THE REGISTER

OF THE

PRIVY COUNCIL OF SCOTLAND.
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THE REGISTER

OF THE

PRIVY COUNCIL OF SCOTLAND.

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H. M. GENERAL REGISTER HOUSE,

EDINBURGH.

1908.
INTRODUCTION.

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, diversé 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 Covenating party and the English Independents, led by Cromwell. Then came the Engagement (1647) which cleft in twain the ascendant party in vol. viii.
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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 Argyll (25).
4. John, Earl of Mar (5).
5. William, Earl of Morton (2).
7. John, Earl of Cassillis (33).
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10. John, Earl of Lindsay, afterwards Earl of Crawford and Lindsay (33).
12. William, Earl of Lanark (9).
15. Sir Thomas Hope of Craighill, Lord Advocate (23).
17. John, Earl of Kinghorn (14).
18. John, Lord Sinclair (12).
21. Sir John Dundas of that Ilk (13).
22. John, Earl of Sutherland (10).
27. Alexander, Earl of Glencairn (14).
29. Charles, Earl of Dunfermline (13).
30. Sir James Carmichael of that Ilk, Treasurer-Depute (24).
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).
37. Sir John Smith [of Grottell], Provost of Edinburgh (30).
38. Sir William Douglas of Cavers, Sheriff of Teviotdale (5).
40. Sir Robert Graham of Morphie (2).
41. James, Earl of Callander (3).
42. William, Earl of Lothian (5).
43. James, Earl of Fife (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.

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 well 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.
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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 uthers" 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,
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.

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 Scotch 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 Ingland 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 denied 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.
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" in Scotland. taken to check the career of Montrose which had begun with 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 breastworks 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 1644 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.
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ACTA, DECRETA, &c.
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ACTA, DECRETA, &c.

Sederunt: — Chancellor; Hamilton; Argile; Mar; Morton; Eglinton; Cassills; Perth; Lauderdaleij; Lindsey; Southesk; Lanrick; Yester; Balcarres; Advocate.

"Forsamekle as Mr. Alexander Henderson, minister at Edinburgh, hes payed and delivered in reall moneys to John Jossie, deput to William Thomson, commissar of the Scots armie in Ireland, the soume of ane thousand merkes, as hes cleerlie appeared by the discharrge 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 supplies of victuals and cloths to the Scottish armie in Ireland, and that the same sall be payed to him, his airs, executors and assignyes conforme to the said act abowenwritten,"

"The like upon Mr. John Inglis of Neather Cramonds discharge of jth merks, dated the first of July. The like upon the Lord Melvills discharge of vth 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 April last."

"A letter from his Majestie concerning some imputations made againis the Queenes Majestie."

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

The Lords, having heard Sir Robert Innes of that Ilk, John Leith of Anent Bartill Fair in Aberdeenshire, advocate, in name of Arthur Forbes of , anent the right pretended by them to the riding of Bartill fair and uplifting the customs thereof,
ordain the sheriff of Aberdene and his deputes 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.

Sedentum:—Chancellor; Mairabell; Mar; Eglinton; Kingorne; Sinclair; Clerk Register; Wauchtoun; Dundas.

[No record of business.]

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

[No record of business.]

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

Complaint by John Schipbird, kitchen boy to the Earl of Kinnoul, as follows:—On 2nd May last John Quhite, tailor in Erroll, Thomas Broun, John Syn, Thomas Ritchie and Andrew Anthony there, apprehended the complainant 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 P. 275. starve. Charge having been given to these persons and to the provost and bailies of Perth; and the pursuer comparring 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.

Supplication by Youngham Grounds, as follows:—He delivered to George P. 276. 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.

The Lords, having heard and considered the report of Alexander, Lord Elphinston, and Mr John Rollock, sheriff depute of Stirlin, 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,
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
cautions.

Sederunt ut die prædicto.

Edinburgh,
27th July
1643.

Complaint by Duncan Garro, servitor to Mr James Forbes of Hauchton,
and the said Mr James for his interest, as follows:—On when the
said Duncan was on the way from Aberdene to Hauchton with his
master's carriage horse laden with some commodities and provisions, Sir
George Currou, younger of Fingsak, 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 stroikes 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 barrel
of aquavitty 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 assizilized him.

Complaint by Agnes Renny, widow of William Spence, burgess of
Monrose, and Janet Spence, her daughter, as follows:—On July, 1639,
Agnes Renny, widow of William Spence, burgess of Monrose, and
James Smith and John and David Mc'Kenes, 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 con-
tinued ever thereafter under great paine and weakens till she died, and
the said Agnes is not yitt weill recovered, and brake the said Jounet
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
provost and bailies of Monrose, or to the said provost and bailies with any one of the said three councillors, and to report to their Lordships with their best convenience. Further, they ordain James Smith to find caution for the safety of the said Agnes Renny in 500 merks within twenty-four hours, as he will answer at his peril.

Sedent:—Chancellor; Argile; Cassills; Glencarne; Lauderdaleill; 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.

Sedent:—Chancellor; Argile; Mairshell; Sutherland; Kingorne; Dunfermline; Lauderdaleill; Lindsey; Yester; Angus; Sinclar; Balmerino; Burile; Balcarres; Clerk Register; Treasurer Depute; Wauchtoun; Innes; Sir Robert Gordon; Provost of Edinburgh.

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

Sedent:—Chancellor; Argile; Eglinton; Cassills; Glencarne; Kingorne; Lauderdaleill; Lindsey; Angus; Yester; Sinclair; Clerk Register; Wauchtoun; Din.

[No record of business.]
Dumferline; Lauderdale; Lindsey; Wems; Balmerino; Burlie; Balcarres; Wauchton; Dundas; Din; Sir Robert Gordon.1

"Forsamekle as the Marquis of Argile hes by publict warrant and otherways advanced great soumes of money for furnishing victuall, herring and other necessars for the use of the Scottish armie in Ireland, extending to the soume of fourescore one thousand three hundred seventie seven pund, 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 releef and repayment thereof, they doe therefore declare and ordaine that the said soume with the annual rent thereof from the terme of Lambmes last aucth 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 releef of the said armie or payment of anie soumes that have beene advanced for furnishing thereof. It is always hereby declared that notwithstanding the tuelle thousand pund 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 hail soume abonewritten being payed, all former acts, contracts or bands for the same sall be voide and of none effect.

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

1 In the Sederunts, Sir Robert Gordon is omitted.
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August nor during the time of the first or latter Marie faire as they will answer upon their obedience, without prejudice always to them to October 1646, appoint their mustours to be keept anie other convenient day, not being the time of the faire foresaid."

Lauderdale.

"Lauderdale chosen president of the Counsell."

Edinburgh, 27th September 1643.

Sederunt:—Lauderdaill, proeses; Generall, Dumfermline; King-orne; Lindsey; Wemnes; Elphinston; Balmerino; Burtle; Advocate; Treasurer Depute; Waughtoun.

Sederunts, February 1635- November 1643.

Fol. 109, a.

Edinburgh, 17th October 1643.

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

Decretis, November 1641—October 1646.

P. 291.

Supplication by Donald Roxburgh, indweller in Culrayne in Ireland, as follows:—"He being ane gentleman of ane hundredth pundis sterline of yeerlie rent and having ane good hous with movables and plenishing of good worth quherupon he interteanned his famillie in ane honest condition and was stedable to his Majesties subjects, yitt now by the barbarous crueltie of the rebells 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 testimoniet from the magistrates 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 kiris and others, within the bounds of the north side of the Water of Forth.

Edinburgh, 16th October 1643.

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

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

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

"The whilk day Sir John Smith, provost of Edinburgh, was admitted on Counsell and gave the oath of allegiance and of a Privie Counsellor."

"The whilk day some of the ministrie of the presbyterie of Edinburgh, conpeirand 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 Estates 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 considerd 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
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heartilie concurrie with the judgement of the Conventiouen and Commissioners of the Generall Assemblie thereagent, and accordinglie ordains the same to be sworne and subscribed be all his Majesteis subjects of this kingdom and apponite the second day of November next 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 religious, his Majesteis honnour and peace of thir kingdoms.

Sedent: — Chancellor; General; Argile; Cassills; Dumfermline; Edinburgh, 
Lauderdale; Wems; Sinclair; Balmerino; Brlie; Balcarres; 1643.
Sir John Smith.

"Forsamekle as George Gardin, burges of Bruntyland, hes payed and delivered in reall moneyes to Johne Josie, depute to William Thomseone, commissir of the Scots armie in Ireland, the soume of six hundred pundis as hes clerlie 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 hundred pundis is lent be the said George for the present supplie of victualls and clothis to the Scottis armie in Ireland, and that the same sall be payed to him, his airs, executors and assigneys conforme to the said act abovewritten."

"The like act upon the discharge of v° merkes givin to Robert Richartson in Bruntyland dated the 20 of May; and upon M' Johne Charters, minister at Curreis discharge of j° merkes dated the first of Junij last; and upon Andro Bryson, merchand, his discharge of 500 merks of the 15 May last; and upon John Arnott of Wodmilnes discharge of v° merks of the first of July; and upon Andro Watson in Bruntylands discharge of j° merks of the 6 of Junij last; upon Johne Futhie, cordonners discharge of 400 merks of the 28 of April; 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° merks of the first of April; upon Patrik Crichton merchants discharge of ij° merks of the 31 Martij; upon Andro Crichtons discharge of ij° merks the same day; upon William Mure, baxters discharge of ij° merks 17 May last; upon Thomas Gourlay in Bruntylands discharge of v° merks of 26 May; upon Captan Thomas Weirs discharge of ij° merks 15 May; upon James Wilson, merchants discharge of iii° merks, 31 Martij; upon M' James Schairps discharge of v° merks, 10 Junij; upon Marion Sandelands, relict of David Murreyes discharge of v° merks 22 Aprilis; upon John Hamilton, apothecars discharge of 800° 15 Aprilis; upon Patrick Angus, burges of Brunty-
lands discharge of ij" merks 20 May; and upon Thomas Bogs discharge of 200" 27 Aprilis.

[Sederunt as recorded above.]

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 yeare," the Council, considering "the prejudices and sufferings of the country by the exhorbiant 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 P. 283. them with the like measure and prices used and takin at the saide coaleheughs the space of three moneths, under the pane of ane hundredth pundis to be payed to the partie 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 Querrrell, James Spittell, there, Edward Cowie, tacksman of the coale of Fawkirk, William, Earl of Airth, George Forrester, tacksman of the coale there, Alexander, Lord Elphinston, John, Earl of Mar, Harry Stuart of Buithe, Sir Alexander Schaw of Sauchie, Mr Robert Bruce of Kennet, Edward P. 284. Bruce now of Culros, Mr Alexander Clerk of Pittinreiff, Thomas Charters, James Loch, and John Rynde for the coaleheughs of Tulliallan, John Bairdie in Innerkeithing, Sir John and George Preston of Valafeild, John, Earl of Wemis, Sir Alexander Gibson, elder of Durie, John Cilyear of Kirkaldie, John, Lord Sinclair, David Boswell of Balmowto, David Beatoon of Carden, George, Earl of Wintoun, Sir John Johneston of Elphinston, Captain Robert Hamilton, Captain Thomas Hamilton, Robert Cokburne of Buterden, James Dischington in Elphinston, Robert Greirson, skipper in the Panns, John Aikman there, and David Preston
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 Pittincereiff, John, Earl of Wemes, John, Lord Sinclair, David
Beaton of Carden, David Boswell of Balmowto and James Dischintoun
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 compierand 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 fewe shillings tuo pennies, and the load of his sea
coale of the measure foresaid at seven shillings one penny." 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 Beaton 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
penny." The Lords ordain the Laird of Balmowto to sell his coale 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 coalmaisters 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 Hamilton of Kinglassie to sell the
chalder of their coale, "which is the double of Alloway chalder, at ten
merks," 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 Chaplaine, commissioner for the burgh
of Hadinton, offering to prove "that the countrie people had at the
Earle of Wintoun coaleheachers 3 coale creills (which would be a full
hors load and conteane ane water boll in his estimation) 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 coalmaisters abovewritten 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 country," the Lords discharge James Dischington and the other tackmen of that coale to sell any of it for export under the penalties contained in the Acts of Parliament thereon, 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 probat on 2nd November respecting the coal of Dysert belonging to Lord Sinclair as against the Earl of Wemess. 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 abovewritten under the penalty of £100 to be paid to the party wronged 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.

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 could not be laid upon his coale but that the remanent colemasters of the shire could furnish their proportionall part according to ane visitation to be made by order of the Counsell of the several coaleheuches 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 Drummond 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 coaleheughs 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 coaleheughs for the use of the said shire, and how the same shall be observed, and report to the Council with all diligence.

"The French monsieur gave in his propositions."

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

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

Sedervnt:—Chancellor; Argyle; Mar; Eglinton; Cassills; Weemes; 4th November Yester; Elphinston; Balcarres; Treasurer Depute; Wauchtoun.

The Duke of Hamilton's patent presented to the Lord Chancellor and recorded by the Earl of Lindsey.

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

The subscription of the Solemn League and Covenant.

“*The qhillk day the Council acquainted the Committee of Estates with the letters they had resseaved from the noblemen who were written to come in and subscrive the Covenant.*

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

“Forsameke as Sir William Armyne, one of the commissouners from the Parliament of England, has represented to the Counsell that one William Hamon, Englishman, master of the ship called the *William and Judeth of Lun,* has givin out threatening speeches, that when he is
at the sea he will turne pyret, therefore the Lords of Privie Counsell, according to the desire of the said Sir William Armynye, ordains the bailleis of Bruntlyand, where the said William Hamon and his ship lies, 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 from the roes and to keepe them till they receive farther warrant thereanent."

[Sederunt as recorded above.]

Edinburgh, 7th November 1643. 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 hagbutts and pistols and wounding the said Alexander, protested in respect of the non-compearence 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-compearence 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.

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 Valafeld, Mr Robert Colvill of Kynneddir, and James Aitkin of Middle Grange, or any three of them, for the trial of Margaret Hutton, spouse of Edward East, burgess of Culross, who has been found guilty of witchcraft, 7th November 1643. The coal-owners and the burghe.

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

[Sederunt:—Chancellor; General; Argile; Mar; Cassils; Wems; Angus; Yester; Elphinston; Balmerino; Balcarras; Clerk Register; Treasurer Depute; Wanoughtune; Sir John Smith.

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

* The Register of Sederunts ends on 9th November 1643.
"To the first, when the Counsell shall receave ane account from the Earle of Lothian of his proceedings in his imployement to France, they will then according to their power give such ane respective answer as may show their willingness to intertaine and confirme the ancient alliance betuix the kingdoms of Scotland and France.

"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 proced in these affaires as becometh them in dutie and conscience towards God, in loyalitie to the King and with regard to the good of the kingdoms.

"To the thrid, since the Nationall Assemble 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 inviolable to keep that amitie quhilk hes beene so religiouslie observed these manie ages, and are 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 occasion of breach with his ancient allyes, whom his royall predecessors in their greatest difficultes have found to be their readiest and surest freinds, so when anie other proposition shall be made unto them by Monsieur Bousivous they will returne such ane answer thereto as apperteaneth."

"The propositions (translated out of French in English) which Monsieur Bousivous, 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 haes 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.

"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 religiuoun 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 them who serve in France or are enrolled or to be enrolled to serve there. And forasmuch as the churches of Scotland in their Assemble have determined to the contrary, that the Counsell of Scotland give a sentence of retraction. Monsieur de Bousivous hath further commandement frome the King his maister to make some other propositions. But as these are the principal and which concern the manutention of the alliance of the two kingdoms, or the breach of the same, he hath order to have answer first."

Edinburgh, 9th November 1643.

Complaint by James Maxwell of Innerweik, one of his Majesty's Bed-chamber, as follows:—He raised letters of lawburrows against Alexander Levington of Salcoits, 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 comparing, 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 Levington 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.

"Albeit the transportation of coale be straitlie prohibite and discharged be diverse acts of parliament under certain panes mentiouned and contenanned therein, nevertheless it is of truth that there hes beene and still is great transportation of coale frome the particular coalheuches under-writtin, which being land coale and wherewith the towne of Edinburgh and parts adjacent were served and the same never heir-to-fore till of late transported, yit now the countrie about these parts by the said transportation 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
Wolme, pertaining to Ladie Wolme, of Gilmertoun pertaining to Sir David Crichtoun of Lughtoun, of Leswade pertaining to Sir John Nicolsone of Leswad, of Cokpen pertaining to Mark Cas, of Stobhill pertaining to Dundas of Arnestoun, of Bryanburne pertaining to the Earl of Lothian, of Bannockburne pertaining to John Rollck, of Achinbowy pertaining to Bruce of Achinbowy, of Mekle Fawside pertaining to Mr James Durham, of Little Faside to John Hamilton, and of the coale of Painston pertaining to Sir William Baillie of Lamington, knight; quhilk transportatioun and exorbitancie of prices at the saids coalheuches if they sall be of anie longer continuance the countrie will suffer vere heavilie." Charge having been given to the coaloowners named above and to Lady Lothian, and the pursuers compearung 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 compearung, the said Mark Cas, Dundas of Arnestoun, John Rollock, Robert Bruce and Sir William Baillie, personally, and Sir William Murray by 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 conteannned in the Acte of Parliament but that they sell the same to the natives at the prices and measure formerlie receaved be them these seven yeeres bygone," the defenders having shown no reasonable cause why this should not be done.

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 Wemess’s land coale 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 coale 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 coale, "being the double of Alloway chalder," cheaper than ten merks; that the country people in East Lothian received at the Earl of Winton’s coalheuches "three creills (quhilkis would be a full hors laid and contains 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 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 Wemus, John, Lord Sinclair, Sir Alexander Gibson of Durie, John Coilyear and George, Earl of 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 Wemus, John, Lord Sinclair, Mr Robert Bruce of Kennet, Mr Andrew Dick for himself and his father, and Sir George Preston of Valfielde, personally, and John Hamilton of Kinglassie by Mr David Williamson, the Lords, after hearing the depositions of the witnesses produced and advising, ordain p. 298.

"the chalder of coale of the old measure keept thir diverse yeeres bigane at the coalheuches of Alloway, Airth, Tulliian, 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 Valfielde his coale is allledged to be foure and a halfe of Alloway measure and somwhat 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 Innerkethie and Johne 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 alsa 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 Wemus 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 Witsunday nixt and ay and whill the Counsell take farther order anent this mater and the Burrowes be warned and heard hereenant."

The Lords ordain likewise that if the coalmasters fail in obedience p. 299. of this ordinance they will incur tollis quoties a penalty of £100. It is also declared that the said coalmasters shall not be tied to serve any of the burghs with coale "but such as sell 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
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.

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

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 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 Balthyock in this office. The Lords hereby continue him in the said office until Michaelmas next unless he shall be discharged before then.

Sedunt:—Chancellor; Argile; Cassills; Kingorne; Lauderdaill; Sinclair; Balmerino; Hamilton; Waughtune.

"Forsamekle as the Lords of Secreit Counsell, considering the great prejudice likelie to ensue to his Majestie's service in ingaddering of his rents and to the lieges in the course of justice performable be the shires and staarts of this kingdom who ar at his Majestie's nominationoun throw the neglect of the tymous appointing of the said shires and such present service cannot be discharged without the shires and staarts in their offices foresaid till Michaelmas next except they be discharged before that time, viz., Sir John Dalmano, shireff of Edinburgh; Sir Johne Achimoutie, shireff of Hadintoun; Sir Alexander Swintoun, shireff of Berwick; Sir William Scot of Harden, shireff of Selkirk; John Naper of Kilmahew, shireff of Dumbarntane; David Grahame of Fintrie, shireff of Forfar; Alexander Hamilton of Hags, shireff of Lanrick; Sir Alexander Irving of Drum, shireff of Aberdeen; Sir Alexander Abircreombie of Vol. VIII.
Birkinboig, shireff of Bamf; James Johnstown of Corheid, stuart of Acta, November 1641—October 1646. Annerdaill; Foulertoune of Dregborne, bailie of Kylestuart; and Bryce Sepmill of Cathcart, shireff of Renfrew and bailie of Paisley; and ordains letters to be direct to make publication herof be open proclamation at all places neidfull wherethrough nane pretend ignorance of the same, and to command and charge the shireffs, stuart and bailies above specifit 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 Majesties service, the weale of the countrie, and will answer upon the contrare at their highest perrell.”

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

Edinburgh, 23rd November 1643.

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

The Lords ordain the provost and bailies of Edinburgh to liberate Gavyn Mairshell, presently prisoner in their tolbooth for the slaughter of David Bruce, son to the young Laird of Cloackmannan, 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 his Majesty’s signet, as follows:—On the 10th instant his servant was “carying upon hors tua bags of his owne meale frome his roume of Leny for the provision of his owne hors in Edinburgh, where he now resides, expecting no trouble for this cause, since the mater is unchallengable in it self and was never challenged in the like caise heirtorefore, nevertheless, as his said servant was comming along the Cowgait with his said meale, George Samwell, baker of Edinburgh, violentlie ref the same frome his said servant and carried it whether he pleased and keeps the same from the compleanner. 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 restitution of the meale, nevertheless he stubbornlie refuses.” The pursuer compareing but not the P. 308. defender, the Lords ordain the latter to be put to the horn and escheated.

Edinburgh, 30th November 1643.

Sedentur:—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 deputies 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.
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 Rosswallie, 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, curators to Margaret Earl of Hartfell, overseers to the said Margaret, as follows:—They are informed that Alexander Forbes, brother-in-law of the deceased 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 wreck and undoing and prejudice of the trust lying upon the compleaners and dangerous example agains 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 remnant pursuers, but not the defender, the Lords ordain the latter to be put to the horn and escheated.

Sedent:—Chancellor; Glencarne; Dalhousie; Yester; Durie; Edinburgh, Advocate; Treasurer Depute; Justice Clerk; Morphie. 7th December 1643.

This day being assigned to Sir Charles Areskeine of Cambuskenneth, John Ewin of Cuikspow to find caution not to cut the woods of Cuikspow, 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.

Complaint by John Purdie in Lammertown, 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 Grieve, portioner in Aitton, “sett upon him in the hieway and with battouns and other weapons 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 barbarously and cruelly spurred him with their spurrees on the face to the great effusiom of his blood.” Both pursuer and defenders compearing,
probation was referred unto the defenders' oaths of verity, whereupon being sworn, they denied the charge against them. The Lords therefore assozilze 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.

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.

The Lords, having heard the petition of Duncan Cameron, alias P. 313.

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 yrne in great pane and miserie like to sterve," and none press to pursue him, in P. 314. regard of the miserable condition of the supplicant, ordain the provost and bailies of Stirling to take him acted in 300 marks 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.

Edinburgh, 18th December 1643.

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

Witches in Queensferry. "The Lords of Secreit Counsell declares that the Commissioune this day past for tryell of some witches in the Queinsferry sall be no wayes prejudicall to the Earle of Dumfermline his right of regaltie of the lordship of Dumfermline within the qubilk the burgh of the Queensferry is comprehended."

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

Finding by the 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
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
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
Balcarres and Sir Thomas Mortoun of Cambo met at St. Andrews to attend
the probation when the said James and Robert Stuart did not compair
to lead any probation, but heard what was led by the other side—
 viz., the depositions of Mr Robert Blair, minister of St. Andrews, 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 squble kepte the schoole, attended the
same, exercised himselfe at all sorte 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 says condisciples in good termes and health and
promist to returne to the collidge at the end of the vacance," find no
just ground for this criminal pursuit and discharge his Majesty's Justice
and his deputes from all proceeding in this matter against the pursuers,
and that they give order that no letter be directed for that purpose.

Sederunt:—Argile; Dumfermline; Lauderdale; Calander; Angus; Edinburgh,
Yester; Advocate; Innes; Provost of Edinburgh.

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 hagbusa 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 Inscoth
perteaning to the said Laird of Park and possedt be the said Johne
Hay who wes fra home for the time, fearefullie threatened his wife and
children with all violence if they did not make readie the best cheere
for them and their horse that could be had; and, because they refused, they preste by force to breake up their doors and behaved themselves in such an outrageous and insolent manner that the said John Hay his wife was 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 Inchbroke and Patrick Dumbar of Rossauch as witnesses, and his Majesty’s Advocate and John Hay comparing personally, but neither the defenders nor witnesses, the Lords ordain both the latter to be put to the horn and escheated.

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

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

“ The Lords of Secret Counsell ordains and commands the provest and bailies of Edinburgh to putt James Con, prisoner in their tolbooth 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 alsa finding cautium for the same effect in the bookees of Privie Counsell, under the pane of ane thousand pundis, and that he be keepe prisoner as a free warder till occasion of a ship be offered for his transport.”

[No record of Sederunt.]

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 testimonial of the maister whom they last served under his hand or a sufficient attestatioun of a reasonable caus of removing in presence of the bailies or magistrates quher they come” P. 409. fra; and in caise anie receive, hire, supplee or inteccane anie of the saids colyyears or coalbearers without testimonial, as said is, the maisters challenging their servants within yeere and day, the partie challenged saill deliver them back within 24 hours, under the pane of ane hundreth pundis to be payed to the partie challenger toties quoties frome whom they past, how oft challenge sail be made and they not delivered; and the saids colyyears to be reput and holdin as thevees and punished in their bodeis.” Now, in January last John Henderson of Fordell received Andrew Adamsoun, “fied colyar” to the said Earl, P. 410. “who had served in his coale of the Crocegates of the Mures of Dunfermline tuo yeeres bygane or thereby, and who did remove himselfe away and is interteann and kept be the said Johne without testimonial, 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,
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 comparing personally and pro-
ducing the act of Parliament above written with twenty instruments of
requisition conform thereto made as above by James Walwed, the said
John Henderson also compared 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 conditions
therein exprest, and the said Laird is obliged to grant to the said Andro
and his partner ane nynteene yeers tuck 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 execution of the law against the
said Andro for returning to his work, so might he be veritie of the said
contract lawfullie receave him when he returned willinglie, otherwise
he should sustane great prejudice and his coale become improfitable,
seing he is tych be the said contract to suffer no other coileyear 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 burdensed with deliverie of him,
not being his coileyear 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 instace 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.
Complaint by John Layng in the Muredyes, tacksman of the coal of Ormestoun, as follows:—In terms of the act of Parliament antient colliers in 1606 (mentioned ante, p. 22), he had on 15th and 17th July p. 315 last and 19th August instant required Alexander Belses 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 pursuer compearing by , the said Alexander Belses 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 fled from Midsummer, 1644, 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 lawful 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 complaint by Edward Bruce of Carnock, as follows:—On 21st May last James McIroy, 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 Craigie, 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 decreed 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 complaint by Sir John Preston of Valafeild and Sir George Preston, 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 Pennan, 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
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 comparing by Mr Robert Prestoun, son of the said Sir John, the said James Spittell also compared 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 compare, the Lords ordain to have incurred the penalty of £600 for their not delivery on two requisitions.

Complaint by Sir John Auchinmowtie, sheriff principal of Hadinton, and Sir John Achmowtie, his depute; Archibald Douglas, lawful son of the deceased Sir Arthur Douglas of Whittinghame, Sir Archibald Douglas of Keillour, his tutor at law, Elizabeth Cranston, 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 Sir John Auchinmowtie, sheriff principal of Hadinton, Mr Robert Hay, advocate, Andrew and Robert Hepburne, sons of the deceased Sir Robert Hepburne of Barefute, Patrick Tempill in Quaittinghame, Thomas Stevinsoun, smith in Stentoun, Mr John Keith, writer, Jasper Wilson, stabler in the Cannagait, and others to the number of twenty persons, armed with swords and other weapons, came "before the dawning of the day to the manour place of Quaittinghame (quhairif of the yettes wer sealed and closed be the said shireff and his depute 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 Sessionun, in regard the shireff could not gett accessse to the roumes quhair the chartour kist and diverse of the movables wer inclosed, the keyes of the saids roumes being abstracted), and in contemp of auctorite and lawes of the countrie clam the walls, brake up the doores of the yettes and hous, being sealed and locked, entered within the same, meddled with the goods, geir, insicht and plenishing being thairin and with the hail writts and evidents and keeps all, with the said Archibald Douglas close prisoner, suffering name to come neir him, and threatteus 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 comparing by Mr William Oliphant, his procurator, and Archibald Douglas, pupil, comparing personally with the said Elizabeth Cranston, his grand-
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 Quytlaw 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.

Complaint by Sir Thomas Hope of Craighall, his Majesty's Advocate, P. 325.

and Patrick Martine in Campaae, as follows:—Though the bearing of bagbuts and pistols and convocation of the lieges is strictly forbidden by law, yet on 31st May last, Alexander Inglis, portioner of Craig M'Kerrane, "came upon horseback and did pursue the said Patrik Martine upon his owne ground of the mures of Craig M'Kerrane, quher the said Patrik was casting turffes, and the said Patrik fearing his invasion ranne away from him till he overtooke him, lighted aff his horse 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 heould 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 therafter the said Alexander, accompanied with M' 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, Johne Henryson, baxter there, William Spence, servitour to the said Alexander Inglis, George Ritchie in Craig M'Kerran, Androw Mairshell P. 326. there, Patrik Davidsone there, Robert Fairlie there, Patrik Coupar there, Johne Lawer, servitour to the said M' Gilbert Stuart, Andro Gib, maitlman in Perth, Alexander Cuninghame, burges there, Harie Drummond there, Harie Gib in Dunkelden, John M'Kie, burges of Perth, Archibald Young and Johne Smith, burgesses there, Robert Clerk, skinner, burgess 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 convocatioun of his Majesties lieges, came be breake of day
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 get him, that he sould not escape their hands, and being dis-
appointed 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 intentioun and tooke away frome him thair nyne great oxin
and deteannes 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 decreet obtained before the sheriff
of Perth and his deputes against the said Patrick "for fyftie
punds of fynes imposed upon him for blooding of the said
Alexander," and 50s. of poynsd silver, and that three of the said
oxen were returned, to which the said Patrick replied that this decreet
was illegal, "becaus the said Patrick wes cited upon the Sunday to
compeir on Moonday, being ane unlawfull day, and sentence givin sixetene
houres after the charge, against diverse acts of Parliament, and the said
Patrik decreeit 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 decreet 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 decreet lawful.

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

The Lords, having heard the Laird of Wedderlie on behalf of Archibald
Douglas of Whittinghame, and Dame Margaret Preston, Lady Quhitting-
hame, for herself, anent the leading of the teinds of the maine 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.

Sederunt:—Eglinton; Glencarne; Cassills; Kingorne; Lauder-
daill; Balmerino; Treasurer Depute; Waughtun; Sir John
Smith.

"The Lords of his Majesties Privie Counsell, taking to their consideration the present condition of affairs of this kingdom and the necessarie atten-
dance and service of manie of his Majesties good subjects in the armes now

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Decreta,
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P. 328.
8th of January levied for the defence of religion and safety of the kingdom so as Acts, November 1641 - October 1646, they cannot goodlily attend their civil processes in law, have therefore thought fitt, and accordinglie continues the doon setting of the Session till the eight day of Januar nysto come, and orduins heralds and pursuants to pas to the mercat croce of Edinburgh and others places needfull, and there be opin proclamation to make intimatiation heirof that none of his Majesties good subjects nor members of the Colledge of Justice pretend ignorance of the same."

"Forsamekle as there is great prejudice like to fall out to the lieges in the course of justice throw the not nominatiorun of the shireffs, sturts and baililie for the yeere to come, who ar at his Majesties dispostioun, for remeid quhersof the Lords of Privie Counsell doe therefore ordaine letters to be direct to command and charge the shireffs, sturts and baililie at his Majesties 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 commissions, and accordinglie 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 saide offices, as they will be aswerable upon their highest charge and perrell."

Edinburgh,
2nd October 1644.

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 consulter in witchcraft, having been accused most wrongfully by "some malicious persons who wer brunt out of splene and ivy," and she has now "lyin most miserable ther ten weekes bygane albeit she is ane honest young woman of good reputation without anie scandal 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 bailie 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 bailie and ministers, ordin the bailies to liberate her, and William Moresone, her husband, became cautioner in 500 merks to exhibit her whenever he shall be required.

Complaint by Mr John Veitch, minister at Robertoun, present moderator of the presbytery of Lanerk, and Mr John Weir, minister at Carlouk, who was moderator at the time of the committing of the insolencies after mentioned, for themselves and in name of the whole brethren of
the presbytery, as follows:—"The perturbing of kirkis or raising of frays in kirkis 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 careful, 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 McGie, "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 solemnities for planting the said kirk," whereupon Dame Grissell Hamilton, Ladie Lamington (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 alleged), and misconceiving that upon the Lords day the day of Februarie last, the said Mr Andro was to be directed be the presbyterie to preach at the said kirk, she resolved in a proud and contemptuous way to oppose the presbyterie 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, concorse and assistance of the persons following, viz.:—William Mc' Clelan, John Forrest, John Schankila, Patrik Baillie, Katharine Mc'Watt, Thomas Moffett, Andro Mitchell, William and James Tennents, Laurence and William Baillies, Thomas Laidla, James and Edward Gallowayes, Robert Currie, William Neilson, John Mc'Watt, William Mc'Watt, James Baillie, Martine Watt, Bessie Carmichell, Jonnet Forrest, Enfame Douglas, Grissell Fisher, Margaret Watt, Christiane Baillie, Grissell Watson, Margaret Patersone, Marion Baillie, Bessie and Grissell Mc'Watts, Jonnet Weir, Margaret and Katharine Bailleis and Jonnet Schankila, who by this insolent cariage debarrow the people from accessse to the kirk and interrupted the performance of divine service that day, to the offence of God and scandal of the Christiane profession. Lykeas upon the tent of Marche last, being the Lords day, Mr George Bennet, minister at Caquhan, and the said Mr Andro Mc'Gie, by speciall warrant of the said presbyterie being appointed to come to the said kirk to preach and intimat the said presbyterie ordinances, the said ladie resolved to oppose the same, and for that effect came aircle 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 plaid, so as the ministers after they had beene at the place of Lamington to acquaint her with this busines, and not finding her there, came to the kirk and could not discerne her, but manie weomen about the pulpit wherof ane Katharine Mc'Watt went in to the
pulpit, and the saide layed hands upon the said Mr Andro, supposing he was to preach first. And the said Mr George, having wiselie and discreitle reproved their miscarriage and compassed the tumult, he went to sermon, which being ended, he intimat that the presbytery, upon lawfull and exact tryell of the said Mr Andro his abileties, had sent him there to preach, that, being heard, if they had anie lawfull exceptions against him they would shew the same, if not, that the presbytery would goe on, withall declaring that his preaching there was not to establish him minister, and exhorted them to a reverent and quiet behaviour, otherways they could not shew condigne censure; and in the mids of his exhortation the said John Forrest interrupted him; and, when as he came down from the pulpit, the saide ladie, Katharine M'Quhat, and Jonnet Baillie went up to the pulpit, and the said ladie cryed, 'Heir am I, who darre take me out' ? And the said Mr Andro, minding to goe to preach, the weomen violentlie stayed him. Whereupon he declared he was come there by appointment of the presbytery and in their name craved libertie to preach thrisse, but was answered be P. 383. the ladie that he could not come there, saying that, 'Howbeit yow be compared to a dog, yow sail not bark heir.' As also the said Mr 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 John Shankila had his hands in the guards of his sword, and the said John Forrest behaved himselfe most insolentlie. And after dinner the said Mr Andro, having discreetlie and modestlie urged the ladie to give way to the ordinance of the presbytery and suffer him to preach, she declared he had no calling to come there, and wes too bold to come without the Laird of Lamingtons leave; and she stayed be the space of foure or fuyve houres in the pulpit, refusing in anie sort to permitt the said Mr Andro to preach.' 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, P. 384. and the pursuers compairing 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 produced, but the defenders not compairing, the Lords, after the examination of certain witnesses, find and declare 'that the said Ladie Lamington, Jonnet Baillie and Katharine M'Watt went up to the pulpit the time libelled and stopped the said Mr Andro M'Gie to preach, against the warrant and ordinance of the said presbytery, 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'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 saide William M'Clellan, John Forrest, John Shankila, Patrik Baillie, William and James Tennant, Bessie Carmichell and Jonnet Forrest, with diverse others, con-
veenned themselves together in a rude way in the kirk out of their owne seats to oppose the orders of the presbyterie; and that thereby they have committed a verie great insolence of dangerous and evil exemple." The Lords therefore ordain all these persons to be charged to enter in ward within the tolbooth of Edinburgh, and the Laird of Lamington 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 Lamington to pay £3 Scots to each of the witnesses.

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

Complaint by Dame Grissell Hamilton, spouse to Sir William Baillie of Lamington, Janet Baillie in , Katherine McWatt, William McClene, lane, John Forrest, Johne Shankilaw, Patrick Baillie, William and James Tennent, Beasie Carmichall 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 doubtles stayed the pronouncing of the said decreet. Meanwhile, the presbytery of Biggar has been erected to which the kirk of Lamington belongs, and upon 17th July last, when the presbytery of Biggar met at the said kirk of Lamington for visitation thereof, there compeared Mr John Veitchie, 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.
The deceased William Baillie of Lamington, 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 McGregor and appointed him to preach at the kirk of Lamington. This being done in the absence of Sir William Baillie on the public service in England, the said Dame Grissell Hamilton, 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 Glencairn. Notwithstanding of which appeal and process the said Mr Andrew McGregor 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 remnant complainers made interruption to his preaching and took instruments thereof, 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 stare 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 brethren 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 McGregor 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 infest in the barony of Wendell with the patronage of the kirk and chaplainries thereof (though his infestments can no way include the kirk of Lamington in which the said Sir William and his predecessors for these many years past stand per expressum infest), 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 Lamington, but Sir William does not in any way impede his presenting any person he pleases to another beneficed kirk or chaplainry in Wandell. At the same time Sir William is informed that...
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 presbyteries have
wronged Sir William in refusing his presentation and accepting that of
Lord Angus who could show no right thereto. This, if it pass unces-
sured, 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
hous his cheefe residence and the most part thereof belongs to him in
proprtie and superiorite." 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 summones 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 Lamingtouns 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 actio was not there-
fore 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
McGhee and were sent for this purpose by Lord Angus "did offer in a
violent maner to lift the said M' Andro McGhee and sett him in over
the pulpit to preach, after the ladie and her tennents had in all sober and
quet maner onelie desired them to forbears the same; qubilks persons
neverthelesse, in absence of the compleanners, wer receaved witnesses against
them in the said casis, 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, Mr. 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 p. 345. these are produced and the parties lawfully warned.

This day John Edgar of Wedderlie compeared as procurator for Sir John Achimoutie, sheriff of Hadinton, and producing a copy of letters of suspension at the instance of Dame Elizabeth Preston, Lady Qhittinghame, 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 Qhittinghame 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.

[No record of Sederunt.]  
P. 356.

Edinburgh, 7th November 1644.

Complaint by Sir John Scott of Scotstarvet, Director of Chancellery, as follows:—In right of his office he is the only writer of all patents and write 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 immediatly to the said great seal, so that by their ignorance and informalitie in wryttngs (quherof some ar sent out of the countrie) the dignitie of this kingdom is much impaired and the said Sir John 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 seal without warrant of the said Sir John Scott.”

Edinburgh, 12th November 1644.

Sederunt:—Lauderdaill, preses; Craufurd; Morton; Eglinton; Acta, November 1641—October 1646.
Cassills; Dunfermline; Dalhousie; Lanrick; Yester; Elphinstoun; Balmerino; Burlie; Balcarres; Advocate; Treasurer Depute; Waughton; Dundas.

[No record of business.]

Edinburgh, 12th November 1644.

Sederunt:—Craufurd Lindsay; Cassills; Lauderdaill; Angus; Elphinstoun; Balmerino; Burlie; Balcarres; Advocate; Treasurer Depute; Waughton.

Dame Grissell Hamilton, spouse to Sir William Hamilton of Lanerk (as formerly narrated, p. 31), the cause being continued from
23rd October last, and the chargers having now caused warn the suspenders to compear on 7th November instant, the former compared by Mr Robert M'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 decreet was given to enter into ward within the tolbooth of Edinburgh conform to the decreet; 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 materials, they are confident no such thing is provin, being false, because 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 shoule spokin thir words to M' Andro M'Gie, ‘Howbeit ye be compared to a dog, yee sall not bark heir’, the truth is that M' 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' Andro in thir termes, ‘If yee be compared to a dog, yow ar not our dog, nor we your sheep’; in the quhilk applicatun 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 from the people in caise the said M' Andro had entered the same. And, farther, the time of giving the said decreet there wes not a quorum of Counsell present without Lord Angus, who refused to declyne himself as not being partie, and yitt, if he had beene declynned, the said decreet would not have beene given furth against the suspenders; and now senyne he hes compaired at the bar with the chargers against them, and the hail 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 deliberation,” 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.].
[Text from the image]


This judgment is to be without prejudice to the right of parties. Further the said Laird of Lamington is to become cautioner in 3000 merks that neither he nor any under his control will hinder the said Mr Andrew McGie 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 Lamington, 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 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, Alexander Gudalie, and William 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 indignities and cruelties that by savage barbarians can be inflicted upon them; and all for their Christiane profession, which, as it has borne them throw hithertill by the secreet strength 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 yeold to their godlesse desires." They crave their Lordships' recommendation; and the Lords, "commiserating the deplorable conditioon of the supplicante," recommend the same to all noblemen and gentlemen, magistrates of burgts and towns and others to burgh and land and to all presbyteries, synods and
sessions of kirkis within the bounds of Edinburgh, Hadintoun, Lithgow, Peebles and Roxburgh, who are requested to deliver their charitable contributions to such as the kirk session of Leith shall appoint to receive them.

Complaint by Margaret Thomsoun, spouse to Archibald Gray in Calder, as follows:—“About twentie dayes since she converseed 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 twentie dayes naikted 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 bee layed in the stocks and keeped in great miserie, separat from all companies and worldlie comfort and can see no end of her miserie by (except) lawfull truill.” Charge having been given to the defenders to compear and undergo their punishment “for tormenting the compleiner 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.

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.

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’ David Williamsone, her advocat, quhilks could not be answered be the procurator fiscall, who had no skill of law, as Lord Advocate, also of the contingencies of manie of the judges to the said Marie so as
they could not warrantablie sitt upon her tryell, the suppliants thought fitt to forbeare anie farther proceeding and judge it more saife that this tryell be at the instance of his Majesties Advocat before 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.

Complaint by William Rig of Carbarrie, Robert Mure in Inneresk, P. 363.

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 infelt 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 John Wauchope of Niddrie, having conceived an unjust indignatioun, with a resolutioun against order to possess 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 John, 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 civil 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 John being informed, he, accompanied with William Wauchope, his brother, Michell Turnbull, William Paterson, James Reid, gairdner, John and William Knoxes, George Cluny, Andro Rammage, William Johnstoun, Johne Dicksoun, Johne Clerk, P. 369, came with swords, banded staffes and others weapons invasive in a hostile maner upon the 13 of November to the mouth of the coal myne, and the said Sir Johnse 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 foresaid 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
pursuers compearing, as also the said Sir John Wauchop, James Reid, John and William Knox, George Cluny, Andrew Rammage, William Johnstoun and John Dickson, probation was referred to the oaths of the defendants, and they denying the riot the Lords assize them, and remit the discussing of the right to the coal to the judge ordinary.

Sedentum:—Argie; Craufurd; Cassills; Lauderdale; Dalhousie; Balmerino; Burlie; Clerk Register; Sir John Smith.

"Forsamekle as the Lords of Privie Counsell hes ordained Marie Cuninghame, whoes beene long prisoners in the tolbooth of Culross for diverse crimes, to be transported be the bailleis of the said burgh to the tolbooth of the Cannogait there to remaine till she be tryed for the saide crimes, the Lords of Secret Counsell doe therefore ordaine the said Marie to pay the expenses the toun has been at in keeping her in prison or bringing her to Edinburgh."

This day compaird 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.

Sedentum:—Craufurd; Cassills; Dalhousie; Lanrick; Balmerino; Burlie; Treasurer Depute; Advocate; Sir John Smith.

Complaint by John, Lord Bargane, and Adam Quhyturd, 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 resolution." The said Thomas Kennedie on the 1st November last sought the loan of a gun from Mr Alexander Younger at the Mill of Aird, and publicly said "he had a dollar and would bestow a merks worth of poudier 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 son had nothing to lose but his life." And that afternoon the said Thomas Kennedy, elder, came to the place of Ardstinfall belonging to the said lord, who was there for the time attended by "his said servant Adam Quhyturd, and, er ever the said Adams wes awar, strake him above the right pape with a knife a deep 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 father, 'What ailed you at Adame Whyt-
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 compoaring and probation being referred to P. 372. 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.

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 comped 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 McLymont, elder and younger, in Colquhoun- atoun, and Thomas McKeurneth at Bandismline, as follows:—John Boyll, son to William Boyll of Dalduff, on May last sett upon the said Adam McLymont, elder, an aged man of fourscore years, “and with a great battoun strake him on the head and had almost killed him there- after with a whinger. And upon the day of October last the said Johne lay at await under night for the said William McLymont, 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 compoaring, probation was referred to the defender’s oath, who denied the charge, and therefore the Lords assoilzie him.

Counter-complaint by Sir Thomas Hope of Craighall, his Majesty’s Advocate, John Boyll of Dalduff and Margaret Craufurd, his spouse, against John M‘Lymont in Colqu- honstown, and William M‘Lymont, his brother, for hame- sucken.
herself and her family to Kyle and remain there with her friends. Both pursuers and defenders comparring, except William M'Clymont, 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, assolizie the defenders from all points of the charge.

Sederunt.—Lauderdaill; Perth; Lothian; Angus; Balmerino; Clerk Edinburgh, Register; Advocate; Wauchtun; Sir John Smith.

The Lords, having granted commission to Sir James Lockhart of Lee, Jean Lauchlan in Lanark condemned for witchcraft.

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addressed to the house of the said Alexander McKie under cloud of night. Entered the same with drawn swords and bended pistols, crying, 'Where is the thieves; let us have them; for we vow to God we will hew them in clowts.' Querupon the said provost desired his Majesties peace of them, at quhilk they in great fume sett upon the said provost and wounded him in the right hand. And when he inquired if they were 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 stopped him through the cloathe, he being without armes and unable longer to resist; till at last some ministers of the presbytery who wer supping in another roome came and dealt with the saids persons to remove; quhilk they refused, specialtie the said John Murdo, younger, who wes under their censure for double adulterie and had sittin in the place of repentance the Sabbeth before and was not yit receaved; and then the toons people gathered in armes and releaved the provest and magistrates, charged the saids persons to enter in warm 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 muskets, picks, pistols and halberts and mannit the hous, crying out they would ken no magistrates, but, if any brake up their doores, they sould shoot bulletts in their brasts. And, at length, 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 staircase and went furth to John Murdoch, elder, his hous about twelwe hours at night and shott out at the windowes ten or twelfe shott. Lykes as in August the said Patrik Cowtrane and John Murdoch, being bailies, and Jonnet Murdoch, sister to the said John, being conveened before them for some debts, when as the said Patrik inquired if she wes owing anie debts she disgracemfullie called him 'scabbed mouthed lowne' and 'crelished culloured 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 Jonet renewed her speeches, took 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 McKorskie, both parties submitted this complaint, the examination of witnesses and censure thereof to the judgment of Sir John Smith, provost of Edinburgh, and the remenant commissioners of burghe presently in town, obliging themselves to abide by their decision without appeal.
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 Murray, Commissary of Stirl ine, and some others, who, having sat and heard the advocates of the said Marie, forbore to go on with the 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 sail sattle her in the said town 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 town anie thing sould fall out by the rage of the people mightlie 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 Secret Counsell ordains the bailies of Culros to putt Marie Cuninghame to libertie, becaus she hes found caution to appeare quhen she sail be required under the pane of a thousand ponds.

The qhilk day there was a commissioun past to the Earles of Buccleuch and Anndail against moose troopers, who being personallie present accepted the commissioun and gavie their oath de fidei administ rationes."

"The Lords of Secrec Counsell declares that, if anie particular person shall be interest be the generall designatioun of lands exprest in the commiounis granted to the Earles of Buccleuch and Anndail, they..."
sall be heard to propone what they have to say thereanent, and the Counsell will take course therein as if the commissioners were not granted."

"The next meeting of Counsell appointed to be upon Wednesday come eight days."

Edinburgh,
7th May 1645.

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

Warrant to the Earl of Buccleuch as a member of the above commission to try moose-troopers in Selkirk and Jedburgh.

"Anent the supplication presented to the Lords of Secret Counsell be Francis, Earl of Buccleuch, makand mention that quher he hes apprehended diverse of the moose trouppers be virtue of the commission granted be the saids Lords to him for that effect, and he is ready to doe justice upon them conforme to the tenor of his commission, but, in regard it is not express in his commission that he may sitt upon them in Jedburgh or Selkirk, which ar the tuo most convenient parts for their tryells, humble desiring therefore the saids Lords to give power to the said Earl and his deputys to judge and try the saids moose trouppers in the saids tolbuiths of Jedburgh or Selkirk, as at mair length is con-
teanned in the said supplication; whilk being read, heard and con-
sidered be the saids Lords and they advised therwith, the Lords of Secret Counsell gives power to the said Earl and his deputys to doe justice upon the moose trouppers he hes alreadie takin within the towns of Jedburgh or Selkirk, and ordains the magistrates of these burrowes to make their tolbuiths patent to the said Earl and his deputys to that purpose."

"Forsamekle as be Act of Parliament the meeting and sitting of the Lords of Sessioun wes continued till Junij nixt and the Counsell, finding it vere expedient that tymous intimation 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 mairers of Counsell or heralds to pas to the mercat croce of Edinburgh and there be opin pro-
clamation to make intimation to his Majesties lieges that the Sessioun is to meit and sitt down at Edinburgh upon the third day of Junij nixto come, quherthrow none pretend ignorance of the same."

Edinburgh,
7th May 1645.

Sederunt:—Crafurd; Mairshell; Eglinton; Cassills; Dalhousie; Lanrick; Yester; Elphinstoun; Balmerino, preses; Burlie; Clerk Register; Justice Clerk; Waughtoun; Innes; Dundas; Sir John Smith.

Complaint by Margaret Cunningham, lawful daughter of Harie Cunningham, portioner of Restalrig, as follows:—She has undoubted
right to these ten acres of land in Restalrig called Peirshill and Three-
to-steps, 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 infeftments, 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, craftmen, 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 pillening 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 con-
 siderable value. Thereafter they threatened and menaced her tenants
who were mowing her meddows 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 tenentes 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 Sabbeth day and the tenth of the
said moneth, the saiden persons, at the least the said John Kilgour and
Thomas Johnstoun, at the command and direciton of the said
Mr William and his spous, dang up a laich sellor doore and rave up a
loft within the said laich sellor and wan to the north tour of the
said mansioun hous the said day and having win in they thereafter neid-
walled the inner and utter yetes of the said mansioun hous to debarre
the compleanner and her servants out thereof, she herselfe being in Edin-
burgh visiting her father who wes deildie seik lying in prissoun
and incarcerat be the said Mr William for alleged beiring and wearing of
gwynnes 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 posset himselfe therein and
intromettad with the hail goods, geir, pillening, cornes and crop,
and the hail sawin cornes upon the foresaid 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 telled her whiet that she sew
upon the saids lands this last yeere, and hes made it to be beir land to keep
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 remnant 
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.

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 latelee 
imployed in searching for runaways, he came upon the fourth of Aprile P. 385. 
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, Johne, and Hugh Kennedeis, his brother, and Johne 
McCall, their servant, all boddin in hostile maner, came to the said 
place aerie in the morning and finding William McAlexander at the 
yett, and understanding by him that the said Adam wes not at home, 
they removed him and Johne Nevein, servant to the said John Quhytfurd, to the yett and entered the hous, fearfullie threatening the said 
Adams wife and her familie with all crueltie till they revealed quher the 
said Johne wes. And so they come to the chamber quher he lay 
threatening to breake up the doores if he did not opin, quhilk he was 
forced to doe; and in like maner threatened to take his life and com-
pelled him to deliver two keys of the place, and hardlie could obofte 
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 
doors of the office houses, disposed upon the provisioun, viuers and 
plenishing being therein and upon the hay being without the same, and 
keeps all by ane high hand of oppressiou." 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, P. 386, 
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 "viwers 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.
Complaint by Mr Thomas Young of Leny, W.S., and Mr Robert Logane, indweller in the Cannogait, as follows:—The deceased Harie Howatoun, lsetter, 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 comparring, the latter acknowledged “he was satisfied of this hundredth parts conteanne in the band and four punds of expenses, quherupon the pursuers asked instruments.”

Complaint by Sir Thomas Hope of Craighall, his Majesty’s Advocate, Mr James King, advocate, Marion Hart, his spouse, David Wright, messenger, and David Wright, messenger, as follows:—On 6th February, 1644, the against Robert and James 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 of his office.

James Dalzell sons of Sir John Dalzell, 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 comparring, probation was referred to the oaths of the defenders. These denied the complaint, and the Lords assolzie them.

Sedertunt:—Balmerino, præses; Argile; Ogilvine; Glencarne; Stirling, 6th June 1644.
Dumferline; Lauderdale; Lothian; Lanrick; Elphinstoun;
Burlie; Justice Clerk.

"Forsamekle as commission is granted be the Counsell to the Earl of Buccleuch and his deputi against the moose trouppers and others delinquent therein menitioun, and the Counsell, finding it verie expedient for the good of the service and for publick exemple that warrant be given for doing of justice upon such of the delinquent as shall be apprehended within some of the royall burrowes of these bounds, they doe therefore heerby give warrant and command to the Earl of Buccleuch and his depute to doe justice in Jedburgh or Selkirk upon such persons as they shall apprehend be vertue of the said commission, and that notwithstanding of anie clause conteneis in the commission restricting the same to the Earl of Buccleuchs owne bounds; whereanet these shall be their warrant."
Sederunt: — Crafund; Cassills; Lanrick; Yester; Clerk Register; Acta, November 1641—October 1646.

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

"The Lords of Privie Counsell, in respect of the Chancellors absence out of the kingdom in publick employments in England, doe nominat and make choice of William, Earle of Lanrick, to be president of his Majesteis Counsell till the nixt sessioune of Parliament or till the Chancellors returne to attend the dyets of Counsell."

Sederunt: — Lanrick, prases; Crafund; Cassills; Yester; Clerk Register; Treasurer Depute; Wauchtoun; Dundas; Innes; 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 Commission of Justitiarie granted be the Counsell of the date the ellesvent 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 vere carefull and diligent in the discharge of the said commission, and doe approve his proceedings therein, and ordains the commission to be renewed for another yeer."

"Intimation of the Counsell meetings to be everie 14 dayes."

Sederunt: — Crafund; Mairshell; Eglintoun; Glencarne; Cassills; Finlatter; Burlie; Clerk Register; Wauchtoun; Dundas; Innes.

Earl of Crawford to act as temporary president of Counsell.

"The Lords of Privie Counsell nominate the Earle of Crafund to be president of Counsell in absence of the Lord Chancellor and Earle of Lanrick for this dyet and during the Counsell's pleasure in absence foresaid."

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

Earl of Crawford continued in the office of president.

Commission warrant prisoners in the tolbooth of Edinburgh.

"The Counsell, conforme to the former act of the 13 of May, continues the Earle of Crafund President of the Counsell in absence of the Lord Chancellor and Earle of Lanrick and during the Counsell's pleasure."

"The Counsell nominate his Majesteis Advoat, the Laird of Innes and Provost of Edinburgh to meet with the Justice Depute and to consider the condition of all criminall prisoners within the tolbooth of Edinburgh not having relation to present business and what is cleared or to be said against them, and, as they sall find occasion, to
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 prorogate the warrant formerly granted upon the 12 day of November, 1644, for coyning the fifteenth hundredth stone of weight of copper conteamed in that warrant till the eleventh day of November nixtocomme, conforme always to the said former warrant."

[Sederunt as recorded above.]

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 tutorship, 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 compaird 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.

Sederunt:—Argile; Craufurd; Glencarne; Weems; Dalhousie; Finlater; Yester; Advocate; Innes; Wauchtune; Dundas; Sir John Smith.

"Forsamekle as the Estates of Parliament, be their act of the fourth of February last, ordained the Lords of Session toun to sitt doun in session for the administration of justice to his Majesties lieges upon the second of June next and to continue at the ordinair times appointed for sitting of the Session at Edinburgh, and the Lords of his Majesties Privie Counsell finding it expedient in regard of the long interruption of the Session this time bygane that new intimation be made thereof to all his Majesties good subjects, doe therefore ordaine heralds and pursuants to pass to the mercat croce of Edinburgh and there be opin proclamatioun to make intimation to all his Majesties subjects that the Lords of Session ar to
sitt doun 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 accordinglie."

"The Lords of his Majesteis Counsell, considering that be order of Parliament the ordinarie courts of justice ar to sitt at Edinburgh upon Tuesday nixt, the secund of Junij approaching, hes accordinglie thought fit that the meetings of the Counsell sall be keeped heerafter at the ordinarie times weeklie every Tuesday and Thursday in the afternoone, and the first meetie to be on Tuesday nixt the secund of Junij and so forth thereafter, and ordains heralds and pursevants to pas to the mercat croce of Edinburgh and there be opin proclamation to make intimation thereof to all his Majesteis lieges qutherthrow name pretend ignorance of the same."

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

Edinburgh, 27th May 1646.
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 government within burgh, contempt of the ministrie and pitiful neglect of the poore, and evil exemple of others, refuses to embrace the said office and exercise 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 Harie Black, tenant in Wester Lawes of Quihtsoome, as follows:—The late Janet Sleich, daughter of George Sleich in Hutton, while on 3rd May instant she was crossing the road, "was raclelsie shott be the compleaner with a gun quhilk he was trying, not knowing the same to be charged, and the kin and freinds of the said Janet, knowing the compleaners innocencie hererin 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 compleaner the said slaughter and granted him a letter of slayns" dated 12th May. The Sheriff of Bervick has committed him to ward in Duns by the Sheriff.
called and that he will pass his remission under the great seal under
the penalty of 400 merks.

Sederunt:—Glencarne, preses; Maireshell; Weems; Dalhousie; Edinburgh,
Finlater; Angus; Balmerino; Burielie; Advocate; 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.
See ante, p. 49.
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.

Sederunt:—Chancellor; Maireshell; Dalhousie; Roxburgh; Weems; Edinburgh,
Angus; Yester; Balmerino; Burielie; Advocate; Treasurer
Depute; Justice Clerk; Wauchtun; Innes; Dundas; Provost
of Edinburgh.

Complaint by John Inglis, late bailie of Edinburgh, as follows:—On
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 compleaner was
past upon the 26 to cite him to the 27, and he was onelie summond
at his dwelling hous of Laureston, fyve or six myles from Edinburgh, of
purpose to surprise him that he could be ather unable to keepe the
dyet or come unprepared to answer; and he had just caus of feare that
his citation was onelie to draw him in to Edinburgh where the provest
and bailieis would have committed him to waerd upon pretext of dis-
obedience of thair acts, which they take to be a sufficient ground of
imprisonment. And therefore and becaus of before when they con-
vened him before the Committee of Estates and gott not their desire
in this mater, after his comming frome the Committee they sett muskete-
tiers to apprehend him, he wrote to William Inglis, writer, to petitioun
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 compleaner 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
of the horning. In the letters of suspension, dated 2nd June instant, the pursuer gives reasons for desiring the matter to be remitted to the Lords of Session. Both parties compearing and having been heard, the 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 compearence at this time suspend the letters of horning.

Edinburgh, 1st July 1646.

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

Case of Alisson Troup.
See ante, p. 51.

The same.

The Lords ordain the provost and bailies of Edinburgh to continue the diet for the choosing of curators by Alisson 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 Lords allow Sir William Gray and the friends on the father’s and mother’s sides of Alisson 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 nixt day, and the mother’s freinds the third day, and so furth therafter,” 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; Mairsell; Southerland; Cassils; Burlie; Clerk Register; Advocate; Justice Clerk; Treasurer Depute.

Complaint by John Chrystie in Slains, David Sim in the Ward of Crudane, Alexander Dalgarne 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 dissolve 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 Dalgarne, “being a brewer, wounded himselfe, and disposed upon his whole vivers at pleasure, and caused his hores 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 dangeroulie, and when
his wife come for his reeuff he gave her three or four strokes on the
head and manie with his hands and feet so as she partied with barne to
the hazard of her life, and kuis 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 kuis 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 nict with his horses and to wait his oppor-
tunitie 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 comparryng by Robert Hepburne, advocate, their procurator,
but not the defender, the Lords ordain the latter to be put to the horn
and escheated.

Sederunt:—Cassills, prases; Sutherland; Murray; Finlater; Burlie; Edinburgh,
Clerk Register; Advocate; Treasurer Depute; Justice Clerk; 1646.
Waughtun; 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 heretables
bailie 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 administra-
tion of his said office in every thing competent thereto till 1st November
next.

Complaint by Sarah McNacht, only daughter and heir of the deceased
John McNacht of Kilquhanntie, heretor of the lands of Over Kilqu-
hanntie, and Samuel Lokhart, merchant burgess of Edinburgh, her
spouse, as follows:—On June or July, 1645, Nicholas McNacht, her
spouse to Robert Lennox of Dusdow, accompanied by her said husband,
came to the said lands of Kilquhanntie, “brake up the doores of the
hous, medled with the halli goods and plenishing being therein, per-
teanning to the said Sara and quherof her father was in possession
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 comparryng
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 Kilquhanntie to their oathes, 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
house and entered therein. The Lords, after hearing and advising, 
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.

Edinburgh, 
28th July 1646.

Sedent :— Cassills, prosect; Sutherland; Glencarne; Dalhousie; p. 390. 
Balmerino; Burlie; Clerk Register; Justice Clerk; Sir John 
Smith.

Prohibition 
against 
intruding the 
office of the 
Director of 
Chancery.

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 seen an act dated 7th November, 1644, whereby 
John Peter, writer, "is discharged to write anie patents or other 
wratts to the great seal without warrant from Sir Johne Scot, 
Director of the Chancellarie, and understanding that diverse others 
persons also presooyme to write birth breesves to the said great seal 
against the privilidge of the said Sir Johne his place and to the preju- 
dice of the lieges, thir persons being ignorant of that service," discharge 
all other persons thereof in like manner.

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 p. 400. 
from that date until this present 28th July; and they ordain the said 
George either to make and subscribe in ample form cessio honorum 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.

30th July 
1646.

Sedent :— Cassills, prosect; Mairshell; Sutherland; Glencarne; p. 401. 
Dalhousie; Balmerino; Burlie; Clerk Register; Advocate; 
Treasurer Depute; Justice Clerk.

The History of "The Lords of Secret Counsell discharges heirby the arrestment layed 
upon the booke 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 Mr John 
Home.

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, 
first thereof, accompanied by Thomas Simson in Dryburnfurd, their 
tenant, Mr Patrick Home in Manderstoun, Broun, and William
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Home, son of George Home, carter in Wedderburn, came to the com- of Wedderburn and plainer's lands of Kimmerghame, and cast down parts of a stone dyke. And on the 20th of the same month, the said George, accompanied by John McDougall and James Swan, servants to the Laird of Wedderburn, came to these lands and cast down a great deal more of the same dyke. The pursuer comparring personally and the Laird of Wedderburn, younger, comparring for himself and the remanent defenders, the Lords after hearing parties find nothing in this complaint to infer any riot or censure and therefore assizlie 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.

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

"Forsamekle as the Kings Majestie understanding that there is a place of Counsell vacant by decease of Sir Thomas Myrtoun of Cambo, and knowing the worth and ablesties of Sir John Wems of Bogie for discharge of that place, hes by his letters to the Counsell of the 7th of August instant nominat him thereto, and therefore hes required the Counsell that, according to the act of Parliament anent the electioun of counsellors, they caus warne all on Counsell to meit on 15 dayes warnyng that his Majestie may have advice and approbation hereaunto at a lenthe is conteann in his Majesties letter. Qhilk being read and considdered be the Lords of Privie Counsell, and they having likewise considdered the act of Parliament mentionned therein, they doe accordinglie ordaine missive letters to be direct to all such of the Counsell as ar within the kingdome to warne them on 15 dayes to be present at Counsell upon the 9th day of September nixt, to the effect abonewritten. Lykeas all such as ar present this day ar warmd apud acta and promeist to keepe the dyet. Followes his Majesties letter abonementioun.—CHARLES R. Right trustie and right welbelovit cousines and counsellors, right trustie and welbelovit counsellors and trusty and welbelovit, we greet yow well. Whereas by act of Parliament of the 16th of September, 1641, anent the electioun of counsellors, we have declared that, if anie of the counsellers place sall vaile 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 decease of Sir Thomas Myrtoun of Cambo, and understanding the worth and ablesties of Sir John 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
Acta, November 1641—October 1646.
Fol. 4, b.

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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 met upon fifteen days advertisement that we may have your advice and approbation theranent, and he (having the oath administered in the like causes) 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 17th day of August, 1646."

[Sederunt not filled in.]

Edinburgh, 19th August 1646.

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

Complaint by John Peter of Whitlead, advocate, as follows:—He is heritably infeft in the lands of Whitlead and Brighauch and pertinent thereof as is manifest by his infeftments, 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 contravention, 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 compairing but not the defenders, the Lords appoint Mr Robert Hart of St. John's Chapel to sequestrate 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 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.

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

Complaint by John Neiven, servitor to Adam Whytfurd, brother of John P. 404.

Whytford 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 effusion of his blood." Both pursuer and defender compairing, 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
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 dollars each to John Logie in Stratoun, John Logie in Bennen, and John Kennedie in Crassick, who had come hither as witnesses in the case.

Sedentur:—Duke Hamiltoun; Craufurd; Mairshell; Sutherland; Edinburgh, 29th August 1646.
Cassills, preses; Dalhousie; Southesk; Finlater; Clerk.
Register; Sir William Douglas.

In the action of suspension raised at the instance of Sir William Dick, 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 sus- pendee 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 provocations," until on 30th July the said George was ordained to grant cession 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 tolbuth, but he was going upon the streits and could not be found, and therforth 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 house, and gave his great oath that he had not the keys, but they were lost—which the Lords finds equivalent to the deliverie of the keys, 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 modification foresaid nor consent to his libertie upon the condition abovementioned except he would also give him cession bonorum." The Lords, after advising, "ordeane the consigned moneys to be delivered to the charger upon ane recept to be givin be him to the suspender, whom the Lords ordains to pay the modification foresaid," so long as he keeps him in ward, otherwise to be put to liberty. The Lords also suspend the horning.

Sedentur:—Glencairne; Weemes; Southesk; Sutherland; Dalhousie; Yester; Burley; Advocate; Waughton; John Smyth; Provost of Edinburgh.

"Forsameikle as be act of Counsell of the 19 of August last intimation wes to be given to the haill counsellers within the kingdome to be present in Counsell 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 accordinglie, lawful intimation being given be letters and otherways to suche of the Council as are within the kingdom to be here this day, and the Council takeing into their consideration his Majesties letter and choice of Sir John Weemes to supplee the place of Sir Thomas Morton of Cambo, doe give their advyce and approbation thereto, and accordinglie doe admitt and ressasse the said Sir John Weemes to be one of his Majesties Privie Council, and to bruike and enjoy all the liberties and priviledges belonging thereto. Lykeas the said Sir John being called upon was admitted on Council, and gave the oaths of alledgedance and of a privie counceller, upon his knees.”

“Forsameike as Sir Archibald Primerose, Clerke to the Council, being assigned be James Philip, 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 during his service frome Marche, 1640, till September, 1641, and the Council finding thameselfes obledged in regard of the said Sir Archibald his good service to contribut what in him (sic) lyis for his payment of the saide fees, and being informed that Mr William Lumsiden of hes now come into this kingdom contrare to ane act quherybe in presence and be order of the Council he and his cautioner were obleddgit not to doe the same under the paine of three thousand merkes quherybe he and his cautioner have encurred the said penalty, they doe therefore assigne the said penaltie and contravention to the said Sir Archibald for payment of the fees and allowances aforesaid in so farre as the same will extend to; with power to him or anie havinge his order to call for, persew and uplift the same, and to give discharges upon the receipt thereof; quhilk the Council declares shall be sufficient exoneration to the said Mr William Lumsiden 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.

Complaint by Mr William Cunningham of Ballindalloch, as follows:—In May, 1645, he was ordained to repossess Margaret Cunningham, daughter of Harie Cunningham, 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 scathless, and make it
1646.

forthcoming to the party who should be found entitled thereto. Yet she and her father have "dispomed 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 comparring 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 medlied 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.

[Sedumunt]:—Hamilton; Callander; Crawford; Casillis; Lanerick; Yester; Sinclair; Balmerino; Clerk Register. 15th October 1646.

"The Lords of Privie Councell nominates 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 Counsel 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 haweing at linte the considered the saides acts of Parliament and act of election, they doe accordinglie admit and ressave the said Archibald Tod, provest of Edinburgh, to be of his Majesties Privie Counsel of this kingdome, and to bruike and enjoy all the dignities, immunities and priviledges belonging thairto. Lykes the said Archibald Tod, being personallie present, was admitted on Counsel, and on his knees gave the oath of allegiance and of a privie councillor.

"The Lords of his Majesties Privie Council taking to thair consider-

Prorroagation forbidding the export of oxin and kyne, under the paine of confiscation of the goods to be transported,
and of the moveables of the transporters, bysdes suche farder personal punishment as the Council sall thinke fitt to inflict; comanding heireby all sheriffs, stuartes, magistrates of borrowis, customers and all others whose 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 countreym, and upon the persons of the transporters to be disposed of as aforesaid."¹

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

The Lords, having heard Sir William Dick of Braid and George Aitken 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.²

¹ The Register of Acts is wanting from this date until 13th July 1661.
² This Register is wanting from this date until 18th July 1661.
MISCELLANEOUS PRIVY COUNCIL PAPERS.

A.D. JULY 1643–AUGUST 1660.
PRIVY COUNCIL PAPERS.

1. "Edinburgh, 4 July, 1643—Whither or not the Lords may have their advocates 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 ordaining the lords, etc. to give in their defenses and answers in writ and in permitting such lawyers as they will make use of to give thaim their advyce, concurrence and assistance therein, it be meant that their lawyers sall compeir and stand at the bar to give and suggest their advyce and informations 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; Argyl; Egliston; Dumfermline; Lauderdail; Lindsay; Balmerino; Kerse; Warestoun; Harden; Amisfeld; Dundas; Durham; Barclay; Bamff.

Mr James Primerose 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 ecclesiastical, or have anie protection within this kynedome, and that this sentence sall be without prejudice of the lawfull defenses of the other noblemen conteand in the sumonds above written as if this sentence had not beene given against Carnwath. Agree, 8; No, 1."

2. "Sir William Dick of Braid, knyght, Justice and Shireff principall of 7th July 1643. Orkney and Zetland, to my lovitt, officeris and serjendis in that part, conjunctlie and severallie, speciallie constitut, greuting. I chairge you that ye lawfullie summound, warne and chairge Thomas Corse in and Margaret Craigie, his spouse, Jonet Sklatter, spouse to William Traill, Thomas Irwing, younger, Katherin Windwik, spouse to Gilbert Mowat, Margaret Irwing, sumtyme servant to Jonet Sklatter, Magnus Harcas in , Elspeth Smyth, spouse to James Caithness, Jonet Ingser, spouse to Magnus Craigie in Skasebrack, Katherin Barnie, and Katherin Ethay, spouse to John Work in Egilscha, thir witnesses with sevin or aught honest men to pas upoun hir assy, Patrik Halero in Weyr, Henrie Harrald their, Thomas Sabistoun their, James Alexander in Bankie, Henrie Ingser in Four Woebuster, Henrie Ingser, Barbara Harcas, to compeir befoir me or my deputys ane or maie at Kirkwall, the ellevant day of July, in the hour of caus, to bear leill
and suthfast witnessing in so far as they knowe or sall be speirrit at thame for proving the poynts of dittay of witchcraft, sorcerie and divination in perswitt at the instance of Abraham Stevinsone, procurator phiscall of the said shireisdome, againes Katherine Craigie alias Estauquoy and to pas upoun hir assyse, ilk persoun undir the paine of xi lib., according to justice, as ye will answyer, etc. Gevin under the seall of office and subscryvit be my clerk of court at Kirkwall, the sevint day of July, 1643. (Signed) A. Eller.“ [On the back] “xij Julij” 1643, in presens of M’ George Graham, David Hert, Gairsay, and the chalmerlane.

“Katherene Craigie deponit that Margaret Ranie alias Todlock heallit a kow of John Bellis in Quoyakowis of the baneeschaw.

“And that Cristane Pock, late servitour to Henrie Ingiagar in Forse and now with Rowie Ingiagar, can charme the worme and the fauld seiknes and that scho usit the said fauld seiknes to ase ox in Savaskaill, and that scho got for doing thairof a pleat of meill and a blood pudding upoun the head of the pleat.

“Scho confess the going to the watter and casting the watter over Thomas Irwingis heid, and that scho learnt the charmme fra unquible Elspeth Linay be the using of the stones, and that scho learned a charme for stemming of blood fra hir unquible husband.”

3. Summons directed to Alexander Dumbair and James Grahame, messengers, at the instance of Sir Thomas Hope of Craighall, his Majesty’s Advocate, and Robert Dunbar of Burgie, heritable proprietor of the lands of Hemprigs, and Ninain Dunbar 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 Dumbair, elder, sometime of Hemprigs], James Dumbair, his brother, and William Dumbair, his natural son, “armed with swords, pistolle, long gunnes, steel bonnets and gantletes, 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 down the couples and cutted the timber of the same”; wherefore charge is given to cite these persons to compeair 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 compeair and use all their lawfull objections and defenses 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 Dumbair, personally

1 The words in brackets are deleted.
apprehended within Edinburgh tolbooth, to compere 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:—

4. "Intrat upon pannell Katherine Craigie alias Estaquoy for the 12th July abominable superstition using and practising of witchcraftis underwrittin, viz:—
"Ye, the said Katherine Craigie alias Estaquoy, ar indytit and accusit for airt and part of the abominable superstition of the contraveneing of the tennours 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 Estates in hir nynth Parliament, that qhubair they being inform of the heavi and abominable superstition usit by dyverse of the ledgis of this realme be using of witchcraft, sorcerie and necromancie and credens gevin thairto in tymes bygane against the law of God, and for awyding and awayputting of all sik superstition in tymes cummin it was statut and ordanit be the Queens Majestie and thrie Estates forsaid that no person or personis of quhatsumever estat, degrie or condition they be of tak upoun hand in any tymes thairefter to use any maner of witchcraftis, superstitiones, sorceries, necromancies or divinationis or give thamesselfis furth to have sik craft or knowledge, thatthrow abuseand the people, undir the paine of death: And trew it is and of vertie that ye, the said Katherine, hes contravennit the tennour of the said act of Parliament be using and practising of witchcraftis, sorceries and divinationes and in giving your self furth to have sik craft and knowledge and in companie and societie keiping with the devill, your master, at dyverse and sundrie places and thatthrow abuseand the people in maner following, and thairfoir and for using and practysing of the said abominable superstition anought and suld be adjudgit to the death in example of uthersis to doe the lyk.
"And in speciall ye ar indytit and accusit for airt and part of the Fyffe, abominable superstition in that upon the day of March, 1642 Abusing since yeiris, James Caithnes in Rowsay having gone ower to Westray for doing sum of his efferais that and culd not get home tymesouslie to his hous for abstinence, 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 of clotch als much as will be ane pair of handskoure and your husband wold send fair wether.'

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

"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 hym without hope to live longer and being for the tymey seenaes not knoweing quhat was done or said to hym 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 morning ye laid in thrie corneris or nookis of the hearth quher the samen continwit till about daysetting, and then ye did with your awin bandis tak up the thrie stanes from thair severall places and laid thame behind the dore all night and tymous in the morning 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 tymey he was so seenaes that he knew not quhat was done to hym. Efter as ye haid washen hym the first tymey ye again took the thrie stanes and usit thame the second and thrid tymey as at the first and washen hym with the water as at the first and quhil he we war washin him the thrid tymey he becam somquhat sensibl and knew that ye war washin him quhich he perceavit not the two former tymeyes ye did wash him. And immediatelie the same day, tymous in the morning efter as ye haid washen hym the thrid tymey, ye desyrhit 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 tymey to recover and to becom sensibl, hearing your speich to his wyfe stayit hir that shoe went not with yow; quhilkis war done be your witchcraft and devilrie.

"Item,—ye ar indytit and accusit for airt and part of the abominable superstition and witchcraft in that fynye yeiris since or thairby Thomas Irwing, younger, being vere seik in Quondale, quherfra he was flitting, he was brocht in to Jonet Sklatteris 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 his hous, ye said that it was the sea trow or spirit that was lying upon him, which might weill enuch be chayt away; and efter this ye went and brocht with yow thrie stones and laid thame in three corneris or nookis of the hearth from morning till night, then ye took thame up in your hand and laid thame behind the dore all night till tymous in the morning at which tymey 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. Thairafter 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
with the stones and water thrie severall tymes and morningis togither to him, and efter as ye haid washen him the thrid tymes immediatlie 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 til your returne 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 doun 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 afterwards he retournit with yow to the hous of Cogar befor his held. any of the house war risen out of their beddis, and everie day thairefter he convalescit and becam better of his seiknes, qhilk is was done be your witchcraft and devilrie.

"Item,—ye ar indyted and accusit that yeiris since or thairby, Fylia. 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 Divination. 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 qhilk did eat my courtch' (for it was of treuth that after the kow haid eattin your courtch shoe nevir did moir good.) Efter these your words Denyis, the calf becam a beast of thrie yeiris auld, yend to the hill quher it died, was nevir found till the doggis haid eattin, qhilkis was done be your witchcraft and devilrie.

"Item, ye ar indyted and accusit that upoun ane Saturday in winter yeiris since or thairby when William Flawis in Cogar was lying Fylia. seik ye cam to Henrie Yorestones hous and lodgit their all night and arose tymous in the morning, being Sunday, a little befor the break of Fearfull abuse. day, being verie tempestuous weather with snow and sleit, the said Henrie and Katherin Windwik, his spous, and their children being all as yet in their 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 haie 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, qhilkis 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 cud 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 quetylie to hir in her ear on this maner, 'Quhat sik ane morneing think ye haid I yesterday?' Quha anseruite you, 'Quhy, quhat glangoir war ye doing in that ill weather?' Ye said to her again, 'I was about the loch with Jonet Sklaitter, spous to William Flawis, but it is for no stead, it will
nevir mend hir.' These things began to be rumourit, and the sessioun being acquaintance therewith the said umquhile Henrie Yorstoun was cited and declarit the same done by yow and told him be his wyff. Afterwards, ye being lodging in Essen Corse his houss short after, ye said, Henrie Yorstoun hes been 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 after 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 knowledge of the sessioun and being cited to declair quhat he knew thatairin, but er the sessioun day cam the said Essen, taking with him his sone ane young boy to the craigies 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.

"Item,—ye are indytit and accusit that yeiris since or thairby, quhen William Flawis in Cogar wes lyand seik, ye took Jonet Sklatter, his wyf, and Margaret Irving, his servant woman, with yow quher ye direct the said Jonet to follow yow and causit the said Margaret Irving follow the said Jonet and went about the loch in this ordour and about the four nookis of the kirk yard, 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 befor. At last cumming to the houss ye enterit in the houss 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 mischief 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 houss, quherat the said Margaret became verie fearit and wepit and sat doun and wold onnavays stirr nor goe first out. Thairfuir ye went out first yerself and quhen the last cam but the house ye began to flyt with her becaus shoe wold not goe first out. After these thingis, upoun an uther day quhen the said Margaret haid come in from her work, the said Williamie 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 verie quetlie 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 halvis of it and it was the water that pizit within the stone quhilk was done be your witchcraft and devilrie.

"Item,—ye are indytit and accusit that yeiris since, ye being dwelling with Thomas Corse wyf, Margaret Craigie, said if it happenit yow
to be out of the house in the farthest part of the yle all that shoe wold speak in hir awin hous most sceptricie and privatelie ye at your first home cumming to the hous ye wold tell her of it, quhilk revelatoun and for-knowledge ye haid of the devill, your master.

"Item,—ye ar indyttit 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 farthest part of the yle though suth even a thing nevir so secretlie Denys.

and it haid bein but to heat a drink to herself quyetlie, quairof shoe thocht thair was none that culd have knowledige, yit quhen ye cam home ye wold tell her of it, quhilk revelatoun and for-knowledge ye haid of the devill, your master.

"Item,—ye are indyttit and accusit that this last yeiris since or Fyllis, thairby, quhen Magnus Harcas was tormentit with ane intollerable Strong pynne in his leg, ye cam to him quher he was lying and desyr to see his pynne. And yow let yow sie it and ye strakit your hands tenderlie upon it, so it fell out that immediatelie after, as ye went furth, the great paine slaknit and ay becam better, quilk was done be your witchcraft and Denys Devilrie.

"Item,—ye ar indyttit and accusit that this last yeir, when Magnus Fyllis, Craige in Skaebrek was verie seik, Jonet Ingegir his wyf going to Superstition abuse since she was enamored and told yow of her husbandis seiknes and ye said unto her that ye haid Ursulla Alexanderis snood quhilk he haid kepit since ye put hir in hir Confections who said that scho said that haid Ursuallis snood and said if that help ye, ye said also that Bessie Spence, hesh ay ane sore head, it is ay pained and shoe wold faine have this snood fra yow to wear in her head for this snood is good for thame that have sore headis, quilk shoe ressavit from yow and band it about his husbandis waist.

"Item,—ye ar indytted and accusit that yeiris since or thairby Fyllis. Katherin Barnie, upon 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 Strong prespindle and thairin fand bound in a knott within a clout thrie grasses whilk shoe revellit to Annabill Murray, sumtyme spous to Magnus Corse, quha revellit it againe to hir mother, Margaret Craige, and shoe told Hairie Ingegir, hir husband, thairof, quha took with him Thomas Craige in Savaskaill (being both elders) they went and found the thrie grasses Denys bound in a knot and lying in your heavie; and short after the said Annabill Murray contractit ane lingering disease and nevir recoverit thairof quhilk shoe died, quhilk wes done be your witchcraft.

"Item,—ye ar indyttit and accusit that thrie yeiris since or thairby Clesgis. quhen Katherin Ethay, spous to John Work in Egilscaes, was contractit in mariage and proclamit in the kirk with him, and befor they wer mairit together, ye cam to her and said, 'Qhat now, ar ye going to
dwell 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 houz to Egilschae, remember to tak home with yow the wash cog and the catt of this houz with yow to your awin house.'

"And generall, ye, the said Katherine, ar indyrit and accusit for contraveneing the tennour of the said act of Parliament and for airt and paft of the using and practesing of the witchcraftis, sorceries, dividationes and superstitiones abone speciefit and in geveing yoursell furth to have sik craft and knowledge, 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 devilrie 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 eschit and inbrocht to his Majesties use, conforme to the lawes and practic of this kingdome.

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

"Compeirit the procurator phiscall and producit the pannell with the ditty and desyrit the said pannell to be accusit thairupoun.

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

"Assisa.—Magnus Irwing in Ovrigarsen; 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 Wesbister; Henrie Ingisgar thair; James Alexander in Bankis; Niniane Folsetter in Quendale; James Brand in Knarestane; Robert Mowat in Quendall; Henrie Harrald in Wyr; Thomas Redland of Redland; Rolland Loutut in Gwe.

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

"The asyse passing out of judgment electit for the most pait Alexander Kirknes in chancellar and re-entering in ane voice be his mout fyllis the pannell in ellevin poynis of the particular dittyais and also of the generall, and clengis hir of the twelf, referring sentence to the judge and dome to the dempetar. (Signed) ALLEX* KIRKNES.

"Acceptis the determinacion of the asyse 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 executiou and thair wirreit at a staik and brunt in ashes, quhilk Hew Hewson, dempetar, gave for dome."
5. "Intrat upon pannell Jonet Reid for the abominable superstitious, using and practising of the witchcrafts undirwrittin, viz.:—

"Ye, the said Jonet Reid, ar indytit and accusit for airt and pairt of the contravening of the tenour of the act of Parliament maid be our umquhile dread sovivane ladie Marie, be the grace of God, Queen of Scottis, with the advyse of her thrie Estates in her nthyn Parliament, that quhair they being informit of the heavie and abominable superstitioun unit be dyverse of the leidges of this realme be useing 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 superstitiouin in tyme cuming, it was statut and ordanit be the Queenis majestie and thrie Estates forsaidis that na persoun or personis off quhatewee constat, degrie or condiition they be of tak upon hand in any tyme thairafter to use any maner of witchcraftis, sorceries or necromancies or give themselfis furth to have sik craft or knowledge thairthrow abuseand the people, undir the paine of death: And trow it is and of veritie that ye, the said Jonet, hes contravenit the tenour of the said act of Parliament be useing and practising of witchcraftis, sorceries, divinationes and superstitious charmeingis and in giving your self furth to have sik craft and knowledge 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 thairfor and for using and practising of the said abominable superstitiuin aught and suld be ajudgit 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 pyllis, abominable superstitioun, in that about aught or nyne yeiris since William Kirknes in Pow, being bigging his bear stak, ye cam to him fearfull abuse, and offered him ane grass as ye callit it, but to his appearance nothing but ane little quantitie of quhyt moss or fogge and baid him put it in his stak, affirmeing that it suld mak him keip the profite 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, quhairupon ye went away discontented.

"Item, ye ar indytit and accusit that about the tyme forsaid, ye being Clengis. insawman 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 meantime 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 cellair wher he lay and saw incontinent the stone and the whole corne ye war drying flic throw the house, so that thair cud be nevir ane bit of the stane or ane pickle of the corne be seint againe, quhilk was done be your witchcraft and devillry, and quhilk ye offerrit in ane sacrifice to the devill, your maister.

"Item, ye ar indytit and accusit that about aught yeiris since of thairby Robert Sinclair of Nether Gersand, being impotent at that tyme,
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 thairof within ane night or at most twa after, he fand hirself restorit to his wontit 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 had cum to yow befoir he was married ye suld have helpit him than alsewille as ye have done now, quhilk was be your witchcraft and devilrie.

"Item, ye ar indytt and accusit that yeiris since or thairby Robert Sinclair in Gersand, being efter he haid married his secund wyif sore troublit in his sleip with apparitiones of his first wyif which wexit him and disquietit him verie much, he was adwyset be yow to goe to his first wyifs grave and to charge hir to ly still and truble hir no moir.

"Item, ye ar indytt and accusit that about nyne yeiris since or thairby John Kirknes in Housgar, being heavilie diseasit, ye cam to his hou and said to his wyif 'Your husband hes the beanschaw, and, gif ye will, I can help him '; quhairupoun his wyif cam to him and desyrrit him to ryse and cum to the fyrehous, quhich he did at his wyifs deyr, and ye said to him, '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.

"Item, ye ar indytt and accusit that yeiris since or thairby ye charmed Elapeth Sinclair, spous to William Kirknes, of the beanschaw (as ye callit it), and that ye usit beayd wordis nyne blew stounes quhilk shoe did put in ane vessell with water, twitching her joyntis with each of the severall stounes 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 stounes lay.

"Item, ye ar indytt 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 some of the said Alexander repeat the charme after you, and that ye usit water and stounes as is afoirsaid, whilk was alreadie confess be yow; and the said Henrie, being unabil to stirring out of his bed for the space of fourtyn dayis befoir, recoverit his health and was abill for his work within twa dayis efter as ye haid said the charme owar him, quhilk was done by your witchcraft and devilrie.

"Item, ye ar indytt and accusit that yeiris since or thairby that ane of Alexander Linklatteris children in Housgar, being leane and 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 athwart the mouth of the pott and than laid ane goll above the tonges
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and sett the child on it; thairefter ye took ane self and set on the childis
head and set ane coggie full of water in the seive and then laid ane wolle
socheir 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 socheir 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 indyted and accusit that yeiris since or thairby Fyllis.
ye usit the hail particular charme abonewrittin in all poyntis with ane Confessar.
child of Robert Sinclairis in Nether Gersand.

"And generallie ye are indytit and accusit for airt and pairt of the
using and practesing of witchcraftis, sorceeries, divinatioones and Denye.
charmes as particularlie abonewrittin and in giving your self furth to
have sik craft and knowledge, thairthrow abuseand the people, and that Fyllis hir as
by your cursingsis and imprecatiounes ye wrong both man and beast, charmer.
quhilk evillis ar broocht 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 chancellar, and returning, all in ane voice, be his
mouth fyllis the pannell in the first, thrid, fouth, fyft, sext, sevint, aught
and nynt poyntis, as also of the generall as a commoun notorious abuser
and charmer and clengis hir of the seund. (Signed) Allex'. Kirknes.

"Acceptis the determinacion 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,
werpigt at a steik 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 William Kirknes in Powe that abott 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 appear-
ance nothing bot ane little quantitie of whyte mossie or fogge and bade
him putt it in his stack, affirming that it should make him kep
the profit of his cornes, so that none should be able to take it from him,
which notwithstanding he refusit to doe, saying that he sawe no profit
in it, wheirupon shoe went away discontented.

(2) Further, the said William depones that (the said Janett being A strong pre-
inwoman in his house abott the time abowreatten) as he was rising ane
morning he heard her say to her daughter (who wes 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
so that their could nevir ane bitt of the stone or ane pickle of the corne be seene againe.

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

"Robert Sinclair depones in this same poynt that his daughter foresaid bade him indeid suppe such meatt as shoe then presented unto him (which to his knowledge was the verie same that his servant foresaid 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 moest [twa] after fand himself restored to his wonted vigour and abilitie.

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

"William 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 was shoe that had helped Robert Sinclair, his father-in-law, shoe answearde. 'If he had come to me befor he wes married, I should have helped him then alaswell as I have done now.'

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

(5) Further, the said Robert depones that about naxe yereas 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 was 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 untiill shoe died.

(6) John Kirknes in Housgair depones that aboutt nine yereas 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 joynets of one of his sides with her hand and spake ceirtaine words over him,
which he does not remember, Katherine Kirknes, his servant woman for
the time, repeating everie word after her at her direction, which shoe
did in presence of his wiff and servant woman forsai'd, but that he
thought himselfe never ane white bettered by the meanes.

(7) Elspett Sinclair, spouse to William Kirknes in Powe, depones that Charming.
the said Janett charmed her of the bone shawe (as she called it), and
that shoe used beside words nine blewe stones quhilk shoe did
put in ane wessell with water, touching her joynts with each of the
severall stones which she kep'd 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 Charming and
charmed his servaunt, 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 afsai'd, which shoe also confesses, and that
the said Henrie, being unable to stirre out of his bedde for the space
of fourteen dayes befor, recovered his health and was able for his worke
within two dayes after shoe had said the charmse 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 harteake and
that if he pleased shoe wold cast the harteake 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 aithwart 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 sette ane cogg full
of water in the sieve and then laid ane wooll sheir on the cogg's 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, but as yet the child is neither
better nor worse than he was. Con[fest.]

(10) The verie like in all poynct shoe did to ane child of the forsai'd
Robert Sinclair his as [sic] is deponed by the said Robert and his spouze
and confess'd by herselv.

Note, 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, 15th July
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 Hempiggs,
and William Dunbar, his brother's son, at the dwelling house of the former,
where both reside, and against James Dunbar, his brother, personally appre-
hended, to comparse before the Council at Edinburgh on 3rd August
next; witnesses, Alexander Bruntfeild in Struderis, Andrew Sutherland
in Hempriges, and Robert Dunbar and John Vatsone, servitors to the goodwife of Burgie, elder; and (2) against William Peter in Earneyd, John Dick there, Gilbert Vatsone in Cautfeld, Thomas Hatmaker there, James Syme in Haltone, Andrew Dick in Haltone, John Russell in Haltone, and Andrew Sutherland, indweller in Hempriges, all personally apprehended, to appear as witnesses in the above cause; witnesses, James Falconer, portioner of Cautfeld, John Sime in Haltone, Robert Farquhar in Vastfeild, Alexander Falconer in Haltone, and Robert Dunbar in Hempriges.

7. Supplication by Alexander M'Dowall of Logane, Uthred M'Dowell of French, Alexander M'Culloch of Ardwall, Andrew M'Dowell of Killester, and Quintin M'Dowall of Barlochart, for themselves and for their wives, and Sarah Dunbar, 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 selves to be bound in all devotion to give all obedience to your Lordships have moved our saidis wyffes, altho manie of thame be weak, seiklie, and not able to undirke a journey of fyye score myles, to leive their families and childreren destitute, some of thame being heavilie diseased, ar now come to this toun overwearied with travell, as some of thame ar in danger to contract seiknes to the extreme danger of thair lyffes. And we persuading our selves that the toyle and disease they have indured in thair so long a journey bieth bein a greater punishment 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 presbiterie have satisfied for the scandal of the fact by making publict confessioun thairof," they crave their Lordships to mitigate the sentence and set them free, "suffering them to returne to thair familie and childreren." 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 Council ordains maisters to passe and charge Mr Gilbert Power and Mr James Bonar to compeir on Thursday, and to produce thair decreit and letters of horing to heere and sic the same suspendit, and in the meane tymo 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 compleare this 3rd of August before the Council; witnesses, Mr Mathew Weymes, Mr John Gibbons, and Mr John Edmonston, ministers. [On the margin] "3 Augusti, 1643. Suspenders be the husbands; chargers personalie. Continowis till Tuesday."
8. "4 August 1643.
Andro Dick in the Halton of Kinlosse, sworne, depons he saw the houses lybellit standing up at night, but they were done the morne; but knowis not how nor be whombe.
William Petre of the age of 50 yeeres, maried, depons conformis.
Andro Russall in Halton, of the age of 26 yeeres, sworne, depons conformis.
John Dick in Earnsyde, conformis."

9. Supplication by Archibald, Marques of Argyle, as follows:—"At 8th August 1643.
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 certaine quantities of victuals and others necesaries 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 Council gives warrant to William Thomesone to resserve and take tryell of the compts of what hees beene furnished be the supplicant; and declares that the same being cleared and computed shall be resserved in and be payed with the monies due to these furnished be contract; it being always allowed in the first end of the arrears due to his regiment, and the prynces 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, Can1r10s, I. P. D."

10. Note of execution by Patrick Andersone, messenger, on 14th August 1643.
merchant burgess 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 burgess of Edinburgh, and Thomas Wricht, tailor, burgess of the Cannogait.

