the country, 341; the right of guaging fish barrels is granted to some of them, 355; magistrates appointed to hold wapenschaws, 428; their clerk. *See* Mr Alexander Guthrie.  
 Burgie, the goodwife of, elder, 76.

- Burleigh (Burghlie, Burley, Burlie), Lord, Robert, a member of the Privy Council, commission to him to take depositions, 11; lends money for the maintenance of the Scottish army in Ireland, 84; craves relief from his vassals for the taxation, 437; present in Council, vii, 22, 42, 5, 62, 7, 10, 342, 372, 392, 43, 44, 47, 482, 512, 522, 53, 542, 55, 57, 175; signs a commission, 134.
- Burley, a town in England, mentioned in a cipher code, 168.
- Burn (Burne), Christie, in Wester Tillicoultry, summoned for molesting colliers, 79.
- James, in Selkirk, charged to find lawburrows, 293.
- John, maltman in Leith, debts owing to him, 399, 424.
- Mungo, in Selkirk, charged to find lawburrows, 293.
- Thomas, in Tillicoultry, witness to the execution of a charge, 80.
- Thomas, in Wester Tillicoultry, summoned for molesting colliers, 79.
- William, cordiner in Stirling, 345; his wife, Agnes Wat, alleged to be bewitched, 345.
- Burnet (Burnett, Burnit) of Leys, Alexander, appointed keeper of the rolls to the justices of peace for the shire of Kincardine, 299.
- Sir Thomas, accused of maliciously destroying a bond, 384.
- Mr John, minister, a message sent to him, 464.
- Patrick, messenger, executes a charge, 107.
- William, in Lauder, his house, 420.
- William, deceased, alleged to be bewitched, 196, 1972.
- Burning of the town of Kelso, 158; burning at the stake inflicted upon alleged users of witchcraft, 70, 73, 1106.
- Burnmylne of Lauder, lands of, 185.
- Burnside (Burnesyde), William, in Anstruther, charged with selling English beer at too dear a price, 448.
- Burntisland (Bruntylland), 398; the bailies are ordained to arrest an English skipper's ship on his threatening to become a pirate, 12; a contract dated there, 23; they are appointed to examine witches, 200; the minister there signs reports anent witchcraft, 200; a minister to remove thence, 296; port and harbour of, 440.
- Burt, William, servant to Westfield, refuses to be suborned, 278.
- Burwick, William, in North Ramsay, and Thomas, his son, alleged to be bewitched, 360.
- Bush fishing, 340; arms and ammunition for the bushes, 349.
- Butcher (Boutcher), Alexander, in Dundee, prosecuted as a deserter, 389.
- Bute, Isle of, mentioned in a cipher code, 168.
- shire of, appointment of justices of peace, 299.
- Buthill, Thomas, in Anstruther, charged with selling English beer at too dear a price, 448.
- Butler of Kirkland, Mr John, appointed to examine witches, 205.
- Butter (Buttir) of Gormock, Archibald, to desist from demolition of a fishing linn, 247, 248, 2492.
- of Marytoun, Patrick, complains of injury to his fishings, 248.
- Archibald, in Kinnaird, and John, Thomas, and Patrick, his sons, caution for their indemnity, 374, 375.
- John, at the Mill of Pitlochry, and John, his son, caution for their indemnity, 374, 375.
- Byres (Byris), Lord. *See* Melrose, Earl of.
- John, bailie of Edinburgh, imposes restrictions on the maltmen of Leith, 348.
- John, tenant to Johnstone of that ilk, complains of being assaulted, 395; horning at his instance, 418.
- Byrilaw, the, 198.
- Byter, Alexander, merchant burghess of Dundee, charged with selling English beer at too dear a price, 442.
- CAIG, JAMES, in Meikle Castlegour, prosecutes an action, 421.
- Caigle (Craiglie), James, a collier, wrongfully retained from his master, 24, 96, 99; execution of summons against him, 106.
- Caik Inche, 256.
- Cairncross (Carnecroce) of Colmeslie, William, witness to the execution of a charge, 399.
- of Hilslap, James, fiar, witness to the execution of a charge, 782.
- . . ., servant to Robert, Earl of Lothian, complains of being assaulted, 317.

- Cairns (Cairnis, Carnes), Alison, accused of witchcraft, 196<sup>a</sup>, 197.
- George, servant to Blythswood, charged with assault, 276.
- Isobel, to be tried for witchcraft, 205.
- Richard, in Duddingston, charged with trespassing in the Park of Holyrood, 263, 264.
- Caithness, Bishop of, . . . , 305.
- Earl of, George, craves suspension of letters charging him to exhibit certain tenants, 323, 324<sup>a</sup>.
- James, 63; his wife, Elspeth Smyth, charged to appear as a witness, 63.
- James, in Rowsay, alleged to be bewitched, 65.
- Calais (Callais), town of, mentioned in a cipher code, 168.
- Calbraith. *See* Galbraith.
- Caldchapell, in Wandell, 33, 127.
- Calder (Cather), the tutor of. *See* William (Mr John) Sandilands.
- Calder, parish of, cases of witchcraft there, 37, 108, 109, 117, 118, 119, 137, 138<sup>a</sup>, 148; kirk-stile of, 408; bailie of. *See* James Sandilands of Muirhouse-dykes; minister of. *See* Mr Hew Kennedy.
- Calderwood, Alexander, bailie of Dalkeith, charged with illegal warding, 175, 176.
- Mr David, minister, and church historian, allowed to return from exile, 364, 364<sup>a</sup>.
- Thomas, merchant in Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 87.
- Caldwallis, Andrew, gardener of the south yard of Holyrood, 389.
- Caldwell (Cauldwell), Alexander, deacon of the skinners in Glasgow, charged with armed convocation and riot, 266.
- Callander (Calander, Callendar, Kalander), Earl of, James, present in Council, vii, 20, 21, 59, 135; mentioned in a cipher code, 167.
- of Ballencloich, Sir William, knight, bond of caution by him, 296.
- Mr John, writes a document, 160.
- Cambuslang, kirk of, presentation of Mr John Baillie thereto, 169; the late minister of. *See* Mr Patrick Hamilton.
- Cambusnethan, Netherton of, 385.
- Cameron, *alias* Clerick, Duncan, to be released upon caution to appear for trial, 20.
- Cambo (Cammo), Laird of. *See* Myretoun.
- Campbell of Auchinbreck, . . . , appointed keeper of the rolls to the justices of peace for the shire of Argyll and Tarbert, 299.
- of Both, Patrick, prosecutes an action, 64.
- of Briauch, John, debts owing to him, 282.
- of Caddell, Sir John, sheriff of Nairn, commission to him of fire and sword, 371.
- of Crunane, Alexander, charged with illegal detention of a soldier, 390.
- of Denhead, Colin, charged with illegal detention of a soldier, 389.
- — David, 294.
- of Glenorchy, signs a letter as a justice of peace for the shire of Perth, 334, 335.
- of Kendloch, John, seeks payment of fines due for resetting the Clangregor, 437.
- of Kethik, Patrick, caution for him, 351; his son, John, is a witness, 351.
- — Gilbert, fiar, caution for him, 351.
- of Newcalsay of Couper, John, bond of caution by him, 351.
- Alexander, messenger in Edinburgh, witness to the execution of a charge, 119.
- Archibald, commissioner for receiving the fines from resettlers of the Clangregor, 437.
- Archibald, brother to Denhead, complaint by him, 294.
- Archibald, illegally prevented from joining his regiment, 389.
- Colin, sheriff-depute of Nairn, commission to him of fire and sword, 371.
- David, mariner in Glasgow, charged to find lawburrows, 318.
- Donald, charged with armed convocation and riot, 388.
- Mr Hew, minister at Dalkeith, charged with illegal warding, 175, 176.
- Hew, in Lochingirroch, caution for his indemnity, 170.
- James, servant to Wood of Geiliston, threatened with assault, 393.
- John, commissary of the Scots army in Ireland, receives payment for supplies to the army in Ireland, 91<sup>a</sup>, 92.
- John, in Kethick, witness to a bond of caution, 351.

- Campbell, John, in Pollosh, caution for his indemnity, 170.
- Captain Patrick, of Colonel Pit-scottie's regiment, appears as a procurator, 173.
- Robert, messenger, and Carrick pur-suivant, letters of horning directed to him, 250; which he executes, 250.
- Routmaster, pistols and money to be given to him, 116.
- Campsie, the town and lands of, 27, 161.
- Campvere (Campheer), the factor at. *See* Thomas Cunningham.
- Cannan of Barlochan, John, prosecutes an action, 421.
- David, in Little Knokis, prosecutes an action, 421.
- Canongate, burgh of, the, the bailies ordered to secure a prisoner, 38; and to release others, 206; they are charged with illegal warding, 367; their wapenschaw postponed, 428; market cross of, 108; tolbooth of, 38, 39, 43, 139, 206; the jailor thereof. *See* Thomas Robison.
- parish of, the, the elders report against priests in their parish, 184.
- Cant of Colmistoun, Mr Andrew, informations for him, which he signs, 188, 189.
- Elspeth, burned for witchcraft, 110.
- Cantraiff, town and lands of, 405.
- Caption, letters of, not to be used against justices of peace, 329.
- Carberry, Laird of. *See* Rig.
- (Carbarie), the coal of, 14, 38; illegal seizure of the coalheugh, 38, 163.
- Cargill, John, witness to the execution of a charge, 248.
- Carkettill, . . . , customer of North Berwick, charged to appear before the Exchequer, 252.
- Carlaverock, kirklands and teinds of, 288.
- parish of, 288; minister there. *See* Mr William McGeorge and Mr David Roger.
- Carle, Patrick, in Pittochie, illegally prevented from joining his regiment, 390.
- Carlingwork, lands of, 290.
- Carlisle (Carlile), town of, mentioned in a cipher code, 168.
- Carluke, minister at. *See* Mr John Weir.
- Carlyle (Cairlell) of Bankis, Adam, charged to find lawburrows, 272.
- of . . . , Alexander, charged to find lawburrows, 272.
- Carmichael (Carmichell, Carmychell) of that ilk, Sir James, Treasurer-Depute of Scotland, his son, Sir William, compares in connection with a case of curatory, 49; he lends money for the maintenance of the Scottish army in Ireland, 84; he is to send one of his servants to the wars, 411; payments to be made to him, 101, 103; present in Council, vii, 4, 6<sup>2</sup>, 10, 11<sup>2</sup>, 12, 19, 20, 22, 27<sup>2</sup>, 28, 31, 34<sup>2</sup>, 37, 39, 44, 48<sup>2</sup>, 51<sup>2</sup>, 53, 54, 55, 127, 135; signs an act of Council, 145.
- Carmichael of Edrem, Archibald, 285; complaint by his natural son, William, 285.
- Bessie, wife of John Forrest at Lamington, charged with resisting the ordination of a minister, 29, 30, 116, 118, 119; she raises action for suspension, 31.
- David, in Lamington, execution of summons against him, 133.
- Mungo, tailor in Leith, debts owing to him, 399.
- William, bailie of Dysart, complaint against him, 311.
- William, sometime of the Maynis, 310; his son, John, charged with assault, 310.
- William, charged with assault, 265.
- minister at. *See* Mr Alexander Livingstone. *See also* Kirkmichael.
- Carnegie, Lord, James, on a Committee of War, 115; present in Council, 175.
- Lady, lends money for the maintenance of the Scottish army in Ireland, 89.
- of Balmakie, James, charged with illegal detention of a soldier, 390.
- of Kinnaird, Sir David, appointed keeper of the rolls to the justices of peace for the shire of Forfar, 299; signs a letter from them, 337.
- Robert, merchant in Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 87.
- Carney, lands of, 244<sup>2</sup>.
- Carnochan, William, in Cuill, prosecutes an action, 421.
- Carnoquhen, Andrew, smith in Mains of Cardynes, and William, his son, caution for their indemnity, 418.
- John, caution for his indemnity, 418.
- Carnwath, Earl of, Robert, deprived of his protection because of non-compearance, 63; an account for execution of charges against him, 92.

- Carnwath, parish and kirk of, a meeting-place of witches, 146, 154, 156, 157; the kirk-session deals with witchcraft cases, 151; minister there. *See* Mr James Douglas; schoolmaster there. *See* Mr James Hunter.
- Carrach, William, in Greischip, charged to find lawburows, 290.
- Carrick, bailiary of, 46; appointment of justices of peace in, 299.
- Carrick pursuivant. *See* Robert Campbell.
- Carrick and Kyle, presbytery of, deals with a case of adultery, 326.
- Carrickfergus (Carictfergus, Craigfergus, Knockfergus), a document dated there, 158; mentioned in a cipher code, 168; some victual transported thither, 95, 158.
- Carriden (Caribdin, Carriddin), the coal of, 10, 16.
- parish of, cases of witchcraft there, 182, 205.
- Carruth, Alexander, charged with assault, 433.
- Carruthers of Holmends, John, elder, complaint against him, 309; charged with assault and illegal warding, 322.
- John, younger, charged with assault and illegal warding, 322.
- of Knox, William, son to Holmends, complaint against him, 309.
- Robert, in Logane, charged to find lawburrows, 316.
- . . . in Denby, charged with assault and illegal warding, 322.
- Carse, David, in Edinburgh, witness to the execution of a charge, 108.
- Carstairs, Mr John, minister, a message sent to him, 464.
- minister at. *See* Mr John Lindsay.
- Cas, Mark, accused of overcharging his coal of Cockpen, 152.
- Caskiben, Laird of. *See* Johnstone.
- Cassillis, Earl of, John (fifth), craves release from imprisonment, 258, 259.
- John (sixth), a member of the Privy Council, lends money for the maintenance of the Scottish army in Ireland, 83; to peruse and report on the acts against Papists, 237; present in Council, vi, 1, 4<sup>2</sup>, 6<sup>2</sup>, 7, 10, 11<sup>2</sup>, 12, 17<sup>2</sup>, 18<sup>2</sup>, 20<sup>2</sup>, 27<sup>2</sup>, 34<sup>2</sup>, 37<sup>2</sup>, 39<sup>2</sup>, 43, 44<sup>2</sup>, 48<sup>2</sup>, 52, 59, 135; as *procurator*, 52, 53, 54<sup>2</sup>, 55, 57; signs letters and acts of Council, &c., 134, 175, 178, 183.
- Castlelaw (Castellaw), William, apothecary in Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 88.
- Castlemilk, the parishioners and tenants prevented from attending divine service, 394, 395.
- Castles: Blackness, 185, 258; Blair, in Athole, 375; Cloch, in Ireland, 163; Darnaway, 255; Dirleton, 189, 194, 195; Edinburgh, 250, 336, 465; Stirling, 115, 258; Tyreine (Ilantyrum), 307.
- Cathcart, Francis, merchant in Edinburgh, witness to the execution of a charge, 144.
- lands of, 260.
- Cathie, Isobel, to be tried for witchcraft, 205.
- Cathrow, William, messenger, executes a charge, 100, 138.
- Cats used in witchcraft, 361, 364.
- Cattle: acts forbidding them to be exported, 59, 60, 436; thefts and removals of cattle, 27, 111-113, 130-133, 134, 160, 161, 260, 261, 274, 394, 397, 404, 405; a cow shot, 444; alleged bewitching of cattle, 64, 67, 74, 214, 233, 355-364, 456, 457.
- Caution, acts of: a register of such to be kept by justices of peace, 305; a fine exacted for a breach of caution, 323.
- Cavers, Mungo, in Selkirk, charged to find lawburrows, 293.
- Richard, in Selkirk, charged to find lawburrows, 293.
- Cay, Alexander, in Muretoun, caution for his indemnity, 313.
- John, in Hattoun, caution for his indemnity, 313.
- Certificates: of inability to travel, 41, 143, 331; for other causes, 410.
- Cess. *See* Taxation.
- Chalmers (Chalmer, Chalmeris) of Drumlochrie, William, to desist from demolition of a fishing linn, 247, 249<sup>2</sup>.
- . . . , apparent, complains of injury to his fishings, 248; he is charged with assault, 321.
- of Gadgirth, James, caution for his indemnity, 280, 281.
- of Ryssay, Robert, procurator-fiscal of Orkney and Shetland, prosecutes in cases of witchcraft, 355, 360, 363.
- Alexander, in Coupar, witness to the execution of a charge, 249.
- Charles, portioner of Wester Fintray, bond of caution by him, 296.
- M. J., signs letters and acts of Council, &c., 101, 104.

- Chalmers, Janet, wife of John Park, accused of adultery, 394.
- Jerome, in Kirki . . . , on an assise, 359; signs as chancellor, 360.
- John, officer, apprehends a witch, 363.
- Margaret, mother of Agnes Rennie, dies after being assaulted, 3.
- Simon, merchant burgess of Edinburgh, charged to deliver up a bond and discharge, 47.
- William, portioner of Wester Disblair, caution for him, 296.
- *See also* Chambers.
- Chambers, James, advocate, some money left in his keeping, 464.
- James, in Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 87.
- Simeon, merchant in Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 87.
- *See also* Chalmers.
- Champagne (Champaigne), province of, 415.
- Chancellor of Scotland, Lord High. *See* John, Lord Thirlestane; Alexander, Earl of Dunfermline; George, Earl of Kinnoull; and John, Lord Loudoun.
- Caancery, Director of, the duties of that office, 34, 54. *See also* Sir John Scot of Scotstarvet.
- Chaplane, Richard, commissioner for the burgh of Haddington, ordained to prove the prices of coal, 9.
- Chapman, Patrick, tenant to Sir Peter Hay of Megginch, complains of the theft of many geese and ducks, and of being assaulted, 210, 211.
- Robert, burgess of Perth, deceased, 261; his widow, Helen Murray, assigns to their daughter, Isobel, an annuity, of which the latter craves payment, 261<sup>2</sup>; also their daughter, Marjory, wife of James Murray, 261.
- Charities. *See* Contributions.
- Charlemont, in Ireland, mentioned in a cipher code, 168.
- Charles the First, King: the power of the Privy Council during his reign, viii; his visit to Scotland in 1641, vi; his departure, xii; consulted anent affairs in Ireland, x, xi; his execution, vi; he appoints Sir Thomas Hope of Craighall to be his Commissioner to the General Assembly, 43; referred to in the negotiations for an alliance between France and Scotland, ix, x, 13; his acts anent the election of Privy Councillors, 55<sup>2</sup>, 59; his policy towards the Parliament of England, x, 92; to be petitioned to appoint Thomas Cunningham as conservator in the Low Countries, 94; his titles to be circumscribed on the copper coin, 136; mentioned in a cipher code, 167; warrant by him for coining turners, 209<sup>2</sup>; he grants a signature for establishing a Commission for Grievances, 364; he grants warrant for a Council of War, 364; a book of Scottish history to be dedicated to him, 368; his revocation, 422; he appoints a royal commission to examine the affairs and estate of the University of Glasgow, 460.
- Charles the First: Letters from him to the Privy Council and others arranged in order of date—To the Council anent some imputations against the Queen, 1; for admitting Sir John Wemyss of Bogie to be a member of the Council, 17th Aug. 1646, 55, 56; for admission of Sir James Skene on the Commission for Grievances, 364; anent the foreign preparations and other matters, 364; for the arresting of Frenchmen's goods in payment of debts to merchants, 428; requiring a weekly report to be sent to him of matters dealt with by the Council, Whitehall, 4th August 1633, 458.
- Charles the Second, King: Commissioners sent to Breda to represent to him the terms on which the Church and State in Scotland would receive him, xiii, xiv, 210; his coronation in Scotland, vi, 210; his defeat at Worcester, vi; his restoration to the throne, vi; a book of Scottish history to be dedicated to him, 368; he reserves to himself the trial of questions regarding the Earl of Moray's commission against the Clanchattan, 422.
- Charms, using of. *See* Witchcraft.
- Charteris (Charters) of Amisfield, . . . , a conservator of the peace, appears in sederunts of Council, 63.
- Mr John, minister at Currie, lends money for the maintenance of the Scottish army in Ireland, 7, 89.
- Thomas, in Tulliallan, accused of overcharging his coal, 8, 15.
- Chatto, Thomas, merchant in Kelso, bears messages from the kirk session of

- Kelso, 158, 159; charged to appear as a witness, 159<sup>2</sup>.
- Chester mentioned in a cipher code, 168.
- Cheyne of Arnage, Mr John, witness to a bond of caution, 350.
- James, apparent, witness to a bond of caution, 350, 351.
- of Pitfeythie, Mr John, appointed keeper of the rolls to the justices of peace for the shire of Aberdeen, 299.
- Mr Patrick, notary, writes a bond, 350, 351.
- Walter, in Tillibuy, charged with armed convocation and riot, 386.
- Chichester mentioned in a cipher code, 167.
- Chirnside (Chirnsyd) of East Nisbet, Sir Patrick, deceased, letters of horning and inhibition at his instance, 405, 406.
- Alexander, employs the services of James Mowat of Fawsyd, W.S., his brother-in-law, 405, 406.
- Chisholme, Mr Michael, dean of guild of Edinburgh, complaint against him, 250.
- Robert, in Hillhouse of Wandell, witness to the execution of a charge, 119.
- Christie (Chrystie), James, wright in Perth, 353.
- John, in Slayns, complains of being assaulted, 52<sup>2</sup>.
- Christison (Chrystesoun, Crystisoun), David, in Glenburn, complaint against him, 311.
- John, servant in Nutoun, witness to the execution of a charge, 259.
- Patrick, in Aberlady, mentioned in a witchcraft case, 194.
- Church and Religion: the permanent Commission of the General Assembly, viii; some ministers subscribe to the fund for the army in Ireland, ix; appointment of Sir Thomas Hope of Craighall to be Commissioner to the General Assembly, 4<sup>3</sup>; acts of the Commissioners of the General Assembly for subscribing the Solemn League and Covenant, 6, 7; the General Assembly an independent court whose acts the Council cannot reverse, 13, 14; the General Assembly objects to Scottish soldiers enlisting in France irrespective of their religion, x, 14; the French king's attitude to religious questions in Britain, 13, 14; cases of witchcraft dealt with by the ministers and church courts, 28, 37, 104, 109, 117, 118, 151<sup>2</sup>, 189, 190, 195, 217, 345-347, 352-354, 361, 363, 454, 455; the case of the ordination of the minister of Wandell and Lamington, 28-31, 35, 115, 116<sup>2</sup>, 117, 118, 119<sup>2</sup>, 128<sup>2</sup>, 129, 133, 137; the action against the presbytery of Lanark for suspension of decreets at their instance herein, 31-34, 35, 36, 119, 126, 127, 135, 137; laws and acts of Parliament against disturbances in kirks or churchyards, 29; the laws of patronage, 33; a provincial assembly held at Ayr, 31, 32, 122; a case of discipline at Wigtown, 42; some ministers intervene at a riot in Wigtown, 42; the office of kirk-treasurer of Edinburgh refused, 50, 51; the Commissioners of the General Assembly advise the presbytery of Lanark as to filling the vacancy at Wandell and Lamington, 29, 32, 122, 124; the General Assembly remits a patronage dispute to the Provincial Assembly at Ayr, 32, 122; resistance to the ordination of a minister at Staniekirk, 76; disputes about payments of stipend, 121, 398, 399; the presbytery of Linlithgow opposes the Council's ordinance anent a witch, 138; a witchcraft case referred to the Commission, 138; the Commission of the General Assembly recommend contributions for relief of the town of Kelso, recently burned, 158; the Sabbath is profaned by messengers and others making citations at the church doors, 166; the prosecution of Papists in Aberdeenshire, 166; presentation of a minister to the church of Cambuslang, 169; his stipend, 169; overtures in the General Assembly anent the trial of witches, 182; the ministers attending the Assembly at Aberdeen are to be imprisoned, 258; the General Assembly held at Linlithgow in December 1606, takes proceedings against Popish noblemen, 284; it represents to the Council the inroads of sectaries, 236, 237; a General Assembly appointed to meet in Aberdeen in 1616, 344; a reader assaulted and wounded while visiting the sick, 172; a kirk broken into by some of the Clan Gregor, 206; the terms intimated to Charles the Second on which they will receive him as King, 210; reference to certain acts of Parliament securing

- religion, 238; an assault committed in the kirk of Dunfermline, 270; dispute about sittings in Dumfries kirk, 283, 284; the Synod of Glasgow, 295; the bishops claim the tithes of the fishings which are allowed for fishings near land, but not in distant waters, 340; act of Parliament ordaining presbyteries to deal with Papists, 366; proceedings of the presbytery of Lochmaben against John Maxwell of Castlemilk for adultery and obstinate contumacy, 394, 395; sentences of excommunication pronounced, 394, 395; lists of idle and masterless men given up by the ministers and elders for service in the wars, 408, 411, 412, 413, 419, 420, 422, 423, 424, 450; the minister of Kinbethock assaulted and his crops destroyed, 434; the bishopric of Galloway, 436; the laws and acts of Assemblies require the consent of the parishioners to the planting of ministers, 461; the imprisonment ordered of Mr James Guthrie and other ministers, 465; a meeting of ministers desired at Glasgow in behalf of Mr James Guthrie, 464, 465.
- Clackmannan, burgh of, 445; proclamation at the market cross, 80.
- Laird of. *See* Bruce.
- shire of, appointment of justices of peace, 299.
- sheriff-clerk of. *See* Patrick Morrison.
- Clanchattan, a commission granted to James, Earl of Moray, against some of the, 381, 387, 404; the King reserves to himself the trial of questions connected therewith, 422.
- Clan Eane, the, some of their number charged with plundering a ship, 425, 426.
- Clan Gregor, the, oppresses and harasses feuars and others in the lordship of Balvenie, 206; some of them break into a church, 206; form of the bond to be taken by members of the clan, 237, 238; not more than ten persons of the clan to be together at once, without permission, 237; the surname to be relinquished, 237; fines exacted from their resettlers, 437.
- Clanranald, captain of. *See* Donald McAllane McEane McDonald of Ilaytyrum.
- Clarie, a document dated there, 81.
- Clark, Alexander, bailie of Edinburgh, imposes restrictions on the maltmen of Leith, 348.
- *See also* Clerk.
- Clarkson, Agnes, widow, in Dirleton, to be tried for witchcraft, 189, 190.
- *See also* Clerkson.
- Claspie, John, in Newlaw, charged to find lawburrows, 290.
- Classes, Act of, to be enforced at the coming of Charles the Second to Scotland, 210.
- Cleghorn, Alexander, wright, lends money for the maintenance of the Scottish army in Ireland, 7, 87.
- James, town officer in Edinburgh, witness to the execution of a charge, 135.
- Clelland (Cleland, Kneeland) of Monkland, Sir James, complaint against him, 426.
- Barthyll, directed to serve a summons, 251; executes charges, 251.
- Gavin, under the Bank, charged to pay his teinds, 273.
- Clerick, Duncan. *See* Cameron.
- Clerie, John, requested to lend a gun, 140.
- Clerk of Pittincrief, Mr Alexander, accused of overcharging his coal, 8, 92.
- Sir Alexander, provost of Edinburgh, as provost he sits as a member of the Privy Council, vii; lends money for the maintenance of the Scottish army in Ireland, 84.
- Andrew, in Durisdeer, charged to find lawburrows, 311.
- Mr Donald, minister at Lochells, 11, 20; his son, Rorie, a student at St. Andrews, defends himself against a charge of murder, 11; he is acquitted, 20, 21.
- George, in Auld Overtoun, caution for his indemnity, 313.
- George, in Hattoun, caution for his indemnity, 313.
- George, in Layngis Seat, caution for his indemnity, 313.
- John, in Carberry, execution of summons against him, 139.
- John, in Newburgh, to be apprehended as fit for the wars, 424.
- John, deceased, 156; his widow, Katherine Shaw, accused of witchcraft, 156.
- John, summoned for molesting colliers, 38.

- Clerk, Robert, skinner, burgess of Perth, charged with spoliation, 26; charged to appear before the Council, 107.
- William (Robert), at the kirk of Crudane, complains of being assaulted, 52, 53.
- William, in Layngis Seat, caution for his indemnity, 313.
- *See also* Clark.
- Clerkis, William, in Overhill, caution for his indemnity, 313.
- Clerk Register, Lord. *See* Mr John Skene, Sir Thomas Hamilton, and Alexander Gibson, younger, of Durie.
- Clerkson, Robert, hammerman in Edinburgh, charged to appear as a witness, 79.
- Thomas, tenant to the Laird of Selmes, witness to the execution of a charge, 119.
- *See also* Clarkson.
- Clermiston (Clarveston), lands of, 256<sup>2</sup>.
- Cloch, Castle of, in Ireland, surrenders after a siege, 163; captain thereof. *See* Captain Walter Kennedy.
- Clockmakers. *See* Nicolas Foucanote, Frenchman.
- Clog, Stevin, miller in Skyreburne Mill, caution for his indemnity, 418.
- Clogy, John, indweller in Glasgow, charged with armed convocation and riot, 265, 266.
- Thomas, indweller in Glasgow, charged with armed convocation and riot, 265, 266.
- Clonlie, lands of, 280, 281.
- Closeburn, Laird of. *See* Kirkpatrick.
- Cloth and clothing: cloth plundered from a ship, 425; customs duty on, 440; furnishings for fishing-boats, 349; supplies of clothing for the Scottish army in Ireland, 463.
- Clotworthy, Sir Jo., mentioned in a cipher code, 168.
- Clouse Clewe, Andreis, vice-admiral of Delph, his account of arms and munition for ships, 349.
- Clugstoun, William, bailie of Wigtown, complains of a riot in the town, 41; he is taken prisoner, 42.
- Clune, John, in Newlaw, charged to find lawburrows, 290.
- Patrick, in Overlaw, charged to find lawburrows, 290.
- Clunie (Cluny), George, in Carberrie, summoned for molesting colliers, 38, 39; execution of summons against him, 139; his deposition, 163.
- Clyd, John, in Watstoun, complains of being assaulted, 312.
- Clyde, the watershed of, 310.
- Clymont. *See* McClymont.
- Coals and coalmasters: the commissioners of the Royal Burghs complain of the exorbitant prices of coal, 8, 12, 15, 16; and of the exporting of land coal, 14, 15; the Alloa chalders, 9, 15, 16; prices of the sea coal and land coal and acts of Parliament thereanent, 9, 10, 14, 15, 16; arrangements for supplying the natives, especially in Linlithgowshire, 10; some prosecutions for wrongful retention of colliers, 22-25, 96<sup>3</sup>, 97<sup>2</sup>, 99<sup>2</sup>, 100<sup>3</sup>, 103, 104, 107, 108<sup>2</sup>; damage to coal workings at Culross, 267; the effect of the export of coal abroad to be considered, on creating a scarcity in the country, 341.
- Cochrane of Barbauchlaw, James, lends money for the maintenance of the Scottish army in Ireland, 90.
- John, messenger, directed to serve a summons, 138.
- Sir William, a charge given to him, 178.
- Cock (Cok), Mr Thomas, interrogates a witch, 361.
- Cockburn (Cokburne) of Butterdean, Robert, accused of overcharging his coal, 8.
- of Clerkington, Sir Richard, Lord Privy Seal, objects to the conduct of a sheriff, 376; signs letters and acts of Council, &c., 260<sup>2</sup>, 261<sup>3</sup>, 262<sup>3</sup>, 263, 264<sup>3</sup>, 265, 266, 267<sup>2</sup>, 268<sup>3</sup>, 269, 270<sup>2</sup>, 271<sup>3</sup>, 272<sup>2</sup>, 273, 274, 275<sup>2</sup>, 276, 277, 282, 284, 285, 286, 306<sup>3</sup>, 308<sup>4</sup>, 309<sup>2</sup>, 310<sup>4</sup>, 311<sup>6</sup>, 312<sup>2</sup>, 313, 314, 315<sup>4</sup>, 316<sup>2</sup>, 317<sup>4</sup>, 318, 319<sup>2</sup>, 320<sup>2</sup>, 321<sup>2</sup>, 322<sup>3</sup>, 323<sup>3</sup>, 326, 341.
- of Henderland, Samuel, prosecuted for carrying firearms, 379.
- of Langtoun, Sir William, seeks suspension of horning, 186; sheep stolen from his lands, 342; signs a letter as a justice of peace for the shire of Berwick, 340, 342.
- of Ormiston, Sir John, Lord Justice Clerk, signs an act of Council, 324; signs a letter as a justice of peace for the shire of Edinburgh, 336.
- of Stobis, Mr William, 104, 108.
- of Temple, Mr Samuel, commission to him to represent the desires of the justices of peace to his Majesty, 330; his expenses to be paid, 332.

- Cockburn, Adam, sheriff-depute of Berwick, charged to appear before the Exchequer, 252.
- Captain Francis, complains of the non-delivery of soldiers enlisted under him, 379; prosecutes deserters, 379, 380.
  - Francis, in Henderland, prosecuted for carrying firearms, 379.
  - George, treasurer of Haddington, examines a witch, 193.
  - John, provost of Haddington, examines some witches, 192, 193, 198.
  - John, in Henderland, prosecuted for carrying firearms, 379.
  - Sir Patrick, captain in Lord Spynie's regiment, permitted to levy soldiers for service abroad, 420.
  - Richard, in Henderland, prosecuted for carrying firearms, 379.
  - . . . , a servitor, complains of being assaulted, 308, 309.
- Cockburnspath (Cokburnespeth), parish of, to contribute towards the repair of a bridge, 187.
- feuar of. *See* John Arnot.
- Cockenzie (Cokany), provost and customar of. *See* Robert, Lord Seton.
- Cockpen, the coal of, 15.
- Cogar, house of, 672.
- Coghill (Cogill) of that Ilk, Alexander, protestation for him, 12.
- Coin and Coinage: warrant given for making copper coin, 49, 135, 136, 137<sup>2</sup>, 209<sup>2</sup>; its printing, weight, and circumscription, 136; base copper coin to be discharged, 136<sup>2</sup>; not so scarce in Edinburgh as elsewhere, 209<sup>2</sup>; bullion ordered to be brought into the country by traders, in exchange for exported goods, 310; prosecution of Walter Geddie for "clipping and ringeing" the coin of the realm, 313, 314; a debt may be paid partly in dollars, excluding cross- and dog-dollars, 367; angels, 330; rose nobles, 377; turners (turnours) recalled, 209<sup>2</sup>; Master of the Mint. *See* Thomas Acheson.
- Cokany. *See* Cockenzie.
- Coldingham, barony of, 255.
- Commendator of, John, deceased, grants a charter of Fishwick, 255.
  - minister at. *See* Mr Samuel Douglas.
- Coldstream (Cauldstreime), parish of, 342.
- Coleraine, mentioned in a cipher code, 168.
- Coline, Robert, in Selkirk, charged to find lawburrows, 293.
- Collace of Peithill, John, bond of caution by him, 351.
- of Petforkie, Thomas, caution for him, 351.
  - Mr Patrick, writes a bond, 351.
  - R., signs a letter as a justice of peace for the shire of Forfar, 337.
- Collier (Coilyear) of Kirkcaldy, John, accused of overcharging his coal, 8, 16<sup>2</sup>,
- James, in Kirkcaldy, charged with selling English beer at too dear a price, 443.
- Collison of Auchlowneis, John, caution for him, 254.
- Colon, Monsieur, a Frenchman, some goods arrested as belonging to him, 428.
- Colquhoun (Calquhonne, Colwhown) of Luss, Alexander, caution for his indemnity, 343.
- Sir Umphra, collector for Dumbartonshire, ordained to pay the taxation, 250<sup>2</sup>.
  - of Luss, John, fiar, caution for his indemnity, 343.
  - Alexander, a servitor, witness to the execution of a charge, 138.
  - James, merchant in Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 86.
  - John, a servitor, witness to the execution of a charge, 138.
- Colt, Alexander, seaman at Newburgh, to be apprehended as fit for the wars, 424.
- John, oversman in Tulliallan, witness to a deed, 98.
- Colville (Colvill, Colwill) of Cleish, Sir Robert, commission to him to try a witch, and his report, 12, 37, 43, 139.
- of Kinneddar, Mr Robert, commission to him to try a witch, and his report, 12.
  - Mr Alexander, Justice-Depute, commission to him to try a witch, and his report, 37, 38, 43, 139.
  - Matthew, servitor to the Earl of Morton, charged with malicious damage, 287.
- Colzigar, in Orkney, 361.
- Commerce. *See* Trade.
- Commissaries: of Brechin, 351; Dunkeld, 26, 95; Edinburgh, 88; Stirling, 37.
- Commission for Grievances, to be established, 364; its first meeting, 364; admission thereto of Sir James Skene, 364; cases dealt with by it, 381, 387.
- Commissions: to Mr John Rollick and Mr James Cunningham to survey an or-

- chard, 3; to Sir Robert Drummond of Midhope and others to visit certain coalmines, 10; to the Advocate and Justice-Deputes to revise the evidence anent certain witches, 11, 235; to the magistrates of Culross and others to try a witch, 12, 37, 102, 139; to the sheriff of Perth and others to try witches, 18; for trial of witches in Queensferry, 20; to the Earls of Buccleugh and Annandale against moss-troopers, 43<sup>2</sup>, 44, 47, 48; to Robert Hog in Restalrig to reap some fields, 59; to William Douglas of Kelhead and others to apprehend Papists, 82; to William, Earl of Glencairn, as justiciary in Renfrewshire, 130; to James McDougal of Garthland and others to try witches, 133, 134; to certain noblemen to prevent dispeace in the Highlands, 155; to Sir James Melville and others to try witches, 200; to some to go to Breda to confer with the King, 210; to George Seton of Barns and others to try witches, 205; to the Laird of Houston and others to try witches, 217; to some Border gentlemen anent the debatable lands, 292<sup>2</sup>; for the appointment of justices of peace, 297, 298, 299, 300, 305; to the Captain of Clanranald to apprehend some criminals of his clan, 306, 307; for the trial of slayers of black fish, 327; to certain persons for suppressing idle and masterless men on the Borders, 349, 350; of fire and sword to Lord Lovat, Robert Dunbar of Burgie, and others, 370, 371; to George Ogilvie of Arnes to levy soldiers, 377; to James, Earl of Moray, against the Clanchattan, 381, 387, 404, 422; for the Teinds in each sheriffdom, 383; to Sir James Lockhart of Lee and others to try witches, 41, 146<sup>2</sup>; by the King to Patrick, Archbishop of Glasgow, and other Privy Councillors, to examine the affairs of the University of Glasgow, 460.
- Commissioner, Lord High. *See* John, Earl of Montrose.
- Committee of Estates, 51; captured by General Monk, vi. *See also* Parliament.
- of War, for Haddington, 100.
- Common Burdens, Commissioners for, to provide sureties for the money advanced to support the army in Ireland, 1, 5, 7, 83-90.
- Commonwealth, the, vi.
- Comptroller. *See* Sir John Seton of Barns and Sir James Hay of Fingask.
- Comrie, minister at. *See* Mr Archibald McLachlan.
- Con, James, a Papist, caution for his leaving the kingdom, 22.
- Conage, mill of, 255.
- Congleton (Congiltoun, Congletoun) of that Ilk, William (1627), complaint by him, 432.
- — Patrick (1644), becomes a cautioner, 120.
- James, servitor to the Laird of Waughton, witness to a document, 454.
- . . ., objects to the conduct of a sheriff, 376.
- Conquergood, James, in Over Liberton, 316; his son, Alexander, complains of being assaulted, 316.
- Conservator of the Scots privileges in the Low Countries, 94; the office craved by Thomas Cunningham, 94.
- Conservators of Peace to deliberate with the Council anent public affairs, 93; their clerk. *See* Mr James Primrose.
- Constables of the parishes, to be also used by the justices of the peace, 32.
- Contributions, charitable, &c., for the army in Ireland, viii, ix; for relief of distressed families fleeing from Ireland, 6; recommended for various purposes, 36, 37, 158.
- Conventicles dealt with as illegal convocations, 465.
- Convention, Act of, anent the making of taxt rolls, 437, 451. *See also* Parliament.
- Convention of Burghs. *See* Burghs.
- Convocation, illegal, instances of, 21, 26, 171, 172, 321, 322<sup>2</sup>, 377, 382, 385, 386, 388, 396, 397, 400, 409, 432, 433.
- Conway [Lord] mentioned in a cipher code, 167.
- Cook (Cuke), John, in Selkirk, charged to find lawburrows, 293.
- Copper, some to be made into twopenny pieces, 49, 135, 136, 157<sup>2</sup>, 209<sup>2</sup>.
- Corbeshill, the smiddy of, 429.
- Cordiners, some in King's Stables complain against the Deacon in Edinburgh, 78, 79.
- Corhouse, the place of, 82.
- Corn, some taken away wrongfully, 39.
- Cornwall (Cornewall) of Bonhard, . . ., provost of Linlithgow, charged to appear before the Exchequer, 252.
- — John, charged with assault, 395, 396; accused of overcharging his coal, 8, 15.

- Cornwall, Mr Robert, brother to Bonhard, accused of overcharging his coal, 8.
- Coronation of Charles the Second, in Scotland, 210.
- Corriecron, lands of, 285.
- Corrigell, James, in Ercestart, on an assise, 456.
- Corruith, Patrick, appointed a doomster of court, 130.
- Corsan (Cursen), Alexander, in Cardynes, caution for his indemnity, 418.
- Andrew, in Cardynes, caution for his indemnity, 418.
- . . . , bailie of Dumfries, to make inventory of Lord Kirkcudbright's estate, 171.
- Mr John, provost of Dumfries, apprehends a Papist, 82; his son, John, is witness to a bond of caution, 82.
- John, bailie of Dumfries, concerned in a dispute about church sittings, 283.
- Corsar (Corsair, Corsser), Robert, burgess of Dysart, consents to an act of the town council, 365.
- Robert, merchant in Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 88.
- Corsbie. *See* Crosbie.
- Corse, Essen, and his son, alleged to be bewitched, 68.
- John, miller at Partick, depones against the retention of malt at the mill, 239.
- Magnus, 69; his wife, Annabell Murray, alleged to be bewitched, 69.
- Thomas, and Margaret Craigie, his wife, charged to appear as witnesses, 63; alleged to be bewitched, 66, 67, 68.
- Corsetts, references to, 171.
- Corstorphine, Laird of. *See* Forrester.
- Corstoun, Margaret, wife of David Mowat in Bankis in Birsay, alleged to be bewitched, 355, 356<sup>2</sup>, 357<sup>2</sup>.
- Cottingham [Lord Francis], mentioned in a cipher code, 167.
- Coull, house of, 281.
- Council and Session, books of, registration therein, 47. *See also* Session.
- Coupar Angus, burgh of, 321, 322; the market cross, 248<sup>2</sup>, 249<sup>2</sup>.
- Couper. *See* Cowper.
- Couquet Isle, off the Skerries, 410.
- Courts: Birlae, 375; of justice. *See* Justice.
- Coutts (Coutis, Couttis), Alexander, to be apprehended as fit for the wars, 450; goes to West Flanders, 450.
- Coutts, Helen, wife of John Inglis in Leith, craves to be recompensed for outlays upon some sailors, 416.
- Covenant, Solemn League and, v, x, xiv; ordered to be subscribed, according to acts of Parliament and Assembly, 6, 7; its subscription by the Council and others, 10, 11.
- Cowan (Cowane), Patrick, tailor, burgess of Edinburgh, becomes a cautioner, 326.
- Cowcadenis, Little, lands of, 269.
- Cowie, Andrew, notary, charged to produce documents, 262.
- Edward, tacksman of the coal of Falkirk, accused of overcharging his coal, 8, 15, 16.
- Robert, in Brechin, prosecuted as a deserter, 389.
- Cowper (Coupar, Couper), Adam, one of the ordinary Clerks of Session, 262.
- John, servitor to Thomas Craighead, to be apprehended as fit for the wars, 424.
- Marable, spouse to John Spens in North Birsay, tried and condemned as a witch, 355-360; her son, Robie, 358.
- Patrick, in Craig McKerran, charged with spoliation, 26; charged to appear before the Council, 107.
- Sybilla, servitrix to John Binning, painter in Leith, complains of wrongful imprisonment, 449.
- Cowtran, Patrick, bailie of Wigtown, complains of a riot in the burgh, 41; and of being abused, 42.
- Crafts, a question of fees, 327.
- Craig (Craigie), Andrew, messenger, executes a charge, 159; his son, Robert, is a witness, 159.
- John, in Ormsheuch, and his wife, complain of being assaulted, 320.
- Nicol, in Duddingston, charged with trespassing in the Park of Holyrood, 263, 264.
- Robert, in Lempittes, on an assise, 147.
- Craigends (Craigance, Craiganes), place of, 433.
- Laird of. *See* Cunningham.
- Craigbaird, lands of, 256.
- Craighall, Lord, hears evidence, 159, 160.
- Craigheade, Thomas, at the Hill of Fiddes, 424.
- Craighead, lands of, 400.
- Craigie, Magnus, in Skaebrack, 63; his wife, Janet Ingsger, charged to appear

- as a witness, 63; both alleged to be bewitched, 69.
- Craigie, Margaret, wife of Thomas Corse, charged to appear as a witness, 63; alleged to be bewitched, 66, 67, 68.
- Margaret, and Harry Ingsger, discover witchcraft, 69.
- *alias* Estaquoy, Katherine, tried for witchcraft, 64, 65-70; sentenced to be burned, 70.
- Craigievar (Craigevar), Laird of, his house, 174.
- house of, 174.
- Craiglie. *See* Caiglie.
- Craig McKerrane, the town and muirs of, 26, 27.
- Craigmillar, 391.
- Laird of. *See* Preston.
- Craik, John, in Auchseid, charged with assault, 430.
- Cramond (Cramont, Crawford), Hercules, complaint by him, 306.
- Mr John, to become cautioner for a notary, 246.
- Cramondmilne, 256.
- Cransmouth, 196.
- Cranston (Cranstoun), Lord . . . , a member of the Border Commission in 1615, 343.
- of Corsbie, Patrick, and William, his natural son, charged to find lawburrows, 405, 406, 407, 408; complaint against him by his wife, Marion Home, 453.
- of Moreistoun, Alexander, complains of the theft of a greyhound from his place of Nisbet, 368; charged to find lawburrows, 405, 406<sup>2</sup>-408.
- of Skaitsbus, John, charged with raising letters of horning illegally, 128.
- of Thornidykes, John, charged to find lawburrows, 405, 406, 407, 408.
- of Touch, Dame Barbara, 405, 407.
- Barbara, widow of Robert Tait in Composlak, complaint by her and her daughters, 287, 288.
- Elizabeth, Lady Stanypeth, complains of illegal intromissions with the house of Whittinghame, 252.
- George, in Lauder, to be apprehended as fit for the wars, 419, 420.
- James, deacon of the cordiners of Edinburgh, charged with interfering with cordiners in King's Stables, 78, 79<sup>2</sup>.
- James, charged with wrongfully holding courts at Duns and exacting fines, 339, 340.
- Cranston, James, servant to Dame Barbara Cranston of Touch, prosecuted as a lier-in-wait, for attempted murder, 407<sup>2</sup>.
- John, in Lauder, to be apprehended as fit for the wars, 419, 420.
- Sir William, captain of a garrison, relieves a besieged house, 269.
- William, in Westmoristoun, charged to find lawburrows, 405, 407.
- Craw, Agnes, wife of Archibald Learmonth in Coldingham, an attempt to poison her, 343.
- Crawford (Crafurd, Craufurd), Earl of, Ludovick, appointed *interim* president of Council, 482.
- . . . (1560), the terms of his contract with the Master, 243, 244.
- Master of, . . . (1560), the terms of his contract with the Earl, 243, 244.
- of Auchincros, George, caution for his indemnity, 170.
- of Clobarhill, Hew, younger, caution for him, 297.
- of Fermes, James, caution for him, 296.
- George, servitor to Hay of Urie, prosecuted for using Popish rites at a burial, 263.
- George, shoemaker, burgess of Edinburgh, pronounces a decret arbitral, 155.
- George, transports victual in his ship to Ireland, 157.
- James, in Glaslocheis, charged with malicious damage, 287.
- James, in Hagthornehill, complains of malicious damage, 259, 260.
- Janet, sister to Clobarhill younger, widow of John Somerville in Benfrew, caution for her, 297.
- Jean, burned for witchcraft, 216, 227.
- Margaret, wife of John Boyle of Dalduff, complains of being assaulted, 40, 41, 138, 140, 142.
- Patrick, a servant, complaint by him of assault, 259, 260.
- William, mariner in Glasgow, charged to find lawburrows, 318.
- minister at. *See* Mr John Wilson.
- Crafurd and Lindesay, Earl of: John, formerly Earl of Lindsay, signs letters and acts of Council, &c., 134, 162; present in Council, vii, 31, 34, 37<sup>2</sup>, 39<sup>2</sup>, 43, 44, 48<sup>4</sup>, 49, 52, 55, 57, 59, 127, 135, 175<sup>2</sup>.

- Criblaw, lands of, in the parish of Stow, 172.
- Crichton (Creghtoun, Creichtoun) of Airliewicht, John, charged with assault and rape, 318, 319.
- of Cluny, Sir Robert, knight (1607), charged to find lawburrows, 272, 273; petition by him, 288; complaint against him, 314.
- of Condland, Robert, and James, his son, charged to find lawburrows, 170.
- of Crawfordstoun, John (1610), bond of caution by him, 296; he apprehends a Papist, 82.
- of Frendraught, James, and Dame Elizabeth Gordon, his spouse, protest against granting a remission to the murderers of their son, William, 94; he complains of his tenant being assaulted and his crops destroyed, 400.
- of Eliok, Robert, Lord Advocate, prosecutes the Lord Torphichen to restore Queen Mary's goods, 245.
- of Innerneytie, . . . , younger, charged to find lawburrows, 272, 273.
- of Kinnaird, James, father to the Viscount of Frendraught, charged to find lawburrows, 170; called as a witness anent a riot in Dundee, 332<sup>2</sup>.
- of Lugton, Sir David, accused of overcharging his coal, 15.
- of Strathurd, . . . , 318.
- of Ryhill, William, 273.
- Andrew, merchant, lends money for the maintenance of the Scottish army in Ireland, 7, 85.
- George, deceased, uncle to the Laird of Kinnaird, 170; William, his son, charged to find lawburrows, 170.
- James, in Duddingston, charged with trespassing in the Park of Holyrood, 263, 264.
- James, in Forgandenny, charged with assault, 318.
- James, in Muresyd, charged with assault, 318.
- James, brother to Ryhill, charged to find lawburrows, 272, 273.
- James, brother to Strathurd, charged with assault, 318.
- Patrick, merchant, lends money for the maintenance of the Scottish army in Ireland, 7, 85.
- Robert, uncle to Airliewicht, charged with assault, 318.
- Crieff, minister at. *See* Mr David Drummond.
- Cristall, Andrew, in Ardo, caution for his indemnity, 312.
- Patrick, merchant burgess of Dysart, deceased, 365; his widow, Marion Darling, prosecuted for visiting her mother who is in prison as a suspected witch, 365, 366.
- Croce, Alexander, witness to the execution of a charge, 108.
- Crocerig, lands of, 343.
- Crockett (Crocket), James, in Blaiklaw, complaint by him of assault, 260.
- Croftgarie, lands of, 256.
- Croll, Andrew, prosecuted as a deserter, 389.
- Cromarty, shire of, appointment of justices of peace for, 299.
- the sheriff of. *See* Thomas Urquhart.
- Crombie (Crumbie), Alexander, elder, in Stanton, witness to the execution of a charge, 108.
- Thomas, to represent objections against a commission, 205.
- Cromar (Cromer), in Aberdeenshire, 419.
- Cromwell, Oliver, v.
- Crops: cases of their spoliation, 45, 59, 400, 434, 439, 446.
- Crosbie (Corsbie), Fergus, in Almernes, craves payment of expenses as a witness, 421.
- Violet, in Skowgall, debts owing to her, 145.
- Crossgates (Crocegates), in Fife, 22.
- Crossraguell, an act of court dated there, 56; bailie-depute of. *See* John Binning.
- Croufie, William, in Milbuy, charged with armed convocation and riot, 386.
- Croves, John (William), servant to William Fraser in Milbowie, complains of being assaulted, 385<sup>2</sup>.
- Crowdan, John, 358; his wife, Katherine Fulsetter, alleged to be bewitched, 358.
- Crown lands, act for dissolution of, 252.
- Crucifix, one carried on a spear at burials, 263<sup>2</sup>.
- Cruden, parson of. *See* John Ogilvie.
- Crookshank (Cruikahank), Gavin, servitor to Blairtoun, charged to find lawburrows, 313.
- Gavin, tenant to the Earl of Errol, complains of being assaulted, 52.
- John, in Kirkton of Oyne, witness to a bond of caution, 186.
- Mungo, in Selkirk, charged to find lawburrows, 293.

- Crunzeon, Margaret, a widow, complains of the illegal arrest of her son, William Lamb, for service in the wars, 439.
- Cuikspan, the orchards there to be surveyed anent the cutting of fruit trees, 2, 3, 19.
- Cuissing (Cuissine), James, charged to appear as a witness, 80, 81.
- Culbert, John, transports victual in his ship to Ireland, 157.
- Culnes, 312.
- Cullard, town and tower of, 255.
- Cullen, parish kirk of, a fast held there, 372; minister there. *See* Mr George Douglas.
- Culloch, Laird of. *See* Morrison.
- Culrayne, in Ireland, the magistrates of, grant a testificate of the necessitous state of a resident there, 6.
- Culross, Abbey of, the Commendator, Alexander, act anent the rentals of his abbacy, 246.
- burgh of, a justice court held there, 12, 102, 106; the magistrates report on the trial of a witch, 12; their expenses to be defrayed, 39, 139<sup>2</sup>; supplication by them, 43; complaint made of their illegal carriage in the said trial, 101-103, 105, 106; the coal workings there, 24, 97, 267; the common muir, 267; the tolbooth, 37, 139, 101, 102, 105, 106; the bailies are ordered to transport a prisoner, 38, 39, 43, 139; and an order given for liberation, 43, 102, 103; the Clerk is ordained to deliver a process, 139. *See* James Kennowie; documents dated there, 105, 106; the bailies. *See* Alexander Ezatt, Thomas Ezatt, and Archibald Mercer.
- Cultellar. *See* Cutler.
- Cultintogill (? Coilantogle), lands of, 255.
- Cumming (Cummyng, Cumyng), Mr Alexander, signs a document, 351.
- Alexander, in Inverness, and his son, complain of being assaulted, 388.
- David, in Ardormie, and Archibald and John, his sons, complaint by them, 267.
- John, at the mill of Duddingston, charged with trespassing in the Park of Holyrood, 263.
- Cunniburgh (Cunynghbrycht), Helen, widow of William Guding in Gartferrie, assythment to be paid to her, 180.
- Cunningham (Conynghame, Cunynghame, Cynghgham) of Ballindallach, Mr William, Anna Napier, his wife, and Agnes, his daughter, all charged with illegal intromissions, 45, 46; he makes a complaint thereanent, 58, 59; he grants a bond, 160.
- of Bonytoun, James, commission to him to try a witch, 41, 146<sup>2</sup>.
- of Carnecurrane, Daniel, charged with assault, 433.
- — William, fiar, charged with assault, 433.
- of Cragnestoun, Arthur, charged to find lawburrows, 274<sup>3</sup>.
- of Craigends, Alexander, appointed to examine witches, 217; appointed keeper of the rolls the justices of peace for the shire of Renfrew, 299.
- of Drumquassill, . . . , 3.
- of Hill, John, charged with rescuing an enlisted recruit, 380.
- Alexander, at Mill of Cathcart, complains of malicious damage, 259, 260.
- Alexander, sheriff officer of Perth, redelivers some cattle pointed by him, 161.
- Alexander, burgess of Perth, charged with spoliation, 26.
- Alexander, burgess of Perth, charged to appear before the Council, 107.
- Alexander, merchant in Stirling, 346; his wife, Catherine Stevenson, alleged to be bewitched, 346.
- A., bailie of Irvine, signs a document, 165.
- Mr Cuthbert, burgh clerk of Dumfries, witness to bonds of caution, 82<sup>3</sup>.
- David, messenger in Kilmaurs, charged with rescuing an enlisted recruit, 380.
- Dame Elizabeth, lends money for the maintenance of the Scottish army in Ireland, 90.
- Harry, portioner of Restalrig, 44, 58, 160; he is in prison, 45; his daughter, Margaret, complains of the seizure of her property, 45, 46; she is not to dispose of her crops till settlement is made, 58, 59, 160.
- Mr James, brother to the Laird of Drumquassill, on a commission to survey orchards, 3.
- Janet, depones against a witch, 230.
- Mr John, acts as a procurator-fiscal, 130, 131.
- John, in the College of Lincluden,

- charged with destroying a mill dam, 369.
- Cunningham, John, potter, burgess of Lanark, witness to the execution of a charge, 133.
- John, servitor to Moses Short in Leith, complains of being assaulted, 315.
- Mary, in Culross, widow of John Erskine of Chappelland, under process of trial for witchcraft and other crimes, 37, 38, 39, 43, 139; ordained to defray expenses, 39, 139<sup>2</sup>; complains of being falsely accused, and seeks to be released, 101-103, 105, 106.
- Robert, late bailie of Kilmaurs, charged with rescuing an enlisted recruit, 380.
- Robert, in Urquhart, caution for him, 295.
- Thomas, factor in Campvere, craves a testimonial for his past services, and that he might be elected conservator in the Low Countries, 94.
- bailiary of, appointment of justices of peace for, 299.
- Cunzie House. *See* Mint.
- Cupar (Couper), burgh of, a document dated there, 338; a horse race there, 21.
- Curatory, cases of choosing tutors or curators, 49, 51, 52, 53.
- Currie, Mr John, presented by the patron for the kirk of Lamington and refused, 32, 124.
- Katherine, depones against a witch, 228<sup>2</sup>.
- (Corrie), Robert, in Lamington, charged with resisting the ordination of a minister, 29, 116, 117; also his wife, Margaret Paterson, 29, 116.
- minister at. *See* Mr John Charteris.
- Curror (Currou) of Fingask, Sir George, younger, charged with committing assault, 3.
- of Logy Megil, Stevin, fiar, charged with assault, 321.
- David, in Selkirk, charged to find lawburrows, 293.
- George, removed from being tenant to the Earl of Home in the lands of Hartwoodburn, 382.
- John, in Huttrelburne, charged with destroying growing timber, 378.
- John, in Selkirk, charged to find lawburrows, 293.
- John, in Selkirk, charged to find lawburrows, 293.
- Curror, Mungo, in Selkirk, charged to find lawburrows, 293.
- Thomas, in Selkirk, charged to find lawburrows, 293.
- Cursen. *See* Corsan.
- Cushnie, James, notary, witness to the execution of a charge, 176.
- Customs: instances of defrauding, 440<sup>2</sup>, 441; tacksmen and subtacksmen on the coast of Ayrshire, 324, 325; of Aberdeen, 244; of Dundee, 244.
- Cuthbert, Alexander, execution of summons against him, 458.
- Bessie, execution of summons against her, 458.
- Helen, execution of summons against her, 458.
- James, burgess of Inverness, complains of being fined and illegally prosecuted by the Earl of Moray, 380, 381.
- John, in Edinburgh, execution of summons against him, 458.
- Katherine, execution of summons against her, 458.
- Margaret, execution of summons against her, 458.
- Cuthbertson, William, merchant burgess of Aberdeen, appears as a procurator, 104.
- Cuthill, William, deceased, tailor in Leith, debts owing to him, 399.
- Cutler (Cultellar, Kutler) of Bidrin, Adam, caution for his indemnity, 289.
- James, at the Mill of Bombie, charged with assault, 409.
- DAGGERS, references to, 275, 315, 321, 323.
- Daldowran, lands of, 308.
- Dalduff, the house of, 141<sup>2</sup>, 142<sup>2</sup>.
- Dalgarno (Dalgerno), Alexander, in Crudan, complains of being assaulted, 52<sup>2</sup>, 53.
- Robert, smith, to be apprehended and sent to the wars, 423.
- William, in Creichie, depute to the Earl of Marischal, seeks suspension of horning, 423.
- Dalgleish (Dalgleische, Dalgleiss), James, in Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 88.
- James, merchant burgess of Edinburgh, debts owing to him, 77.
- Walter, in Selkirk, charged to find lawburrows, 293.

