



**Extracts from the Register of the Privy Council of Scotland
relating to Veere and the Low Countries 1545 – 1691**

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Apud Striviling, nono die mensis Maii, anno Domini millesimo quingentesimo sexagesimo quinto.
Sederunt. Jacobus Comes de Mortoun, Cancellarius. Joannes Dominus Erskin. Clericus Justiciarie. Advocatus.

At Striviling, the nynt day of the moneth of Maii, the yeir of God, jnve thre scoir fyve, the Quenis Majestie, undirstanding the Scottis merchantis, hir subjectis, to decay and pas furth of use in the parties of Flanderis throw the negligence of hir Hienes Conservatour and officiar, and the disordonr and incivilitie usit be hir saidis subjectis marchandis eftir the hering and knowlege of the loyabill actis and constitutionis of hir Majesteis fadir the Kingis Grace, of maist wortie memorie, maid in that behalf; havand alswa respect to the commoditie and honour of hir realme, weilfair of honest and trew marchandis, and punissing of the avaricius and insaciabill cupidite of certane malivolus personis, quihilkis usurpand to thameselffis the names of marchandis, fraudalentie transportis thair gudis and marchandices, sumtymes uncustomat, and sumtymes sic kynd of gudis as be the lawis municipall of this realme and Actis of Parliament ar expres forbidden, to the greit dampnage of this realme and the honest estait of trew marchandis; be the avyise of the Lordis of hir Secreit Counsall, hes renewit, maid, statut, ordanit, devysit, and fund ressonabill that the Actis and constitutionis following be inviolabillie observit and dewlie put to executioun be hir Hienes Conservator upoun the contravenaris as accordis. In the first, it is ordanit be oure Soverane Lady, the Quenis Majestie, and for the weill of the marchandis that passis in Flanderis, that nane of thame sall brek bouk, nor mak marchandice quhill the tyme that thair gudis be housit, and the schip lost, and avysit with the Conservatour how the marcat is, and ask his counsall in thair selling for thair awin proffeit, under the pane of ane unlaw of fyve schillingis greit to be tane of thame that faillis heirintill.

Item, that na sellaris be oppynnit bot thryis in the oulk for selling of thair geir, undir the samyn pane.

Item, quhen thai by thair geir in the marcat, that nane sal pas bot twa in ilk burch at anis, and gif ony of thair marrowis cummis and findis thame thair, thai sall pas away furth and chaip na geir quhill thai haif done, undir the pane of the samyn unlaw.

Item, that the symmer marcattis hald fra sex houris in the morning to xi houris at none, and fra ane eftir none to sex houris at evin.

Item, for the wintir marcattis fra viii houris on the morning to ellevin houris befoir none, and fra ane eftir none to four houris at evin.

Item, quhen the marchandis hes coft thair marchandice and utheris nychtbouris of this cuntre cummis to thame and speir quhat sic guid coist thame, thai sall schaw thame the dewitie quhat sic gudis cost thame, undir the pane of the samyn unlaw.

Item, that na marchand, quhen he hes coft his gudis, sall bring thame hame himself, bot he sall cause utheris on his expenssis till turs his geir to his lugeing, or sellar, lyke ane marchand, under the pane foirsaid.

Item, that na marchand that byis his meit in the mareat turse it hame in his sleif, nor on his knyff point, undir the samyn pane unforgevin.

Item, that nane saill in marchandice without he be honestlie abelyeit lyk ane marchand; and gif he beis nocht weill cled, that the Conservatour warne him to cleith himself, and failve he and will nocht do the samyn, that the Conservatour tak alsmekill of his gudis and cleith him with, and to tak the samyn unlaw.

Item, that na Scottis hoyis nor uther Scottis schippis, nor Flemis that bringis doun geir out of the marcat, be frauchtit in the marcat for thair greit fraud, bot allanerlie befoir the Conservator, nor na uther that cumis in Scotland sic lyke, and that Actis be maid thairupoun, undir the pane of the said unlaw.

Item, quhatsumevir marchand that beis chargeit be the Conservatouris officiar till compeir befoir him, and dissobeyis and comperis nocht, sall pay the same unlaw.

Item, that Scottis skipparis and thair childir sall obey ta the Conservatour, undir the pane, ilk man that dissobeyis, of the samyn unlaw.

Item, gif thair be ony Scottismen that fechtis, tulyeis, or drawis bluid, ane of ane uther, or committis ony thift, that the Conservatour, with avyise of his counsall, sall puneis the faultouris regorouslie, and tak the samyn unlaw.

Item, gif ony Scottismen deceissis, his gudis salbe deliverit in keping to the Conservatour, quhill his wyfe or barnis send for it, or utheris freindis that hes entres thairintill.

Item, that every honest marchand sall pas with the Conservatour till all honorabill and publict actis, as quhen ony Scottismen dois for the honestlie of the realme, undir the pane of the said unlaw.

Item, that na Scottisman sall call ane uther befor ony juge bot befor the Conservatour, undir the pane of the sawyn unlaw.

Item, that all factouris that ar Scottismen, within the partis of the Dukis landis, sall answer to the Conservatour, and nocht allege fra him to thair portary; and gif thai will abyde at thair portary, and nocht obey to the said Conservatour, the Quenis Majestie, now as than, and than as now, commandis and charges the said Conservatour that he discharge all and sindry hir liegis and marchandis dwelland within Scotland to mak ony sic thair factouris in tyme to cum, undir the pane of ten pund greit, the tane half to be applyit to our Soverane Ladiis use, and the uther half thair of to the Conservatour for his labouris, and this to be rasis and tane of every man that failyeis or brekis this statute.

Item, that nane of our Soverane Ladiis liegis tak upoun hand to carie ane of hir Majesteis cunyeit money, gold nor silver, furth of this realme, undir the pane of confiscatioun of the samyn, the twa part to be implyit to the behuif of the Quenis Majestie, and the thrid to the Conservatour for his laubouris; and commandis the said Conservatour to serche and seik with all diligence the brekaris of the statutis maid thairanent, as he will answer.

Item, that nane of hir Majesteis liegis tak upoun hand to bring ony maner of fals cunye within this realme, furth of ony partis quhair thai hant or frequent, undir the pane of lyfe, landis, and gudis; and als chargis and commandis the said Conservatour to serche and seik the saidis faltouris with all diligence, and ah to confisk thair gudis, the twa daill to the Quenis Majesteis behuif and the thrid to the Conservatour for his laubouris, and that he keip the faltouris in captivitie unto the tyme he adverteis hir Majestie.

Item, that the said Conservator sall serche and seik all forbiddin gudis prohibit be the Actis of Parliament, to he had furth of this realme, in speciall talloun, fiesche, and all kynd of uther forbiddin geir; and in lyke maner all maner of gudis uncustomat, and nocht contenit in the cocqueit, and escheit the samyn forbiddin and uncustomat gudis, the twa part to the Quenis Majesteis use and the thrid to his awin.

Providing, always that the said Conseervatour adverteis the Quenis Majestie and hir Thesaurare, fra tyme to tyme of his procedingis eftir the apprehensioun of qhatsumevir transgressouris, with all diligence.

Item, that na marchand tak on hand to tak his nychtbouris marchand fra him, quhome he hes in hand to by his geir, owthir be himself or ony brokar or immediat persoun, owther in tyme of bying or selling, sa lang as thai ar togidder in cumpany, undir the pane of v S. of unlaw to the Conservatour, and x S. greit to the Dene of Gild to the toun quhair the offendar dwellis, quhilk pane the Conservatour sall uptak, and deliver the samyn to the awnar of the schip, swa that he may carie it to the Dene of Gild.

Item, it is ordanit be the Quenis Majestie that the Conservatour sall haif for his labouris of euer ilk sek of gudis twa sturis, and quho dissobevis the samyn sall pay the said unlaw of v S. greit.

Quhilk actis and ordinances the Quenis Majestie ordanis to be actit and insert in the bukis of hir Secret Counsall to lestand memorie, and the samyn being registrat, ordanis hir Hienes greit signet to be appendit to the samyn.

Apud Abirdene, octavo die mensis Julii, anno etc. lxiix^o

Anent the complaint maid to my Lord Regentis Grace and Lordis of Secret Counsall be Robert Moreis burges of the Campheir, makand mention, that quhair Johnne Erll of Sutherland the tyme of his exyle and banisment in the partis of Flanderis, in his greit neid the said Robert furneist to him diverse marchandice gudis and sowmis of money, quhair of, he wald thankfullie haif maid the said Robert payment gif it had plesit God to continew his lyff; and to that effect, eftir his hame cuming within this realme, compt and reknyng being made betuix him and Andro Bak burges of Abirdene in name of the said Robert, the said Erll wes restand awand to the said Robert de claro the sowme of twelf scoir ten pundis, and subscrivit ane compt and writting thairupoun, quhilk he directit to George Gordoun of Correchne his chalmerlane, commandand him to mak the said Robert payment of the said sowme, and the samyn sould be thankfullie allowit to him; quha ressavit the said compt and the said umquhile Erllis precept and acceptit the add det upoun him, and hes maid the said Robert payment of the sowme of sevin scoir fyve pundis aucht schillingis, and ressavit ane acquittance thairupoun. And albeit the said Robert hes twa sindry tymes cumit within this realme belevand to haif gottin payment of the said sowme, and this last tyme hes remanit thairin be the space of xi monethis; the said George hes maid him na payment of the said sowme, quhairthrow he being ane stranger be that occasioun and wanting of utheris dettis in this cuntre, is put fra all trade of marchandice, and he uttirlye wrakkit without support be providit to him. The said Robert comperand personalie, and the said George Gordoun of Correchne Baillie, and Johnne Stewart of Bonty officiar, of the lordschip of Obyne comperand alsua personalie, and confessand and produceand the precept charge and commandiment of the said umquhile Erll of Sutherland; as alsua that thair wes mair restand in the tenentis handis nor wald pay the said Robert Moreis the det awand to him. In respect he is a strangear and of his lang troubill awayting in this cuntre during the troublous tyme bipast quhairin our Soverane Lordis autoritie wes nocht dewlie reverencit nor obeyit; thairfoir my Lord Regentis Grace, with advise of the saidis Lordis of Secret Counsall, ordanis lettres to be direct to charge the said George Gordoun Baillie and the said Johnne Stewart officiar, to content

and pay, and thankfullie deliver to the said Robert Moreis the said sowme of fyve scoir [blank] restand awand de claro of the said sowme of xiix ten pundis, within xv dayis nixt eftir thai be chargeit thairto, under the pane of rebelloun and putting of thame to the borne; and gif thai failye thairin, the saidis xy dayis being bipast, to denunce thame rebellis and put thame to the horne, and to escheit, etc.

Anent the complaint maid to my Lord Regentis Grace and Lordis of Secreit Counsale be Robert Moreis strangear, burges in the Campheir, inakand mentioun, that quhair Maister Johnue Chene being student in Lovenne, and destitute of furnishing and finance for setting furth of his neidfull adois, come to the town of Campheir, and thair meaning his necessitie, ressavit fra the said Robert in borrowing upoun his obligatioun the sowme of sex pundis five schillingis Flemis money, lyke as in his obligatioun subscrivit with his awin hand at mair lenth is contenit. Nochttheles the said Maistir Johnne on na wayis will mak payment of the said sowme, albeit his day of payment be of lang tyme bipask And anent the charge gevin to the said Maister Johnne Chene personalie apprehendit, to compeir befor my Lord Regent and Lordis of Secreit Counsale this day, to answer to the said complaint; the said Robert Moreis comperand personalie, and the said Maister Johnne Chene being oftymes callit and nocht comperand, my Lord Regentis Grace, with advise of the saidis Lordis, eftir inspectioun and consideratioun of the said Maister Johnnes obligatioun, having regaird to his unthankfulnes and wilfull absence and contumacy, ordanis lettres to be direct, chargeing the said Maister Johnne Chene, to content and pay the said sowme of sex pundis fyve schillingis Flemis money to the said Robert Moreis within sex dayis nixt eftir he be chargeit thairto, under the pane of rebelloun and putting, of thame to the horne ; and gif he failyeis thairin, the saidis sex dayis being bipast, to denunce him rebel and put him to the horne, and to escheit, etc.

Apud Edinburgh, sexto Junii, anno. lxxiii°

The quhilk day, Captane Thomas Robesoun having obtenit oure Soverane Lordis Licence to levey and tak up three hundrith wageit men of weare and to depart with thame in the law Cuntreis for serving in the defence of Goddis trew religioun aganis the persecutiouris thairof, comperit in presens of my Lord Regentis Grace and Lordis of Secreit Counsale and actit and obleist him self as principall and Johnne Menteith of Kerse knyght as cautionar and souirtie for the said Capitane Thomas, conjunctlie and severalie, that he sall nowther, directlie nor indirectlie, lift nor transport ony Capitaneis memberis of bandis or suddartis that presentlie ar in oure Soverane Lordis service without speciall licence of the Regentis Grace.

Item, that the said Capitane Thomas sall caus the lyke nowmer of culveringis, hagbuttis and uther hand gunnis, morreonis, and corslettis, as presentlie he takis with him and his cumpany, to be brocht agane within this realme to be sauld betuix and the first day of Februare nixtocum. Item, that he sall caus his men he liftis leif upoun thair awin charges without ony maner of oppressioun to be done be thame quhill thay be transportit; and that he nor thay sall be na partakaris with ony subjectis of this realme of Scotland aganis ony uther.

Item, that he nor nane to be liftit be him as said is in thair passing to the saidis law Cuntreis, sall not invade, troubill, pilye or tak geir fra, ony the subjectis of this realme, nor na freindis and confidirattis thairof.

Item, that thay sall na wayis serve with ony Papistis aganis the Protestantis of the Evangell of Jesus Chryst.

Item, that he sall not convene, nor hald his men in musteris togidder within sextene mylis of the Castell of Striveling, under the pane of fyve thowsand merkis, and to be answerabill for the full redres of all sic gudis as sall be spuilyeit fra the freindis and confiderattis of this realme –quhilkis justlie may be cravat of the King and realme of Scotland in the awaypassing of the saidis men of weare or remaning under the said Captane Thomas charge to the awnaris thairof. And the said Capitane Thomas obleist him, his airis and executouris, to releif the said Johnne Menteith of the premissis and of all pane, etc. Sic subscribitur: Johnne Menteith of the Kerse. Thomas Robesoun.

Apud Haliruidhous xvi Juli, anno Domini jm vc lxxiii°

The quhilk day, Capitane Johnne Adamsoun having obtenit our Soverane Lordis licence to levey and tak up three hundrith wageit men of weare, and to depart with thame to the Law Cuntreis of Flanderis and Zeland for serving in the defence of Goddis trew religioun, aganis the persequoutouris thairof, comperit in presens of my lord Regentis Grace and Lordis of Secreit Counsale, and actit and obleist him self as principall, and Johnne Adamsoun Baillie burges of Edinburgh, as cautionar and souirtie for the said Capitane Johnne, conjunctlie and severalie, that he sall nowther, directlie nor indirectlie lift nor transport ony capitaneis memberis of bandis or suddartis that presentlie ar in our Soverane Lordis service, and utherwayis, without speciall licence of my Lord Regentis Grace.

Item, that he sall cans his men he liftis leif upoun thair awin chargeis without ony maner of oppressioun to be done be thame quhill thay be transportit; and that he nor thay salbe na partakaris with ony subject of this realme of Scotland aganis ane uther.

Item, that he nor nane to be liftit be him as said is in thair passing to the saidis cuntreis, sall not invade, troubill, pilye or tak geir fra ony the subjectis of this realme, nor na freindis or confiderattis thair of. Item, that he sall not convene nor hald his men togidder within sextene mylis of the Castell of Striveling, nor yit inroll thame, display handsenyeis, nor tak musteris on the sowth syde of the watter of Forth.

Item, that thay sall na wayis serve with papistis aganis the protestantis professouris of the Evangell of Jesus Chryst, under the pane of vm markis; and to be answerabill for the full redres of all sic gudis as salbe spuilyeit fra the freindis and confiderattis of this realme, quhilkis justlie may be cravit of the King and realme of Scotland in the awaypassing of the saidis men of weare, or remaning under the said Capitane Johnnes charge, to the awnaris thair of. And the said Capitane obleist him, his airis and executouris, to releif the said Jolinne Adamsoun, Baillie, his souertie, of the premissis, and of all pane and dangeare quhilke he sal happin to sustene thairthrow.