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 Simson, 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 feillis 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 deputes to be banished from the lordship of Melros, he suspended the
said decree upon good reasons, specially "that the said beir was bought from John Mudge and James Thomson, seruitors to the said Michael and Alexander Fishers, of bounteith 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 criminal matter 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 principal actors to remaine uncensured and banish the compleiner": (3) "Hew Scot of Galloschevils, baillie of Melros, is second and thrids of kin with Thomas Linlithgow, chailemane of Melros, whose daughter Alexander Fisher, one of the persewers, his married; lykes 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 baillie, 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 occasion in the books 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 16th August, 1643, by John Hamilton, 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 compair as within directed; witnesses, Robert Blindlie, James Cairnecoss, siper of Hilslop, and Andrew Tinno, messenger in Melros. There is also the following docquet—"At Melrois, the xix day of August, 1643. Productum per Ioannem Hamilton, noticiet et admisere. W. Wallace. Before this witnesses, Robert Pringill of Blindlie, James Cairnecoss, siper of Hilslop, Andro Tinno, messenger."

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 Brotherstanes, 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
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 come 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 Fichtie, 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 Simson, cordiner in Leith Wynd, personally apprehended, and John Bowy, cordiner in Edinburgh, at his dwelling house to appear as witnesses in this cause; witnesses, the said Alexander Porteous and John Kynimont in Edinburgh; and (3) on 21st November, 1643, before noon, against Robert Clerkson, hammerman in Edinburgh, and William Hamilton, 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 Rassity, 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 Drysaill, John Watts elder and younger, John Dickie, John Dempstertoun, David, William and James Drysaill, Thomas and Christie Burns and James Ewart in Wester Tilliclurte, John Harla, Thomas Duffie, John Bowy, John, James and Alexander Harrower, Martin Patoun, Robert and Alexander Huchson in Easter Tillicklurte, and others, armed with swords, staves and other invasive weapons, "came all over the water of Dovan to the said ladie her coaleheuch of Shendall, toke the work loomes from her servant working there and discharged him under the pane of his hanging to worke anie more, and putt away two men of Gartwhinglyian who came for
coales. And that same night the said Charles, accompanied with Alexander and James Steill, Alexander Reid and Andro Alexander sett upon ane boy, being carrying 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 morn thereafter in the afternoone the said Charles, accompanied with the hailles persons foressaid and diverse others, came to the said coaleheuch and went doun to the coale pott with some of his servantes and tooke the coale picks and others instruments from them and putt them all away, and thereby intend 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.

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 Demperstone being here called James); as also on the same day at the market cross of Clackmannan; likewise against the following persons as witnesses,—John Drysdel in Manes of Duller, Thomas Drysdel there, and Alexander Leckie, all personally apprehended, also Symon Drysdel, James Furges, and James Cunasing at their dwelling places; witnesses, Alexander Reiddoch in Garfin, James Patton in Baupertie, Thomas Burn in Tulliecuttre and Alexander Harrower there.

15. Summons at the instance of Sir John Sinclair of Stevinsone 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 Auchonkhart, Adam Duff of Driminoir, Archibald Innes of Haltoun and Walter Innes of Balloomy 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.
16. "My very honorable good Lordis, Haveing receavt a letter from the Erle of Dorby the eleventh of this instant direct from the Ile of Man, I have thought good to send the same to your Lordshipes that ye may consider of the same. My answere to him was that it was for no private man to meddle thairein, and his lordshipes best course was to wryte to your Lordships of his Majesties Counsell, 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 micht be misinformed of me who shall never be wanting quhairin I can serve the countrie and your Lordships, and so I remaie your Lordships most humble servant. (Signed) Newark. Clarie, the 13th of November, 1643."

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

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

Ladie Rosayths witnesses—Johne Drysdail, suorne, depons he knowes the heuche of Sheirdail hes lyne ydle thir 6 or 7 yeeres unposset be anie, and the laste he knew anie to be wrought in wes about 7 yeeres, since be Duncane Drysdaill, to whom at that time Charles Alexander and his men made interruption, and that there wes no working thair; and depons that the ladie entered not to the heuche till a day or tua before the last ryt 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 down 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 coalyheuche except the said Charles himselfe alone except one man who went down and brought up the coilyer and that he heard Charles discharge the coilyers to work anie there, and knowes no farther.

"Thomas Drysdaill, 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 Drysdaill, suorne, conformis primis duobus testibus.

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

18. Bond of caution by John Greirsone 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 compaire before the Council at Edinburgh on 14th December next and answer to the charge of conniving at the escape of Homer Maxwell and Robert Maxwell, brother german of the said Alexander, out of a chamber within the burgh of Drumfrees whereto he was directed by the commissioners of the shire until he had found caution to compaire 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
Irving, merchant, Mr Cuthbert Cunynghame, burgh clerk of Drumfres,
and James Maxwell, his servant. (Signatures.)

Douglas of Kellheid, Sir Robert Greirson of Lag, James Dowglas of
Mowswald, John Crechtone of Crawfordston, Mr John Corsane, provost
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 excommu-
nicated rebellious papist, who was so designated to them by Mr
William Makjore, minister at Carlaverok, moderator of the presbytery
of Drumfres; and obliging himself as cautioner that his said brother will
compeare 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, JohnCorsane, eldest lawful son of the said Mr John Corsane,
and Mr Cuthbert Cunynghame, burgh clerk of Drumfres. (Signatures.)

20. Similar bond of caution by the said Alexander Maxwell of
Conhaith in 1000 merks for the compearsance of Jean Maxwell, spouse
to Johne Irving, merchant burgess of Drumfres, who is presently
incarcerated within the warehouse of the said burgh as “ane excom-
municate 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.)

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 Corbous, at his dwelling place of Corbous, and Christo-
pher Bannatyne in Overhall and Robert Tailsefeir there, at their
dwelling houses, to compeare 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 Corbous 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 Pumpfray and James Schirulaw, all personally apprehended;
witnesses, William Wilsone, burgess of Lanerk, ... Steill in
Heliagill and William Wilson in Kinkaidyow: (4) On 26th November,
1643, against William Dick in Culterschogill, personally apprehended,
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 of Lanark, against John Bannatyne of Corbous, Cristopher Bannatyne and Robert Tailzefer, principal parties, and Thomas . . .; witnesses, William Lithgow, burgess of Lanark, and Andrew Alisone there.

22. Supplication by James Wallace, merchant, as follows:—He entertains . . [torn] “De Vorseum, lait agent for the French king, in ludging and dyet during his abaid heir, who went away and suppliation by James Wallace, merchant, spent an unpayed to me four thousand fyve hundred merks, as appeares by his subecryvit 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.

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 Ortane and Walter Innes, portioner of Drumnakillich.


“Followeth the accompt of Johne Jouisie his receipts of the volontour lone made be the Lords of his Majesties Privie Counsell, the Commissioners of Peace and Comonue Burdings, as heierund is exprest, for relife of the Scottish armey in Ireland, anno 1643.

Marche 6.—Sir Thomas Hope, his Majesties Advocate, tuo thowsand four hundredth 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 Johnstowe of Warrestoune, tuo thowsand four hundredth pounds, . 2400 0 0
| 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 Argylle, tuelve thowsand pound, 12,000 | 0 0 |
| 10.—The Earle of Eglintoune, six thowsand pound, 6000 | 0 0 |
| 10.—The Lord Burghlie, thrie thowsand six hundreth pound, 3600 | 0 0 |
| 10.—The Laird of Wauchtoune, amongst them pound, 6000 | 0 0 |
| 10.—The Laird of Innes, six thowsand pound, 3600 | 0 0 |
| 10.—The Laird of Cammo | 6000 | 0 0 |
| 10.—The Lord Yeaster, thrie thowsand six hundreth pound, 6000 | 0 0 |
| 13.—The Earle of Lewen, six thowsand pound, 1200 | 0 0 |
| 17.—Sir David Home of Watherburne, tuelve hundreth pound, 1200 | 0 0 |
| 18.—Sir Charles Ersking of Camboskeneth, twelve hundreth pound, 2400 | 0 0 |
| 23.—Sir James Carmichall, Thesaurer deputt, tuo thowsand four hundreth pound, 1200 | 0 0 |
| 23.—Sir Gilbert Ramsay of Balmaine, tuelve hundreth pound, 2400 | 0 0 |
| 23.—Sir Johne Hamiltoune of Orbistoune, tuo thowsand four hundreth pound, 6000 | 0 0 |
| 31.—The Lord Chanclour, six thowsand pound, 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 Hamiltoune of Littill prestoune, twelve hundreth pound, 1200 | 0 0 |
| 28.—Sir Thomas Ruthwin of Frieland, twelve hundreth pound, 1200 | 0 0 |
| 28.—George Gardin, ballie of Bruntiland, six hundreth pound, 600 | 0 0 |
Followeth Johne Joussie his recept of the wollunter lone maide be the gentrie and utheris in the schirrfdome of Fyfe for reliffe of the Scottish armey in Ireland, anno 1643.

May 1.—Johne Inglish of Kirkchaldy, for himselfe and on thousand merks, £666 13 4

16.—Robert Ritchardsoun in Bruntiland, fyve hundreth merks, 333 6 8
16.—Patrick Angus thair, tuo hundreth merks, 133 6 8
16.—Thomas Gourlay thair, fyve hundreth merks, 333 6 8

June 3.—Johne, Lord Melvell, fyve thousand merks, 3333 6 8
6.—Androw Watesoun in Bruntiland, on thousand merks, 666 13 4
13.—James Melvell of Halhill, tuo thousand merks, 1333 6 8
13.—Robert Balfour, brother to Mitchell Balfour of Graindge, four hundreth pound, 400 0 0
29.—Johne Arnote of Woodmyyne, four hundreth merks, 266 13 4

Followeth Johne Joussie his recepts of sowmes receaved be him frome the neighbouris of Edinburgh for the wollountour lone made be them for the reliffe of the armey in Ireland, anno 1643.

Marche 29.—John Edgar, merchant in Edinburgh, six hundreth pound, £600 0 0
29.—Edward Littill in name of ane thousand merks 666 13 4
29.—Johne Meane, merchant thair, six hundreth pound, 600 0 0
29.—Mr Androw Ramsay, minister thair, one thousand merks, 666 13 4
29.—Archibald Syderse, ballie thair, one thousand merks, 666 13 4
30.—James Stewart thair, twelve hundreth pound, 1200 0 0
30.—Johne Denholme, on thousand pound, 1000 0 0
30.—Gilbert Atchesoune, merchant, fyve hundreth merks, 333 6 8
30.—James Wilson, merchant, four hundreth merks, 266 13 4
30.—Androw Crichtoune, merchant, tuo hundreth merks, 133 6 8
30.—Patrick Crichtoune, merchant, tuo hundreth merks, 133 6 8
Apprlyle 1.—Edward Edgar, bailie, fyve hundredth merks, £333 6 8
1.—Helin Gilkrist, relict of unquhill Alexander Wright, fyve hundredth merks, 333 6 8
5.—Marioune Wilkie, relict of unquhill Andrew Ainalie, one thousand merks, 666 13 4
5.—Johne Livingstoune, merchant, thrie hundredth merks, 200 0 0
5.—Robert Fleming, bailie, ane thousand pound, 1000 0 0
5.—The relict of unquhill Johne Fleming, merchant, on thousand merks, 666 13 4
5.—James Calquhous, merchant, thrie hundredth merks, 200 0 0
5.—James Wright, hatmaker, fyve hundredth merks, 333 6 8
6.—Thomas Young, merchant, thrie hundredth merks, 200 0 0
6.—Robert Lockhart, merchant, twelve hundredth pound, 1200 0 0
6.—The relict of wnmquhill Mr John Galloway, one thousand merks, 666 13 4
6.—Johne Bannatyne, wrytter, fyve hundredth merks, 333 6 8
6.—Alesoun Forman, relict of Gilbert Dick, on thousand merks, 666 13 4
6.—Patrick Nicoll, merchant, tuo hundredth merks, 133 6 8
6.—Margaret Sinklar, dochter to wnmquhill David Sinklar, Burley, on hundredth pound, 100 0 0
6.—Androw Law, merchant, tuo hundredth merks, 133 6 8
6.—Mr George Gillespie, minister, on thousand merks, 666 13 4
6.—Mr Robert Douglas, minister, on thousand merks, 666 13 4
6.—Mr William Bennit, minister, on thousand merks, 666 13 4
17.—Johne Ramiltoune, apothecary, eight hundredth pound, 800 0 0
19.—George Jollie, merchant, fyve hundredth merks, 333 6 8
20.—Doctor Johne MClour, on thousand merks, 666 13 4
1643.

CHiRLES I.

Miscellaneous Papers.

Appryle 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 hundreth 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 hundreth merks, 333 6 8

23.—Hew Hameltoune, merchant, fyve hundreth pound, 500 0 0

28.—Robert Meikljohn, skinner, thrie hundreth merks, 200 0 0

28.—Archibald Tood, deane of gild, on thouaad merks, 666 13 4

28.—Simeon Chambers, merchant, fyve hundreth 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 hundreth pound, 500 0 0

30.—Robert Limpetlaw, skinner, thrie hundreth merks, 200 0 0
Apprylle 30.—Johne Marjoribanks, merchant in Edin-
burgh, fyve hundredth merks, £333 6 8

30.—Alexander Lockart, merchant, fyve hun-
dreth merks, 333 6 8

30.—Alexander Bennie, merchant, thrie hun-
dreth merks, 200 0 0

30.—James Johnstoune, merchant, ane hun-
dreth merks, 66 13 4

30.—Robert Corser, merchant, tuo hundredth
merks, 133 6 8

30.—William Sandelands, baxter, on hundredth
pounds, 100 0 0

30.—Robert Finlaw, merchant, fyve hundredth
merks, 333 6 8

30.—Mr Robert Nicolsoune, comisary of Edin-
burgh, one thousand merks, 666 13 4

30.—Daved Wilkie, merchant, six hundredth
pound, 600 0 0

30.—William Castellaw, apothecary, fyve hun-
dreth merks, 333 6 8

May 15.—Nicoll Evang, fishmounger, one hundredth merks,

15.—Androw Bryssonne, merchant, fyve hundredth
merks, 333 6 8

15.—William Schaw, merchant, ane hundredth
pound, 100 0 0

15.—The relict of wmquhill Johne Mitchell,
baxter, tuo hundredth merks, 133 6 8

15.—Johne Bonner, merchant, four hundredth
merks, 266 13 4

15.—James Dalgleish, one thousand merks, 666 13 4

15.—Captaine Lovetenen Thomas Weir, tuo
hundreth merks, 133 6 8

15.—Lawrence Russell, thrie hundredth merks, 200 0 0

15.—Johne Liddell, merchant, four hundredth merks, 266 13 4

15.—George Stiverling, merchant, four hundredth
pound, 400 0 0

16.—Thomas Muddie, thesaurer, on thousands
pound, 1000 0 0

16.—Johne Smyth, merchant, in the Bow, four
hundreth merks, 266 13 4

16.—Jonet Nemo, relict of wmquhill James Edmis-
toune, tuo hundredth merks, 133 6 8

16.—William Mure, baxter, tuo hundredth merks, 133 6 8

16.—Johne Stevisoune, merchant, fyve hundredth
merks, 333 6 8

31.—William Mure, marchant, fyve hundredth merks, 333 6 8
<table>
<thead>
<tr>
<th>Number</th>
<th>Description</th>
<th>Amount</th>
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<tr>
<td>3.</td>
<td>Adame Scotte, marchant, four hundreth merks, £266 13 4</td>
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<td>7.</td>
<td>Adame Greine, marchant, thrie hundreth merks, 200 0 0</td>
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<td>7.</td>
<td>James Gardin, litster, fyve hundreth merks, 333 6 8</td>
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<td>7.</td>
<td>John Gardine, litster, fyve hundreth merks, 333 6 8</td>
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<td>12.</td>
<td>Doctour Alexander Ramsay, phesitoune, fyve hundreth merks, 333 6 8</td>
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<td>20.</td>
<td>Johne M'Neish, marchant, thrie hundreth merks, 200 0 0</td>
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<td>20.</td>
<td>Humfray Dowie, comisary clerk, four hundreth merks, 266 13 4</td>
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<td>21.</td>
<td>Hew Boyd, merchant, fyve hundreth merks, 333 6 8</td>
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<td>26.</td>
<td>Partick Hepburne, apothecary, on thousand merks, 666 13 4</td>
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<td>27.</td>
<td>Samvell Lochart, marchant, on thousand merks, 666 13 4</td>
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<td>27.</td>
<td>Mr John Inglish of Nether Crawmond, on thousand merks, 666 13 4</td>
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<td>27.</td>
<td>Mr Alexander Henrysoune, minister, on thousand merks, 666 13 4</td>
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Followeth Johne Joussie his recepts of the wolluntour lone maide be contributions from the sheriffdom of Lothian for relife of the Scotts armey in Ireland, anno 1643.

March 29.—Daved McCulloch of Gutters, ane thousand pound, 1000 0 0

29.—The Ladie Carnegie, one thousand merks, 666 13 4

29.—Mr Samvell Johnstoune of Scheina, eighteine hundreth merks, 1200 0 0

Apprylle 4.—The parosh of Saltrestoune, eight hundredth pounds, 800 0 0

24.—Johne Peirrie in name of, on thow- sand merks, 666 13 4

26.—Mr Archibald Beatowne, minister at Libertoune, fyve hundredth merks, 333 6 8

26.—Johne M'Dull in name of, four hundredth merks, 266 13 4

26.—Mr George Wynrame of Libertoune, eighteine hundredth merks, 1200 0 0

May 30.—Mr William Arthur, minister at Wastkirk, fyve hundredth merks, 333 6 8

30.—Mr Alexander Gisoune, minister at Leith, fyve hundredth merks, 333 6 8

June 1.—Mr Johne Chartres, minister at Currie, one thousand merks, 666 13 4

3.—Mr George Leslie, minister at the Abey, Hallirudhous, fyve hundredth merks, 333 6 8
June 3.—Mr James Fleming, minister at Bothames, fyve hundreth merks, . . . . . . . £333 6 8

3.—Mr James Charpe, minister at Leith, fyve hundreth merks, . . . . . . . 333 6 8

Followeth Johne Joussie his receipts of the voluntour lone maid be the gentrie and uthers in the schirrfdome of Linlithgow for relife of the Scotta armey in Ireland, anno 1643.

Apprylle 12.—Sir Robert Adair of Kilhilt, in name of Sir William Sandelands and Dame Elisabeth Coningham, tuo thousand merks, . . . . . . . £1333 6 8

Junij 2.—Mr Robert Melvill, minister at Simpermie, in name of his daughter, Margaret Melvill, on thousand merks, . . . . . . . 666 13 4

May 23.—Johne Gilon of Walhous, one thousand merks, 666 13 4

23.—Androw 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 Thomson, commissar depute, nyne thousand one hundreth and ellevne pounds towards payment of six thousand pound to James Hamilton of Boiges for meall, upon a letter of my Lord Marques of Argyllis, and to provid shoes and cloth for the armey be ordour of the Gennerall his Excellence; which 9111 ll. wes out of the mony apoynted for incident chairdges, . . . . . . . 9111 0 0

Followeth the accompt of Johne Joussie his disbursments be ordour of the Lords of Secreitt Counsell for the use of the Scottish armey in Ireland, anno 1643.

Marche 15.—Paid to James Hamilton of Boges and James Stewart, merchant in Edinburg, per precept and ther receipt will appeir, as the halfe pryce of sevin thousand bollis meall at sevinteeine merks the boll, is threttie nyne thousand six hundreth sixty six pound thretteine schillings four penneyis, . . £39,666 13 4
Miscellaneous Papers

1. Paid to James Boswall, merchant of Edinburgh, *per* precept and his receipt will appear, for the half of one thousand bollis meall at sevintene merks the boll is sevintene thousand pound, £17,000 0 0

12. Paid to Sir Robert Adair of Kilhilte, *per* precept from the Generall his Excelience upon the Lords of Secreitt Counsells reference maid to Kilhilte suplicatione anent his troup in Ireland, as *per* Sir Robert his receipt and assignatione to his pay dew to him be the Parliament of Ingland for the lyke sowme may appeir, tuo thousand four hundredth pound, 2400 0 0

10. May Paid to James Hamilton of Bogs in pairt of ane other thousand bollis meall, *per* precept and his receipt appeireth, six thousand pound, 6000 0 0

16. Paid to Hew Kennadie, balle of Ayre, *per* precept and his receipt appeireth, tuo hundredth pound sterling, 2400 0 0

15. Paid to Captaine John Montgumrie conforme to the Lords warrand and his discharge, on hundredth pound starleing, 1200 0 0

16. Paid to John Campbelle be the Counsells ordour and his discharge, fourscoir ten thousand pounds Scottes, 90,000 0 0

Jany. 6. Paid to William Dumbar, servitour to the Lord Waristoune, be the Lords warrand and his discharge, thrie hundredth pounds, 300 0 0

6. Paid to Captaine William Stewart conforme to the Lords warrand and his receipt, thrie hundredth lb, 300 0 0

20. Paid to John Broune be the Lords warrand in full of John Campbellis bills of exchange of thrie hundredth and nyne pounds starling, 3708 0 0

20. Paid to Hew McCartour be ordour of the Lords of Privie Counsell ane hundredth and four pounds starling for the pryce of 80 bollis oatts delyvered to the Lord Marques of Argylles 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 per precept and his discharge, on hundredth pound sterling, £1200 0 0

Junij 13.—Paid to James Hamilton of Bogs in full of one precept, nyne thousands 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 disbursements per accompt thereof appeirs, 72 4 4

13.—Peyed to David Wilkie, merchand in Edinburgh, for fouertie fouer dosens of cleth bought of him be ordour of the Generall his Excellence and delvered to the Commisser, John Campbell, which he received for the use of the army at threttie sax pound per peece is one thousand fyve hundredth fouer socir fouer pound, 1584 0 0

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 answer and desyry to his Majestie, and your advyce given in to the Parliament there for composing the differences betwix his Majestie and the Parliament, and as wee doe approve your dutiful offer of our humble service for removinge of those disstaction so is it our earnest desyre that yow continow in useing your best endeavours for settling a right understanding betwix his Majestie and the Parliament in suche a way as may best winnes our heich tender respect to his Majesties royall auctoritie and our true affection to the Parliament of England.

"Wee cannot lykeewayes bot acquaint your lordships with the hard and almost desperat estate of his Majesties good subjects and our countrymen 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 their reliefe.

"The disstactions in Ingland 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 denied to the dead, suche is the barbarous cruelty of these enemies, bloodie rebels. The rebells hes runne over all that countray, and these toues and forts for whiche yow are disputing with the Parliament to be places for retreat will in all appearance be in the rebells 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
necessary for our retreat. But if your lordships and the Parliament there shall lay any other ground then to find the hail kingdom of Ireland in a general revolt and all places possesse be the enemies and so nater saife landing nor victual to be expected there, your lordships will be deceived and therefore these are to requyre yow to be earnest sollicitors to your [sic] Majestie that some present course may be tane for their releiffe.” [Draft.]

26. “Whither or not it be expedient that the Council and Comissioners for the peace and burdens sall sit and vote joynltie in afferes concerning the publict and hail kingdom in general, and whiche falls within the compas and consideration of the severall commissions. [This paragraph is deleted.]

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

“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 afferes of this kingdom it be necessarie at this tyme that there be a Convention of the Estates, that the advyce and resolution of the kingdom may be knawin anent suche things as sall be represented to thame be the Council, Commissioners of Peace and Comon Burdens, according to thair severall commissions. (No voice, 2; Necessar, 18.)

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

“The quhilk day his Majesties Advocat declared as Kings Advocat he could not voice anent the calling a meeting of the Estates without his Majesties warrand thereto since he mainteines the indiction of a meeting of the Estates doth properlie belong to his Majesties prerogative, quhilk sould not be called in question.” [This paragraph deleted.]

“The quhilk day the Marques of Hamilton declared that as a counsellor he could not give voice joynltie 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 meeting of the Estates can be called without his Majesties special warrant for that effect.”

“The Kings Advocat declared as a Counsellor or his Majesties
Advocat he adhered to the declaration abovewritten." [Dated on the Miscellaneous Papers back, 1643.]

27. Supplication by Thomas Cuninghame, factor in Campeheer, as follows:—"I and others my compairternis (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 all [smektles] more as we wer able to uplift upone our credite in buying of these [commodities] so necessar and important for the defence of this our native kingdome [and] mienteinance of the reformed religione; and, because the best of [mee] actions 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 considerations, and, accordingly as I have done thairin, to grante me ane testimoniall and testificat with warrand by your Lordships act of Couseall for wryeitng and appending the great seal therunto as a testimony of your Lordships favor to me and a witnes of my faithfull service to my country.

"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 Lordishes desire heiranent in the instructiones to be given to the Lordes and others commissioneris 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 subservye a power to me to doe quhat is fitting att the staple porte of Campehere and in the saidis Low Countreyes for preservacione of the libertyes dew to the natione without prejudice or wronging his Majesties right in any sorte," [Votes] Recommended, 11; Non ligit, 3.

28. Supplication by James Crichtoun of Frendraught, Dame Elizabeth Gordone, his spouse, and James, Vicount of Frendraught, 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 Frendraught, as follows:—In August last, 1642, Walter M'Quaet of Crombie and James M'Quaet of Auldcraige, 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
29. Supplication by Katharine Blaikie, widow of Thomas Alexander, 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 feet gave me manie bauche, blae and bloodie straikes 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 rinsin out of the fever, came for my releefe, the said John strake him also to the effusion of his blood; and being challenged for the same be the said bailie be 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. Gibson, Durie.

30. “At Edinburgh, the secund of Februar, 1644.

Forsamekle as James Bosuall, merchant in Edinburgh, having by 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 Caricfergus for the use of the Scots armie there to Alexander Mure, receiver of the victual 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 quhillk meale thus transported the Counsell was bound to pay to him, his airs, executouris or assigneyes, seveteene merks Scots money, the one halfe thairof upon demand (quhillk we accordingly payet 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 annuallrent so long as the soume shoul be unpayed after the termes above sett down; and the Estats of the kingdom presentlie conveeneed, remembering that, in consideration and for payment of the great soumes of money awand for victualls and other necessaries furnished to that armie granted and loaned to be uplifted in this kingdom, and finding it just and reasonable that the said James Bosuall be speedlie payed of the other halfe of the price of the said meale so tymouslie transported be him, as said is, doe therefore give warrant and command to the generall collector of the loan and taxt and his deputys, to pay and
deliver to the said James Boswell, his airs, executouris and assigneys, the soume of seventeen thousand pounds, as being the just price of one thousand fuye hundredth bolls of meale at seventeen merks the boll, with ane quarters annuallent thairof fra Mertimes to Candlemes last extending to-three hundredth and fourtie pundys, and that they pay this out of the first and readiest of the loan not heirtore disposed upon by publict warrant, wheranent this presents shall be their warrant. And it is heirby declared that quhat proportioun thairof sall not be payed, as said is, the soume with the annuallent thairof sall remaine as a publict debt due to this kingdom to him and his foresaidis, who sall have payment thairof from the publict. Extractum, etc. Arch. Primrose, Cler.

31. "At Ormistounhall, May eight, jumvj fourtie and four yeieres.

The quhilk day in presence of me, notary publicit, underwritten compearit personallie John Layng in Murrays quho affirmit that Alexander Beles of that ilke had fied Adam Jacksone, 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 fuye houres or thairby, day, yeir and place abonewritin.

Ita est Williamus Wallace, notarius publicus, in premissis requisitus, testanibus his meis signo et subscriptione."

32. "At Westbyris, the nynt day of May, jumvjo fourtie and four yeieres.

The quhilk day, in presence of me, notar publicit, and witnesses underwritin, compeirit personally Johne Layng in the Murrays, quho after Adame Jacksone, coalhewer in Ormistounhall coalpit, had given over the said Johne Layng, the said Johne Layng declairit and affirmit that the said Adame Jacksone was his fied servant till Yule nextoome and that he ought not to remove from him till then. Upon the quhilkis premisses the said Johne Layng askit and tooke instruments in my hand. This was done betuixt tuo and three houres in the afternoon or thairby, day, yeir and place abowritten. James Ballantyne in Ormistounhall and James Johnstoun in Westbyris, witnesses heirto specially desyrit and requyrit.

Ita est Williamus Wallace, notarius publicus, in premisses requisitus, testanibus his meis signo et subscriptione."

33. "At Westbyris, the nynt day of May, jumvjo fourtie and four yeieres.

The quhilk day, in presence of me, notar publicit undersubcryvand, and witnesses underwritin, compeirit personallie Adame Jacksone, one of the tankmen of the coale of Ormistounhall for ane yeir, viz., fra mid-
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 John pretend na ignorance of the said Adame his laulfull over-giving and renunciation of the said coale, as said is, duely before the tyme of his removing, and in respect the said John had not fullfillit to the said Adame the conditiones agreeit betuixt them at midsummer last abonewrittin. Upon the quhillis all and sundry the premisses the said Adamasket and took instruments aoe or mae in my hands. Thir things were done in the place forsaid betuixt three and foure houres aftenoono or thairby, James Ballantyne in Ormistounhall and James Johnstoun in Westbyres witnesses heiro speciallie deyrrit and requyrrit.

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

34. "At Quarrell, the tuentie one day of May, jth vj and fourtie four yeiris, and of our Sovereine Lords regne the tuentie yeir.

The quhilk day in presence of me, notar publict undersubcyrvand and witnesses eternamet, compairit personallie James Makleroy, servitour to the Right Honble 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 half 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, laulfullie requyrrit James Spittell, takisman foresaid, conforme to the act of Parliament maid be King James the Sext of worthi memorie in the yeir of God jth vj and sex yeiris anent coallzearis and salters, to restoir and delyver bak to the said James Makleroy in his said maisteris 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 befoir thair running away and diverting thame selfis from thair maisteris service and quha and everie one of tham ran away and left thair said maisteris service within thir tueilf monethis without any sufficient testimoniall of thair said master and without any sufficient attestatione of ane reasonable caus of thair removing maid in presence of ane baillie or ane magistrat off the burght of Culros qhhair they last served and come fra, and wha hes bene receavit, fied, hyred and interteanit be the said James Spittell, takisman foresaid, continowallie sensyne, and that within the space of twenty four houirs 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 foresaid, answerit that naither the Laird of Quarrell nor he war obeist to delyver bak the said coallzearis, in respect
they had bene serving thair as coalzearis thir four or fyve yeiris bygane as he alleddit, and thairfoir refusit to derlyver thame bak. And immediatlie thairefter the samyn day the said James Makleroy past with me and the witnesses efter namet to the principal messuage or dwelling place of Quarrell quhair the said Robert Elphinstoun, his wyfe, bairnes and servands hes thair actuall dwellying and residence, and thair, efter sex several knockes maid be the said James Makleroy at the maist patent doore of the said dwelling place, he laufullie requeyrit the said Robert Elphinstoun at his dwelling place, becaus he could not get him presentlie apprehendid, to delveryer bak sgane to him the foirnamet thrie coalzearis within tuentie four hours, under the said paine of ane hundereth pundis to be incurririt be him for ilk persone sua challenged and requeyrit and not delveryer, as said is, being challenged within yeir and day, off the qhilk challenge and requisitione the said James affixt and left ane copie upone the maist patent doore of the said dwelling place. Upone the qhilkis 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 subercryand, ane or moir. Thir thingis war done within the said James Spittell his dwelling 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 lorde regne abonenwritte, in presence of John Colt, ourseman in Tullialane, and John Horne in Lethenes, witnesses callit and requeyrит to the premisses."

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

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 Kynescairden; and (3) on 8th June, in presence of Andrew Erskene, collier in Valayfield, and the last named witnesses.

35. Note of execution on 31st May, 1644, by Alexander Porteous, messenger, against George Dobson in Stanepeth, John Hunter, servitor to Robert Sprot¹ in Quitothingame, James Mure there, and Thomas Harvie, gardener, all personally apprehended to compair before the Council on ; witnesses, George Ogill, writer, and John Paterson, indweller in Edinburgh, and Thomas Schorwood, servitor to Mr John Skene, Clerk of the Bills.

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

¹ This name scored through.
against: Elizabeth Prestoun, widow of Sir Arthur Douglas of Quhilltinghame, 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. Primrose, 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.

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. Primrose, 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.

39. Summons at the instance of Edward Bruce of Carnock, against James Spittle, as narrated ante, p. 24; dated 14th June, 1644, and signed Arch. Primrose, 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 Spittle, James Caiglie, and William and John Waiche, all personally apprehended; witnesses, James Rollock in Kingkairn and John Gray there.

40. Sir,—Being informed that Materine Bellott, merchant in Rowan, having shipped, in the month of May last by past at Rowan in ane shipe of Dover in Ingland, ane quantitie of merchant guds belonging to Materine Bellott, William Tod, Scotishman, and certaine merchands in Edinburgh to be transported to Leith in Scotland, and the saids shipe, by reason of an leik and contrarie wind, went into Holy Iland, wher shoe is areisted and the merchandes guds 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 hoill merchandes guds therein to be transported therfra to Leith that they may be delivered to William Tod, Scotishman, and remanent merchands, owners of the saids guds, seing the saids guds ar in a free botome and bound to a free port, being willing and ready to keep 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 Hasilrig, Governour of Newcastell.

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 Spittle his dwelling hous in
Quarrell, quhair the said George Logane wes drinking and mad intima- tion of the said charge that I had gevin to him at his said dwellings in presence of the witnesses after namet and desyrit his presence quhilk I could not have"; witnesses, James Merchell, wright in Kyncairne, James Rollocke there, John Gray there.

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

43. "At Belesse, the fyftein day of Julie, jwv fourte and foure yeires, of our soveraine Lords reigne the twentie yeir.

The quhilk day in presence of me notar publicit and witnesses underwrittin compeirit personally John Layng in the Murrays, quhbo desyrirt and requirrit Alexander Belses of that Ilke to send back to him Adam Jackson, colhewer and servant to the said John, as he affirmit, and also requirrit the said Adame to returne back to his service to the said John, quhilk to doe the saisid Alexander and Adame baith refusit; upon the quhilk refusall the said John Layng askit and tooke instruments in my hands. This was done about eighte houres or thairby in the morning, day, yeir and place abowenwrittin, Robert Adamsone in Ormistounhall and William Hinsone, hynde to James Johnstoun in Westbyres.

Iu est Willielmus Wallace, notarius publicus in premisset 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 John.

44. At Hadistone, 8th July 1644.

Qhillk day anent the complaint given in beffoir the committe of warr of Hadistone be John Layng in Ormestone against Adam Jackson for desyrtynge his service at Wtsonday without the said John's licence, contrair to the act of the Conventione of Estaitis, and against Alexander Belsches of that Ilk for resetting of the said Adam and detennynge him contrair to the said act, the Committe hes fund the said Adam to be ane takisman and no hyred servant, and thairfor they will determine nothing thairin, but referres the determinatione thairof to the Lordis of Seisone or to the high court of Parliament to be determined be tham. Extractum. Mr J. Broune, clerk to the said Committe.
45. Summons at the instance of George Forbes, (sic 1. Johnstown) younger of Caskieben, narrating that in September, 1636, his father was imprisoned in the tolbooth of Edinburgh for not paying to Alexander Forbes of Auchintoull £1000 for a wrong done to him by Thomas Farquharson, one of his tenants, and another £1000 to the Crown for the same wrong, with £100 additional for disobeying the ordinance of the Council by going out of town before finding caution for the said Alexander’s indemnity. The complainant became cautions for his father, who was thereupon released; and the said Alexander afterwards raised letters of horning against the complainant as cautions 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 complainant to enter his person in ward, notwithstanding of the suspension for the same cause, yet undismissed, 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 compear 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 complainant. The summons is dated at Edinburgh, 5th August, 1644, and signed ARCH. PRIMEROSE, Cler. S. Cona. A note on the deed intimates that it was produced at Aberdene on 9th August, 1644, by George Johnstown abovewritten, and recorded in the Sheriff Court Books there. (Signed) M. J. CHALMER.

46. Supplication by Mary Cunningham, as follows:—“My Lordis of Counsell, Unto your Lordshipis humble meanes and schawes, we your Lordshipis servitoris, Marie Cunningham, relict of unquhill John by Erskine of Cheappelland, and Jonet Erskine, my dochter, that whair we have been keipit in miserable prison and captivitie in the tolbooth of Culrois be the baillies of the said burgh and have been most barbarously, cruelie and inhumaneil usit be thame be the advyce and instigation of James Kennowie, their clerke, first by taking and apprehending of us under cloud of night furth of our owne houes, qhilkly ysis not within their jurisdiction, without any warrand or lawfull authoritie, harling and drawing of us throw their streittes to prisone lyke notorius and declarit malefactoris, and when they hade putt us in prisone they causit their officeris and hangman tirre us mother naked, rype and search our bodies and secrrett memberis for witchmarkis, and, when they could find none upon us, they patt on sackloath gounes upon us and loakit our leggis in yron gaddis and wald suffer nether meatt nor drink to cum in to us bot by the handis of their jeavellour, wha intercepted the samyne be the way and first satisfied their owne aipetyde thairwith and send in the reversiones thairof to us, and so throw famyne and cold brought us to great miserie and seiknes, upon no lawfull ground nor warrand bot upon the
declaratione of tuo infamous personas wha, being apprehendit for witchcraft and haveing evill will againes us, said that we war also great witches as thamezelfis; and haveing purchest ane commissioun interdinq

in a manner to steal from us our lyves they held ane court and summond ane assysye, but when they saw that theair was ane advocat comparinq to speake for us eftir outering of some bitter and malitious speiches they dissolved the court and dissimt the assysye and refused to minister justice, and have made us so odius to the ignorant ocones, 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 frivolus reasones that can be allleadgit. And, finding ourselves redactit to this miserie, we meeanit ourselves to the Committee of Parliament, wha remitted the saymne to your Lordshipis, as being most proper and competent judges thairunto, and gave warrant to intimat the said remitt to the saidis baillies of Culros and to warne thame to compeir befoir your Lordshipis the twentie ane day of August instant, and dischargit the former commissioun in the meanye tyme. And we, haveing deayrit Maister David Williamson to intimatt the said warrant, he was most vyldlie abused and railed upon by Alexander Eyssatt, one of the saidis baillies, who wald not look upon the committies warrant, but called the said Mr David and his servand fals knawes, threatened and minassed thame and did provocatt ane number of weeman and people so that the said Mr David and his servand war forcit for fear of their lyffes to tak thame to thair horses and leave the toune. Lykeas in farder contemp and disobedience [of] the said warrant, 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 Lenoch being thair present, they ke[pt] him in prisse whill they forcit him to subscriye ane act under the paine of ane thowsand merkis to re[enter] me the said Jonet againe, whom they had not long befoir putt at libertie; and, last of all, the saidis baillies have intrudit thamezelfis in the possessioun of our landis and yairdis and have arrestit our haill meanes for jeavellour fies and other charges quhilk they have heaspd uppon us. Heirfoir we humblie besich your Lordshipis to discharge the commissioun, and thairftrir befoir any other commissioun be grantit [that] the groundis and reasones of the commissioun be sein and considdrerit be your Lordships, and in the meanetyme [to sett] us at libertie upon cautioun to reenter whenever any new commissioun salbe direct to uther judges [and to] caus lous the said arrestment malitiose 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 advocatess and freinds, as your Lordshipis thinkes meitt and expedient. And, last of all, the saidis baillies have delt most crauftilie with the said Marie Cunynghame by conceillling fra [her the] foirsaid warrant of Parlia-
ment, and as I, the said Jonet Erskine, is informed, hes purchesht ane consent in w[riteing] fra hir allowing there commissione, quhairyby it may evidente lie appeir that the saidis baillies doe [most . . . ] dele, by all meanes both direct and indirect seikto unto thamselfis to be judges of our lyves notwith[standing] they have schawwe thameselfis as pairtis."

47 Note of execution of the foregoing summons (No. 45) at the instance 6th, 12th 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 Carmichael 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 Sir George Johnstoun younger of Caskibene; and 2, on 12th August 1644, by James Pettindreiche, messenger, against Alexander Forbes of Achintowil 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 Robertone, the messenger's servitor.

48. "At Edinburgh the sixt day of August 1644. The Committee of Estate, having seen the complaint given in to the Parliament be Marie Cuninghame, relict of umquhill Johne Areskin, and Jonet Areskin, her daughter, that they have been detenned in prissoun be the baillies of Culros thir tuentie weekes bygane upon misinformaition that they ar guilty of witchcraft and other odious crimes, and when they convened the whole parish again to them and called ane asise for thair tryell they dismiss the asise and yitt would not putt the gentleweomen to libertie upon cautyon 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 cautyon in maner foresaid; and the committee, having seen 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 matter properlie belongs, therefore the committee remitts the same to the Counsell and discharges all farther proceeding upon the commissione granted againis the said Marie Cuninghame and her daughter till the 26th day of the said moneth of August instant, and ordains intimation to be made to the saids baillies of Culros to keepe the said tuentie ane day before the Counsell to heare thair desire granted or show a caus why. Extractum.

Arch. Primerose, Cls."

49. "At the place off Belscheis, the sevint day off August, the 7th August 1644. Notarial instrument attesting that the qubilk day in presence off me notar publict and witnesses underwrittin compeirit personallie Johnne Layng in Murrayis off John Leing in the Murrayes of Orniston.
Jacksone, collear thair, being both personallie present togidder in the said Alexander Belscheis hous, and thair the said Johnne Layg requyrit and desyrit the said Alexander Belscheis to delvery the said Adame Jacksone to him, being the said Johnne Layg his feit and hyrty servand tua yeiris since or thairby, and that within tuentie four houris after the said wairning; as also the said Johnne Layg requyrit and desyrit the said Adame Jacksone the samyn instant tyme to enter home to his said service within the said spasse off tuentie four houris after the said wairning; quhilkis persones abonenamit absolatlie refuuit to do the samyn, whairupoune the said John Layg, being personallie present, askit instrumentis aue or mae frome the said notar publict unter subseryveand. Thir presence [sic] was done within the said Alexander Belscheis of that Ilk his duelling hous, day, moneth and yeir of God abonewritten at thrie houris efternune or thairby, in presence off Androw Edmestoun, servitour to Mr William Cokburne off Stobis, George Jackis, ourman in Falsyd pott, William Howesone, servitour to James Johnestoune in Westbyris off Ormes Toune, and Michael Archebald, servitour to the Laird of Belscheis, witnesses speciallie callit and requyrit heitro.

Ita est Cuthbertus Gibson, notarius publicus in premisis requisitus, testa manu propria.

8th August 1644.
Supplication by Margaret Young, daughter of John Young, mariner in Queensferrie, as follows:—"I have beene keeped since the first of Aprile last and watched as some notorious malefactor in the totheith of the Queensferrie 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 unde me by long imprisission 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 Edinburg, the 8 of August, 1644. Ordains the minister and baillies 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 Caskieben, dated 5th August, 1644, which he did by open proclamation at the market cross of Aberdene, giving the wand of peace to William Cuthbertson, merchant burgess of Aberdene, who accepted the same in name of the said George; witnesses, William Soattoun, 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.

52. Apud Culros, tredecimo die mensis Augusti anno Domini 1644, milliesimo sextenimo quadragesimo quarto.

The quhilk day in presence of me, nottar publict and witnesses underwritene, personallie compeirit David Moir, servitour to Mr. David Williamson, advocatt, procurator for Marie Cuninghame, in the personal presence of 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 mention theairin—Quhairas the said Marie Cuninghame and Jonet Erakyn, hir dochter, was detained be thame in the tollbuth of the burgh of Culros for certane crymes of alledgit witchcraft, and that the Parlament being suplicat be the said Marie and Jonet, hir dochter, of their hard and extraordinairy deallling with them in prissone and thair instant tryell to be takyn of thair innocencie, as thair suplication to the Parlament at lenth bears; the said Parlament remittit the saymne to the said Committie of Estaittis, and the said committie directit the foisaid commissioun quhair they dischargit all farder proceedingis upoun ane commission direct from the Lordis of his Majesties Prive Counsell agines the said Marie Cuninghame for putting hir to ane tryell of ane assayse quhill the twintie sext day of the said moneth of August instant, quhilk the said Committie of Estaittis remittit to the saidis Lordis of his Majesties Prive Counsell, unto quhom the matter prosperlie belongis, quhilk commissioun being red to the saidis baillies, the said David Moir, procurator foirsaid, maid dew and lawfull intertemation thenrof and canst reid the samyn to the effect they might not pretend ignorance thairof, and protestit, give they obeyitt nor fullfillit the premisses of the said commission, that they sould be answerabill to the said Committie of Estaittis and all flowing thairpoun. Quhairpoun and upoun all and sindrie the premisses the said David Moir, procurator foirsaid, askit instrumentis, ane or ma, of me nottar publict, day, yeir and place foirsaid, befoir thir witnesses, David, sone lawfull to the said Thomas, and Eduard Ezatt, burges of Culros, witnesses to the intemation maid to the said Thomas and Johnne Hunter, maltmane, burges of Culros, and George Clark, servitour to the Laird of Carnok, and Robert Ayktine, servitour to me, Robert Forrest, nottar under subcrying, witnesses to the intemation maid to the said Archibald Mercer and Alexander Ezatt, testibus ad permissa rogatis et requesitis.

Ita est Robertus Forrest, notarius publicus, ad permissa rogatus et requesitus, teste manu propria. (Signed) R. Forrest.

53. Holyruidhouse, 14th August, 1644.

Master William Oliphant, I am ordaned be the Lordis of his Majestye Right Honourable Prive Counsell to attend ther Lordships the morrow in the forenoon concerning a ryot persewed against the Ladye Whitting-hame, younger. But, because my urgent effaire dothe call my returne,
Note of execution at the instance of Sir John Auchmowtie of Gosford against Dame Elizabeth Preston and others.

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

60. Note of execution by James Grahame, messeuger, on 20th August, 1644, of a summons at the instance of Sir John Auchmowtie, sheriff principal of Haddington, 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 Hadinton; 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.

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. Primrose, Cler. S. Cons. A note of the finding is upon the summons.

62. Note of execution on 20th August, 1644, by James Sandelandis, messeuger, against Alexander Belse, at his dwelling house of Belse, 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 1
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, suppllicant.

Interrogatories to be addressed against Margaret Cunningham:

Item, that your Lordshipis would interrogat the witnesses anent the crueltie usit aganes the said Margret be tormenting of hir in prisone as followis:—
To wit, the said Margret hes beene keipt in prisone thir sestaine imprisoned on
oulkis, off the qubik space sco was compellit to stand on hir feit upon
ane stand only without removeall to any place, haiissing ane goun of
sackcloth upoun hir naiked bodie the hail space of twentie sex dayes
togidder without anie leve to sit or ly doun, and that sco was ordanit
to be holdin walking all that space and men dailie and nictlie attending
upoun hir for that effect, quhaibaird sco, wanting sleip and rest, did
sindrie tymes stumbil and fell down to the ground, quhair sco did braik
hir face and heid to the affuising of hir blood sindrie tymes, quhairby
sco was 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 sco 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 because the same wes not of greit force he
did straik hir with ane rung, and that at the last night when sco did
stand with the goun of sackcloth.

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

64. Summons at the instance of Margaret Young, prisoner in the
tolbooth of Queinsferrie, narrating that she has been detained a prisoner
since 1st April by the minister and bailies of Queinsferrie upon misin-
formation that she is a witch, but who is refused a lawful trial and
very miserably treated "against law and conscience"; and charging the
said minister and bailies to compair before the Council on 21st August
Queensferry, to see her put to liberty upon caution as required; dated at
Edinburgh, 20th August, 1644, and signed Arch. Primerose, Cler. S.
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
Queensferrie, personally apprehended, for himself and on behalf of
Thomas Wilson, 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 Thoms-
soun there.

65. Dilatations maie be the witches efter specifieit aganis Margaret
Young, lawfull dochter to John Young, mariner in Queens-
ferrie, quhaie mother, mother sister and sister wer all certain witches
brunt for witchcraft, and being dilaited is now apprehen-
dit and detenit in ward for the odious and abominable
crime of witchcraft, quhaireshe is guiltie, collectit and
extractit furth of the saides witches thair severall confes-
sions, processes and dittayis be me John Mylne, clerk of
the said brucht and als clerk to the saidis processes of the
saidis confesing witches, as followis, viz.:

Umquhill Elpat Cant, being brunt for witchcraft, confess upon the
sexst 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, confess
the said Margaret Young is als great a witche as the said umquhill
Isobell, hir sister, wes quha wes laitlie brunt.

Umquhill Marione Little, being laitlie brunt for witchcraft, confess
saying to Mr Ephraim Melvill, minister of God's word at Queensferrie,
and Samuell Wilson, one of the bailies of the said brucht, 'Quhy do ye
watche me rather then Margaret Young;' and ane uther apprehendit
witche quhais mother sister, mother and sister wer all brunt for witch-
craft, and ane hirself quha hes beene bred and brought up ane witche
and is assureidlie ane witche and the said Marione did deiplie swear the
premisses to be of verite.

In witnesses of the quhilkis premisses I, the said John Myne, have
subscripyit thir presentis with my hand, day yeir and place abone-
wrettin.

Jo. Myne.

Mairover, umquhill Cristiane Melvill, parochiner of Abercorne, being
laitlie brunt thair, confess that umquhill Helene Hill wha wes laitlie
brunt at our brucht of Queensferrie, being mother to the abone specificit
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,
devell met with them at ane place calleit 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 wree trew as the confessionis of the said
umquhill Cristiane herewith to produce and subscripyit be famous
witnesses can testifie.

68. 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 soch as
tutrix nominat is offerit presentlie to be provin be production of the
nominatoun; and quhil this question be decydit be the judges ordinair,
the Lordis of Sessioun, the pairties must continew in the case and
possessioun they ar in presentlie. [On the back are the following jottings]—"The Councell [sic] the shireff mayst launfullie seal the doores be vertew of his commission. And therefore susteans the summons 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 Achnimowtie to William Oliphant."

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

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-office of tutor to Archibald Douglas of Whittinghame. Adam Scrivener, p.; Thomas Hewie, gardener, whae ar hear present to prove the ryt."

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

If Alexander Inglis alledge absoluitour from the second pairt of the Information for Patrick complaint upon his decreit of bluid unlawis and upon his poynding be Martin in vertew of the said pretendit decreit. Campsie contra

To answer that the said pretendit decreit and poynding thairrupoun Alexander Inglis, sheriff-deput of Perth cannot be respected because the said pretendit decreit of blood unlawis is null for the reasons following:

First, because the said persewer wes sumond at his dwelling hous (beinge absent for the tyme), upon ane Sabbath day at night, to comparce upon Monday thaireftir and wes decernet before twelwe hours qubilk was sacrcele sixtene hours bethuix the citatiioun and the decerning, quhairas be the act of Parliament of King James the 5, par. 6, caput 72, all citatiiounes ar ordanit to be upon fyftene dayes in all actiounes and causes before shireffis and temporall judges and to direct their preceptis in that maner thairrupoun, and the said pretendit decreit, not being upon 15 hours, quhair 15 dayes is ordainetCode be the said act of Parliament the said pretendit decreit is ipso jure null.

If it be alledged that it is contrair to custome,—To answer that the lawis rewulis the lediges 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 hours wairning and not within, but shireffis hes not, at the leist sould not have discussed him, becaus the said act of Parliament preseccryvis fyftene dayes to shireffis per expressum; (3) If shireffis sall have power to hold courtis not onlie within fyftene dayes bot within twentie foure hours, then all nobillmen and barones
salbe prejudgit of their priviledge and right of holding courtis and un-
lawing for blood, because the shireff sall hold court within quhbat space
he pleises without controlment (if this practique have place) and the
noblemen and barrones salbe to the keping of the space of twentie
four houres at leist, and so shireffis sal evir prevein them if this cita-
tioun be sustenit quhairwith the persewan is alledgit to be sustenit.

Secondlie, the said act of court is null ipso jure, because 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 their not compeirance
(albeit their citationoun had bein lauful as it wes not) wes to have
unlawed them for their not compeirance.

Thirdlie, the said blood unlawd could not bein decerned against
the saidis defendaires as contumacios for their not compeirance, except
they had bein laufullie wairnet upon fyftene dayes, as said is.

Forthlie, the said pretendit act is null because it is given upon
ane Munday, quhilk is not ane lauful 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 because 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 befoir any poynding could have
bein given.

Last, the Lordis of Counsaill wald be pleased to considder the malice
of the defender in this maitter and haill proceedings thairof that he,
being this long tyme and as yit the cheif deput of the shiref dome 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 partie and be all indirect means stryves under the cullor of
justice (quhilk of all injuries and wronges is the greatest) to force and
compell the defender to quyt his heritage, quhilk lyes in nighbourhead
and in pair in rinnig with the defendaires landis.

c. 21st August
1644.

70. Answers by 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.

The complaint conteains tuo particularis as alledgit upoun the last of
May be Alexander Inglis, and the uther in Junij last be the said
Alexander and M' Gilbert Stewart, shiref deputys and thair complices.

As to the first poynit alledgit committit be Alexander Inglis foundit
upoun the contravention of the actis maid against the beiring and
wearing of habits and pistols, quhilk the complaint beirs the said
Alexander did contravein upoun the said last of May and with ane
drawn sword did invaid Patrik Mairtein, it is answerit, as said is, that
that poyn is a roty or a breith of the peace, their being no
convocatioun lybellit, and as for the wrong lybellit it is clerlie 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 but that the compleiner tuik the vapons
from him, so that all the wrong lybellit is that Alexander Inglis
intendit to taik the compleiners lyfe, quhill, as it is not ane ryote, so it
is clerlie 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 laufull probatioun,
quhill is instantlie produceit for verifieing of this defence. And as
for the poyn of beiring of pistolis, the same can be na wroigne now in
thir trubilsome tymes quhen the leegis ar commanded, under all heighest
pain to airme themselves and put themselves in a postour of war in
the tymes of this combustioun and commoun truble of the keingdome; in
respect quhairof and that their wes na convocatioun 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 sucht not onlie to be assoilizeit, but the
said Patrik punisht for the wrong committit and for trubling of the
Lords of Privie Counsell and this defender thairenant.

As for the next particular alldecit committit be Mr Gilbert Stewart
and the said Alexander Inglis, shiref deputyes, and thir complices in
Junij last in taiking away the guid lybellit be way of convocatioun
from the said Patrik, it is answerit that the defenders sucht to be
assoilizeit, because they offer to prove and instantlie instructis that thay
laufulie poynoun the guid lybellit be vertew of ane decreit pronunceit
be the shiref of Pearth upoun the thrid of Junij last, and did convocat
the leiges laufulie conforme to the lawes of the keingdome for executioun
of the said sentance as the decreit, precept and executiounis of poynoun
produceit be the defenderis for verifieing heirof beiris, and sau qhat
the defenderis did in Junij last, haveing done the same autore pretore
be vertew of ane laulfu sentance be poynoun conforme to the lawes
of the keingdome, the same can be no ryote, but thay sucht to be
assoilizeit thairfrae; lykeas the said poynoun and decreit wald be
sufficient to assoilize the defenderis befoir ane civill judge meikle more
of the law in justice must the same assoilze the defenderis from ane
rayote befoir the Counsell; and the defenderis adheris to the decreit,
precept and executiounis of poynoun produceit standing valeid and
unreduceit till the same be taiken away via ordinaria befoir the Lords
of Sessioun efter laufull citatioun of all pairties haveand intres quhill
ar not heir summound; and if the persewars intends reducioun befoir
the Lords of Sessioun the defenderis sall answer and sustein the decreit
to be laufull and valeid, but hoc loco thay adhear to the forsaid defence,
decret, precept and executious produceit, quhilk is sufficient to eile the complaint. Upoun the production quhairof and of thir defences the defenderis taiks instrumentis.

29th August 1644.

71. At the maner place of Whitinghame, the tuentie nynt day of August, iumq4 fourthie four yeiris, and of our soverane Lords reigne the tuentie yeir.

The quhilk day in presence of ane nottar publict and witnesses underwritten compeirit personallie Dame Elisabeth Prestoune, Laidie Whitinghame, within the said maner place of Whitinghame, and thair for obedience of ane decret and warrand grantit be the Lordis of his Majesties Privie Counsell to the shireffe principall of the constibullarie of Hadingtoune and his deputis to pass to the said maner place of Whitinghame and tak inventor of the haill guids and geire thairintill and ane inventor of the chartour keyst, and also ordaining the said Dame Elisabeth Prestoune to remove from the said maner place and house of Whitinghame, and to delyver the haill keyis of the haill roums, trunks and cheiste thairin to the said shireffe of Hadingtoune and his deput, the said Dame Elisabeth was withe the said shireffe his deput and clerk throw out the heall roumes and chalmers of the said house of Whitinghame and gaw up the just and trew inventor to the said shireffe his deput and clerk of all the guidis and geir that was within the said place, and opened the studio dore quhair the chartour kist [is] quhair the said shireffe and his deput fand the said chartor kist seilled be hir umquhill husband seall and stamped thairwith su that the said Dame Elisabeth had never beine in the said studie since the sealling and stamping of the dore thairof, quilk they fand seallit and stamped; as said is. And, eftir all, the said Dame Elisabeth, in obedience of the said decret, conforme thairto, delyverit the heall keyes of all the roums, trunks and kists of the said house of Whitinghame and being within the samyne to the said shireffe his deputt and cleirik, and ther instantlie removit hir selfe and heall famillie furthe and fra the said place and house of Whitinghame. Upon the quhilk all and sundrie the premeissis the said Dame Elisabeth Prestoune askit and tuik instruments and declarit that she had obeyit and fulfilled the said Lords decret and ordinance in all points. Thir things wer done befoer William Awchinleck and Hew Sinclair, servitour to Sir Johne Aychmoutie of Guisfurde, knytt; witnesses requyrit and desyrit heirto, day, yeir and place forsaid.

Ita est Magister Joannes Alexander, notarius publicus in premisiss requisitius, testantibus manu mea signoque.

11th September 1644.

Supplcation by Archibald Douglas, son of Sir Arthur Douglas of Qhittinghame, Sir Archibald Douglas of Keilour, his tutor, and his grandmother, on the mother’s side, narrating that on 22nd August last they obtained decreet against Margaret Prestoun, spouse to
the said deceased Sir Arthur, decerning her and her accomplis, surprisers of the house of Quhittinghame, to remove therefrom and give the keys to the Sheriff of Hadintosh. She has not obeyed the decree, 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 LAUERDAILL, 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 Hamilton, 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 Johnston in Catchapill, Richard Jarden in Overhouses, Thomas Jarden in Wandel-dyke, James Galloway in Hartsyde, William Baillie of Hardington, Archibald Lyndesay in Robertoun, and John Mairshell in Hartsyde, as witnesses, to compear 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, towret 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 horses to have ane eye to the foords, and to send intelligence to the comittie heis upon all occassions and to have the schyre alwayes ready in a posture of defence in respect that the Irische rebellis ar thought to returne that way.

"Item, to towret ane order to the Laird of Swintoun, shireff of Berwick, for going to Berwick and to receave the prisoners thair and to bringinge to Edinburgh as he will be answerable to the Estates upon his disobedience.

"Item, to towret 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 breisit-workes and redoubts, and to bringe 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 towret ane letter.

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

1 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 publiett.

“Halfe a moneths meanes to Lieutenant Colonel Lumsden.

“Precept for moneys to Rootmaster Campbell for carryng his pistolls to Glasgow.

“Orders to Clarkmannan to putt out the like number of hors as in the first expeditione under Rootmaster Stenhous and Palmer?”

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29th September 1644.

Election by the Presbyter of Lanark of Mr. William Somervell, elder, and Mr. Alexander Livingston as their commissionar to the Counsell anent the case of Mr. Andrew McGie, whom the kirk of Wandel and Lamington has refused to accept as their minister.

75. At Lanerick, the 26th of September, 1644.

The quilk day the presbiterie, efter long patience, seriouslie resenting the great indignitie they suffered into the kirk off Wandel and Lamington, by repelleing in a violent and tumultuous manner, even upon the Lordis day, Mr. Andro McGie, wha was sent their with Mr. Georg Bennet, commissioner from the presbiterie, to preach their in an orderlie and peacable manner, quilk indignitie, if it be not condignlie punished, cannot but inferr great prejudice to the presbiterie of Lanerick, in particular and to ecclesiasticall authority in generall; hes thairfoir eleckt Mr. William Somervell, elder, and Mr. Alexander Livistoun, their lawfull commissionaris, with full power and expresse command to them, to attend the meeting of the honorable Lordis of Counsell upon Wednesday nixt, the 2nd of October, for calling of the summonis raised thairanent; representing the particularis of the foirsaid indignitie, that the honorable Lordis may be pleased to take such order theirewith as the nature of a fact of such dangerous consequence all be found to require. Extract out of the bookis of presbiterie. (Signed) Wm Somervell, clerk.

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

Notes of execution of summons at the instance of Mr. John Vetche and the presbytery of Lanark: (1) On 26th September, 1644, against Dame Grissell Hamilton, Lady Lamington, at her dwelling place of Lamington ("being assurit that schoo was within"), also Sir William Baillie of Lamington, personally apprehended; witnesses, James Galloway, officer of Wandel, and Robert Porteous in Bour of Wandel: (2) on 28th September, 1644, against John Forrest, miller at Lamington, Bessie Carmichell, his spouse, and Janet Forrest, their daughter; John Schanklawe, barony officer there; William McCleland, 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 Watzeone, spouse to Edward Galloway, there; Margaret Patterson, spouse to Robert Currie, there; William Neilson in Byres there; Adam Baillie in Easterton of Lamington; Marion Baillie, his spouse; Patrick Baillie there; John McWat in Kaggill; Bessie McWat, spouse to William McWat, there; Janet Weir, spouse to William.
Miscellaneous Papers.

1644. CHARLES I.

77. Note of execution on 27th and 28th September by John Hutson, messenger, of the same summons, against Mr. George Bennet, minister at Quodquan, John Jardine in Robertoun, William Inglis there, Robert Johnstone in Calchappell, Richard Jardine in Overhouses of Wandell, Thomas Jardine in Wandelldyk, and James Galloway in Hartseyd, all at their dwelling places in the town of Lamington, Byres thereof, Baitlawes, Kaegill and Hardingtone; 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.

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 was apprehended by order from the Tutor of Calder and minister there and putt and kept in the vestrie of the kirk of Calder and cruelly 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 2nd October; witnesses, John Jardine in Hollhouse of Wandell and Martin Smith in Hillhouse thereof.

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 times.”
tymes and that he saw her fute brokin, and that the men that kept her saw her fall; and that to his knowledge she stood there about 20
dayes.

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

"Alexander Gowans, sworn, depon he walked the supplicant one night and that she had no more on her but ane sakkoloth, and that they kept her awaking.

"Gawin Vernor depon he walked the supplicant one night, et in oeteris conformis precedentis; and that several tymes she desired to sleep and satt doun, bot they raised her up agane.

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

"James Scaedelands, baillie, depon he walked her tuo nights and that she wes in haircloth. Depon he knowis not how long she wes kept that way bot he believes it wes above 14 dayes.

"Richard Wallas depon 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 sakkoloth about 20 dayes."

2nd October 1644.
Summons directed to James Grahame and John Hutson, messengers, in terms of decrret of this date at the instance of Mr John Veitch, minister at . . . , present moderator of the presbytery of Lanerk, and Mr John Weir, minister at Carlowk, against Dame Grissell Hamiltoun, Lady Lamington, Janet . . . lie in . . . Katharine M-Watt in . . . William McClellan, John Forrest, . . . Shankilla, 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 Lamington, 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 Morisoun, 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 fylve hundredth merks. LAUNDERDAILL, I.P.D." Also a scroll of the finding.
81. Supplication by the provost and bailies of Air as narrated ante, 2nd October 1644. 2nd October 1644.  
Supplication repairing and keeping up also the bridge of Dun. LAUDERDAILL, I.P.D. by the provost 21 November, 1644. The Counsell grants this desyre simplicie without the addition of the bridge of Dun. LAUDERDAILL, I.P.D." Also a scroll of the finding.

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

83. Summons directed to John Hutsone, messenger, at the instance of Dame Grissell Hamilton 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 Johnetoun, messenger, of a 9th, 17th, 18th and 19th October 1644.  
Note of executions 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 compair before the Council on 23rd October; witnesses, Allan Tennant in Calder, Robert Baine there, and John Hamilton, servitor to the messenger; and (2) on 17th, 18th and 19th October, against Harie Elphinstoun of Calderhall, George Elphinstoun of Selmon, Mr Alexander Kennowie, indweller in Lynlythgow, Alexander Gowans in Nether Howdane, James Aikmane in Cockrig, James Sandi- lands of Murhousdykes, bailie of Calder, Richard Wallas in Gwishy, John Wallas in Cleuchid, Gawin Vernor in Dodrig, and James Dowglas of Badges, all personally apprehended, as witnesses, to compair as above; witnesses, Mr George Hakket, servant to the said Harry Elphinstoun, Harry Pittkaire, cousin to the said Harry Elphinstoun; David Lyon and Thomas Clerksen, tenants to the said George Elphinstoun; Arthur Phalupe and Gilbert Jeameson in Lynlythgow; Thomas Smyth in
Clowinfurdeyke, John Aikman in Dresselrig, Hew Walker in EasterMiscellaneouspapers.

85. Note of executions by John Hutson, messenger, of summons at the instance of Dame Grissell Hamilton, Lady Lamington and others. (1) On 11th October, 1644, against Mr... Weir, minister at Carlouk, Mr John Home, minister at Lesmahago, Mr Alexander Livingstone, minister at Carnichell, and Mr William Mortoun, minister at Wistoun, brethren of the presbytery of Lanark, 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 Sornkilla; (2) on 14th October, against Mr Robert Birnie, minister of Lanark, personally apprehended; witnesses, James Broun, son of Bernard Broun; maltman in Wistoun, and James Disbrane, servitor to William Disbrane there; (3) on 15th October, against Mr John Vetch, minister at Roberton, 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 Carstaires, Mr James Dowglas, minister at Carnwath, Mr William Somerville, minister at Pettinane, and Mr John Wilson, minister at Craufford, all personally apprehended; witnesses, James Forrest, notary and messenger in Lanark, Andrew Alison, commissary officer there, and Patrick Schankilawe, burgesses thereof.

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 compair 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.

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,
1644; witnesses, Mr James Anderson, servitor to Sir Patrick, and Andrew Garioch, servitor to Sir Thomas Stuart of Garnnutilloch.

(Signatures.)

88. Extract of the decree of the Lords of Council in the action by Dame Grissell Hamilton, Lady Lamington, against the presbytery of Lanark, as narrated ante, p. 31, signed by ARCH. PRIMEROSE.

Cler. S. Cons.

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 decree and letters of horning with answers to the reasons of the suspension. The Lords ante omnia ordans the persons against whom the decree was gevin to enter their persons in warde within the tolbuith of Edinburgh conforme to the decree; and continuonis 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 pretentit reasons of the Laird of Lamyngtounis suspensióni.

Thogh it be trew that quhen we haft 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 expectation and may appeir very . . . to the autoritie of the most honourable Counsell table, that suspensiónes sould be purchased in pre . . . ordinances thairof and that aftir we haft done our dilligence in complaining to the sover[sign] . . . and hes verifieit our complaintis by famous witnesses for repressing of gros ryotis and . . . we sould be divertit from our callingis againe and againe by suspensions and new summo[nds] . . . no small greif to us, that the long lybell of many gros imputationes allegit against us qhich . . . last day in the hearing of the honorabill Lordis sould not haft bein immediatlie answered for fear of . . . impressioun against us, for it seems our pairties hes learned the old Matchiavelian maxime an . . . cälumniari semper alicquid adhæredit, but 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 litte con[sequence] or altogether unworthy of their paines to hear and sie the ministeris of the gospell cleered of . . . suspensions as mycht tend to the discrredit of thair calling and prejudice of Godis work in thair ha[nds] . . . under the paines 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 quhairef we doe humble . . . a few instanceis of many qhich are multiplied and confusedlie repeated ad nauseam usque . . . long lybell.

First, quharias it is alledgit that the Laird of Lamyngtounes absence from the Counsell was not contumacious bot necessitat becaus he was
apoyntit by ordinance of the kirk: that same day to att[end] the provincialis assembly at Airle, we deny that their ever was any such ordinance. For cler . . . the act of reference of the Generall Assembly heirwith producit ordaines the provincialis if the . . . could not amicablie agre before that tyme, to plant the kirk of Wandel and Lamyngtoun with . . . qualifieit 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 Assemblie for . . . more easie and advysed procedour acquit not to haif been troubleit with the sollistatouenes . . . 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 continuation of the insolencie now compla[ined] upon, viz.:—the malicious and unreasonable opposeing of M' Andrew M'Gie; for that was the . . . poynit quhich the Laird pressit at the Assemblie, that he mycht be excludit. Moreover thogh . . . Laird behoved to schew himsylf at that assemblie, ytt the assemblie sitting doun upon Tuesday 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 deysyres to the assemblie upon Tuesday and . . . to haif keapit the Counsell dyett at Edinburg upon Weddingsday. Further, we say it was the [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 . . . prosequeiting 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 contrary the commissioner foresaid was sent to requyre the presbyterie of Biggar according to the order of the kirk [to] cite the delinquents to come and receave their censure from the presbytrie of Lanerk aga[inst] quhois auctoritie this insolencie was committed, without prejudice of our resolutiou 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 transmittit, we humblie desyre that it be considered whither it wer m[ore] reasonable for us to com- plaine 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 yesterdai they receaved condigne censure in the face of the Assemblie.

Thridlie, quhairas it is allegit that our moderator of the pres- bytrie of Lanerk hes declared that [he] gave no warrand for rayssing 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 judicall choying of our commissioner for prosequeiting of these sumondis and that he could doe nothing in privat in prejudice
thairof. Lykewise he hes sicquie judiciallie declared that his wordes quhair-
upon the Laird took advantage did esca[pe] him through his igno-
rance of legall formalitie, quhich declaratioun is heairwith to be produced.

Fourthlie, quhairas it is alledged that the Lady Lamyngton 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
admissionn, bot simple to be heard preach by that people, that it mycht
etirwardis 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 infor-
mation, and the most violent opposeris of the entrie of a minister quhich
we have hard of hes ever been content to hear, and thairrefor pretend
some reasones of non-satisfactioun, this cannot bot appeer ane intoler-
able and insolent contempt of all order and autoritie of our kirk to
interrupt the naked hearing of ane approvyn preacher sent from a
presbytrie. And farther, thogh thair had been any occasion 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 quhence Godis worde is ordinarlie uttered, and thence pro-
claime blasphemous calumies and reproaches. This was the doctrine
of that Assemblie. Bot it is found of late and added in the eskit
reasones that men wer sent quho did offer in a violent maner to lift up
Mr Andrew McGie and sett him in over the pulpit. It may appear that
thair is great scarioestie of defenceis quhen, with untrethewes, impossibili-
sies 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,
beofir ever he proponed his commission. Thair is no probabilitie that the
latitude of the pulpett could receave a fourth, bot the treuth is that
the commissioner sent from the presbytrie with the young man will
testifie that my Lord of Angus 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 desyrous 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 receaved peremptour direction to
behave thameselfis orderlie quhatoisover sould occurr, so that if thair
was so much as the least meaning of violence or tumultuos dealing on
their part, we sall be content to acknowledge all that is lybellit against
us to be trew.

Fyftlie, quhairas it is alledged that the said Mr Andrew McGie
went to that kirk to preach without a calling or warrand from the presbytrie, we cannot but admire such impudence in abusing the ears of so honorable a judicatorie, since it is of undeniable verifie that the said Mr Androw was commandit thither not only by ane act of presby- trie for his warrand, but also Mr 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.

Sextliew, quhairas the presbytrie of Lanerk is most groosie traduced to the honourabill Lords of Counsell as unjust, partiall and injurious oppressoures, first for refusing to receave a presentatioun from the Laird of Lamynqtoun, we answer that the act of our presbytrie, heir- with produced, will testifie the contrare. For the treuth is that we did receave a presentatioun from the Laird, first, with Mr John Curries name, quho being ane actuall minister of the presbytrie, was found for divers weightie reasones to be intransporetable; then the Laird in face of presbytrie cancelling Mr John Curries name causit put in Mr Alexander Bartrumis name, a young man quho did never to this hour appeare to accept and offer himself to tryallis, so that this presenta- tioun becam voyd of itself, rather 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 pait to judge of contraverted rychtis, yit generall equitie taucht us that the parochine consisting of two independing baronies, since all burdenis concerning the kirk ar commoun to both, that both lykwaysis sould have interest in the priviledges. Next, we found in our old presbytrie registeris that the last incumbent was cloathed 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 pait, that our proceedingis mycht be clear with the satisfaccion of bath paitries, we keepit many divers meetingis at Edinburgh by our commissioneris with the paitries and laweris quhair both their evidentis war seen and considerit, and in end we receaved ane information in wreit subscrybit by Sir Thomas Nicolsone, Sir Lues Stewart and Mr Thomas Nicolsone, that my Lord of Angus was standing infeft in the baronie of Wandell and patronage thairof, 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 aigne to Edin- burgh to requyre the advyse of the commisionoun of the Generall Assembleie qubat wer expedient for us to doe in such a case, quho did advyse us to proceed and plant the kirk with Mr Androw McGie, without relation to ayther of the patrones till the questioun sould be legallie decyded, quhich advyse we have heer to produce. Lykas we
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 assuirance to the Laird of Lamyngtoun in the strictest maner that could be deviseys that this plantatioun sould nawayis prejudge his rycht, bot that the young man sould be bund to tak his presentatioun from the rychtws awner quhen it sould be decyded. Nixt, quhairas it is allegit that we war so peremptour and uncourtws that we wald not delay etfir the last incumbents 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 mens to bring the mater to ane faire and amicabill 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, thoghe for respect to the Laird we made no use of it, quhich priviledge of the Kirk it seemis the Lairdis adovacat hes forgotten quhen he alledgis that maxime of law to militat against us spatium sec mensium expectari debet et si tune non fuerit definita controversia proderi debet de ecclesia.

Sevintlie, quhairas it is allegit that the lady appealed from our presbytrie, and we could doe nothing stante appellations, we answer that we have givin satisfactioun to all the pretendit reasons of that appellation befor our ordinair judges, both provinciall and Generall Assemblie, quho hes fully approvin the proceedings of our presbytrie, thoghe for peacis cause they recommend ane amicabill compossing of the questioun betwixt the patrones, quhich we have ever laboured for by all meinis possible for us.

Lastly, quhairas it is allegit that the lyball quhairupon the decreit was procured was intentit only by my Lord of Angus, the treuth is, immediatlie after the committing of thatinsolencie, 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 judicailie embraced the very day befor, so that the [kirk is] desolat and the peoples soules famishes through his willfulnes. We began to conce[ave that im]punitie had produced further insolencie and securiti quehich mycht justifie 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,
utherways all presbytries may expect this to prove such a preparative, Miscellaneous Papers. that they have . . . lie proceedingis in planting of desolat kirkis.

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 aspersiounes alledged against [us]; but as for a legall answer to all the pretendit reasones of that illegall suspension, we returne . . . but the inviolable authorisie of your Lordships sentence alreadie pronounced, humblie supplicating . . . that sentence your Lordships wald be pleasit to tak to your consideration 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 satisfactioun, for our Maister his sake not to suffer it to pass un[censured].

90. Eikit reason.

Farder, if any injurie has beene committit, it is by the presbytrie of Lannerick or the said M' Andrew M'Kie and . . . Lamington, becaus, Lamington hauing showin to the presbytrie his right of patronage of the kirk of Lam[ington] with his predessoriori presentatioun to the last incumbunt, the presbytrie did not only manifest wrong to refuse, but that wrong is the greater that they did admit to truyll the said M' Andrew M'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, presbytries at thair pleasur may mak voyd patrones rychtis of presentatioun [by] affirmatioun of a pairtie pretending rycht and hauing power and credit with the presbytrie, and albeit the Lo[rd Angus] could have shewine any pretendit right to the presentatioun, as he could not, yitt when any contentioun arysae . . . tantes by all law, spatum sex mensium expectari debet pro dijinienda controversia inter disceptantes patronatus et si tunc non fuerit definita providere tunc debebit de pastore. But sua it is that immediatlie efit the deceis of the said last incumbunt, and at the desyre of the Lord Angus did pro . . . ordour for the said M' Andrew M'Gie his truyll and admissioun to the said kirk, and wold not doe [see much] as delay the samen for the space of fyftene dayis untiill Lamington should be advertised being [abroad] in the publict service, and presentl[ie appoyntit the said M' Androw 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 efit the ladie had appealed to the provinciall assemblie . . . being the seventhe of Marche befoir the tym of his coming to preache at the kirk, whois preaching thair [shoe] in name of hir husband, might lauchfullie oppose, hauing sum'd thair so farr againes all rule and ordour et . . . and to mainteine hir husbands right of patronage in his absens, whom it cheife concerns
defenders...oppressionibus; and ther can be no greater oppressioune 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 Lamington tou has his chieff...and the most part thairof 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 Lamintounes hes long agoe raiseit summondis the presbyrie [against] and all uther parties pretending intres. Eftir raiseing off which summondis the presbityrie most wrong[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 Lamington the kirk of Wandell and Lamington, quhairas it haid nevir any uther name nor the kirk of Lamintoune conforme to Lamintounes ancient infeft[ment], and, if thair be any kirk or benifice callit Wandell, it is within the baronie thairof and callit Cald chappell. Sua it is manifest how partiallie and injuriouslie the presbityrie hes behaved themselfis againes Lamintoune and...quhairupon he has given in a complaint to the Lordis of Secret Counsell against the said presbityre. And as to the act of Parliament quhairupon...is foundit, it can in no sence be interpret againes the Ladie Lamintoune, who what shoed was not for invasion [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 Lamintoune, and so wronged both patrone [and] paroshine and who offerd to do the same in a violent maner in suae far that these persons who...said Mr Androw McGie, and wer sent with him by the Lord Angus, did offer in a violent maner...said Mr Androw McGie, and sett him in ovr the pulpit to preache after the Ladie and her tenantis...all sober and quyat maner only to forebear the samen, quhilk persons nevitheresthes in absens of the...wer ressavit witnesses againes them in the said cause, being manifest parties.

23rd Octobris, 1644.

Sederunt:—Lauderdale, preses; Craufurd; Kingorne; Lanerick;
Balmerinoche; [Treasurer] Deput; Waughtoun; Sir John
Smith.

Quhilkis being called and the saidis suspenderis compeirand personallie and the [said] Mr Johnne Weir and Mr Alexander Livingstoun compeir and in name of the brethern of the presbytrie of Lanerik, who did not produce the decreit abonewritin nor the letters of horning, in regard quhairof the Lordis of Secret Counsell suspend the saidis decreit and letters, hail effect and executioun thairof, upon the suspenderis [ay and]
quhill the same be produced and the suspenders lawfullie warned [for] production of the same.

91. Summons directed to John Hutson, messenger, at the instance of the moderator and brethren of the presbytery of Lanerk, narrating that on the 2nd October instant they obtained a decreet from the Lords of Council for charging the Lady Lamington, Janet Baillie, Katharine McWatt, William Mc 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.

92. Summons at the instance of Dame Elizabeth Prestoun, Lady Quhittinghame, narrating that John Cranstoun of Skaitibus 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.

93. M' George Bennet depon upon the tent of Marche, he being directed be the presbeterie to preach in the kirk lybellit, and haveing gone thair and M' Andro McGie being with him and following in throw the kirk, the said M' Andro was stayed, and after sermon the deponer acquainted the people that M’ Andro was to preach in the afternoon, and the deponer, haveing gone out of the pulpit after he had ended sermon, immediatlie thairafter three weemen went up to the pulpit in plaidis, quhaerof the Ladie Laminton was 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' Andro having desired to have access to preach conforme to the presbiteries orders, they refused him.

John Jerdane, sworn, depon conformis, and that John Shankilaw was not in his awne seat, bot wes neir the pulpit, and held his sword in his hande.

William Inglis depon conformis, and that the twa weomans names were Janet Baillie and Katherine McWat.
Robert Jonston, sworne, depon he saw the Ladie Lamynston and two woemen goo up to the pulpit and that one of the woemen wes called M'Wat, bot remembers not the words lyballit.

Richard Jerdan depon conforme to the first witness, and that the two woemen that were in the pulpit with the Ladie were Janet Bailie and Kate M'Wat.

Thomas Jerdane, sworne, depon as the last witness.

James Galloway, sworne, depon conforme except he hard not the ladie say these words, “I am heire, who darre putt me out.” Depon the hail men conteaned in the lybel were in a tumultuous way gathered in the quier and were not in their awin seats.

John Marshall, sworne, depon conforme to the other witnesses.

Archibald Lindsay, sworne, depon [conforme] to James Galloway.

Finds the lybell proven against the ladie and the two woemen that they went up to the pulpit and stopped Mr Andro M'Kie to preach 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, but you shall not barke heir this day,” and would not suffer him to preach. 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 their persons in ward and the husbands to exhibit their wyffis within 6 daies.

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 1644.

The quhilk day in presence of me, notar publict, and witnesses underwritin compeirit personalie 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 personal presence of the rycht honourabil Sir Johne Auchinmouttie of Gosfurde, knyght, shiriff principal of the constabularie of Haddingtoun, and presentit and delyverit to him the hail keyis, great and small, being fyve in number of and belonging to the maner place and hous of Quhittinghame, and of all the roumes, trunkes and kistes being thairin, and of the barnis, byres and dowcattes about the said place, quhairof the same Dame Elizabeth Prestoun had possessioun, and thairby removet hirself thairfra; and that for obedienc of the ordinance of the Lordis of his Majesties Secrett Counsell, 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 specifieit. Quhilkis fyve keyis respective above mentionat, the said Sir John Auchinmouttie acceptit and reasavet fra the said Adame Hepburne as procuratour and in name and behalfe of the said Dame Elizabeth Prestoun, Lady Quhittinghame; quhairupon and the hail premisis the said Adame Hepburne, as procuratour and in name

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and behalf foirsaid, tuki and askit instrumentitis one or maie in the Miscellaneus Papers. This was done day, year and place respective foirsaides, about tuefthour of the day, in presence of Robert Myllar and William Auchinleck, servitorius to the said Sir John Auchinmoutie, worthies asket and requeryt to the premisis.

Ita est Ioannes Martine, notarius publicus in premisis requisitus, testantibus manu signogho propio.

1st November 1644.

95. Court of Justiciarie haldin at the place of Finlastoun within the shireffdome of R[enfrew] be one nobill Erill, William, Erill of Glencайте, his Hienes Justeice in that [pairt] . . . constitute be our soverane Lord his Hienes commission, gevin under his Majestie signet . . . dait at Edinburghe, the 2nd of September last, and be Allander Porterfield of that Ilk, his . . . justice deput in that pairt, lawfullie constitute upone the first day of November j"v'. fourtie four yeiris. Court affixed. Suitis callit.

Patrek Corruith, dampest; Patreik Ramsay, officer.

Robert Turner in Blackholme found guilty by the judiciarry court held at Finlastoun within the sheriffdome of Renfrew of stealing sheep belonging to the Earl of Montrose.

The qhillik day, foresamekill as Robert Turnour in Blakholme being taikin and apprehendit of befoir be the said nobill Erill. [torn] . . . cryme of thift allegdit committed be him quhairupone commission was gevin be our soverane lord, makand and constituant the said . . . and his deputis qhoum heould mak conjunctlie and severallie justeices in that pairt, gevand and committand to them full power, auctoritie [and] commission, justice courties to set, hald and continew, etc., and in the same courties the said Robert Turnour, as alldeget steiller [of] kyre to ky, be dittay to accuse and him to the knowledge of ane assyse to put and, as heould be fund culpable or inn[ocent] of the said thift, to caus justice be ministrat upon him, as in the said commission of the dait foirsaid judicallie 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 thatirto and gettand ane coupie of the dittay, and compeirand in faice of court to undirlie the law and presented upone pennaill, was indyttit and accusset for the thiftious stelling of sax kyre furthe of the park of Mugdok in the moneth [of] September last, qhahairof tua belongit to James Stirling, chambirland to the Erill of Montrois within the barronie of Mugdock; and four belongit to Mr John Stirling, minister at Badernok, brother to the said James; qhillik kyre thaireftir was sau[ld be] the said Robert Turnour to John Barrie and Robert Broun, fleshoures in Hamiltoun, and in taikin thairof the samyn sax kyre being challengit be the said James Stirling in the handis of the saidis fleshoures thy war restoiret bak to the said James Stirling for himself and in name of the said Master John, his brother, as the samyn dittay givin in against him be Master John Connyinghame in Kilmacolme as procurator fiscall or
advocatt deput lawfullie constitute be the said nobill lord his Hienes justicie in [hat] pairt for his Majesties entrees beires. Lykas the said M'r John Conynghame, procurator fiscall foirsaid, persewar, deysrit that the said dittay be put to the knowledge of ane assyse lawfullie summounddit to that effect. The said Robert Turnour pennallit heiring the [said] dittay red, and he accusset thairupone answerrit and declarit that in all tyme bygaine it is weill knowin to the said justice and [his de]put and to the hailcuntrie quhair he dwalt that he leiffet honestlie without blaine or spot of thift in ony sort, bot . . . and knowin that the Erill of Montrois maist unnatourallie hes invaidit this kynodme of Scotland, his native countrie 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 would be good service to the publict to tak up the said Erill of Montrois gudis quhair- ever the samyn could be fund and to be answerribill only to the Estaites of this kynodme thairfor, and not knowin bot all the gudis in the Park of Mugdok pertenit to his lordship, it being his lordships proper park, he grantes and confesses he went to the said park in the eavning [after] daylight was past and tuik with him sax kye furthe thairof, 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 thairftir he heiring that the said kye was challengit be the said James Stirling to belong to him [and to the] said M'r John, his brother, and that they upon the said challenge gat redelyverie bak of the saidis gudis fra the saidis fleschoures, [he] furthewith and immediatlie thairafter deleyverit 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 knowledge of ane assyse thairfor for the resounes and caussaes above writtin, in respect he was ever heiritfoir knowin to be ane honest man not reypit nor suspect guiltie of thift, bot quhat he did thairin to the said M'r John 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 samekill . . . reiff and oppresioun thairin. The said M'r John Conynghame, persewar, procuratour fiscall foirsaid, answerrit and repliyet that the samyn [aught] to pass to the knowledge of ane assyse as thift, notwithstanding of the allegedance and defence propounet be the pennall [because] he had no commissioun nor warrand fra the Estaitis to tak up the said Erill of Montrois gudis, nather tuik the guidis to the Estaites, bot [privilie stoll and tuik them away and sauld them for his awne gaine; and thairfor, notwithstanding it is notour that restituoun [was maid to] all the parties interest, yit he aught to pass to the
knowledge of ane assyse and thairrupone deseyret interlocutor. The [justice] and his deput forsaid, after advysement, ordainit the said dittay and shiff their contentit to be put to the knowledge of the assyse [forsaid] lawfullie summondit to that effect; thay ar to say, Robert Blair in Corruithe, Patrick Houstoun in Miltoun, Gabriell Lynd [say of] Syd, Johne Haltrig, elder in Paismure, Johne Morisoun in Knappes, Robert Holme in Rowntriehill, Johne Forrester in Ach . . ., Allexander Kells in Wrayes, James Park in Auchindares, Mathow Toft in Haltrig, Johne Laird in Dennestoun, Patrick Layng [in] Achinbothie, Patrick Layng in Bulross, Johne Or in Syd and John Baxter in Craiglunchioche; quhilk assyse being callit and . . . and being admitted be the pennall and judiciallie sworne in his presence past furthe of faice of court saip't be themsellfhis . . . their chooset and electit the said Gabriel Lindsay, ane of their number, to be chancellar of the said assyse, and thairrefit the said [assys] heiring the said dittay red and advysand thairwith and with the allegances 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 steilleing and aw[say] taking of the said sax kye furthe of the said park of Mugdock, for the quhilk he was indytted, as said is, in respect he had no commission [fra] the Estaittes ather to intromet with the said Erill of Montrois guidis nor ony of his servandis or tennentis guidia, notwithstanding restitutioun [was] maid to the pairties and persons damnifit. And thairafter the said assyse returneand in faice of court, the said Gabriel Lyndsay of [ . . . ] for himself and in name of the rest of the persones of assyse above namet reported their said deleyverance and declairit the s[said assyse] all in ane voyce had fyllit the said Robert Turnour of the said cryme of thifty above writtin. Quhairupone the said procuratour fiscall askit act [and] . . . the said Robert Turnour, heiring the declairatioun of the said assyse, maist humblie requestit and supplicat the said justeice and his deput to contin[ow] pronuciatioun of sentence against him till thay advyseth with the Lordis of his Majesties Privie Counsell, and had thair resoluition thairin. Quhairupone the said justeice and his deput, advysing with the said process, continues pronuciatioun of sentence against the said Rob[ert] for the said cryme quhill the fyftein day of November instant, till they may have tymel till advyse the sanyn; and presentlie causset warne the said Robert apud acta to compeir the said day in this pleice in the hour of cause to hear sentence pronounced, and in the meintyme 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 subscribeion manuell. (Signed) D. Watsoun.

7th November 1644.

[On the back.]
The Counsell, haweing considered the processe of conviction within
written, ordains the justices to pronounce doome and sentence of banishment, and that he never returne into the kingdome under the paine of death, and that he be taken acted for that effect. And ordains the pryece of the ky to be restored to the ownder if it be not alreddye restored. (Signed) LAUNDERDAILL, I.P.D.

96. Note of executions by John Hutsone, messenger, of a summons at the instance of the presbytery of Lanerk, (1) On 1st November, 1644, against John Forrest, David Carmychell, William Tennent, Patrick Baillie, Bessie Carmichell, Katharine M¢Wat, Janet Baillie and Janet Forrest, all personally apprehended, and against Dame Grisell Hamiltoun, Lady Lamington, and Sir William Baillie of Lamington, knight, her husband, and John Schankila, James Tennent and William M¢Clelland, at their respective dwelling places in Lamington, to compear before the Councill on 7th November next; witnesses, John Friesell, servitor to Richard Baillie in Mains of Wistoun, James Hutsone, son of the messenger, John Jardine in Holhouse of Wandell, and Alexander Marchell, son to John Marchell in Harteyd; 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 suspension and letters of relaxation at the instance of Dame Elizabeth Prestoun, (1) On 4th November, 1644, at the market cross of the burgh of Hadington, where he relaxed the said Dame Elizabeth Prestoun from the horn to which she had been put at the instance of Sir John Auchtouittie, the wand of peace being delivered in her name to Adam Hepburne in Bairfurd; witnesses, Alexander Porteous, messenger in Edinburgh, and Robert Smyth and Robert Dawsoun, merchants, burgesses of Hadington; and (2) on 3rd November 1644, against Sir John Auchtouittie, personally apprehended, to compear as in the summons; witnesses, Alexander Auchtouittie, his brother, Alexander Auchtouittie, his son, and Patrick Sandlands, his servitor.

98. "Charles, be the grace of God, King of Great Britane, France and Ireland, defender of the faith, to all and sundrie our lieges and subjects whom it afferrs, to whoso knowledge thir our letters sall come, greting: Forsamekle as Marion Shenan, spous to John Jameson in Drochdooil, Jonnet M¢Kennan, spous to Alexander Lourie in Ball, murrie, Africk Elam, spous to John M¢Lung in Knockibae, Marion Russell in Glenluce and Isobell Bingham in the parish of Stranrawer, or delate guiltie of the crime of witchcraft, as the depositions showing to the Lords of our Privie Counsell beiria, therefore we have made and constittnt and be thir presents makes and constitutes James M¢Dowgall of Garthland, Andro Agnew, younger of Lochnaw, M¢Dowgall of Logan, Commission appointing James M¢Donald of Garthland, and others to try Marian Shenan, spous to John Jameson in Drochdooil, and others on the charge of witchcraft.
James Ro[se] of Barneill, M'Culloch of Ardwell and Patrik Agnew of Sewchan, or anie three of them, our justices in that part to the effect underwritten, givand, grantand and commitand to them our full power, auctoritie and commissioun, expresse bidding and charge, courtes of justiciarie at quhatsomever places lawful and convenient to sett, affixe, hold and continue, sutes to make be called, absents to amerciat, unlawes, amerciaments and escheits of the saids courts to aske, lift and raise, and for the same, if neid beis, to poynnd 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 culpable or innocent of the said crime of witchcraft, to caus justice be ministrat upon them conforme to the lawes of our realme, assyses neidfull for this effect, ilk person under the pane of fourtie pundis to summond, warne, choose and caus be sworn, clerkes, sergants, despisters 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 execution of this our commissioun 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 sixtday of November, 1644. (Signed) Argyll; Craufurd and Lindeay; Cassillis; Lothian; Dalhousie; Balmerino; Burghly; M. Gibsone, Durie; A. (?) Douglas."

6th November 1644.

59. Summons at the instance of Agnes Fynnie, prisoner in the tolbooth of Edinburgh, narrating that, on the malicious informations made by Harry Morisesoun at the Potterraw port she is guilty of witchcraft, 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 an imputatione." Charge is therefore given to the provost and bailies of Edinburgh and the said Harry Morisesoun to comppear 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 margiu 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 perswe the complainer before the Justice."

9th November 1644.

100. Supplication by A[lexander] Inglis of Craig Mc[keran], dean of guild of Perth, as follows:—He recently petitioned their Lordships for a suspension of a decreet 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 Alexander Miller, his advocate, to comppear. [On the back] "At Edinburgh
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the 9 of November, 1644. *Fiat ut petitur, Elphingstoun." There is payment of a sum of money due to him.

also a copy with note of execution of the summons by John Hart, younger, messenger, against these two persons.

101. Note of executions by James Grahame, messenger, of a summons at the instance of Agnes Fynnie, (1) on 9th November, 1644, against Andrew Symesone, George Walker, Robert Achesone 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 Haret, younger, and George Neill, messenger in Edinburgh; and (2) on 11th November, 1644, against Sir John Smyth, provost of Edinburgh, personally apprprehended; witnesses, the said Robert Achesone and Andrew Symesone, bailies of Edinburgh, and James Cleghorne, town officer there.

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.

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.