- Dalhousie, Earl of, William, present in Council, vii, 22, 62, 10, 17, 19, 34, 37, 39<sup>a</sup>, 43, 44<sup>a</sup>, 48, 49, 51<sup>a</sup>, 52, 54<sup>a</sup>, 55, 57<sup>a</sup>, 175; signs an act of Council, 134.
- Dalkeith, bailies of. *See* Alexander Calderwood and Patrick Johnstone (Houstine).
- tolbooth of, 175.
- minister there. *See* Mr Hew Campbell.
- palace of, 439.
- Dallas (Dollas), William, in Cantraiff, complains of his servants being assaulted and goods destroyed, 404, 405.
- Dalmahoy, Sir John, continued in office as sheriff of Edinburgh, 17.
- Dalrymple (Dalrumpill, Dalrumpile), Margaret, widow of David Kennedy of Ardlissan, charged to appear before the Council, 288.
- Robert, in Wester Wemyss, prosecuted as a deserter, 457.
- . . ., 198.
- Dalziel (Daliell, Dalyell, Dalzell) of that ilk, Sir Robert, elder, charged to find lawburrows, 272, 273.
- — Sir Robert, younger, knight, charged to find lawburrows, 272, 273.
- of Newtoun, Sir John, knight, commission to him to try a witch, 41, 146<sup>2</sup>; confession made to him, 149; Robert and James, his sons, charged with deforcement, 47.
- Archibald, in Durisdeer, charged to find lawburrows, 311.
- Archibald, mariner in Glasgow, charged to find lawburrows, 318.
- Hew, merchant burghess of Edinburgh, deceased, 413; Elizabeth Tod, his wife, and their son, Robert, oppressed by creditors, 413.
- William, notary, examines some witches, 189, 194<sup>2</sup>, 195; his signature, 194, 195.
- Daothon, tenants of, horning at their instance, 323.
- Darleisch, lands of, 393.
- Darlochs, references to, 287, 294, 432, 447.
- Darnaway, Castle of, its customs, 255.
- Darnchester, lands of, 342.
- Darroch (Dorroch), Marion, wife of Archibald McKay, depones against a witch, 203, 204.
- Ninian, depones against a witch, 203<sup>2</sup>, 204.
- Davidson (Davidsoune), Alexander, in Auchinclocht, charged with armed convocation and riot, 385.
- Davidson, Andrew, in Blartoun, charged to find lawburrows, 313.
- Andrew, complaint against him, 451.
- George, in Dunlapie, charged with assault, 260.
- George, in New Leslie, his expenses as a witness to be paid, 370.
- James, in Keithishauche, witness to the execution of a charge, 181.
- James, notary, clerk to the kirk session of Perth, signs papers, 354.
- John, in Holme of Auchnewis of Glenesk, complaint against him, 311.
- John, in Thornhill, charged to find lawburrows, 286.
- Patrick, in Craig McKerran, charged with spoliation, 26.
- Patrick, in Craigmakerran, execution of summons against him, 107<sup>2</sup>.
- Peter, in Holme, charged to find lawburrows, 286.
- Ralph, in Yettoun, apprehended as fit for the wars, 413; discharged, 414.
- Robert, in Muretoun, caution for his indemnity, 313.
- Robert, messenger, directed to serve a summons, 247; witness to the execution of charges, 248<sup>2</sup>.
- Thomas, in Tartowie, charged with armed convocation and riot, 386.
- Thomas, prosecutes an action, 198.
- William, in Crombie, complaint against him, 311.
- Davis, John, mentioned in a cipher code, 168.
- Daw, Andrew, in Crail, prosecuted as a deserter, 457.
- Dawling (Dauling), Euphan, wife of John Simson, mariner in Dysart, prosecuted for contravening an act of the town council, 365, 366.
- Isobel, wife of John Heagie, skipper in Dysart, prosecuted for contravening an act of the town council, 365, 366.
- Mr John, signs a document, 351.
- Marion, widow of Patrick Cristall, merchant burghess of Dysart, prosecuted for contravening an act of the town council, 365, 366.
- Dawson (Dausoune), Patrick, examines a witch, 193.
- Robert, merchant burghess of Haddington, witness to the execution of a charge, 133.

- Deans (Deanes, Deanis), Helen, to be tried for witchcraft, 205<sup>2</sup>.  
 — Jean, in Braidwoods, to be tried for witchcraft, 204.  
 — Thomas, witness to the execution of a charge, 108.  
 — William, in Newlaw, charged to find lawburrows, 290.
- Debatable Lands. *See* Borders.
- Deer and deer forests, illegal destruction of, 444.
- Deforcement, instances of, 47, 282, 283, 285, 309, 310, 370, 378, 382, 396, 397, 440, 441, 443, 444, 447, 448, 451, 452.
- Deirnes, Iver, alleged to be bewitched, 361.
- Delph, admiral of. *See* Ewis Zansone; vice-admiral of. *See* Andreis Clouse Clewe.
- Dempstertoun, John (James), in Wester Tillicoultry, summoned for molesting colliers, 79, 80.  
 — lands of, 274<sup>2</sup>.
- Denholm (Denholme), Grizel, indweller in Edinburgh, charged with slander and illegal imprisonment, 449.  
 — John, in Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 85.  
 — William, alleged to be bewitched, 151<sup>2</sup>, 152<sup>3</sup>, 153<sup>4</sup>.
- Denmark, King of, military levies for his service, 379, 389, 390, 420, 429, 431, 453.
- Dennistoun (Denneistoun, Dennystoun), Harhert, caution for his indemnity, 418.  
 — Patrick, messenger, executes a charge, 138.
- Derby (Darbye, Dorby), Earl of, . . . , writes to the Lord Newark, 81; mentioned in a cipher code, 167.
- Derisch Mure, 106, 107.
- Dernick, the inhabitants thereof make a complaint, 76, 77.
- Derry (Londonderry), mentioned in a cipher code, 168.
- Deugat, Robert, sometime tenant to the Earl of Errol, charged with several assaults and depredations, 52, 53.
- Devon (Dovan), water of, 79.
- De Vorseum, late agent for the French king, goes off without paying his debts, 83.
- Dew, David, in Dunlapie, and his wife, complaint by them of assault, 260.
- Dewar (Deuer), Isobel, grants a reversion of the customs of Dundee, 244.
- Dick of Barneill, John, seeks suspension of horning, and craves his release, 445, 446.  
 — of Braid, Sir William, and Mr Andrew, his son, accused of overcharging their coal, 8, 9<sup>2</sup>, 15<sup>2</sup>, 16; they promise to supply the natives, 10; he and William, his son, a merchant, are ordained to maintain a debtor in prison, 40, 54, 57, 145, 146, 149; weekly payment to be made, 60; Andrew, his son, is also a creditor, 144, 145; as justice and sheriff-principal of Orkney and Shetland, he tries cases of witchcraft, 63.  
 — Mr Alexander, son of Sir William Dick of Braid, appears as a procurator, 40, 145.  
 — Alexander, writer, writes discharges, 453, 454<sup>2</sup>.  
 — Andrew, in Haltounne of Kinloss, charged to appear as a witness, 65, 76; his evidence, 77.  
 — Andrew, in Haugh of Kilpunt, lends money for the maintenance of the Scottish army in Ireland, 90.  
 — David, in Bursk, and Robert and Alexander, his sons, caution for their indemnity, 285.  
 — Francis, servant to William Dick, witness to a document, 453.  
 — Gilbert, in Edinburgh, his widow. *See* Alison Forman.  
 — Mr John, sheriff and justiciary-depute of Orkney and Shetland, tries a case of witchcraft, 455, 457.  
 — John, in Earnsyd, charged to appear as a witness, 65, 76; his evidence, 77.  
 — William, in Culterschogill, execution of a summons against him, 82.  
 — William, merchant burgess and treasurer of Edinburgh, imposes restrictions on the maltmen of Leith, 348; advances money for payment of the crews of the privateers, 453; discharges to him therefor, 453<sup>2</sup>, 454; acknowledges receipt of the whole sum, 455.
- Dickie, Andrew, in Aden of Deir, complains of being assaulted, 307.  
 — John, wright in Kilbarchan, 201; his wife, Maud Galt, condemned for witchcraft, 198-204.  
 — John, in Wester Tillicoultry, summoned for molesting colliers, 79.  
 — Litill Dikie (Dik), a warlock, 345, 347.

- Dickson (Dickson, Dikesoun), Captain, permitted to levy soldiers for service abroad, 429.
- John, in the Potterrow, witness to the execution of a charge, 139.
- John, in Carberry, execution of summons against him, 139.
- John, burgess of Haddington, hears confessions of witchcraft, 197.
- John, officer in Leith, charged with illegal warding, 449.
- John, summoned for molesting colliers, 38, 39; his depositions, 163.
- John, deposed against as a witch, 191, 192<sup>2</sup>, 193<sup>2</sup>.
- Margaret, in Penston, to be tried for witchcraft, 191, 192, 193<sup>2</sup>.
- Patrick, prosecuted as a deserter, 380.
- Thomas, in Longniddry, 190, 191.
- William, in Biel, appointed overseer of the Whittinghame estate, 36.
- Dillon, Sir James, mentioned in a cipher code, 167.
- Dingwall, presbytery of, 175.
- pursuivant. *See* Daniel Grahame.
- Dirks (durks), assaults with, 211, 287, 294, 317, 432, 447.
- Dirleton, lands and barony of, 451; witchcraft there, 189; a bailie there examines a witch, 194; document dated there, 194, 195; the baron-bailies grant a testificate, 410; bailies of. *See* John Stalker; chamberlain of. *See* James Borthwick.
- parish and kirk session of, a testificate granted by the elders and deacons, 410; minister there. *See* Mr John Makghie.
- Castle of, 189, 194, 195.
- Dishald, tenants of, horning at their instance, 323.
- Dishington (Dischington), James, in Elphinstone, accused of overcharging his coal, 8, 9, 10.
- Janet, an interested party in an entail, 243.
- Margaret, an interested party in an entail, 243.
- Thomas, an interested party in an entail, 243.
- Disquane, James, a servitor in Wiston, witness to the execution of a charge, 120.
- William, in Wiston, 120.
- Divination. *See* Witchcraft.
- Dobie, Andrew, in Selkirk, charged to find lawburrows, 293.
- Dobie, Robert, in Selkirk, charged to find lawburrows, 293.
- Dobson (Dobsoun), George, in Staniepath, execution of summons against him, 98.
- Margaret, in Eyemouth, accused of witchcraft, 196, 197.
- Dockar, Alexander, smith in Kinnadeis, to be apprehended and sent to the wars, 423.
- Dog, John, servitor to David Fethie, complains of being assaulted, 314.
- . . . , a servant, charged to find lawburrows, 317.
- Dogs: one bites and injures a man, 176, 177; alleged to be bewitched, 358; theft of a greyhound by some hunters, 368; used for malicious purposes, 404, 405.
- Dollars, cross- and dog-, not to be received in payment of a debt, 367.
- Don, Bridge of, 449.
- river of, fishings there, 255.
- Donald (Donnald), George, messenger, witness to the execution of a charge, 146.
- James, in Hietis (Hilis), charged to appear as a witness, 179, 182; his evidence, 183.
- James, miller at Inverkeithing, complains of wrongful imprisonment, 438.
- Donaldson, Alexander, in Saughton, complaint by him, 443.
- David, shopman traveller in Fife and Angus, complaint by him, 312.
- Edward, in Brek, on an assise, 359.
- Donibristle (Donybirsell), lands of, 256<sup>2</sup>.
- Doon (Duin, Dun), Brig of, to be kept in repair, 119.
- Dormond, lands of, 322.
- Dorset (Dorset) [Earl of, Edward], mentioned in a cipher code, 167.
- Dougall, Mr Jo., appointed to examine witches, 205.
- Douglas (Dowglas, Duglass), Lord, James, has right to the barony of Wandell and patronage thereof, 33.
- of Auchrioch, William, apparent, charged with malicious damage, 287.
- of Baddes, James, charged to appear as a witness, 119.
- of Belliboth, Hew, caution for his indemnity, 311.
- of Carranhill, Archibald, charged to find lawburrows, 272.
- of Cashogill, Sir Robert, and Robert, his son, charged to find lawburrows, 311<sup>2</sup>.

- Douglas of Cashogill, William, fiar, charged to find lawburrows, 311<sup>2</sup>; prosecuted for remaining at the horn, 315.
- of Cavers, Robert, charged to compare before the Lords of Exchequer, 252; charged with malicious damage, 287.
- — James, signs a letter as a justice of peace for the shire of Roxburgh, 336.
- — Sir William, sheriff of Teviotdale, present in Council, vii, 10, 37, 43, 55, 57.
- of Drumlanrig, Sir James, he and his second son, and John, his natural son, are charged to find lawburrows, 272, 273<sup>2</sup>; he is charged with wrongful seizure of lands, 289; he is appointed keeper of the rolls to the justices of peace for the shire of Dumfries, &c., 299.
- — William, younger, charged to find lawburrows, 272, 273<sup>2</sup>.
- of Earlsmln, William, complains of the theft of bestial, 261.
- of Keillour, Sir Archibald, knight, complains of illegal intromissions with the house of Whittinghame and retention of his pupil, 25, 26, 108, 114.
- of Kelhead, William, apprehends a Papist, 82.
- of Kirknes, Sir George, knight, charged with malicious damage, 287.
- of Morton, Hew, charged to find lawburrows, 272, 273.
- of Mowsald, James, apprehends a Papist, 82.
- of Pumpherston, George (1613), signs a letter as a justice of peace for the shire of Linlithgow, 339.
- of Whittinghame, William, signs a certificate, 246.
- — Sir Archibald, signs an act of Council, &c., 259.
- — Sir Arthur, deceased, 25, 99, 115; he dies in France, 36; his widow, Dame Elizabeth Preston, prosecuted by his son, Archibald, 25, 26, 36, 99, 105, 108, 114.
- — Archibald, lays claim to the teinds of Whittinghame, 27; he craves some person to be appointed as overseer of his estate, 36, 137; his tutory, 111.
- Alexander, in Yoker, 216, 219, 221, 222, 225; depones against a witch, 224, 233.
- Archibald, messenger, executes a charge, 246.
- Douglas, A., signs an act of Council, 134.
- Mr George, minister at Cullen, debts owing to him and to Jean Stewart, his wife, and George and Elizabeth, their children, 80; also to Mary, his daughter by Katherine Stewart, his former wife, 80; an action at his instance, 83.
- Eupham, wife of James Tennent in Lamington, charged with resisting the ordination of a minister, 29, 116.
- Hew, brother to Robert *infra*, charged to find lawburrows, 276.
- Mr James, minister at Carnwath, charged to produce a decree, 34, 120; which is done, 35; he depones against a witch, 148, 149<sup>3</sup>, 150<sup>4</sup>, 151<sup>2</sup>, 152, 154; confession made to him, 149, 156; signs a report, 157.
- James, servant to the Earl of Morton, charged with malicious damage, 287; seizure of property occupied by him, 289.
- James, in Yettoun, to be apprehended as fit for the wars, 413, 414.
- James, his pension, 305.
- Dame Janet, Lady Roxburgh, mother to Robert, Lord Roxburgh, 321.
- John, servitor to the Earl of Morton, charged with malicious damage, 287.
- John, called Ekeis John, charged with wrongfully seizing certain property, 289.
- John, deceased, herd to Earlsmln, slain while tending some cattle, 261.
- Mungo, in Greistoun, charged with resetting thieves, 394.
- Lieutenant Robert, commissioned to transport recruits, 413.
- Mr Robert, minister in Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 86.
- Robert, burgess of Musselburgh, charged to find lawburrows, 276.
- Mr Samuel, minister at Coldingham, examines witches, 195, 196<sup>2</sup>, 197; his signature, 195, 196, 197.
- Susanna, widow of James Borthwick, complains of illegal warding, 175, 176.
- William, in Estmilne of Calder, complains of being assaulted, 408.
- William, soldier, craves to be released from prison, 206.
- William, present at the trial of a witch, 149.

- Douglas, William, his widow. *See* Elizabeth Fram.
- . . . , Lady Kirkcudbright, widow of Lord Kirkcudbright, craves means to prevent her husband's estate being wrongfully intromitted with, 171.
- . . . , tenant to the Earl of Morton, her decease, 289.
- Douglas, minister at. *See* Mr Richard Inglis.
- Douglas and Angus, the History of*, removal of the interdict upon it, 54.
- Doune, Lord, James, deceased, his charter of the lordship of Doune, &c., 254.
- lordship of, 254.
- Dover, in England, a ship belonging to that port is seized on its way to Scotland, 99.
- Dowgane, John, sister's son to John Heddleston, charged to find lawburrows, 286.
- Dowie, Humphrey, commissary clerk of Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 89.
- James, a servitor, witness to the execution of a charge, 138.
- Downray, tenants of, horning at their instance, 323.
- Downy, the mill of, 244.
- Drever, John, in Elwick, on an assise, 363.
- John, in Sutherland, on an assise, 363.
- Drum, William, servitor to the Laird of Hill, charged with assault, 315.
- Drumblade (Dribblait), parish of, 166, 350.
- Drumdevane, lands of, 287.
- Drummoir, lands of, 404, 405.
- Drummond (Droummond, Drumond) of Blair, George, his right of possession of a fishing linn on the water of Ericht, 247-249.
- of Hawthornden, Sir John, deceased, 309; his second son, Alexander, charged with assaulting the town guard of Edinburgh, 309.
- of Ledmachan, Mr David, charged with deforcement, and refusing to pay taxation, 443, 444.
- of Leitchhill, James, sheriff-clerk of Perth, 306; his son, Patrick, complains of being assaulted by his brother Harry, also son of the said James, 306.
- of Lenocho, Patrick, forced to sign a bond, 102.
- Drummond of Medhop, Sir Robert, commission to him to visit certain coal mines, 10.
- of Riccarton, William, commission to him to visit certain coal mines, 10.
- Alexander, indweller in Auchterarder, accused of magical arts and abusing the lieges, 454, 455.
- Mr David, minister at Crieff, signs a petition, 455.
- Harry, sheriff officer of Perth, charged with spoliation, 26; charged to appear before the Council, 107; redelivers some cattle pointed by him, 161; charged with assault, 321.
- Mr James, moderator of the presbytery of Muthill, signs a petition, 455.
- Mr James, minister at Kinloch, charged with illegal detention of a soldier, 390.
- James, apprehended as a masterless person fit for the wars, 380.
- Thomas, servitor to Kethick, witness to a bond of caution, 351.
- Walter, in Drummond, charged to appear as a witness, 251, 252.
- William, in Drummond, charged to appear as a witness, 251, 252.
- Drumquhassill, Laird of. *See* Cunningham.
- Drunkards, prosecution of, by justices of peace, 327.
- Dryburgh, lordship of, the taxation thereof, 382.
- Dryhoip, a document dated there, 296.
- Drysdale (Drysdail, Drysdall), David, in Wester Tillicoultry, summoned for molesting colliers, 79.
- James, in Ava, and William Monteith, his son-in-law, charged with assault, 271.
- James, in Wester Tillicoultry, summoned for molesting colliers, 79.
- John, in Mains of Dollar, charged to appear as a witness, 80, 81.
- John, tenant to Raith of Edmonstone, complains of his life being threatened, 391.
- Robert, in Wester Tillicoultry, summoned for molesting colliers, 79.
- Simon, charged to appear as a witness, 80, 81.
- Thomas, in Mains of Dollar, charged to appear as a witness, 80, 81.
- William, portioner of Wester Sheardall, charged with abstracting a bond, 445.

- Drysdale, William, in Wester Tillicoultry, summoned for molesting colliers, 79.
- Dublin mentioned in a cipher code, 168.
- Ducks, a number stolen, 210, 211.
- Ductor, Patrick, in Barclayhills, charged to appear as a witness, 1072.
- Dudhop, Viscount of, James, to be reinstated in the privilege of riding the fair at Dundee, 5; the magistrates of Dundee are to avoid occasions of conflict, 5.
- Duddingston (Dudistoun), lands of, in Midlothian, 263.
- lands of, in Linlithgowshire, 2562.
- Duff of Driminoir, Adam, prosecuted for remaining at the horn, 80.
- Elizabeth, widow of Adam Gardin, lends money for the maintenance of the Scottish army in Ireland, 87.
- John, a servitor, witness to the execution of a charge, 1072.
- Duffie, Thomas, in Easter Tillicoultry, summoned for molesting colliers, 79.
- Duguid, Robert, in Bollestrand, witness to a document, 419.
- Duill, William, signs a report, 194.
- Dumbarton, burgh of, the market cross, 250.
- Castle mentioned in a cipher code, 168.
- shire of, the sheriff, John Napier of Kilmahew, to be continued in office, 17; its taxation, 250; appointment of justices of peace, 299.
- Dumfries, Earl of, William (1634), signs letters and acts of Council, &c., 459.
- Dumfries (Dumfreise), burgh of, 81; some Papists there apprehended, 81, 822; the bailies to take charge of the house and goods of the late Lord Kirkcudbright, 171; they are charged with illegal warding, 427, 428; meetings of the Border Commissioners there, 349; documents dated there, 823, 350; Brigend of, 409; the High Street, 427; the kirk session are concerned in a dispute about church sittings, 283, 284; the minister there. *See* Mr Thomas Ramsay; the market cross, 253; proclamations at the market cross, 59, 349; the tolbooth, 435; provost of. *See* Mr John Corsane; bailies of. *See* John Corsan, James Newall, John Johnstone, and Thomas Makburnie; town clerk of. *See* Mr Cuthbert Cunningham.
- presbytery of, 82; moderator of. *See* Mr William McGeorge.
- Dumfries, shire of, appointment of justices of peace, 299.
- Dummoyes, lands of, 350.
- Dun, Laird of. *See* Erskine.
- Lady. *See* Magdalene Haliburton.
- David, in Selkirk, charged to find lawburrows, 293.
- George, in Selkirk, charged to find lawburrows, 293.
- Laurence, witness to the execution of a charge, 248.
- Robert, in Selkirk, charged to find lawburrows, 293.
- Dunbar (Dumbar), Earl of, George (1603), (styled "my Lord Dunbar"), Lord High Treasurer of Scotland, 257, 282; his lodging in Niddrie's Wynd, 277; signs an act of Council, 300.
- of Baldone, David, charged with assault, 432.
- of Boigis, Nicolas, and James, his son, charged to find lawburrows, 2902.
- of Burgie (Bourge), Robert, alleged to have committed an assault, 352; charged with slandering his brother-in-law, John Dunbar of Moynes, and obtaining commission against him, 370, 371.
- Robert, prosecutes an action, 64, 65, 75; charged to find lawburrows, 170.
- of Culboyak, Alexander, horning at his instance, 370; charged with resetting thieves, 394.
- of Durris, Mark, complains anent a salmon fishing, 290.
- of Grangehill, Ninian, prosecutes an action, 64.
- of Hemprigs, John, elder, execution of a summons against him, 64, 65, 75.
- of Inchbrok, Alexander, charged to appear as a witness, 22.
- of Knokshinok, George, becomes a cautioner, 374.
- John, charged to find lawburrows, 170.
- of Moynes, John, and Robert, his son, complain of a commission of fire and sword being illegally granted against them, 370, 371.
- of Pinzet, Mr Thomas, Dean of Moray, 279.
- of Roseauch, Patrick, charged to appear as a witness, 22.
- of Tarbert, James, deceased, 278; complaint by his widow, Dorothy Dunbar, now Lady Westfield, 278.

- Dunbar of Westfield, James, sheriff of Moray, deceased, his estate falls to Dorothy, his sister, now Lady Westfield, 278.
- Alexander, sheriff of Moray, accused by his lady, Dorothy Dunbar, of cruel treatment of her, 278-280, employs his father-in-law, Alexander Tulloch, in his devices, 279<sup>2</sup>.
  - of Westgrange, Alexander, commission to him of fire and sword, 371.
  - Alexander, messenger, directed to serve a summons, 64; executes charges, 75.
  - Archibald, brother-in-law to Michael McDougall, charged with assault, 432.
  - Dorothy, Lady Westfield, widow of James Dunbar of Tarbert, complains against her husband, Alexander Dunbar of Westfield, for cruelty, 278-280.
  - Fergus, burgess of Stranraer, and Katherine Heron, his wife, complain of being assaulted, 441; also Andrew, Gavin, and Ninian, their sons, 441.
  - Mr Gavin, a forged letter purporting to be from him, 352.
  - George, in Laight, charged to find lawburrows, 170.
  - James, brother to Hemprigs, execution of summons against him, 64, 65, 75; also against William, his natural son, 64<sup>2</sup>, 65, 75.
  - John, sheriff clerk of Forres, 21; his son, Adam, charged with hamesucken, 21.
  - John, burgess of Forres, charged to find lawburrows, 290.
  - John, portioner of Pencloy, charged to find lawburrows, 170.
  - Patrick, sometime of Inchbrok, horning at his instance, 370.
  - Patrick, portioner of Pencloy, charged to find lawburrows, 170.
  - Robert, in Hempriges, witness to the execution of a charge, 76.
  - Robert, servitor to the goodwife of Burgie, witness to the execution of a charge, 76.
  - Robert, servant to Lord Lindores, caution for his indemnity, 277.
  - Sarah, a widow, seeks suspension of horning, 76.
  - Thomas, in Boighall, complains of a commission of fire and sword being illegally granted against him, 370, 371.
  - William, servitor to Lord Warriston, receives payment for supplies to the army in Ireland, 91.
- Dunbar, battle of, vi.
- burgh of, 54, 282; bailie of. *See* William Lauder.
- Dunbeath (Dunbaithe), Laird of. *See* Sinclair.
- tenants of the lands of, horning at their instance, 323.
- Dunblane, Bishop of, George (1613), signs a letter as a justice of peace for the shire of Perth, 334.
- Dunbog, the house of, 254.
- Dunbreck (Dunbreak) of Over Urtane, John, charged with resetting thieves, 394; charged with destroying and stealing grain and other property, 396, 397.
- Patrick, brother to Over Urtane, charged with resetting thieves, 394.
  - Thomas, brother to Over Urtane, charged with resetting thieves, 394.
  - Walter, brother to Over Urtane, charged with resetting thieves, 394.
- Duncan, Alexander, in Kirk, action at his instance for wounding, 12.
- Andrew, in Perth, his child alleged to be bewitched, 352.
  - George, cordiner in Dundee, illegally prevented from joining his regiment, 430.
  - George, in Lessindrum, parishioner of Drumblade, prosecuted for incest and other crimes, 166.
  - John, servitor to Patrick Martine in Campsie, witness to the execution of a charge, 138.
  - John, a servitor, witness to the execution of a charge, 107<sup>2</sup>.
  - William, in Blawarthill, depones against a witch, 202<sup>2</sup>.
  - William, servant to Congleton of that Ilk, complaint by him, 432.
  - William, and Margaret Gilmuire, his wife, alleged to be bewitched, 219; gives evidence, 230.
- Duncanson, James, notary, clerk to the session and presbytery of Stirling, signs papers, 345, 347.
- Dundas of Arniston, Sir James, signs a letter as a justice of peace for the shire of Edinburgh, 336; desires to pay a debt partly in dollars, 367; accused of overcharging his coal, 15<sup>2</sup>.
- of that Ilk, Sir W., appointed keeper of the rolls to the justices of peace for the shire of Linlithgow, 299; signs a letter from them, 339.

- Dundas of that Ilk, Sir John, takes depositions of witnesses, 173; his signature, 173; present in Council, vii, 1, 2<sup>3</sup>, 4, 5, 34, 44<sup>2</sup>, 48<sup>3</sup>, 49, 51<sup>2</sup>, 55, 135, 175.
- of Duddingston, George, commission to him to visit certain coal mines, 10.
- of Maner, Mr George, commission to him to visit certain coal mines, 10.
- of Newliston, . . . , signs a letter as a justice of peace for the shire of Linlithgow, 339.
- of Prestinch, David, seeks suspension of horning, 294.
- . . . , a conservator of the peace, appears in sederunts of Council, 63.
- David, sheriff of Linlithgow, charged to appear before the Exchequer, 252.
- Dundee, burgh and port of, the provost and bailies are charged to refrain from holding a wapenschaw on Mary day fair to avoid conflict with the Viscount of Dudhope, 5, 6; the riding of fairs restored to the Viscount of Dudhope, 5; the customs of the burgh, 244; commission to the magistrates anent the fishings, 249; the shipping of goods there, 310; a riot before the justices of peace, 331, 332; documents dated there, 332, 337, 354; tenements of land there appraised, 399; the provost and bailies charged with illegal detention of a soldier, 430; importation of English beer, 442<sup>4</sup>; the tolbooth, 430; customar there. *See* Alexander Smith.
- Constable of. *See* Sir John Scrymgeour.
- Dundurcus, minister at. *See* Mr John Marshall.
- Dunfermline, Earl of, Alexander (Seton), Lord High Chancellor of Scotland, 415; letter to him from the King anent the justices of peace, 332; other letters addressed to him, 341, 344; he signs letters and acts of Council, &c., 269, 270, 280, 295<sup>2</sup>, 300, 315, 324, 341.
- — Charles, his right of regality respected, 20; he complains of the wrongful detention of one of his colliers, 22, 23; he complains of his house in Aberdeen being broken into and goods stolen, 184, 185; present in Council, vii, 4, 5, 6<sup>2</sup>, 7, 10, 20<sup>2</sup>, 21, 22, 34, 47, 63, 135.
- burgh of, the bailies interpose in a riot in the church, 270.
- Dunfermline, church of, an assault committed there, 270.
- lordship and regality of, 20; chamberlain thereof. *See* Henry Wardlaw of Balmule.
- muirs of, 22, 23.
- Dungalsoun, Andrew, in Ardwell, caution for his indemnity, 418.
- Dunglas Mill, the bridge there is repaired, 187.
- Dunjop, lands and teinds of, 436.
- Dunkeld, city of, the Earl of Athole's house there, 248, 249.
- bailie of. *See* James Bannerman.
- commissary of. *See* Mr James Stewart.
- Dunkirk (Dunkerk), town of, mentioned in a cipher code, 168.
- Dunlop (Dunlape, Dunlope), Mr Alexander, minister at Paisley, hears confessions of witchcraft, 215; signs as moderator of the presbytery, 217; a message sent to him, 464.
- Allan, provost of Irvine, signs a document, 165.
- David, workman in Leith, to be sent to the wars, 420.
- John, messenger, witness to the execution of a charge, 458.
- William, bailie of Glasgow, examines witches, 201.
- Dunluce mentioned in a cipher code, 168.
- Dunning (Donyng), minister at. *See* Mr George Mushet.
- Dunreggane, a document dated there, 296.
- Duns (Dunce), burgh of, markets held there, 19; a prisoner there to be released, 50; illegal courts held there, 339, 340; a slaughter committed there, 343; the market cross, 253; documents dated there, 339, 340, 342.
- Dunsyre, witchcraft there, 154.
- Dupplin, Viscount of. *See* Kinnoull, Earl of.
- Durhame of Duntarvie, Mr James, accused of overcharging his coal of Meikle Falside, 15; he examines witchcraft cases, 199; as chamberlain of Linlithgow he is charged to appear before the Exchequer, 252; craves payment of teinds, 273; he is witness to a document as clerk of Exchequer, 455.
- of Grange, William, younger, prosecuted as a deserter, 389.
- Alexander, younger, "of the mill of

- Patrik 'Thrislo,' prosecuted as a deserter, 389.
- Durhame, James, in Dundee, presented as a deserter, 389.
- John, illegally prevented from joining his regiment, 390.
- . . . , a conservator of the peace, appears in sederunts of Council, 63.
- Durie, Laird of. *See* Gibson.
- Durisdere, kirk and burial place of, 273; minister there. *See* Mr Robert Henderson.
- Durne, place of, 372<sup>4</sup>.
- Durwart, John, in Brechin, prosecuted as a deserter, 389.
- Dustan, Margaret, a coalbearer, wrongfully retained from her master, 24, 99; execution of summons against her, 106.
- Dyke, minister at. *See* Mr William Falconer.
- Dykes built to obstruct a right-of-way, 393.
- Dysart, burgh of, witchcraft cases there, 28, 364-366; the coal supplies there, 10; the bailies are ordered to release a suspected witch, 28; they are empowered to take measures for suppressing the plague in the burgh, 165, 166; documents dated there, 364, 365; the tolbooth, 28; burgh council and court books of, 365, 366; the permission of the minister to be sought by any desirous of visiting imprisoned witches, 365, 366; the ministers are cited in connection with a case of witchcraft, 28. *See also* Mr James Wilson; bailies of. *See* Robert Kay and Alexander Simson; town-clerk of. *See* Mr David Kinghorn; procurator-fiscal of. *See* John Simson.
- EARLDOMS: of Buchan, 255; Moray, 255.
- Earn, water of, the fishings thereof, 249.
- Easton (Eistoune), John, present at the trial of a witch, 190, 191.
- Marion, depones against a witch, 231.
- Eccles (Eckills), parish of, 342; minister there. *See* Mr John Home.
- Edgar (Edyar, Edzer) of Blaikshaw, Robert, charged to find lawburrows, 288<sup>2</sup>.
- of Kirkblane, Clement, and Thomas and John, his sons, charged to find lawburrows, 288<sup>2</sup>.
- of Lands, John, charged to find lawburrows, 288<sup>2</sup>.
- Edgar of Tarmuck, John, 288; his son, Nicol, seeks caution for his indemnity, 288; his sons, William and John, are charged to find lawburrows, 288.
- of Wedderlie, John, his claim to the teinds of Whittinghame, 27; acts as a procurator, 34; charged with raising letters of horning illegally, 128.
- Edward, bailie of Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 86.
- George, merchant burghess of Dumfries, caution for his indemnity, 273, 274.
- John, merchant in Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 85.
- Thomas, writes a summons, 198.
- Edimane, John, in Coupar, witness to the execution of a charge, 249.
- Edinburgh (Edenbrough), city of, subscribes to the fund for support of the army in Ireland, ix; question of the supply of coal to the inhabitants, 14; a prosecution by the bailies, 18; a Parliament held there in July 1606, 22, 24, 97; the Convention of Royal Burghs held there, 37; the provost on a committee of Council to act as assessors with the justice-deputes, 48; a complaint made on behalf of the poor, 50; the provost, bailies, and council, and the city ministers complain of the refusal of a burghess to accept the office of kirk treasurer, 50, 51; act of the town council anent the election of Archibald Tod as their provost, 59; the provosts during office are to be admitted as members of the Privy Council, 59; markets held there, 78, 79; complaint against their deacon by some of the cordiners in King's Stables, 78, 79; loans by gentlemen and burghesses for the support of the army in Ireland, 85-89; the burgh is asked to recommend Thomas Cunningham as Conservator in the Netherlands, 94; some merchants crave the release of a ship with their goods, 99; mentioned in a cipher code, 168; some Papists there to be apprehended, 184; Parliament of June 1649 held there, 194, 366; coin not so scarce there as elsewhere, 209<sup>2</sup>; the Parliament held there in January 1572-3, 245; the Parliament held there in June 1609, 297; acts for suppressing burglaries and riotousness,

309; persons forbidden to remain on the streets after ten at night, 309; the magistrates complain of an attack made upon the city guard, 309, 310; the treasurer, dean of guild, and bailies meet anent the weights and measures, 335; the magistrates and deacons of crafts impose restrictions upon the maltmen in Leith, 348; apprising of some tenements of land there, 399; the Parliament held there in August 1621, 426; a wapenschaw appointed for 1627, 428; the Parliament held there in October 1612, 436; acts of Council dealing with the city's controversy with Leith, 458; an act printed by a society of stationers there, 465; some ministers there ordered to be taken and imprisoned for holding private meetings, 465; the provost and bailies are ordained to release prisoners, 18, 20, 22, 60, 134, 182, 424, 427<sup>2</sup>, 435, 446, 449; other charges to them, 51, 52, 184; deacon of the cordiners. *See* James Cranston; bailies of. *See* Robert Acheson, William Brown, John Byres, Alexander Clark, William Fairlie, George Foulis, John Inglis, David Mitchelson, John Robertson, and George Walker; dean of guild of. *See* David Aikinhead, Mr Michael Chisholm, George Suttie, and Archibald Tod; ministers there. *See* Mr William Bennet, Mr Robert Douglas, Mr George Gillespie, Mr Alexander Henderson, and Mr Andrew Ramsay; provosts of. *See* Sir Alexander Clerk, Sir John Smith, Archibald Tod, and Sir William Nisbet of Dean; the provost present in Council, vii, 4, 6, 7, 10, 11, 12, 17, 18, 21, 22, 27<sup>2</sup>, 31, 39<sup>2</sup>, 41, 43, 44<sup>2</sup>, 48<sup>2</sup>, 49, 50, 51<sup>2</sup>, 53, 54, 55, 57, 60, 127, 135, 175; town clerk of. *See* Mr John Hay; city treasurer. *See* William Dick and Thomas Mudie; general references to the city, 18<sup>2</sup>, 39, 44, 50, 119, 124, 139, 144, 146, 253, 269, 287, 316, 396, 407, 415, 416, 417, 439, 455; meetings of the Privy Council there, 12, 23, 3, 43, 63, 7, 8, 10, 112, 122, 14, 172, 182, 19, 202, 21, 222, 24, 272, 28, 31, 343, 372, 392, 41, 432, 442, 484, 492, 50, 512, 522, 53, 54, 55, 56, 572, 58, 59, 60, 63, 135, 175<sup>2</sup>, documents dated there, 64, 76, 77, 78, 79, 802, 952, 992, 100, 101, 103, 104, 108, 109, 115, 117, 118, 119, 120, 1282, 130, 1343, 135, 1373,

1382, 140, 144, 145, 147, 159, 169, 1703, 171, 1722, 173, 174, 1752, 176, 1773, 1782, 1802, 181, 1832, 185, 1863, 210, 211, 235, 2362, 240, 247, 2512, 253, 258, 259, 2602, 2614, 2624, 263, 2644, 265, 266, 2672, 2686, 2693, 2703, 2713, 2722, 2733, 274, 2752, 276, 2773, 278, 2802, 2812, 2824, 283, 284, 2853, 2862, 2872, 2885, 289, 2902, 2913, 2922, 2932, 2943, 2962, 298, 300, 3063, 307, 3084, 3092, 3104, 3116, 3124, 3132, 3143, 3155, 3162, 3174, 318, 3192, 3202, 3212, 3223, 3233, 3242, 325, 3262, 333, 336, 341, 343, 350, 352, 370, 373, 374, 377, 3783, 379, 3802, 3822, 383, 3842, 385, 386, 3872, 390, 391, 392, 393, 395, 396, 397, 398, 399, 400, 4012, 4022, 4032, 405, 406, 409, 4263, 427, 429, 4313, 4323, 433, 435, 436, 4372, 438, 439, 441, 443, 444, 4472, 4482, 449, 4502, 451, 452, 453, 4543, 455, 465.

Edinburgh, particular streets and places—the Castlegate, 144; the Cowgate, 18, 250; Halkerstoun's wynd, 438; the King's Meadow, 252; the King's Park, 252; the King's Stables, 78; the market cross, 28, 44, 49, 50, 59, 108, 136, 240, 247, 310; Niddrie's wynd, 277; the tol-booth, trials to take place there, 38, 139; imprisonments therein, 18, 22, 312, 352, 40, 43, 46, 48, 65, 101, 118, 121, 128, 134, 139, 144, 174, 182, 259, 399, 410, 413, 414, 417, 424, 4272, 434, 4462, 447, 449; the tronhouse, 400.

— West Kirk, minister there. *See* Mr William Arthur.

— West Port, 78, 186.

— Castle of, a taxation levied for its reparation, 250; a standard of weights and measures to be kept in the Register House there, 336; imprisonments there, 465; captain of. *See* Sir James Home of Coldenknowes.

— commissary of. *See* Mr Robert Nicolson; commissary clerk. *See* Humphrey Dowie.

— customar of. *See* John Gourlay.

— presbytery of, recommends the subscribing of the Solemn League and Covenant, 6; deals with Papists, 184.

— shire of, 37, 2564; the sheriff, Sir John Dalmahoy, to be continued in office, 17; appointment of justices of peace, 299; the sheriff is to apprehend a fugitive, 312; letter from the justices of peace anent the weights and measures, 335, 336; a wapenschaw appoin-

- ted in 1627, 428; sheriff of. *See also* Ludovick, Duke of Lennox.
- Edington (Edintoun), Laird of, appointed to examine witches, 195.
- Edison (Edisoun), Alexander, a servant, charged with assault, 314.
- John, a servant, charged with assault, 314<sup>2</sup>.
- Robert, in Pressick, charged to find lawburows, 317.
- Robert, a servant, charged with assault, 314.
- Edmond, George, in Hattoun, caution for his indemnity, 313.
- Edmonstone (Edmestoun, Edmistoun) of that Ilk, . . ., 317.
- of Wolmett, Patrick, charged with armed convocation and riot, 391<sup>2</sup>.
- Andrew, notary, draws up an instrument, 420.
- Andrew, a servitor, witness to a document, 104.
- James, messenger, executes a charge, 133.
- James, his widow. *See* Janet Nimmo.
- Mr John, minister, witness to the execution of a charge, 76.
- barony of, the, bailie accused of rescuing a deserter, 380.
- house of, 380, 391<sup>2</sup>.
- Education, King Charles the First's efforts to further the same, 460.
- Egilschae, in Orkney, 70.
- Eglinton, Earl of, Alexander, lends money for the maintenance of the Scottish army in Ireland, 84; mentioned in a cipher code, 167; charged to find lawburrows, 344; present in Council, vi, 12, 22, 42, 10, 112, 272, 34, 442, 47, 48, 55, 63, 175.
- Ego, James, smith, and his wife, alleged to be bewitched, 361.
- Eirdhouses, near Carnwath, witchcraft there, 154.
- Eistertoun of Beith, lands of, 256.
- Eistnisbet, estate of, 406.
- Elam, Africk, wife of John McLung in Knockibae, to be tried for witchcraft, 133.
- Elder of Milnedykes, Hugh, deceased, 47; his widow, Jean Watson, has her grain poulded, 47.
- William, cordiner in King's Stables, complaint by him, 78, 79.
- Election in Peebles, disorderly conduct at an, 383, 384.
- Elgin, burgh of, 352, 401; some fines imposed in courts there for intercommuning with the Clan Gregor, 206; the burgh maills and customs, 255, 256; justice courts held there, 381, 387, 404; the provost and bailies ordained to release a prisoner, 404; the tolbooth, 381, 387, 388, 404, 422; provost of. *See* James Rutherford.
- Elgin and Forres, shire of, 255; appointment of justices of peace, 299; the sheriff is to apprehend and deal with lawless Highlanders, 155; sheriff-deputes of. *See* Charles Reid and James Rutherford.
- Elliot (Elot), Archibald, in Daurein, appointed to examine witches, 205.
- Ellis (Elleis), A., signs as clerk of the sheriff court at Kirkwall, 64.
- Elphinston (Elphingstoun), Lord, Alexander, commission to him to make a survey and his report, 2; accused of overcharging his coal, 8, 9; complaint by him, 282; he prosecutes an action, 324; present in Council, vii, 6, 10, 112, 12, 24, 342, 442, 47, 55.
- of Blythswood, Sir George, knight, complains of an attempt to take his life, 265, 266; charged with committing assault and riot, 275, 276.
- of Calderhall, Harry, charged to appear as a witness, 119<sup>3</sup>; his evidence, 117.
- of Henderstoun, John, and William, his son, prosecuted for carrying fire-arms, 379.
- of Querrell, Robert, accused of overcharging his coal, 8, 15, 16; prosecuted for wrongful retention of colliers, 24, 25, 97, 98.
- of Selmes, George, charged to appear as a witness, 119; his evidence, 118.
- Dame Helen, caution for her indemnity, 186.
- Michael, agrees, on behalf of his son-in-law, John Ewin of Cuikspow, to a survey of orchards, 3, 19.
- the coal of, 9.
- Elrik, Andrew, charged with assault, 430.
- Emperor, the, mentioned in a cipher code, 168.
- Emrie, James, and Christian Penman, his wife, execution of summons against them, 106.
- Engagement, the, v, vii, 238.
- England, vii, 322, 33, 48, 158, 187; support offered to England by the Solemn

- League and Covenant, x; commissioners sent by the Council to the English Parliament anent affairs in Ireland, x, xi; a ship arrested at the request of one of the commissioners of the English Parliament, 11, 12; the French King demands that Scottish soldiers shall make no invasion of England without his permission, 13; the English Parliament appoints commissioners for preserving the peace, 13; payments due by the English Parliament for the Scottish army in Ireland, 91; relations of the Parliament with the King, x, 92; the Scottish army in England, 208; reference to the English laws, 301, 302; use of the troy weight there, 333; reference to King James the Sixth's departure for England on his accession, 416; merchandise destined for England, 440; prices of English beer, 442, 443, 448; the English Parliament is desired to send relief to the Scottish army in Ireland, viii, 462, 463; articles of a treaty between them and the Scottish Parliament, 463; the union of 1707, x; the Church of England, 465.
- Enoch, lands and teinds of, 273; bailie of. *See* Archibald Menzies.
- Entails, the revocation of, 243.
- Episcopacy, 465.
- Ericht, Water of, the demolition of a fishing linn there forbidden, 247-249.
- Erle, Alexander, in Ballromie, witness to the execution of a charge, 143.
- Erroll, Earl of, Francis, his forfeiture, 253.
- — Gilbert, complains of his tenants being assaulted and molested, 52; his bailie. *See* James Hay of Murefad.
- Erskine (Areskine, Ersking), Lord. *See* Mar, Earl of.
- of Cambuskenneth, Sir Charles, son-in-law to Sir Thomas Hope of Craighall, in litigation about the Cuikspow orchards, 3, 19; he lends money for the maintenance of the Scottish army in Ireland, 84.
- of Chapelland, John, deceased, 101, his widow, Mary Cunningham; and daughter, Janet, are under process as witches, 37, 38, 39, 43, 139; they crave to be released as innocent persons, 101-103, 105, 106.
- of Dun, John, deceased, 318; an attempt made to abduct his widow, Magdalene Haliburton, 318, 319.
- Erskine of Dun, Alexander, on a committee of Council for trying a serious assault, 3; present in Council, vii, 4, 5, 43.
- Erwin. *See* Irvine.
- Essex, Earl of [Robert Devereux], mentioned in a cipher code, 167.
- Estaquoy. *See* Craigie.
- Estates, Convention and Committee of. *See* Parliament.
- Ethay, Katherine, wife of John Work in Egilscha, charged to appear as a witness, 63; alleged to be bewitched, 69, 70.
- Ethay, in Orkney, 363.
- Ettrick Forest, lands and lordship of, annexed to the Crown, 250, 253. *See* . . . Scott of Buccleuch.
- Eviot of Kirkcoun of Maler, Patrick, complaint against him, 288.
- Ewart of Bodsbeck, Neill, and John, Alexander, and Ninian, caution for their indemnity, 316.
- Adam, in Clarefoote, caution for his indemnity, 316.
- David, brother to Bodsbeck, caution for his indemnity, 316.
- James, in Wester Tillicoultry, summoned for molesting colliers, 79.
- John, brother to Bodsbeck, caution for his indemnity, 316.
- John, elder, burgess of Kirkcudbright, charged to find lawburrows, 289.
- John, in Selkirk, charged to find lawburrows, 293.
- Matthew, in Clarefoote, caution for his indemnity, 316.
- Robert, in Clarefoote, and James, his son, charged to find lawburrows, 316.
- William, brother to John, *supra*, charged to find lawburrows, 289.
- Ewing (Ewin, Yewine) of Cuikspow, John, son-in-law of Michael Elphinston, agrees to a survey of his orchards, 2, 3; charged to find caution, 19.
- (Eving), Nicoll, fishmonger in Edinburgh, lends money for the maintenance of the Scottish army in Ireland, ix, 88.
- (Yewine), Thomas, in Daginche, charged with resetting thieves, 394.
- Thomas, portioner of Southfield, seeks payment of teind victual, 308.
- Ewingsone, Stevin, in Birstane, on an assise, 363.
- Exchequer, Lords of: the demands upon

- them require new measures, viii; they are not to pass a remission till the parties interested be cited, 95; certain persons charged to appear before them for accounting, 252, 258; the justices of peace are to pay in the fines uplifted by them, 302, 329; payments due out of Exchequer, 459; clerks of. *See* Mr James Durham, Archibald Kellie, and Mr William Strang.
- Excommunication, sentences of, 394, 395.
- Exports of cattle prohibited, 59, 60, 436; of coal, 8, 10, 14, 15, 16, 17, 341; of victual, 175.
- Eyemouth, 343; witchcraft there, 195-197; a document dated there, 195; minister there. *See* Mr James Straiton; session clerk there. *See* George Halliday.
- the forth (fort) of, 196.
- Ezatt (Eysatt, Ezat), Alexander, bailie of Culross, accused of injustice, 102, 105.
- Edward, burgess of Culross, 12; his wife, Margaret Hutton, is condemned for witchcraft, 12.
- Thomas, bailie of Culross, intimation made to him, 105.
- FAIRBAIRN (Fribairn), Mr Jo., minister at Madderty, signs a petition, 455.
- Fairgrieve (Feirgreif), John, in Selkirk, called of Coitha, charged to find lawburrows, 293.
- John, in Selkirk, charged to find lawburrows, 293.
- Fairhar (Fairer, misprinted Fairlie), Robert, in Craig McKerran, charged with spoliation, 26, 27; execution of summons against him, 107<sup>2</sup>.
- Fairies, superstitious belief in, 352, 353.
- Fairlie, Robert. *See* Fairhar.
- William, bailie of Edinburgh, complaint against him, 250.
- Fairnlie of Boge, Adam, bond of caution by him, 254.
- of Over Mynock, John, deceased, 254; his son, David, caution for him, 254.
- Fairny of that Ilk, James, younger, charged with malicious damage, 287.
- Fairs: dispute about the privilege of riding fairs at Dundee, 5, 6; Bartill fair, 1.
- Falconer (Falconar, Falcouner) of Halkertoun, Sir Robert, knight, charged to make payment of the aliment due to his wife, Dame Annas Lindsay, 387.
- Falconer of Halkertoun, Sir Alexander, debts owing to him, 459.
- of Kincorth, Mr Samuel, his name given as a guarantee of good faith, 412.
- Alexander, in Haltone, witness to the execution of a charge, 76.
- Mr David, brother to Halcarton, debts owing to him, 459.
- James, portioner of Cautfald, witness to the execution of a charge, 76.
- James, in Leith, to be sent to the wars, 420.
- John, in Leith, to be sent to the wars, 420.
- Mr William, minister at Dyke, his name given as a guarantee, 412.
- Falishoip, wood of, 378.
- Falkirk, the coal of, 8, 16; witchcraft there, 345, 346, 347.
- Falkland, Viscount, mentioned in a cipher code, 167.
- the park of, malicious destruction of geese there, 320.
- Farquhar (Ferquhar), Edward, late bailie of Leith, seeks suspension of a charge to apprehend men fit for the wars, 420, 421; charged with illegal warding, 449.
- Robert, in Westfield, witness to the execution of a charge, 76.
- Farquharson (Ferquharsone) of Invercauld, John, and Robert, his son, charged with armed convocation and riot, and destroying peats, 432.
- John, in Leith, to be sent to the wars, 420.
- Thomas, son-in-law to Nicol Rose of Afflossen, charged with selling some persons as recruits, 431.
- Thomas, tenant to Caskiben, commits an offence, 101.
- Faw, Mosie, to be presented to justice, 323.
- Fawside (Fawsyde), Thomas, deacon of the bakers in Glasgow, charged with armed convocation and riot, 266.
- lands and mill of, 405, 406<sup>2</sup>, 407; the coal of Little and Meikle, 15; moss of, 407.
- Fea of Clestren, James, fiar, on an assise as chancellor, 363, 364; his signature, 364.
- Fenton, James, a servant, charged to find caution, 272.
- John, in Dunkeld, charged with assault, 95.

- Fenton, West, witchcraft there, 189, 190, 194, 195.
- Fergus (Furgues), James, charged to appear as a witness, 80, 81.
- Ferguson (Ferguson, Ferguissoun, Fergusson) of Dunfallandie, Robert, charged to find lawburrows, 374, 375.
- Janet, complaint against her, 250.
- John, witness to the execution of a charge, 253.
- Richard, examines witches, 194.
- William, in Ballyeakane, charged to find lawburrows, 374, 375.
- William, examines some witches, 189.
- William, depones against a witch, 225.
- *alias* Souter, John, alleged to be bewitched, 347.
- Ferne, house of, 180.
- Fermor, James, burgess of Dysart, consents to an act of the town council, 365.
- Fernort, moss of, 386.
- Fethie. *See* Futhie.
- Feuds to be prevented by the justices of peace, 304, 329.
- Fife (Fyf) milne, in Midlothian, 256.
- Fife, shire of, 256<sup>3</sup>, 312; loans by the gentlemen and others there for support of the army in Ireland, ix, 85; appointment of justices of peace, 299; the sheriff to apprehend a fugitive, 312; letter from the justices of peace anent the weights and measures, 337, 338; the coast side of, 401.
- Findhorn, river of, salmon fishings there, 255, 290.
- Findlater, Earl of, James, present in Council, vii, 24, 48<sup>2</sup>, 49, 51, 52, 53.
- Findochtie (Fyndachtie), a document dated there, 296.
- Fines: for wrongful detention of colliers, 23, 24, 25, 98; for assaults, &c., 40, 57; for contravention of acts of caution, 58; for resetting and intercommuning with the Clan Gregor, 206, 437; for not fulfilling bonds of caution, 323; to be uplifted and applied by the justices of peace, 327, 328; for conversing with witches in prison without license, 366.
- Fingland, Thomas, in Durisdeer, charged to find lawburrows, 311.
- Finlay (Findlay, Finlaw), James, in Montrose, prosecuted as a deserter, 389.
- Michael, seeks payment of customs, 324.
- Finlay, Robert, merchant in Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 88.
- Thomas, in Kinsleith, complaint against him, 312.
- Finlayson (Findlasoun, Finlasoune), John, witness to the execution of a charge, 253.
- Margaret, of Renfrew parish, wife of John Paterson, tried for witchcraft, 211-235; illness of her son, Matthew, 215, 228, 230; depositions by John, also her son, 230.
- Finmarak (Finnerak), cottoun and place of, 392.
- Fynnies, Agnes, accused of witchcraft, ordered to be released, 134, 135.
- Margaret, depones against a witch, 222.
- Finzellach, lands of, 281.
- Fintray, Haltoun of, lands of, 256<sup>2</sup>.
- Fintrayes, Easter and Wester, lands and barony of, 255.
- Fintrie, Laird of. *See* Grahame.
- Lady. *See* Jean Haliburton.
- Fire and sword, commissions of, 370, 371.
- Firlot measures, 338; the Linlithgow firlot, 333, 334, 336.
- Firth, Michael, alleged to be bewitched, 457<sup>2</sup>.
- Fish, Alexander, portioner in Flemington, charged with assault, 19.
- Fisher (Fischer, Fishear), Grizel, wife of William Baillie in Lamington, charged with resisting the ordination of a minister, 29, 116.
- James, in Dernick, prosecutes an action, 77.
- Jean, widow of James Stewart, merchant in Glasgow, alleged to be bewitched, 201<sup>3</sup>, 202<sup>2</sup>; also their child, James, deceased, 201, 202.
- John, son-in-law to John Heddlestone, charged to find lawburrows, 286.
- John Roy, in Pitlochry, caution for his indemnity, 374.
- Matthew, messenger, letters of horn-ing directed to him, 366.
- Michael, in Dernick, prosecutes an action, 77, 78; also his son, Alexander, who is married to . . . Linlithgow, 77, 78; his son-in-law, William Wallace, a clerk of court, 78.
- William, in Dernick, prosecutes an action, 77.
- *alias* Stewart, John, at Dalry Mills, complaint against him, 448.

- Fish and Fishing: the demolition of a linn on the Water of Ericht forbidden, 247-249; mention of cruives and yairs, 249; the slaughter of red fish and the fry of fish, 249; in Lochs Vennachar and Lubnaig, 254; salmon fishing in the Spey, Findhorn, and other rivers, 255, 256, 290; slayers of black fish to be prosecuted, 304, 327; fishing by bushes, 340; tithes payable by the fishings near land but not in distant waters, 340; abuses in the packing of barrels of too large a size, 355.
- Fishwick (Fischewik), lands and fishings of, 255.
- Fithie. *See* Futhie.
- Fitzgarret, Sir Luke, mentioned in a cipher code, 167.
- Flanders, the troy weight in use there, 333.
- West, 453.
- Flawis, Rowie, her cow bewitched, 67.
- William, in Cogar, and Janet Sklaitter, his wife, alleged to be bewitched, 67, 68.
- Fleming (Fleyning, Flyming), Lord. *See* Wigton, Earl of.
- of Ballach, Patrick, ordained to pay fines as a cautioner, 437.
- of Carnbrane, Patrick, fined for resetting the Clangregor, 437.
- of Moness, Alexander, fined for resetting the Clangregor, 437.
- George, bailie of Kilconquhar, a deserter escapes from his custody, 378.
- Mr James, minister at St. Bothans, lends money for the maintenance of the Scottish army in Ireland, 90.
- John, merchant in Edinburgh, 86; his widow lends money for the maintenance of the Scottish army in Ireland, 86.
- John McAlester Roy, in Middle Innerchroskie, charged with deforcement, 447, 448.
- Dame Margaret, Countess of Athole, complains about fishing rights, 243, 249.
- Robert, bailie of Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 86.
- Fletcher (Flescher, Flesheour), Andrew, Burgess of Dundee, appointed a collector of bullion, 310.
- John, in Selkirk, charged to find lawburrows, 293.
- Mungo, in Selkirk, charged to find lawburrows, 293.
- Fletcher, Thomas, in Selkirk, charged to find lawburrows, 293.
- Flett, John, alleged to be bewitched, 362.
- Flint (Flynt), William, miller at Breich, 322.
- Fluiker, George, miller at West Gordon, servitor to Dame Barbara Cranston of Touch, charged to find lawburrows, 405, 407.
- Flures, John, prosecuted as a deserter, 389.
- Fodderbie of . . . , Thomas, and Margaret, Hunter, his wife, and John, Alexander, and William Hunter, her sons, charged to find lawburrows, 171.
- Forbes, Lord, Arthur, bond of caution by him, 296; charged with illegal detention of a soldier, 390.
- Master of, Alexander, complains of the destruction of a bond, 384.
- of Auchintoull, Alexander, charged with raising horning illegally, 101, 103.
- of Campbell, Duncan, charged with assault, 174, 176.
- — William, younger, charged with assault, 174; he threatens the messenger who served summons on him, 176.
- of Caskiben. *See* Johnstone.
- of Craigievar, Mr William, complains of malicious damage to his peats, 431, 432.
- of Haughton, Mr James, has a dispute about some multures, 384; complains of an assault upon his servant, 3.
- of Leslie, John, 370; charged to pay expenses of witnesses, 370; acts as an arbiter, 384; complains of his life being threatened, 452.
- — . . . , 176; an action against him remitted to the Council, 162; his son, Alexander, is witness to the execution of a charge, 176; caution for his indemnity, 238.
- of [Meny], Arthur, his right to the customs of Bartill fair, 1.
- of Milbigging, Arthur, pursued by mistake for another, 452.
- of Monimusk, Sir William, his house, 174.
- of New, . . . , 402.
- of Towy, Alexander, complains of an outrage at his baron-court, 285, 286.
- Alexander, in Dalkeith, witness to the execution of a charge, 176.
- Alexander, in Descorie, complains of being assaulted, 402.