Sic subscribitur: Johnue Adamsoun, Baillie. Johnue Adamsoun, Capitane.

The quhilk day, Capitane Diones Pentland having alsu obtenit licence for taking up ud departing with thre hundrith men of weare to the Law Cuntreis of Flanderis, comperit in presins of my Lord Regentis Grace and Lordis of Secreit Counsall, and actit and obleist him self as principall, and James Sandelandis of Calder as cautionar and souirtie for him, conjunctlie and severalie, for observatioun of siclyke heidis articles and conditionis as is mentionat in the formar Act, in all poyntis and under the panis mentionat in the same, etc. And the said Capitane obleist him. to releif his said souirtie of the premissis, etc.

Sic subscribitur: James Sandilandis. Diones Pentland, with my hand at the pen led be the notar underwrittin at my command. Ita est, Patricius Feildar notarius, publicus de mandato dicti Dionish scribere nescientis.

Edinburgh 25th June 1574

Sederunt Joannes Dominus Glammi Cancellarius. Georgius Comes de Cathnes. Robertus Dominus Boyd. Clericus Registri. Clericus Justiciarie. Advocatus.

Forsamekle as a schip of the toun of Twisk besyde Meneblik in North Holland, in the charge and governing of Herman Jonsoun, and ane uther Duche schip callit the Forlorne Sone, quhair of the ane half pertenis to Here Godscale Tymmerman ane of the Counsall of Danskin, and the uther half to the skipper himself namit Lucas, Yelesoun of the toun of Emden, wer in thair dew cours recounterit and takin be a schip of weir of the realme of England, quhair of is capitane Robert Isteid, of the toun of Hastings in the county of Sussex, and brocht to the burgh and part of Montroise in this realme, quhair thai wer followed be the said Herman Jonsoun maister of the said schip of Twisk, and be Cornelius Jonsoun induellar of Dordrecht in Holland marchand, of the said schip callit the Forlorne Sone, and apprehendit upoun the xv day of Junii instant. And in consideratioun that the saidis schippis, cornis and guidis ar confessit be the said Robert Isteid to have bene takin fra the self same personis that now clamis the saidis schippis and guidis, the Lordis of Secrete Counsall willing to do justice and schaw all reasonable favour to the saidis personis spuilyeit clamand the saidis schip and guidis, the same being in point of tynsall, and the guidis being sic as be keping can not be observit ; thairfore ordanis the saidis Herman Jonsoun and Cornelius Jonsoun, to pas to thair schippis and guidis, and thair be advise of Richard Lichtoun and Richard Andersoun Baillies of the burgh of Montroise or ather of thame that salbe present, and se the selling valuatioun and estimatioun of the saidis schippis and guidis, report quhat the same extendis to, to the Regentis Grace and Counsall with all convenient diligence. and that the money that salbe ressavit thairfore be ressavit and remane as consignit in the handis of Johne Hairat burges of Edinburgh, and that ay and quhill the saidis Herman Jansoun and Cornelius Jansoun report sufficient testimoniall and certificat of the townis of Horne, Encusen, or Emden respective, that the saidis schippis and guidis justlie appertenis unto thame and thair pertinens, freindis. and confederattis of this realme; and the said Johne Hairat being personaly present, of his awin consent oblissis him to answer for the said money consignit as said is ; and that he haif sufficient warrand and commandiment of our Soverane Lord, his Regent and autoritie, to deliver the same to thame.

Holyrod House 6th November 1575

The quhilk day the Regentis Grace and Lordis of the Prevy Counsall, understanding that the Commissaris of Burrowis laitleie convenit within the Burgh of Edinburgh, be thair publict consentis, hes gevin and grantit to Maister George Halkett, Conservatour of the privilegis of the Scottis natioun in Flanderis, sex sturis of every sek of gudis pertening to the marchandis of this realme arryving in the partis of Flanderis, attour and abone the twa sturis quhilke he had of auld; and that for interteneing of his chargeis in executioun of his office within the saidis partis, during the tyme of the present troublis quhairwith that cuntreis ar inquietit, as the gift of the saidis Commissaris of Burrowis maid to him thairupoun at mair lenth portoris. And the Regentis Grace and Lordis of Secreit Counsalle foirsaidis, considering the

thankfull, diligent and gude service of the said Conservatour done in his said office for the honour and weill of the haill natioun, and for diverse utheris ressonabill caussis and considerationis moving thame, hes ratiffit and apprevis and be vertew of this present gift, ratifiis and apprevis the said gift and grant maid be the saidis Commissans of Burrowis in all pointis. And further respecting that the saidis sex sturis grantit be the saidis Commissaris is not sufficient for bering of the chargeis of the said Conservatour, and that thay had not power nor autoritie to compell the skipparis, marinaris and awnaris of schippis resortand in the said cuntre to beir burding with him in that behalf, his panis, travell and expensis being indifferentie maid alaweill upoun the skipparis and marinaris as upoun the merchantis; thairfoir the Regentis Grace, with avise of the saidis Lordis of Secreit Counsall, hes grantit and appointit to the said Maister George, Conservatour foirsaid, thre sturis on the sek of all gudis brocht in the saidis partis of Flanderis he the saidis skipparis, marinaris and awnaris, to be upliftit on the fraucht of all schippis arryving in the same partis at sic tymes as thay sall cum thairto, and to induir sa lang as the present troublis continewis in Flanderis, and quhil ane uther ordour be takin with him, for his intertenment as said is; and that letters be direct for publicatioun heirop be oppin proclamatioun at the marcat croces of all the Heid burrowis of this realme and utheris places neidfull, that nane pretend ignorance of the same; with power in the same to the said Conservatour and his officiaris, to poind and distrenye, alsweill for the saidis sex sturis grantit to him be the saidis Burrowis, as for the saidis thre sturis of the sek pertening to the saidis skipparis marinaris and awnaris, of quhatsumevir Scottis schippis arryving in thay partis in dew and competent forme as efferis. charge to gif

The quhilk day the Regentis Grace and Lordis of Secreit Counsall, under standing the greit and many inconvenientis dalie arrysing within this Realme throw the multitude of salaris travelling furth of this realme to the partis beyond sey, an1 d specialie to the partis of Flanderis, alsweill fremen as unfremen, tolerand unfremennis guidis, carying away forbodin and uncustomat gudis, and sailing with unsufficient stuff, in tymes alsua prohibit and unaccustomat, contrary to . . . Parliament, and not onelie to the hurt and prejudice of oure Sover... and defraude of his customis, bot to the dishonour of the . . . tioun and dampnage of the commoun weill; and having deliberat . . . the best remedy for eschewing the saidis disorderis and inconvenientis in tyme cuming, hes fund na thing mair convenient than to comptroll the saidis sailaris at thair landing places, specialie in Flanderis ; and thair foir ordanis letters to be direct commanding and chargeing all merchandis, skipparis, maisteris, awnaris and clerkis of the schippis or gudis of this realme, arryving within quhatsumevir portis, havynnis or places of the cuntre of Flanderis, that thay and every ane of thame, at thair first arryvall and befoir thay lowe or brek bowke of thair waires and merchandice, exhibite and deliver to Maister George Halkett Conservatour of the privilegis of the Scottis natioun remaning in Flanderis, ane just entres and inventure of all the gudis, geir, or merchandice within thair schip or schippis, pertening to the merchandis, marinaris, maisteris of schippis, clerkis, or awnaris quhatsumevir, with expres declaratioun be name and sirname to quhome the saidis gudis appertenis; to the effect that the saidis inventouris being registrat or keptit be the said Conservatour, it may be considerit or comptrollit, quhider the saidis merchandis and sailaris hes travellit and delt trewlie and on na wayis transgressit the saidis loyabill Actis and Actis of Parliament or not; under the pane of confiscatioun of all the saidis gudis and wairis that sal happin to be concelit and left ungevin up in thair said entres, and ten pundis Flemyng for amendis arbitrall; of the quhilk confiscatioun and amend the thrid salbe inbrocht to the use of our Soverane Lord, quhair of the said Conservatour salbe haldin every yeir to mak compt rekkynnin. and payment be him self or his substitutis in our Soverane Lordis Chekker, and to deliver the same to his Majesteis Thesaurare for his Hienes use; the thrid to the reveilar and declarare ; and the last thrid to the said Conservatour for his laubouris ; and this present Act and ordinance quhill the nixt Parliament or conventioun generall, and thaireftir quhill expres derogatioun be maid unto the same, to induir.

Holyrood House 10th October 1577

Sederunt Jacobus Dominus Regens. Archibaldus Comes Angusle. Andreas Comes de Rothes. Hugo Comes de Eglintoun. Georgius Comes de Caithnes. Willelmus Dominus Ruthiven. Episcopus Glasguensis. Commendatarius Dunfermling. Clericus Registri. Clericus Justiciarie. Computorum. Rotulator. Advocatus.

Anent the supplicatioun presentit to my Lord Regentis Grace and Lordis of Secreit Counsall be Capitane Hary Balfour, lait Columnell of the Scottis cumpanyis that servit in Holland under the obedience of the Prince of Aurange, and last under the commandment of the Estaittis in the Law Cuntreis, freindis and confiderattis to our Soverane Lord and this his realme, makand mentioun That quhair now effir his returning frome service in the saidis Law Cuntreis, the Estaittis thair being constraunt to renew the weir for thair just defence, thair is certane commissionis laitlie brocht in this realme in name of the King of Spayne and the Estaittis of his Law Cuntreis, appointand the said Capitane Hary as Columnell ower certane cumpanyis of futemen of this natioun under his regiment to be levyed and transportit to the saidis Law Cuntreis for the service of the saidis Estaittis, as the saidis commissionis at mair lenth beris; humelie desyring thairfoir licence to stryke drummis, display handsenzeis, and lift and collect the saidis cumpaneis of futemen, and at the first

commoditie to transport thame, lyke as at mair lenth is contenit in the said supplicatioun; quhairwith wes gevin in and presentit the said commissioun send to the said Capitane Hary, of the quhilk the tennour followis:

Nous, Prélatz Nobles et Députez, des villes représentantz les Estatz Généraulx des pays de par deça etc. Avons pour le service du Roy notre Sere, la deffence préservation et sceurte desdictes payis de par deça, commes et commettons par cestes Chief et Colonell d'ung regiment de dix enseignes de pretons Escossoyis, le sieur Henry Balfour, en luy donnant plain pouvoir auctorité et mandement especial de prendre et avoir seigueulx regard sur leur conduite, les tenir et faire tenir en bon ordre discipline et justice, deffendre et interdire aux Capitanes et leurs lieutenans, de donner congé éaulcunque sans son scen et ausurplus, avon commandement sur ceulx et leurs gens, et les mener conduire et emploier audicte service selon la charge que par cestes le requérons ; du traictement pour sa personne de vc li, pour son lieutenant ii°li ., pour le Sergeant Major i° li.; pour le quartier Maistre iiiix li, pour le prévost lx li., pour deux hallebardiers chagung à seize livres fait xxxii li., et deux sergantz du prévost chagung à douze livres xxiiii li., remennent toutes les dictes parties ensemble à la soume de neuf cens quatrevingt seize livres et quaxante gros monnoye de Flanderis la livre par chagung moys, icelluy compte à trente jours, à commencer avoir cours doiz le jour de leur premiers moustre, et dela evanant tant et si longuement que trouvera convenir et nécessaire, et à rate et advenant du temp quil sera en service, a en estre pays et contente par celluy quil appertiendra et des deniers que pour ce luy seront ordonnez auquel mandons ainsi le faire; et en rapportaut cesmesmes presentes, vidimus on coppe auctentique duelles pour une et la premibre fois et pour tant de fois, que mestier sera quittance dudiet Colonel sur et servant tant seulement, tout et quil aura payà é la cause dicte luy sera passé et anoué en la despence de ses comptis et rabatta des deniers de sa recepte là et ainsi quil appertiendra, sans aucune difficulté Faict à Bruxelles souzv le sell des Estatz de Brabant cy mys en placcart A notre requisition le viiime jour de Septembre quinze dens soixante dix sept, Par ordonnance expresse des diets Sieurs des Estatz Généraulx. Sic subscribitur: Cornehus Weollemans.

Quhilk commissioun, with the said supplieatioun, being red, aene, and considerit be the Regentis Grace and Lordis of Secreit Counsale, and thay understanding that the saidis Estaittis hes presentlie ado for the oommoun weill and support of thair cuntre, and that our cuntre men, quhilkis of befor hantit in the wearis ar desyrous to be in service; remembering alsua how honorable and thankfulie thay wer delt with be the saidis Estaittis at thair last being in Brabant and departing thairfra; in respect quhair of and of the gude amytye and nychthourheid that hes continewit betuix the twa Kingis and thair realmis in tyme past, and of the assurance of ayde, favour, and supple to be schawin to this natioun in cais of the lyke occasioun in tyme euming. The Regentis Grace thairfoir, with avise of the Lordis of Secreit Counsale, grantis and gevis licence to the said Capitane Hary Balfour and the Capitane electit and chosin be him under his regiment, to stryke drummis, display enseignes, and lift and collect the saidis cumpanyis of futemen, and at the first commoditie to transport thame at thair pleasour.

Holyrood House, 21st February 1577/8

Sederunt Jacobus Dominus Regens. Joannes Dominus Glamis Cancellarius. Archibaldus ComesAngusie. Andreas Comes Errolie. Huges Comes de Eglintoun. Georgius Comes de Caithnes.

Comes de Sutherland. Willelmus Maggister de Marschell. Willelmus Dominus Ruthven. Joannes Dominus Hereis. Robertus Commendatarius de Dunfermling. Marcus Commendatarius de Newbottill. Robertus Commendatarius de Deir. Commendatarius de Culrose. Commendatarius de Balmernoch. Presidens. Quhittinghame.

Anent the complaint maid to my Lord Regentis Grace and Lordis of Secreit Counsale be Capitane Williame Yorstoun, makand mentioun That quhair in the moneth of Marche, the yeir of God jmVc lxxv yeiris, he tuke purpois to pas to the partis of Holland for serving of the Prince of Aurange in his weris under the regiment of Coronell Hary Balfour; and for his outred and furnitour of his vantage he sauld his hous in Forestaris Wynd, within the burgh of Edinburgh, and tuke thairupoun the sowme of sex hundrith merkis. Quhilk sowme he employit for the outred of him and his cumpany, and forder borrowit fra Johnne Uddart merchant in Edinburgh, the sowme of thre hundrith pundis upoun entres, quhilk entres with the principall extendis to the sowme of fyve hundrith and fourty pundis. For payment quhair of the said Johnne ressavit the said Cornell and Capitane Williamis obligatioun, conjunctlie and severalie, be ressoun he employit ane greit part of the said borrowit money in the said Coronellis effairis, quha at the tyme of the said Capitane Williamis furth being of this realme ressavit fra George Kincaid payment of his haill outred, and retenit the samyn to himself, and sufferit bayth the principall sowme and entres to ly upoun the said Capitane Heid. Quhair upoun the said Johnne Uddart lies obtenit letters be deliverance of the Lordis of Counsale to put the said Capitane Williame to the home, and during the tyme of his service the said Coronell ressavit fra the Estaittis of Holand and Brabant payment and allowance of his haill wageis, far surmountand the said borrowit money, and wald nayther mak the said Capitane Williame payment thair of nor releif him of the said obligatioun. Quhairupoun he menit him to my Lord Regentis Grace and Lordis of Secreit Counsale be ane supplicatioun, desyrand justice in the premissis, quha remittit the caus to be persewit befor the juge ordinar, as ane Act upoun the bak of his supplicatioun beris; conforme to the quhilk he intentit

actioun aganis the said Coronell befor the Provest and Baillies of Edinburgh, Jugeis Ordinaris, fundin to him; befor quhome the said Coronell befor his departing furth of this realme comperit personalie at diverse actis judiciall, and eftir lang dependence the said actioun wes admittit to the said Capitane Williames probatioun. Nevirtheles Cristiane Cant, spous to the said Coronell, or sum utheris in his name, mynding to frustrat the said Capitane Williame of justice in his said caus, hes be sinister informatioun purchest my Lord Regentis Grace writting...

This minute, apparently incomplete, is the last entry in one of the volumes of this Register. If there is a deficiency, it is not to be attributed to the adjustment for binding, as the entry stops at the word "writing" without completing a page.