"The Council appoynts thair nixt meeting to be on Thursday Next meeting come eight dayes and everie Thursday thairafter till the meeting of Parliament. The Council gives warrant for coyneing fyftene hundreth stane 1500 stone weight of copper conforme to last act of Counsell made in Februar, copper to be 1642, and that the Master of Cunzie house find caution that no more sall be cunzied than the quantite abovewritten, and it is heiby declared that this act and finding of caution sall be without prejudice of anie right the General of the Cunziehous sall claime to the keeping of a key of the printing hou, as accordes of the law, and that this warrant be extendit for six moneths after the date heirof. (Signed) LAUERDAILL, I.P.D."

105. "At Edinburgh, the 12 day of November, 1644. Forsameikle as in the moneth of Februar, 1642, the Lords of his Majestie Privie Counsel, for preventing the prejudice susteanned by the lieges by the coining of
huge quantitie of base copper coyne farre within the intrinsick value of the copper coyyned and brought within the kingdom, and for releeof the poore and exchange of small commoditieis, did ordaine fyfteene hundreth stone weight of copper to be coyynned in maner following, which being now of a long time agoe all coyyned and the said copper coyne become skarse, to the losse of the poore and prejudice of exchange in small commoditieis and pennyworths, therefore the Lords of the Privie Counsell, for remeie heirof, after mature advice and deliberation, hes found it necessarie and expedient, concluded and ordained that with all convenient diligence other fyfteene hundreth stone weight of copper unmixed with anie other metal to be wrought and prepared for the printing, and to be printed be swyer 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 remeie 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 circumscriptioun CAR. D.G. SCOT. ANG. FRA. ET HIB. R., and on the other side the thrissell with tuo leaves and this circumscriptioun NEMO ME IMPUNE LACESSET, and ordains the saids peeces to have course among his Majesteis subjects for tua pennies, with this provision and condition, 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 cunzear, wardane, counterwarden and sinker to prepare themselves and to proseeid with all convenient diligence to the melting, forging, cutting and printing the saids twa pennie peeces to the effect the saids haill fyfteene hundrethe stone weight may be in readiness for the use of the lieges betuix and six months after the date heirof as they will answer to the Counsell upon the dutie of their offices. And the saids Lords discharges the course of anie other copper coyne of quhatsuemever stampe or weight heirtofore current, and ordains letters to be direct to make publicition heirof 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 foresaid and in no waies to refuse the same under quhatsuemever cullor or pretext under all highest pane, and that they give nor receave no other copper coynes quhatsuemever under the same pane; and ordains the maister of the coynehoues to find cautioune that no more sall be coyyned but the quantitie abowenwrittin. And it is heirby declared that this act and finding of cautioune sall be without prejudice of anie right the generall of the coynehoues sall clam to the keeping of a key of the printing hous as accordes of the law. (Signed) Arch. Primrose, Clr. S. Cons."
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[On the back] “1 Marche, 1648. The Councell ordains this warrant to be renewed for coyning ane thousand stoneweight of copper. (Signed) ARGYLL, I.P.D.

106. Another copy of the foregoing act for the copper coinage.

107. Supplication by Archibald Walker, Alexander Gudale and William Lawson, sailors in Leith, now prisoners with the merciless Turks, as narrated ante, p. 36. [On the back] “Edinburgh, 12 November, 1644. Fiat ut petitur. LAUDEDAILL I.P.D. Also a scroll of part of the finding and state of the vote, being 8 for and 2 against.

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.

109. Supplication by Archibald Douglas of Quhittinghame, as narrated ante, p. 36. On the back there is a scroll of the finding.

110. “At Lanark, the 14 of November, 1644. The quhill day Mr John Weir reports that, having attended the Councall according to the ordinance of the presbytery for prosecuting the complaint of the presbytery against the Ladie Lamfighontoune, that the suspension was discussed in favour of the presbytery, and that the most honorable Lords of Councell, amongst other articles of their decreit, has ordained the Laird of Lamfighontoue to pay the sowme of ane thousand merks Scotsmoney to the presbytery to be implanted by thame for sick pious uses as they shall think expedient; and, therefore, the presbytery ordains Mr 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 abowewritten and deliver the presbyters discharge thereupon, giving power also to him, if anie thing further shall be required for secureing and satisfying the partie, to doe whatsoever is incumbent to the presbytery, being countable the nixt day for his diligence. Written and subscribed be me, Mr John Paterson, clerk to the presbytery. (Signed) Mr J. Paterson, clerk.

“1, Mr John Hume, be vertewe of the commissione abowewritten, grants me to have receaved from Archibald Primrose, clerk to the most honorable Lords of Councill, the soume of a thounsand merkes consigned in his hands be Sir William Baillie of Lamintoone according to the decreet of the most honorable Lords of Councill, and discharges him thereof be their presents, writtin and subscryvit with my hand at Edinburgh, the echten of November, 1644 yeares. Mr J. Hume, minister at Lesmahagoe.”
111. Note of execution by William Cathrow, messenger, on 16th November, 1644, against Patrick Mairtine in Camisie, at his dwelling place there, to come before the Council at Edinburgh on 21st inst.; witnesses, John Duncane, servitor to the said Patrick Mairtine, and James Dowie and Andrew Mersoll, servitors to the said Alexander Inglis.

112. Note of execution by Patrick Dennystoun, messenger, on 18th November, 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 come before the Council on 21st inst.; witnesses, Martin Ker in Calleren, John Calquhowne, servitor to the said James Sandielands, and Alexander Calquhowne, servitor to the said Tutor.

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 come 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.

114. "At Linlithgow, the twenty-eighth day of November, 1644. The quhilk day the breithrein of the presbytery of Linyvethg being convey nit, report was maid to thame be M' Hew Kennedie, minister of Calder, and the Tutor of Torpichen, ruling elder thair, that Margaret Thomcsoun, being delaite for ane witch be three or four confessing witches and tua several chairmeing provine agains hir, was incarcerated and is detained in prison, and that the Lordes of the Secret Counsall he causit chaireg thame to sie hir sett at libertie, and thairfoir humblie cravit the breithreins advys quhat to doe thairintill. The breithrein thinks it most expedient that scho be keipit yit still in prison and that the said maters be representit to the comissionars of the Generall Assembly and their advys to be desired quhat to doe thairintill; and in the meanetyme does earnestlie supplicat the Lords of his Majesties Privie Counsall to grant permission for detenion of the said Margaret in prison untill the comissionars advys be obtin thairintill. Extractit furth of the buikis of the said presbyterie be me. (Signed). A. Ker, clie."


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'Clymont, and others as narrated ante, p. 40; dated at Edinburgh, 28th November, 1644, and signed ARCH. PRIMEROSE, Cler. S. Cons.
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 Innereesk.

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 Montago, merchant in Edinburgh, and John Hartt, younger, messenger there.

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 Cunninghame, 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 contigence 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] “On the back] “6 December, 1644. The Counsell ordains the bailies of Culross to bring over Marie Cunynghame and enter her in the tolbooth of the Cannogait. LAUNDERDAILL, I.P.D. Com. Edinburgh, 12 December, 1644. The Counsell ordains Marie Cunyngham to pay the expenses the town of Culros hes beene putt to be keeping of her in prison or in bringing her to Edinburgh. LAUNDERDAILL, I.P.D. Com.” There is also a scroll of the finding.

120. Copy of Decret of the Lords of Council for the payment by Mary Cunynghame of her prison expenses, narrated ante, p. 39. In the copy “the bailies of Culros” is inserted where “Marie Cunynghame” is in the record.
121. Copy of protestation by James Peitt in Ballachie, as narrated, ante, p. 39. On the back is note of execution of summons by John Williamsone, messenger, against James Peit in Balaquhie, to compleir before the Council on 12th December instant, at the instance of William Williamsone, burgess of Abernethie, in terms of summons dated penult October, 1644.

122. Summons at the instance of John Lord Barganie and Adam Quhyturfurd, his servant, against Thomas Kennedie, sometime of Barganie, and others, as narrated, ante, p. 39; dated at Edinburgh, 12th December, 1644, and signed Arch. Primrose, 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 lymbel concerning the pould and lead, depon 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 go to the shooting thairwith. Thomas Kennedie, elder, and Thomas and William Kennedies actit thameyselves not to trouble, invade or molest the Lord Barganie nor nane that belongs to him in their persons and goods under the paine of infamye and jum pund Scots each of them; and if they faillie be to declared infamous and ly in prison till they pay the falieyes.”

123. “The names of the compleanners of the ryott, committit be the Mackclymonts againes Johne Boill, Sir Thomas Hope of Craighall.

Names of the complainers in the case of the riots committed by the M'Clymonts against John Boyll.

“Johne Boill of Dalduff and Margarett Crawfurd, his spous.

“The defenderis complaint upon John M'Clymont in Cahoustoun (p.), William M'Clymont, his brother (p.), William M'Clymont, their father (ab.), William Or in Mayboll (p.), William Or in Machrimoyn (p.), Thomas M'Kerrel at Bairdiamylne (p.).

“The witnesses names, Hew Foultoyn in Garpeyne (ad.), Thomas M'Clymont in Clonclache (p.), William M'Clymont in Garpeyn (p.), Andrew M'Mirrie in Bogtoyn, Johne M'Clymont in Croyshill, Gilbert M'Cure in Kilklinzie, Johne Speire at Bairdiamylne, Johne Mortoyn in Chappelltoyn, James Mure, tailzeour in Mayboll, James M'Crankene writer in Edinburgh.”

124. “... Boyll contra M'Clymonths.

“... [per]sewer [dec]laires that they offer to preive ... ... sewar be Johne and William M'Clymonts under [silence?] of nicht be witnesses quho saw thame lying in wait betwixt the towne of Meyboill and the persewars [house?] or to quhome they have confessit the samyn.

“Item, that they strake him with battouuns, quhair no person was bott thameyselves, refers that to the aithes of the said Johne and William M'Clymonths.
125. "Interrogatories for the part of Johne Boll anent the ryott committit agaist him be Johne and William Clymonts and certane uthers to be inquirit at Gilbert Mure in Kilquhinnie, ane of the witnesses resaiveit for proveing the first ryott continet in the complaint.

"First, quhither or not the said Johne Boll, coming fra Mayboll to his swine 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 peinstane cast neir to ane of his awin coithouses, and thairefter he left him; and the saidis Johne and William Clymonts haweing of sett purpose a wayting to tak advantage of the said Johne Boll, finding him alone, being unawareis 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 releif to eschew their furie crying and defending himself agaist thame both, the said Gilbert Mure, heareing the din and strackis, came back and spak to thame, saying it wes evill favored to sett upon ane mane him alone undir nicht, quherto ane of thame anserit he avowit the doeing of it.

"And to inquyre at John Speire at Bairdismyrne, eftir this thair conflict, he also hearing the strakis and din, came and spack and conferred with the saidis Johne and William Clymonts and came back to the first pairt quher they meitt and liftit the rung, quherwith they haid strucken 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 tymne they wald leave him, and avowit to be about with him at ane uthers tymne.

"As also till inquyre 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 coming out of ane womans out of dorres they schot at hir."
"Interrogatouris for Johne Boll anent the ryott comitit against him be Johne and Williame Clymonte, Williame Or in Mayboll, William Or in Machreomir, being the second ryott contenit in the complaint referrit to thair aithes be the persewer be resoun the samen was done undir silence and clud of nicht and being verie mirk and onlie thamselfes thar.

"First, quithether or not the said Johne M'Clymont, upoun the tuentie aucth 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 foirsaid persons, impairting to thame that he and his brother and father hauid ressavit sum wrang and injurie of the said Johne Boll, as they alreadgigt, and quheroff he was fre, avowit that nicht to be revengit of him, and they all came fra Mayboll by the Bogtoon, quilhik is be the way as thai wer cominge to the said Johne Boll his duelling hous of Dalduff and than seperat thamselfes be devyding their companyes and thairefter all mett at the Garpene neir hand to the compleaneris hous in ane hoosler hous thair, haveing their gunes, musketts and pistollettis with thame, and their chairigt thame, and came undir silence and clud of nicht to the compleaneris duelling hous of Dalduff, and finding light in the laiche hous thairoff, the said Johne Boll his vyff sitting at the fyresyd, thay schot in at the window; quilhik of thame it wes they knew best. Thairefter schoe seireing thai haid forgathered with his husband came out of the doores, being mirk, they sieing hir quhit kurch and thrie schottis at hir with muskettis and with ane pistole but be the providence of God schoe was saif. And thairefetir she closit hirsellfe in a stable for safttie of hir lyff, and the perseuer that Nicht wes forcit to stay in Mayboll for safttie of his lyff.

"Item, to inquyre the samen interrogatouris at Thomas M'Clymond in Crolclaiche, ane of the witness, for proving of the second ryot."

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 beleevs, it wes duun 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 sit in causa.

"William M'Clymont, sworne, depons he saw William Ore in October in his mothers hous at Garphine with a gwune about the glominc, and that Johne M'Clymont 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 shotta.

"Hew Fultoun, sworne, depons he wes in Johne Boylls hous the
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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 McMurthie, sworne, nihil scit.
"John McLeymont, sworne, nihil scit.
"Thomas McLeymont, sworne, nihil scit.
"James Mure, nihil scit.
"James McRankene, sworne, nihil scit."

127. "Mayboill, the 14 of December, 1644, William McLymont in Cohounstoun, in the parochie of Mayboill, being by his awin relation and opinion of the countrye neir fourscore of yeires of a seiklie and in a part decripted bodie, is not able to travell to Edinburgh this tyme of the yeir without hazard of his lyff and health. Testified unto the rich honorabill the Lords of his Majesties Secret Counsil, upon the con science and by the hand of me, J. Bonar, minister."

128. Note of three executions by Gilbert McConnelly, 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 awte 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 one window in quher at I delyverit him ane just . . . . of the saids letters personallie in his hand, and the said Thomas and William Kennediey . . . . speiking to me in audiens of the witnesses after speciefit, would not open the dore but . . . ther coppies at the windowe," to compair before the Council on 26th December; and immediately thereafter he intimat the same to the said William Kennedy, personally apprehended in Ballantray; witnesses, John Slowane in Foriland of Ballantray, John McTeir there, and James McKimay, sometime in Ballebege; (2) against John McCrerie in Cra . . . . William McMaister in Downnace, Adam McCullie of Aucharne, John McAllexander at the . . . of Aird, Patrick Murdock in Ballhomie and Gilbert Baird in Corrarie, all personally apprehended, to compair as above; witnesses, Alexander Erle in Ballhomie, Alexander Ramsay in Ballantray, Gilbert Ramsay, his son there, and John McCawell there; and (3) against Mr Robert Hamilton, minister at Ballantray, Andrew Adame in Ballnowtart, and John McKissoke in Kirkhome of Kirkundbright, all at their dwelling places, to compair as above; witnesses, Alexander Ramsay in Ballantray, Gilbert Ramsay there, John Brackanridge in Polcairedoch, John McClorkane, servitor to the said Andrew Adame, and John McCawell in Ballantray.

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.

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 Colhoumstoun], William McClymont, his brother, William Or in Machirmoir and . . . to appear before the Council on the 26th instant; witnesses, Walter Mure in Glenkaid, 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 Peirson, Thomas Glaistone and Thomas Paterson, 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 Glenkaid, and Andrew McMutrie in Boigtoun; (4) on 21st December against . . . McClymont in Garpeine as another witness, personally apprehended in Edinburgh before the foresaid Walter Mure and Thomas Paterson; and (5) on 25th December against Thomas McClymont in Clonclache and James McRanekine, writer in Edinburgh, both personally apprehended in Edinburgh, as witnesses, before the said Walter Mure, Thomas Glaistane, writer in Edinburgh, and John Haint, elder and younger, messengers in Edinburgh.

132. Supplication by George Aitken of Underedge 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 Braid, 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 bargains for herring, quhilk, when they swame and I might have rendered them, hee deferred
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and posteniont to accept them, and when they could not be gotten hee craved them extremely so that, having penalties set doun in our indentour . . . yeere, I was forced to acknowledge the samyne as ane principall sowme, quhill being added to the principall and annueltrent payed furth thereof yeerely, it hath acesed to such a quantity without any reall payment or delverance made be him to me of saxe thousand pounds money in doune told siluer of all the foresaid principall sowme and that he hath infeftment and present possessession of all my estate for the samyne and he intends never to let me to liberty but to keert 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 haill creditours, and for the not subscribing thereof I was 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 Mr Andrew Dick, his sone, thareanent, 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 meane to sustaine myselfe therein, may be the cause and occasioon 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] failyea.

The supplicant therefore craves to be liberated and his creditours to be warned to appear for seeing this done; "the rather because the said Sir William Dick hes present infeftment of all my estate, quhill I am content remayne 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 satisifie 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 particulary [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] "Apet Edinburgh, 23 December, 1644. Fiat summoneitio ut petitur. (Signed) J. CARMICHAEL."

[In a paper attached is a list of the creditors, viz.] "Sir William Dick, William Dick, his son, William 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 Mr Alexander Dick, who declared in name of his father that they would rather condiscend to the supplicants maintenance then that he sould goe free, in respect qusairof the Lords modifies ten shillings Scots to be payed daylie to the supplicant be the defenders so long as he is arrested at their instances." [This finding is also noted on the back, VOL. VIII. X
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 appear before the Lords at two o’clock in the afternoon of the same day; witnesses, George Donald and James Graham, messengers (Signed) Jo: Hart, younger, messenger.”

133. Curia justiciarita suprmi domini nostri regis, tenta in pretorio burgi de Lanark ultimo die mensis Decembris anno Domini millesimo sexcentisimo quadragesimo quarto per honorabiles viros, Dominum Jacobum Lockhain de Ley, militem, Dominum Joannem Dalzell de Newton, militem, Jacobum Lockhaint de Cleghorne, Magistrum Joannem Lockhaint de Heides, Jacobum Cunninghame de Bonietoun and the bailies of Lanark, commissioneris and justices dicti suprmi domini nostri regis, per commissionem suam legittime constitutos de data septimo die mensis Novembris ultimo elapso; curia legitima affirmata.

The qhilk day anent the commissione grantit be our said soverane lord to the foirsaidis persuonese, commissioneers efterspecifie, to the effect followeing, makeand mentione that Margaret Watsoun and Jeanie Lachlane, within the parochin of Carnewathe, ar dailait guyltie of the cryme of wichecraft, as the depositioune schawin to the Lords of his Majestis Privie Counsell beires. Thairfoir our said soverane Lord maid and constitute the saides Sir James Lockhart of Ley, knycht, Sir John Dalieill, James Lockhart of Cleghorne, M’ John Lockhart of Heides, James Cunninghame of Bonietoun, or anie thrie of thame, our said soverane lordis justicaires in that pairt to the effect underwritten, givand, grantand and commitand to them our said soverane lordes full power, authoritie and commissione, express biding and chaire justice courts at quhatsumever places and dayes lawfull and convenient to set, affix, hold and continew, suittes to mak be called, absentes to amerciat, unlawes, amerciatament and escheites of the saides courts to ask, lift and raise and for the samin, if neid beis, to poin and distreinzie, and in the samin courts the saides tua wiches to call, be dittay to accuse and them to the knowlege of ane assayse be put, and, as schoe salbe found culpable or innocent of the said cryme of wichecraft, to caus justice be ministrat upon thame conforme to the lawes of this realme; assayse neidfull for that effect, ilk persoine under the paine of fourtie pundes to summund, warine, choose and caus be sworn, clerkis, serjandis, damsteris and utheris memberis of court neidfull to mak, creat, substitute and ordaine, for qhume the saides justices salbe holdin to answer, and generallie all and sundrie uther thingis to doe, exercice and use for execution of the said commission [qhilk] are requisite and necessar: Firme and stable haldand and quhat [sic] to hold all and quhatsumever thingis
salbe lawfullie done heirin, as the said commissioune of the dait the said
sevent day of November anno 1644 at mair lenthe proportes.

Compeirit personallie James Forrest, wryttar in Lanark, procurator
fiscal to the saide commissineris, laufullly authorized and electit be
thame for persewing of the saidis twa witheis upone the severall points
of dittay underwrittin, commissioun foirsaied being red in audience of the
saidis 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 Eardhous, James
Somervell in Greinfield, Robert Craig in Lempittes, William Schawe in
Haywood, William Tennent in Crothill, Walter Somervell in Caualdlaw,
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 Gremat-
town. Robert Somervell in Eardhous is electit chancellar to the said
inquest.

Followes the pointes of dittay gevin in and persweit be James Forrest,
procuratour fiscall cohon and electit be the saidis justices, commissioneeris
abovewrittin, against Margaret Watsoun and Jeane Lachland within
the parochin of Carnewathe for withcraft, consulteing with the
devill, renunceing of ther baptisme and geving themselfes over to Sathane
and of thair soule and bodie totallie to his service, chairmeing be the
devill his meanes, and quha themselfes ar posset be the devill and
haveing of-familiar spiriteis, and for practeising, useing and frequenting
with the devill and of his chairmes, airties and pairtes of withcraft
respective and particularlie underwrittin ilk ane of you for your awin
pairtis as is hereafter dewydit, divers and severall tymes confest be
yourselves in presence of

be vertew of our soverane lordis commissioun gevin under his
Hienes signet and subscributiones of ane number of his Majesteis Privie
Counsellours, at Edinburgh, the seventy 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, lykewise the saied word of God by Dewtrimonie, the auchtsein chapter
[sic] at the 10, 11 and 12 verses of the samin chapter, sayes Thair
sall not be found amang you any ane that usethe divynatienoue or ane
observyr of tymes or ane inchaunter or wiche or ane chairmer or
consulter withe familar spirites or a wizard or a necromancer, for
all that does those thinges ar ane abomination unto the Lord, etc.;
and in lykemaner the lawes, edictes and actes of Parliament and
commowne prettieque of this realme, namelie be the 9 Parliament, haild
be Quein Marie of happie memorie and thrie Estaites of this kingdome
of Scotland at Edinburgh, the fouth day of Junij, 1563 yeires, and in
the thrie sooir 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 condition they be of, tak upone hand in ony tyme thereafter to use any maner of wichecrates, socereis, necromancie nor give themselvses fortothe to have any suche craft or knowledge thairof, thairthrow abuseand the people, under the pane of deathe, as the foirseides trewthe and verritie of the writtin word of God and actes of Parliament set downe thairanent at lenthe beres, under the quhilk writtin word of God and actes of Parliament respective foirseides grounded thairupone ar comprehendid all necromancers, magitianes, socerreres, divyneres, charmeres and utheres particularlie abonewrittin under the generall word of wichecraft; notwithstanding quhairof thow, Margaret Watsone and Jeane Lacheland, wyches now personallie present, ar indytit and accused for wichecraft, excercisers, useres and practeisyers of the unlawfull, divillieische and damnable airtes of wichecraft respective abone rehearisit and noir particularlie herefter expremit, ather of you for your swin pairtes, as is heirefter mentionat, and quha have gevin yourselves out for chairmeres, laying one of seiknes, taking off of seiknes, consulteing with the devill, renuneeing of your covenant withe God and of your baptismme, possesst withe evill spirreites and haveing of names quhairby thai answer and obey you, and of uthere devillsche airtes and pairtes of wichecraft by your conventioun withe uthere wyches quhair the devill is present, in maner heirefter declarit, be the space of many yeires bypass, 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, giveing thairby great offence and evill exemple to all trew weill effectit christianes to commit the lyke errour giff ye and sic as ye, pernicious and divillische persones as you ar, be sufferit to leive and pas unpunisshit. Quhairfoir necessar it is that ye and ather of you be condignelie 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 Watsone, is indytit and accused for keipung meitinges and being at the conventiouin withe uthere wichen, namelie at ane meiting of the wichen in the hie kirk of Lanark, at ane uthere meiting withe wichen in the kirk of Carnewathe, and at ane uthere meiting with wichen 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 withe hir at meitinges, as also umquhile Katherein Schaw, ane uthere penitent wiche, did dilait the to be ane wiche and that thow wes withe hir at the meitinges in the places foirseides. Of thir thow art guyltie and as ane notorious wiche thow aucht to be punishcet to the deathe, and this thow cannot deny.

Mr James Dowglas, minister at Carnewathe, witness, sworne and
admittit, deponent be his great oath that he receavet ane lettre fra Mr. Hew Kennedie, minister at Cader, testifing that Margaret Wateoun was ane wiche and kepit severall metingis, did not expres hir name bot by circumstance declarit hir to dwell in Carnewath.

Mr. Robert Birnie, minister at Lanark, witnes, sworne and admittit, deponent that he hard Catherin Schawe dilait Margaret Wateone and Jeane Lachlane to bewiches. Uthers affirmed the lyke.

Secondlie. Thow being dilait be the saidis Hein Stewart and Katherein Schawe, t’uo penitentwiches quha suffered deathe, as said is, quhairupone thow wes apprehendit as ane notorious wiche, thow hes (without any tortour or hard usage) at Carnewathe the penult day of September, in presence of Sir John Daliel of Newtowne, knicht, Mr. James Dowglas, minister at Carnewathe, William Inglis of Eastscheill, Mr. Robert Alisowne and William Dowglas and of divers uthers, frielie confess 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 appeird 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 thyn e win hous and promitit to give the ane mendes of suche as haid wrongit the, and particularlie of William Simpsone, father, quha, as thow alledgit, haid tane ane peace of land quhairrof thow wes in possesion. This thow art guylitie of lyke ane notorious wiche and this thow can not deny and art accused thairof.

The said Mr. James Dowglas, witnes, sworne and admitter, aggreet ut supra withe this depositioun and dittay abonewritin.

The said Mr. Robert Birnie, witnes, sworne, deponent ut supra with the said Mr. James Hunter, schoolmaster in Carnewathe, witnes, sworne and admitter, aggrees withe the uthers tua witnesse.

Thridlie. Thow art infydit and accused that, by thy devillisch dispoitoun and by the devillisch airt, thow wes the deathe of severall horses and ky that pertenit to the said William Simpsowne, quhairby he hes suffered great skaithe, and thow hes confessit the sam in presense of the saides witnesse. This thow did by thy devillis meanes and thow hes confessed the devill deyret the to doe it, and this thow can not deny.

The said Mr. James Dowglas deponent that [he] hard the said Margaret Wateone say and confess that the devill promeist her ane mendes and did not declar that schoe spak any farther of the said dittay.

The said Mr. Robert Birnie, witnes, sworne, deponent that he hard Margaret Wateone declar schoe sought ane mendis at the devill and the effect followit.

Fouartlie. Thow hes confessed in presense of the saides persoines, witnesse, that thow wes at diverse meetingis withe uthers wiches in the devilleis companie, viz., at Niveinseit, heigh kirk of Lanark and in the kirk of Carnewath (as the saids penitent wiches have declarit) and
that at severall tymes in the night seassone at the wiche meitinges thow and the rest of the riches that wer withe the being ane great multitude did lift corpes of deceisit personeis fra quhom ye tuik memerese, to accomplisichy thy devillische designes upone men and women, quhainerby thow and they tuik severall lyfes, and at your meitinges 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.

The said M' James Dowglas depones as witnes ut supra and aggrees withe the point of dittay abonespecificit.

The said M' Robert Birnie aggrees ut supra conforme to the said point of dittay.

Fyftlie. Thow art accused and indyttit for ane notorious wiche, com-mowne brute of wichecraft, practeiser and user of wichecraft, and this thow can not deny. And to the tosakin that thow is ane notorious witch, guiltie of the foirsaidis severall crymes, thow had thy meitinges in the places abone desiginit, and thow hes testifit and declairit that thow knew perffylie Mailie Patterson in Carnewathe, Jonet Lockie thair, and Margaret Watsone thair, thy aunt, and that the said Mailie Paterson 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 bourntrie.

M' James Douglas depones as witnes ut supra conforme to the said dittay.

M' Robert Birnie depones ut supra and aggrees with the said M' James.

The saids personneis of inquest and chancellar all in ane voice yfylls the said Margaret Watsone of the foirsaidis particulares of wichecraft respective abonewritten. (Signed) G. Weir, clerk to the premises.

First. Thow, Jeane Lauchlane, art indyttit and accuseit for ane notorious witch, as being dilattit be umquhile Kaitheiren Schaw, ane penitent witch, who laitlie sufferrit death at Lanark, and quha befoir hir death did declar, upone the haizard of hir salvatitione at severall tymes and constantlie till death avowed the to be guiltie of wichecraft 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' James Dowglas depones as witnes that the said Katherein Schawe dilattit ut supra.

The said M' Robert Birnie, witneses, aggrees 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 befoir M' James Douglas and M' Robert Birnie, ministers, the said Margaret Watsone did in thy face avow that thow wes one of the first quho maid
hir acquaintance with the devill and that thow wes at the meittingis quhen the said Margaret Watsone and the rest of the witcheis wes at the meittingis with Satan in the severall kirkes and places particularie abonewrittin in the toakin thow read upone ane bourntrie. This thow art also guiltie of lyke ane notorious witch and this thow canst not deny.

The said M' James Dowglas depones as witnes and aggrees withe the said dittay.

The said M' Robert Birnie, witnes, sworne, depones withe the said M' James, and addit that Margaret Watsone said that Jean Lachland wes moir guyltie nor schoe wes hirself.

Thridlie. Thow being first convened befoir the sessioun of Carnewith and afterward befoir the presbiterie of Lanark, thow confessit that thow gave ane drink of the foxtrie leife to William Denholme, perswading him thairto, and that the said drink wold aither mend him or end him; quhilk drink the said William tuik and within sex houris thairfet her departit this mortall lyfe. This thow artindyttit and accuseit of as ane notorious witch, and this thow can not deny; and in corroboration of the premisess thow com within ane quarter of ane hour after the death of the said William Denholme to thy neighbour Bessie Lindsay, being within hir awin hous and befoir schoe knew of his death, and told hir and in the heirings of Alexander Gray, hir sone, thow did schow to the said Bessie that the said William Denholme wes departit this mortall lyfe, and schoe speirand at the how wes he deid, thow quyetlie schow to hir that yow had gevin to him the said drink of the said faxtrie leafe quhilk wes the cause 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 declarit that schoe ... the drink be the said William Denholme ... sone his adwyse (marginal addition)].

Fourthlie. Thow being convict by thy awin confesioun of the death of the said William Denholme, as said is, and thow being urgit to mak furder confessioun off thy charmes quhilk thow by the devillis meanes usit for quhat furder confession thow wold make ane anie other dealling thow had with Satan, thow then judicaillie befoir the said presbiterie wes content, lykeas thow then actit thyself that, gif ever anie charmes or furder 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 inquest or assyse. And trew it is and of vertie that upone the second day of October last bypass, thow being re-examined in presens of the saidis M' James Douglas, M' Robert Birnie and of M' Robert Alison, thow confessit that thow haid bein ane charmer for the space of tuentie yeiris bygaine 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 chaired. It wes alyk for thy charme and wrought als weill absent as present, and consequentlie thow art ane witch by thy awin confession and by the foirsaid act maid in presens of the presbitrie, to the quhich thow consentit and so thow art guiltie of witchcraft, lyk ane notorious witch as thow art, and this also thow art indyttit and accuseit for, and this thow canst not deny.

The said Mr. James Douglas, witnes, sworn, deponit as this said point of dittay beiries, 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 witchcraft, becaus they were persuaded in their conscience that the chairmes in that kynd gevin in ar be the devillis meanes, and knew that scho haid said scho 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 commissioner.

The said Mr. Robert Birnie aggreis withe Mr. James Douglas as witnes, sworn and admittit, as said is.

Fyiftlie. Quhairas thow did declaire as of befoir judicailie befoir the said presbitrie that thow useit no sort of charmes but sic as thow did to umquhile William Denholme by making him drink of the faxtrie leifs and if thow did anie uther charme thow wes content, lykees thow inactit thyself to tak the crime of witchcraft upone the and to suffer death as ane witch without ane assyse, as said is, notwithstanding quhairef twrie 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.

Sextlie. Quhairas thow did declaire as of befoir judicailie befoir the said presbitrie that thow useit noe sort of charmes but sic as thow did to umquhile William Denholme by making him drink of the faxtrei leafe and if thow did anie uther charme thow wes content lykees thow inactit thyself to tak the cryme of witchcraft upone the and to suffer death as ane notorious witch without ane assyse, as said is; notwithstanding quhairef twrie it is and of veritie that thow hes frielie confessit that, quhen thow charmeit ather beist or bodie that wes foirsoken, the seiknes cam upone thyself 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 Lindsay in Erดhooses, sworn and witness admittit to the inquest, deponit that Jeane Lachland come in to hir hous, thai dwelland neir uther, and schew hir that the said William Denholme wes deid
and that schoe asked at hir how, and the said Jeane Lacheland anssuerit hir that schoe haid gevin him ane drink of the fox tre 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 yers yet to come.

Sevantly. Qhairas thow did declair as of befoir judicaillie befoir the said presbitrie that thow useit no sort of charms but sic as thow did to the said umquhile William Denholme by making him drink of the foxtre leife, and if thow did anie uthers charme thow wes content, lykeas thow inactit thyself to tak the cryme of witchcraft upone the and to suffer death as ane witch without ane assyse, as said is; notwithstanding qhahirof trew it is and of veritie that thow chairmit ane meir to Robert Somervell in Eirdhousses, and consequentlie thow art guiltie of the cryme of witchcraft and aught thairfoi to suffer death. This also thow art indytitt and accuseit for as ane notorious witch, and this thow canst not deny.

Aughtly. Qhairas thow did declair as of befoir judicaillie befoir the said presbitrie that thow useit no sort of chairmees but sic as thow did to the said umquhile William Denholme by making him drink of the foxtre leafe, and if thow did any uthers charme thow wes content; lykeas thow inactit thyself to tak the cryme of witchcraft upone the and to suffer death as ane witch without ane assyse, as said is; notwithstanding qhahirof trew it is and of veritie that about tueilff yeiris syne or thairby thow charmed James Leischmanis dochter and that thairby echo grew presentlie better, but by taking of the seikness 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 devilsch practeis of charmeing by taking of of the said seikness of the said James Leischmanis dochter by the devillis help and assistance, quherby the seikness wes upone the selff for a space. This thow art indytitt and accuseit for as ane notorious witch, and this thow canst not deny.

Nyntlie. Qhairas thow did as of befoir judicaillie declaire befoire the said presbitrie that thow useit no sort of chairmeing but that quhilk thow did to umquhile William Denholme by making of him drink of the foxtre leafe, quherby within sex houres therefter he depairtit this mortall lyfe in maner foirsaid, and if thow did anie uthers charme thow wes then content, lykeas thow then inactit thyself 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 chairmit Walter Somervell his wyfe for milk to hir chylde. This thow did by Satan his manes and by thy airt of witchcraft, quhilk thow hes confessit and thairfoi thow art guiltie of the said cryme of witchcraft and aught to sufferre death for the samen. This also thow art indytitt and accuseit for lyke ane notorious witch, and this thow canst not deny.
Tently. Thow hes confessit that thow never chaimerd 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.

Elevintly. Thow art indytit and accuseit for ane commoun chairmer, laying one and taking of of sekenes, comoun bruit of witchcraft and namelie quhen thow charmeit thow had ane oratone that begane with, "Our Lord outreid, etc.," qhilk 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 oratone and thairby thair come upone the ane horrible trimbling and schaiking in presens of the sadis tuo ministeris. This also thow art indytit and accuseit for as ane notorious witch and this thow canst not deny.

The said Mr James Douglas, witnes sworne and admittit, deponit as the foirsaid point of ditty beires.

"Tueltle and lastlie. Thow art indytit and accuseit for this poynit of witchcraft underwritten, viz.: Helein Heides in Craigiehall within the said parochin of Carnewathe, nearest neighbour 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 thairfter scho beleivand 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 thairfter the milk went from hir breast quhairby schoe wes forced for supplie thairof to cum to the againe and thow then anserit that thow could not helpe hir againe but behaved to goe to ane man in Dunysyre quha wold helpe hir, and that the said man in Dunysyre as thou directit did helpe hir. This thow did by thy devilish airtes and this thou canst not deny.

George Adame in Caudlay, witnes swore and admittit, deponit withe the said ditty in all pointis—witnes also to the said inquest.

The baill persones of inquest, all in ane voice, thinkes that the said Jeane Lachland is ane witche and hir chairmes comes be Satan his meanes and thairfoir fyllies her of the saidis pointis as witchcraft, in regard 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 inquest declarit that the chairmes respective abonewritten wer be the devilles meanes done and not by na naturall way could have been done and thairfoir all the persones of inquest fyllis the said Jeane Lachland of witchcrafte, as said is. (Signed) G. Weir, clerk to the procees."

2 January, 1645. The Council haveing considered the report abovewritten, ordans the justice to proceed and doe justice according to law. (Signed) LAUDERDAILL, I.P.D."

134. "Thes ar the supplies that we desyre from the Counsell. First, Supplie of moneys for mantenans of ane watch, qhilk if they refuse, to
command son noble man to defend and sauff us from indemnities sic as the Marques of Hontly, 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 are ample comission inserting the names contenit within your letter therin, with power to the said commissioners to stent the lands, exact penulties, to punnis refrangantis and recepers incaco of disobedience or not concurrens, all maner of persones within the lordshipes of Balvany, barronry of Auchindoun and hail 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 saill 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 consideration all other supplementis for furderans of this guid caus as is usuall in suche causes.

Item. Communicat thir our informationes and letter with Mr Walter Innes of Auchhincart quhom to we have writtin to concur with yow in the business.”

[Addressed on the back]. “Thes be for our honorabil guid frend, Alexander Lesly, wrietter in Edinburghe.”

135. Supplication directed to John, Lord Lowdoun, Chancellor of[Undated, c. 1644.] Scotland, as follows:—“Pleis your honorabil lordship, be informit that Margret Sinklar, spous to William Bruce, schomaker, burges of the Cannogaite, upone the fyft day of November last deyrit William Andersoun, notar, to reid ane decreit arbitral to hir pronunceit be George Crawfurd, schomaker, burges of Edinburgh, and Andro Malloch, againes hir husband in favors of Alexander Alschunder, baxter, burges of the Cannogaite, and the said William Andersoun, beginning to reid the samein to hir schoe in the meantyme pulle the samein out of his hand and hes distroutyit it; and when we complained to the baillie, Henrie Ballanden, he deyrit hir to rander and delyver the samein bak againe qhilch scho wald onnavayis obey hir ordinance; so we ar forceit to compleine to your honorabil lordship for suche ane wrong done to us qhilch is againes all equitie and reassoun that evidents could be pulled out honest mens hand, beseikand your honorabil lordship for Gods caus the samein be reparrit in suche forme as it was at that tyme, and your lordships anser. And the said William Bruce being lawfullie warneit to compeir befoir the said baillie wald not, bot left and fley away aff the toum threetein dayis.”

[On the back]. “Call the pairties, 6 [votes]; grant 2.”

136. “Informatioun from the Presbytrie of Lanerk to the Lords c. 1644. of his Majesties honorable Privie Counsell of dittaes and presumptiounes of witchcraft proven and confessit aganest Katherne Shaw and Margret Reid, indueallar in the...
parochin of Carnevath, that their Lordships may be pleisit to tak the samen to their consideratioun and if it sall seime expedient to grant ane commission for their further tryall and conding punishment.

"Imprimis. Their was sent to Mr James Douglas, minister at Carne-
vath, ane information from the minister of Calder declairing that ane Helene Stewart, who hes maid large confessionis their, had [delait] amongst the rest the forsaid Cateren Shaw to have bene present to hir knowledge at thair solemn meitings with the devill, quherupon the said Mr James gettis ordour to caus summond the said Katheren to the next meiting of the prebitchrie.

"The said Katren Shaw, compeirng befoir the prebitchrie, at thair first showis hirself obstinat, bot being comitted in the tolbuith of Lanerk, eftir some few dayes conferance with the minister of Lanark and uthir guid people, without ony tortour or hard usage, she makes cleir confession of many gross poynits of witchcraft, some of the principal quhereof followis.

"First. She confess in generall, that it wes of treuth that she had bene in the devill service and had renunct hiselff saule and bodie to him.

"That the first occasioun of her acquaintance with the devill proceedit 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 ather God or the devill give me a sein mendis of her.' Shortlie eftir, she cuming abot tueill hours at evening from the fornamente Margret Reidis hous to hir awin, their appeird to hir ane meikle rouch dog and uther speich to hir, asking what she would give to have ane mends of Issbell Haistie, promeising that, if she would becum his servant, he wold give hir ane mends, quherupon, she begining to feir and trimble, the dog or rather Sattane in his liknes evinized.

"Item, ane other nicht he appeird to hir eftir the same maner, and haiffing convoyed hir to hir hous evanised with ane horrible noyse.

"Item, shortlie eftir he appeird to hir in liknes of ane colt foill and followit hir home to hir hous, and being enterit into the hous appeird lyk ane Johnne Johnstoun, ane neibbour sone, and when she lookit to him she said, 'Johnne, I sall tell your father ye ar come to terriff me.' He said, 'I am not Johnne.' 'Quhom then,' said she. He anserit, 'I am your husband, Johnne Clerk,' and when she said that hir husband was dead and lying in the kirkyard 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 befoir and she shold fair weill. 'Quhat would ye give me?' said she, 'for I have meall and keall.' He anserit, 'I sal mak ilk day [als] guid as thy yuill day'; and with that he griippit hir with his hand which wes cold as leid, [and] struglit with hir and, haiffing no power to resist, he had carnall copulation with hir and [put] his mark upoun hir, qhillk she abew in hir richt arme.
“Item, ane other nicht she wes coming to his bed, and he being in it before 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 concerninge the fornameit Margret Reid, she being convenit also before the prebrietie con[test] the devillish lyk charmes following, which had also bene clerlie proven before by famous witnesses before the sessioun of Carnewath.

“Imprimis, she confessis that, being ane midwyfe to ane woman of Carnewath parochin, she put hir [bairne] newlie delyverit throw ane heep of grene yairin thryse to prevent the gand as she aldegeis.

“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 confess and uthers aldeged, she wes content to act hirself that, if further sould be proven aganes hir, all sould be trew which Catren Shaw had said of hir and that she sould willinglie die; notwithstanding quherof, it is judicallie proven and now confess that, being midwyffe to tua sisters at tua severall tymes, she usit 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 compasses about it and then pat it thryse whithechtenes about it mothers left houch and thaireftir the woman being led up she took ane lichtit candle whithersbheins about all the corners of the bed, mumuring sum secret words as witnesses 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 fiew maist barburslie upoun Cathren Shawis face and being restraitit utered thir words, ‘If I had gottin blood of the theif, she sould ha never had power to haiff told mair teaces of me.’ (Signed) M. R. Birnie, minister at Lanark; M. R. Inglis, minister at Douglas; Mr Jo. Weir, minister at Carlouk; M. A. Levingstoune, minister at Carmichael; M. J. Lindesay, Carstairs; Mr Ja. Douglas, minister at Carnwath; M. J. Hume, minister at Lesmahagow; M. W. Somervell, minister at Pettinane.”

137. “I, Alexander Mure, apoynted by the Counsel of Scotland to resaunfe al such provision as sould come from Scotland to Ierand for the intertainment of the Scottis army ther, grants me to haufe resaved out of Gabriel Homes, Andro Garvie, Carl Morisone, Johne Culbert, Jo. Wilsone, Gorge Crafurde, ther barkes, the number of thri thousand fyfe hundreth fyftie aught bollis, one firlet tuo peckes meil in 2nd April 1645. Acknowledge- ment by Alexander Mure of meal received for the use of the Scott army in Ierand.
the monthis of Agust, September last bypast by the wav of Glascoo from James Hamilton of Bogis for the use of the forsaid army, quherof I grant the reibait ; as witnes my hand at Craigfergus, the 2 Apryle, 1645. (Signed) Alexander Mure."

138. Summons at the instance of Mr William Jamesoun, 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 defflie intreated him to permitt the commissioner to come and deliver his commission for so charitable ane earand, recommended both from the commissioners of Kirk and State. But the said provost, stirring up a great number of the towns people to follow him, not onelie refused to suffer the said commissioner to come within the town, but also in publick 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 despitfullie gave the said Mr William tua boxes on the breast and had not failed to have committed further insoulence 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 could have protected him
in prosecution of the orders of the Committee and Generall Assemblie, aucht therfoir to be censur'd." 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 Burgess, Andrew Mortoun, merchant, John Skougall, William Murray, James Kirkton Archibald Rutherfurde, notary, James Gledstanes, burgess 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 Kirktown, provost of Jedburgh, the service being against Thomas Chatto, merchant in Kelso, personally apprehended, to compair as a witness in the case; witnesses, Robert Craig, son to the messenger, and James Leidhous, servitor to Mr Robert Knox, minister at Kelso.

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 compair before the Lords of the Committee of Estates upon 16th May; witnesses, Andrew Jamesone, indweller in the Abiedclose, and John Loukupe, burgess in Jedburgh; and (2) William Rutherfurde, bailie of Jedburgh; Andrew Rutherfurde called the Burgess, Andrew Mortoun, merchant, John Skuggeld, William Murray, James Kirkton, Archibald Rutherfurde, notary, and James Gledstanes, burgesses in Jedburgh, all personally apprehended, to compair as above as witnesses in the cause; witnesses, Andrew Jamesone and Robert Robsone, clerk of Jedburgh kirk.

141. "16 May, 1645, in presence of the Lord Craighall and Tofts. 16th May M. W. Jamesons witnesses:—William Rutherfurde, bailie of Jedburgh, sworn, 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 bailie having seen his testificat, and, knowing his earand wes to against the provost of the minister, he told the said Thomas that the minister wes at the kirk Jedburgh, 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.

John Skougall, sworn, depons that Thomas Chatto being at the croce the provest seing him inquired how he came in, and Thomas ansered the bailie brought him in to deliver his letter to the minister, quherupon the provest desired him to goe 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 could not come in, who would not, and the minister said he could come. Knowes no further.

William Murrey, sworn, married, depones conformis precedenti; onelie denyes he heard the provest boast or threaten the minister or use injurious words.

James Kirktoun, sworn, depones he saw the provest hold up his staff but knowes not to whom, and also saw him putt the minister by with his elbow and guirdie him, but heard no speeches.

James Gledstanes in Jedburgh, married, sworn, depones conformis secundo testi. (Signed) CRAIGHALL; BELSCHES.

Post meridiem, in presence of the Lord Craighall and James Stuart."

142. Bond by Mr William Cunningham of Ballindalloch with Thomas Johnstone, burgess of Edinburgh, as cautioner, that he will pay to his Majesty’s Treasurer and receiver of rents for his echeat 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 Harbertsheyre 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 Gawe, notary.

143. Unto the Lords of Secret Counsell, humble means and shawes Alexander Inglis, Dean of Guild of the burgh of Perth, that quhair Patrik Mairten, elder and younger, being unlawit in ane shireft court of Perth, and pounding direct furth against them thairainet, I causit laufullie poyd certain oxen fra them thairfor, as the said decreit, precept and executionis bears, noochtheles quhairof your lordships did ordain me to redelyver fyfteyn oxen, allegit poynit be me or els twentie foure pundis for the pryce of ilk ane of them, and the saids Patrik Mairten, elder and younger, to find cautioen to pay the unlawes. And I being chairgit for payment of the pryce of the said oxen wes forceit to conaing the same and to suspend the said decreit upoun the fyft day of December jwvj and fourtie foure yeirs; quhairpoun the said Patrik Mairten, elder and younger, did upoun the penult day of December, the said yeir, 1644 yeirs, purches your Lordships letters and thairupon did charge me to come befor before your Lordships upoun the ellevint day of November thaireftir to hear the foirsaidis reasounis dicussit; and thairfor I now produce the saids reasounis eftir speecfeit, quhilk I use for eleiding of the said decreit, humble 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 fyfteyn decernit to be restoirit be me, becaus thair nather wes nor could be decernit against me
moir than the number of twelve oxen conteanit in the said poynding,
uther did the foresaid decreit proceed upoun any uther probabilion than
upoun the poynding produceit. And trew it is that, albeit the poynding
bear that their wer sextein oxen and ane kow at first apprehendit upoun
the ground of the lands, yit nevertheless it is maist trew, lykas the
poynding bears, that thrie of the saids seixteen oxen wer challengit be
Jean Mairtein, dochter to the said Patrik Mairtein, elder, as hir owin
propper goods, whairupon shoe maid faith and in respect thairof 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 foresaid broun kow wes challengit be John Spense, whairupon
he maid faith, and wes redelyverit bak to them be Harie Droummound,
an uther of the said sheriff officiers, as the executioun in lyke maner
bears; so that their wer only twelve oxen lawfullie poyn dit, as the
poynding bears. And in so far as the foresaid decreit siems to be foundit
upoun my confessioun, the samien is null and aucht to be suspendit, becaus
the said Patrik Mairtein, compleiner, did not refer the veritie of the
complaint to my declaratioun, nather wes my aith taiken, nor did
I depon in the said mater, bot only produceit the said poynding, and
thairfor thair could be no further decernit to be restoirit than wes poyn dit.
In respect quhairof the foresaid decreit, in sa far as the samien decohrs
thrie oxen by and attoure twelve conteanit in the poynding, is null as
wanting probabilion.

Secondlie, the foresaid decreit aucht to be suspendit for the remnant
twelv oxen conteanit in the poynding, becaus I offer to prove and
instantlie instructs that immediatlie [after] the charge given to me for
restitution of the said oxen, I, for obedience of the said decreit conforme
to the chaire, did be Andro Marshell in Craigmackuiran, my procurator,
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, quhairupon I be my
procurateur left the saids goods upoun the ground of the saids lands,
conforme to your Lordships decreit and charge foresaid, in respect of the
which obedience instantlie done be me conforme to your Lordships
ordinance instantlie verifieth be laulfull instrument, the said decreit aucht
to be simpliciter suspendit.

Thridlie, albeit thair had not been any laulfull offer maid for obedience,
as trewlie wes, yit the foresaid decreit aucht to be suspendit and the
said Patrik Mairtein, elder and younger, can never be hard to suit
execution thairupon, becaus I offer me to prove and instantlie instructs
be tua severall lauffull instruments that the said twelve oxen wer in the
chargers possessioun since the dait of the foresaid decreit upoun the
ground of thair lands and houses belonging to them, and thairfor can
never be hard to seik executioun for delyverie of the said oxen or
pryces thairof, in respect qubahirof the said deceit aucht to be suspendit simpliciter.

Fouhtlie, gieeing and not grauntung thair had not bein any reall offer maid, as trewilie wer, and that the saids twelve oxen had not bein in the chargers possessioun since the decreit, as they trewilie wer, yit nevertheless the said decreit aucht to be suspendit simpliciter, and the chargers cannot be hard to seik any executioun thairupoun becaus the foirsaid decreit is affectit with ane expres condition that the saids chargers should find cautioun to me of the unlawes decernit against them, quhilk as yit thay have not done, nor maid any payment of the samen to me, so that till the saids unlawes be fullie satisfiet for the which the saids goods wer poynit, I cannot in justice be lyable ather to mak restitution 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 verifiit to be debtoris to me in the saids unlawes, quhairupoun de liquido in liquidum conforme to the act of Parliament compensatioun aucht to be grauntit, all quhilk is instantlie verifiit. In respect qubahirof the said decreit and executioun thairof aucht to be suspendit simpliciter and the consignt mony given up to me, or otherwayes, as your Lordships thinkest expedient. I humblie crave that, sieing the said mater is nearlie civell, 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 consignt mony to be given up to me upoun sufficient cautioun to be answerable thairfor, as law will, according to justice. And your Lordships answer humblie I expect.

144. "It is desyred your Lordships wold be pleased to get the cause depending before the Bills at the instance of Robert Stewart of Navis and others, heretores of Glenlyvit, vassals to the Marquises of Huntly, against the Laird of Leslie Forbes may be remitted to the Secrett Counsell. Remitte to the Council. (Signed) CRAFURD LINDESAIY."

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 baillicie 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 prejudeged, 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 Elgin, 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.
146. Finding of the Lords of Council in the process by William Rig \[8th Decem-
ber 1646\] 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, sworn, deponed he did cast in yeard in the coal pot
mouth and whoribusse, and that Alexander Murdoch and his coalbearers
were closed.

John Knox deponed he was not present.

George Clunie deponed he did cast in erdd in the coal pot mouth
and ditted it up when Alexander Murdoch and his coalbearer were
within the coal pot; and that they were not detained above ane
quarter of ane hour.

Andro Rammage deponed he was not present nor did not cutt anie of
the stoups.

William Johnston deponed he cuist in some yeard in the coal
pot mouth when Murdoch and his coalbearer were within the coale
pot.

John Dickson deponed conformis.

Sir John Wachop of Niddre, sworn, deponed 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. Deponed he did not
persew Robert Mure with a drawne sworde. Deponed 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"merks.”

147. Supplication by Andrew Linne as follows:— “I, being ane inhabitant in the
kingdome of Ireland thir augethine 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 suirte of my
wyffe and childrene, intending to doe my best, did then put hir and
them within the Castell of Cloch, quhoroof Captaine Walter Kennedie
was then captaine, att quhich tyme the said Captaine sent me with
nynteine more of our countrymen 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 tweluff aclock at night, it being
verie dark for the tyme; quherupone we haiffeing gone upone hazard of
lyffe and death and that for preservation 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
returninge home againe to the said castle we wer informit be the way
that the said castel was besieged be the enemie and that the said
Captaine haid renderit the same within few houre after the seide and
that without anie sturr or conflict, albeit he was sufficientlie provydit of men, munition and victualls for the space of thrie or fou monethes, notwithstanding he most cowardlie and unfaithfullie to his King and countreymen randerit up the said castle to the enemie, seeking allenerlie quarters to himself, his wyffe and children, and remitting the whole rest to the unmercifull crueltie of the enemie, att quhilk tyme ther wes killed by men and boyes that fought quhilk ther lives wes quick into them sevinsoir 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 comradis, wes forcit to flie to the nixo refuge quher outhere countreymen haid anie forces, and I have servitt his twelf moneth bygaine as ane voluntarie upon my swin charges and expenses, quhilk now of laitt within this moneth I came heir to Scotland to visite my freinds, att quhilk tyme I wes summondit to compeir befoir the Lords of Sessione at the instance of William Semple, indweller in the Cannongait, to mak payment to him off a hudge deall of quantities of guids and geir alledgit belonging to him as husband to unquhill Helene Semple, the relict of unquhill Thomas Redgat, jure mariti, quhilk particulares conteinit in his lybell (extending abowe ten thousand lts) he hes referrit to my oath, such [as] I cannot prove be writ. And seing equitie and reasone wold (haiffing my wyffe and children murherit in maner forsaid and bereavit of my wholl guids and standing) that I should haiff ane compitent tyme assignitt to me for going 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 haiffing no longer tyme allottit to me be my commander in Ireland nor the fyftein day of Februar nixtocum to retorne back againe to Ireland to my service, to quhich I am bound be promise, and am not sure quhen I willbe sufferit to retorne back againe heir, heirfor I, your poore suppliant, most humblie bessich 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 mercifull 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 produoe my saids papers or giff my advocatis informacione, and that your Lordships therafter wilbe pleasit to recomand the same to the Lords of Sessione beffoir quhom the said actione is agitate.”

148. Supplication by the provost and bailies of Irving, 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 McIlwaster, a Highland man from Kintyre, with a hagbut. The assize convicted him of the reckless and negligent slaughter of the said unquhill Gilbert
149. "Forsamekle as it hath pleased God to visite the burgh of Dysart c. 1646. with the contagious seiknes of the pestilence, qhilk daylie growth and incrass is within the said burgh be resoun of the misgovernement thairin, proceeding from the disobedience of the inhabitantis within the same, quha can not be retenet and haldin under that commandiment and obedy-
ence qhilk becometh, everyone prescriving reulis to thame selfis how to behaive thame selfis in this dangerous tyme, sua that be the present confusioun and disorder 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 sicht ordinarie and lauchfull meansis be used qhilkis at Godis goode pleasour may stay the course of the said seiknisses, thairfor the Lordis of Secret Counsaill gevis and grantis power and commissioun to the bailies of Dysert (quhorne the saidis Lordis makis his Majesties justicisis in that parte) to mak, prescrive and sett doun actis, reulis and constitutionis within the said burgh for the goode reule and governement thairin during the present seiknisses thairin, especialie for retening and keipings of the suspict and foull personis frome the clene, appointing of placeis for the foull personis and commanding of thame to contene thame selfis within the pairtis and placeis appointit for their tryall and clengeing, ay and qhull after a sufficient tryall thay be fred and relevit, and to injoyne panes and punismentis upoun the contraveneris of thair saidis actis according to the natour and qualitie thairof, and to execute the same panes accordinglie; with power alsua to thame to tak ordour how the pur and miserable bodyis (quha ar and sal happin to be visite with that seiknes and wantis moyane to sustane thameselfis) salbe sustenit and interenyit during the tyme of their suspition 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, assysses 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 som-
evir thingis salbe lauchfullie done heirin: chargeing heirby all the

with the foirsaid hagbut, the samyn being brocht over fra the Hielandis 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 maisterys bak and being toiland in his bairnhood with the said chargit hagquebut, not kennis the same to be chairgit,never hailsing bein in malic with the said umquhill Gilbert, nor hailsing sein uthiris or had midling toghter." 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, baiyle; R. BROWN, clerk.
inhabitants within the said burgh and utteris whome it efferis to reverence, acknowledge and obey the said baillies in all things concerning the executioun of their officeis, as they and every ane of thame will answer to his Majestie and his Counsalt at their heichest charge and perrell. This present commissioun during the continuance of the seiknies within the said burgh Allanerlie to induir. (Signed) J. Balmerino.”

150. “Humble Petitiouns to the Lords of his Majestis most honorabill Privie Counsalt be Mr Thomas Michell, comissioner for the diocese of Abirdein.

“Imprimis, concerning Georg Duncan in Lessindrum, parischioner of Drumlet, excommunicat for adulterus incest, having often sensyn invadet the minister of his lyff and at last casten himself out of service, living most scandalislie, that your Lordships wilbe pleased to grant commissioun to the schirreff of Aberdeen present and his successours to apprehend the said Georg and to execute the lawes against him.

“Item, because the Sabbathe day is most hainouslie profained by messengers, schirreffs and commissars, officers and uthers of that sort be executing ther chariges at the churche doores quhen pepill ar going and coming fra devyn service, quherevther the Sabbathe day is profained, christian haitis 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 coming under some strait sanctiou against the committors.

“Item, it will please your Lordships to consider at quhat extraordinare charges the bishop and ministris of the dioces hes been be sending commisioners, executing of chariges and suche lyk daylie occatious thir yeiris bygon and yit ar, in persewing and prosecuting the lawes of the kingdome against excommunicat papists, and to tak some course thereman.

(“Ordains thame to be payed out of the fynes.”)”

151. A. E. I. O. U. Y.
5. 8. 11. 14. 17. 20.
6. 9. 12. 15. 18. 21.
7. 10. 13. 16. 19. 22.

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.
4. King.
3. Queene.
2. Prince.
1. Duke of Yorke.
201. P[rin]ce Maurice.
202. Duches of Buckingham.
203. Duches of Richmond.
204. Duke of Richmond.
205. Arundell.
206. Northumberland.
207. Darbye.
208. Worcester.
209. Southampton.
211. Pembrooke.
212. Essex.
213. Hartforde.
214. Dorset.
215. Salesbury.
216. Leicester.
217. Warwick.
218. Bristowe.
220. Newcastle.
221. Falkland.
222. Saye.
223. Conway.
224. Cottington.
225. Manchester.
228. H. Germaine.
229. Porter.
230. Willmut.
231. J. Ashburnham.
232. General Ruthen.
233. Sir Ar. Aston.
234. G. King.
235. G. Goring.
236. Sir Ar. Hopton.
237. Alde Hotham.
238. The Parliament.
239. Mr Daniel O'Neil.
240. Mr Briant O'Neil.
241. Hamilton.
243. Ariguile.
244. Montrose.
245. Eglinton.
246. Nithisdaile.
247. Kalander.
248. Seaforde.
249. Limarick.
250. Traquair.
251. Aboine.
252. Lowden.
253. Ballmerinoch.
254. Kirkubright.
255. Johnston.
256. G. Lesley.
257. Mayor Montroe
258. . . . Murrey.
259. Archibald Steward.
260. Ormond.
261. Thumond.
262. S. Albons.
263. Gormanston.
264. Montgarret.
265. Mr Genish.
266. Mr Guier.
267. Chichester.
268. Muskry.
269. Staire.
270. Sir Phelim O'Neil.
271. Mr Owen O'Neil.
272. Prestoun.
274. Berne.
275. Antrim.
276. Mr Alexander M'Conell.
277. Sir D. Gorme.
278. Sir H. Tichburne.
280. Sir W. Parsons.
281. Tirone.
282. Tironeill.
283. Sir James Dillon.
Townes in England.  
290. Hulle.  
323. Manne.  
292. Scarbrough.  325. Mulle.  
293. Carlile.  326. Sleate.  
294. Whitehaven.  327. Raghlen.  
295. Workington.  
296. Wirewater.  
299. Helmsley.  330. Italy.  
  
Townes in Scotland.  
304. Leith.  335. Callais  
308. Lough Killkeran.  339. Queen of France.  
309. Lough Fin.  
  
Townes in Ireland.  
311. Galloway.  341. Poole.  
  
[Signed on the back] "A. Primerose."

1646–7.  
152. "At Hamilton in the presbytery thairoff, 12 Januar, 1647.  
The quhilk day thair was presentit befoir the presbytery foresaid ane  
lettir from my Lord Duk of Hamilton, all under his Gracis hand,
Being in effect that his lordship was well pleased to give Mr John Baillie, present by his lordship to the kirk of Cambuslang, yeirly during his lyftime and to his successours, ministeris at the said kirk, by way of a constant local stipend to him and thame for serving the cuir thairat, not onelie the old stipend quhilk his predecessores had of beffoir but farder in way of augmentation of the stipend fowr said that quhilk Mr Patrick Hamiltoun, last minister thairat, had of his lordship in pension, with halff ane chalder of victual moir out of the first and reddyest of the teynds of the paroch kirk and parochin fowr said, as the said lettir in the selff at mair lenth beiris. Quhilk being red, hard and considerit be the presbytery, and thae being ryplie and weill adysit thairwith, they fand the said offer resonabill, requyring Mr Patrick Scharp, thair moderator, to give his lordship thankes, ordaining that a contract be drawin up betuix his Grace and the said Mr John in maner and to the effect abonenwritten. Extract be me, Mr David Mayne, furth of the buikis of the presbytery of Hamiltoun, clerk thairto. (Signed) Mr David Mayne, clerk.

153. Supplication by Sir William Dick of Braid, knight, as follows:— 9th February 1647.

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 thairament dailie and ilk day since the second day of Januar last to the 9 day thairof, being sevin days for ane weik and frae the said nynt day to the 16 day therof, being other sevin days for the secund weik, and frae the said 16 day to the 23 day therof inclusive, being uther sevin days for the thrid weik, within sex days nixt eftir the charge under the pane of horning," and he complains that the said George Aitken "intends to denunce me thairto maist wrangouslie because both eftir and befor the geiving of the said chainge I was ever most willing to pay to the said George the fowr saids thre weiks mentenance conforme to the said act and ordinance, he always subsercyveing to me ane sufficient discharge thairupone, including all bygane, conforme to other discharigest 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 fowr said," 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.

[On the back] "Apud Edinburgh, nono Februrarii," 1647. Fiat summo- monis 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 contented. (Signed) SOUTHELSEK."
5th April 1647. 154. Supplication by John McCallaw, burgess of Haddington, as follows:—Sir John Seattone of Barnes, knight, George and Charles Seattounes, his sons, and James Hammiloun, 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.

[On the back] "Apud Edinburgh, quinto Aprilis, 1647. Fiat ut petitur. The within nameit Sir John Barnes [sic] complenit upone under the pane of three thousand merks and ilk ane of the remanent persones under the pane of one thousand merks Scotts money."

15th April 1647.

155. Supplication by James Urquhart of Oldercraig as follows:—James, Viscount of Frendraught, James Creichtone of Kinnaird, his father, George Creichtone, his son, Robert Creichtone of Conland, James Creichtone, his son, 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 suppllicant 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 possess my lands without hazard of our lyves nor attend our lawfull 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 Frendraught 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 persones under the pane of tuo thousand merks Scotts."

18th April 1647.

156. Supplication by Hew Campbell in Lochingirroch, George Cruarfurd of Auchineros, John Gemmille in , and John Campbell in Pollosh, as follows:—John Dunbar of Knockschinnoch, John and Patrick Dumbars, portioners of Pencloy, and George Dunbar 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 lawburrows.

[On the back] "Apud Edinburgh, 16 Aprilis, 1647. Fiat ut petitur, ilk ane of the persoues within complenit upone under the pane of tuo thousand merks Scotts."
157. Supplication by James McMillane, stabler in the Canongate, and Christian Johnstoun, his wife, as follows:—Thomas Fodderbie of Hunters, sons of the said Margaret, daily trouble and molest the suppliants and their tenants in the possession of their lands, so that they are hindered in attending their lawful business. They therefore crave letters to be directed to messengers of arms for taking their oath that they dread bodily harm, and for charging the said persons to find lawborrows.

[On the back] “Apud Edinburgh, 16 Aprilis, 1647. Fiat ut petitur, ilk one of the personeis within compleinit upone under the pane of ane thousand merks.”

158. Supplication by Douglas, Lady Kirkcudbright, as follows:—“It hauing pleased God to call frome this lyff the Lord Kirkcudbright, my husband, and one McClellan of Borg being to succeed to his estate will redcliffe upon notice of my lords death sease upon our houses and intromett with anie moneys, writts or others being within at his awne hand, quherby I may be heaulie prejudged unlesse your Lordschipe provyde remeide.” She craves that warrant be given to the bailies of Dumfries, to take possession of the house of and make inventory of the money and moveable goods therein, and “to putt the same in sure firmanse within the hous, and that the hous and all that is thairin may remaine in the possession of anie your Lordshipe pleaseth till in ane orderlie way the writs therin be lookit unto that it may appeare how the same is to be disposed off.”

[On the back] “Fiat ut petitur to Foularton of Carleton, William Glendoning and Baillie Corsan or anie tua [of] thame, and discharges all others to medele thairin. (Signed) LOUDOUN, CANRIUS, I.P.D. Com.”

[Also on the back] “Lady Kirkcudbright, 5 May, 1647.”

159. Summons at the instance of Sir Archibald Johnstoun of Warestoun, his Majesty’s Advocate, and Robert Pringle of Blindlie and John Haliburton, younger of Murehouslaw, narrating that notwithstanding the prohibition of the law of bearing hagbutts and pistols and convocating of the lieges in arms, on 16th May, 1645, John Pringle, sometime of Smalholme, James Pringle of Buckholm, George Pringle his son, James Pringle, sometime of Dewer, James Pringle of Heriotmlyn, David Pringle, his brother, George Pringle of Newhell, James Pringle his son, William Pringle in Stow, James Halden in Fallsheite, Robert Halden, his son, John Lorimer there, William Freir there, John Thomsone in Stow, Archibald Lawson there, James Pringle in Heriottoun, Richard Lawder and John Stoddert in Criblaw, and others to the number of about one hundred persons, “armed in hostill manner with musket, gunes, hors and side pistollis, corselet, heid peeces and others
weapons invasive, come to the lands of Over Sheillis, Criblaw and Perniehist lying in the parish of Stow possest be the compleners thes nyne yeeres bygone be vertue of good and undoubted rights, brake up the doores of the houses of the saids 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 was not able to visite the seike nor discharge his functione; houndit, wounidt and put away the tennents goodia of the saids lands, thrust them frome the same, destroyed their insight and pelingsheing and possest themselfs in the saids landis without anie lawfull warrant, be plane bangestery." Charge is therefore given for citing these persons to compair before the Council at Edinburgh on , and also to cite as witnesses in the case; dated at Edinburgh, 4th June, 1647, and signed Arch. Primrose, Cler. S. Cons.

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 Herriet 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 Cribells, all personally apprehended, and George Pringell of Newhall at his dwelling house, to compair before the Council at Edinburgh on 10th June instant; witnesses, Alexander Murray, messenger, and Andrew Tomsone in Stow; and (2) Thomas Bruntoun in Fairnieshirst, William Tomsone in Bowre, James Scott in Slaknedrowye, William Scott in Knollis, [James Scott in Dewar, Howatsoun in Dewar, Thomas Jonstoun thair] Walter Melen there, John Scott in Gattounsyd, James Bowetoun in Westhouses, William Leis in Happring and George Jonstoun in Lindgat, all personally apprehended, to compair as witnesses in the above cause; witnesses, Alexander Murray, messenger in Lauder, and William Allisoun, servant to the messenger.

161. "Att Edinburgh, the tent day of Junij, 1647. The qubilk day in presence of the Lords of Privie Councell compiered personally Sir Williame Hamilton of Elestoun, and the Counsels pleur for dischairing the commissioun formerlie given for restraining his persone 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 obleige himselfe to governor his estaitt and not to sell or dispone upone the same or anie pait thairof, bot be advyce of the Lord Chancellor, the Earle of Tweddell, and Lord Balmerino or such as sall have powar from thame. Extractum."

1 These names in brackotes are deleted.
1647.

Charles I.

162. “Edinburgh, Junij, 1647, James Scott in Slaknodowrch, 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 upon the poynits of lybell.

“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 possset thameselfis, declaires, he being upone the ground their came to the ground with the defendars particularie contenit in the executions about ane hundredth men, the most part thairof horsmen, on of thame haveing ane headpeise, 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 their goods aff the ground and removed the wholl plenisching within the house to dorres and brak it. He declaires farther that the reider being thair was also put af the ground, and thaireftir possset thameselfis in the housses and the land.

“Walter Meaban in Westhousses, being interrogatt at 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 horses with swords and some of thame pistolls, and those that war upone foott, some war armed with picks and some with launces. Depones also they brok up only ane doore and thaireftir all doores war maid patent, and aftir they entered within the house 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. Greene of Morphie.”

163. Supplication by Adam Abircrombie of Auldraithe as follows:— 9th July 1647. It was his great misfortune to kill George Leith of Newraigne, “for which I doe heartilie crave pardone from God and man, ytt 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 befoir, I am still ytt willing to give all assythment to the relict, bairnes and narrow of kin to the partie killed, and for that purpose did by Captane Patrik Campbell, ane of Collonell Pittscotties regiment, my actornay, appoynt ane particular day at Aber- dene to have mett with thame for giving satisfactione, quhilk was before the Council and absolutelie refused, as instruments takin upone my willingnes and thair refuissall be the said Captane Patrik Campbell, my actornay foarsed, in my name heir present to schaw beires; and seing be his Majesteis modified remissione your Lordships ar appoynted to be the judges of the assyth-
ment and to decrene thairin incase of thair refusill," 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.

164. Summons at the instance of William Garloch, elder in Norum, narrating that on 1st June last when the complainer was in the house of the Laird of Craigvar, 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 yet of Craigvar, haweinge a full resolucione to tak his lyfe; but, being separat be some that war standing by, he vowed and swoore be many grievous and horrible oaths to be about with the complener at another occasione. Quhairupone the said Duncane Forbes, still taking all advantages to wrong the complener and being informed that he was upone the day of the said moneth of Junij last going to Sir Williame Forbes of Monimusk hous, he took occasione to direct Williame Forbes, younger of Campbell, his sone, wher he was, who being commanded and charged be his father to proseguite his wicked designes upon the complener he, in a most barbarous and cruell way, sett upon the complener 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 bane 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 was thairefrir takin up and caried to bed, so that he is still bedfast sinc to his great and heavy prejudice; quhilik is ane unsufferable wrong and ought 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. Primeroze, Cler. S. Cons.

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 M’Clure, 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 M’Clure 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 compleners said assignatious in his favours." Moreover, the com-
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 ordains 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 elders, undersubs cryveris, doe be thir 14th November presentis testifie and declare that Walter Ross of Innercharroun is heavilie deceased and infirme in bodie through ane vehement payne con- tracted in his legge this tuo moneth bypast and is bedfast thairby quharbe he is nowayis able to travell nor come to church or markat. Wryttin and subs cryver at Kincardin, the fourteene day of November, jvye fortysevin yeiris. (Signed) M’H. Munro, minister at Kin- cardine; Jo. Ros, ane off the elders; John Ros, ane of the elders. I, David Munro, moderator of the province, do trulie testifie the premisis; Tho. Ros, ane of the elders; Tho. Mackenzie ther; Donald Ros testifies the same.”

167. Scrap of paper on which is written as follows:—“The Counsel appoynts a frequent meting of Counsell to be kept heere upon the 18 of this moneth for considering the mater of exportation of victual and that letters be written to the Councillors within distance to keepe that diet. CASSILLIS, I.P.D.

Edinburgh, 18 November, 1647 . . . Prases; Argyll;
Craufurd Lindsay; Dalhoussie; Angus; Carnegie; Sinclair;
. . . Burley; Clerk Register; Advocate; Dundas; Bogie;
Lee; Provost of Edinburgh . . . as be act of Comittee of the 29 of October . . . Edinburgh, 2 December, 1647 . . . Prases; Argyll; Craufurd; Eglinton;
Glencarne; . . . Advocate; Bogie.

168. Summons at the instance of Susanna Douglas, widow of James 20th November 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 priso 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.
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.

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 lidge, gave him manie cruell and bloodie streaks and took from him the hail wepenes perteaning to him within his hous and ane hundreth pondis Scotta." 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.

171. Note of execution on 25th November, 1647, by Thomas Bruce, messenger, of a summons at the instance of William Garioche, 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 that off but minaced and boasted me with wepenes, upon the quhil k I did cast the said coppie from me subscribit, as said is, to him, becaus he wold not suffer me to come near 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.

172. Summons at the instance of Thomas Gray in the Canongait, narrating that on 15th June last the complainer was riding peaceably on the highway from Tranent to the Pannes when Thomas Mylne, indweller in Leith, "in a most barbarous and inhumane way, having a great instage dog at his companie, hunded him at the complenar, and the doge having drawin him and his hors to the ground, the said Thomas Mylne most cruellie and unmercifullie, havinge his sword drawin in his hand gave him four severall great cuttis on the head, wherthrow their was ten severall bones taken out of his harnpam, and gave him also another wound in the airme. And eftir he had cutted and wounded the complenar in maner forisaid be agane most inhumainly 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
and bitt the complemar in severall uther partis of his bodie to the effusion of his blood in great quantitie and great perrill of his lyfe, being left upon 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, his son, as follows:—They have been cited to compear before their Lordships at the instance of John McKenzie of Tarbett, knight baronet; John Ross, alias M’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 twentie-sevent day of Januar nixttocum and to suspend and discharge ut infra till last day of the samemonth. Becaus Alexander Ross, tailyeour int he Cannogait, is becum cautioun for the complemar 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, whereupon charge is given for citing the said Sir John McKenzie 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; Suspender personalie; charger be M’ John Alexander. Walter Ross compeire personalie for hissef and in name of his father for whom he tooke burden. The Councell assigns this day 20 daies 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 one part, and Sir James Maxwell of Calderwood, on the uther part, hes takin up the house of Nethir Pollok laitlie eftir the said unquhilt Laird of Pollok hir fathers decei on their pretendit tyttills and richtics, and seaisit on the hailt wrytis, poise, jewells, gold, silvir and haill plenishing, and also taking me, the
said Issobell, his only daughter and aire, and as yitt ane or aither of them keipes and deteines me and the sameine, and on their contestes hes several ryots and complaints, each againis uthir, depending befor your Lordships for keiping, taking up and deteining the said hous and hail gudis abonewrittin. Herifor 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, hail wyre 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 orderine 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 ordains Sir George Maxwell [and Sir William Cochrane] to exhibit Issobel Maxwell before the Council this day 14 days under the pane of hornin. CASSILLIS, I.P.D.

168. “Wee undersubsercryeand, appoynted be the Lords of his Majesties Secretie Counsell for reviseing the processes depending betuix Patrik Martine and Alexander Inglis, and haweine mett and considdered the same, wee find that the said Alexander 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 Martine, giving his oath that the goods lybellit quhilk war ordaned to be restored to him be the said Alexander Inglis war not the same goods quhilkis war poynit be him from the said Patrik Mairtine and that they war not recceved be him nor pastured be him nor any of his tennentis or servandis at his command and directioun, it is our humble opinione that the pryces thairof consignit in the Clerks hands soold be given up to the said Patrik Mairtine and recommends to the Counsell to modify such a soume to the said Patrik Mairtine for his expenses for his long attendance as the Counsell sail think fitting.”

“Edinburgh, 16 December, 1647. The Lords of Secretie Counsell approves the report abowewrittin be the subcommittee concerning the poynding of the goods lybellit and ordanes the pryces thairof to be given up to Patrik Mairtene.”

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 pertinentes in the parish of Lochruttoun for many years past

1 Deleted.
on a tuck 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 liberentrix of the said lands, and now spouse to James Logane in Hills, which tuck 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, break up the complenaris doores, took doune his crook, slokned his fyre, and broak the halil insight and plenisching within his house and cuist the same to the doore, whereby they most unlauffull intruded the said James Logane in the possesion therof; and thairefter most cruellie and unmercifullie stroak and abused the complenars wyfe, gave her 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 foresaid and had put thame from their possession, they loked up the doores so as the complener and his familie wer forced to retire to thameselfes to a barne neir by, wher, haveing remained a certane space, and thairefter the complener finding the doores of his swin hous opin and nobody within the same, he reposest 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 suspension befoir the Lords, quhilk suspension was procured befoir the committing of the foresaid violence and was intimat be ane messenger to the said James Logane of befoir; as also caused charge him with lawborrowes for his indemnitie. Notwithstanding of all, the said James Logane, finding the complenar reposest in his swin house, he being accompanied agane in maner above writtin with sojours 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 disposesst agane the complener, his wyfe and familie from the said hous and abused the complenars wyfe agane as they did formerlie; and thairefter loked up the doores so as the complenar was forced agane to retire himselfe and familie to the said barne wher he still ytt 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 comppear before the Council on 27th February next, and also the following persons as witnesses, viz., John Logane in Armannoche, William Sillie there, John Wilson, walker in Lochfute, John Pott in the Moit there, James Donnald in Hietis, James Mulliegane in the Moit, John Myller there, Robert Gordoun in
Lochruttoun gait and Edward Willson, messenger at the Bridgend of Dumfreis. Dated at Edinburgh 24th December, 1647, and signed ARCH. PRIMEROSE, Cler. S. Cons.

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 kind 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 come before the Council on ; dated at Edinburgh, 27th December, 1647, and signed ARCH. PRIMEROSE, Cler. S. Cons,

180. Execution of summons on 30th December, 1647, and 5th January, 1648, by John Hart, messenger, at the instance of Gilbert Kennedie of Arrewillane, against Hew Kennedie of Arieheiman, personally apprehended in Edinburgh, and Mr John McClure at his dwelling house there, to come before the Council on 6th January ; witnesses, Hew Ros, writer, William Ros, his servitor, Thomas Allan, messenger in Edinburgh, and Alexander Forbes there.

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 Chepiltoun, (1) against Helen Cunynghyght, widow of William Guding in Gartscrowie, James and William Guding, their 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 come before the Council on 6th January next ; witnesses, John Anderson, younger in Cudbertstoun and James Mirk in Chepiltoun : (2) against the same persons at the market cross of the burgh of Ruglen, as the head burgh of the sheriffdom 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 Fermie; witnesses as above.

182. Summons at the instance of Alexander Kaa, servitor to John, Earl of Loudoun, Lord High Chancellor of Scotland, and James Haultie, tailor, burgess of the Cannogaitt, narrating that on 5th January instant the complainers went in a quiet and peaceable manner about 5 o’clock
at night to the dwelling house of John Pollock, shoemaker in the Cannogait, and the said Alexander Kea 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—\(^2\) the wound being so great that it was swelled up with sex or sev'n takes of a neidile. And after schoe had committed the said injurie schoe raxe a napkine out of his hand all full of blood; and thairerfor schoe and hir husband scoott the doores upone the compleans and keipt thame a long tymne within, so as the said James could not have the benefit of a chirurgian to pane him; bot, on the contrare, the said John Pollok pulled him by the neck awoynig to ding out his brains if he offered to stur, and thairupone rent his coytt 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.

183. Note of execution by George Stewart, Kintyre pursuivant, on 19th January 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 Hamilton 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.

184. Note of execution by James Thome, messenger, of a summons 19th and 24th January, 1648, 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 Kincriagie, James Davidseone in Keithshauche, 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.

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 executions at
the instance of Robert Millar 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 Armannoche, 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 Lochrutoune gait and Edward Roresone, messenger at the Brigend of Drumfreis, at their several dwelling places, to compear before the Council as witnesses in the above cause; witnesses, Thomas Gordoun in Lochefute and William Mulliegane there.

26th January 1648.

Note of execution of letters of suspension raised at the instance of Walter Ros of Innercharon, and William Ros, his son, against Sir John McKenzie of Terbat, knight, to compear before the Council on; witnesses, John Kaird and Neill Odoratie, servitors to the said Sir John.

186. Note of execution on 25th January, 1648, by Donald Bayne of letters of suspension raised at the instance of Walter Ros of Innercharon, and William Ros, his son, against Sir John McKenzie of Terbat, knight, to compear before the Council on; witnesses, John Kaird and Neill Odoratie, 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 Stranrawer, Mr. John McClure, doctor of medicine, and Hew Kennedy of Ariheman of his “goeing furth of the tolbuithe 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 Linlithgow for a standing commision for the trial of witches within the bounds of the said presbytery.

188. “It pleased your Lordships upon our humble supplication to give anecomission to sundrie gentlemen within our preebiterie of Linlythqw for tryell and for executione of justice upon sex witches within the parochine of Carriddin, and now, justice being administrated upon thes, sundrie of them confessing hes delated others who are both in the said parochen of Carriddin and in other adjacent parochen; therfor thes againe are humble to supplicat your Lordships that, according to the overtures of the Generall Assemblie set doune upon the 19 of August, 1643, ane standing comission for a certaine tyme may be given from your Lordships either to thes gentlemen to whom your Lordships gave
the former commissioun 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 persons as are guiltie of witchcraft within the
bounds of our said presbiterie. Expecting your Lordships answer com-
mands your Lordships and your grave counselle and deliberationes to
the directioun of God only wisse, rests, your Lordships humbell servantes
and supplicantes, the bretheren of the presbiterie of Linlythqwe and sub-
scribes in their name (Signed) M. Pa. Sheills, moderator; M’ Ro.
Row, cler. presbyt.

"Edinburgh, 27 January, 1648. The Council refuseth 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 committie will then tak suche [course] as salbe
agreeable to justice. (Signed) CASSILLIS, I.P.D."

of 20 yeires, sworne, being interrogat, how and in what maner James
Logane entered the hous lybelilit possent 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 aganst 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
suspenzion or at leist intimat the same. Depones that at nather of the
tymes lybelilit 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 lybelilit, with two clokis and some uther goods, and thaireftr
thame to the mercat croce and pryset the same for ane unlaw of
fittie ponds decernit aganes the persewar for a blood committed be him.

"Johne Wilsone, walker in Lochfuttee, of 24 yeires of age, maried,
deponis he knawis nothing of the particulars lybelilit, only declaires he
saw ane caldron, two clockes and some uther plenishing lying at the
barne doore lybelilit, bot knowis not who took them out.

"Johne Pott, cordener in Lochfoott, of 40 yeires, maried, depones
conformiter to the said Johne Wilsone.

"Johne Miller, webster, of fourtie yeires of age, meried, depones he
saw the defender enter the persewars hous and take out a pott of it
and brak a foott off the pott bot saw no violence done to the persewars
wyfe; depones he saw ane caldron and some other plenishing takin
away be the said defender and these who war with him.

"James Slowan in the Mott of Lochfutt, of 26 yeires of age, maried,
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
declares that he saw him thairefuir and the troupers with him cast out some plennishing out of the house, and that they carried the pereewars wyfe to the doore so that thairefuir 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."

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 French agents house, which preist was also observed to be with him at Newcastle 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 knoun 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 Niddsaill after her excommunication are not execute, and that there is one Macartone 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 pourer and auctority in a speedy and effectual way for removing of these great scandalls, and your Lordships answer we humbly desire. (Signed) Geo. Gillespie, Mungo Law, G. Leslie."

"3 February, 1648. The Counceul having considered this desyre have thought fit to continow the consideration of the I. article anent the French agents preist till this meeting of Counceul and concerning M’Carton the Counceul ordains 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."

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 comparing before the Lords to answer at the supplicantes 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 Dunfermline my ludging in the old toune of Aberden whilk was possest be me, the said William Seattoun, and takin be me of the said Earle of Dunfermline 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 oppreasing and maisterfull way, having no warrand be ordour of law for that effect, intrometting with and awaytaking of myne the said
Earle of Dumfermline my haill writis, plenisching, silver work and goods being within the said ludging for the tymte, 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 hornsing 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 Whitelead, advocate, complaining 1st April 1648. against Gilbert Lawder, sometime of Whitelead, now portioner of the lands of Lawder and Burmylnye thereof, "who, haveing conceavet ane deildie heatred, malice and evil will causis against me, be himself, his bairnes, men, tenents and servants and uthers, his complices, of ther causing, sending, hunding out, command, reset, assistance and ratihabitioun daylie and continuallie molestes, trubles and oppressis me, my wyfe, bairnes, men, tenents and servans in the peiceable possession, bruikings and joyisings of my lands of Whitelead, tour, housses, yairs, lands of Brighauch, myyne therof, pallets, pendicles and pertinentis of the samyn, querin I am hereable infente and seasit, and I and my authours and predessouris hes been in peiceable possession this long tymte bygane, lyand within the schireffdomme of Bervick, and of uthers my lands and heretages, cornes, cattall, goods and geir, eite, stramps doun and distroyes my cornes, gras, pasturage, and planting with ther bestial and goods, makes comon rods and pasturages therthrow, casts doun my dyks, meithes and merches of the saids lands, casts and wins turfs, devite, fewall and feall, therupon cutes and distroyes my growing tries, woods, planting and brome, teillis and ryves out ane great pairt of the saids lands, intruds themselfs in the possession therof and appropriat the samyn to themselfs, intending to mak the samyn altogidder unprofitable to me, and he yit still perseveiring in his deildie heatred and maliage aganest me, takeing occasioun of my absence fra the saids lands hes lealtie so threatned and bositit my heall tenents therof that they ar not able to labour and possess the samyn peiceable, bot forces them to give over the samyn and will suffer non to tak any pairt fra me thairof, thinking therby to cast the samyn weast; daylie shores and boasts to bereve us of our lyfes, and lyes at a wait for that effect, and many uthewys molestes, trubles and oppresses me and my forsaidis by ordour of law and justice, not onlie in his and proud contempt of the authoritie and lawes, bot also to my great hurt and prejudice and evil exemple to uthers to committ the lyck in tymte coming 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
find lawborrows for the safety of himself, his wife, children, men, tenants and servants, within six days after the charge.

[On the back] "Apud Edinburgh, primo Aprilis, 1648, fiat ut petitur, the within nameit Gilbert Lauder complenit upone under the pane of two thousand pundis Scottis money."

29th July 1648.
Supplication by Jean Foulles, liferenter of the lands of Orcheardfeild, 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 conceiveved some prejudice against us, they be thameselfys, 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 unjustilie and barbarouslie waist and destroy our young growing trees, eat our gras and most illegilie to manifest thair evill will and mallice against us offer to stope a passage from our orcheard 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 prejudeg us in our goods and wrong us in our personeus without remeide 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 one of the personeus within complenit upone the pane of ane thousand merks Scottis money."

29th August 1648.
Caution by John Leith of Kirkton of Oyne for John Leith of Harthill, that he will keep the peace with the liesges, dated at Harthill, 29th August, 1648; witnesses, John Cruikshank in Kirkton of Oyne, and George Scott.

195. Supplication by Sir William Cockburne of Langtown, 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 summonstitio ut petitur to the twelf day of October nixt, and to suspend and
Supplication by James . . . in Mord[ing . . . ] as 1648.

196. Supplication by James . . . in Mordington 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 fearlie, and cruellie woundit me with swords and staifis to the gryt effusion of my blood, and they, not therwith being content, rydding on horseback did ryd over me and bruised all [my] body withe their 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 intertienment in ane lawful maner; and haveing supplicat the Major of Berwick for justice aganes the said persones . . . redresse of my wrong, he daylie postpones and deferrs to doe the samynye, 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 offendor be apprehended (if they can be apprehended in Scottish territory) and to find caution for giving satisfaction.

[Nothing on the back.]

197. Supplication by Sir James Nicolsone of Cockburnspath, as 1648.

Supplication by Sir James Nicolsone of Cockburnspath to his Lordships, that the said 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 if the said bridge had bein brok downe by inundation of water, as wes apparent to all that passed by if they had taken inspectione thereof, 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 was 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 Scottes money, as sail be maid apparent befor your Lordships. Thairfore I beseech your Lordships to tak the premisses to your consideration, having bein in latte tymes of trouble wasted, plundered and quartered upon severall tymes by the armis 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 Counsell for levyng 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 Cockburnspathes, to be uplifted fra the saids severall heritors by ane stent according to the valuation of the excyse is presently gathered for the land excyse, and to caus pay in to me, the said Sir James...
Nicolsounne, the same, or otherways that your Lordships will be pleased with some other effectual course concerning the premises, and not suffer me to be over-burdened beyond my neighbours."

198. Duplicate of the foregoing Supplication.

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 latter troubles, being forced for his loyaltie to fle from London in anno 1646, he left a trunke 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 therafter dying, the trunke with the papers and many other things was intromettet with be Mr John Traill, now indwellor 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 denuncet his majesties rebell and cast in prison and consequentlie not to have persona stendi in judicio for recoverie of the small estate left to him by his father, and now violently possessed by his brother-in-law, Mr 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."

200. "A Informacion for the honorable Lords of the Secret Counsell concerning the act to be rectified in the particulars following, viz.:

First, that the reason of the factorie be deletted.

Secondlie, that Sir Luis Steuart and Sir Thomas Jamison's namis may be putt out, or els that they be not in the quorum.

Thirdlie, that I may be primum movens in my owne affairs.

Fourtlie, that I may have a frie disposition of my estate, both in propertie and annulement.

Fiftlie, that it expires at the will and the tyme of the mandator.

The honorable Councill would command that I may have the ordinarie course of justice for the saftie of my persone.

Also, your Lordships would appoynte Mr Thomas Nicolsone to redelyver my writts. Your Lordships humble servant. (Signed) ANDREW CANT.

The honorable Councill would appoynte Sir Luis and Sir Thomas to give in their relevant and qualified reasons of this their irrationall and uncivill proceding with me, for, if 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
make answer to them. *Quae quaestio est majis facti quam juris.* Your Lordships humble servant, Mr. Andrew Cant of Colmistoun."  


Compeer Agnes Clarkson, widow in Dirilstoun, prisoner in the Castle of Dirilstoun, suspect of witchcraft, and confessed that 18 weeks since or thereby came to the said Agnes her house in Dirilstoun the pyper's mother in Longmidrie, laetelie brunt for a witch, and lodged with her all night, who rysing about the midst of the night did use fearefull curses and exerations, intysing the said Agnes to become the devil's servant, which at that time she would not consent unto: but therether she perceived as it wer a black wind and mist, wherewith the hous was filled, wherat she wes verie affrayd, and, the said pyper's mother going furth of the hous in the morning after, she had continued intysing the said Agnes and she still refusing, said 'I shall garre you rew it.'  

Further confessed that the same day, about the dead time of the day, came in the devell in the likenesse of a black dun dogge and went up and doun the hous, and seized upon the said Agnes her clothes, and thereafter, turning into the likenesse of a black man, had carnell 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 said she would nothing, desyred her to renounce God and Christ, and her baptism, all which she says she has done, and now, 'How shall I gett mercie,' said she: but being interrogat of the way of renouncing Christ and baptism, whether she did it by express 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 arm 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 again, 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 Dirilstoun foranent James Nicolson's hous in the twylight, and she hearing a great noise and dinne came furth and they all danced their, the devill appearing among them in the likenesse of a black man with a staf 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 doun under the dyke with black heids and danced their with the devill. She came home to her hous; also the saide Patrik, Manie and Besse, as she thinks, went home to Fentoun.  

Further, the said Agnes depones that 8 days since after 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 met with Besse Hogg and Manie Haliburton and told them at the end of Patrik Watson’s hous that the chamberlane had threatened to try her, therfor she could be no sooner seised upon but she could 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. LEVINGTON.

There are also sundrie particulars of maleifice offered to be made good against the said Agnes Clarkson 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 Clarkson, find them a sufficient ground for supplicating a commission to sitt upon and try the said Agnes. (Signed) A. MAKGHIE, Clerk.”

202. “At Painstone, 8 Junij, 1649. Quhilk day Agnes Hunter in Painstone, suspect of witchcraft, being examinit be Mr Robert Ker, minister at Hadinton, beffoir Thomas Foullis, Johne Eastone and Johne Baillie, deponit as followes:—

1. First, coming from Ormestone about ten yeiris since she saw the divell in the licknes of ane gentleman and suspectit him to be the devill and that he came to hir bot spak nothing nor offerrit to touch hir, bot went away beffoir hir in the licknes of ane miskle grayhound.

2. The second tyme the devill appeird to hir at the foot of hir owen yard about fyve yeiris efter in the licknes of ane man in grein cloathes, and that he desyrit hir to become his servant; that she anserit quhat service could she doe, for she micht not come out at dooris, that the devill replyd, ‘Thow salt never neid to come out bot quhen Marion Richesone comes,' and that she promesit to become his servant. Quherupone he desyrit hir to renunce hir baptisme and Jesus Christ, quhilk she did, and for quhich she is now most grevit, bot cannot presentslie remember quhither he had carnall dealliding with hir at that tyme or not, bot rememberis perfytlie that afterward he did ly with hir.

3. A thrid time she mett with him about half ane yeir eftir in hir owen yard, that he appeared in the licknes 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 reward he wold give hir and quhat good she sould gait from him, that he ansered she sould gait quhen she came to the meitting with the rest and that at this tyme he had carnall dealliding with hir, she found him cold, not lyk to ane man.
4. The fourt tym she mett with him at Langnidrie, conforme to the former appointment, quher wes with hir Marion Richesone, Marjorie Adamsone, Margaret Russell, Margaret Richeson, Margaret Steig and another long heigh woman that she dooth not know; that they mett in Thomas Dicksones hous (the said Thomas not knowing of thair being thair), that thair wes meat 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 promeisit to give tham thair rewaird at Pasche.