- Forbes, Alexander, in Edinburgh, witness to the execution of a charge, 180.
- Alexander, charged with carrying off his sister-in-law, Margaret Hunter, 19.
- Arthur, at the Mill of Fuchill, complains of assault and robbery, 176, 181.
- Arthur, brother to the Laird of New, complains of being assaulted, 402.
- David, complains of being assaulted, 351.
- Francis, burghess of Forres, charged to find lawburrows, 290.
- Henry, burghess of Aberdeen, debts owing to him, 271.
- James, servitor to Gilbert Brown, messenger, wrongfully apprehended and sent to the wars, 431.
- John, sheriff officer of Inverness, complains of being deforced, 282, 283.
- William, in Auchinclocht, charged with armed convocation and riot, 385.
- Fordell, Laird of. *See* Henderson.
- Fordell, a contract dated there, 23; the celebration of communion at the kirk there, 372, 373.
- Fordyce, town of, 371, 372, 373.
- Forehammers, reference to, 42.
- Foreigners not to be preferred by coalmasters, 8, 9, 10, 15, 16; foreign weights and measures not to be employed in estimating imported goods, 334, 336; privateers sent out to patrol the coasts on the watch for foreign invaders, 453.
- Forestalling, acts against, 301<sup>2</sup>.
- Forests, deer, illegal trespass and spoliation of, 444.
- Forfar, burgh of, 392; the tolbooth, 308; the warehouse and thieves hole there, 392; provost of. *See* David Hunter.
- constable of. *See* Andrew Gray of Lour.
- shire of, the sheriff, David Grahame of Fintrie, to be continued in office, 17; commission to him anent the fishings, 249; appointment of justices of peace, 299; the sheriff to apprehend a fugitive, 312; letter from the justices of peace anent the weights and measures, 336, 337; the justices report to the Council their efforts to suppress beggars and vagabonds, 354; sheriff-clerk of. *See* George Wardlaw.
- Forfeiture of William, Earl of Angus, and others, 253.
- Forgery of a letter purporting to be from Gavin Dunbar, 352.
- Fork, Isobel, wife of John Wilson, merchant, depones against a witch, 201, 202.
- Forks, corn, assaults with, 271, 316, 369, 393, 430, 432.
- Forman (Foirman), Alison, widow of Gilbert Dick, in Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 86.
- James, in Drem, signs a certificate, 195.
- Fornat, manor place of, 385.
- Fornication, cases of, 394, 395.
- Forres, burgh of, the burgh duties and customs, 255, 256; provost of. *See* Thomas Urquhart of Burdsyards.
- Elgin and, shire of, appointment of justices of peace for, 299; sheriff-clerk of. *See* John Dunbar.
- Forrest, James, messenger, executes a charge, 82.
- James, notary and messenger in Lanark, witness to the execution of a charge, 120.
- James, student in Lanark, witness to the execution of a charge, 82, 83.
- James, writer in Lanark, as procurator-fiscal, prosecutes witches, 147<sup>2</sup>.
- John, miller at Lamington, charged with resisting the ordination of a minister, 29, 30<sup>3</sup>, 116, 118, 119, 128, 133; also Bessie Carmichael, his spouse, 29, 30, 116, 118, 119, 128, 133; and Janet, their daughter, 29, 30, 116, 119, 128, 133; they raise action for suspension, 31.
- Forrester (Forestar, Foster), Lord, of Corstorphine, . . . , 309; sues for the payment of a debt, 459; his second son, David, charged with assaulting the town guard of Edinburgh, 309.
- of Logy, David, witness to the execution of a charge, 253, 258.
- George, tacksman of the coal of Airth, accused of overcharging his coal, 8, 15.
- John, on an assise, 132.
- (Foster), Mr Thomas, minister at Melrose, seeks payment of stipend, 399.
- . . . , 193; his wife, Margaret Bartleman, accused of witchcraft, 193.
- Forsyth (Forsythe), James, in Kirkmilm, to be apprehended as fit for the wars, 424.
- William, burghess of Forres, horning at his instance, 370.

- Forsyth, William, messenger, executes a charge, 250.
- Forth, Firth of, the coalmasters thereon dealt with as to their exorbitant charges for coal, 8, 9, 10, 16.
- river of, precautions to be taken against the crossing of the Irish troops in Scotland, xiii, 115.
- Fortune (Fortoune) of Duysehauch, John, becomes a cautioner, 187.
- Fossway (Fossoquhy), minister at. *See* Mr Laurence Mercer.
- Fotheringham, Mr A., minister at Muckhart, signs a petition, 455.
- James, in Burnes in Sanday, 362; his wife, Marion Paulsone, alleged to be bewitched, 362.
- Jerome, in Overbister, on an assise, 363.
- Foucanote, Nicolas, a Frenchman, craves payment of pensions due to him, 415, 416; mentions his mother, Marie de Montreull, 415; marries a daughter of John Robertson, an officer in his Majesty's service, 415.
- Foucarolle, Baron of, 415.
- Foulis (Foullis, Foulls, Fowles) of Colinton, Sir James, appointed keeper of the rolls to the justices of peace for the shire of Edinburgh, 299; signs a letter from them, 336.
- George, bailie of Edinburgh, imposes restrictions on the maltmen of Leith, 348.
- James, citizen of Dunkeld, witness to the execution of a charge, 249.
- James, sheriff officer in Edinburgh, witness to the execution of a charge, 79.
- Jean, liferenter of Orchardfield, caution for her indemnity, 186.
- Thomas, present at the trial of a witch, 190, 191.
- Foveran (Foverne), parish of, 424; the kirk session gives in a list of masterless men fit for the wars, 424.
- Fowler, Fergus, and Fergus, his son, charged to find lawburrows, 289.
- James, and John, his son, charged to find lawburrows, 289.
- John, in Kirkland of Kelton, charged to find lawburrows, 289.
- Foy, county of, in France, 415.
- Fram, Elizabeth, widow of William Douglas, lends money for the maintenance of the Scottish army in Ireland, 87.
- France, 36, 83; efforts to renew the ancient alliance with that country, ix; minority of the King of France, 13; his demands by his ambassador, Monsieur Bosivous, heard by the Council and replied to, ix, 12-14; Queen Regent of France, 13; debts are to be recovered from his agent, De Vorseum, 83; France and the King mentioned in a cipher code, 168; Queen of France mentioned in a cipher code, 168; the French agent in Edinburgh harbours Papists, 184; levies of troops for an expedition to France, 417, 422; use of the troy weight there, 333, 339; French wine plundered from a ship, 425; French merchandise to be arrested in security for Scottish goods arrested in France, 428.
- Fraser, Lord, Andrew, charged to find lawburrows, 170.
- of Brae, Sir James, commission to him in place of the sheriff to nominate commissioners for Parliament, 58.
- of Streachin, Thomas, elder, continued in office as sheriff of Inverness, 17; his death, 58.
- Andrew, in Milbowy, charged with armed convocation and riot, 386.
- George, in Corsquie, charged to find lawburrows, 264; caution for his indemnity, 266.
- James, in Miltoun, carries a man over the water of Ilay, 401.
- (Frissell), John, a servitor, witness to the execution of a charge, 119, 133.
- Michael, in Meikle Clintertie, charged with armed convocation and riot, 386.
- Patrick, in Meikle Clintertie, charged with armed convocation and riot, 386.
- Thomas, in Pitquotins, charged to find lawburrows, 264; caution for his indemnity, 266.
- William, in Milbowye, complains of being assaulted, 385; a counter-complaint, 386.
- Freir (Frier), Thomas, in Selkirk, charged to find lawburrows, 293.
- Walter, in Selkirk, charged to find lawburrows, 293.
- William, in Fallsheittis (Nether Barne), charged with armed convocation and riot, 171, 172.
- William, servitor to the Earl of Rothes, witness to a document, 454.

- French (Frenshe) of Frenchland, Robert, and William, his son, charged to find lawburrows, 316<sup>2</sup>.  
 — Adam, in Moffat, charged to find lawburrows, 316.  
 Frendraught, Viscount of, James, son of James Crichton of Frendraught, protests against the granting of a remission for the slaughter of his brother, William, 94; he and George Crichton, his son, are charged to find lawburrows, 170.  
 Frissell. *See* Fraser.  
 Fruit-trees, cutting of, 3, 19.  
 Fullarton (Foullerton) of Carleton, . . . , to make inventory of Lord Kirkcudbright's estate, 171.  
 — of Dreghorn, . . . , continued in office as bailie of Kylestewart, 18.  
 — of that ilk, William, complains of being assaulted, 321, 322; signs a letter as a justice of peace for the shire of Forfar, 337.  
 — Mr James, minister at Beith, petition by him, 426.  
 — William, burgess in Kirkcudbright, charged to find lawburrows, 289.  
 Fulret, William, in Selkirk, charged to find lawburrows, 293.  
 Fulsetter (Folsetter), Gavin, in Hunland, on an assise, 359.  
 — Katherine, deceased, wife of John Crowdan, alleged to be bewitched, 358.  
 — Ninian, in Quendale, on an assise, 70.  
 Fulton (Foultoun), Hew, in Garpin, charged to appear as a witness, 140; his evidence, 142.  
 — James, his servant, a boy of thirteen, prosecuted for accidental slaughter, 165.  
 — John, in Restalrig, a disputed crop to be placed in his keeping pending a settlement, 59.  
 Furd, John, prosecuted for wrongful retention of a collier, 23.  
 Futhie (Fethie, Fithie) of Teddismylne, Robert, complaint by him, 311.  
 — of Hodgstoun, David, deceased, 314; his son, David, complains of being assaulted, 314.  
 — of Ogstoun, David, deceased, 317; his widow, Alison Keill, and sons, David, Mr John, and Henry, charged to find lawburrows, 317.  
 — John, cordiner in Edinburgh, charged with molestation, 78, 79.  
 Futhie, John, cordiner, lends money for the maintenance of the Scottish army in Ireland, 7, 87.  
 Fyfe (Fyff), *alias* Mylne, Alexander, prosecuted for defying and stopping a baron court, 285.  
 — William, in Nether Toweis, becomes a cautioner, 285.  
 Fyne (Fin) Loch, mentioned in a cipher code, 168.  
 Fyntoun, Robert, in Selkirk, charged to find lawburrows, 293.  
 GAIBSAY, Laird of, present at the trial of a witch at Kirkwall, 64.  
 Galbraith, James, grants a letter of slains, 50.  
 — John, merchant burgess of Glasgow, and his wife, Elspeth Buchanan, are charged with malicious damage, 269; he is charged with assault, 276.  
 — (Galbraith), John, depones against a witch, 224, 235.  
 Galla, Bessie, in Byll of Corhouse, execution of summons against her husband, Christopher Bannatyne, 82.  
 Gallane, William, in Conclarachie, charged to find lawburrows, 350.  
 Galle mentioned in a cipher code, 167.  
 Galloway, Earl of, Alexander, writes to the Privy Council, 81 (where the name has been misprinted Newark).  
 — Edward, in Lamington, charged with resisting the ordination of a minister, 29, 116, 117; also his wife, Grizel Watson, 29, 116.  
 — James, in Hartsyde, 119; charged to appear as a witness, 115, 117, 129; his son, John, is witness to the execution of a charge, 119.  
 — James, in Lamington, charged with resisting the ordination of a minister, 29, 116; also Christian Baillie, his wife, 29, 116.  
 — James, officer of Wandell, witness to the execution of a charge, 116.  
 — James, in Edinburgh, 278.  
 — Mr John, in Edinburgh, 86; his widow lends money for the maintenance of the Scottish army in Ireland, 86.  
 Galloway, Bishop of, Andrew, 367; craves relief from his vassals for the taxation, 436, 437<sup>2</sup>.  
 — bishopric of, the taxation thereof, 436.  
 — (Gallawa), lordship of, 253; cham-

- berlain of. *See* David Arnot of Barcaple.
- Galloway, stewartry of, 423.
- Galt, Maud, in Kilbarchan, wife of John Dickie, wright, tried for witchcraft, 198-204.
- Galway (Galloway), in Ireland, mentioned in a cipher code, 168.
- Game, pursuit of, with "lying dogs" forbidden, 304; case of illegal destruction of game, 444.
- Garatoot, Oliver, summons a witch before the kirk session, 357.
- Garden (Gairdin, Gardin) of Banchorie, Arthur, bond of caution by him, 254.
- of Blairtoun, Mr Robert, charged to find lawburrows, 313<sup>2</sup>.
- of Pressick, James, caution for his indemnity, 317.
- Adam, his widow. *See* Elizabeth Duff.
- Mr Alexander, burgess of Dundee, charged to find lawburrows, 313.
- George, bailie, burgess of Burntisland, lends money for the maintenance of the Scottish army in Ireland, 7, 84.
- George, brother to Blairtoun, charged to find lawburrows, 313.
- James, in Ballindoch, charged with assault, 314.
- James, litster in Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 89.
- John, brother-in-law to Alexander Fyff, prosecuted for stopping and defying a baron-court, 285.
- John, litster in Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 89.
- Thomas, burgess of Dundee, charged to find lawburrows, 313.
- Gardiner (Gairdner), Patrick, in Leith, to be sent to the wars, 420.
- Garioch (Gariauch, Garviauche), Lord. *See* Mar, Earl of.
- Andrew, servitor to Grandtully, witness to a bond of caution, 121.
- William, elder, in Norum, complains of being assaulted, 174, 176.
- William, in Pittintierie, has a dispute about some multures, 384.
- Garpine, an hostelry there, 141, 142<sup>2</sup>.
- Garrie, lands of, 350.
- Garrow (Garro) of Little Endowie, William, younger, charged with committing assault, 3.
- Garrow, Duncan, servitor to the Laird of Haughton, complains of being assaulted, 3.
- John, *alias* Bang the Wind, charged with committing assault, 3.
- Gartwhingyan, 79.
- Garvie, Andrew, transports victual in his ship to Ireland, 157.
- Garvok, the wood of, 255, 256.
- Gascony (Gaskonie), province of, 415.
- Gateside, in England, 184.
- Gauntlets, references to, 64, 260, 264, 275, 286, 291, 307, 312, 314, 315, 316, 318, 320, 321<sup>2</sup>, 322, 369, 379.
- Gavelocks, reference to, 369.
- Gaw of Maw, John, and his wife and . . . Brown, his mother, charged with malicious damage to a mill dam and coal workings, 267, 268.
- Gawie, John, notary, assists in signing a document, 160.
- Gawinlock, Walter, in Selkirk, charged to find lawburrows, 293.
- Gay, David, burgess of Dysart, consents to an act of the town council, 365.
- Ged of Baldrig, Robert, appointed to examine witches, 200.
- Geddes, Andrew, servant to Inchberry, not to be reset while at the horn, 394.
- John, in Blaetwood, complains of illegal warding, 427.
- Geddie, Andrew, messenger in Edinburgh, witness to the execution of a charge, 79.
- Walter, sometime burgess of St. Andrews, prosecuted for "clipping and ringeing" coin, 313, 314; not to be transported by mariners, 313, 314.
- Geese, a large number stolen, 210, 211; malicious destruction of geese in Falkland park, 320.
- Geichane, William, merchant burgess of Edinburgh, witness to a document, 455.
- Geillistoun, lands of, 393<sup>3</sup>.
- Gemmell (Gembill, Gemmill), Adam, an elder, signs depositions of witchcraft, 233.
- Janet, and her daughter, Helen Rodman, depone against a witch, 231.
- John, caution for his indemnity, 170.
- John, depones against a witch, 219.
- Robert, depones against a witch, 222, 232<sup>2</sup>; also his wife, Christian Paterson, depones, 232.
- William, in Wester Scottistoun, charged to find lawburrows, 344.

- General of the Scottish Army. *See* Alexander Leslie, Earl of Leven.
- Geniah, Mr, mentioned in a cipher code, 167.
- Germaine, H., mentioned in a cipher code, 167.
- Germany, 407; the wars there, 410, 411, 427, 430<sup>2</sup>, 431; levies of troops for service there, 400.
- Gib, Andrew, maltman in Perth, charged with spoliation, 26; charged to appear before the Council, 107.
- Harry, in Dunkeld, charged with spoliation, 26; execution of summons against him, 106, 107.
- James, in Flinder, his expenses as a witness to be paid, 369.
- Gibbison, Mr John, minister, witness to the execution of a charge, 76.
- Gibbon (Gibboun), Thomas, illegally prevented from joining his regiment, 390.
- Gibson of Durie, Sir Alexander, elder, accused of overcharging his coal, 8, 16<sup>2</sup>.
- Mr Alexander, younger, Lord Clerk Register, confers with Lady Westnisbet and her husband's creditors, 208; present in Council, vii, 1, 2<sup>2</sup>, 4<sup>2</sup>, 6<sup>2</sup>, 10, 11, 12, 19, 20<sup>2</sup>, 37, 39, 41, 44, 48<sup>4</sup>, 52, 53, 54<sup>2</sup>, 57, 59, 175; signs letters and acts of Council, &c., 81.
- Mr Alexander, minister at Leith, lends money for the maintenance of the Scottish army in Ireland, 89.
- Alexander, messenger, executes a charge, 181.
- John, Clerk of Session, lends money for the maintenance of the Scottish army in Ireland, 86.
- Robert, in Melrose, witness to the execution of a charge, 399.
- Gight (Gaicht), Lady. *See* Isobel Auchterlony.
- lands of, 263.
- Gilbert, Alexander, servant to the sheriff of Moray, charged with hamesucken, 21.
- Gilchrist (Gilkrist), Helen, widow of Alexander Wright, in Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 86.
- Gilhagie, James, in Kendiehill, charged with dishonesty as a debtor, 390.
- Gillespie, Mr George, minister in Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 86; signs a petition from the presbytery of Edinburgh, 184.
- Gillespie, Mr Patrick, minister, a message sent to him, 464.
- Gilmerton, the coal of, 15.
- Gilmour (Gilmuire), Janet, in Yoker, wife of Gabriel Paterson, alleged to be bewitched, 216, 220, 225; her depositions, 220, 221<sup>2</sup>, 224, 233, 235.
- John, in Newlaw, charged to find lawburrows, 290.
- Margaret, widow of Robert Paterson and wife of William Duncan, alleged to be bewitched, 213, 218<sup>2</sup>, 219, 220, 222, 225<sup>2</sup>, 230, 232, 233; gives her evidence, 223, 224, 226, 232.
- Gilon of Walhous, John, lends money for the maintenance of the Scottish army in Ireland, 90.
- Girthon (Girtoun), kirk and kirklands of, taxation of the parsonage and vicarage teinds, 436.
- Gladsmuir, 192.
- Gladstone (Gladstone, Gledstones), James, Burgess of Edinburgh, charged to appear as a witness, 159<sup>2</sup>; his evidence, 160.
- James, a servitor, witness to the execution of a charge, 144.
- Robert, in Selkirk, charged to find lawburrows, 293.
- Thomas, writer in Edinburgh, witness to the execution of a charge, 144<sup>2</sup>.
- Thomas, witness to the execution of a charge, 253.
- William, in Arthourscheill, on an assise, 147.
- Glanarme, in Ireland, mentioned in a cipher code, 168.
- Glanderston, Laird of. *See* Muir.
- Glasgow, Archbishop of, John Spottiswood, writes to the Clerk of Council anent some papers to be delivered, 295; a matter remitted to him, 295; referred to by the King, 331; commission to him to represent the desires of the justices of peace to his Majesty, 330.
- James, petition by him, 426; concurs with the presbytery of Lochmaben in a sentence of excommunication, 394.
- Patrick (Lindsay), signs letters and acts of Council, &c., 458, 459<sup>2</sup>.
- barony of, 269.
- chantry of, taxation of the, 450, 451.
- city of, 116, 131, 451; the provost and bailies to be written to, to secure the town against the Irish troops in

- Scotland, xiii, 115; witchcraft there, 201, 202; precautions against the plague there, 202; malt due to the Gorbals from the mill of Partick, 239; the provost and bailies prosecute a collector at their mill of Partick for malversation, 239, 240; an attempt made there upon the life of Sir George Elphinston of Blythwood, 265, 266; other outrages referred to, 266; meeting of the Privy Council there, 266; some of the clergy interpose in an assault, 276; a meeting of ministers called there on behalf of Mr James Guthrie, 464, 465; the Blackfreir kirk, 199; the Bridgegate, 201<sup>a</sup>; the Drygait, 318; proclamation and execution of summonses at the market cross, 180; documents dated there, 201, 239, 295, 296, 297; provost of. *See* George Porterfield; bailies. *See* William Dunlop and Thomas Mure; deacons of the bakers. *See* Thomas Fawcayde; deacon of the cordiners. *See* Ninian Anderson; deacon of the skimmers. *See* Alexander Caldwell; officer of the crafts. *See* Simon Baird; minister of. *See* Mr David Wemyss.
- Glasgow, presbytery of, deals with cases of witchcraft, 200.
- regality of, 180; the bailie thereof. *See* Stewart of Minto.
- synod of, 295.
- the University of, malt due to them from the mill of Partick, 239; the vicar's yards, belonging to the college, 318; a royal commission appointed to examine the state of affairs therein, 460.
- Glashinks, Over and Nether, lands of, their taxation, 436.
- Glen, Patrick, servant to Wood of Geilston, complains of being assaulted, 393.
- William, litster at the Brigend of Dumfries, complains of being assaulted, 409.
- Glencairn, Earl of, James (Cunningham), signs an act of Council, 324.
- — William, 32; lends money for the maintenance of the Scottish army in Ireland, 84; on a Committee of War, 115; holds a justiciary court in Renfrewshire, 130; seeks the direction of the Council as to a sentence, 132; present in Council, vii, 4<sup>2</sup>, 19, 27, 37, 43, 47, 48<sup>2</sup>, 49, 52, 54<sup>2</sup>, 57, 175; as preses, 51.
- Glencoane, lands of, 381.
- Glendinning (Glendonning) of Drumrasche, John, charged to find lawburrows, 280<sup>2</sup>, 281.
- of Parton, Alexander, and his son, charged to find lawburrows, 280<sup>2</sup>.
- George, uncle to Drumrasch, charged to find lawburrows, 280.
- James, uncle to Drumrasch, charged to find lawburrows, 280.
- Robert, brother to Drumrasche, charged to find lawburrows, 280.
- Simon, servitor to Drumrasche, charged to find lawburrows, 280.
- William, brother to Drumrasch, charged to find lawburrows, 280.
- William, uncle to Drumrasch, charged to find lawburrows, 280.
- William, to make inventory of Lord Kirkcudbright's estate, 171.
- Glendovachie, lordship of, 255.
- Gleneagles, Laird of. *See* Haldane.
- Glenfinglas, forests and woods of, 254.
- Glenlivet, the heirs of, prosecute an action, 162.
- Glove, running at the, 319.
- Godnes, town and lands of, 262.
- Gordon (Gordoun) of Adamstoun, John, charged to find lawburrows, 350.
- of Ardwell, John, and John and James, his sons, caution for their indemnity, 418.
- of Auchindoun, Patrick, his forfeiture, 253.
- of Auchland, Alexander, charged to find lawburrows, 280<sup>2</sup>.
- of Brachlie, William, complains of being assaulted, 320, 321.
- of Buthill, James, prosecutes an action, 421.
- of Conclarachie, George, charged to find lawburrows, 350.
- of Corridowne, Alexander, 401.
- of Dilpersie, George, seeks suspension of horning, 450.
- of Drenie, Sir Robert. *See* of Gordonstone.
- of Dunkintie, Alexander, prosecutes an action, 370; charged with attempted assault, 452.
- of Gight, William, deceased, a crucifix borne at his burial, 263.
- — . . . , prosecuted for using Popish rites at his mother's funeral, 263.
- of Gordonston, Sir Robert, present in Council, vii, 4, 5, 5<sup>a</sup>.

- Gordon of Grange, William, fiar, charged with assault, 441.
- of Lesmoir, James, charged to find lawburrows, 350.
  - of Little Milne, John, 401; his son, Robert, charged with assault, 401, 402.
  - of Lochinvar, John, ordained to pay his taxation, 436, 437.
  - of Murefad, John, charged to find lawburrows, 280<sup>2</sup>.
  - of Newtown, George, charged with assault, 438.
  - of Rothiemay, William, charged with malicious damage to crops, 400.
  - of Schirmes, Mr Gilbert, appointed keeper of the rolls to the justices of the peace for the shire of Wigton, &c., 299.
  - of Wranghame, George, complains of assaults on and thefts from some of his tenants, 438, 439.
  - Captain Adam, his soldiers, 390.
  - Adam, brother to Corridoun, charged with assault, 401.
  - Alexander, in Bardarroch, caution for his indemnity, 418.
  - Alexander, in Farnachtie, caution for him, 296.
  - Andrew, in Bardarroch, caution for his indemnity, 418.
  - Dame Elizabeth, wife of James Crichton of Frendraught, presents a petition, 94.
  - George, messenger, executes a charge, 144, 178.
  - James, notary in Cardynes, caution for his indemnity, 418.
  - James, a servant, complains of being assaulted and imprisoned along with Agnes Robertson, his mother, 294.
  - Patrick, a servitor, charged with assault, 401, 402.
  - Robert, in Bardarroch, caution for his indemnity, 418.
  - Robert, in Lochruttongate, charged to appear as a witness, 179, 180, 182.
  - Robert, brother to Murefad, charged to find lawburrows, 280.
  - Thomas, in Lochfute, witness to the execution of a charge, 182.
  - Mr William, advocate, appears as a procurator, 1.
  - William, brother to Murefad, charged to find lawburrows, 280.
  - William, at the Mill of Keltoun, charged to find lawburrows, 289.
  - William, an outlaw, charged with assault and robbery, 176, 181.
- Goring, G., mentioned in a cipher code, 167.
- Gorme, Sir D., mentioned in a cipher code, 167.
- Gormonston [Viscount], mentioned in a cipher code, 167.
- Gottersoun, John, in Lauder, to be apprehended as fit for the wars, 419, 420.
- Gounakan, Gilbert, deceased, 251; his sons, Thomas, Robert, and Daniel, complain of spoliation, 251.
- Gourlay (Gourlie) of Kincaig, Thomas, signs a letter as a justice of peace for the shire of Fife, 338.
- Gilbert, in Newtown, caution for his indemnity, 418.
  - John, customar of Edinburgh, charged to appear before the Exchequer, 252.
  - Thomas, in Burntisland, lends money for the maintenance of the Scottish army in Ireland, 7, 85.
- Gow, John, in Perth, his child alleged to be bewitched, 354.
- Gowans, Alexander, in Nether Howdane, charged to appear as a witness, 119; his evidence, 118.
- Graden, Andrew, messenger, executes a charge, 159.
- Graham (Graeme, Ghrame), Lord. *See* Montrose, Earl of.
- of Balgowan, J., signs a letter as a justice of peace for the shire of Perth, 335.
  - of Blawatwoode, Fergus, charged with assault, 395; seeks suspension of horning, 418.
  - of Claverhouse, W., signs a letter as a justice of peace for the shire of Forfar, 337.
  - of Drumlene, James, prosecuted for remaining at the horn, 308.
  - of Fintrie, . . . , spouse to Jean Hali-burton, complains of her attempted abduction, 318, 319.
  - of Fintrie, David, continued in office as sheriff of Forfar, 17.
  - of Grouger, Robert, and Margaret Montgomery, his spouse, charged with assault, 320.
  - of Longbodome, James, and Robert and James, his sons, charged to find lawburrows, 316<sup>2</sup>.
  - of Morphie, Sir Robert, on a committee of Council for trying a serious assault, 3; takes depositions of witnesses, 173; his signature, 173; present in Council, vii, 19, 55.

- Graham of Scottistoun, Sir Robert, knight, son of John, Earl of Montrose, debts owing to him, 273.
- Adam, messenger, witness to the execution of a charge, 249.
  - Daniel, Dingwall pursuivant, executes a charge, 252.
  - Mr George, present at the trial of a witch at Kirkwall, 64.
  - Mr J., minister at Auchterarder, signs a petition, 455.
  - James, officer in Edinburgh, witness to the execution of a charge, 155.
  - James, in Moffat, charged to find lawburrows, 316.
  - James, messenger, directed to serve a summons, 64, 98, 118; executes charges, 64, 108, 119, 139, 135; witness to the execution of a charge, 79, 146.
  - John, in Cult, charged to find lawburrows, 344.
  - Patrick, in Snyok, prosecuted for remaining at the horn, 308.
  - Robert, brother to Longbodome, charged to find lawburrows, 316.
  - Simeon, burghess of Dysart, consents to an act of the town council, 365.
  - Walter, brother to Longbodome, charged to find lawburrows, 316.
  - Walter, in Mossop, complaint by him, 264, 265.
- Grain and victual: disputes as to the rightful owners of certain crops, 45, 56, 59, 160, 396, 397; destruction of crops, 396, 400, 404, 405, 434, 446, 447; exportation of victual, 175; the payment of teind victual, 308; method of selling grain regulated by act of Parliament, 426; supplies of grain for the Scottish army in Ireland, 463.
- Grange, lands of, 2562.
- the coal of, 16.
- Grant of Carron, John, charged with resetting thieves, 394.
- of Elchies, John, charged with resetting thieves, 394.
  - of Freuchie, John, appointed keeper of the rolls to the justices of peace for the shires of Inverness and Cromarty, 299.
  - — James, 83; required to maintain the peace of the Highlands, 155.
  - of Lycarie, Alexander, charged with resetting thieves, 394.
  - of Netherglen, Robert, charged with resetting thieves, 394.
  - of Tulloch, Alexander, charged with resetting thieves, 394.
- Grant, James, in Innerury, charged with resetting thieves, 394.
- James, charged with selling some persons as recruits, 431.
  - James McEane, servant to Inchberry, not to be reset while at the horn, 394.
  - John, burghess of Rosemarkie, charged with deforcement, 282, 283.
  - Patrick, brother to the Laird of Grant, witness to the execution of a charge, 83.
  - Thomas, in Breakhill, a rebel, not to be reset, 394; charged with theft, 396, 397.
- Gray, Master of, Patrick, signs a document, 248.
- of Kingornie, Andrew, bond of caution by him, 254.
  - of Lowr, Andrew, constable of Forfar, complains of contempt of court, 308.
  - Alexander, son to Bessie Lindsay, alleged to be bewitched, 151.
  - Archibald, in Calder, 37, 108, 117, 119; his wife, Margaret Thomson, dealt with as a supposed witch, 37, 108, 109, 117, 118, 119, 137.
  - David, indweller in Kincardine, witness to the execution of a charge, 1062.
  - Mr George, town clerk of Haddington, examines witches, 193.
  - George, student in Lanark, witness to the execution of a charge, 82, 83.
  - George, in Leith, to be sent to the wars, 420.
  - James, mealmaker in Edinburgh, complaint by him, 448.
  - John, merchant burghess of Dundee, charged with selling English beer at too dear a price, 442.
  - John, sometime quartermaster to Harthill, charged with assault and robbery, 176, 181.
  - John, in Kincardine, witness to the execution of a charge, 99, 100, 1062.
  - John, in Milbowy, charged with armed convocation and riot, 386.
  - John, hears confessions of witchcraft, 196; his signature, 196.
  - Thomas, in the Canongate, complains of being assaulted by a man with his dog, 176, 177, 178.
  - Sir William, produces a pupil, so that curators may be chosen, 49; stated times for his access to her, 51, 52.
- Greddin. *See* Guddin.

- Green (Greine), Adam, merchant in Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 89.
- Greenknow (Greinknous), lands of, 407.
- Greensheils (Grensheillis), Quentin, in Selkirk, charged to find lawburrows, 293.
- Gregor (Gregour), Thomas, in the South Ferry of Dundee, prosecuted as a deserter, 389.
- See Clan Gregor and MacGregor.
- Gregory (Greigrie, Grigorie), Alexander, illegally prevented from joining his regiment, 390.
- John, in Cellardykes, prosecuted as a deserter, 458.
- Greig (Grig), William, messenger, directed to serve a summons, 247, 248; executes charges, 248<sup>2</sup>, 249<sup>2</sup>.
- Greyhound stolen by hunters, 368.
- Grier or Grierson (Greir) of Auchingibbert, Gilbert, charged to find lawburrows, 286<sup>2</sup>.
- of Ranturk (Barturk), James, charged to find lawburrows, 286<sup>2</sup>.
- of Chappell, Gilbert, charged with assault, 409.
- of Dalgono, William, charged to find lawburrows, 274<sup>3</sup>.
- of Dastairt, Gilbert, charged to find lawburrows, 274<sup>3</sup>.
- of Lag, Sir William, charged to find lawburrows, 274<sup>3</sup>; signs a letter as one of the Border Commission, 350.
- — Sir Robert, apprehends a Papist, 82.
- of Nether Keer, John, bond of caution by him, 81.
- Cuthbert, in Little Dempstertoun, caution for his indemnity, 273, 274.
- Gilbert, in Little Dempstertoun, caution for his indemnity, 273, 274.
- Gilbert, called Thomas Gibbie, charged to find lawburrows, 274<sup>2</sup>.
- Robert, skipper in the *Pans*, accused of overcharging his coal, 8.
- Thomas, brother to Dalgono, charged to find lawburrows, 274<sup>2</sup>.
- Grievances: a Commission for, to be established, 364; its first meeting, 364; admission thereto of Sir James Skene, 364; cases dealt with by them, 381, 387.
- Grieve (Greeve), David, in Auld Leslie, his expenses as a witness to be paid, 370.
- John, portioner in Ayton, charged with assault, 19.
- Grimsley of Little Newtoun, Harry, deceased, 259; his sons, William and George, apprehended for a slaughter, crave to be liberated, 259.
- Groine, town of, mentioned in a cipher code, 168.
- Grounds, Youngham, seeks payment for oats supplied to the army in Ireland, 2.
- Gruigar, mill of, 320.
- Grymaslaw, Helen, Lady Newton, 269; her husband, Mr Robert Ker, makes a complaint, 269, 270.
- Guard, His Majesty's, charges to the captain to apprehend fugitives, 317, 343.
- Gudalie (Gudale), Alexander, sailor in Leith, supplicates that he may be ransomed from the Turks, 36, 137.
- Guddie, Water of, fishings there, 254.
- Guding, William, father of William, *infra*, and Janet Petigrew, his spouse, to compear and see assythment paid, 180.
- William (Greddin, *lege* Guddin), in Gartferrie (Gartforowie), his slaughter, 180<sup>2</sup>; assythment to be given to his widow, Helen Cunyngbrycht, and James and William, their children, 180.
- Guier, Mr, mentioned in a cipher code, 167.
- Guild, John, accused of adultery and theft, to be sent to the wars, 410, 411.
- Gunpowder, 349.
- Guns, one accidentally and fatally discharged, 50; cases of their illegal use, 21, 39, 45, 64, 140, 141, 142<sup>2</sup>, 171, 319, 372, 373, 379, 382, 385, 386, 392, 444.
- Guthrie (Goothrie, Guithrie) of Gagie, Alexander, charged with rescuing a deserter, 379.
- of that Ilk, David, 289; his son, William, prosecuted as a deserter, 389.
- — Alexander, *fiar*, becomes a cautioner, 387.
- of Kincaldrum, Alexander, younger, charged with rescuing a deserter, 379.
- Mr Alexander, clerk to the burghs, appears as a procurator and commissioner for the Royal burghs, 9, 15, 16.
- Alexander, prosecuted as a deserter, 379.
- Andrew, in Finmarak, and Patrick, his son, complain of being assaulted, 392.
- Mr James, his petition to the King, 464, 465; an order granted for his apprehension and imprisonment, 465.

- Guthrie, Richard, officer in Edinburgh, witness to the execution of a charge, 135.
- William, brother to Kincaldrum, younger, charged with rescuing a deserter, 379.
- Gy, John, merchant burghess of Stirling, witness to the execution of a charge, 106<sup>2</sup>.
- G . . . , William, keeper of the outer Castle gate of Edinburgh, witness to the execution of a charge, 144.
- HADDINGTON (Hadinton), Earl of, Thomas, signs letters and acts of Council, 439, 440.
- Viscount of (John Ramsay), assigns a stipend, 399.
- burgh of, dispute about a meeting of gentlemen there to elect commissioners to Parliament, 376; documents dated there, 100, 190, 192, 193<sup>2</sup>, 194, 197<sup>2</sup>, 198, 259; the market cross, 108<sup>2</sup>, 133, 451; the tolbooth, 14, 197; provost of. *See* John Cockburn and William Seton; bailies of. *See* John Ayton and Patrick Young; town clerk of. *See* Mr George Gray; treasurer of. *See* George Cockburn; minister there. *See* Mr Robert Ker and Mr William Trent; commissioner about the coal. *See* Richard Chaplain.
- presbytery of, deals with cases of witchcraft, 190, 194<sup>2</sup>, 198; their clerk. *See* J. Stirling.
- shire of, 37; complaint by the noblemen and inhabitants there as to the price of coal, 8; the sheriff, Sir John Auchinmowtie, to be continued in office, 17; the Committee of War refers the decision of a case to the Court of Session or Parliament, 100; cases of witchcraft there, 189-195, 197, 198, 204, 205; the sheriff is charged with illegal procedure in electing commissioners to Parliament, 376; sheriff-clerk of. *See* George Paterson; sheriff-depute of. *See* George Pringle.
- Hagbuts and pistols, a man slain by the accidental discharge of a hagbut, 164, 165; prosecutions for the illegal use of hagbuts and pistols, 12, 21, 26, 40<sup>2</sup>, 41, 42, 45, 64, 112, 141, 142<sup>2</sup>, 171, 172, 265, 266, 281, 297, 304, 319, 320<sup>2</sup>, 321, 351, 370<sup>2</sup>, 373, 379<sup>2</sup>, 382, 383, 385<sup>2</sup>, 386, 388, 391, 392, 393, 400, 402, 404, 409, 432, 444, 452. *See also* Pistols.
- Hair, Thomas, deceased, alleged to be bewitched, 196.
- Hairtrie, Laird of, to reconcile conflicting parties, 198.
- Haistie, Isobel, mentioned in a witchcraft case, 156.
- James, tailor burghess of the Canon-gate, 181. *See also* Haitlie.
- James. *See* Johnstone.
- John, grants a letter of slains, 50.
- Haitlie, Agnes, mother of Dame Elizabeth Preston, her intromissions with the house of Whittinghame disputed, 25.
- Alexander, witness to the execution of a charge, 108.
- James, tailor burghess of the Canon-gate, complains of being assaulted, 180, 181<sup>2</sup>. *See also* Haistie.
- Haitrig, Alexander, in Wester Scottistoun, charged to find lawburrows, 344.
- Halberte, reference to, 349; assaults with, 41, 42, 41, 179, 260, 271, 287, 402.
- Halcro of that Ilk, Hew, appointed keeper of the rolls to the justices of peace for the shire of Orkney, 299.
- of Crook, Hew, on an assise as chancellor, 456, 457; his signature, 457.
- Patrick, in Weyr, on an assise, 63.
- Haldane (Halden) of Gleneagles, . . . , 345, 347.
- Isobel, at Perth, tried for witchcraft, 352-354.
- James, in Fallsheittis (Galashiels), and Robert, his son, charged with armed convocation and riot, 171, 172.
- Thomas, in Balwell, witness to the execution of a charge, 251.
- Halhill, tower of, 255.
- Halkerstoun, Lady. *See* Janet Liddell.
- Halket (Hakket) of Pitfirren, Sir Patrick, 270.
- — Sir Robert, knight, bond of caution by him, 295.
- Mr George, a servant, witness to the execution of a charge, 119.
- Patrick, brother to Pitfirren, charged with committing assault in a church, 270.
- Hall, Alexander, in Selkirk, charged to find lawburrows, 293.
- Mr Gilbert, minister, to be apprehended for holding private meetings, 465.
- Janet, widow of John Auldcorn, skinner, alleged to be bewitched, 203<sup>2</sup>, 204.

- Hall, John, younger, in Creichie, to be apprehended and sent to the wars, 423.
- Robert, officer in Kirkcaldy, witness to the execution of a charge, 259.
- . . . , servant to Lord Elphinston, appears as a procurator, 9.
- Halliday (Hallyday), Alexander, in Nuneland, witness to the execution of a charge, 182.
- George, session clerk of Eyemouth, examines witches, 195, 196, 197; his signature, 195, 196, 197.
- Halton, Laird of. *See* Lauder.
- Haltrig, John, in Paismure, elder, on an assise, 132.
- Halybank. *See* Halyburne.
- Halyburne, *alias* Halybank, lands of, in Ettrick Forest, 250.
- Haliburton (Hallieburton, Halyburton) of Buttergask, James, 389.
- of Edgarnie, Thomas, appointed to examine witches, 205.
- of the Mains of Mawis, Laurence, complains of injury to his fishings, 248.
- of Murehouslaw, John, younger, complains of assault and spoliation, 171, 172.
- of Pitcur, James, complains of the attempted abduction of his daughters, Magdalene and Jean, 318, 319; signs a letter as a justice of the peace for the shire of Forfar, 337.
- Andrew, brother german to Buttergask, prosecuted as a deserter, 389.
- Eupham, to be tried for witchcraft, 204.
- Mr James, charged with illegal detention of a soldier, 390.
- Jean, Lady Fintrie, complains of assault and attempted abduction, 318, 319.
- Magdalene, Lady Dun, widow of John Erskine of Dun, complains of assault and attempted abduction, 318, 319.
- Manie, wife of Patrick Watson in Fenton, accused of witchcraft, 189, 190, 194; tested for the witch's mark, 195.
- William, in East Links of Dirleton, craves the transportation to the wars as an immoral and idle person, 410, 411.
- Halywall, George, in Selkirk, charged to find lawburrows, 293.
- James, in Selkirk, charged to find lawburrows, 293.
- Walter, in Selkirk, charged to find lawburrows, 293.
- Hamburgh, some ships from there taken as prizes, 416.
- Hamesucken, cases of, 3, 21, 22, 40, 95, 177, 307, 314, 321, 391, 401, 409<sup>2</sup>, 431, 433, 434, 435, 438, 441, 452.
- Hamilton (Hamyltoun), Duke of, James, Marquis of Clydesdale, Earl of Arran and Cambridge, &c., patent granted to him on his elevation from Marquis to Duke, 11; he supports the King and obtains permission to levy an army and invade England, vii, viii; he protests against calling a Parliament without royal consent, 93; mentioned in a cipher code, 167; he presents a minister to the kirk of Cambuslang, and promises an augmentation of stipend, 168, 169; he is answerable for certain persons on his lands to be transported to the wars, 411; present in Council, vi, 1, 17, 55, 57, 59, 63.
- Lord Claud, commendator of Paisley, consents to a modification of caution, 251.
- of Bathgatt, . . . , signs a letter as a justice of peace for the shire of Linlithgow, 339.
- of Binning, Sir Thomas, also called of Monkland, afterwards Earl of Melrose and Haddington, sometime King's Advocate, Secretary of State, and Clerk Register, written to by the King for assisting and furthering the justices of peace, 330; letters directed to him by the justices of peace, 337; he signs documents, 263, 266, 265, 292, 320, 333; he prosecutes some who use Popish rites at funerals, 263; he prosecutes other offenders, 265, 281, 282, 284, 292, 318, 319-321, 323.
- of Boiges, James, receives payment for supplies to the army in Ireland, 90<sup>2</sup>, 91, 92; an acknowledgment sent for provisions supplied by him, 158.
- of Drumcorse, Mr Alexander, becomes a cautioner, 254.
- of Elestoun, Sir William, obliges himself to govern his estate carefully, by advice, on being allowed to take charge thereof, 172; he craves liberty to do so without restraint, 207.
- of Grange, James, accused of overcharging his coal, 8, 15.
- of Haggs, John, obtains license to be absent from the host, 295.
- of Hags, Alexander, continued in office as sheriff of Lanark, 17.

- Hamilton of Innerwick, . . . , objects to the conduct of a sheriff, 376.
- of Kinglassie, John, accused of overcharging his coal, 8, 92, 152, 16.
  - of Little Preston, Mr Patrick, 414.
  - of Little Preston, Sir Patrick, lends money for the maintenance of the Scottish army in Ireland, 84.
  - of Orbiston, Sir John, Lord Justice Clerk, lends money for the maintenance of the Scottish army in Ireland, 84; present in Council, vii, 17, 182, 19, 20, 442, 47, 512, 522, 53, 542, 55, 135.
  - of Prestoun, Patrick, objects to the conduct of a sheriff, 376; petition by him, 464.
  - of Redhouse, Sir Andrew, objects to the conduct of a sheriff, 376.
  - of Skirling, Sir John, complains of disorderly conduct at an election, 383.
  - of Stanehous, John, complains of the destruction of a mill dam, 369.
  - of Trabroun, Sir John, objects to the conduct of a sheriff, 376.
  - Sir A., signs a letter as a justice of peace for the shire of Linlithgow, 339.
  - Mr Alexander, signs a letter as a justice of peace for the shire of Linlithgow, 339.
  - Archibald, sheriff-depute of Lanark, charged to appear before the Exchequer, 252.
  - Anna, wife of James Murray, son of Skirling, in a litigation, 464.
  - Arthur, merchant, depones against a witch, 1992, 200.
  - Captain, permitted to levy soldiers for service abroad, 380.
  - George, merchant burgess of Edinburgh, prosecutes an action, 451.
  - Dame Grizel, Lady Lamington, charged with resisting the ordination of a minister, 29-31, 34, 35, 36, 115, 116, 118, 1192, 1282, 1292, 133, 135; she raises action for suspension, 31-34, 119, 120, 1212, 127, 137.
  - Hew, merchant in Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 87.
  - James, sheriff of Linlithgow within Bathgate, charged to appear before the Exchequer, 252.
  - James, half-brother to Sir John Seton of Barns, charged to find lawburrows, 170.
  - James, messenger, executes a charge, 79.
- Hamilton (Ramilton), John, apothecary in Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 7, 86.
- John, chamberlain of Kinneill, accused of overcharging his coal, 8, 15.
  - John, in Hairshaw, and Gavin, his son, complaint by them, 313.
  - John, in Penston, 193.
  - John, messenger, executes a charge, 78.
  - John, a servitor, witness to the execution of a charge, 119.
  - John, accused of transporting and overcharging his coal of Little Falside, 15.
  - Mr Patrick, late minister at Cambuslang, his stipend, 169.
  - Patrick, tailor, burgess of Perth, witness to the execution of a charge, 107.
  - Captain Robert, accused of overcharging his coal, 8.
  - Mr Robert, minister at Ballintrae, execution of summons against him, 143.
  - Robert, macer of Council and Session, executes a charge, 240.
  - Robert, merchant burgess of Glasgow, complains of the plundering of a ship's cargo by Islanders, 425.
  - Robert, in Mirretoun, 384; his son, Arthur, complains of being assaulted, 384.
  - Captain Thomas, accused of overcharging his coal, 8.
  - Thomas, stabler in the Canongate, witness to the execution of a charge, 181.
  - William, cordiner in Edinburgh, charged to appear as a witness, 79.
  - town of, 131; a message sent to the ministers there, 464; a document dated there, 168.
  - presbytery of, approve of an augmentation of stipend to the minister of Cambuslang, 168, 169; moderator of. *See* Mr Patrick Sharp; their books, 169.
- Hammers used in assaults, 278.
- Hamon, William, Englishman, master of the ship called *The William and Judeth of Lun*, his ship ordered to be arrested to prevent his becoming a pirate, 11, 12.
- Haning, John, in Glenguber, charged to find lawburrows, 2742.
- Hannay (Hanney), Patrick, provost of

- Wigtown, complains of a riot in the burgh, 41, 42.
- Hannay, William, examines witches, 194.
- Harcas, Barbara, on an assise, 63.
- Magnus, charged to appear as a witness, 63; alleged to be bewitched, 69.
- Harden, Laird of. *See* Scott.
- Hardie, Robert, burgess of Dysart, consents to an act of the town council, 365.
- Harestanes (Hairstanes), John, in Know, caution for his indemnity, 286.
- Harlaw (Harla), Adam, to be tried for witchcraft, 205.
- John, in Easter Tillicoultry, summoned for molesting colliers, 79.
- Harlawbanks, John, in Huntlycoit, his accidental slaughter, 446, 447.
- Harrauld, Henry, in Weyr, on an assise, 63, 70.
- Harrower, Alexander, in Baharly, summoned for molesting colliers, 79.
- Alexander, in Easter Tillicoultry, summoned for molesting colliers, 79.
- Alexander, in Tillycoultry, witness to the execution of a charge, 80.
- James, in Easter Tillicoultry, summoned for molesting colliers, 79.
- John, in Easter Tillicoultry, summoned for molesting colliers, 79.
- Hart (Heart, Hert) of St. John's Chapell, Mr Robert, appointed to reap disputed fields, 56.
- David, present at the trial of a witch at Kirkwall, 64.
- Mr John, in the Canongate, charged with trespassing in the park of Holyrood, 263, 264.
- John, elder, messenger in Edinburgh, witness to the execution of a charge, 144; executes charges, 109, 176, 180.
- John, younger, messenger in Edinburgh, executes a charge, 135, 144, 146, 176, 180; witness to execution of charges, 119, 135, 139, 144; his signature, 146.
- Marion, wife of Mr James King, advocate, complains of the deforcement of a messenger, 47.
- Sir William, signs a letter as a justice of peace for the shire of Edinburgh, 336.
- Hartfell, Earl of, James, complains of the seizure of a girl, 19.
- Hartford (Marquis of), mentioned in a cipher code, 167.
- Harthill, Laird of. *See* Leith.
- Hartwodburne, lands of, illegally taken possession of, 362.
- Harvest, the fees of shearers at, 327.
- Harvey (Harvie, Harwey), James (son of Jock?), in Selkirk, charged to find lawburrows, 293.
- Thomas, gardener, execution of summons against him, 98.
- Hasilrige, Sir Arthur, Governor of Newcastle, written to anent a ship seized on Holy Island, 99.
- Hatmaker, Thomas, in Cautfauld, charged to appear as a witness, 76.
- Hats, delivery of, 349.
- Hauch, James, portioner of the Mains of Battray, charged with assault, 260.
- Haughton, 3.
- Hauersoun, James, charged with assault, 430.
- Hawe, Thomas, in Whittingham, witness to the execution of a charge, 108.
- Hawick, burgh of, the bailies apprehend some persons for a slaughter, 259; the tolbooth, 259.
- Hawis, Robert, in Selkirk, charged to find lawburrows, 293.
- Hay of Baro, Mr Alexander, appointed to examine witches, 205.
- of Kingask, James, collects the taxation, 268; signs "J. Compt.," 295.
- of Knockondie, John, complains of a riot, 21, 22.
- of Kynnovey, John, his name given as a guarantee of good faith, 412.
- of Lochcloy (Laird of Park), David, his name given as a guarantee of good faith, 412.
- of Megginch, Sir Peter, complains of the theft of many geese and ducks from his tenant, 210, 211.
- of Muriefad, James, bailie to the Earl of Errol, complains of some persons being assaulted and molested, 52.
- of Nauchtane, Mr George, younger, 11, 20; his son, Peter, a student at St. Andrews, defends himself against a charge of murder, 11; he is acquitted, 20, 21.
- of Newton, Sir Alexander, secretary, signs letters and acts of Council, &c., 296, 333, 341.
- of Park, John, complains of a riot, 21, 22.
- of Smithfield, . . . , charged with disorderly conduct as convener of the freeholders of Peeblesshire at a meet-

- ing for electing commissioners for the teinds, 383, 384.
- Hay of Urie, . . ., 263.
- of Yester, Lord, James, sheriff of Peebles, charged to appear before the Exchequer, 252.
- — Lord, John, sheriff of Peebles, craves relief from certain persons for the taxation, 454.
- Alexander, signs an extracted act of Council, 246.
- Alexander, writes a letter to Lord Newbattle, 257, 258; his signature, 258.
- James, in Dalmeny, charged with resetting thieves, 394.
- (Kay), James, in Duddingston, charged with trespassing in the park of Holyrood, 263, 264.
- Mr John, town clerk of Edinburgh, signs a document, 348.
- Jo., Clerk of the Committee of Estates, writes the extract of an act, 465.
- J[ohn], Clerk of Session and Council, signs documents, 249, 251.
- Mr Robert, advocate, charged with wrongful intrusions, 25, 108.
- William, in Balleid, 107; charged with committing theft, 26.
- Heagie, John, skipper in Dysart, and Isobel Dawling, his wife, prosecuted for contravening an act of the town council, 365, 366.
- Heart (Hert). *See* Hart.
- Hedderwick (Hetherwick), Thomas, in Kinnadeis, to be apprehended and sent to the wars, 423.
- Heddilston (Hiddilstoun, Hyedilstoun), of Templeland Mill, John, and John, his son, charged to find lawburrows, 286<sup>2</sup>.
- John, miller at the Water of Milk, charged to find lawburrows, 286.
- John, at the Mill of Templeland, an old man, and his wife, complain of assault and illegal warding, 435.
- William, in Buy, charged to find lawburrows, 286.
- . . ., in Aleisland, charged to find lawburrows, 286.
- Hegys, George, bailie of Kirkcaldy, witness to the execution of a charge, 259.
- Heides, Helen, in Craigiehall, alleged to be bewitched, 154.
- Helmsley, town of, mentioned in a cipher code, 168.
- Hemprigs, lands of, 64.
- Henderson (Hendirsoun, Henrysoun) of Fordell, John, prosecuted for wrongful retention of a collier, 22, 23.
- Mr Alexander, minister at Edinburgh, lends money for the maintenance of the Scottish army in Ireland, ix, 1, 89.
- Alexander, in Layngis Seat, caution for his indemnity, 313.
- Cuthbert, in Duns, witness to the execution of a charge, 253.
- David, prosecuted as a deserter, 389.
- George, in Strowie, complaint by him, 439.
- James, charged with illegal detention of a soldier, 390.
- Mr John, messenger, executes a charge, 76.
- John, in Gribtie, charged to find lawburrows, 290.
- John, in Layngis Seat, caution for his indemnity, 313.
- John, baker in Perth, charged with spoliation, 26; charged to appear before the Council, 107.
- John, in Pleasance, charged with trespassing in the park of Holyrood, 263.
- Mr Patrick, session clerk at Musselburgh, seeks caution for his indemnity, 276.
- Mr Robert, minister at Durisdeer, charged to find lawburrows, 272, 273.
- William, servitor to John Mill in Blairtoun, charged to find lawburrows, 313.
- Henry (Hendrie, Hendry, Henrie), Alexander, in Blartoun, charged to find lawburrows, 313.
- Bernard, in Whytehills, caution for his indemnity, 313.
- Normand, in Pitmablane, to be apprehended as fit for the wars, 424.
- Robert, messenger, executes a charge, 99, 106<sup>2</sup>.
- Henry the Fourth, King of France and Navarre, his horologist. *See* Nicolas Foucanote.
- Henry and Mary, charters by them, 255.
- Hepburn of Barefute, Sir Robert, deceased, 25; his sons, Andrew and Robert, charged with wrongful intrusions, 25, 108.
- — Sir John, deceased, 129; his son, Adam, charged to appear before the Council, 108; acts as a procurator, 129, 133.

- Hepburn of Beinstoun, Francis, appointed to examine witches, 198, 205.
- of Hailles, Robert, elder, 315; his son, George, complains of being assaulted, 315.
  - of Humbie, Sir Adam, lends money for the maintenance of the Scottish army in Ireland, 84.
  - of Munchrig, Patrick, appointed to examine witches, 198.
  - of Wauchtoun, Sir Patrick, bond of caution by him, 120, 121; he lends money for the maintenance of the Scottish army in Ireland, 84; he objects to the conduct of a sheriff, 376; present in Council, vii, 1, 2<sup>2</sup>, 4<sup>2</sup>, 5, 6<sup>2</sup>, 10, 11<sup>2</sup>, 12, 17<sup>2</sup>, 18<sup>2</sup>, 24, 27<sup>2</sup>, 31, 34<sup>2</sup>, 41, 43, 44<sup>2</sup>, 48<sup>4</sup>, 49, 51<sup>2</sup>, 52, 53, 57, 58, 127, 135.
  - Adam, portioner of Kingston, 451.
  - Doctor, appointed to examine witches, 205.
  - Isobel, in Over Liberton, complains of being assaulted, 316.
  - Jean, widow of . . . Quhytfurd of Mylnetoun, her intromissions with the house of Whittinghame disputed, 25.
  - Mr John, objects to the conduct of a sheriff, 376.
  - John, cordiner in King's Stables, complaint by him, 78, 79.
  - Patrick, apothecary in Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 89.
  - Robert, advocate, appears as a procurator, 2, 53.
- Herald: Andrew Littlejohn, 240.
- Hergare, George, in Walkmill of Wranghame, complains of assault and robbery, 438, 439.
- Hering (Harine) of Glasclune, Andrew, to desist from demolition of a fishing linn, 247, 248, 249<sup>2</sup>.
- of Kellie, William, to desist from demolition of a fishing linn, 247, 248<sup>2</sup>, 249<sup>2</sup>.
  - of Little Blair, Andrew, charged with assault, 321.
  - of Munkiscallie, William, complains of injury to his fishings, 248.
  - of Lethintie, Sir David, knight, petition by him, 288.
- Heriot, John, in Clokmyll, charged with trespassing in the park of Holyrood, 263.
- Heron (Herroun), George, in Carlingwork, charged to find lawburrows, 289.
- Heron, Katherine, wife of Fergus Dunbar in Stranraer, complains of assault, 441.
- Herries (Heires, Hereis), Lord, John (Maxwell), signs a letter as one of the Border Commission, 350.
- of Mabie, John, deceased, 81.
  - John, witness to a bond of caution, 82.
  - Edward, brother to John Herries of Mabie, caution for his compearing before the Council, 81.
- Herring fishing, losses sustained in a contract for the, 144, 145; some herrings packed in larger barrels than are allowed by the act, 355; some plundered from a ship, 425.
- Hervie, James, advocate, grants a charter of Haltoun of Fintray, 256.
- Hewche, James, prosecuted as a deserter, 458.
- Hewie, Thomas, gardener, compears as a witness, 111.
- Hewsone, Hew, a doomster of court, declares a sentence, 70.
- Hexspeth, lands of, 405<sup>2</sup>, 406, 407.
- Hietoun, Andrew, servant in Nutoun, witness to the execution of a charge, 259.
- James, in Dernick, prosecutes an action, 77.
- Highlands and Islands: petition to the Council to grant a commission to some noblemen to prevent dispeace in Auchindoun and Strathisla, 154, 155; a slaughter committed by the accidental discharge of a hagbut, 165.
- Highways: the repairing of the bridge at Dunglas Mill, on the road to England, 187; their condition to be preserved and bettered by the justices of peace, 304; inns and lodgings to be provided for travellers, 304.
- Hill (Hille), Archibald, mentioned in a cipher code, 168.
- Gilbert, in Brigend of Linton, 315.
  - Helen, wife of John Young, mariner in Queensferry, burned for witchcraft, 110.
  - Henry, in the Hill of Fiddes, to be apprehended as fit for the wars, 424.
- Hiltoun of Beath, lands of, 256.
- Hinsone, William, hind in Westbyres, is witness to a deed, 100.
- Hislop (Heislop, Hesloppe), Alexander, in Selkirk, charged to find lawburrows, 293.