Holyrood House 12th December 1583

Sederunt Georgius, Comes de Huntlie; Jacobus, Comes de Arrane; David, Comes de Crawford; Joannes, Comes de Montrois; Jacobus, Dominus de Downe; Thirlstane; Cutos Secreti Sigilli; Clericus Registri; Computorum. Rotulator.

Complaint of Allane Weir in Tethis, as follows: "Maister George Halket, conservatour of the priveleges of the Scottis natioun in Flanders, hes laitlie, be the moyen of Neill Layng, kepar of his Hienes Signet, and Mr Johnne Hacket, his servand, upon a wrangn and sinister naratioun, purchest a gift of his ascheittish of umquhile Goerge Weir the sand compliners brodar, sumtyme ane of the monkes of Melros." The gift has bene obtained through representatioun that the said George Weir had been concerned in the horrible murder of Regent Lennox, "as ane of the cumpany of the Laird of Bucleuch that last decissit," and had been " fugitive fra his Majesteis lawes and at the horn thairfoir," the truth being that "the said umquhile George wes nevir at sic a deid, nor yit wes evir in the service and cumpanie of the said Lard of Buclewch, nather yit wes he ony maner of way fugitive or at the horne for the samyn, bot deid at his Majesteis peax, as his Hienes fre and gude subject, as is notourlie knawin." Nevertheles, as he had died in Flanders and left behind "certane obligationes and ressonable quantitie of guides," the said Mr George Halket intends, under pretext of the said pretendit gift of escheit," to seize "the hail thing pertening to him, the said George, being in thai partes," and this though the said gift of escheat had, in the first place, been passed without the sight of any letters executed against the said George Weir, and, in the second place, had not yet been sent to Flanders, but remained stil "in the handes of thesamid Neill Layng and Mr Johnne Layng" Halket's procarators and agents Parties having been summoned, and Allan Weir appearing personally, and Mr John Layng appearing for himself and in name of Nell Layng, and declaring that a the said gift of escheit wes already direct be him to the said Mr George to the partes of Flanders," the Lords, after hearing parties, forbid Mr George Halket, under pain of rebellion, to intromit with any goods and sums specified in the said gift of escheat, till the letters of horning upon which it was passed have been produced before the Lords of Council and Session, and declared by them to have been lawfully and orderly executed.

Holyrood House 22nd December 1587

The King and Council understanding that, "albeit the staple of his Hienes subjectis in the Law Cuntreis of Flanders be establissed in the Toun of Campheir, be publict consent of the burrowis of this realme, and mutuall contract" betuix thame and the magistratis of the said toun undir thair reciproque handwrittis and seillis," yet "sum merchantis of this realme ceissis not as his Majestie is surelie informed, to transporte thair guidis and staple wairis to utheris townis and heavynnis within the boundis of the saidis Law Cantreyis, expres aganis the tennour of the said contract, and to the falsefeing and annulling, sa far as in thame lysis, of the saidis burrowis parte thairof," and considering also that "the commissionaris of the saidis burrowis, quhilkis laitlie convenit at Edinburgh, be thair act lies corroborat the said contract and appointit a penalty to be upliftit of the contravenaris thairof, " it is ordained that open proclamation be made at the market crosses of the head burghs discharging the lieges from exporting staple goods to any other port in the Low Countries than the Town of Campheir, under a penalty of £100 and confiscation of the goods.

Edinburgh 4th March 1589/90

Commission to Sir Robert Melvill of Murdocairny, treasurer depute, Mr Johnne Lindsay, parson of Menmure, Mr David Carnegy of Culluthy, Mr James Elphingstoun of Innernauchtie, Mr Patrik Vans of Bernbarrauch, Alexander Hay of Eister Kennett, Clerk of Register, Mr Johnne Colvill of Strarudie, Walter, Prior of Blantyre, and Mr Petir Young of Seytoun, or any three of them, to sight the "instructionis, commission and answers returnit frome the Esteatis of the Law Cuntreyis of Flanderis to certane letters direct to thame in favouris of Williame, Commendatair of Pettinweyme, and uthiris quhilk servit in the wearis under his regiment in the saidis Law Cuntreyis, as alsua the instructionis, commissioun, replyis and answers to he gevin to the foirsaidis instructionis, quhilkis ar to be directit with Mr Johnne

Skene, advocate, to the same Esteatis, and to gif thair advise toward the eiking, pairing and reformeing thairof, as thay sall think maist meit and expedient."

Edinburgh 12th July 1591

"Actis, Statutis, Constitutionis and Ordinances concerning the office of Conservatorie, and Marchantis of this natioun trafflequing within the Law Cuntreis, for the honour of the realme and weill and commoditie of the saidis marchantis, at Edinburgh the xii day of Julii 1591.

In the first, that na marchauntis, factouris, maisteris of schippis nor marinaris sall have nor enjoy ony benefite, libertie or privilege of this natioun, except sic as professis the trew and sinceir religioun of Jesus Chryst in all pointis, as the samyn is presentlie establissit be lawis and Actis of Parliament within the realme of Scotland. Item, that all marchauntis, factouris, skipparis and marinaris, resorting for the tyme in the toun of Campheir, cum and repair to the kirk on the ordinar precheing dayis, under the pane of fyve schillingis, and to the Suppar of the Lord, under the pane of twenty schillingis. Item, for eschewing of fraude quhilk hes bene and is usit towartis his Majesteis custumes, and that his Hienes be not abusit thairin in tyme cuming it is statute and ordanit that all cokquettis salbe speciall and contene particularlie the haill quantitie and specificatioun of all the guidis, with the names of thame unto quhome thay appertene lyke unto Edinburgh under the pane of confiscatioun of the guidis, the ane half to his Majesteis use and the uther half to his Conservatour. Item, becaus it is commounlie usit that unfremen and strangearis gevis up thair guidis and custumes the same in the name of fremen, to the greit defraude of his Majesteis custumes and hurt of the marchauntis, thairfoir ordanis the said Conservatour to accept and ressave fra tyme to tyme the solempuit aythis of the marchauntis, factouris, skipparis and utheris, that the haill guidis custumit in every mannis name propirly appertenis to himself, and, gif it salbe fund or tryit utherwayis be the Conservatour, to confiscat as is afoirsaid, and the upgevaris to be onelie ansuerabill to the same strangearis and to be adjugeit in the pane of fyve pundis, to be applyit as said is ; and commandis that everie marchant, factour, skipper or uther, cum. to the Conservatour to the same effect afoir the inputting of ony gudis or geir, under the pane of fourty schilling sa oft as thay failye. Item, for avoyding of the inconvenientis quhillkis may tend not onelie to the religgioun presentlie professit, bot also to his Hienes autoritie and esteat of his realme, be the secreit passing and repairing of his subjectis, under cullour of trafflequing in marchandice, to the pairtis of Flanderis, Brabant and utheris under the King of Hispanis dominionis presentlie under the government of Duke de Parma, fra Zeland or fra the pairtis foirsaidis thairto, his Majestie dischargeis all his Hienes subjectis of all passing or repairing to or fra the pairtis abonespecificit, without the knowlege and licence of the said Conservatour, under the pane of fyve pundis, commanding and ordaning him straitlie to serche and seik gif thay carie ony letters, and, gif thay tend to ony wecht or importance, to intercept and direct the samyn to his Hienes with the first commoditie. Item, that the haill. marchauntis, at thair first arryvall and cuming on land, sall pas to the Conservatouris ludgeing, to the effect he may informe thame how thay aucht to behave thameselffis, as also to understand gif thair be ony unfremen amangis thame contrair the Act of Parliament, under the pane of twentie schilling; and every marchant, so oft as he repairs to the pairtis of the Law Cuntreis, sall present ane new testimoniall to the Conservatour, conforme to the Act of Parliament maid be his Hienes and his maist nobill progenitouris in tymes bipast, under the panis set down; and everie man at his first vayage to gif his ayth to the Conservatour, and thairfuir be incorporat, and pay twentie schillingis gif he be ane burges sone, gif not the dowbill. Item, that na contractis, transportis, obligationis, dischargeis, testamentis or latter willis be haldin or repute as valide, nor be of ony force, strenth or effect, except the samyn be maid in presens of the Conservatour, or his depute and clerk for the tyme, autorizit and admittit be him, and past the seill of office dowlie and auttentikhe as efferis; and that all consignationis of money be in the handis of the said Conservatour, according to the ordour usit within his Majesteis realme, and under the pane of fyve pund. Item, for the honour of the cuntre and contening of the natioun in dalie quietnes and decent ordour, specialie amangis strangearis, it is statute and ordanit that quhasaevir sal happin to draw swerd, quhinzeare or knyfe, sall pay the pane of fourty schillingis, and quhasaevir strykis with hand without wappin or gevis injurious word, to pay the pane of twenty schillingis. Item, his Majestie gevis and grantis licence to his said Conservatour to transport furth of this realme yeirly, for the provisioun and furnissing of his hous in the Law Cuntreis, ane last of flour, ane last of beif, and twenty four chalderis of burne coillis, fre of all custumis, and without ony serche, arreisst, stop, stay or impediment to be maid be ony of his Hienes sercheouris or officiaris to the said Conservatour, his factouris, servitouris, or skipparis, maisteris and marinaris of the schippis and veschellis, transportaris thairof, in onywayis in tyme cuming. Item, quhasaevir beis warnit to court, or utherwayis to compeir befoir the Conservatour, and comperis not, sall pay twenty schillingis; and, gif ony wilfullie and contemptuouslie dissobeyis, salbe impresonit and pay the sowme of fyve pund. Item, we gif the Conservatour for his service, travellis and laubouris, twelf sturis of everie sek of gudis and thre of the schip, and, gif scho be chargeit with strangearis gudis, sex; and commandis na schip to lois till thay have deliverit thair cokquet and entres to the Conservatour, under the pane of fyve pund ; as, also, we gif him ane schilling for everie ane of thame that salbe contenit in the said cokquet and entres; and ordanis all frauchting hamewart to be in the said Conservatouris presens or his depute, under the said pane, and the awnaris and skippar to pay fyve schillingis and the marchauntis ten; and lykewyis gevis him the exsysis of twa lastis of beir and ane tun of wyne grantit to the natioun. Item, his Majestie declaris that quhatsumevir thing ony generall or particular commissionaris of burrowis settis doun or concludis, be thair previe and particular autoritie, ayther concerning his propir officiaris, the

Conservatour, or the privileges of the natioun, to be null and of na force nor effect; and commandis the said Conservatour to acknowlege nane of thair Actis, tuicheing ony of the saidis twa, except thay be ratifiit and apprevit be us and the Lordis of oure Secreit Counsall, and to stay all commissionis not direct to him and quhairin he is not first nominat; and quha ressavis or transportis ony fra the Law Cuntreis, by his advise, sall pay ten pundis. Item, it is statute and ordanit that quhatsumevir sowmes salbe debursit be the Conservatour in the effaris of the generall estate of marchantis, or in the effaris of quhatsumevir particular marchant, salbe refoundit and rambursit to him, besydis the consideratioun of his panis. Item, quhaevir injureis the Conservatour be word, gif he be of the natioun, sall pay ten pund, and be impressonit; gif he be ane strangeare, the natioun salbe dischargeit to by or sell with him under the lyke paine; gif be deid, salbe removit of the natioun in all tyme cuming. Item, for eschewing of the multitude of pleyis and to refrayne malicious pleyaris, the pairtie succumbing salbe condemnit in the pane of fourty schillingis; and, gif ony persoun compeiris afoir ony jugement or counsall in the Law Cuntreis by the advise of the Conservatour, he sall pay fyve pundis; and ordanis everie man, besydis his defraying quhen he compeiris in jugement, to pay him dalie twentie schillingis. Item, we ratifie, apprevis and confermis all and quhatsumevir actis, statutis and ordinances maid and set doun be us or oure maist nobill progenitouris in ony tyme bipast, concerning, the office of conservatorie and privilegis of this natioun within the Law Cuntreis, and commandis, oure said Conservatour to put the samyn in executioun upoun the contravenaris without respect of personis, nochtwithstanding quhatsumevir utheris letters purchest or to be purchest in the contrair be quhatsumevir persoun or personis, as he will answer to us upoun his office. Quhilkis actis, constitutionis and ordinances the Kingis Majestie ordanis to be actit and registrat in the bukis of Secreit Counsall to lestand memorie, and, the samyn being registrat, ordanis his Hienes greit signet to be appendit thairto."

Holyrood House 8th June 1592

"Forasmeikle as it is undirstand to the Kingis Majestie and Lordis of Secrete Counsale that sindrie inhabitants of the town of Bommell in Gelder, undir the dominioun of the Esteates of Holland and Zeland, being addebtit to [blank] spous to Captain Alexander Wisheart, in divers soumes of money, and for payment thair of ane ordinance being maid and sett doun be the saidis Esteatis in the tyme of his wedouheid, that the personis and guidis of the haill inhabitantis of the said toun should be arreisted quhairevir they mycht be apprehendit and remane undir stay and arreistment at hir instance ay and quhil sho wer compleitlie payit of the saidis debtis, and of all coistis, skaithis and expenssis to be sustenit be hir in the suteing thair of scho and hir said spous, divers tymes sen the making of the said ordinance, hes cravit and desyrit the saidis Esteatis to caus putt the same ordinance to dew executioun in all pointis, conforme to the tennour thair of, aganis the saidis inhabitantis ; quhilk the saidis Esteatis hes not onlie refused swa to do, bot uthirwayes to minister equall and indifferent justice in sindrie uthiris caussis persewit be the said Capitane and his said spous aganis divers uthiris personis, inhabitantis of the saidis cuntreys of Holland and Zeland; at quhais instance, nocht withstanding, the said Capitane and his said spous hes bene persewit, and a maist rigorous and extreme forme of proceding usit aganis thame be the same Esteatis, expres contrair all ressoune, equitie and gude conscience, and to thair grite hurte and prejudice, compelling thame in this respect in end to have recours to his Majestie and Lordis of Secrete Counsale and Sessioun for remeid: quhair of thay takand consideratioun, his Majestie, the lieges by open proclamation at the market crosses of the head burghs not to reset or intercommune with the said Master, or with Robert Gray, his brother, both denounced rebels, but to shout and raise fray against them, under pain of treason. In respect that the General Assembly of the Kirk has directed Commissioners, in "certane boundis limitat to thame, to travell and tak ordour in all thingis that may serve to the glorie of God and advancement of his trew religioun, and in speciall to plant kirkis and ministeris quhair thai laik, with prisbitereis quhair thay may be convenientlie had; to tak diligent inquisitioun of papistis, jesuitis, and all sic as trafficquis and travellis in ony thing contrair the trew religioun publictlie professit be his Majestie and liegis of this realme, and ather putt ordour to thame, or uthirwayes, giff thai may nocht, to adjornay thame and charge thame to compeir befor his Majestie and Secrete Counsale, that thai may be punist according to the lawis maid aganis sic personis; to see how the kirkis that ar decayit may be rapairit; to tak inquisitioun of the present estate of every particulair kirk, in quhais handis it is, and of the rent thair of present and of auld, and of all thingis that may sufficientlie informe the commissionaris depute be his Majestie; to tak ordour anent the particulair locall assignatioun of everie minister of his stipend, and quhatsumevir uther thing is directit in commissioun to the commissionaris of the Generall Assembly," his Majesty, "willing, that the saidis commissionaris directit be the Generall Asserably sall not be dissobeyit, be avise of his Prevey Counsale, ordanis commissionis to be past undir his Hienes signett and subscriptioun of the Clerk of the Prevey Counsale contening a blank for names of noblemen, baronis, gentilmen, and magistratis of burrowis to be insert thairin at the chois and discretioun of the saidis commissionaris of the Generall Assembly, makand thame his Hienes justiceis and commissionaris in that parte to the effect undirwrittin, gevand, grantand and committand to thame full pouer, charge and autoritie to assist the saidis commissionaris of the Generall Assembly in executioun of the commissioun thair of grantit to thame in all the heidis and articlis thair of abonespecifeit, and to see that they be nocht dissobeyit; as als wa with pouer to thame to inquire the names suspectit and dilaitit of witchcraft, or seikand responssis or help of thame, and of all strang vagaboundis and idill beggaris, to examinat thame and committ

thame to prisone, irnis or stokkis, and to caus prisonis, irnis and stokkis be maid to that effect at all placeis neidfull; to move the puir and impotent to be providit for within thair awne parrochynnys; to assist the commissioner or commissioneris of the General Assembly, and the prisbitereis, quhair thay ar wele constitute, in thair proceding to deprivation of all personis non resident or unworthie that hes bene providit in title to beneficeis of cure undir prelaceis sen his Hienes coronatioun, according to the Actis of Parliament maid thairanent ; and to that effect to call befor thame be thair awne preceptis all personis neidfull to be callit, summound, inquirit, examiriat upoun the heidis, pointis and articles foirsaidis or ony of thame, or to apprehend and putt in prisone sic as salbe thoct meit in the commoun prisone of the heid burgh of the shire or nixt burgh and place convenient"; court or courts to the effect abovespecified to hold assizes, to summon, choose and cause be sworn, and generally to do all other things necessary to the execution of the premisses. The said commissions shall endure till 1st November next, and farther till the said commissioners be altered or discharged.