5. That the fyft tym she mett with him wes in that some hou at Fastinges even thairefter with the same companie mentionat formerlie and that they supped algethier and appointit another metting at Pasche, at quhich tym he promeisit to give tham thair rewairdis, that he appointit tham to dervyd companys 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 saide tym of Pasche, he did meitt with hir at Painstone, quher wes with hir John Dickson, Grisell Anderson, Margaret Dickson, that they wer bot gathering togidder and that Marion Richesone came and said, 'God speed,' quherupone the devill vanisht away, and they did all pait.'

"At Painstone, 8 Junij, 1649. Quhilk day Margaret Dickson, in presens of Mr Robert Ker, minister of Haddington, Thomas Foullis, John Eastone, John Baillie, depoitit as followis:—That the occasion of hir coming in the snare of the devill wes ane heawie 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 goe out and gather in the harvest feild, who refuisit, quherupone she strak hir and said, 'Since thou art such a burthen to me, ather God or the devill pait me and the.' That upon this that same nicht about midnight the devill appeir 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 farde speiches perswadit hir in the end, quhar he had carnall deallingly with hir, and bad hir forsak God and tak hirself to him, quhilk she did, and said she wold come in his will and become his servant and renuncit hir baptisme, that he promeisit 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 yier efter at Nisbot deyn heid and promeisit to give hir some rewaird.

The second tym he mett with hir at Nisbot dean head, according to thair appointment, in the lycnes of ane gentleman in grein clothis at twelve houres in the day, quhar he had carnall deallingly with hir; that she asked for the rewaird he had promeisit to hir bot that he answered, 'Thow salt gait quhen the rest gaitis thairis.'
The third time she met with the devil was at the gait bank head of Nisbot; that she saw Agnes Broune lying betuixt two rigges, who arose and came to her and that, quhil they wer meeting the devil appeire in the way betuixt them and went to Agnes and imbracit hir in his armes, that the said Margaret, sieing him dealling thus with the said Agnes, left tham and quhat they did moir she knew not. After this a little space the said Margaret met with the devil at the lyme kilne in the westyde of the moorshot, that he offerrit 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 was heir in Painstone, quher he fell upon hir in the night and band doune hir head till she cryed out, being lyk to be opprest with him. That after this Johne Dickson came to hir and desyririt to come out quher she saw the devil with Johne Dickson and Johne Weir togidder with Issobell Murray, Agnes Hunter, and Grissell Anderson; that they did litle thing, being hinderit be the comming of Marion Richeson who bad tham God speed.

That about half ane yeir since she was at meeting in Gladsmoor quhar the devil with Johne Dickson, Johne Weir and his wyfe, Marion Richeson and they dancit for the space of ane hour. That the devil lay with Marion Richeson at that tyme bot with no moe of tham at that tyme.

That she met with the devil also in Agnes Brounes hous in Nisbot. That quhilk she was sitting with the said Agnes the devil 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 quhilk she was going out the devil pulle 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 their fe quhen the[y] lyked to crave it, which they promised to do.

That Issobell Johnestone in Nisbot, having ane bairne seik, came to hir and desyririt to gait some south running water to washe hir chyld in and told hir, the said Margaret, that some had been advising to this and askit at the said Margaret if it would do good. That she bad hir assay it, and that the next tyme she met with the devil 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 hirself bot that the mother sould apply the water, onlie she, the said Margaret, sould fetch it."

"At Hadingtone, 9 Junij, 1649. Quhilk day Issobell Murray, spous to Johne Weir, maillmaker in Painstone, being put in warid upon ane alledgment of hir being ane witch in presens of M' William Trent, minister, Johne Cokburne, proveist, and Patrick Young, baillie of the brugh of Hadingtone, confessit that she hes been ane servant to the devil since Pasche last and that she, lying in hir bed, the spireit toock
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 soon 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 Hamiltone's yaird in Painstone and thair she mett with Johne
Dickson, Agnes Hunter, Grissell Andersone, Barbara Purdie, Margaret
Dickson, Helen Lausone, Margaret Hog, about tuo houres 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 befoir they danceit she sat doun on
hir knees at the said yairdhead and renounced hir baptisme and that he
gart her cast a stane over hir shoulder and called hir Lisbie and lay
with hir lyk ane ruch't man all black.

Grissell Andersone, spouse to Alexander Baillie, elder in Painstone,
being also delaikit for ane put in aird in presens of the foresaid judges
abonewreattan" . . . [This paragraph deleted.]

"At Hadingtong, 12 Junij, 1649. Qhilk day, in presens of M't
William Trent, minister, John Aytone and Patrick Young, baillies
of Hadingtong, George Cockburne, thesaurer, James Borthuick and
Patrick Dausone, compairit Issobell Murray and delaikit Margaret
Bartilman, spous to Forrester, and that she wes tua sevveral
tymes at meitting with hir and hir neighbouris, the devill being present,
the first meitting being at that loch called Painstone loch, and Johne
Dickson, Marion Richesone, Grissell Andersone and Margaret Hog and
Agnes Hunter in Painstone and Barbara Purdie, and that the devill
took 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 declarit that Grissell Andersone did adverteis hir that nicht to
meitt hir that nicht and we sould have gotten at our meitting
our pay.

And the second tyme that they mett with the same foresaid personeis
and Margaret Bartilman the said second meitting was within ane weik
after 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 houres at nicht, and that devill danced among them with Gris-
sell Andersone in his hand and that Margaret Dickson 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 them.

And she declarit that she wold stand to the confessione that she
had maid of befoir in presens of the proveist and M't George Gray, clerk
to the brugh of Hadingtong, 9 Junij."

"At Hadintoun, June 20, 1649, whilk day the above-written deposi-
tions and confessions of Agnes Hunter in Painstoun, Margaret Diikson-

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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.”


June 1649.

Manie Halliburton, prisoner within the Castell of Dirlo, suspet of the cryme of witchcraft, dilaited guiltie be Agnes Clerksoun, lait sufferrar for the said cryme, as also be Patrik Watsone, spous to the said Menie, who lykewyse sufferrit thairfoir, and confessit that auchttein yeir syne or thairby, hir dochter being seik, echo first sent for Patrik Chrystisone in Aberledie to cum and cure hir dochter, and he refusing went hirself for him, who refused to cure hir, and within dayes after came the divell in liekness of a man in to hir hous, calling himself a phisition, and said to hir that he had good salves (and namelie olylispek) whairwith he wold cure hir dochter and aggrieing wth him for some of his salves, quhilk he gave hir. Sho gave him tuo Ingis 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 coming in he sent for a pynt of ale, but at his second coming he stayit all night and upon the morne airtle (Patrik being furth) in came the divell and lay doune with her (soho being yit in bed) and had carnall copulatioun with hir, his nature being cold. He desyriit hir to renounce Christ and hire baptisme and become his servand, quhilkie sho did, and sayes that hir dochter had the wyte of all hir woe, wissing sho had nevir bine 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 Levintoun of Saltcotton, James . . . . . John Stalker . . . William Dalicel [noter], Mr John McGhie, minister at [Dirlo]. (Signed) J. Makghie; Alex* Levintone, witnes; Ja. Borthuikie; James Lauder; Johnne Stalker; W. Daliel; William 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, elk.”
205. “At Dirlton . . . of . . . yeiris. The quhilk day in presence of Alexander Levingtone of Saltcoitis, James Borthuik, chaumerlane of Dirlton, Johne Stalker, bailze their John Kincaid that he had found the devil’s mark on Patrick Watson in West Fentoun and Menie Hallyburton, his spouse, bruited and long suspect [of] witchcraft, of thair awne frie will uncompellit, heiring that I, Johne Kincaid, undirsacyr, vand, wes in the toun of Dirltone and had some skill and dexterity 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 desyried me, the said John Kincaid, to use my tryall of thame as I had done on utheris, whilk when I had done I fand the divellis marke upon the baksyde 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 sensive, nether came furth thairof any bloode etter I had tried 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 place foresaid, befor thir witnesses abonespecificit. (Signed) I: K: Alex’re Levingtone, witnes; W. Daliell, witnes; Ja. Borthuike, witnes; Johnne Stalker, witnes; James Forman, witnes; M. J. Achesone, witnes.”

206. “At Eymouth, the second day of July, 1649. The quhilk 2d July 1649. day Mr Samuell Douglas, Mr James Straitone, Mr George Home and George Halliday, clerk to the Sessione, having gon up to Issobell Brone after prayer shee confess to them these particularis, viz.: that sax quarters of ane yeir since the said Issobell was 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 servant, quhilk money he laid in hir hand and shee cast it from hir. Again she met with him at the sam place and offred hir money and promised that shee and hir bairns sould never want. A third tyyme shee met him at the sam place, quher the divell prevaled so much with hir that upon his desyr shee renounced 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 folkia.’ Thus far shee hes confessed. (Signed) Mr Samuel Douglas, minister at Coldingham; M. G. Home, minister at Aitone; Mr James Straton, minister at Aymouth; G. Halliday, clerk to the sessioun of Eymouth.”

“5 Julij, 1649. The Estaititis grants commission to Wedderburne, elder and younger, Blacader, Suintoun, elder and younger, Patrick Home in the Law, William Somervell, Laird of Edintoun, and Mr Johne Wilke.”

in the morning shee confessed befor Samuell Lawder, Johne Robisone and George Halliday, and lykways is renewed hir confessione of the same particulars befor M'r Samuell Douglas, minister at Coldingham, Samuell Lauder and Johne Gray; the particulars ar as followis, first, she deponed that about the space of four or five yeir since shee became the dives 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]nunc hir baptisme and become his servand.

[Thirdlie], shee depones that Allisone Cairns that . . . hir a pe[ce] off flesh saying it was hair flesh, and declaims that evir since hir heart hes been hard as a stone and deid within hir.

Fourety, shee depones that within a quarter of a yeir after the divell appeird the second tymes at the bak of the Laird off Wedderburns hous, Heileen Tailyear, Issobell Broun and Allisone Cairnes being there with hir; whair they danced ane hours space; after 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.

Fourety [sic], shee deponed that about fourteine days befor William Burnit his death the abonnamed persons and Beatirx 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 Heileen [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 rowlling, and that Beatirx Young went up the gait.

Fyttlie, shee deponed that a good space after, that shee and the forsald persons, the divell being with thame, had a meetting at the yallow karrs under the Forth of Eymouth at midnight, and did dance thair the space of ane hour and lykewayes 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 Allisone Cairns and Issobell Broun was Thomas Hairs death; and did rost hir to death a long tymes before he died.

Sevently, shee declared that Heleine Tailyear was Thomas Steintoshes death. (Signed) M'r Samuel Douglas, minister at Coldingham; Johne Gray; S. Lauder; G. Halliday; Johne Robesone."

208. "The Confessiouf of Helene Tailyear, July 8, 1649. Being the Sabbath day, M'r Samuell Douglas, preaching at Eymouth after sermon, Helein Tailyear desyred to speik with the said M'r Samuell, who
cuming to hir, thair being also present Samuell Lauder and George Halliday, shee confessed these particulars, viz. First, at Candlemas 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 declairis 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 stonies.

Thirdlie, shoe declairis that shee was at ane meiting with Issobell Broun, Allison Cairns, Margarit Dobson, and Beatrix Young, and that thei all went along to William Burnitts hous, he lying seik, and that, coming to the hous, Margarit Dobson 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 quelp; Issobell Broun was in hir owen liknes with a long taild 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 declairis that Marion Robison was ane witch and that shee was William Burnitts death. (Signed) M’ Samuel Douglas, minister at Coldingham; S. Lauder; G. Halliday.”

209. “At Haddington, the 13 July, 1649.

The quhilk day Margrat Vaith, being wardit within the tolbuith of Haddington for the cryme of witchescaft, depond and confessit in presenis of M’ . . . Ker, minister at Haddington, George Paterson, shireff clerk of Haddington, Johne Pow, Johne Dickson and Richard Whyt, burgesses, that the [first] tyme she met with the devil was at the Seneines befor Pash last and that he appeared to her in the liknes of ane gentilman and desyret to ly with her, and she refusing, he said that the next tyme they should meete they should not part so, and the divell appoyntit to meet with her that same day fourteen dayes . . . that same place.

Secundlie, she depond and confessit that accord[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 rennecit her baptism and becamm hir servant and sat donne on e hir knees and becamm hir servant.

This we testifie to be of vertie be thir presentis subscrivit with our hands as followis. (Signed) G. Paterson; Ro. Ker.

“At Haddington, the 16 day of July, 1649. The quhilk day in presenis of M’ Robert Ker [and . . . ] at Haddington the said Margrat Vaith acknow[ledged her] former depositiones abonewrittin to
be of veritie, and further confessit that she had ane third melting with the devile at the Byrlaw, and that she saw ane Margaret Robertsone in Ha[dingtoun] ane little space from 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 thairafter went away. (Signed) Ro. Ker;

John Cokburne . . .
The Laird of Smeitoun.
John Aiton, bailzie of Hadingtoun.
Patrick Young, bailzie thair.
The Laird of Beinstoun.
Patrik Hepburne of Munehrig."

"Hadingtoun, the 18 of July. The presbytery, having read and considered the within wrettten depositions and confessions of Margaret Vaitche in Hadintoune, finds the samyn a sufficient ground to set a commissione for trying and judging them according to law. (Signed) J. Stirling, clerk."

210. Fragment of the end of a summons dated at Edinburgh, 29th August, 1649, and signed H. Osburne "writin be Tho. Edzer." On the back it is docketted "Summons Thomas Davideone contra Rankine, 1649; Per Dalrympl to Mowat. Also on the margin is noted "Ultimo Februari, 1650, partibus ut in processa. The Lords recomendis Toftis and Hairtrie to heir the pairties and to agrie thame gif they can; utherwayes to report."

211. "At Kilbarchane 14 September 1649.

"The qublick day M' Hew Peibels, minister at Lochinoch, the said parochine not having ane actual minister for the tyme, and keiped session in the said paroche, unto the which session was presented ane letter of M' Hew Blairs requiryng the gentilmen and elders of the said paroche 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 qublick the session had ceited several witnesses quho wer neibors and best aquaint with hir conversacion; who being called coneiered and solemnlie gave thair oathes the whos names and depositions after 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 secret members of ane man or not.

"Compeired Jonet Sempil, spous to , cordiner thair, hir neibour
about the tyme of that alledgit act, who declaired that the servant so abasset brocht the same peis of clay to hir and reported to hir that scho had so dealt with hir. This ditty relevant if it wer proven, bot the testemonye is ex relatu.

"Compeired Marion Sempil and, being requeryd upon hir oathe, deponent that scho cam to Maudl Galt and hir tua women, the ane Nans Neisbit, Mitcheel abusset, and Nans Neisbit, the said Nans Mitchel, and Mault Galt, fytting with thame to cairie the said peis of clay to the Laird of Johnstoun, their maister, was hindered be me, the said Marion Sempil.

"Compeired Margret Arthur and deponent scho was lemig at the said and I, the said Margret, being delevired 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 Galtis fell a sleip and the said Mault abusing hir cam to me weeping and told me all which . . . foresaid receued be the foresaid session and subscryvit 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 Mr James Durhame, Mr Hew Blair, and the elders of Mr James sessione being convenitin in the Blakfreir kirk.

"Arthour Hammiltoun, merchand, sworne as witnes, deponis that about tuentie weiks since or thairby, upon ane Sabothe day, Maudl 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 Arthur admiring how scho cam in tuik the chyre scho sat on in his hand, the quhilk cam asunder, upon the quhilk action the said Mault promisit to win him ane pirl, and imediatlie thairefter went out of the church and that the said Arthour sum few dayes thairefter tuik ane sueting and weakes of bodie, quhilk continenwit with him the space of sex weiks or thairby, and was most affectit with that diseas in the nict seasson, and also that, after he had drunkin with the said Mault, his diseas decresit daylie and did find himself in ane acht tyme weall agane, and also about sex weiks thairefter the said deponer, going to Gabriell Wilsone his hous and finding the said Mault thair, scho offerrit to drink to him and said to him that they had bein to long at varianc, the quhilk the said Arthour acceptit of.

"Catrein Ruff, spous to William Philp, sayldier, suorrie, deponis that scho did sie Maudl 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 Hamiltoun had brookin Maudl hir chyre, scho went out of the churche bot nather hard nor knew furder.

"Margret Wilsone, spous to Gabriel Wilsone, saltieour, deponis that Arthor told hir he was not weill since Maudl Galt hir stoole was brokin and that he suat in the nict seassone and was not weill and that he wald desyre to drink with hir because he feirit hir ewill. Upon the quhilk
speriches the said Mauld cam in to the deponers houes, quho with the said Arthur did drink ane pynt of aill, after quhilk he grew daylie better.

"Gabriel Wilsone, talypeur, suorne, deponis that he hard Arthur Hamiltone say that since he put his hand to Mauld Galt's 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 houes, Arthur cam in and drank with hir."

212. "27 September, [1649], Commission against Janet Murray and others.

"Sir James Meluill; Mr Robert Aytoun of Inch derny; Alexander Orrock of that Ik; Robert Ged of Baldrig; and the baillies of Bruntland 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 persone against the witches underwritten put in the ordinaire forme. Depositions subscribit be the ministers of Brunt Iland and Kingorne. Presbitrie of Kirkaldie."

213. . . . "Fyft(is) . . . is accusit that being dueland in the paroche of Kilbarchane . . . Agnes Mitchel, quho was his 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 paroche of Kilbarchan in the session thairof haldin be Mr Hew Peibils upon the fourtein day of September last, quherby was prouin be thrie witnesses, That the said Agnes Mitchell cam to thame with the said clay sua formed, compleining 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 tymes, and was hinderit be sum of thame for the abominableness of the said act that it could 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 threfe of hir aill of tua or thrice brewings being als long as roapes that nane could drink of it and that dewil have it could thrive of it with hir becaus scho tuik the hous fra hir gudman against hir will and that nothing could thrive 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 premises, do earnestlie recommend the same to the rycht honorable the Comite of Estates or Lords of his majesties Priwie Council that thair Lordships may grant ane comission for trying and punishinge thairof as they sal find the same to deserve."
214. “At Glasgow, the 15 day of October, 1649 yeeres.

The quhilk day, Mr Hew Blaire and his sessione being convenit with concurrance of Mr James Durhame, Mr George Young, George Portefeld, proweist, William Dunlop, baillyie, and diverse uther sessioners being present, compeir Mald Galt, spous to Johne Dickie, wright, who is accusit of the particulare dittayes of witchcraft under-wrtytten.

First, scho is accusit that scho minassit and threatnivt evills to fall out upon some of hir neighbours, quhikls fell out accordinglie.

That quhen Jeane Fisher, spous to umquhilt James Stewart, younger, merchand burges of Glasgow, befor Witosunday, 1648, had taken ane houz in the Briggait belonging to the Laird of Newwark, quher the said Johne and Mald dwelt for the tyme, and, Jeane coming to sie the houz, the said Mald threatnitt, sayin’, ’Have yea taken this houz over my head; I find yow Godis brugh, yee sall goe worse out of this houz nor yee come to it, and yee are griend and 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 after they come to the houz, the said umquhilt James Stewart contractit ane dywning and unkow desea quherof he diet, and her soune, umquhilt James Stewart, meltit away also, being ane lywely lyk chyld, quhilk the said Mald tuik to hir self as doer thairof in swa far as shoe said that umquhilt James Stewart never did thrywe efter hee tooke her houz over hir head, and he could not thryve; and lykwyse, the said Jeane Fisher being ane tavernner, nothing ever luckit in her hand in that houz bot all went back with her that shoe undertooke to goe about.

“Mald present denyet the former article.

“Jeane Fisher, Jonet Moresoun, spous to Alexander Maxvell, merchand, Issobell Fork, spous to Johne Willson, younger, merchand, and Hellein Woddrow, spous to Johne Pettigrew, couper, being warnit as witnesiss, Mald objectit nothing against Jonet Moresoun, and Issobell Fork allegit against Jeane Fisher that sho had scanderit her name and was gatherand witnesiss throw the towne against hir and allegit that Hellein Woddrow had her at mallice and wrath. Jeane Fisher declarit sho never desyr to any witnes against her and that sho never spake to her bot befor the saids Jonet Moresoun and Hellein Woddrow. Hellein Woddrow declares that she had no mallice against her, and that sho never had anything adoe with her. Finds no ground to set them. They purgit themselfs of all mallice and illwill ... they, sworn and admitit as witnesiss, deponis as followes: Jonet Moresoun, sworn, deponis that sho went downe with Jeane Fisher to the houz quher Mald Galt was dwelland, in Briggait, and that Mald said to Jeane Fisher, ’I hop to sie her goe war out of the houz nor sho came in and to grein faster to goe out of the houz nor sho greinit to come in it.’

“Jeane Fisher, sworn as witnes, deponit that sho went to the houz in the Briggait quher Mald dwelt and that Mald said to her, ’Qhat
needs yow to be swa haistie to come heir; look how faine yea would be heere; yea sall be also 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 weeks to her entrerie to the hous they wer inclosit under suspcion of the plague for sume weekes and that at Mertimes after thaire entrerie to the hous umquhill James Stewart, her spous, contractit ane lingring deseis accompaniet with sweiting and weaknes, quherof he diet at Candilmes, and that umquhill James Stewart, ther soune, of ten quarters old, contract ane deseis and sweitt and wastit away and diet within sex weekes after his fathers deceis; and depons that Mald said to her sho hoipit scho sould never luck nor thrive in that hous. Hellein Woddrow, spous to Johne 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.' Qabik wordis sho spak to them the tymne before sho spake them in the heearing of Jonet Moresoune.

"Issobell Fork, spous to Johne Willsoune, younger, merchant, sworne as witnes, depones that Mald said to the deponer, 'Alexander Maxwell 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, sho is accusit that about fyve yeeres since in Paisley sho threatnit ane Jonet Patersoune, spous to Walter Mountgomy 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 qablik shoe became lyk ane stock and diet.

"Mald denyit the former articke.

"James and Alexander Patersouenes in Yocker and William Duncan in Blawarthill being warmit as witnessis, Mald declarit 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 Mountgomeire and umquhill Jonet Patersoune, spous to the said umquhill Walter, being drankand in Mald Galtis hous in Paisley and ane contest being betwixt the said Mald and them for ane pyt of ails pryce, and Mald kepand Walter Mountgomeires 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 after her home coming fell seik and meltit away bit and bit qabillish sho diet and became sensiles befor shoe diet.

"William Duncan in Blawarthill, sworne as witnes, depones that he, being in companie in Mald Galts hous in Paisley with James Patersoune, umquhill Walter Mountgomeire and umquhill Jonet Patersoune, his spous, Mald keepit the said umquhill Walters hors for ane pyt of
aills Pryce in contest betwixt them and falt and scaldit with the said umquhull Jonet Paterson, spouse to the said umquhull Walter, and that the said umquhull Jonet coming home, [the paines of] chyld birth come upon her shortlie therefter, and being deluyed the . . . ane lingring seiknes and became sensales and thereafter diet when shoe had lyen nyne or ten weekes or therby.

"Alexander Paterson, in Yocker, sworne as witness, ignorant.

"Thridlie, those [sic] accusit that quheras some persoues in this place had fallen out with her and civills had befallen the saids persoues, that Mald tuik the said evils quhilk had fallen out to her self as actrix of them, and said in ane proud insulting way to some three of her neighbours that thair was never ane wrongit her bot sho gat her harte sythit on them and gave for instance that litten doddle 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 deseisit, died of ane disease quhilk was not lyke ane ordinair deceis bot as doctours both in Leith and at home thought hee was bewitched, being so long sensales in all; and Johne McEwen, who said hee sould caus my goodman sell my courcheif off my head, let him take up quhat he wan of it, hold him with it, the said Johne since being in strait prises in this place; threatening the saids persoues that they shold gae the same gait iff they wrongit her and buire her goodman company.

"Mald Galt, compeirand befors Mr. Hew Blaires session upon the 27 day of August last bypass, 1649 yeeres instant, denyit the former article.

"Ninian Darroch, Archibald McKey, hammerman, Marioune Daroch, spouse to the said Archbald, and Marioune Snyp, spouse to Johne Young, couper, being warnit as witnessis the said 27 day of August last bypass, Mald Galt being interrogat what shoe could object against the saids witnesses shoe alledged that they had her at ill will but could not condiscend upon particulaires.

"Ninian Dorroch, sworne and admitit as witness, prurgit himself of all spleen and malice against the [said] Mald, deponit he heard Mald say, 'Never any wrongit me bot I gat my hert sythit of them. The doddle deame up by fillit drink to my spouse and I have gotten my hert sythit of her, let her hold her with it; and for McEwen that thought to caus my husband drink my curshaft 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 curst and banit the deponer and all that he might dow and that sho would get her hert sythit of the deponer and wisit that he wer out of the way too.

"Archibald McKey, sworne as witness, depons that Mald Galt curst and banit Ninian Darroch, and as Ninian prayit to God sho said, 'The divill will help yow to work'; and that shoe said, 'Ane litten deame dottell up the gait took in my goodman and gave him drink; look quhat reward
sho hes gotten for the doing of it; let her hold her with it'; and deponed she said, 'Johne McCen 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 witnesse, deponed that Mald Galt curset and bannit Ninian Darroch, and quhill he prayit shoe said, 'The devill help yow to worke ill; may the said Ninian thrive, and that the deponer and hir spous ill might thrive; and that shoe said, 'Thair is none that angers me bot I get my syrthit on them; and Johne McCen thought to have causit my husband drink my [curtchaff] off my head and sie qhath is come to him and that sho said the doddel deame ... my husband ay drinkand and sotand and sie qhath is come of her and that shoe hopit that sould come off Ninian Darroch giff he usit her husbands company.

"Jonet Hall, relict of umquhull Johne Auldcorne, skiner, being warnit as witnesse to the 15 day of October instant, Mald Galt declares sho had nothing to object against her, who, sworne, depones that sho, being desyrty by uther wysser nor herself to send for Mald Galt to her husband who was lyeing seeke of ane lingring and ane unkow deses, and quhill Mald was suspecte 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 thererfore the said Mald Galt drank to the said umquhull Johne Auldcorne, quherupon the said umquhull Johne, who had lyne speichles fra the Twisdey untill that tyne, quhill was the Thrusday thererat at alleven houre, uttered these words, 'I thank yow guidwynn,' and, takeand the drink frome her, drank it out, after the quhill drink he fell in tremblung shortly befor Mald went downe the staire and neithre spak nor drank any more quhull he diet his death, quhill was on the Fryday thererat.

"Forthlie, 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 sayd her, quhill the said Mald was turning about, quher-upon the said Elspeth was exceedingly afraid and went her way home, bot saw not, being strucken blind.

"Mald declarit sho had nothing to object against her.

"Elspeth Love, sworne as witnesse, depones that sho, going into Malde hous to seik barme at Witzunday, 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 afray and went her way. Extract be Mr. ARCHBALD LONIE, clerke of session, furth of the session booke."
Murray. The commission to beir with power to the commissioners to detealed for try and examine them and mak report."

"Agnes Williamson, Helen Deanes, Anna Pilmore, confessors, and in the old commission; [Nicol Stille, Issobell Stille (deleted)], confessors; Elespeth Baillie in Pilmore, Issobell Richardson there, Elisabeth Lawson in Kirkland, also confesses; George Miltoun, Christian Biek, delat and apprehendit; Patrik Meikie, Helen Reid, Jonet Wast, Issobell Cathie, Jonet Kempe, Susanna Bannityne, dilate and to be apprehendit alreddie upon band to enter; Adam Harlaw, John Home, Margaret Blak, Helen Scharpe, Issobell Cairnes, and utheris dilate and to be apprehendit."

"Memorandum for Thomas Crumblie—To signifie to my Lord that upon the old commission the judgess wer angrie that it did not carie powr to them to caus sumond assyse and ilk person under ane penaltie; and that in the commission and the diligation of the persones to be judges and their quorum as former commission of old usit to say, with powr to them to haid courts, creatis members, as clerk, etc., and to caus cit and conveyne 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 threakeor pound or fiftie pound."

Item, to informe my Lord that there are many delat not mentionat in Helen Deanes her confession, and thatfor his Lordship wold get out the commission not onlie against these alreddie apprehendit and confessing but also that such as are or sall be delat the irafter may be put to execution, to save his Lordship from furder trouble and paines."

"Georg Seaton of Barns; Patrik Broun of Colston, yonger; Francis Hepburne of Beinston; M' John Butler of Kirkland; Thomas Halliburton of Edgcarnie; Alexander Borthike of Johnstonburn; Patrik Yong, baillie of Hadinton; M' Jo. Dougall; [Doctor Hepburne (deleted)]; Archbald Elot in Daurein; M' Alexander Hay of Baro; M' Abercorumbie; Sir Jo. Sinclare of Harmistoun; William Seatoun, proveist of Hadingtoun."

216. Supplication by Isobel Wilson in Carradin, as follows:—She has been imprisoned in the tolbooth of upon a false charge of witchcraft, and upon her petition their Lordships were pleased to order her liberation, she finding caution to conpare when cited before his Majesty's Justice. She fears that her former troublers may take it upon them to question and annoy her, and, as she has none to speak or plead for her, she prays their Lordships to discharge any from questioning her, but that, if she is to be questioned, she may be convened before the Justice or his deputes, whereby she would have the benefit of advocates to plead for her.

217. Supplication by William and Robert Monteith, as follows:— They intend, God willing, to go abroad for business purposes and possibly may make their residence abroad, and they crave their Lordships' warrant by William.
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and Robert Montelith, 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 containing therin 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.

218. Supplication by William Dowglas and William Vause, soldiers, “wairders in the tolbooth of the Cannogaite,” as follows:—Upon their former supplication for relief out of their ward in which they had remained since Lammes last in great distress and misery, Thomas Robesone, jailer of the Cannogaite, 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.

219. Supplication by the feuars, wadsetters and indwellers within the lordships of Balvenie, as follows:—For several years past “we have monie tyme suffered dyvers oppressiones and ryotte, both in our bodies, guid and geir, as also by rawishinge of our women, married and unmarried, by certane sawadge, laules and broken men of the Clangregor and their accomplishments conjoynit with them in fellowshipe,” 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 confusiit multitud of fewers and yeomane, not haiffing ane superior nor ane man of respect to follow, quhilk makes us ane prye 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 Stewart of Ardbrok, 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 hail windowes 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 Leasle, wrytter in Edinburgh, thes.”
220. Supplication by Sir William Hamlitone of Elistoune, as c. 1649.

Supplication by Sir William Hamilton of Eliston that an act of Council for securing his person and managing his estate, "which act, as most groundless and unjust, was by your Lordships rescinded, and I, at your Lordships desyr, oblige my self by a small paper to gyde and manage my estate be the advyce of my Lord Chancellor, the Earle of Tuaddell and my Lord Halmerino, which paper I could not by any law have been urged or compelled to subscriye, neither wold I ever have condescendit so to doe, if it had not been for the great trust that I reposed in the saidis Lords, being confident that they wold therafter, upon my demand at any tyme, cancel the same. And now seing I hope it is sufficiently manifest to your Lordships that the allegations formerlie made against me, which wer the occasion of demanding the said paper, ar most false and unjust, therfor I humblie desyr that the forsaied nott, which is most prejudicall to me, my credit and affairs, may be cancellit and no illegall and unusual tye putt upon me, and I may be reponit to my owne place as if the samen had never bein givin."

221. Supplication by Dame Katharene Swyntoun, Lady Westnisbet, [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.

As follows:—Her husband's creditors, in the name of William Monteith, of Carrribber, 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 qhilk suspensioun the saids creditors hes raisit ane ssumonds preveneto termino, and hes summond me to this day for that effect; and the saids creditors, not contenting thameselfis 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, but also of the resaving and uplifting of the mailles, rentis and dwtis therof, as is manifest and notour, but thay in all rigour hes enterit in upoun me be thameselfis and uthers in their names at their command in the said hous of Rumiltounlaw, qhilk wes acquyririt be my meanes, and that litiill corne qhilk I be my industrie and help of freinds in absence of my spouse had labourit, sawin and brocht to the barneyaerd of Rumiltoun, they have mellit and intromettit thairwith and uses all meanes, not only to put me altogiddri to the duesres now in the dead tyme of winter, I having no other residence, but also to mak me sterwe for famine, I having no uthers meanes to interteny myself with bct the saids litiill cornes, qhilk is now in the said barne and barneyaerd of Rumiltounlaw, intromettit with, as said is; albeit the saidis creditoursis wer anes willing and content to geve me ane yeirlie portioun out of the said estait for my ailemnt and intertenyment, qhauirthrow I am in ane hard estait and conditioon without your Lordships tak pitie and consideratious thairof." 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
to use the corn presently in the barn and barnyard of Rumilton for her sustenance, "and that in tyme cumyng it will pleis your Lordships to move the saids creditouris to grant and yeirlie portioun to me out of the said estait for my alientment and intertenymet for the causes foresaid."
224. Remonstrance by Sir James Hope to the Lords of Secret Council:—"May it please your Lordships to take to your considerations, the great skarctie of copper coyne quhairst unto 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 skarctie is in no considerable measure yet 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 quantitie of coper ordinarily conteined in your Lordships warrands; and the skarctie of copper coyne, thoghe it be not so apparent in this toune quhair the samyne is first vented from the Mintt, yet in uther places of the kingdome, whither the samyne is not yet fullie dispersed, it is most evident throw the daylie complaint of the leiges thairanent, as possible some of the honorabill members of this judicatorie can testifie; and thairfor 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."

225. Supplication by the same, as follows:—"May it please your Lordships to take to your consideration, that the skarctie of coper coyne within this kingdome (occasioned 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 repaired by the warrands granted be your Lordships since that tyme, in respect that one of the turners now coyned wyand neiby eight of those utheris, few of them goes to a great weight, so that the quantitie conteined 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 befor, frequentie therof, and quantities therin conteined, thir are nothing considerable in respect of those, nather wold this skarctie 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 outing (thoghe even in these places also ther be no great abundance) but 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 but a comon and generall complaint of the leiges for the skarctie thereof, as severall members of this honorable judicatorie can witnes; and thairfor 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 impression, as wes conteined in your Lordships former warrands."
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 doubtes and objectiounes that did occurre theranent, wee desyre and require yow, for preventing of mistakes and procuring a right understanding betwix 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 obtaining his Majesties positive grant thairof 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 explanation 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 Comissioner 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 satatisfactors desyred, and thereby not onlie impeed that joy and chearefullnes quherwith all his good subjectes desyres to receave his Majesty, but also delay his coronation and necessitate this church and kingdome to declarationes which be very inconvenient to him and to them. Yow shall lykewise make commucate to his Majestie in quhat sense and meaning and with quhat explanationes we onlie can and doe agree to the paper of invitatioun and assurance gevin to his Majestie at Breda, that his Majestie may be tymeouslie acquainted therewith. You shall accordinglie to your former instruction desyre his Majestie to leave behind him all those persones who wer excluded by the propositiones of both kingdomes or againes whom this kingdome hath just caus of exceptioun, and yow shall show and declar that, if they be fund within this kingdome, they cannot remaine heirin with securitie. And seing by the large treatie and be the propositiones of both kingdomes these that are debarred be the Parliament from places of publict trust are also debarred from having access to the Kings Majesteis persoune or from cominge 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 permit all persones that fallis within the first or second classe of the Act of Classes made at St Andros, 1646, and at Edinburgh, 1649, duringe the respective tymes therein conteinenet, from having access to his majesteis persoune or cominge within the verge of the Court without the express warrand of the Parliament."

227. Summons at the instance of Patrick Chapman, tenant of Sir Peter Hay of Megginisch, and the said Sir Peter for his interest, narrating that "everie other night this half yeir bygane thair hez bene stollin and takin away great numbers of geis and duikis from about the said Sir Piter and the compleinars houses, wherof he could nevir gett
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Maggiech, against David Slicht in Kilspindie.
Pater Chapman, complemar, being watching about his maisters and his
awin housses, upone the ellevint of December last at ten hours at
night, knowing that that was the accustomed tyme when they war
stollin and takin away; twew it is that [Patrick] David Slicht in Kil-
spindie, who is now knowin to be the stealler thairof formerly, was
takin and apprehendid be the complemar with two geis and ane duik
takin and killed be him, wherewith he was going privatly away; and eftir
the complemar had apprehendid him, he stryveing to escap out of the
complemar's grips he most cruellie and unmercifullie, unawars of the
complemar, stroak him with a dyrk throw the left arme to the effusio
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 escap
and fled away that night from the complemar, and sensyne has committed
sundrie insolences upone him and his said maisters tennents to thair
beavie 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.

228. "Articles proven and confessed apon the lybell given in
against Margaret Finlasoun.

1. There being discord betwixt Margarat Finlasoun and Robert Articles proven
Patersone, millar of Blauarthill mill, the said Margarat vented and on the libel
uttered sundrie threatnings and cursed both him and his wyfe, saying the
devill grind him as small as gun powder amongst the mill wheelies,
and threatened 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 tym, while shoe was cursing and the mill grinding, the mill-
stone did leap of the reine. And, this discord still continuing, about ane
yeare therafter 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 quhilch tym he and shoe
went Forth 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
rostet betuixt tua fyres, crying to cast cold water on him, and said as if he
had been pricked with eisines and was heard say that he had gotten
ane drink of milk from Margaret Finlasoun which never went from his
heart. therafter. This disease continued with him in this strang
manner for about the space of halne yeare. And in the tym of his

Deleted.
sicknesses, being once going to the Yoker, the said Margarat Finlasone 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 thrice upon him. And all this space of the half yeare forsaide the said Robert wyfe, haveing kept the poutch with the colours of yairn, etc., some gave hire advyce to burn it, quich shoe did, and it cracked 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 Finlasones 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 hire yongest bairnes head, for shoe said if it gained hire bairne it would gaine hires, quich 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 giving hire the mutch to make, another of the said John Yrones bairnes tooke up a locke green yairne which the said Margarat hede letten fall, and the childs 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 tryed 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, quich was 4 or 5 dayes after they took the forsaide sickness, ther father, John Yrone, took this selfsame disease and keepe it for the space of 7 or 8 weekes in great extremite. And after he beguth to recover, he, suspecting the said Margarat both for his owne sickness and his bairnes caused some of his neighbours 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 uncowe disease, and ever sinc the said Johns refusing the kreell of peats forsaide all or some of his houshold hath been under great sicknesses.

3. The said Margarat is guiltie of witchcraft as apeares by hire earnest pressing aggremeent with all that were offended at hire, quich she never did till about the tym of the executioun of Thomas Lich and Jeanat Mountgomerie, 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 forsaide persounes offended at hire, notwithstanding that befor shoe
had refused to agree with them when they pressed earnestly agreement with hir, as particularly John Yron and Margarit Gilmuire, etc.; and lykewyse did offerr Helen Rodman ane hyre at hire owne making to goe to Thomas Lich (a confessing warloch) this same day of his aayse and cause him delay the thing that he hade said of hire, or, if he would not deny it, that he would had his tongue for the thing that he spoke that day (it being his last day) would be beleued.

4. There being some discord betwixt James Patersonne and the said Margarat, the said James being at table eating and drinking with sundrie persoune in the said Margarate house upon occasioun of agreeing his marriage with Marioune Robisoune, then servitrix to the said Margarat, whom afterwards he married to his seconde wyfe, the said Margarat Finlasoune was heard say that she would eat and drink with them that she would put a whinger to there heart, which the said James did in the meanetyme quarrell and said he knew that she meansed by him. And after that the first bairn that the said Marioune Robisoune hade to the said James, shoe was laid up after hire birth with appearance of milk as uther woman use to have, and the said Margarat Finlasoune cam to hire and bowed hirself in over in the bed and laid in a pcebreed beyond hire, and the said Marioune after that had no milk to nourish that child, nor to the nixt; and the thrid child that shoe hade, the said James, hir husband, suspecting that Margarat Finlasoune hadd 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 Mountgomerie executioune, as appears by hire sollisting and suborning parties injured by hire and dealing soe earnestly with utheres to sollicit them in hire behalf to that effect, Margarat Patersonne, goeing the towne of the Yoker, said in the forsaid Margarates hearing shoe would goe over the water on the morne and see the witches burnt, and immediately shoe took sicknes ere shoe could attained the house and keeped it all that night in most vehement manner, and was lyk to burst, till the morne that the said Margarat Patersonne (suspecting that Margarat Finlasoune had done hire wrong) cryed to send for one of hire sones, and then he come shoe hirself followed him and went to the sick womans bedeath and took hire by the hand and prayed God send hire hire health and immediately shoe recovered and grew better.

6. James Patersounnes mother in the Yoker, hauing pulled some kale out of Margarat Finlasoune yard quhich shoe suspected the said Margarat hade drawn out of hire yard befor, not long after that went in to the said Margarates 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 halfe ane yeare.
7. Margarit Finlasoun, being upon a tym coming over the water in Robert Paterson's wyves boat, and shoe hirself 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 Margarit Finlasoun was heard say as good as shoe hade wanted a boat, and about 14 dayes thetherafter the water took away the boat.

8. The said Margarit Finlasoun, suspecting that James Patersons servant woman hade stolne ane linnine ruff from hire, came to the said James wyfe, and desyre hir 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 hevius sicknes, quherof shoe parted with child, and keepe it for the space of 5 or 6 weeks.

9. One of Adam Woddrows bairnes haveing st[re]kcd one of Margarit Finlasounes bairnes with a plough goad, the said Margarit cam to him and took the goad out of his hand and brack it, and threatened 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 Margarit coming to him to doe him harm, and alwayes cryed out, "Dear Margarit Finlasoun, let me alone and I shall never stuir your bairne againe," and continued that way till his father (suspecting the said Margarit for his bairnes sickness) said publickly if ought ailed his chylde he should have Margarit Finlasoun burnt; after which threatniing the child immediately grew better, and verie shortly recovered.

10. Margarit Finlasoun, haveing discobered with William Paterson upon occasione of stricking one of hire kynge, that had been pushing one of his kyne, shoe hirself seing him, spok nothing at that tym, but coneaved 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 William Paterson's kyne when he rann at my kow with a whinger,' and ever sinc the tymge that he did rann at the said Margarite kow, quhich is about the space of tua or three year since, never one of the said Wiliams kyne hath thriven, 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 thrive and give milk; and the yeare after the said William did rann at hire kow, his kow that shoe was pushing and the calf that shoe was in the tymge, with uther 2 or 3 of his cattles, died.

11. Thomas Lich, a confessing warloch, haveing delated the said Margarit guiltie of witchcraft and off keepping diverse meetings with the devill and uther witches, haveing consulted about and execut diverse malfices against sundrie personnes, and he, being confronted with the said Margarit and seriously requyred to speake nothing of hire but the trueth, he avowed it in hire face as is forimentioned in presence of Mr John Maule, minister, John Symmervell and Georg Winett, elders, as lykwyse
Jeanat Mountgomerie, a confessing dying witch, affirmed the said Margarit to be guilty of witchcraft before Mr Alexander Dunlope, minister at Paislay, and Mr John Maule, minister of Renfrew.

12. That both the said Margarit and hire mother hath beene made famous and for thire many yeares bygone hath beene suspected of witchcraft.

13. Marioune Angous, having a paire of hose to sell, Margarit Finlasoun deseered Jeanat Yong to buy them for hire use to hire daughter, which the said Marioune at first promised to doe, but afterwards having gotten counsel from hire mistress, John Yrons wyfe, not to sell them to Margarit Finlasoun, because she was not called good, shoe told Jeanat Yong that shoe would not sell them, quererupon 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 Margarit Finlasounes bairnes and rave a leafe out of his book, and the said Margarit cam to hire and boasted hire and said shoe should cause hire sone ruye anotherle leafe out of hires and was verie angry; quererupon 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 glaired in there face as shoe had been mad, and upon the morrow thereafter she fell in a dead sowne upon a stone and was unwell all that day.

15. Jeanat Scot, sometymes servitrix to Margarit Finlasoun, lef the said Margarit hire service, quererupon did follow a hote discord betwixt the said Jeanat and hire, in so much that the said Jeanat did pursue the said Margarit before the sheriff for hire fies; and at the faire of Renfrew, after the Whitsunday that shoe left hire service, the said Margarit, meeting the said Jeanat at Renfrew, took hire by the hand, quererupon shoe took ane uncow and lingering disease and keped it till shoe died, and in the tym of hire sicknes shoe was heard diverse tymes blame the said Margarit 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 keeped and stirred about the kirm with it.

16. Margarit Finlasoun, haeving a sone called Mathew very sick and by appearance at the poyn of death, Margarit Jack came in with hire mother, who was waking the said Margarita sone, and immediatly the said Margarit 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 Margarit Finlasoun was heard say that Margarit Jack had releaved hire Mathew. And, qhen some asked hire how that coulde be, shoe answerd that, in the tym, the said Margarit Jack was in hire house with hire mother, 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 Margarit Jack.
17. About 17 years agoe James Patersoun in Yoker wanted some linen cloathes, and he asked at the said Margarat Finlasoun (because shoe was his neighbour, 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 Mr George Sempill in Paislay and he would tell him who had taken his cloathes, which accordingly the said James did, going to Mr Georg, who advysed him to com back upon Saturday, and he for a chappin of wine should tell him, before which tym both the said Margarat and hire husband went to the said Mr Georg and gave him wine. And quhen the said James came back againe upon the Satyrnday (as the said Mr 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 evil turn at there hand. And after this tym the said Margarat, haveing a bairne to baptise, the said James Patersoun 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 keepe for 3 quarters of one year quhich he himselfe and his neighbours suspected to proceed from witchcraft; and Andrew Robison, that was always reputed ane warlich and Jean Craufurd, that was burnt for witchcraft thereby, told him that he had gotten wrong and it was a neighbour woman that had done it; and he himselfe, suspecting the said Margarat Finlasoun, both used the mediatioune of uthirs and cam himself to aggree with hire, and shoe told him he hade gotten wrong by his neighbours and it was no wonder for he dowed and they dowed not; but shoe 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 uther on night sick, and were both buried at one tym.

18. One of Jeanats Gilmuirs bairnes in the Yoker having stricken one of Margarat Finlasounes bairnes, the said Margarat followed the said Jeanats bairne into hire mothers 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 mothers armes and instantly contracted a great flux, and hire bodie cam out and died within twentie dayes thereafter.

19. A man, called Bargans, fugitive from Borrowstouteness for the alledged crym of sorcerie, that was never knowne in that place of the countrie befor, being in Alexander Duglass house in the Yoker, said if he knew quhere Margarat Finlasoun 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 immedaitly followed him out with a bunnock as he hade said, and they drank tua chappins of aile together in Alexander Duglass house befor they paerted.
20. There being evident discord betwixt the said Margarit Finlasoun and John Yron, he being lying in his bed about midnight, the said Margarit cam into his house and a little bodie with hire, and he being wakeing saw them with a glane of light, quich he knew not quher-frase 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 therafter 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 confession of Margarit 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 peirt and most materiall of the above written articles proven by diverse witnesses and the confession of the said Margarit 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 their 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. Dunlop, moderator; Ro. Park, esq."

229. "The Confessions of Margaret Finlasoun, under suspiicoun of witchcraft befor the Session of Renfrew, February 26, 1650."

At Renfrew, February 26, 1650. The quhilk day the Sessioune of Renfrew being conveened, Margaret Finlasoun, suspected of the crime of witchcraft, called, compeared and being posed upon the particulars of hire lyball, answered to every article as follows:—

To the 1 article confesses that shoe said to Robert Patersoun, 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 sewor 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 kirk's hands, and continued in this resolution till about the tym of Thomas Lich and Jeanat Mountgomerie there. execucion, at which tyne 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 Yrom to tel no. 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, whhen shoe would not; but denies the rest of the article.

The 4 article denied.

To the 5 article confesses that shoe went to Margarat Patersonsone 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 several tymes in Margaret Gilmuire's boat after 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 denies 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 several consultatious with the devill, but shoe denies 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 some 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 Patersonsone 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 tym but it was of the kinkhost.

To the 18 denies.

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
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 tymne.
The 20 article denied. (Signed) W. Winett; Jo. Maule."

230. "At Renfrew, February, 26, 1650.—The quilk day Margarit
Finlasoune, suspected and apprehended for witchcraft, being called,
compeared before the sessioun, and haweing denied the most part of
the articles contaid in the lyball given in aginst hir, and put them
to probation of witnesses, admits the persoues afternamed as ther
depositiones subscried by the minister and clerk of the sessioun and
and uthers underwritten beares.

Depositions of Witnesses.

"John Gembill, sworne, depones to the [18] article that shoos desyrd
him to speak to William Duncan, Margaret Gilmures goodman, after they
had been speaking of the scandall of witchcraft that the said Margarit
Finlasone was under, but shoos did not expressly desyre him to bid them
gree with hire, but he says he was assurid that that was hire mynd, and
he said he should speak to them both. Lykwyse to the 22 [article] he
depones that shoos and hire mother was of ane evill report. Lykwyse to
the 14 [22] [15] he says that he knew Robert Patsounse verie sick
a long tym befir 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 soo gripped with gripp te 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 coming 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 Margarit Finlasones
bairnes and hire, and that the said Margarit cam in to red them and he
will not say but shoos was somewhat rough, and be the way coming home
there cam a blast of wind and blew hire over, quherupon shoos became
speechles, and the day thereafter shoos fell dead upon a ston which he
himself saw and took hire up in his armes but he knowes not except
by hire relatioun how some this was after the fornyname discoud.

"Lykwyse to the [22] he depones that he hes heard some say that shoos
was under ane evill report and that shoos 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 outcaste betwixt the said Margarit and uthers that some
uncow, things, hes fallen out, and that he hes heard that hire mother was
not carris.

"To the [21] [35] he depones conforme to his brother, except that he
heard his sister say that shoos had ryven a leafe out of Margarit
Finlasone bairnes book, and the said Margarit cam in to ryve another

1 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.

"Jeanet Gilmuire, sworn, depones to the [2] that shoo heard it reported that Margarat Finlasoun 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 yeares old that discorded with Margarat Fynlasounes 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 pennisac 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 tuentin dayes. And the said Jeanat said to hire after hire barnes death, 'Ye have gotten your will of my bairne now,' and that shoo doubted hire for hire barnes 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 Finlasoun 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 deyred the said Jeanat to deale with hire sister Margarat Gilmuire to gree with hire and denay all that she had spoke of hire, and the said Jeanat says that shoo caused hire sister Margarat twa yere sinc offer to gree with hire and drink twysse 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 quhich day shoo was verie earnest to have hire going to seek hire sister over the water becaus shoo was not at home for shoo would faine have greed with hire.

"To the [14] [15] shoo depones that in the tym of Robert Patersones sickness, about 14 dayes befor his death, hire husband Gabriel Paterson 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 elaines; yet notwithstanding he com to there house the morrow and quhen he cam in shoe heard him say, 'This is a strange matter that I can never be quyt of Margarat Finlasoun, for sinc I cam from my owne house, goe where I will shoo has crossed the way thrice upon me.

"Likwyse to the [8] [9] shoo depones that shoo heard hire servant
woman, Margarit Paterson, say that shoo said in Margarit Finlasounes
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 uncaw disease
and ramnished 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 Margarit Finlasoun cam in to desyre Alexander
Duglass to goe to John Yron to gree with hire; who went to the sick
womans bedisid 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 ane evill report of
both Margarit and hire mother, and lykwyse that hire mother was not
well. (Signed) W. Winett; Jo. Maule.

"Marioune Robertsoun, sworn, depones to the [31] [19] that shoe
heard by the voice of the contriue that the said Margarit had a dead
mans hand, but shoo never saw it.

"To the [29] [18] shoo depones that Margarit Finlasoun 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
picerer, 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 Margarit was verie angrie and left hire
soe, and within ane houre the said Marioune took a sore sicknes and
within a 14 night therafter shoo paietd with child.

"To the [13] [14] shoo depones that the first tymne 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 Margarit bowed hireself
in over hire bed and laid in a little pece of bread beyd 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 Margarit Finlasoun very angrie
at John Yron, and said it was said in the contriue that he cam to hire
to seek his health, but if he had come to hire that errand he should
gonne away worse then he cam and that shoo should have amends
of him, and if shoo got it not shoo should tak it with hire owne hands.
(Signed) Mr Joh. Winett [deleted]; W. Winett; Jo. Maule.

"Jeanats Gilmure, sworn, to the [14] [13] depones that shoo knew
Marioune Robertsoun, James Patersones wyfe, to have appearanc of
milk quhen shoo was laid up of his first child and that shoo saw Margarit
Finlasoun upon hire bedstock but remembers not whither shoo bowed
herself 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 Paters-
soun forbit any women to come near hand hire except shoo that should
come, and that tym shoo had milk. (Signed) Mr 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 Finlasoun, 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 evil), and within 4 or 5 dayes after that Margaret Finlasoun cam to the said Katharines house with a bairnes mutch in hir hand which shoo deyred 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'; quibich 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 paire, 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 kipples 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 keeped it 4 or 5 dayes, and, immediatly after they beguth to recover, hire husband contracted this same verie disease (as shoo thinks) and keeped it 7 or 8 weekes.

"To the [3] article depones that quhen hire husband was very sick shoo went doun to Alexander Duglass house and was praying that God would try the verite, and expressing meikle anger and grieff for hire goodmans sickness and after that night he was never rosted as befor.

"Lykwyse sho depones that sho heard say that the said Margarat said sho would gree with hire husband but not with hirself, and that after that shoo contracted ane uncow disease and is not well yet.

"To the [22] [17] shoo depones that sho both knew uthers suspect the said Margarat of witchcraft and suspected hire hirself. (Signed) W. Winet; Jo. Maule.

"[Margaret Finnie, sworn, depones to the nothing (all deleted)].

"Robert Gembill, sworn, depones to the [17] [15] that he knew that there was anger and flyting betwixt Margarat Gilmore and Margaret Finlasoun 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.

"Marione Robertsonine, sworn, depones that sho heard that Margarat Finlasoun said tho shoo hade twentie bairnes there would never one live of them. (Signed) W. Winett; Jo. Maule.

"John Patersonine, elder, sworn, depones to the [14] article that he heard Robert Patersonine 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.
"John Yron, sworn, depones to the [1] that he refused a crill of pits to John Paterson, Margarat Finlasounes husband, and he offered them the loan of 40 or 20 lb. because he was feared for there ill, and within 4 or 5 days thereafter tua of his bairnes took ane uncow disease and keepped it 3 days and 3 nights in great extremitie, which was that same day that the one of them had the mutch tyed on, and the other fund the threed quibich Margarat Finlasoun did let fall quhen himself was out, which 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 beene rostet 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, quibich 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 himself, and within a verie short space shoo contracted ane uncow disease.

"To the [4][3] he depones that he is sure that he saw aither Margarat Finlasoun or the devill in hir cloathes come in to his house about midnight with some little 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 little bodie, he was lyk to lose the life, and as he had beene smorend, and all the week thereafter he lay sicke and swelled.

"Moreover he depones to the [37] that sicne the beginning of that discord betuixt him and the said Margarat some of his household hath ay been sicke, and at this tym the whole number of them (quibich are six) ar lying under sickness.

"To the [22][37] he depones that Marioun Angous, his servaut, haveing a pair of hose that was little for hire, Margarat Finlasoun desyreed Jeanat Yong to buy them to hire, and his wyfe counselled hire not to sell them to the said Margarat, quhereupon shoo did refuse to sell them, and he sayses that he himself advysed hire to sell them or utherways shoo would rew it; and within tua days shoo contracted a heevie disease and that same swelling in hire bodie that he had befor. (Signed) W. Winett; Jo. Maule.

"Margarat Gilmure, sworn, depones to the [15][14] that shoo knew Margarat Finlasoun 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 ane evill turn and he should not know bow, and garr hire 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 raling both upon hire said husband and hirself) the milstone did lap off the mill rynd. And about ane yeares thereafter hire husband fund in his owne yeard three coloure of worsat' bund together with a bone prick, a lead breach and three stringes of three coloures, binding it, and, qhen
he cam in and told hire, shoo was verie sorie because 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 foot, and shoo 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 tuo fyres, and sometymes trembled for cold, and keepped it about half ane years, all the tyme that the colours of yarne forsaid was keepped in the house till John Calbraith cam in to see him and bad them burn it quich shoo did and it crakked in the fyre lyke great salt and within 2 or 3 dayes after he died.

"To the 16 [17] article shoo depones 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 duettie 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 Paterson, elder in Blawarthill, that after he got a drink of milk from Margarat Finlasoune he was never well and he theocht it never went fra about his heart till his death.

"Lykwyse shoo depones that not long befor his death, qhen he was going to the Yoker and shoo with him, the said Margarat Finlasoune crossed his way, and qhen they pressed to go off the gate, shoo still pursued till shoe crossed the way three severall tymes, and, qhen he cam to Gabriell Paterson 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 deny 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 wharoch, 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 Patersonswon took ane verie uncow and sudden brash of sicknes and sowned and was lyke to goe
rammage, and keeped 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 Fergisonne, sworn, 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 nynteen degree of hire kynd would revenge it.

"Lykwyse depones that shoo desyred him to deale with James Patersons for aggreement and to terrifie him with words, and also to deall with Jeanat Gilmure to gree hire with hire sister Margarat Gilmure.

"To the [8] he depones that Margarat Patersons 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 tuye 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, quich shoo did accordingly, but afterwards the said Marioune said that shoo would not sell them. (Signed) W. Winett; Jo. Maule.

"Allexander Patterson, sworn, 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 trall the said Margret Finlaysoun at the boat sterne then to carry hir over. (Signed) W. Winett; Jo. Maule.

"Margrat Patterson, sworn, deponis to the 8 article that sho was going 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 tuye or sho could win in to the house, and sho says 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, quich sho did, and sho laye in hir arnes 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 she thought that sho wald not be weill quhill the said Margret Finlaysoun did pray for hir quich sho thinks sho did, but becaus of hir sicknes remembers
not the expresse words except that she heard hir say God help hir and vere shortlie thereafter she grew better.

"The said Margret deponis, being sworn, to the [14] [15] article that she heard the said Margret Finlaysone in the mill curse and scold both with Robert Pattoursone and his wyff, saying that she scould do them ane evill turne and bad deivill grind him as small as gunepowder among the myne wheills, and in the meane tyme the myne stone did leap of the rynd and quhen scho saw him seitting with the mill righting she said he scould seait at the shell of the forret and he scould not know how. And she remembers that the said Robert did tack ane vers unknoune diseas thaireftir and was sometymes as he had been roster with heat and had exterodinar seitting, with all quhic he died off thereafter. (Signed) W. Winett; Jo. Maule.

"Margret Gilmore 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 truth, declared in presence of James Landes and Hendrie Snaip that hir husband had gotten wrang be Margret Finlaysone, He asket if she hadd any helpe. He said that Issobell Mories, quho was now dead, did help hir. (Signed) W. Winett; Jo. Maule.

"Issobell M'Hutchesone to the [3] article sworne, deponis that she heard Margret Finlaysone say, if sho wer ane manie, as sho was ane womane, shoe scould 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 unknoune diseas for 3 or 4 dayes and he apprehendit in his sleip, wackening with cries, that Margaret Finlaysone was comming to hir to ryve him all bitte; and he says that he was informet that, immediatlie befor that, the bairne had tucken out ane plouf gaid and strucken ane of hir bairnes with, and sho came to the said bairne in anger and toock the gaid out of his hand and brack it, and, quhen he saw the chylde diseas continew, he, suspecting that the said Margret was the cause of it, was verie discontent and said if ought ailled his chyld he scould 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 Pattoursone, being sworne, deponis to the [10] [9] article that some questioun being falling out betwixt him and Margret Finlasone about some lining cloathes that he wanted she desyred him to goe to M' George Sempill in Paslay and he wald tell him quho had tackin away his cloathes, quhich he did accordinglie, and the said M' Georg bad him bring the neighbours of the toune with him and come to him upon Satturday and he scould tell him quho had tackin them. And that same night that he left him, Johne Pattoursone, spous to Margrat
Finlaysoun, come to the said Mr Georg and gave him wyne, and 
lyckwyse that Satturday morning he and his wyff both had bein at 
the said Mr Georg and given him some wyne and had left him befor he 
came till him, and quhen he came Mr 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 spoken of them, for yee may be sur 
of ane ill turne at thair hands.' And eftir that they invitted him to ane 
bankquet, quherat hir mother was present, and they drank togerther and 
shook hands with the said James, and that same verie night quhich sho 
and I did shak hands togerther 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 witcherat.

"The said James, being sworne, deponis to the [11] [10] article that 
in the tyme of his sicknes, quhen he by the mediacione of uther 
that gatt hir drawne to ane agreement with him quher they drank togerther and 
shook hands in Johne Pattersons hous, and the said Margret 
told him that he had gotten wrang be ill neighbours bot she was 
free of it, and he says that after the said agreement he grew 
better.

"The said James, being sworne, deponis to the [12] [11] article. He 
says that he saw his mother draw some kaill out of Margrat Fin- 
laysounes yard, quhich the said Margret had drawin out of 
his yard 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 Patterson, sworne, deponis to the [13] article that 
upon occasione of the fornamet discord he had tua bairnes that died, 
the ane of 4 dayes sicknes or thairby and the uther chyld of ane nightis 
sicknes and were buried togerther.

"The said James Patterson, sworne, deponis to the [13] [14] article 
that his wyff Mareoun Robisonhe soude to him ane chyld. He heard the 
women say quhen sho was laid up, [sho] had appearence of milk and that he 
saw the said Margret Finlaysounes immediatlie eftir sho was laid up 
bow byrself over hir in the bed and also he heard that sho gave hir some 
bread, quherot 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 secound tyme, "Deivell ane drop milk 
sho shall have to give this bairne mor nor to the last,' quhilk accordinglie 
fell out, and the 3d chyld that sho had, he, suspecting the said Margret 
for the waytacking of hir milk, he dischaireg any woman to goe neir hir 
except the midwyff and said, if sho wanted milk that tyme, thes that 
yaid neir hir soulde have the wytt of it, and non went neir hir as he
commandit at that tyne, and she had milk engoge to foester that chyl'd as was well knowne.

"The said James Pattersoune, being sworne, deponis to the [9] [16] article that Margret Finlaysoune said to him that that same disease quich was upon hir Mathew yaid upon Margret Jack and she died of it. And whan he asked hir how that could be sho said that sho heard lyck wyld horse going by the window in the tyne that the said Margret was in hir house quhen hir bairne was verie sick and past all appearence of lyfe and she thought be that the self sicknes yaid of hir sone Mathew suae that he grew better and recoverit and the said Margret died and he sayes, moreover, to his certane knowldg he knew hir chyl'd at that time verie sick and sundrie tymes laid by for the being straight and knew that the said Margret contracte ane unknown diseas and died theretir within the space of tua or thrice dayes.

"The said James Pattersoun, being sworne, deponis to the [29] [18] article. Margret Finlaysoune said to him that he and hywff hold ane loune in the hous to stell hir cloathes and sho souled gar them repent it; and within ane quarter of ane hour theretir his wyff took ane sudden diseas that sho parted with chyl'd. (Signed) W. Winett; Jo. Maule.

"Grissell Wodrow, being sworne, deponis to the [20] [33] article that sho remembers that ane womane quich 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 hir in anger and took the gaid fræ him and brack it; and sho knew the chyl'd took ane diseas theretir and was affrighted with continuall apprehensioune and fear that the said Margret Finlaysoun was going to wirrie hir and ordinairlie 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 outh ought ailed his bairne Margret Finlaysoune sould be brunt on ane hill, and eftir that tyne the chyl'd 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 Finlasouns bairne with the plough gaid and that the said Margrat came and took the gaid and brack it and cald the chyl'd, 'unsell bleknit shitt, if yu strack my bairne I sall ryve the all byttis,' and sho knew the bairne immediatlie theretir tack ane sicknes and in fear used to cry, 'Dear Margret Finlasoun, let me be and I sall nevir stur your bairne againe,' and sho heard Adam Wodrow say that he said to hir if outh ailled his bairne he sould have hir brunt, and eftir the tyne that he had so said to hire, sho knew the bairne did recover.

"The said Kathrine Currie, being sworne, deponis to the [22] [17]
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 shou knew that Margret Finlasyouns 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 hoome 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 sermonie, and did offer to give hire drink and said to hire, 'They saye that ye use to goe sometymes to Thomas Lich, I would desyre you to goe to him now quhen the casie is tum and all the people ar in the church and deale with him sice I am ane honest woman and he hes blundered my name and cause him to denay all that he hes said of me, and speake terrible words and that will fée him'; and hearupon shoo offred hire ane hyre, and it should be at hire owne maeing; all which shoo refused to doe. Querupon 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, craveng ane accompt qithother shoe hade done as shoo desyred hire or not but shoe hirself was not present, but shoo asked hire mother quhere shoo was and said, 'If I escap at this tyme it shal be a dear doeing to them,' and quhen 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 Morisonoue, being sworne, depones to the . . .

"Walter Brock, sworne, depones that he heard that John McCrae poyned John Patersonoue in Yoker, and therafter he fell sick and was never well after that till he died, but he says he cannot well tell whither he had sore legs before or not. (Signed) W. Winett; Jo. Maule.

"Agnes Knox, being sworne, depones to the [35] [21] that shoo and ane of Margaret Finlasoune bairnes pleasd and that shoo rafe a leafe of hire bairnes book quich, 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 speaches and hire hair stood up whiddirsouns and quhen shoo went home to hire father's house shoe could not speak but stood and glaured; and the morrow therafter 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 shoe saw Margarat Finlasounie have a dead mans hand and keeped it in a sevit and stirred about the kirn with it, and that shoe told hire this qhen shoe was sick of a disease, quibich the said Jeanat suspected Margarat Finlasounie to have laide upon hire because shoe lefte hire service against hire will at the Whiteaunday; 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 shoe said shoe took sicknes and never recovered till shoe dide.  (Signed) W. Winett; Jo. Maule.

"Bessie Symmervell, sworne, depones to the 16 that [shoo knew a discord to be betwixt Margarat Gilmuire, Robert Patersounes 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 shoe knew hire sister Jeanat Scot leave Margarat Finlasounies service against the said Margrats will and that John Patersoun went to the court with the said Jeanat for leaving off his service against his wyfe's will, after which tym shoe contraceted ane uncaw and lingering disease which shoe keeped till hire death; and that shoe hes often heard hire suspect Margarat Finlasounie for hire sicknes and that shoe heard hire often say that shoe wished that shoe had not left hire.  As alsoe the said Bessie depones that shoe hirself suspected the said Margarat for hire sisters sicknes.  (Signed) W. Winett; Jo. Maule.

"William Knox, being sworne, depones to the [19] 16 that his stepdaughter, Margarat Jack, went in to Margarat Finlasounies house qhen hire bairn Mathew was sick and stayed all night, and came home and took sicknes and dide within 8 dayes thereafter, and that the said Mathew within a little grew better.  (Signed) W. Winett; Jo. Maule.

"Wiliam Duncane, being sworne, depones to the [15] [14] article that he heard Thomas Lich (a confessing wharcho) say to him and John Yron that Margarat Finlasounie was Robert Patersounies death; John Yron, being sworne, depones this same except that he says that he heard the said Thomas say that shoe had some moe with hire.  (Signed) W. Winett; Jo. Maule.

"John Patersounie in Yoker, being sworn, depones to the [8] that he knew Margarat Patersounie take ane uncaw disease that he never saw the lyck of it, and shoe suspecting Margarat Finlasounie cryed to send for hire sonne and that after that tym he cam in and his mother after him and shoe looked to Margarat Patersoun and prayd God send hire hire health, and presently the sick las grew better.  (Signed) Johnne Patersounie; Jo. Maule.

"[Robert Morisounie, elder in Kilbuie, being sworne, to the depones nothing].  (This is deleted.)

"[Jeanat Cynyagham, being sworne depon . ].  (Also deleted.)

"Marione Angous, sworne, depones to the [37] [22] that shoe
offered to sell a pair of hose (which was too little for himself) to Jeanat Yong, which Jeanat Yong said was to Margarat Finlasounes daughter by commissione from the said Margarat, and afterward, having gotten counsel from hire mistress not to sell them to Margarat Finlasoun, shoo refused to sell them, and within a day or two thereafter shoo contracted an 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, which fell out as is aforesaid. (Signed) W. Winett; Jo. Maule.

"Marioun Millar, being sworn, depones to the [14] that shoe heard Margarat Finlasoun curse and ban Robert Patersoun and his wyfe, and say the devill grind the said Robert as small as gun 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, sworn, depones to the [24] that Margarat Finlasoun cam in to hire fathers house about the ringeing of the last bell to sermon the day of the ayse, 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 byre; and, quhen she said shoo behoved to goe to kirk, shoo desyre 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 Eisoun, sworn, depones to the [14] that shoo heard Robert Patersoun say quhen he cam in to his wyfe that he had found something in the yeard, and quhen 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 togeth, and quhen his wyfe brought it in in hire hand and hade openned it there was 3 colours of worsat in it and a bane prick and a lead broach, and three colours of yarne; and immediatly therafter he took ane uncow disease and offtenymes said he was as he hade beenrost betwixt tua fyres and cryed that they would cast one cold water upon him and offtenymes he was chikkerin for cold. Depones lykwyse that shoo heard the said Robert say that he hade gotten a drink of milk from Margarat Finlasoun which he theotht never gat from his heart. (Signed) W. Winett; Jo. Maule.

"Jeanat Gembill, being sworn, depones to the [24] article that Margarat Finlasoun 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 deny it, and shoo would give hire ane heir for hire pains. And quhen she told her that shoo hade ane evill report of hire nighours, 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 quhen shoo asked how, shoe said, 'And hire hands be to the fore,' and stopped there. (Signed) W. Winett; Jo. Maule.

"Jeanat Patersonne, sworn, depones to the [12] 11 that shoo saw hire goodame pull the kale out of Margarat Finlasounes yeard, quich 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 Patersonnes mother, took sicknes quherof shoe died. (Signed) W. Winett; Jo Maule.

"James Landess, sworn, depones to the [14] [15] article that he heard Thomas Liche say that Margarat Finlasouns had hand in Robert Patersonnes death. (Signed) James Landess.

"Crystian Patersonne, sworn, depones to the [3] article that Margarat Finlasoun came to hire and desyred hire to bid hire goodman, Robert Gembl, goe to John Yron and speare at him quhat he would be at, quich shoe told hire husband, but he refused and bade hire tell the said Margarat quhen shoe cam again that the thing that John Yron was seeking was to have her burnt, quich shoe says 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 beleved him above him. Depones, moreover, that shoe desyred hire to goe to hire father, James Patersonne, 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 Patersonne 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 Sproule], John Symmervell, bailei, Georg Winet. (Words in brackets deleted.)

"To the [14] article Margrite Gilmore, sworn, deponis that in the tyme of Robert Paterson hir umquhill husbandis seiknes he was going from his owne house to the Yocker, and she went with him to wate on him, and Margrit Finlasoun 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. Winett, elder; J. Sproull, elder.

"William Patersone, sworn, deponis that he did heare Margrit Gilmor werry angrie with Margrit Finlasone, and that the watter did tak away the boat, bot knowis not how long afther that tyme it was, bot rememberis weill that itt was after that tyme. (Signed) William Paterson; Jo. Maule.

"Robert Gemble, sworn, depones to the [15] article that he did
Margret Gilmore was very angry at Margaret Finlasone when they cam over together in the said Margret Gilmoris boat, and that he does remember that the boat was taken away with the water but can not remember how long it was after that tyme, but he knows that it was after that tyme. (Signed) Jo. Maule; Adame Gemmell, elder; J. Spreull, elder; G. Winsett, elder.

"To the [24] article William Patersoun, sworne, depones that one of Margarat Finlasoues cowes being pushing on of his cowes that was with calfe, and, he runing at the said Margarats cow to stryck hire cow, sho hirself being present, he fell in the tym that he was strycking hire; and the nixt yeares 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 either 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 Patersoune; Jo. Maule.

"Alexander Patersoun, sworne, depones to the [15] article that he heard Margaret Gilmurie angrie at Margaret Finlasoune quhen 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 Paterson had 3 or 4 cattell died within this year or 2, and the rest of them did misthryve soe farr that he hes heard the said William say that it were better for him to fell his cattell then to keepe 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 Paterson run at one of Margaret Finlasoues kye and strick hir becaus shoe had pushed one of his kye, and the said Margarats 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 immediately following the fornamed 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 dyes 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 quhen your stead sone, William Patersoune, cast a whinger at my cow.' (Signed) W. Winett; J. Maule.

"Jeannet Gilmure, sworne, depones to the [24] that shoe saw Wiliam Paterson runn at one of Margarit Finlasoues 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 Finlasounse cow was pushing with uther 3 died, and all the rest of his kye that are liveing sinc 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 depone that Margarat Finlasounse about 14 dayes befor shoe was apprehended said to hire, 'If I had beene 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.

"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 shoie ever a semester to hire tred.

"Moreover, to the [8] article he depone that he knowes befor the sicknes cam upon Margaret Patersounse, the said Margarit Finlasounse was verie feared by occasioun of the executioune of Thomas Lich and Jeanat Moutongomerie, which 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 answere, and therafter told him that he had spoke to his wyfe but it would not be; but about the tym of the executioune shoe sent sundrie to tryst for aggreement both with him and uthers; and the night immediatly preceeding the said executioune 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 quhen he refuse 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 tred, and never sewed a mutch to one of of hire owne bairnes or to any uther bodies, except that mutch which shoe made to Margarit Finlasounse, and that shoe marvellid that shoe brought hire a mutch to sew that had never sewed one befor, but shoe sayes that shoe did it for feare because shoe had no will to anger, for shoe suspected that shoe was not good. (Signed) W. Winett; Jo. Maule.

"James Patersounse, sworne, depones to the [8] article that he knew Margarit Finlasounse to be exceedingly affrighted upon the occasioun of Thomas Lich his executioune and Jeanat Moutongomerie, and that it was about the tym of Margarit Patersounse sicknes, and depones that he knew the said Margarit to be verie feared by hire coming to him after hire sone had been at him befor and had quarrelled him for going to Thomas Liche, and said that he had beene garring him make lies upon honest folk, and that shoe at hire owne coming said the lyk, and spake of hire owne feares particularly, and shew hireself (as he thought) verie feared and suspiciouss-lyke.

"To the [9] article he also depone that Thomas Lich said to him that he had gotten mickle wrong by his neighbour, Margarit Finlasounse, and it was begun 18 yeare sinc.
The said James Paterson, being sworn, deposes to the [3] article that in harvest last John Airne took sicknes, and ever since some of his household has been sick.

To the [5] article he deposes that he never heard that Gabriell Paterson had gotten a fall or that ever any cause of his sicknes was known to any.

Moreover, he deposes to the [11] article that that same night that his mother cam out of Margarit Finlasounes house shoe took the sicknes.

To the [13] article he deposes that when he was greeing his marriage with Marioune Robison, his wyfe, whose milk he afterward suspected Margarit Finlasoun had taken away, shoe being the said Margarit Finlasounes servant, the said Margarit 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 mean time he suspected that shoe meaneed by him and quarrelled hire for it.

To the [14] he deposes that he never knew Robert Paterson and Margarit Finlasoun gree betwixt the tym of there discording and the tym of his sicknes. (Signed) W. Winett; Jo. Maule.

Jeanet Gilmuire, being sworn, deposes to the [1] article that shoe knew John Airnes wyfe not to be a semister.

To the 3 article shoe deposes that since harvest last John Airnes household has never beene well all at onc.

To the [8], being sworn, deposes that that same day that Margarit Paterson took sicknes shoe knew Margarit Finlasoun to be very feared upon the ocassion of the executioune, by dealing with hire very earnestly to cause hire sister Margarit to gree with hire, althoew shoe had refused to gree with hire sister quhen shoe offered to gree them and caused hire drink tuyse to hire, and the said Margarit Finlasoun refused to pledge hir.

To the [14] article shoe deposes that schoe knew that there was discord betwixt the said Margarit Finlasoun and Robert Paterson and his wyfe and that they never greed therafter. (Signed) W. Winett; Jo. Maule.

Marioune Robison, sworn, deposes to the [13] article that shoe heard Margarit Finlasoun 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 Paterson quarrell it; and deposes, moreover, that shoe hee heard the said Margarit say that shoe had hire husband James Paterson 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 abowewritten and report their opinion to the said Committie.

John Calbraith, sworn” . . . (nothing further) . . .
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 Mr Alexander Spittall, younger, of the date the last of Januarie, or any three of us, for tryall and executione of Issobell Alexander, one incarcerat in Pobles for witchcraft, wherein 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 stubbornely to the asserting of her innocencie), we, feareing if we should have rashly proceeded to have fallen in one of these two extremes to absolve the guiltle or fyle the innocent, have hitherto laboured for clearing in the mater, which (notwithstanding our utmost indevours through such obstructions as the enemie of truth hath thrown in our way) hes hitherto bene mightilly retarded, and, while we are thus indevouring, we meet with letters of horning to put her to the tryall of a jurie befor the last of May or be denounced, which (besides that it can hardly be done, the time being so short as a jurie can hardly be called) we resolve to obey, though we conceave it may prove a meane to fall into one of the forementioned extremes, and rather the first then the last. This we thought our dutie in all humilietie 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 submit and are, Your Lordships most humble and obedient servants. (Signed) A. HAY OF HAYISTOUN: JO. SCOTT OF HUNDILSTOP; A. SPITTALL."

[On the back] "Edinburgh, penult Maij, 1650. It is the humble opinioin of the Committee that the charges of hornyng raised and execute against the supplicantes 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 considererit befor giveing answer to the supplication within-written. (Signed) W.L. Torphichen, I.P.C."

"Edinburgh, 31 May, 1650. The Estates of Parliament approves the report abovewritten and suspends the letters quoad the Commissioners. (Signed) LOUDOUN, CANPIRUS, I.P.D.P."

232. "To the Honorable Lords of Privie Counsell the humble Petition of the Commissioners of the Generall Assembly."
Being certainly informed of the frequent resort to this kingdom of some sectaries who goe abroad in the countrie for perverting and seducing of the people to their errors, we thought it our dewtie to represent so dangerous ane evil to your Lordships, earnestly desiring that your Lordships may be pleased to provide what you shall find necessary for restraining and preventing the dangerous and pernicious practices of such cunning impostures. (Signed) A. Ker.

The Council thinks fit that some effectual course be tane in this particular and appoynts the Lord Cassills and Advocaet to peruse the Council acts formerlie made anent papists and to report their opinion."

233. " as principall and cautioner and surety for me c. 1650.
do hereby bynd and oblide us, conjunctly and severallie, that, I the said shall be obedient and answerable to the lawes of the kingdom, and shall satisfie and redress all partes that have since the date of any capitulations made in my favors by publick authoritie, or shall in tyme coming sustaine any harme or scath by me, and that I shall appeare personallie before the Lords of his Majestis Privie Counsell, Committee of Estates, or his Majestis Justice whencesoeuer I shall be chargd for that effect upon fiftene dayes warneing, and answer 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 kingdom by joyninge with any of the enemies theirof, or otherwise contrary to the tennor of the bond mentioned in the Act of Parliament of the 26th of January, 1649, quibich 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 thearoof, and that I shall not haunt nor be found in company 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 coming, but shall take unto myself some other surname. And I, the said as principall and cautioner, do faithfully oblide us conjunctly and severallie, as said is, that I the said shall duly observe, keepe and fulfill all the premises and every article theirof under the paines followinge, viz.: I, the said to bee esteemed ane rebell and proceeded against accordinglie, and also I and my said cautioner conjunctly and severallie under the paine of to bee payed to the publick, incaise of faillie: Consentig 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 real, may pass heerupon which hath bee neordinary 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 subscribeb thir presents with our hands at
234. [Another draught of the preceding Bond, not so complete.]

235. "To the Lord Commissioner his grace and Honorable Lords of Privy Council, The Humble Petition of the Magistratts, dean of gild and Thessaurar of the burgh of Kirkcaldy, sheweth,

That the petitioners are latly charged at the instance of Sir John Weyme of Bogie to make payment to him of thrie monethes old mantineone, viz., September, October and November, 1648, the exacting and uplifting of quich old mantineone being by his Majestie upon moost grave and serious considerations forborn for some tyme, is now elapsed; and seing the toune doeth groan under many heavy burdens of cesse, taxation, and beydys that the advancing or fiftie I. sterling monethly to the companies 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. Wherfore it is humbly desyred your grace and Lordships upon the consideration forsaied would be pleased to suspend and continuow the exacting of the said cesse for some further tyme."

236. Bond of caution by John Blackhall of that Ilk in 10,000 merks for Sir Gilbert Menzeis of Pitfodells 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.

237. "Whereas by Act of Parliament, daite at Stirling, the penult day of May jv^j yeftie ane yeires, wee undersubscryvers are ordainit 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 laws and acts of Parliament which are for establisheing and promoveing of religion, especiallie such as have beeene since the yeir jv^j 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 oppos- ing us in the matter of the sinfull engadgement, or for opposing us in or for censureing 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 forsaied Act of Parliament, daite the penult day of Maij jv^j yeftie ane yeires; thairfore wee doe willingly and in obedience
to the aforesaid act bind and oblige us, each on of us for our awne selves allanerlie, to obtender and obey the said act in all premisses with certificatione and under the payne following, viz., that, if wee or any of us as aforesaid shall faill in the premisses or any of the same being found and declared befor the Parliament, Committe of Estates, or Privie Counsell, in maner conteenit in the aforesaid act, the faillyear shall amitt and loose his capacitie of sitting in Parliament or enjoying of any other office or place of trust or power wherein he is for the time, and shalbe content thereafter to be removed therefrae that the place may be declared void and be filled conforme to lawes of the kingdom. (Signed) CRAIG-MILLAR; BALTHYOK."

238. "Apud Glasgow, decimo octavo Aprilis anno Domini, 1652. The quhilk day the provest, bailies and counsell of the said burgh, being convinced, Forsameikikle as of befoir report was maid that Robert Sempillie, wha was collector at the old mylne of Partick, had givin g up ane schort compt the last weik of his collectione be not givin g up e all the maskis of malt that was ground at the said mylne the said weik, and giving up bollis for maskis, thairby deteaneinge back some of the townes moneyis and dewis, and he being this day present in judgement to answer thairto, as also John Reid, wha calls the malt horses to and from the said mylne, John Corse and William Purdoune mylnearis thairat, being warnet and compeirand to beir witnes in the said mater, the saidis thrie witnesseis being solemnlie sworn and examinet in presence of the said Robert Sempillie himselfe and the compt givine in be him of his said last weikis collectione being particularie red anent quhat malt was ground at the said mylne and takine away everie day, and the saidis thrie witnesseis being examinet and interrogat thairintill, in some dayes thair depositionis did argrie with the said Robert his compt, bot did differ in the most part; all this being done in presence of the said Robert himself, as said is, and thair depositionis and his compt being compared, it was fund that the said Robert had givine up e thrie maskis malt les nor he sould have done (the maskis of malt following being also compted and layd by, viz., twa to the college, ane to M' Robert Bailyie and four to the gorballys), and that he had givine up in compt seivine bollis malt to have beine grund at the said mylne that weik, quhairof four of them was full maskis, and so deteaneet thairby the dewis to be payed for four furlottis, in respect it was cleirlie provine be the depositiones of the saids witnesseis that thair wes onlie thrie bollis malt grund that weicke at the said mylne, and so it was maid most manifest and knowne that the said Robert Sempill had wronged the towne in deteaneinge bak of its dewis, he being sufficientlie satisfait 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
horse to and from the said myyne durst not nor wald not say that he had gottine payment for all the malt he had led from the said myyne that weick; quhairunto the said John answerit quhither the said Robert had gottine satisfactioun or not for the dewis of the said malt caryed be him out of the said myyne that weik he could not tell, but he was not permitted at no tyne to carye any malt out thairof that weick without licence of the said Robert first had and obteanan thairto; and the saidis magistratis and counsell haeving advyset thairanent, they ordanit the said Robert to be doteaneit in waird quhill he pay to James Bornis sone monies he was restand of his preceeding weiks collectioune and the dewis quhilk he ought to have payed for thrie maskis and ane boll malt omitit and not givine up be him in compt, as said is. Extractit furthe of the Counsell buiks of the said brughe be me, (signed) W. Yair."

21st March 1660.
Caution by David Ramsay of Balmain, younger, for Alexander Melvill in Pitnamoone, and John Hwd, prisoners in the tolbooth of Edinburgh, that on being liberated from prison they will compair 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 Johnstoun of Waristoun to the Committee of Council they would be rewarded; witnesses, James Wallace, also macer, Lues Menteith and Patrick Nisbet, messengers, and many others.
APPENDIX

to

MISCELLANEOUS PAPERS.

c. 1544–1660.
1. "My Lordis, It will pleis your Lordships to be informit for the c. 1544.
opinion that
paertis of our soveraine lady, and Jonet and Margrete Dischingtonis anes the allegance maid for the pairt of Thomas Dischington, berand that the allegiance maid for the pairt of Thomas Dischington, berand that the 
our quhiskill soveraine lordis revocatiounneydit necessarillie speciall our quhiskill soveraine lordis revocatiounneydit necessarillie speciall 
declarator thaireftir or the infeftmentis cumin under the samyn mecht 
declarator thaireftir or the infeftmentis cumin under the samyn mecht 
be takin away, your Lordships sall undirdstand the said declarator is be takin away, your Lordships sall undirdstand the said declarator is 
nocht necessar be the law, as my uther informativis beris, nor yit be the nocht necessar be the law, as my uther informativis beris, nor yit be the 
praktik, in respect of the said generall revocatioun berand expres casser- praktik, in respect of the said generall revocatioun berand expres casser-
tioun of all tailyes maidd in his bines minoritie and ordandin the said 
tioun of all tailyes maidd in his bines minoritie and ordandin the said 
revocatioun to be of als grete effect and als largelie extendit in generell 
revocatioun to be of als grete effect and als largelie extendit in generell 
and in speciall as ony revocatiounis maidd be ony his progenitoris, kingsis 
and in speciall as ony revocatiounis maidd be ony his progenitoris, kingsis 
of Scotland, of befoir, and specialie be his derrest fader and King James 
of Scotland, of befoir, and specialie be his derrest fader and King James 
the Secund; and it is of veritiie that his grace derrest fader revokit all the Secund; and it is of veritiie that his grace derrest fader revokit all 
resignationis ressavit be King James the Thrid to the exheredatioun 
resignationis ressavit be King James the Thrid to the exheredatioun 
disheresing of the rychtuus airis, be quhilk revocatioun he ordanit 
disheresing of the rychtuus airis, be quhilk revocatioun he ordanit 
the samyn to be of nane avayle, force nor effect in ony tymne cuming, 
the samyn to be of nane avayle, force nor effect in ony tymne cuming, 
but that all personis hurt thairby be vertew of the said act restorit in 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 
integrum like as thai wer of befoir the ressaving of the saidis 
resignationis. And, sen our said soverane lordis revocatioun that last 
resignationis. And, sen our said soverane lordis revocatioun that last 
decessit is ordanit to be of als grete effect as ony his predecessouris and 
decessit is ordanit to be of als grete effect as ony his predecessouris and 
specialie of his said unquhill faderis revocatioun, necessario sequitur that be 
specialie of his said unquhill faderis revocatioun, necessario sequitur that be 
said quhiskill soveraine lordis revocatioun all sic infeftmentis as is libellat 
said quhiskill soveraine lordis revocatioun all sic infeftmentis as is libellat 
was cassit and annullit in the self without ony uther declaratour."

2. "Memorandum."

"Item, gif this contract be maid of the dait now presentlie it sall be noted conteine thai wordis (Efter his perfyt aege of xxiiij yeris) for he is past the aege of xxxi yeris, and thairfoir it is nocht neidfull to mak mentionioun of his aege, for that supponis that he is past laitlie xxiiij yeris, 
" Item, gif this contract be maid of the dait now presentlie it sall be noted conteine thai wordis (Efter his perfyt aege of xxiiij yeris) for he is past the aege of xxxi yeris, and thairfoir it is nocht neidfull to mak mentionioun of his aege, for that supponis that he is past laitlie xxiiij yeris, 1 "this claws mandit."

"It is to be providit that at the secund redemptione, quhilk is to be maid at Witsounday in the yeir of God v° threakoir, that the Maister certefei the Erll in dewe tym of the day quhilk he appointis to the redemptione forsaid, and that it be tua or thre dayis afoir the terme of Witsounday for ingetting of silver for redemptione of the saidis landis.

"It is to be providit that the maister mak the warneings sufficient agane the feist of Witsounday nixt, that the said Erll tym not his proffit thairthrow.

1 The marginal notes are in another handwriting.
"It is to be providit that the Maister faill 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 provisions of the contract now last maid, and that he attempt nocht to intromett with any profittis of the saidis landis that ar to be redemit unto the tym the hail erldom be redemit.

"Item, anent the artikle of Carney, etc., it will pleis your lordship extend that part mair cleirlie, provyding that the said Erll suld nocht be haldin to assist to the said Maister contrar thame quhom he is obleist to warrand.

"It will pleis your lordship, sen this contract is maid and wes devisit halely for stanching of all pleyis, debaitis, and besaynnesses in tym cuming and intertenyng of amite and hartlie kyndnes betuix the saidis Erll and Maister and their posterite, and that the hail declaratione thairof is submitit to your lordship, and that it may weill and cleirlie appeir be the obligationis now ratshifiit that the said Maister is obleist nocht to persewe the said Erll in ony of his heretages qhilkis ar reservit to him of the said erldom or any utheris his lands or heretaige qhattsumevir, that your lordship will cleir the said artikill of Carney, etc., provyding tharintil that it be nocht lefull to the said Maister to persewe the said Erll upon the reductions of his heretabile infeftment therof, uthairwaysis it wilbe the begynnynge of ane new pley betuix thame contrar the mynd of the contract.

"Item, I deyrr 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 guidschir 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 Dunde maid be Issobell Deuer (?) conteneand the sowne of ij" merkis.

"The reversion of outquitting of the myln of Downy upon the sowm of ane hundreth merkis.

"The reversion maid be the vicarisy of the quier of Abirdene for redemption of x li. of anuell rent of the customes of Abirdene conteneand the sum of iiij" merkis.

"The reversion of the landis of Lavington pow fra the Lard of Powre and possessouris thairof, conteneand the sowm of v" merkis.

"Item, the said Erle to deliver the sowme of vij" merkis for redemption of the landis of Kyhill, Sandfur and Begwyt, of the quhilk the Erle sall pay vij huudreth merkis and the maister i merkis, quhilk salbe allowit to him of the first profittis.

"Erll of Crawfurth."

"The secont day of Junij in the lx yeir is Witsunday."
1573.

CHARLES I.

8th-15th April 1573.

Petition by Mr. John Spence of Condy and Mrs. Robert Crichton of Eiick, Advocates, that James, Lord Torphechin, be compelled to restore certain property which belonged to Queen Mary.

My Lordis Regent and of Secret Counsale, unto your Grace and Lordships humlie menis and schewis, we, your servitouris, Maister John Spens of Condy and Robert Crichtoun of Eiick, Advocatis to our soverane lord, that quhair the jewells, houshald stuf, munitions and movables gudis quhat soever vair he, sumtyme perteyning to our soverane lord's mother, the Quene, and perteyning to his hienes sen his coronatioun, are dispersit and fallin in the handis of diverse subjectis of this realme and uthers, quhilkis hes the samin and dalie sellis and disponis or hes sauld and disponit thairrupoun to thair uses, to the greit damage and prejudice of our soverane lord, quhairfoir it is fundin expedient be his Hienes with avise of your grace and hail 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 jewells, houshald stuf, munitions and movable gudis now perteyning 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 thairrupoun salbe sufficient discharge and warrand for deliverance of the saidis jewells, houshald stuf, munitions and movables presentlie and in all tymes cuming, as the act of Parliament maist thairrupoun heiris. And treuth it is and of veritie that James, Lord of Torphechin, in the moneth of the yeir of God m·v·e· yeiris, intromettit with and hes in his handis or hes disponit and put away the houshald stuf and movable gudis and geir underwrittin, that is to say, the rufe of ane reid bed of crammisic velvot freinzeit with gold and lynit with reid tafteis, thre courtingis of reid dammase, ane steikit matt of reid tafteis, twa pandis of reid crammisic velvot freinzeit with gold, ane under cover of reid crammisic 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 courtkeys and pandis of the same all freinzeit with blak silk with sex knoppis of blak silk, four peec of courtkeys of Turke satting and five peec of pandis of the same stuf, ane cannyby of raw silk wovin variane heuit with freinzeit of gold on every seine, ane blak burde annialisit with gold with ane dowble standart, ane reid chyre of crammisic velvot, sex peec of tapestric, five of thame bot secund, the sext utter fyne, with ane coffer full of buiks, with the hail knoppis concerning the reid bed and the violet bed, ane clayth of crammisic 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 Torphechin, is present in Leith neiby this tow, to geve command to ane macer or uthers officiar of armes to charge him to exhibit and produce before your Grace and Lordships the houshald stuf, gudis and geir abonewrittin, the tent day of Aprile instant, and to heir and see him
decernit be your decrete to deliver the samyn to your Grace to our Soverane lordis use and behuift, conforme to the said act of Parliament, or ells that he the samyn day compeir personalie and schaw ane resonsa-

[On the back] “Apud Haliruidhous, octavo Aprilis anno Dovmni, etc., lxixij. 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.

“Apud Haliruidhous, xj Aprilis, 1573. Thomas Inglis in Newlistoun, compeirand for my Lord Torphecain, Wedisdai nixt the xv day of the said moneth, is assignit to him to compeir befoir my Lord Regentis Grace and to bring and present sic jowells, 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 syth de calumpnia upon the rest gif he hes just caus to deny it, with certifi-
catioun as is within-writtin.”

“Apud Haliruidhous xv Aprilis 1573. James, Lord Torphecain, compeirand personalie, wes content and promeisit to compeir befoir my Lord Regentis Grace and Lordis of Secret Counsale the morne and to bring and present sic jowells, 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 syth de calumpnia that he hes just caus to deny the rest.”


5. “Robert Scot, wit ye us, haifand tryit and examinit this beirare, George Abernethy, hes fund him apt and habill to use the office of notarie and hes admissit him thairto, thairfoir ye sall mark his buik and reassav Mr John Cramont or Andro Jowsie cautioner for dew administration, as use is in sic caissis. (Signed) Ad. Orchad., Qhitting-hem.”