- Hislop, David, tenant in Bankend, caution for his indemnity, 288.
- John, in Huntlie, charged with destroying growing timber, 378.
- Robert, in Selkirk, charged to find lawburrows, 293.
- History of Scotland: a book of ancient "monuments and antiquities" projected, 368.
- Hodge, Robert, in Airth, alleged to be bewitched, 346.
- Hodgstoun, 314.
- Hog (Hoge, Hogge) of Blarydene, Ninian, caution for his indemnity, 264; he and his son, Ninian, are charged to find lawburrows, 266, 267.
- Bessie, in Fenton, accused of being a witch, 189, 190<sup>2</sup>.
- John, indweller at the back of Carberry hill, witness to the execution of a charge, 139.
- Margaret, deponed against as a witch, 193<sup>2</sup>.
- Robert, in Restalrig, gets a commission to reap a harvest as a neutral party, 59.
- Robert, servitor to James Galloway, charged with assault, 278.
- Holland, Earl of, mentioned in a cipher code, 167.
- Holland, or Low Countries, mentioned in a cipher code, 168; Thomas Cunningham craves to be appointed conservator there, 94; merchandise brought thence, 440.
- Holme, Robert, in Rowntriehill, on an assise, 132.
- Holme, lands of, 255.
- Holmebie, a royal letter dated there, 331.
- Holyhead mentioned in a cipher code, 168.
- Holy Island, a merchant vessel seized there, 99.
- Holyroodhouse (Halyrudhous) [Comendator of], John Bothwell, signs letters and acts of Council, &c., 259; also as Lord Holyroodhouse, 295.
- Abbey of, minister there. *See* Mr George Leslie.
- meeting of the Council there, 246; documents dated there, 105, 246<sup>5</sup>, 250, 251, 295, 364, 367, 369<sup>2</sup>, 370, 371, 374, 375, 376, 377, 379, 381, 387, 388<sup>2</sup>, 389, 390, 394<sup>2</sup>, 395, 398, 400, 404<sup>2</sup>, 406, 408, 409, 411<sup>2</sup>, 412, 413<sup>2</sup>, 414<sup>3</sup>, 416<sup>2</sup>, 417, 418<sup>3</sup>, 421, 422<sup>3</sup>, 423, 424<sup>2</sup>, 425, 427<sup>2</sup>, 428<sup>2</sup>, 429<sup>2</sup>, 430<sup>2</sup>, 434<sup>2</sup>, 435, 436, 437, 438<sup>2</sup>, 439, 440, 441, 443, 444, 445<sup>2</sup>, 446, 449<sup>2</sup>, 450, 451, 452, 453<sup>3</sup>.
- Holyroodhouse, the south yard of, 389.
- Park of, trespassed upon by some neighbouring tenants, 263, 264.
- Home (Houme, Hume), Lord, Alexander, feuar of March, charged to appear before the Exchequer, 252.
- Earl of, James, complains of the illegal seizure of some lands, 382; caution for his indemnity, 120.
- of Blackadder, . . ., appointed to examine witches, 195; sheep stolen from his lands, 342.
- . . ., younger, 368.
- of Coldenknowis, James, knight, Captain of Edinburgh Castle, seeks payment of taxation, 250.
- of Crocerig, Robert, sheep stolen from his lands, 343.
- of Eccles, Sir James, sheep stolen from his lands, 342.
- of Fishwick, Alexander, 368; his son, David, charged with stealing a greyhound, 368.
- of Godscroft, Mr David, his History of the Houses of Douglas and Angus, 54.
- of Gradin, Mr William, sheep stolen from his lands, 342.
- of Kimmerghame, Mr George, complains of the casting down of a dyke, 54, 55.
- of Linthill, William, sheriff-depute of Berwick, ordained to liberate a prisoner, 50.
- of North Berwick, Sir John, objects to the conduct of a sheriff, 376.
- of Renton, Alexander, appointed keeper of the rolls to the justices of the peace for the shire of Berwick, &c., 298; signs letters from them, 339, 342; he complains to the Council, 340.
- of St. Leonards, Mr Alexander, charged with cultivating property not his own, 56.
- of Ugstoun, William, becomes a cautioner, 403.
- of Wedderburn, Sir David, charged with breaking down a dyke, 54; he lends money for the maintenance of the Scottish army in Ireland, 84; he is appointed to examine witches, 195; his house, 196; caution for him, 367; license to him to travel without molestation for settling his affairs, and levying soldiers for the expedition to

- France, 417; an extension granted to him, 422.
- Home of Wedderburn, George, *fiar*, charged with breaking down a dyke, 54, 55; he is appointed to examine witches, 195.
- of Whytfield, David, deceased, 282; his son, Alexander, complains of being assaulted, 282.
- Anna, is at the expense of printing a history written by her father, 54.
- Cuthbert, in Duns, witness to the execution of a charge, 253.
- Mr George, minister at Ayton, examines witches, 195; his signature, 195.
- George, signs letters as a justice of peace for the shire of Berwick, 339, 340, 342.
- George, portioner of Gullane, assaulted while assisting a messenger, 451, 452.
- George, carter in Wedderburn, 55; his son, William, charged with casting down a dyke, 54, 55.
- Harry, burgess of Lauder, charged with cultivating land not belonging to him, 56.
- Mr John, minister at Eccles, his father's book on the *History of Douglas and Angus* is to have free circulation, 54.
- Mr John, minister at Lesmahagow, charged to produce a decree, 33, 120; grants a discharge for a sum of money tendered to the presbytery of Lanark, 1372; reports against a witch, 157; his signature, 157.
- John, to be tried for witchcraft, 205.
- Marion, complaint by her against her husband, Patrick Cranston of Corsbie, 453.
- Mr Patrick, in Manderstoun, charged with breaking down a dyke, 54.
- Patrick, in the Law, appointed to examine witches, 195.
- Peter, servant to Ledmachane, charged with deforcement, 444.
- Thomas, the "Persones Thoin," 343; his son charged with slaughter, 343.
- William, a servitor, charged to find lawburrows, 405, 407.
- Homes, Gabriel, transports victual in his ship to Ireland, 157.
- Honnour, James, a servant, charged with assault, 314.
- Honnour, Thomas, in Pressick, charged to find lawburrows, 217.
- Hood (Huid, Hwd), Henry, indweller in Eyemouth, charged with slaughter, 343.
- John, prisoner in the tolbooth of Edinburgh, caution for him, 240.
- Hope (Hoip) of Craighall, Sir Thomas, King's Advocate, appointed Commissioner to the General Assembly, 4<sup>a</sup>; agrees, on behalf of Sir Charles Erskine, his son-in-law, to a survey of disputed orchards, 3, 19; commission to him to revise the evidence anent certain witches, 11; he desists from a prosecution, 21; on a committee of Council to act as assessors with the Justice-Deputes, 48; lends money for the maintenance of the Scottish army in Ireland, 83; he protests against the calling of Parliament without the royal assent, 93, 94; present in Council, vii, 1, 2, 6, 10, 14, 17, 18, 19, 20<sup>3</sup>, 21, 27, 34<sup>2</sup>, 37, 39, 41, 43, 44, 48, 49, 51<sup>2</sup>, 52<sup>2</sup>, 53, 54, 55, 57, 135, 175<sup>2</sup>; he signs letters and acts of Council, &c., 379<sup>2</sup>, 382, 385, 386, 387, 388, 392, 393, 400, 402, 405, 426, 432, 436, 443, 444, 452; cases in which he acts as procurator, 12, 21, 26, 38, 40, 41, 43, 47, 64, 75, 79, 100, 106, 138, 139, 140, 144, 351, 379<sup>2</sup>, 382, 384, 385, 386, 388, 391, 392, 400, 402, 404, 409, 426, 431, 435, 442, 444, 446, 448, 452.
- of Kerse, a conservator of the peace, appears in sederunts of Council, 63.
- Adam, in Newton, and his sons, Mark and James, complaint by them, 321.
- Sir James, presents two petitions for the granting of a new warrant for issuing copper coin, 209<sup>2</sup>.
- Hoppringill, John, bailie of Peebles, charged to appear before the Exchequer, 252.
- William, bailie of Lauder, charged to appear before the Exchequer, 252.
- See also Pringle.
- Hopton, Sir Ar., mentioned in a cipher code, 167.
- Horne, John, in Lethenes, witness to a deed, 98.
- Patrick, burgess of Dysart, consents to an act of the town council, 365.
- Horner of Campbell, Henry, charged to find lawburrows, 286<sup>2</sup>.
- Horniscleuch, Margaret, mentioned in a witchcraft case, 353.

- Horologist to King Henry the Fourth of France and King James the Sixth of Scotland, 415. *See* Foucanote.
- Horses, thefts of, 394, 396; used for destroying crops, 434.
- Hotham, Alde, mentioned in a cipher code, 167.
- Hourstane, Hew, portioner of Hourstane, on an assise, 70.
- Houston (Houstoun, Howstoun) of that ilk, . . ., appointed to examine witches, 217.
- of Leny, John, elder, and John, his son and heir, complaint against them, 305, 306.
- Harry, litster, burgess of the Canon-gate, deceased, a bond granted by him, 47.
- Mr John, ensign to Captain Hamilton, complains of being frustrated in enlisting soldiers, 380.
- Patrick, in Miltoun, on an assise, 132.
- Mr William, witness to the execution of a charge, 250.
- Howatsoun, . . ., in Dewar, charged to appear as a witness, 172.
- Howesone, William, a servitor, witness to a document, 104.
- Howzem, George, in Dernick, prosecutes an action, 77.
- Hulle mentioned in a cipher code, 168.
- Hunclet, in Orkney, 69.
- Hunter (Huntar) of Roswallie, Thomas, complains of the seizure of a girl, 19.
- Agnes, in Penston, to be tried for witchcraft, 190, 192, 193<sup>5</sup>.
- David, provost of Forfar, complains of the seizure of a girl, 19.
- George, a soldier, charged with armed convocation and riot, 392.
- Harbert, in Thornhill, charged to find lawburrows, 286.
- Mr James, schoolmaster in Carnwath, depones against a witch, 149.
- James, in Grematowne, on an assise, 147.
- John, in Durisdeer, charged to find lawburrows, 311.
- John, tailor burgess of Edinburgh, deceased, 19; his daughter, Margaret, carried off by her brother-in-law, Alexander Forbes, 19.
- John, in Glammis, complains of the seizure of a girl, 19.
- John, servitor in Quhittinghame, execution of a summons against him, 98.
- Hunter, John, in Restalrige, charged with trespassing in the park of Holyrood, 263.
- Margaret, wife of Thomas Fodderbie of . . ., and John, Alexander, and William Hunter, her sons, charged to find lawburrows, 171.
- Robert, in Yestaquoy, on an assise, 359.
- Huntly, Earl of, George, his forfeiture, 253.
- Marquis of, George, required to maintain the peace of the Highlands, 155; some of his vassals in Glenlivet, 162; mentioned in a cipher code, 167; he assists in suppressing some riots of the Clan Gregor, 206; ordained to exhibit some of his tenants, 261; proceedings against him as a Popish nobleman, 284, 285.
- Hutcheson (Hucheson), Alexander, in Easter Tillicoultry, summoned for molesting colliers, 79.
- Robert, in Easter Tillicoultry, summoned for molesting colliers, 79.
- Hutcheon (Hutchone), John, illegally prevented from joining his regiment, 390.
- Robert, merchant burgess of Dundee, charged with selling English beer at too dear a price, 442.
- Hutson, George, to be tried for witchcraft, 204.
- Isobel, to be tried for witchcraft, 204.
- John, messenger, directed to serve a summons, 115, 118, 119, 128; executes charges, 116, 117, 119, 120, 133; his son, James, is witness to the execution of a charge, 133.
- Marion, to be tried for witchcraft, 204.
- Hutton (Huttoun), Andrew, officer of Dysart, a deposition by him, 366.
- Margaret, wife of Edward Ezat, burgess of Culross, is condemned for witchcraft, 12.
- ILAY, water of, 401.
- Imposts, ordained to be levied for maintaining bridges, &c., 37, 119, 138; one for the harbour of Ayr, 37, 119.
- Imprisonment, illegal, cases of, 2, 174, 175<sup>2</sup>, 294, 322, 375, 427, 435, 438, 449.
- Imrie, James, collier, and Christian Penman, his wife, wrongfully retained from their master, 24, 99.

- Incest, cases of, 37, 139, 166.  
Independents, the English, v.  
Inerair, Manse, alleged to be bewitched, 457.  
Ingisgar, Henry, in Forse, 64.  
— Rolland, in Wesbuster, on an assise, 70.  
Ingsgar, Rowie, 64.  
Ingager, Henry, in Four Wosbuster, on an assise, 63, 70.  
— Henry, on an assise, 63.  
— Harry, 69; his wife, Margaret Craigie, discovers witchcraft, 69.  
— Janet, wife of Magnus Craigie in Skaebrack, charged to appear as a witness, 63; alleged to be bewitched, 69.  
Inglis of Byres, Patrick, charged with committing theft, 26.  
— Patrick, fiar, execution of summons against him, 106, 107.  
— of Eastscheill, William, present at the trial of a witch, 149.  
— of Nether Cramond, Mr John, lends money for the maintenance of the Scottish army in Ireland, 1, 89.  
— Alexander, sheriff-depute of Perthshire and dean of guild of Perth, also portioner of Craig McKerrane, and Margaret Olyphant, his wife, are charged with assault and robbery, 26, 27, 100, 111, his defences, 112, 113; execution of summons against them, 106, 107<sup>2</sup>, 138; his supplication, 134, 160-162; he is ordained to restore the sums consigned for the pointing, 178.  
— James, in Huntlie, charged with destroying growing timber, 378.  
— James, seeks payment of customs, 324.  
— John, late bailie of Edinburgh, prosecuted for refusing the office of kirk-treasurer there, 50; he makes certain defences, 51; he is ordained to accept the office, 52; execution of summons against him, 135.  
— John, in Leith, and Helen Coutts, his wife, claim compensation for expenses disbursed upon sailors, 416.  
— John, in Selkirk, charged to find lawburrows, 293.  
— Mr Richard (Robert), minister at Douglas, charged to produce a decree, 34, 120; which is done, 35.  
— Mr R., minister at Douglas, reports against a witch, 157; his signature, 157.  
Inglis, Thomas, in Huntlie, charged with destroying growing timber, 378.  
— Thomas, in Newliston, servant to Lord Torphichen, witness to the execution of a charge, 246; appears as a procurator, 246.  
— William, in Huntlie, charged with destroying growing timber, 378.  
— William, in Robertoun, charged to appear as a witness, 115, 117; gives evidence, 128.  
— William, writer, requested to draw up a petition, 51.  
Inglisch, John, tailor, burgess of the Canongate, 458.  
— John, in Kirkcaldy, lends money for the maintenance of the Scottish army in Ireland, 85.  
— William, in Selkirk, charged to find lawburrows, 293.  
Ingsay, Alexander, in Fald, on an assise, 359.  
— James, in Ingsay, on an assise, 457.  
— William, in Kirkim, on an assise, 359.  
Innerquharitie, place of, 294.  
Innes of Auchluncart, Mr Walter, written to anent questions relating to the peace of the Highlands, 155; charged with resetting thieves, 394.  
— Walter, apparent, prosecuted for remaining at the horn, 80.  
— of Balcormy, Walter, prosecuted for remaining at the horn, 80.  
— of Balveny, Sir Walter, prosecuted for remaining at the horn, 80; execution of summons against him, 83.  
— of Blackhills, William, complaint against him, 322.  
— of Bowdny, Robert, and his sons, Walter and William, charged with resetting thieves, 394.  
— of Coitts (Quottis), Alexander, complaint by him, 322.  
— of Crombie, John, complaint against him, 322.  
— of Haltoun, Archibald, prosecuted for remaining at the horn, 80; charged with resetting thieves, 394.  
— of Inchberrie, Alexander, prosecutes certain persons at the horn and their reseters, 394; complains against thieves and destroyers of his property, 396, 397.  
— of that ilk, . . . , 322.  
— Sir Robert, his right to the customs of Bartill fair, 1; on a com-

- mittee of Council to act as assessors with the Justice-Deputes, 48; lends money for the maintenance of the Scottish army in Ireland, 84; signs depositions of witnesses, 184; present in Council, vii, 2, 4<sup>2</sup>, 20, 21, 22, 44, 48<sup>4</sup>, 49, 51<sup>2</sup>, 53.
- Innes of Leuchars, John, bailie of the regality of Spynie, his death, 53, 162; his son and heir, 53, 162.
- of Mayne, William, charged with resetting thieves, 394.
- of Orstane, Walter, witness to the execution of a charge, 83.
- Alexander, in Oldmilns, witness to the execution of a charge, 83.
- Alexander, in Parkbeg, charged with resetting thieves, 394.
- Mr George, in Auld Leslie, his expenses as a witness to be paid, 369, 370.
- James, in Orbleistoun, charged with resetting thieves, 394.
- Robert, grants a charter of Bishop's Miln and others, 255.
- Thomas, brother to Blackhills, complaint against him, 322.
- Thomas, illegally prevented from joining his regiment, 452.
- Walter, portioner of Drumnakillich, witness to the execution of a charge, 83.
- Inns to be provided for travellers, 304.
- Inschoth, the place of, 21.
- Intercommuning with the Clan Gregor forbidden, 206.
- Inverkeithing, burgh of, the provost and bailies are charged to liberate a prisoner, 438; the coal of Inverkeithing, 16; the provost of. *See* Mark Swinton.
- Inverness, burgh of, the magistrates accuse the Earl of Moray of trespassing on their moss rights and molesting their burgesses, 376, 377, 388, 403, 404; complain against the Earl of Moray for exceeding his commission against the Clanchattan, 380, 381, 387, 388, 422; the town's piper, an aged man, assaulted, 404; the market cross, 283, 307.
- shire of, petition by the barons and freeholders, 17; the sheriff, Thomas Fraser, elder, of Streachin, to be continued in office, 17; an election of commissioners to Parliament, 58; appointment of justices of the peace, 290; decrees given by the sheriff, 282; the sheriff is to apprehend a fugitive, 312; the sheriff. *See* Thomas Fraser of Streachin; sheriff officer of. *See* John Forbes.
- Ireland (Ireland), James, in Langleyis, charged with illegal detention of a soldier, 390.
- John, in Kilconquhar, charged with deforcement, 378.
- Laurence, illegally prevented from joining his regiment, 390.
- Thomas, in Coupargrange, charged with illegal detention of a soldier, 390.
- Ireland: the rebellion there, viii; the Irish rebels assist Montrose in his insurrection, xiii; arrangements for the commissariat of the Scottish army there, viii, 462, 463; the dangers of the Protestants there, xi; accounts of sums lent for the support of the Scottish army in Ireland, 1, 5, 7, 77, 83-90; accounts rendered for provisions and clothing, 2, 77, 90-92, 95, 157, 158; depredations by the rebels, 6, 91-93; some Irish rebels in Scotland, 115, 115<sup>a</sup>, 116; siege of the Castle of Cloch, 163, 164; papers sought thence for defence of an action, 164; the Irish plantations, 324, 325; shipping and trade between Scottish and Irish ports, 324, 325.
- Iron (Airne, Yrone), John, and his wife, alleged to be bewitched, 212, 213, 215, 217<sup>2</sup>, 218, 220, 221<sup>2</sup>, 224, 225, 226, 230, 231, 232, 235<sup>2</sup>; he gives his evidence, 223, 230, 234.
- Iron, the stone weight for, 334, 336.
- Ironside (Irnesyde), James, to be apprehended and sent to the wars, 424.
- Irvine (Irwin, Irwing, Irvyng) of Drum, Alexander, caution for him, 254; gives commission to his son to apprehend masterless men for the wars, 419.
- Sir Alexander, younger, charged with armed convocation and riot, 385; makes a counter-complaint, 386; a notarial instrument regarding his endeavours to apprehend masterless men for the wars, 419; continued in office as sheriff of Aberdeen, 17.
- of Kyncowsie, John, 419; bond of caution by him, 254; his son, Alexander, appears as a witness to a document, 419.
- of Kirkconnell, William, charged to find lawburrows, 293.
- Blench, widow of William Armstrong of Kinmont in Mortountower, charged to find lawburrows, 292.

- Irvine, Eckeis Richie, in Staikheuch, charged to find lawburrows, 292.
- George, servant to Drum, charged with armed convocation and riot, 385.
- George, called Curst Georgie, charged to find lawburrows, 292.
- James, in Newburgh, to be apprehended as fit for the wars, 424.
- Jean, charged with fornication, 394.
- John, merchant burges of Dumfries, 82; his wife, Jean Maxwell, a Papist, is to be brought before the Council, 82.
- Magnus, in Ovirgarsen, on an assise, 70.
- Margaret, servant to Janet Sklater in Cogar, charged to appear as a witness, 63, 68.
- Patrick, notary, makes a notarial instrument, 419.
- (Irwin), Mr Robert, deceased, uncle to the younger Laird of Drum, who is tutor to his children, 386.
- Thomas, merchant in Dumfries, witness to a bond of caution, 82.
- Thomas, younger, in Quondale, charged to appear as a witness, 63; alleged to be bewitched, 64, 66.
- Will, in Kirkconnell, elder, charged to find lawburrows, 293.
- Will, in Kirkconnell, younger, charged to find lawburrows, 293.
- Willie, called the Cang, in Staikheuch, charged to find lawburrows, 202.
- Irvine (Erwin, Iruine), burgh of, mentioned in a cipher code, 163; the provost and bailies seek the direction of the Council as to a sentence, 164, 165; a message sent to the ministers there, 464; provost of. *See* Allan Dunlop; bailie of. *See* A. Cunningham; town clerk of. *See* R. Brown.
- Isbister, Alexander, in Gr . . ., on an assise, 359.
- Ischer, John, in Dernick, prosecutes an action, 77.
- Ising, Robert, miller in Sanday, and his girl, alleged to be bewitched, 3622.
- Isles: tithes claimed from fishings near land, but not from distant waters, 340; some islesmen plunder a ship, 425, 426.
- Italy mentioned in a cipher code, 168.
- JACK, James, messenger, executes a charge, 180.
- Margaret, alleged to be bewitched, 215, 228, 229, 230.
- Jack, Robert, baker in Perth, charged with committing theft, 26; charged to appear before the Council, 107.
- Jackis, George, overman in Falside coal-pit, witness to a document, 104.
- Jacks (Jakis), reference to, 380.
- Jackson (Jacksoun, Jaksoun), Adam, a collier in Ormistonhall, wrongfully retained from his master, 24, 96<sup>3</sup>, 97, 100<sup>2</sup>, 103, 104, 107, 108<sup>2</sup>; found to be a tacksman, 100.
- Robert, in Auld Overtoun, caution for his indemnity, 313.
- Thomas, in Selkirk, charged to find lawburrows, 293.
- William, stabler in Canongate, witness to the execution of a charge, 181.
- Jaffray, Andrew, at the Hill of Fiddes, to be apprehended as fit for the wars, 424.
- Jailor fees, reference to, 400.
- James the Second, King, his revocation, 243.
- the Third, King, receives resignation of infeftments, 243.
- the Fourth, King, his revocation, 243.
- the Fifth, King, his sixth Parliament, 111; his revocation, 243.
- the Sixth, King, the power of the Privy Council during his reign, viii; his eleventh Parliament, 29; his act of Parliament anent colliers, 97; ordinance for the restoration of property belonging to his mother, 245, 246; he grants a signature, 250; his revocation, 250; the dissolution of church lands in his time, 255-257; a conference with him, 257; the taxations voted for his marriage and the Prince's baptism, 275, 290; he grants a commission for a survey of the Debatable Lands, 292<sup>2</sup>; he disposes these lands, 292, 293; he inaugurates a system of justices of peace, 297, 300-302; a representation to be made to him of the desires of the justices of peace, 330; his instructions to the Lord Clerk Register anent the justices of peace, 330; requires information regarding the export of coal abroad and its probable result, 341; a petition to him anent the size of barrels for packing fish, 355; taxation granted to him in October 1612, 436; signs proclamations and letters, &c., 247<sup>2</sup>, 248; charters granted by him, 254, 255; writes to his Advocate anent the burghs

- and justices of peace, 305<sup>2</sup>; writes to his Secretary anent the justices of peace, Holmbie, 22nd August 1612, 330, 331; writes to Lord Scone anent his appointment as one of the Lords of the Articles, Theobalds, 21st September 1612, 331; writes to the Chancellor about the justices of peace, . . . 1612, 332; writes to the Council anent the tithes of fishings claimed by the bishops, Theobalds, 20th September 1614, 340, 341; writes to the Council to proclaim a General Assembly at Aberdeen in 1616, Wansted, 12th July 1616, 344; horologist to him and his queen, Anne of Denmark. *See* Nicolas Fouchanote.
- Jamieson (Jamesone, Jamiesoune, Jeame-soun), Andrew, indweller in the Abbey-close (of Jedburgh), witness to the execution of a charge, 159<sup>2</sup>.
- Andrew, in Crail, prosecuted as a deserter, 458.
- Gilbert, in Linlithgow, witness to the execution of a charge, 119.
- John, in Drochdooll, 133; his wife, Marion Shenan, to be tried for witchcraft, 133.
- Sir Thomas, mentioned in some informations, 188.
- Mr William, minister at Jedburgh, sent by the presbytery to represent the distressed condition of Kelso, 158; complains of being assaulted by the provost, 158, 159<sup>3</sup>.
- . . . , witness to the execution of a charge, 144.
- Jardine (Jerdane) of Birnok, Thomas, deceased, 310; his son, Richard, charged with assault, 310.
- John, in Hollhouse of Wandell, witness to the execution of a charge, 117<sup>2</sup>, 133.
- John, in Robertoun, charged to appear as a witness, 115, 117; gives evidence, 128.
- Jardine, Richard, in Overhouses of Wandell, charged to appear as a witness, 115, 117; gives evidence, 129.
- Thomas, in Wandelldyk, charged to appear as a witness, 115, 117; gives evidence, 129.
- Javelins, reference to, 432.
- Jedburgh, burgh of, the provost assaults the minister, 158, 159, 160; the kirk of Jedburgh, 159; proclamations at the market cross, 59; mosstroopers to be tried in the tolbooth, 44, 47, 48; a document dated there, 335; provost of. *See* Alexander Kirkcoun; bailies of. *See* William Allanson, George Moscrop, and William Rutherford; minister there. *See* Mr William Jamieson; session clerk of. *See* Robert Robson.
- Jedburgh, presbytery of, sends one of its members to represent to the Council the distressed condition of Kelso, 158.
- Jesuits to be taken notice of and dealt with by the justices of peace, 303.
- Jewellery, thefts of, 449.
- Jock, Nicoll, in Halkland, his house, 455.
- Joffray, Gilbert, in Ardo, caution for his indemnity, 312.
- Johnson (Johnesone), Alexander, in Kirkbuster, on an assise, 359.
- Thomas, Burgess of Edinburgh, cautioner in a bond, 160.
- Johnstone (Johneston, Johnnestoun) [Lord, James], mentioned in a cipher code, 167. *See also* Johnston of that Ilk.
- of Bentholme (Beirholme), James, and Thomas and Andrew, his sons, charged to find lawburrows, 316<sup>2</sup>.
- of Caskieben, Sir George, his rights to the customs of Bartill fair, 1; his imprisonment, 101, 103.
- — George, younger, seeks suspension of horning, 101, 103, 104.
- of Chappell, James, charged with assault, 264.
- of Corheid, Thomas, charged with assault, 264.
- — James, continued in office as steward of Annandale, 18.
- of Elphinston, Sir John, accused of overcharging his coal, 8.
- of Fingland, Thomas, younger, charged to find lawburrows, 293.
- Johnestoun of that Ilk, James, 199, 200; complains of his tenant being assaulted, 395; a horning at his instance, 418.
- of Raecleugh, Robert, tutor of Johnstone, prosecuted for remaining at the horn, 315.
- of Scheins, Mr Samuel, lends money for the maintenance of the Scottish army in Ireland, 89.
- of Wamfray, Robert, charged to find lawburrows, 316<sup>2</sup>.
- Johnstone of Warriston, Sir Archibald, His Majesty's Advocate, 240; lends money for the maintenance of the Scottish army in Ireland, 83; case in which

- he prosecutes as Lord Advocate, 171; to peruse and report on the act against Papists, 237; a reward offered for his apprehension, 240.
- Johnstone, Alexander, in Westbyres, witness to a deed, 100.
- Andrew, in Marjoribanks, charged to find lawburrows, 316.
- Archibald, cordiner in Falkirk, 322; his daughter, Bessie, complains of being assaulted, 322.
- Christian, wife of James M'Millan, in the Canongate, caution for her indemnity, 171.
- David, in Kindilheid, 310; he and Thomas and James, his sons, charged to find lawburrows, 316.
- David, late bailie of Leith, seeks suspension of a charge to apprehend men fit for the wars, 420, 421; he is charged with illegal warding, 449.
- Edward, merchant burgess of Edinburgh, his protection is extended, 459.
- Francis, in Priestwodayde, complaint against him, 268.
- Gavin, in Midlegill, charged to find lawburrows, 316.
- George, in Nether Lindgat, charged to appear as a witness, 172; his evidence, 173.
- Isobel, in Nisbet, alleged to be bewitched, 192.
- James, burgess of Ayr, to receive customs, 324.
- James, merchant in Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 88.
- James, in Westbyris of Ormiston, witness to documents, 96, 97, 100, 104; also his son, Thomas, 108.
- James, brother to Thomas, in Arshebark, charged to find lawburrows, 316.
- James, brother to Wamphray, charged to find lawburrows, 316.
- John, in Arshehag, and James and Francis, his sons, charged to find lawburrows, 316.
- John, bailie of Dumfries, witness to a bond of caution, 82.
- John, merchant burgess of Edinburgh, charged with wrongfully arresting some merchandise, 428.
- John, in Logane, charged to find lawburrows, 316.
- John, called of Mosatop, charged to find lawburrows, 316.
- Johnstone, John, in Wester Pans, charged to find lawburrows, 276.
- John, brother to Francis, *supra*, complaint against him, 268.
- John, scribe, a precept directed to him, 251.
- John, mentioned in a witchcraft case, 156.
- John, charged with armed convocation and riot, 388.
- Michael, in Pitmablane, to be apprehended as fit for the wars, 424.
- Mungo, in Selkirk, charged to find lawburrows, 293.
- Patrick, bailie of Dalkeith, charged with illegal warding, 175, 176 (misprinted Haistie).
- Robert, in Caldchappell, charged to appear as a witness, 115, 117; gives evidence, 129.
- Samuel, messenger, executes a charge, 119.
- Thomas, in Arshebark, charged to find lawburrows, 316.
- Thomas, in Dewar, charged to appear as a witness, 172.
- Thomas, in Edinburgh, charged with malicious damage to crops, etc., 45.
- Thomas, in Selkirk, charged to find lawburrows, 293.
- Thomas, schoolmaster in Wiston, witness to the execution of a charge, 120.
- Thomas, brother to Francis, *supra*, complaint against him, 268.
- William, brother to Wamphray, charged to find lawburrows, 316.
- William, in Carberry, execution of summons against him, 139.
- William, summoned for molesting colliers, 38, 39; his depositions, 163.
- tutor of. *See* Robert Johnstone of Raecleugh.
- Jollie, George, merchant in Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 86.
- Jonkyne, George, in Blartoun, charged to find lawburrows, 313.
- Jossie, John, depute-commissary to the Scots army in Ireland, grants receipts for money sent to him, 1, 5, 7, 83-90; disbursements by him, 2, 90-92.
- Jowsie, Andrew, to become cautioner for a notary, 246.
- Justice, Robert, in Kirkcaldy, charged with selling English beer at too dear a price, 448.

Justice ayre held at Perth, 454.

— Clerk, Lord. *See* Sir John Hamilton of Orbiston and Sir John Cockburn of Ormiston.

— courts held at Culross, 12; Elgin, 387, 404; Perth, 18; and Stirling, 20.

— Deputes, assessors appointed to them for the examination of prisoners, 48; on a committee for trying cases of witchcraft, 11, 235.

— General, Lord, 22; to be furnished with rolls of reliable witnesses and assisers by the justices of peace, 298, 300; ordered to desert diets, 21; a bond for the compearance of the Clan Gregor before him, 237; cases remitted to him for trial, 11, 20, 37, 38, 43, 78, 134, 139, 205, 259, 261, 297, 299, 3042, 305, 326, 373, 374, 394, 397, 415, 418, 455.

Justices of Peace, their commissions written, 58; the Clerk of Privy Council to be the sole writer of these commissions, 194; the act of Parliament for their institution, 297; the terms of their commission, 297-300; royal letters thereanent, 300-302, 330, 331; the terms of their oath, 302, 303; instructions issued to them, 303-305; certain questions to the Council anent their jurisdiction, with the Council's replies, 326-329, 331; the dates and places of their meetings, 303; to make report of all breaches of the peace, 303; to keep a register of acts of caution, 305; their jurisdictions not to be encroached upon by the burghs or barons, 305, 327, 329; to hold quarter sessions, 326, 327, 332, 333; their quorum, 327; the offences of which they may take trial, 327, 328; the payment of their clerks and officers, 328, 329, 331; the King demands the removal of some refractory justices, 330; their grievances to be represented by their commissioners to the King, 330; payment to be made to these commissioners, 305, 330, 332; a riot at their meeting in Dundee, 331, 332; written to by the Council to report their opinion anent weights and measures, 332, 333; letters by them in answer thereto, 333-339; letters by them with regard to other matters, 339-342; to give up lists of idle persons for transporting to the wars, 411, 424; those of Berwickshire write about some robberies and murders, 342, 343; those of Forfarshire report to the Council

their efforts to suppress beggars and vagabonds, 354, 376; those of Roxburghshire fail to convene in sufficient numbers, 335.

Justiciary: the Earl of Airth's right and jurisdiction, 459.

Justiciary court held at Finlastoun, in Renfrewshire, 130; a justiciary court in Orkney and Shetland tries cases of witchcraft, 355-364, 455-457.

KAA (Kea), Alexander, servitor to the Chancellor, complains of being assaulted, 180, 1812.

Kaird, John, servitor to the Laird of Tarbett, witness to the execution of a charge, 182.

Kathik, a document dated there, 351.

Kaw, Janet, mentioned in a witchcraft case, 352.

Kay, J., signs a document, 351.

— Robert, bailie of Dysart, makes an act anent intercommuning with witches there, 365.

— *See also* Cay and Hay.

Kedy, Robert, smith in Kirkcaldy, 291.

Keill, Alison, widow of David Futhie of Ogstoun, charged to find lawburrows, 3172.

Keir, Thomas, indweller in Kinloss, craves to be exempted from military service, 412.

Keith (Keyth), James, charged with assault.

— Mr John, writer (merchant), charged with wrongful intrusions, 25, 108.

— Robert, in Leyludge, charged with armed convocation and riot, 386.

— Robert, charged with assault, 351.

Kellie, Archibald, a clerk of Exchequer, witness to a document, 455.

Kello, John, indweller in the Canongate, charged with assault, 315.

Kelso (Kellso) of Kelsoland, David, witness to the execution of a charge, 250.

— Alexander, in Wrayes, on an assise, 132.

Kelso, town of, its recent burning, 158; contributions recommended for its relief, 158; the kirk session sends two of its number to the army at Newcastle to receive contributions for relief of the town, 158; minister there. *See* Mr Robert Knox.

— the presbytery sends one of its members to represent the distressed condition of Kelso, 158.

- Kempe, Janet, to be tried for witchcraft, 205.
- Kendow, Donald, in Tor of Rusky, prosecuted for remaining at the horn, 308.
- John, in Ballebeg, prosecuted for remaining at the horn, 308.
- Kene, John, in Selkirk, charged to find lawburrows, 293.
- Patrick, in Selkirk, charged to find lawburrows, 293.
- Kenmuir, Viscount of, . . . , charged with assaulting a minister, 462<sup>2</sup>.
- Kennedy (Kennadie, Kennedie) of Ardlesane, David, deceased, 288; his widow, Margaret Dalrymple, and daughters, Anna, Jean, and Isobel, are charged to appear before the Council, 288.
- of Arihemman, Hew, charged with illegal warding, 174, 180, 182.
- of Ariwillane, Gilbert, complains of illegal imprisonment, 174, 175, 180, 182.
- of Balmaclennoquhen, David, petition by him, 288.
- of Blairquhan, John, accused of adultery, 326.
- of Penquhry, Hew, charged to appear before the Council, 288.
- of . . . , Robert, complains of being assaulted, 449.
- Mr Alexander, brother to James, *infra*, charged with illegally entering a house, 46.
- Andrew, in Dernick, prosecutes an action, 77.
- Mr Hew, minister at Calder, charged with harsh treatment of a supposed witch, 37, 108, 117, 119, 138; he deposes against a witch, 149, 156.
- Hew, bailie of Ayr, receives payment for supplies to the army in Ireland, 91.
- Hugh, brother to James, *infra*, charged with illegally entering a house, 46.
- James, sometime of Blairquhan, son of the deceased James K., charged with dispossessing certain persons of the house of Blairquhan, 46.
- John, in Crassick, appears as a witness, 57.
- John, brother to James, *supra*, charged with illegally entering a house, 46.
- Thomas, sometime of Bargany, prosecuted for an attempted assault on a member of Parliament, 39, 40, 140, 143; also Thomas and William, his sons, accused, 39, 40, 140, 143.
- Kennedy, Captain Walter, surrenders the Castle of Cloch in Ireland to the enemy, 163, 164.
- Kenner, Donald, a doomster, gives sentence against witches, 360, 364.
- Kenner, the coal of, 16.
- Kennewie (Kennewie), Mr Alexander, in Linlithgow, charged to appear as a witness, 119.
- James, clerk of Culroos, accused of maltreating some persons, 101; signs a deed, 106.
- of Newton, . . . , charged with besieging the house of Newton, 269.
- Kents, great, assault with, 385.
- Ker of Crailinghall, Sir James, knight, complains of the wrongful apprehension of some persons as fit for the wars, 413, 414.
- A., clerk of the presbytery of Linlithgow, signs extracts, 138; he signs a petition on behalf of the Commissioners of the General Assembly, 237.
- George, in Montrose, prosecuted as a deserter, 389.
- James, in Duddingston, charged with trespassing in the park of Holyrood, 263.
- James, in Kirkland, caution for his indemnity, 286.
- John, in Duddingston, charged with trespassing in the park of Holyrood, 263, 264.
- Martin, in Calder, witness to the execution of a charge, 138.
- Ralph, servant to Robert, Earl of Lothian, complains of being assaulted, 317.
- Mr Robert, minister at Haddington, examines witches, 190, 191, 197<sup>2</sup>; his signature, 197, 198.
- Mr Robert, husband of Helen Grymaslaw, Lady Newton, seeks redelivery of his house of Newton, 269, 270.
- Robert, in Duddingston, charged with trespassing in the park of Holyrood, 263, 264.
- Robert, merchant burghess of Edinburgh, charged with wrongfully arresting some merchandise, 428.
- Robert, town clerk of Linlithgow, complains of being assaulted, 395, 396.
- Robert, notary, witness to the execution of a charge, 253.
- Thomas, in Selkirk, charged to find lawburrows, 293.
- Kilbarchan, kirk and parish of, a docu-

- ment dated there, 198; a riot takes place in the kirk, 433; the kirk session investigate cases of witchcraft, 198, 204; their clerk. *See* Joseph Tennent.
- Kilconquhar, bailie of. *See* George Fleming.
- Kilgour, John, in Edinburgh, charged with malicious damage to crops, &c., 45.
- Kilkenny (Killkenny), in Ireland, mentioned in a cipher code, 168.
- Kilkerran (Killkeran), Lough, mentioned in a cipher code, 168.
- Kill, Richard, in Edinburgh, charged with assault, 316.
- Killair, lands of, their taxation, 436.
- Killery, lands of, 256<sup>3</sup>.
- Killmure, 280.
- Killing (Kaling), William, messenger, executes a charge, 253, 254; his signature, 254.
- Kilmaurs (Kalmaweris), the minister and magistrates requested to aid in raising recruits for military service, 380; bailies of. *See* Robert Cunningham, Thomas Smith, and John Stevenston.
- Kilpatrick (Kilpatrik, Kirkpatrik), David, at the Mill of Duddingston, charged with trespassing in the park of Holyrood, 263, 264.
- Nicol, in Hardland of Baldone, and John, his son, charged with assault, 431.
- *See also* Kirkpatrick.
- Kilpont, Lord, John, craves liberty to try John Dow Roy McGregor, whom he has captured, 459.
- Kilquhannitie, Over, lands and house of, 53.
- Kimmerghame, dispute as to the boundaries of the lands of, 55.
- Kinbethook, minister at. *See* Mr John Rutherford.
- Kincaid, John, certifies two persons to be users of witchcraft, according to his test, 195.
- Kincardine (Kincarne) on Forth, the coalheughs of, 24.
- a document dated there, 175; minister there. *See* Mr H. Munro.
- shire of, appointment of justices of peace for, 299; the sheriff is to apprehend a fugitive, 312.
- Kinlevin, lordship of, the taxation of the, 429, 431.
- Kincragie (Kyncragy) of Haltounhill, Alexander, charged to find lawburrows, 277.
- Kincragie of Polkmyln, Alexander, witness to the execution of a charge, 248.
- Laird of. *See* Lealie.
- King, G., mentioned in a cipher code, 167.
- Mr James, advocate, and Marion Hart, his wife, complain of the deforcement of a messenger, 47.
- Kingedward (Kynnedour), corn mill of, 255.
- Kinghorn (Kingorne), Earl of, John, complains of the seizure of a young woman, 19; present in Council, vii, 1, 2<sup>3</sup>, 4<sup>2</sup>, 6, 17, 18<sup>2</sup>, 20<sup>2</sup>, 27<sup>2</sup>, 31, 52, 127; signs letters and acts of Council, &c., 458, 459.
- Mr David, notary, town clerk of Dysart, signs an act, &c., 365, 366.
- Kinghorn, burgh of, the minister there, signs reports of witchcraft, 200; the bailies are charged with illegal invasion, 402, 403; minister there. *See* Mr Alexander Scrymgeour.
- Kinloch, Patrick, merchant burgess of Dundee, charged with selling English beer at too dear a price, 442.
- Kinloch, minister at. *See* Mr James Drummond.
- Kinloss (Kynloss), 412.
- Kinnaird (Kynnaird), Laird of. *See* Crichton.
- Patrick, in Cragie, debts owing by him, 268.
- Kinneill, the chamberlain of, his child alleged to be bewitched, 346.
- Kinninmonth (Kyninmont), John, in Edinburgh, witness to the execution of a charge, 79.
- Kinnoull, Earl of, George Hay, first Lord High Chancellor of Scotland, a petition to him, 389; a letter addressed to him as Viscount of Duplin, 458; he signs letters and acts of Council, &c., 374, 375, 376, 377, 381, 387, 388<sup>2</sup>, 389, 390, 394, 395, 400, 404<sup>2</sup>, 408, 410, 411<sup>2</sup>, 412, 413<sup>2</sup>, 414<sup>2</sup>, 415, 416<sup>2</sup>, 418<sup>2</sup>, 421, 422<sup>2</sup>, 424, 425, 426<sup>3</sup>, 427<sup>3</sup>, 428<sup>2</sup>, 429<sup>3</sup>, 430<sup>2</sup>, 431<sup>3</sup>, 432<sup>3</sup>, 433, 434<sup>2</sup>, 435<sup>2</sup>, 436, 437<sup>3</sup>, 438<sup>3</sup>, 439, 458, 459.
- George, second, 2.
- Kinross (Kynros), Patrick, messenger, directed to serve a summons, 253; executes a charge, 258; his signature, 258.
- Kinross, shire of, appointment of justices of peace, 299.
- Kinsaile, in Ireland, mentioned in a cipher code, 168.

- Kintyre, 164.  
 — Pursuivant. *See* George Stewart.
- Kipper, Allan, bailie officer, deforced, 378.
- Kirkbath, lands of, 256.
- Kirkcaldy, burgh of, 291, 344; the magistrates seek to be relieved of the payment of certain cess, 238; some soldiers quartered there, 238; some shipmasters of that port charged with transporting English beer to Dundee and Aberdeen, and selling it too dear, 442, 443; a ship of Kirkcaldy called the *Daniell*, 440<sup>2</sup>; the bailies are ordained to liberate a prisoner, 401; the roads there for ships, 398, 440; the tolbooth of, 401; bailies of. *See* George Hegys and James Law.  
 — the presbytery of, deals with witchcraft, 200.
- Kirkcudbright, Lord . . . , deceased, 171; his widow, . . . Douglas, craves inventory to be made of his estate, 171.  
 — [Lord Thomas], mentioned in a cipher code, 167.
- Kirkcudbright, burgh of, 290; mentioned in a cipher code, 168; the market cross, 253.  
 — the presbytery accused of intruding an unlicensed preacher on the parish of Buittle, 461, 462.  
 — stewartry of, 253; appointment of justices of the peace, 299; steward of. *See* Earl of Nithsdale.
- Kirkland, John, gardener, burgess of Glasgow, caution for his indemnity, 318.
- Kirkmichael, minister of. *See* Mr Robert Peebles.
- Kirknes, Alexander, in Myre, on an assise signing as chancellor, 70<sup>2</sup>, 73.  
 — John, in Housgar, alleged to be bewitched, 72, 74.  
 — Katherine, a servant, alleged to be bewitched, 72, 75.  
 — Thomas, in Housgair, depones against a witch, 74.  
 — William, in Pow, and his spouse, Elspeth Sinclair, alleged to be bewitched, 71<sup>2</sup>, 72, 73<sup>2</sup>, 74, 75.
- Kirko, John, a ruling elder, to be apprehended for holding private meetings, 465.
- Kirkpatrick of Auchincairne, John, charged to find lawburrows, 286<sup>2</sup>.  
 — of Closburn, Sir Thomas, signs a letter as one of the Border Commission, 350.
- Kirkpatrick of Dresselland, Edward, charged to find lawburrows, 286<sup>2</sup>.  
 — of Rig, Roger, charged to find lawburrows, 286<sup>2</sup>.  
 — George, brother to Auchincairn, charged to find lawburrows, 286.  
 — Thomas, brother to Auchincairn, charged to find lawburrows, 286.  
 — William, in Durisdeer, charged to find lawburrows, 311.  
 — *See also* Kilpatrick.
- Kirktown, Alexander, provost of Jedburgh, charged with assaulting the minister there, 158, 159<sup>3</sup>, 160.  
 — James, in Jedburgh, charged to appear as a witness, 159<sup>2</sup>; his evidence, 160.
- Kirkum, Alexander, in Birsay-beworth, on an assise, 457.  
 — William, in Kirkum, on an assise, 457.
- Kirkwall, burgh of, 357; trials for witchcraft there, 63, 64, 359, 363; the walhous there, 70; St. Magnus cathedral, 363; documents dated there, 64, 359, 363.
- Kirkwood (Kirkwod), James, in Skowgall, debts owing to him, 145.  
 — John, elder, in Pinclloy, and William and Patrick, his sons, charged with theft, object to being tried before partial judges, 373, 374.  
 — William, craftsman, indweller in Edinburgh, charged with malicious damage to crops, &c., 45.
- Kneeland. *See* Clelland.
- Knives, assaults with, 39, 40; penknives, 396.
- Knoksydrum, lands of, 256.
- Knowis, Richard, witness to the execution of a charge, 253.
- Knox of Ranfurlie, . . . , younger, appointed to examine witches, 217.  
 — Agnes, in the Barnes, alleged to be bewitched, 215, 218, 219; gives evidence, 229.  
 — Alexander, depones against a witch, 219; his signature, 220.  
 — Andrew, servant to the Laird of Drum, charged with armed convocation and riot, 385.  
 — George, depones against a witch, 219; his signature, 219.  
 — James, in Carberry, witness to the execution of a charge, 139.

- Knox, Janet, depones against a witch, 229.  
 — Mr John, late minister at Melrose, 398; his widow, Christian Paterson, seeks payment of bygone stipend, 398, 399.  
 — John, mariner in Glasgow, charged to find lawburrows, 318.  
 — John, summoned for molesting colliers, 38, 39; his depositions, 163.  
 — John, in Carberry, execution of summons against him, 139.  
 — Mr Robert, minister at Kelso, 159; sent by the presbytery to represent the distressed condition of the town, 158.  
 — William, summoned for molesting colliers, 38, 39; execution of summons against him, 139.  
 — William, depones against a witch, 230.
- Kyle, bailiary of, 41; appointment of justices of peace for, 299; the bailie of Kylestewart, . . . Fullerton of Dreg-horn, to be continued in office, 18.  
 — and Carrick, the presbytery of, deal with a case of adultery, 326.
- Kylhill, lands of, 244.
- Kynnok, Thomas, in Wester Scottistoun, charged to find lawburrows, 344.
- LABOUR: wages for labourers to be decided by the justices of peace, 327.
- Lace, gold, customs duty payable on, 440, 441.
- Laidlaw (Laidla), Thomas, in Laming-ton, charged with resisting the ordination of a minister, 29, 116; also Margaret Watt, his spouse, 29, 116.
- Laing (Layng), James, brother to John, *infra*, is witness to a deed, 100.  
 — John, in Hawick, craves exemption from military service, 427.  
 — John, in the Murayes of Ormiston, tacksman of the coal of Ormiston, complains of the wrongful retention of one of his colliers, 24, 96<sup>s</sup>, 97, 100<sup>s</sup>, 103, 104, 107, 108.  
 — Patrick, in Achinbothie, on an assize, 132.  
 — Patrick, in Bulross, on an assize, 122.  
 — William, Burgess of Aberdeen, his business in West Flanders, 450.  
 — William, in Drumgowane, 369.  
 — William, bailie of Elgin, continued in office as bailie-depute of Spynie, 53, 162.  
 — William, in Newton of Riffens, to be apprehended for military service, 408.
- Laird, John, in Dennestoun, on an assize, 132.
- Laith, tower and lands of, 289<sup>2</sup>.
- Lamb, Michael, writer in Lanark, witness to the execution of a charge, 117.  
 — William, complains of being treacherously enlisted, 439.  
 — . . ., charged with assault, 318.
- Lambletham (Lambielethame), Tutor of. *See* William Wood.
- Lamington, Laird of. *See* Baillie.
- Lady. *See* Dame Grizel Hamilton.
- Lamington, barony of, officer of the. *See* John Shankilaw.  
 — kirk of, has no connection with Wandell, 32, 33, 124, 127; question as to the presentation of Mr Andrew McGhie as minister there, 28-33, 35, 115-119, 128, 129, 133; late minister there. *See* Mr James Baillie; kirk officers. *See* William McClellan.  
 — place of, 29, 116, 119.
- Lammart, Adam, in Selkirk, charged to find lawburrows, 293.
- Lanark (Lanrick), Earl of, William, supports the Royalist party, viii; chosen *interim* President of Council, 48, 59; his place supplied in his absence, 48<sup>2</sup>; mentioned in a cipher code (misprinted Limarick), 167; present in Council, vii, 1, 31, 34, 39, 43, 44<sup>2</sup>, 47, 48, 59, 127, 135; as preses, 48.
- Lanark, burgh of, justice courts held there, 41, 146; commission to the bailies to try a witch, 41, 146; the trial, 146-157; meetings of witches at the High Kirk there, 148, 149; execution of summonses at the market cross, 83, 117, 133; the tolbooth, 156; documents dated there, 116, 137, 146; bailies of. *See* Gavin Lockhart; commissary officer of. *See* Andrew Alison; minister there. *See* Mr Robert Birnie.  
 — presbytery of, violent opposition made to its ordination of a minister at Wandell and Lamington, and proceedings thereupon, 28-31, 36, 116<sup>2</sup>, 118-121, 128, 133, 135, 137; its moderators. *See* Mr John Veitch and Mr John Weir; its clerks. *See* Mr John Paterson and William Somerville; it deals with witchcraft, 151, 155-157; signatures of the members, 157.  
 — shire of, 180; the sheriff, Alexander Hamilton of Hags, to be continued in office, 17; appointment of justices of peace, 299; sheriff depute of. *See* Archibald Hamilton.

- Lances, used in assaults, etc., 47, 173, 274, 287, 289, 321, 351, 369, 396, 451.
- Landess, James, depones against a witch, 226, 232; his signature, 232.
- Langcruik, lands of, 255.
- Langlands, Adam, charged with armed convocation and riot, 382.
- Langmure, John, in Kilmaurs, charged with rescuing an enlisted recruit, 380.
- Robert, in Kilmaurs, charged with rescuing an enlisted recruit, 380.
- Langton, barony of, 342.
- Laird of. *See* Cockburn.
- Large, William, in Newton of Riffens, to be apprehended as fit for the wars, 419.
- Lasswade, the coal of, 15.
- Lauchlane, Jean (Marion), in the parish of Carnwath, tried and condemned for witchcraft, 41, 146-154.
- Lauchlanesone, John, charged with armed convocation and riot, 388.
- Lauder (Lawder) . . . , of Haltoun, signs a letter as a justice of peace for the shire of Edinburgh, 336.
- of that ilk, Robert, seeks modification of amount of caution, 377, 378; caution for his indemnity, 403; his tower and place, 420.
- of Murecleuch, Robert, caution for his indemnity, 403.
- of Whitslade, William, bond of caution by him, 254.
- Gilbert, caution for his indemnity, 403; seeks modification of amount of caution, 377, 378; as portioner of the lands of Lauder, he is charged with molestation and malicious damage, 185; to find lawburrows, 186.
- Andrew, servitor to Mr William Cockburn of Stobs, witness to the execution of a charge, 108.
- Charles, merchant in Lauder, seeks modification of amount of caution, 378; caution for his indemnity, 403.
- Charles, in Park, and William, Charles, Alexander, and Andrew, his sons, caution for their indemnity, 403.
- Elizabeth, caution for her indemnity, 254.
- Hew, messenger, executes a charge, 458.
- James, signs a report, 194.
- John, in Murecleuch, seeks modification of amount of caution, 378.
- John, brother to Murecleugh, caution for his indemnity, 403.
- Richard, in Criblaw, charged with armed convocation and riot, 171, 172.
- Lauder, Richard, in Pirne, caution for his indemnity, 403.
- Robert, bailie of North Berwick, charged to appear before the Exchequer, 252.
- Samuel, hears confessions of witchcraft, 196, 197; his signature, 196, 197.
- William, bailie of Dunbar, charged to appear before the Exchequer, 252.
- William, in Huntlie, charged with destroying growing timber, 378.
- William, bailie of Lauder, his election, 420.
- Richard, in Pirne, caution for his indemnity, 403.
- William, in Newbigging, seeks modification of amount of caution, 378.
- William, brother to Lauder of that ilk, seeks modification of amount of caution, 377; caution for his indemnity, 403.
- William, brother to Whitslaid, seeks modification of amount of caution, 377, 378; caution for his indemnity, 403.
- Lauder, burgh of, 450; a document dated there, 419; the cross, 419; bailies of. *See* William Hoppringle, William Lauder, Charles Murray, and Francis Wilkieson.
- lands of, 56, 185.
- Lauderdale (Lawtherdail), Earl of, John, a member of the Privy Council, lends money for the maintenance of the Scottish army in Ireland, 83; present in Council, vii, 1, 2, 4<sup>3</sup>, 5, 6<sup>2</sup>, 7, 10, 17, 18<sup>2</sup>, 20<sup>2</sup>, 21, 22, 24, 27, 34, 37, 39, 41, 47, 63; as preses, 6, 27, 31, 34, 127, 135; signs letters and acts of Council, etc., 115, 118, 119<sup>2</sup>, 133, 135, 137, 139<sup>2</sup>, 154, 459.
- Lauderdale, bailiary of, appointment of justices of peace for, 298.
- Lauriston (Laurestoun), Thomas, in the Canongate, charged with trespassing in the park of Holyrood, 263.
- the house of, near Edinburgh, 51.
- Lavrok, Alexander, workman in Leith, to be sent to the wars, 420.
- Law, Alexander, called Black Alexander Law, in Kirkcaldy, charged with defrauding the customs, 440, 441.
- Alexander, younger, in Kirkcaldy, master of a ship, charged with selling English beer at too dear a price, 442.
- Andrew, merchant in Edinburgh,

- lends money for the maintenance of the Scottish army in Ireland, 86.
- Law, David, witness to the execution of a charge, 259.
- James, bailie of Kirkcaldy, witness to the execution of a charge, 259.
- John, in Kirkcaldy, charged with selling English beer at too dear a price, 442.
- Mungo, signs a petition from the presbytery of Edinburgh, 184.
- Lawburrows, supplication for an increase of caution in a case of, 406-408.
- Lawer, John, servitor to Mr Gilbert Stewart, charged with spoliation, 26.
- Lewis, John, illegally prevented from joining his regiment, 390.
- Lawrie, Thomas, tailor burgess of Lanark, witness to the execution of a charge, 117.
- Lawson (Lausone, Lawsone), Archibald, in Stow, charged with armed convocation and riot, 171.
- Elizabeth, in Kirkland, to be tried for witchcraft, 205.
- Helen, deponed against as a witch, 193.
- John, in Heringdene, complains of refusal to accept assythment for a slaughter accidentally committed, and for which remission is granted, 446, 447.
- John, servitor to the Laird of Little Preston, his offer of satisfaction for an accidental slaughter refused, 414, 417, 418.
- William, sailor in Leith, supplicates that he may be ransomed from the Turks, 36, 137.
- Lay, Robert, in Leith, to be sent to the wars, 420.
- Leader, water of, 56.
- Learmonth (Leirmonth, Lermouth) of Dairsie, William, apparent, complaint against him, 281.
- of Hill, William, younger, charged with assault, 315.
- Archibald, in Coldingham, and Agnes Craw, his wife, attempted to be poisoned, 343.
- John, brother to the Laird of Hill, younger, charged with assault, 315.
- William, smith in Markill, charged with assault, 315.
- Leask, William, burgess of Perth, charged with spoliation, 26; charged to appear before the Council, 107.
- Leckie, Alexander, charged to appear as a witness, 80.
- Leggat, David, a collier, wrongfully retained from his master, 23.
- Legis, Janet, her lands, 251.
- Leicester, Earl of, mentioned in a cipher code, 167.
- Leidhous, James, servitor to the minister of Kelso, witness to the execution of a charge, 159.
- Leis (Leyis), William, in Hoppringill, charged to appear as a witness, 172; his evidence, 173.
- Leishman (Leischman), James, his daughter alleged to be bewitched, 153.
- Thomas, merchant in Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 87.
- Leitch (Leiche, Lich), Mr Andrew, deceased, 351; his sons, Mr Andrew and David, are witnesses to a bond of caution, 351.
- Thomas, condemned for witchcraft and accuses others, 212, 213<sup>2</sup>, 214, 218<sup>3</sup>, 220, 226, 229, 230, 231<sup>2</sup>, 232, 234<sup>3</sup>.
- Leith (Leyth) of Harthill, John, has right to the customs of Bartill fair, 1; references to his quartermaster, 176, 181; caution for him, 186.
- of Kirkcoun of Oyne, John, bond of caution by him, 186.
- of Newraine, George, assythment for his slaughter, 173.
- John, in Ingerrak, his expenses as a witness to be paid, 369, 370.
- Leith, town and port of, 245; some Leith sailors taken by the Turks, 36, 137; the kirk session takes charge of the contributions, 37; a vessel bound thither is arrested, 99; mentioned in a cipher code, 168; restrictions imposed on the maltmen there by the town council of Edinburgh, 348; shipment of troops there for service abroad, 389, 398; the bailies are to satisfy the claims of some creditors, 416; election of the magistrates, 421; some merchandise wrongfully arrested there, 428; acts of Council dealing with the controversy with the city of Edinburgh, 458; the tolbooth, 421; a document dated there, 410; bailies of. *See* Edward Farquhar, David Johnstone, and John Little; the ministers and elders give in a list of masterless men fit for the wars, 421; ministers of. *See* Mr Alexander Gibson and Mr James Sharp.