Edinburgh, 3rd May 1594

The King, having directed Sir Williame Keith of Delnyis as his "ambassadour to the Esteatys of the Law Cuntreyis of Flanderis, to invite thame be thair ambassadouris to beir witnes to the baptisme of the Prince, his darrest sone, and to intreat upoun certane utheris wechtie effearis," ordains, with advice of his Council, that from this day till the said ambassador's return, and for 20 days thereafter, there shall be no process before any judges in any matters criminal or civil raised or to be raised against the said ambassador, and promises that nothing shall be done by his Majesty, his Three Estates in Parliament, or otherwise, to the Prejudice of whatever heritable rights the said ambassador has to any lands, benefices, gifts of liferents, or dispositions of wards, marriages, or any other thing.

Lord Ochiltree (see ante, p. 139, footnote), had been Bothwell's chief auxiliary in the Raid of Leith.

2 Mr William, Murray, provost of St Andrews, was associated with Sir William, Keith in this mission to the Low Countries. At the same time Mr Peter Young was sent as ambassador to the King of Denmark and to the Dukes of Brunswick and Mecklenburg,

to invite their presence, by representatives, at the Prince's baptism. The two envoys who were [blank] to England to remonstrate with Queen Elizabeth on the countenance shown by her to Bothwell were charged with a similar invitation to her. One of these envoys, Colvill of Easter Wemyss, was to proceed to France, with an invitation also to the French King.

Edinburgh 15th May 1594

Order to the provost and bailies of Monrois to deliver the "Flemys bark quhilk laitlie arryvit in thair harbory," with the persons and goods apprehended in her, upon inventory to Colonel James Halkerstoun, quhairthrou the same bark and personis may be brocht aboute to the porte of Leith, and forder ordour tane with thame.'

1 This "Flemys bark" was really a Spanish ship, which had run aground at Montrose on the 30th of April, carrying gold, as was supposed, to the Catholic Lords in the North.

Holyrood House 24th December 1594

Sederunt –REX; Cancellarius; Hereis; Neubottle; Secretarius; Clericus Justicarie; Computorum Rotulator; Collector; Clericus Registri; Halhill; Magister Petrus Young.

His Majesty having directed Sir Williame Stewart of Houstoun as his ambassador to the Estates of the Low Countries of Flanders, "to intreat upoun sum wechtie effearis contenit in the commissioun and instructioun, gevin to him thairupoun," it is ordained that from this present day there shall be no process led or given before any judge in matters criminal or of civil wherein he or those in his company may have interest as defenders; neither shall anything be done by his Majesty, his Three Estates in Parliament, or otherwise, to the hurt or prejudice of any heritable infeftments or titles which he or they have to any lands, benefices, gifts of liferents, or casualties of wards or marriages. All such actions and causes shall stay till the time of his returning and for [blank]days thereafter.

Summons at the instance of Johnue Eler, citizen of Danskene, as procurator for Joachym Eler. Michell Meves, Johnne Bockas, Augustine Eler, Conrad von Robbart and Zacharias Reymerche, citizens of that town, as follows : In July 1592, a ship of the said town, called the 'Ark of Noy.' of which the said Zacharias was skipper and the persons foresaid owners (ante, p~ 153), was "directit toward Spayne, laidnit and chargeit with knappald, wanscoitt, fathold, pype, wode and leid,

and being in hir dew course aboute the north Ilis of Scotland wes be grite storms of weddir drevin upona the coist of Zetland; quhiar sho, having approcheit to the Ile of Unst, sett sail in Burray firth, of purposis to have refsreshit hir equippage with fresh watter, vivers and utheris necessaris," –expecting no injury, in respect of the gude peax and amitie standing betuix his Majesteis subjectis and the inhabitantis of the said toun of Danskese, constantlie observit and keipit be thame unviolat and unbrokin in all tyme bigane." Nevertheless, upon 1st October 1592, the said ship "being lyand and rydand richt foiranent the said Ile of Unst, and the said Zacharias, skipper foirsaid, with sum of his equippage, haveing Cum a land to one litle village within the said Ile, to have refresheit thame and to preparit sum victuallis and uthiris necessaris for thair schip and cumpny, and to have preparit one convenient place for thair ship to have lyne in, and thaireftir haveing brocht in thair ship to ane place thair quhair thay thocht sho nicht maist convenientlie ly," Patrik, now Earl of Orknay, at least, Williame Mansoun, under foud, with other servitors of the said Earl, and their accomplices, accompanied by most of the inhabitants of the said Isle, tenants and servants of the said Earl, "maist wrangouslie and cruellie reft, pilleit, and, be way of piracie, maist masterfullie spuilyeit and tuke away not onlie the said ship, bot also hir haill laidning foirsaid, with hir haill ankeris, towis, saillis, artaillerie, and all uthir apparrell and furnitour belonging to hir, of the avaiill, quantitie and priceis following, and left hir equippage maist miserabillie destitute of all conforthe and moyane to transporte thameselffis in thair awne cuntrey." In the said month of October, Patrik, Earl of Orknay. and in November, December, and other months of 1592, Johnne Forrett of Fingas, and David Hoppringle, burgess of Edinburgh, had intromitted with the ship and goods, and spuilyied and disponed them at their pleasure, they and also the ressetters and buyers from them of the said goods "knawing that the saidis guidis wer strangeiaris guidis, pilleit in maner foirsaid, thay haveing nawayes brokin bowke, nor enterit thair guidis at ony lauchfull harborie, the said vice on nawayes being purgeit, and the saidis spuilyearis to be na merchandis nor trafficquaris with sic guidis, swa that all excuse of ignorance wes takin away from thame." What is demanded is restitution of the ship and goods or the prices of the same. Which ought. to be made not only by the "pilleiaris and spuilyearis," but also by the ressetters, at least the buyers and receivers, thereof, "thair vice not being purgeit, as said is, and ar haldin of the lawis and practique of this realme to be ansuerable thairfoir." The valuation is as follows : The ship, with the anchors, tows, sails, ordnance, and other "ornamentis," amounting to £16,000; four hundred four score "centenaris " of lead, each centenar extending in Scots weight to one cwt., price of each centenar or cwt. £10, in all = £4080 ; 6000 "pece of pype wode," price of each hundred £120, in all =£7200; five hundred three score seventeen "pece of wanscoitt," each at 57s.=£1740; 1200 "pece of fathoill wode, quhair of the grite pypis and drywairis ar maid," each hundred at £57 = £684. 800 "knappald"=£164; for the furnishing of the ship in victuals and other necessaries, and payment of the mariners' fees, with other damage sustained by the complainers = £3000 Scots. Moreover, the said ship, ornaments and artillery, with the goods above specified, belonging to the complainers, having been wrongously spuilyied, inasmuch as the said pursuers and city of Danskene were confederates to this realm, the said "spuilyearis and pilleiaris," and also the buyers, ressetters and intromitters, ought to be decerned to have incurred the pain of piracy, and therefore to be bound to restore the same to the said procurator, in as good state as they were at the time of the awaytaking thereof, or else the value and prices of the same above written. –Johnne Eler appearing, with Mr Johnne Nicolsoun, his prolocutor, who also appears as procurator for the owners of the ship and goods, and the Earl of Orknay appearing personally, with Mr Johnne Shairp and Johnne Prestoun, his prolocutors, but the said Johnne Forrett and David Hoppringle not appearing, the allegations of the parties present, with the depositions of certain witnesses, are examined, together with the following documents produced on behalf of the pursuers, viz. (1) a writ, under the subscription of Mr Alexander Guthrie, stating that in the ship called the "Andro of Pittinweyme," of which Andro Cuke is master, come from Zetland, there were 4000 "knappald and ane hundreth pece of leid," belonging to David Hoppringle, merchant; (2) another letter, under the subscription of Andro Mekle, mentioning that in the "entres" of the ship called the "Falcoun," whereof George Logane is master, and which passed to France, 18th August 1593, there is this item, "David Hoppringle, fiftie foure pece of leid," and in the "entres" of the ship called the "Marlyeoun," of which Henrie Eccline is master, and which passed to France on 27th September 1593, there is this item, "David Hoppringle, fourtie fyve pece of leid"; (3) A certificate by the magistrates of Danskene, "upoun the confessioun and declaratioun of the skippair of the said ship callit the Ark of Noy." All which having, been considered, the King, with advice of his Council, assoilzies the defenders simpliciter from the said summons and piracy libelled, and decerns them quit therefrom in time coming, because the pursuers have failed in proving the points of the summons against the defenders : this decision to be without prejudice to the right of pursuers to prosecute the defenders before the Lords of Council and Session upon six days warning, without diet, table or continuation of other summons, in respect the pursuers are strangers "that may not abyde lang proces."

Edinburgh, 10th July.1595

Sir Williame Houstoun Commendator of Pittinweyme, having this day appeared "and repointit on his negotiatioun and procedingis with the Estaitis of the Law Cuntreyis of Flanderis, according, to his Hienes commissioun and instructioun

to him thairanent," is exonerated, with thanks, for his meritorious proceedings in his mission; and this Act passes hereupon, ad futurum rei memoriam.

Glasgow 6th September 1596

Frances, sometime Earl of, Erroll, having been lately apprehended within the Low Countries of Flanderis by the Estates thereof, had been committed by them to the custody of Mr Robert Danielstoun, conservator of his Highness's privileges in the Low Countries. The said Mr Robert had received the said Earl and promised to make him answerable to the laws; but, notwithstanding this promise, he had suffered the Earl to escape, "without respect, had to the odiousnes of the cryme quhairwith he is chargeit, and for the quhilk he is foirfalt, or regaird had to his Majestie, his autoritie and lawis" Accordingly, proclamation is ordered at the from his market croces of Edinburgh and at the pier and shore of Leith, commanding the said Conservator, upon three score days' warning, to answer before the King and Council upon 18th November next concerning the said treasonable act "and to certane utheris tressounable, unworthie and shamefull factis" under pain of rebellion. and in the meantime to charge the said Conservator, personally if he can be apprehended, and by open proclamation as aforesais to hold no courts or exercise any jurisdiction within the Low Countries, under pain of treason and to discharge all the lieges from obeying him in the office of conservatory of the privileges of the Low Countries, and from payment of any duties, customs, towsts, imposts or exactions, by virtue of the said office, under the same pain.'

1 The arrest of the Earl of Errol had originally been by the Estates of Zealand In the Calendar of English State Papers Relating to Scotland (P. 713) is an abstract of a letter from those Estates to King James, dated from Middleburgh, June 19, 1596 informing him "of the constant passing and repassing there of divers Englishmen and

Scotchmen disguised as merchants" of the vigilance of the Estates against such, and of their detention of the Earl, "whom they understand to be one of those in disgrace with his Majesty." The surrender of the Earl to the Conservator had been a subsequent matter

Holyrood 25th January 1596/97

Francis, sometime Earl of Erroll, having been lately apprehended in the Low Countries of Flanderis by the Estates thereof, and committed by them to the keeping of Mr Robert Danielstoun, Conservator of our privileges in the Low Countries, who had received him and promised to make him answerable to the laws, but had suffered him to escape without respect to his promise or to the "odiousnes of the crymes" of which the Earl is accused, charge had been given to the Conservator to appear to answer for this act, and also for "certane uther tressonabill, unworthie and schamefull factis and offenceis" committed by him, to the dishonour and sklander of his Majestic and his natioun" (ante, pp~314—5) The said Conservator now appearing personally, the King, with advice of his Council, assoilzies him from the said charges simpliciter in time coming.

Holyrood-house 1st July 1601

The King and Council, understanding that the "buist of gold with the letter of gift directit and send frome the Estaitis of the Law Cuntreis at the baptisme of the Prince, his Majesteis darrest sone," had been put in the hands of the late Sir Williame Keith of Delnyis, who had committed the same to the keeping of Johne Gourlay, burges of Edinburgh, upon his band to deliver the same when required, "and seing the said buist and wryting properlie appertenis to his Majestie, and that his Hienes and na utheris bee ony interest thairwith," ordain Gourlay to deliver the same to Sir George Home of Spot, master of the King's wardrobe, to be kept for his Majesty's beboof.

Dunfermline 22nd September 1601

Complaint by Gilliame Van Narsone, Fleming, in Leith, as follows: -

Although, by letters of gift under the privy seal, dated 4th December 1599, he and his family have the privilege for 21 years of making "amedone or stuffing," and of selling the same for 40d. the pound, and although in the said letters there is a discharge to all others from making of the said stuff, except "for thair awne particular use allanerlie," of which open proclamation has been made at the market crosses of Edinburgh, Cannogait, Leith, and other places, yet Thomas Fleming, in Edinburgh, "hanting in the said complenaris house quhair he duelt in Monrofs," and seeing him "use that vocatioun," had "craftelie, without learning of him, come to the knowlege thair of, and hes continuallie this lang tyme

bipast useit and exerceit the same within the burgh of Edinburgh, be making and selling of the said amedone, callit stifling." Both parties appearing, the King and Council remit the matter to the judge competent thereto.

Perth 11th July 1606

The quhilk day, in presence of the Lords of Secret Councill, compeirit Sir Thomas, Hamilton of Monkland, knycht, Advocat to our Sovereine Lord, and gaif in the letter and discharge underwrytten, desyreing the samyne to he insert and registrat in the Books of Secret Councill ad futuram rei memoriam Quhilk desyre the saids Lords finding reasonable, they than ordained and ordains the said letter and discharge to be actit and registrat in the wide Books ad futuram rei memoriam; off the quhilk the tennor follows: -

JAMES R Foralsemuch as, by our speciall commandment, our trustie and weill belovit cousine and counsellour George, Erle of Dunbar, hes delyverit to Sir David Murray, knycht, gentleman of our dearest son the Prince his bed chamber, a letter and gift of yearly annuitie of 5000 libs., granted by the Estaitis of the United Provinces of the Low Countries under the grite seale, to our said dearest son during all the days of his lyftyme with the box of gold quhairin the same is inclosed, having ingraven upon it the armes of the saids Estaitis: thair foir, for ourselfe and as administrator to our said darrest son the Prince, [we] exoner, quyteclame, and simpliciter discharge the said George, Erle of Dunbar, his heirs, executors, and assignays, of the said letter of gift of the yearly annuity forsaid, under the grite seale of the saids Estaitis, and of the box of gold quhairin the same is inclosed, for now and ever. And, for his better securitie, we are content and consent, and by the tennor heirof comand, Sir Thomas Hamiltoun of Monkland, knycht, our Advocat, to compeir befor the Lords of our Secret Councill of Scotland, and consent to the registration heirof in thair Books and Registre ad futuram rei memoriam. In witness quhairof we have signed these presents with our hand. Lyke as the said Sir David Murray, in toaken of his receipt of the said letter of gift and goldin box, hes subscriyvit these with his hand.

Written be Mr Alexander Craig, servitor to the said George, Earle of Dunbar, att our Pallace of Whytehall the 7th day of Appryll the year of God 1606 years, befor thir witnessis: David, Lord Scoon, comptroller, Sir Thomas Hamilton of Monkland, knycht, advocat to his Majestie, Gilbert Prymrose, his Hienes chirurgian, Robert Jowsie, and Mr Alexander Hay.

sic subseribitur, D. Murray; D. Scone, witnes, Sir T. Hamilton, witnes, A. Hay, witnes."