6. “Apud Haliruidhous xv Majj. . . . Forsamekill as certane nobill men and uthers of writtin for and summonit to cum to this present rynnand Parliament to advise and conclude upoun certane greit and wechtie affairs concerning our Soverane lord his estate and common queties of his realm and liegis, amangis quhome it is necessair that gude ordour and quietnes be kepit and that they cum in peceabill maner, quhairthrow all occasioun of troubl quhilkis ony ways may hinder the gude effectis to follow be thair convening may
be removit, and thairfoir ordanis letters to be direct chargeing officiaris of armes to pas to the mercat croce of the burgh of Edinburgh and all utheris places neidfull, and thair, be oppin proclamatiouin in his Majesties name and authoritie, command and charge all and sindrie the saidis nobill men and utheris of his estaititis writtin for be his Majestie to cum to the said Parliament, that thay cum in quiet and peciabill maner with thair ordinar houshaldis and trynis without uther armour sauiffand thair accustumat maner to ryde with thair swerdis and quhinzearis, and in thair cuming, remaining and departing that thay behave thame selfis modestlie and quietlie, and on na wayis invade, molest or persew utheris owther for auld feid or new, or mak provocation of troubl in word, deid or countenance, under the pane of deid, with certificatiouin to thame that dois in the contrair being appre-hendit and tryit 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 utheris. JAMES R."

7. Letters under the Signet directed to Robert Davidsone, William Grig, and John Anderson, messengers, narrating that some evil-disposed persons have lately "sinisteruslie purchest in privat maner oure utheris letteris chargeing oure rycht traist cousing, John, Erle of Atholl, and utheris specifit thairin to dimolische, cast doun and distroy the biggit lyn of the kaith upon the Water of Eicht and being distroyit to stop the heritabill possessouris thairof to build or big the saman agane, and as oft as the same sal happen to be biggit that oure said rycht traist cousing and utheris his colleigis specifit 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 knawing perfitillie that the said lyn and fisching pertenis, the ane equall half thairof to our said rycht traist cousing and his airis heritablie and the uther half thairof to our lovit George Drummond of Blair and his airis, lyke as they and thair predessouris hes bene in peciabill possessiouin 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 Counsal, tending to compell our said rycht traist cousing to distroy and rute away his awin auld heritage as he myndis indee for obedience thairof," wherefore charge is given to command and inhibit "our said rycht traist cousing to desist and ceise fra all dimoleschig, doncasting or distroying of the said lin and fisching"; and also to charge William Hering of Kellie, Andrew Hering of Glascune, William Chalmer of Drumlochie, 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 lin 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 Miscellaneous 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 Sanderson, John Pilmour, James Baxter: (2) On 12th August by William Greige against Andrew Hering of Glassclune and William Hering, his brother, personally apprehended, and against Andrew Blair of Ardibair at his dwelling place there, and Archibald Butter of Gormock at his dwelling place; witnesses, Robert Davidsoun, messenger, Alexander Robertssoun, notary, and Alexander Millar: (3) On 13th August by the same at the market cross of Cowper in 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 Cowper in Angus against all the lieges; witnesses, Andrew Blair, portioner of Durdo, Henry Brown and Alexander Kyncragy of Polkmylin.

8. Letters under the Signet directed to David Bennat, messenger, at the instance of Patrick Buttrir of Marytoun, William Harine of Munkiscallie, William Chalmer, apparent of Drumoquhy, 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 Erichth 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 shiref dome of Perthe expres aganis the Actis of Parliament,” and that the complainers and others are infed in divers fishings on the said Water of Erichth 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 conveyance of the lieges and “cast down and destroy the said fische yair and tymmer lyn and to hald the samen doun and mak the midtreme of the said Watter of Erichth to be frie at that parte quhair the said fische yair now is be the space of sax futiis 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 incon siderately 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 inhibit the said George Drummond from making any opposition thereto; dated at Stirling, 21st August, 1585. (Signed) JAMES R., M’ of Gray, Thyrlistane.

9. Summons directed to John Andersoun and William Greig, messengers, at the instance of Dame Margaret Flemyng, Countess of
Atholl, liferentix of the half fishing aftermentioned, George Drummond of Blair, heritable portioner of the fishing "of the Lyn of the kaith upon the watter of Erycht" in the shirifdom 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 Ardablair 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 completeris competitouris in the said fisheing to cast down, distroy and rute oute the commoditie of his awne heritage and the lyferent of oure saud cousignes, his mother, baith to his awne prejudice and the gite hure and skaithe 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.

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 John 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 Ardablair at their respective dwelling places; witnesses, James Fowles, citizen of Dunkeld, James Reith, Patrick Pulchenour and others.
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 supplicationoun gevinn in be Thomas Achasoun, maister cunyeour to our soveraine lord, aganis William Fairlie, ane of the baillies of Edinburgh, and Jonet Ferguissoun, makand mentioun that quhair in the moneth of May last bipast William Fairlie, ane of the baillies of the burgh of Edinburgh, and Mr Michaeill Chisholme, dene of gild thair, come to the said Thomas ludgeeing and dwelling hous within the said burgh in the Cowgait thairof and ressavit . . . . . " (Nothing further.)

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, Carrick 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 foresaid 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.

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 Etrick Forrest annexed to the Crown, ordaining, with advice of Sir John Seyton of Barnis, knight, his Majesty's Comptroller, 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 Etrick Forrest and schireffdom 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, his spouse, and
their heirs male, that half of the said lands then occupied by James Buckye, Janet Legis, Robert Watsoun and Thomas Bruntoun, 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, 1589. Composition £40.

13. Precept signed by J. T. Cancellarius, directed to John Johnestoun, 31st July 1590. Lord Claud Hamilton, Commendator of Paisley, has intimated by letter that he is willing that Hew Wallace of Carnell, John Wallace of Dundonald, William Wallace of Dullaris and Michæl 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 November next has been appointed by the Lords of Council to John Roy McCalpice in Callemoir for probation of an answer made by 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 compear that day before the Council, viz.:—Gilbert RoBERTsoun in Fintrie, John Provand in Lyncheid, Gilbert Paul there, Walter and William Drummond in Drummond, 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 McCalpice 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 Webster in
Inchefad, and John McInhugutar in Arichmhoir, all personally apprehended, and against Gilbert Robertsone in Fintrie, Donald McCalpie in Ballyglass, Walter and Thomas McGown in Ballar in Cassalie, John Buchanann in Buchlass, Walter Provand in Kiptulloche, Walter and William Drummond in Drummond and John McKesone there, at their respective dwelling places; witnesses as before: and (3) on . . . November, 1592, against Walter Robertsone alias Buchanann at the market cross of . . . because he has no certain dwelling place, before the same witnesses.

15. Note of execution of precepts from his Majesty's Exchequer charging the persons named to comppear before the Lords Auditors, (1) by Daniell Boill, messenger, on 12th April, 1594, against Gawin Lokhart, one of the bailies of Lanark, personally apprehended; witness, Barnard Lindsay; also against Archibald Hamilton, 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, bailie 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 Balcloch, chamberlain of Ettrick Forest; on 25th April, James, Lord Hay of Yester, sheriff of Peblis, and John Hoppringill, bailie thereof; on 26th April, John, Earl of Mar, sheriff of Strriviling, receiver of Strriviling, Anthoun Bruce, bailie of Strriviling, David Dundas, sheriff of Lynlythgow, James Hamilton, sheriff of Lynlythgow within Batet, Cornewall of Bonhard, provost of Lynlythgow, the bailies of Lynlythgow, and Mr James Durhame, chamberlain of Lynlythgow; on 27th April, my Lord Duke, sheriff of Edinburgh, John Robertson, one of the bailies of Edinburgh, John Gourlay, customer of Edinburgh, David Murray, feuuer of his Highness's park, and the Laird of Mercheson, feuuer of the King's Meadow; and on 29th April, Robert Lauder, bailie of North Berwik, John Murray of Blakbaronie, receiver of Ballincreiff, William Lauder, bailie of Dumbar, John Arnot, feuuer of Cokburnesphet, and Robert, Lord Seytoun, provost and customor of Cokany, all personally apprehended, and Alexandar, Lord Home, feuuer of Merche, and Carkettil, customar of North Berwik, at their dwelling houses; Mr Robert Lyndsay and John Balfour being witnesses throughout. The name "Adam Cokburn" is on the margin of the paper.

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
1594.

CHARLES I.

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 Kirkcudbright, as the head burgh of the Stewarty of Kirkcudbright, where the lordship "of Gallawa, ane pairt of his Majesties proprietie, lyis"; witnesses, Thomas Gledstanis, Robert Linton and John Mekill, burgess of Kirkcudbright: and (2) on 24th June, by Nicol Newall, messenger, at the market cross of Drumfreise; witnesses, John Fargusoun, Richard Knowis and John Peris.

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 soveraine lordis proprietie, 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.

18. Another copy of the same letters directed to John Allane, 12th June 1594. Another copy of the same letters. 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 Quhithope, 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 Henderson there, and Thomas Balfour.

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 Etritick Forest and lordship of Selkirk, sometime belonging to William, Earl of Angus, lies. (Signed) J. Allane, messenger; w\' my hand.
20. Note of execution on 24th June, 1594, by William Kaling, messenger, at the market cross of Linlythquow, as noted above. (Signed) William Kaling, messenger.


23. Original bond of caution by Arthour Gairdin of Banchorie and John Collison of Auchlowneis, as noted in vol. vi., p. 632.


25. Original bond of caution by Andrew Gray of Kingornie, for John Allardis, younger of that Ilk, as noted in vol. vi., pp. 632, 633.

26. Original bond of caution by Robert Semple of Fulwod, for John Wod of Mildovine, as noted in vol. vi., pp. 636, 634.

27. Original bond of caution by William Lawder of Quitoled and Mr Alexander Hamiltoun of Drumcorse as his cautioner, for the indemnity of Elizabeth Lawder and others, as noted in vol. vi., p. 634.


29. Copy of the General Band as printed in vol. vi., pp. 825-828. (Torn and imperfect.)

Ane chartar maid be his Majestie of the date of Halyruidhous, 6 January, 1587, to umquhill James, Lord of Doun, of all and sindy particular tounis and landis, etc., thairin conteinit unitit in ane barony and lordship callit the lordship of Doun for the fewferme dewtye their exprest and for the office of stewartrie of Menteith and custodie of Doun, forrestis and woddis of Glenfinglas and utheris wodis and shawis thairin expremit, with the fishings of Loch Vannaquar and Loch Lipnoch and of the wateris of Teith and Guddie, ane penny blench, and
for the advocatioun and patronage of chapellanryes ane penny brench.—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 Cultintogill, fyve merk land of Brokland and of sundry utheris specifie, alswell thairintill as in the said charter of the foirnamit lordschip.—This wantis out of the act.

“Ane chartour mair be our soverane lordis father and mother, Charter of the Earldom of Murray by his Majesty.

20 Junij, 1566, of the erldome of Murray conteining thairintill all and sindry the, etc., thairin specifie, togidder with the salmond fischings in the wattris of Spey, Findorne, Slewpule and Lossie with the custumes thairof, the borrowmaillis and custumes of Elryn and Fores and Castel of Darneway, and also 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, Brachile, and Stratherne, the milne of Conage, the tour of Hallhill, the town and tour of Cullard, the Brodland, the half land of Holme, with the fisching in the wattris of Nys.—Tenet.

“Item, all and sindry charteris of the Erldome of Buchane, lordships of Ochterhous, Glendovachie, etc.—This is not in the signature.

“Item, ane charter mair be umquhill Patrik, Bishop of Murray, to the Erle of Murray, 10 April, 1568, of the town and landis of Spynie and utheris thairin contenit.—Spynie is not namit in the act, but it aggrees with the signature in the generall. Item, the act beiris—

“Ane charter 13 Julij, 1569, be Robert Innes of the town and landis, callit Bichopis milne and milne thairof, mulfures, etc., the landis called the aikeris with the four cott houses adjacent, the landis of Pettintreich, the land in the barony of Spynie and shireldome of Elgyne, the cornemilne of Kynnedour, with the bichoppis confirmation, 14 July, 1569.

“Ane charter be Johne, Abbot of Lyndoris, to umquhill my Lord of Murray, of Eister Fintrayes and Westir Fintrayis, medow thairof, lochis, stankis and maner place of Fintrayes, yardis thairof, Wood of Garvok and fisching upoun Done, all and sindry the landis of Langcruck with pendicles and pertimentis land in the barony of Fintrayis and regalitie of Lyndoir, 1560, with the confirmation thairof be the Quen Marche, 1565.—In the act generalie the charteris and infeithmentis of the landis of Fintrais and utheris thairin specifie with wodis, etc.

“Quliik confirmation confirmes also ane uther charter mair 20 Martij, 1557, be umquhill Johne, Commediatour of Coldinghame, of all and sindry the landis of Fischewik with the poirties, loches and fischings thairof in the wattr and river of Tweid with the of Sant Eveburgo St Ebbis burgh laird in the barony of Coldinghame, quliik few charter is now also ratifit.—Thair is nothing heirof in the act of Counsall.
“Ane uther charter be Patrik, Commendateur of Lyndoiris, of all and haill the aucth pairt of the Halton of Fyntray and aucth pairt of the wod, with the pertinentis, upoun Andro Pitcarnes resignatitoun.

“Ane uther be James Hervie, advocate, of four oxingait of the said town of Haltoun extending to the xvij pairt of the said town, with the xvij pairt of the wod callit the wod of Garvok, 9 May 1591.

“Ane charter be the Abet of S't Columbo Inche of the landis and barony of Baith containing the landis of Craigbaith, Kirkbaith, Bathillokis, Scheillia, Hiltoun, Eistertoun and Nethertoun, Muirtoun, Coillheuchlandis, coiheuch thairof and milne of Baith, &c., liand in the shirefdome of Fyf, with the confirmation heirof be the Quein.

“Ane uther charter be the said abbot of the landis of Killery, the milne callit Paskar milne, with Fyf and Cramond milne within the shirefdome of Edinburgh, the landis of Duddingston within the shirefdome of Linlithgow, and the landis of Clarveston within the shirefdome of Edinburgh.

“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 Donybirnell, Barnehill and Grange with thair pertinentis and of nyntein aikiers land thairin specifiit, Eister and Wester Baclavies, Killery, of all and aindry 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 Clairinestoun within the shirefdome of Edinburgh, twa oxingait of the said Abbotsis landis of Duddingston within Linlythgowshire, of the Isle of S't Colme monastery or abbey place with houses, doweattis and cunyng-gairis.—Act of counsell; All charteris and infeftmentis grantit be the Commendatouris of S't Colmes for the tyme to James, now Erle of Murray, his authouris and predicesouris, of the landis and barony of Baith, Downybirnell, Grange, Barnehill, Baclavies, landis and aikiers of Abirdour west the burne thairof, milne of the samyn and of sundry uther landis, coiheuchis and uther pertening to that abbacie liand within the shirefdomes of Fyfe and Edinburgh, generallie of quhatever dait or daitis.—Nothing heir of Duddingston nor uther thing within the shirefdome of Linlythgow.

“Signatour. The landis of the Bishoprik.

“That the custumis of the salmond fischingis within the shirefdome 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 infeftmentis 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 obtenae on the King or his officiaris whilk the King renounces. Ratifies this dissolusion and draws it bak to the dait of the charters cum suplemento omnium defectuum.
"Dissolution of the landis from the abbayis and bischopriks that they may be disposed to the Erle of Murray.

"Reservand onlie to the King the fewerme dewties or convertit pryces theairof.

"Taxed wairds for foure hundredth merkis and taxed mariaige for twa thousand merks.

"Command to the Kings officiers to re-enter the Erle to his possessiions of lands, fisheings, borrowmaills and costumes.

"That the lands sall be baldin be the Erle of the King notwithstanding any eractions of abbacies or annulling the annexation of bischopriks.

"That this ratification be als sufficient as gif all the chartouris wer inserit theairin."

31. "[Please] your Lordship, I reseavet your lordships letter and delieverit the utter letters to Mr Nathaniel [U]dwart with the houpe that mater salbe brocht to sum goode poynetes. Thair [is] ane petition exhibited to the Kingis in that mater by the Maister [of Re]queistsa. At the Kings direction it was remitted to me I enterit . . . Windsor the last oaulk with his Majestie anent that mater . . . pleudit your lordships just richt ye had to mell with that schip. The Kings ansuer wes this, 'I beleive my Lord Newbottle will do no wrong; if he hes done any, he is one of my maist responissal and ansuerabill to the lawes of ony subject I haif theair, and thay may recover befoir 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 delieverit it to him that wes the presenter of the petition. At thair nixt meetinge with Mr Nathaniel Udward they wald haff affirmed that thay had ane cloised letter with directioun to the Consell to deliever schip, goodes and all. I haif declaireit to Mr Nathaniell quhat wes conteinit and offerit, quhenseovir they wald meitt, to oppin the letter to thame that thay micht reid it. I hoipe it salbe brocht to ane goode middes. As for your lordships turne, if my Lord Dumbar wald tell the treuth he wuld shaw how gude ane remembrancer I wes of him. Lett him renew his promeis 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 quibich way ye think meiteit to give sum contrair assuairance to that opinion that is apprehendit of your lordship that ye ar ane stark puiritane. 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 anuch. Your lordship heiremanent will advertise me by [the . . .] quhatever may concerne your lordship, I protest I sall not be sleuthfull in it . . . place in many thingis must be ke[ . . .] the maisteris turne. It may worke
bo[ . . . ] as your lordship sall perhappis knaw be an[ . . . . ] Miscellaneous Papers.
very schortlye, humblye entreating your lordships pa . . . . for my bygane silence, my commendationis of service remembarit to my Ladye, my Lord Collectour and the Maister to quhilke tuo [I] wald haif written, if the haist of this packett had nocht forseit me to cut schort. We ar heir all quyett bot our Abirdyeune conventioune hes angerit us and the ministeris that mett thair must be wairdit. Your lordships humble servitour. (Signed) Alex Hay, xix July 1603.

32. Note of execution by Patrick Kinross, messenger of royal letters, dated at Edinburgh, 12th June instant, charging “all and quhatsumever kyndlie tenantis and possessouris of propertie within this realme, as also all fairfaultit personis and thame in speiall contenit in the foirsaid daiftit letters,” to appear at Edinburgh on 4th July next, and there “to mak thair securitis, compone and aggrie for thair rowmes, upone sic payment and dewteis as the Lordis of Counssal quhome his Hienes hes appointed to decerne upone sall advys and conclude upone.” Done at the market cross of Stirling, before witnesses, Anthony Bruce, portiour of Livelands, David Forrester of Logie, and Robert Alexander, burgess of Stirling. (Signed) “Patrick Kynross, messenger.”

33. Supplication by John, Earl of Cassillis, as follows:—“For ane oversight committit be me in your Lordships presence it pleasit your Lordships to committ me to warde, first within the castell of Blakness and thairefter within the castell of Striviling, quhairin I haive remanit this lang tymne bigane, albeit it be of verite that in the particular quhilk fell oute at that tymne I protest befor God I had na intentioune to have offendit your Lordships, and I am soray that ony thing sould have fallin oute in my persone quhairby your Lordships mycht consave ony offence aganis me, seing I carry a hait everie way disposit to serve his Majestie and to honnour your Lordships in that placie quhairin his Majestie hes placit your Lordships, and will imploy my haill moyane to assist your Lordships in all thangis tending to the furtherrance of his Majestie’s servise and repressing of quhatsomever insolenceis and indignitieis to be offerit in prejudice of the majestie and honnour dew to that place quherin his Majestie hes setled your Lordships. And seing I have mony grite and weightie effairs and adois at hame, especiallie anent the settling of sindrie troublis in thay boundis, quhilkis be my absence ar lyke to grow to a greiter hicht, besydis the ordour taking with sindrie of my awne particularis quhairin be my said warding I am very havelie interest and prejudige, 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 keparris of the castell of Striviling to put me to libertie and fredome and suffer me pas quhair I pleis, I first finding cautioun actit in your Lordships buiks that I sall compeir personallie befor your Lordships and answer to the
oversight allegit committit be me under sic panes as your Lordships pleis
Fiat ut petitur, caution being fundin to the effect withinitin as asua
that this complexer sall not repair be eist Lynlythq" under the pane of
v" lib. (Signed) Newbotle; Halyrudhous; Jo. Preston; Quhitt-
ingham; Cranstownroddell; Trakquair; I have ressavit cautiou
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, sier of Balfour, against Sir James
Scot of Balwerry, knight, to appear before the Lords of Council at
Holyroodhouse or wherever they may be for the tymne, 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 at
Balwerry; witnesses, David Law and William Symson, messenger,
and others. (Signed) "William Symson, messenger, with my hand."

35. Summons directed to James Rutherford, messenger, narrating
that complaint has been made by William and George Grimsay, sons
of the deceased Harry Grimsay of Little Newtoun, that they, having
been apprehended by the bailies of Hawick for the slaughter of Robert
Turnbull in Halroutil 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, other-
wise the complainers will be released. Dated at Edinburgh, 17th May,
1606, and signed Ja. Prymois. [Cf. vol. vii, p. 213.]

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 Cristieoun and
Andrew Hietoun, servants in the Nutoun, and George Mirscop, bailie in
Jedburgh, and Robert Turnbull and William Allesoun, burgesses there.

37. Supplication by Alexander Cunynghame at the mill of Cathcart
and James Craufurd in Hagthornehill, as master, and Patrick Crawfurd
and Andrew Smythis, his servants, as follows:—Gabriel Semple of
Cathcart, "haveng consavit ane deadlie malice and haitrent aganis us" at the mill of

Cathcart and James Crawford in Hagthornhill for summons against Gabriel Temple of Cathcart.

without any just causs of offence offerrit be us to him, hes be all meanes socht occasion to execut their [sic] privat grudge against us. As namlie upon the day of December last bipast he come [to] the ground of the saied lands of and their maist baurbourialie with ane drayn sword cuttit and houckit ane kow pertening to me, the saied Alexander Cunynghames, and, not contenting himeself thiirwith, upon 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 asseidation, quhair my saids tua servandis wer gangand at my saied pleugh in quyat and peaceable maner and thair... sett upon thame, and with ane drayn sword invadit and persewit thame of their lyfes, hurt and woundit me the saied Patrik Craufurd in diverse pairtis of my body to the effusion 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.


2nd February 1607.
Supplication by James Croket in Blaklaw 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, "lippynge for na harme, trouble nor injurie of any personis," when James Hauch, portioner of the Mains of Rattray, "hawing lang befoir consavit ane hailreint and malice aganis me, and thinking that tyme maist meit for him to put his intendit purpoe to executioun aganis me, he maist schamefullie, cruellie and unmercifullie invaidit and persewit me of my lyff with ane grite bandit stauff and thairwith brak my thie baine in peceis, to the grite hazard 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 therefor crave summons against the said James Hauch.


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.

38. Supplication by James Croket in Blaklaw 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, "lippynge for na harme, trouble nor injurie of any personis," when James Hauch, portioner of the Mains of Rattray, "hawing lang befoir consavit ane hailreint and malice aganis me, and thinking that tyme maist meit for him to put his intendit purpoe to executioun aganis me, he maist schamefullie, cruellie and unmercifullie invaidit and persewit me of my lyff with ane grite bandit stauff and thairwith brak my thie baine in peceis, to the grite hazard 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 therefor crave summons against the said James Hauch.


39. Supplication by David Dew in Dunlapie and his spouse, for summons against George Davidson in Dunlapie, and others, whom they accuse of assault.

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.
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Thairafter band me with ane cord and keipit and detenit me captive as prisoner be the space of dayis; as lyikwise schamfullie and unhonestlie patt handis on my said wyf and bairnis, dang thame with their nevis and fait and perforce pat thame furth of thair said hous, and will not suffer us enter agane within the sumen." They crave summons accordingly.


40. Supplication by William Douglas of Eirlismylnke, for himself and 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 McMertene of Lethrinle, and Donald and Ewne McMertines, 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 deputies 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, tenants 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.


41. Supplication by Isobel Chapman, lawful daughter of the deceased 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 Balmano, now her spouse, for his interest, and Marjory Chapman, the supplicant's sister, and James Murray, her spouse, for his interest, a bond and obli-
gation made by him to them, dated 28th January, 1594, for payment of an annnalrent of twelve bolls of victual for certain terms bypast but he still withholds payment. She therefore craves summons against him.


43. Another supplication by the foresaid Isobell Chapman desiring letters to be directed to the sheriff of Perth and the provost and bailies.
thereof and all other magistrates in whose bounds the said Walter Stewart, rebel, may be, to apprehend him.


44. Supplication by John Stewart, merchant burgess 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 burgess of Edinburgh, Thomas Younger in Coulos, 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 their bettir releif to have maid payment to me of the said sowme and that conforme to ane decrete obtenit be me againis the said Andro before the saidis Lordis of Counsale of the date the xviiij of Februar jmviij and sex yeires.” He therefore craves summons against the said Andrew Cowie to compear and answer upon their rebellion.


45. Supplication by John Wilson 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 againis me, not onlie havelie troublis and molestis me in the possession of the saidis landis, bot lykewise boistis, schoiris and minasses and avowis to have my lyffe, quhairthrou I may neither peaceably labour the saidis landis nither yit safflie hant nor repair in the countrye for doing of my lawfull affaires 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 writthin David Moncur under the pane of one thousand merkis. (Signed) S. R. COKBURN.”

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, burgess 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.]
47. Supplication by Sir Thomas Hammyltoun of Monkland, King’s Advocate, as follows:—Divers acts of Parliament have been made by his Majesty for abolishing “all superstitious and popish rites, customs, ceremonies and observationis unit within this kingdom during the tyme of papistrie, notwithstanding it is of treuth that at the tyme of the buriall of unquhile Isobell Auchterlonly, Lady Gaitch, quhilk wes upon the day of the yeir of God m=vy6 and four yeiris, David Wilsone, tenant and occupyar of ane part of the landis of Geicht, caried ane crucifix upoun ane spere immediate before the corps of the said unquhile Isobell the halli way to the place of his buriall and that be the speciall command and direction of Gordoun now of Gaicht, sone to the said Isobell; lyik as upon the day of the yeir of God m=vy6 and fuye yeiris George Crawfurde, now servitour to Hay of Urie, of the speciall causin, command and direction of the said Gordoun of Gaicht, bure ane crucifix upoun ane spere at the buriall of unquhile William Gordoun of Gaicht the halli way befor his corps to the place of his burial; the said Gordoun now of Gaicht being present at both the tymes fairsaidis and assistit this superstitious and popishe customes his presence, continence and allowance, quhairby, as he hes offendit God, slanderit his kirk and halie ministrie, sua he hes committit a very great contempit againis our soveraine lord and hee violat his Majestieis lawis and actis of Parliament, for the quhilk he and the saidis David Wilsone and George Crawfurde aucht and soould be persewit and punisit in their personis and goodis to the terror [of utheris] to commitment the lyik heirefter.” He craves summons accordingly. (Signed) “S. Th. HAMILTON.”


48. Supplication by James, Lord Balmerino, President of the Council 6th February 1607.

and principal Secretary of this kingdom, as follows:—He has possession of the Park of Halieradhous by virtue of rights and securities made to him thereof, but his tenants and servants there are daily molestet and oppressed by James Ker in Dudistoun, Richard Carnes there, John Ker, Robert Ker there, James Hay there, John Stanhop there, George Ker in Todrig, James Murray, James Chryachtoun there, Nicol Craige there, Archibald Wauoch there, William Wauoch, John Cuming, George Bron, John Wallace, Michael Wilsone, Thomas Tomaich, David Kilpatrik at the mill of Dudistoun, all tenants of the lands of Dudistoun, Stevin Raas in St. Leonards, James Robsoun in Plesance, John Hendersone there, John Wilson there, Jeromy Stevinsone there, Thomas Laurestoun in the Canongate, John Heriot in Clokmyll, John Baxter in Restalrig, John Hunter there, and Mr John Hart in the Canongate, “quhilkis personis, be thame selfeis, their tenents and servandis in their names, of their speciall causing, command and direction impyttis, haldis and pasturis their saidis goodis [bestiall] within the said park,
castis down the park dykis, baikis up the yettis thairof, castis faill and deviots 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.

[On the back] “Apud Edinburgh quinto Februarij, 1607. Fiat ut petitur, George Todrig and Mr John Haire, ather of thane under the pane of jn merkis, James Lies, Richard Cairnis, Johnne Ker, Robert Ker, James Kay, Johnne Stenhop, James Creichtoun, Nicol Craig, Archibald Wauchop, William Wauchop, Johnne Young, George Broun, David Kirkpatrik, ilkane of thane under the pane of v lib and ilkane of the remanent personis within compleit upoun v merkis. (Signed) S. R. COKBURNE.”

49. Supplication by Alexander Mowat, as follows:—On 23rd July, 1605, Andrew Mowat of Suynze 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.


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 Febrarii, 1607. Fiat ut petitur, athir of thir personis within compleit upoun undir the pane of jn merkis. S. R. COKBURNE.”


52. Supplication by Walter Grahame in Mossop, as follows:—On May last he was in the town of Moffat, “doing certane my leaum affairis, and, after the dispatch thairof, I being in sober maner passing furth at the wast end of the said town, tippynynge for na harme, trouble nor injure of ony personis, it is of treuth that James Johnstoun of Chappell, Thomas Johnstoun of Corheid, with others their complices, all bodin in feir of weir, with swordis, lang staullis, gantellatis and others waponis invasive, haweing dermit thame selssis at the said toun and attending my bycomeing, and, how sone they persavat.
me, they maist schamefullie, cruellie and unmercifullie invalidit and persewit me of my lyff with drawin swordis for my bodelie harme and hurte, and woundit me in the rycht airme and utheris pairtie of my body to the effusion of my blude in gret 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, upon the last day of December therefter, I being in the dwelling house of Andro Sampson in Ammigeshaw in sober maner, lippynnyng 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 was wer of thame and maist schamefullie, cruellie and unmercifullie invalidit and persewit me of my lyff with drawin swordis and slanged ane quhinn-year at me of purpoise and intentioun to have slane me thairwith wer nocht," etc. He therefore craves a summons against them.


53. Supplication by Sir Thomas Hamilton of Monkland, knight, 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 tumults and unlauchfull meetings and convocationis within burgh and anent that modest, quyet and peecable behaviour quhilk becometh civile and honest citizens 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 bacquebutis, pistollettis and utheris waponis invasive come under cloud and silence of night to my dwelling house in Glasgw and dernit thame selfis covertlie and obscurelie aboute my said house, attending and awaiting my outoomeing upon set purpoise and provision to haif slane and mordreist me, and, efter thay had remanit a lang space aboute my house, finding no appearance of my outoomeing and persaving Mr George Stirling, my neir kynnismen and servand, coming to my house, thay moist feirlie and cruellie sett upon him and or evir he wes war of thame invalidit and persewit him of his lyffe, dischargeit tua pistollettis at him, wherewith thay scoith away the taillis of his doublatt, and thairafter the said Umphra invalidit him of his lyffe with ane drawne swerd and hurte him thairwith in the hand sua that he eschaipit very
narrowlie with his lyffe. And, not contenting thame selffis with this barbarous and detestable fact commitit under silence of nycht, as said is, and continewing constant in thair former resolutioun to haif my lyffe, they immediatlie that same nycht associat unto thame selffis Niniane Andersoun, deacone of the cordinaris, Thomas Fawseyde, deacone of the baxteris, Alexander Cauldwell, deacone of the skynnars, with utheris, thair complices, to the number of tua hundreth personis, quha wer all attending and awaiting upoun the event of the first persute and invasioun, of purpoe and intention to haif assisted the said Clogyis and M’Calpine 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 purpoe misgait thame, the foirsaidis hail personis than assemblit and amassit thame selffis togidder with a resolute purpoe and determinatioun to have assailyeit myne the said Sir George house and to have murdrest and slane me within the same; and after a lang conference and dispute amangis thame selffis anent the forme and maner of the brashinge 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 secund day thairafair following. And for this effect the foirsaid deaconis and the said Niniane Andersoun, usurping upoun him the name of deacon convenair, directit Symon Baird, generall officer for the craftis, to warne the hail craftis to be in redlines upoun the morne thairerfter in thair best aray to assist thair deaconis in sic interpysses as thai had to be put in executioun that day, whilk wes to persew me, the said Sir George, of my lyffe; bot it pleasit God, who is the protector of the innocentis, to frustrat and dispoint lykwise that thair interprise. Qhillikis hail personis abonewritten wer principal authoris, divisars and personall executors of the formar troublis whilkis fell outhe within that burgh, and of the persute and invasioun of some of your Lordships honnorabile nombre wer within the citie of Glasgw for the tyme; lykeas, thai being callit and conveniit for the same, they wer be a very famous tryvell convict gilty and wardit for the same, bot the great lenitie shawin to thame at that tyme bes encouragait thaim, upoun the hoip of the lyke oursycht, 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 terour of utheris.” They therefore crave summons against them. (Signed) “S. Th. HAMILTON.”


54. Supplication by Thomas Fraser in Pitquottines and George Fraser in Corsquie, as follows:—Ninian Hog of Blarydyne and Ninian Hog, his son and apparent heir, “haveing consavit ane deidlie haitrent
and malice aganis us, causes daylie and continewalie boistis, minassis, schoris and avois to have our lyfis and will not fail to tak sum unhonest advantage of us as they may find the commodite." They therefore crave letters charging the offenders to find caution for their safety within fifteen days.

[On the back] "Apud Edinburgh, nono Februariij, 1607. Fiat ut petitur, the said Ninian Hog, elder, j^m^ ft., and his sone j^m^ merkis. (Signed) S. R. COKBurne.”

55. Supplication by David Cumming in Ardornie and Archibald and John, his sons, against Lawrence Reid in Ardornie, 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 Februariij, 1607. Fiat summounitio ut petitur to the xxvi day of Februaire instant, and to suspend and discharige ut infra quhill the last day of the samyn moneth; becaus the complenairis has found caution to the his sons. effect within writtn as ane act maid thairupon beiris. S. R. COCK-BURNe.”

56. Supplication by George Bruce of Carnock, as follows:—He has 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 servants, and of a certain water-way and coal-heugh.

pretens or occasioun I knaw not, but upoun a malicious humour and dispoisition aganis me, disdaining to quallir my possession be the ordinair forme of law and justice, hes enterit in a very violent and laules course aganis me, hes demolishit and brokin doun my said dam susa that the hail water quhill now in winter I had provydit for the service of my heuch in this nixt soumer is lost; lykees thai have teellit 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 extraordinar chairegis 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 thy ar encourageit be my patience and peaceable behaviour, and becaus thy knaw that in all my actionis I haif conformed myself to the obedience of the law and that it will not ly in their power be their misbehaviour to move me to attempt any violent or privat revenge, whilk is the onlie bute thay schoit at, that thairby thay may halff some
mater of complaint agains me. Alwayes, howevir they haif behavit themeselfs to me, I will content myself with the remeid of law and that ordinarie suirte usuall to be givin be your Lordships to his Majestis 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 Februariij anno, etc., 1607. Fiat ut petitur, the said Johnne Gaw of Maw undir the pane of ane thousand pundis and Broun, his moder, undir the pane of ane thousand merkis. (Signed) S. R. COKBURNE."

57. Supplication by Violet Twedy, widow of Harry Bickarton, writer, as follows:—On 23rd December last James Twedy of Drummalzer 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.


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 Kingsk, collector general of the taxation, or his deputies, of the sum of £1148 3s. 6d. for the first
term's payment of the said lordship, "and, albeit it be providit and
appoint be act of Parliament that all prelatis and benefict personis sae
convene their fewaris, takkismen and pensionairis, and be common
consent mak a distribution of the taxatouin of the prelacie amang thame
according to the proporitoun and frie rent quhill everie ane of them
hes of the said prelacie, nevertheless the vassailis, fewaris, takkismen
and pensionairis of the said lordship of Dunfermling onnawysse will
conveyne with me and giff their consentis to the setting doun of ane
stent roll and making of ane equall distribution of the taxatouin of
the said lordship amang thame without remeide 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 falling their compeance that he shall be at liberty
according to the act of Parliament to make the stent roll himself.

petitur. (Signed) AL. CANCELÎÆ."

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 Little 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 Little Cowcadenis, quhair I had
enterit my plough for teilling of the same, and, efter diverse injurias
and reprochfull speiches utterit be thame agains my servandis
gangand at the said plough, first with guilleis and quhytillis wiolenlitie
cuitit the theitias and sydrepis of my said plough and nixt houndit
and chassit my saidis servandis from the same, schoring and awowing to
berefe thame of their lyves, lyik as they had not faillit to have slene
thame of sett purpois, provision and foirthocht fellony wer [not] they
fled away for saiftie of their lyves." She therefore craves summons
against them.

to the judge ordinair." (No signature.)

[Also on the back] "Apud Edinburgh, decimo 5 Februarîj, 1607.
Fiat ut petitur. (Signed) S. R. COKBURNÆ."

64. Supplication by Mr Robert Ker, husband of Helen Grymaslaw, 10th February
Lady Newton, as follows:—On February instant he was
pursued and aseeged in his house of Newton by Ker of Newton
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
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.

[On the back] "Apud Edinburg, decimo Februariij, 1607. Fiat ut petitur, or ellis to compeir upon the xv day after the charge. (Signed) MONTOISS, COMMISSIONER; AL. CANCELIA."

67. Supplication by John Stalker in Ava, as follows:—James Drysdale, 11th February 1607.

Supplication by John Stalker in Ava against James Drysdale and another for assault.

68. Supplication by Henry Forbes and William Skene, burgesses of Aberdeen, as follows:—On August, 1598, John Abernethie, sometime in Caskieben and now in Cairnefeild, was put to the horn at their instance for not paying £3 for each of forty bolls of heir 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.

69. Supplication by John Rait, sometime in Silliflat, and Mr David Rait, 12th February 1607.


70. Supplication by George Wardlaw, sheriff clerk of Forfar, as follows:—On 6th February instant, being in his own house in peaceable and quyett maner doing my leaseom effairis, lippynge that no harme nor injurie to have bene done to me, it is of trueth that Sir David Wod, being in Bonytown, directit and send, his servand, to me desyryng me to come and speik with the said Sir David, his maister, for certane his effairis, and, suspecting nathing les than that quhilk was intentit 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 little gangand staff in my hand, and, how soone I come unto him, first upbraedit me with injurius and dispytfull speichis without any occasione of offence or injurie done be me to him bot simpill layyng to my chairge that I haid written ane missive letter at the desyre of his mother quhilk was directit from his father and mother unto himself, and albeit I did quhat in me lay to have satisfetit him in resone yit he, not
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 lyfe, I haveing no thing to defend myselfe bot ane little gangand stafe in my hand. And I being at that tyme by the great providence of God, quha is the protectour and defendar of innocents, fred and relevit of that appeirand danger, the said Sir David upoun the ellevant of this instant directit Alexander Wod, his servand, to my said dwelling 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 suirite resort and repair in the countrie for dischairsge of my office and serveinge of his majesties lieges for fear of my lyfe." He therefore craves summons against them.


13th February 1607.  

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 and 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 publick officer of this kingdome may not saiffle hant and repair in the countrie for the dischairsge of my office and serveinge of our soverane lوردis lieges." He therefore craves letters charging them to find caution within six days.

[On the back] Apud Edinburgh, xiiij Februari, 1607. Fiat ut petitur, the within writtin Sir David Wod, under the pane of ane thousand pundis, and ather of his tua servandis within writtin under the pane of 2o merkis. (Signed) S. R. COKBURN."  

13th February 1607.  

German to William Creghmton of Ryhill, and Robert Makghie at the walk mill of Enoch, as follows:—The said Lairds of Drumlanrig, elder and younger, and the said Mr Robert Henderose, minister, having lately "barbaroualie and inhumanelie raisit the corpis of umquhill William Menezeis, my sone, buryet within my awin proper ile of the kirk of Durrisdeir, qhilk being tryt be your Lordships decretie wes given in my favouris aganis thame, yit it is of treuth in 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 affairs for just feir of my lyffe; lykeas thai lykewysy intendis to truble and oppress me in the saidis landis of Enochis 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, xiiij Februiarij, 1607. Fiat ut petitur, the Laird of Drumlanrig, elder, four thousand merkis, the Laird of Drumlanrig, younger, iiij merkis, the Laird 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 Auchinesell, 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. COKBURNZ." [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 John, Earl of 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, xiiij Februiarii, 1607. Fiat ut petitur. (Signed) PR. ROLLOK."

74. Supplication by Mr James Durham of Duntervie, as follows:—13th February 1607. On 3rd January last James Bannatyne in Moit, John Weir in South- feild, 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, xiiij Februiarij, 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 Gilbert Greirsone in Little Dempstertoun, Cubert Greirsone there, William 1607.
Makfedzeane there, Thomas McFedzeane there, Bessie Maxwell there, John McKinnay there, and Janet McCachter there, as follows:—
William Greir of Lag, William Greir of Dulgono, Thomas Greir, his brother, Gilbert Greir of Dastairt, James Maxwell of Porterak, Robert, John, and Hamour Maxwell, 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 avowis 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 infeftments maid to us thairupoun beiris, lyik as they will not faile to tak some unhonnest advantage of us quhen occasion sall offer, quhairthrow we may not safflie hant nor repair in the countray 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.

(Signed) S. R. COGBURN."
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 taxation 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 xxxs. 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 him the above taxations, each for their respective lands held from him, within 20 days after the charge, under pain of poinding.

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 Elphingstoun of Blythswode, having “throw the occasion of the lait trouble and discord fallin out betuix the Laird of Mynto and him notour to your Lordships maid ane solempne 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 indirectiouns and meannis hes socht us for our utter ourthrow, as namelie upoun the xxvij day of Januair last, haveing gottin intelligence that I, the said William Lymburner, wes 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 knawing 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, gangallatis and uthiris wappons 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 feirlie sat upon me and maist schamefullie, cruelie and unmercifullie invalidit and persweit 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 unbonnesteil invalidit and persweit me thairwith of my lyff of purpois and intentioun 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 Miscellaneous Papers.
immediatlie thairefter I past to the bailieis 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 gotin intelligence thairof, associat unto
himself the owmer of fyttie personis or thairby at his owne dwelling
house in Glasgow, all bodin in feir of weir with swordis, stelbonnetis,
bandid staulis and utheris wapponis invasive, of purpois and intention
have come downe the hie gait and invalidit and persewit me of my lyff;
lykeas he had not faillit to have come downe the said streit and invalidit
and persewit me of my lyff wer not he wes stayit be Thomas Mure, ane
of the saidis bailieis, and certain of the ministerie of the said burgh.
Lykeas upoun the nyt day of Februar instant the said Sir George
instigat and steirit up John 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 directioun, come to the dwelling
house of me, the said Symone Stewart, quher I wes in peecable and quiet
maner for the tym, lippynyn for na harme or injurie of any personis,
and thair the said John violentlie and perforce enterit within my said
house and after mony threatening and minissing speitches utterit be him
agonis me he in end maist ferial invalidit 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 owne 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
directioun, 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
acident comeing to my owne stair to sie quhat company wes in the
said sellair before I past to my bed, haveing nather belt nor kyff aboue
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 forf yet awaiting my out comeing of purpois and
intention to have bereft me of my lyff, lykeas they had not faillit to
have bereft me of my lyff wer not I suddenlie eschewit thame up my
owne stair and eschaipit." They therefore crave summons against these
persons.

Fiat ut petitur. (Signed) S. R. COXBURN.”

17th February 1607.
Supplication by Mr. Patrick Henryson, session-clerk to the kirk of Musselburgh, for caution from Robert
79. Supplication by Mr Patrick Henryson, “scribe to the session of
the kirk of Musselburgh,” as follows:—Robert Dowglas, burgess of
Musselburgh, Hew Douglas, his brother, Matthew Wallenge, burgess of
Musselburgh, and John Johnston in Wester Panes, “having con-
savit ane deadlie haitrent, rankour and malice agains me without ony
just causs of offence offerrit be me to thame, they daylie and continewaly
boistis, schoirs, avowis and minasses to have my lyfe, sau that I may not in peace and suretie remane within the said toun for discharge of my service and doing of my uther effairs for feir of their persute and invasion, to my havie hurt and skainth and heich contemption of oure soverane lordis auctoritie.” He craves letters charging them to find caution for his safety, within six days.

[On the back] Apud Edinburgh, xviij Februarij, 1607. Fiat ut petitur, ilkane of the personis within wretaining under the pane of fyve hundretie pundis. (Signed) P[.] ROLLOK.”

his servant, Robert Dumbar and David Bennet, servitors to Patrick Lord Lindores, as follows:——Alexander Kincragie of Haltounhill daily troubles and oppresses them and their servants and friends, “stoppis and debarris us fra pasturage of our horses and guidis upon the gress and pasturage properlie pertenis to our maister, and utherways schoris and avowis to persew and seik us for our bodelie harme.” They therefore crave lettere charging him to find lawborrows, upon their making faith that they dread bodily harm of him.

[On the back] “Apud Edinburgh, xviij die mensis Februarij, 1607. Fiat ut petitur, undir the pane of ane thowsand merkis. (Signed) S. R. COKBURN.”

81. Supplication by William McGhie at the Miln of Reidgothenis, as 17th February 1607.
follows:——On the day of last he with Robert Mill, his “guid sone,” going towards the place of Blair “without ony kynd of airmour lippyning for na harme, trouble nor injurie of ony personis, it is of treuth that Johne Blair, noter, sumtyme in Cassar, haeving lang of before consavit ane deidlie haitrent and malice aganis me, the said William McGhie, 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 effusion of my bludin in grite quantitie, of purpois and intention to have slane me, quhilk he had not faillit to have done wer not he wes stait perforse be my said guid sone.” He craves summons against him. [On the back] “Apud Edinburgh, xviij Februarij, 1607. Fiat ut petitur. (Signed) P[.] ROLLOK.”

82. Supplication by Walter McGregor, fireman and porter of his Majesty’s kitchen, as follows:——On the day of last “I, being appointit keiper and watchman of the Erle of Dunbar his ludgeining and planisching, being thairtil in Nudreis Wynd unto his Lordships returne unto the same, and lippynig for na thing les then ony harme, injurie or oppression to have bene offerrit to me be ony person, it is of trewh that betuix xj and xij hoursis at nycht, I heiring some tumult
in the close of the said ludgeing come furth thairof, quhair finding Robert Hoge, servitor to James Galloway, accompanieit with tua women and inquyring at him quhat he wes seikin thair at sic unlauffull tyme, he first utterit many injurious and dispyffull speiches aganis me, and thairefter he and the saids tua women violentlie tuik and appre hendit me, raschit me to the eard and with ane hammer cruellie and unmerciffullie gaff me mony strackis upoun the head, brack and contused the same and harne pane thairof in diverse pairts thairof quhair out of thair ar mony bones taken, and quhairof I have contewnially sensyne lyne bedfast and not lyiklie to convales and thairby hees lost his [sic] hail sensese, in curing of the quhilks woundis I have wairit the hail moyane I haid to live upoun." He craves summons against the said Robert Hoge.


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 conquist to him aleweill of my saidis landis and living quhilk fell to me be my said umquhull brotheris deceise as my lyferent landis fallin to me be decease of the said umquhill Laird of Tarbet, nor upoun that love and dewayt that he aught to have hadde to me, marylart me, and efter he hadde maird my said hail landis and leveing proper and particular to him he laborit be all indirct meanes continually thir twa yeiris bygane ather privilie to bereafe me of my lyffe or to tak sum extraordinary and damnabill course aganes me, his lawfull spous, for my wraick, disgrace and infamie quherby he mist be sum cullour or pretext repudiat me fra his company, I haveing done na amiss in any poyn of my dewtye in thocht, word or deid. And, first of all, the said Alexander Dunbar in the moneth of December or thairby, jenye and fynye 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 repudiatioun, to qhob he offerit the soume of thrie hundreth markis with sum uther guid deed gif he wald accomplis his unlawfull desyre be witnesses tyme and in sum suspitious place, qua, according to the dewtye of ane honest man, refusinf, the said Alexander immediatly remuifeit the said William fra his service; yit the said Alexander, schaikying of all fear of God, humane honestye, and forgettynge altogether that luife and dewtye quherintill he is obligat to me, still prosecuiteit his unhappy and ungodly resolucyoun and first, in the monethe of or thairby in the yeir of God jenye and yeiris, enterris in the lyke indirect develing with James Lyndesay, his awin pauidge, brother to David Lyndsay at Quarrelhill. First in the dwelling
house of Alexander Tulloch in Forres, guidfather to the said schiref, takis the said James to the yard and first simulatlie accuseis him of the abusing of me his wyfe, and be that forne not prevailing at the handis of the said James, he than oppynnis up the mater to him and desyeris him than under na less pane than his lyffe to tak upon him to deflore his awin bed, quha at that tyme refusing theirefter tuik the said James to the dwelling house of Mr Thomas Dumbar of Pinzet, Deane of Murray, quher he haveing burdoint the said James with the committing of that veyle act, he for just fear of his lyffe condiscendit thairto, and within the space of auct 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 unlessum way he suld abuse me in my bed under clud of night; quiblik 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 fyrse and retearing him furth of the said house to the toune of Forres, the said Alexander fearing that the said James suld have fled away and detectit his wicked proceedingis immediatlie he derecit 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, incistit with him, promestit 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 accomplishment of sa veyle ane act the said Alexander keipit him the space of twantye dayes in strait captivitie within the dwelling house of Thomas Urquhart, quhill that upon 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 conclusit villany aganes me, ane harmeles and innocent woman, the said Alexander derecit in haist for the said James Lyndesay about midnycht, and cumingaltogether with thrie or four witnesses to the chalmer dure (the lock quhairof being befoir purpoislie tane away be the said Alexander for keiping of his halkis as he pretendit) and thair the said James resavinge from the said schireff him self his last derection 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 company, and the hail cuntrey knawing perfytelie of his unfamous proceedings cryit out aganes him that he was constrainit to put away the said James Lyndessay, to quhom he delyverit sum quantitie or silver, his brown cloick
and his naig, quha sensyne having retailed him self to Angus, the said Alexander, fearing that his unhonest dealing suld be detectit, he hes keipt 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 reward, 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 execrable and inhumane proceeding of sa rair and yeyle exampill as the lyke is seandill hard of, the said Alexander, as gif the samyn wor trew, proceadas aganes me and he and his hyreit and suborneit witnesses howping all togethir for impunitie continews and resolveis to have me alterutterly wraickeit 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 trystit and tane ordour with as utheries sa evill dispost may eshow the committing of the lyke heireafter."

She therefore craves letters charging them to compair and answer for their offence.

(Signed also at foot "Jo. Young."

18th February 1607. 
James Chalmer of Gatrich against John Glendinning of Drumrasche, and others.

84. Supplication by James Chalmer of Gatrich, 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 selfis, their men, tennentis and servandis and utheries in thair names of thair speciell causin, command, directioun and hounding out, maist havelie molestis, troublis and oppressis me, my tennentis and servandis, in the perceable possessioun of my proper lands of Park, wode thairof and Clonlie, cuttit doun and distroyis the growand trees of the said wode, boisit, minasses my servandis and plewman sua that they may not peciable 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.

85. Supplication by Sir Thomas Hamilton, knight, King's Advocate, for his Majesty's interest, and James Chalmer of Galtgirth, as follows:—Notwithstanding the acts of Parliament and Council prohibiting the bearing and wearing of hagbutts and pistolets, yet John Glendonning of Drumrasche, "having shaikin of that reverence of the law and obedience to his Majesty, they daylie and continewalie beiris and weiris hagbuttis and pistolettis upoun their personis and hes thame in their companyis of set purpoe and provision be way of deid, oppin and manifest oppressioun and bangastrie, uther 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 upon 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, lippynynge for na harme, trouble nor injurie to have bene done to thame, and efter mony threatening and minasung 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 unhonnestlie strak and dang the purr men, bound and chaisit thame fra thair plewis, lowsit the pleuch and strak the oxin and horse being within the pleuch, and thair-fter came to the dwelling houses of my tennentis and searchit and socht thame for thair bodelie harme and slaughter, quherebrow 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 John Glendonning of Drumrasche, not contenting himself 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 execucion of his wicked and detestable resolutions come upon 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 pistolett in his hand and a pair of pistolettis about him and mait mony provocationis to me to cum furth to the effect he mycht have schot me with his pistolett, quhilk he had not faillit to have done wer not I gaif plaise to his furie and remanit within my house." They therefore crave summons against the said persons.

87. Supplication by Hew and Thomas McNconnell 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 tuefle day of March nixtoome and to suspend discharge and relax ut infra quhill the last day of the same moneth, because the Lordis hes sene the letters of consent within writtin and assignation within specifiet and als hes fond cautioin for their compeirance ather of the complineris within writtin under the pane of iij mercis. S. K. Corgburne."


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, "upon a deadly malice and haitrent consvit 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 effusion 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 purpoise, provisioun and forehocht fellony, wer not be the providence of God and my awin better defence I wes fied and releivit." He craves summons against them.

(Signed) P. Rollok."

91. Supplication by John Forbes, sheriff officer of Inverness, as follows:—He was employed by John Campbell of Briach 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 suppliant 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
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the said John, "and being bringing the same to the mercat croce of assent while in the Inverness of purpous to have comprisit the same conforme to the ordour, is of lyppynng for na harme, troubl nor injurie of ony personis, it is of treuth that Murdo Mckenzie, Johnne Mckenzie of the Ord, servitoriis to Kenneth Mckenzie of Kintaill, Johne Grant, burges of Roismerky, of the speciall causing, command, directioun and houndng out of Keneath Mckenzie of Kintaill, being all bodin in feir of weir with swordis, langstaulffis and utheris waponnis invasive, followit me and, haeving overtane me, they not onlie violentlie and perforce reft and away tuke the saud guidis fra me bot lykewyse maist schamefullie, cruellie and unmerciuffli inavidad and persewit me of my lyff with drawin swordis and hurte and wundit me thairwith, and with lang staulffis and bottis in diverse paertis of my body, and left me lyand upon the ground for deid." He craves summons against them.

[On the back] "Apud Edinburg, xix Februarij, 1607. Fiat ut petitur. (Signed) PETER ROLLOK."

92. Supplication by James Young, chirurgeon, burgess of Dumfries, 19th February 1607. Patrick Young, chirurgeon, and John Young, notary, his sons, Helen Newall, spouse to the said Patrick, Michael Newlands, glover, burgess of Dumfries, son-in-law to the said James, William Muikie, notary in Mynigoff, William Maxwel, eye to the deceased Harbert Maxwel at Port, complaining against John Newall, maltman, burgess of Dumfries, and others for letters of law-burrows from James Newall, sometime bailie of Dumfries, John Annan there, and Martin Newall, son of the said Nicol, and Patrick Newall, tailor, as follows:— who have threatened the lives of the suppliants.

"Amangis the rest of the honest famileis of the burgh of Dumfreis, I, the said Patrik, and my said spowes, hauing twa yeir syne or thairby, been derectioun and ordinance of Mr Thomas Ramsay, minister of Drumfreis, and Johne Corsane, bailze of the said burgh, and the elders and deakones of the kirk and session thairof, biggit and erectit ane dask ewest the pulpet abone the buriell and graffe of umquhill Airchibald Newall, notar burges in Dumfreis, father to me, the said Helene, upon our awin expenses; lykeas we at the tyme fairsaid enterrit and placeit our selfis within the said dask and hes continewaly sensyne sittin and hard the Word and disciplene thairint 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 fairsaidis persones, upoun the day of being Sunday, shaiking of all feir of God, humane honestie and the reverence he suld have Carlyt at that tyme and place, come to the said paroche kirk of Dumfreis quhair I, the said Patrik, wes sittand in my awin dask disposing myself only for heir of the holy Word, and in respect of the tyme and place lypynnyng for na evill, the said James first boastit and schore me and then drew his qubinger, offerrit to streake me thairwith gif I wald not displace myself that he micht sitt downe in my dask and did quhat
in him lay to have hairmeit me war nocht Iwald nocht suffer him bot resistit his rahe and humerus disposition, thinking by his inordinat forme of bangistrie to appropriat the said dask to himself; and sicklyke boastis, shores and menasses us and avowis to have our lyffis, trublis and molestis us in the peacebill possessiou of our landis, rowmes and possessiones, giveand thairby evill exampill to utheris evill diaposit persones to attempt the lyke heirefter.” They crave letters charging the said persons to find lawborrows, as they fear bodily harm of them.


93. Supplication by Sir Thomas Hamlton 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 heynes as avowed professit papiest, his heynes bes declairit his will and pleasour anent the forme and maner of proceding aganis thame quhairin his heynes hes ordanit that thai salbe conveyen befoir your Lordships and thair behaviour in repairing to the kirk, participioun of the communioon, and in the governament of thair housshald and familie examined and, accordinglie as salbe foundin and tryat aganis thame, to confyne thame, as in the declaration of his Majestie will at lenth is conteynt; and trew it is, as I am informit, that George, Marques of Huntley, naward repairis to the kirk and heirig of the sermone, abstenia frome the communioon, and in the governament of his housshald and familie professeis and utteris himsell to be ane direct adversair and nocht weil 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 Majestie will returnit heiranten.” 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 wardit; and also that the Bishops of Aberdeen and Moray, the moderato of the presbytery of and minister at the kirk of may be charged to appear as witnessis; “and to the effect the said Marques sall nocht pretend ane excuse of his absence and nocht conpeirance upoun pretext of omy 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 naweise proced to excommunicacion agains the said Marques for his refussall to communicat bot that they desist and cease theirfrs, and suffer the course and ordour appoyntit and prescryvit be his Majesty to
be proceeded and followit oute against the said Marques, as they will answer to his Majestie and your Lordships upoun their obedience.”
(Signed) “S. TH. HAMILTON.”


95. Supplication by David Dick in Bursk, Robert and Alexander Dicks, his sons, as follows:—John Watsone 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 occasioni sail offer, quhaithrow we may not peaceablie hant and repair in the country ye fer feir of our lyfe.” They crave letters charging the said John Watson to find caution for their indemnity.


96. Supplication by Alexander Forbes of Towy as follows:—20th February 1607. Supplication by Alexander Fyff alias Mylne, “haiving committit diverse crymes and offences, for the qhilkis he was arrestit to my court of the barony of Towy to have abidin tryall for the same, he fand Duncan Thomson of the Milnotoun of Toweis and William Fyff in Nather Toweis cautioneris and soueretis, conjunctlie and severlie, for his intrie to the said court under the pane of fouirty punds, quhairupon the saidis cautioneris, being chairgit to have enterit the said Alexander to my court qhilkis wes haldin on that pait of my barony of Toweis, callit Corriecon, upoun the fyift day of July, 1605 yeiris, the said Alexander, accompaniet with John Gairdin, his bruther in law, with utheris his complices, boddin in feir of weare, with swordis, plaistalewis, secreitis, gantaleittis, and utheris waponis invasive, come in a very braging maner neir 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, qhilk he not onlie maist disdainfullie and proulidlie 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 their swords and cruellie and ferselie invadit and persewe my bailie officeris and members of court quha wer sittand in judgment for thair bodely harme and slachtur, compellit thame to raise the court and to forbeare all forder proceeding that day, quhairby, as they committit a very great
ryott and insolence agains me, so they have committit a most heycht attempt and indignitie agains oure soverane lord in troubling and reasing of ane court lauchfullie fensit in his Majestie name for doing of justice to his heynes [subjects]." He therefore craves summons against them.

(Signed) P'. ROLLOK"

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, chirurgeon, burgess of Dumfries, Patrick Young, his son, James Young, malmant, burgess of Dumfries, John Young in Conyngholme, John and James Young, his sons, complaining against John Hyedlistoun of Templeland myline, John Hiddilstoun, his eldest son, John Davidsone in Thornehill, Peter Davidsone, 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 Anderson, Hiddilstoun in Aleisland, Harbert Huntar in Thornehill, Edward Kirkpatrick of Dresselland, John Kirkpatrick of Auchincairme, George and Thomas Kirkpatrick, his brothers, Henry Horner of Campbell, Roger Kirkpatrick of Rig, Gilbert Greir of Auchingibbert and James Greir of Kanturk, his brother, William Maxwell, apparent of Tynwald, and Harbert Maxwell of Brustcarthe, his brother, as follows:—The persons complained upon, "havinge laitlie conceaved ane deidlie haitrent and rancour aganes us, for quhat caus we knaw nocht, daylie and continually boistis, shores and menasses us, and avowis to haive our lyffes and lyis continually at avait for the samyn swa that we dar not for fear thereof haunt nor repair publicltie within that pairt of the cuntrey quher we dwell for doing of our leasum effairis and bissines, and sicklyke trublis, molestis and oppressus us in the peaceabill possessioun of our landis, rowmes and possessiones and deburris us of the peaceabill possessioun thairof, and committis dyvers utheris poynts of oppression." They crave letters charging them to find caution for their safety, as they dread bodily harm of them.

[On the back] "Apud Edinburg, vigenimo die mensis Februrij, 1607. Fiat ut petitur, William Maxwell, appearand of Tinvell, under the pane of ane thousand pundis, Harbert Maxwell of Brustkarthe, Edward Kirkpatrick of Dresselland, Johne Hiddilstone of Templelandmyline, Roger Kirkpatrick of Rig, Gilbert Greir of Auchintibbert, Henry Horner of Campbell, James Greir of Barturk, and Johne Kirkpatrick of Auchincairme, ilkane of thame under the pane of ane thousand merkis, and ilkane of the remanent personis within complenit upon under the pane of fyve hundretie merkis. (Signed) S. R. COKBURN"

[Also signed at foot] "Jo. Young."
98. Supplication by George Oliphant of Bachiltoun, as follows:—He possesses heritably the lands of Bachiltoun and Drumdevane, mill of Bachiltoun, mill lands and dam of the same, according to his inheritments, and has not been molested therein, "the quhilk myyne hes bene very profitable unto me thir mony yearis bigane and I nevir troublit nor molestit thatairin 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 possession of my saidis landis and to mak the said myyne altogather unprofitable unto me. And for this effect, upoun the day of Februar instant, he, accompanyit with Robert Dowglas of Caveria, James Fairn, younger of that Ilk, William Dowglas, appeirand of Auchrieoch, James Craufurd in Glaslocheis, Johne and James Dowglas and Mathew Colwill, servitouris to the Erle of Mortoun, James Schaw, bruther to Schaw of Lathangye, with convocation of ourseovera 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 wairlyik maner to the ground of my saidis landis of Bachiltoun and Drumdevane and to the myyne dame of the same myyne of Bachiltoun and violentlie and perfore dimolischit and cast downe the dyik and wall of the said dame to the ground, haldis the same down and onawise will suffer and permit me to big the same agane, nather dar I edife the same for feir of their invasion. He craves summons against them.


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 thatairupon aganis the said Andro, quhairupon he, conserving ane malice aganis me, and the said William, upoun the xxiiij 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 avowit to have my lyfe incaise I assistit or gafe counsell to the said Robert Borthuick in that mater and than schamfullie and unhonnestlie with his neifes strak and dang me, the said William, upoun the face to the effusion 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 Rollock."

100. Supplication by Barbara Cranstoun, widow of Robert Tait in Composlak, Margaret Tait, his daughter, and the other daughters and
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24th February 1607.
Supplication by Sir Robert Crichton of Cluny, knight, Sir David Herig of Lethintie, knight, and James Scrymgeour of Fordall against Patrick Eviot of Kirktoun of Mair, as narrated in vol. vii., p. 394. On the back, "Aupd Edinburgh, xxiiiij Februarij, 1607. Fiat ut petitur. PETER ROLLOK."

25th February 1607.
Supplication by David Kennedy of Balmactenuquhen against Hew Kennedy of Penquhiry, Margaret Dalrumply, 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, "Aupd Edinburgh, xxv Februa, 1607. Fiat ut petitur. PETER ROLLOK."

25th February 1607.
Supplication by the same in the same matter, craving that the persons complained against may be apprehended. On the back, "Aupd Edinburgh, xxv die mensis Februarij, 1607. Fiat ut petitur. PETER ROLLOK."

25th February 1607.
Supplication by Edward Maxwel of Ile, John Maxwel, his natural son, John Maxwel at Bankend, William and John Maxwell, his sons, Edward Paterson, David Hesloppe, Nicol Edyar, eldest lawful son of John Edyar of Tarmuck, Patrick Young, Richard Paterson, and John Mackeoun, tenants to the said John in the lands of Bankend, against Clemmet Edyar of Kirklane, Thomas and John Edyars, his sons, John Edyar of Linds, Robert Edyar of Blaikschaw, Mr David Roger, minister, alleged vicar of Carlawerek, and others. The said Mr David, alleging himself to be provided as vicar of the parish of Carlawerek "be the intysemen, concurrence, directioun and hunding out of the foirsaid persone without any richt or possessioun, intents at his awin hand to enter and intruse himself by all ordour of law in myne the said Edwardis lands, callit the kirkland of Carlawerek, with the tyned shaves and uther small teynds of the said parochyn of Carlawerek, byres, howses and yairds of the samyn, bauldin be me, the said Edward, in few and heritage of our soverane lord and, quhereof I, according to my undowit rytcht, hes bene in peaceabill possessioun thin many yeiris bygane and thairthrow intendis to trubill and molest me and my saids tenants and servands thairintill." They therefore desire letters charging the said persons to find lawborrows for the complainers' safety. [On the back] "Aupd Edinburgh, xxv Februarij, 1607. Fiat ut petitur, Clemmet Edyar of Kirklane, Robert Edyar of Blaikschaw, and Johne Edyar of Linds, ilk ane of thame under the pane of ane thowsand
105. Supplication by William, Earl of Morton, as follows:—He has heretofore pertaining to him the lands of Laith and the tower and fortalice thereof, conform to his infeftments, 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 sword and lances, secretis, plait alevais and uthairis vaponis invasive, of the special causing, comand, hounding out, assistance and ratification of Sir James Dowglas of Drumlanrigg, knycht, come to my saidis lands of Laith and fortalice thairof, qhahir the said Dowglas, my servand, wes in quyat and peaceable maner, efter mony minaiss and injurious speiches utherin be thame aganes my said servand, violentie and perforce tuik and apprehendit him and masterfullie reft from him the keyis of the irne yett of my said hous and haiil remaneing keyis of the same, enterit thairintill, and maid thame selfes maisteries of my said hous and landis, keipis and haldis the same as yit as yf it wer thair awin propper hous and landis, qhahirby, as they haiff usurpit his Majestis princele power and auctoritie in taking of his frie liege and my said hous with[out] comission to that effect, sua withall they haiff commitit 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 Edinburghe, xxv Febrarij, 1607. fiat ut petitur, etc. (Signed) Peter Rollok.”

106. Supplication by Thomas Mackclelland, notary, George Mackgairmorie, his tenant, John Moresoun of Culloche, James Moresoun, his brother, John Moresoun, servant to the said John, Robert Browne and John Thomson, also his servitors, Adam Culsterrar of Bidrin, Robert Rerik and John Ramey, his servitors, and John Tait there, againsts Thomas Mure, burgess of Kerkoudbright, John Mure, his brother, Andrew Quyteheid there, William Fullertoun, burgess of Kerkoudbright, Michael Mackclelland, called of the Kill, Harbert Mackclelland, his son, William Mackclelland of Natherhrid, 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 Kerkoudbright, William Ewart, his brother, John Browne in Auchingoule, John Mackcom in Lochdowgane, Ninian Mackculzeane in Keltoun, William Mackculzeane, his brother, John Mackculzeane there, John Fowler in Kirkland of Keltoun, George Herroun in Carlingwork, George Macknyer (?) there, John Mackmollen in Kel-
toun hill, John Mackcurnay, called the Laird, there, George Mure and Adam Mure and Alexander Mure, “his oye,” John Macknry in Spottis, Thomas Macknry, his brother, James Macklelland in Lonwy, John Mackclelland there, Thomas Mackeitrick 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 lyfis, and sicklyke trublis and molestis thame in the peaceabill possessioun of thair landis, rowmes and possesiones, and specially the said Thomas in his aikeris of land of Carlingwork and aikeris of land in Kirkcudbright, eattes and destroyes their growand cornes and garse with thair bestiall and guidis and committis utheris dyverse poynits of oppressioun upon thame.” They crave letters charging the said persons to find law borrowes for the indemnity of the complainers. [On the back] “Apud Edinburgh, xxvi Februaire, 1607. Fiat ut petitur, William Mackclelland of Natherthrid, John Mackclelland of Overlaw, and John Mackmysn in Spottis, ather of thame under the pane of fyve hunredthe pundis and ilk ane of the remanent personas under the pane of fywe hunredthe markis. (Signed) Lothian.” [Also signed at the foot] “Jo. Young.”

107. Supplication by Mark Dunbar of Durris, 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 Burdisayirdis, provost of Forres, Robert Tulloch of Tannacheis, Alexander Tulloch, his son and apparent heir, Nicol Duormar of Boigis, James Duormar, his son, James Urquhart, burgess of Forres, William Carrach in Greischip, William Blair in Forres, John Duormar, burgess there, Francis Forbes, burgess, Charles Reid, burgess there, Alexander Nicolseun, merchant burgess there, Robert Winter there, and James Barclay there, “quha be thameselfis 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 skait.” He therefore craves letters charging them to find caution for his and his servants’ indemnity. [On the back] “Apud Edinburgh, xxvi Februaire, 1607. Fiat ut petitur, the provost of Forres, Tannacheis, his sone and apperand air, Bogis and his sone and apperand air, ilkane off thame jn merkis, and ilk ane of the rest v merkis. (Signed) Peter Rollock.”

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
109. Supplication by David Brownlie, smith in Newbigging, as follows:—On 21st February instant he, being in the burgh of Kirkcaldy in the company and house of Robert Kedy, smith there, "doing my laufull affairis and in quhais stable I haid stablit ane brown naige of myne, lippning for na thing les than ony injurie, harme or oppression to have bene offered to me within the said burgh, it is of trouth that Laurence Sinclair in , Patrick Wemyss younger, in Dysart, accompaniet with fywe or sex persons, thair complices, boddin in feir of wear with swordis, secretis, gantaletis and utheris vaponis invasive, come under clude and silence of nycht about auct houris at ewin to the said stable, enterit within the samen and violentlie and perforse 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 ryndan 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 violentlie putt handis in me and reft fra me my sword, and than enterin in a dispute among thame selfis gif thay could 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, lykas thay haid not fallit to have than alene me of sett purpoeis, provision and foirthocht fellony wer not be the providence of God and the help of some good nychtbours I wes fred and releiwit." He therefore craves summons against them. [On the back] "Apud Edinburgh, xxvi. Februarij, 1607. Fiat ut petitur. (Signed) PETER ROLLOK."

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 Annan'dale "forsurveying of ane parte of the landis sometyme callit debeatble," according whereunto the commissioners went on to the said lands to make survey, "and lippynge for no thing less then any trouble, harme or impediment to haif bene maid to thame bot that a reverent and duefull obedience sould have bene givin to the executiou of his Majestis pryncelie direc- tiouen, notwithstanding it is of trouth that the personis following, they are to say, preferring their bigane unhappie trade and forme of levying in stouth reiff and maisterfull oppressiouen to that civile and modest forme qhilkis his Majestie intendis to establisse 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 selffis togidder in armes, come to the said landis and be way of deid opponit thame selffis to the executiouen of the said commisionis, suin that the commisioneris were constraint to deparate 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, xxvij Febrarij, 1607. Fiat ut petitur. (Signed) PETER ROLLOK."

113. Supplication by James Maxwell and Robert Douglas, servitors to his Majesty, as follows:—The King disposed to them the lands, formerly called "debeatble 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 executiouen whereof as they wer impetit and stayed be Walter Scot of Tuschelaw, Archibald Armestrange in Flascolme and Barnegleis, Francis Armestrang, called of Kinmont in Monbierest, David Armestrange in Wodesileis, Johne Armestrang of Holihous, Hectour Armestrang in Wodhead, Hectour Armestrang in Harla, Symone Armestrang in Quhitliesyd, and Niniane, his sone, Cristie Armestrang in Bankhead, Eckeis Richie Irving in Staikheuch, Willie Irving callit the Cang there, George Irving callit Curst Georgie, Armestrange of Corcune, Johne Armestrange callit of Longholme in Tounishilburne, young Cristie Armestrange in Glunyaird, Johne Armestrange in Rowingburne, Brench Irving, relict of umquhile Young Will of Kinmont in Mortountour, [Dorathie Armestrange, (deleted)], Johne Armestrange in Boholme, Christie Armestrange callit of Longholme in Bigholme and Turresfute, Archibald Armestrange, brother to the umquhile Laird of Mengertoun in Brunschilboge and Menger-
toun, Archibald Armestrang callit the merchand in Thorniequhatis, Thomas Johnstoun, younger of Fingland in, Will Irwing, elder and yonger, in Kirкоennell, sua the same personis continewing in their insolent caragey and behaviour hes resolved and avoved be way of deit, oppression and bangeorie to debar us fra the possession of the saidis landsis 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, xxviij die mensis Februartij, 1607. Fiat ut petitur, Walter Scot of Tuschelaw and William Irwing of Kirkoennell, ather of thame under the pane of jth merkis, and ilk ane of the remanent personis within compleit upoun under the pane of fyve hundreth merkis. (Signed) Peter Rollock."

1607. *Fiat ut petitur*, ilkane of the personis within complenet upoun under the pane of four hundreth merks. (Signed) PETER ROLLOK.

28th February 1607.
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 Februarioj, 1607. Fiat ut petitur. PETER ROLLOK."


February 1607.
Supplication by Ogilvie of Innerquharritie, knuycht, avowing himselfe to be paertye with the said Alexander Murdoch, 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 lipping for na thing les than ony forder injuriue or violence to have bene offerrit unto thame, it is of treuth that upoun the day of Sir John Ogilvie of Innerquharritie, knuycht, avowing himselfe to be paertye with the said Alexander Murdoch and a mentenner of him in this mater aganis my said servand, resolving so far as in him lay to execut his privat gruge aganis the said James, directit and houndit out David and John Ogilvies and Thomas Auchinlock, his domestick servitors, accompaniet with diverse uthairis thair complices, boddin in feir of weare with swordis, durkis, bowis, darloch, secretis, plaitsleuvis, 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 ferelie seth 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 yf he had bene a theif, quhairin he detenit him be the space of thairefter locked him in a pair of stockis, quhair he also detenit him be the space ; quhairby as he hes usurpit his Majestis princele auctoritie and power in taking his Majestis frie liege without power or commissioun, he having committit no cryme nor offens aganis the said Sir, and the said Sir having no auctoritie nor jurisdicioun 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 Februarioj, 1607. Fiat ut petitur. (Signed) PETER ROLLOK."

2nd March 1607.
Supplication by David Dundas of Preistinche, against Margaret Auchineraw, 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 Marciij, 1607. Fiat summuntio ut petitur to the tuelf day of Marche instant and to suspend and
dischairge at infra quhill the xx day of the samyn moneth. Al. Auchincraw and others.

118. Extract of act of Council dated at Halyruheidous, 24th September, 1607, remitting the complaint of Robert Rowatt and Matthew Turnebel to the Duke of Lennox and Archbishop of Glasgow, as narrated in vol. vii., p. 441; signed by Jacobus Prymros.

119. "Rycht assurit freind, I am informit that my lord of Abicorn, 1607, quho is appointit commissioner in our Sinode of Glasgo, hes neyther resavit the copie of the acte of Lynlythquow nor the chargis that said be directit thairwith; at leist his Lordship on Monday last had resavit none of them; 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 alreadi furth of Schir Johnne Arnots hands, to quhom you said al wes delyverit. Tuyssayd neste is the day of our sinode, and for this I expect your answer the soner. Also, if yow wilbe pleisit to send me the buke of counsel that I had of yow befor, you will do me girt 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 committit yow to God his protection I rest, your very assurit at my power. (Signed) GLASGOW, Glasgo, this Thursday at nycht. [Noted below] "Act and letters send according to this letter, 15 being Satterday at 12 of the cloke in the fornoone. [Addressed on back] "To my assurit freind James Primrose, clerk of his Majesties Secret Counsall."

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 Majesties oist and armye appointit to have convent and met at Yla upon the first day of July, thair to have attendit the directionis of his Heynes Lieutenant during the halil space and tym of that service conforme to the proclamatioun direct thairament, without pane, cryme, skaith or danger to be incurit be him thairthrow in his persoun, landis or guidis, notwithstanding of quhatsumever actis, statutes and proclamatioun maid in the contrair; quhairainett and all panes contenit thairintill the saidis Lordis dispenses be thir presentis. Gevin under the signet at Edinburgh, this xxiiij day of July, and of his Majestis reigne the sext and forty ane yeiris, 1608. Compositio ten pundis. (Signed) Al. Cancell. Halyrudhous: J. Compt. J. Arnott.

121. Original bond of caution by Sir Robert Halket of Pitfirrei, knight, for Robert Cunningshame in Urquhat, and others, as narrated in vol. viii., p. 593; dated 20th March, 1609.

123. Original bond of caution by Sir Walter Stewart of Arthourlie and Sir William Callendar of Ballencloich, knights, for James Crawford of Fernes, as narrated in vol. viii., p. 709; dated at Glasgow, 13th September, 1609.

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.

125. Original bond of caution by Charles Chalmer portioner of Wester Finray, for William Chalmer, portioner of Wester Disblair, as narrated in vol. viii., p. 716; dated at Aberdeen, 29th December, 1609.

126. "The Lordis of Secret Counsail prorogatis and continewis the terme appointit to M’ William Watsoun, minister, for his removing furthe of the burgh of Brintylan for the space of ten dayis nixt efter the exypring of the said terme, and declairis that he sail incur no skaiithe nor danger thairthrow in his persoun, landis, goodis nor geir, nochtwithstanding the cautiou fundin be him for his removing furthe of the said burgh at the tyme mentionit in the said act of cautiou, wherenent the saidis Lordis dispenses for the said space of ten dayis. Gevin at Edinburgh, the tent day of Januar 1610. (Signed) Jo. Prestoun, J. Murray, Alex’ Hay, S. W. Oliphant.”


128. Original bond of caution by John Creichtoun of Craufurdstoun for John McCall in Glenjane, as narrated in vol. viii., p. 727; dated at Dunregane, 23rd April, 1610.

129. Original bond of caution by Thomas Aikman, burgess of Abirbrothok, for John Allane, skinmer, and Thomas Allane, burgesses there, as narrated in vol. viii., p. 727; dated 20th April, 1610.

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.

131. Original bond of caution by James Sterling, merchant burgess
of Glasgow, for How 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.

132. "Our soveraine Lord, remembering that his Majestie and the Estates of this kyndome qhillkis convenit in the Parliament heldin at Edinburgh in the moneth of Junij, 1609, having wyselie foresene and considered that no thing gave so grite g Route and strenthen to the manyfolds insolences qhillkis were so frequent and commoun in this kyndome as the sleuth of magistratris in not suppressing the seidis of these dissentiones, qhillkis being vaik and small in the beginning were then easilie to haif bene setled yf diligence and auctoritie had been used for repressing thairof, bot, being neglected be these to whome it appertenit, these licht insolencies did verry oft kende suche flames of disorder and feid as hardlie thairefter culd be quenched, and that, for remeid thairof, his Majestie and his Estates statute and ordanit that in everie schyre within this kyndome thair suld be yearlie appoyned be his Majestie sum godlie, wyse and vertuous gentlemen of guid qualitie, moyan and report makand residencye within the same schyres to be commisioners for the keiping of his Majesties peace, as in the said statute and act of Parliament at lenth is contenit: Thairefore his Majestie, with advys of the Lordis of Secret Counsell, ordanis are commisionoun to be maid under the greate seall in dew forme makand and constituant, etc., etc., his Majestis judges delegat and commisioneris, conjunctlie and severallie, for keiping of his Majestis peace within the boundis of the schirefdome of, etc., as alsua the provest and bailyes 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 Majestis judges and commisioneris for the use and to the effect underwritin. Lykeas his Majestie and the saidis Lordis hes nominat, ordanit and constitute and be the tennour heirof nominatis, ordanis 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, writitis and letters concerning the executioun of this commisionioun, gevand, grantand and committand unto thame, conjunctlie and severallie, within the boundis of the said schirefdome full power, auctoritie and commisionioun, expresse bidding and charge to oursee, try and prevene all such occasiones as may breid trouble or violence amongis his Majestis subjectis or forceable contempt of his Majestis auctoritie or breck of his hienes peace within the boundis abonewrittin, and to command all persouns in quhom they sail sie manifest intention to mak trouble and disorder, ather be gadderer togidder of ydle and disordourd personeis or by publict bearing and wearing of pistollelis and uther forbidden vaponis and sikh uther suadgering and ryotous behaviour, to bind tham selfis to find cawtioun under competent panes to observe his Majestis peace and for thair compeairance before the Lordis of his Majestis Privie Counsell or befor the justice to underly
sik ordour as salbe fund convenient for punisheing of thair transgressiounes or staying of trouble and enormites; and gif neid beis, to tak, apprehend, and to commit to waird all wilfull and disobedient persones, committeris and fostereris of the saidis crymes, and to require the deuwiefull and obedient subjectis of the said schiriefdome to concur with thame in preventing of all such attemptis and violences or for taking and wairding of the saidis wilfull and disobedient authoris, committeris and fostereris of the saidis crymes; ordaining hereby the saidis commissioneeris to give trewadvertesement and information to the Lordis of his Majesteis Privie Counsell, Justice Generall and his deputties, his Majesteis Thesaurer and utheris his Majesteis officiaris and magistrates, quhom it efferis, of the names of sic faughtfull and unsuspect witnesses and assyses to be summound in all crymes and disorderis qhilkis sall happen to fall furth in the said schiriefdome 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 unneccessarie drawne from 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, exercis and use qhilkis for executioun of this commissioun ar requisite and necessar and according to the instructiones to be send to thame for that effect; firme and stable halding and for to hald all and quhatsumever thigis salbe lauchfullie done heirin: and that the said commissioun be extendid 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, forthise 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 their 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 therupon and to indure during his Majesties will and pleasure and ay and quhill his Majestie speciallie discharge the same. Gevin at Edinburg, the xxvij day of August, 1610. Sid subscribitur, J. Prymois." [Endorsed] "Copie Commissioun for the 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 haill actis, wrytis and letters concerning the executioun of this commissioun," viz.:-Alexander Home of Rentoun for the sheriffdom of Berwick and bailliary of Lauderdale; Andrew Riddell of that Ilk for the sheriffdom of Roxburgh; Pringle of Torvoldlie for the sheriffdom of Selkirk; Murray of Blakbarrony for the sheriffdom of Peiblis; Sinclair of Hidimestoun for the constabulary of
Hadingtoun; Sir James Foulis of Collingtoun for the shireffdom of Edinburgh principal; Dundas of that Ilk for the shireffdom of Lynlythgow; Moray of Polmais for the shireffdom of Stirling and Clackmannan; Buquhannane of that Ilk for the shireffdom of Dumbartane; Alexander Cuninghame of Craiganis for the shireffdom of Renfrew; Lockhart of Cleghorne for the shireffdom of Lanerk; Sir John Wallace of Carnell for the shireffdom of Air and bailies of Kyll, Carik and Cunninghamie; Mr Gilbert Gordoun of Schirmes for the shireffdom of Wigtoun and stewartry of Kirkcudbright; Sir James Douglas of Drumlaungig for the shireffdom of Drumfreis and stewartry of Annerdaill; Campbell of Auchinbrek for the shireffdoms of Argyll and Tarbert; John Stewart of Askok for the shireffdom of Bute; James Weymis of Bogie for the shireffdoms of Fyffe and Kynrocheir; George Aflak of Balmano for the shireffdom of Perth and stewartries of Stratherne and Monteth; Sir David Carnegie of Kinaird for the shireffdom of Forfar; Alexander Burnett of Leyis for the shireffdom of Kincarid; Mr John Cheyne of Pitfeithie for the shireffdom of Abirdeyne; Sir Walter Ogilvie of Findlatter for the shireffdom of Bamff; William Sutherland of Duffus for the shireffdoms of Elgin, Forse and Nairne; the Laird of Grant for the shireffdoms of Inverness and Cromartie; Hew Halcro of that Ilk for the shireffdom of Orkney; and Arthur Sinclair of Ethay for the bounds of Yethland. The provosts and bailies of the burghs and towns within the respective shireffdoms, 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 abowrytting quherin they ar nominat commissionaris, and to command all personis in quhom thai can sie manifest intentioun to mak trubill or disorder, ather by gadding to giddger of all ydill and disordourit persons or by publick wyring and beiring of pestoleis or uther forbidden weapounis and such other swaggering and ryteous behaviour to bind them selfis and find cautioum 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 underlie sic ordour as salbe fund convenient for punishing of their transgressionoues or staying of trubill and enormitieis; and yff neid beis, to tak, apprehend and committ to ward all willfull and disobeydent authoris, committeris and fostereris, and to requyre the dewtfull and obedient subjectis of the schyre to concur with them in preventing all such contempt and violenceis or for taking and warding of the saidis willfull and disso- bedyent authoris, committeris and fostereris of the saidis crymis;
ordaining hereby the saidis commissioneis to give rew averteiement and intimation 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 assisis to be sumond in all crymes and disobeydences quhilkis shall happin to fall furth in the said schyre as salbe knawin to be most meit and able for tryell and probaition 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 unnecessarylie drawin from their 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 commission 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 quhatsumeuer thingis salbe laufullie done hairin; and that the said commission 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, rysse, concur, forteifie and assist the saids commissioneis, conjunctlie and severally, in all thinges tending to the executioun of this commission, as thai and ilk ane of thame will anser to his Majestie and the saids 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 thairpoun, and to induct during his Majesteis will and pleasour, and ay and quhill his Majestie specially diecharg the same. Gevin at Edinburgh, the xxviiij of August, 1610. (Sic subscribitur) Alex Canll"; Dunbar."

134. Another list of justices of the peace for the several scherifffdoms,

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: Salutis quod assignavi-mus vos, conjunctim et divisim, et quemlibet vestrum justiciarios nostros ad pacem nostram in comitatu nostro a[d] conservandum ac ad omnia ordinationes et statuta pro bono pacis nostre ac pro conservatione ejusdem et pro quieto regimen 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 alicuius 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
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 (quouque hujusmodi
securitatem inveniret) salvo custodiri faciendum. Assignavimus etiam
vos et qualibet duce vel plures vestrum quorum alienum vestrum A. C.
c. d. unum esse volumus, justiciarios nostros ad inquirendum per sacra-
mentum proborum et legalium hominum de comitatu predicto per quos
rei veritas melius scire poterit de omnibus et omnimodiis felonis,
veneficiis, incantationibus, sortilegiis, arte magica, transgressionibus,
forstallariis, regratoriis, ingrossariis, et extortionibus quibuscumque ac de
omnibus et singulis aliiis malefactis et offensis de quibus justiciarii pacis
nostre legtimer inquirere possunt aut debent per quoscunque et qualiter-
cunque in comitatu predicto factis sive perpetratis vel que impositerum
ibidem fieri vel attemptari contigerint, ac etiam de omnibus illis qui in
comitatu predicto in conventuiculis contra pacem nostram in perturba-
tionem populi nostri seu vi armata ierunt vel equitaverunt, seu impos-
terum ire vel equitare presumperint, ac etiam de omnibus his qui
ibidem ad gentem nostram machinandam vel interficiendam in insidiis
jacuerunt, vel impositerum jacere presumperint, ac etiam de hos-
tellarisiis et omnibus aliiis 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
Anglie et populi nostri ejusdem editorum deliquerunt vel attemptaver-
unt seu impositerum delinquere vel attemptare presumperint in
comitatu predicto, ac etiam de quibuscumque vicecomitibus, ballivis,
serescallis, constabulariis, custodibus gaolorum et aliiis officiariis qui in
executione officiorum suorum circa premissa seu eorum aliqua indebita
se habuerunt vel impositerum indebita se habere presumperint aut
tepidi, remissi vel negligentis fuerunt, aut impositerum fore contigerit
in comitatu predicto; et de omnibus et singulis suis articulis et circum-
stanciis et aliiis rebus quibuscumque per quoscunque et qualitercunque
in comitatu predicto factis sive perpetratis vel que impositerum
ibidem fieri vel attemptari contigerit qualitercunque premissorsum
vel eorum alicujus concernentibus pleniis veritatem et ad indicata-
menta quescunque sic coram vobis seu alicuius vestrum capta
siye capienda, aut quorum aliiis nuper justiciariis pacis in comitatu
predicto facta sive capta et nondum terminata in simpaciendum; ac
ad processus inde versus omnes et singulos sic indicatet vel quos coram
vobis impositerum indicter contigerit quosque capiantur reddant se vel
ut legetur faciendum et continuandum et ad omnia et singula felonias,
veneficia, incantationes, sortilegiis, artes, magicas, transgressiones,
forstallarisiis, regratoriis, ingrossariis, extortiones, conventuicula, indicata-
menta, predicta ceteraque omnia et singula premissa secundum leges et
statuta regni nostri Anglie prout in hujusmodi casu fieri consequit aut
debuit audiendum et terminandum et ad eodem 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 consuevitt 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 indictium inde reddendo nisi in presentia unius justiciarii nostrorum de uno vel de altero banco aut unius justiciarii nostrorum ad assisas in, comitatu predicto capiendum assignatorum coram vobis vel aliquibus duobus vel pluribus vestrum minime procedatur. Et ideo vobis et euliaet vestrum mandamus quod circa custodiem pacis, ordinacionum, statutorum et omnium et singulorum ceterorum premissorum diligenter intendatis et ad certos dies et loca que vos vel aliquid hujusmodi duo vel plures vestrum, ut premium est, ad hoc providertis super premisssis faciatis inquisitiones, et premissa omnis et singula audiatis et continuetis ac ea faciatis et expleatis in forma predicta fieri inde quod ad justiciarios pertinet secundum legem et consuetudinem regni nostri Anglie, salvis nobis amerciamentis et alius ad nos inde spectantibus. Mandamus enim cum tenore presentium vicecomiti nostro et quod ad certos dies et loca que vos vel aliquid hujusmodi duo vel plures vestrum ut predictum est scire feceritis venire faciat coram vobis vel hujusmodi 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 nostrae 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 inspicientur et debito fine terminantur sicut predictum est. In cujus rei testimonium has literas nostras fieri fecimus patentes, teste me ipso, apud Westmonasterium.

"Ye sall sware that as justice of peice in the cuntrie of A. M., all artickles in the Kinges comission to yow directed, ye sall do equall rycht to the pure and to the rich after your counying, wet and power and after the lawes and customes of this realme and statutes thairof maid, and ye sall nocht be of counsell with any persone in any quarrell hanging befoir yow, and that yow hald your sessiones after the forme of statutes thairof maide, and the yssues, fines and amerciaments which sall happen to be maid and all foiurfatouris which sall fall befoir yow, ye sall treule caus to be entred without any concealment or imbesealing and treule send thame to the Kinges exchekquer. Ye sall not let for guifte or uther caus, bot well and treule 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
directit any verrant by yow to be maid to the paitieis, 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 execution
thairof. So help the God and by the contentis of this bulk.

"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 dominionues and cuntreyis, alseweill in all spirituall
or ecclesiasticall thinges or causses as temporall, and that no forane prince,
persone, prelat, stat or potentat hath or ought to have any jurisdiction,
power, superioritie, preheminence or authoritie ecclesiasticall or spirituall
within this realme; and thairfor I do utterlie renunce and forsake all
forane jurisdictiones, poweris, superioritieis and authoritieis, and do
promise that from henceforth I sall beir fayth and trew allegiance to
the Kinges hienes, his hearis and laulfull successouris, and to my power
sall assist and defend all jurisdictiones, priviledgis, preheminencis and
authoritieis grantit or belonging to the Kinges hienes, his hearis and
successouris, or united and annexit to the imperiall crown of this realme.
So help me God and by the contentis of this book."

136. "Instructiones to the commissioneris appoyntit for keeping, 6. August 1610.
and preserving of his Majesteis peace.

"You ar all of you to convene tegidder yeirle four tymes a yeir, Four meetings
viz:—The first Tyisday of Ffebruarie, the first Tyisday of May, the first
Tyisday of August, and the first Tyisday of November, and your first
meetting yeirle to be at the heid burghe of the schyre, and the rest of
your meetingis to be in suche uther pairt and place as you sall aghrie
upoun amang your selfis at your first meeting, and you ar to consult,
advise and deliberat upoun all the best meanis for preventing or
densewing disordinairis and puneising of offences past, and for that effect
you ar to certify by your letter the Lordis of his Majesties Privie
Counsell at everie tyme of your meetingis concerning the present
estait and condition of these boundis within which you [are] nominal
commissionaris of all suche fortois or utheris trespass committit tending
to the breache of the peace within these paitis since the tyme of your
last meeting; and you ar to send the same with a particular informa-
tion of the names of the paitis dilinquent, the circumstances of
the deid it self and of the best proofis that can be useit in the tryell of
the mater.

"You are to mak inqyrie of all jesuitis, seminarie preisitis and inqyrie of
excommunicat trafficking papistes within your bounds and of their
resettarasis and suppliearlis and mentenarlis and to give informations
thairof to his Majesties Counsell or privilie to his Majesties Chan-
cellar, Thessuar, the two Archbishoppis or ony one of the Counsell
qhume you sall thik meit; and you sall command the person in
qhose hous you sall find or try ony of the saidis personis, jesuitis,
seminarie preistis and excommunicat trafficking papistes to be resset to
"
mak the same personis furthcumand to the Counsall as they salbe

"You ar to certeifie the Lordin of Counsall at everie tyme of your
convening yt thair be ony likelhead or appearance of ony trouble
betaxt partieis within the boundis of your commandement and thairwith
you ar to send your best advyse how the same by your auctoritie may
be stait so that uppon your advertiseiment they may tak the most
expedient course for preserving of the peace.

"At the tyme of your meitingis you ar to consult amang your selfis
upon the best meanis for represasing of this gret growth of strong and
ydlis vagaboundis and beggaris so as they may be forceit ather to tak
themselvys to work or then compellit to leave the cuntrey, and everie
one of you, when you ar returnit to your swin houses and duellingis, ar
to be caiffull to sic these ordouris executit and speciallie to have stokkis
at your owin houses for the more reddie puneising of suche ydlis peolpis.