- Lennox, Duke of, Ludovick, sheriff of Edinburgh, charged to appear before the Exchequer, 252; collector of taxation, 275, 291; a matter referred to his decision, 295.
- James, craves relief from his vassals for the taxation, 437.
- of Dusdow, Robert, and his wife, Nicholas McNacht, charged with wrongful intermeddling with property, 53.
- Leny, the place of, 18.
- Leslie (Laslie, Lesley, Lesly) of Balcarne, Francis, bond of caution by him, 350.
- of Keldelie, John, younger, charged with resetting thieves, 394.
- of Kincraigie, . . ., 181.
- of Otterstoun, James, fiar, caution for his indemnity, 277.
- of Pitcaple, John, bonds of caution by and for him, and John, his son, 350.
- of Tullous, Alexander, witness to the execution of a charge, 181.
- Alexander, in Airdcany, charged with resetting thieves, 394.
- Alexander, in Badiforrow, charged with assault and robbery, 176, 181.
- Alexander, brother to Pitcaple, caution for him and for his indemnity, 350.
- Alexander, writer in Edinburgh, gets instructions sent him, 155, 206.
- Captain, caution for him, 163.
- Mr George, minister at Holyroodhouse, lends money for the maintenance of the Scottish army in Ireland, 89.
- Mr George, at Birsokamilne, charged with armed convocation and riot, 386.
- George, at the Kirk of Rothes, charged with resetting thieves, 394.
- George, servitor to Alexander Burgess, in New Leslie, his expenses as a witness to be paid, 370.
- James, messenger, witness to the execution of a charge, 458.
- Mr John, sometime minister at Tullich, and his son, William, charged with assault and destroying crops, 434<sup>2</sup>.
- John, brother to Kincraigie, witness to the execution of a charge, 181.
- John, notary, charged with armed convocation and riot, 386.
- Mr Leonard, parson of Rothes, deceased, 394; his son, Leonard, charged with resetting thieves, 394.
- Laird of. *See* Forbes.
- house of, 452.
- Lesmahagow, kirk and parish of, reference to the teinds, 273; minister there. *See* Mr John Home.
- Leuchars, minister at. *See* Mr Eleazer Borthwick.
- Leven (Lewen), Earl of, Alexander Leslie, General of the Scottish army, lends money for the maintenance of the Scottish army in Ireland, 84; orders by him for payment of accounts for the army in Ireland, 2, 90, 91, 92; mentioned in a cipher code, 167; signs a petition from the presbytery of Edinburgh, 184; present in Council, vii, 63, 7, 12, 63.
- Levingtoun of Saltcoats, Alexander, charged to find lawburrows, 14; examines some witches, 189, 194, 195; his signature, 190, 194, 195.
- James, in Dirleton, examines witches, 194.
- lands of, 244.
- Liberton, 316; minister there. *See* Mr Archibald Newton.
- License to remain from the host, 295.
- Liddell, George, Burgess of Arbroath, bond of caution by him, 296.
- Janet, Lady Halkerstoun, deceased, lands disposed to her, 250.
- John, merchant in Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 88.
- Liddirdaill, John, in Selkirk, charged to find lawburrows, 293.
- Lies, James, charged with trespassing in the park of Holyrood, 264.
- Ligertwod, Arthur, tenant to the Earl of Errol, complains of being assaulted, 52, 53.
- Lilly, Tom, mentioned in a cipher code, 168.
- Limarick. *See* Lanark.
- Limpetlaw, Robert, skinner in Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 87.
- Linay, Elspeth, deceased, alleged to have used witchcraft, 64.
- Lincluden, regality of, 369.
- Lindores (Lindoris), Abbot of, John, grants a charter of Easter Fintrays, etc., 255.
- Commendator of, Patrick, 277; grants a charter of the Haltoun of Fintray, 256.
- Mark, falconer, his slaughter, 343.
- (Lyndoiris), regality of, 255.
- Lindsay (Lindsey, Lyndesay), Earl of,

- John, formerly Lord Lindsay and afterwards Earl of Crawford and Lindsay, sent by the Council to the English Parliament to treat anent affairs in Ireland, x; receives his instructions as commissioner to the English Parliament, 462; produces articles of a treaty, and makes his report to the Council, 463; he records a patent, 11; commission to him to take depositions, 11; lends money for the maintenance of the Scottish army in Ireland, 83; present in Council, vii, 1, 22, 43, 5, 63, 10, 203, 22, 63. *See also* Crawford and Lindsay.
- Lindsay of Balcarres, Sir D., signs a letter as a justice of peace for the shire of Fife, 338.
- of Bonshaw, John, prosecutes a deserter from his company and his abettors, 379; charged with armed convocation and riot, 392, 393.
  - of Carrestoun, Sir Harry, and Sir John, his son and heir, complaint against them, 311.
  - of Dowhill, James, complaint by him, 282.
  - of Quarrelhill, David, 278, 280; fined for not fulfilling a cautionary, 323.
  - of Syde, Gabriel, on an assise, in which he is chancellor, 132.
  - Mr Alexander, ensign to Lord Spynie, prosecutes a deserter and his abettors, 378.
  - Dame Annas, wife of Sir Robert Falconer of Halcarton, seeks payment of her aliment, 387.
  - Archibald, in Robertoun, charged to appear as a witness, 115, 117; gives evidence, 129.
  - Barnard, witness to the execution of a charge, 252.
  - Bessie, in Eardhouses, and Alexander Gray, her son, depone against a witch, 151, 152.
  - David, bailie of Brechin, caution for his indemnity, 351.
  - David, master of a ship, charged with selling English beer at too dear a price, 442.
  - George, in Afflossen, charged with selling some persons as recruits, 431.
  - James, page to Dunbar of Westfield, suborned to commit a crime, 278, 279, 280.
  - Mr John, minister at Carstairs, charged to produce a decree, 34, 120; reports against a witch, 157; his signature, 157.
- Lindsay, John, portioner of the town of Dirlinton, charged with deforcement, 451, 452.
- Mr Robert, witness to the execution of a charge, 252.
  - William, post, witness to the execution of charges, 108, 144.
- Linklater (Linklatter, Linkletter), Alexander, in Housgar, a child and servant of his alleged to be bewitched, 722, 75.
- Alexander, in Skavie, on an assise, 70.
  - Henry, in Aithtoft, on an assise, 456.
  - John, in Salibister, on an assise, 363.
  - Robert, in Garsetter, on an assise, 359.
- Linlithgow (Lynlythgnow), Robert, illegally prevented from joining his regiment, 452, 453.
- Thomas, chamberlain of Melrose, is taken exception to as a judge, 78; his daughter marries Alexander Fisher, 78.
- Linlithgow, burgh of, 259; the bailies are charged to appear before the Exchequer, 252; a meeting of the General Assembly there in December 1606, 284; reference to "the Act of Linlithgow," 295; the measure of Linlithgow, 333, 336, 338; a contract between the town and the Laird of Bonhard, 396; documents dated there, 138, 339; the market cross, 253, 254; provost of. *See* George Bell and Cornwall of Bonhard; town clerk of. *See* Robert Ker; chamberlain of. *See* Mr James Durham.
- lordship of, 253.
  - presbytery of, demur to the Council's sentence anent a witch, 138; they crave a standing commission for the trial of witches in their bounds, 182, 183; moderator of. *See* Mr Patrick Sheills; clerk of. *See* Mr Robert Row.
  - shire of, ix, 37, 256; arrangements for supplying coal to the natives, 10; the coalheughs to be visited, 10; loans by the gentlemen and others there for support of the army in Ireland, 90; appointment of justices of peace, 299; letter from the justices of peace anent the weights and measures, 338, 339; sheriff of. *See* David Dundas; sheriff of (within Bathgate). *See* James Hamilton.
- Linne, Andrew, in Ireland, complains of his sufferings there, 163, 164; his wife, Elizabeth Redgatt, and three children slain, 163, 164; he craves time for defending an action raised against him, 164.

- Lintoun, Robert, witness to the execution of a charge, 253.  
 — Thomas, in Blakhouse, 308, 309.
- Lithgow (Lythgow), Thomas, messenger, executes a charge, 399.  
 — William, burgess of Lanark, witness to the execution of a charge, 83.  
 — *See also* Linlithgow.
- Little (Litill, Littill), Edward, in Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 85.  
 — Edward, bailie of Queensferry, charged to appear before the Council, 109.  
 — John, bailie in Leith, witness to the execution of a charge, 246.  
 — Marion, burned for witchcraft, 110.
- Littlejohn (Littiljohnne, Lytlejohn), Andrew, herald, proclaims a reward for apprehending Sir Archibald Johnstone of Warriston, 240.  
 — David, in St. Andrews, prosecuted as a deserter, 457.  
 — John, in Cragy, caution for his indemnity, 313.
- Livingstone (Levingstoun) of Kilsyth, William, craves relief from his vassals for his taxation, 450<sup>2</sup>, 451.  
 — of Millegin, Patrick, 400; his son, George, charged with assault and damage to crops, 400.  
 — of Westquarter, to be written to, to take precautions at Stirling against the Irish troops in Scotland, 115; on a Committee of War, 115.  
 — Mr Alexander, minister at Carmichael, appears as a procurator for the presbytery of Lanark, 30, 34, 127; his appointment thereto, 116; charged to produce a decree, 33, 120; reports against a witch, 157; his signature, 157.  
 — Mr Alexander, advocate, debts owing to him, 315.  
 — John, in Drummoir, caution for his indemnity, 418.  
 — John, merchant in Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 86.  
 — John, in the Haining, and his child, John, alleged to be bewitched, 345, 346.
- Lobein, Robert, in Deir, to be apprehended and sent to the wars, 423.
- Loch (Loche), James, merchant burgess of Edinburgh, debts owing to him, 459.  
 — James, in Tulliallan, accused of overcharging his coal, 8, 15.
- Lochaber axes, reference to, 432.
- Lochells, minister at. *See* Mr Donald Clerk.
- Lochfute, lands of, 178.
- Lochgelly, the coal of, 16.
- Lochmaben, presbytery of, proceeds against John Maxwell of Castlemilk for adultery and other crimes, 394, 395.  
 — town of, proclamation at the market cross, 349.
- Lochrutton, parish of, 178.
- Lochwinnoch, minister at. *See* Mr Hew Peebles.
- Lockhart (Lockart, Lokhart) of Cleghorn, . . ., appointed keeper of the rolls to the justices of peace for the shire of Lanark, 299.  
 — James, commission to him to try a witch, 41, 146<sup>2</sup>.  
 — of Heids, Mr John, commission to him to try a witch, 41, 146<sup>2</sup>.  
 — of Lee, Sir James, knight, commission to him to try a witch, 41, 146<sup>2</sup>; present in Council, 175.  
 — Alexander, merchant in Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 88.  
 — Alexander, in Perth, alleged to be bewitched, 352.  
 — Gavin, bailie of Lanark, charged to appear before the Exchequer, 252.  
 — Robert, merchant in Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 86.  
 — Samuel, merchant burgess of Edinburgh, and his wife, Sarah McNacht, complain of their house and lands being intermeddled with, 53; lends money for the maintenance of the Scottish army in Ireland, 89.
- Lockie, David, in Throwburne, on an an assise, 147.  
 — Janet, in Carnwath, accused of witchcraft, 150.
- Logan, David, ensign to Captain Francis Cockburn, complains of the non-delivery of soldiers for his regiment, 379; prosecutes deserters, 379, 380.  
 — Elizabeth, widow of John Maxwell, and spouse to James Logan in Hills, grants a tack, 179.  
 — George, tacksman of the coal of Airth, prosecuted for wrongful retention of some coalbearers, 24, 25, 99<sup>2</sup>, 100.  
 — James, in Hills, charged with violent and wrongful ejection, 179, 181, 183.

- Logan, James, tacksman, execution of summons against him, 106.
- John, in Armannoch, charged to appear as a witness, 179, 182; his evidence, 183.
- Mr Robert, indweller in the Canon-gate, seeks delivery of a bond, 47.
- Logie, James, agent in Edinburgh, accused of withholding his son, Martin, from serving as a soldier after enlisting, 379, 380.
- John, in Bennen, appears as a witness, 57.
- John, at the kirk of Stratoun, appears as a witness in connection with an assault in his house, 56, 57.
- Katherine, burned for witchcraft, 110.
- Thomas, alleged to be bewitched, 361, 364.
- Logie, parish of (Aberdeenshire), 419; minister of. *See* Mr James Strachan.
- London, city of, 415; the Scottish Commissioners there, x, xi; mentioned in a cipher code, 168; Covent Garden, 188.
- Londonderry, in danger of being taken by the rebels, xi, 92.
- Longbyris, the, 312.
- Longnidrie, witchcraft there, 189, 190, 191.
- Lonie, Mr Archibald, a session clerk, signs depositions of witchcraft, 204.
- Lordis moss, 369.
- Lordships: of Abernethy, 255; Balvany, 155, 206; Dirleton, 410; Doune, 254; Dunfermline, 268, 269; Dryburgh, 382; Ettrick Forest, 250; Galloway, 253; Glendovachie, 255; Kinclavin, 429, 431; Linlithgow, 253; Melrose, 77; Ochtrihous, 255; Selkirk, 253; Stirlingshire, 253; Strathearn, 255.
- Lorimer (Lorymer), James, in Huttrelburne, charged with destroying growing timber, 378.
- John, in Falsheitis, charged with armed convocation and riot, 171.
- Lorraine (Loren), Duchess of, her horologist, 415; her death, 415.
- Lossie, river of, salmon fishings there, 255.
- Lothian (Lowthaine), Earl of, Mark [Ker], signs letters and acts of Council, etc., 280, 290; collector of the taxation, 275, 291.
- Robert, complaint against him, 315; engaged in a hunt, 317; written to by some Border Commissioners, 350.
- Lothian, Earl of, William, sent as commissioner to France anent renewing the ancient alliance, ix, x, 13; sent by the Council to the English Parliament to treat anent affairs in Ireland, x; he lends money for the maintenance of the Scottish army in Ireland, ix, 83; letter as to his restraint, 11; he is accused of overcharging his coal, 15; present in Council, vii, 24, 37, 41, 43, 44, 47; he signs acts of Council, 134.
- Lady, is charged to appear anent the coal, 15.
- John, in Newbigging, to be apprehended as fit for the wars, 420.
- Lothian, the sheriffdom of, loans by the gentlemen and others there for support of the Scots army in Ireland, 89, 90.
- East. *See* Haddingtonshire.
- Loudoun, Earl of, John, Chancellor of Scotland, supports the Covenanting party, viii; his question regarding procedure at the General Assembly, 4; references to documents to be expd by him as keeper of the great seal, 4, 11; he is absent in England, 483; lends money for the maintenance of the Scottish army in Ireland, 84; a supplication made to him, 155; he is mentioned in a cipher code, 167; to be consulted as to the disposal of an estate, 172, 207; he and Margaret, his Countess, take part with the heiress of Pollok, 177; one of his servitors complains of assault, 180; directed to instruct commissioners concerning their demands to the Parliament of England, 462; present in Council, vi, 12, 23, 44, 62, 7, 10, 112, 12, 172, 182, 19, 203, 51, 63; signs letters and acts of Council, etc., 77, 171, 236.
- Countess of, Margaret, complains on behalf of the heiress of Pollok, 177.
- Loukupe, John, burgess of Jedburgh, witness to the execution of a charge, 159.
- Loutut, Rolland, in Gwe, on an assize, 70.
- Lovat, Lord, Simon, commission to him of fire and sword, 371; charged with trespassing on certain mosses belonging to the town of Inverness, 377.
- Hew, charged with trespassing on certain mosses belonging to the town of Inverness, 377.
- Love, Elspeth, alleged to be bewitched, 2042.

- Low, Arthur, in Brechin, prosecuted as a deserter, 389.
- Low Countries. *See* Holland.
- Lewis of Maner, John, bond of caution by him, 296.
- Alexander, merchant burgess of Edinburgh, complaint by him, 311.
- Lowrenstoun, Robert, in Newburgh, to be apprehended as fit for the wars, 424.
- Lowrie (Lourie, Lowry), Alexander, in Balmurrie, 133; his wife, Janet McKennan, to be tried for witchcraft, 133.
- Alexander, burgess of Stirling, charged to appear as a witness, 251<sup>2</sup>.
- Andrew, burgess of Stirling, charged to appear as a witness, 251<sup>2</sup>.
- John, in Selkirk, charged to find lawburrows, 293.
- Margaret, wife of Thomas Young, tailor at the West Port, charged to find lawburrows, 186.
- Thomas, in Kirkland of Buittle, prosecutes an action, 421; charged with slander and sedition, 423.
- Lubnaig (Lipnoch), Loch, fishing rights there, 254.
- Lugtoun, Alexander, in Dirleton, charged with deforcement, 451.
- Robert, servitor to the Laird of Hill, charged with assault, 315.
- Lumsden (Lumisdane), Lieut.-Colonel, to receive payment of wages, 116.
- John, in Selkirk, charged to find lawburrows, 293.
- Mr William, ordained to pay a penalty for coming into the country contrary to his obligation, 58.
- Lyell (Lylle), Claud, sometime of Stanypeth, charged to find lawburrows, 405, 407.
- William, sometime of Stanypeth, charged to find lawburrows, 405, 407.
- Lymburner, William, goldsmith, complains of being assaulted and his life threatened, 275, 276.
- Lyon (Lyoun) of Braickay, Alexander, charged to find lawburrows, 350.
- David, in Ardo, caution for his indemnity, 312.
- David, tenant to the Laird of Selmes, witness to the execution of a charge, 119.
- John, in Ardo, caution for his indemnity, 312.
- Lyons (Lione), the custom house of, 415.
- MACALESTER (McAlester) of Tarbet, Gorrie, fiar, complains of his servant being assaulted, 432.
- Andrew, in Dunfallidis, seeks suspension of horning, 291.
- MacAlexander (McAllexander), John, at the . . . of Aird, execution of summons against him, 143.
- William, illegally removed from the house of Blairquhan, 46.
- MacAllan (McAllane), Patrick Gayll, in New Goudie, charged with assault, 402.
- MacAlpine (McCalpine), Umphra, indweller in Glasgow, charged with armed convocation and riot, 265, 266.
- MacAngus (McAngus), Neill, in Easter Larg, charged with destruction of deer and game, 444.
- MacBirnie. *See* Birnie.
- MacBrair (McBrer), Robert, signs a letter as one of the Border Commission, 350.
- MacBurnie (Makburnie), Thomas, bailie of Dumfries, apprehends a Papist, 82.
- MacCagie (McCagie), John, at the Boat of Fiddich, and his son, charged with resetting thieves, 394.
- MacCaitnay (McCaitnay) of Leathis, John, prosecutes an action, 421; charged with slander and sedition, 423.
- MacCall (Mackall, McCall), John, in Glenjane, caution for him, 296.
- John, servitor to James Kennedy, sometime of Blairquhan, charged with illegally entering a house, 46.
- Thomas, messenger, witness to the execution of a charge, 108.
- MacCallow (McCalaw), John, burgess of Haddington, caution for his indemnity, 170.
- MacCallice (McCallice), Alester McPhadrik McDowill, *alias*, in Canny, charged with assault, 432.
- MacCalpie (McCalpie), Donald, in Ballyglass, charged to appear as a witness, 251, 252.
- John Roy, in Callemoir, charged with spoliation, 251.
- MacCarton (Mackartone, McCarton), . . . a priest, who is with the Countess of Nithsdale, to be apprehended, 184.
- MacCártour (McCartour), Hew, receives payment for supplies to the army in Ireland, 91.
- MacCawell (McCawell), John, in Ballantrae, witness to the execution of a charge, 143<sup>2</sup>.

- MacCallum (McChallome), Archibald, in Innercharnen, complains of being assaulted, 381, 382.
- MacCen (McCen), John, alleged to be bewitched, 203<sup>2</sup>, 204<sup>2</sup>.
- MacChachter (McChachter), Janet, in Little Dempstertoun, caution for her indemnity, 274.
- MacChiritter (McChiritter), John Dors, in Auchinba, complains of assault, 432.
- MacClandroise (McClandroise), John, in Drummakeill, charged to appear as a witness, 251<sup>2</sup>.
- Robert (Donald), in Drummakeill, charged to appear as a witness, 251<sup>2</sup>.
- MacClellan (McClellan, McLeland, Macklelland) of Borge, John, supports the intrusion of an unlicensed preacher, 461.
- of Borg, . . . , to be prevented from excluding Lady Kirkcudbright from her husband's estate, 171.
- of Muretoun, Robert, complaint against him, 426.
- of Netherthird, William, charged to find lawburrows, 289, 290.
- of Overlaw, John, charged to find lawburrows, 290<sup>2</sup>.
- James, in Lonwy, charged to find lawburrows, 290.
- Janet, wife of James Baillie in Lamington, charged with resisting the ordination of a minister, 117.
- John, in Lonwy, charged to find lawburrows, 290.
- Michael, called of the Kill, and Herbert, his son, charged to find lawburrows, 289.
- Thomas, notary, caution for his indemnity, 289.
- William, kirk officer at Lamington, charged with resisting the ordination of a minister, 29, 30, 116, 118, 119, 128, 133; he raises action for suspension, 31.
- MacClarkane (McClorkane), John, servitor to Andrew Adam in Balnowtart, witness to the execution of a charge, 143.
- MacClure (McClour, McClure), Mr John, Doctor of Medicine, lends money for the maintenance of the Scottish army in Ireland, 86; charged with illegal warding, 174, 180, 182.
- MacClymont (McClymont, McLeymont), John, in Cohounstoun, charged with committing assault, 40, 138, 140<sup>2</sup>, 141, 142<sup>2</sup>, 144.
- MacClymont, John, in Croyshill, charged to appear as a witness, 140, 144; depones, 142.
- Thomas, in Clonclache, charged to appear as a witness, 140, 142, 144; depones, 143.
- William (Adam), elder, in Colquhounstoun, and William, younger, his son, complain of being assaulted, 40, 144<sup>2</sup>; a counter-complaint raised against them, 40, 41, 140<sup>2</sup>, 141<sup>2</sup>, 142, 144; the former is certified unable to travel, 143.
- William, in Garpin, charged to appear as a witness, 140, 144; gives evidence, 142.
- MacCoill (McCoill), John, servant to the young Laird of Appin, charged with assault, 382.
- MacCour (Mackeour), John, in Lochdowgane, charged to find lawburrows, 289.
- MacConchie (McConchie), John, in Drummucklich, caution for his indemnity, 418.
- MacConnell (McConnell), Hew, ordained to find caution, 282.
- Patrick, in Apilbie, complains of assault, 432.
- Thomas, ordained to find caution, 282.
- *alias* Ross, John, prosecutes an action, 177<sup>2</sup>.
- MacCoraskie (McKoraskie), Roger, charged with committing assault, 41, 42.
- MacCoull (Makcoull), John, officer, deceased, his tenement in Edinburgh, 438; his widow, Eupham McDull, craves advocacy of actions about his property, 438.
- MacCrae (McCrae), John, mentioned in a witchcraft case, 229.
- MacCrierie (McCrierie), John, execution of summons against him, 143.
- MacCroyne (McCroyne), Annabell, wife of Thomas McKie in Stranraer, charged with assault, 441.
- MacCullie (McCullie) of Auchairne, Adam, execution of summons against him, 143.
- MacCulloch (McCulloch) of Ardwall, Alexander, seeks suspension of horn-ing, 76; commission to him to try witches, 134.
- of Drummorrell, Robert, apparent, ordained to pay his taxation, 437.
- of Gutters, David, lends money for the maintenance of the Scottish army in Ireland, 89.

- MacCulloch of Keerichlauch, Robert, seeks suspension of horning, 418.
- MacCulzean (Mackculzean), John, in Keltoun, charged to find lawburrows, 289.
- Ninian, in Keltoun, charged to find lawburrows, 289.
- William, brother to Ninian, *supra*, charged to find lawburrows, 289.
- MacCurtzay (Mackcurtnay), John, in Keltounhill, called the Laird, charged to find lawburrows, 290.
- MacDonald (McDonald, McDonell), McAllane McEane of Ilantyrum, Donald, captain of the Clanranald, charged with oppression and exceeding his commission to take criminals, 306, 307; his practise when charged by messengers, 307.
- of Glencoane, Alexander, *alias* McEane Abrich, complains of his messenger being assaulted, 381, 382.
- Mr Alexander, mentioned in a cipher code, 167.
- MacDougall (McDougall), John, servant to Wedderburn, charged with breaking down a dyke, 55.
- Michael, in Barquhannie, charged with assault, 432.
- *See also* McDowell.
- MacDowell (McDowall, McDowell) of Barlockart, Quentin, seeks suspension of horning, 76.
- of Freuch, Uchtred, seeks suspension of horning, 76.
- of Garthland, Sir John, craves relief from his vassals for the taxation, 453.
- (McDowgall) of Garthland, James, commission to him to try witches, 133.
- of Killester, Andrew, seeks suspension of horning, 76.
- of Logane, Alexander, seeks suspension of horning, 76; commission to him to try witches, 133.
- Eupham, debts owing to her, 424.
- John, town councillor of Wigtown, assaulted and pursued, 41.
- Patrick, in Powtoun, complains of assault, 431.
- (VcDowill), Alester McPhadrik, *alias* McCallice, in Canny, charged with assault, 432.
- *See also* McDougall.
- MacDull (Maikduill, McDull), Eupham, widow of John Makcoull, officer, craves advocacy of actions anent her husband's property, 438; debts owing to her, 399.
- MacDull, John, lends money for the maintenance of the Scottish army in Ireland, 89.
- MacEan (McEaine, McEane), John Roy, servitor to John Butter, caution for his indemnity, 375.
- Kilroy, in Pitlochry, caution for his indemnity, 374.
- Abrich, Alexander, *alias* McDonald of Glencoane, complains of his messenger being assaulted, 381, 382.
- Moir, Steven, in Dunfallidis, seeks suspension of horning, 291.
- VcIven, Kenneth, in Synnmes, charged with destruction of deer and game, 444.
- MacEoun (Mackeoun), John, tenant in Bankend, caution for his indemnity, 288.
- MacEwan (McEwne, McKewin), Harbert, walker in Skyreburn Mill, caution for his indemnity, 418.
- James, in Adland, caution for his indemnity, 418.
- Patrick, in Dunfallidis, seeks suspension of horning, 291.
- MacFedzeine (Makfedzeane, McFedzeane), Thomas, in Little Dempstertoun, caution for his indemnity, 274<sup>2</sup>.
- William, in Little Dempstertoun, caution for his indemnity, 273, 274<sup>2</sup>.
- MacGairmorie (Mackgairmorie), George, tenant to Thomas McClellan, notary, caution for his indemnity, 289.
- MacGawin (McGawan), John, provost of Whithorn, prosecuted for remaining at the horn, 317.
- MacGeorge (Makjore), Mr William, minister at Carlaverock, and moderator of the Presbytery of Dumfries, informs against a Papist, 82.
- MacGhie (Makghie, McGhie, McGie), A., signs as clerk of the Presbytery of Haddington, 190, 194.
- Makghie, Mr John, minister of Dirleton, examines some witches, 189, 194; his signature, 190<sup>2</sup>, 194.
- Robert, at the walkmill of Enoch, charged to find lawburrows, 273.
- William, at the mill of Reidgothens, complains of being assaulted, 277; Robert Mill, his son-in-law, interposes, 277.
- (McKie), Mr Andrew, his ordination in the kirk of Wandell and

- Lamington violently opposed, 28-31, 32-34, 35, 36, 116, 122, 123, 124, 126, 127, 128, 129; his illegal presentation thereto, 32, 127.
- MacGill (McGill) of Cranston Riddell, Mr David, signs letters and acts of Council, etc., 259.
- Donald, in Meikle Knokis, prosecutes an action, 421; charged with slander and sedition, 423.
- John, in Guffokland, craves payment of expenses as a witness, 421.
- William, in Craigton, prosecutes an action, 421.
- MacGillichallum (McGilliechallum), Neill, in Boespick, charged to find lawburrows, 374.
- MacGlasen (McGlasen), Duncan, in Dunfallidis, seeks suspension of horn-ing, 291.
- MacGown (McGoun, McGown), Finlay, in Denhead, prosecuted for remaining at the horn, 308.
- John, in Denhead, prosecuted for remaining at the horn, 308.
- Thomas, in Ballaird in Cassaly, charged to appear as a witness, 251, 252.
- Walter, in Ballaird in Cassaly, charged to appear as a witness, 251, 252.
- MacGregor (McGregour), John Dow Roy, his capture and trial, 459.
- Walter, fireman and porter of H.M. kitchen, complains of being assaulted, 277, 278.
- *See also* Clan Gregor.
- MacHutcheon (McCucheeoun, McHutch-soune), Isobel, depones against a witch, 226.
- John, miller in Skyreburne Mill, caution for his indemnity, 418.
- MacIlmorrow, John, in Cardynes, cau-tion for his indemnity, 418.
- MacIlroy (McIlroy, Makleroy), James, requires delivery of some colliers, 24, 97, 98.
- MacIlwaster (McIlwaster), Gilbert or Gilchrist, a Highlander from Kintyre, slain by accident, 164, 165.
- MacIlwra (McIlwra), Mr Martin, minis-ter at Mull, and his wife, . . . McInnes, are charged with resetting plundered goods, 425, 426.
- MacIlwright (McIlwrycht), Moreis, in Knokmae, 326; his daughter, Janet, accused of adultery, 326; her trial, 326.
- MacIndo (McIndo), Andrew, in Hilheid, charged to find lawburrows, 344.
- MacInhugater (McInhugater), John, in Arrochmoir, charged to appear as a witness, 251, 252.
- MacInnes (McInnes), McEane VcEane, John, in Oust, to be produced before the Council for trial, 323.
- . . . , wife of Mr Martin McIlwra, minister at Mull, charged with reset-ting goods plundered from a ship, 425, 426.
- MacIntagart (McIntagart), John, servi-tor to John Butter, imprisoned ille-gally, 375.
- MacIntosh (McIntoshe, McKintoche), Laird of, required to maintain the peace of the Highlands, 155.
- of Dowrus (Durriss), John, 388, 403; his sons, William, John, and Alex-ander, charged with armed convocation and riot, 388, 403; also his sons, Donald and Lachlan, 403.
- Hector, in Larges, 403; his son, Donald, charged with assault and de-stroying peats, 403, 404.
- MacIntyre (McInteir), Tormett, in Herspdail, to be produced before the Council for trial, 323.
- MacKay (McKai, McKay) of Langwell, Alexander, charged with destruction of deer and game, 444.
- of . . . , John, prosecutes destroyers of deer and game, 444.
- Sir Donald, his deer forests, 444.
- James, in Auchinclocht, charged with armed convocation and riot, 385.
- John, in Auchinclocht, charged with armed convocation and riot, 385.
- Neill, in Skaill, prosecutes de-stroyers of deer and game, 444.
- MacKean (McKene), David, burgess of Montrose, charged with assault, 3.
- John, burgess of Montrose, charged with assault, 3.
- MacKennan (McKennan), Janet, wife of Alexander Lowrie in Balmurrie, to be tried for witchcraft, 133.
- MacKenzie (McKanyee, McKenzie) of Kintaill, Kenneth, charged with de-forcement, 283.
- of the Ord, John, servitor to Kin-tail, charged with deforcement, 283.
- of Tarbett, John, knight baronet, prosecutes an action, 1772, 182.
- Mr John, archdean of Ross, com-plains of being fined and illegally pro-

- secuted by the Earl of Moray, 388, 404, 422.
- MacKenzie, Murdo, servitor to Kintail, charged with deforcement, 283.
- Thomas, in Kincardine, signs a certificate of inability to travel, 175.
- MacKerrell (McKerneth), Thomas, at Bairdismilne, complains of being assaulted, 40, 144; a counter-complaint raised against him, 40, 140.
- MacKie (McKey, McKie), Alexander, at the mill of Tofthills, charged with armed convocation and riot, 386.
- Alexander, in Wigtown, refuge taken in his house, which is assailed, 41, 42.
- Archibald, hammerman, and his wife, Marion Darroch, depone against a witch, 203, 204.
- John, burgess of Perth, charged with spoliation, 26; charged to appear before the Council, 107.
- Patrick, in Bordelseat, charged to find lawburrows, 350.
- Thomas, burgess of Stranraer, and Annabell McCroyne, his wife, charged with assault, 441.
- MacKieson (Makesoun, McKiesone), John, seeks payment of customs, 324.
- John, in Drummond, charged to appear as a witness, 251, 252.
- MacKimmie (McKimay), James, in Ballebege, witness to the execution of a charge, 143.
- MacKinlay (McKinla), Donald, in Ballinknok, prosecuted for remaining at the horn, 308.
- MacKinnay (McKinnay), John, in Little Dempstertoun, caution for his indemnity, 274<sup>2</sup>.
- MacKissok (McKissoke), John, in Kirkhome of Kirkcudbright, execution of summons against him, 143.
- MacKittrick (Mackcitrick), Thomas, in Lonwe, charged to find lawburrows, 290.
- MacLachlan (Maklachlane), Mr Archibald, minister at Comrie, signs a petition, 455.
- MacLagan (McClagane), Duncan, in Pitlochry, caution for his indemnity, 374, 375.
- MacLean (McCleane) of Dowart, Hector, 425.
- Hector, apparent, charged to exhibit some of his clan who have received plunder from a ship, 425, 426.
- MacLean, Allan, brother to Dowart, charged with resetting goods plundered from a ship, 425, 426.
- MacLung (McLung), John, in Knockibae, 133; his wife, Africk Elam, to be tried for witchcraft, 133.
- MacMartin (McMertene) of Lethrinley, Duncan, charged with theft and slaughter, 261.
- Donald, brother to Lethrinley, charged with theft and slaughter, 261.
- Ewne, brother to Lethrinley, charged with theft and slaughter, 261.
- MacMaster (McMaister), William, in Downance, execution of summons against him, 143.
- MacMath (Mackmathe) of . . . , James, charged to find lawburrows, 272.
- MacMerkie (McMerkie), Thomas, caution for his indemnity, 418.
- MacMichael (McMichell, Makmichall), George, servitor to Ballindalloch, witness to the execution of a charge, 160.
- George, servitor to Mr William Cunningham, charged with malicious damage to crops, etc., 45.
- MacMillane, James, stabler in the Canongate, and Christian Johnstone, his wife, caution for their indemnity, 171.
- MacMollen (Mackmollen), John, in Keltounhill, charged to find lawburrows, 289, 290.
- MacMurtrie (McMirtrie, McMurtrie, McMurthie), Andrew in Boigtoun, witness to the execution of a charge, 144.
- Andrew, in Bogtoun, charged to appear as a witness, 140, 144; depones, 143.
- MacMyn (Mackmyn), John, in Spottis, ordained to find lawburrows, 290. *See also* MacNyer.
- MacNacaid, James, a servant, complains of being assaulted, 405.
- MacNacht (McNacht) of Kilquhannitie, John, deceased, 53; his daughter, Sarah, and Samuel Lockhart, merchant in Edinburgh, her husband, complain of their house and lands being intermeddled with, 53.
- Nicholas, wife of Robert Lennox of Dusdow, charged with wrongful intermeddling with property, 53.
- MacNeish (McNeish), John, merchant in Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 89.
- MacNyer (Macknyer, ? McMyn), George,

- in Carlingwark, charged to find lawburrows, 289.
- MacNyer (? McMyn), John, in Spottis, charged to find lawburrows, 290<sup>a</sup>.
- (? McMyn), Thomas, brother to John, *supra*, charged to find lawburrows, 290.
- MacQuhat. *See* MacWatt.
- MacRanken (McRankene), James, writer in Edinburgh, charged to appear as a witness, 140, 144; depones, 142.
- MacRonald (McRounald) of Mudart, John, complains of being oppressed by the Captain of Clanranald, 306, 307.
- MacRorie (McRorie, Makrorie), Donald, in Pitlochry, caution for his indemnity, 374, 375.
- John, in Pitlochry, caution for his indemnity, 374, 375.
- Neill, Captain of Arras, charged with resetting goods plundered from a ship, 425, 426.
- MacTeir, John, in Foirland of Ballantrae, witness to the execution of a charge, 143.
- MacThomas, Patrick, executes a charge, 253.
- MacUlben, Patrick, in Dalduran, prosecuted for remaining at the horn, 308.
- MacUre. *See* Muir.
- MacWater (Mackwatter), Robert, minister, a message sent to him, 464.
- MacVitie (McVite, Mavitie), Thomas, servitor to David Johnstone in Kindilheid, complains of being assaulted, 310.
- William, in Hawick, craves exemption from military service, 427.
- MacWatt (McQuhat) of Auld craige, James, charged with falsely attempting to get remission for a slaughter, 94.
- of Crombie, Walter, charged with falsely attempting to get remission for a slaughter, 94.
- Bessie, wife of William McWat in Kaegill, charged with resisting the ordination of a minister, 29, 116.
- Grizel, wife of William Neilson in Lamington, charged with resisting the ordination of a minister, 117.
- John, in Kaegill, charged with resisting the ordination of a minister, 29, 116.
- Katherine, charged with resisting the ordination of a minister, 29<sup>a</sup>, 30<sup>a</sup>, 118, 119, 128<sup>a</sup>, 129<sup>a</sup>, 133; she raises action for suspension, 31.
- MacWatt, William, in Baitlawes, 116, 117<sup>a</sup>; his wife, Janet Weir, charged with resisting the ordination of a minister, 29, 116, 117; also Grizel, his daughter, 29, 117.
- William, in Kaegill, charged with resisting the ordination of a minister, 29, 116, 117; also his wife, Bessie McWat, 29, 116.
- Mack (Mak), John, at the Mill of Gordon, charged to find lawburrows, 405, 407.
- William, miller at West Gordon, charged to find lawburrows, 407.
- Madertie, Lord, James, signs a letter as a justice of peace for the shire of Perth, 334.
- Madderty, minister at. *See* Mr John Fairbairn.
- Magistrates: their consent required for meetings and convocations in burghs, 265; appointed justices of peace in their bounds, 297, 299.
- Maitland, Janet, in Freichsyd, caution for her indemnity, 313.
- Malcolm, John, indweller in Edinburgh, charged with malicious damage to crops, etc., 45.
- Malloche, Andrew, pronounces a decreet arbitral, 155.
- Malt and maltmen: certain mill dues retained wrongfully, 239, 240; some malt plundered from a ship, 425; restrictions imposed on the maltmen in Leith by the town council of Edinburgh, 348.
- Man (Manne), Isle of, 81; mentioned in a cipher code, 168.
- Manchester, Earl of [Edward], mentioned in a cipher code, 167.
- Mansoun, Alexander, in Geis, to be produced before the Council for trial, 323.
- Manthill, John, in Huntlie, charged with destroying growing timber, 378.
- William, in Huttrelburne, charged with destroying growing timber, 378.
- Mantone, Duncan, shoemaker in Covent Garden in London, some papers left with him, 188.
- Many, William, notary, writes and witnesses a bond, 351<sup>a</sup>.
- Mar, Earl of, John, second, Lord Erskine and Garioch, sheriff of Stirling, charged to appear before the Exchequer, 252; collector of the taxation, 275, 291; he seeks payment of the taxation of August 1621, 382, 383, 431; dis-

- charge granted to him, 453; he signs letters and acts of Council, etc., 441, 442, 444, 445.
- Mar, Earl of, John, third, accused of overcharging his coal, 8, 9<sup>2</sup>, 15, 16; present in Council, vi, 12, 10, 11<sup>2</sup>, 12, 44.
- John, wright in Dundee, prosecuted as a deserter, 389.
- March (Merche), feuar of. *See* Alexander, Lord Home.
- Marischal (Mairshall; Mairshell), Earl of, George, to be charged to exhibit some of his tenants in Caithness, 323.
- Earl of, William, objects to the apprehension of some persons to be sent to the wars, 423, 424; present in Council, vii, 1, 2, 4, 44, 48<sup>2</sup>, 51<sup>2</sup>, 52<sup>2</sup>, 54, 55, 57.
- Marjoribanks, John, merchant in Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 88.
- Markets, forestalling and regraiting of, forbidden, 305.
- Marque, letters of, 414.
- Marriage: reference to penny bridals, 327.
- Marshall (Marchell, Mairshell, Merchell, Mershell), Andrew, in Craig McKerran, charged with spoliation, 26, 27; execution of summons against him, 107<sup>2</sup>; he offers to return poided cattle, 161.
- Andrew, a servitor, witness to the execution of a charge, 138.
- Gavin, released under caution to answer for a slaughter, 18.
- James, wright in Kincardine, witness to the execution of a charge, 100.
- Mr John, minister at Dundurcus, charged with resetting thieves, 394.
- (Marshal), John, in Hartayd, charged to appear as a witness, 115, 117; gives evidence, 129; his son, Alexander, is a witness, 133.
- Walter, a servant, assaulted while rescuing a messenger, 451, 452.
- Walter, examines some witches, 189; his signature, 194.
- Martin (Mairtine, Martene), Alexander, in Skedowye, caution for his indemnity, 311.
- James, in Myreside, charged to appear as a witness, 107<sup>2</sup>.
- James, a servant, illegally prevented from joining his regiment, 390.
- John, notary, prepares an instrument, 130.
- Martin, Patrick, in Campsie, elder, complains of being assaulted and robbed, 26, 27, 100, 106, 111, 112; the delivery of his goods challenged, 134, 160-162; execution of summons against him, 138; his daughter, Jean, receives back certain cattle, 161; certain sums ordained to be paid to him, 178.
- Patrick, younger, certain cattle and others poided from him, 160-162.
- Mary, Queen of Scots, her ninth Parliament, 65, 71, 147; opinion anent her father's revocation, 243; Lord Torphichen is to restore goods belonging to her, 245, 246; her coronation, 245.
- Masterton (Maistertoun), James, in Beath, complains of being assaulted in church, 270.
- James, merchant burges of Edinburgh, bond of caution by him, 254.
- Matchis, Alexander, alleged to be bewitched, 457.
- Andrew, alleged to be bewitched, 456, 457<sup>2</sup>.
- Mathieson (Mathesoun), Arthur, servitor to John Miller in New Leslie, his expenses as a witness to be paid, 370.
- James, servant to King James the Sixth, craves extension of his protection, 459.
- John, elder, portioner of Brochtoun, charged with assault, 315.
- John, younger, in Brochtoun, charged with assault, 315.
- Mathie, John, gardener in Cambusnethan, 384.
- Mauchline, Alexander, merchant burges of Edinburgh, debts owing by him, 262.
- Maule, Mr John, minister at Renfrew, hears confessions of witchcraft, 214, 215; signs depositions, 219<sup>3</sup>, 220, 221<sup>3</sup>, 222<sup>4</sup>, 223, 224, 225<sup>4</sup>, 226<sup>4</sup>, 228<sup>2</sup>, 229<sup>5</sup>, 230<sup>5</sup>, 231<sup>4</sup>, 232<sup>5</sup>, 234<sup>3</sup>, 235<sup>3</sup>.
- Maurice, Prince, mentioned in a cipher code, 167.
- Mawers, John, cordiner in King's Stables, complaint by him, 78, 79.
- Maxwell (Maxwall, Maxwel), Lord. *See* Earl of Nithsdale.
- of Bracoch, Robert, prosecutes an action, 421.
- of Bruntscarthe, Harbert, charged to find lawburrows, 286<sup>2</sup>.
- of Calderwood, Sir James, charged with seizing the house of Pollok and the heiress, 178; seeks relief from his vassals for the taxation, 275.

- Maxwell of Castlemilk, John, excommunicated for adultery and other crimes, 394, 395.
- of Conhaith, Alexander, 81; bonds of caution by him, 82<sup>2</sup>.
- of Hills, Edward, deceased, a tack granted by him, and by his eldest son, John, and Elizabeth Logan, his wife, 179.
- of Innerweik, James, gentleman of H.M. Bedchamber, caution for his indemnity, 14.
- of the Ile, Edward, complaint by him, 268; caution for his indemnity and that of John, his natural son, 288.
- of Nether Pollok, Sir John, knight, deceased, his estates, 177; supplication by his only daughter and heir, Isobel, 177, 178.
- of Newark, Laird of, 201.
- of Orchardtoun, Robert, prosecutes an action, 421.
- of Porterak, James, and Robert, John, and Hamour, his sons, charged to find lawburrows, 274<sup>3</sup>.
- of Shaws, John, charged with assault, 435.
- of Teilling, Hew, 379.
- of Tynwald, William, apparent, charged to find lawburrows, 286<sup>2</sup>.
- Alexander, in Forfar, charged with illegal detention of a soldier, 389.
- Alexander, merchant, 201, 202; his wife, Janet Morison, depones against a witch, 201, 202.
- Bessie, in Little Dempstertoun, caution for her indemnity, 274.
- Charles, wright, burgess of Perth, witness to the execution of a charge, 107.
- Captain Edward, complaint against him, 421; accuses certain who have slandered him and prevented his obtaining lists of masterless men for the wars, 422, 423.
- Edward, son-in-law to James Logan, witness to the execution of a charge, 182.
- Mr Gabriel, minister, a message sent to him, 464.
- Sir George, charged with seizing the house of Pollok and the heiress, 178.
- George, in the parish of Buittle, gives reasons for resisting the intrusion of an unlicensed preacher, 461, 462.
- Maxwell, Harbert, at Port, deceased, 283.
- Homer, brother to Conhaith, caution for his compearing before the Council, 81.
- James, servant to the town clerk of Dumfries, witness to bonds of caution, 82<sup>2</sup>.
- Jean, a Papist, wife of John Irvine, merchant in Dumfries, caution for her compearing before the Council, 82.
- John, at Bankend, and William and John, his sons, caution for their indemnity, 288.
- John, servitor to the Earl of Orkney, complains of being assaulted, 323.
- John, charged to pay an allowance to certain persons appointed for keeping his house of Stanelie, 370.
- Mr Patrick, sheriff clerk of Perth, supplication by him, 17.
- Robert, brother to Conhaith, escapes from confinement, 81.
- Robert, a Papist, brother to Conhaith, caution for his compearing before the Council, 82.
- William, called of Kirkhouse, prosecutes an action, 421.
- William, oy to Herbert Maxwell at Port, caution for his indemnity, 283.
- Maybole, town of, 40, 46, 140, 141<sup>2</sup>, 142<sup>2</sup>; a document dated there, 143.
- Mayne, Mr David, clerk to the Presbytery of Hamilton, extracts a minute of their proceedings, 169; his signature, 169.
- James, customar at Kirkcaldy, complains of being defrauded of his dues, and of deforcement, 440, 441.
- Meane, John, merchant in Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 85.
- Mearns (Mernis), 318.
- Measures. *See* Weights and Measures.
- Medical certificate, a, 331.
- Meetings, in burghs, only to be held with consent of the magistrates, 265.
- Meikkie, Patrick, to be tried for witchcraft, 205.
- Meikle (Mekill), John, burgess of Kirkcudbright, witness to the execution of a charge, 253.
- Meiklejohn (Meikljohn), Robert, skinner in Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 87.
- Melbeis, Robert, in Selkirk, charged to find lawburrows, 293.

- Meldrum (Meldroume), Mr Robert, receives payment for supplies to the army in Ireland, 92.
- Melen (Meaban), Walter, in Dewar (Westerhouses), charged to appear as a witness, 172; his evidence, 173.
- Melrose, Earl of, Thomas, Lord Byres and Binning, secretary, desires judgment anent the payment of a stipend, 398, 399; signs letters and acts of Council, etc., 371, 410. *See also* Earl of Haddington.
- Melrose, town of, 399; a document dated there, 78; the bailies are discharged from trying a case, 77, 78; bailie of. *See* Hew Scot of Galashiels; chamberlain of. *See* Thomas Linlithgow; ministers there. *See* Mr Thomas Forrester and Mr John Knox.
- lordship of, 77; lords of, 399.
- Melville (Melvell, Melwill), Lord, John, lends money for the maintenance of the Scottish army in Ireland, ix, 1, 85.
- of Dysart, James, complaint by him and his son, Richard, 292.
- of Halhill, James, lends money for the maintenance of the Scottish army in Ireland, 85.
- Alexander, in Pitnamoone, a prisoner in the tolbooth of Edinburgh, caution for him, 240.
- Andrew, a servant, prosecuted as a deserter, 389.
- Christian, in the parish of Abercorn, burned for witchcraft, 110.
- Mr Ephraim, minister at Queensferry, charged to appear before the Council anent a case of witchcraft, 109, 110.
- Francis, in Coldingham, his litigations, 343; his wife, Agnes Nisbet, charged with murder by poisoning, 343.
- Sir James, appointed to examine witches, 200.
- Mr Robert, minister at Simprim, for Margaret, his daughter, lends money for the maintenance of the Scottish army in Ireland, 90.
- Mengertoun, Laird of. *See* Armstrong.
- Menteith (Monteath, Monteith) of Carriber, William, a creditor of Sir Alexander Nisbet, 207.
- James, pewterer in Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 87.
- Mr John, minister at Monzie, signs a petition, 455.
- Menteith, Lues, messenger, witness to the execution of a charge, 240.
- Robert, craves a birthbrief, 205, 206.
- William, son-in-law to James Drysdale in Ava, charged with assault, 271.
- William, craves a birthbrief, 205, 206.
- Menteith (Monteth), stewartry of, 254; appointment of justices of peace for, 299.
- Menzies (Menezeis) of Auchinsell, James, charged to find lawburrows, 272, 273.
- of Castlehill, John, charged to find lawburrows, 272, 273.
- of Enoch, Adam, caution for his indemnity, 272, 273; his action anent the disinterment of his son, William, 273.
- of Pitfoddells, Sir Gilbert, caution for him, 238.
- Archibald, bailie of Enoch, charged to find lawburrows, 272.
- John, in Durrisdeer, charged to find lawburrows, 311.
- William, in Durisdeer, charged to find lawburrows, 311.
- Mercer (Merzer) of Aldie, . . ., 11, 20; his son, Laurence, a student at St. Andrews, defends himself against a charge of murder, 11; he is acquitted, 20, 21.
- Andrew, in Baitscheill, prosecutes an action, 77.
- Archibald, bailie of Culroes, commission to him to try a witch, and his report, 37, 105, 139.
- James, writer, burges of Perth, witness to the execution of a charge, 107.
- John, in Dernick, prosecutes an action, 77.
- Mr Laurence, minister at Fossoway, signs a petition, 455.
- Robert, younger, in Dernick, prosecutes an action, 77.
- Troilus, in Crail, prosecuted as a deserter, 458.
- William, in Meikle Indivie, witness to the execution of a charge, 176.
- Merchants charged with abuses in the packing of fish, 355; some charged with selling English beer at too high prices, 442, 443, 448.
- Merchiston (Merchesoun), Laird of. *See* Napier.
- Merse, the 4072.
- Messengers at arms, profane the Sab-

bath by making citations, etc., 166; one deforced when ingathering disputed crops, 396, 397; names of particular messengers: — John Allan, 253<sup>2</sup>; Thomas Allan in Edinburgh, 135, 180; John Anderson, 247, 248<sup>2</sup>, 249<sup>2</sup>; Patrick Anderson, 77; David Bennet, 248; Robert Binnie, 253; William Blair, 45; Daniel Boyle, 252, 253; Gilbert Brown, 431; Thomas Bruce, 176; Patrick Burnet, 107; Alexander Campbell in Edinburgh, 119; Robert Campbell, 250<sup>2</sup>; William Cathrow, 106, 138; John Cochrane, 138; Andrew Craig, 159; David Cunningham in Kilmaurs, 380; Robert Davidson, 247, 248<sup>2</sup>; Patrick Dennistoun, 138; George Donald, 146; Archibald Douglas, 246; Alexander Dunbar, 64, 75; John Dunlop, 458; James Edmonstone, 133; Matthew Fisher, 366; James Forrest in Lanark, 82, 120; William Forsyth, 250; Andrew Geddie in Edinburgh, 79; Alexander Gibson, 181; George Gordon, 144, 178; Andrew Graden, 159; Adam Grahame, 249; James Grahame, 64<sup>2</sup>, 79, 98, 108, 118, 119, 135, 139, 146; William Greig, 247, 248<sup>3</sup>, 249<sup>2</sup>; James Hamilton, 79; John Hamilton, 78; John Hart, elder, in Edinburgh, 109, 144, 176, 180; John Hart, younger, in Edinburgh, 119, 135, 139, 144<sup>2</sup>, 146, 176, 180; Mr John Henderson, 76; Robert Hendry, 99, 106<sup>2</sup>; John Hutson, 115, 116, 117, 118, 119<sup>2</sup>, 120, 128, 133; James Jack, 180; Samuel Johnstone, 119; William Killing (Kaling), 253, 254; Patrick Kinross, 253, 258; Hew Lauder, 458; James Lealie, 458; Thomas Lithgow, 399; Thomas Mackall, 108; Patrick MacThomas, 253; Lues Menteith, 240; Thomas Moffat in Stirling, 29, 117; Walter Muriesone, 178; Alexander Murray in Lauder, 172<sup>2</sup>; Thomas Murray, 172; George Neill, 79, 135; Nicol Newall, 253, 283, 284; Patrick Nisbet, 240; William Norie, 408, 409; John Oliver, younger, 103; John Olipher, younger, in Edinburgh, 108; James Petrie, 83; Robert Pentland, 139; Henry Pilmour in Coupar-Angus, 447; James Pittendreich, 103; 104; Alexander Porteous, 79<sup>2</sup>, 98, 133, 458; David Ramsay in Brechin, 351; David Ray in Perth, 107; Edward Rorieson at Bridgend of Dumfries,

180, 182; James Rutherford, 259<sup>2</sup>; James Sandelands, 108; John Scobie, 80; Robert Semple in Paisley, 367; William Simpson, 259; John Strachan, 253; James Thom, 181; Alexander Thomson, 451; Andrew Tinno in Melrose, 78<sup>2</sup>; George Walker in Lauder, 419; John Williamson, 140; David Wright in Edinburgh, 135, 147; Thomas Young, 455.

Messer, William, in Achrome, charged with armed convocation and riot, 386.  
Mich, Monsieur, mentioned in a cipher code, 168.

Midleburgh, town of, three collier ships come thence, 410.

Milbuy, lands of, 385, 386.

Mill (Myll), Alexander, in Cragy, caution for his indemnity, 313.

— Robert, son-in-law to William M'Ghie, interposes in an assault, 277.

— Thomas, in Elrig, to be apprehended and sent to the wars, 423.

— See also Milne.

Military. See Soldiers.

Miller (Millar, Myllar, Myller), Alexander, in Cragie, debts owing by him, 268.

— Alexander, in Whittinghame, charged to appear as a witness, 108, 111.

— Alexander, advocate, appears as a procurator, 134.

— Alexander, witness to the execution of a charge, 248.

— James, weaver in the Moit of Lochfute, charged to appear as a witness, 182.

— John, weaver in the Moit, charged to appear as a witness, 179; his evidence, 183.

— John, in New Leslie, 370.

— Marion, depones against a witch, 231.

— Mungo, 200; his wife, Janet Muir, alleged to be betwitched, 200.

— Patrick, in Aithstoun, on an assise, 70.

— Robert, maltman, burgess of Glasgow, his house, 390.

— Robert (James), in Lochfute, complains of violent and wrongful ejection, 178, 179, 181, 183.

— Robert, servitor to Gosford, witness to a document, 130.

Milligan (Mulliegane, Mylligane), James, in the Moit, charged to appear as a witness, 179, 182.

- Milligan, William, in Lochfute, witness to the execution of a charge, 182.  
 — *See also* Amuligane.
- Mills: destruction of a mill dam, 369; a dispute about multures and duties, 384.
- Milne (Mylne), Andrew, in Hattoun, caution for his indemnity, 313.  
 — Andrew, in Leith, to be sent to the wars, 420.  
 — George, in Gerbity, charged with resetting thieves, 394.  
 — John, in Blairtoun, 313.  
 — John, in Forfar, charged with breaking ward, and contempt of court, 308.  
 — John, clerk of Queensferry, subscribes delations of witchcraft, 109, 110.  
 — Robert, in Leith, to be sent to the wars, 420.  
 — Thomas, indweller in Leith, charged with assaulting a man himself and by means of his dog, 176, 177, 178.  
 — William, in Burntisland, prosecuted as a deserter, 458.  
 — *alias* Fyff, Alexander, prosecuted for defying and stopping a baron-court, 285.  
 — *See also* Mill.
- Milntoun, tenants of, horning at their instance, 323.
- Miltoun, George, to be tried for witchcraft, 205.
- Minnigaff (Monygooff), kirk of, taxation of the parsonage and vicarage, 436.
- Ministers: disputes about stipends, etc., 169, 398, 399; some in the West desired to convene at Glasgow on behalf of Mr James Guthrie, 464, 465; some apprehended in Edinburgh for holding conventicles and private meetings, 465; names of particular ministers:—Mr William Adair, 464; Mr Patrick Adamson at Buittle, 421; Mr H. Anderson at Monzievaird and Strowan, 455; Mr William Arthur of the West Kirk, 89; Mr James Baillie at Wandell and Lamington, 29, 32; Mr George Bennet at Quodquan, 29, 35, 115, 116, 117, 124, 128; Mr William Bennet in Edinburgh, 86; Mr Robert Birnie at Lanark, 34, 35, 120, 149<sup>3</sup>, 150<sup>4</sup>, 151<sup>2</sup>, 152, 156, 157; Mr James Bonar, 76; Mr Eleazer Borthwick at Leuchars, 11, 20; Mr Robert Brown, 461; Mr John Burnett, 464; Mr David Calderwood, 364, 364<sup>n</sup>; Mr Hew Campbell at Dalkeith, 175, 176; Mr John Carstairs, 464; Mr John Charteris at Currie, 7, 89; Mr Donald Clerk at Lochells, 11, 20; Mr George Douglas at Cullen, 80; Mr James Douglas at Carnwath, 34, 35, 120, 148, 149<sup>3</sup>, 150<sup>4</sup>, 151<sup>2</sup>, 152, 154, 156, 157; Mr Robert Douglas in Edinburgh, 86; Mr Samuel Douglas at Coldingham, 195, 196<sup>3</sup>, 197; Mr David Drummond at Crieff, 455; Mr James Drummond at Kinloch, 390; Mr Alexander Dunlop, at Paisley, 215, 217, 464; Mr John Edmonstane, 76; Mr Jo. Fairbairn at Madderty, 455; Mr William Falcouer at Dyke, 412; Mr Thomas Forrester at Melrose, 399; Mr A. Fotheringham at Muckhart, 455; Mr James Fullarton at Beith, 426; Mr John Gibbison, 76; Mr Alexander Gibson at Leith, 89; Mr George Gillespie in Edinburgh, 86; Mr Patrick Gillespie, 464; Mr J. Grahame at Auchterarder, 455; Mr Gilbert Hall, 465; Mr Robert Hamilton at Ballantrae, 143; Mr Alexander Henderson, at Edinburgh, 1, 89; Mr Robert Henderson at Durisdeer, 272, 273; Mr George Home at Ayton, 195; Mr John Home at Eccles, 54; Mr John Home at Lesmahagow, 33, 120, 137<sup>2</sup>, 157; Mr Richard (Robert) Inglis at Douglas, 34, 35, 120, 157; Mr William Jamieson at Jedburgh, 158; Mr Hew Kennedy at Calder, 37, 108, 117, 119, 138, 149, 156; Mr Robert Ker at Haddington, 190, 191, 197<sup>2</sup>, 198; Mr John Knox at Melrose, 398; Mr Robert Knox at Kelso, 158, 159; Mr George Leslie at Holyroodhouse, 89; Mr John Leslie at Tullich, 434; Mr Leonard Leslie, deceased, parson of Rothes, 394; Mr John Lindsay at Carstairs, 34, 120, 157; Mr Alexander Livingstone at Carmichael, 30, 33, 116, 120, 127, 157; Mr William McGeorge at Carloverock, 82; Mr John Makghie at Dirleton, 189, 190<sup>2</sup>, 194; Mr Martin Mollwra at Mull, 425, 426; Mr Archibald McLachlan at Comrie, 455; Mr Robert Mackvatter, 464; Mr John Marshall at Dundurcus, 394; Mr John Maule at Renfrew, 214, 215, 219<sup>3</sup>, 220, 221<sup>3</sup>, 222<sup>4</sup>, 223, 224, 225<sup>4</sup>, 226<sup>4</sup>, 228<sup>2</sup>, 229<sup>5</sup>, 230<sup>5</sup>, 231<sup>4</sup>, 232<sup>5</sup>, 233<sup>4</sup>, 234<sup>3</sup>, 235<sup>3</sup>; Mr Gabriel Maxwell, 464; Mr Ephraim Melville at Queensferry, 109, 110; Mr

- Robert Melville at Simprim, 90; Mr John Menteith at Monzie, 455; Mr Laurence Mercer at Fossoway, 455; Mr Alexander Moncrieff, 465; Mr H. Monro at Kincardine, 175; Mr William Morton at Wiston, 33, 34, 120; Mr Matthew Mowat, 464; Mr John Murray at Trinity Gask, 455; Mr John Murray 465; Mr George Mushet at Dunning, 455; Mr George Nairn, 465; Mr James Naismith, 464; Mr John Nevay, 464; Mr Archibald Newton (Beaton) at Liberton, 1, 89; John Ogilvie, parson of Cruden, 290; Mr Hew Peebles at Lochwinnoch, 198, 200; Mr Robert Peebles at Kirk-michael, 445, 446; Mr Gilbert Power, 76; Mr Andrew Ramsay at Edinburgh, 85; Mr Thomas Ramsay at Dumfries, 283, 465; Mr David Roger at Carlaverock, 288, 289; Mr David Roger at Tundergarth, 394; Mr James Bow at Muthill, 455; Mr John Rutherford at Kinbethock, 434; Mr John Scot, 465; Mr Alexander Scrymgeour at Kinghorn, 402; Mr George Semple at Paisley, 216, 226, 227; Mr John Semple, 367, 465; Mr James Sharp at Leith, 7, 90; Mr Patrick Shaw at Selkirk, 293; Mr Walter Smith, 397; Mr William Somerville at Pettinain, 30, 34, 116, 120, 157; Mr John Stirling at Baldernock, 130, 131, 465; Mr James Stirton, 464; Mr James Strachan in Logie (Aberdeenshire), 419; Mr James Straiton at Eyemouth, 195; Mr Robert Trail, 465; Mr William Trent in Haddington, 192, 193; Mr John Veitch at Robertson, 28, 31, 34, 115, 116, 118, 119, 120, 128; Mr William Watson, 296; Mr John Weir at Carluke, 28, 33, 34, 118, 120, 127, 137, 157; Mr David Wemyss in Glasgow, 318<sup>2</sup>; Mr Matthew Wemyss, 76; Mr Walter Whiteford, parson of Moffat, 451; Mr James Wilson at Dysart, 28; Mr John Wilson at Crawford, 34, 120.
- Mint: the merchants to be required to bring bullion to be coined, 310; rights and privileges of the General of the Mint, 135, 136; charges to the Master, 135, 136.
- Minto (Mynto), James, in Selkirk, charged to find lawburrows, 293.
- Laird of. *See* Stewart.
- Mirk, James, in Chepiltoun, witness to the execution of a charge, 180.
- Mirscop (should be Mirscrop). *See* Moscrop.
- Mitchell (Micheall, Michell) of Corsknowes, Andrew, charged to find lawburrows, 350.
- of Kintawquhie, David, witness to the execution of a charge, 107.
- Andrew, charged with resisting the ordination of a minister, 29.
- Archibald, in Culter, execution of summons against him, 117.
- David, witness to the execution of a charge, 107.
- George, a servitor, witness to the execution of a charge, 181.
- Gilbert, prosecuted as a deserter, 389.
- John, at the Alehouse of Fiddes, 424.
- John, baker in Edinburgh, 88; his widow lends money for the maintenance of the Scottish army in Ireland, 88.
- John, in Selkirk, charged to find lawburrows, 293.
- Nans (Agnes), alleged to be bewitched, 199<sup>2</sup>, 200.
- Mr Thomas, commissioner for the diocese of Aberdeen, makes some petitions, 166.
- William, in Selkirk, charged to find lawburrows, 293.
- William, in Urtane, charged with resetting thieves, 394.
- Mitchellhill (Michalhill), George, bailie of Selkirk, charged to appear before the Exchequer, 252; charged to find lawburrows, 293.
- George, burgess of Selkirk, witness to the execution of a charge, 253.
- Mitchellson (Mitchelsoun), David, bailie of Edinburgh, imposes restrictions on the maltmen of Leith, 348.
- Mochrie, Robert, in Chapelton, deceased, 180<sup>2</sup>; his son, James, craves decret anent the assythment to be paid by him for a slaughter, 180<sup>2</sup>.
- Robert, in Myvell, appears as a procurator, 180.
- Moffat (Moffett) of Auldtoun, Robert, charged to find lawburrows, 316.
- David, in Selkirk, charged to find lawburrows, 293.
- Robert, in Clarefoote, caution for his indemnity, 316.
- Thomas, notary and messenger in Skirling, charged with resisting the ordination of a minister, 29, 117.