Edinburgh 12th April 1608

Complaint by Adrian Clastoun, master and skipper of the ship called "The Pellicane of Roteodame," and Cornelius Adamesoun, master and skipper of the ship called "The Egle of Rotiodame," as follows: "Thay haveing laitlie arryvit in this kingdome for bying of great coill, and for having a certane quantitie thairof at Airth and Alloway, and, efter the payment of thair custome and ressaving of thair corquett conforme to the ordour, haveing lousit and being on thair dew course hamewart at the Quenisferry," expecting no trouble, because of the peace between his Majesty and the Estates of the United Provinces of Flanderis, Johnne Wilsoun in Quenisferry and Thomas Cownis there, with others, on 3rd April last, boarded their said ships, pursued their companies for their lives, and stayed their ships without lawful power, only pretending a warrand" from the Lord of Cragyhall, alleged admiral depute. Their purpose was to extort money from complainers by way of "toill or compositioun to latt thame go"; indeed, they had offered them liberty to depart on payment of £40 or £50 for each ship. "Quhilk forme of scaffrie and oppressioun under the pretext and cullour of law is not onlie grevous to the saidis complenaris and wilbe sclanderous to this natioun, bot wilbe ane argument to move otheris strangearis who tradis in this kingdome to leave thair trade heir, without remeid be providit." Complainers appearing by Johnne Erskin of Balgowny and Alexander Bruce; and Cownis being personally present, but Wilsoun failing to appear, the Lords find the complaint clearly proved against the defenders, decern Cownis to be committed to ward in the tolbooth of Edinburgh, and ordain Wilsoun, after his return to this kingdom, to enter in the said ward, within six days after the charge, under pain of rebellion.

Letter from the Privy Council to the English Privy Council, in favour of Robert Hill. Skipper in Queensferry, who has a complaint against a Dutch ship-captain

Edinburgh 15th September 1608

"After oure verie hairtlie commendationis to youre goode Lordships: - Thair wes ane petitioun preferrit unto us by this beirair Robert Hill, skipper in Queensferry, complening, of ane verie grite cruellie committit upoun him by one Capitane Crome Lambert capitane of ane war schip of Ansterdame; quho, forgaddering with the said Robertis schip callit 'The Robert' foiranent Graveling, as scho wes bowne to Caleis or Newhavin in France, laidin with coillis at the

porte of Culrois, quhair sho ressavit hir cocquett and payit hir custome, and the beirar suspecting nothing les then ony injurie to haif bene attempted aganis him by the subjectis of ony Prince or Estate with whome oure sacred Soverane holdeth amitie and freindship, the said capitane nochtwithstanding, by force of armes seased upoun his ship and goodis, and without pitie or compassioun suffer the schip and hole personis being in hir (none reservit saulffing one) to be cassin away and perishe in the sea. Upoun consideratioun of the whiche petitoun, we haif writtin to the Esteatis of the United Provinces of Flanders for redres to be maid to the petitioner. And, to the effect that oure letter and recommendatioun may haif the gritair autoritie, we will eirnistlie requeist your honnorable Lordshipis to accompany the same by your favourable letter to the saidis Esteatis, in suche forme as your Lordshipis in your awne wisdoms sall think fitt and expedyent, quhairthrouch his Majesteis distressit subjectis by your favourable meanis and interressioun may find conforte and ressave redres according to equitie and justice. And sua, recommending your Lordshipis unto Godis protectioun, we rest your Lordshipis very goode freindis, Al., Cancellarius, Wyntoun, Perth, Lotheane, Bugeleuch, Torphichin, Master of Elphinstoun, J. Cokburne, Jo. Prestoun, Sir T. Hammiltoun. To oure verie honnorable goode Lordis, the Lordis of his Majesteis honnorable Prevey Counsell. of England."

Letter from his Majesty to the Council, to Council, ordaining that goods exported to the Low Countries shall be landed only at the ordinary staple in Flanders.

Whitehall, 7th March 1610

"Right trustie and richt weilbelovit cosines and counsellouris, we greete you weele: Wheras, by statute of Parliament maid in the moneth of December 1597 [Acts of Parl., vol. iv. p. 138] it is specialie ordanit that no schip going for the Low Cuntreyis furth of that kingdome sould land ony goodis or geir bot at the toun of Campvere or the ordinarie staple for the tyme; and undirstanding that mony mercheantis do transport thair goodis exported furth of that kingdome to Neupoir, Ostend, Dunkirk, and sindrie uther pairtis within the boundis of the saidis Low Cuntreyis, directlie aganis the meaning of the said statute, and to the grite hurte and prejudice of the realme, in so far as the fraude and fals dealing of marcheantis in using unlauchfull coequettis, making of fals and unjust entreis, and transporting of prohibited and foirbidin goodis, can no way be controlled except thay resoirt to the ordinarie staple whair the officiar who by Parliament is appointit to oversee these thingis, ather by himself or his deputie, doeth ordinarlie reside. It is thairfoir oure pleasour and will that you by proclamatioun intimat of new the tennour of the said statute to all marcheantis trafflequing to the Low Cuntreyis, that thay heirefter keepe and observe the same, and do not transporte or land thair goodis at ony uther porte or heavin in these Low Cuntreyis then the ordinarie and accustomat staple, under suche panes to be irrogat upoun the contravenaris as by the said statute is appointit. And so bidis you fairweele."

Edinburgh, 9th August 1610

Sederunt Chancellor; Treasurer; Wigtoun; Lotheane; Scone; Blantyr; President; Privy Seal; Secretary; Clerk of Register; Advocate; Bruntyland; Sir Peter Young; Sir Johnne Arnott.

Albeit the staple of his Majesty's subjects in the Low Countries of Flanders be established in the town of Campvere by the consent of the burghs of this realm and the magistrates of the said town, yet some merchants of this kingdom cease not to transport their goods to other towns in the Low Countries, contrary to the tenor of the said agreement. The Lords of Secret Council therefore ordain proclamation to be made at the market crosses of the head burghs discharging all the lieges from transporting any staple goods to any other port within the Low Countries than the said town, under the pain of £100 and confiscation of the goods so transported.

Edinburgh 19th November 1612

Complaint by Robert Dawling, writer in Edinburgh, for himself and as factor for Michaell Mervek, merchant in Middleburgh, that Johnne Yeaman, merchant burgess of Dundie, remains unrelaxed from a horning of 16th August last at the instance of the said Michaell for not paying him, or said Robert Dawling as his factor, £34 Fleymes money, or £6, 10s. Scots money for every pound of the same; and also complaint by the said Dawling, that Williaim Spence, merchant burgess of Dundie, remains unrelaxed from a horning of 22nd September last for not paying him 630 merks. Dawling appearing personally, defenders, not appearing, are to be apprehended, &c.

Edinburgh 2nd February 1613

To all and sindrie whome it effeiris to whose [knowledge these] presentis sall cum: We the Lordis of his Majesteis Prevey Counsaill in the kingdome of Scotland undersubscriband, greting: Whairas the beirair heirof, James Hall, servitour to Benjamine Strout (?), oister catchear in Ypchurehe, being upoun the xiiii day of Januair last bound to Lundons in ane catche or oister boit laidnit with oisteris, and as he wes upoun his dew course upoun the revair of Thames about Halwodtrie, some ten myllis above Gravisend, haveing onlie ane auld man with him in the catche, thay wer persewit and bordit about ten of the clock at night be one named Johne Davidsoun, borne at Ratleif besyde Lundone, with fyve utheris in his company; who seased upoun the catche and caryed the same, with the said James, to the sea, threatning the said James with present death gif he yeildit not to joyne with thame and to assist thame in thair pirracys. And, efter that thay had scourit the coast some few dayis, at last comeing to Yarmouth, thay thair bordit a Scottische schip quhairof Alexander Law in Kirkaldy wes maister; tuke the ship and hir laidning, dimitit and put away the catche, and caryed the ship, with the said Alexander Law and ane uther of his fellowis, to the sea, and resolveing to have thrawne thame overboorde, quhairby thay micht with the gritter securitie haif possesst the schip and goodis. The said James Hall heiring thair resolutioun, and acquenting one Williame Normane, Dutcheman, thairwith (the said William being lykwyse tane and detenit in thair company aganis his will), and the saidis James and William being movit with pitie aud commiseratioun of the hard estaite and conditioun of the said Alexander Law and his fellow, who had not onlie lost thair ship and goodis, but wer in present daingir to have lost thair lyveis, thay resolvit to withstand and resist the crueltie intendit aganis thame, and to use thair endeavoris alswele to procure thair awne libertie and releif as to preserve the lyveis of the said James [Alexander ?] and his fellow. And, imparting this thair resolutioun to the said James [Alexander], and thay all promesing ane joynte concurrence in this mater, thay maid ane present onset upoun Davidsoun and his fellowis, and efter a schairp conflict betuix thame, quhairin twa of Davidsonis fellowis wer slayne, thay took Davidsone himselff, and ane of his fellowis callit Johane Low, and brocht thame to the towne of Kirkaldy in this kingdome; and, thay being frome thense brouht heir, and thay being all examinat, confronted, and reaxaminat, thay have confessit the premissis to be of treuth ; whairupoun ordour and directioun is gevin for the tryall and punisheing of Davidsoun and his fellow according to the course of law and justice, and we haif set frie the said James Hall and the Dutcheman, as hounetst men who with the hasard and perrell of thair lyveis procureit thair awne libertie and releif and the saulfte and preservatioun of the lyveis of the said Alexander and his fellowis. And now since the said James is to returne home to his awne cuntry, we haif thocht mete and expedient to accompany him with this our letter of certificat and trew record that he was violentlie tane be Davidsone and his fellowis aganis his will, and that he and the Dutcheman with the hasard of thair lyvels procurit thair awne releif and deliverie and the saulfte and preservatioun of the lyveis of the said Alexander Law and his fellow; quhilkis premissis, according to the tryall and examinatioun tane be us, we testifie to be of treuth. Geyin at Edinburgh the secund day of Februair in the yeir of God jm vic and xiii yeiris, and, of the regne of our most gracious Soverane James, be the grace of God King of Grite Brittainne and Ireland, defendair of the Faith, the fourty sex and tent yeiris. Sic subscribitur: A. Cancell, Roxburgh; Blantyre; W. L. Cranstoun; Jo. Prestoun, President ; Sir T. Hammiltoun ; Justice Clerk ; Alexr. Hay W. Oliphant."

Testimonial, on the same account, and subscribed by the same Councillors, in favour of William Norman, the Dutchman mentioned in the preceding narrative. It begins "Whereas the beirair heirof, William Norman in Elchinure, being within the citie of Lundone laitle, upoun the xiiii day of Januair last, and being desyrit be Johnne Davidsoun and Johnne Hall, Englischmen, with some utheris, to go with thame to Gravisend to bring up frome thense to Lundone ane schip, as thay falslie pretendit, and he simply yeilding to thair desyre, expecting nothing les than ony unlauchfull doingis to have bene intendit be thame, in going down with thame the revair of Thames thay forgadderit with ane catche or oister boit, about Halwoodtrie, some ten myllis abone Gravisend, laidnit with oistris and bound up to Lundone; and thair, the said Davidsoun and his consortis discovering thameselffis be pirotis, thay boordit the catche, quhairin thair wes onlie twa men, took the men and the catche with thame to the seyis, threatning the said William Normond and the tua men in the catche with present death gif thay yeildit not to joyne with thame and to assist thame in thair piraceis. And, haveing with the catche scourit the coast some dayis, and comeing at last to Yarmouth in England, thay thair boordit anc Scottische schip quhairof Alexander Law in Kirkaldy wes maister, seased upon the schip and goodis, and took thame to the sea, and resolvit to haif throwne the said Alexander Law overborde." The remainder of the narrative is substantially a repetition of that in the preceding testimonial; and the certificate to Norman is in like terms to those used in the certificate to Hall, but includes the statement that it is granted "to the effect no imputatioun of misbehaviour or undewtifull carriage be objectit to the said William."

Edmonds, 18th September 1610.

"Most noble and honorable goode Lords Remonstrance hathe bene maid to the Kingis most excellent Majesty by Sir Noel Caron, knycht, ambassadour for the States of the United Provinces, that, wheras Peter Van Herke and his consortis, inhabitantis of the townes of Middleburgh and Flusheing, did in the moneth of October 1609 fraucht oute a ship callit the St Johnne, laden with goodis and merchandice to a grite vawle, for the port of Ligorne in Italie, and in hir

way, upoun the coast of Spayne neere Cap Finester, wes takin by two Inglishe pyrottis and caryed into Barbary. Frome whense, after thay had solde the greitest parte of thair goodis, thay come with the said ship to the Illis of Orknay ; and while thay lay thair thay wer by your Lordships grite cair and industrie takin, and executioun wes done upoun xxv or moir of that company, to the grite honnour of the justice of that kingdome. And, for that the said Van Herk and his partynaris ar trewe and undoubtit awnaris of the said shippe, his humble sute is on thair behalff for restitutioun to be maid alsweele of that shipe as of suche goodis and merchandice as wer left remaning in the same and wherin thay shall mak it apparent to be deulie interest. And, althocht he be weele assured of als muche favour frome your Lordships as the justnes of the caus may ony way deserve, yitt, for thair better passage heirin, he hathe maid humble sute for this additioun of assistance frome his Majestie; who thairupoun is gratiousslie pleasit, and accordinglie hath required us to signifie unto your Lordships, that, in regaird of the grite loises sustenit by the saidis mercheantis, you wald tak ordour for restoiring of the said shipp and goodis with als muche favour and expeditioun as the equitie of thair caus and the commiseratioun of thair grite hinderance by thair unfortunat meeting with those pirottis may ony way move on thair behalf. And so, recommending the same to your Lordships goode favour, we rest your Lordships very loving freindis: T. Ellesmere, Cancellarius; R. Salusburey ; H. Northamptoun; Jul. Caesar; Edmondess.

Bewlie, 18th August 1611.

“Richt trustie and richt weilbelovit cosin and counsallour, we grite you weele: Count Maurice, being informed by the inhabitantis of this toun of Campheir that we haif gevin commissioun to oure Conservatour for transporting the merchant staple of that oure kingdome furth of the toun foirsaid and for establisching of the same into Middleburgh, haith by his letter most seriouslie requeisted us not to condescend to any suche innovatioun as may tend to the prejudice of the olde contractis and alliances so long by a continuall observatioun equalie enterteined betuix our burrowis of that our kingdome and the foirsaidis inhabitantis of Campheir without good and pregnant reasonis: wherwith he doeth alwyse promise to submitt himself; and heirwith doeth he furder intreate us not to give credite to suche as, respecting thair particular endis, doe, for the advancement thairof, intend the generall damage of that realme. Whairof haveing accordinglie considerit, we finding that his suite, being of itself most equitable, doeth the bettir deserve our goode acceptatioun in regaird that it doeth weill wites his zeale and affectioun to us, and the weill of that our kingdome, we ar thairfore the more desyrous that he sould be thairin weill satisfeid, Whairfore we haif thocht good heirby to will you to try of our burrowis thair gif we haif granted any commissioun to our said Conservatour for the effect abone specifeit; whiche, being a particulair concerning thair merchant estait, must be by thameselffis best rememberit, oure memorie being so charged with all the effairis, of quhat consequence so evir, concerning the whole estaite of our kingdome as we may possiblie losse rememberanee of some of the particulairis thairof. But, quhither you sall find that we have granted the foirsaid commissioun to our Conservatour, or that otherwyse the said Count Maurice is thairof misinformed, we doe alwyse require you, as you wold do us most acceptable service and have our paynis to reporte our hairtliest thankis, to insist instantlie in perswading of oure burrowis there to continew thair staple at the said toun of Campheir, whair the said Count Maurice doeth promeis that thay sall enjoy the whole privelegeis and pre eminenceis dew unto thame in a more ample maner than thay have done at any tyme heirtfoir during the tyme of his predicessouris, marquisis thairof. In regaird quhairof, and for the speciall respect whiche we do cary to the satisfactioun of the said Count Maurice his so honnest desyris, we do hold it expedient that oure saidis burrowis, suspending thair intendit transportatioun of thair staple, do mak overture of suche conditionis as thay, for thair case, wold urge to be allowed of by him, and that, according to his approving or disproving thairof, thay thairefter stay or prosectuete thair afoirsaid intentioun. Whiche course we desyre the rather to be taikin by thame becaus it is most probable that thair succes heirin will prove consonant to that of oure uther subjectis of this kingdome, who, haveing in the same maner resolved to have removed thair staple frome one certane of the townis of the Law Cuntreis, upoun those townis thair approbatioun of suche conditionis as thay in thair overturis did require, wer thairefter induced to surcease thair furder seiking to remove thair staple, finding thair gritest ease and weill to consist in the purchis thairof. And, wheras we do farder undirstand be the said Count Maurice that the cheif caus moving the burrowis of that our kingdome to intend the transportatioun of thair foirsaid staple is thair chairges impendit in conducing of barques and cartis for transporting of some soirtis of thair ordinarie merchandice frome Middleburgh to Campheir, we do thairfore think it expedient that it sould be by thame considerit whether those chairges that way sustened be of suche moment as thay for releif thairof will willinglie subject thameselffis to suche perrellis as, in regaird of the difficult and dangerous entering of the harborie of Middleburgh, thay may possibly sustene in thair personis and goodis, the hard outcomeing and lenth of the said harborie being withall suche as doeth commounly detene the schippis otherwyse readie to pairt from thence langir then is the ordinarie tyme of saling half way frome Campheir unto that cuntrey. Whiche being by you with all convenient expeditioun proposed to our foirsaidis burrowis, to be by thame considerit. we desyre you thairefter to certifie us of thair resolutioun anent the premissis, that so we may the bettir returne answer to the contentis of the foirsaid letter; whiche we wald willinglie wisch wer in all paintis satisfeid so far as the same sall not tend to the prejudice of oure merchant estaite there. And so, nowyse doubting bot you will earnestlie endeavour to procure the same, as you wald do us most acceptable service, we bid you hairtlie fairwele. Sic suprascribitur, JAMES R.”