"You are lykywys to be caiffull concerning the upholding and
repairing of the briggis that ar not utterlie ryned, that some course
may be taikyn by the cuntrey nixt adjacent to give some supplie for
that matter, and quhen by your endeavours you have procurit the
cuntrey willing to contribute you ar to certeifie his Majesties Counsell
thairof that they may approve the same by thair auctoritie.

"And also you ar to provyde for helping of the kingis heichaywais
alsweill for the benefit of careagis as ease of passigeris, and speciallie
you ar to be caiffull that no privat persoun encroache upon the same
way by making the same straitter nor formerlie it hes bene, and as you
find ony trespa committit in this kynd and the partieis refuissung to
repair it, you ar then to put him under suirtie for his appearance befoir
our Counsell, and you ar to certeifie the Lordin of our Counsell.

"At the tyme of your meiting you ar to consult efter what forme
the cuntrey may be best provydit of goode innes and luidgeings for the
ease of the passigeris of all sortis and, as ye resolve upon ane guid
overtour for that effect, you ar to aquent the Counsell thairwith and
procure of them thair approbation, assistance and auctoritie to the
samen.

"You are to mak speciall inquirie at your meitings of all suche as
do cut grene wode, distroy planting, use unlawfull and prohibited gayme
with lying doigis, slayaris of blak fishe and uther fishe in forbiddin
tyme, or ony offendouris in crymes of the lyk qualitie, and to put theme
under suirtie for their appearance ather befoir the Counsell or Justice quhen-
soever they salbe charigeit.

"You ar to informe the Lordin of Counsall of all suche as salbe
delaitit unto you to beir haquibuttis and pistolettis, and gift ony of
your selfis sald deprehend ony man offending in this kynd, you sal
commit him presonare in the nixt gaole unto suche tyme as he doeth
find suirtie for his compeirance to answer that mater ather before
the Counsell or Justice.
Miscellaneous Papers.

"As ony of you sall tak ony surtice for the appearence of the offendour you sall ingross the same in one 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 tan 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 meitings, who is to send a schort abstract of the same everie half yeir to his Majesties Thesaurer or to his depute.

"You ar to inquyre of all foirstalleris and regraitaris of mercattis, Forestalleris and to give informations of theme to his Majesties Thesaurer or his depute.

"You ar to inquyre of all unnecessar ailhousses in the cuntrey whilkis Unnecessary ar the resset of ydill vagaboundis and beggaris and gives occasions to the frequent beggaris and pykaris and stouthis in the countrie."

137. "JAMES R.—Trustie and weilbeloved counsellour, we gret yowe 8, August 1610.

hairtie weill: Becaus we ar informed that sum burrowes, barrones and others of that our kingdome makis actis in their courtis dischairging thair tennentis to acknowledge the justices of peace, taking upon thame power to cheise and appoynt constables, and usurping upon thameis elfis unlawfullie dyvers things to the derogation of our authoritie and hinderance of our service committit to the saids justices of our peace, and thairefor it is our expres will and command that whansoever you sall resseve information from any of our justices of peace of suche abuses that incontinent thairefter you cause raise summouns aganis these usurpars of our authoritie and hinderars of our service, aither before the Justice or the Lords of our Secret Counsall, and that you insist earnistlie in persute thairof for reformation of the aforesaidis abuses and puneisement of the authours thairof and suche as meanteane the same, and that yow give your faithfull counsell and gude assistance to our saids justices of peace in evrie thing concerning the advancement of our service committit to thame as you will do us most acceptable service. So we bid you hairdlie fairewell."

[Addresed] "To our trustie and weilbeloved counsellour, Sir William Olifant of Newtown, knight, oure advocat in our kingdome of Scotland."

138. "Warrant to the estaites for ratification of the commission of justices of peace, instructions, articles, etc.

"Commission for consideration of the penall statutes.

"Warrant for payment of the chairges of the commissionars for the justices of peace.

"Letter to the Advocate to assist the justices of peace.

"Warrant for drawing up James Douglas his pension."

"Bishop of Caithness."

139. Supplication by Sir Thomas Otterburne of Reidhall, against 22nd February 1611.

John Houstoun, elder of Leny, and John Houstoun, his son and heir.
apparent, as narrated in vol. ix., p. 142. On the back, "Apud Edin- Miscellaneous
burgh, xxvii Februrij, 1611. Fiat ut petitur. S. R. COKBURN.

140. Supplication by Hercules Crawmond against David Beatoun of
Caragowrie as narrated in vol. ix., pp. 157-158. On the back, "Apud
Edinburgh, xxi Martij, 1611. Fiat ut petitur. S. R. COKBURN."

141. Supplication by Patrick Drumond, lawful son of James Drum-
mond of Leitchhill, sheriff-clerk of Perth, as follows:—Harry Drumond,
his brother, "haveng shakin of that brotherlie love whiche he auht to
haif caryed to me, and being unmyndfull of the monyfauld benefettis
quhilkis from tyme to tyme he resavit from me, he hes oft and diverse
tymes soght the occasioun how to execut his privat grudge aganis me,
as namelie upon the day of Merche instant the said Harie
Drumond, understanding that I was myne allane within the wretting
clamer of my saide father thair doing my lauchfull affairs in sober and
quiet maner, resolveng at that tyme to attempt some violent inter-
pryzse me, enterit violentie within the saide clamer, closit the
duris thairof behind him, came unto me qubah I was wretting at the
lettering in peaceable maner, and, or I wes wer of him, pat violent hand
in me, pullit me from the said lettern, rasth me under his feit and
.shamfullie, cruellie and unhonestlie straik and dang me upon the face
and diverse utheris partis of my body to the effusion of my blod in
grite quantitie at my mouth and neis and lefte me lyand for dead, and
haid nocht failit to haif slane me of sette purpos, provision and
forthocht fellony." He therefore craves a summons against "the saidis
Fiat ut petitur. (Signed) S. R. COKBURN."

142. Supplication by John McRonnald of Mudart, as follows:—
Donald McAllane McEane of Yllantyrn, Captain of the Clanronald,
having aupeing sinister informacion purchest au commisision of your
Lordships for the taking and apprehending of suche personis of his kin
as ar suspect guyltie of capittall crymes, hes be veriew of this com-
misson tane and apprehendent me in the moneth of last,
keepisand detenes me in most strait and miserableprisone, bund and fetterit
in yrnis, carvis me fra hoill to hoill and daylie threatnis me with most
cruell death unles I renuence and discharge to him my just richt and
title of successioun to all these lands presentlie possesse be him, quhairof
I am the undoutit heretour, althocht be force and violence I be detenet
and withhaldin from the same, and he will nocht failit to caus
murdour me incaise I yeld nocht to him in that his unjust and un-
reasonable demand althocht it be of verifie that I am ane answerable
and law-byding subject who to this hour hes contenit my self with
the boundis of my allegiance and obedience to his Majestie and his
lawes, foribereng all such actionis as ather mitch seame offensive to the
peace and quietnes of the countrey or prejudiciall to ony of his Majestie's good subjects. And farder, I am nocht sic a persone as may be comprehendit under the generalitie of his commissiou in so fer es, alchocht 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 prose-quiter of me continewallie sen I come to the yeiris of majoritie with all kynd of extremiteit, and am one aganis whome he hes evir professit his deadly hai Amit and malice, and be all his endevoirs hes hunitit for my lyff, and so he, being of suche a malicious humour and disposition aganis me, no suche commissiou can stand in his persone aganis me and he sucht nocht to be sufferrit to cover and cloke the revenge of his awne particulars with the pretext of his Majestie's auctoritie; and thairfoir the said commissioune, 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 faylycng thairof at his dwellin place of the Castle of Tyreine, quhair his wyyf, bairnis, servandis and familie hes thair residence, and be oppin proclamation of the mercat croce of the burgh of Innermes, quhilk is the head burgh of the schyre quhair he duellis, becaus at all suche tymes as ony messenger repairis to his boundis for executing ony chariges aganis him he upoun informaticoun thairof he then conveyis and transportis him self to ane litll 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 commissiou foirsaid befoir your Lordships at ane certane day to heir and see the commissiou foirsaid 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 Majestie's frie liege, or ellis to show a caus, and in the meantyme to discharge." [On the back] "Apud Edinburgh, xxviiij Martij, 1611. Petit ut petitur, to the xxiiij day of Maji 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 weare with sword, gantelett, plaitseilis and utheris vapponis invasive, upon a malice and haintent consavit be him aganis me, com be way of hamsuckin to my dwelling house in Aden under clud and silence of nycht about nyne hours at ewin, quhair I wes for the tymes takand the nichitas rest in my naked bed, and thair after a most insolent maner forceablie brak up the dure of my said hous, violentlie enterit theirintill, 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
dang me upoun diverse pairtis of my body and left me for dead lyand on my awne floore, quhairof I contractit suche a havie disease as I hair evir since lyne bedfast and am nocht lyklylie to convalesce." He there-fore craves summons against him. [On the back] "Apud Edinburgh, penultimo Martij, 1611. Fiat ut petitur. (Signed) S. R. COKBURN."
in Blakhous, as follows:—On 1st April instant, he being on the said lands of Blakhous, "thair doing my said maisteris affaires in sober and quiet maner, lipping for no violence, injurie nor oppressioune to haif bene done to me be ony persone, it is of treuth that Walter Scot in Montbenger, upoun a deadly malice consavite be him aganis me, come ryand on horsbak to the saidis landis of Blakhous, quhair I was for the tyme in quiet maner, as said is, and thair brak at me, chassit me a long space and, upoun extreme hasaide of my lyff, compellit me to tak the water of Yara, quhairin I was almost drownit, I being on fute, and in end, having overtane me, pat violent hand in me and with a grite batoun shamfullie, cruellie and unmercifiant invadit and persweit me of my lyff and so havielie straik and dang me upoun my heid, armes and utheris paertis 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. COKBURNK."


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 drukkyness, maird very frequent commotioun, troublis and perturbationis in this burgh and sometymes invadit the nychtbouris and inhabitantis of the same, brak housses and committit sundrie robbies 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 upon the streitis of this burgh and going aorth the toun according to thair wounded maner, thay forgadderit with Richard Abircrumby of Poltoun, David Forrester, second sone to the Laird of Cortorphin, Alexander Drumond, second sone to unquhill Sir Johnne Drummond of Hathronedail, Andro Abircrumby, sone to Abircrumby in Dunfermelin, and Robert Nicolsoun, writer, quho had past the maist part of that day and nycht in beistlie drukkyness, and having in very peaceable termes found fault with thame for contravening of his Majestyes proclamatioun, quherby the resoirt of people upoun the streitis of this burgh after the ringing of the ten hour bell wes prohibite, and desirin thame to go to thair judginge, without offering any injurie or mater of ofens to thame in worde or deid, the said personis most cruellie with drawin swerdys invadit and persweit our gaird of thair lyveis, hurte
and woundit diverse of thane, as namelie the whom thay left for deid." They crave summons against these persons, with execution against them personally if they can be apprehended, and failing thereof “at their dwelling places if 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.

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 cunningeous mycht be furnizt and money enternetnit amongis the liegeis,” yet a great number of these merchants and traders in Dundee “ar restand aawand the haill bulyeoun whilk sould haif bene brocht home to thame for the goodis transportit be thame and shippit at the point of Dundee sen the first day of November, 1607, to the last day of October, 1610, and they on nawiwe wil mak payment that rof without thay be compellit.” He therefore craves letters for charging them to pay to and to Andrew Fleshour, 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.”

5th April 1611.

Supplication by John Whytsefield, Englishman, merchant in Great Yarmouth, as follows:—On 29th March last, Thomas Richardson, 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.”

6th April 1611.

Supplication by Thomas Mavtie, servitor to David Johnstone in Kindleheid, as follows:—On March last, John Carmichael, son of William Carmichael, sometime of the Maynis, and Richard Jerdane, son of the deceased Thomas Jerdane of Birnok, “upoun a particular hairtren and malice consavit be thame aganis me, persavinge me upoun the landis of ryding single and allone neir the watir scheit of Clyde, they thair feirslie set upon me and cruellie and unmercifullie invadit and persewit me of my lyff with suerdis and quhinezeaies and thairwith hurt and woundit me in diverse partis 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.”
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155. Supplication by Hew Douglas of Bellibotht, as follows:—Sir Robert Dowglas of Cashogill, William Dowglas, his son, Robert Menzieis, there, Andrew Sampseone there, Thomas Findland 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 Menzieis there, Archibald Dalyell there, William Kirkpatrik there, Robert Wilson there, John Broun in Inglistoun, and John Rowan in Enterkinfoote, “having consavit a deadlie malice and haitrent aganis me, daylie braggis, boistis, shoirsis and avowis to half my lyff, hes committit mony pointis of injurie of oppression unpon me.” He craves that they may be charged to find caution for his indemnity. [On the back] “Apud Edinburg, zii Aprilis, 1611. Fiat ut petitur, the Lairdis of Cashogill, elder, and Cashogill, younger, ather of thatame under the pane of ijth lib., Robert Dowglas, son to the said Laird of Cashogill, elder, jum merkis, and ilk one of the remanent persons under the pane of ve merkis. (Signed) S. R. COKBURN.”

156. Supplication by Alexander Martene in Skedowyne as follows:—George Allerdies of Skedowyne, Robert and Henry Skedowyis, his sons, “having 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 Edinburg, ziiij Aprilis, 1611. Fiat ut petitur, the Laird of Skedowyne under the pane of jum lib., and ather of his tua sones under the pane of ve lib. (Signed) S. R. COKBURN.”


159. Supplication by Thomas Bray, cordiner burgess of Perth, as Miscellaneous 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.”

160. Supplication by John Clyde in Watstoun and Arthur Robesoun in Huntershill as follows:—On September last Thomas Smelie in Breadsiescheiburne, James Smelie there, accompanied with other accomplices, “all bodin in fear of weir, with swordis, gauntelettis, plaitslevis and utheris vapponis invasive, upon a malice consavit be thame aganis us, persaving us in the Longbyris thair doing our lawfull affairs 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 Arthur Robesoun, a deadlie wound in the head, hurt and woundit me, the said John Clyde, in the right elbo to the effusion, etc.; and upon the 7 of April instant, also being Sunday, the said James Smelie umbesett my way betuixt Culnies and Watstoun and, persaving me comeng 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.”

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 profite thereof, conform to a decreet 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 scheriffloms, and also within the sherifflom 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, xviij Aprilis, 1611. Fiat ut petitur. (Signed) S. R. COKBURNE.”


163. 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
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 Overton, Robert Jakson there, Andrew Milne in Hattoun, Patrick Ramsay there, George Clerk there, George Edmond there, Thomas Simpson there, John Cay there, Alexander Hendersoun in Layngis Seat, George Clerk there, William Clerk there, John Hendersoun there, Robert Davidson 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 Littlejohn there, John Skene in Overhill, Andrew Skene there, William Clerkis there, Jonet Maitland in Freichayd, 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 Davidson in Blairtoun, Thomas Blak there, George Jonkyne there, Patrick Schives there, Alexander Henry there, William Hendersoun, servitor to John Myline in Blairtoun, Gavin Cruikshank, servitor to the said Mr Robert, and David Mudie in Auld Aberdeen, “havmg 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, Mr Robert Gairdin of Blairtoun under the pain of j^ merkis, ilkane of his thrie brether within nameit under the pane of v^ merkis, and ilkane of the remanent personis within compeinit upoun under the pane of iij^ merkis. (Signed) S. R. Cokburne.”


165. Supplication by the provost and bailies of St. Andrews, as follows:—Walter Geddie, sometime burgess there, “having taken uppon him the cryme of clipping and ringeing of his Majestis cunyee, and being fugitive fra the lawis for the samyn, your Lordships hes ordanit us to searcke, seik and apprehend him and to present him unto your Lordships, and that in respect of some trouble and commotioun quhilk hapnynit and fell oute in our towne the tyme that his Majestys gard came thair to seerke him, and the said Walter, knowing the diligence that we haft used in searceing and seaking of him, whairin we haft omitted nor shall omit no pane, travell, charges nor expenses that possiblie can be done in suche a erand, and he, finding no place of suertie 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
under the danger of your Lordships censure for his eschaip without some remeilde be provid." They crave letters for charging all masters, shippers and mariners, and all the lieges "be oppin proclamatioun at all places is neidfull that none of thame presoun nor tak upon 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 happen to be transported." [On the back] "Apud Edinburgh, xviij die mensis Aprilis, 1611. Fiat ut petitur. (Signed) Ross."

166. Supplication by the provost and bailies of St. Andrews, as follows:—Their Lorships, "upon 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, appreheend, examine, try and present unto your Lordships suche personis as we will avow and verifie befoir your Lordships to haif bene the actoris and committarioun of the insolence forsaidd, and we, having done our diligence in the tryale and examinatioun of that mater, we haif found by clear informatioun that the personis following, thy ar to say, wer speciall committarioun of the insolence and ryott forsaidd, who being strangars for the maist paire and nocht nychtbouris and inhabitantis of our towne, on nawayes will compeir with us befoir your Lordships at the dyet afixt be your Lordships to that effect to underly thair awin tryall and censure and it lyis nocht in our possibilittie and power to appreheend thame without your Lordships provide remeild." They crave summons against them. [On the back] "Apud Edinburgh, xviij die mensis Aprilis, 1611. Fiat ut petitur. (Signed) Ross."


168. Supplication by David Fethie, son of the deceased David Fethie of Hodgatoun, 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, gantlettsis, plaitelevis and utheris vapponis invasive, come be way of hamesuckin to my duelling house in Hodgatoun under clud and silence of nicht quhair I wes for the tyme doing my laughfull affairs in sober and quiet maner, and their first upbradit us with mony injurious
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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 inoure 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, zix Aprilis, 1611. Fiat ut petitur. (Signed) S. R. COKBURNE."


170. Supplication by Mr Alexander Levingstoun, advocate, as follows:—On 8th and 9th November, 1610, William Douglas, apparent of Corschogill, and Robert Johnstone of Reacleuch, tutor of Johnstone, 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."


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, langstaullis and utheris waponnis invasive, off the special causin, command, directiou 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 tymne gangand at the pleuch teiling the said land, and thair fersel set upon thame and cruellie and un- mercifullie invadit and persewit thame of thair lyves, gaif thame mony bauch, blai and bludy strikis upon diverse pairtis of thair bodyis of purpois to have slane thame, quhilk thay had not faillit to have done wer nocth we for saiftie of our lyves escaipit." They crave summons against them. [On the back] "Apud Edinburgh, xxij Aprilis, anno, etc., 1611. Fiat ut petitur. (Signed) S. R. COKBURNE."
173. Supplication by Neill Ewart of Bootabec, 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 Johnstown in Kendlehead, Thomas and James Johnstone, his sons, Andrew Johnstown in Marjoribanks, John Johnstown in Arshebag, James and Francis Johnstone, his sons, John Johnstown, called of Mosstap, James Johnstown of Bentholme, Thomas and Andrew Johnstown, his sons, Robert Johnstown of Wanfray, James and William Johnstown, his brothers, Robert Carrutheris in Logane, John Johnstown there, Robert Frenshe of Frensheland, William Frenshe, his son, Adam Frenshe in Moffat, Robert Moffett of Auldton, Thomas Johnstown in Arshebag, James Johnstown, his brother, James, William, and John Achesoun in Polmudie, Thomas Mureman in Murefute, John Mureman there, Gavin Johnstown, called in Midlegill, James Grahame in Moffat, Thomas Mudie there, Robert Ewart, sometime in Clarefoote, and James and Ewart, his sons, “having consavit a deadly malice aganis us, daylie and continewallie troublis and molestis us, our men, tenentis and servandis in our landis, possessionis, cornis, cattell, goodis and geir, braggis, shoiris and avowis to haif our lyfis, lyis at avaist for us and will not faill to tak some unbonnest advantage of us.” They crave summons against them. [On the back] “Apud Edinburgh, xxij Aprilis, 1611. Fiat ut petitur, Robert Johnstown of Wanfray, under the pane of ij” merkis, James Grahame of Longbodome, Johnstone of Beirholme, and Robert Frenshe of Frenshland, ilkane of thatme under the pane of j” lib, and ilkane of the remenant personis under the pane of v” merkis. (Signed) S. R. COKBURN.”

174. Supplication by Alexander Conquergood, son of James Conquergood in Over Liberton, and Isobel Hepburne there, as follows:—On April instant, while they journeyed from Edinburgh toward Liberton, Alexander Tok in the westend of the Burrowmuir, William Tok, his brother, and Richard Kill in Edinburgh, “all bodin in feir of weir, with swordis, ganteletis, stingis, batonnis and utheris vapponis invasive, lay at wait for us in the said way, lykas how soone we come by thame thay ferslie sett upon us and with grit stingis and forkis gaif us bauch, blae and bloody straik [is] upon diverse partis of our bodyes and leith us baith for deid, quhairof I, the said Isobell, am ytt 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. COKBURN.”

175. Supplication by Walter Quhyteok in Nather Banchell, as follows:—On August last, while travelling in the highway, he was assaulted “under silence of nicht” by John Pitcotte, younger of Loncardie,
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 John M'Gaw, provost of Whithorn, and others. [On the back] "Apud Edinburgh, xxiiij Aprilis, 1611. Fiat ut petitur. (Signed) S. R. COKBURN."  

176. Supplication by Ralph Ker and Carnecroce, servants to Robert, Earl of Lothian, as follows:—On 17th April instant, "the Earl of Lothian, our maister, being recreating himself upon the feildis at the hunting, accompanied with the Laird of Edmeaton and some foure or fyve servandis, in peaceable and quiet maner, lippynynge for no thing less than any trouble, harme or indignitie to haif bene offeritt unto him, and we two in the tym of the chaise having fallin a little at the said Earl and ryding peaceable upon the feildis in conference and discours, about some of our swin particularis, in the very meantyme Borthuik of Collilaw forgadders with us, who being a gentilman with whom, as we beleiv, we stode in gode termes of frendship, seing be worde, deid nor countenance we nevir gaif him mater of discontentment or offens, he notwithstanding, upon some privat passioun and humour, drew his sword as some as he saw us and, or ever we wes war of him, invadit and persewit us of our lyves, strooke mony strakis at us, and missing us, he strak the horse whereon I, the said , was ryding throw the heid and did what in him lay to haif bereft us of our lyveis, sau that with verie grizie difficultie we escaipit." They crave summons against him. [On the back] "Apud Edinburgh, xxiiij Aprilis, 1611. Fiat ut petitur. (Signed) S. R. COKBURN."

177. Supplication by Archibald Prymros, writer, as follows:—On 25th April 1611, John M'Gaw, provost of Whithor, 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, xxiiij Aprilis, 1611. Fiat ut petitur. (Signed) S. R. COKBURN."

178. Supplication by James Gairdin of Pressick, as follows:—Alison 24th April 1611, Keill, widow of David Futhie of Ogston, David, Mr John, and Henry Futhie, her son, Dog, their servant, Thomas Honnour in Pressick, and Robert Edisoun there, "haveng consavit a deadly malice and haitrent aganis me, most havelie troublis and molestis me in the possesssions 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 borrowes. [On the back] "Apud Edinburgh, xxiiij Aprilis, 1611. Fiat ut petitur, Aisoun Keil under the pane of v\(^e\) lib, and ilkane of the remenant personis under the pane of v\(^e\) merks. (Signed) S. R. COKBURN."
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 Andirson of Stoboorse, and John Andirson, 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 Drygut, by breaking down the hedges thereof, cutting down and destroying the apple and pear trees therein growing, "pulling and rugging up of the unsecon seid and quyhyte 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 nevir 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 Edinburg, xxviij Aprilis, anno etc., 1611 yeires, Fiat ut petitur, the saidis Mr David Weymes, William Weymes, his sone, William Andirson of Stoboorse and John Anderson, his sone, ilkane of thame v lib., and ilkane of the rest iiiij merks. (Signed) S. R. COKBURN.

180. Supplication by Sir Thomas Hammyltoun of Bynnie, knight, King’s Advocate, for his Majesty’s interest, and Magdalene Haliburton, Lady Dun, Jean Haliburton, 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, servant to the said Laird of Fintrie, and servant to the said Laird of Pitcur, as follows:—Contrary to the lawe John Creichtoun of Airliewicht, “hayinge shakin of all feir of God and reverence of the law, resolvinge with himselfe be some violent attempt and interpysse to revische me, the said Lady Dun, furth of my said fatheris place of Pitcur, with quhob and in quhois company I haif remanit sen the deceis of unquhile Johne Erskine of Dun, my spous, the said Johne for the better effectuacting of this his wicked interpysse, upon the xij day of this instant, beinge informit that my said father haid riddin to the countrey of the Mernis, convocat and assembilt togidder the personis underwitten, thay ar to say, Robert Creichton, his uncle, James Creichtoun in Muresyd, James Creichtoun, brothuer to the Laird of Strathurde, who all, bodin in feir [of weir], with swordis, gantelettis, plaitslevis, secreitis and utheris vappons invasive, in a most unlauffull and unseamelie maner mett at the said Johne Creichtonis place of Airliewicht, the said day in the ewining, qhaur they, hayinge stayit togidder all that nicht, upoun the morn 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
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appoint the haill remanent personis abowewritten to convoy thame selfis to the town of Newtyle and thair abynt untill adverteisment wer maist to thame for thair repairing to the said place of Pitcur, and the said Jehanne Creichtoun, entreyn 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 abscence of me, the said Laird of Pitcur, and efter denner, haying gravit 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 ghamre and pastyme as namelie the ryning at the glove, he causit privilie adverteisment be gevin to the personis particularlie abowewritten, who and all of thame being bodin in feir of weir, as said is, and with long gunnis, haquebotis and pistolettis prohibite to be worne be the lawis of this realme in maner foirsaid, come upoun suddantie in a tumultuous and wearrely 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 aithlis to schut and discharge the same at me and my said sister and our servandis thair present, and finding thame selfis unable to effectuts that thair wicked interpryse they schamfullie, crullie and unhonnestlie with haquebotis bandit stalffis gaf me and my said sister, and Thome Robertzone abone nameit, mony bauch, blae and blody straik to the effusion of our bloodis in grite quantitie, reft myne the said Magdalenis head geir of my heid, carded the same away with thame, pullit the pletts 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 lyklie to convalesce.” They crave letters charging “the saidis personis personalie yf they can be apprehendit, and failyeeing thairof 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 mercat croces to be als lauchfull as yf they wer personalie chairgit, becaus, since the committing of the insolence abone wreathin, they ar all fugitive and hes dispersit thame selfis in severall secrete corneris of the countrey, to compeir personalie befor your Lordships at ane certane day to anser,” etc. [On the back] “Apud Edinburghe, xxviiij Aprilis, 1611. Fidit ut petitor. (Signed) S. R. Cokburne.” [Also written at the foot] “Sir, pleis pas this. (Signed) Ja. Wyname.”

182. Supplication by John Craig in Ormehewich, 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, plaitslevis 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 their pat violent hand in me and with grit batonis and staffis gaf me mony bauch, blae and bodly straik and left me for deid; and siclyk upon 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 mylene of Gruigar and thair with a drawin quhinger shamefullie, cruellie and unmercifullie invadit and persewit me of my lyff, gaf me a deadlie straik thairwith in my shoulder to the effusion of my blod in grit quantitie; and upon 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 lailtie xij houris befor deyverit of hir birth, and thair the said Margaret Montgomery, without any pittie or regaird haid be hir of the present estait of my said spous, first after a insolent maner mad search for the haill keyis of all the kistis within my said hous and than schamfullie, cruellie and unhonneste pullit my said spous out of hir said bed, tirrit hir naikied of the haill bed cloathis and left hir lyand naked upon the could floore, quhaireof she hes contractit suche havie sort of disease as she never since hes haide the richt use of hir witise." They crave a summons against them. [On the back] “Apud Edinburgh, xxv Aprilis, 1611. Fiat ut petitur. (Signed) S. R. COKBURNE.”

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, Abircomby in “daylie beiris and weirs haquebutis and pistollettis upon his persone and in his company, rydis and gangie thairwith in all partis of the cuntrey at his pleasour, as namelie in the monethis of and upoun divers and sindrie days of the saidis monethis he ses borne, wore and shut haqbutis and pistollettis and thairwithall hes maid ane grite spoyle and distructioun of his Majestey seise within the park of Falkland, quhairthrow he hes violat and contravenit the saidis actis and aucht thersfore to be puinist in his persone and goodis to the terroir of uthers. He craves a summons against him. (Signed) S. TH. HAMILTON. [On the back] “Apud Edinburgh, xxv Aprilis, 1611. Fiat ut petitur. (Signed) S. R. COKBURNE.”

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 haqbutis and pistolets, on 14th April instant, “being Souday,”
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Troupis sons of William Troup of Pittindreich, "both bodin in feir of weir, with swordis, ganteletis, plaitslevis, lances and uthers vapponis invasive and with pistolettis and hacquebutis upon their bodyis and in their companyis, prohibite to be wornie, as said is, off the speciial causig, sendig, reseett, directioun and hounding out of the said William Troup, their father, come be way of hamesucklein to myne, the said William Gordonis dwelling house in the Hawoh of Seindlie, quhair I wes for the tymne doing my lauchfull affairs in sober and quiet maner, and thair with drawin swordis schamfullie, cruellie and unmerci-

fullie invadit and persewit me of my lyff and haid not fallit to hai

than slane me of sett purpois, provision and forththocht fellony wer not be the providence of God and my awin better defence I eschaipit. Lykas the saidis William Troup of Pittindreich, Johanne Troup, William and Patrick Trowpis, his sones, and Pittindreich of that Ilk, in the monethis of Januar, Februer, Marche, Aprilie, May, Junij, Julij, Aguat, September, October, November, and December respective, in the yeiris of God j"mvj" and nyne and vj" ten yeiris, and in the saidis monethis of Januar, Februer and Marche last bipast and Aprilie instant, in this present yeir, 1611 yeiris, and almost upoun ilk day of the same monethis they haif borne and wornie hacquebutis and pistolettis, hes riddin and gane thairwith in all paitris of the countreie quhairy they haid occasioun to repair and usit and usis the same for their particular revenge upoun all suche personis againis whom they bere querrell." He craves summons against them. [On the back] "Aepud Edinbourgh, xxvij Aprilis, 1611. Fiat ut petitur. (Signed) S. R. COKBURNE."


186. Amended copy of the same supplication, but including Sir Thomas Hamilton, his Majesty's Advocate as a party.

187. Supplication by William Fullerton of that Ilk, John Ramsay of Jordanstoun, John Rattray of West Forrest and Thomas Moncur, brother german to Andrew Moncur of that Ilk, as follows:—On 20th April instant William Tyrie of Drumkilbo, Stevin Currour, sir of Logy Megil, Andrew Hering of Little Blair, Chalmers, apparent of Drumloquhy, M . . . servitor to the said Andrew Hering, Harry Drummond, "with convocation of his Majestis leiges to the number of xxxvj personis, all bodin in feir of weir, with swordis, daggers, gantillatis and uthers wapponis invasive, come to the dwelling house of Tulloch in Couper of Angus, quher I, the said William
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Fullertoun, wes in sober maner for the tyme doing my lesuem effairs and prist to have enterit in the said house and to have persewit me of my lyff; and being disappointit of their intendit purpois be the discretioune of some persons who, persavine thame, close the duris, they lay about the said house a lang space and assedgeit me thairin calling for fyre of purpois to have brunt me and the haill company being within the same house, and wer not the inhabitante of the town of Couper and uther gentilmen of the countrey come and releivit me, they had nocht fallit to have put fyre in the said hous and to have brunt the same; and seing they could nocht get a advantage of me bot wer withstood and resisted be us, the saidis John Jordanstoun, John Rattray and Thomas Moncur, thay feirish sat upoun us and cruellie and unmercifullie invaidit and persewit us of our lyvis and hurtie and woundit us in diverse pairtis of oure bodys to the effusion of our bloodis and perrell of our lyves.” They crave summons against them. [On the back] “Apud Edinburgh, xxviij Aprilis, 1611. Fiat ut petitur. (Signed) S. R. Cokburne.”

188. Supplication by James Wightman in Over Dormond, as follows:— On April instant John Carrutheris, elder of Holmyinis, and John Carrutheris, younger thairof, accompanied with Carrutheris in Denby, “ane notorious and commoun thieff, fugitive and outlaw,” and other broken men of the Borders and with convocation of the lieges “all bodin in feir of weir, with swordis, ganteletis, plaitslesis and utheris vapponis invasive, come to my awne duelling house in Dormond,” apprehended him and put him in “strait prises 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, haweving committit no cryme nor offens, nor thair being no lauchfull sentence nor decreit standing againis 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.”

189. Supplication by Bessie Johnstoun, lawful daughter to Archibald Johnstoun, cordiner in Falkirk, as follows:— On April instant, she being in Breichynle about her business, Mungo Ritchesoun, servitor to William Flint, miller at the said mill, “schamfullie and unhonnestlie strak and dang me with and thairwith hes cuttit me in the ovr lip and dung furth tua of my foremost teith to the effusion 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.”

190. Supplication by Alex Innes of Quottis against John Innes of Crombie, brother to Innes of that Ik, William Innes of Blakhillis and Thomas Innes, his brother, as narrated in vol. ix. p. 188.
191. Supplication by John Maxwell, servitor to the Earl of Orkney, as follows:—On March last Adam Bellindane of Stanehouse assaulted him on the lands of Orkney and pursued him 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. COKBURN.”

192. Supplication by Sir John Arnott, Treasurer Depute, as follows:—On 18th April instant he obtained a decret of their Lordships against 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. COKBURN.”

193. Supplication by George, Earl of Caithness, as follows:—He is informed that their Lordships have ordained letters of horning to be issued against him at the instance of Sir Thomas Hammitloun of Bynnie, knight, His Majesty's Advocate, George Sinclair of Dunbaith, and the tenants, inhabitants on the lands of Dunbaith, Raesandysd, Boirlun, Doathon, Dishald, Milsonton, Downray, Shurarie, Brontstair, Steinmater, and Spittell, because he failed to exhibit before their Lordships on 5th March last William Bayne in Billister, Alexander Mansoun in Geas, John McInnes McEane V'Eane in Oust, Neil Finla Begstoun in Leyth, William Finla Begstoun, his brother there, and Tormett McInteer in Herspqail, 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 answer for be the lavis of this realme, actis of Parliament or generall band; whilk being notour and weele knowne to the said Laird of Dunbaith, he raised letters and causit charge the Erll Mairshaill, as maister and landislord to thir same personis, to half exhibite thame befor your Lordships the said fyft day of Marche instant, whilk dyet your Lordships, upon some speciall considerationis, did prorogat and continew to the first Counsaill day of May nextcum; and, this being a mater whilk will come in disput beutix the Erll of Mairshaill and me whiche of us tuo sould be asnerable for thir men, I hoped that your [Lordships] wald lykways 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 Dunbaith thebery putt in a certantie quhidder of us sould be asnerable for thir men, and sua my nocth compeirance befor your Lordships procedit not upoun contempt.
or disobedience bot upon the occasion fairsaid. Always I am content to find cautious actit in your Lordships buiks that I sall exhibit 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 summunitio ut petitur to the fyfth day of July nixt, and to suspend and discharge ut infra to the xv day of the same moneth, becaus this petitioner hes found cautious for the entrie of the personis withinwrittn, ilkane of thame under the pane of j'm pundis, as alsau hes found cautious for payment to his Hienes Tresaurer depute of the soune of j' pund for his eschete guid, as ane act maid theroupun beris. (Signed) J. Cokburne."

April 1611.
George, Earl of Caithness, 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 summunitio ut petitur to the day of and to suspend and discharge ut infra to the day of becaus (Signed) AL. CANCELL* I. GLENCARNIE.

April (7), 1611.
Suppllication 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 tasskmens 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 very evill direct and als wrangoulis execut aganis me expres contrair the actis of Parliament, being ane privat gentalman nevir knawin reput nor haldin to have bene ane [traficher] with merchandize nor to be onywyse subject to the trend therof bot be the [contraif] according to the actis and ordinances set down be his Majestie and Lordis of his Hienes Prive [Counsell] in favours of Scottismen, undertakers of the landis within the kingdome of Irland, I [being] employit in that busines and havieng 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 myself employit in my awin effairs for transporting . . . guidis, viveris and otheris necessaries to and fra the saidis kingdomes for the better melioratioun and labouring of my landis posset be me within Irland, quhilk is licentiat nocht only to me bot to all utheris his Hienes liegis, conforme to the actis, ordinances and proclamationis respective maid thairanten, and so these
customars have no power to exact customs for freights or voyages made
"be schipis, boitis or crearis bot onlie for payment of the custome of
guidis and merchandice transportit to and fra be merchandia." He also
pleads, "albeit it wer of veritie that I had ane boit and had trafficuing
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 cognitioon
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 transport-
ing of the guidis and merchandice allegit pertening to me within
the said crear or boit to and fra the saids kingdomes I can unaywis be
justifie chargeit nather for payment of the said soume of j° H. for everie
veyage of the said boit nor for ony custome of guidis thairintill except
that thair had bene first ane particular serche or entrice maid therof
and according to the entrie cautious 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 cuntrye; and gif ony traffi-
queris 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 cuntrye 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
traffiqueris and merchandis utheris usurperis of frie liberties, in the quhilkis caioes or uther of them the
saidis customeris hes sufficient provisionoun, warrandit and tollerance to
mak serche, sequestrationoun and confiscation according to the ordour
observit in sic caioes, 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 trafficuer 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 cautious to mak pay-
ment to the saidis customeris and to the said James Johnestoun, thair
subtakismen, 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 satisfis his Hienes Thesaurer for my escheit guidis
gif it salbe fund that I am ordoullie denuncit rebell and put to the horne
be vertew of the saids letters." He therefore seeks that the horning
summonitio ut petitur to the xxiiij day of May nixto come and to suspend
and discharge ut infra to the last day of the same moneth, because Gilbert Neilisoun and Patric Cowane, tailour burges of Edinburgh, ar become cautioner. (Signed) S. R Corburne.”

April 1611.
Supplication by Janet McIlwrycht, daughter to Moreis McIlwrycht 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 haras and perrell of my lyffe,” wherein the said presbytery cannot be competent judges, “thay having no power nor jurisdiction establiseth in thair persons noother to absolve me incais I wald purge my self be my oathe nor yitt to inflict punishment upoun me incais I confess the fact and so wer found guyltlye, but yf thay haif ony presumptionis aganis me of my guittyynes thay sould haif gevin information thorof to the Justice and his deputis, ordinar judges in suche materis, and assistit to my persue in that judgement, and the said Laird of Blaquhan, being convenit befoir thame in this samin mater, your Lordships upoun his supplication has dischargeit thame of all proceeding aganis him quhill a certaine day in this approching moneth of May, and this mater for the quhilk I am troublit being that same for whilk the said Laird was convenit befoir thame, they aucht lykewysse 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 summaminio ut petitur to the and to suspend and discharge ut infra to the day of .”

197. “Certane questionis and articles gevin in be the justices of peace to the Lordis of his Majestis Prevey Counsaill, with the saidis Lordis answer gevin to the same articles, wherin his Majestis awne advis, approbatoun and allowance is craved.

“At Edinburgh the fyft of Marche, 1612.
Questiou.—Sall not all the justices of peace, alawell to burgh as to land, convene and be present at the quarter sessionis and give thair oaths to the benche at thair admission 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 justises to the burgh and land sould convene, gif thair oath, mak thair recordis and gif compt and payment of the fynes intrometit with and upliftit be thame as justices of peace.

Questioun.—Qubat number of justices of peace salbe present at every
particular sesioun and meeting (by the ordinar four sessionis) to heir
and deyde upoun ryottis and complaintis?

Answer.—It is thought that four justices of peace may be a full
number and sesioun to deyde in materis occurring betuix the four
quarter sessionis.

Questioun.—Qhath rankis and qualitieis of personis salbe subject to
thair appeirance befoir 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 hadlin to compeir
befoir ony justice of peace.

Questioun.—Qhairas the slayng of blak fische is capitall be the law,
quhat forme of procediour 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 puniishment to be inflictit salbe ane pecuniall fynne answer-
able 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 befoir ony uther judge to underly the law for
the said cryme.

Questioun.—Sall ony judgeis within the kingdome (except the Lordis
of His Majesteis Previe Counsaill and Sesioun) judge and determine
upoun the particular actis underwrittin, sett doun be the justiciess of
peace, viz., anent the fees of laboraris, servandis and scheraris, anent the
prices of craftismenis worke, anent the ordinarie at penny brydallis,
anent the resettaris of vagaboundis, anent the settaris of housses to idill
personis without a certane tread, calling or occupatioun, and anent
commoun and notorious drunkards?

Answer.—No judgeis within this kingdome (except the Lordis of
Previe Counsaill and Sesioun) sall judge or determine upon the
particular actis abonewrittin but the same salbe reservit to the justiciess
thamezelfis.

Questioun.—Whare as it is sett doun be the instructionis gevin to
the justiciess of peace that poor miserable prisonaris salbe intertenedy
be a ouilklie contributioun to be lifted of the parrocheis of the schyre
quhair the prisonaris ar detenit, the justiciess craves to be resolvit in
quhat forme and manner this contributioun salbe lifted from the
parrocheis?

Answer.—The box maister within every parroche salbe hadlin to pay
the sowne sett doun in the saidis instructionis according to the discre-
tioun of the justiciess, and letters of horneing salbe direct aganis him for
that effect.

Questioun.—Becauses the magistrattis within burgh refusisses to ressave
in thair wairdis suche prisonairis as ar directit and send unto thame
from the justices of peace unles cautioun be foundin be the justices for paying of the prisounaris chaires during their remaneing in waird, the justices desyres to know quhat course salbe tane for keeping of the prisounaris?

Answer.—Letters of horneing salbe direct aganis the magistratis within burgh for ressaving from the justices of their prisounaris, with this proviso that, whair the prisounaris hes not of their awne to mak their chaires, the justices of peace sall releve the burgh of their chaires be geving unto thame allowance furth of the reddiest of the contributioun abonewrittin.

Questioun.—Whereas the triall of the contravenaris of penall statutis is appointit to be ane assise, the justices cravis to be resolvit yf they may proced in the tryall of these contraventionis be confessioun of partie, aith of veritie or be witnesses?

Answer.—In the tryall of contraventiouin of penal statutis, whairof the pane is pecuniall and not corporall, and the tryall not appointit be the lawis and practique of the countrey, to be be ane assise, the justices of peace may proced in the tryell of these contraventionis be confessioun of party, aith of veritie or be witnesses.

Questioun.—Whare as in every schyre of this kingdome their wilbe a number of personis fyned in certane sowmes of money, it is creved 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 subecryvit be the convener within the schyre and that the signet of thir letters be gratis and no suspensioun grantit theirpoun.

Answer.—Upoun productioun of the actis of fynes letters salbe grantit as is desyrit upoun fyiftene dayis and no suspensioun salbe grantit bot upoun obedience of the decreit and satisfactioun of the chairges of the justices according to the modifiacion of the Lordis.

Questioun.—Quho salbe the executouris of the justice of peace thair warrantis and preceoptis?

Answer.—The constabillis within every parroche salbe executouris of the saidis preceoptis.

Questioun.—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 sal 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.

Questioun.—In regaird of the extraordinar panes and travellis tane be the clerkis of the peace and thair officiars, quhat fess salbe allowit to thame and be whom sall the same be payit?

Answer.—The consideratioun of the travellis of the clerkis and officiars is remittit to the discretioun of the justices of peace to be tane out of the reddiest of the fynes quhill furder ordour be tane.
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Questioun.—Whereas letters of Captioun ar somtymes grantit by forme and ordour aganis the justices of peace for apprehending of rebellis it is cravit that no suche letters be grantit heirefter.

Answer.—No letters of captioun salbe grantit heirefuir aganis justices of peace for apprehending of rebellis.

Questioun.—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 their qualiteis, and to uplift the same sowmes and imploy 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.

"Cerne questionis and articlis," etc., containing the following additional question and answer occurring as the fourth in the list:—

Questioun.—Gif the justicieis of peace sal happin to be the first citaris and arreistaris of ony personis upoun offenses and wrangis committit be thame, sall not thay be preferrit in the tryall and punishecung of the offence, and sall not thair citatioun stay all utheris frome proceedyng in that mater?

Answer.—Giff the magistrat, haveing heritable previledge of jurisdiction, delay his citatioun and perseute the space of fyftene days after the offence committit, the justicieis of peace, being than the first citaris and arreistaris, salbe preferrit and thair citatioun sall stay all uther procedour.

"Fra this answer the justicieis 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 appearence of commotiuon and trouble tane panes and travellis in thair awne personis (as thay evir do, to stay all forder trouble) to assuir his Majestis peace and to arreist the offendouris to thair answer, then the uther judgeis will tak upoun thame the tryall and decision of that offence and wrong which be the justicieis hes bene setled and pacifit; and thairfoir thair humble desyre and petitioun is that his Majestie wald condiscend to the article in the forme and tennour as it is consavit and set doun, speciall consideratioun being had that the justicieis ar to be comptable for the fynes imposit be thame ather to his Majestis resset, or ony uther lord, prelate or barone who haith richt to challange thame, so as thay have no respect of privat benefite, bot onlie ames at the peace of the cuntrey and good of his Majestis service."

This copy is not signed.
200. "Trustie and weilbelovit counsalour, we gret yow weill. 
Haifing formerly requyrirt our Clerk of Register (as being then our 
Secretare and so the most fit for that employment) to assist and furder 
the justices of our peace there in all that they can ather desyre for 
their encouragment willinglie to undergo and execute their chaire or 
for their satisfactioun in any thing whiche may give thame just matter 
of greif, the ressones quhairof they had then expressid in certane 
articles exhibite to our Counsell their reporting suche satisfactioun 
in their ansueris there returned, as did at that tyme move theme to rest 
weill satisfait in all except one or two of these articles at most, where-
ament, for their better contentment and the more evidente to manifest 
our desyre in a full and perfyte power to establisch their jurisdictioun, 
we did not onlie declar our pleasure to our said Clerk of Register, 
requyring him to acquent theme therwith, but lykwyse willit him to 
convine and insist with theme, for derecting 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 thereof or for the 
better enhableing theme dewlie to execute their charge; whiche being 
by him accordinglie obeyed, so as they being conveyed wer acquentiut 
with our will signifiit to thame thairanent, we ar not the les 
credible informit that some of theme more perverslie disposed did so 
oppone themselflie at that meitting to that goode course of sending two 
of their nowmer to us for informing us of their grievances and further 
desyres, as the conclusioun theirof wes by thair perversanes wholie 
crossed, wheirby, as they have schowne themselvesis altogidder unworthie 
of our favour, so wald we upoun knowlge of thair names for a mani-
fest mark of thair disgrace and our just dislyk of theme presentlie 
discharge and remove theme frome that imploymont as unworthie to 
possess any place in our peace or service herefter. 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 discharg 
of our directiones committit to him concerning the saithis justices of 
peace, and the establishing of thair jurisdictioun so muche by us 
desired, and thairupoun to conveine thame befoir both of yow, declarin 
to theme in how muche we mervell that any of thair nowmer durst in 
any sort presume to be refractorie to the advancement and obedience 
of our pleasure so manifest to all theme, whom yow saill ernestlie insist 
with for moveing thame speidillie to condiscend upoun thoir greives and 
for acquentiing us therewith or ony uther thing whiche they may with 
reason demand, to direct Sir James Weymes of Bogie, knyght, and Mr 
Samuell Cokburne to accomany the Archbishop of Glasgow and your 
self comeing to this Court, allowing for their chairges to esche of theme 
a hundrete angellis a peace, to be payit to theme at thair returne, furthe
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of the first and reddiest of their fynes, and herein desyring yow to be
in so muche the more instant because the establishinge of their jurisdic-
tioun is one of the principal causes occasioning our ensuising Parlia-
ment. We bid yow fairweill; from 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 cowaigne and 21st Septem-
counsellour, we great yow heartlie weill. Your knawin affection
ber 1612.
to the weil of our service and gude of your countrey hath moved us
to desyre that yow, as one quhome we cheasifie trust in your estat,
might be elected upon the Articles, assureing our selfes 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 propoitiouen tending to the commownweall and
our contentment, whaifro we haif not thoche it so fit langumulie bear to
set doum the particulara as to refer the same to the reporit of the
Archebishops of Sanctandrois 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 regard to our just intentiones. And so
perswading our selfes that yow will nowayis divert frome so gude ane
cowrese which is the most assured meane to conserve and increas our
gratious affectioniour towards you, we bid yow heartlie fairweill.
Frome ours Court at Theobals de the 21 of September 1612."

[Addressed on the back] "To our right trustie and weilbeloved
Counsellour, the Lord of Soone."

202. "Be deliverance of the Lords of Secret Counsell letters of 27th October
poynding wes granted to justices of peace upon their decreitta with
Justices of the
allowance to thair constables and officers at the consideration of the
Counsell."

203. "My Lord, I being sumound befors the Counsell to bear witnes 16th December
of the royt comittit be the Laird of Ruthven in Dundie in presence of
the justices of peace, I am foroit to crave your Lordships favor to mak
my excusys, for treuie 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 sufficienit informed
already, suppois Ruthven vil scarcey houp any good of me in this erand
beacause I heve spokin my mynd freely both to himself and uthers (quhilk
was sumquhat hard as I had just caus), yit I vald desyre with al my hart,
his punishement to be als licht as may stand vith the veil of that
bussines and that it vent no further nor to utheris terrificatione; yea
supposis his arrogance be suche as he querelis Kynnard and me because I ve resoned aganis his admisseeune the same verie day [quhen] he comittit the ryot I wald vishe he var found be the Counsell to be uncapable of that office, utherways he vil marr vs all in suche sort that ve vil rather quyit our offices nor raff hard heidis with suche one. I request your Lordship most humbly to pardon and pitie this my presumtioun in giving my adyve, quherof your Lordships favor and guid countenance is the caus. My loving dutie 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.”

[Addressed on the back] “To my verie guid lord, my Lord Secretarie.” [Sealed with two small seals.]

[Also on the back] “Ressavit 17 December, 1612.”

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204. “James R.—Oure will and pleasure is that ye upoun the sight heirof allow to Sir James Wemyss of Bogie and Mr. Samuell Cokburne of Tempell, lait commisioneris sent from the justices of oure peace of that oure kingdome unto us, to ilk ane of thame j’ pundis sterling for thair chargis and expenses hither and till thair returne, and that furth of the reddiist of the fynes ather leyved or to be leyved from the accomptar of any of the schyres of that oure kingdome, and that yow caus expied and delyver particular warrandis of exoneratioun thairupoun in both thair favouris, gevin at the day of 1612.”

“To oure right trustie and welebelovit couising and counsellour, the Erle of Dumfermeling, Chancellar of that oure kingdome, and to oure right trustie and welebelovit counsellouris and otheris appointed for managing of oure rents of that oure kingdome.”

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 massive thereupon.

“The Lordis, haweinge hard the difficultis and impedimentis proponnit be the Burrowis aganis the ressaweing and imbracingof the meettis and messouriis conforme to the act of Parliament, thay have conitinat all deliberatioun upoun that article till the same be fullie reasouned and resolved upoun be the justicis of peace through all the quarter sessionis at thair approching meeting upoun the first Tusday of Februar nixt, and ordanis misses to be writtin to thame for this effect, of the quhilk misses the tenour follows:—After oure verie hairtie commendationis, being informed of some questioun and contestatioun lyke to haif ariassin betaix the justicis of peace and the Burrowis of this kingdome anent
the executioun of the act of Parliament maid anent weightis and mesureus which wes urged be the saidis justiceis of peace, and whair-upoun the Burrowis hes purchest ane suspensioun, we being cairfull that all suche mater of contestation sould be eschevit and that ane mutuall concurrence and harmony sould be amongst you for the furtherance and advancement of his Majesties service and weill of the cuntrye, for this effect we procurit laitlie ane meeting of some of the justiceis of peace and of certane commissionairis frome speciall burrowis maist ewest and had ane lang conferrence with thame in this mater, whairin thair wes some difficultis and objectionis proponit aganis the imbracing of the prickt 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 brokis and bargainis of victuall in regard of the disproportiuon betuix the mettis and the prejudice whiche thairupoun wald fall out to sindrie of his Majestis subjectis; and in end the Burrowis aggiret that thair salbe ane constant mett universalle ressavit throughout the haill kingdome, conditionalie that it be aggreable in quantitie to the mett and measure of Lynlitheu. Lyke as we haif had some conferrence with thame anent weightis and mesureus, whairin it hes bene alledgeit that the act of Parliament in that point proceidit upoun the diversitie of the trois weight allanerlue, being thair thrie in number, Franshe, Flemis and Englische, without ony mentioun or intentioun of alteratioun of the trone weight whilk is the ordinair and proper weight of the kingdome; but becaus thair wes not ane full number of the justiceis of peace at this meeting whairby with ane uniforme consent this mater might haif bene broght to some good end, we haif thought mette that the same sould rest and ly over till it wer fullie resouned, debeatit and resolved upoun through all the quarter sessionis at thair approcheing meeting upoun the first Tuisday of Februarie nixt, quhaire we expect the Burrowis will convene and meete and haitelie joyne with you in all and everie thing quhilk may furder his Majestis service. And thairfor these ar to requeist and desyre you that at your meeting fairsaid you advise, reasoun, treate and confer upoun the twa headis and articlis abowewrittin and upoun the convenienec and inconvenienec of the same and upon suche uther course as you haif fittest to be tane thairintill for the weele of the cuntrye and good of his Majestis subjectis, and returne unto us your resolutionis thairantill in write betuix and the first day of Marche nixtlocum, to the effect we may impartie and relate the same to his Majestis Counsell whairthrou suche ordour and directioun may be gevin as saill seame best for the weill of the cuntrye. So we committ you to God. Edinburg, the 6 of Januair, 1613. Sic subscribitur, S. T Hammlitoun, Alex. Hay, S. J. Murray, S. W. Oliphant.”

206. “Our maist humble dutie premittit. Pleis your Lordships, we 2nd February commissionairis of peace within the schireldome of Perth at our quarter.”
sessionis, the second of this instant, receivit ane letter direct be your Lordships and sum otheris of the Counsell for ane advysye tuiching the wechtis and meassouris, and haifffing considerit the contentis thairof and conferrit at lenth thairanent with sick of the burrowis as wer present, we all hairtlie wishe as ane thing most necessar and profitabill to all the liegis that ane uniforme wecht and meassour be appointit to serve universallie throw the hail kingdom, qhilk we find hes euir bene intendit be the Kingis and thre Estateis of this realme, bot, quhat by the policie of the burrowis and negligence of the magistratis, the samin hes nevir as yit tane effect, su a that scairlie now at this present tu a schireffdomes in all the kingdome agreis with ane meassour. And seing the Burrowis yit withstandis the reformation of this abuse by admitting the prick firlot sot down be the act of Parliament and inclynes rather to receve universallie ane new firlot aqreabill in quantitie with the meassour of Linlythgow as being les different fra that meassour qhilk is now maist in use and will breid least quesioun amongis the liegis, we of this schireff dome, for our pairt, haifffing only the peace and comonne well of the cuntrey befoir our eyis, submititis our jugement in this point tuiching the quantitie of the meassour to the will and pleassour of his Majestis Counsell, nocht doubting bot thair wisdom will mak choyse of that measure qhilk sall seme most expedient and be least prejudiciall to the subjectis by the alteration thairof; wisching always that the samin be appointit ane strek mett in tyme cuming and all cheritis be dischargeit, qhilk is growin to ane great abuse and will increas daylie to ane greater if the samin be not restraitin in tyme; as also that sum gude ordour be sett down that the Burrowis haif not liberte to eik or alter at their pleassour this meassour that salbe appointit, as they haif bene in use to do befoir, bot that yeirlie thair comonne wechtis and meassouris be sichit and tayet and the altering and abusing of thame punischit be sum utheris conjoined with thame selffis. As tuiching the wechtis, the libertie to use divers wechtis is the occasioun of great fraude committit be merchandis, su a that we wishe ane certane and proper wecht for weyng of all sortis of wairis and merchandis be appointit to serve throw all the kingdome; for we se no reasone quhey merchandis sull sell thair wairis they transport hither out of uther cuntreyis with ane forrene wecht mair nor they mett thair inbrocht victuall, licuris and claythe with ane forrene meassour, and it semis to be aganis all equitie that they sull be sufferit to receve all waires that servis to be transportit furth of the cuntrey with ane great wecht and to sell thair inbrocht merchandis with ane les, seing we find in the actis of Parliament ane stan was ordeined to wey both woll, irne and all uther merchandis, su a that this diversitie of wechtis hes croppin in by evill custome without any warrant of law. Bot we remit the wholl premisse 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; Dunblane; J. Moncrief of Kinmonth; Duncan
Campbell of Glenurquhay; William Murray of Ochtirtyr; 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, after the resaite of your Lordships letter concernyng the controversy betuixt the justices of peace and the Borrowis tuiching the mesuris and wechitis within this realme, I wait particularlie to everye person contenit in our commissioun to have met the first Twisday of Februar instant and, the wedder being so unseasonable, that omne convenit of our haill numer thre, and the cause of that stay I imput to have bene the unseasonablenes of the wedder, yat, for the better discharge of my dewtie and that thayis of our numer suld be the moir unexcusabill, we appointit to have met the 23 of Februar, to the quhilk day I particularist acquentit everie one of our benche and we being convenit exoedit nocht our former numer, sa that we, quha is very willing to obtemper his Majesties will in administratoun of justice, wilbe forceit to dimit our office without your Lordships provyd sum remeit, ather be forcing of thayis to keip our assembleis or be placing 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 consideratoun of this unto your Lordships gude discretion, we tak our leve 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."

[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 humblll dewtie rememberit, Pleis it your Lordships, we, the commissionis of the peace within the schirefdom of Edinburgh principall, at our quarter session, the second day of Februar instant, ressavit ane letter direct be your Lordships for our advyce and report tuiching the wechtes and measures, and, havinge considerit the contentes thairof and conferrit at lenth amanges our selfis apart and with the theaurer, dean of gild and bailiezis of Edinburgh at that tyme and divers meitingis sensyne, we for our selfis 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 universalllie through the haill kingdome, quhilk we find hes evir bene intendit and inactit be the Kingis Majestie and his hienes progenitoures of sacred memorie and the thrie Estaitez of this kingdome, bot, pairtie be the policie of the Burrowes and negligence of the magistrates, the samyn hes
nevir as yit tane effect; and the reformat ioun of this abuse by admitting the prik furlot, maist gravelie and worthelie sett doun be the last act of Parliament, is resistit be the Burrowes, inclining rather to ressave universallie ane new furlot aggreateill in quantitie with the measur of Linlithgow. We of this schyre, haveing no other respect save onlie the peice and cowmone weill of the cuntrey, dois all aggrie that their 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 obligat iouns of barganes of victuall) and all chirrizeis to be dischairsigt, quhilk is growin to ane extraordinar abuse, refusing the quantitie of the furlot of Linlithgow as wanting the original il and being ane abuse cropin in custome without ony warrand of law, and that sum constant ordour be set doun 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 commitit to the Register within the castell of Edinburgh. And as tuieing the wechte, the libertie to use divers wechet is the caus of greit fraud commitit be merchandis, sua that we desyre ane certane and proper wecht for weying of all sortes of waires and merchandis to serve universallie, thair being na reasone that merchandis suld sell thair waires quhilik they transport in out of uther cuntreyis with ane forene wecht mair nor they met thair inbrocht victuall, liquaures and claiith with ane forene measure; and they suld not in equitie be sufferit to ressave ane waires that serve to be transportit furth of the cuntrey with ane greit wecht and to sell thair inbrocht merchandis with ane les, sieing we find be the actes of Parliament ane stane wes ordanit to wey both wol, yron and ane uther merchandis, sua that this diversitie of wechten hes cropin in by evill custome without ony warrand of law. Bot we remit the whole premisis to the wyse consideratioun of your Lordshipes, his Majestis Counsell, quhais determination we mynd in all humilitie to reverence and obey, and so restes, Your Lordshipes humble and obedient servitouris, (Signed) Torpechein; Haltoune; S. William Heart; J. Foulia of Colintoun; W. Adamsoun; S' 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."

26th February 1613.
Letter from the Justices of Peace within the shiriffdom 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 information given to your Lordships of sum contestatioun and question quhilk haid laitlie arisen betuix the justices of peax and Burrowis of this kingdome anent the execution of the actis of Parliament made anent weychtis and measures, your Lordships haid procured ane meting 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
their was diverse difficulties proposed speciallie the questionis quibiche
micht arise betaux the maister and the tennent, and upoun contractis
for blockis of victual in regarde of the disproportion of the measure;
but becaus their was not ane full number of the justices of peax than
convenit, quha be thair uniforme consentis micht have removed the
saidis questionis, your Lordships haid thocht meitt that the same suld
ly oyer quhill the nixt meitting of all the commissioneris of peax upoun
the first Tuesdays of Februarie instant, at quhilk tyme your Lordships
willit us to meitt with the burrowis of this scheirfdomme and to reasone
and confer upoun the forsaidis controversies and upoun the fittest
courses to give satisfaction to all the liegis, and to returne to your Lord-
ships oure opinion thairament. We undersubscribearis, efter long
reasoneing and debatitit of that matter among ourselviss 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 of the wechtness
of this errand, quhilk requires ane verie wise and grave deliberatioun, we
have thocht meitt out of our simple and weak judgementis to wish
that ane more frequent meitting sould be appointit by your Lordships
boith of the justices of peix and commissioneris of the burrowis for
resolveing upoun the best meanes that can be proponit for the guid
of all the subjectis and removing 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 preceisalie, and so we
rest, your Lordships verie assuirit guid freindis readie to serve your
Lordships, the Commissioneris of peax within the scheirfdomme of Forfar.
(Signed) Jhone Scrymsour of Dudop; D. Carnegy, Kynnard; James
Halyburton of Piteur; S‘ Jhone Ogilwy of Innerquharitie; S‘ David
Wod of Crage, W‘ Fullartone of thait ilk; W. Grahame of Clawer-
howse; Thomas Wentoun ofor Strikmetrin; 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 Februarie, 1613.”

210. “Oure maist humble dewtie rememberit, Pleis your Lordships, we, 25th February
1613.
commissionaris of peace within the scheirfdomme of Fyffe, having
ressavit your Lordships letter direct to us craving our advyse tuching
the wechtnis and messouris, and having considerit the contentis thairof
and conferrit with the commissioneris of burrowis present, we all agree
and thinkis maist expedient that thair be onlie ane messour appointit
universallie to serve throw the haild kingdome and that the said
messour be straik mett. As for the quanteties thairof and the con-
veniensie and inconveniensie of the sammyn we esteme the prik met set downe already so advysitlbe to be the Estaitis that their can no uther met [be] set downe with les inconveniensy. And as tuicheing the wechtis we find that it hes ever bene the mening of the Kingis Majestie and Estaitis that their suld be lykways ane wecht universally observit and usit throw the hail cuntrey, and the act of Parliament verie weell set doune thairanent, and for our awne partis we referr the samyn to be considderit be your Lordships quhat salbe the quantetie boithie of the ane and uther, quhais determinatios we sall maist humblie reverence and obey, and restis, your Lordships maist willing and obedient to serve yow. (Signed) Johne Bosuall of Balmoutu; H. Pitsoirne of that ilk; S. D. Lyudesy of Balcarres; D. Bethune, frear off Creich; S. J. Wemyss of Bogie; Aytoune of Dynmuir; Rb Arnott of Ferny; Jhone Boisuelle; Thomas Gourly off Kyncrag. Cuper, the xxv of Februar, 1613."

[Addressed on the back] "To the very honorabil loirdis the Loirdis of his Majesteis Prive Counsell, theis." [Also on the back] "Ressavit 2 Merche, 1613."

25th February 1613.
Letter from the Justices of Peace within the sherrifdom of Linlithgow anent the same.

"211. "My Lord, our humblle service being rememberit, Pleis your Lordship, we receavit your Lordships letter makand mentionn of sum quistion and contestation lyk to have risin betuix the justices of peace and the burrowis of this kingdome anent the executioune of the act of Parliament maid anent wechtis and mesouris, and your Lordships being willing that all such matteris of contestationisould be eschewit and that ane mutuall concurrence and harmonie sould be amongst us for the furtherance of his Majesties service and weill of the contrey, thairfor requiesting and desyryng us to advys, ressone, treat an confere 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 containit in your Lordships letter direct to us. Conforme to the quhilk letter we, being conveneit, and efter lang ressoning and conference had be us and sufficient tryall taine be us anent the saids maiteris, hes all in ane voice thocht expedient and concludit that thair be ane constant mett universallie receavitt throughout the hall kingdome and that the samyne be ane straik mett and the flitot to contein twentie ane pytis of the jug mett of Stirling conforme to the auld jedge and mesour of the burght of Linliithgow, and that thair be sex mesouris giffin for the boll and thrice for the hal boll of heaspit stuff and four for the boll of uther stuff, quhilk we find to be ane mesour maist mett for our soverane lordis lieges of all estaitis 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 wechte whiche is presenteis usit within this kingdome is the proper wecht thairof for suche geir as growis within the same. As for the troyis
wecht it is commonlie usit for ourseae wairis, and, as we ar informit, the said wecht to be conforme to the Fraischie wecht quhillk is maist usit heir, the quhillk wecht we refer forder tryall theairof to your Lordships, provyding it be ane constant wecht. We rest, your Lordships verie humbill servitouris. (Signed) S W. Dundas off that Ilk; Dundas of Newlistoun; Pumferston; S. J. Bruce of Kinkavil; Mr Alex' Hamyl- toune; S. A. Hamilton; Bathgatt. Linlythqw, this 25 Februar 1613."

[Addressed on back] "To our verie gud lord my Lord Secretarie."
[Also on back] "Ressavit 2 Martij 1613."

212. Rycht honorabill, Pleis your Lordship. The letter direct to our 24th March
beneche to have bene presentit the first Tuesday of Februar past being
now sene, becas til now, be resone of the violent storme quhillk in the foir-
end of Februar fell out and of uther impedimentis intervening, we have
not conveinit, and we, having punctuallie considerit the same, for
answer to the quhillk our haill beneche in ane opinion do approve the
act of Parliament concerning the mettis and measouris in all pointis
and do verie mucho reverence the wisdome, pains and diligence of thais
commissionaris be quhais opinoun and judgement the same act is so
prudentlie in all circumstances establisht. This we thought gude with
ane uther particular sent heirwith by this berar to returne to your
Lordship and Counsell, intreating humblie this our lait answer in respect
of the impediments to our metting to be excusit, referring a moir
speciall information 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 Scolett. These."
[Also on back] "Ressavit 27 Marche 1613."

213. "Rycht honorabill, Pleis your Lordship, Quhairaes by the com-
mission of the peace it is expreslie injoynit be our articles that we
cause and tak ordour with the slayaris of fishe in red tyme, etc., off
the quhillk we have had speciall cair so that sum we have tryit alreddy,
utheris we have under proce and securitie for the said offence, and
upon our knowledge none sall escape censure for the same, nochtheless
ane, namit James Cranston, pretending ane particular commission
and powir to censur delinquentis of this kynd, came heir to Duns or
befoir and now of lait hes bene agane heir keepit couris, quhairat
under pretext of justice he hes convenit many sirkie of our country
people and, by all ordour but only for privat advantage to himsell and
his officaris, hes exactit of sum of thame compositionis and keipin
utheris under cautioun, and thus trubillis the leidges, notwithstanding
that we our selfis do knaw thame for the maist paert to be frie of all
just caus and cryme in this behalff. Qhhairfoir, my Lord, as formerlie
we meant us to Counsell by Alexander Home of Rentoune, one of our
number, evin so ar we now agane constreinit to signifie this greiff to
your Lordship, requesteing arnestlie that it may pleis your Lordship mak
the Lordis of Counsell acquantit thairwithe and that this man may be
citatt and convenit befOir Counsell 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 protectionn. Your Lordships to be com-
mandit. (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.”

214. “JAMES R.—Right trusty and right welbeloved cosen and
counsellour, and right trusty and welbeloved counsellouris, wee greete you
well. Wee send you here inclosed a petition preferrit unto us in behalf
of our burgh of Aberdene and remanent burrowes of thatoure king-
dome to the effect that yee may thereby understand the summe and
substance of their desires annent the clargies right acclamed to the
tithes of fishes killed by our burrowes bushes, in our farr seas, and
the duties which they are willing to pay to the Bishepe of the Ilbes
and other churchemen having right to the tithes of fishes tane and killed
in loches, firthes, creeks, and other places in and aboute our Ilbes there.
And because wee doubt not but the remanent clargie will (according to
the appoyntement concludit betweene them and the said Bishepe) willinglie
yeald to the satisfaction of our burrowes desires in the last poynte, so
in the former concerning the bushes and the right acclamed by the
Bishopes to the tithes of fishes killed by our subjectis in our farr seas,
wee nather sie a ground whereupon they should pretend any right
thereto, nor can allow that so necessarie a works as is that bushe
fishing, both for our 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
because our subjectis sue no further by their petition but to be par-
takers of that benefite (they importing profite both to our customes
and countrie) whiche straingeris are presentlie suffer 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
nibbowing exemples teaching us how beneficall that only commodity
hat 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
neidy people shalbe thereby imployed and set on worke. And so referring the contents of the said petition to your more judicious consideration, and desiring you to omit no lawfull meanes which may incourage 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 contversie and difference betwene the bishoppes and burrowes, concerning the tithes of both the aforeside 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 welbelovedosen and counsellour, the Earle of Dunfermeline, oure Chauncellare, and to oure right trusty and welbelowed counsellours, the remanent lordis and others of oure Privie Counsell of oure kingdome of Scotland."

215. "After oure verie heartlie commendationis. Some motioun 26th October 1614. Letter to the justices of peace within the sheriffdom of Fife requiring certain of their number to appear before the Counsell to consider the expediency of exporting coals.

haveng bene maid unto the Kingis Majestie anent the transportacion of coales out of this kingdome, it has pleisit his Majestie, out of his princelie regard to the commounwele, quhilk his Majestie hes evir preffert to all privat considerationis, to gif direction thair that the maisters and awnairis of the coilevenghis and some of the justices of peace with the commissionairis of suche burrowis as hes cheif interesse in this mater be convent and hard before his Majestes Counsell and thair to reasoun upon the expedienec of this mater, and to resolve his Majestie upoun the thrie articles following send doune be his Majestie, whairof his Majestie is verie desyrous to haif ane specie answer returnit, to witt:

[1.] Whethir thair be ony actis of Parliament or otheris forbidding the transporting of coales into forayne countreyes. 2. Whethir the cuntrey compleinit evir of the transporting of thame or feared scairstie of thame be that meanis. 3. Whethir the transporting of grite quantitie of coale talkin in places narrest to the sea and farrest frome the hairt of the cuntrey wilbe prejudicail to the kingdome or not, and whethir the cuntrey hes sufficient for it selff and to furnis plentifullie otheris cuntreyis; for the resoloution of the quhilkis articlis and questionis and geving satisfactioun unto his Majestie thairin we haif appointit a metting of all pairtis having interesse to be heir upoun the xxij day of November nixttocum. And thairfore these are to request 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, propositionis and objectionis as salbe propouned and moved thairupoun, and so, lookinge preeesialie 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 Octobrer 1614." [Addressed] "To our right trustfrend the Laird of Bogye, convenair, and remanent justiceis of peace within the schirifdome of Fyffe."
11th January 1615.
Letter from the justices of peace within the sheriffdom of Berwick ancient thefts and robberies committed in the said sheriffdom.

216. "Rycht honorabill and our vere gud Lord, Being convenit this xi of Januar treating of sum materis concerning our commissiouin of the peace and knowing the quyet estait of many peceable and weill effectit of the schyre to be muche disturbit be the busines of many pernicious lymmeris lurking in the countrie, quha throw impunitie have bene enbalnd 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 quhiliks, albeit the actors wer for a tyme fugitives, yit now agane ar returnit, and, seing thir enormities appertenis not properlie to us be our commissiouin, we have takin occasion to direct the berar heirwith to your Lordship that the mater may be signifieit to Counsell and that sum summar and exact caus may be taking for tryall and punishing of suche offendouris. The berar can gave information of sum particularis; we have communicat to him our awin opinionis heirin, quha will impait 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 consideraion, our humble dewtie remembrit and committing your Lordship to the gracious keipin of the Almighty, we humble tak our leave and sall remane, your Lordships servandis to be commandit. (Signed) George Houme; S. W. Cokburne; Ro. Suyntone; Alexander Home. Duns, 11 Januar, 1615."

[Addressed] "To the rycht honorabill and our vere gude lord my Lord Byning, Secretar of Scotland, these."

[Also on back] "Ressavit 24 Januar, 1615."

[On an enclosed paper is the following].

"Information to my Lords of his Majestys Secret Counsell be the justeices of peace of the sheriffdome of Berwick of particular stouthis, slauchteris and uther crymes commitit within their bounds, for tryell and punishing of the quhilks they desyre the Lords of Counsell to direct sum exact expedient conforme to their missive letter sent to that effect.

Item, Besyde the manifold and frequent pykreis within the schyre thir thrie or four yeiris bypass, thair hes beine committit the manifest and notorious stouthis effectivitie within this four monethes last bygaine:

Item, Fra the Laird of Blakader furth of his lands of Blacader foursoir scheip.

"Fra the Laird of Langtoun foursoir scheip furth of his lands and ground of the baronis of Langtoun.

"Fra Sir James Home of Eccles, furth of his rowme and lands of within the parochin of Eccles fyttie scheip.

"Fra Mr William Home of Gradin, furth of his lands of Darnescheeter within the parochin of Cauldstreime, fyttie scheip."
"Fra Robert Home of Croecrig, laitlie within this fytteine dayis or thairby, furth of the lands of Croecrig fourtie scheip.
" Ane slauchter committit be Henrie Huid, indueller in Eymouth, in slaying ane namit William Small, committit sevin yeur syne and mair, for the quhilk the actour was fugitive ane certane space and is now returneit and resident in Eymouth without feir of law or punishment.
" Ane slauchter committit be Home, sone to Thomas Home, callit the ‘Persons Thoin,’ in the towne of Duns, within this twelf moneth, and the actour is sumtymes seine in the cuntrie; the persone slaine be him namit Mark Lindoris, falkoner.
" Thair is ane murtherour privatlie committit be poysone detectit be tua severall wemen alledgit done be Agnes Nisbet, spous to Francis Melvill in Coldingham, in poysoning of ane woman and tua bairnes, quhilk the detectar is declaris sould have beine gevin to Archbald Lerminch 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 very gude lord, my Lord Bynning, Secretar of Scotland, these."
" Rezavit, 24 Januar, 1615."

217. "Right honorable, according to the desyre of your letter I propone to my Lordis of Secret Counsell the dissordoures begun in your country be manifold stowthes and others crymes latlith committed, whereof neither tryall nor punishment hes beine taine. My Lordes have considered that the discoverie of suche malefactoures and thair apprehension and punishement is proper to the captaine of his Majesties horsmen and commissionaires of the late Bordours, of whom my Lordes Cranstoun and Thessaurar deputie, being present, have promised upoun your requisition to appoynt ane court, and to caus use diligence for taking suche persones as by yow they shall know to be probable suspect of thoyse crymes. Thairfor it appears 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 Thessaurar of your desyre anent the appoynting of ane court or directing the captan of the guarde for taking the suspect persones, whose names yow shall send to him in roll, wherein I am perswadde his diligence will give yow satisfaction. So to your forder adverteisment I commit yow to God. Edinburgh, this 24 of January, your loving frind at powar. [No signature.]"

[Docqueted] "Copie of my letter to the justices of peace of the Mers, 24 Januar 1615."

218. Note under the hand of John Skene of the following persons 6th July 1616 having found caution for the indemnity of Alexander Colwhown of Caution for the indemnity at Luss and John Colwhown, fiar of Luss, his son, and their wives, children, of Alexander
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 Hairig there, Andrew M'Indo in Hilheid, John Moresone there, Gabriel Montgomrie in Commmounsye, 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 qula hes fund cautiouln be skaythles of the personis contenit in this uther tickett, speciallie in possessionn of the landis of Scottistoun, mossis and muiris thairof, qhilikis thai eat and distroay daylie.”

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 Churche to meete at Aberden the xijth of Auguste nextcome, there to treate of suche thingis as shalbe thought to requisite to hinder the encreas of Poperie in that our kingdome and procure an uniformitie in religion amongste 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 xijth of Julie, 1616.”

[Addressed] “To our righte trustie and righte welbeloved cosen and counsellour, the Earl of Dumfermline, our Chancellour, and to our righte trustie and welbeloved counsellours the remanent Lordes and others of our Privie Counsell in our kingdome off Scotland.”

220. Supplication by Marie Stewart, daughter natural to the deceased Patrick, Earl of Orkney, and Katherine Paterson, daughter lawful to the deceased Thomas Paterson, 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 learning at the scuillia 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 necessar, bot lykwaysis in respect that my said umquhile father faithfullie promitkit to content and pay to the said Katharene yeirlie and ilk yeir for myne the said Mariouns intretenument the soume of ane hundred thunds money and that I, the said Katherine hes intretienit me, the said Marie, in meit, drink, bedding and utheris necessar, extending to the soume
of twa hundredth pundis money, quhairof nather I, nor the said Katharene, can get payment, but I in the meantyme [am] in grite distres and miserie and am lyk to perisch for samyn, 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 consideratioun of the premisses and that, as we are informit that it is [his] hienes will and pleasour that all my said unquhile fatheris debitis and souness of money addebitit and restand awand be him to ony persone or persones befoir his deceis salbe satisfait and payit to thame according to their bandis, decreittis, obligatiouns and comptis lawfullie to be deducit befoir your Lordships, quhairof I doubt not befoir your Lordships this is one compt.” [Nothing on the back.]

221. “At Stirling, the xxvij day of Februar, the yeir off God 1617, and 20th December j^mvi^xxvij yeiris, in presens of the ministeris, eldaris and discunis of the parochie kirk of Stirling convent in assemblie.

“The quhill day compeirit Jonet Andirson, servitur to Johnne Andirson, sone-in-law to unquhill Andro Andirson, baxter and burgess of Stirling, quha being undir ane great scelandir of ane commune charmer is accusit thairfof, she denies it simpliciter, and thairfor she is now admonesit in the name of God and his kirk that she abstein fra all charming, witchcraft and abusiveing of the pepill frathynefurth, with certificatioun if she do in the contrar she salbe seveirlie punesit according to the lawis. Extract furth of the buke of discipline of the said kirk be me James Duncansone, notter and clerk thairof, witnessein heirto my subscriptioun manuall. (Signed) J. DUNCA NSONE.”

“At Stirling, the xiiij day of December, the yeir of God j^mvi^xxij yeiris, in presens of the brethrin of the presbytrie off Stirling convent in assemblie.

“The quhill day compeirit Jonet Andirson abone writtitin and confesses that she was inhibit be the eldarship of the kirk of Stirling that she soold noght charme any persone frathynefurth, and yit nevertheles confesses that she hes done the samin in maner undirwritin.

“The said Jonet Andirson confesses that Patrik Mungwall in Falkirk come to hir with his wyfs sark, quhill she charmit in this maner; she put bir handis on it and said thir wordis,

“Three bittir thingis hes yow bittin, ill hait, ill ee, ill toung all meat; uther three, may the belt, the Father, the Sone, and Holy Ghost.

“Confesses that Agnes Wat, spous to William Burne, cordinar in Stirling, feachit to hir the said Patrik Mungwall, Johne Wardane and Johne Levingstone.

“Confesses she lernt the said charme fra ane man callit Litill Dik, servand to the auld Laird of Gleneglis, quhen he was charmen ane borg in ane medow, and denies he hes any uther charmes.
"The said Jonet Andirson confesses ane man in the Falkirk come to hir with ane bairnis sark to be charmit, quha haid tane ane brash of seinnes throug 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 seinnes.

"The said Jonet confesses that Johne Wardane in Falkirk come to hir with ane sark of his sistiris, and desyril the samin mycht be charmit, quhais desyr she satisfeis in maner forisaid.

"The said Jonet Andirson confesses that ane tailour in the Falkirk, callit Sandie Wear, come to hir with ane sark of ane bairne of the Chaumerlane of Kinneill and desyril the sark mycht be charmit; he affirmit that she sotht 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 her hand, but denyes she soght any, and confesses she said to the tailour, '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, anserued that she wald not recieve mett 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 forisaid.

"The said Jonet Andirson confessis that she charmit Cathrein Stevinsone, doghter to James Stevinsone in Stirling, becaus she was forispoikin befoir hir mariage with Alexander Cunnynghame, merchant, quhra sen hir mariage hes bein lang out of hir rycht mynd.

"The said Jonet Andirson confessis that ane come fra Agnes Roy in Elphinstone to have hir charmit, and to that effect deleyerit 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 demandit with quhome was it that she did advyse, refusit to anseru.

"At Stirling, the xx day of December, the yeur of God jvnxj yeiris, in presens of the brethren of the presbitrie of Stirling convenit in assemblie.

"The quhilk day compeirit the said Jonet Andirson and denyes that she usis ony uther wordis in hir charmis bot as is abonewritin confest be hir the last day.

"Nevertheless 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 Andirson, and quhen hir company was furth he gavie hir ane sark of his sistiris, quhilk she receavit and immediatlie passit thairwith to the bak of ane pillar and thaitir returnit to him, and said she could do nathing to him at that tyme
quhil he come bak againe, and baid him than bring ane new washin
sark of his sisteris and she tuke fra him his knyf and made it ratill on
the sark as if it haid bein ane canvass, quhil he declaracione she all
confesses and that she charmit the sark, and said if she haid bein
witchit she wald have klawin it, bot it was bot ane blast of ill wind.
And being demandit how she did klaw thais who war witchit, be thais
who war hurt be ane blast of ane ill wind, refusit to answer; and con-
fesses she said his sistir wald de, and that upone ane narratione of the
said Johnne that she was swollin, quhil narratione he affermis that he
never 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 Andirson and desyrit hir to mend his wyff. Thay
baith the confess the said Jonet askit him for ane claythe, to whome he
delyverit tua claythes, and being half charmit she said he was overlang
in seiking of it, and in end said his wyff wald be weil yneugh, and she
baid him put on that sark charmit be hir on his wyff quhen he come
home, quhil he did. And aftir he lay doun in his hous, he confesses
that thair appearit to him ane whyt thing lyk ane woman quherby he
was feirit, and on the nixt Saturday theraitr quhen he come to hir,
he tauld hir the said apparitione, and she ansered that na thing sould
ail 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 deniyt that she usit any uthir wordis in charming nor thais
set doun of befoir, yit quhen it was avowit in hir faice she confessis that
she said in thir wordis in the charmee, 'Earthles king and earthles queen,
God let the never 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 quyet.

"Johnne Fergusson, alias Souter, confesses he brocht ane sharg
bairen sark to hir that was in his hous, and the said Jonet Andirson
croast it with ane knyf, bot he wist not what she said. She ansered to
him that quhilik is away is away, salang as he haid that seik bairen in
his hous, he sould not want, quherupone she being demanded how she
knew that, and what she meinit be thais wordis (that quhilik is away is
away) said she wist not, and wald nocht anser further.

"She confesses she could not help the gravell, but she could give ane
charme for the waft of ane ill wind or foirspeiking, quhilik she lernt of
Litill Dikie, servand to the auld Laird of Glengeis, and wald not
answer further.

"ita est Jacobus Duncanson, notarius publicus ac clericus dicti
Presbiterij, teste manu propria. J. DUNCANSONE."
222. "The quhilk day Sir William Nisbet of the Deyne, knight, Provost of the burgh of Edinburgh, Alexander Clark, Johnne Byriss, George Foulls and David Mitchelsoun, baillies, David Aikinheid, deyne of gild, and William Dick, thesaurar . . . with the remanent counsell and deakynis of crafts of the said burgh being conveynit, e[tatutis] and ordains that ilk maltman admitit 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 their 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 flrole of chirite multer for ilk sextene bowis chirite 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 partner with any malt[man] making of malt in Leyth quha is not admittit to the libertie thairof, be the provest [baillies] and counsell of this burgh; thay sall brewe na malt within the toun of Leith, bot [that] is maid thair and grund at the touns mylnis; thay sall do nothing hurtfull nor . . . to the liberties of the guid toun; thay sall in all questiounis and debaitis amangst tham[eselfs thilke] be the priveledgeis 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 scheriff and sall use the toun . . . writting of thair writtis and securities, reseruing alwayis to the Lords of . . . ane uther for quhateunever causiss conforme to the priveledge granrit to . . . better ordr keipin amangst thame in all tyme to cum, statutis and ordainit . . . friedome and libertie of making of malt thair within the said toun of Leith . . . tyxyed and fund qualfeit for useing 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 thairof; also thay being fund qualfeit for payment of compositioun of . . . thay alwayis keipin the condiutiounis 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:—

"Item, thrie brassine peissis; four borellis powder; ane brassine chalmer, ane pouthe borell pouluer; twelfe cariedgis; thrie scoir sex small bulatis; ane melting pane; tua picke pottis; tua corse baris; fourtene grait bulatis; fourtye fyve muscatiss; fourtie swordis and raperis; tua heid peissis; ane tairdge; ane quantitie of bandilzess; sewine waist peissis; nyne pair breikis; nyne dowbillettis; fourtene cloikis; twentie sevne plaidis; tua fetther coiddis; tua kistis; ane trunke; ane sword and pestilot of the capitanes, twentie tua pickis; four pond xv s. sterling of the capitanes; ane goldine ring and ane bant band of the capitanes; ane uther ring and ane silver seyill; sevne pound x s. sterling of the skipperis; ane peice leid of ane hundreth weighte."

"The compt of the guidis delyverit be Andreis Clouse Clewe, veise admirall for the busches:—Tua braissine peissis; ane hundreth small bulatis; ane peice of lunt; nyne pickis; twelv heid peissis; sex corsetis; sex coller peissis; tua braissine kettiillis; sevne trie plaittis; ane yrne leddill; ane yrne pott; ane trie stowpe; twentie tua muscatiss; fyvetene swordis and raperis; ane tairdge; aucht halbertis and blak bullis; thrie firne kistis; fyve calfe bedis; tua fetther cooidis; four auld seckis; ane borrell; tua buird claithis; sevintene plaiddis; ane cloike, ane gowne; thrie waist coitiss; four coitiss and dubiletts; four pair of breikis; tua seckis; tua hattis; aucht rowing airis."

224. "My verie gude Lord, It will pleis your Lordship, according to the commissioun direct to us be his Majestis Counsell for conveining befoir us the landlordis, justices of pece and ministeris within the boundis of Nithsdaill and Annanderdaill, to giff up the names of all idill vagabondis, maisterlis men and all sik utheris meitt to be put under cautioune for keiping of his Majestis pece, we haiff diverse tymes mett in the burgh of Drumfreis and hes convenit befoir us the maist pairt of the landislordis, the haill justices of peace and ministeris within the saidis boundis; we haiff tane thame solemnlie oworne and thai haiff gevin up ane resonabill nowmer of idill vagabondis, but ane greiter nowmer that is thocht gude saill be put under cautioune for keiping of the Kingis pece. We haiff be opin proclamation at the mercat croces of the burrowsis of Drumfreis, Lochmabane, Annand and town of Moffett chargeit the saidis personis to compair befoir us the twentie fyve day off Februar instant to find the said cautioune. As we get obedience we sall mak reporte to his Majestis Counsell, bot we feir the tyme is so schorte appoyntit to us to mak reporte we sall nocht be abill to use any uther lauchfull citation to the foirsaids personis for finding the said cautioune except it will pleis the Counsell to grant us ane langer tyme to that effect. Heirfoir we desyre it will pleis your Lordship to schaw the Counsell how far we haiff procedit in this"
service, and to let us know their Lordships farther mynde giff thai will allow of this citatioun, or utherwyise that their Lordships will be pleit to grant us the first Counsall day in Apriale to mak reporte of our last diligence, and we sall in the menytyme gar the saidis personis be chargeit of new at the specall paroche kirkis quher thai remane and mercat croces foiysaidis to find the said caution. Uther citation 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 convenienlie do. So we rest, your Lordships verie affectit freyndis to serve yow. (Signed) *LAG; HERES; 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.

225. Letters of charge at the instance of James Andersone of Dunmoyes narrating that, whereas he owns the lands of Dunmoyes and the third part of the lands of Garrie with their pertinentes within the parish of Dribblait and sherifffoun of Aberdeine, yet James Gordoun of Lesmoir, Mr Robert Bissett of Lessindrum, George Gordoun of Conclarachie, Alexander Lyoun of Braickay, William Troup of Pitcaple for Alexander Leslie, his brother, and 1000 merks for John Leslie, his 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

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
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 Balhalwel, 3rd October, 1621; witnesses, Mr Andrew and David Leiche, sons of the deceased Mr Andrew Leiche, Alexander Sanderis in Cozyde 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.

228. Bond of caution by John Campbell of Newcalsay of Couper in 3rd October 1621. 1000 merks each for Patrick Campbell of Kethik and Gilbert Campbell, his son, iar 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, James Campbell of Kethik and Gilbert Campbell, his son. John Campbell, lawful son to the said Patrick, John Queyttak 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 Cammyng, dated 4th October, 1621.

229. Fragment of a Supplication by Sir William Oliphant of Newton, 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 complainant’s fuel; going to David Forbes 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 hir bodie, and thair left hir lyand for dead, bleeding 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 destroy 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.

230. "Most vorschipful Sir, My service remembered to yow. These ar to schaw yow that I have bene heir quyet with my kynd freind, John Borthuik, in the vaster toon Dudistoun sent this morning vpone the occasione of ane unexpected accident quhilik did faill out betuix sum of Bourge, his followeris and me in goeing from my hous to Elgen quher Alexander Adamsone is left deid vpone the grund with the great lose of my awin blood and hesert of my lyfe at lest mutilatiou, as is thought be my chirurgen, quhilik at mietting I sal impart to yow at mor length. Quharfor, Sir, doe not fail with al possible diligence to sie me that I may have your consal and best advyse quhat cours to tak for my saftie and that so much rather that ye know a great many of his freindis to be heir in the south, quha wil be caifull 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, sicing I repose my lyf in yow; sue expecting your vndelayed cuming I tak my leive to mietting and restis, your humble and affectionat freind, Mr 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 John Prestoun, and my awin cousin, I pray yow fail not to bring him only with yow because I wil trust to send him home for my adoes."

[Addressed] "To the right worschipful Sir James Reid, those be delyvered."

231. "Depositouness of Issobell Haldane, suspecht of wischcraft, confessit be hir the 16 of May 1623 as followis, etc. —

"Being convenit befoir the Sesioun of Perth, efter prayeris maid to God to oppin hir hait and louse hir toung to confes the treuth.

"Being askit gif scho hed onye skeill of cureing men, wemen or bairneis that war diseseit, scho ansuerit that scho hed nane.

"Being requirit if scho cueirit Andro Duncaneis bairne, ansuerit that, according to the diectioun 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 Holyc Geest, weisch the barne, efter that tuik the watter with the bairneis sark, accompanieit with Alexander Lokart, and kaiast baiith in the burne, bot in the going scho skellit sum, quhilik 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
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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 days, viz., fra Thursday till Sunday at xij hours, scho mett a man with ane gray beird quha brocht hir furth agane.

"Item, that same day Johne Riche 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 Isobell Haldane com by, desyreit hir nocht to be sa haistie for he neidit nocht, his wyff suld nocht be lichter till that tyme fywe oulkis, and then the bairne suld never ly in the credill, bot be borne bepesisit and never sook bot die and be tayne away, and as the said Isobell spak so it cam to pass in everie poynit.

"The said Isobell, being demandit how scho knew that, ansuerit that the man with the gray beird tauld hir.

"Item, the said Johne Riche deponit that Margaret Buchaman, spous to David Rand, being in helth at hir ordinaire wark, the said Isobell Haldane come to hir and desyreit hir mak hir for deith, for befoir fastingsis ewin, quhill wes within few dayes, scho suld be taikin away, and as scho said, so it wes, befoir that terme the woman died.

"Being askit how scho knew the terme of hir lyfe, the said Isobell 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 Horniscluch, Isobell Haldane com to sie him; scho com in to the bed and straichtit 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 Isobell confesses the said cure and deponit that befoir 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 Isobell Haldane, haveing stollin sum bere furth of the hall of Ballhoussy, he followit hir and brocht hir back agane, scho claisit him on the schulder, saying, 'Go thy way, thou sall nocht win thyself ane bannock of breid for yeir and day,' and as scho threett, sa it cam to pas; he dwynit havelie disesit. The said Isobell confesses the away taiking of the bere, the disese of the man, and affirmeis that ony scho said he that deleyverit me from the farye folk sall tak amendis the.

"Item, the same day scho confess scho maid thrie severall kaiks, everie ane of theme of ix curnes of meill gottin fra ix wemen that wer marvrit madynnis, maid ane hoill in the crowne 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, wesing the saidis wordis.

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Item, the said Issobell confess that scho went silent to the well of Ruthven and returneft silent, bringing watter from thence to wasch Johne Gowis bairne. Queh 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 queh scho cam home wouch the bairne therwith. In lyk maner scho confess echo hed done the lyk to Johne Powryis bairne.

"The xxvij day of Maij, 1623.

"The said Issobell confessit that scho hed gevin drinkis to cure bairneis, amongst the rest that David Moreis wyff com to hir and thryse for goddis saik aakit help to hir bairne that wes ane scharge, and scho send furth hir sone to gather fochesterrie leaweis, quhartroyf scho diretct the bairneis mother to mak ane drink, bot the bairnees 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 gaif the bairne a drink, efter the ressait quherof the bairne schochtlie 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."