- Moffat, town of, 264; proclamation at the market cross, 349; parson of. *See* Mr Walter Whiteford.
- Moir, David, in Elibrek, on an assize, 359.  
— David, servitor to Mr David Williamson, advocate, appears as a procurator, 105, 106.  
— John, cordiner in King's Stables, complaint by him, 78, 79.  
— John, in Sawaquoy, on an assise, 359.
- Mollison (Molleisone), Gilbert, servitor to James Thom, messenger, witness to the execution of a charge, 181.
- Monck (Monk), General, captures the Committee of Estates, vi.
- Moncrieff (Moncreiff, Moncrief) of Kinmouth, J., signs a letter as a justice of peace for the shire of Perth, 334.  
— Mr Alexander, minister, to be apprehended for holding private meetings, 465.  
— William, in Brydiestoune, charged to appear as a witness, 107.
- Moncur of Pendrich, David, charged to find lawburrows, 262.  
— of that ilk, Andrew, 321.  
— Thomas, brother to the Laird of Moncur, complains of being assaulted, 321, 322.
- Money: amounts offered for support of the Scots army in Ireland, 1, 5, 7, 83-90; thefts of money, 449.
- Monro (Munro), David, moderator of the presbytery of Dingwall, signs a certificate of inability to travel, 175.  
— George, Lieut.-Colonel, grants a receipt for provisions for the army in Ireland, 2; he becomes a cautioner, 163.  
— (Montroe), Mayor, mentioned in a cipher code, 167.  
— Mr H., minister at Kincardine, signs a certificate of inability to travel, 175.
- Montago (Monttago), Gilbert, merchant in Edinburgh, witness to the execution of a charge, 139.
- Monteith. *See* Menteith.
- Montgomery (Montgomrie, Montgumrie) of Scottistoun, John, and John, his son, charged to find lawburrows, 344.  
— David, cooper, burgess of Glasgow, charged to find lawburrows, 344.  
— David, in Easter Scottistoun, charged to find lawburrows, 344.  
— Gabriel, in Commonsye, charged to find lawburrows, 344.
- Montgomery, Henry, in Easter Scottistoun, charged to find lawburrows, 344.  
— James, servant to Gabriel Montgomery, charged to find lawburrows, 344.  
— Janet, condemned for witchcraft, accuses others, 212, 213, 215, 218, 234<sup>2</sup>.  
— Captain John, receives payment for supplies to the army in Ireland, 91.  
— Margaret, wife of Robert Grahame of Grougar, charged with assault, 320.  
— Walter, in Yoker, deceased, 202; his wife, Janet Paterson, alleged to be bewitched, 202<sup>3</sup>, 203.  
— . . ., in Easter Scottistoun, charged to find lawburrows, 344.
- Montgarret, mentioned in a cipher code, 167.
- Montreull, Marie de, mother of Nicolas Foucanote, Frenchman, 415.
- Montrose, Earl of, John, Lord Grahame, sheriff principal of Perth, complains about fishing rights, 249; he signs a document, 247; as Lord High Commissioner, signs letters and acts of Council, etc., 270; debts owing to him, 273.  
— — and Marquis of, James, his invasion of the Highlands, and fighting in Scotland, assisted by Irish rebels, xiii, 115<sup>a</sup>; his estates and goods are forfeited, 131; the Council deal with a person who, on that account, seizes some of his cattle as common property, 130-132; mentioned in a cipher code, 167; his chamberlain in the barony of Mugdock. *See* James Stirling.
- Montrose (Monrose), the provost and bailies of, get commission to try an assault, 4.
- Monygoff. *See* Minnigaff.
- Monzie, minister at. *See* Mr John Monteith.
- Monzievaird (Monyverd) and Strowan, minister at. *See* Mr H. Anderson.
- Moore, Roger, mentioned in a cipher code, 167.
- Moray, Bishop of, Patrick (Hepburn), grants a charter of Spynie, etc., 255.  
— — Alexander, charged to appear as a witness against the Marquis of Huntly, 284.  
— — John, commission to him to examine a person given up as fit for the wars, 412.  
— bishopric of, 255.  
— Dean of. *See* Mr Thomas Dunbar of Pinzet.

- Moray, earldom of, 255. *See also* Murray.  
 — sheriff of, 21. *See* Alexander Dunbar of Westfield and James Dunbar.  
 — Synod of, not to prosecute the Marquis of Huntly, 284.  
 Mordingtoun, lands of, 187.  
 Morgane, Major-General, Commander-in-Chief of the Forces in Scotland, a petition addressed to him, 464.  
 Morison (Moresoun, Moriesone, Morysoun) of Culloche, John, caution for his indemnity, 289.  
 — Carl, transports victual in his ship to Ireland, 157.  
 — Harry, at the Potterrow port, informs against a witch, 134, 135.  
 — James, brother to Culloch, caution for his indemnity, 289.  
 — Janet, wife of Alexander Maxwell, merchant, depones against a witch, 201, 202.  
 — John, servant to Culloch, caution for his indemnity, 289.  
 — John, in Hilheid, charged to find lawburrows, 344.  
 — John, in Knappes, on an assise, 132.  
 — John, depones against a witch, 229.  
 — Patrick, sheriff clerk of Clackmannan, complains of the theft of a bond, 445.  
 — Richard, younger, in Culloch, charged with assault, 409.  
 — Robert, elder, in Kilbowie, depones against a witch, 230.  
 — Roger, in Little Castलगour, craves payment of expenses as a witness, 421.  
 — William, in Dundee, prosecuted as a deserter, 389.  
 — William, merchant burgess of Dysart, becomes cautioner for his wife, Margaret Young, a suspected witch, on her release, 28, 118.  
 Morphie, Laird of. *See* Grahame.  
 Morris (Moreis, Mories), Adam, collier at the heugh of Sauchie, a bond in his favour, 445.  
 — David, at the Mill of Auld Leslie, his expenses as a witness to be paid, 370.  
 — David, in Perth, his wife and child alleged to be bewitched, 354.  
 — Isobel, deponed against as a witch, 226.  
 — Thomas, charged with assault, 438.  
 Morton (Mortounne), Earl of, James, Regent of Scotland, signs a document, 246.  
 Morton, Earl of, William (1607), complains of the seizure of some lands and goods, 289; his regiment, 418; present in Council, vi, 1, 34.  
 — Andrew, merchant in Jedburgh, charged to appear as a witness, 159<sup>2</sup>.  
 — David, in Craigmakerran, charged to appear as a witness, 107.  
 — John, in Chapelton, charged to appear as a witness, 140.  
 — Mr William, minister at Wiston, charged to produce a decree, 33, 34, 120.  
 Moscrop (Mircrop), George, bailie of Jedburgh, witness to the execution of a charge, 259.  
 Moss (Mos), John, in Dernick, prosecutes an action, 77.  
 — Nicol, in Dernick, prosecutes an action, 77.  
 Moss rights, disputes about, 376, 377, 385, 386, 388, 403, 432; some belonging to the town of Inverness, 377, 388, 403, 404; one called the Lordis moss, 369.  
 Mosstroopers, a commission granted to apprehend and try, 43<sup>2</sup>, 44, 47, 48.  
 Moutay, Thomas, sometime of Cambusgavill, charged with assault, 449.  
 Mow of that ilk, John, signs a letter as a justice of peace for the shire of Roxburgh, 335; he becomes a cautioner, 378.  
 Mowat of Fawsyd, James, W.S., craves caution to be found for his indemnity, 405, 406.  
 — of Suynzie, Andrew, debts owing by him, 264.  
 — of Ure, Mr Gilbert, seeks a protection till he recovers some papers in Ireland, 188.  
 — Alexander, debts owing to him, 264.  
 — Andrew, merchant, indweller in Leith, deceased, debts owing to him, 188.  
 — David, in Bankis in Birsay, and Margaret Corstoun, his wife, alleged to be bewitched, 355, 356<sup>3</sup>.  
 — Gilbert, 63; his wife, Katherine Windwik, charged to appear as a witness, 63; alleged to be bewitched, 69.  
 — Mr Matthew, minister, a message sent to him, 464.  
 — Robert, in Quendall, on an assise, 70.  
 — . . . , servant to Lord Torphichen, witness to the execution of a charge, 246.

- Mowat, . . . , 198.
- Mowbray, Robert, at the Bridgend of Cramond, complaint against him, 443.
- Mouswald (Mowsall), Laird of, permitted to levy soldiers for service abroad, 427.
- Moynes, place of, 370.
- Muckhart (Muckarde), minister at. *See* Mr A. Fotheringham.
- Mudie (Mowdie, Muddie, Mudy) of Breknes, Francis, complaint against him, 319.
- David, in Old Aberdeen, charged to find lawburrows, 313.
- James, in Dernick, prosecutes an action, 77.
- John, a servitor, sells some victual, 78.
- John, charged with assault, 433.
- Thomas, treasurer of Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 88.
- Thomas, in Moffat, charged to find lawburrows, 316.
- Mugdock, barony and park of, 130-132.
- Muikie, William, notary in Monygaff, caution for his indemnity, 283.
- Muir (Mur, Mure) of Glanderstoun, . . . , appointed to examine witches, 217.
- of Quoykanker, Thomas, alleged to be bewitched, 362.
- Adam, charged to find lawburrows, 290.
- Agnes, complains of being illegally imprisoned for debt, 434, 435.
- Alexander, at Carrickfergus, acknowledges the receipt of provisions for the army in Ireland, 95, 157, 158.
- Alexander, in Kirkland of Ardwell, caution for his indemnity, 418.
- Alexander, charged to find lawburrows, 290.
- Archibald, charged with assault, 276.
- George, charged to find lawburrows, 290.
- (McUre), Gilbert, in Killquhinzie, charged to appear as a witness, 140, 141, 144; his evidence, 142.
- James, tailor in Maybole, charged to appear as a witness, 140; depones, 143.
- James, in Whittinghame, execution of summons against him, 98.
- Janet, wife of Mungo Miller, alleged to be bewitched, 200.
- John, a servitor, prosecutes an action, 82.
- Muir, John, brother to Thomas, *infra*, charged to find lawburrows, 289.
- Patrick, Burgess of Banff, his life threatened, 372.
- Robert, in Inveresk, complains of being assaulted, 38, 163.
- Robert, in Whittinghame, charged to appear as a witness, 108, 111.
- Thomas, bailie of Glasgow, interposes in an assault, 276.
- Thomas, Burgess of Kirkcudbright, charged to find lawburrows, 289.
- Walter, in Glenkaird, witness to the execution of a charge, 144<sup>4</sup>.
- William, merchant in Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 88.
- William, baker, lends money for the maintenance of the Scottish army in Ireland, 7, 88.
- Muirtoun of Beath, lands of, 256<sup>2</sup>.
- Muldoving, lands and muir of, 393<sup>3</sup>.
- Mull (Mulle), Isle of, mentioned in a cipher code, 168; minister there. *See* Mr Martin McIlwra.
- Mungwall, Patrick, in Falkirk, alleged to be bewitched, 345<sup>2</sup>, 346, 347; also his wife, Janet Wilson, 347.
- Munro. *See* Monro.
- Murder and Manslaughter: remissions granted for, 446, 447; case of a student at St. Andrews College, 11, 21; some slaughters take place in Berwickshire, 342, 343<sup>2</sup>; a woman and two children poisoned, 343; cases of Alexander Bankis, a boy of thirteen, 164, 165; John Banks in Huntly Coit, 414, 417; David Bruce, son to the young Laird of Clackmannan, 18; William Crichton, son to Frendraught, 94; of John Harlawbanks in Huntly Coit, 446, 447; John Douglas, herd, 261; William Guding in Gartferrie, 180<sup>2</sup>; Mark Lindoris, falconer, 343; Janet Sleich in Hutton, 50; William Small, 343; Robert Turnbull in Halrule, 259<sup>2</sup>.
- Murdoch (Murdo), Alexander, collier, complains of being attacked while at work, 38, 163.
- Alexander, charged with assault, 294.
- Janet, sister of John M., bailie of Wigton, assaults and abuses one of the bailies, 42.
- John, bailie of Wigton, refuses to reprimand his sister Janet, 42.

- Murdoch, John, elder, and John, William, and Thomas, his sons, charged with committing assault and riot, 41, 42; they submit to arbitration, 42.
- Patrick, in Ballhomie, execution of summons against him, 143; John, a servant, charged with assault, 294.
- Mure. *See* Muir.
- Mureman, John, in Murefute, charged to find lawburrows, 316.
- Thomas, in Murefute, charged to find lawburrows, 316.
- Murison (Muriesoun), John, to be apprehended as fit for the wars, 450; escapes to the highlands, 450.
- Walter, messenger, witness to the execution of a charge, 178.
- Murray (Moray), Earl of, James, Regent of Scotland, charter to him of Easter and Wester Fintrays, lands of Spynie, etc., 255; charter to him of the lands of Beath, Donibristle, &c., 256.
- — James, third, ratification to him of his territorial possessions, 256, 257; charged with trespassing on the rights of the town of Inverness to certain mosses, and molesting the inhabitants, 377, 388, 403, 404; also charged by the magistrates of Inverness with exceeding his commission against the Clanchattan, 381, 387, 388, 404, 422;
- — James, fourth, lends money for the maintenance of the Scottish army in Ireland, 84; required to maintain the peace of the Highlands, 155; present in Council, vii, 53.
- Murray (Murray, Murrey) of Arduvie, Mr William, charged with illegal detention of a soldier, 390.
- of Blakbarony, John, receiver of Ballincrief, charged to appear before the Exchequer, 252; appointed keeper of the rolls to the justices of peace for the shire of Peebles, 298.
- of Darnhall, Sir Archibald, complains of disorderly conduct at an election, 383.
- of Elibank, Sir Gideon, signs letters and acts of Council, etc., 296, 333, 341.
- — Sir Patrick, objects to the conduct of a sheriff, 376; complains of disorderly conduct at an election, 383.
- of Ochertyre, William, signs a letter as a justice of peace for the shire of Perth, 335.
- of Orchardfield, Robert, son of Alexander Murray in Orchard, gets a charter of Halyburne, 250.
- Murray of Phillophaugh, Sir John, complains of disorderly conduct at an election, 383.
- of Polmais, . . . , appointed keeper of the rolls to the justices of peace for the shires of Stirling and Clackmannan, 299.
- of Skirline, Sir James, 464; his son, James, and Anna Hamilton, his spouse, in a litigation, 464.
- of Touchadam, John, caution for him, 254.
- Agnes, to be tried for witchcraft, 204, 205.
- Alexander, messenger in Lauder, witness to the execution of a charge, 172.
- Alexander, in Orchard, deceased, and Margaret Nisbet, his wife, deceased, lands sold to them, 250; his son and heir. *See* Robert Murray of Orchardfield.
- Annabell, wife of Magnus Corse, alleged to be bewitched, 69.
- David, feuar of the King's Park, charged to appear before the Exchequer, 252.
- David, his widow. *See* Marion Sandelands.
- Gavin, in Selkirk, charged to find lawburrows, 293.
- Helen, widow of Robert Chapman in Perth, now spouse to Peter Balmano, assigns an annuity, 261.
- Isobel, wife of John Weir in Penston, deponed against as a witch, 192; and accuses others, 193, 194.
- James, in Duddingston, charged with trespassing in the park of Holyrood, 263.
- James, and Marjory Chapman, his wife, seek payment of an annualrent, 261.
- Janet, in Burntisland, to be tried for witchcraft, 200.
- Mr John, minister at Trinity Gask, signs a petition, 455.
- Mr John, minister, to be apprehended for holding private meetings, 465.
- John, eldest son of William, Earl of Tullibardine, styled "Master of Atholl," charged to find lawburrows, 374, 375; accused of holding courts illegally, 375.

- Murray, John, writer in Edinburgh, witness to a bond of caution, 240.
- Patrick, burgess of Dysart, consents to an act of the town council, 365.
- Patrick, sheriff of Selkirk, charged to appear before the Exchequer, 252.
- Patrick, burgess of Selkirk, craves payment of expenses as a witness, 389, 397.
- Robert, sometime cooper in Aberdeen, gardener in Skeillimarch, to be apprehended and sent to the wars, 423.
- Robert, maltman, burgess of Perth, complaint by him and Agnes Brown, his spouse, 268.
- Thomas, messenger, executes a charge, 172.
- Sir William, accused of overcharging his coal, 14, 15; his son appears for him, 15.
- Sir W., signs a letter as a justice of peace for the shire of Perth, 335.
- Mr William, in Ardowny, prosecuted as a deserter, 389.
- William, second son to the Earl of Tullibardine, charged to find lawburrows, 374, 375.
- William, in Jedburgh, charged to appear as a witness, 159<sup>2</sup>; his evidence, 160.
- William, bailie of Lauder, his election, 420.
- . . . , Commissary of Stirling, commission to him to try a witch, and his report, 37, 139.
- . . . , mentioned in a cipher code, 167.
- Musket (Muschett), Mr George, minister at Dunning, signs a petition, 455.
- Musketeers sent to apprehend a bailie of Edinburgh, 51.
- Muskets, illegal use of, 40, 42, 142, 171, 173, 349.
- Muskry, . . . , mentioned in a cipher code, 167.
- Musselburgh, kirk session of, 276; their clerk. *See* Mr Patrick Henderson.
- Muthill, minister at. *See* Mr James Row.
- the presbytery of, crave the apprehension and trial of a person trading by magic and abusive practices, 454, 455; signatures of the members, 455; moderator of. *See* Mr James Drummond; clerk of. *See* Mr John Monteith.
- Mutilation, case of, 352.
- Myrton (Myretoun, Morton) of Cambo, Sir Thomas, commission to him to take depositions, 11, 21; his death, 55<sup>2</sup>, 58; his place in the Council supplied, 55<sup>2</sup>, 58; money lent by him for the maintenance of the Scottish army in Ireland, 84.
- of Pittowie, Arthur, witness to a document, 454.
- NAIRN (Nairne) of Sampford, David, a petition by him for the office of gauging the barrels in which fish are to be packed, 355.
- Mr George, minister, to be apprehended for holding private meetings, 465.
- Mr Robert, advocate, 351.
- Nairn, shire of, appointment of justices of peace for, 299; the sheriff is to apprehend a fugitive, 312. *See* Sir John Campbell of Caddell; sheriff-depute of. *See* Colin Campbell.
- Naismith (Naismyth, Nesmith) of Inver, James, complaint against him, 314.
- of Posso, James, and Thomas, his natural son, prosecuted for carrying firearms, 379.
- Mr James, minister, a message sent to him, 464.
- Namland, William, and his wife, alleged to be bewitched, 362.
- Nandick, mentioned in a cipher code, 168.
- Naper, Lord, Archibald, Treasurer Depute of Scotland, a case referred to him, 416; payments to be made to him, 426, 443, 448; a discharge granted to him, 453; he signs an act of Council, 459.
- Napier (Naper) of Kilmahew, John, continued in office as sheriff of Dumbar-ton, 17; charged with assault, 393.
- of Merchiston, as feuar of the King's Meadows, he is charged to appear before the Lords of Exchequer, 252.
- Alexander, merchant in Deir, charged with assault, 307.
- Anna, wife of Mr William Cunningham, charged with illegal intromissions, 45.
- Margaret, Lady Rosyth, and Alexander Stuart, her son, complain of interference with the working of a coal-heugh, 79, 81.
- Robert, servant to Luss, witness to the execution of a charge, 250.

- Napier, William, complains of being assaulted, 351.
- Natoun, the coal of, 14.
- Neill, George, messenger, executes a charge, 79; witness to the execution of charges, 135.
- Neilson (Neilsoun) of Craiggaffie (Kirkaffie), Gilbert, 144.
- of Barnkaillie, David, charged with assault, 409.
- — John, younger, charged with assault, 409.
- of . . . , Robert, charged with assault, 409.
- Gilbert, becomes a cautioner, 326.
- William, in Byres in Lamington, charged with resisting the ordination of a minister, 29, 116, 117; also Grizel McWat, his wife, 117.
- William, at the Mill of Bombie, charged with assault, 409.
- . . . , in Compstoun, charged with assault, 409.
- Ness (Nys), water of, fishings there, 255.
- Nethertoun of Beath, lands of, 256.
- Nevay, Mr John, minister, a message sent to him, 464.
- Newall, Archibald, notary, burgess of Dumfries, deceased, his tomb and burial place in the church, 283; caution for the indemnity of his daughter, Helen, wife of Patrick Young, surgeon there, 283.
- James, sometime bailie of Dumfries, deceased, 283; his son, James, charged to find lawburrows, 283, 284.
- James, smith, burgess of Dumfries, witness to a bond of caution, 82.
- John, maltman, burgess of Dumfries, charged to find lawburrows, 283, 284.
- Nicol, messenger, executes a charge, 253; he and his son, Martin, are charged to find lawburrows, 283, 284.
- Patrick, tailor in Dumfries, charged to find lawburrows, 283.
- Robert, notary, prepares an instrument, 98.
- Newark, Lord, misprint for Galloway q.v.), 81.
- Newark, Laird of. *See* Maxwell.
- Newbattle (Newbotle), Lord, Mark [Ker] (1604), signs an act of Council, etc., 259; a letter written to him, 257, 258.
- Newcastle, Earl of, mentioned in a cipher code, 167.
- Newcastle, town of, 184; mentioned in a cipher code, 168; recommendations sent to the presbyteries with the Scots army there to contribute to the relief of the town of Kelso, 158; a remission dated there, 173; governor of. *See* Sir Arthur Haslrigge.
- Newlands, Michael, glover, burgess of Dumfries, caution for his indemnity, 283.
- Newton, Lady. *See* Helen Grymaslaw.
- Newton (Beatowne), Mr Archibald, minister at Liberton, lends money for the maintenance of the Scottish army in Ireland, 1, 89.
- Newtoun, lands of, 256.
- house of, to be redelivered to its owner, 269, 270; the barnyard of, 439.
- Newtyle, town of, 319.
- Nicolas, Secretary, mentioned in a cipher code, 167.
- Nicoll, John, cordiner in Kilmaurs, charged with rescuing an enlisted recruit, 380.
- Mungo, in Selkirk, charged to find lawburrows, 293.
- Patrick, merchant in Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 86.
- Patrick, in Whytecarnis, caution for his indemnity, 313.
- Thomas, tenant to Frendraught, complains of being assaulted, 400.
- William, in Selkirk, charged to find lawburrows, 293.
- Nicolson (Nicolson) of Cockburnspath, Sir James, craves to be relieved for some of his outlay in repairing the bridge at Dunglas mill, 187.
- of Lasswade, Sir John, accused of overcharging his coal, 15.
- Alexander, merchant burgess of Forres, charged to find lawburrows, 290.
- James, in Dirleton, 189.
- Mr Robert, commissary of Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 88.
- Robert, writer, charged with assaulting the town guard of Edinburgh, 309.
- Sir Thomas, consulted as to the patronage of Wandell, 124.
- Mr Thomas, consulted as to the patronage of Wandell, 124; to redeliver some papers, 188.

- Nimmo, Janet, a widow, lends money for the maintenance of the Scottish army in Ireland, 7, 88.
- Nisbet (Neisbitt) of the Dean, Sir William, knight, provost of Edinburgh, imposes restrictions on the maltmen of Leith, 348.
- of Westnisbet, Sir Alexander, his creditors to be satisfied, 208; his lady, Dame Katherine Swinton, craves means of subsistence for herself and her seven children, 207, 208<sup>2</sup>.
- Agnes, wife of Francis Melville in Coldingham, charged with murder by poisoning, 343.
- Margaret, deceased, wife of Alexander Murray in Orchard, deceased, lands sold to her, 250.
- Nans, alleged to be bewitched, 199.
- Patrick, messenger, witness to the execution of a charge, 240.
- Thomas, a servitor, charged to find lawburrows, 405, 407.
- Nisbet (Nisbett), place of, 368.
- deanhead, 191<sup>2</sup>, 192.
- East, lands of, 368.
- Niven (Nevein), John, servant to John Whiteford, illegally removed from the house of Blairquhan, 46.
- John, servitor to Adam Whiteford, complains of being assaulted, 56.
- Nivengseat, a meeting-place of witches, 148, 149.
- Nithsdale (Nithisdall), Earl of, Robert, mentioned in a cipher code, 167; prosecutes a ship captain for allowing soldiers to escape, 398; recruits for his regiment, 420, 427, 429; as steward of Kirkcudbright, craves license to deal more leniently with petty thieves, 445.
- Countess of, her sentence of excommunication to be enforced, 184; harbours a priest called Mackartone, 184.
- Nithsdale, district of, a commission to some gentlemen there to survey the debatable lands, 292<sup>2</sup>; suppression of vagabonds and masterless men there, 349, 350.
- Notaries: admission of George Abernethy, 246; Mr John Alexander, 114; William Anderson, 155; John Blair in Cassar, 277; Mr Patrick Cheyne, 350, 351; Andrew Cowie, 262; James Cushnie, 176; William Dalziel, 189, 194<sup>3</sup>; James Davidson in Perth, 354; James Duncanson, 345, 347; Andrew Edmes-toun, 420; James Forrest in Lanark, 120; John Gawie, 160; James Gordon in Cardynes, 418; Patrick Irvine, 419; Robert Ker, 253; Mr David Kinghorn, 365, 366; John Lealie, 386; Thomas McClellan, 289; William Many, 351<sup>2</sup>; John Martine, 130; Thomas Moffat in Skirling, 29, 117; William Muikie in Minnigaff, 283; Archibald Newall in Dumfries, 283; Robert Newall, 98; Alexander Robertson, 248; John Robin, 106<sup>2</sup>; Archibald Rutherford in Jedburgh, 159<sup>2</sup>; William Wallace, 24, 96<sup>2</sup>, 97, 100; John Young in Dumfries, 283.
- Norie (Nory), Andrew, in Newbigging, charged to find lawburrows, 350.
- George, in Newbigging, charged to find lawburrows, 350.
- Patrick, in Wester Boqwhopill, prosecuted for remaining at the horn, 308.
- William, messenger, executes a charge, 408; his signature, 409.
- North Berwick, bailie of. *See* Robert Lauder; customar of. *See* . . . Car-kettill.
- Northumberland, Earl of, mentioned in a cipher code, 167.
- Norwell (Norwall), Mr George, appears as a procurator, 50.
- John, in Snyok, prosecuted for remaining at the horn, 308.
- Notman (Noitman), John, in Selkirk, charged to find lawburrows, 293.
- Nuckell, James, servitor to Caskiben, witness to the execution of a charge, 103.
- Nyne Madene Kirk, 294.
- OARS, reference to, 349.
- Ochterlony. *See* Auchterlony.
- Ochtirhous. *See* Auchterhouse.
- Odoradie, Neill, servitor to the Laird of Tarbett, witness to the execution of a charge, 182.
- Ogilvie (Ogilbie) of Arnes, George, charged with disobeying his commission to levy soldiers, 377.
- of Findlater, Sir Walter, appointed keeper of the rolls to the justices of peace for the shire of Banff, 299.
- of Glaswall, David, charged with illegal detention of a soldier, 390.
- of Innerquharity, Sir John, charged with assault, 294; signs a letter as a justice of peace for the shire of Forfar, 337.

- Ogilvie of Over Keith, Mr James, charged with molesting and threatening the life of certain persons, 371-373.  
 — of . . . , complaint by him, 294.  
 — Andrew, illegally prevented from joining his regiment, 390.  
 — David, servant to Innerquharity, charged with assault, 294.  
 — Captain George, permitted to levy soldiers for service abroad, 431.  
 — John, parson of Cruden, seeks repayment of taxations, 290, 291.  
 — John, servitor to Innerquharity, charged with assault, 294.
- Ogle (Ogill), George, writer, witness to the execution of a charge, 98.
- Oig, James, in Migvie, charged with assault, 434.
- Oistlar, Thomas, illegally prevented from joining his regiment, 390.
- Olde-stone, in Ireland, mentioned in a cipher code, 168.
- Oldhamstocks, parish of, to contribute towards the repair of a bridge, 187.
- Oliphant, Lord, . . . , charged to find law-burrows, 170.  
 — of Bachiltoun, George, complains of malicious damage, 287.
- Oliphant of Newton, Sir William, His Majesty's Advocate, complaint by him as to the price of coal, 8; written to by the King anent the justices of peace, 305<sup>2</sup>; letters directed to him by the justices of peace, 337; he signs letters and acts of Council, etc., 296, 333, 341, 379<sup>2</sup>, 382, 385, 386, 387, 388, 392, 393, 400, 402, 405, 409, 426, 432, 436, 443, 444, 452; prosecutes offenders, 351, 379<sup>2</sup>, 382, 384, 385, 386, 388, 391, 392, 400, 402, 404, 409, 426, 431, 435, 442, 444, 446, 448, 452.  
 — David, piper, prosecuted as a deserter, 378.  
 — Margaret, wife of Alexander Inglis, portioner of Craig McKerrane, charged with spoliation, 26; execution of summons against her, 106, 107.  
 — Mr Patrick, brother-in-law to Gilbert Mowat of Ure, intromits with the said Gilbert's estate, 188.  
 — Mr William, appears as a procurator, 25; a letter to him for this effect, 105, 111.
- Oliver (Olipher), John, younger, messenger in Edinburgh, executes a charge, 103; witness to the execution of a charge, 108.
- Oliver, John, younger, in Fdinburgh, execution of summons against him, 458.
- O'Neil, Mr Briant, mentioned in a cipher code, 167.  
 — Mr Owen, mentioned in a cipher code, 167.  
 — Sir Phelim, mentioned in a cipher code, 167.
- Orchards, depredations in, 3, 19, 186, 318.
- Ord of Fyndachtie, Alexander, bond of caution by him, 296.  
 — (Or), William, in Machirmoir, charged with committing assault, 40, 140, 142<sup>2</sup>, 144.  
 — (Or), William, in Maybole, charged with committing assault, 40, 140, 142<sup>2</sup>, 144.
- Orkney, Bishop of, Adam [Bothwell] (1583), signs a certificate, 246.  
 — Earl of, Patrick, 323; complaint by him, 319; the maintenance of his natural daughter, Mary Stewart, 344, 345.
- Orkney and Shetland, 323; appointment of justices of the peace, 299; cases of witchcraft there, 63, 64, 65-75, 355-364, 455-457; judiciary courts there, 359, 363; reports from Shetland of the movements of the enemy's ships, 410; justice and sheriff principal of. *See* Sir William Dick of Braid; sheriff of. *See* Sir John Buchanan of Scotsraig; sheriff depute of. *See* Edward Sinclair of Essinquo.
- Ormiston (Ormeiston), John, in Greinscheill, on an assise, 147.
- Ormiston, town of, 190; the coal there, 24.
- Ormistounhall, a deed dated there, 96; the coal of, 96, 97.
- Ormond, Marquis of, mentioned in a cipher code, 167.
- Orr (Or), John, in Syd, on an assise, 132. *See also* Ord.
- Orrock (Orroke) of that Ilk, Alexander, appointed to examine witches, 200.  
 — James, prosecuted as a deserter, 389.
- Osburne, H., signs a summons, 198.
- Otterburne of Reidhall, Sir Thomas, complaint by him, 305.
- Oxford, city of, mentioned in a cipher code, 168.
- PAISLEY, town of, cases of witchcraft there, 202, 203; a document dated there, 217; a message sent to the ministers of, 464; ministers there. *See* Mr Alexander Dunlop and Mr George Semple.

- Paisley, the bailiary of, 18; the bailie, Bryce Semple of Cathcart, to be continued in office, 18.
- commendator of. *See* Lord Claud Hamilton.
- presbytery of, deals with witchcraft cases, 217; prosecutes a refractory Papist, 366, 367; moderator of. *See* Mr Alexander Dunlop; clerk of. *See* Ro. Park.
- Palace of Dalkeith, 439.
- Palmer, . . ., in command of cavalry, 116.
- Pannes, the. *See* Prestonpans.
- Pantoun, Alexander, in Cragy, caution for his indemnity, 313.
- Paris (Pareise), commissary depute of the Court Minnies of. *See* Nicolas Foucanote.
- Parishes: to maintain their own poor, and prevent the increase of beggars, 354; of Birsay, 359; Buittle, 421, 422, 461; Carlawerock, 288; Carnwath, 146, 147, 150, 154, 156, 157; Carriden, 182, 205; Cockburnspath, 187; Coldstream, 342; Drumblade, 166, 350; Eccles, 342; Foveran, 424; Kilbarchan, 198, 200; Lochrutton, 178; Logie, in Aberdeenshire, 419; Oldhamstocks, 187; Stow, 172; Stranraer, 133.
- Park, Laird of. *See* Hay.
- James, in Auchindares, on an assise, 132.
- John, 394; his wife, Janet Chalmers, commits adultery, 394.
- Ro., signs as clerk of the presbytery of Paisley, 217.
- Park, lands and woods of, 280, 281.
- Parker, Archibald, charged with assault, 433.
- Parland, William, in Wodend, witness to the execution of a charge, 251.
- Parliament of Scotland: ceased to exist during the Commonwealth, vi; union in 1707 with the English Parliament, x; question of its being summoned without the royal consent, xii, xiii; the members are obliged to swear not to repeal the existing laws as to religion, xiv; an act of the Convention of Estates for subscribing the Solemn League and Covenant, 6, 7, 11; the Estates appoint commissioners for preserving the peace, 13; prosecution for an attempted assault on a member, 40; the election of commissioners for Inverness-shire, 58; question of calling a Convention of Estates, 93; Parliament ordains payment to be made for supplies sent to the army in Ireland, 95; a case referred to its decision, 100; grants warrant for trial of some suspected witches, 103, 105, 195, 200, 235; its control over the Earl of Montrose's cattle, 131, 132; recommends contributions for relief of the town of Kelso, recently burned, 158; compearance before them of the provost of Jedburgh for trial, 159<sup>2</sup>; terms on which it will receive King Charles the Second, 210; a bond for the compearance of the Clan Gregor, 237; the holding of office therein is conditional on the observance of the acts establishing religion, 238, 239; ordinances anent the appearance of noblemen and others attending, 246, 247; engaged with the establishment of justices of peace, 331; election of commissioners for Haddingtonshire, 376; the Lords of the Articles, 331; the Committee of Estates grants an order against Mr James Guthrie and others, 465; references to meetings of Parliaments:—the ninth, of Mary Queen of Scots, in June 1563, 65, 71, 147; at Edinburgh in January 1572-3, 245; the eleventh, of King James the Sixth, 29; at Edinburgh in June 1594, 366; at Edinburgh in July 1606, 22, 24, 97; at Edinburgh in June 1609, 297; at Edinburgh in October 1612, 436; at Edinburgh in August 1621, 426; in January 1649, 237; at Edinburgh in June 1649, 194; references to particular acts of Parliament:—anent the prices of coal, and exporting land coal, 10, 14, 15, 341; anent hiring colliers, and fines for wrongful retention of them, 22, 25, 97, 98; anent giving of sentences, 27; against disturbances in kirks, 29; anent the meetings of the Lords of Session, 44, 49; anent the election of Privy Councillors, 55<sup>2</sup>, 56; act for admitting the provosts of Edinburgh as members of the Privy Council, 59; against abusing the people by witchcraft, 65, 71, 147, 148; anent citations and holding of sheriff courts, 111; anent the amount of caution, 186, 378, 403; appointing Mr James Primrose sole clerk of the Council, 194; anent the Clan Gregor, 237; anent the establishment of religion, 238; anent destruction of fish and fishings, 248, 249; for dissolu-

- tion of Crown lands, 252; against Popish ceremonies and superstitions, 263; against tumults and convocations in burghs, 265, 275; against wearing firearms, 265, 281, 297, 304, 320<sup>2</sup>, 379, 382, 385, 386, 388, 391, 392, 396, 400, 402, 404, 409, 432, 452; anent distributing the taxation, 269; for the appointment and regulation of justices of peace, 297, 305; anent the furnishing of bullion by merchants, 310; anent chieftains being answerable for their tenants, 323; anent levying customs on vessels trading between Scotland and Ireland, 324, 325; anent weights and measures, 332, 333-339; appointing the weights and measures for wool, iron, and other merchandise, 334, 336; anent the size of barrels for packing fish, 355; ordaining presbyteries to deal with Papists, 366; anent the suppression of crime, 406; anent the selling of victual, 426; registration in the books of Parliament, 237.
- Parliament of England, their forces by sea and land, 83; mentioned in a cipher code, 167. *See also* England.
- Parsons, Sir W[illiam], mentioned in a cipher code, 167.
- Partick, the old mill of, dispute as to the retention of some malt, 239, 240.
- Paskar mill, 256<sup>2</sup>.
- Patents, only to be written in the office of Chancery, 34, 54; one granted to the Duke of Hamilton, 11.
- Paterson (Patersoun, Patirsoun, Pattersoun), Alexander, in Yoker, depones against witches, 202, 203, 225, 233<sup>2</sup>.
- Christian, wife of Robert Gemmel, and daughter of James Paterson, depones against a witch, 232<sup>2</sup>.
- Christian, widow of Mr John Knox, late minister at Melrose, seeks payment of bygone stipend, 398, 399.
- Edward, tenant in Bankend, caution for his indemnity, 288.
- Gabriel, in Yoker, 220, 224, 235; his wife, Janet Gilmore, depones against a witch, 220, 221.
- George, sheriff clerk of Haddington, hears confessions of witchcraft, 197; his signature, 197.
- James, servant to William Laing in Drumgowane, his expenses as a witness to be paid, 369.
- James, in Yoker, depones against a witch, 202<sup>2</sup>.
- Paterson, James, and Marion Robison, his wife, alleged to be bewitched, 213, 214, 216, 218, 221<sup>2</sup>, 225, 227, 228, 235<sup>2</sup>; his mother also accused, 213, 232; he gives evidence, 226, 227, 228, 234, 235.
- Janet, wife of Walter Montgomery in Yoker, alleged to be bewitched, 202<sup>3</sup>, 203.
- Janet, depones against a witch, 232.
- Mr John, clerk to the Presbytery of Lanark, signs a procuratory, 137.
- John, elder, in Blawarthill, depones against a witch, 222, 224.
- John, indweller in Edinburgh, witness to the execution of a charge, 98.
- John, mariner in Glasgow, charged to find lawburrows, 318.
- John, husband of Margaret Finlayson, who is accused of witchcraft, 223, 226, 227, 229, 230; his sons, John and Matthew, 215, 228, 230<sup>2</sup>.
- Luke, in Hardington, 117.
- Mailie, in Carnwath, accused of witchcraft, 150.
- Margaret, wife of Robert Currie in Lamington, charged with resisting the ordination of a minister, 29, 116.
- Margaret, alleged to be bewitched, 213, 218, 221, 224, 225, 234<sup>2</sup>, 235; her evidence, 225, 226.
- Richard, tenant in Bankend, caution for his indemnity, 288.
- Robert, miller of Blawarthill mill, and his wife, Margaret Gilmore, alleged to be bewitched, 211, 212, 214, 217, 219, 220, 222, 223, 224, 226, 230<sup>2</sup>, 231<sup>2</sup>, 232<sup>2</sup>, 233, 235<sup>2</sup>.
- Thomas, mason, burgess of Edinburgh, witness to the execution of a charge, 144<sup>2</sup>.
- Thomas, merchant in Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 87; complaint by him, 308.
- Thomas, burgess of Kirkcaldy, deceased, 344; his daughter, Katherine, seeks repayment of her expenditure on the upbringing of Mary Stewart, the Earl of Orkney's natural daughter, 344, 345.
- Thomas, in Selkirk, charged to find lawburrows, 293.
- William, alleged to be bewitched, 214, 233<sup>3</sup>; gives his evidence, 232, 233; his signature, 232, 233.
- William, summoned for molesting colliers, 38.

- Paterson, . . . , to be apprehended as fit for the wars, 450; escapes to the highlands, 450.
- Paton (Patoun, Pattoun), Martin, in Easter Tillicoultry, summoned for molesting colliers, 79.
- David, illegally prevented from joining his regiment, 390.
- James, in Baupertie, witness to the execution of a charge, 80.
- Patronage, of the churches of Wandell and Lamington, 29-34, 35, 36, 115, 116<sup>2</sup>, 118, 119<sup>2</sup>, 121-127, 137.
- Paul (Paull), Gilbert, in Lyncheid, charged to appear as a witness, 251.
- James, in Auchinclocht, charged with armed convocation and riot, 385.
- Thomas, in Auchinclocht, charged with armed convocation and riot, 385.
- Paulsone, Marion, wife of James Fotheringham in Burnes in Sanday, alleged to be bewitched, 362.
- Pea, Alexander, maltman in Eyemouth, 458; proceedings regarding his wife, Elisabeth Bathgate, 458.
- Peace, Annie, alleged to be bewitched, 362.
- Hew, alleged to be bewitched, 361.
- Peace, Commissioners or Conservators of the, xii; to provide sureties for the money advanced to support the army in Ireland, 1, 5, 7, 83-90; they act as assessors with the Lords of Council in certain deliberations, 63.
- Pearson (Peirsone, Persone), John, post in Edinburgh, witness to the execution of charges, 135, 144, 178.
- Thomas, bailie of Arbroath, caution for him, 296.
- Peats, destruction of, 351, 388, 393, 403, 404, 405, 432; disputes about the possession of, 369, 377, 385, 386, 388, 393, 403.
- Peddie (Pedie, Feedie), Robert, servant to Inchberry, not to be reset while at the horn, 394.
- Robert, servitor to Thomas Grant, charged with stealing a horse and other goods, 396, 397.
- Peebles (Peibels, Peibillis), Mr Hew, minister at Lochwinnoch, investigates cases of witchcraft, 198, 200.
- Peter, illegally prevented from joining his regiment, 389.
- Mr Robert, minister at Kirkmichael, horning at his instance, 445, 446.
- Peebles, town of, the tolbooth, 384; bailie of. *See* John Hoppringle.
- Peebles, shire of, 37; appointment of justices of peace, 298; disorderly conduct at a meeting for the election of commissioners for the teinds, 383, 384; the taxation of those who possess annual-rents, 454; sheriff of. *See* James, Lord Hay of Yester, and John, Lord Hay of Yester.
- Peeter, Monsieur, mentioned in a cipher code, 168.
- Peitt, James, in Ballachie, charged with taking away some corn, 39; his protestation, 39, 140.
- Peirie. *See* Pirie.
- Pembroke, Earl of [Philip Herbert], mentioned in a cipher code, 167.
- Pendreich. *See* Pittendreich.
- Penman, Christian, a coalbearer, wife of James Imrie, collier, wrongfully retained from her master, 24, 99; execution of summons against her, 106.
- Penston (Painston), the coal there, 15; witchcraft there, 190-194; documents dated there, 190, 191.
- Pentland, Robert, messenger, executes a charge, 139.
- Percy, H., mentioned in a cipher code, 167.
- Peris, John, witness to the execution of a charge, 253.
- Perth, Earl of, John, prosecutes an action, 112; present in Council, vi, 1, 41, 43<sup>2</sup>, 48, 55.
- Perth (St. Johnston), burgh of, 27; the provost and bailies of, are ordained to release prisoners, 2; other charges, 261, 262; a justice court held there, 18; commission to provost and bailies to try witches, 18; precautions to be taken to prevent the Tay being crossed by the Irish rebels, xiii, 115; commission anent the fishings, 249; ravaged by the plague, 249; justice ayres held there, 454<sup>2</sup>; proclamations and execution of summonses at the market cross, 107; the tolbooth, 2, 18; the turret port, 352; a document dated there, 335; dean of guild of. *See* Alexander Inglis; the kirk session deals with a case of witchcraft, 352-354; their clerk. *See* Mr James Davidson.
- presbytery of, deals with a witchcraft case, 354; their clerk. *See* William Young.
- shire of, 248, 249; to be defended against Montrose and his Irish rebels, xiii; the present sheriff, Sir Robert

- Blair of Baltheyock, is continued in office, 17; commission to him to try witches, 18; decreets given by the sheriff, 27, 113, 162; orders to him, 248, 261; commission to him anent the fishings, 249; he is to apprehend a fugitive, 312; appointment of justices of peace, 299; letter from the justices of peace anent the weights and measures, 333-335; sheriff of. *See* John, Earl of Montrose; sheriff deputies of. *See* Alexander Inglis and Mr Gilbert Stewart; sheriff clerk of. *See* James Drummond of Leitchhill and Mr Patrick Maxwell; sheriff court of, 160.
- Peter of Whitelead, John, advocate, raises an action about a harvest, 56; complains of being molested in possession of his lands, 185; caution for his indemnity, 186.
- David, servitor to the Lord Register, witness to a bond of caution, 240.
- George, a servitor, his expenses as a witness to be paid, 370.
- John, writer, charged with encroaching on the office of the Director of Chancery, 34, 54.
- Petfuthie, a document dated there, 350.
- Petrie (Pettrie), James, messenger, executes a charge, 83.
- (Peter), William, indweller in Earnsyd, charged to appear as a witness, 65, 76; his evidence, 77.
- Pettie, lands of, 255.
- Pettigrew (Petigrew), Janet, wife of William Guding, to compare before the Council, 180.
- John, cooper, 201, 202; his wife, Helen Wodrow, depones against a witch, 201, 202.
- Pettinain (Pettinane), minister at. *See* Mr William Somerville.
- Phalupe, Arthur, in Linlithgow, witness to the execution of a charge, 119.
- Pherne, David, illegally prevented from joining his regiment, 390.
- Pherniehist, lands of, in parish of Stow, 172.
- Philp, Alexander, in Birsay, his house, 357<sup>2</sup>.
- James, late clerk of the Privy Council, makes assignation of certain fees and dues, 58.
- William, saddler, 199<sup>2</sup>; his wife, Catherine Ruff, depones against a witch, 199.
- Picks, references to, 42, 173<sup>2</sup>.
- Piershill (Peirshill), lands of, in Restalrig, 45.
- Pikes, provided as arms for ships, 349.
- Pikin, James, a servitor, witness to the execution of a charge, 181.
- Pilmour (Pilmore), Anna, to be tried for witchcraft, 205.
- Henry, messenger in Coupar-Angus, complains of being deforced, 447, 448.
- John, witness to the execution of a charge, 248.
- Pirate, threat of an English skipper to turn, 11, 12.
- Pirie (Peirie, Peirrie), Alexander, at the mill of Leslie, his expenses as a witness to be paid, 369.
- Archibald, at the mill of Rothiemay, complains of being assaulted, 401.
- John, lends money for the maintenance of the Scottish army in Ireland, 89.
- Pistols, supplies of, for troops in Renfrew and Ayr, xiii, 116; horse and side pistols, 171; pistolets, 384, 400. *See also* Hagbuts and pistols.
- Pitcairne (Pittkairnie) of that Ilk, H., signs a letter as a justice of peace for the shire of Fife, 338.
- Andrew, resigns the lands of Hal-toun of Fintray, 256.
- Harry, cousin to Calderhall, witness to the execution of a charge, 119.
- Piteur, Laird of. *See* Haliburton.
- house and green of, 318<sup>2</sup>, 319.
- Pitlochry, mill of, 375.
- Pitscottie of Loncardie, John, younger, charged with assault, 316.
- Colonel, his regiment, 173.
- Pittendreich of that Ilk, . . . , prosecuted for carrying firearms, 321.
- (Pendreich), Alexander, in Petfoure, to be apprehended and sent to the wars, 423.
- James, messenger, executes a charge, 103, 104.
- (Pittintreich), lands of, 255.
- Pittenweem (Pettynwem), [Commendator of] ? James Halyburton (1585), signs a document, 247.
- Plague, the: measures for its suppression in the town of Dysart, 165, 166; in Glasgow, 202; in the burgh of Perth, 249.
- Plaiding, plundered from a ship, 425.
- Plaitseivis, references to, 274, 285, 289, 294, 307, 312, 314, 318, 320, 321, 322, 369, 391, 409.

- Plumber, David, in Lessudden, charged to account for taxation uplifted by him, 382, 383.
- Poisoning, a case of murder by, 343.
- Pollock (Pollok, Pooch), Christian, servitor, delated as a witch, 64.
- John, shoemaker in the Canongate, and Marion Rutherford, his wife, charged with committing assault, 181<sup>2</sup>.
- John, cordiner in Edinburgh, charged with molestation, 78, 79.
- Laird of. *See* Maxwell.
- Nether, Laird of. appointed to examine witches, 217.
- Nether, house of, seized by contending parties, 178.
- Polwart axes, reference to, 179.
- Pook. *See* Pollok.
- Poole, mentioned in a cipher code, 168.
- Poor, the, to be entertained in their own parishes, to prevent the increase of vagabonds, 354.
- Porteous (Portiouse), Alexander, messenger in Edinburgh, executes a charge, 98; witness to the execution of charges, 79<sup>2</sup>, 133, 458.
- Robert, in Bour of Wandell, witness to the execution of a charge, 116.
- Porter, Robert, in Coupar, witness to the execution of a charge, 249.
- . . . , mentioned in a cipher code, 167.
- Porterfield of that Ilk, Alexander, justice depute in Benfrewshire, holds a justiciary court, 130.
- George, provost of Glasgow., examines witches, 201.
- Portpatrick, mentioned in a cipher code, 168.
- Pott, John, cordiner in the Moitt of Lochfute, charged to appear as a witness, 179, 182; his evidence, 183.
- Pow, John, burgess of Haddington, hears confessions of witchcraft, 197.
- Power, Mr Gilbert, his ordination at Staniekirk, opposed, 76.
- Powrie (Powry), John, in Perth, his child alleged to be bewitched, 354.
- Powrie, Laird of, grants reversion of the lands of Levington, 244.
- Fotheringham, Laird of, charged with illegal detention of a soldier, 389.
- Powtoun, in Galloway, 431.
- Premnay, parish kirk of, 452.
- Presbyteries: some in the West written to anent Mr James Guthrie, 465; Berwick, 158; Biggar, 31, 122<sup>2</sup>; Dingwall, 175; Dumfries, 82; Edinburgh, 6, 184; Glasgow, 200; Haddington, 190, 194<sup>2</sup>, 198; Hamilton, 168, 169; Jedburgh, 158; Kelso, 158; Kirkcaldy, 200; Kirkcudbright, 461, 463; Kyle and Carrick, 326; Lanark, 28, 29, 31, 32, 33, 34, 35, 116<sup>2</sup>, 118, 119<sup>2</sup>, 120, 121<sup>2</sup>, 126, 128, 133, 135, 137<sup>2</sup>, 151, 155, 158, 157; Linlithgow, 138, 182, 183; Lochmaben, 394; Muthill, 454, 455; Paisley, 217, 366, 367; Perth, 354; Roxburgh, 158; Selkirk, 158; Stirling, 345, 346, 347; Wigtown, 42.
- Preston of Craigmillar, David, accused of overcharging his coal, 8, 9; he signs an obligation to observe certain acts of Parliament anent religion, 239.
- of Fentonbarns, Mr John, Collector-General, 258; signs letters and acts of Council, etc., 259, 296, 307, 341.
- of Valleyfield, Sir John, 352; accused of overcharging his coal, 8, 15, 16; complains of the wrongful retention of some coalbearers, 24, 25, 99<sup>2</sup>; his son, Mr Robert, makes requisition for them, 25; action by him and Sir George, his son, 106.
- Sir George, accused of overcharging his coal, 8, 16<sup>3</sup>; commission to him to try a witch, and his report, 12; complains of the wrongful retention of some coalbearers, 24, 25, 99<sup>2</sup>.
- Dame Elizabeth (Margaret), widow of Sir Arthur Douglas of Whittinghame, her intromissions with the house and lands of Whittinghame disputed, 25, 27, 99, 108, 111, 115; a certain allowance made to her, 26; she craves suspension, 34, 120, 128, 133; and delivers the keys on removing by the order of the Council, 114, 129; her mother, Agnes Haitlie, 25, 26; she craves payment of a modification allowed to her and her children from her deceased husband's estate, 464.
- Prestoun, mentioned in a cipher code, 167.
- Prestonpans (the Pannes), 176.
- Prett, Thomas, in Overhall, execution of summons against him, 83.
- Primrose (Primeroose, Prymrois), Sir Archibald, clerk of the Privy Council, a fine assigned to him towards payment of the fees due to him, 58; a memorandum for him, 115; he signs a cipher code, 168; deprived of his office of Clerk of Council, 194; he signs

- letters and acts of Council, etc., 64, 76, 78, 79, 80<sup>2</sup>, 96, 99<sup>3</sup>, 100, 101, 103, 104, 108, 109, 115, 117, 118, 119, 121, 128<sup>2</sup>, 136, 137, 138<sup>3</sup>, 140, 144, 159, 168, 172, 174, 175<sup>2</sup>, 177<sup>2</sup>, 180<sup>2</sup>, 181.
- Primrose, Archibald, writer, debts owing to him, 317.
- Archibald, commission to him for receiving the fines from resettlers of the Clan Gregor, 437.
- James, Clerk of the Privy Council, written to for the delivery of some papers, 295; documents put in his keeping, 427; signs letters and acts of Council, etc., 211, 259<sup>2</sup>, 295, 298, 329, 367, 417, 453<sup>2</sup>, 458; deceased, 194.
- Mr James, son of the foregoing, appointed sole Clerk of the Council, 194; admitted clerk to the Conservators of Peace, 63.
- Prince, the, mentioned in a cipher code, 167.
- Pringle (Pringill) of Blindlie, Robert, witness to the execution of a charge, 78<sup>2</sup>; complains of assault and spoliation, 171, 172.
- of Buckholme, James, and George, his son, charged with armed convocation and riot, 171, 172; he is witness to the execution of a charge, 399.
- of Heriotmill, James, charged with armed convocation and riot, 171, 172.
- of Newhall, George, and James, his son, charged with armed convocation and riot, 171, 172.
- of Torwodlie, . . ., appointed keeper of the rolls to the justices of peace for the shire of Selkirk, 298.
- Alexander, in Coldstream, 321; his son, John, complained against, 321.
- Andrew, burgh officer of Lauder, executes a warrant, 420.
- Charles, in Lauder, to be apprehended as fit for the wars, 419, 420.
- David, brother to Heriotmill, charged with armed convocation and riot, 171.
- George, sheriff depute of Haddington, complains of certain persons breaking illegally into the house of Whittinghame, 25, 26, 108<sup>2</sup>.
- James, sometime of Dewer, charged with armed convocation and riot, 171, 172.
- James, in Heriottown, charged with armed convocation and riot, 171.
- John, sometime of Smailholme, charged with armed convocation and riot, 171.
- Pringle, William, in Stow, charged with armed convocation and riot, 171.
- Printing, by a society of stationers in Edinburgh, 465.
- Priory of St. Andrews, 437; of Whitehorn, 437.
- Prisoners, maintenance of, 327, 328.
- Privateers, payment of the crews of, 453<sup>4</sup>, 454, 455.
- Privy Council of Scotland: a comparative record of the attendances of the members, vi, vii; a divided body, vii, viii; ceases to exist during the Commonwealth, vi; its power during the previous reigns, viii; promises to provide sureties for the money advanced for support of the Scots army in Ireland, viii, ix, 1, 5, 7, 83-90; the amounts offered by Councillors, 83, 84; recommends contributions for relieving distressed families fleeing from Ireland, 6; admission of Sir John Smith, provost of Edinburgh, to be one of their number, 6; orders the subscribing of the Solemn League and Covenant, 6, 7; the Councillors subscribe, 10, 11; reference to former legislation with regard to the price of coal, 8; grants commissions for the trial of witches, 11, 18, 20, 37, 41, 43, 102, 133, 134, 146<sup>2</sup>, 200<sup>2</sup>, 205, 217; the terms of a commission, 205; replies to the demands of the French Ambassador as to the alliance of Scotland and France, ix, 12, 13; gives orders to several sheriffs and others to continue in office, 17<sup>3</sup>, 18, 28, 53; recommends a contribution for ransoming some sailors from the Turks, 36, 37, 137; allows of an impost for maintaining the harbour and bridge of Ayr, 37, 119, 138; grant a commission to the Earls of Buccleuch and Annandale against mosstroopers, 43<sup>2</sup>, 44, 47, 48; appointment and proclamation of its days of meeting, 44, 48, 50, 135, 175; appointment of *interim* presidents, 48<sup>3</sup>, 59; gives warrant for the issue of coin, 49, 135, 136, 137<sup>2</sup>, 209<sup>2</sup>; grants protections, 51; admission of Sir John Wemyss of Bogie to be one of their number, 55, 56, 58; act of Parliament anent election of the members, 55<sup>2</sup>, 56; admission of Archibald Tod, provost of Edinburgh, to be one of their number, 59; the provosts

of Edinburgh during their term of office are to be admitted as members, 59; discussion as to advocates, consulted by the Council, 63; grants a commission for apprehending Papists, 82; compensates some mariners robbed by the Irish rebels, 91; craves the English Parliament to endeavour resistance to the Irish rebels, x, xi, 92, 93; the Council is to consult with the Conservators of Peace and Commissioners of the Common Burdens in some public affairs, 93; desired to recommend Thomas Cunningham as Conservator in the Low Countries, 94; they grant a testimonial to him for his past services, 94; their direction sought as to a sentence, 132; an action remitted to them from the Parliament, 162; supplicated to determine what assythment is to be paid in certain cases of slaughter, 173, 174, 180; a committee appointed anent a case of poinding, 178; refuse to grant a standing commission for the trial of witches, 183; requested to deal with sectaries, 237; a bond for the compareance of the Clan Gregor before them, 237; offers a reward for the apprehending of Sir Archibald Johnstone of Warriston, 240; the imprisonment of the Earl of Cassillis for an offence against them, 258; to be furnished with rolls of reliable witnesses and assisers by the justices of peace, 298, 300; report to be made to them of all breaches of the peace, 303; their replies to questions raised by the justices of peace, 326-329, 331; the Council's answer to King Charles the First's letter anent foreign preparations, and some other letters, 364; acts about the controversy between Edinburgh and Leith, 458; recommended to aid and support the universities and colleges, 460; issues instructions to its commissioners as to what they require from the English Parliament, 462, 463; letter from the Council to the justices of peace to report their opinion anent weights and measures, 332, 333; the replies made thereto, 333-339; letter to the justices of peace for Fife to send commissioners anent the export of coal abroad, 341; letter from Lord Newark, 81; the Council write to the King anent the restraint of the Earl of Lothian, 11; act of the Council anent the furnishing

of bullion by merchants, 310; registration in the books of Council, 22, 59, 186, 237; 394, 463; clerk of, appointment of Mr James Primrose as sole clerk, 194; the deprivation of Sir Archibald Primrose, 194; the clerk ordained to transmit weekly to the English Court a report of matters dealt with in the Council, 458; he receives a pupil in his keeping till curators are chosen, 49; which being done, he is ordained to deliver her up to them, 53; he is to grant warrants and papers, 83; money, etc., consigned in his hands, 12, 57, 167, 178, 438; clerks of. *See* John Andrew, James Philp, James Primrose, and Sir Archibald Primrose; the macers to make proclamations, 44; places of the Council's meetings: at Edinburgh, 12, 23, 3, 43, 63, 7, 8, 10, 112, 122, 14, 172, 182, 19, 202, 21, 222, 24, 272, 28, 31, 342, 372, 392, 41, 432, 442, 484, 492, 50, 512, 522, 53, 54, 55, 56, 572, 58, 59, 60, 63, 135, 1752; in Glasgow, 266; at Holyrood, 246; at Stirling, 47, 249.