21st June 1614

"Forsamekle as it is undirstand to the Lordis of Secreit Counsell that thair is divers personis, adversaris to the trew religioun presentlie profest within this kingdome, who resoirtis and repairs frome all pairtis to the town of Campweere in Zeland, and thair awaitis the commoditie and occasioun to be transportit in this kingdome, and at thair arryvaill and during the tyme of thair aboade heir thay ar bussye and imployis thair wittis and ingyne to divert simple and ignorant people frome the treuthe and veritie of the evangell, and to imbrace the foolishe erroris and superstitionis quhilkis be the lawis of this kingdome ar abolissit and supprest; and whairas the resoirt of suche kynd of people into this kingdome can not be without grite hasaird and perrell to this estate: thairfoir the Lordis of Secreit Counsell ordanis letteris to be direct to command, charge, and inhibite the maisteris, awnaris, skipparis, and marinaris of quhatomevir shippis and veshellis in this kingdome, be oppin proclamatioun at all placeis neidfull, that nane of thame presome nor tak upoun hand, at any tyme after the publicatioun heirof, to ressave, in thair barkis or shippis at the Campweere and bring frome thense into this kingdome ony passingeris of quhatomevir natioun, quhilk first thay obtene frome the minister of the Scottis kirk at Campweere a testimoniall under his hand, beareing that the persone or personis who desyris to be transportit into this kingdome doeth hant the Scottis kirk at Campweere, and ar knowne to be professouris of the trew religioun presentlie profest and be law establissit within this kingdome, under the pane of warding of the contravenaris of this present ordinance during the saidis Lordis will and pleasour, and forder to be fyned in thair goodis at the saidis Lordis pleasour: certifeeing thame that failyees or dois in the contrair that not onlie sall thay be wardit, bot lykewayes thay salbe fyned in suche pecuniall sowmes as the saidis Lordis sall impose upon thame."

Edinburgh 22nd June 1615

Complaint by James Foirman, "watter baillie of the heavin and porte of Leith," as follows: Petir Claes Rothus, skipper, indweller in Raterdame, had been constituted commissioner by Martene Joris Coe, Bastiane Henriksone Bulman, and Jacob Henriksone Bulman, indwellers in Skydame, owners of the ship called the [blank] of which Joris Jacobsone in Skydame was master, and which was taken in Orkney by pirates, for receiving in their names twelve sails, "mekle and litle." The sails had been "impute" in the castle of Kirkwall, and had been afterwards taken to Leyth by Johnne Stewart, skipper in Leyth, who yet retains them. They are specially mentioned in the commission. Under the town seal of Skydame, dated 12th April last, "as the samyn schawne to the saidis Lordis in the Flemys language at lenth beiris." The said Petir Claes, "being loath to stay heir upoun the ressait of the saidis saillis, he haveing necessarlie ado to turne bak agane with diligence to his awne cuntrey," had made complainer his substitute, and had given him powers undir his hand, dated, 18th May last, to receive the said sails; but defender still refuses to render them. Pursuer appearing personally, and defender appearing by Margaret Finlasoun, his spouse, who said her husband was willing to surrender the sails if he had warrant from the Council, the Lords order defender to deliver the sails to pursuer.

Edinburgh, 18th November 1617

Sederuut Chancellor; Treasurer; Lotheane; Tullibardin; Binning; Carnegy; Lord Erskin; Master of Elphinstoun; Privy Seal; Treasurer Depute; Justice Clerk; Advocate; Kilsyth; Bruntiland; Reidhouse; Curriehill; MrPetirRollok; Conservator.

Complaint by the High Treasurer, Treasurer Depute, and Advocate, as follows: Robert Moffet, merchant of Edinburgh, "being laithe come from Flanderis in a schip of Dysert callit The Fortoun, quhair of Alexander Wilkie is skipper and maister, at the least he haveing some commoditeis and wairis brocht hame in the said schip, he and the said skipper colludeing upoun the forme and meanis how thay micht best get the saidis wairis previlie sett on land without knowledge of his Majesteis officeris, sua that thairby thay micht defraud his Majestie of the custome of the same, the said skipper, and [blank] Cowane, his servand, previlie and craftelie undir silence of nicht, upoun the 13th day of November instant, brocht furth of the said schip ane dry wair trie full of silk veluotis, golde lease, and uther coastlie wairis, pertening to the said Robert Moffett, and deliverit the same unto him, thair being no lauchfull entrie, maid of the saidis guidis, nor no payment maid of the custome of the same." –Pursuers and defenders appearing personally, and Robert Moffett having admitted that he had caused the removal of "a dry wair out of the said schip," and Alexander Wilkie having granted that they had been taken out of the ship ("bot he seamed to excuse his pairt thairin, as alledgeit done be his boy without his privitie or knowlege"), the Lords order the moveable goods of defenders to be confiscated, in accordance with the acts, and themselves to be imprisoned in the Tolbooth of Edinburgh, "ay and quhill thay tak

ordour with his Majesteis Thesaurair and Deptitie Thesaurair for thair eschetis, and quhill thay be fred and relevit be the saidis Lordis."

Edinburgh 12th March 1618

"The quhilk day, Thomas Cunynghame, commissioner for the burgh of Cairraill, Johnne Clapene, commissioner for the burgh of Anstruther, Johnne Kers, commissioner for Pittinweyme, and James Younger, commissioner for Mussilburgh and Fisherraw, compeirand personalie befor the Lordis of Secreit Counsaill, conforme to the missive letteris direct to thair townis for that effect, and thay being demandit yf thay or the nychtbowris of thair townis wer in use to fische about the ile of Fara Pertening to the King of Denmark, thay grantit that the nyghtbouris of thair toun[is] hanted the said fischeing, and that thay wer drevin thairto upoun necessari[t]e and by the violence and oppressioun of the Hollandaris, who comes yeirlie with ijm saile and abone within his Majesteis watteris and within a myle of the continent of Orknay and Yetland, and, thay not contented with the benefite that the libertie of thair fischeing within the saidis boundis affordis yeirlie unto thame, thay do verie havelie oppres his Majesteis poore subjectis and fisheairis, stoppis thame, houndis and chaisis thame frome thair fischeing, cuttis thair nettis, threatnis thair lyveys, and thairby compellis thame, who ar a number of poore, people haveing no other trade quhairby to manteene thair families, to seeke thair fischeing elsquhair and far from thair awne coist, with grite tormoyll, travell, trouble, and chargeis. The Lordis haveing hard the declaratioun maid be the saidis personis, and finding that the oppressioun committit be the Hollandaris upoun thame is no warrand for thame to oppres the subjectis of other princes in this kynd, and that thay aucht not to have fished in the saidis watters without some licence and oversight, thairfoir the saidis Lordis discharges thame fra all forder fischeing within the saidis watters, and ordanis ane proclamatioun to be put to this effect [ante, p. 3281, upoun the pane of foirfeytour of the ships and goodis, and forder punishment of the contravenaris at the arbitrimt of the Counsaill. And the saidis Lordis ordanis alsua ane letter to be writtin to his Majestie acquainting his Majestie with the oppressioun committit upoun his poore subjectis be the Hollandaris, and humelie intreating his Majestie to recommend that mater to his ambassadour resident with the Esteatis, willing him to sollicite that bussynes with the Esteatis and to urge reparatioun thairof and instant prohibitioun to be gevin be the Esteatis to thair people, that thay fische not within sight of his Majesteis land, bot reserve these boundis to his Majesteis awne subjectis conforme to the law of nationis."

Halyruid-house 9th September 1618

"Forsamekle as, the Kingis Majestie, for keiping of poss[essioun of] his fischeing in his Majesteis coastis of Orknay, finding it necessar and expedient that requisitioun s[ould be maid] of his Majesteis dewteis frome suche Hollendairis as fi[scheis thair], to the effect that the Estaitis of the United Provinceis and [utheris] cuntreyis pretend not ane upon for his excuse that no suche dewteis [hes bene] demandit of thame, his Majestie for this purpose hes commandit [blank] furnist and send oute to our saidis coastis with suche a fitte persoun [as the] deputeis of the Duke of Lennox sall mak choise of to crave his Majesteis dewteis in fair tearmes and in calme and peciable maner, and to accept of suche anser as thay sall gif him without making of ony forder questioun or dispute in the mater: Quhairupoun the saidis Lordis haveing conferrit at lenth with Sir Alexander Drummond of Medop, depute to the said Duke of Lennox in the office of the Admiraltie, the said Sir Alexander proponnit and nominat unto thame Patrik Bruce of Wodsyde, as a persone maist fitt to be imployit in this busynes, to mak the said requisitioun, and Waltir Ritchie, notair, to gif instrumentis thairupoun. And the said Lordis being cairfull to gif unto his Majestie contentment and satisfioun in this mater, thay maid choise of the schip callit The Restore, quhairof David Gairdin in Leith is maister, to be send oute for this eirand; and thay agreit with the said David for the soume of [blank] for the fraucht, victualling, and outred of the said schip for this service. Lyke as they agreit with the said Patrik Bruce for the sowme of ane hundreth merkis, and with the said Waltir Ritchie for the sowme of ane uther hundreth merkis, for thair chargeis and expensis in going to mak the said requisitioun and to gif instrumentis thairupoun. And thairfore the saidis Lordis ordanis and commandis his Majesteis Thesaurair, Deputie Thesaurair, and Ressaveairis of his Majesteis Rentis to mak payment to the said David Gairdin of the sowme of [blank] and to the saidis Patrik Bruce and Waltir Ritchie and to ather of thame the sowme of ane hundreth merkis, for thair chargeis and expensis in this earand. Anent the payment of the quhilkis sowmes the extract of this act, with the acquittances of the saidis personis, salbe unto the said Thesaurair, Deputie Thesaurair, and Ressaveairis a sufficient warrand. The Kingis Majesteis missive letter for warrand of the act abonewrittin, Right trustie and richt weilbeloved cosenis and counsallouris, richt trustie and richt weilbeloved counsallouris, and trustie and weilbeloved counsallouris, we grite yow weele. Whereas, for keiping possessioun of oure fischeing on our coastis of Orknay and Zetland, it is requisite to mak requisitioun of oure dewteis frome suche Hollanderis as fische thair, and, to the intent that the Estaitis may not alledge that no suche dewteis had bene demandit, we wer resolved for that effect to have sent oute [ane] of oure awne schippis frome hence, bot so many of thame as wer reddie prepared for service being necessarielie employed elsewhere, and the tyme of the returne of the Hollendairis frome thence drawing so neare as hardlie can any

schip be rigged, furnished, and sent from hence in dew tyme, we have thocht guid by these presentis to will yow with all expeditioun to caus furnische eyther oure awne pinnace or ony uther schip which may moist convenientlie be had thair to be sent to our saidis coastis with some suche fitt persone as the deputes of the Duke of Lennox sall choose, whome before his departure ye sall sufficientlie instruct in fair tearmes and calme and peciable maner to crave oure said dewteis and accept of any suche answer as thay sall gif him without making any furder questioun or dispute in the mater. So, the sending of the said schip requireing exceding grite haist, we earnistlie commend it to your spedie expeditioun, and yow to Godis keeping. At Tichburne, the 29th of August 1618."

Whitehall, 7th November 1618.

His Majesty orders a commission under the Great Seal to be given to the Duke of Lennox, Admiral, James, Marquis of Hammiltoun, Lord Binning, and Sir George Hay, or any two of them, to treat with the Commissioners sent by the States General of the United Provinces of the Low Countries "anent the tryall and verificatioun of the richtis, immuniteis, and prevelleges allegeit grantit be his Majestie or ony of his most noble progenitouris, Kingis of Scotland, to the saidis Estaitis Generall of the United Provinceis, or ony otheris frome quhome thay deduce and derive thair clame, to fische in the seas of the said kingdome of Scotland or ony pairt or place thairof, and anent the injureis alledgeit done be ony of the subjectis of the saidis Estaitis to ony of his Majesteis subjectis of his said kingdome upoun the saidis seas or upoun the coast or land of the samyn kingdome, and quhat redres and reparatioun salbe maid for ony offence of that kynd, being orderlie tryed, and quhat course salbe heirefter prescryvit for forbearance of any unlawfull proceeding be the saidis Estaitis, ather be fischeing in his Majesteis Scotis seas or committing any thing upoun the coast and land of the same whiche may tend to the injurie and prejudice of his Majesteis subjectis of the samyn. As lykewyse to concur with the Commissionairis appointit be his Majestie for his Heynes kingdome of England in thair treatie anent the freindlie behaviour of the subjectis of the saidis kingdomes and of the saidis Estaitis in all utheris seas, fischeingis, voyageis, and uther foreyne intercourse necessarie for the continewance of peace and amitie betuix his Majestie and his subjectis of the saidis kingdomes and these of the United Provinceis, and to determine and finalie conclude all and quhatsumevir they sail find lawfull, necessar, and expedient," (cf. ante, p. 439, and entries for June 1619).

Halyrudhous, 24th June 1619

Sederunt Lotheane; Melros; Carnegy; Master of Elphinstoun; Treasurer Depute; Clerk of Register; Advocate; Kilsayth; Bruntyland; Reidhous; Medop; Innerteill; Curriehill; Merchinstoun; Fostersait; Mr P. Rollok; Sir Andro Ker; Sir P. Young; Conservator.

"Forsamekle as his Majesteis ship callit The Charles presentlie lyand in the roade of Leythe is to be directit towardis Orkney and Zetland for some speciall occasionis of his Majesteis, affairis and service with all convenient expeditioun, quhairfoir necessair it is that scho be weill provydit with a sufficient nomeber of expert and skilled marinaris to attend and serve hir; for quhilk purpois the Lordis of Secreit Counsall gives and grantis power warrand and commissioun be thir presentis to Sir James Weymes of Bogy, Admirall Depute, to deale, with suche marinaris as he sall think mete to imbraice his Majesteis service in the said schip upoun suche reassonabill conditionis as he can aggrie with thame, and, in caice of thair refusall to serve his Majestie in the said schip, with power to him to presse thame, For doing quhairfoir thir presentis salbe his warrand."

"The quhilk day intimatioun wes maid to Capitane Murray, capitane of his Majesteis schip callit The Charles, that with all convenient expeditioun he putt his schip in goode equipage with men and victuallis and have hir readie to go to the sea towardis the Holland flott for craveing of his Majesteis assyse dewytye. Quhilk the said capitane, being personallie present, promeist to do, and to haif his ship in reddynes betuix and the first of Julij nixt " (ante, pp. 462, 46, also pp. 6054, 608).

Halyrudhous 29th June 1619

Sederunt Chancellor; Treasurer; Glasgow; Lotheane; Melros; Lauderdaill; Cranstoun; Master of Elphinstoun; Privy Seal; Treasurer Depute; Clerk of Register; Advocate; Kilsayth; Medop; Ridhous; Curryllill; Innerteill; Fostersait; Sir Andro Ker; Sir Peter Young; Mr P. Rollok; Conservator.