232. "It may please your Lordships, wee, the justices of peace within the sherifffdome of Forfare, being convened within the counsell hous of the burgh of Dondie upone the fourt day of November instant (being the first Twyeday 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 sherifffdome, and siclyke upone the aughtene day of the same moneth thereafter, being lykewayes convened for the same effect, after due and mature deliberations takine thereanent, hes thought it most fitting for the weill of the cuntie and the suppressing of the growthe and increas of beggaris within the same, that everie persone of whatsoever degrie be ordaned to interteane their owne poore, and that they be keipit and intertesit within the boundis of their owne parochie and not suffered to vaig or beg abroad therafter, and to this effect (and for the better prosecutione thereof) wee have dividit oure selfes in such proportionabil forme within that sherifffdome as efeiris, and hes undertakene the said chairge upone hope of assurance of your Lordships concurrence and autoritie to be interpnoned 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 repoirt thus of oure proceedings, whilk we have ordaned to be subscribed be oure ordinare clerk at our command. So restis, your Lordships most willing servitouris, Wedderburn." [Addressed] "Reporte of the Justices of Peace for the sherifffdome of Forfare to the Lordis of his Majesties most honorabile Privie Counsall."
233. "To the King's most excellent Majestie, The humble petition of April 1624.
David Nairme of Sampford, in your Majesties realtime of Scotland, on the behalf of the fishermen of that kingdom, shewinge. Whereas by sundrie actes of Parliament it is ordayne that barrels should be of a certaine greatness sett downe in the said actes and none to presume to make the said barrels of any greater or lesser measure; nevertheless the merchants who buy the fish of the said fishermen doe bring barrels to pack the salmond and herrings in of a larder 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 impoverishe and cannot longer subsist without speedie reformation touching the premisses. Now, forasmuch as the gauging of those vessells is conferred by statute to some particular 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 suitor to your Majestie for their releef, your petitioner is thereby incited humbly to praiie 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 praiie for your Majesties long and prosperous raigne."

234. "Intrat on pannell Marable Couper, spouse to John Spens 7th July 1624.

in the North syd of Birsay, befor Sir Johne Buchannane of Scottiscaig, knycht, justiciar and shireff principall of Orknay and Zetland, to answer at the instance of Robert Chalmer of Ryssay, procurator fisichall of the shireffdome, for certane pointis of witchcraft, sorcerie and superstition, at the least behaving himself to have sic skill and knowledge, thairthrow abusing the people as follows.

"In the first ye, [the] said Marable Couper, ar indyttit and accusit for "Margaret Corstoun present maid fayth that the first pooyt of ditty was tew."

"The panell kyne queroth the said Margaret wantit the proffeit and, suspsecting yow, denyet it."

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scho came to you and reprovit yow calling, 'Banischet witche, quhy had ye tane the profeit of hir kyne.' Quha answerit hir that it sould be sevin yeiris or ony witche tuik the profeit agane from hir kyne, quherupoun followit that the nixt yeir the said David and Margaret had thir kyne quher oth the ane deit in cailloving and the cailf tane out of hir wombe, the nixt caillovit ane cailf and never gave milk, and the thrid thir four yeiris past never tuik bull, and at the Candlesmas efter the said Margaret mettving with yow at your awin doore and efter many wordis and flytteving the said Margaret, havelinge striken 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 bestieis, quhilk ye did not onlie be your witchcraft and divelrie bot gave your sellfurth to have skill to do thingis, and quhilk, rank witche, ye can not deny.

'Secundlie, in that immediatile efter the tyme forsaid the said David Mowat, havelinge met yow camyng to your hous with ane stoup of all, quherof ye caussit 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 lyit ane moneth seik or he war heall, quha continwait seik according to your speich and never slip . . . and at the sext oonkis end he became heall, be your witchcraft and divelrie, quhilk, rank witche, ye can not deny.

'Thirديلie, in that in harvest four yeiris synye 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 gridend ane lock of beir on the quernis ye came to the hous and said ye was cum to get your kiltreich that hir guidman haid borrowit and the said Margaret gaid furth to hir gudman and tald him that ye was cum to get your kiltreich that he had borrowit, and he havelinge borrowit nan was werrie angris and said he was ever cumerit with yow and thocht to have dung yow [bot] quhen he saw yow he haid no power to ding yow bot reprovit yow, flit with yow and bad yow away, quha gaid away, bot efter beath the said Margaret and hir servand could nit gar the quernis gang about and the thing that was grunt 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 geying 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 [wiche], ye can not deny.

'Fourtleie, in that upon Monday befor Fastingsis evin therefter ye came to the said David his hous and efter many wordis and flytteving he gave yow ane cuff and pat yow to the doore, and ye suure that he sould repent that straik. And four dayis efter he havelinge put sex meillis of
aitis upoun his kill to dry, the kill tuik fyre and brunt and the corner
that he... he tuik to... seyis kill qhilk lykwyis comming to
tuik fyre and brunt, be your witchcraft and divelrie, qhilk, rank witch;
ye can not deny.

"Fyillis, in that at Alhallowmes thrie yeiris syne the said Margaret
Corstoun, having contractit seiknes, dwyned be the space of four
moneth and could get no mendis at hame nor quhen shawes brocht to
the town of Kirkwall and sua returning hame agane and going to
Alexander Philipis hou bys hou ye was standing at your doore and
the said Margaret, entering in wordis and flytting with you, called yow
ane banished witche and said giff scho deid sho could lay hir dead
upoun yow. And ye said to hir sho micht have reprovit yow quyetlie giff
sho had any thing to say to you, and ye tuik hir in to your hous and
tuik ane bristane stane and pite it in the fyre and hate ane drink of
sill with it and gave hir to drink, queryby, as be your witchcraft and
divelry ye cast the seiknes, so be the lyk divelrie and witchcraft sho gat
hir health, qhilk, rank witch, ye can not deny.

"Sextlie, in that twentie dayis efter Candlemes thrie yeiris syne the
said Margaret Corstoun, cunning to your hous efter Alexander Philipis
wyff and ye discordit, ye being in your bed, ye layid by the lap of the
caithes and lat hir sic besyd yow as it haid be[n]e ane great bag lyk
ane swynes bladder, great at the ane end and small at the uther, qhilk
ye said was your guttis that Alexander Philipis wyff had trampit out
with hir knees, and that same day Oliver Garatoat (?), having cum to
summond yow to compeir befor the session, ye said to him, 'How could
ye cum?' for Alexander Philipis wyff had possit out your guttis and
lute him sic as it haid bene your guttis lying besyd yow, most fearfull
to look to and was nothing bot divelrie, qhilk, rank witch, ye cannot denny.

Item, ye, the said Marable Couper, ar indyttit and accusit for airt
and part of the useing, committit and practising of the divelish and
abominable crime of superstitioun, witchcraft and sorcerie, in that
upoun Monday efter Sanct Magnus day in Voir j"v" stentie tua yeiris,
Thomas Seatter in Seatter, having enterit his pleuche to the beir seid,
ane Margaret Bimbister, his servant, leading the pleuche, the said
Margaret luiked about and sawe ane coming up the burne and ane blak
bruch about hir, quha said to hir maister, 'I see ane woman coming up
the burne and ane blak bruch 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 should be done, so ye depairting gaid to his hous, and ane kow
being callowing ane pair of scheititis stentit about hir that scho should
not be sene, and Elspeth Thomesone, spous to the said Thomas, being
besyd hir, or ever scho wist ye was within the scheititis and luikinger 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
down betuix twa kyne, and quhen ye was persawit be ane bairne and the said Elspeth advertised theroff soch came furth to you and said it was for na gud that ye was cum thair, and ye answerit hir ye was cum to advertise hir that hir gudman was wattiit on for his lyff and hir kyne for evill, and that soch 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 afraced, gaid to hir gudman and tald him, quha came hame with hir and gart yow deliver the grass to his wyff quha draik 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 soch pished blud and shortlie efter raged to dead, and quhen he was put from the kow he usit the lyk to four caulis quha pished blud lykwayis, and ceaset not quhilik 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 was lameneting for the dead of the kow, and said to the said Elspeth, giff soch wald let yow sie the place quher the kow deid, ye wad tell hir quhiddier thay war dead or livening that had the wyt of the kowis death, quhilik ye did not onlie be your divelrie and witchcraft bot gave your self furth to have sic skill and knawledg.

"Secundlie, in that ye gave ane peice bannock to umquhile Katherine Fulsetter, spous to John Crowdan, quha immediatlie efter tuik seiknes and dwyned ane lang tyme; and ye cuming to visitie hir desyrit almous of hir and said shoo 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 an uther pynt of aill, quhilik shoo refusit, and ye being angrie gaid furth at the dore and said shoo souill never sell aill agane, quhilik came to pas be your witchcraft and divelrie, for shortlie efter the said Katherine deid, quhilik, rank witch, ye cannot deny.

"Thridlie, in that the said Elspeth Thomesoun came to your hous to seik barmie, ye being sitting at the fyre syde, ye gave baith aill and barme to the divell that was in your hous, and, quhen shoo reprowit yow and said that ye haid baith aill and barme, ye sat downe upoun your knees and prayed to God that your sowill micht neiver sie the kingdome of hewen giff ye haid ather barme or aill; bot the said Elspeth, going in your seller, quhilik was duneoun mirk, and putting furth hir hand to greap about hir, hir hand chanced in ane barrel of aill with ane hat of barme upoun it quhilik scho to be aill and the hous growing sumquhat lighter shoo luked about hir and saw ane half barrell new aill standing of ane chist head. And at the Allhalowmes efter shoo reproveand yow for your baining and swearing and that ye shoule haue gevin your self to the devill, ye said ye haid no thing to do with the devill bot quhen ye lay in gisssing of your son, Robie, your companie came and tuik yow away and that they fetche yow and ye ar with thame ewerie mon[*] ans, quhilik ye, rank witche, can not deny.
"And generallie ye, the said Marable Couper, ar indyttit and accusit as ane commoun witche for airt and pairt, useing, comitting and practising of the abominable cryme of superstition, witchcraft and sorcerie and in going with the divell quhom ye confess takis yow away ilk mone anes and in geying yersell furth to have sic craft and knolwedge, thairthrow abusing 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 banisht 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 maide your continwallie residence in the said parochin sensyne, ye aucht and soulde of new agane undergo the tryell of ane assysye and be adjudgit and condemnit to the death for the causses forsaied, and in example of utheris to do the lyk, and your guidis and gear to be escheit and inbrocht to his Majestis use, conforme to the lawis and daylie practique observit in sic caisses."

"Curia Justiciarie vicecomitatius de Orknay tertia adnight Kirkwall septimo die mensis Julij per Dominum Joannem Buchanan, anno Domini, 1624."

"The pannell enterit in judgment could alledge no resonantill caus quhy shouled not pse to the tryell of ane assysye, quhereupon the procurator fashall askit actis and instrumentis and desyrit ane assysye to be called."


"That the assysye being receavit, suorne and adimitit but oppositioun of the pannell, the procurator fashall askit instrumentis and protestit for wifull error.

"The assysye passing out of judgment nominat Jerome Calmer 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 shou gav hirself to have knolwedge in that shou said shou soulde want worth the best horse in Birsay. Fyllis hir in the second poynit of dittay conforme to the dittay sworne and that shou gav hir furth to have knolwedge in that shou said shou soulde lay hir lyff for hir. Fyllis hir in the third point conforme to the dittay sworne anent hir frequent cuming to the hous and at the last tym that the quernis wald not grind and that quhen shou was reprowit the meall cam gud. Anent the fourt point ryssis clauso ore becaus . . . accidental . . . Anent the fyft [yllis] . . .
she gave hir ane ... Fyllis in the sext conforme to the dittay suorne and hir confessioune that it was lambs guttis. Fyllis in the servint point in respect the same was lauchfullie suorne be Elizabeth Thomesone and hir [hus]band, and hir awin confessioune that socha haid the gress and gave it. Anent the aucht ryssis clauso ore because 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 confessioune anent hir goeing with hir companie. Fyllis anent the last and generall point that she is ane witche and for using and practising of witchcraft and geving hirself furth to have sick knaledge, abuseing the people and in keipin companie and going with the divel; and that thay reput and hald hir ane comoun and notorious 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 determinaion of the assyses and ordinis 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 procurator fisshall 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 made fauth conforme to the pouynts of the dittay."

"The panell denyt."

"Fyllis."

235. "Inrat upoun pannell Anie Tailzeour, alias Rwna Rowe, to underly the law befor Sir John Buchannane of Scottiscraig, knycht, justice and shireff principal of Orknay, at the instance of Robert Chalmr of Ryssay, procurator fisshall of the said schirfpdome, for certaine pointis of witchcraft, sorcerie and superstition, at the least behaving hir self to have sic skill and knaledge, 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, committit and practysing of the divelishe and abominable cryme of superstition, witchcraft and sorcerie in that aucht or nyne yeiris syne in fauchland tyme William Burwick in North Ramsay and William Swonisone thair being in Arislay, ye came and soght ane luik beir fra the said William, and Thomas Burwick, sone to the said William, reprowing your importunitie, ye was angree and called him "gallow bread," quhilk is hangit man; and his father being angree bade yow away witch, rigand, theif, quherat ye being angree, fleit and chyded and past your way and quhen thay yoked the pleuche the pleuche wald not enter in the ground neither for the ane nor the uther temper hir qubat sho wald, and thairefter the culter and sock gaid out of the pleuche be your witchcraft and divelrie, quhilk ye, rank witche ye can not deny.

"Thomas Logic present

"Item, ye ar indyttit and accusit for the said cryme of witchcraft in
that upoun the thrid day of September jenev and sextene yeiris ye, being said fayth wardit to be the Session 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 qhilk unbesett him, "The pannell denying." the said Thomas saw your face upoun ane of cattis, and at the Candlemas thereafter ye cuming to his houe and he reproveing you alledgeand you to have bene among the cattis that unbesett him ye luhe and skorned him and declarit that he said giff he wald get hir out shold do quhat he could to gar his wyff get hir health and help hir gift sholld mycht be holpitt.

"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 throuthe the corneis and came through his kyne qhua presentlie wantit their proffit for the space of twentie dayis. And quhen the said Thomas socht yow and reprovit yow and boastis to ding yow, that same nycht the proffit of the kyne was restored be your witchcraft and divelrie, qhilk ye, rank witch, cannot deny.

"Item, ye ar indyttit and accusit for the forsaid cryme in that, ye being demandit be Mr Thomas Cock and Thomas Sinclair, baillie, how ye fyllis hir anent tuilk the proffit of the kyne and gave it to utheris, ye anserit it was his seikness.

"The said Thomas maid the proffit 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 suther hand and cast the hair in the kirne and say, "Thryse cum, "The pannell butter, cum," and sua thai sold have the haill proffit of that flock denyet.

"Item, ye ar indyttit and accusit for the cryme foirsaid in that about midsomer fyve yeiris syne James Ego, smyth, his wyff, hauing tane and lock of your beir, ye said she sold repent it, and immediatlie ane member or deit to hir worth xx lib, and becaus scho wald not geve you ane soup and 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, James Ego hauing eattein ane schave of yours, ye prayed God nor the foill burst and beall, qhilk schortlilie came to pas and the foill deit, be your witchcraft and divelrie, qhilk ye, rank witche, can not deny.

"Item, ye ar indyttit and accusit for the cryme foirsaid in that in May jenev aucht, 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 diseatis of ane byll, ye cam and tuichit the byll quherby he was baill within fourtie aucht houirs, qhilk to his opiniooun could noch have bene in ane quarter of ane yeir, be your witchcraft and divelrie, qhilk, rank witche, ye can not deny.
"Item, ye ar indyttit and accusit for the said cryme in that in November jInjy外套e 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 and gang about the schoir
and heould find fische and, he being sueir to ryse, ye urgit him and
said heould find ane quhaill at the wast bankis, qhilk he did find,
qhilk 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, havinge refuskit yow ane schave
of corne, ye tuk the profeit of his corneis from him and gave it to his
brother James Spens, be your witchcraft and divelrie, qhilk ye can not
deny.

"Item, ye ar indyttit and accusit for the cryme forsaid in that in
somer thrie yeiris syne or therby upoun our Lady day in harvest ye
came and soght ane loik of beir fra William Namlands wyff, and soho
refussing yow, ye cast seiknes upoun hir, quha lay almost ane half yir;
and quhen be the persuasion of his dochter ye cam to his hous and
gave hir ane peice of bannock to eat, scho presentlie grew haille, be your
witchcraft and divelrie, qhilk ye can not deny.

"Item, ye ar indyttit and accusit for the said cryme in that May last
Mareoun Paulson, spous to James Forthinghame in Burnes in Sundae,
havinge tane ane luik meall furth of your pock ye prayed that scho
soould suall that eat your meall, quherupoun the said Mareoun swalled
and now is dead, be your witchcraft and divelrie, qhilk 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 havinge brocht
in some of Annie Peaces petatis 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 petatis away, be your witchcraft and divelrie, qhilk
ye, rank witche, can not deny.

"Item, ye ar indyttit and accusit for the said cryme in that after
Yule last, ye being in Robert Ising Millaris hous in Sundae and ane
lass of his keiping ane bairne, havinge ane luik thrid in hir hand, ye
soght the said thrid and the lass refuskit, quha presentlie tuik sick ane
franisie that scho almost cuist the bairne thryse in the fyre gift scho
had not bene stayed, and that the franisie continwit qhilk yatt the
thrid, be your witchcraft and divelrie, qhilk ye can not deny.

"Item, in that after Yule last ye havinge cum to the said Robertis
myline and havinge soght ane luik of meall fra thame that was grinding
and lykways fra hisell and ye being refuseit, passing away nur-
muring and speaking to your self. The said Robert, havinge put on the
myline with the same corneis quherof thair was aine pairt grund, for all
his skill he could not mak the myline to gang that day, be your witch-
craft and divelrie, qhilk ye cannot deny.
Item, ye ar indyttit and accusit for the said cryme in that ye being broght out of Ethat be Stevin Tailyeour in Papa Wastray cam to his hous and after aucth dayis haveing soght ane peice butter fra the said Stevins wyff and schol refussing, yow, upon the mornr after the kow wald not suffer ane to milk hir; and ye being challangit and deailit to the kirk and straitlie mighter with ane todder the tymo of the sessioun quhen the sessioun raise, ye was standing at the end of the kirk loose, nane being able to help yow; and the said Stevins wyff therefter incontinentie contractit seiknes, continwit seik qhull ye came and charmed hir, faldomeing the woman laying ane hand to hir hand and ane uther to hir fute corslingis, saying, 'Mother blessing to the head; mother blessing to the faith and motheris blessing 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 indytit and accusit in that in Junij last, ye being tane be John Chalmeris, officer, ye prayed him to let yow gang or else ye sould rine on the sea and droune yow, and gift he wald keip yow that nycht undelyverit he sould fishe weill and his kow sould milk weill that yeur, 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 practeising of the abominable cryme of superstition, witchcraft and sorcerie and in giving your self furth to have sic craft and knawledge, 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 knawledge of ane assaye be aijudgit and condemnit to the death for the causses foresaidis 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 causses.

"Curia Justiciarie vicecomitatus de Orknay et Zetland tenta apud Kirkwall in templo Sancti Magni ibidem per honorabilem Dominum Joannem Buchannane de Scottiscraig, militem vicecomitem principalium 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 ditty to be put to the knowledge of ane assaye.

"The pannell present could alledge no ressonabill caus in the contrar.

"That the assese was receavit and sworne the procurator fischall askit instrumentis.

"The assese passing out of judgment nominat James Fea in chancellor; and reentering againe the hail assese, all in ane voice fyllis hir in the hail pointis off dittay abonedritten, speciell and generall, except the first pairt of Thomas Logeiis 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, chansailer."

"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."

236. "It is our will and pleasure that Mr David Calderwood, 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 dominions." [Copy.]

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 Halyrudhous vigesimo quarto Julij, 1626. The commissionaris for the gveanceis, haveing mett and considering that in this approching vacant tyme they cannot convenientlie attend this service, thairfoye thay continewit all fnder metting and dealing therein untill the auntch day of November nextto come; whairupon a proclamatioun wes made, publist and prented:" "A missive from his Majestie to the commissionaris willing thame to proceed in this service reallie and speedilie; which they being personallie present promeit 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.

238. "Consilium burgi de Dysert tentum in pretorio ejusdem, vigesimo octavo die mensis Aprilis, anno Domini

1 The Church historian, who had been banished in 1617, and was not allowed to return to Scotland till after James VI.'s death.
millesimo sexentesimo vigesimo sexto, per Robertum Kay et Alexandrum Simson, ballivos, Davidem Simson, seniorem de Smeitoun, Davidem Gay, Simeonem Ghrame, Patricium Murray, Robertum Hardie, Robertum Corsair, Georgium Broun, Patricium Horne, Jacobum Fermor, Jacobum Wishart et Joannem Seatoun, consurgentes et consiliarios dicti burgi.

"The quhilk day the bailleis and counseloris abonenominat, being convenit within the towbuth of the said burgh for administratioun and government of their commoun affairis and speciallie anent the repressing of the vindictive, injurious and opprobrious speiches uttert be the kinsfolk and freinds of certane persones qua ar delaittit as witches and to be arraigned and accusit and to prevent the evils, mischief and danger that appeirandlie micht arysse thairfra, they thairfoir hae not onlie statute and ordanit the kinsfolk and freinds of the persones befoir expremit, qua 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 no to ressort to the saidis persones nor prissone housses quher thai renaine in firmance and captivitie untill thair 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 observt and that na persone pretend ignorance, the saidis bailleis and counsalouris have ordanit the samrin to be intimat and divulgit to the hail inhabitantis of this burgh be touk of drum, quhilk wes actit. Extractum de libris actorum Consilii burgi de Dysert per me, Magistrum Davidem Kingorne, notarium publicum, clericum ac scribam ejusdem, sub meis signo et subscriptione manualibus. (Signed) D. KINGORNE, scriba."

"Curia burgi de Dysert tenta in pretorio ejusdem per Alexandrum Simson, ballivorum alterius dicti burgi, ultimo die mensis Junii anno Domini millesimo sexcentesimo vigesimo sexto, sectis vocatis, curia legittime affirmata."

"The quhilk day, anent the clame and accusatioun gevin in and persewit at the instance of Johne Simson, procuratur fiscal of the said burgh, aganis Euphame Dawling, spous to John Simson, mariner, Issobell Dawling, spous to Johne Heagie, skipper, and Marioun Dawling, relict of unquhili Patrik Cristall, merchand burgess of the said burgh, lauchfull daughteris to Margaret Thompson, qua wes imprisooned within the steipil of the kirk of Dysert, being dilaittit as ane witch and aganis the saide Johne Simson and Johne Heagie, husbandis to the saidis Euphame and Issobell Dawlingis, for thair interesses, proportioning 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 Margarit Thomps-
soun, ther mother, wes incarcerat, as said is, and had conference and
communication with hir a certaine space without licence of the persone
or bailleis of the said burgh, direct contrair to the tenor of the act of
Counsal abone writtin maide for restraining of the kinsfolk and freindis
of the personis dilatit as witches fra resoring to thame without licence
of the saidis persone and bailleis, and thairfor to heir and sie thame
and ilk ane of thame, and the saidis Johne Simson and Johne Heagie,
husbandis to the saidis Euphame and Issobell Dawlingis, decernit to
pay the sowme of tuentie pundis to the thesaurier and boxmaster of the
said burgh for violatioun and contraventioun of the act of Counsal
abonementat; and anent the charge gevin to the saidis persones to
the effect foirsaid, compeirit baith the saidis perteis and the saidis
Euphame, Issobell and Marioun Dawliningis 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 therfor wer not contumacious to nor
contraveineris of the said act. Thaireftir the persewar producit Androw
Hutoun 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 gret aithis that efter they had
chargit the saidis Euphame, Issobell and Marioun Dawliningis in his
Heines name not to resort nor confer with ther mother, nevertheles
thai wer disobedient and refractorie and wald not be restranit, and
thairfoir the said Alexander Simson decernit thame to pay the
penaltie and fyne abone specifieit 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 mei signo et subscriptione manualibus. (Signed) D. KINGORNE,
scribe.”

20th September 1626.
Charge of horning directed by
the Presbytery of Renfrew
against Hew Stewart in
Cloighollis,
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 Cloighollis, as “a proest 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-
fession of faith,” but replied that “he wes not resovlet thairament”
and desired a short continuation. The presbytery gave him twenty-five
days, but “at last, finding nothing in him but ane wilfull and obdured
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Conclusion to continew in his foliche 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, 28 28th November 1626. Supplication by Sir James Dundas of Arnestoun that the Clerk of the Bills be providit the said money and maid offer thereof to the said M' David upon diverse and sindrie dayes of the last weik, the said M' David refused to accept the said sowme, and thairfor I gaf in one supplication to the Lordis of the Sessioun and was content to consigne the said sowme in thair handis becaus of the said M' David his refusall; bot, becaus a pairt of the said silver is doloris and foreigne money, M' John Skene, clerk to the billis, refusis to accept my said consignations in regard the same consists of dolouris, as said is, quhill is to my grite prejudice." He craves justice. [On the back] "Apud Halrydhouse 28 Novembris, 1626. The Lordis ordains the clerk of the billis to receave the consignioun in foreyne money, provyding that the doloiris to be consignit be suche as hes heritoare 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 paertie consigner to condiscend upoun the particular specieis of the dolouris to be su offerred and consignet be him. (Signed) SANCT-ANDREWS, I.P.D., J. PYMBRIO."
242. Supplication by Abaouch Bisset, writer, as follows:—Their Lordships know how he has "bene exercisit thir mony yeiris bygane in collecting and putting toghidder in ane buik of aucht quair of paper or thairby concerning all the maist ancient monumentis and antiqueties of this kynodome, quhairof be inequities 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 deputes £100 Scots, of which he has "bene in use of payment thir foure or fywe yeiris bypass precedent this last yeir bygane. And now sen his most gracios and clement majesties succeeded eftir his umquhill darrest father, quha restis with God, quhome to I wes of intentioun to have dedicate and presentit these my panefull labouris, quhais lamentableb inlaik and deceis (allace!) hes movit me to writ the same our agane mair ample to be dedicate and presentit to his maist sacreit Majestie that now is, quhais hienes, I dout noch, 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 wret as I suld have done to his hienes umquhill darrest father, as patron 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.

9th January 1627.

95th 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 Alexander Hoome of Fishik, and others.

243. Supplication by Alexander Cranston 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 upon my landis of Eist Nisbett and haveing run ane haire hard to my yett, it fell out that a greyhound of myne, being in the close of my place of Nisbett whair I duelt for the tyne, hearing the dinne that the huntaris and their houndis maid, raikit out at the yett and how soone the saidis personis persavied him thay band a garten about his Craig and with all possible speede and haist went away and card my greyhound 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 they could caithe my hand. And how soone I understood of this effront done unto me I send to the personis foirsaidis and in modest and fair termes and in dyeties of goodes nigh-bourseade and freindship craved delyverie of my hound, but I am anwerit sometymes with plane refuissalls and sometymes with scoffing and tanits, doing what in thame lyis be all appearance to tempt my patience, and to procure some troubl and disodour 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
of law and justice will allow." He therefore craves summons against
them for delivering to him his hound and underlying the law. [On the
(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 dam
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
dissembling to persee his right to the samyne (yi he ony hes) be the
ordinar course of law and justice, bot resolvinge be way of deid
bangsterie and oppressioun to debar and secluded 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, gantletteis, plaisaleivis, corre forkis and utheris
waponis invasive, come upoun the day of last to the most
speciall and profitabile dame of the said milne, callit the Loidis mosse,
and thair, after a most lawles and malicious maner, with irne selwis,
gavelockis and utheris instrumentis broght with thame for the purpous,
not onlie pryst and raif up the clouse of the said dame bot also cuttit
and dang down the most speciall pairt therof that dammit and held in
the watter therintill, and sua did lett furth the haiill watter being in to
the same, and sua therby did quhat in him lay to have altogither
dristoyit and waschine away by the force and violence of the said
watter bothe my said milne and the haiil houses adjacient thairto, yi
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; lykes 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, qubilk 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 beway 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 utheris 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."

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 Paterson, servant to William Laing in Drungowane, by Mr. George
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 Matheson, servitor to John Miller in New Leslie, John Strachane, servant to John Forbes of Leslie, and David Grieve 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] petitor. (Signed) SANCTANDREWS.”

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 Stancie, 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 Craigbait, 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 Holyrudhouse, xvij Januarij, 1627. Fiat ut petitor, for biganis allanderlie and that the supplicant loke the yettes and mak the house fast in tyme coming. (Signed) SANCTANDREWS, I.P.D.”

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 burgeas of Forbes, and that all three of them deforced the officer, having letters of caption against them, and shot hagbute out of the place of Moynes and threw over stanes upon him, the said Robert Dunbar of Burgye has thereupon purchased a commission from their
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Lordships to Lord Lovatt, Sir John Campbell of Caddell, sheriff of Nairn, and Colin Campbell, his depute, James Rutherfurd and Charles Rid, sheriff deputes of Elgin and Forres, and to Alexander Dunbar of Westgrange, the said Robert Dunbar of Burgye himself and Thomas Tulloch of Tannachys, 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 hornis, is wrangouslie direct aganis us, becaus commissionis of this kynd ar onlie usuall to be grantit upoun criminal hornis where the caus of the hornis importis the lyffe of the paitry denunceit, and in no other caise ar commissionis of this kynd grantit; and forder the commisionaris to whom this executioun is intendit to be execute ar verie suspect to haif ony suche auctoritie over us, and they will not faill under cuillour of his Majosteis name to execute thair awne privat revenge aganis us; as namelie the said Robert Dunbar of Burgye, be whose moyen the commission is pursched 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, althoacht to abuse your Lordships he hes insert the Lord Lovatt and shiref of Nairne thairin, ytt he never myndis to imploy ony of thame in executioun thairof but onlie the saidis Alexander Dunbar of Westgrange and Thomas Tulloch of Tannachys, other tua of the commisionaris, who ar bothe his sister sones, and wilbe reddy to prosequete quhatever he will giff in direction unto thame, and sa in this caise thay ar bothe judgeris and paitris unto us. And forder I, oute of my bonnest dispositioun to gif unto all my creditoris satisfacioun, am now in actioun to dispone my wholl landis for geying unto thame payment, and now the course of my upright and bonnest procediungs in this caise is interruptit be this commission to the grite hinder and prejudice of all my creditoris." They crave suspensioun of the commissioun. [On the back] "Apud Halgrudicohuse, penultimo Januarij, 1627. Fiat summomitio ut petitur, to the fyftene day of Merche nexttome, and to suspend and discharge ut infra to the tuentieth day of the said mo nest of Merche, becaus the supplicant is content that the commission 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 tow of Fordyce as haveing gonne thair upoun some occasions concerninge my office and charge foiarsaid and speciallie for ingaddering and collecting of certane restis of the extraordinar taxatioun and for doing of uther gentlemen their particular affairis, and efter the dispatch therof, I being at night betuix sax and sevine of the clok at night ryding agaittwards home to Banff in a sober and quyet maner, accom-
panyit onlie with my boy and one Patrik Mure, burges of Banff, and his servand, and, the said Mr James being lykwyse in the said toun of Fordyce the said day and understanding that I was 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 was 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 slaye 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 wrestit bothe to the ground, the said Mr James in the meane sytyme stille avowin that the said Patrik sould not saiff my lyffe and that he sould draw his sword throw the said Patrik gif he sufferrit 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 Mr James his brether and tuo of his uncles fra whom I had laitlie pairtit in Fordyce and who wer lykwyse coming ryding after us therfra and espying the said Mr James his wicked dispositioun come running all to us and fred us of the said Mr James whome thay with grite difficultie held wrestling on his bak till I went away out of sight and reteirit my self for my saulfie to the place of Durne quhair I stayit all that night. And the said Mr 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 resolucioun aganis me, upoun the morn thairfter, being Sounday and a day of publict fast and humiliation, at his awne paroche kirk of Cullen and a day appoyntit for celebratioun of the holie communion 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 towards Banff of purpois aither 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 slaye [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, gettin knowledge that I wes within the plaice and haweing followit him and told him the same, he aliter his course and come ryding towards the said place of Durne quhair, espying me at his comenig lookeing throw the chalmer window quhair I lay, he alightit from 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, minaessing and revylling speechis provokit me to come furth to him, quhairwith I for the reverence I cary to his Majesteis obediency and peace patiencylie comportit and ksepit my self within the place; and he
remained 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 aihous drinking and blowing tobacco
the whole tyme of the ser modne and celebratioun of the holie com-
mioun, uttering in the meanetyme mony reprotchesfull, injurious and
revylling speechis againis 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 purpos, 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 petitus."

249. Supplication by John Kirkwood, elder in Pincloy, and William 31st March
and Patrick Kirkwood, his sons, as follows:—The Sheriff of Ayr and his
deputes have directed letters charging the suppliantes to find caution to
answer before their court for certain alleged theffes, and intend to
proceed to further execution against them, "and will not fai if thay be
sufferit maist partiallie, sumarlie and unjustlie to convict us, being
altogidder innocent of an sic crymes, albeit thay be awayes incompet-
ent judges and aucht and sauld be dischairgit for the causes
following; in the first, becaus that we nor nane of us ar nawayes giltie
and wer never under suspition of an any poynit of thift in any time
bygane, nather hes the said shireff tryet nor is abill to try an sic
poynit of thift upoun us, and farder there is na pairtie compleines or
that hes just caus to compleene upoun us and to swer the ditty quhilk
of necessitie aucht to be in sic criminnal persuits, sua that it may
evidencit appeir that we ar maist wrongfullie opprest and trubillit be
the said shiriff and his procurator 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 deputis)
may not laufullie had courtis, proessid and cognosc in any criminnal
causis 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 deputis hes na previlege be vertew of his office of shireffship
to sit upoun an criminnal caus nather hes he ony warrand or commis-
sioun grantit to him for that effect; lykas na sic commissioun is gevin
nor can be gifin to any shireff or uther persoun or persouns quhat-
sumevir to haid courtis in any sic criminnal causis except the pairtie
giltie wer tane and apprehendit reihand with the fang and wer committit
toward thairfoir, and that thair wer ane pairtie compleinand, as is not
in this cause, and nevertheless and notwithstanding that the said shireff of his office could not direct any sic preceptis furth againes us and that of the law we were not subject to anser in his courtis and to be censurit be him, yit we, upon simplicitie for obedience of the said pretendent chairge givin to us, we haif fundin George Dunbar of Knockschinok cautioune and souerite for us actit in the said shireff court buikis that we sall compair and underly the law befoir the said shireff and his depuittis for sic poyntis of thist as can be layd to our chairge quhenever [we] salbe requirit upoun xv dayis warning, as the act of cautioune maid thairpoun heirwith product will testifie, and thairfors the said shireff and his depuittis aucht to be dischaigirt of all farder proceeding againes him [sic] in the said mater and the samyn aucht to be remitted to the Justice Generall and his depuittis, being onlie judges competent in sic caisses; and, notwithstanding of the cautioun foirsaid allreadie fund be us, we ar content instantlie to find cautioun actit in the buikis of Adjornall that we sall compair befoir the Justice Generall and his depuittis the thrid day of the next justice air to be haldin within the shireffloime 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 cраve that trial may be had before the judge ordinary, and the shireff and his deputis discharged of all proceeding against them. [On the back] "Apud Halryudhouse, 27 Martii, 1627. Fiat summumtio ut petitur to the day of and to suspend and discharge ut infra to the day of becaus is become cautioun actit in the bookis of adjornall for his compeirance before the Justice quhenever they salbe laufullie chargit. (Signed) GEO. CANCELL*, I.P.D."

1st June 1627. Supplication by John Butter at the mill of Pitlochrie, John Butter, his son, Archibald Butter in Kynaaird, 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, Alexander Robertsoun of Leud, John Rid of Pitnacrie, Adam Rid, his brother, Adam Rid in Eastertyre, Alexander Stewart, son of John Stewart of Talloch, Robert Robertsone of Ballagowland, John Stewart of Balmakellie, William Stewart there, William Fergusson in Ballyeakane, Robert Fergusson of Dunfallandie, Alexander Stewart in Urraltmoir, 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,
Maister of Atholl, under the payne of ane thousand pundis, William Murray, brother to the said John, Maister of Tullibardine, Allesy Robertzoun of Leud, John Rid of Pitnacrie, Adame Rid in Eistertyre, Robert Robertzoun of Ballagowland, John Stewart of Balmakellie, William Ferugseone of Balyekane, Robert Ferugseone of Dunfallandie, and Alaster Urquhart in Urrart, ilkane of thame under the pane of ane thousand merkis, and ilkane of the remanent personis above complenit upoun under the pane of v° merkis.

251. Supplication by John Buttir, elder at the mill of Pitclochrie, 1st June 1627.
John Buttir, younger, his son, John Buttir, son of Archibald Buttir in Kynnsaird, Duncan McClagane there and John McRorie, servitor to the said John Buttir, elder, Donald McRorie, his brother, John Roy Schaw and John Roy McEane, all servitors to the said John Buttir, elder, against John Murray, eldest lawfull son of William, Earl of Tullibardine, summon against John Murray, son "qua, upoun his pretendit maner commounlie styllis himself Johnne, of William, Earl of Maister of Atholl," as follows:—The said John Murray ("for quhat canse or be quhat auctoritie we kaw not"), "usurping the commandement of the hail gentilmen within the boundis of Atholl, convocat and convenit the number of twa hundreth personis or thairby to the effect upoun precogitat malice and evil 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 Johnne Buttir, eldar, at the mylne of Pitclochrie, quhair I have lyin bedraill thir thrie yeiris bygane, and thair invadit and persewit my said duelling hous, violente and perforce brak up the durris thairöff, carret and transport and away tuik with them Johnne McIntagert, servitor to me, the said Johnne Buttir, eldar, to the castell of Blair in Atholl quhair they keipit and detenit him in prisoine in maist miserabe maner be the space of ten days thairfter or thairby, and ay and quhill he wes tryit be ane assyse, that he wes ane honest man and Kingis frie liege but ony imputations; quherupon the said Johnne Murray, styllit Maister of Atholl, having conceavit ane deidlie inmitie and hattret aganis us, complinaries abonenamit, for concurrin and assisting to giddir anent the releif of the said John McIntagert, he thairupoun daylie callis and convenis us to compeir befor him in his birlae courtis haldin without ony autoritie be himsell as beith judge and pairtie and for allegit noch compeirisance, unlawis us at his pleasour, quherthrow we ar so havelie damnesfit 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 exeume 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] "Aput Halgrudhouse, primo Junij, 1627. Fiat ut petitur. (Signed) GEO. CANCELL, I.P.D."
252. Supplication by Sir Richard Cockburne of Clerkington, Lord Privy Seal, Sir Andrew Hammiltoun of Ridhouse, Hepburn of Waughtoun, Hamilton of Innerweik, Hamilton of Prestoun, Sir William Seytoun, Sir Patrick Murray of Elibank, Sir John Hone of Northberwick, John Auchenmowtie of Goeurd, Sir John Hamiltoun of Trabrown, 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 sheriffdom, "who, with the rest of the commissioneris for the shyris, might advye and consult together upon the best and readdiest way how his Majesteis gracios intention among that heritour sal halfe a right of their awne teynd might be accomplished and mak and propose overtours thairanent and represent the same to his Majesteis commissioneris appointed to that effect; and wee, hooping to halfe bene admitted for our interesse and that wee should haif had voit and presence in the election of the saidis commissioneris, notwithstanding it is of treuth that the shireff, finding that he could not compass his intent if wee should assist at the election, he declared that he had no warrant to convene us bot only suche as he had written in to particuler and who wer的兴趣ed in their teynds and that if wee wald remove he wald proceid to the election of the commissioneris, otherwyses not. And wee, having urgt the shireff to produce his Majesteis proclamation whilk wes the warrant of our meeting and wald clear his mistakingsis, he assuered that he had nocht the proclamationoun nor na other warrant for our meeting. Quheroupoun wee having risin and so mony of us as ar justicis of peace having mett toghter upoun the executiooun of that commissioun direct be your Lordships to us for tryall taking of the number of vagabondis and ydle persons within everie paroche, nowayes expecting that the shireff wald haif slighted and mis-knownwe us in a mater of this kynd quher our interesse is so important, yitt, as wee ar informed, the shireff, after the haill meeting had dissolved, reassembled suche particular personis as he pleased and with their concurrence maid choise of tua commissioneris without acquenting us with their proceedingis thairin, quherin, as the shireff hes verie far wronged and vilipendit us, so he hes maist a informall and unlauchfull election contrair to the warrant and directionoun of the said proclamationoun." They crave summons against the sheriff, his nomination of commissioneris 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 joynye with thame bye our best advise and opinion in such things as concernis our estate and the securing thairof."

[On the back] "Apud Holyrudhouse, primo Junij, 1627. Fiat ut petitur to Twisday nixt. (Signed) GEO. CANCELLER, I.P.D."
infeft by former sovereigns in the said burgh and pertinents with mures and mosse 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 said moss (if he ony hes) be ordour of law and resolving by way of bangisterie and oppression to debar and sequld us thairfra, the said Earle, accompanyit with Symeoun, Lord Lovatt, and Hew, Maister of Lovatt, convocat and assemblit together to the number of hundreth persons, all bodin in fear of warre, and with this unseamlie convocation thay come upon the xxij day of May last to the moss fairsaid quher, finding a number of poore and naikd people winning peates for their avne use and the service of the town, thy threatnit upbraidit thame with mony injurious and minassing wordis, the said Earle boasting to burne our town with these peittis and terming the magistratis thairof 'lownes, lowsie knaves, villanous and deboshed doggis,' and that he sould not onlie debar thame from the moss, but bereave thame of thair lyves, and with that thay ppt violent bandis in the workemen, rept their spades from thame, cuttit all the peittis and kaist thame in the pottis and, nocht content therewith, the said Earle hes gevin ordour and appointed ane Johne 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 inconvenience to the breach of the peace, oure town nocht being able to subsist without the benefite of the moss, and the Earle being resolved to debar and sequld 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 Halyruthhouse, primo Junii, 1627. Fiat ut petitur, for the first part of the desyre. (Signed) Geo. Cancellr, I.P.D."

254. Supplication by . . . Betoun, as follows:—He gave com-
misson 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 Baquhaddie, 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 full obligation. [On the back] "Apud Edinburgh, secundo Junii, 1627. Fiat ut petitur."

255. Supplication by Robert Lauder of that Ilk, William Lawder, 2nd June 1627. his brother, Gilbert Lauder of Quhitialed, William Lauder, his Supplication by Robert
4th June 1627.

Suppliation by Mr Alexander Lindsay, ensign ["ensenzie "] to Alexander, Lord Spynie, as follows:—On 16th April last he delivered to George Fleyning, 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 bailie in suretie till the occasion of his transport for his imbarqueing had offerit so that he might have bene imployed in the warres," but Andrew Yong in Kilconquhar, John Young there, John Irleland there, and Andrew Robertseun 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.

Suppliation by Andrew Scott in Braidedowis, son of William Scott in Falshope, 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 there, John Hislop there, John Curror in Huttrelburne, William Manthill there, and James Loryner there, have cut a great many of the growing trees in his wood of Falsihoip 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 further proceedings is content to accept their declaration on oath. [On the back] "Apud Edinburgh, quarto Junii, 1627. Fiat ut petitur."
258. Supplication by Sir William Oliphant of Newtown, knight, and Mr Thomas Hoip of Craighall, King’s Advocates, for his Majesty’s interest, as follows:—Contrary to the laws prohibiting the carrying of hagbutts and pistolets, James Naismith of Posso, Thomas Naismith, his natural son, John Elphinstoun of Henderstoun, William Elphinstoun, his son, Walter Scott called of Halmaner, Samuel Cokburne of Henderland, Francis Cokburne there, John Cokburne there, Richard Cokburne there, Alexander Tuedie in Olipher, continually pass to and fro in all parts of the country whither there business carries them, “using the same alsewell for their recreatouen and pastyme as for their privat revenge aganis suche of his Majesteis goode subjectis as they beare quarrell 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 petitor.

259. Supplication by Sir William Oliphant of Newtown, knight, and Mr Thomas Hoip of Craighall, King’s Advocates, for his Majesty’s interest, and John Lindsay of Bonshaw, as follows:—Although the bearing and wearing of hagbutts is prohibited, yet on April some of his servants and soldiers, having received in his name Hew Maxwell of Teilling’s servant, called Alexander Goothrie, to serve as a soldier in his company under the King of Denmark, the said Alexander was coming in company with them to , where the supplicant had a number of other soldiers, when Alexander Guithrie, younger of Kincaldrum, William Guthrie, his brother, Alexander Guthrie of Gagie, and six or seven other persons, their accomplices, “all bodin in feir of weir, with swordis, bandit stalffis, gantlettsis and utheris wapponis invasive and with hagbuittis and pistollecis prohibite to be worne, as said is, followit my saidis servandis and sojournis the space of thrie mylls or thaireby and haweing overtane thame thay presentit thair gwnis, pistoolis and utheris wapponis foresaidis to thame threatning to bereave thame of their lyves and violentlie ref and tooke bak with thame the said Alexander Guithrie.” They crave production and redelivery of the said Alexander. (Signed) “S. W. OLIPHANT; S. THOMAS HOP.” [On the back] “Apud Halyruddhous, quinto Junii, 1627. Fiat ut petitor.”

260. Supplication by Captain Francis Cokburne and David Logane, 7th June 1627, his ensign, as follows:—The said David agreed with Cristopher Young, in Halybutoun to levy six men for service under the said Captain in the wars, who found Cristopher Thomson in Grinlaw Deane as his cautioner for performing the agreement and received a dollar from the ensign in part payment, but neither the said Cristopher nor his cautioner will deliver the said six men to them. Likewise Mairtene Logie, son of James Logie, agent in Edinburgh, enrolled himself as a soldier under the said Captain and was for a long time in his pay, but now his father
withholds him and he is "keipit in some quyet place nor can I get knowledge quhair he is." Also, in April last some of the Captain's servents by his direction went to Edmestoun to bring Patrick Dickson, one of his hired soldiers, "to this burgh," but sometime bailie of Edmestoun, with some accomplices delivered the said Patrick from their hands and forbade them to meddle with him, "declaring he wald be comptabbill 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 Edinburg, septimo Junii, 1627. Fiat ut petitur."

7th June 1627. 261. Supplication by Mr John Houstoun, ensign to Captain Hammiltoun, as follows:—On 4th May last, according to their Lordships' 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 interteament" as were in their town, that they might be employed in the wars, whereupon they, "for a culloured show of obedience, declarit that ane James Drummond was of that qualitie and accordinglie did demonstrat him to me, willing me to apprehend and tak him and assureing me of their 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, jakes, steilbonnetis, bandit and long stafis and utheris waponis invasive come to me, sett most feirselie 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 blastraikis on the head and sundrie utheris paitis 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 persons thair present for the tyme rescued and convoyt in to the house of ; and the saidis persons, not content heirwith, they come all to the said house and preast by violence to have come in upon me, threatning and avoving to sett the house in fyre and to burne me and all that wes within the same gif thay had not bene staitit be some gentlemen that came thair for the tyme." He craves summons against them. [On the back "Apud Edinburg, septimo Junij, 1627. Fiat ut petitur."

8th June 1627. 262. Supplication by the provost, bailies, council, community and inhabitants of the burgh of Innermes, and Alexander Baillie and James
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 conceives us before him in his justice courtis keep't be him at Elgin, being xxx myllis fra our town, to underly the law for allegeit intercommoning with the Clanchattan, he produceis witnesses aganis us in his criminal courtis aganis the ordour of the justiciarie, and thir witnesses ar the speciall rebellis aganis whom he had quarrell, he accuseis us crimannisle, being bothe judge and pairtye, he convictis and imposeis extraordinair fynes upon 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 persones who wer upon our assise, the witnesses produceit aganis us and all the memberis of his court ar his awne creaturis directit and led be him to his awn humour; and althocht upon our petition formerlie gevin in to your Lordships it pleased your Lordships to gif us letters aganis the said Earle for exhibitioon of us, the saidis Alexander Baillie [and James Cuthbert (deleted)], befoir your Lordships, and whereas lykewayes we haif chargeit him to compeir befoir your Lordships, and befoir the Commissioneris for the Greivanceis to answer alweill upon the pointis of his pretendit commissioun as upon the wrongis and insolenceis committit be him upon 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 actionis aganis him. And seeing we ar willing to finde caution for our personall compeirance befoir your Lordships upon the said xij of July nixt instant under als grite soumes as your Lordships pleis modifie," they crave letters charging the said Earl to liberate them; and as the 28th instant is appointed for their comparison before the Commission for the Grievances, they desire their Lordships to "foirsee that a competent number of that Commission be present the said day." [On the back] Apud Halirudhous, octavo Junij, 1621. Fiat ut petitur, because the complenaris hes found caution to the effect within writtin (Signed) GEO. CANCELLR, I.P.D."

263. Supplication by Alexander McEane Abrich, alias McDonall of 8th June 1627. Glencoane and Archibald M'Challome in Inchercharmen, as follows:— Supplication by Archibald M'Callum in Invercharmen for summons against Duncan Glencoane, but on serving the precept, the said Duncan, "maligning that" the said Archibald "durst come and use such a warneing against Appin, for assail.
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durst be so peart as to come thair on suche ane earand to him bot also Miscellaneous Papers.

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 McCoil, 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 scorrigit me to the effusion 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.”

8th June 1627. 264. Supplication by James, Earl of Home, and Sir William Oliphant of Newton, 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 Quhysteauach, 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 debarre and seclud me fra my saidis landis and to appropriat the same to himsell.” And for this effect, in the moneth of May last, quhenas George Currour, lait tennent of my saidis landis, was removed from the same and that he haid left the dwelling and housses thairpoun 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 soisaid, convocat and assemblit togidder the personis underwrittin, Robert Scott of Eidsawh, younger, Walter and James Scottis, his breether, John Scott of Kirkhousses, Walter Scott, elder of Huntlie, and Adame Langlandis in with utheris thair complicies and with convocatioun of his Majesteis liegis to the number of personis, all in armes, with hagbutitis and pistolettis, and with thame he come to the saidis landis of Hartwoodburne and thair enterit after a lawles maner within my houses being thairpoun and sua possest thame selfis thairwith, hes furneist the same with victuallis, armour, gwnis and hagbutitis and still remanis thairintill as yitt keipin the same as a house of warre, intending to debar all that sall come thair in my name from 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. 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 taxatium of the lordship of Dryburgh granted in 1621, to David Plumber in Lasudden
the greater part thereof but will not make account to him, and applies to be ordered to make an account of 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 Tracquair, Sir John Murray of Phillophangh, Sir Archibald Murray of Darnhall, Sir Patrick Murray of Elibank, James Steuart of Horsburgh, Sir John Hamilton of Skirling, and William Vetche 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 the 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 bussyness, who wald rather acquent thame thairwith nor with the dyetis appointit nor yitt crave thair advise and opinion in the choise and nomenation of the saidis commissioneris,” 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 proclamation being publisht in mony pairtis of the kinidome, quhairby your Lordships declarit that all heretouris and freehalderis who had interesse in the teyndis to buy and sell sould be admitit to be present and to voit at the said electiouin and that nane sould be debarrit nor secludit thairfra, and we, lookeing that this course so wyjilie forseen and prescryved be your Lordships sould haift bene precieslie kept in the electiouin of the commissionaris for the shirfdom of Peblis, notwithstanding it [is] of treuth that the said electiouin hes bene very factiouslie, tumultuualie and inordurlie maid without the consent or voites of the special freehalderis and heretouris within the said shirfdom; for Hay of Smeithfeild, who was nomint convenair for that shirfdom, in stead of convening of the freehalderis and heretouris within the same, broght with him a number of rebellis for criminaill causses and many disobedient personis to law and justice, armed with hacquebutis and pistollettis, be whose voices he overreul that meeting and did and undid quhat be pleasit, threatening suche with deathe and other violence whose voices wer not answerable to his humour, sua that mony who wer convenit and wer reddy in calmnss to haift contributit their best helpis and advise to the electiouin wer constrainyd to ryse and go away; lykewise he himself tooke upoun him without spering the voices of the meeting, the lyteing of suche as haift haift to be chosin, and he as commisioner gaft the first voit and his sone, as freehaldaire of the landis of Smeith-
feild, secundit him. The voites of a number that convenit wer forced and by constraint. And quhenas the proclamatioun, whilk wes the warrand of the meeting, wes desyrit to be produceit, 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 accordinglie he then, triumphing as it wer of the victorye, causit schoit a voley of xxx or xi pistollletis, 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.”

267. Supplication by Alexander, Master of Forbes, as follows:—There being a controversy between Mr James Forbes of Haughtoun and William Garioache in Pittinterie anent some dry multures and mill duties of the crop 1625, which they sumit to John Forbes of Leslie and Sir Thomas Burnett of Leys 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 Garioach 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 truistfully, but, as soon as he received it, “he raive the same in peeces and in violage and derisioun gaff me, the said William Garioach, his subscripitioun, with the whilk effront and disgrace I comporteit, seing the said Sir Thomas wes in my awne house and I wes loathe to violent the laws of hospitatilitie.” He craves summons against him. [On the back] “Apud Edinburgh, nono Junij, 1627. Fiat ut petitur.”

268. Supplication by Sir William Oliphant of Newton, knight, and Mr Thomas Hoip of Craighall, King’s Advocates, for his Majesty’s interest, and Arthur Hammilltoun, son of Robert Hammilltoun in Minretoun, as follows:—On 6th July instant he was in the house of John Mathie, gardener in Cambusneathan, doing his business in sober manner, when John Somervell 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
the bystanders had not relieved him. Further, on 8th instant, "being
Sunday," he lay in wait for him at the Nether ton of Cambus nethen
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
dwelling house nor repair in the countrie for doing of my lawfull
affairs for feir of my lyffe." (Signed) "S. W. OLIPHANT; S. THOMAS
 delet ut petitur."

269. Supplication by Sir William Oliphant of Newton, knight, and 385
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 hag-
butts 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 mose pertaining to the lands of Milbuy,
called the Rowdoun, 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 Davidsone
there, James Paull there, John and James Mc Kai there, Thomas Paull
there, and others, with convocation of the lieges in arms, "all bodin in
feir of weir, with swordis, longstalffis, 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 Alex-
ander's manor place of Fornat, and on the refusal of the said William
Croves, the said Sir Alexander, "with a grite bataun quhilik he haid in
his hand, sset feircelie upon the poore harmesel man and most cuellic
strak and feld him to the ground to the effusion of his bloode in grite
quantite, thairefter ran upon him with his feitt and so bruisit his
haill bodie and bowalls within him that he lay as dead the speace of
, and then the said Sir Alexander, assisted with his saidis
complices, after a violent maner callit away my horse with my paettis
agaitwards towards his place fairsaid. Quhairof information being maid
to me and I, havinge come in a sober maner to have sene quhat the
matter menit, the said Sir Alexander and his saidis complices no sooner
saw me approteche neir unto thame bot thay come all most furiouslie
running upon me with bendit gwnis and drawne swordis and utheris
wapponis in thair handis threatnning and avowing to bereave me of my
lyffe gif I prest to touche any of my saidis horsse and paettis," and
would have slain him if some neighbours and country people, hearing

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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. OLPHANT; S. THOMAS HOP."

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 [ ] Irwin, 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 Milnebwy, son who is always disobedient to law and justice, resolving to take his advantage of the minoritie of the said umquhile M't Robertis bairnis, hes violentlie intruised himself in the possession of the said mosses and hes cassin a gret number of peittis thairin; and, information being gevin to me that he intendit with the like violence to leade the peittis, I resold (syed) 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 peacle and quiet maner to the said mosses to haif maid ane civile interruption, whairof advertisment being gevin to the said William, he immediatlie convocat and assembled togidder the personis particularie underwrittin, they ar to say:—Alexander Tayne in Milbowy, Johnne Gray thair, Andro Fraser thair, M't George Leslie at Birskokismilne, Michael Fraser in Meikle Clintertie, Patrik Fraser thair, William Croufie in Milbwy, William Troup thair, William Blakhall in Achrone, Alexander M'Kie at the milne of Toftthillia, Andro Andersone in Kintoir, William Messor in Achrone, Johne Leslie, notar, Alexander Touche in Tartowie, Thomas Davidsone thair, Walter Cheyne in Tillibwy, Johne Tailleyoure in Milbwy, Gilbert Ronaldsone in Wairdheid of Achquhirther, and Robert Keythe in Leyludge, with convocation of his Majestis leges to the number of xxx persons, who ar all for the most part disobedient, insolent personis and contemplaris of law, justice, ordour and government, and, with this unlawfull convocation, boidin with hacquebutts, pistollis, speiris, swordis, steilbonnettis and utheris waponis invasive, they come in a tumultous maner on horse and foote towards the said mosses, and how soone thay persaved me thay bendit thair gwnes and drew thair swordis, threatening and avowing with many fearfull and execrable oaths 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 the providence of God sho misgaif, and, sua yelding to necessitie, I was forced to retire. And besides this effront done to me the personis foirsaidis daylie bearis and wearis hacquebutts and pistonettis, rydis and gangis thairwith in all pairtis of
271. Supplication by Dame Annas Lindsay, spouse to Sir Alexander Falconer of Halkertoun, knight, as follows:—Their Lordships, by a decree 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 decree the said Sir Alexander found Alexander Guithrie, far 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 decree.


272. Supplication by Alexander Baillie of Dunsane (sic), burgess of Inverness, as follows:—James, Earl of Murray, having a pretended commis
dion to try ressetters 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 sus-
pended 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, "produce witnesses againis me contrar to the usual forme of the justiciarie, and thir witnesses wer the speciall lymmaris of the Clanchattane againis whom he had the speciall quarrell and with whom he is now reconciled, hes ressaived and acknowledged the thame as his tennentis and servandis and so thay wer verie suspect witnesses." And also, the crime alleged against him was a naiked intercommouning; if ony sic intercommouning wes, it wes lang afoir the proclamation 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 exhibitie me before 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 Haltrudehouse, xiiij Junii, 1627. Fiat summoneitio ut petitur to the day of and to suspend and discharge ut infra. (Signed) Geo. Cancell*, I.P.D."
273. Supplication by Sir William Oliphant of Newton and Mr Miscellaneous Papers.

Supplication by Sir William Oliphant of Newton and the magistrates of Inverness for summons against William and John M’Intosh and others, who, at the instigation of the Earl of Murray, have invaded a moss belonging to the said burgh, and have been guilty of assault.

See ante, p. 376.

274. Supplication by Mr John McKenzie, archdeacon of Ross, in similar terms to that of Alexander Baillie of Dunane given above, but his compeareance in the tolbooth of Elgin was on 9th June instant, and his fine 2000 marks. 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.

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, “having scairs to find ourselfis but was forcit to hyre our horses and for everie day we stay heir we most pay vja. 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 homecoming.” [On the back] “Apid Halyrudhous, xixij Junij, 1627. Modified to every one of the supplicants four merkis of expense. (Signed) GEO. CANCELL, I.P.D.”

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 Thrialo, Thomas Gregour in the South Ferry of Dundee, Andrew Halyburton, brother german to James Halyburton of Bittergask, 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, and James Wodderburne there, Walter Smythe there, John Mar, wright there, Alexander Boucher there, Thomas Smythe there, William Moresone there, William Rudderfurde there, William Spence in Bruntellane, and James Wenton in Newbruche, John Flures in Andrew Croll in , David Hendersone in , James Orroke in , Gilbert Mitchell in , William Durhame, younger of Grang, Mr. William Murray in Ardowney, William Guthrie, lawful son of David Guthrie of that Ilk, and Andrew Melwill, servant to Andrew Caldwellia, gardener of the South yard of Holyroodhouse, yet these persons have absented themselves and abandoned his service. “Lykaes a number of utheris of my hyred sojournis underwrittin ar most wrongouslie and violentlie withhaldin and detenite from me be the personis following, who kepis 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 kepis and detenis Thomas Syme, sojourn to me; Alexander Maxwell in Forfar kepis and detenis ane other of his sojournis, namit John Balfour; Sir John Scrynegeour, Constable of Dundie, detenis Archibald Campbell and Piter Peibillis, sojournis; Colin Campbell of Denhead detenis Robert Alexander; Laurence
Anderson at the milne of Newtyle detenise ane James Tyrie; David Ogilvie of Glaswall detenise ane Johnne Hutchene; John Brae of Mar detenise 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 Langleysis detenis Johnne Thome yownger; M' William Murray of Ardunie detenis Donald Robertse; M' James Halyburtoun detenis Thomas Gibboun; James Henderson in detenis David Pattoun; David Rattray, Laird of Craithall, detenis John Blair; William Blair of Bagillo detenis Laurence Irland and Thomas Oistlar fra me; Alexander Smythe, customer at Dundie, detenis James Martene, his servand; M' James Drummond, minister at Kinloche, detenis John Lawis; Piter Balmano in Dundie detenis Andro Ogilvie; Robert Rollok in Watterstoun detenis one David Pherne, quhairby the foirsaidis persones dois quhat in [thame] lyis to croce and hender the service foresaid so heichlie concerning his Majestie in honour and credit, to his gryte office and contempt of his Hienes auctoritie and evill exempill of utheris to doe the lyke, without remeid be provydt." He therefore craves letters for charging all the persons foresaid and those who detain them to compair that they may fulfill their engagement and service.


277. Supplication by Patrik Troup, lieutenant to Captain Adam Gordou, 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.


278. Supplication by John Alane in Shedleston, as follows:—

On May last he entered the house of Robert Miller, maltman, burgess of Glasgow, for receiving from James Gilhagie in Kendishill 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 delvyverit to me and I thairpoun having takin furth the said James his band of purpos to have delvyverit the same to him afoir I haid putt up the money, and su, the band and money being bothe lying togidder on the board, the said James in the meanytime most unhonnestlie and after a violent and lawles maner, notwithstanding of the law-borrowes standing betuix him and me, first pullit up the obligation foresaid afoir the delvyverie thereof to him and nixt seased upoun the said ij°
279. Supplication by Sir William Oliphant of Newtown and Mr 19th June 1627.

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 pistoletis, swordis, secreittis, plaitesleivis, longstalffis and utheris wapponis invasive, came be way of hamesucin under cloode and silence about midnight to myne the said Johnne Drysdaillis dwelling house in Edmestoun, quhair I and my famelie were all in our beddis takand the nightis rest under his Majesteis protectioun and peace, and their violentie brak up the utter dores of my said house and, becaus they could not wine in within the house quhair I lay, they enterit-to tirr of the thack thairof of purpois to have wine in throw the rooffe uppon him [sic], crying in the meanetyme unto me to randir my self or utherways they avowit to sett the house in fyre abone my head; and they still insisted in this thair violence and insolenci notwithstanding of my mony and often cryes for mercie, till the nightbouris of the toun heirin my schootis come and releived me. Lykis, uppon the fyftene day of this instant, I, the said Mr James, being ryding furth of this burgh agaitwards hame to my awne house of Edmestoun in a peceable maner, accompanyit onlie with my servand, expecting nothing les than any violence or injurie sould have bene offerrit or done to me be ony persone or persons, it is of treuth that the said Patrik Edmestoun of Wolmett, being lykewyse ryding furth of this burgh for the tyme and knawing that I wes ridin afor him, and he haveing a deadlie heatrent and malice in his hert aganis me, and making choise of that time to execute the same upoun me and to have my lyffe, he for this effect accompanyit with all bodin with pistoletis, 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 await for me be way of hamesucin at my awne yaird nooke of Edmestoun ane certane speace, and as I approched 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 pistolett and presentit the same to me of purpois to have schoitt and slayne me thairwith wer not be the providence of God I alghtit frome my horse and patt my horse betruix him and me, and he, not content heirwith, past about thrie or four tymes with the bend pistolett in his hand seiking a schoit of me, bot I evir guardit me with my horse, as said is, sau that in end, fearing my servandis sould have come furth of my house, he with his saidis
complices raid away.” They crave a summons against him and his accomplices. (Signed)”S. W. OLPHANT; S. HOR.” [On the back] “Supplication by Sir William Olishant of Newtown, knight, and Mr Thomas Hoip of Craighall, King’s Advocates, for his Majesty’s interest, and by Andrew Guitrie in Finmarak and Patrick Guithrie, his son, as follows:—Against the laws forbidding the wearing of bagbuts and pistolets, on April last George Hunter, Alexander Scott and Ianye, soldiers to Captain John Lindsay of Bonsaw, accompanied with others of his soldiers, and all at his direction, “boidin in feir of weir, with gwnis, pistolletis, swordis, stalfis, batonis and utheris waponis invasive, come under cloode and silence of night about tuo of the clock in the morneing to myne the said Andro Guithries dwelling house in the Cottoun of Finmarak, quhair I and my famelie wer all in our bedis takand the nightis rest under our soveraine lord his protectioun and peace, expecting harme of no man, and their violentie 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, qhilk in the meane tymey that most malitiouslie brak and dang doun with certane uther of my houshald gear and plenissing, and thairefter carryied me with thame the space of from my house of purpois, as thay pretendit, to have tane me to the warehouset of Forfar, althocht I wes his Majesteis frie liege, haweing committit no cryme nor offence, nor thay being oled [with] no laufull power nor auctoritie againis me. And, I refusing willinglie to go with thame, thay, after a most cuell and unmercifull maner, strak, dang and hurt me in sindrie paits of my bodie and thair left me for dead. And, not being content thairwith, thay thairefter come to the place of Finnerak quhair I, the said Patrik Guithrie, wes also lying in my bed, expecting harme of no man, and thair violentie brak 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 strai kin and dang me, commandeing me to go with thame; and I haweing putt on my clothis, thay violentie pullit of my coit, tooke my bonnet af my head, and with grite coards coft be chance in Forfar the night before for the purpois thay band and fetterrit me as gif I had bene a thieff and malefactour; thairefter thay perforce carryed me with thame from Finnerak the space of a myll, contenowlie styrring, danging and abusing me, threatnitting and avowing with mony horribill cacthes to putt me in the thieffis hoill of Forfar thair to be used as thair slave, notwithstanding I wes his Majesteis frie leige, ansuerable and obeydient to the lawis, and thay haweing no warrand nor power to tak me; and gif by the providence of God some weill disposit personis had not come and dissawadit thame from meddylng any foder with me, thay had not failit to have gone fordwart in their wicked purpois aganis me. Lykeas the
sawd Captaine John Lindsay and remanent personis foirsaidis daylie and contenowalle beares hagbuititis and pistollettis, rydis and gangis thairwith in all pairtis of the countrie quhair thair adois drawis thame, useing the same as a terroul to all these whom thay wald have commandment over." They crave summons against tham. [Signed] "S. W. Oliphant; S. Thomas Hop." [On the back] "Aput Edinbugh, xxw Junij, 1627. Fiat ut petitur."

281. Supplication by John Woode of Geillistoun and Patrick Glen, 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 feircellie upoun me with a corne fork and thairwith most cruellie strak, hurt and woundit me in the head andutheris pairtis of my bodie to the effusion 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 Woode's servants, as they were leading his elding from his lands of Muldooving and Darleisch home to his lands of Geillistoun 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, but also biggit up a dyk 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 Muldooving home to the lands of Geillistoun, "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 Muldooving with some horses and sleds to bring home his elding and fuel, the said John Napier pulled the staff out of the lands 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 was by this his bangstrie and malitious procedidour disapoyntit of my elding and winter provision of fyre, the same throw that occasioun being pairtli reft and stollin be the countrie people about and pairtli spoyld 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 hye way and passage foirsaid beysyd my servandis, who wer leading my elding from my saidis landis of Muldooving hame to Geillitoun 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 feircellie 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 pressing of me with his kneis so crushed and bruisit my haill bodie and bowellis
within me that I have scarce bene able to travell sensyne." He

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xxij Junij, 1627. Fiat ut petitur.

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 Orbleis-toun, John Simpsoon in the Inse, Mr John Mershell, minister at Dundureus, William Mitchell in Urtane, George Milne in Gerbeitie, 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 Rothes, Leonard Leslie, son to the deceased Mr Leonard Leslie, parson of Rothes, Alexander Leslie, now in Airdeany, John McCagie at the Boit of Fiddach, McCagie his son, Alexander Dunbar of Kilboyak, Walter Innes of Auchluncart, Thomas Yewine in Daginche, Alexander Grant of Lycarie, Alexander Grant of Tulloch, James Grant in Inerrwrie, 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 Holyrudhous, xxij Junij, 1627. Fiat ut petitur, under the pane of fyve hundredth merkis latties quoties. (Signed) GEO: CANCELL*, I.P.D."

283. Supplication by the moderator and brethren of the Prebytery of Lochmaben, as follows:—Having cited before them John Maxwell of Castlemilk for committing adultery with Jonet Chalmers, spouse to John Park, and for fornication with Jean Irving, and "for discharging his hail tennents of Castlemilk to repair to the preaching for hearing of the word," he refused to comppear, wherefore they proceeded against him with the ordinary censures of the church, "and after all the usual admonishions gevin unto him and publicit prayeris maid to God for reclaiming of him from his obstinacie and contempt, and the proces of oure proceedingis being seene and allowed be the Archibishop of Glasgow, oure ordinair, in and upon the 27 of May last, he was lauch-fullie 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-
284. Supplication by Johnestoun of that Ilk, and John Byres, his tenant of the mill of ____________, as follows:—Several years ago he sustained much oppression from Fergus Grahame of Blawatoode, who not only intruded in the possession of the complainer’s lands and struck and wounded his servants and tenants but intermeddled with their goods and gear, and now on June instant he came under silence of night “and by maisterfull reaf hauing medlitt with certane of myn te and the said John Byres my tenentis goodis quhilkis he violentlie tooke away and kepis as yit, and I the said John having prist to have rescued the saidis goodis the said Fergus, with a draiwne sword shamefullie and unmercifullie invadit and perswitt me of my lyffe, gaif me a cruel straik and wound in the arme and hurt and wounddit me deildie in sindrie utheris pairtis of my bodie to the effusion 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, xxivij Junij, 1672. Fiat ut petitur.”

285. Supplication by Robert Ker, town clerk of Lynlythqw, as 23rd June follows:—On 22nd June instant, being in his own house not expecting harm, Cornuall of Bonhard came to his house and sent up his man desiring the supplicant to come down and speak with him, “and,
he being a gentleman with whome I stode in goode termes of freindship and fra whome I expectit no evil, I come simple down to him without any cloke ar any wapone and had not so mutehe as ane pen knyffe upoun me, and, finding him walking in my yard with his brother, I saluted him vere respectively and enterit in familiar discourse with him, and then he began to questioun me anent some writitis and in special anent ane contract past betuix the town of Lynlythqw and him, whilk wess admittit to my trust and keeping and wherof he desirit me to mak delyverie to him. And I, hauing with resson refusit 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 evil example, to persew ane clerk who is a publict persone, at his awne house for not delyverie of writritis committit to his truste quheranent yf exemplare ordour be not tane, mony inconveniciens may fall out to the hurt of mony leiges of the kingdom.” He craves summons against him. [On the back] “Apud Edinburgh, xxvij Junij, 1627. Fiat ut petitur.”

29th June 1627.
Supplication by Alexander Innes of Inchbeirrie, as follows:—[Notwithstanding the laws against wearing firearms] John Dunbreak of Urtoun, “having one vehement and earnest desyre to acquyre 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 entruist with the cutting thereof having come to do so, “the said John Dunbreak, upoun advertisement maid thairof to him, he convocat and assemblit togidder the number of lyx of men armed with swords, lANCES, stalffis and utheris waponis invasive and darneit thame selfsis 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 nember 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 absencth thameselfsis and my complent being cleirlie verifeit and provine and thay for that caus being denunceit rebellis, it fell out that within a schort quhyll therefter fyre wes sett to my barneayrd and a stack of corne consoomed and brunt to asses. And scoertheil thereafter, as namelie in the moneth of Robert Peedie, servitor to Thomas Grant in , of the speciall causin, command and direction of the said John Dunbreck of Urtoun, come to my house and be way of stouthraff reft and away tooke my best horse whilk 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

1 The clauses relative to these are deleted.
affairs in the sessioun, the said Thomas Grant, Robert Peedie, with utheris of the command and direction of the said Johne Dunbreak, come to my byres and be way of stouthreaff toke furthe therof aucht oxen; for the quhilkis thay being calleit to their anser befor his Majestis Justice and takand the cryme upoun thame, thay wer declarit fugitives and denunceit rebellis, and after thaire denunciatiou, as namelie in the moneth of May last, thir rebellis with diverse utheris of the causing, command and direction of the said Johnne Dunbreak of Urtoun, come to my tennentis who wer teilling my ground and threatnit my plewmens to louse their plewis upoun the perrell of thaire lyves, saying thay behoved to leve upoun me so long as thay wer rebellis and that I haid any gear. And sua I, persaving that I could nowayes procure his Majestis peace of thame nor leive under his Majestis protectiou and saulfguard, I raised letters of captioun for apprehending of thir rebellis, wherof thay being adverteist, thay reteirit thame selffis to the said Thomas Grantis hous, quhair thay wer ressett and keipit sua that the officer imploied in the executioun of the captioun could not apprehend thame. Lykes the said Johne Dunbreak, heiring that I intendit to execute the letters of captioun, he, accompanyit with aucht men, boindin with swordis, bowis and targis, followit me and the messenger and rancountering the messenger in the way thay threatnitt 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 yt thay come thair the mornie it sould coist thame thair lyves. And upoun the mornie, being the day of, the said Johne Dunbreak and Thomas Grant, accompanyit with the rebellis and with convocation of lx of men, all in armes, with unlawfull wapponis, come to that same place quhair thay threatnitt the messenger, sent two of thaire 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 cominge; bot I, out of my reverence and respect to his Majestis obeydence, gaif way to thaire folloyes, and not being able to brook my rowme I sett the same and dispoit my cornis to Mr Walter Smith, minister. Lykes the said Johne Dunbreak and the rebellis threatnitt the minister gif he haid any dealling with me, shawing him thay behoved to leve 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 space of purpoise to have tane my lyffe." He craves summons against them. [On the back] "Apud Edinburgh, ivii Junij, 1627 Fiat ut petitor."

287. Supplication by William Purves, merchant burgess of Selkirk. 25th June 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...
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 Holyroodhouse, 25 Junij, 1627. Fiat ut petitur to the tent day of July nitcocomme and to suspend and discharge ut infra quhill the sixtene day of the said moneth of July becaus the compleiner hes consigned the sowme abonewritten."

288. Supplication by Robert, Earl of Nithisdaill, 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 should have bene cairefull for keipin of thame aboard that none of thame should have eschipit, to have ever haid the half of his maryneris at the least aboard with thaim, yet, notwithstanding ather by his neglect in this pouyt or by his connavance and assistance of the few maryneris he had aboard in his schip, thair went out of the said schip upoun the day of Junij instant under cloude of night about thrletic of our saidis sojourns in the shippis boat and sua hes eschewit and run away. Lykewise, upoun the day of Junij instant, the said David craved leave from me, the said Erll of Nithisdaill, 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 promeis to be answerrabill both for his schip and sojourns in that raide in regard (as he pretendit) he dwelt both himself in the tou and his freindis and cumpany of maryneris wer all thair, I was in end moved to yeild to his desyre, bot he in the meantsyme most undewitfullie 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 sojourns in girtie fear and dreadour of thair lyves and broght thame all aschoir in Kirkcaldie and, now being full handit with his fraught foirsaid, he uses all soirt of delays and postposes to go the sea under cullour of wanting some forder acknowledgement for his fraught, quhairas in ressons he can not justlie crave a penny frome us and sua hes done quhat in him lysis to hinder the service foirsaid to our grote hurt and inconvenient without remeild be provydit." They crave summons against him. [On the back] "Apud Edinburgh, acc Junij, 1627. Fiat ut petitur."

289. Summons at the instance of Thomas, Earl of Melrose, Lord Byiris and Byuning, Secretary, against Christian Paterson, widow of Mr John Knox, late minister at the kirk of Melrose, on the first part,
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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 Paterson, “as for hir awin dew to be payit to the relictis of ministeris quhoo servit the cure at the kirkis for the yir and crope nixt following their 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 Johae 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 Paterson, both personally apprehended in Melrose; witnesses, William Carnecroce of Colmealie, James Pringill of Buckholme, Adam Bell in Cauldstreame and Robert Gibson in Melrose.”
(Unsigned.)

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 burgess 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 burgess 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 Arbrioth, which lands extend in value to a greater sum than will satisfy all his creditors. He has offered and is now also willing to dispone to them his said lands for satisfaction of the debts, but they have refused hitherto, without conscience or pity, notwithstanding “that I was takin and kepit capteve and slave be the Turks tua yeir, and thairefter I was takin capteve presentlie to the Spanizerd and ane yeir ane slave, and, quhen I paid freed my self off slaverie, I come home to Scotland off purpos to sell my land and satesifie all my saidis crediditouris. quhilk they, thinking to cache ane vantedg against me,
throw malleis and rigour hes imprisonet me this lang tyme biggane in the Irontoun of the tolbuith of Edinburg quhair no doubt I will perrisf throw famen 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 decreed 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 Hallryndhous, 26 Junij, 1627. Fiat ut petitur to Thursday nixt. (Signed) GEO. CANCELL." 

291. Supplication by Sir William Oliphant of Newtown, knight, and Mr Thomas Hoip of Craighall, King’s Advocates, for his Majesty’s interest, and James Creichtoun of Frondraught and Thomas Nicoll in , his servant and tenant, as follows:—Notwithstanding the laws forbidding the bearing of hogbuts and pistoles and unlawful armed convocation, yet on 17th June instant, “being Sunday,” George Livingstoun, son of Patrick Livingstoun of Millegen, William Abernethie at the kirk of Rothiemay, George Abernethie, son of James Abernethie of Tillydone, and others their accomplices, “with convocation of his Majestie leiges, all in armes, with pistollettis, swordis, stafis and utheris wappons invasieve, come, all of the speciall causine, command, direction and hounding out of William Gordon of Rothiemay, to myne the said James Creichtounis landis of Aunchingoull [Craighead (deleted)] in tyme of divyne service and thair, hauing in contempt and dispyn of me, after a most insolent and malitious maner, gone throw my growand cornis and thairby trode doun, tranpit and distrayd and grite pairt thairof, thay then come to myne, the said Thomas Nicollis dwellin house, quhair I was in a sober and quyet maner for the tyme expecting harme of no man, and thair, without ony just causa of offence, offerit or done be me to thame, thay schamefullie and unmercifullie invadit and perswit me of my lyffe, gait me a grite straik and wound in the head with a pistollett to the effusion of my blode in grite quantitie and perrell of my lyffe and gait me a number of uther cruel, bauch and blae straikis in sindrie utheris pairtis of my bodie and thair left me for deid.” They crave summons against William Gordoun of Rothiemay and the other persons complained of. (Signed) “S. W. OLIVANT; S. THOMAS HOIP.” On the back] “Apud Edinburgh, xxij Junij, 1627. Fiat ut petitur.”

292. Supplication by Patrick Adamsoun, burgess of St. Andrews, as follows:—On June instant he sent Andrew Adamesoun, his son, to Torryburn with a message to Elspet Adamesoun, sister to the suppli- cant, “and, fearing that some of the sojuris lifted for the Germane or Swaden weari sould have tune him be the way as ordinarie hes bene done be people of that qualitie within this kingdome,” he charged him
293. Supplication by James Rutherford, provost of Elgin, as 28th June
1627. follows:—Adam Gordoun, brother to Alexander Gordoun of Corridowne,
in addition to many insolences committed by him against the sup-
plicant, 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 for 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 "schame-
fullie and cruelie strak and dang hir and most dispyetfullie rappit hir
head to ane coopalmerie and so flegg it and dang my young bairnis that
they have bene evir in perrell of thair lyves sensyne. And not content
thairwith he came to the calsay to have persweit my wyffe with a
battoun and, he being disapoyntit of his malitious intent by the
meani of some well disposed personis present for the tymne, he send
tuo gentlemens 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 but he wald spair hir till scho haid hir tafftie cowne on hir.” He
craves a summons against him. [On the back] “Apud Edinburgh,
xxviiij Junij, 1621. Fiat ut petitur.”

294. Supplication by Archibald Pirie at the Mill of Rothiemay, as 28th June
1627. follows:—On the day of “being Sunday I, having come
to the watter syde of Ylay to have past over the same agaitwards to
for doing of my lawfull affariers, and James Fraser in Miltoun
haveing takin me on his bak to have carryt me over the said watter
and so, I haveing plett my handis about his nekk and he preassing
to have gone forward with me, it is of trucht that Robert Gordoun, some
to John Gordoun of Little Milne, and Patrik Gordoun, then his
servitor, being neirby for the tyme, and haveing a privat malice in thair haitis aganis me and resoluinge to tak the advantage of the occasioun for executioun of the same upoun me, the said Robert come in behind our bak 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 galf me tuo violent straiks in the head till the said trie brak in peceis and sua fellit me dead in the watter to the grite effusioun of my bloode, and after I had recoverit my sensis and haid risin out of the watter againe, the said Patrik Gordoun, servand to the said Robert, with a drawne quhinger galf the complainer diverse cruell straiks in the head and armes to the effusioun of my bloode in grite quantitie and, not content thairwith, thrust me of new agane doun in the watter, so that be the violence of the watter he was carryd doun in the streame thairof 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 summuns against them. [On the back] “Apud Edinburgh, xcvii Junij, 1627. Fiat ut petitur.”

295. Supplication by Sir William Oliphant of Newton, 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 waponnis 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 their first shoit and discharget a pistollett at me, the said Alexander Forbes, of purpoise to have shoit me throw the bodie thairwith, whilk be the providence of God missing, they then with drawne swordis schamefullie and unmercifullie invaidit and persewit me and the said Arthur Forbes of our lyves, strak out a number of straiks 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 summuns against them. (Signed) “S. W. OLIPHANT; S. THOMAS HOIP.” [On the back] “Apud Edinburgh, xcvii Junij, 1627. Fiat ut petitur.”

296. Supplication by Mr Alexander Scrymgeour, minister at Kinghorn, 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 waponnis invasive, come to my duelling house in Kinghorne, quhair I wes for the tyme lyand in my bed, and thair violentlie brak and daug up my upper yett, enterit in
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throw my cloise and yaird, invyrnonned my house about on all paities hall doores of the said burgh for invading his house.

and so renamned about the same, threatening and avowing to break up my Lordships thairwith." He craves summonses against the bailies. [On the back] "Apud Edinburgh, xxx Junij, 1627. Fiat ut petitur."

297. Supplication by Francis Wilkiesone, burgess of Lauder, Alex- ander, 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 Lawer of Whitsled, William Lauder, his brother, Robert Lauder of Murecleuch, John Lauder, his brother, Charles Lauder in Park, William, Charles, Alexander and Andrew Lauder, 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 "quhairith 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 prentiss boyes in Edinburgh." They seek modification of the amount of caution. [On the back] "Apud Edinburgh, xxx Junij, 1627. Fiat summunitio 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 Ugston is become cautioun for the compleers to the effect within contenit, as the actis maid thairanent bearis."

298. Supplication by the magistrates and inhabitants of Inverness, 30th June 1627. Supplication by the magis- trates and inhabitants of Inverness, notwithstanding their past complaints against him, and on 18th June last instant Thomas Vaus 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 perswat at the toun end be Donald, William, Johnne, Lauchlane and Alexander McIntoshes, sones to Johne McIntoshe of Durrus, and Donald McIntoshe, sone to Hectour McIntoshe in Larges, who, according to the instructionis and diretionn gevyn unto thame be the said Earle, boistit and minasses the poyre harmelles men, brak thair cairtis, kast out the petites and most malitiouslie and mishantlie cuttit thame all in ppeesis, nocht sparing to avow and manteene that quhat thay had done
299. Supplication by Mr John Mckanyee, Archdeacon 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 Clan Chattan, 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 comppearance 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. CANCELLER, I.P.D.”

300. Supplication by Sir William Oliphant of Newtown, knight, and Mr Thomas Hoip of Craighall, King’s Advocates, for his Majesty’s interest, and William Dollar in Cantraff, as follows:—Notwithstanding the acts prohibiting the bearing and wearing of hagbuts and pistols, on 17th June last, “being Sundaun,” David Rose, aforesaid of Holme, with some accomplices, “all bodin in feir of weir, with swordis, tarsis, stailcis, batouis and utheris waaponis invasive and with hagbutis and pistoletis prohibite to be worn, as said is, come in tymne of divyne service to myne the said William Dollar and grassings of Drummoir and their, without all fear of God, reverence to the law or respect to the tymne, being the Lordis holie Sabbath and the verris meanteyme of the preachtin, thay maisterfullie and violentlie drave my hail goodis and cattell be thame selfis and some grite doggis brough thame for the purpou of my awne gressingis in amognis my awne growand cornis, and thair with all not onlie batonit and strak, my hird, after a most pitifull and cruel maner with batonis and rungis, bot also band the said with roapis and coardis and detened him sua bund, as gif he had bene a thieff or male-factour, ane long space, he being his Majestis frie leige. And siclyke, upoun the xxvij day of Junij last, the said David, accompanyit with a
number of lawles and maisterles vagaboundis, come to my toun and
landis of Cantraiff and their, after thy haud after ane insolent
maner searchit and soght me of purpoe to have bereft me of my lyffe
and missing me and forgaddering with James McNacaid my ser-
vant, thay schamefullie and unmercifullie invaiddit and persowit him of
his lyffe, gaif him a number of cruell, bluidie woundis in sindrie paitris
of his bodie and their left him for dead. Lyken, upoun the
day of the said moneth of Junij last, the said David, accompanyit with his
complices, come to my tenentis fowall, wine be thame for their winter
provisiou, upon my saidis landis of Drummoir, and their maisterfullie
keast doun their stakkis of fowall, ret and away toke ane grite
number of Isadis thaiof with horse and sleddis broght with thame for
the purpoe and quhat of the said fowall as they gat not carryed away
they 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
drywe and houndis my cattell and goodes with men and doggis of my
proper gressingis and pasturage in amongs my awne cornis sua that my
cornis ar most pitifullie eattin, trod doun and distroyit to my hovie
hurt and skaith, intending be way of deid, bangistry and oppressioun
to debar and seclud me frome my saidis landis and to mak the same un-
profitable unto me." They crave summons against these persons.
(Signed) "S. W. OILPHANT; S. THOMAS HOP." [On the back] "Apud
Edinburg, sexto Julij, 1627. Fiat ut petitur."

301. Supplication by James Mowat of Fawysyd, as follows:—Alex-
ander Cranstoun of Moristoun, "haweing conceavit ane deidlie hatred
againes me because I, according to my calling, had wrriten sum letters
of horning and inhibitioun to the amaste of unquhile Sir Patrick
Chirnsyd of Eistnisbet against him, and becaus I gave my best advys
to Alexander Chirnsyd, now of Eistnisbet, and becaus I boght with
my money the landis of Fawysyd and milne thaiof and thirled multouris
of the landis of Hespeth and Rumiltoun pertenin to the said Alex-
ander Cranstoun, he for that cause hes instigat and stirrred up againes
me Patrick Cranstoun of Corebie, Johnne Cranstoun of Thornidykes,
William Cranstoun in Westmoristoun, Claud and William Lylles,
suntyme of Stanipeth, William Cranstoun, some naturall to the said
Patrik Cranstoun of Corebie, William Hoome, Thomas Sandersonsoune,
Thomas Nisbit and Johnne Alexander, servitouris to the said Alexander
Cranstoun of Mostrotoun, Johnne Mak at the milne of Gordoun, 
George Browne, miller at the milne of Estgordoun, Browne and
George Fluiker, servitouris to Dame Barbara Cranstoun of Touch,"
who have associated themselves with intention to take his life and
debar him from peaceable possession of his lands, and have "dischargit
the tenentis of Hespeth and Rumiltoun, quha are thirled to my milne
of Fawsyd, that thei onnavayes bring theire 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 predessouris 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 thousands pund, John Cranstoun of Thorneedyke under the pane of ane thousands merkes, and the remanent personis within writtin, ilk ane of thame under the pane of foure hundreth merkes."

12th July 1627. 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, slaught, oppressioune and invasioune of his Majestieis guid leidges and subjectes within the kingdome of Scotland throg the hatred, rancour, malice and swallowing pryd of evill disposiet persones and their followers within the said kingdome, have maid and set donne many lawdabill, guid actes and constitutions, noghttheles, in respect that the greatest paine contenit in letters of lawborrows raisit be his Majesties guid subjectis againes their oppressouris exceids nocht the soume of ane thousand pundis Scottis money, these oppressouris and evill disposiet persones brages and makis thair want that thei knew the preye of such ane mans lyff quha charges thame with lawborrows 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 possessesionis and lawfull heretages without any just caus but out of ane devilshe humour; and because his Majesties guid subjectis will nocht follow and assist such terranous and vyle oppressouris in all thair ungodlie interprysses and assaultes, which said nawayes be sufferrit and tolerat in such ane religious and peacebill kingdome, and, that it may be evidentlie knawin to your Lordshipis 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 dewtie in serving of his Majesties leidges, raisit letters of horning and inhibitioune at the instance of umquhile Schir Patrik Chirnesyd of Eistnisbet, knycht, 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 estate of Eistnisbet out of the said Alexander his handis and because I boughit with my proper money the landis of Fawsyd with the milne and milmuiltours thairof with thirriage of the multours of Hexspeth and Rumiltoun pertening to the said Alexander Cranstoun, [he] and the remanent persones undirwrittin, they are to say, Patrik
Cranstone of Corsbie, Johne Cranstone of Thornidyks, William Cranstone in Waster Moristoun, Claud Lyell and William Lyell, sometyme of Stanipeth, William Cranstone, naturall sone to the said Patrik Cranstone of Corsbie, William Hoome, Thomas Sandersoune, Thomas Nisbet and Johnne Alexander, servitouris to the said Alexander Cranstone of Moristoun, John Mak at the Leird of Touches milne of Gordoune, and Broune and George Fluiker and William Mak, millaris at the myyne of West Gordoun, servitouris to the said Dame Barbara Cranstone of Touch, have convenit thamselfises 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 convenientlie apprehend me and find opportunitie for that effect. And to declar that the premisses is of veritie the said Alexander Cranstone and Dame Barbara Cranstone, his sister, and remanent personeis, their 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 instaght and stirred upe ane great many of my cottairis and tenentis of Fawsyd and milnetoune thairof to pas af my ground intending thairby to cast my hail landis and milne west, thinking to appropreat the same to thameselfises as thei have done many uthers mens landis within the Merse but ony pryce, law, equitie or resson; and siklyk 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 thairof. 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 tym of harvest; and for effectuating of thair devilish enterprysings and, that the same may be coloured and hid to be from thair proceindigis (and thair commoun custome is and hes bein to cover all thair ungodlie proceindigis and wicked intentiouns 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 harme; and for that same purpose thei have causit the said Dame Barbara mak ane forme of ane discord with the said James Cranstone, 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 directione and instigatione of the saidis personeis. 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 hours afternoone to serve his Majesties leidges in my office of clerkshep to the signet, the said James Cranstone, accompanied with ane number of idle men, com upone me in the hie way and doupit 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 heavelie troublit and molestit be the saidis persones abonnamat and their 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 affaires without hasard and perrell of my lyff but any just cause or occasione 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 befir the Lords of Sessioun, the paine being so small quhilk thei naywes regard, to my great hurt and skayth and damage and ruine of me and my haill landis, givand thairby evill examplill to utheris to intend the lyk murtherr and to prosequitt the saman to utheris thair devilish devises except your Lordships provyd 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 instagiationoune, resait, directioune, hounding out, counsell and devyse quhataumevir under sik great paines as your Lordships pleis modifie." He craves letters to that effect. [On the back] "Apud Hairudhous, xij July, 1627. Fiat ut petitur, under the pannes 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. CANCEL*, I.P.D."

18th July 1627.

303. Supplication by William Douglas in Eistmilne of Calder, as follows:—On July instant, "being Sunday," 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 was aware of him, he with his faldit neiff gait me a violent straik in the faice, thairefter drew furth his sword and, being assisted with his said father and uthers, thair com-plices, they most shamefullie invaidit and perswiet of me my lyffe, strak out a number of straikis at me and had not failit to have slyane [me], wer not the providence of God and the help of some well-disposed personis thair present for the tyme." He craves summons against the said Alexander and James Andiesones. [On the back] "Apud Edinburgh, xviiij July, 1627. Fiat ut petitur."

3rd August 1627.

304. "I, William Norie, messenger, chairgis yow, Alexander Irwin off Drum, to pas, search, seik, tak and apprehend the personis following deletit and given up be the minister and elderis, viz., William Laing in Newtowne of Riffens, James Thomsone in Bellastrad, and John Watte in Ower Riffens, and that ye be comptabill and mak deliverance of the fornameit personis 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
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within ten dayes next after this my charg, under the pane off rebelioun and putting of yow to the horne, conform to the tenour of our soveraine lordis letters, deatit at Heliereidhous, the 3 of August, 1627. (Signed) W. Norie, messenger."

305. Supplication by Sir William Oliphant of Newton, knight, and 17th August 1627. Mr Thomas Hoip of Craighall, King's Advocates, for his Majesty's interest, and William Glen, lister at the Brigend of Dumfries, as by William Glen, dyer at the Brigend in Dumfries, for summons against John Neilson, younger of Barnekaillie, came by way of hamesucken to the complainer's dwelling house at the Brigend of Dumfries, "I being within my lighthous for the tyne in a peceable and quyet maner expecting harme of no man, and their, haveing violentlie enterit within my said warehouse, he sett feircie upoun me or evir I was awar of him, pait violent hand in my persone and griping me first be the craig and gorgett with his one hand, he pullit furth a quhynget with the uther hand and therwith preast to have strukin me throw the bodie and to have slayne me upoun sett purpois, provision and forthoacht fellony, wer not be the providence of God and my awne better defence with the help of some weildisposed personis that come ther for the tyne, I was releived. And the said John, out of the spyt of his hair, maligninge that he had not gottin his wicked and cruell purpoes effectuat aganis me at that tyne, he thairfuir upoun the vij and xiiij of August instaunt, accompaniit with David Neilson, his father, Gilbert Greirsoun of Chappell, Robert Neilson of , Richard Morysone, younger in Culloch, William Neilson at the milne of Bombie, James Kutler there, Neilson in Compston, with utheris their complices and with convo- cation of his Majesties leigs in armes to the number of personis, all boild in feir of weir, with swordis, quhingeris, secretitis, plaitelevis and utheris wapponis invasive and with hagbutts and pistollettis prohibite to be worn, as said is, come after a verrie tumultuous and unseamlie maner be way of hamesukin to my said dwelling house the day forsaid, quhair I was in a quyet maner for the tyne, and thair, so soone as they espyed me, thay presentit thair bendit and chargit pistollettis to me of purpois to have scohol and slayne me thairwith wer not I the moir quiklie retetrit my self in to my awne house for my saulttie, wherunto thay most furioselie persweit me and preast by violence to have come in upoun me wer not be the means of some well-disposed nighthbouris thay wer stayed. Lykeas thay daylie and contenowallie sensyne bearis and wearis hagbutts and pistollettis and thairwith lyis at awaitt for me in all placeis quhair thay think I resoirt of purpois to bereave me of my lyffe, gifi thay can forgaddar with me, sua that I dar skairoelian abyd at my awne house without haisard of my lyffe." They crave summons against them. (Signed) S. W. Oliphant."