Privy Seal, Lord. *See* Sir Richard Cockburn of Clerkington.

Proclamations: of a reward for apprehending Sir Archibald Johnstone of Warriston, 240; that noblemen and others come to Parliament in peaceful array, 246, 247; against remaining in the streets of Edinburgh after ten at night, 309; for electing commissioners to Parliament from the shires, 376; anent appointing commissioners for the teinds, 353. Proffert, William, elder, in Dunlapie, charged with assault, 260.

— William, younger, in Dunlapie, charged with assault, 260.

Protections: one sought by John Inglis, late bailie of Edinburgh, 51; Edward Johnston, merchant burgess of Edinburgh, 459; James Mathesoun, 459; John Stewart of Coldingham, 458.

Protectorate, the, vi.

Protestants, in Ireland, persecuted by the rebels, xi.

Provand, John, in Lyncheid, charged to appear as a witness, 251.

— Walter, in Kiptulloch, charged to appear as a witness, 251, 252.

Pulchenour, Patrick, witness to the execution of a charge, 249.

Pumphreston, Laird of. *See* Douglas.

Pumphray, Christopher, execution of summons against him, 82.

- Pumphray, John, elder, execution of summons against him, 82.
- Purdie (Purdy), Barbara, deposed against as a witch, 193<sup>2</sup>.
- John, in Lammertoun, complains of being assaulted, 19.
- Simon, in Durisdeer, charged to find lawburrows, 311.
- Purdon (Purdoune), William, miller at Patrick, depones anent the retention of malt at the mill, 239.
- Pursuivants: Carrick. *See* Robert Campbell; Dingwall. *See* Daniel Grahame; Kintyre. *See* George Stewart.
- Purves, George, in Dunbar, debts owing to him, 145.
- William, merchant burges of Selkirk, to pay the expenses of witnesses cited at his instance, but not heard, 389.
- William, merchant burges of Selkirk, seeks suspension of horning, 397, 398.
- William, in Selkirk, charged to find lawburrows, 293.
- Pye, Sir R., mentioned in a cipher code, 168.
- QUARBELL (Querrell), the house of, 98<sup>2</sup>; a deed dated there, 97.
- the coal of, 16, 24, 25, 97, 99, 100.
- Laird of. *See* Elphinstone.
- Quarter-Sessions of the justices of peace, 326, 327.
- Queen Henrietta Maria, the King writes anent some imputations made against her, 1; she is mentioned in a cipher code, 167.
- Queensferry, burgh of, within the regality and lordship of Dunfermline, 20; trial of witches there, 20, 104, 109<sup>2</sup>, 110<sup>2</sup>; bailies of. *See* Edward Little, Samuel Wilson, and Thomas Wilson; town clerk of. *See* John Milne; minister of. *See* Mr Ephraim Melville.
- Quhittinghame. *See* Whittinghame.
- Quhytfurd. *See* Whiteford.
- Quodquan (Calquhan, Cathquhon), minister there. *See* Mr George Bennet.
- Quoynameik (Quoynameikill), David, and his wife alleged to be bewitched, 456, 457.
- Manse, and his wife and cattle, alleged to be bewitched, 456<sup>2</sup>, 457<sup>2</sup>.
- RAE (Raa), Arthur, in Ardo, caution for his indemnity, 312.
- Rae, John, smith, in Wiston, witness to the execution of a charge, 120.
- Paul, in Wrangum, caution for his indemnity, 313.
- Steven, in St. Leonards, charged with trespassing in the Park of Holyrood, 263.
- *See also* Ray.
- Raessandsyd, tenants of, horning at their instance, 323.
- Raghlen, Isle of, mentioned in a cipher code, 168.
- Rait, Mr David, Principal of the College of Aberdeen, complaint by him, 271.
- John, in Silliflat, complaint by him, 271.
- Raith of Edmestoun, Mr James, advocate, complains of attempts upon his life, 391<sup>2</sup>.
- Ralstoun of that Ilk, . . . , appointed to examine witches, 217.
- Ramage (Rammage), Andrew, in Carberry, summoned for molesting colliers, 38, 39; execution of summons against him, 139; his deposition, 163.
- Ramsay (Ramsy) of Dalhousie, Lord, George, craves relief from his vassals for the taxation, 436.
- of Arbeky, James, complaint by him, 314.
- of Ardowny, Harry, charged with illegal detention of some soldiers, 453.
- of Balmaine, Sir Gilbert, lends money for the maintenance of the Scottish army in Ireland, 84.
- — David, younger, bond of caution by him, 240.
- of Balnabreiche, John, caution for his indemnity, 351.
- of Jordanstoun, John, complains of being assaulted, 321, 322.
- Doctor Alexander, physician in Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 89.
- Alexander, in Ballantrae, and Gilbert his son, there, witnesses to the execution of a charge, 143<sup>2</sup>.
- Mr Andrew, minister at Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 85.
- Andrew, a servant, charged with assault, 314.
- David, messenger in Brechin, caution for his indemnity, 351.
- John, commissary of Brechin, 351; caution for the indemnity of his sons, James and Thomas, 351.

- Ramsay, John, servitor to the Laird of Bidrin, caution for his indemnity, 289.
- John, appears as a procurator for the Royal burghs, 9, 15, 16.
- Patrick, in Hattoun, caution for his indemnity, 313.
- Patrick, officer in a court of justiciary, 130.
- Mr Thomas, Commissary Clerk of Brechin, 351; caution for the indemnity of his son, James, 351.
- Mr Thomas, minister of Dumfries, concerned in a dispute about church sittings, 283; to be apprehended for holding private meetings, 465.
- Rand, David, in Perth, 353; his wife, Margaret Buchanan, alleged to be bewitched, 353.
- Ranfurlie, Laird of. *See* Knox.
- Rankin (Rankeing, Rankene), Alexander, smith in Kilmaurs, charged with rescuing an enlisted recruit, 380.
- Walter, merchant in Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 87.
- . . . , charged to appear before the Council, 198.
- Rannald, John, requires delivery of some coalbearers, 24.
- Rannaldsone, Elspeth, in Burntisland, to be tried for witchcraft, 200.
- Rany (Ranye) of Carnehill, Andrew, charged to find lawburrows, 350.
- . . . , a soldier, charged with armed convocation and riot, 392.
- (Ranie), *alias* Todlock, Margaret, delated as a witch, 64.
- Rape, case of, in Angus, 318, 319.
- Rapiers, reference to, 349.
- Rattray (Rattrey, Rettray) of Corb, William, caution for his indemnity, 351.
- of Craighall, David, charged with illegal detention of a soldier, 390.
- of Monydie, James, caution for his indemnity, 351.
- of West Forest, John, complains of being assaulted, 321, 322.
- John, in Ramagullane, caution for his indemnity, 351.
- Roger, in Ramagullane, caution for his indemnity, 351.
- Ray, David, messenger in Perth, witness to the execution of a charge, 107.
- Patrick, at the mill of Ardo, caution for his indemnity, 312, 313.
- Stephen, in Muretoun, depones against a witch, 353.
- Ray. *See also* Rae.
- Reddoch (Reiddoch), Alexander, in Garfin, witness to the execution of a charge, 80.
- Redgatt, Elizabeth, wife of Andrew Linne, in Ireland, and three of their children, are slain, 163, 164.
- Thomas, deceased, 164; his widow, Helen Semple, has debts owing to her, 164.
- Redland of Redland, Thomas, on an assise, 70.
- Hew, in Skail, on an assise, 70.
- Regalities, lords of, appointed to hold a wapenschaw, 428; of Broughton, 428; Dunfermline, 20; Glasgow, 180; Lincluden, 369; Lindores, 255; Spynie, 53, 162.
- Registers and Registration: the registers kept in the Castle of Edinburgh, 336; registration of acts of caution by the justices of peace, 305.
- Regraiting, acts against, 3012.
- Reid (Rid) of Pitnacrie, John, charged to find lawburrows, 374, 375.
- Adam, brother to Pitnacrie, charged to find lawburrows, 374.
- Adam, in Eastertyre, charged to find lawburrows, 374, 375.
- Alexander, in Baharly, summoned for molesting colliers, 79, 80.
- Alexander, servant to the Laird of Drum, charged with armed convocation and riot, 385.
- Alexander, in Leith, to be sent to the wars, 420.
- Charles, sheriff-depute of Elgin and Forres, commission to him of fire and sword, 371.
- Charles, Burgess of Forres, charged to find lawburrows, 290.
- George, merchant in Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 87.
- George, brother to Laurence, *infra*, complaint by him, 267.
- Helen, to be tried for witchcraft, 205.
- Sir James, a forged letter sent to him, 352.
- James, in Carberry, execution of summons against him, 139.
- James, gardener, summoned for molesting colliers, 38, 39; his depositions, 163.
- Janet, tried for witchcraft, 71-75; sentenced to be burned, 73.

- Reid, John, driver at Partick mill, deposes anent the quantities of malt taken to and from the same, 239, 240.
- Laurence, in Ardormie, and William, his son, complaint by them, 267.
  - Margaret, in Carnwath parish, condemned as a witch, 155, 156, 157.
  - Patrick, brother to Laurence, *supra*, complaint by him, 267.
  - Peter, in Durisdeer, charged to find lawburrows, 311.
  - Salamon, in Leith, to be sent to the wars, 420.
  - William, brother to Laurence, *supra*, complaint by him, 267.
  - William, brother-in-law to John Heddleston, charged to find lawburrows, 286.
- Reidheid, Edward, a servant, complains of being assaulted, 429, 430.
- Reith, James, witness to the execution of a charge, 429.
- Religion. *See* Church and Religion.
- Remissions, 94; some granted for slaughters, etc., 51, 173, 174, 180, 446, 447.
- Rendall, Alexander, in Midgair, on an assise, 457.
- John, in Brek, on an assise, 456.
  - Oliver, in Halkland, on an assise, 456.
  - William, alleged to be bewitched, 456.
- Renfrew, town of, pistols supplied to the troops there, 116; the fair there on St. Nicholas Day, 215, 230; the market cross, 367; documents dated there, 217, 219; provost of. *See* John Spreull; minister there. *See* Mr John Maule; the kirk session deals with witchcraft, 217<sup>2</sup>, 219.
- shire of, 130; troops raised there against Montrose, xiii; the sheriff, Bryce Semple of Cathcart, to be continued in office, 18; cases of witchcraft there, 198-204, 211-235; appointment of justices of peace, 299; sheriff of. *See* Hew, Lord Semple; sheriff depute of. *See* Bryce Semple.
- Renny, Agnes, widow of William Spence, burgess of Montrose, and Janet Spence, her daughter, complain of being assaulted, 3, 4; her mother, Margaret Chalmers, dies after being assaulted, 3.
- Rents, His Majesty's Receivers of, payments to be made to them, 160, 448; payments by them, 455.
- Renwick (Rennik), John, in Huntlie, charged with destroying growing timber, 378.
- Robert, in Huntlie, charged with destroying growing timber, 378.
  - William, in Huntlie, charged with destroying growing timber, 378.
  - William, younger, in Huntlie, charged with destroying growing timber, 378.
- Requests, Master of, his petition to the King, 257.
- Rerik, Robert, servitor to the Laird of Bidrin, caution for his indemnity, 289.
- Reset, cases of, 394.
- Restalrig, lands and town of, 45, 58.
- Restoration of King Charles the Second, vi, xiv.
- Revocation, Royal acts of, by King James the Fifth, 243; King James the Sixth, 250; King Charles the First, 422.
- Rewcastle, John, in Hawick, craves exemption from military service, 427.
- Rhynd (Bynd), John, merchant burgess of Edinburgh, debts owing to him, 459.
- John, in Tulliallan, accused of overcharging his coal, 8, 15.
- Richardson (Richartsoune, Richertson), Henry, burgess of Stirling, caution for his indemnity, 254.
- Isobel, in Pilmore, to be tried for witchcraft, 205.
  - James, burgess of Stirling, caution for his indemnity, 254.
  - Janet, coalbearer, complains of being attacked while at work, 38.
  - John, weaver in Ardwell, caution for his indemnity, 418.
  - John, in Overbister, on an assise, 363.
  - John, younger, called "the oy," in Ardwell, caution for his indemnity, 418.
  - Robert, in Burntisland, lends money for the maintenance of the Scottish army in Ireland, 7, 85.
  - Thomas, mariner, burgess of Anstruther, prosecuted for remaining at the horn, 310.
- Richieson (Richeson, Ritchessoune), Margaret, deposed against as a witch, 191.
- Marion, accused of being a witch, 190<sup>2</sup>, 191<sup>2</sup>, 192<sup>2</sup>, 193.
  - Mungo, a servitor to the miller of Breich, charged with assault, 322.
- Richman, James, in Gilmerton, debts owing to him, 413.

- Richmond, Duke of, . . . , mentioned in a cipher code, 167.
- Duchess of, . . . , mentioned in a cipher code, 167.
- Riddell of that Ilk, Andrew, appointed keeper of the rolls to the justices of peace for the shire of Roxburgh, 298; signs a letter from them, 335.
- Thomas, in Freichsyd, caution for his indemnity, 313.
- Riffens, lands of, 419<sup>2</sup>; a document dated there, 419.
- Rig of Carberry, . . . , deceased, induced to sign a writ on his deathbed, 38.
- James (William), accused of overcharging his coal, 14; complains of an illegal seizure of his coalheugh, 38, 138, 139, 163.
- Rigga, Janet, accused of witchcraft, 457.
- Right of way, dispute about a, 393.
- Rioch, John, in Perth, depones against a witch, 353<sup>2</sup>.
- Ritchie (Richie), George, in Craigmakerran, charged with spoliation, 26.
- George, in Craigmakerran, execution of summons against him, 107<sup>2</sup>.
- Thomas, in Errol, charged with wrongful imprisonment, 2.
- Rob, Jean, condemned for witchcraft, 18.
- Thomas, condemned for witchcraft, 18.
- Robertson, minister at. *See* Mr John Veitch.
- Robertson of Ballagowland, Robert, charged to find lawburrows, 374, 375.
- of Leud, Alester, charged to find lawburrows, 374, 375.
- Agnes, and her son, James Gordon, complain of being assaulted, 294.
- Mr Alexander, schoolmaster at Wighton, accused of unlicensed preaching and other offences, 461, 462.
- Alexander, notary, witness to the execution of a charge, 248.
- Andrew, in Kilconquhar, charged with deforcement, 378.
- Captain David, grants a discharge for wages to his crew, 454, 455.
- Donald, illegally prevented from joining his regiment, 390.
- Gilbert, in Fintrie, charged to appear as a witness, 251, 252.
- Henry, in Nether Crago, complaint against him, 439, 440.
- Henry, servitor to Pittreavie, writes a discharge, 455.
- Mr John, a priest, caution for his leaving the kingdom, 20.
- Robertson, John, caterer and keeper of silver plate to his Majesty, 415; his daughter married to Nicolas Foucanote, a Frenchman, 415.
- John, bailie of Edinburgh, charged to appear before the Exchequer, 252.
- John, gardener in Orchardfield, caution for his indemnity, 186.
- John, younger, burgess of Edinburgh, debts owing by him, 262.
- Margaret, in Haddington, accused of being a witch, 198.
- Thome, a servant, complains of being assaulted, 318, 319.
- William, servitor to a messenger, witness to the execution of a charge, 103.
- *alias* Buchanan, Walter, charged to appear as a witness, 251, 252.
- Robieson (Robesoun, Robisounne), Andrew, condemned for witchcraft, 216.
- Arthur, in Huntershill, complains of being assaulted, 312.
- James, in Pleasance, charged with trespassing in the Park of Holyrood, 263.
- John, in Lauder, a bastard, to be apprehended as fit for the wars, 419, 420.
- John, hears confessions of witchcraft, 196; his signature, 196.
- (Robertson), Marion, wife of James Paterson, alleged to be bewitched, 213, 227, 228, 235; her evidence, 221, 222, 235.
- Marion, accused of witchcraft, 197.
- Thomas, jailor of the Canongate, to release prisoners, 206.
- Robin, John, notary, witness to the execution of a charge, 106<sup>2</sup>.
- Robsone, Robert, clerk of Jedburgh kirk, witness to the execution of a charge, 159.
- Rochen, Duchess of, aunt to King Henry the Fourth of France, 415.
- Rodman, Agnes, depones against a witch, 231.
- Helen, daughter of Janet Gemmell, alleged to be bewitched, 213, 218, 231<sup>2</sup>; gives evidence, 229.
- Roe, illegal destruction of, 444.
- Roger, Mr David, minister, vicar of Carlaverock, charged to find lawburrows, 288, 289.
- Mr David, minister at Tundergarth, pronounces sentences of excommunication, 394, 395.

- Rolland, Patrick, in Auchinclocht, charged with armed convocation and riot, 385.
- Rollock (Rollok), David, merchant burgess of Dundee, charged with selling English beer at too dear a price, 442.
- James, in Kingkairn, witness to execution of a charge, 100.
- James, in Kingkairn, witness to the execution of a charge, 93.
- James, requires delivery of some colliers, 24.
- Mr John, sheriff depute of Stirling, his report about the orchards at Cuikspow, 2, 3, 19.
- John, accused of overcharging his coal of Bannockburn, 152.
- Mr Peter, signs letters and acts of Council, etc., 264, 271<sup>2</sup>, 277<sup>2</sup>, 278, 280, 281<sup>2</sup>, 282<sup>3</sup>, 283, 285<sup>2</sup>, 286, 287<sup>2</sup>, 288<sup>4</sup>, 289, 290, 291<sup>3</sup>, 292<sup>2</sup>, 293, 294<sup>3</sup>.
- Robert, in Watterstoun, charged with illegal detention of a soldier, 390.
- Rolls, keepers of the, appointed for the justices of peace in each shire, 297, 298, 302.
- Roman Catholics: sentences of banishment against Papists executed, 20, 22; reference to their mode of calling pastors, 123; King Charles the Second is required to leave those in his train behind on his coming to Scotland, 210; Popish rites observed at the burial of Lady Gight and others, 263<sup>2</sup>; proceedings taken by the General Assembly and Lord Advocate against Popish noblemen, especially George, Marquis of Huntly, 284; Papists to be reported on and dealt with by the justices of peace, 303; and in the General Assembly, 344; the presbyteries authorised to deal with Papists, 366; Popery prevalent in the diocese of Aberdeen, 166; in Dumfries, 81, 82<sup>2</sup>; in Edinburgh, 184; particular cases:—James Con, 22; . . . Mackartone, 184; Jean Maxwell, wife of John Irvine in Dumfries, 82; Robert Maxwell, brother to Conhaith, 81, 82; the Countess of Nithsdale, 184; Mr John Robertson, a priest, 20; Hew Stewart in Cloighoillis, 366, 367.
- Rome of Irongray, Thomas, apparent, witness to a bond of caution, 82.
- Rome, city of, mentioned in a cipher code, 168.
- Ronaldson (Rounaldsoun), Gilbert, in Wardheid of Achquhirther, charged with armed convocation and riot, 386.
- Ronaldson, Henry, younger, mariner in Kirkcaldy, charged with deforcement and defrauding the customs, 440.
- Roresone, Edward, messenger at the Bridgend of Dumfries, charged to appear as a witness, 180; (misprinted Willsone) 182.
- Rory, John, in Coupar, witness to the execution of a charge, 249.
- Rose (Ros) of Afflossen, Nicoll, charged with selling some persons as recruits, 431.
- of Kilravock, Hugh, commission to him in place of the sheriff to nominate commissioners for Parliament, 58.
- Andrew, in Brechin, prosecuted as a deserter, 389.
- Duncan, servitor to Nicol Rose of Afflossen, charged with selling some persons as recruits, 431.
- James, charged with selling some persons as recruits, 431.
- Rose nobles, payment of, 377.
- Ross (Rois, Ros, Rose) of Barneill, James, commission to him to try witches, 134.
- of Cragie, Mr Robert, debts owing by him, 268.
- of Holme, David, apparent, charged with assault and malicious damage, 404, 405.
- of Innercharroun, Walter, certified unable to travel, 175; he, and William, his son, crave suspension of horning, 177<sup>2</sup>, 182.
- Alexander, tailor in the Canongate, becomes a cautioner, 177.
- Alexander, charged with assault, 405.
- Donald, signs a certificate of inability to travel, 175.
- George, in Brucehill, charged with assault, 429.
- George, in Cowell, witness to a document, 419.
- George, merchant burgess of Edinburgh, debts owing to him, 399.
- George, merchant in Edinburgh, debts owing to him, 424.
- George, some lands apprised by him, 438.
- Hew, writer, witness to the execution of a charge, 180.
- Jo., an elder in Kincardine, signs a certificate of inability to travel, 175.

- Ross, John, an elder in Kincardine, signs a certificate of inability to travel, 175.
- Robert, charged with assault, 405.
- Thomas, an elder in Kincardine, signs a certificate of inability to travel, 175.
- William, tenant to the Laird of Tarbett, prosecutes an action, 177<sup>2</sup>.
- William, a servitor to Hew Ros, writer, witness to the execution of a charge, 180.
- *alias* McConill, John, prosecutes an action, 177<sup>2</sup>.
- Ross, Archdean of. *See* Mr John McKenzie.
- Bishop of, David [Lindsay], signs letters and acts of Council, etc., 313, 314<sup>2</sup>.
- Rossyth, Lady. *See* Margaret Napier.
- Roths, Earl of, 454.
- parson of. *See* Mr Leonard Leslie.
- Rouen (Rowan), in France, 99.
- Row, Mr James, minister at Muthill, signs a petition, 455.
- Mr Robert, clerk to the presbytery of Linlithgow, signs a petition, 183.
- Rowan (Rowand), John, writer in Edinburgh, witness to the execution of a charge, 135.
- John, in Enterkinfoot, charged to find lawburrows, 311.
- John, in Wester Scottistoun, charged to find lawburrows, 344.
- Mungo, servant to Luss, witness to the execution of a charge, 250.
- William, servant to Luss, witness to the execution of a charge, 250.
- William, witness to the execution of a charge, 250.
- Rowatt, Robert, complaint by him, 295.
- Rowdown Moss, the, 385.
- Rowsay, in Orkney, 70.
- Roxburgh, Earl of, Robert, 321; present in Council, vii, 43, 51; signs letters and acts of Council, etc., 458, 459.
- Lady. *See* Dame Janet Douglas.
- Roxburgh, Donald, indweller in Culrayne in Ireland, seeks relief in his distresses caused by the rebels in Ireland, 6.
- William, in Durisdeer, charged to find lawburrows, 311.
- Roxburgh, the presbytery of, recommended to raise contributions for relief of the town of Kelso, 158.
- Roxburgh, shire of, 37; appointment of justices of peace, 298; letter from the justices of peace to the Council, 335; sheriff of. *See* . . . Douglas.
- Roy, Agnes, in Elphinstone, alleged to be bewitched, 346.
- George, officer in Castlemilk, excommunicated for various offences, 395.
- Rudrig, lands of, their taxation, 436.
- Ruff, Catherine, wife of William Philp, saddler, depones against a witch, 199.
- Rumiltoun, lands of, 207, 208, 405-407.
- Rumiltonlaw, house and mains of, 208; to be rendered to creditors, 207; the lady craves to be allowed the use thereof, 207, 208.
- Rungs, assaults with, 3, 40, 141, 307, 404, 433, 435, 441.
- Rupert, Prince, mentioned in a cipher code, 167.
- Russell (Russall), Andrew, in Halton, deposition by him, 77.
- George, in Hemprigs, prosecutes an action, 64, 65.
- Mr John, elder, advocate, and Mr John, younger, his son, complaint by them, 311.
- John, in Haltoun, charged to appear as a witness, 65, 76.
- Laurence, in Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 88.
- Margaret, deponed against as a witch, 191.
- Marion, in Glenluce, to be tried for witchcraft, 133.
- Ruthen, General, mentioned in a cipher code, 167.
- Rutherford (Rudderfurde, Rutherford), Andrew, called the Burgess, in Jedburgh, charged to appear as a witness, 159<sup>2</sup>.
- Archibald, notary in Jedburgh, charged to appear as a witness, 159<sup>2</sup>.
- James, provost of Elgin, complains of an attack upon his children and domestics, 401.
- James, sheriff depute of Elgin and Forres, commission to him of fire and sword, 371.
- James, messenger, directed to serve a summons, 259; executes a charge, 259.
- Mr John, minister at Kinbethock, complains of assault and destruction of crops, 434.
- Marion, wife of John Pollock, shoemaker in Canongate, charged with committing assault, 181<sup>2</sup>.

- Rutherford, William, in Dundee, prosecuted as a deserter, 339.
- William, bailie of Jedburgh, charged to appear as a witness, 159<sup>2</sup>; his evidence, 159.
- Rutherglen (Ruglen), burgh of, market cross of, 180.
- Ruthven (Ruthvin) of Freeland, Sir Thomas, lends money for the maintenance of the Scottish army in Ireland, 84.
- of that ilk, . . . , to be tried for a riot in Dundee, 331, 332.
- Patrick, skinner in Perth, depones against a witch, 353.
- Ruthven, well of, 354.
- SABBATH day, profanation of the, 395; rioting in a church, 29, 30, 32, 35; making illegal citations, 27, 111, 166; cases of assault and molestation on the Lord's day, 45, 52, 56, 270, 283, 284, 312, 320, 372, 373, 385, 388, 400, 401, 404, 408, 433, 452.
- Sabistoun (Sabistane), Thomas, in Weyr, on an assise, 63.
- William, in Stove, on an assise, 70.
- St. Abbs (St. Ebbs burgh or Sant Eweburg), 255.
- St. Albans, Earl of, mentioned in a cipher code, 167.
- St. Andrews, Archbishop of, George Gladstones, referred to by the King, 331.
- — John (Spotswood), signs letters and acts of Council, etc., 367, 369<sup>2</sup>, 370<sup>2</sup>, 445, 446.
- St. Andrews, city of, 21; the magistrates complain of riots in connection with the apprehension of Walter Geddie, a "clipper" of coin, 313, 314<sup>2</sup>; a document dated there, 210; minister of. *See* Mr Robert Blair.
- priory of, its taxation, 437.
- University of, some students are charged with causing the death of one of their number, 11; the Council acquits them, 21; the principal and regents give evidence, 21.
- St. Bathans, minister at. *See* Mr James Fleming.
- St. Colm's Inch, monastery of, 256; charters by the commendators and abbots, 256.
- St. Johnston. *See* Perth.
- Salisbury, Earl of, . . . , mentioned in a cipher code, 167.
- Salmon, packed in larger barrels than are appointed by the act, 355; the fishings in Moray, 256; on the Spey, the Findhorn, and other waters, 255, 256.
- Salt, a quantity arrested for a debt, 428.
- Salt Preston (Prestonpans), the parish of, lends money for the maintenance of the Scottish army in Ireland, 89.
- Sampson, Andrew, in Ammigshaw, 265.
- Andrew, in Durisdeer, charged to find lawburrows, 311.
- Samwell, George, baker in Edinburgh, charged with stealing some meal, 18.
- Sanders, Alexander, in Cosyde, witness to a bond of caution, 351.
- Sanderson, James, witness to the execution of a charge, 248.
- Thomas, a servitor, charged to find lawburrows, 405, 407.
- Sandfurd, lands of, 244.
- Sandie, Gilbert, in Midlemure, caution for his indemnity, 313.
- Gilbert, alleged to be bewitched, 456, 457<sup>2</sup>.
- John, in Midlemure, caution for his indemnity, 313.
- John, alleged to be bewitched, 457.
- Thomas, in Keir, caution for his indemnity, 313.
- Sandesone, Richard, on an assise, 363.
- Sandielands of Muirhousedykes, James, bailie of Calder, charged with ill-treatment of a supposed witch, 109, 119, 138; his evidence, 118.
- James, messenger, executes a charge, 108.
- Marion, widow of David Murray, lends money for the maintenance of the Scottish army in Ireland, 7, 87.
- Patrick, servitor to Gosford, witness to the execution of a charge, 133.
- Sir William, lends money for the maintenance of the Scottish army in Ireland, 90.
- William (Mr John), tutor of Calder (Torphichen), charged with harsh treatment of a supposed witch, 37, 108, 117, 119, 138.
- William, baker in Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 88.
- . . . , a servitor, witness to the execution of a charge, 120.
- Sandwick, the kirk of, a document dated there, 73.
- Sauchy, the coal of, 16.
- Savaskaill, in Orkney, 64; bridge of, 67.
- Saye and Sele, Viscount of, . . . , mentioned in a cipher code, 167.

- Scarbrough, town of, mentioned in a cipher code, 168.
- Schilthomas, William, servant to William Dick, witness to a document, 453.
- Schives, Patrick, in Blartoun, charged to find lawburrows, 313.
- Scobie, John, messenger, executes a charge, 80.
- Scollay, Robert, procurator fiscal in a case of witchcraft in Orkney, 455.
- Scone, Lord, David, complains of the malicious destruction of geese in the park of Falkland, 320; written to by the King on his appointment as a Lord of the Articles, 331; signs a letter as a justice of peace for the shire of Perth, 334.
- Scotland: a book on Scottish history by Abacuch Bisset, 368; miseries of the Scottish army in Ireland, 463; letter to the Scots commissioners at London, 92, 93.
- Scott (Scot) of Aikwood, Andrew, complaint against him, 389, 398.
- of Balwearie, Sir James, knight, execution of summons against him, 259; complaint against him, 282.
- of Bonitoun, Simon, witness to the execution of a charge, 253; complaint by him, 309.
- of Buccleuch, . . . , chamberlain of Ettrick Forest, charged to appear before the Exchequer, 252.
- of Clerkington, Sir William, complains of the wrongful retention of one of his colliers, 23.
- of Dryhoip, Philip, and Philip and William, his sons, caution for them, 296.
- of Galashiels, Hew, bailie of Melrose, is taken exception to as a judge, 78.
- of Harden, Sir William, continued in office as sheriff of Selkirk, 17; appears on sederunts of Council as a conservator of the peace, 63.
- of Hartwoodmyres, Robert, action against him, 389, 398.
- of Headshaw, Robert, younger, charged with illegally seizing some lands, 382.
- of Huntlie, Walter, elder, charged with armed convocation and riot, 382.
- of Kirkhouses, John, charged with armed convocation and riot, 382.
- of Quthitope, James, witness to the execution of a charge, 253.
- Scott of Scotstarvet, Sir John, Director of Chancery, documents to be passed through the seals by him, 42; to write birthbrieves, 206; complains of encroachments on his office, 34, 54; signs letters and acts of Council, etc., 443, 444, 447, 448<sup>2</sup>, 449<sup>3</sup>, 450, 451<sup>2</sup>.
- of Thirlestane, Patrick, becomes a cautioner, 163.
- of Tuschelaw, Walter, charged to find lawburrows, 292, 293.
- of Whytehauch, Walter, charged with illegally seizing certain lands, 382.
- Adam, merchant in Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 89.
- Alexander, a soldier, charged with armed convocation and riot, 392.
- Andrew, in Braidmedowis, complains of the destruction of growing timber, 378.
- George, witness to a bond of caution, 186.
- James, in Dewar, charged to appear as a witness, 172.
- James, brother to Headshaw, charged with armed convocation and riot, 382.
- James, bailie of Selkirk, charged to find lawburrows, 293.
- James, burgess of Selkirk, witness to the execution of a charge, 253.
- James, in Selkirk, charged to find lawburrows, 293.
- James, in Slaknedrowye, charged to appear as a witness, 172; his evidence, 173.
- James, charged with assault, 433.
- Janet, servitrix to Margaret Finlayson, alleged to be bewitched, 215, 218, 230<sup>2</sup>.
- Mr John, minister, to be apprehended for holding private meetings, 465.
- John, in Gattounsdyd, charged to appear as a witness, 172.
- John, in Selkirk, charged to find lawburrows, 293.
- John, merchant, lends money for the maintenance of the Scottish army in Ireland, 7, 87.
- Laurence, merchant in Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 87.
- Robert, in Northhous, complaint against him, 268.

- Scott, Robert, in Selkirk, charged to find lawburrows, 293.
- Robert, certified regarding a notary, 246.
- Stevin, in the Stow, complaint against him, 288.
- Thomas, merchant burges of Dundee, debts owing to him, 399, 424.
- Thomas, in Langskaill, on an assise, 363.
- Thomas, in Selkirk, charged to find lawburrows, 293.
- Walter, brother to Headshaw, charged with armed convocation and riot, 382.
- Walter, called of Halmaner, prosecuted for carrying firearms, 379.
- Walter, in Hawick, craves exemption from military service, 427.
- Walter, in Montbenger, charged with assault, 309.
- Walter, servitor to Sir George Touris of Garnetoun, knight, caution for his indemnity, 293.
- William, merchant in Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 87.
- William, in Falishope, his son, prosecutes destroyers of growing timber, 378.
- William, in Knollis, charged to appear as a witness, 172.
- William, miller, charged to find lawburrows, 344.
- William, caution for him, 163.
- William, charged with assault, 433.
- Scottie, Manse, in Breken, on an assise, 457.
- William, alleged to be bewitched, 457.
- Scottistoun, lands and mosses of, 344.
- Scougall (Skougall, Skuggeld), John, in Jedburgh, charged to appear as a witness, 159<sup>2</sup>; his evidence, 159, 160.
- Scrymgeour (Scrymseour) of Baquhadlie, James, prosecuted as a deserter, 377.
- of Dudhope, Sir John, constable of Dundee, writes to the Secretary excusing his absence as a witness anent a riot in Dundee, 331, 332; signs a letter as a justice of peace for the shire of Forfar, 337; charged with illegal detention of soldiers, 389.
- of Fordell, James, petition by him, 288.
- Mr Alexander, minister at Kinghorn, complains against the bailies of Kinghorn, 402, 403.
- Scrivener. *See* Skirving.
- Seaford [Earl of Seaforth], mentioned in a cipher code, 167.
- Seals: references to the great seal, 4, 34, 51, 54, 94, 206, 298, 300, 414.
- Seatter, Thomas, in Seatter, and his wife, Elspeth Thomson, alleged to be bewitched, 357.
- Secreits (coats of mail), references to, 274, 285, 287, 289, 291, 294, 318, 391, 409.
- Secretary of State: letter to him from the King requiring the removal of refractory justices of the peace, 330; commission to him to represent the desires of the justices of the peace to his Majesty, 330; written to by John Scrymgeour of Dudhope anent a riot in Dundee, 331, 332; letters to him from the justices of the peace, 335, 336, 337, 339<sup>2</sup>, 340, 342, 343.
- Secretary for Scotland. *See* Sir Alexander Hay of Newton; John (Maitland) Lord Thirlestane; James, Lord Balmerino; and Thomas, Earl of Melrose; the Secretary of State for England is to receive a weekly report of affairs dealt with by the Scottish Privy Council, 458.
- Sectaries, the Council is requested to deal with, 236, 237.
- Seindlie, Hauch of, 321.
- Selkirk, burgh of, 389; mostroopers to be tried in the tolbooth, 44, 47, 48; the market cross, 253<sup>2</sup>; list of burgesses and inhabitants, 293; bailies of. *See* George Mitchelhill and James Scot; minister there. *See* Mr Patrick Shaw.
- lordship of, 253.
- presbytery of, recommended to raise contributions for relief of the town of Kelso, 158.
- shire of, 250; the sheriff, Sir William Scot of Harden, to be continued in office, 17; appointment of justices of the peace, 298; sheriff of. *See* Patrick Murray.
- Selwis, iron, 369.
- Semple (Sempill), Lord, Hew, sheriff of Renfrew, craves payment of an allowance to his servants for keeping the house of Stanelie, 370; charged to deliver up the castle of Stanelie, 451.
- of Cathcart, Gabriel, charged with assault and injury, 259, 260.

- Semple of Cathcart, Bryce, continued in office as sheriff of Renfrew and bailie of Paisley, 18.
- of Corruithe, Robert, witness to the execution of a charge, 250.
- of Craigbait, Bryce, horning at his instance, 370.
- of Fulwood, Robert, bond of caution by him, 254.
- Bryce, sheriff depute of Renfrew, witness to the execution of a charge, 367.
- Mr George, minister at Paisley, deals with witchcraft, 216, 226, 227.
- Helen, deceased, widow of Thomas Redgatt, and late wife of William Semple in Canongate, debts owing to her, 164.
- Janet, depones against a witch, 198.
- Mr John, minister, witness to the execution of a charge, 367; to be apprehended for holding conventicles, 465.
- John, servitor to H. Veitch, writes a document, 399.
- Jo., on a Committee of War, 115.
- Marion, depones against a witch, 199.
- Robert, collector at the old mill of Partick, prosecuted for embezzlement of malt, 239, 240.
- Robert, merchant in Paisley, witness to the execution of a charge, 367.
- William, indweller in the Canongate, prosecutes for recovery of debts due to his deceased wife, Helen Semple, 164.
- Seneines, the, 197.
- Sennyk, kirk of, taxation of the teinds, 436.
- Serre, Peire de, maitre, treasurer, 415.
- Servants: question of their fees, 327.
- Session, Court of, or College of Justice, its sittings postponed, 27, 28; its re-opening, 44, 49; a petition to the Lords, 367; their decreets referred to, 25, 121, 248, 413; cases remitted to them for trial, 23, 52, 56, 78, 100, 110, 113, 162, 164, 248, 400, 408, 435, 438, 447, 464; act of caution in the books of Council and Session, 186.
- Seton (Seattone, Seytoun), Chancellor, 415. *See also* Alexander, Earl of Dunfermline.
- Lord, Robert, provost and customar of Cockenzie (Cokany), charged to appear before the Exchequer, 252.
- of Barns, Sir John, Comptroller, consents to a signature, 250; he and George and Charles, his sons, are charged to find lawburrows, 170.
- Seton of Barns, George, appointed to examine witches, 205.
- of Disblair, William, younger, witness to the execution of a charge, 104.
- of Mounie, William, complains of his house being broken into and goods stolen, 184.
- of Meldrum, William, prosecuted for breaking into the Earl of Dunfermline's house in Aberdeen, 184, 185.
- John, burges of Dysart, consents to an act of the town council, 365.
- Margaret, widow of Mark Swinton, provost of Inverkeithing, is charged with wrongful imprisonment, 438.
- Sir William, objects to the conduct of a sheriff, 376.
- William, provost of Haddington, appointed to examine witches, 205.
- William, in Kingis Seat, caution for his indemnity, 313.
- Seysyd, lands of, 256.
- Shand, John, charged with assault, 438.
- Robert, in Cragy, caution for his indemnity, 313.
- William, in Ardo, caution for his indemnity, 312.
- Shanks (Schankes), Henry, in Kinghorn, charged with selling English beer at too dear a price, 443, 448.
- Shankilaw (Schankilawe), Janet, charged with resisting the ordination of a minister, 29.
- John, barony officer at Lamington, charged with resisting the ordination of a minister, 29, 30<sup>2</sup>, 116, 118, 119, 128<sup>2</sup>, 133; he raises action for suspension, 31.
- Patrick, burges of Lanark, witness to the execution of a charge, 120.
- Sharp (Schairp, Scharpe), Helen, to be tried for witchcraft, 205.
- (Charpe), Mr James, minister at Leith, lends money for the maintenance of the Scottish army in Ireland, 7, 90.
- Mr John, appears as a procurator, 134.
- Mr Patrick, moderator of the presbytery of Hamilton, to thank the Duke of Hamilton for an augmentation of stipend to a minister, 169.
- Mr William, sheriff clerk of Banff, complains of his life being threatened, 371-373.

- Shartertie, Alexander, in Walkmill of Wranghame, complains of assault and robbery, 438, 439.
- Shaw (Schaw) of Lathangie, . . . , 287.
- of Sauchie, Sir Alexander, accused of overcharging his coal, 8, 15.
- Alexander, servitor to Caskiben, witness to the execution of a charge, 103.
- James, brother to Lathangie, charged with malicious damage, 287.
- John Roy, servitor to John Butter, caution for his indemnity, 375.
- Katherine, in Carnwath parish, 156; widow of John Clerk, burned for witchcraft, 148, 155, 156, 157; testifies against others, 148, 149<sup>2</sup>, 150, 154.
- Mr Patrick, minister at Selkirk, charged to find lawburrows, 293.
- Mr Patrick, in Selkirk, charged to find lawburrows, 293.
- William, merchant in Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 88.
- William, in Haywood, on an assise, 147.
- Sheardale (Shendall), coalheugh of, illegally interfered with, 79, 80, 81.
- Shearer, William, merchant burgess of Stirling, witness to the execution of a charge, 106<sup>2</sup>.
- Sheep stolen from lands in Berwickshire, 342, 343.
- Sheillie, John, merchant burgess of Glasgow, complains of the plundering of a ship's cargo by Islanders, 425.
- Shepherd (Shiphird, Shipherd), Alexander, in Grange, 314.
- John, kitchen boy to the Earl of Kinnoull, complains of illegal warding, 2.
- Shenan, Marion, wife of John Jamieson in Drochdooll, to be tried for witchcraft, 133.
- Sheriffs, are ordained to remain in office for another year, 17<sup>3</sup>, 18, 28, 53; the sheriffship of Banffshire, long vacant, to be filled up, 459, 460; sheriffs are appointed to hold waponschawings, 428; the sheriff court books of Aberdeen, 101.
- Shetland (Zetland), 410. *See also* Orkney and Shetland.
- Shiels (Sheills), Mr Patrick, moderator of the presbytery of Linlithgow, signs a petition, 183.
- Shiels (Scheillis), lands of, 256.
- Shiels, Over, lands of, in parish of Stow, 172.
- Ships and shipping: 257; an English skipper threatens to become a pirate, 11, 12; an impost to be levied upon vessels for maintaining Ayr harbour, 37; compensation given to some mariners who were robbed by the Irish rebels, 91; complaint about the seizure of a merchant ship, 99; skippers and mariners are warned not to transport a fugitive, under pain of confiscation, 314; payment of customs on the Ayrshire coast, 324, 325; bushes used for the fishery out from land, 340; list of arms and munition for the busches, 349; some soldiers allowed to escape from a vessel at Kirkcaldy, 398; escape of a kidnapped boy confined in a ship, 401; waughters and bushes, threatened by foreign vessels, request the assistance of men of war, 410; some seamen refuse to embark for fear of Spanish ships, 414; some ships belonging to Hamburg taken as prizes, 416; a ship plundered by some of the Clan Eane in the Isles, 425, 426.
- Shipmasters are charged with selling English beer, 442, 443, 448; privateers despatched to inspect the coasts, 453; ships named:— the *Alexander Magnus*, 414; the *Daniell* of Kirkcaldy, 440<sup>2</sup>; *The William and Judeth of Lun*, 11.
- Shires, commissioners from, to Parliament, 376; appointment of Commissioners for the Teinds, 363.
- Shirrilaw (Schirulaw), James, execution of summons against him, 82.
- Shorewood (Schorwood), Thomas, servitor to Mr John Skene, witness to the execution of a charge, 98.
- Short (Schort), Moses, in Leith, 315; his son, Alexander, complains of being assaulted, 315.
- Shurarie, tenants of, horning at their instance, 323.
- Sibbald of Lethame, David, complaint against him, 261.
- John, portioner of Kinkell, debts owing by him, 273.
- Signatures: for Sir Thomas Hope of Craighall as Commissioner to the General Assembly, 4; for the commission to the justices of the peace, 297, 298; for the commission for grievances, 364; one granted by King James the Sixth, 250.

- Signet, documents passing under the, 130, 134, 147, 247, 252, 399.
- Sillie, William, in Armannoch, charged to appear as a witness, 179, 182.
- Sim, David, in the Waird of Crudane, complains of being assaulted, 522.
- John, servitor to Cheyne of Arnage, witness to a bond of caution, 351.
- Sime. *See* Syme.
- Simmer, David, burgess of Montrose, caution for his indemnity, 351.
- Simplim (Simpermie), minister at. *See* Mr Robert Melville.
- Simson (Simpson, Symesone) of Smetoun, David, elder, a town councillor of Dysart, 365.
- Alexander, bailie of Dysart, makes an act anent intercommuning with witches there, 365; prosecutes offenders, 365, 366.
- Alexander, servitor to the Laird of Hill, charged with assault, 315.
- Andrew, bailie of Edinburgh, execution of summons against him, 135; witness to the execution of a charge, 155.
- James, in Dernick, prosecutes an action, 77.
- John, mariner in Dysart, and Eupham Dawling his wife, prosecuted for contravening an act of the town council, 365, 366.
- John, procurator fiscal of Dysart, prosecutes contraveners of an act of the town council, 365, 366.
- John, in the Inch, charged with resetting thieves, 394.
- John, in Kirkcaldy, charged with selling English beer at too dear a price, 448.
- Thomas, in Dryburnfurd, charged with breaking down a dyke, 54.
- Thomas, in Hattoun, caution for his indemnity, 313.
- William, in Crail, prosecuted as a deserter, 457.
- William, in Dysart, charged with selling English beer at too dear a price, 442.
- William, burgess of Edinburgh, 439.
- William, cordiner in Leith Wynd, charged to appear as a witness, 79.
- William, messenger, executes a charge, 259; his signature, 259.
- William, alleged to be bewitched, 1492.
- Sinclair (Sinclar, Sincler, Sinklar, Synclair), Lord, John, accused of overcharging his coal, 8, 9, 10, 15, 163; the expense of quartering his regiment in Aberdeen is oppressive to the citizens, 208; present in Council, vii, 1, 22, 42, 62, 7, 10, 14, 17, 18, 59, 175.
- Sinclair of Dunbeath, George, caution for him, 296; horning at his instance, 323.
- of Essinquoy, Edward, sheriff depute of Orkney and Shetland, tries a case of witchcraft, 363.
- of Ethay, Arthur, appointed keeper of the rolls to the justices of peace for the bounds of Shetland, 299.
- of Hermiston, Sir John, appointed to examine witches, 205; appointed keeper of the rolls to the justices of peace for the shire of Haddington, 298, 299.
- of Murkle, Colonel, Sir James, permitted to levy soldiers for service abroad, 413, 414, 420; prosecutes deserters, 429.
- of Nether Gersand, Robert, and his child, alleged to be bewitched, 71, 722, 73, 743, 75; Margaret, his natural daughter, depones against a witch, 72, 742.
- of Stevinsone, Sir John, debts owing to him, 80; he prosecutes an action, 83.
- of Whitekirk, Henry, complaint against him, 286.
- David, Burley, deceased, 86; his daughter, Margaret, lends money for the maintenance of the Scottish army in Ireland, 86.
- Elspeth, wife of William Kirknes in Pow, 14; alleged to be bewitched, 72, 75.
- Hew, servitor to Gosford, witness to a document, 114.
- James, officer of Dysart, a deposition by him, 366.
- Laurence, charged with assault, 291.
- Margaret, wife of William Bruce, shoemaker in Canongate, charged with destroying a document, 155.
- Robert, doomster in Birsay-benorth, gives sentence against a witch, 457.
- Thomas, bailie, interrogates a witch, 361.
- Skerries (Skairres), the, 410.
- Skedowye. *See* Allardice.
- Skene, Andrew, in Overhill, caution for his indemnity, 313.
- Sir James, admitted on the Commission for Grievances, 364.

- Skene, Mr John, Clerk of the Bills, refuses to receive foreign money, 367.
- John, Clerk of Register, signs a document, 250, 254.
- John, signs a list of persons finding lawburrows, 343.
- John, in Overhill, caution for his indemnity, 313.
- Mr Thomas, Clerk of the Bills, 98.
- William, burgess of Aberdeen, debts owing to him, 271.
- Skinner (Skynner), Thomas, in Bordel-seat, charged to find lawburrows, 350.
- Skirving (Scrivener), Adam, in Whittinghame, charged to appear as a witness, 108, 111.
- Slap, the, in Orkney, 457.
- Slater (Sclaitter, Sklatter), David, in Orquyll, on an assise, 456.
- Janet, wife of William Flawis in Cogar, alleged to be bewitched, 63, 66, 67, 68.
- Janet, wife of William Traill, charged to appear as a witness, 63.
- John, in Bea, on an assise, 359.
- Nicol, in Gorne, on an assise, 456.
- Robert, in Nesthous, on an assise, 359.
- Robert, in Swannay, on an assise, 359.
- William, in Buirdhous, on an assise, 359, 457.
- Slaughter, cases of. *See* Murders.
- Slains, letter of, 50.
- Sleate, Isle of, mentioned in a cipher code, 168.
- Sleich, George, in Hutton, 50; his daughter, Janet, accidentally shot, 50; he and his son George grant letters of slains, 50.
- Slewpule, salmon fishings there, 255.
- Sticht, David (Patrick), in Kilspindie, prosecuted for stealing a great quantity of geese and ducks, 210, 211.
- Slowan (Sleuame), James, in the Moit of Lochfute, charged to appear as a witness, 182; his evidence, 183.
- John, in Foirland of Ballantrae, witness to the execution of a charge, 143.
- Small, James, merchant burgess of Dundee, charged with selling English beer at too dear a price, 442.
- John, at the mill of Moness, to be apprehended and sent to the wars, 424.
- John, in Selkirk, charged to find lawburrows, 293.
- William, his slaughter, 343.
- Smart (Smert), George, master of a ship, charged with selling English beer at too dear a price, 442.
- Robert, a servant, charged with assault, 314.
- Smeaton (Smettoun), Laird of, appointed to examine witches, 198.
- Smeithfeild, lands of, 383, 384.
- Smellie (Smelie), James, in Breadiescheilburn, charged with assault, 312.
- Thomas, in Breadiescheilburn, charged with assault, 312.
- Smith (Smythe), Alexander, customar at Dundee, charged with illegal detention of a soldier, 390.
- Andrew, a servant, complaint by him of assault, 259, 260.
- David, in Dunlapie, charged with assault, 260.
- David, in West Fentoun, complaint against him, 432.
- Elspeth, wife of James Caithnes, charged to appear as a witness, 63.
- George, in Ardo, caution for his indemnity, 312.
- Gilbert, in Balmedie, caution for his indemnity, 313.
- Gilbert, in Whytecarnis, caution for his indemnity, 313.
- James, burgess of Montrose, charged to find lawburrows, 3, 4.
- Smith, Sir John, provost of Edinburgh, admitted as a member of the Privy Council, and gives his oath, 6; attends the meetings of Council as provost, vii. *See also* Edinburgh; chosen one of the arbiters anent a riot at Wigtown, 42; execution of summons against him, 135.
- John, in Almerne, craves payment of expenses as a witness, 421.
- John, merchant in the Bow in Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 88.
- John, burgess of Perth, charged with spoliation, 26; charged to appear before the Council, 107.
- John, in Pontlevin, charged with assault, 434.
- Martin, in Hillhouse of Wandell, witness to the execution of a charge, 1172, 119.
- Matthew, craftsman, indweller in Edinburgh, charged with malicious damage to crops, etc., 45.
- Robert, merchant burgess of Had-

- dington, witness to the execution of a charge, 133.
- Smith, Robert, in Kilmaurs, charged with rescuing an enlisted recruit, 380.
- Thomas, in Clowinfurdsyke, witness to the execution of a charge, 119, 120.
- Thomas, in Dundee, prosecuted as a deserter, 389.
- Thomas, bailie of Kilmaurs, charged with rescuing an enlisted recruit, 380.
- Mr Walter, minister, threatened on account of some grain disposed to him, 397.
- Walter, in Dundee, prosecuted as a deserter, 389.
- Snaip, Henry, hears confessions of witchcraft, 226.
- Snyp, Marion, wife of John Young, cooper, depones against a witch, 203.
- Society of Stationers in Edinburgh, 465.
- Soldiers: money advanced towards the support of the Scots army in Ireland, 1, 5, 7, 83-90; accounts for provisions and clothing to them, 2, 77, 90-92, 95, 157, 158; military service is hindering the attendance of persons at the law courts, 27, 28; troops ordered out against the Irish rebels in Scotland, 116; the army at Newcastle, 158; some soldiers employed in a case of ejection, 179, 183; Lord Sinclair's regiment in Aberdeen, 208; some of the forces quartered at Kirkcaldy, 238; escape of soldiers from a ship, 398; some persons apprehended and sold as recruits, 431; a case of illegal arrest for enlistment, 439; miseries of the Scottish soldiers during the campaign in Ireland, 462, 463; levies for service abroad, 377, 379<sup>2</sup>, 380, 389, 390, 408, 421, 427, 429, 430, 431, 452, 453; prosecution of deserters, 377, 379<sup>2</sup>, 380<sup>2</sup>, 389, 390, 429, 457, 458; idle and masterless men to be taken as recruits, 380, 411<sup>2</sup>, 412, 413, 419<sup>2</sup>, 420<sup>2</sup>, 421, 422, 423<sup>2</sup>, 424<sup>2</sup>, 425, 450; Commander-in-chief of the Forces in Scotland. *Nee* Major-General Morgan.
- Somerville (Somervell, Symmervell), Bessie, depones against a witch, 230<sup>2</sup>.
- James, in Ampherlaw, on an assise, 147.
- James, in Greinfeild, on an assise, 147.
- James, in Throwburne, on an assise, 147.
- John, in Ampherlaw, on an assise, 147.
- Somerville, John, in the Greine, charged with assault, 384.
- John, bailie, an elder in Renfrew, hears confessions of witchcraft, 214, 232.
- John, burgess of Renfrew, deceased, 297; caution for his widow, Janet Crawford, 297.
- Robert, in Eardhouses, on an assise, of which he is chancellor, 147.
- Robert, in Eirdhouses, alleged to be bewitched, 153.
- Walter, in Caudlaw, on an assise, 147.
- Walter, his wife alleged to be bewitched, 153.
- Mr William, elder, minister at Pettinane, appears as a procurator for the presbytery of Lanark, 30; his appointment thereto, 116; charged to produce a decree, 34, 120; as clerk of the presbytery of Lanark, he signs a procuratory, 116; he reports against a witch, 157; his signature, 157.
- William, appointed to examine witches, 195.
- Sommer, Mr David, debts owing to him, 367.
- Souter, *alias* Ferguson, John, alleged to be bewitched, 347.
- Southampton, Earl of, mentioned in a cipher code, 167.
- Southbarr, Laird of, appointed to examine witches, 217.
- Southesk, Earl of, David, a member of the Privy Council, on a committee of Council for trying a cause of assault, 3; he confers with Lady Westnisbet and her husband's creditors, 208; present in Council, vii, 1, 55, 57<sup>2</sup>; he signs an act of Council, 169.
- Sowerby (Sowreby), mentioned in a cipher code, 168.
- Sowie, Henry, a servitor, alleged to be bewitched, 72, 75.
- Spades, for cutting peats, 377.
- Spain, mentioned in a cipher code, 168; Scotsmen kept in captivity there, 399; the war with Spain, 414; Spanish wine plundered from a ship, 425.
- King of, mentioned in a cipher code, 168.
- Spalding of Ashintullie, David, prosecutes an action, 447.
- David, witness to the execution of a charge, 250.
- Robert, witness to the execution of a charge, 248.

- Spears, references to, 386, 451.
- Speir, Andrew, in Selkirk, charged to find lawburrows, 293.
- James, examines witches, 194.
- John, at Bairdismylne, charged to appear as a witness, 140, 141, 144; his evidence, 142.
- Spence (Spens) of Bruntstoun, Thomas, charged to find lawburrows, 350.
- of Chirnsyde Mains, Richard, deceased, 294; his widow, Margaret Auchincraw, and five children, horning at their instance, 294.
- of Condy, Mr John, Lord Advocate, prosecutes Lord Torphichen for the restoration of Queen Mary's goods, 245.
- Bessie, alleged to be bewitched, 69.
- David, mariner in Kirkcaldy, charged with deforcement, and defrauding the customs, 440.
- James, servant in Birsay, mentioned in a witchcraft case, 356.
- James, brother to William, *infra*, alleged to be bewitched, 362.
- John, in North side of Birsay, 355; his wife, Marable Couper, tried and condemned as a witch, 355-360.
- John, receives back certain cattle, 161.
- John, alleged to be bewitched, 457.
- William, in Bruntellane, prosecuted as a deserter, 389.
- William, burgess of Montrose, deceased, 3; his widow, Agnes Renny, and daughter, Janet, complain of being assaulted, 3, 4.
- William, servitor to Alexander Inglis, charged with spoliation, 26; charged to appear before the Council, 107.
- William, alleged to be bewitched, 362, 364.
- Spey, river of, salmon fishings there, 255.
- Spittell, James, tacksman of the coal in Quarrell, accused of overcharging his coal, 8, 15, 16; prosecuted for wrongful retention of colliers, 24, 25, 97, 982, 992; execution of summons against him, 1062.
- William, in Bordland, prosecuted for remaining at the horn, 308.
- Spittell, tenants of, horning at their instance, 323.
- Sport of running at the glove, 319.
- Spotswod, William, in Dernick, prosecutes an action, 77.
- Spreull, John, provost of Renfrew, appointed to examine witches, 217.
- Spreull, John, an elder, hears depositions of witchcraft, 232; his signature, 232, 233.
- Robert, mariner in Glasgow, charged to find lawburrows, 318.
- Sprot, Patrick, in Killerne, caution for his indemnity, 418.
- Robert, in Whittinghame, 98.
- Spynie, Lord, Alexander, recruits for his regiment, 378, 408, 411, 419, 420, 422, 423, 429, 450; prosecutes a ship captain for allowing soldiers to escape, 398.
- Spynie, barony and regality of, 53, 162, 255; the bailie depute, William Laing, to be continued in office, 53, 162; bailie of. *See* John Innes of Leuchars.
- town and lands of, 255.
- Squyar, John, bailie of Stirling, complains of deforcement while uplifting the taxation, 443, 444.
- Staig, Margaret, deponed against as a witch, 191.
- Staikfurd, Mill of, destruction of the mill dam, 369.
- Staire [Earl of], mentioned in a cipher code, 167.
- Stake, burning at the, a punishment for witchcraft, 360, 364, 457.
- Stalker, John, in Ava, complains of being assaulted, 271.
- John, in Lairhill of Dirleton, bailie there, examines witches, 1942, 195; his signature, 194, 195.
- Stanelie, castle and tower of, 451; kept by the sheriff of Renfrew during the owner's being at the horn, 370.
- Stanhop (Stenhop), John, in Duddingston, charged with trespassing in the Park of Holyrood, 263, 264.
- Staniekirk, kirk of, opposition to the ordination of a minister there, 76.
- Stanypeth, Lady. *See* Elizabeth Cranston.
- Stark, William, a servitor, seeks payment of a debt, 262.
- Stationers, a Society of, an act printed by them, 465.
- Staves, assaults with, 26, 38, 79, 81, 179, 184, 187, 260, 264, 276, 282, 283, 315, 320, 369, 379, 380, 385, 391, 392, 396, 400, 402, 404, 432, 433, 438, 440, 449.
- Steelbonnets, references to, 64, 276, 294, 380, 386.
- Steill (Steele), Laird, John, and Alexander and James, his sons, summoned for molesting colliers, 79, 80.
- Margaret, wife of Gilbert Brown, messenger, complains that her hus-

- band, son, and servant have been apprehended and transported to the wars, 431.
- Steill, William, cordiner in Kilmaurs, charged with rescuing an enlisted recruit, 380.
- . . ., in Helisgill, witness to the execution of a charge, 82.
- Steimster, tenants of, horning at their instance, 323.
- Stenhous, Routmaster, in command of cavalry, 116.
- Stevin (Stevinson), James, in Leith, and Bessie Stevin, his wife, crave compensation for expenses disbursed upon sailors, 416.
- Stevenson (Stevinsonne), Abraham, procurator fiscal of Orkney and Shetland, prosecutes an action, 64.
- James, merchant in Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 88.
- James, in Leith, to be sent to the wars, 420.
- James, in St. Ninians, prosecuted as a deserter, 458.
- James, in Selkirk, charged to find lawburrows, 293.
- James, in Stirling, 346; his daughter, Catherine, wife of Alexander Cunningham, merchant, alleged to be bewitched, 346.
- James, in Wiston, witness to the execution of a charge, 133.
- Jeromy, in Pleasance, charged with trespassing in the Park of Holyrood, 263.
- Thomas, smith in Stentoun, charged with wrongful intrusions, 25, 108.
- William, in Inverness, and his wife, complain of being assaulted, 388.
- Stevenson (Stevinson), John, bailie of Kilmaurs, charged with rescuing an enlisted recruit, 380; (Steinstoun), Thomas, deceased, alleged to be bewitched, 196.
- Stevenson (Stinstoun), 164.
- Stewart (Steuart, Steward, Stuart) of Appin, Duncan, younger, charged with assault and deforcement, 381, 382.
- of Ardrak, John, despoiled by some of the Clan Gregor, 206.
- of Ardvörlich, James, he and Robert, his son, prosecute some students of St. Andrews for the alleged murder of Alexander, also his son, 11, 21.
- Stewart of Arthourlie, Sir Walter, knight, bond of caution by him, 296.
- of Ascog, John, appointed keeper of the rolls to the justices of peace for the shire of Bute, 299.
- of Ballachan, Sir James, horning at his instance, 291; complaint against him, 308.
- of Balnakellie, John, charged to find lawburrows, 374, 375.
- of Barskimming, Harry, complaint against him, 264.
- of Beath, Harry, accused of overcharging his coal, 8, 15, 16.
- of Bonytoun, Josias, seeks suspension of letters charging him to pay certain customs, 324-326; his plantation in Ireland, 324, 325.
- of Coldinghame, John, his protection is extended, 458.
- of Grantullie, Sir Thomas, 121.
- of Horsburgh, James, complains of disorderly conduct at an election, 383.
- of Innerdonyng, Walter, charged to pay an annuity, 261, 262.
- of Minto, bailie of the regality of Glasgow, an intimation made to him, 180; he has a dispute with Elphinstone of Blythwood, 275.
- . . ., younger, some silver work made for him, 275.
- of Navie, Robert, prosecutes an action, 162.
- of Traquair, Sir William, signs an act of Council, 259.
- Sir John, complains of disorderly conduct at an election, 383.
- of Tulloch, John, 374; his son, Alexander, charged to find lawburrows, 374.
- Alester, in Urraltmoir, charged to find lawburrows, 374.
- Alexander, son to Lady Rosyth, complains of interference with the working of a coalheugh, 79.
- Archibald, mentioned in a cipher code, 167.
- George, in Boespik, charged to find lawburrows, 374.
- George, Kintyre pursuivant, executes a charge, 181.
- Mr Gilbert, sheriff depute of Perth, execution of summons against him, 106, 107<sup>2</sup>; his defences, 112, 113.
- Helen, at Calder, burned for witchcraft, 148; testifies against others, 148, 149, 156.