The quhilk day the Lordis of Secreit Counsall nominat and maid choise the craveing of Mr. John Fenton to be his Majesteis commissioner for the craveing of his Majesteis rent of assyse and teynd frome the Hollanderis and his utheris

strangeris fisching in his Majesteis seas; and siclyk thay maid choise of Mr James Broun to go with the said Mr Johnne Fentoun as notar for gifting unto him instrumentis upoun the obedience or refusall of the saidis strangeris to pay his Majesteis said rent; and ordaneit ane commissioun and instructionis to be put and exped to the said Mr Johnne Fentoun. Off the quhilkis the tennour followis. Our Souerane Lord ordanis ane commissioun to be maid and exped under the Greit Seill in dew forme, makand and constitutand his lovitt, Maister Johnne company him Fentoun, his Majesteis commissioner in that pairt to the effect underwrittin, giveand, grantand, and committand to him full power, commissioun, expres bidding and charge to repair and address him selff to the North Seas of this his Maiesteis kingdome, and thair in his Majesteis name to ask, crave, ressave, intromet with, and uplift frome these of Holland, Zeland, Hameburg, Enebden, and Rustok, and frome all utheris strangeris haunting the trade of fisching in his Majesteis saidis seas this present yeir, his Majesteis rent of assyse and teynd of the haill fischeis tane or to be tane he thame in his Majesteis saidis seas and watteris this present yeir, compting his Majesteis assyse dewytie to ten thowsand herring for every busche of herring and a last of quhyte fische for every busche of quhyte fische, or els to ressave frome thame the sowme of sax pundis xiiij s. iiij d. usuall money of this kingdome for every thowsand of the said assyse herring, and fiftie pundis money of this kingdome for euerie last of the assyse quhyte fische, and accordinglie for euerie thowsand of teynd herring and for every last of the teynd quhyte fische at the optioun of the payeris; acquittanceis and dischargeis upoun his ressett to mak, gif, subcryve, and delyver, quhilk salbe als goode, valide, and sufficient as gif the samyn wer maid and givin be his Majesteis comptrollaris or ordinar ressaucaris of his Majesteis rentis; and generallie all and sindrie utheris thingis to do and use quhilkis for executioun of this commissioun ar requisite and necessair; ferme and stable halding and for to hald all and quhatsumeuir thingis salbe lauchfullie down heirin; and that the said commissioun be extendit in the best forme with all clausis neidfull, and that thir presensis be a warrand [to pas] the Great Seall without ony forder preceptis to bedirect thairupoun. Gevin at Halyrudhous, the penult day of Junij, the yeir of God jm vjc and nynteine yeiris."

Instructionis givin be the Lordis of Secreit Counsall to Mr Johnne Fentoun, his Majesteis commissioner, who is directit to demand his Majesteis rent of assyse and teynd frome these of Holland, Zeland, Hambruch, Ambden, Rostock, and all utheris strangeris haunting the trade of fisching in his Majesteis seas du[ring] this present yeir.

"In the first, yow sall prepar your self and mak yow red[ie in] goode and comelie ordour and equippage and with all possibill [haist] to go in his Majesteis schip callit The Charles, quhair of David Mu[r]ray is] capitane and commander, towardis the North Seas of this king[dome], quhair the Hollanderis and utheris strangeris hes thair fisching: [And] at your arryveall thair yow salbe cairfull to inquiryre and informe yourselff of the names [of the admirallis and vice admirallis attending the flott, and of] the names of thair schippis, of quhat townes and provinceis thay ar, and quhat number of wauchteris and buscheis is sent oute be every towne, [Province and estate] to attend thair fischeing.

Yow sall be vertew of your commissioun, and attending to the tennour thair of, demand frome the saidis admirallis, and, incaice of thair absence, frome the vice admirallis, and frome tua or thrie of the wauchteris and busches of every estate, his Majesteis rent of assyse and teynd specifeit and contenit in your commissioun for the haill fischeis tane and slayne be thame in his Majesteis watteris and seas this yeir. And yow sall use this requisitioun and demand in fair and gentill termes and with modestie and discretioun.

Yf thay contravert with yow anent the quantitie of this dewytie, yow sall not dispute that poynt with thame, bot, if they mak offer of ane smaller dewytie, althocht it wer bot ane angell for every busche overhead, yow sall accept of thair offer.

Yf thay sall mak offer of the fische outhar for the teynd or assyse, yow sall accept of thame, and, gif yow find ony cuntrye vessellis or boittis thair, yow sall send for thame and putt the fische in thame.

Yf they gif unto yow a delaying answer and crave tyme and laiser to send to thair superiouris to be advyseit with thame, yow sall accompt of thair delay as ane refusall, and accordinglie accept sua of it.

Yf it be objectit unto yow that all the busches ar not of a lyke burdeyne, and that consequentlie thay aucht not to pay a lyke dewytie for assise and teynd, yow sall in this cause gif defalcation to the smaller busches according to your discretioun and be the aduuse of the admirallis, gif thay will concur with yow in that earand; provydeing alwayes that the smallest dewytie to be taine be yow for every busche be not within ane angell.

Yf the admirallis or vice admirallis for every toun, estate, or province will aggrie with yow for the haill busches under thair charge, yow sall aggrie with thame and gif unto thame acquittanceis in name of the haill that thay tak burdeyne for; bot, yf thay remitt yow to deale with every busche apairt, yow sall do the same and gif acquettanceis accordinglie.

Yf refusall salbe maid unto yow of his Majesteis rent and dewytie, yow sall tak instrumientis upoun the said refusall without forder contestatioun and, gif obedience be givin and payment accordinglie maid, yow sall lyk wayse tak instrumientis thairupoun.

Yow sall informe the saidis admirallis, and, incaice of thair absence, the saidis vice admirallis, of the complaint maid to his Majesteis Counsall be his Majesteis subjectis of Zetland anent the greit oppressioun committit upoun thame be divers personis of the floitt who comes aschoir upoun thair illis of Halff Grunay, Wedderholme, South Grunay, and Lungya, and upoun divers utheris [pairtis of the cuntrye, quhair they not only enter in kirkis, dimolischeis and brekis

doun the daskis and seattis within the same and schamefullie abuses the same, to the offence and dishonour of God, bot with] that thay spoyle the cuntrye people of thair scheip, geis, [hennis, eggis], and suche uther commoditeis as they find upoun the ground, and sum[tymes inuaidis] and persewis thame of thair lyveys; and thairfoir yow sall crave [redres and] reparatioun to be maid for thir wrangis [and] that the [lyke be forborne] in all tyme coming. –Followis his Majesteis missive letter for warrand of the commissioun abonewrittin.

Right trustie and right weilbeloveit cousenes and counsalloris, we greit yow weill. It is not onknawin to yow that the last yeir]blank] yow dispatched a schip to our North Seas to have craued our deweteis of the Hollanderis fishing ther, bot the yeir wes so far spent befoir we sent directioun to yow that befoir the arryvell of the said ship at the place appoynted the Hollanderis were all gone. And now, for divers imper[ative] reassonis finding it requisite that our said dewyteis should still be craved of thame, wee have thocht goode by these presentis to will and requyre yow with convenient expeditioun to dispatche some schip to our afoirsaid seas, and in hir some discreite persone who in fair termes may requyre oure dewyteis of the said Hollanderis and reporte thair ansuer.

And heirof willing yow to haue a speciall cair, least the fault of not obteneing our desyre may be imputed to our or your negligence, wee bid yow fairweill. Givin at our Mannour of Greinewich, the 16th of June 1619.

There can be little doubt that the Mr. John Fenton selected for the important service described in these documents was "the worthy gentleman named Master John Fenton" whom Taylor the Water Poet mentions in his Penny less Pilgrimage as having shown him kindness in his passing through Fifeshire on his way from Edinburgh to the Highlands. One

notes also that Ben Jonson, writing from London to Drummond of Hawthornden on the 10th of May 1619, desires to be specially remembered to "the beloved Fentons," as among those whose hospitalities, as well as Drummond's own, he had experienced when he was near Edinburgh.

Holyrood house 15th July 1619.

Sederunt Chancelor; Wigtoun; Melros; Lauderdaill; Maxuell; Carnegy; Master of Elphingstoun; Privy Seal; Treasurer Depute; Justice Clerk; Clerk of Register; Advocate; Bruntyland; Kilsayth; Innerteill; Ridhous; Fostersait; Merchinstoun; Sir Peter Young; Conservator.

The quhilk day Thomas, Erle of Melros, President of his [Majesteis Previe] Counsall. and Secretar of this kingdome, produceit and exhibite [befoir] the Lordis of Secreit Counsall ane blak round buist, haveing [within] the same the tua letteris and wreittis underwreittin: viz. Ane [commissioun] givin be the Estaittis of the Low Countreyis, who wer [assembleit] for the tyme at the toun of Haye in Holland, upoun the sax[t day of] Julij the yeir of God jmvc fourscoir fourteine yeiris, to Waleran, Seigneur of Brederode, Vlanen, Ameyden, and Mr James W[alch], for confermeing of the antient treatieis, frendschip and [alyance maid] of befoir betuix the Kingis Majestie his predicessouris, Kingis and Quenis of Scotland, and the Estaittis of the Lowe Countreis, and [blank] for confermeing of the peace and leageis maid in the towne of Buiche within the province of Haynault upoun the fyift day of December the yeir of God jmvc and fiftie yeiris betuix the commissionaris of Empreour Charles the Fyft and the ambassadouris of Marie Quene of Scotland, quhilk league wes ratifeit and sworne on ather syde upoun the first of Maij the yeir of God jmvc fiftie yeiris, as the said commissioun, wreittin on parchement and sealed with the greate seale of the saidis Estaittis in rid wax, at more lenth beiris:

Item, ane confirmatioun and ratificatioun maid be the saidis commissionaris be vertew of thair commissioun foirsaid of the antient frendschip, trateis, and alyance foirsaid, and of the peace and league particularlie abone exprest, as the said confirmatioun, wreittin on parchement and subscribed be the saidis Waleran and James Walch, and bearing date at Edinburgh the xijj day of September the yeir of God jmvc lxxxiiij yeiris, beiris. Quhilk buist, with the tua wreittis and letteris foirsaidis being thairintill, the said Lord President declairit wer send unto him laitlie frome England be Sir Daudid Foullis, knycht, to the effect the same mycht be put in his Majesteis register within the Castell of Edinburgh; and thairfoir the saidis Lordis delyverit the said buist, with the tua letteris and wreittis abone specefeit being thairintill, to Sir George Hay, knycht, clerk of register; quho, being personallie present, ressavd the same, and prromeist to putt the same in sure keiping in his Majesteis register within the said Castle of Edinburgh."

Edinburgh 25th November 1620

The Lordis appointit for the conference with a number of the rest of the Nobilitie haveing convenit and mett, and at very grite lenthe ressonit upoun the mater foirsaid, the difficultieis following wer propouned and moved quhairfoir this bussynes could not be performed so substantiouslie and realie to his Majesteis contentment and to the honnour and credite of the cuntrye as thay wished: as, namelie, the absence of a number of the Nobilitie, of whome some ar oute of

the cuntrey, some minoris, and otheris upoun necessair occasionis excusit, aganis whome the procedingis in this meeting can not be obligatorie; the extreame scairstie and want of moneyis within this kingdome; and the nigardlie and unworthie dispositioun of a grite number of basse personis quho, being possesst with wodsettis and annual rentis oute of noblemenis and baronis landis, and being men of grite wealthe, will notwithstanding hardlie be induceit willinglie to contribute in this earand; sua that, albeit the hail noblemen present wald extend thair poueris in this mater, it will not prove worthie to be callit the benevolence of the Nobilitie of Scotland. And thairfoir thay thocht meetest that the hail subjectis of this kingdome, without respect personis, privilege, or exemptioun, sall joyne in this actioun, and be subject to contribute thairunto according to thair landis, rentis, trade and substance, and that this be done be auctoritie of Parliament, quhilk will inforce a full obedience of all rankis of personis. And, for this effect, that his Majestie be humblie intreated to convene a Parliament, as alsua to gif pouer and commissioun to the Counsaill to resolve and determine upoun some course for remeid of the scairstie of moneyis."

Edinburgh, 27th November 1620.

"The quhilk day, the hail Nobilitie and Counsell particularlie abone named the 24th of this instant being present this day, and the overtour and opinioun of the Conference being reportit unto thame, thay all in ane voce acquiesceit and applaudit thairunto, and ordanit ane missive letter to be writtin to his Majestie for this effect. Quhilk missive being formed according to thair directioun and red in thair audience, thay all allowit of the missive, and in taikin thairof subscriyvit the same with thair handis."

There had been no business of such public importance in Scotland for a long while as that which occupied the extraordinary conference of the Council and the Nobility begun on the 24th of November and ending in this unanimous resolution on the 27th. What had happened is clear enough from the Minutes, but may be here capitulated: At the first meeting on the 24th, sixty one persons in all being present, only a proportion of whom were of the regular Council, while the rest were Nobles who had obeyed the summons issued on the 25th of October preceding his Majesty's proposal of a voluntary contribution for the defence of the Palatinate, to be raised among the Nobles in the first place, but with help, as Spotswood tells us, from the Judges of Session, the Town of Edinburgh, and others willing, was evidently received with consternation. Out of respect to his Majesty, however, the matter was referred, for consideration and report, to a Committee, consisting of the fifteen named in the Minute of that day, with such others of the Nobility and Council as chose to attend. At the meeting of this Committee the next day, Chancellor Dunfermline, Secretary and President Melrose, the Earl of Morton, and Archbishop Spotswood "had their harauugs," as Calderwood expresses it (vii. 452), and there was, as Spotswood assures us (541), "a great forwardness to satisfy his Majesteis desire," but a unanimous agreement that his Majesty's proposed plan of a voluntary contribution would end in total failure, and that therefore the only feasible procedure would be to call a Parliament and impose a regular taxation in the ordinary way on all the Estates and all classes of the lieges. This resolution of the Committee having been reported to the whole body on the 27th, in a paper stating objections in detail, chiefly as they affected the Nobles, had now become the decision of the whole body, and a missive to that effect had been drafted for despatch to his Majesty.

Edinburgh, 25th January 1621.

Sederunt Chancellor; Treasurer; Bishop of St Androis; Bishop of Glasgu; Angus; Rothes; Mortoun; Menteithe; Eglintoun; Buchane; Nithisdail; Wyntoun; Kinghorne; Abircorne; Tullibairdin; Roxburgh; Bugeleugh; Melros; Lauderdaill; Bishop of Abirdeene; Bishop of Ross; Lord Erskine; Forbes; Cathcairt; Yester; Semple; Ogilvie; Ross; Torphichine; Spynie; Balmerinloch; Colvill; Scoone; Burlie; Coupar; Halirudhous; Kintail; Cranstoun; Carnegy; Ramsay; Master of Elphinstoun; Privy Seal; Treasurer Depute; Clerk of Register; Justice Clerk; Advocate; Kilsaythe; Bruntiland; Marchinstoun; Ridhous; Currihill; Fostersait; Sir Andro Ker; Sir Peter Young; Mr Peter Rollok.

The quhilk day Alexander, Erl of Dun[fermling, Lord High Chancellor] of Scotland, produceit and exhibite unto [the Nobilitie and Counsaill] presentlie convenit the Kingis Majesties first mi[ssive and propositioun] directit to the Lordis of his Majesties Pre[vie Counsaill anent a volun]tair contributioun to be grantit for defen[ce of the Pallatinat, being] the dowrie of his Majesteis darrest doght[er and patrimonie of his Majesteis] grandchildrene [ante, p. 366]; as alsua he produceit [blank] copie of the letter writtin and directit fra the [Nobilitie and Counsaill] present for the tyme to his Majestie in ansuer to his Majesteis letter foirsaid [ante, p. 380]; and in lyke maner he produceit his Majesteis missive letter writtin bak agane to the saidis Lordis in ansuer to the letter foirsaid directit, to his Majestie from his said Nobilitie and Counsaill [ante, p. 390]; quhilkis three letteris being all red in the saidis Lordis audience and dewlie considerit be thame, the said Lord Chancellor propouned to the Conventioun the equitie, expedencie, and necessitie of his Majesteis desire. And, sindrie of the Nobilitie and Counsaillouris being desirit to delyver thair opinionis, quhilk faithfullie wes

done be thame, and after some tyme spent [this] way it wes universallie thocht best that some xij or xiiij of gritest judgement and experience sould conveene upoun the morne thairefter to advyse upoun the best and reddiest meanis to gif unto his Majestie most reall contentment. Quhairupoun the Lordis Chancellair and Thesaurair, the Archiebischopis of St Androis and Glasgu, the Erllis of Angus, Mortoun, Nithisdaill, Roxburgh, the Lordis Ogilvie, Scoone, Cranstoun, and Carnegie, and the Bishoppis of Abirdeene and Ross, without excluding suche otheris of the Nobilitie as pleissis to come, wer nominat and appointit to that effect, and thay wer ordanit to reporte thair opinionis to the publict meeting upoun the morne, the xxvj of this instant."