306. "After oure verie heartlie commendation to your goode Lordship. Although wee haue haft hard by reporte of the capitaine of the tua waughteris, quho heir attendis the busheis, that thair is fiftenee or sixeene strong shippis of the enemy upoun the coast, yitt this day thay haft bene verie earnest with us that thay might haft the convoy of his Majestys shippis and otheris being thair with your Lordship a parte of the way homeward, quhairin, although wee wald willinglie shawe thame all the favour that in a mater of this kynd thay who ar freindis can expect of us, yitt, seeing the advertisamentis in thir materis wilbe more frequent and certane with your Lordship then with us and that your Lordship will haft thare with yow the presence and advyse of men of judgement and experience we will thairfore recomend the consideratioun of this mater to your Lordshipe, wisheing your Lordship to shaw all the favour to the strangearis that convenientlie yow may without exposyng of his Majestys and the other shippis to a scene danger. And, seing wee haft nocht as yitt receaved ony certane reporte from Zetland of the event and succes of materis there, oure opinion is that the supplie, if ony salbe granted, shall nocht go far off the coast, the particularis quhairof and of the directionis to be gevin in this busyness refering to your Lordships advised consideratioun, we committ your Lordship to God. Frome Leythe, the xxv of August, 1627. Your Lordships vere assured goode freindis. (Signed) GEO. CANCELLER; MELROS." [Written below] "Yow sall give direction to the capitanis of his Majestys shippis, if they perceave the coast to be cleare and free of the enemy, that then they retorn and that the other shippes shalbe dismissed to follow the course intendit be thame befoir this thair employment, willing thame to certifie his Majestys Cousaill or your Lordship fra tyme to tyme as they can find the commoditie by sea or land of all occurrents they can learne tutchinge the course and resolutionis of the enemys. Thair arryved heir this afternoone three coilyearis who lousied from Midleburgh upoun Tuisday last. The maister of one of thame being broght before us reportet that aff Yermouth thay hard a number of shoit upon Thuirday last bot saw nothing and that thair is a hundreth busheis with four waughteris lyand at the Coquet Ile aff the Skairres; and that thay, having renconetered that morning with tua waughteris and having told thame of the shoit, the waughteris immediatlie tooke thame to the sea."

307. Supplication by William Haliburtoun in Eist Linkis of Dirltoun, as follows:—John Guild was put in warde by their Lordships in the tolbooth of Edinburgh for a riot committed by him against the supplicant, and their Lordships were desired "to send him to the waris of Germanie in respect he was giltie baith of adulterie and thift, for preving quhairof I have obtenit testimonials from the burrene bailies of the lordship of Dirltoun and their clerk, as alsa fra the elderis and deaconis of the session of the kirk of Dirltoun, as the samyn heir
present to shew beiris. And seing the said Johne Guild is ane idill
persone of ane verie evill lyff and conversatiorun," he craves that he
may be sent to the wars in Germany. [On the back] "Apud Holys-
rudhouse, ultimo Augusti, 1627. Ordanis Johne Guild to be transported
to the warres and disposed upoun be the Laird of Carmichaell his
maister. (Signed) GEO. CANCELL*, L.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
trades, service or competent meines to leive be and to inrolle their
names and delyver the rolls closed, sealit and testified upone my aith
that they ar trewe rollis faithfullie gevin up and nane omittit further
thairof 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 wrongfullie because first, "I have no warrand
be myself onlie to take tryrell and surveyye of the saidis idle and
masterless men wanting treadis, service or competent meines to leive be
as said is," and to enrol them as above, but the said trial and surve-
y "sould be takin be the minister of the paroche with tua or thrie of the
eldaris and deacones with concure of the justice of peace, quherrunto I
was ever willing and as ytt am to giff my concure with the said
minister, eldaris and deacones. Bot sua it is that be myself onlie I can
nather take tryell, surveuy 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 belogis to
James, Marqueis of Hamiltowne, and William, Erle of Angus, and
certaine uther noblemen and utheris of guid qualitie quhais tennenis
and servandis I knawe not, nor yit quhiddar they be eidle men, maister-
less or wanting competent meines nor be quhat traidis they leive be,
bot that is onlie knaawin to the noblemen and utheris of guid qualitie,
their maisteris, and six persones as they place and appoynt baillies,
factouris and chammerlines ower thame, sua that I can make no roll of
their names; and yit nochtheless I am content to find cautione for
taking of tryrell and surveyye of the saidis idle and maisterles men
within my paroche and boundis wanting treadis, service or competent
meins to leive be and for inroling their names and delyvering of the
saidis rolls closed, seillit and testified, as said is, to the said Alexander,
Lord Spynnie, and utheris heaveand his warrand in caice efter the
premmisses being discussit it sall be fund and declarit be your Lord-
ships that I be my selfl onlie aught to doe the samein." He craves
suspension of the letters of horning. [On the back] "Apud Holys-
rudhouse, ultimo Augusti, 1627. The Lordis ordainis the supplicant
togither with ane other justice of peace to tak the said surveuy.
(Signed) GEO. CANCELL*, L.P.D."
309. Supplication by Thomas Keir, indweller in Kynloss, as follows:—

"I am ane honest man and ane fewer in the toone of Kynloss and her
leivit thair thir threescore and sex yeiris in honesty and vertew and am
now decrauipit in bodye, yit nochtwitstanding I am on great maleic
givin upe be the kirk and utheris as ane most feitit for the weares
onlye on this respect be the maleic of sum of my nechbooris quha wald
have me away and acquyre my littill heritage be violence to them selfs
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 giv commission and warrand to honorabill sufficient landit coutreyn
gentillmen quha knawes my lyff and conversatione and estait, sic as the
Lard of Park, called David Hay of Lochelyn, Jhonne Hay of Kynnowewe,
M' Samuel Falconer of Kyncoorth, M' William Falconer, minister at Dyk,
or any tua of them or to any your Lordships sall appoynt, to try and
examine gif I be ane feitit for weares or that falls under the compas
do dilatione and to report to your Lordships anser heireant 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
person or soilder to molest me heirafter." [On the back] "Apud
Halyrudhouse, ultimo Augusti, 1627. Remittis the tryall of the qualitie
of the supplicant to the B[ishop] of Murray or to suche utheris as he sall
appoint for this effect. (Signed) GEO. CANCELL*, I.P.D."

310. Supplication by Sir James Baillie of Lochend, knight, collector
genereal of the ordinary and extraordinary taxation granted to his
Majesty in October, 1625, as follows:—Although the first and second terms
of 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 there-
fore craves letters charging "all and sindrie archibishopis, bishopis,
abottis, pryouris, as lykwayses all noblemen and utheris in whose favour
the erection of ony prelacie or uther inferior beneficie or ony pairst or
portioun thairof, be it in landis, kirksis or teindis, or in whose favour the
patronage of any beneficie, kirk or teindis is past, and all utheris beneficed
personis contenit in his Hienes taxt rollis thair heretabill bailleis, chal-
merlanis, factour and intromettour with their rentis and levingis, as
lykwayses all and sindrie schireffis, stewartis, bailleis and their depittis and
clerkis, as lykwayses all and sindrie stewartis, bailleis, mairis of fie, chalmer-
lanes and ressaveris of his Majesteis proper landis and their depittis" to
make payment of the first and second terms of the ordinary taxation within
20 days after the charge; and also "for imbring of the saidis first,
secund and thrid terms of payment of the said extraordinary taxatoun of
annuelrentis; chargeing all and sindrie heretabill schireffis, stewartis,
bailleis, bailleis of regaliteis, thair depittis and clerkis, and the provestis
and bailleis of burrowis and thair clerkis who ar heretabill schireffis
within thame selfis and the clerkis within the jurisdictionis quhair these
offices are not heretable that thay and everie ane of thame delyver to me ane just and trew accompt and inventar of the haill sowmes of money dew to be payit to [sic] ony persone within the boundis of thair jurisdictionis for his part 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 self upoun thair aithis sommellie sworne that the same is just and trew and mak payment to me or to my saidis deputis in my name haveand my powar to ressaue the same off the haill moneysis dew to be payit be [sic] his Majestic conforme to the saidis accomptis and inventaris within tuentie dayis nixt efter the charge." [On the back] "Apud Halyrudge, ultimo Augusti, 1627. Fiat ut petitur. (Signed) Geo. Cancell; I.P.D."

311. Supplication by Robert Dalzell, lawful son of the deceased Hew Dalzell, merchant burgess 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 decreed with consent of all the creditors and specially James Richman in Gilmtoun, 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 yet detenis the said decreit, at the last he cancellat and distroyett the samyn and onnawayis will put me to libertie conforme to the tennour thairof and letters raisit thairupoun without he be compellit." He craves that the said William Brown may be charged to liberate him or compair and answer. [On the back] "Apud Halyrudge, ultimo Augusti, 1627. Ordains a maizer to pas and warne the bailie within complement upoun to compier and answer. (Signed) Geo. Cancell; I.P.D."

312. Supplication by Sir James Ker of Craillinghalle, knight, as follows:—He was charged to take and apprehend Ralf Davissoun 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 means of intertenment" and so to be sent to the wars; "and, allthocht the saidis Ralf Davissoun 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 subcryvit with his hand, I thairfor for obedience of the charge tooke and apprehendid the saidis Ralf and Johnne, bot could not find suche a man in all the said paroche as they callit James Douglas; and albeit the copie of the charge boore to delyver thir personis to Leiutennent Robert Douglas as haveing power from Sir
James Sinclair of Murkle, knycht, to rescave thame, yit, be ressoun that I considderrit 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 heer attending for this effect. Quhairfoir I most humblie besieik 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 Halgrudhouse, ultimo Augusti, 1627. Ordains the paitye to be summondit for wrongous dilotionis of the supplicientes, Sir James Ker being cautioun for thair compairance the nixt Counsall day. (Signed) GEO. CANCELL* I.P.D."

314. Suppliation 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 Huntly [Coit], "quhilk fell furth throw ane suddan raikles accident and no foirthocht fellonie, quhilk the said Johne Banks att the hour off his deith declarit 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 medecin and evill drinkis thatt he tuk in tyne off his hurt wrocht contrarie upoun him and was the only occation off his deith"; and, although he has offered 500 merks of assymentment 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 assymentment and allow him to go abroad in the King's service. [On the back] "Apud Halgrudhouse, ultimo Augusti, 1627. The Lordis
1627. CHARLES I. 415

Ordinatis the justice to continew the dyet appointit to the supplicant to underly the law for the caus within writtin untill the twentie day of September nixt. (Signed) GEO. CANCEL, L.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.

Supplication by Nicolas Foucanote, Frenchman, shewing "his 19th September 1627.

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Supplication by Nicolas Fouca...
to Ingland the said officer caused ring the bell thow Edinburgh to pay, Miscellaneous content and deliver to the creanciers the Kings debts, and after this he died without anie satisfactione quhatsomever livand his little bairns without ony moyand. His eldest daughter and the wyfe of the said suppliant sundrie tymes compleined to the defunct Chanceleer quba promist daylie to put all thir affairs 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, sae that the said suppliant, now in his old dayis, seian himselfe evermore seikly, havand no mair power to travill nor to winne his living, he is constrained after God to have his recourse to your Lordsships to gett some moyand to live unto my poore familie for the rest of his old dayis; quilk things forsaids I besieke your Lordships to consider weill for Gods cause quhom I sall pray to have yow all in his protectione for ever.” [On the back] “Aput Halryruthouse, xie Septembris, 1627. The Lordis recommendis the petitioner to the Lord Naper, Deputie Thesaurar. (Signed) GEO. CANCELL*, I.P.D.”

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 quipage of the thrie Hamburrie shippis tane as prysseez 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 strangersis to the baillies of Leyth, requiring thame to deale with the personis who had formerlie furnist thame to ressave and interteny thame, still assureing thame that your Lordships sould caus thame be thankfullie payit of the said allowance ather be the Captaine Andro Watsone, or out of the reddyest of the goods being in the saidis schippis gif they sould happin to be clerit. Lykas the aweris of the said Captaine Watsonis schip, comperand 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 quhaires we have since the xx° 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 satisfat of the said allowance, none thelesse we can get no payment thairof as yit, to our grite hurt and inconvenient, sua that we ar constraynit to have our recomrse to your Lordships.” They crave some means to be taken for satisfaction of the outlay. [On the back] “Aput Halryruthouse, xie Septembris, 1627. The Lordis recommendis this petitioun to the Lord Admirall. (Signed) GEO. CANCELL*, I.P.D.”
317. "At Halyrudhous, the nynteene day of September, 1627. Anent the supplication presentit unto the Lords of Secret Counsell be Sir David Hune of Wedderburne makand mentioun that quhair he, out of his affection to the furtherance and advancement of his Majestis service, hes undertake ane charge in this expedioun toward France and is to imploy his freindship and credit to levey ane competent number of men for that service, but he is distractit thairfra upon occasion of some hornings he underlyeth, sua that he darre not travel in the countrie for taking up of thir men without ane warrant; and forder before his departing he is to take some course and ordour anent his teinds and to give commissioun and procuratorais to some procurators to attend the commissioun anent the treatie for the teinds for 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 procurators being in Edinburgh, he can not have occasion to meete with thame anent this matter without ane warrant: Humbles 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 supplication. Whilk being read, heard and considerit be the saids Lords and thay understanding the necessitie of the service foirsaid 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 parts of the countrie at his pleasure for the effect abonewrittin untill the thrid day of October nixtocum, discharging in the meanetyme all shireffs, stewarts, proveists and bailles within burgh, and all uther judges, officiars and magistrates for taking, apprehending, wairding or arresting 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 pairst 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 mei signo et subscriptione manufallibus. (Signed) JACOBUS PRYMOROIS."

318. Supplication by John Lawson, as follows:—He has been detained in ward in the tolbooth of Edinburgh for a long time for the "suidane alludgit raikles slauchter" of John Bankis in Huntlie Cot, "the quhilk John Bankis att his deith, considerring with himsell that sume medicin he tuk presentlie efter he was hurt baid wrocht contrarie upone him, quhilk he tuk to be the only authour of his deith, quhilk mufsit him frielie to forgiff me att the hour of his deith," yet in order to be liberated he has at divers times offered 500 merks of assymenth to the father, brothers and widow of the deceased, and for their furth satisfaction he is willing to underlie the act of banishment during the
party's will, "and ame content to remove presentlie furth off the cuntrie under the Eel 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, xvi Septembr. 1627. The Lordis ordains the Justice to continew the dyet appointit to this supplicant for the caus within written untill the day of . (Signed) GEO. CANCELL*, I.P.D."

319. Supplication by Robert McCulloch of Keerieauch, as follows:—
He is informed that he has been put to the horn at the instance of John Gordon of Ardwel, John and James Gordouns, his sons, John Richartsoun, weaver in Ardwel, John Richartsoun, younger, called "the oy" there, Roger Braidyett there, Andrew Dungalsoun there, Alexander Mure in Kirkland of Ardwel, John Bell in Woodend, Andrew Carnoquhen, smith in Mainis of Cardynes, William Carnoquhen, his son, John Carnoquhen in , James Gordon, notary in Cardynes, Alexander Cursen there, Andrew Cursen there, Harbert Denniestoun, Thomas McMerkie, John McIlmorrow there, Patrick Sprot in Killerne, John Livingstoun in Drummoir, Walter Black in Glencasprenoth, John McDonchie in Drummecklich, 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 Gordon there, Gilbert Gourlie in Newtown, John Beck in Balmacaili, 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 Halyrudhouse, xxvj Septembris, 1627. Fiat summonitio ut petitur unto the first Septembr [sic] and in the meane tyme suspends untill the tent of the said moneth becaus William Adam is become cautious to the effect within writtin as an act made thairant beares. (Signed) GEO. CANCELL*, I.P.D."

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 Johnestoun 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 hornig. [On the back] "Apud Halyrudhouse, Octobris, 1627. Fiat ut petitur to the day of and to suspend and relax ut infra quhill the day of , becaus is become cautious
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 thairantent bearis."

321. "At Riffens, the secund day of October, yeir of God j." and
butti on seven yeirs. The quhilk day in presens of me, notare publict and
witees underwrytene, compared Sir Alexander Irwing of Drum, younger,
knigh, hevin power and commissione from Alexander Irwing of Drum
his father, be vertue of ane procutorie from the said Alexander Irwing,
quhil he exhibited and produced, and passit to the lands of Riffens
lyand within the parochone of Logie in Cromar and sherifdome of
Aberdene, and there for exonerations of the said Alexander and giving
obedience to his Majesties laws derec for apprehending all eydell men
and persone dele be the kirk and elderis of the said parichone, and
speciallie for satisfactions and obediences to the charg given to the said
Alexander for cherching, taking and apprehending of William Large in
Newtown of Riffens, James Thomson in Bolestraide, John Vatte in
Over Riffens within the said lands of Riffens, persone deleit be the kirk
and fer delerev of them to Captane Thomas Bettoune and Captaine
James Blaire, captanies under Alexander, Lord Spynnie his regiment, to
quame the number within the schyr of Aberdein ar assignd or ther
sergents, shandsignes or other having power to recave them and ther,
after diligent scherche of the said persoones and evrie one of the[m] in
the saids bounds and lands in all secret placceses acump[an]jied with Mr
James Stracquhan, minister of the said perishone, and scherching their
masteris howses and ther awen houses and elssquher, and finding after
tryell and inquisitione the saidis persone to be fledd and away therfre
sua that be no tawaiell nor diligence any of thame culd be apprehendit,
the said Sir Alexander as proctor forsaid, in taken of his diligence
usit in the said scherche of obedience of the forsaide charge, took not
and instrument in my hand as notar publick, day, yeir and place forsaid
befor the witnesses underwrytene, Robert Duguid in Bolestraide, Alex-
ander Irwing, sone lawfull to Johen Irwing of Kincowise, Georg Ross in
Cowell and the said Mr James Stracaquhan, minister at Logie. Ita est,
Patricius Irwing, notarius publicus et testis in premisis."

322. "At Laudere, the thrid day of October, j." and twenti on seven
yeirs, att sex ouris in the menning or thairby, and of our soverane
Lords regnne the thrid yeir. The quhilk day in presens of me, notter
publitt, and witnesses underwritten, compeir Frances Wilkesone, than
baillie of the brughe of Laudere, seing no uthairis as yitt was admitit in
his placie, and anent the chairge gevin to him be George Walkir,
messenger, yisternicht, the secund of October, I being present at the
Corse of Laudere, to pass, search, seik, tak and apprehend Johnn
Cranstoun in Laudere, William Ballentyne, Johanne Robesone, Johnne
Gottersoun, and Chairlis Pringill thair, and also George Cranstoun and
Johnne Lowthiane in Newbigging, qha is nowayis indueillir is within Miscellaneous Papers.

the boundis of the brughe of Lauder, being personeis delaitit for going
to the weiris for the supleading of the King of Denmark and to deliever thame to Alexander, Lord Spayne or Sir Patrick Cokburne, his capitane, or uthairis haveing their power, within ten dayis nixt efter the said chaire, under the pane of rebellioun and putting of the said Frances to the horne; for obedience of the quhilk chaire and eschewing of the said horning, albeit the tyme of his office was expyrit the tuentie nyne of September, being Michaelmes last bipast, yitt na uther is admittit in his plaice to this day, the thrid of October, thairfor the said Frances, accompanyit with Andre Pringill, brughe officer, and the bairnis of the said Francis, qwar we fand no utheris to concure, past to the duelling houses verry quettile in the morning of the said William Ballentyne, Johnne Robesone, bastard, Chairlis Pringill and Johnne Gottersoun in Lauder, seing he had committit Johnne Cranstoun to waird yisternicht, and their att thair duelling placeis searchit and soocht the foirsaidis personis and could nowayis apprehend thame bot only the said Johnne Robesone, bastard, in William Burnett his nichtbouris hous, qha getting intelligence gatt furth thairof or the said Francis enterit, yitt he was seine bot fiorranis us all towards 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 nowayis 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 answearibill for the saidis personis nor yitt under the danger of horning, seing he had no farder ado nor tuell 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 baillies, quhereupon 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, testa manu mea.

10th October 1627.
Suppllication by David Johnstoun 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 Ferquharson, Robert Lay, John Falconer, James Falconer, Edward Williamson, Andrew Milne, James Blakhall, John Stoks, Patrick Gairdner, and George Gray, and to deliver them to Robert, Earl of Nithsdale, Alexander, Lord Spyne, and Sir James Sinclair of Murkle, or to any of them, and they are threatened with horning by each of these three if
the persons are not delivered. But “it is of verritie that we, being
chargit in the moneth of Junij last when your Lordships tooke the first
ordour anent idle and maisterles men, to tak tryall and inqyrie of all
personis of that qualitie being within the toun of Leyth and to inroll
their names and to present the roll cloised and sealed to your Lord-
ships and testifict upon oathe that it is a trew roll within a certane
space 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, qhilik we did, bot
trew it is that soone after we presentit our roll cloised and sealed to
your Lordships the same wes maid kowne to all the thrie collonells
and suche contestation fell out amongis thame qhilik of thame sould
have thir men that the men gat knoweledge of it and immediatlie thay
all or the maist paire 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 waerid and eshaipit long befoir any chaire givin to
us for the taking of thame; lykeas we wer nevir chargit till yesterday,
the aucth of this instant, and this day we ar to leave our officeis afoir
tueff of the clock in the Forinome and a new electioun is to be maid
of bailleis for the toun of Leyth, su that we have no forder auctoritie,
previledge nor jurisdictioun within that toun and the execution of
chargie 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 Halryndhouse, decimo Octobris, 1627. Fiat summonio ut
petitur to the day of and to suspend and discharge ut infra
the meane tymne qhilik the day of for the causes within
writtin. (Signed) Geo. Cancell, I.P.D.”

324. Supplication by Mr Patrick Adamsone, minister at Buthill, 19th October
James Boden in Almerne, John Smyth there, Fergus Corsbie there,
John McGill in Guffokland, and Roger Moreson in Litill Castelgour, as
follows:—They were summoned at the instance of Robert Maxwell of
Orchardtown, James Gordoun of Buthill, William Maxwell called of
Kirkhous, Robert Maxwell of Bracoch, John McCarntay of Leathis,
David Cannan in Litill Knokis, John Cannan of Barlochan, William
McGill in Crugtoun, Donald McGill in Meikill Knokis, William
Carnochen in Cuill, Thomas Lowrie in Kirkland, and James Cag in
Meikill Castelgour, 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,
but they are informed that the parties complainers have passed from Miscellaneous Papers. 

the complaint and so the supplicants will not be called. Seeing they have travelled 80 miles and above, “and bes left our haill adoes now in the tymie of harvest to our greit losse, hinder and skaith, our haill cornes being rotting upon the ground in our absence,” they crave some modification of expenses and leave to return home. [On the back] “Apud Halyrudhous, decimo Octobris, 1627. The Lordis modifes to every witness ten pundis.”

325. Supplication by Sir David Hoome 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 compass of his Majesteis revocationin for resolvung upoun quhat course I sall tak with his Majestie thairenant afour my depairtour towards 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 Halyrudhous, x October, 1627. Fiat ut petitur to the tent of November, nixt. (Signed) Geo. Cancell, I.P.D.”

326. Supplication by the provost and bailis of Inverness, as follows.—“Your Lordships remembers thair is a number of our towm with Mr Johne M’Keainzie, archdeane of Rosse, under cautioin for thair compairance before your Lordships the first Counsell day of November anent the maters contravertit betuixt the Erle of Murray and us upoun the points of that commissiou quhilk wes grantit be his Majestie to him, and queras wes infformed that his Majestie, by a letter written to your Lordships and purchaist be the said Erle quherby he sesignified his royall pleasure that he will reserve to himself the hearing of all things depending upoun that commissiouin, our humble petitioun unto your Lordships is to lett us know if our people sall keepe the dyet forsaidd or if your Lordships will meddle in the maters concerning the same.” [On the back] “Apud Halyrudhous, decimo Octobris, 1627. The Lordis ordains the supplicantis to reenter thair personis in warde within the tolbiuth of Elgin. (Signed) Geo. Cancell, I.P.D.”

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 compaered 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 are testificat that the saidis letters wer purchest againes thair consent and that thair concurrence was desyrit
thatairto 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 testifict that these quha ar authores of the said complent be p Unischit to the exampill of uthers is to committ the lyk." It is true that Thomas Lowrie of Kirkland of Buthill, John M'Caitnay of Leythis, and Donald M'Gill in Meikilknokis, three persons, are the only authores 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 could not escape servir punischemt, seing that I am so intoller-abilie abused be tham as authores of the said complaint in sick sort that I cannot comport thairwith or searich evir be abillt 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 pre-judged of the hail persoones contenit in the foirsaid roll, but also be the said Thomas Lowrie, ane of the saidis thrie authores of the said complaint his going to the hail parochines within the Stewartrie of Galloway and most falslie and maliciouslie informing the parochineris, baith by alluring requestitis and terrefeing threattis, that, giff they delaitit or delyverit to me thair rollis of the saidis parochines, they wald be punishit thairfoir to thair greit damage and disgrace, and thos quha hed delyverit to me thair rollis, giff they sufferrit me to apprehend any man contenit thairin, the lyk punishemt and worse wald fall upoun tham, so that giff I hed escapit thair foirsaid unlawfull, malicious and scandalous dealing I micht have beine maister of that bussines committit to my trust quhilk so neirlie concerns your Lordships contentment and my utter ruing." He craves therefore their Lordships "to call the witnesses quha ar sumound be the foirsaida compleineris, and your Lordships, haveing tane tryall anent the hail premisses, that your Lordships will not onlie in sum measour repair me of my travell and loss bot also impos sick punishemt upoun the foirsaidis thrie persoones compleineris as your Lordships thinkis expedient to the exampill of uthers is to committ the lyk." [On the back] "Apud Haltrutherhouse, decimo Octobris, 1627. Ordanis letters to be direct for summoning of the paitryis 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 captans 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 Erlig, John Browne, son of John Browne in Little Erlig, Robert Lobein in Deir, John Hall, younger in Creichie, Robert Murray, sometime cooper in Aberdeen, gardener in Skeillimarch, and Robert Dalgarno, smith; yet these persons are not
idle and masterless, but “all of thame ar outhre husbandmen and Miscellaneous
labourers of the ground or then craftsmen living upoun their handle
 typeId and labour and ar not burdenable 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 Halryudhous, viisimo 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 because is become cautioner to the
effect withinwrittin, as an act made thairnent beares.”

329. Supplication by John Sturrok, mariner, as follows:—On 19th
September last he obtained a decret 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 Mc 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.
petitur. (Signed) GEO. CANCELLR, I.P.D.”

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 Irnesayde, Normand Henrie in
Pitmblane, Michael Johnnestoun there, James Irving in Newburgh,
John Clerk there, Robert Lowrenstoun there, Gilbert Blak, son to
Jerome Blak there, Alexander Colt, seaman there, James Forsythe in
Kirkmiln, John Coupar, servitor to Thomas Craigheads at the Hill
of Fiddes, Andrew Jaffray there, Henry Hill in the Hill of Fiddes, William
Aitkin, servitor to John Mitchell at the aihous 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
Irnesayde and Michael Johnnestoun were never given up as persons of
that kind, being honest labourers of the ground and having means
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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 wrangouleis chargeit to tak thame and could not eshew the imputation of a heigh presumptioun and manifest usurpation of his Majesties royall authoritie yf I, who am a privat persoone, sall presoome 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 Halgrudhouse, 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 because the compleiner hes found cautioni to the effect withinwrittin, under the pane of v° merkis. (Signed) GEO. CANCELL., 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 goodis and geir violentie reft and taken from us be the rebellious theevis and lymmaris of the Claneane and ressette be the personis underwrittin," as follows:—In February, 1623, 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 merchandize; during which possession, Allane McCleane, brother to Hector McCleane of Dowart, came on board their ship and "after long speecche and conference with the rebellis, he ressavet out of the said ship xvij barrellis of malt, pryce of the barrell auctor pund; four rubbaris of wyneecch pryce of the rubber xl lib.; and thrie hogheads of French wyne, pryce of the hoghead lxvij lib. xijj s. iiiij d.; and siclyke Neill Makrorie, Captaine of Arras, lykwyse come aboard of our schip and, after mutual taikins of love and kyndnes betuix him and the rebellis, he ressavet out of the said schip xxiiij barrellis of malt, pryce of the barrell auctor pundis; ane muskat worth xx° lib., four gallonis of aquavittie, pryce of the gallone ten pundis; ane hundredth elnes of gray clooth, pryce of the elne xx s.; and ten pund weyght of tobacco, pryce of the pund auctor merkis. Lykeas..." McCunes, spous to Mr Maisteyne McCulwra, minister at Mull, come aboard of our schip and tooke furth thairof barrellis of Frenshe wyne, pryce...; barrellis of Spaynis wyne, pryce of the barrell...; thrie lastis and ane half of herring, pryce of the last auctor scoir of pundis, and j° double elnes of plaiding, pryce thairof j° lib." The complainers thereupon summoned these offenders before their Lordships in November, 1625, but they not compariong were put to the horn and still remain thereat. Because of this delay the suppliants in July last complained again to their Lordships, and then Hector McClean, apparent of Dowart, master and landlord to the said persons, being present, undertook to cause them make satisfaction for
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 M'Cleane to appear and exhibit the said Allan M'Cleane, his uncle, Neill M'Crorie, Captain of Arras, and Mr Martin M'Ilwra, minister at Mull, to answer anent the premises. [On the back] *Apud Edinburg secundo Novembris, 1627. Fiat ut petitur.* (Signed) GEO. CANCELLR, I.P.D.”

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 “statue and ordanit that it sould not be lauchfull for ony of his Hienes subjectis to block or agrie upon the prye of victual more or les except thei first agrie and condiscend upon the prye of the first boll of the bargaine, quhilk being so agreit upon the said prye sould rent the whole quantite of the rest of the bollis to be ressavied be the buyer quho sal have no eik nor addition of any forder quantite except upon the payment of that prye as is conditioned for the first boll, and, gif ony persone contraveine, he sall pay fourtie schillings for everie boll of victual ressavied be him contrarie the tennour of the said act and that by and attour the pryes of the victual,” 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 conditioniun or bargane anent the said victuall till first promesi wes maid unto them of ane pek to everie boll of the said victuall, quhilk pek wes accordinglie ressait be thame,” whereby they have contravened the act of Parliament. They crave summons against them to compair 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 Edinburg, secundo Novembris, 1627. Fiat ut petitur.* (Signed) GEO. CANCELLR, I.P.D.”


334. Supplication by David Arnot of Barkaipell, chamberlain of Galloway, against Robert M'Clellane of Mursetoun, as narrated in Vol.

335. Supplication by Allan Wilson, John Rewcastle, Walter Scot, John Tait, James Towdop, John Laing and William M‘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 verity that none of us ar persons of that qualitie against whom your Lordships acts tuisceing ydie and maisterless men can be extendit, we and everie one of us being honest, simple men attending that calling quherunto it hase pleased God to call us, and carefullie and diligentie we worke for our living without being chargeable to anie or offensive in the tow quarters we dwell, and we wer never givin up be anie authorized with lawfull warrand and commision to be persons of the qualitie foresaid.” 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 Hallrydhouse, sexto Novembris, 1627. The Lords ordains the persons withnameit to be delverit to the Earle of Nithidaill to be transported be him, the said Earle paying for their interteynment in the meane tyme and delvering thame to Mowsall upon repayment of the charges to be bestowed be the Earle upon thame. (Signed) GEO. CANCELL, I.P.D.”

336. Supplication by Adam Urquhart, burgess of Forres, and Elizabeth Vaas, 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 burgess of person were taken from her by William Browne, bailie, her apprehender; and thereafter being produced with the writers 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 information and instigation of sum of my unfriends, quhilk now, praised be God, is reconciled and setted,” but though they have desired delivery of the writers, they cannot obtain them without a warrant from their Lordships to the said Clerk. This they crave. [On the back] “Apud Hallrydhouse, sexto Novembris, 1627. Fiat ut petitur. (Signed) GEO. CANCELL, I.P.D.”

337. Supplication by John Geddes in Blaetwood, as follows:—On the 6th November 1627. Supplication by John Geddes in Blaetwood for summons against the magistrates of Dumfries for illegal warrid.
and the said provost and bailies. [On the back] “Apud Halyrudhouse, Miscellanous  
secto Novembris, 1627. Fiat ut petitur with the ordinar provisioun. 
Geo. Cancellr, I.P.D.”

338. Supplication by Sir William Bannatyne, knight, lord of the 
regality of Brouchtoun, as follows:—The seventh instant is appointed 
for a general muster and waponschaw 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 Mr. 
Walter Bannatyne, my depute, who sould suppble my plaise is heavilie 
diseased and cannot attend the ressaiving of the saids mustours,” he 
craves that their Lordships may “prorogat and continew the weapoun-
schawing of the regalitie of Brouchtoun and of the town of the Cannogait, 
quhilk hes evir bein in use to giv their mustours with me and my 
bailleis, till suche conveniente tyme heerafter as your Lordships pleases.” 
petitur to this day fiftene dayes and that a roll of the persons that sall 
muster that day be reported to the Counsall the nixt Consall day 
following. (Signed) Geo. Cancellr, I.P.D.”

339. Supplication by Mr James Strauchane, merchant burgess of 
Edinburgh, as follows:—John Johnston, merchant burgess edinburgh, 
and Robert Ker, merchant burgess there, “alleging that thay haue 
certane goods lying within the kingdome of France, quhilkis by resaun 
of the tyme ar deteaned and withaldin fra thame, hes thairpoune 
purchast letters be your Lordships delveryance, proceeding upoun a 
missive letter direct be his Majestie to your Lordships for arresting all 
goods and debt paretean to quhatsomever Frenchemen, being within 
this kingdome to remayne under arrestment at thair instance untill 
payment be made to thame of the sowmes additbit 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 
paretean to me within my seller, alledging the same to paretean to one 
Monsieur Colon, Frencheman; by the quhilk arrestment they haive givin suche a terrou 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 paretean to the said Monsieur Colon nor to 
na uther Frencheman quhatsomever, and I haive no goods in my 
possesioun and under my power and command paretean to anie 
Frencheman, sua that this arrestment is verie maliciouslie made upon 
my goods purposelie to disappoint me of my mercat and to draw my name 
in questioun, whilik 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
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 ressoun that thir personis ones takin on for this service could be in suretie to remayne heir as gif thay haid nevir bene takin on althoacht thair captaines be alreadie goun without thame," he craves warrant that he and his captains and officers may apprehend "all suche fugitive sojurs who hes ressaved pay of any uther colonell and thair captaines and officers for the service foirsaid and ar yitt still in the country and to transport thame and putt thame [to] service under my charge. [On the back] "Apud Halyrudehouse, octavo Novembris, 1626. Fiat ut petitur, aganis the Colonell his awne fugitive soldiers and aganis the fugitive soldiers of Colonel Nithisdaill 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, I.P.D."

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 Kincleivin, 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 partis of the saidis first, secund and thirde terms payment of the said tax- tion," within 20 days, under pain of poinding. [On the back] "Apud Edinburgk, octavo Novembris, 1627. Fiat ut petitur. (Signed) GEO. CANCELL, I.P.D."

342. Supplication by Edward Reidheid, servant to James Bannerman of Auchalaid, as follows:—On the day of 1626, he was at the smiddy of Corbeshill, "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,
Anchesleid, for summons against George Ross in Brucehill 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 persew me of my lyfe, gave me manie bloodie wounds upon the head, gairdeis and uthers paitrs of my bodie, brake my sword in piecess and tooke the same togedder with my whingeear away with thame, haiving left me for deid; and, upon the day of the yeere of God foirsaid, the saids persounes, boddin and accompanied, as said is, come under cloud and silence of night to the ground of Anchesleid, brake doun my fald dykes, destroyt my corne and most cruellie hurt and wondit me with manie bloodie wounds upon my head and uthers paitrs of my bodie, and then also left me for deid. And upon the day of the yeere of God jœjœxxvij yeeress, I being in peaceable and quyet maner fetching home my corne, John Craik in Anchesleid, come accompanied with and with convocation of his Majesteis lieges unbesett me and persew me of my lyfe with swords, whingeears, forkes and uthers weapouns invasive, gave me manie cruell and bloodie wounds upon diverse paitrs 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 beleeeved assuredlie that I was deid, and thairafter perforce tooke away my said corne with thame; lykeas I lay bedfast under the cure of chirurgians be reasoun of the said wounds for the space of halfe a yeere to my heave hurt and undoing. Lykeas the saids persounis oftin and diverse tymes doe ly at await for me under cloud and silence of night at my hous and ellirschair sua that I darre not for feare of my lyfe repaire nor haunt to kirk nor mercat nor anie uthers publicit plaice as his Majesteis free subject to doe and exercce my lawfull eares for feare of thair cruelltie and oppression.” He craves a summons against them. [On the back] “Apud Halyrudhous, octavo Novembris, 1627. Fiat ut petitur, with the ordinarn provisoun. (Signed) GEO. CANCELLIS, I.P.D.”

8th November 1627.
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 undergo his condition 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 ordinarn provisoun. (Signed) GEO. CANCELLIS, I.P.D.”
344. Supplication by John, Earl of Mar, Lord Erskine and Garvialache, collector general of the taxations granted in August, 1621, as follows:

The first, second, third and fourth terms of payment thereof are now past, but the feuars of the lordship of Kinclewin neglect to pay. He craves letters charging “all and sindrie fowarise 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. CANCELLÆ, I.P.D.”

345. Supplication by Margaret Steill, spouse to Gilbert Broun, messenger, as follows:—In May last Nicoll Rose of Afflussen, accompanied with Thomas Ferquharson, his son-in-law, Duncan Rose, servitor to the said Nicoll, James Allane in Afflussen, George Lindsay there, James Grant in , and James Rose in , came by way of hamesuckin, “under cloud and silence of night about night, to my said husband’s dwelling house and qubair we with Robert Broun, my son, and James Forbes, our servitor, and the rest of our famelie we all in our beds takand the nightis rest under his Majesteis protection and peace, and their violentlie brak and dang up our doore, enterit in within our said house upoun us and first patt violent hand in my said husband his persone and after they 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, qhillikis they caried away with thame, thay then not onlie violentlie and perforce caried and tooke away with thame my said husband, bot also my said sone and servand and sold and deyverit thame all thrie to Captane George Ogilvie for the soume of foutrie pundis the peece be whome thy wer imbarqued and transportad 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. CANCELLÆ, I.P.D.”

346. Supplication by Patrick McDowall in Powtoun, as follows:—On the day of last, while he was going home from Wigtoon 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 shoret 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. CANCELLÆ, I.P.D.”

347. Supplication by Sir William Oliphant of Newton, 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
the laws forbidding the carrying of hagbuts and pistollets and the armed convocation of the lieges for illegal purposes, in June last John Ferquharsone of Innergaid, Robert Ferquharsone, his son, and their accomplices, with many other persons, "all boidin in feir of weir, with hagbuitis and pistolletis, javelingsis, Lochaber aixis, bowis, darlochis, swords, forks, bandit stafis and utheris waponnis invasive, come after a verrie tumultuous and unseamlie maner under clode and silence of night, quhen alluther other people wes at rest, to my saids Mr William Forbes mosse of Tulloch, quhair I and my tennents had cassain and wine our winter provision of peattis, and thair in a most lawlesse and violent maner, in contempt and dispyte of me, thay cuttit and destroyit my said saill peattis except so money of thame as thay could gett conventilely carried away with thame, and sua did quhat in thame lay altogiddar to disapoynt me and my saids tennents of our winter provision of fyre." They crave summons against them. (Signed) "S. W. OLIPHANT; S. THOMAS HOP." [On the back] "Apud Edinburgh, nono Novembri, 1627. Fiat ut petitur. (Signed) GEO. CANCELLAR."

348. Supplication by John Dow McChiritter in Aucheniba, servant to Gorrie McAleaster, iar of Tarbet, and by the said Gorry as master to him, as follows:—On 20th June last or thereby Alester McPhadrik VcDowill alias McCallie, indweller in Canny, came to the said John Dowan upon his said masters’ lands of Aucheniba 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 effusion of blood, "and thair left me lyand as a dead persone bullering in my owne blode; lykess I lay bedfast thairafter the speece of in haisard of my lyffe." They crave summons against him. [On the back] "Apud Edinburgh, nono Novembri, 1627. Fiat ut petitur. (Signed) GEO. CANCELLAR."


350. Supplication by Patrick McCon nell in Apilbie, as follows:—On July last Michaeil McDougall 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 waponnis invasive," came and invaded him and wounded him on the shoulder blade with a sword, "gaff me aneuther deip and deadly stog straik right beneath the same with the poyn of a sword and hurt and woundit me [in] sindrie utheris pairtis of my
body to the effusion of my blood in grieve quantitie and perrell of my
lyffe, and their left me for dead." He craves summons against them.
petitur. (Signed) GEO. CANCELLER, I.P.D."

351. Supplication by John Blair in Auchenlolyche and John Aitkin there, as follows:--Notwithstanding the acts forbidding the convoca-
tion of the lieges for committing any violence or lawlessness, yet
William Cunninghame, sir of Carnecurrane, William Blakburne in
Carruth, and others their accomplices, "all boddin in feare of warre
with swords, staves, rungs, battounes and utheris weapons invasive,
come upon the day of October last, being Sunday, under cloud and
silence of night, in ane hostile and uneemelie maner to the houes
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 Majestie
autoritie shoul have securd us from anie violence at that tyme, and
their thay, without all feare of God or regaird unto his Majestie
autoritie, to the manifest profanation of the said day and opin scandal
of the kirk, most cruellie invalidit us, we being simple labourers of the
ground and destitute of all weapons defensive or offensive, strake, hurt
and woundit us in diverse parts of our bodie, and we, being throw
manie bauche and blae strakes upon our head and utheris pairtis feld
and dung to the ground, thay than most shamefullie and unmercifullie
bladdit and dammeist us with their folded niffes upon the faice and
head. Lykeas the saids personis, not content heerewith but persisting
in thair malicious and cruell disposition againis us, conveened thaim-
theselves togidder with Daniel Cuningham, father to the said William,
James and William Scota, William Baxter, Archibald Carruth, Archi
Parker, John Mowdie, and with uthers thair complices, all boddin as
said is, come be way of hamesukin to our dwelling houess upon the
gay of under cloud and silence of night and lay about our
houess and among our corisses till the morning, resolving at our out-
coming to have slaine us and, we being simple ignorant men and not
knowing of suche a wicked course intendit againis us, how soone we
raise in the morrow and come to our work to shair our corisses and
inputt that quhilke wes shorne, the saids personis most cruellie and
fiercelie unbesett us unawars of set purpose and provision to have
bereft us of our lyves su that for safetie of the same we wer com-
pelled to flee to the placie of Craignanes, our maistiers house. Lykeas
diverse tymes of before the saids personis lay at await for us about our
houess and among our corisses and as yitt continuallie, quhairthrow we
ar constrained to remaine in our maistiers said houes and darre not come
to our awin houess nor use our lawfull calling in sheiring and winning
of our corisses as his Majesties free lieges to our heavie hurt and skailth." They crave summons against these persons. [On the back] "Apud
352. Supplication by Mr John Rutherfoord, minister at Kinbethook, as follows:—On the day of last, William Leslie, lawful son to Mr John Leslie, sometime minister at Tutlachie, accompanied with George Andersone in Aibirgadyn, James Oig in Migvie and John Smyth in Pontlevin, with divers uthers, came with a number of horses, "haveinge every one of them a draught of traylling treysis and utherm tymmer, to my gleiblandis and thair, in contemp and dispyte of me, after a malicious and lawles maner went throw my corness and hayned greese, letting thair horse rug up and eate thairof quhat they pleased, sua that thairby and be thair horse feitt and draught of the saidis treysis a grette part of my saidis cornes wes spoyled and destroyed. And upoun advertiseisment thairof I haveinge come furth frome my boke and studie and in a quyet maner haveinge objected unto the saidis personis their wrong, willing thame to forbeare the same, the said William Leslie, out of his forder spye aganis me, without respect to my persone and calling, drew furth his sword and thairwith shamefullie and cruellie invaidit and persewit me of my lyff, strak out a number ofstraikis at me and haid not faillit to have slayne me gif be the providence of God I had not bene rescued be some weill disposed nightbouris that, heiring the fray, come running thair for the tyme. And the said William, not being saisfisit heirwith, he upoon the morne thairefter, accompanyit with the said Mr Johne, his father, bolidin in feir of weir, with swordsis, quhingeris and utherris wapinonis invasive, come be way of hamescuckin to my duelling house, and thair after ane insolent maner searched and soght me about all the pairtsis thairof of purpos to have brefit me of my lyffe gif they haid apprehendit me, uttering in the meaningyme a number of injurious and threatning speechis aganis me, saying that I durst not come in thair sight for my hanging and that, gif they haid haid me, all my kine sould not saff my lyff, sua that I dar skaice sie 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 Halyrudhouse, xiij Novembris, 1627. Fiat ut petitur. (Signed) GEO. CANCELLY, I.P.D."

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 deboour for the sowme [of] fyftene pund and four pund of fie, sua all that he hes to alledg aganis me is the sowme of sixtein pund, the quhilk sowme is trustit out in drink be me to utheris during the tymne of my service, and heir I amstervit to deid with moist lumentabill famein be him moist maliciouslie, nochtwithstanding thatt oft and many tymis I have offerrit him my awin
band off the first gudis thatt I can or may conques or aqyr to sasfe
him, yit he will except of no kynd of conditione," but will starve her
to death. She beseeches their Lordships to commiserate her case,
"haidin so lang in waird for sick ane sempie sowme as saxtein pund,
and, as I have schawin your Lordships, I haild perrieschit lang ago haild
nocht the guidman and guidwyyff of the tolbuith throw plane pietet
preservit my lyff"; and craves letters charging the said Donald Baine
Bower to compeir before their Lordships at Holyroodhouse "or quhair
t it saill happen 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
The Lordis remittis this suppllication to the Lordis of Sessioun.
(Signed) GEO. CANCEL*, I.P.D."

354. Supplication by John Hiddlestoun at the Mill of Templeland, as 17th Novem-
ber 1627. Supplication by John Hiddlestoun at the Mill of Templeland for
summons against John Maxwell, now of Shawis, for
assault and
illegal ward-
ing.
striking him with the said weapons and their hands and feet, "feld me
to the ground, and then the said Johnne not onlie most unmercifullie
poust and brust me with his kneyis upon the breast, bellie and utheres
partis of my bodie, but 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, harmelis, aiged wyffs
of thriescoir ten yeiris or thairby preast by the small strethno sco haid
to have rescued me from his crueltie, he putt violent hands in hir
persone and so cruellie strak and brust hir that sco lay bedfast thair-
after the space of xv dyayes in grite haisaid of hir lyffe, lykesa nath-
will shco nor I be evir able to work for wineing of our leiving, bot be
as decrrippit personis all our dyayes. And the said John Maxuell, not
being sasfeit heithith, he, assisted with his complices, violentlie and
perforce caryed me captive frome my said house to the burgh of
Drumfreis and committit me to waird within the tolbuith thairof, quhair
I wes detenit prisoner the speace of fuye or sax oullis, I being his
Majestie frie liege, ansuerabill and obedyent to the lawis, haveing
committit no cryme nor offence nor thair being no redeit 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, xviij Novembris, 1627. Fiat ut petitur. (Signed)
GEO. CANCEL*, I.P.D."

355. Supplication by Sir William Olyphant of Newtown, knight, and 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
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 their awin privat gaine to the obedience of the law and to the weale of the kingdom," 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 skairse that the subjects of the kingdom hes not the meanes convenientlie to furnishe thameselfes thairwith to thair heaiviie hurt and skaith." They crave summons against these offenders. (Signed) "S. W. OLIPHANT; S. THOMAS HOP." [On the back] "Apud Holyrudhous, vicevima Novemberis, 1627. Fiat ut petitur. (Signed) GEO. CANCELLER, I.P.D."

356. Supplication by George, Lord Ramsay of Dalhoussie, 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 fairs 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 forementioned terms within 20 days. [On the back] "Apud Edinburgh, xvij Novembris, 1627. Fiat ut petitur. (Signed) GEO. CANCELLER, I.P.D."

357. Supplication by Andrew, Bishop of Galloway, as follows:—In the tax roll made for his reliefe of the tax imposed upon the Bishopric of Galloway for the taxation granted to his Majesty in October, 1625, the aforementioned 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 parishone 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 tax roll for his relief of the tax imposed upon the abbacy of Toungland for the abovementioned 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 tax 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-
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 Edinburg, xxiij Novembris, 1627. Fiat ut petitur. (Signed) GEO. CANCELL*, I.P.D.”

358. Supplication by Andrew, Bishop of Galloway, as follows:—In the 24th November 1627. A similar supplication by the same for a tax to the priory of Whithorne, in October, 1625, the lands of Balsmith pertaining to Robert McCulloch, apparent of Drummorell, 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 Edinburg, xxiij Novembris, 1627. Fiat ut petitur. (Signed) GEO. CANCELL*, I.P.D.”

359. Supplication by John Campbell of Kendloch, as follows:—25th November 1627. Alexander Fleyming of Moune and Patrick Fleyming of Carnbrane, his cautioner, were charged at the supplicant’s instance to pay him £10 00 conform to a decree 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 Fleming, cautioner for Alexander Fleming of Moune, to pay certain fines imposed on the said Alexander for resetting the Clanregour. “Upon certain freevolous reasons and of finding of Patrick 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 decreed 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 Halyrathous, xxx Novembris, 1627. Fiat ut petitur. (Signed) GEO. CANCELL*, I.P.D.”

360. Supplication by Robert, Lord Burley, as follows:—He is 26th November 1627. Supplication by Robert, Lord Burley, for letters charging his tenants to pay the lands qhilks I have in propertie and few of ane pairt of the thrie pairt lands of Ballone, my few lands of Strakinne and lands of Ballone, quhairof I am superiour”; and he himself ought to be relieved by his vassals and tenants. But because he neglected “upon some necessar occasioun” to make and set down a tax to his relief, “at the terme appoyntit to that effect be the act of Conventiou maid anent the granting of the said taxation,” 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, xxvii Novembris, 1627. Fiat ut petitor. (Signed) GEO. CANCELLA, I.P.D.”

361. Supplication by Euphemia McDull, 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 writ 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 Session or an inventory and bond made as above, with caution. [On the back] “Apud Halyrudhouse, 27 Novembris, 1627. The Lords, with consent of bothe partyis, ordains the writtis to be deliwerit and consignit in the handis of the Clerk of Consall 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. CANCELLA, I.P.D.”

362. Supplication by James Donald, 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 Halyrudhouse, 27 Novembris, 1627. Fiat ut petitor. (Signed) GEO. CANCELLA, I.P.D.”

363. Supplication by John Anderson in the Walkmiline of Wranghame, Alexander Sharttertie 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 Newton, 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 uthers wapponis invasive, come to our dwelling houses at the walk milne of Warranpoun and their, be way of hamesuckin, violentlie enterit within our saidis houses, searchit and soght us throw all the pairties thairof, stoggit our beddis with draywe swordis and stalffis, and used all uthers meanis for apprehending of us; and finding me, the said John Anderson, they schamefullie and unmercifullie invaidit and persewit me of my lyffe, most cruellie stralk, hurt and woundit me in the head.
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 wes 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 purpos to have slayne [me] gif be the providence of God I had not bene rescued frome thair crueltie. Lykeas upon the day of November instant thay come to the duelling houses 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 invaidit and persewit us of thair 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 doun our corne yard dydis, and after a lawles and maisterfull maner keast four of our best corne stakkis and carryed and transportit the same away with thame to the barneyaird of Newtoun, and keips the same thair as yit." They crave summons against them.


364. Supplication by William Lamb and Margaret Crunzeoun, widow, his mother, as follows:—On 22nd November instant the said William, while “going alang this streit of Edinburgh tending to have went to Dalkeith to have servit in the palace thairof as fairman under the maister cuik of the same, quhomwith I was conductit fra Martimes last to Witsounday nixt at leist be sum utheris in his name,” was apprehended by Borthuik, younger of Johnstoneburne, who took him away alleging that “I wes his conductit sojour, qhilkis was never of veratie bot by way of circumvention, he being at his denner in the duellying hous of William Synmoe, burges of Edinburgh, in the moneth of May last with certane his complices, willit me to inquire the reconnyng and report ane anser qhilkis extend to xvij a., qhilk he delyverit to me for payment of thair said dennar, alldging 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 hou in Edinburgh, committing thairthrow ane manifest rayot and oppressioun qhilkis aucht to be pynischt 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 suppliants being “miseryfull and puri persons.” 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

Fiat ut petitur. Hadinton."

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 shoule be imbarqued uncustomat, I fergadderit with ane woman betuix sex and sevin of the clock at night having on his 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 tymne and thair hard by the said boitt, I haweving apprehendit and takin the said cloith from the said woman and haweving the same in my armes, bringing it away with me, David Spens, mariner in Kirkcaldie, to quhome the said cloith appertenit, accompanyit with Henrie Ronaldsoun, younger, and John Tennent, younger, marynaris thair, come to me and simulatlie 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 immediatlie 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, quhoreof John Balcanquail was maister, and after that the said David Spence had come furth of the sea, and that I prest to go aboard of the said schip in ane uther boit, the said David, assisted with the utheris personis forsaidis, patt violent hand in my persone, uttering and saying that I durst not for my hanging mell with the forsaide cloith, ruggit my clock frome me and strauit the same most despytfullie under thair feet, held me fast be the armes till thay not onlie shamefullie strak and abused me with staffis and trevis bot also both pullit furth my quhinger and keast me on my bak and then strak at me most despytfullie 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 releved be certane weil disposed personis that come thair for the tymne. And siclyke upoun the xvij of October last, thair being ane ship of Kirkcaldie, quhairof John Balcanquall is maister and skippar, lealtie arrayved 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 shoule have bene losset that his Majestie shoule not bene defrauded of his dew custome, and in the meanentyme rancountering with Alexander Law, callit Blak Alexander Law, in Kirkcaldie, accompanyit with John Tennent, younger thair, two of the company of the said schip at ane quyet plaice beayde the east bulwark, quhairafter I had saluted the saidis personis, I persaweving the said Alexander to have under his clock and ockster ane havie pack of ritche wairis, quhilk be all apperance wes gold leace and
pesmentis, and thairupoun haveing tane ane greip of the same, willing
the said Alexander to lett me see quhat was within the said packett, the
said Alexander in the meane tyme not onlie flatlie refusied to do the same
bot perforce putt me bak frome him, and with that the said John Tennent
come behind my bak and gripit 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 conveyit the same away out of my sight thairwithall, most
proudlie avowing and affirming that in dispyte of my hairt I sould not
sie the same, with sindrie utheris injurious and approbrious speecchis not
worthis to be rehearsed, wherthrow the fornamed persons and every one
of thame hes violentlie withstand and resisted me in the executioun
and discharge of my office, heightlie to his Majestis offence and contemp of
his auctoritie and laws.” He craves summons against them. [On the
(Signed) MAR.”

367. Supplication by Fergus Dunbar, burgess of Stranrawer, and
Katherine Herroun, his spouse, as follows:—On November last
Annabell M’Croyne, spouse to Thomas M’Kie, burgess of the said burgh,
at the instance of the said Thomas came by way of hameaucken, “under
clyde and silence of night, boidin with a grite battoun or rung and
utheris wapponis, to our dwelling house in Stranrawer, qhaur 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 invaidit and persewit us and Andro, Gawane,
and Niniane Dunbaris, our sones and our servandis of our lyves, gaiit us a
number of bauch, blae and bludie straikis in the headis, faceis and
utheris partis of our bodyes to the effusion of our blode in grite
quantitie, uttering in the meane tyme a number of reprotchefull and
scanderous speecchis agenis us, calling us theivis and robbris 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 nourbours come and
releived us. And not being satisfeit heirwith scho daylie sensyne awaitit
and attendis the occasioun to get some unhonest advantage of us for
executing of hir detectable purpois agenis 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 invaidit and persewit me of my lyffe
with , and after ane cruel 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 was
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 Halyrudhouse, secto
Decembris, 1627. The Lordis remittis the tryall and redres of the wrong libellit to the provest and bailleis of Stranrawer. (Signed) Mar

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 kingdom, "and finding it na ways agreeable with ordour, policie nor good government that anie forraine commoditeis brought within this kingdom sould be sauld at a double rait and pryce of the native commoditeis of the same, especiallie whair the native commoditeis ar als good as the forraine," made an act and proclamation to "all his Majestis subjects, hamebringers of English beir, that none of thame sould sell the same darrer nor sax punds the bwnne to the intent the ventenners might accordinglie sell the same for auchtien penneis the pynt, under the paine of tuentie punds for everie bwnne that thay sould sell at ahe higher rait and pryce nor sax pund, as the said act and proclamation publicest thairrupou 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
October 9th James Coilyear in Kirkcaldie brought to the port of twenty “twennes” of English beer and sold the same for over £6 the “bwnne”; and on 20th November last Henry Schankes in Kinghorn brought to the port of fifteen “twenne” of English beer and sold it dearer than £6 the “bwnne.” Thereby these persons have contravened the said acts and proclamations, and become liable in the penalty of £20 “for everie bwnne of beir brought homae be thame against the tennour of the said acts.” They therefore crave letters charging them to appear 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 Holyrudhouse, septimo die Decembris, 1627. Fiat ut petitur.”

369. Supplication by Alexander Donaldsoun in Saughtoun against Robert Mowbray at the Bridgend of Crawmond, as narrated in Vol. II., Second Series, p. 188. [On the back] “Apud Edinburgh, xi Decembris, 1627. Fiat summunvio ut petitur to the ellevant day of Januar nixtocomome and to suspend and discharge ut infra in the meanetyme quhill the sextene day of the same moneth of Januar nixtocomome; becaus John Broun at Gorgy Milne is become cautioun for the compler to the effect within writtin, as ane act maid thairainent beirias. (Signed) S. 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, choosin and sworne to that effect, in the sowne of fiftie pundis for the last taxatioun granitit to his Majestie in October 1625, and that for the said Mr David his pairt of the said taxatioun both ordinair and extraordinary for this present yeere of God jvij and twentie sevin and for the yeere of God jvij and twentie aucht nixtocomome, as the rest of the nighbours of the said burgh wer stentit proportionable for the saids twa yeeris”; and he and they being also “stentit” for the preceeding two years made payment thereof according to the stent rolls. And the supplicant, as bailie of that quarter where-in the said Mr David resides and to whom the collection of that quarter’s stent is appointed, “haiving past sindrie tyunes before and since the terme of Mertimes last to the said Mr David to have resssavit payment fra him of his said stent, and last, upoun the fyft day of December instant, haiving forgadderti with him within his close in the backraw of Stirline, looking thair to haive ressavitt the said stent without anie questioun or contradiction, neverthelesse it is of truthe that not onlie he refused to pay the said stent unto me but also most shamefullie and reprocuchfullie abused, traduced and revyled me, being in the executioum of my office, calling me and all the stentmaisters of Stirline false, mansworne knaves, and that we wer all villaine swingears
and asse, 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 towne, with manie utheris injurious and reprehensifull speeches; and, not content therewith, the said Mr David, to the fordere disgrace and contempt of his Majestis 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 doun and vowed to have my lyfe before he and I sinderit. And for effectuuting of this his lawlesse and cruell intendion he cryed on Peter Home, his servaunt, to goe up stairis and bring him his sword and commandit him and the rest of his servaunts to steeke all his yette, whilk they did, and had not failed to haue 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 Mr David against me, I wes delverit out of their hands; quhairthrow, as the said Mr David hes most injuriouslie and disgracefullie abused me in the execution of my office, so he hes most prouudlie and contempnandlie violat his Majesties auctoritie and lawes made for obedience of his Majesties officiaris and all magistratis in execution of their offices, to the great disgrace of his Majesties governement and evill exemplie of utheris to committ the lyke hearafter." He craves summons against him. [On the back] "Apud Halyrudhous, undecimo Decembris, 1627. Fiat ut petitur. (Signed) MAR."

371. Supplication by Sir William Oliphant of Newtown, knight, and Mr Thomas Hoip of Craighall, King's Advocates, for his Majesty's interest, and John M'Kay of and Neill M'Kay in Skaill for summon against Alexander M'Kay of Langwell and others for killing game in the forests belonging to the suppliants.

Although the wearing of hagbuts and pistolets is forbidden and the slaughter of deer, roe and venison, yet Alexander M'Kay of Langwell, Neill M'Angus in Eister Larg, and Kenneth M'Cane V'IVen in Synnmes with their accomplices, came in August last to the forests of Biechlibert and Beustreme, pertaining to the said John M'Kay and Sir Donald M'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 saide forestis, quhilkis wer most plentiful of all soirts of dear, ar now become in a maner voyd of dear; and at that same tyme forgadder with a kow pertaining to me, the said Neill M'Kay, thay, out of thair insolent and malitious dispostioun, schoit and slewe 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 exemplarly 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' J. SCOTTISTARVETT."

372. Supplication by Patrick Morysoun, sheriff clerk of Clakmannane, as follows:—On 13th May, 1627, William Drydaill, portioner of
Wester Sheardall, “being lodged and lying in my house in Clakmannane, he be the break of day, quhill as I and the rest of my famelie were asleip, raise out of his bed and sough and searched throw my haill house till he fand ane number of my wreittis, quhilkis (at my going to bed) I had layed under my hatt on my chalmer buird and amongis the quhilkis, their being ane band subscrivit and grantit be the said William the day preceeding to Adame Moreis, coillyear at the heugh of Sauchie, conten- cing the sowme of tuo hundreth merkis money, and bearing the same to be payit at Witsounday nixt with ane heretabiliss clause inoice of retention thereof, and quhilk band wes with consent of bothe pairties 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 treatsherous deid hea not bene heirtofoir 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 oordour thairanent as the nature of the caus requeyrua.” He craves a summons against the offender. [On the back] “Apud Halryrudhouse, xiij Decembris, 1627. Fiat ut petitur. (Signed) MAR.” (See Vol. II., Second Series, p. 210.)


372. Supplication by John Dick of Barneill, as follows:—He has been put to the horn at the instance of Mr Robert Peiblis, minister at
Kirkmichael, for not entering ward in the tolbooth of Edinburgh until the 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 suppliant; 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 Craigall, King's Advocates, for his Majesty's interest, to see the provost and bailies of Edinburgh decreed to liberate him. [On the back] "Apud Holyroodhouse, xiiij Decemberis 1627. fiat summumitio ut petitur to the day of and to suspend and relax ut infra to the day of in regard of the complenissi obedience. (Signed) Sanctandrews, I.P.D."

375. Supplication by John Lawson in Heringdene, as follows:

"Upoun occasion of ane unhappie accident and rackles slaughter of umquhile John Harlawbankis in Huntlycoit allegit committit be me I wes, in the moneth of last (quhilk is now about the spase of half ane yier since), by warrand from your Lordships apprehendit and committit to waird within the tolbuith of Edinburgh, quhair I have evir remaneit prisoner sensyne in grite distresse and miserie; and your Lordships, upoun consideration of the nature, circomstanceis and occasionis of that slaughter, being gratiosulise pleased to contenow my tryall, so that I might gif satisfactioun to the relict, kine and frendis of the said umquhile John, I in all submissive obedience and willingnes, caused diverse and sindrie tyme mak offer to thame of the sowme of fyve hundredth merkis money of assaythement, bot thay, being so malitiouslie sette aganis me that they refusit in ony sort to heir of my said offer, notwithstanding that I often petitioned your Lordships to urge thame thairunto, whereupon your Lordships wer pleased by your missive letter to recommend the matter to his Majestie, who out of his royall clemencie and mercie (upoun consideration of the matter as it fell out and be ressoun of my willingnes to gif satisfactioun to the paintrie in maner fairsaid) hes grantit a remissioun unto me of the said slaughter. Bot now I am become unhaile to performe my offer fairsaid be ressoun that throw occasion of my long imprisonement (proceeding of the malice of all the paintrie that wald not heir of my said offer) not onlie have I spent a grite pairt of my measis in waird, bot my cattell, bestial and goddes ar haillylie traikit, lost and stollin, besyds my haiil cornes and growth of my rowme and possessioun quhilikis wer the onlie substance I haid wes wilfullie and malitiouslie cittin and destroyed be my said pairtie
thair goodis and nolt, thay being my nixt nighbouris, su that thair wes nevir a boll of it shorne, as is notourlie knawne; and yit novirtheless for testifieing of my evir willingnes to gif unto my said pairtie satisfactionoun so far as my habilitie will reache, I am content to assigns unto thame the hail goodis and meanis that I have left to the fair, provyding that thay sall not onlie first grant me ane letter of slaynis with a consent to my libertie out of waerd and defray the charges of the passing of an remissioun throw his Majesteis registers and sealls, but also gif satisfactionoun to the gentleman that past to court for my said remissioun of his expenses and acknowledgement due to him for that earand, quhilk the relict and freindis of the said unquhile John 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, xiiij Decembris, 1627. Fiat ut petitur."

376. Supplication by Mr James Baillie of Murrois, as follows:— 15th Decem-
ber 1627. Supplication by Mr James Baillie of Murrois for
summons against 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
cautions for his compearence when called, and for paying over his
escheate goodis if need be. He craves summons against the said James
sumonitio ut petitur untill the day of and to suspend and
relax ut infra quhill the becaus
is become caution that the compleurer sall compeir and anser to the
said complet under the pane of as also for payment of the sowme
of for his escheate goodes as ane act ma'id thairnet beris.
(Signed) S' J. SCOTTISTARWETT."

377. Supplication by Henry Pilmour, messenger in Couper of Angus, 16th Decem-
ber 1627. Supplication by Henry
Ogilvie, messenger in
Couper-Angus,
for summons
against John
Mc'Allister
plaining in
Middle Inner-
chroskie, and
others for
attempted
assault.

On March, 1627, David Spalding of Ashintullie, having employed him to execute letters and summons at his instance against John Mc'Allister 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 profites, he on the
day went and charged the said John, who, "of the pryde of his
hairt, maligninge that I durst charge him and for that causs consaving
a deadlie heatrent and malice aganis me, he pullit furth ane sword and
a durnk, and being assisted with his son, and certaine utheris his
complices, all bodin in feir of weir, with swordis, durnks, targes, bowis,
darloches and utheris waponis invasive, sett most feircellie upoun me,
shamefullie and unmercifullie invaidit and persewit me of my lyff and
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constrayned me for my saulttie to tak ane nightboursia house, wherunto thay most furrieuslie followit and persewit me and preest by force and violence to have brokin up the doore of the said house and have wine in unto me, and, finding thay could not come speed that way, thay then enterit uppon the rooffe of the said house and tirred ane grite pairt thairof 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 thay might sett the same to the doore and burne the said house abone my head, quhilk thay had no faillit to have done giff thay had not bene stayed be ccartene weildisposed nightboursia that come thair for the tyme, heighlie to his Majesteis offence and contemt of his auctoritie and lawis." He craves summons against the said John McAllester Roy Fleyming and his son. [On the back] "Apud Edinburgh, xv December, 1627. Fiat ut petitur. (Signed) S'r J. Scottistarvet."
380. Supplication by Robert Kennedie of 

1st December instant he went to the market and fair of in the course of business, and Thomas Moutray sometime of Cambusgavill, who 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, langstalffis, buttonis 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 Moutray. [On the back] "Apud Edinburg, xxij Decembris, 1627. Fiat ut petitur. (Signed) S J. SCOTTISTARVETT."

381. Supplication by Sybilla Cowper, servitrix to John Binning, 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 master in his house in Leith, John Dickson, 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 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 reliefe me furth of the said tolbuith after I had remained thairin a certane space, quhairupon I, for clearing of my honest and faithful carriage and how I was wrangoulsie slandered of the said cryme, having intentit actioun of slander before the commissars of Edinburgh, thairfor the said Grissell upoun the day of caused committ me of new againe to waird within the said tolbuith, thairin 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 Halyruthous, 17 Decembris, 1627. Fiat ut petitur. S J. SCOTTISTARVETT."
18th December 1627.

Supplication by George Gordon of Dilperris, as follows:—miscellaneous papers.

Captain James Blair and Captain Thomas Beaton, two of the captains in Lord Spynie's regiment, alleging that Alexander Couttis, Patterson 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 Flandreis and is in service there with William Layng, burgess of Aberdeen, and the said Patterson 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 hornng. [On the back] "Apud Halryduhouse, xviiij Decembris, 1627. Fiat ut petitur" to the fourteenth day of Februar next to come and to suspend and discharge ut infra to the twenty day of the said month of Februar next, because the compleiner has fund caution to the effect within writtin under the pane of fyye hundreth merkis and for payment of the somwe of xx° lib. for his escheate goods. (Signed) MAR."

18th December 1627.

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 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, xviiij Decembris, 1627. Fiat ut petitur."

18th December 1627.

Supplication by William Livingstone 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 decreed to pay their proportions thereof. [On the back] "Apud Edinburgh, xviiij Decembris, 1627. Fiat ut petitur.

(Signed) Sr J. Scottistarvet."

18th December 1627.

Supplication by the same as above to pay the said taxation for the first, second and third terms, and that for the chantorie of Glasgow, and should have relief from the tacksman
and subtacksmen of the teinds thereof, which they refuse because he aent the
neglected by necessity to set down a taxed roll at the term appointed by
the act of Convention aent 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.
petitur. (Signed) St J. SCOTTISTAIRVET."

386. Supplication by John Birsbane of Bishoptoun, as follows:— 18th Decem-
ber 1627.
Their Lordships by decreet 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 decreet. [On the back] "Apud Halyrudhous, 18
Decembris, 1627. Fiat ut petitur. (Signed) St J. SCOTTISTAIRVET."

387. Supplication by Mr Walter Whitfurde, parson of Moffett, in
reference to Andrew Davidson, as narrated in Vol. II., Second Series,
p. 162. (Undated).

388. Supplication by Alexander Thomesoun, messenger, as follows:— 19th Decem-
ber 1627.
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 saidis landis lyes, of purpose to have used
the remanent ordour of compryseynge at the mercat croce thairof, expecting
nothing les then any violence or injurie could have bene offerit or done
to me in the executioun of my office, it is of treuth that the said John
Lindsay, accompanied with John Bickertoun in Dirletoun, Alexander Lug-
toun thair, and John Sydserff thair, with utheris thair complices, all boind
in feir of weir, with swordis, lanceis, speiris and utheris waponis invasive,
come most furioslie following after us, schamefullie and unmercifullie
invadit and persewit us of our lyves and constrayned us tuo severall
tymes to tak houses for our saluitive. In end haveing hosed me within
the duelling house of Adame Hepburne, portionar of Kingstoun, the said
John Lindsay with his said complices so hardlie and cruellie invadit
and persewit me with drawne swordis and spearis that they had not
failit to have slayn me, wer not the help and releiff maid to me be
George Home, portioner of Gulane, and Walter Mershill, his servand,
whome the saidis personis for that caus strak most dispytefullie at thame
389. Supplication by Sir William Oliphant of Newtown, 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 Sunday," 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 was at the kirk the day foresaid, and making choice of that time, quhen I looked least for trouble, to tak ane unhonest advantage of me, he, accompanied with a number of his freinds and servandis, bodin in feir of weir, with hacquebutis and pistollettis and otheris waponnis invasive, come to the said kirk and lay about the same or very near by all the tyme of the sermonne, awaiting my outecoming all that tyme with a satiled purpoe and resolusion to haif slayne me; and persaving Arthur 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 approtecheing neir unto him, finding him selff disappointed, he avowed with mony fearefull oaths that ye he had rancourerit with me as he did with the said Arthur that he sould haif had my lyffe. And, not satisfeirt heirwith, the said Alexander Gordoun, accompanied and bodin, as said is, come be way of hamesuekine upon the day of November last to my dwelling house of Leslie, resolved ye he could haif fund me going about my dykis to haif persewit me of my lyffe, but, finding me better accompanied nor he expeckt, he shew to the said Arthur Forbes, who wes with me for the tyme, that he come thair purpoialie to tak my lyffe; quhairthrow, as the said Alexander hes violat his Majesteis lawis and actis of Parliament mair aganis the beareing and weareing of hacquebutis and pistollettis, so he hes committit a verie grate insolence aganis me." They crave a summons against him. (Signed) "S. W. OLIPHANT; S. THOMAS HOP." [On the back] "Apud Halyruidhous, vicesimo die Decembris 1627. Fiat ut petitur."

390. Supplication by Captain Thomas Beatoun, as follows:—He and his servante, having taken on William Beatoun, Thomas Innes, Robert
Linlithgow, and to serve under him in the service of the King of Denmark, and they having willingly enlisted and received pay, yet Harry Ramsay of Ardouny withholds them from the supplicant, intending to ship and transport them over to Sweden. He craves summons against the said Harry to produce and deliver these persons to him. [On the back] “Apud Halgruidhous, xx Decembris, 1627. Fiat ut petitur.”


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 liferenter will not relieve him for their parts. He craves summons against them to compel them to do so. [On the back] “Apud Halgruidhous, ultimo Decembris, 1627. Fiat ut petitur.”

393. Extract under the hand of Jacobus Prymos 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.

394. Extract under the hand of Jacobus Prymos of the act of Council, dated 3rd April, 1628, for repayment to William Dick, merchant burgess of Edinburgh, of the money advanced by him for the payment of the privateers; printed in Vol. II., Second Series, p. 304.

395. Acquittance by Captain David Alexander to William Dick, merchant burgess 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 enemie suppost 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, provided by the said William for his Majesty’s service, and attested by Francis Dick and William Schilthomas, both servants to the said William Dick, and the said Alexander Dick.

396. Similar discharge by Captain Andrew Watsone to William Dick for 2200 merks, as the wages of the 110 men who went with
him on that occasion. The discharge is dated at Edinburgh, 23rd April, 1628; witnesses, Arthur Myretoun of Pittowie, James Congiltoun, servitor to the Laird of Wachtoun, and William Frier, servitor to the Earl of Rothes; Alexander Dick, writer, being writer of the deed.

397. Similar discharge by Captain David Robertson 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 Arnott, merchant burgess of Edinburgh, and the foresaid Francis Dick and Alexander Dick, the last named being writer of the deed.

398. 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 "annuellrentars" in the said sheriffdom of Peebles to pay to him or his deputies and clerk in his name "the twentie penney of all annuellrents frielee dew and payable to thame, and that in su a far as they ar restand aucht and unpayit of the saids haill first, second, third, fourth, fift, sixth, sevinth, and eight terms payment" of the said taxation conform to their inventories already given to him. [On the back] "Apud Edinburgh, xvij Octobris, f° of xxviiij. fiat ut petitur."

399. "Unto your Lordships, humblie meines and shawis your Lordships servitors, the ministrie of the presbiterie of Muthill, that quhairs Alexander Drummond, induellor of Ochterlardour, hes these many yeirs ago bein ane most notorious abuser of Gods peopill in many places of this kingdome by charmes, enchantments and uther divellish and unaufull meanes, and by the grit concurs of all sorts of peopill, quho upon report of his fame (quhilk hes lasted more nor fyttie yeirs) did resort to him from all the quarters of this realme, did set up ane publict seatt of abuse in dispyt both of kirk and cuntrey, quhairby he hes involved not only a gritt many ignorantes, quho yit attend his oracles and bewitching consenages, but uther many gud christians in a most dangerous guyltines, under coloure of giving them the bodily health, quhilk he pretends to doe be laufull and phisicall meanes, quhairof he is al togidder ignorant, as salbe werifid be the depositions of many famous witnesses quho ha alreadly declared that his cures ar all magickall, fearfully uncouth and unaufull. And seing the said Alexander hes bein tuys fuggitive and denunciit rebell in tuo severall justice airs, on at Perth in May, 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 secrecy as he ocht to be, quhaforthrow he is both confirmed in his obstinat perversenes and
stopped to confess the veritie be sic of his freиндes and favorites, evill counsellors and subtill intysers quho resort to him daylie; therfor we most humble besieik your Lordships that he may be transported to Edinburgh and kepied in sure firmande, thair to be tryed be his Majestis 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. [Jn.]? Drummond, moderator; Mr David Drummond, minister at Creiff; Mr George Muschet, minister at Donyng; M. Laurence Mercer, minister at Fossoquhy; Mr Jo. Fribairn, minister of Madertie; Mr J. Grahame, minister at Auchterardour; Mr John Murray, minister at Trinitiegaske; Mr Arch. Maklachlane, minister at Comry; Mr Ja. Row, minister at Muithill; Mr H. Anderson, minister of the evangell at Monyverd and Strowan; Mr A. Fothringham, minister at Muckarde; Mr Jon. Monteath, minister at Monzie, scry[e] to the presbytery." [Addressed] "To the richt sacred and noble, the Lords of his Majesties Privie Counsall."

400. Acquittance by William Dick, merchant burgess of Edinburgh, 28th July 1629. Acquittance by William Dick for money he had expended in paying the wages of the seamen who served in the ships under Captain Alexander, Captain Watson, and Captain Robertsoun, 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 Pittrevie, 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 Robertsoun, servitor to Sir Henry Wardlaw.

401. "Curia Vicecomitatus et Justiciaric de Orknay et Zetland 11th Novem-
tenta apud Birssay in aula ibidem per honorabilem virum, Magistrum Joannem Dick, vicecomitem et justiciarium depu-
tatum dicti vicecomitatus, undecimo die mensis Novemberis 1629.

"CURIA LEGITIME AFFIRMATA.

"The quhilk day the said shireff deputt chusit M' Harie Aickin in clerk, Robert Scollay in procurator fishall, Thomas Young, messenger, in officer.

"Compeirit Robert Scollay, procurator fishall, and producit the dittayes deyssing thame to be red and the pannell acquisite thairupoun.

"The pannell present confess 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 leve be almis and that their
was nother man nor beast seik that wer not deadlie be the hand of God but sho getting almis and praying to Walliman he wald hail thame, and if sho got no almis he wald be angrie and mak thair beastis die.

"Confest the second point of dittay anent Manse Workis wyff that sho said sho sould repent it and that Walliman gared the kow falle over the craig, and efter sho was reprovith 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 promiseth he was twe to hir.

"Confest the fourt point that sho was miscontent that William Work wald not give hir lodging and that Walliman was angrie at it and gared his wyff pairt with chyld.

"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 beastis 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 deniss sho spat on it.

"Confest the tent point that sho said to Margaret Alebuster conforme to the dittay and that Walliman keipit promies.

"Confest the ellevent point that sho got na almis fra David Quoynamekis wyff.

"Confest the twelf point anent the calffs that sho got na almis and giff they deit Walliman did it.

"Confest the threttin point anent John Turkis allit 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 fyttene point anent Mause Quoynamekis wyff and that sho soulde have ather mair or less milk or sho cam againe becaus sho got no almis.

"Denyit the sextene point anent Mause Quoynamekills ox.

"Denyit the sevintene point.

"Confest the hailling of William Rendallis horse.

"Confest the rest of that point of dittay.

"Dennyit the generall.

"The procurator fishall desyr that the pannel mycht be put to the tryell of an assyse. The pannel present could alege nothing in the contrar.

"Assise.—Hew Halcro of Crook; Johnie Rendall in Brek; Henrie Linkletter in Aithtoft; David Schitter in Orquyll; James Corrigell in Ercastart; Nicoll Schitter in Gorne; Oliver Rendall in Halkland;
Manse Scottie in Breken; Adame Bewis in Goirnes; Alexander Rendall in Midgair; William Kirkum in Kirkum; Alexander Kirkum in Birsaybenorth; William Schaitter in Buirdhous; James Ingsay in Ingsay, and James Velzean in Beaquoy.

"That the assyse was launfullie sworne and admittit but objectioun of the pannell; in contrar the procurateur fishall askit actis and protestit for error.


"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 befoir they cam thair.

"Michael Firth in Alebuster deponed that quhen he was cuming to Birsay 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 heould have colops anew to geve befoir she cam againe and that heould have ather moir or less ait maill 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 haill speciall pointis of dittay conforme to hir confessioun, and in the twelf, fourtene and sextene pointis conforme to the probatioun, and in the generall that sho was ane disceaver of the people and gave himsell furth to have knalweise to do evill, and quhat ever sho promeised 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 execution with hir hands bund behind hir back and worriet at ane stoup to the dead and brunt in asses, quhil Robert Sincler, dempster in Birsaysbonorth, 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 Sympseone of Crealle, 3 dollours, £8 14s.; Andro Daw thair, £2 2s.; David Littiljohne of Sanctandreis, £3 6s. 8d.; Robert Dalrumpill in Waster Weymis, £1 10s.; Andro Quhyt in Dysert, £5 16s., quhom Walter

21st January—25th March 1630.
The controversy between Edinburgh and Leith.

1632. Elizabeth Bathgate.

13th December 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 Portnouse, messenger. Also on 28th December, 1633, against John Cuthbertt, personally in Edinburgh, copy; witnesses, John Dunlap and James Leslie, messengers. Also on 29th December, 1633, against Margaret, Alexander, Helen, Beasie and Katherine Cuthberts, 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 Chancellors 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 Council according to the course ac[customed]; our pleasure is that yow give spe[c]iall order[er] to the Clerk of Council for sending to our Court weeklie to our principal Secretar just information and extracts of all such things treated and resolv[ed] in Council as yow shall think worthless to be made knowne unto [us, that] the same may be imparted unto us at our best convenien[ce]. Wee bid] yow farewell. From our Court at Whitehall the 4 of [August or April?] . . .” [Addressed] “To [our rig]ht trustie and right welbeloved cousin and counsellour, the Viscount of Duplin, our Chancellors of our kingdome of Scotland.”

Protection to John Stewart of Coldingham.


409. Supplication by James Mathesoun, servant to his late Majesty, c. May 1634(?), as follows:—The warrant granted to him by their Lordships expired at Whitsunday, and they know that his distresses arise from his not having been paid by Exchequer the fees due for his service, whereby he has been brought to great extremity. He craves that the Lords would continue his protection. [On the back] . . . “Fiat ut petitus to the eight of Januair, Morton, Glasgow, Winton, Roxburghe, Annandail, Lauderdale, Naper.”

410. Supplication by John Rynd, James Loche, and Patrick Wode, c. 1634. merchants burgesses of Edinburgh, as follows:—Sir John Blacader of Tulliallan, knight baronet, being indebted to certain persons in great sums of money [for which his lands and barony of Tulliallan and coal and salt thereof were to be evicted and apprised] and having dealt with the suppliants to pay the same, amounting to over £40,000, he has disposed to them his lands and barony of Tulliallan, and coal and salt thereof; and also, he being put to the horn at the instance of Sir Alexander Falconer of Halkertoun and Mr. David Falconar, his brother, for a sum of 3000 merks, they have also paid this money and obtained assignation to the letters of charge, and have thereby got possession of his houses, salt ginning and other pertinent. But now , Lord Forrester, alleging the said Sir John to be at the horn at his instance for cautionaries and debts . . . he is also seeking letters of treason and warrant to take the said Sir John Blacader and dispossess the suppliants. They crave the staying of all granting of letters to the said Lord Forrester until they are satisfied for their own debts. [The deed is torn in some parts, and the Lords' decree is wanting.]

411. Latter part of the supplication by John, Lord Kilpont, in reference to his apprehension of John Dow Roy McGregor. The Lords approve of his service, finding also that his exhibition of the rebel before the Justice shall not prejudge the Earl of Arthr's right of justiciary within the bounds, and they ordain the supplicant to produce the Earl's infeftment of justiciary before the day of trial, so that the supplicant's desire to sit and judge the said John Dow may be considered. [See Vol. VI, New Series, p. 351.]

412. Supplication by the noblemen, gentlemen and other landed men within the sheriffdom of Banff, as follows:—For two years since
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 slight or laules men." They crave that the Council would appoint some "able sufficient man" to the office.

413. "Forsameikill as the Kinges Majestie, out of his most religious and pious disposition 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 poyn, 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, Archbishop of Glasgow; the Earle of Mare; the Earle of Glincairne; the Earle of Eglintoune; the Earle of Wigtoune, and my lord of Lorne; the Bishop of Brechins and Galua and the Lord Justice Generall and the Thesaurer Depute to resorte and repair to the citie of Glagow, universitie and colledg ther, upon the day of or whatsoever dayes that they shall [find to] be convenient, and to call and convene befor them the wholl professoures, masters and founded personoues of the said colledge, and all other personoues having or pretending to have interest in the matters after specified and to call for productione of the fundationes, records and wryttes, lawes and constitutiones of the said universitie and colledge, and to take ane account of the wholl rentes, patrimonie, mortificationes, legacies, donationes, contributious or commodities quhatsumever bestowed upon the said colledge, how and after quhat maner the sam is and hath bein implanted; to consider how abuses may be reformed, questiones and controversie quhatsoever concerning the administratione thairof may be decydit and determined, how the doctrine and discipline, priviledges, 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 occasione and causis thairof takin away in all tyme coming; and what hes or should be the ordinare offices, orduour and stipendes of the professoures and masters as the present writes of the said colledge may affurd and in tyme coming, according as they shall happen to increase; and generallie how the estate of the said colledg may be bettered, and to make ane full reporte in wrytt of the proceedings and opinionis heirant to the sauds Lords under ther handes betuixt and the day of nixt tocome, to the intent the saids Lords may tak such ordour hereiu as they shall think expedient, quhetherow this good and worthie worke, importing so nair the weale of the said colledge, be no longer delayed: Commanding heirby the saids commissioures to accepte the commissioun in and upon
them, and to proceed in the execution thereof with all convenient
diligence, as they will answer to his Majesties and the said Lords upon
their obedience." [Draft.]

414. "Answers for George Maxuell and others, parochinners
of Bootle, to the pretendit complaint given in against
them be Mr Alexander Robertsone for himself and in
name of the presbtrie of Kirkcudbright." 1640.

"Your Lordships wil be pleasit to considder that the Kirk of Bootle
hees beene destitut of ane ordinarie minister this lang tympe bypass, at the complaint
which the parochins, being gravit, supplicat the presbtrie for Mr Robert
Broune, ane actual minister, to be theirs pastor, quhairof the presbtrie
promiset to tak triell of the said Mr Roberts sufficiencie for the said
charge and in the mean tympe promiset not to impose anie upon them
but ane actual preacher, sirc be the lawes of the kirk the parochinners
consent is now find be actis of assemblies requisit befor plantatione of
the kirk of ilk parochine. In the meanyme their is on Mr Alexander
Robertson, schoollmaster at Wigtoune, who wes bund to serve schooll-
master thair four yeirs and not to derelinquishis his cuir and chairg
upon anie conditionique, quho, haveng privillie stollen away from Wigtoune and deserted his chairge, contrair to his band, did repair to the
presbtrie of Kilcubige, quiche the toune of Wigtoune heiring and
understandinge alsothat he was to preache at our kirk of Bootle, did
acquaint us of his miscariage 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 Mr Robert, and ane testimonial of his liffe to verifie the
premises; quhiche we haveng receavit and with all considering be
ane act of the presbtrie we wer speciallie bund not to receave so
much as ane servant from ane other presbtrie or parochine without
a lawfull testimoniall, meikle les to receave ane stranger unknowine
to us quhos mouth was nevir oppenit of befor, and without anie
lawfull warrand from the presbtrie shawen to us, the said Mr
Alexander, notwithstanding the premises, haveng abruptlie, un-
unknowine to us, cum to the parochine and being accompanied with
John McLeod of Borge, Robert Bell and utheris, as it wer perfecro to
inadge himself in the ministrie of our kirk, quhairat we mair-
vailling did inquyr at hime ane warrant of the presbtrie, not
haveng anie ruling elder or recomandat devotion from any minister
with him, did nochtethe, at the desire of Borge, heir his preaching to
understand his sufficiencie, quhairin finding so great discontent, we wer
forcit to withdraw ourselvis as we sall be able to justify befor the
presbtrie upon faultis and enormities exprese be the said Mr 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 allegedit useing of opprobrious words against the said M' Alexander, and for the allegedit steiking of the kirk door and for the allegedit being airt and pairt of the Viscount of Kenmuir his allegedit striking of the said M' Alexander, quhairunto we answer as followes."

"In the first, the particulars of the complaint ar of tua natures, civiell and ecclesiasticke, that pairt beirng the not heiring of the preaching and speiking evill of the said M' Alexander is onlie proper to be triet be the presbetricie 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' Alexander. As tuichbeing 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 persons being within the kirk, haveing accidentlie put to the dor and the said M' Alexander nevir having offerrit to enter but voluntarlie, went and preachit besid the kirk, sua that except thair had beine violence usit and that the said M' Alexander had offerrit to have enterit and wes debarrit thair can be no ryot, quhilk being relevantlie lybellig in maner forsaids we ar content to admit this point to thair approbatione. And as for the other poynit anent the not heiring of the afternoone sermon and the allegedit wordis utterit, seing the same is absulutlie presbeteriell, we ar content to answar befor the presbetricie thairfoir and to justifie our selvis befor them."

"And as for the last point in the allegedit being airt and pairt in the Viscount of Kenmuirs allegedit striking of M' Alexander, we denie the same and we crave the Viscount himself to be examinet upon this point." Finds the summons relevant. Vote—To examine first upon the last tua poynets, 9; examine upon all, 9.

1643.
Instructions for the Scottish Commissioners to London.

415. "Instructione frome the Council to the Lord Chancellor for Earle of Lindsay and Robert Barclay, Commissioners for the kongdome 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 affairs 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 yet in that kynde, wee cannot bot justifie 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 Lordshipes are seriouslie to consider and in the first place with all earnestnes to crave a present resolution from his Majestie and the Parliament what sal be done for thair maintenance; whiche if it be not lyklylie to be gottin, as the condition of thair affaires tend, and so publict faith when it is allegd by us to be brokin salbe excused be
publicit necessitie, which they cannot overcome for the tyme, then your Lordships are to lay before their eyes the unsufferable disgrace that shall redound to both the nations and the irrecoverable wound that shall be given to the honor of their Parliaments, if these men who by common consent were leveyed and enterteaned for so good a cause shall be abandoned by us all and so left to be consumed in a forrayne land be famine and miserie, which hath seased on thame alreadie in a great measure.

"Withall your Lordships shall represent to thame in what strait wee are on all hands; to leave so manie of our friends and country men to perish through their default whome it most concernes to provyde for thame were inhumane and unchristian, for which wee could rather answer to God nor the world nor our owne consciences, in regard of the charge wee beare and the assurances wee have given to that armie to be carefull of their preservation; and to furnish the means of their entertainment from this were a burden that wee are in noways able to beare. On the other part, if they could be recalled to this kingdom and disbandit without payment of their arreares were to bring a discontented armie against our selfes. Thairfore wee leave it to the wisdome and judgment of the Parliament what they will resolve concerning that armie, and wee earnestlie entreat your Lordships to haisten the answer and resolutions heiranent, because the armies extremities will admit no longer delays.

"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 answer 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 bolts of victual for thame they could not have subsisted till this tyme, and this weell be able onlie to sustaine thame whilse wee ressave frome the Parliament ane positive answer, anie longer delay quhairof will prove als ill if not worse then a denial." [Draft]

416. "The quhilk day the Earle of Lindsay did for ane accompt of his c. 1643. proceedings produce the Articles of the Treattie subservyvit be the Clerkie 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 Councel; and as for some others papers produced " (the above is deleted).

"The Lords, haeving 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 Councel."

Supplication by Dame Elizabeth Prestoun, Lady Whittinghame, for payment of her aliment.

as follows:—Their Lordships were pleased to modify £500 for maintenance to her and her children, in respect she had no intromission with "nor he has gotten any expence off" her deceased husband’s estate since his death; which sum was payable to her by Patrick Quhylaw, 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."

418. "To the Right Honourable Major Generall Morgane, Commander-in-chief of all the forces in Scotland, the petition of Patrick Hamilton of Prestoun humbly sheweth, That your petitioner, having sufficientie 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 natione (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, after heiring of both parities, 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 authoritie for administration of justice to this nation and to put your petitioner in the same condition whairto your petitioner was the first tyme that your Honour was pleased to heire the saide bussines or continowe the act of sequestration as formerlie ordered by the said justices of peace, and your petitioner shall pray."

419. Paper endorsed "M'Ja. Guthrie's petition to the King."

"Commissione and instructions for our . . . . Youe saill [with all possible expedition], so soone as is possible, dispahte a sure bearer or bearers unto Hamiltone, Glasgowe, Pasley, Irvin, Aire, to our brithren Mr James Nesmith, M' John Burnett, [M' Patrick Gillespie], Robert Mackvatter, M' John Carstairs, M' Alexander Dunlope, M' James Stirtone, M' John Nevy, M' Matthew Mowatt, M' Gabriell Maxwell and M' William Adaire, with ane earnest and pressing letter from your selve in name of this meeting, earnestlie desiring them to give advertis-

1 The words within brackets are scored through, the paper being a draft.
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
to join in this adreasse 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' James Guthrie and others. At Edin-
burgh, the 23 day of August, 1660. The Committee of Estates, now
presently convened by his Majesties speciall warrand and authority,
on 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
ecclesiasticke courts; and the said Committee, being by his Majesties
speciall commission and commands intrusted and empowered with the
caring, [or]dering 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[retext] soever, with[ou]t . . . ] lawfull authority expressly
def[ro]gatory to his Majesties royal prerogative and tending 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' James Guthrie, M' Robert Trail, M' John
Sterling, M' Alexander Moncreif, M' John Semple, M' Thomas Ramsay
M' Gilbert Hall, M' John Scot, M' George Nairn, M' 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. Cunn. Edinburgh. Printed by a
Society of Stationers, 1660."
421. Supplication by Andrew Hoge, customar at follows:—In contravention of the acts and ordinances made for payment 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 Qhurtour, a common driver of goods to England, having recently bought twenty-four score of sheep from the Laird of Riddell, "quyetlie convoyed and drave sixteene scoir of thame to England without payment of the dew custome of the same; and I being informit that he was 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 accompanied 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- panied with Davidsoun, his sone, and they wer dryvand the rest of the sheip extending to aucht scoir befoir thame; and how soone thay approchit unto me I challangeit him upon 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 haill xxiiiij scoir of sheip; and he haweing proudlie and disdainfullie with mony disdainfullie and ourtagious 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 incenit againis me for the deed that they 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.”

1 This paper was discovered after this volume was in print.
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