- Stewart, Hew, in Cloighoillis, prosecuted as a refractory Papist, 366, 367.
- Mr James, commissary of Dunkeld, 26, 95; his son, Mr Gilbert, charged with committing theft, 26.
- James, in Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 85; receives payment for supplies to the army in Ireland, 90.
- James, younger, merchant burges of Glasgow, deceased, and his wife, Jean Fisher, and child, James, alleged to be bewitched, 201<sup>3</sup>, 202<sup>2</sup>.
- James, in Reidcastell, debts owing by him, 312.
- James, mentioned in a cipher code, 168.
- James, hears evidence, 160.
- Jean, wife of Mr George Douglas, minister at Cullen, debts owing to her, 80.
- John, merchant burges of Perth, seeks payment of a debt, 262.
- John, in Scheirglase, charged to find lawburrows, 374.
- John, a servitor, prosecutes an action, 82.
- John, charged with illegal warding, 427.
- Katherine, wife of Mr George Douglas, minister at Cullen, debts owing to their daughter Mary, 80.
- Sir Lues, consulted as to a patronage, 124; mentioned in some informations, 188.
- Mary, natural daughter to Patrick, Earl of Orkney, petition by her anent the maintenance promised by the Earl, 344, 345.
- Neill, brother to Alester, *supra*, charged to find lawburrows, 374.
- Robert, servitor to the Bishop of Galloway, witness to the execution of a charge, 367.
- Robert, tailor in Leith, to be sent to the wars, 420.
- Robert, charged to find lawburrows, 374.
- Simon, merchant burges of Glasgow, complains of being assaulted, 275, 276.
- Thomas, involved in a riot at Wigtown, 42.
- Captain William, receives payment for supplies to the army in Ireland, 91.
- William, in Balnakellie, charged to find lawburrows, 374.
- Stewart, William, in Mukarsie, witness to the execution of a charge, 107.
- William, receives back certain cattle, 161.
- *alias* Fisher, John, at Dalry Mills, complaint against him, 448.
- Stewartries: of Annandale, 299; Galloway, 423; Kirkcudbright, 253, 299; Menteith, 254, 299; Strathearn, 299.
- Stillie, Isobel, to be tried for witchcraft, 205.
- Nicoll, to be tried for witchcraft, 205.
- Stings, assaults with, 316.
- Stirling (Sterling, Stirline), Earl of, . . . , deceased, warrant given to him to make some copper coin, 209<sup>2</sup>.
- of Harbertshyre, John, witness to the execution of a charge, 160.
- Mr George, complains of being assaulted, 265.
- James, chamberlain of the Earl of Montrose in the barony of Mugdock, complains of cattle being stolen, 130, 131.
- James, merchant burges of Glasgow, bond of caution by him, 296, 297.
- Mr John, minister at Baldernock, complains of some cattle being stolen, 130, 131; to be apprehended for holding private meetings, 465.
- John, heritor of Orchardfield, caution for his indemnity, 186.
- John, in Shireftoun, prosecuted for remaining at the horn, 308.
- J., signs as clerk of the presbytery of Haddington, 198.
- Robert, merchant burges of Dundee, charged with selling English beer at too dear a price, 442.
- Walter, merchant burges of Glasgow, complains of the plundering of a ship's cargo by Islanders, 425.
- Stirling (Striviling), town of, the provost and bailies are ordered to release prisoners, 20; a justice court held there, 20; meetings of the Privy Council there, 47, 249; the town and bridge to be defended against the Irish troops, xiii, 115; the jug measure of Stirling, 338; the kirk session deals with a case of witchcraft, 345-347; the taxation of the burgh, 443, 444; the Backraw, 443; proclamations at the market cross, 59, 106<sup>2</sup>, 253; the tolbooth of, 20, 454; documents dated there, 160, 238, 248, 249, 345<sup>2</sup>, 346; bailies of. *See* Anthony Bruce and John Squyar.

- Stirling, commissary of. *See* . . . Murray.
- castle of, to be defended against the Irish troops in Scotland, 115; the Earl of Cassillis imprisoned there, 258.
  - presbytery of, deals with a case of witchcraft, 345-347; their clerk. *See* James Duncanson.
  - receiver of. *See* John, Earl of Mar.
- Stirlingshire (Strivilingshyre), lordship of, 253.
- shire of, appointment of justices of peace, 299; sheriff of. *See* John, Earl of Mar; sheriff depute of. *See* Mr John Rollock.
- Stirtone, Mr James, a minister, a message sent to him, 464.
- Stiverling, George, merchant in Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 88.
- Stobhill, the coal of, 15.
- Stocks (Stoks), John, in Leith, to be sent to the wars, 420.
- Stocks, imprisonment in the, 294; to be kept by the justices of peace for punishing offenders, 304.
- Stoddart (Stoddert), Agnes, condemned for witchcraft, 18.
- John, in Criblaw, charged with armed convocation and riot, 171, 172.
  - John, indweller in Sornfalla, witness to the execution of a charge, 120.
- Stones, used for barring a church door, 29, 35; divination by means of stones, 66, *et seq.*, 75; assaults with stones, 370.
- Storrie, John, in Aberlady, witness to the execution of a charge, 458.
- Stow, parish of, 172.
- Strachan (Strachachan, Stracquan, Strauchane), David, in Brechin, prosecuted as a deserter, 389.
- Mr James, merchant burgess of Edinburgh, complains of some merchandise being wrongfully arrested, 428.
  - Mr James, minister of Logie in Aberdeenshire, attests a deed anent the raising of recruits for service abroad, 419<sup>2</sup>.
  - John, servant to John Forbes of Leslie, his expenses as a witness to be paid, 370.
  - John, messenger, executes a charge, 253.
- Stradoveran, lands of, 155.
- Straitone, Mr James, minister at Eyemouth, examines witches, 195; his signature, 195.
- Strang, John, indweller in Forfar, wounded, 308.
- Mr William, a clerk of Exchequer, witness to a document, 455.
  - David, in Forfar, witness to a bond of caution, 351.
- Stranraer (Stranrawer), burgh of, 441; the provost and bailies are ordained to redress an assault, 442; they are charged with illegal warding, 174, 182.
- parish of, witchcraft there, 133.
- Strathearn (Stratherne), lands and lordship of, 255.
- stewardry of, appointment of justices of peace, 299.
  - commission to the Steward anent the fishings, 249.
- Strathisla, lands of, 155.
- Strathurde, Laird of. *See* Crichton.
- Stratton (Stratoun), Arthur, complaint against him, 271.
- Streachin, Laird of. *See* Fraser.
- Strikinnes (Straikinnes), lands of, their taxation, 437.
- Strowan. *See* Monzievaird.
- Stuart. *See* Stewart.
- Sturrock (Storrock, Sturrok), John, mariner, once taken captive by Turks and Spaniards, and now imprisoned for debt, craves liberty to satisfy his creditors, 399, 400, 424; claims certain documents, 438.
- Sutherland, Earl of, John, present in Council, vii, 2, 42, 52, 53, 54<sup>2</sup>, 55, 57<sup>2</sup>.
- of Duffus, William, appointed keeper of the rolls to the justices of peace for the shires of Elgin, Forres, and Nairn, 299.
  - Major Alexander, charged with hamesucken, 21.
  - Andrew, in Hemprigs, charged to appear as a witness, 65, 76; witness to the execution of a charge, 75, 76.
- Suttie, George, dean of guild of Edinburgh, appears as a commissioner for the Royal Burghs, 9, 15, 16.
- Swan, James, servant to Wedderburn, charged with breaking down a dyke, 55.
- William, in Whitefield, charged to appear as a witness, 107<sup>2</sup>.
- Sweden, levies of troops for service in the wars, 400, 429, 453.
- Swinton (Swentoun, Swyntoun) of that Ilk, Sir Alexander, continued in office as sheriff of Berwick, 17; to be written to, to bring in some prisoners, 115; appointed to examine witches, 195.

- Swinton of that ilk . . . , younger, appointed to examine witches, 195.
- Dame Katherine, Lady Westnisbet, wife of Sir Alexander Nisbet, craves to be allowed the use of the house of Rumiltonlaw, and to have aliment, 207, 208<sup>2</sup>.
- Mark, provost of Inverkeithing, deceased, 438; his widow, Margaret Seton, charged with wrongful imprisonment, 438.
- Ro., signs a letter as a justice of peace for the shire of Berwick, 340, 342.
- Thomas, cordiner in Aberdeen, witness to the execution of a charge, 104.
- Swoinisone, William, in North Ramsay, alleged to be bewitched, 360.
- Sword (Swoord), James, bailie of St. Andrews, lends money for the maintenance of the Scottish army in Ireland, 84.
- Swords, 349; allowed to be worn by members of Parliament, 247; used in assaults and illegal convocations, 25, 26, 38, 41, 42, 45, 47, 64, 79, 113, 173, 174, 179, 184, 187, 260<sup>2</sup>, 264, 265<sup>3</sup>, 266, 272, 274, 275, 276, 277, 282, 283, 285, 287, 289, 291, 294, 307, 309, 310, 312, 314, 315<sup>2</sup>, 316, 317, 318, 320, 321<sup>2</sup>, 322, 351, 369, 372, 373, 379, 380, 385, 386, 388, 391, 392, 395, 396<sup>2</sup>, 397, 400, 401, 402<sup>2</sup>, 404, 407, 408, 409, 430, 431, 432<sup>2</sup>, 433, 434, 438, 439, 444, 447, 449, 451, 452.
- Sword belt, assault with a, 382.
- Sword, commissions of fire and, 370, 371.
- Swynisburne, the, 110.
- Sydsers of Rouchla, Mr James, appointed overseer of the Whittinghame estate, 36.
- Archibald, bailie of Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 85.
- John, in Dirleton, charged with de-forcement, 451.
- Syme (Sime, Sym), Andrew, tenant in Hemprigs, prosecutes an action, 64, 65.
- Gavin, painter in Edinburgh, witness to the execution of a charge, 65.
- James, in Haltone, charged to appear as a witness, 76.
- John, in Errol, charged with wrongful imprisonment, 2.
- John, in Haltone, witness to the execution of a charge, 76.
- Thomas, illegally prevented from joining his regiment, 389.
- Symie, John, at the mill of Busky, prosecuted for remaining at the horn, 303.
- Symondsone, John, in Kirkwall, on an assise, 363.
- Symontoun, Robert, witness to the execution of a charge, 250.
- Tart, John, in Hawick, craves exemption from military service, 427.
- John, in Kirkland, caution for his indemnity, 286.
- John, in Bidrin, caution for his indemnity, 289.
- Robert, in Composlak, deceased, 287; complaint by his widow, Barbara Cranston, and Margaret, his daughter, 287, 288.
- William, in Carkettill Mill, prosecuted as a deserter, 380.
- Tarbert, David, in Wester Scottistoun, and his son, charged to find lawburrows, 344.
- Tarbert, Argyll and, shire of, appointment of justices of peace, 299.
- Targes, references to, 397, 404, 447.
- Taus (Tawis), John, servitor to Mr Gilbert Stewart, execution of summons against him, 106, 107.
- Taxations: petition for relief from one, 238; the collecting of taxes, 371; refusals to pay, 443, 444; voted for the King's marriage and the Prince's baptism, 275, 290; that granted in October 1612, 436; in March 1617, 436; in August 1621, 431, 436, 453, 454; in October 1625, 412, 413, 429, 436<sup>2</sup>, 437<sup>2</sup>, 443, 450<sup>2</sup>, 453; taxation of parsonage of Cruden, 290, 291; the abbacy of Culross, 246; the lordship of Dryburgh, 382; the lordship of Dunfermline, 268, 269; for repairing the Castle of Edinburgh, 250; for repairing a bridge, 187; collectors-general of the taxations. *See* Sir James Bailie of Lochend and John, Earl of Mar.
- Tax rolls, making up of, 437, 451.
- Tay, river of, precautions to be taken against the crossing of it by the Irish rebels, xiii, 115; the fishings there, 249.
- Taylor (Tallyeour), Andrew, in Keir, caution for his indemnity, 318.
- Annie, *alias* Runa Rowe, tried and condemned as a witch, 360-364.
- David, writer in Edinburgh, witness to the execution of a charge, 65.
- Helen, accused of witchcraft, 196<sup>3</sup>, 197.

- Taylor, John, in Milbuy, charged with armed convocation and riot, 386.
- Robert, in Wolfhill, charged to appear as a witness, 1072.
- Stevin, in Papa Westray, and his wife, alleged to be bewitched, 363.
- Tayne, Alexander, in Milbowy, charged with armed convocation and riot, 386.
- Teinds: commissioners for the teinds to be appointed in each shire, 383; their meetings, 417, 422; an election in Peebles, 383, 384; the payment of teind victual, 398; taxation of teinds, 436, 451; of Whittinghame, 464.
- Teith, Water of, fishings of the, 254.
- Telfer (Tailzeфир), Robert, in Overhall, execution of summons against him, 82, 83.
- Temple (Tempill), George, examines some witches, 189.
- Marion, 189.
- Patrick, in Quhittinghame, charged with wrongful intrusions, 25, 108, 115; witness to the execution of a charge, 108.
- Tennent (Tenent, Tennant) of Moesyde, William, lends money for the maintenance of the Scottish army in Ireland, 90.
- Allan, in Calder, witness to the execution of a charge, 119.
- James, in Lamington, charged with resisting the ordination of a minister, 29, 30, 116, 118, 119, 128, 133; also Eupham Douglas, his spouse, 29, 116; he raises action for suspension, 31.
- John, younger, mariner in Kirkcaldy, charged with defrauding the customs, and deforcement, 440<sup>2</sup>, 441.
- Joseph, clerk to the session of Kilbarchan, signs depositions of witchcraft, 199, 200.
- William, in Crofthill, on an assise, 147.
- William, in Lamington, charged with resisting the ordination of a minister, 29, 30, 116, 118, 119, 128, 133; he raises action for suspension, 31.
- Theft, cases of, 18, 130-133, 176, 185, 210, 211, 342, 343, 373, 374, 394, 396, 397, 410, 445, 449; the steward of Kirkcudbright craves license to deal more leniently with petty thieves, for safety of life and limb, 445; some thefts take place in Berwickshire, 342, 343<sup>2</sup>.
- Theobalds, royal letters dated there, 331, 341.
- Thirlestane, Lord, John (Maitland), signs as Secretary, 248; also as Chancellor, 251; charged to appear before the Exchequer, 252.
- Thistle, the, used as a device on the copper coin, 136.
- Thom, Andrew, in Easter Scottistoun, charged to find lawburrows, 344.
- James, messenger, executes a charge, 181.
- John, illegally prevented from joining his regiment, 390.
- John, younger, illegally prevented from joining his regiment, 390.
- Thomson (Thomesoun, Thompsoun, Tom-sone), Alexander, messenger, complains of deforcement, 451, 452.
- Andrew, in Stow, witness to the execution of a charge, 172.
- Christopher, in Grinlaw Deane, charged with breach of caution, 379.
- Duncan, of the Milntown of Toweis, becomes a cautioner, 285.
- Elspet, wife of Thomas Seatter in Seatter, alleged to be bewitched, 357, 358<sup>2</sup>, 360.
- James, in Bellastrad, to be apprehended for military service, 408, 419.
- James, in Gribtie, charged to find lawburrows, 290.
- James, in Selkirk, charged to find lawburrows, 293.
- James, a servitor, sells some victual, 78.
- John, in Stow, charged with armed convocation and riot, 171, 172.
- John, servitor to the Laird of Culloch, caution for his indemnity, 289.
- John, a servant, complaint by him of assault, 260.
- Margaret, wife of Archibald Gray in Calder, complains of being dealt with harshly as a supposed witch, 37, 108, 109, 117, 118, 119, 137; her release opposed by the presbytery, 138.
- Margaret, imprisoned as a witch in Dysart, 365; her daughters and their husbands prosecuted for visiting her without license, 365, 366.
- Robert, prosecuted as a deserter, 458.
- Thomas, at the Mill of Duddingston, charged with trespassing in the Park of Holyrood, 263.
- Thomas, in Queensferry, witness to the execution of a charge, 109.
- Walter, in Burnes, on an assise, 363.

- Thomson, William, commissary of the Scots, army in Ireland, grants receipts for money, 1, 5, 7, 77; disbursements by him, 2, 90; his depute. *See* John Jossie.
- William, in Bowre, charged to appear as a witness, 172; his evidence, 173.
- Threestops, lands of, in Restalrig, 45.
- Thumond, mentioned in a cipher code, 167.
- Tibbermuir, battle of, xiii.
- Tichburne, Sir H[enry], mentioned in a cipher code, 167.
- Tilliry, John, in Balmedie, caution for his indemnity, 313.
- Timber, used for destroying crops, 434.
- Tinno, Andrew, messenger in Melrose, witness to the execution of a charge, 782.
- Tirronell, mentioned in a cipher code, 167.
- Tithes of fishings claimed by the bishops, 340. *See also* Teinds.
- Tobacco, plundered from a ship, 425.
- Tod (Tood), Archibald, provost of Edinburgh, admitted as a member of the Privy Council, and gives his oath, vii, 59; signs depositions of witnesses, 184.
- Archibald, dean of guild of Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 87.
- Elizabeth, widow of Hew Dalziel in Edinburgh, and Robert, her son, oppressed by creditors, 413.
- Peter, in Blairquhan, charged with committing assault, 56.
- Robert, in Carmichell, witness to the execution of a charge, 117.
- William, a Scotsman, craves the release of a vessel bringing goods to him, 99.
- Todlock. *See* Ranie.
- Todrige, George, in Duddingston, charged with trespassing in the Park of Holyrood, 263, 264.
- Toft, Matthew, in Haltrig, on an assize, 132.
- Tofts, Laird of. *See* Belsches.
- Tok, Alexander, in Boroughmuir, charged with assault, 316.
- William, brother to Alexander, *supra*, charged with assault, 316.
- Tongland (Toungland), abbacy of, taxation of the, 436.
- Tormonquheill, a meeting place of witnesses, 148.
- Torphichen, Lord, James, ordained to restore some tapestry, etc., belonging to Mary, Queen of Scots, 245, 246; signs a letter as a justice of peace for the shire of Edinburgh, 336.
- tutor of. *See* Sandilands.
- Touch, Laird of, 407.
- Alexander, in Tartowie, charged with armed convocation and riot, 386.
- Towdop, James, in Hawick, craves exemption from military service, 427.
- Towers (Touris) of Garnetoun, Sir George, knight, 293.
- Towie (Towy), barony of, 285<sup>2</sup>; the baron-court, 285.
- Trade and commerce between Scotland and Ireland, ix, x, 324, 325; merchants and traders ordered to bring in bullion for exported goods, 310; abuses in buying and selling with diverse weights and measures; 334, 336; the respective weights and measures for various goods, 338; prices of English beer and Scotch ale, 442, 443, 448.
- Traileman, mentioned in a cipher code, 168.
- Traill (Trail), Mr John, indweller in Ireland, intromits with some papers, 188.
- Mr Robert, minister, to be apprehended for holding private meetings, 465.
- William, 63; his wife, Janet Sklaiter, is a witness, 63.
- Tranent, town of, 176.
- Traquair [Earl of], mentioned in a cipher code, 167.
- Treasurer, Lord High, to be furnished with rolls of reliable witnesses and assisers by the justices of peace, 298, 300; reports to be made to him by the justices, 305<sup>2</sup>; to be advertised anent the trial of certain Berwickshire criminals, 343; payments to be made to him, 160, 324, 325, 426, 443, 448; payments by him, 368. *See also* George, Earl of Dunbar, and John, Earl of Mar.
- Treasurer Depute to be one of the Border Commissioners, 343. *See also* Sir John Arnott of Birswick, Archibald, Lord Napier, and Sir James Carmichael of that Ilk.
- Treaty, Articles of, between the English and Scottish Parliaments anent affairs in Ireland, 463.
- Trent, Mr William, minister in Haddington, examines some witches, 192, 193.

- Trinity Gask, minister at. *See* Mr John Murray.
- Troup of Pittindreich, William and his sons, John, William, and Patrick, prosecuted for carrying firearms, 321; charged to find lawburrows, 350.
- James, merchant burghess of Edinburgh, deceased, 49; his daughter, Allison, is ordained to make choice of curators, 49, 52; special times appointed for this purpose, 49, 51, 52; she is to be delivered to her curators, 53.
- Patrick, lieutenant to Captain Adam Gordon, complains of the non-delivery of a soldier, 390.
- William, in Milbuy, charged with armed convocation and riot, 388.
- Tulliallan, lands and barony of, 459; coal and salt works there, 16, 459.
- ullibardine, Earl of, John, 374, 375; his eldest son, John Murray, and second son, William, charged to find lawburrows, 374, 375.
- John, ordered to prevent the passage of the Tay by Montrose and the Irish, xiii, 115.
- Tulloch (Tulliche) of Tannacheis, Robert, and Alexander, his son, charged to find lawburrows, 290<sup>2</sup>.
- Thomas, commission to him of fire and sword, 371.
- Alexander, in Forres, father-in-law to the sheriff of Moray, 279<sup>2</sup>.
- . . . in Coupar Angus, his house, 321.
- Tulloch, minister of. *See* Mr John Leslie.
- moss of, 432.
- Tundergarth (Tunergaff), kirk of, sentences of excommunication pronounced there, 394, 395; the minister there. *See* Mr David Roger.
- Turing of Foverne, John, seeks suspension of a charge to apprehend men fit for the wars, 424, 425.
- Turk, John, alleged to be bewitched, 456, 457.
- Turks: sailors taken captive by them seek to be ransomed, 36, 37, 137, 399.
- Turnbull (Trumbill, Turnebale) of Bedrule, Walter, complaint against him, 268.
- (of Howe), Robert, in Halroull, his slaughter, 259<sup>2</sup>; his widow, Grizel Turnbull, and son, Robert, crave satisfaction, 259.
- of Stanyledge, Hector, complaint by him, 268.
- Turnbull, Andrew, officer in Kirkcaldy, witness to the execution of a charge, 259.
- Andrew, in Selkirk, charged to find lawburrows, 293.
- Gavin, in Howe, execution of summons against him, 259.
- Grizel, widow of Robert Turnbull of Howe, execution of summons against her, 259.
- Hector, in Steneledrig, execution of summons against him, 259.
- James, in Selkirk, charged to find lawburrows, 293.
- James, in Selkirk, charged to find lawburrows, 293.
- Malcolm, in Selkirk, charged to find lawburrows, 293.
- Matthew, complaint by him, 295.
- Michael, in Carberry, execution of summons against him, 139.
- Michael, summoned for molesting colliers, 38.
- Robert, burghess of Jedburgh, witness to the execution of a charge, 259.
- Robert, in Selkirk, charged to find lawburrows, 293.
- Thomas, in Selkirk, charged to find lawburrows, 293.
- Turner (Turnour), Marion, in Higtown, assaulted and wounded, 41.
- Robert, in Blakholme, prosecuted and banished for stealing cattle, 130-133.
- Turvesone, Iver, in Brekis, on an assise, 363.
- Tuthillhill, lands of, 256.
- Tweed, river of, fishings there, 255.
- Tweeddale, Earl of, . . . to be consulted in disposing of an estate, 172, 207.
- Tweedie (Tuedie, Tuidie, Twedy) of Drummelsier, James, debts owing by him, 268.
- Alexander, in Olipher, prosecuted for carrying firearms, 379.
- Alexander, servitor to John Inglis, witness to the execution of a charge, 458.
- Violet, widow of Harry Bickarton, writer, debts owing to her, 268.
- Tyreine (Ilantyrain), castle of, 307.
- Tyrie of Drummkilbo, William, charged with assault, 321.
- James, lister, burghess of Perth, 107; charged with committing theft, 26.
- James, illegally prevented from joining his regiment, 390.
- Tyrone (Tirone), mentioned in a cipher code, 167.

- UNWART, Mr Nathaniel, interested in a shipping matter, 257.  
 Unes, Margaret, in Byres of Lamington, charged with resisting the ordination of a minister, 117.  
 Union of the Parliaments in 1707, x.  
 Universities: King Charles the First appoints a commission to examine their affairs, 460; the College of Glasgow, 318, 460.  
 Urquhart (Urchard) of Burdsyards, Thomas, provost of Forres, charged to find lawburrows, 290<sup>2</sup>.  
 — of Olderaig, James, caution for his indemnity, 170.  
 — Adam, burghess of Forres, and Elizabeth Vaus, his wife, crave delivery of some writs, 427.  
 — Alaster, in Urrart, charged to find lawburrows, 375.  
 — James, burghess of Forres, charged to find lawburrows, 290.  
 — James, house of, 279.  
 — Thomas, sheriff of Cromarty, craves the apprehension of a fugitive, 312.  
 Urtoun, Hill of, 397.  
 VALLANCE (Wallenge), Matthew, burghess of Musselburgh, charged to find lawburrows, 276.  
 Valleyfield, the coal of, 24.  
 Vans (Vause), Elizabeth, wife of Adam Urquhart, burghess of Forres, craves delivery of some writs, 427.  
 — William, soldier, craves to be released from prison, 206.  
 Veitch (Vaitche, Vetchie) of Dawick, William, complains of disorderly conduct at an election, 383.  
 — Mr John, minister at Robertson, and moderator of the presbytery of Lanark, complains of the opposition made to a minister's ordination, 28, 31, 115, 116, 118, 119, 128; he is charged to produce a decree, 34, 120.  
 — J., signs a document, 399.  
 — (Vaith), Margaret, accused of witchcraft, 197, 198.  
 Velzean, James, in Beaquoy, on an assise, 457.  
 Venison, illegal spoliation of, 444.  
 Vennachar (Vennaquar) Loch, right of fishings there, 254.  
 Vernor, Gavin, in Dodrig, charged to appear as a witness, 119; his evidence, 118.  
 Virtual. *See* Grain.  
 WADDELL. *See* Woddell.  
 Walker (Walkir), Andrew, to be apprehended as fit for the wars, 424.  
 — Archibald, sailor in Leith, supplicates that he may be ransomed from the Turks, 36, 137.  
 — George, bailie of Edinburgh, execution of summons against him, 135.  
 — George, messenger in Lauder, executes a charge, 419.  
 — Hew, in Easter Muristoun, witness to the execution of a charge, 120.  
 — James, in Clewche, on an assise, 147.  
 — John, in Leith, to be sent to the wars, 420.  
 Walkerhill, lands of, 312.  
 Wallace (Wallas) of Carnell, Hew, his caution modified, 251.  
 — of Carnell, Sir John, appointed keeper of the rolls to the justices of peace for the shire of Ayr, etc., 299.  
 — of Dullaris, William, his caution modified, 251.  
 — of Dundonald, John, his caution modified, 251.  
 — James, macer, witness to the execution of a charge, 240.  
 — James, merchant, craves to be protected in recovering debts from a Frenchman, 83.  
 — John, in Cleuchaid, charged to appear as a witness, 119; his evidence, 118.  
 — John, at the mill of Duddingston, charged with trespassing in the Park of Holyrood, 263.  
 — John, cordiner in Kilmaurs, charged with rescuing an enlisted recruit, 380.  
 — John, tasker in Leith, to be sent to the wars, 420.  
 — Michael, in Burnbank, his caution modified, 251.  
 — Richard, in Gawisyd, charged to appear as a witness, 119; his evidence, 118.  
 — William, clerk of court in Melrose, son-in-law to Michael Fisher in Dornick, is taken exception to as biassed, 78.  
 — William, notary, prepares instruments, 24, 96<sup>2</sup>, 97, 100.  
 Wallenge. *See* Vallance.  
 Walliman, a superstitious epithet, 455-457.  
 Walwood, James, officer to the Earl of Dunfermline, requires delivery of a collier, 22, 23.

- Wandell, the barony of, 33, 123, 124; Caldchapell there, 33, 127.
- Wandell and Lamington, the kirk of, violent opposition made to the ordination of Mr Andrew McGie there, 28-31, 32, 33, 35, 115, 116<sup>2</sup>, 117, 118, 119<sup>2</sup>, 124, 127, 128<sup>2</sup>, 129, 133; late minister at. *See* Mr James Baillie.
- Wanhagen, Patrick, bookbinder in Aberdeen, witness to the execution of a charge, 104.
- Wansted, a royal letter dated there, 344.
- Waponschawings: at Dundee, 5, 6; for the town and shire of Edinburgh, 428.
- War, a Committee of, appointed upon the invasion by Montrose with Irish troops, 115; one for Haddington, 100.
- a Council of, appointed by the King, 364.
- Wardane, John, in Falkirk, alleged to be bewitched, 345, 346<sup>2</sup>.
- Wardlaw of Balmull, Henry, chamberlain of Dunfermline, seeks payment of taxation, 268, 269.
- of Pittreavie, Sir Henry, knight, one of the Receivers of H.M. Rents, pays over certain sums to William Dick, 455.
- of Torrie, Andrew, complaint by him, 282.
- George, sheriff clerk of Forfar, complains of being assaulted, 271, 272; caution for his indemnity, 272.
- Warriston, Lord, 91. *See also* Johnstone of Warriston.
- Warriston, Laird of, as a conservator of the peace, at a meeting of Council, 63.
- Warwick, Earl of, mentioned in a cipher code, 167.
- Waterford, mentioned in a cipher code, 168.
- Waterston (Waterstoun) of that Ilk, James, fiar, complaint by him, 292.
- Agnes, in Burntisland, to be tried for witchcraft, 200.
- Watson (Watsoun, Vatsoun), Alexander, in Ardintullie, charged to appear as a witness, 107<sup>2</sup>.
- Captain Andrew, claims upon him for recompensing the maintainers of some mariners of ships seized as prizes by him, 416; grants a discharge for wages to his crew, 453, 455.
- Andrew, in Burntisland, lends money for the maintenance of the Scottish army in Ireland, 7, 85.
- David, clerk to a justiciary court, signs a report, 132.
- Watson, David, tenant in Hemprigs, prosecutes an action, 64, 65.
- Gilbert, in Cautfald, charged to appear as a witness, 76.
- Grizel, wife of Edward Galloway in Lamington, charged with resisting the ordination of a minister, 29, 116.
- Jean, widow of Hugh Elder of Milnedykes, has corn poulded from her, 47.
- John, in Broichmond mill, charged to find lawburrows, 285.
- John, servitor to the goodwife of Burgie, witness to the execution of a charge, 76.
- Margaret, in the parish of Carnwath, tried and condemned for witchcraft, 146-154.
- Margaret, in Carnwath, aunt to Margaret Watson there, accused of witchcraft, 150.
- Patrick, in Fenton, and Manie Halyburton, his wife, condemned for witchcraft, 189, 190, 194; tested for the mark, 195.
- Robert, in Selkirk, charged to find lawburrows, 293.
- Robert, his lands, 251.
- Thomas, in Grematoun, on an assise, 147.
- Mr William, minister, finds caution to remove from Burntisland, 296.
- Watstoun, 312.
- Watt (Wat, Vatte), Agnes, wife of William Burn, cordiner in Stirling, alleged to be bewitched, 345, 346.
- John (?), Burgess of Edinburgh, deceased, 269; his widow, Janet Boyd, complains of malicious damage, 269.
- John, in Over Riffens, to be apprehended for military service, 408, 419.
- John, elder, in Wester Tillicoultry, summoned for molesting colliers, 79.
- John, younger, in Wester Tillicoultry, summoned for molesting colliers, 79.
- Margaret, wife of Thomas Laidlaw in Lamington, charged with resisting the ordination of a minister, 29, 116.
- Martin, in Lamington, charged with resisting the ordination of a minister, 29, 117; also Katherine Baillie, his wife, 29, 117.
- Wauchop of Niddrie, Sir John, charged with wrongfully taking possession of the coalheugh of Carberry, 38, 39, 139, 163; his depositions, 163; he lends money for the maintenance of the Scottish army in Ireland, 84.

- Wauchope, Archibald, in Duddingston, charged with trespassing in the Park of Holyrood, 263, 264.
- William, brother to Niddrie, summoned for molesting colliers, 38, 139.
- William, at the mill of Duddingston, charged with trespassing in the Park of Holyrood, 263, 264.
- Waugh (Waiche, Wauch), James, in Selkirk, charged to find lawburrows, 293.
- John (James), a collier, wrongfully retained from his master, 24, 96, 99, execution of summons against him, 106.
- William, a collier, wrongfully retained from his master, 24, 96, 99; execution of summons against him, 106.
- Waighton, Laird of, 454. *See also* Hepburn.
- Wearwater (Wirewater), town of, mentioned in a cipher code, 168.
- Weather, unseasonable and tempestuous, 332, 335, 339.
- Webster (Wabster, Wobster), John, in Inchefad, charged to appear as a witness, 251<sup>2</sup>, 252.
- Wedderburn (Wodderburne), James, in Dundee, prosecuted as a deserter, 389.
- . . . , signs a letter from the justices of peace of Forfarshire, 354.
- Laird of. *See* Home.
- Weights and measures: the French, Flemish, and English troy weight, 333, 338, 339; the tron weight, 333, 338; the stone weight for wool, iron, etc., 334, 336; the firiot measure of Linlithgow, 333, 334, 336; the prick firiot, 334, 336, 338; the jug measure of Stirling, 338; the justices of peace favour the adoption of a universal standard, 334-338; a standard to be kept in Edinburgh Castle, 336; the act of Parliament anent weights and measures, 332, 333.
- Weir (Wear) of Kirkfield, James, prosecutes an action, 82.
- Andrew, town officer of Lanark, witness to the execution of a charge, 133.
- G., signs reports on the trial of witches, 150, 154.
- Janet, wife of William McWat in Baitlawes, charged with resisting the ordination of a minister, 29, 116, 117.
- Mr John, minister at Carluke, and moderator of the presbytery of Lanark, complains of the opposition made to a minister's ordination, 28, 118; a counter-action raised against him, 33, 120; appears as a procurator, 34, 127; makes a report, 137; reports against a witch, 157; his signature, 157.
- Weir, John, mealmaker in Penston, deposed against as a witch, 192<sup>3</sup>; also his wife, Isobel Murray, 192<sup>2</sup>.
- John, in Southfield, charged to pay his teinds, 273.
- Sandy, tailor in Falkirk, alleged to be bewitched, 346.
- Captain Thomas, lends money for the maintenance of the Scottish army in Ireland, 7, 88.
- Thomas, pewterer in Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 87.
- William, a messenger's servant, witness to the execution of a charge, 120.
- Weitlands, Laird of, appointed to examine witches, 217.
- Wemyss (Weems, Weimes, Weyms), Earl of, John, accused of overcharging his coal, 8, 9<sup>3</sup>, 10, 15, 16<sup>3</sup>; commission to him to take depositions, 11; present in Council, vii, 5, 6<sup>2</sup>, 7, 11<sup>2</sup>, 12, 24, 44, 49, 51<sup>2</sup>, 52, 55, 57.
- — Sir James, commission to him to represent the desires of the justices of peace to His Majesty, 330; his recompense, 330, 332.
- — Sir John, admitted as a member of the Privy Council, 55, 56, 58; and gives his oath, 58; a bond of caution by him, 254; raises charges for payment of a cess, 238; he is appointed keeper of the rolls to the justices of peace for the shires of Fife and Kinross, 299; signs a letter from them, 338; written to as convener of the justices of peace of Fife, 341; present in Council, 58, 175<sup>2</sup>; signs an act of Council, 187.
- Mr David, minister in Glasgow, and William, his son, charged to find lawburrows, 318<sup>2</sup>.
- Mr Matthew, minister, witness to the execution of a charge, 76.
- Patrick, younger, in Dysart, charged with assault, 291.
- Wentoun of Strickmartin, Thomas, signs a letter as a justice of peace for the shire of Forfar, 337.
- Gilbert, merchant burgess of Dundee, charged with selling English beer at too dear a price, 442.
- James, in Newburgh, prosecuted as a deserter, 389.

- West (Wast), George, witness to the execution of a charge, 458.
- Janet, to be tried for witchcraft, 205.
- Westbyris, deeds dated there, 96<sup>2</sup>.
- Westerdail, lands of, 315.
- Westfield, Lady. *See* Dorothy Dunbar.
- West Gordon, lands of, 407.
- Westminster, a document dated there, 302.
- Westnisbet, lands and barony of, 207.
- Lady. *See* Dame Katherine Swinton.
- Westquarter, Laird of. *See* Livingstone.
- Westray, in Orkney, 65.
- Whales, stranded in Orkney, 362.
- Whingers, assaults with, 40, 80, 260, 265, 279, 283, 310, 320, 323, 384, 402, 409<sup>2</sup>, 430, 431, 432, 434, 440; allowed to be worn by members of Parliament, 247.
- White (Quhyt, Whytt), Andrew, in Dysart, prosecuted as a deserter, 457.
- George, servant to the Laird of Drum, charged with armed convocation and riot, 385; shot at with a gun, 386.
- James, in Kirkcaldy, charged with selling English beer at too dear a price, 448.
- John, cutler in Leith Wynd head, charged to appear as a witness, 181.
- John, servitor to Sir William Dick of Braid, acts on his master's behalf, 169.
- John, tailor in Erroll, charged with wrongful imprisonment, 2.
- Richard, Burgess of Haddington, hears confessions of witchcraft, 197.
- Robert, cutler in Leith Wynd head, charged to appear as a witness, 181.
- Thomas, cutler in Leith Wynd head, charged to appear as a witness, 181.
- William, in Leith, to be sent to the wars, 420.
- Whiteford (Quhytfurd) of Balloch, John, 56; complains of being dispossessed of the house of Blairquhan, 46.
- of Mylnetoun, . . . , deceased, 25; his widow, Jean Hepburn, charged with wrongful intromissions, 25.
- Adam, servant to Lord Bargany, complains of being assaulted, 39, 40, 140, 143.
- Adam, brother to Balloch, complains of being dispossessed of the house of Blairquhan, 46.
- Adam, complains of his servant being assaulted, 56.
- Whiteford, Mr Walter, parson of Moffat, complaint by him, 451.
- Whitehall, royal letters dated there, 458.
- Whitehaven, mentioned in a cipher code, 168.
- Whitehead (Quhyteheid), Andrew, in Kirkcudbright, charged to find lawburrows, 289.
- William, mentioned in a cipher code, 168.
- Whitelaw (Quhytlaw) of that Ilk, Patrick, charged as a neutral person to uplift the rents and teinds of Whittinghame, 26, 115; ordained to pay an allowance to Lady Whittinghame and her children, 464.
- Whithorn (Quhittorne), burgh of, provost of. *See* John M'Gawan.
- priory of, the taxation thereof, 437.
- Whitlaid (Whitsled), lands of, 56, 186.
- Whittinghame, lands and manor place of, 26, 36; illegally broken into and goods and writs seized, 25, 26, 34, 110, 115, 120; measures for its preservation, 36; a document dated there, 114; delivery of the keys, 114, 129.
- Lady. *See* Dame Elizabeth Preston.
- the teinds of, conflicting claims thereto, 27, 115, 464.
- Whitefield (Whytefield), John, merchant in Great Yarmouth, sues for payment of a debt, 310.
- Whytock (Quhyttak), John, in Kethick, witness to a document, 351.
- Walter, in Nether Banchell, complains of being assaulted, 316.
- Wightman (Wichtman, Wychtman), James, in Over Dormond, complains of illegal warding, 322.
- Thomas, in Ballow, debts owing to him, 399.
- Wigton (Wigtoun), Earl of, John, Lord Fleming, charged to find lawburrows, 272.
- Wigtoun, burgh of, 431; a riot takes place, which is referred to the arbitration of the Burghs, 41, 42; a case of church discipline there, 42; the magistrates represent the miscarriages of the schoolmaster, Mr Alexander Robertson, 461; provost of. *See* Patrick Hannay; bailies of. *See* Patrick Cowtran, William Clugstoun, and John Murdoch; schoolmaster of. *See* Mr Alexander Robertson.
- presbytery of, some members thereof intervene in a riot, 42.

- Wigtoun, shire of, appointment of justices of peace, 299.
- Wilkie of Cammo, James, complains of the withholding of a pupil, 49.
- of Foulden, John, complains of the withholding of a pupil, 49.
- — John, apparent, complains of the withholding of a pupil, 49.
- David, merchant in Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 88; receives payment for supplies to the army in Ireland, 92.
- Mr John, appointed to examine witches, 195.
- Marion, in Edinburgh, widow of Andrew Ainslie, lends money for the maintenance of the Scottish army in Ireland, 86.
- Wilkieson (Wilkesone), Alexander, Burgess of Lauder, witness to a document, 420.
- Alexander, brother to Francis, *infra*, caution for his indemnity, 378; seeks modification of amount of caution, 403.
- Francis, Burgess of Lauder, and Alexander, John, Ephraim, and James, his sons, seek modification of amount of caution, 403; caution for their indemnity, 378; he is charged to apprehend masterless men fit for the wars, 419, 420.
- James, brother to Francis, *supra*, caution for his indemnity, 378; seeks modification of amount of caution, 403.
- John, Burgess of Lauder, witness to a document, 420.
- John, in Selkirk, charged to find lawburrows, 293.
- Williamson, Agnes, to be tried for witchcraft, 205.
- Mr David, advocate, appears as a procurator, 9, 16, 37, 102, 105, 106, 139.
- Edward, in Leith, to be sent to the wars, 420.
- James, a servitor, witness to the execution of a charge, 119.
- John, in Durisdeer, charged to find lawburrows, 311.
- John, messenger, executes a charge, 140.
- William, Burgess of Abernethy, complains of some corn being stolen, 39, 140.
- Wilmot (Willmut), mentioned in a cipher code, 167.
- Wilson (Wilsoun), Allan, in Hawick, craves exemption from military service, 427.
- David, tenant in Gight, prosecuted for using Popish rites at a burial, 263.
- Gabriel, tailor, and his wife, Margaret Wilson, depone against a witch, 199<sup>2</sup>, 200.
- Isobel, in Carriden, imprisoned as being a witch, craves release, 205.
- Mr James, minister of Dysart, appears in connection with a witchcraft case, 28.
- James, merchant, lends money for the maintenance of the Scottish army in Ireland, 7, 85.
- Janet, wife of Patrick Mungwall in Falkirk, alleged to be bewitched, 347.
- Jasper, stabler in the Canongate, charged with wrongful intromissions, 25, 108.
- Jasper, execution of summons against him, 99.
- Mr John, minister at Crawford, charged to produce a decree, 34, 120.
- John, in Aberdeen, witness to the execution of a charge, 103.
- John, in Godnes, caution for his indemnity, 262.
- John, sometime in Innerichnie, to be apprehended as a fugitive, 312.
- John, walker in Lochfute, charged to appear as a witness, 179, 182; his evidence, 183.
- John, in Pleasance, charged with trespassing in the Park of Holyrood, 263.
- John, transports victual in his ship to Ireland, 157.
- John, younger, merchant, 201, 202; his wife, Isobel York, depones against a witch, 201, 202.
- Margaret, wife of Gabriel Wilson, tailor, depones against a witch, 199.
- Michael, at the mill of Duddingston, charged with trespassing in the Park of Holyrood, 263.
- Robert, in Durisdeer, charged to find lawburrows, 311.
- Samuel, bailie of Queensferry, addressed by a witch, 110.
- Thomas, bailie of Queensferry, charged to appear before the Council, 109.
- Thomas, servitor to Sir John Preston, mentioned in a forged letter, 352.
- William, in Kinkaidyou, witness to the execution of a charge, 82.

- Wilson, William, Burgess of Lanark, witness to the execution of a charge, 82.  
 — William, town officer of Lanark, witness to the execution of a charge, 133.  
 — *See also* Borieson.  
 Winchburgh, 110.  
 Windsor, 257.  
 Windwik, Katherine, wife of Gilbert Mowat, charged to appear as a witness, 63; alleged to be bewitched, 69.  
 — Katherine, wife of Henry Yorstoun in Cogar, alleged to be bewitched, 67, 68.  
 Wines, French and Spanish, plundered from a ship, 425; wine seek plundered from a ship, 425.  
 Wingate (Winett, Winzett), George, an elder in Renfrew, hears confessions of witchcraft, 214, 232; his signature, 232, 233.  
 — Mr John, signs depositions of witchcraft, 221<sup>2</sup>.  
 — W., signs depositions of witchcraft, 219<sup>2</sup>, 221<sup>3</sup>, 222<sup>4</sup>, 223, 224, 225<sup>4</sup>, 226<sup>4</sup>, 228<sup>2</sup>, 229<sup>5</sup>, 230<sup>4</sup>, 231<sup>4</sup>, 232<sup>3</sup>, 233<sup>2</sup>, 234<sup>3</sup>, 235<sup>3</sup>.  
 Winraham (Wynrame) of Liberton, Mr George, lends money for the maintenance of the Scottish army in Ireland, 89.  
 — James, signs a document, 319.  
 Winster, Robert, in Forres, charged to find lawburrows, 290.  
 Winton (Wintoun), Earl of, George, accused of overcharging his coal, 8, 9, 15, 16<sup>2</sup>; signs letters and acts of Council, etc., 458, 459<sup>2</sup>.  
 Wishart, James, Burgess of Dysart, consents to an act of the town council, 365.  
 Wiston (Woustoun), minister at. *See* Mr William Morton; schoolmaster there. *See* Thomas Johnstone.  
 Witchcraft, cases of, xiv; passages of Scripture condemning the crime, 147; acts of Parliament against abusing the people, 65, 70, 71, 147, 148; case of Janet Anderson in Stirling, 345-347; . . . Bargans, 216, 218, 220, 224; Isobel Bigham in Stranraer parish, 133; Isobel Brown in Eyemouth, 195, 196<sup>4</sup>, 197<sup>3</sup>; Alison Cairns, 196<sup>4</sup>, 197; Elspeth Cant, 110; Agnes Clarkson, widow, in Dirlerton, 189; Marable Couper in Birsay, 355-360; Katherine Craigie, *alias* Estaquoy, 64, 65-70; Jean Crawford, 216, 227; Mary Cunningham in Culross, 37, 38, 39, 43, 139<sup>2</sup>; and Janet Erskine, her daughter, 101-103, 105, 106; Margaret Dickson in Penston, 191, 192, 193<sup>3</sup>; Margaret Dobson in Eyemouth, 196, 197; Alexander Drummond in Auchterarder, 454, 455; Africk Elam in Knockibae, 133; Margaret Finlayson in Renfrew parish, 211-235; Agnes Finnie (Fynnies), 134, 135; Maud Galt in Kilbarchan, 198-204; Isobel Haldane at Perth, 352-354; Helen Hill, wife of John Young in Queensferry, 110; Agnes Hunter in Penston, 190, 192, 193<sup>3</sup>; George Hutson and others in Haddingtonshire, 204, 205; Margaret Hutton, wife of Edward Ezat in Culross, 12; Jean Lauchlan in Carnwath parish, 41, 146-154; Thomas Leitch, 212, 213<sup>2</sup>, 214, 218<sup>3</sup>, 220, 226, 229, 230, 231<sup>2</sup>, 232, 234<sup>3</sup>; Marion Little, 110; Janet Lockie in Carnwath, 150; Katherine Logie, 110; Janet McKennan in Balmurrie, 133; Christian Melville in Abercorn parish, 110; Janet Montgomery, 212, 213, 215, 218, 234<sup>2</sup>; Janet Murray and others in Burntisland, 200; Mailie Paterson in Carnwath, 150; Christian Pollok (Poock), 64; Margaret Ranie, *alias* Todlock, 64; Janet Reid, 71-75; Margaret Reid in Carnwath parish, 155, 156, 157; Marion Richeson, 190<sup>2</sup>, 191<sup>2</sup>, 192<sup>2</sup>, 193; Margaret Robertson in Haddington, 198; Andrew Robison, 216; Marion Robison, 197; Marion Russell in Glenluce, 133; Katherine Shaw in Carnwath parish, 148, 149<sup>2</sup>, 150, 154, 155, 156, 157; Marion Shenan in Drochdooll, 133; Helen Stewart in Calder, 148, 149, 156; Agnes Stoddart, Thomas and Jean Rob, 18; Annie Taylor, *alias* Runa Rowe, 360-364; Helen Taylor, 196<sup>3</sup>, 197; Margaret Thomson in Calder, 37, 108, 109, 117, 118, 119, 137, 138; Margaret Thomson, 365, 366; Margaret Veitch, 197, 198; Margaret Watson in Carnwath parish, 146-154; Margaret Watson, her aunt, in Carnwath, 150; Isobel Wilson in Carriden, 205; Beatrix Young, 196, 197; Isobel Young in Queensferry, 110; Margaret Young, wife of William Morison in Dysart, 28, 118; Margaret Young in Queensferry, 104, 109<sup>2</sup>, 110<sup>2</sup>; in Abercorn parish, 110; Berwickshire, 195-197; Burntisland, 200; Calder, 37, 108, 109, 117, 118, 119, 137, 138<sup>2</sup>, 148; Culross, 12, 37, 39, 43, 139, 101-103, 105, 106; Dirlerton, 189; Dunsyre, 154; Dysart, 28, 364-366;

- Eyemouth, 195-197; Falkirk, 345-347; Glasgow, 201, 202; Haddingtonshire, 189-195, 197, 198, 204, 205; Kilbarchan parish, 198-204; Lanark, 41; Longniddry, 189, 190, 191; Orkney, 63, 64-75, 355-364, 455-457; Paisley, 202, 203; Penston, 190-194; Perth, 18, 352-354, 454, 455; Queensferry, 20, 104, 109<sup>2</sup>, 110<sup>2</sup>; Renfrewshire, 198-204, 211-235; Stirling, 345-347; Stranraer parish, 133; West Fenton, 189, 190; and Yoker, 198-204, 211-235.
- Witnesses, payments ordained to be made to, 31, 57, 129, 370, 389, 421, 422.
- Woddell, Robert, burgess of Lauder, witness to a document, 420.
- William, burgess of Lauder, witness to a document, 420.
- Wodrow (Woddrow), Adam, his child alleged to be bewitched, 214, 218, 228<sup>3</sup>; gives evidence, 226<sup>2</sup>.
- Grizel, depones against a witch, 228<sup>2</sup>.
- Helen, wife of John Pettigrew, cooper, depones against a witch, 201, 202.
- Wolmet, lands of, the coal of, 14, 15.
- Lady, accused of overcharging her coal, 15.
- Wolsone, Rolland, in Galtway, charged to find lawburrows, 290.
- Wood (Wod) of Craig, Sir David, signs a letter as a justice of peace for the shire of Forfar, 337.
- of Gelistoun, John, complains of his servant being assaulted, 393.
- of Greinsyd, Alexander, complaint by him, 281.
- of Mildovine, John, caution for him, 254.
- Alexander, in Kairbana, charged with assault, 429.
- Alexander, a servant, charged with assault, 272; to find caution, 272.
- Sir David, in Bonytoun, charged with assault, 271, 272; to find caution, 272<sup>2</sup>.
- George, burgess of Forfar, complains of the seizure of a girl, 19.
- George, in Kairbana, charged with assault, 429.
- George, in Selkirk, charged to find lawburrows, 293.
- John, burgess of Lauder, seeks modification of amount of caution, 403.
- Laurence, in Peperknowes, witness to the execution of a charge, 117.
- Wood, Manse, alleged to be bewitched, 457<sup>2</sup>.
- Marion, in Yewingstoun, to be tried for witchcraft, 204.
- Patrick, merchant burgess of Edinburgh, debts owing to him, 459.
- Walter, in Keir, caution for his indemnity, 313.
- William, tutor of Lambielethan, complaint by him, 281.
- Woods and forests: cutting of trees and green timber forbidden, 3, 19, 304; prosecution of destroyers of growing timber, 378.
- Wool, the stone weight for, 334, 336.
- Worcester, mentioned in a cipher code, 167; battle of, vi<sup>2</sup>.
- Work, John, in Egilscha, 63; his wife, Katherine Ethay, charged to appear as a witness, 63; alleged to be bewitched, 69, 70.
- Manse, and his wife, alleged to be bewitched, 456, 457.
- William, and his wife, alleged to be bewitched, 456, 457.
- Workington, mentioned in a cipher code, 168.
- Wranghame, the walkmill of, 438.
- Wright (Wricht), Alexander, in Edinburgh, his widow. *See* Helen Gilchrist.
- Christian, depones against a witch, 230.
- David, messenger in Edinburgh, complains of being deforced, 47; he is witness to the execution of a charge, 135.
- Donald, in Coupar, witness to the execution of a charge, 249.
- Gilchrist, in Auchingyle, charged to appear as a witness, 251<sup>2</sup>.
- James, hatmaker in Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 86.
- John, in Leith, to be sent to the wars, 420.
- Thomas, tailor, burgess of the Canongate, witness to the execution of a charge, 77.
- Thomas, in Inveresk, witness to the execution of a charge, 139.
- Thomas, in Leith, to be sent to the wars, 420.
- Writs, malicious destruction of, 384; action for delivery of some, 438; theft of some, 445.
- Writers: Henry Bickarton, 268; Abacuch Bisset, 368; William Borthwick in

- Edinburgh, 287; Alexander Dick, 453, 454<sup>2</sup>; James Forrest in Lanark, 147<sup>2</sup>; Thomas Gladstone in Edinburgh, 144<sup>2</sup>; William Inglis, 51; Mr John Keith, 25; Michael Lamb in Lanark, 117; Alexander Leslie in Edinburgh, 155, 206; James McRankine in Edinburgh, 140, 142, 144; James Mercer, burgess of Perth, 107; John Murray in Edinburgh, 240; Robert Nicolson, 309; George Ogill, 98; John Peter, 34, 54; Archibald Primrose, 317; Hew Ros, 180; John Rowane in Edinburgh, 135; David Taylor in Edinburgh, 65.
- Writers to the Signet: James Mowat of Fawsyde, 405, 406; Mr Thomas Young of Leny, 18, 47.
- Wynt, James, in Selkirk, charged to find lawburrows, 293.
- YAIR, W., signs an extract from the Council books of Glasgow, 240.
- Yarmouth (Yermouth), 410.
- Yarrow (Yara), water of, 309.
- Yeoman (Yowman), John, servant to Charles Alexander, summoned for molesting colliers, 79.
- Yester, Lord Hay of, John, lends money for the maintenance of the Scottish army in Ireland, 84; present in Council, vii, 1, 4<sup>2</sup>, 10, 11<sup>2</sup>, 12, 19, 20<sup>3</sup>, 21, 22, 24, 34, 43, 44<sup>2</sup>, 48<sup>2</sup>, 49, 51, 57, 59.
- Yoker, in Benfrewshire, witchcraft there, 198-204, 211-235.
- York, Duke of, . . . , mentioned in a cipher code, 167.
- city of, mentioned in a cipher code, 168.
- Yorstone, Henry, in Cogar, deceased, and Catherine Windwik, his wife, alleged to be bewitched, 67, 68.
- Young (Yong) of Leny, Mr Thomas, W.S., complains of some meal being stolen from his servant, 18; seeks delivery of a bond, 47.
- Alexander, in Selkirk, charged to find lawburrows, 293.
- Andrew, in Kilconquhar, charged with deforcement, 378.
- Archibald, burgess of Perth, charged with spoliation, 26; charged to appear before the Council, 107.
- Beatrix, accused of witchcraft, 196, 197.
- Christopher, in Halyburton, accused of breach of contract to levy soldiers, 370.
- David, in Dalgarnock Gate, and William, his eldest son, caution for their indemnity, 286.
- Mr George, examines witches, 201.
- George, in Kilbarchan, 433.
- George, in Selkirk, charged to find lawburrows, 293.
- James, maltman, burgess of Dumfries, caution for his indemnity, 286.
- James, surgeon, burgess of Dumfries, caution for his indemnity, 283, 286.
- James, in Selkirk, charged to find lawburrows, 293.
- James, master of a ship, charged with selling English beer at too dear a price, 442.
- Janet, alleged to be bewitched, 215, 223, 225, 231.
- John, in Connyngholme, and John and James, his sons, caution for their indemnity, 286.
- John, notary in Dumfries, caution for his indemnity, 283.
- John, in Kilconquhar, charged with deforcement, 378.
- John, mariner in Queensferry, 104, 109; his wife, Helen Hill, burned for witchcraft, 110; his daughter, Margaret, complains of being dealt with as a suspected witch, 104, 109, 110; indictment against her, 109, 110; his daughter, Isobel, burned for witchcraft, 110.
- John, in Yettoun, apprehended as fit for the wars, 413; discharged, 414.
- John, cooper, 203; his wife, Marion Snype, depones against a witch, 203.
- John, signs letters and acts of Council, etc., 273, 280, 284, 286, 289.
- John, charged with trespassing in the Park of Holyrood, 264.
- Margaret, wife of William Morison, merchant in Dysart, a suspected witch, ordered to be released, 28, 118.
- Patrick, tenant in Bankend, caution for his indemnity, 288.
- Patrick, surgeon in Dumfries, and Helen Newall, his wife, caution for their indemnity, 283, 286.
- Patrick, bailie of Haddington, examines some witches, 192, 193, 196, 205.
- Mr R[obert], signs a document, 259.
- Thomas, merchant in Edinburgh, lends money for the maintenance of the Scottish army in Ireland, 86.
- Thomas, tailor at the West Port, and his wife, Margaret Lourie, charged to find lawburrows, 186.

- Young, Thomas, messenger, appointed officer at a witchcraft trial in Orkney, 455.
- Mr William, ordained to officiate at the kirk of Lamington, 32.
- William, in Kirkcaldy, charged with selling English beer at too dear a price, 442.
- William, clerk to the presbytery of Perth, signs papers, 354.
- William, servitor to Gilbert Hill, charged with assault, 315.
- Younger, Mr Alexander, at the Mill of Aird, a gun borrowed from him, 39.
- Thomas, in Airth, debts owing by him, 262.
- Thomas, in Culross, debts owing by him, 262.
- ZANSONE, Ewis, admiral of Delph, his account of arms and munition for ships, 349.
- Zetland. *See* Shetland.