[The following notes from the Book of Sederunts add some particulars to the record of the proceedings of the Convention of this day as just given from the Register of the Acta.]

The Lordis nominatis and appointis the Lordis Chancellair, Thesaurair, St Androis, Glasgu, Angus, Mortoun, Nithisdaill, Roxburgh, Ogilvie, Scoone, Cranstoun, Carnegy, the Bishopis of Abirdene and Ross (not excluding suche otheris of the nobilitie as pleissis to come), to conveene and meete the morne at nyne of the cloke in the foirnoone in the Laigh Counsalhous of Edinburgh, and thair to confer, ressoun, and mak overtouris upoun his Majesteis propositioun anent a voluntair contributioun to be grantit for defence of the Pallatinat and quhat is fitt to be done thairintill for his Majesteis satisfioun and honnour of the cuntrey, and to reporte thair opinioun to the publict meeting." "The Lordis excuissis the absence of the Marques of Huntley, the Erllis of Errole, Mershaell, Craufurde, Montrois, Lynlythgw, Perth, Murray, Wigtoun, Lotheane, Home, the Lord Gordoun, the Lordis Hereis, Lovatt, Loudoun, Elphinstoun, Madertie, Boyd, in respect of thair missives conteining thair laughfull excuissis."

Edinburgh, 26th Jan. 1621.

Antemeridie:- The quhilk day the Lordis appointit for the conference [ante, p. 404], with sindrie otheris of the Nobilitie, haveing convenit and at lenth reasouned upoun the most probable and liklie meanis how to gif unto his Majestie contentment and satisfioun in the mater demandit be his Majestie, and sindrie overtouris being maid thairanent, it wes propounit that this Conventioun myght appoint some of thair number to stent the Nobilitie and Counsaill: [Quhairunto it wes ansuerit that this Conventioun had no pouer nor auctoritie [to] mak ony such impositioun nor to nominat stentouris to that effect, and that it wes aganis his Majesteis command and directioun to raise ony [taxa]tioun, bot onlie to urge a voluntair contributioun. And, sindrie [diffic]ultyis being propouned anent the contributioun, that it wald now [ther pro]ve honnorable to the cuntrey nor gif unto his Majestie satisfioun, [it wes t]hairfoir thocht meete that choise sould be maid of some fitte [persone] to go to his Majestie and to present unto his Majestie the full [ass]uirance of the hairtie allectioun of the Nobilitie present to gif unto his Majestie a reall, lairge, and tymous supplie by suche meanis as may stand with his Majesteis contentment and credite of the cuntrey; quhilk can not be bot by a taxatioun to be imposed upoun the haill bodie of the Estate without respect to ony manis privilege."

The quhilk day the Lordis send for the provest and baillies of Edinburgh, and imparted unto thame the demand maid be his Majestie in the mater foirsaid, and delyverit unto thame his Majesteis first and secund letteris writtin to his Majesteis Counsaill in that earand, willing the saidis provest and baillies to communicat the same to thair Townis Counsell and to returne thair ansuer with diligence."

"The provest and baillies of Edinburgh, compeirand befor the Lordis, declairit that thay had communicat the mater foirsaid to the Tounis Counsell; whose ansuer wes that the letteris wer not directit to thame, and that thay wer bot ane burgh, and could not do in suche a mater be thame selffis allone; and, quhen the mater salbe committit to the Consideratioun of the haill burrowis, the toun of Edinburgh, according to thair wounted maner, sall kytie thair affectionis to his Majestie als reallie and effectuellie as ony of thair rankis within the kingdoine."

The Advocatis, Clerkis of the Sessioun, and Writtaris to the Signett, being convenit be the Lordis directioun, and his Majesteis letteris foirsaidis being sent unto thame, and thay commandit to returne thair ansuer thairunto, thay be thair commissionaris, to witt, Sir Williame Sott, Mr Thomas Nicolsoun, and Adam Lawtie, returne this ansuer: That thay wer bot memberis of the Sessioun, and, quhen the haill bodie of the Sessioun salbe convenit upoun this mater, thay will then advise and gif thair ansuer accordinglie."

Eodem die post meridiem.

The quhilk day, the haill Nobilitie and Cou[nsaill being convenit], and the opinioun of the Lordis quho wer upoun [the Conference being] hard, the haill meeting applaudit thairunto [and with uniforme con]sent Maid choise of the Lord

Archiebischof [of St Androis, and earnistlie] intreated him to undertak this burdyne [and to go to] [blank] his Majestie. Lykeas the said Archiebishop, [blank]his Majesteis service, and, without respect [blank] of his persone and unseasonable tyme of [yeir, acceptit the]charge upoun him; quhairupoun thair wes ane missive letter writtin and subscrivit be the haill Nobilitie and Counsaill present, and delyverit to the Archiebishop to be careyed to his Majestie."

[The following notes from the Book of Sederunts repeat the substance of two of the paragraphs of the record of this day's proceedings just given from the Register of the Acta, but add some particulars.]

In the forenoone: "The Lordis appointit for the Conference, assisted with sindrie otheris of the Nobilitie, haveing at lenthe conferrit and reasouned upoun his Majesteis propositioun and desire of a voluntair contributioun for defence of the patrimonie of his Majesteis grandchildreene and upoun the most probable and liklie meanis how to gif unto his Majestie a reall and honorable contentment; and sindrie overtouris being maid that this present Conventioun mycht appoint certane of thair number to stent the haill Nobilitie, quhairunto it wes presupponed that the whole Nobilitie wald condiscend; and ansuer being maid thairunto that this Conventioun haid no pouer nor autorite to mak ony suche impositioun nor to nominat and appoint stentouris, and that it wes aganis his Majesteis will and expres command and directioun to raise ony impositioun upoun his subjectis, bot onlie to urge a voluntair contributioun; and then sindrie dilfultyis being propouned how the contributioun wald nouthar prove honourable to the cuntrey nor gif satisfacioun to his Majestie, becaus the present number of the Nobilitie is few, and mony of the Nobilitie of best rank and habilitie ar absent, and it is liklie that some of these who may do least will, oute of thair affectioun. to his Majestie and to the weele of the caus, extend thair liberalitie forder nor goodlie thay may, quhairas otheris, who may do better, will be more spairing: it wes thairfoir thoght meete that choise should be maid of some fitt persone to go to his Majestie and to present to his Majestie the full assuurance of the hairty affectioun of the Nobilitie present to gif unto his Majestie a reall, lairge, and tymous supplie by suche meanis as may stand with his Majesteis contentment and credite of the cuntrey; quhilk is be a taxatioun to be imposed upoun the haill bodie of the Estate without respect to ony manis privilege."

Post meridiem: "The quhilk day, the haill Nobilitie and Counsell being convenit and the opinioun of the Lordis who wer upoun the Conference being hard, the haill meeting applaudit thairunto, and with uniforme consent maid choise of the Lord Archiebishop of St Androis, and earnistlie intreated him to undertak this burdyne, and to go [to] his Majestie: Lykeas the Archiebishop, preferring his Majesteis service to the unseasonable tyme of yeir and to ony danger that may fall oute in this mater, acceptit the charge upoun him; lykeas thair wes ane missive letter writtin and subscrivit be the haill Nobilitie and Counsell present, to be delyverit be the said Archiebishop to his Majestie."

Although the preceding minutes make the course of the proceedings in the great Convention of January 25 26, and also the result, perfectly clear, it may be well to quote the accounts of the Convention given by Calderwood and Spotswood. After saying that this Convention was not so numerously attended as that of the preceding November, and that there were present only eight Nobles in addition to the ordinary Councillors (a statement only approximately correct, as will be seen from the Sederunt at p. 404, giving the names of fifty five present, as against sixty one present in the former Convention), Calderwood (vii. 455) proceeds thus: " The King's letter, which was redd at the other Convention, was redd at this also; wherin mention was made that the Palatine without his counsel and consent had accepted the Crown of Bohemia, [but that] yet, because of the Palatinate, which was "his son in law's propertie and his daughter's were forced to turn unto the first overture for a Parliament. And, for that the difficulties of the contribution could not so well be expressed by letter, it was thought meet that one of the Council should be sent to inform his Majesty of the reasons and necessity they had to call a Parliament. This employment being laid upon the Archbishop of St Andrews, he took journey about the end of the same month (i.e. on Sunday the 28th, as we learn from Calderwood). Little did the Convention know that, of the Palatinate.

dourie, he craved the supplie of a volnntarie contribution. They [the Convention] excused themselves the best they could, offered to doe what they might at a Parliament, and sent up the Bishop of St Androes with their excuse." Spotswood's own account, (p. 541), which is naturally more interesting, is as follows: "A new meeting for this business being kept in January, divers overtures were made for giving his Majesty content. The noblemen that were present made offer to give a benevolent according to their abilities; and [but ?], divers of their rank being minors, they saw not who would undertake for them. The Town of Edinburgh, being pressed with an answer, excused themselves, as being one burgh only and lacking the concurrence of the rest, without which any supply they could make would be of little worth. The Advocates, Clerks, and other Members of the Session gave in effect the like answer, so as they just before they had met, the last and crushing disaster had befallen the poor fugitive in whose interest they had assembled. On the 22nd of that month the Elector Palatine Frederick, ex king of Bohemia, had been put under the ban of the Empire, with declaration of the forfeiture of all his German dignities and possessions, the Palatinate included. Exertions on his behalf could, therefore, no longer be properly described as for the defence of the Palatinate, but rather as for the recovery

Edinburgh, 13th November 1621.

Sederunt Chancellor; Melros; Lauderdaill; Clerk of Register; Advocate; Justice Clerk; Ridhouse; Curryhill; Craigtoun. Foistersait; Mr Peter Rollok; Conservator.

Petition by Captain Hary Bruice, "servitor to the Prince his Hienes", as follows: The 14th November instant is appointed, on the complaint of Margaret Hammiltoun, as sister, and the remaining kin and friends, of the late Captain John Hammiltoun, for the petitioner's appearance before the Justice and his deutes in the Tolbooth of Edinburgh to underlie the law for the slaughter of the said Captain John in single combat in the Low Country of Flanders some seventeen years ago. Petitioner denies the competency of the justice or any other court in the kingdom, "because the said slaughter was committit outwith his Majesteis dominionis, within the territoryes of the Estaittis of the Lowe Countreyes, in a single combat quhairunto he wes urgeit and drawn by the grittest respectis of credite and reputatioun quhairwith a gentleman could be assaiyeit." And, although the late Captain John and the petitioner were born Scotsmen, and therefore obliged in allegiance to their natural sovereign, yet at the time of the slaughter and many years previously "thay wer both in actuall service and sworne officiaris to the saidis Estaittis," and, as "thair wes no difference betuix thame and the natives of the countrey in poyntis of subjeitioun to thame and thair lawis," the said Estates were "at that tyme thair soveragne judgeis in all matteris of quhatsumevir qualitie occuring within thair boundis." As to the matter itself, it was clearly proved before the Council of War established by the Estates that Captain Hary Bruice was frequently challenged to combat by the late Captain Hamilton, notwithstanding the offers to give all due satisfaction in the matter disputed between them. "Bot, the moir the said Capitane Hary eschewit his challeng, he wes so mutche the moir earnest in following the same, objecting unto the said Capitane Hary the reprotche of cowardice, and protesting to abuse him in his privat reveng accordingle. And, the said Capitane Hary so finding him selff interest and tuitched in so heigh a poynt of credite and reputatioun, whilk being ones lost wes nevir to be recoverit, bot wald cary with him to the grave ane infamous imputatioun and ane ignominious spott of unworthie cowardice, and haveing respect thairwithall to his birthe and parentage, whilk he wes loath to blemishe in a matter of this kynd, and abone all thingis haveing evir befor his evis the equitie of his caus, with ane full and constant assurance that God, who is the trew searchear of the hairt, and upoun whois divyne providence the event of suche duellis dependis, wald justifie his pairt in that unjust challenge whilk wes retortit poun him, he acceptit and undertook challeng; quhairin it pleasit God to justifie and cleir the equitie of his caus by making the said umquhile Capitane Johnne to underly the dew desert of his errour and rashnes." The Council of War therefore, on consideration, found that the petitioner "had done nothing unbesameing the dewtie of a souldour supported with the testimony of a goode conscience," and they restored him to "his plaice and charge, quhairin he served with good credite diverse yeiris theirefter." Petitioner expected that his trial before the Council of War would have secured him from further pursuit; but the friends of the late Captain John cited him before his Majesty's Justice in 1605, whereupon he acquainted the King with all particulars; who not only "uttered his discontentment" that the matter should have been awakened, but granted his remission to Captain Hary for the deed, and wrote to the Lords to forbid the Justice to interfere. The remission and letter were delivered to the late Earl of Dunbar, and presented to the Lords, "as some of thame rememberis" but "the sleuthe and negligence of these who wer truisted with his affairis sufferrit his letters to perrische, and the matter hes evir rested and sleipit sensyne till now." The petitioner craves the Lords to stop the proceedings against him. The Lords find it expedient that they should learn the King's pleasure in the matter, and accordingly order the Justice and Justice Clerk, and their deutes, to continue the case till 29th March next, taking caution for the petitioner's appearance. They also order a letter to be sent to his Majesty on the subject.

Holyrood house, 26th March 1622.

Sederunt Chancellor; Treasurer; Mortoun; Nithisdaill; Lotheane; Bugeleugh; Melros; Lauderdaill; Air; Lord Erskine; Carnegy; Melvill; Sir Andro Ker; Clerk of Register; Advocate; Kilsaith; Ridhous; Innerteill; Fostersaitt.

The Lordis of Secreit Counsell, according to a warrand and directioun in write signed be the Kingis Majestie and this day presentit unto thame, ordanis and commandis the justice, justice clark, and thair deputis, to desert the dyet appointit to Capitane Hary Bruce for his compeirance befor thame to underly the law for the slaughter of umquhill Johnne Hamiltoun [ante, pp. 588 590], and to desist and cease frome all forder proceiding aganis him at this tyme; quhairanent the extract of thir presentis salbe unto thame a warrand. The Kingis missive letter for warrand of the Act abonewrittin. Right trustie and right weilbelovitt cosine and counsellour, and right trustie and weilbelovitt counsellouris, we greeete yow weele. We wer pleased to write to you about xij. yearis ago willing that no legall proceiding sould be permitted to be used aganis him for the slaughter of umquhile Johnne Hamiltoun, in respect that the same wes committed oute of

oure dominionis; and now, being credibillie informed that of laite some haif gone about to revive that persuite notwithstanding oure formair commandment, we haif thocht goode by these presentis to will and require yow to discharge oure justice generall, justice clerk, and thair deputis, and all otheris oure judgeis and officiaris quhatsomevir, to grant ony summondis or proces aganis the said Capitane Henrie for the afoirsaid slaughter, or in ony wayes; presooome to medle or call him in questioun for the same. And, this most eirnistlie recommending to youre speciall cair, we bid yow fair weele. Geyin at oure Manour of Theobauldis the xiiij day of Marche 1622."

Edinburgh, 13th June 1622.

Sederunt Treasurer; Melros; Vicount of Air; Lord Erskine; Master of Elphinstoun; Sir Andro Ker; Privy Seal; Advocate; Kilsaithe; Innerteill; Ridhous; Fostersait; Craigtoun ; Mr Peter Rollok ; Conservator.

"Forsamekle as the Lordis of Secreit Counsell ar informed of a combatt quhilk fell out yesternight in the raid of Leythe betuix tua Flemis shippis and a pinnage on the ane pairt and a ship of Ostend on the other pairt, to the contempt of his Majestie and brek of his Majesteis peace within his Majesteis watteris, and that thair is grite appearence of forder trouble to fall oute betuix thame at this nixt tyde yf the same be not preventit; and seeing thay ar subjectis to a prince and estate with quhome the Kingis Majestie standis in goode termes of freindship: Thairfoir the Lordis of Secreit Counsell ordanis the baillie of Leythe, accompanied with a herald and trumpett, to go aboarde of the saidis shippis, and in his Majesteis name and autoritie to command and charge the capitanes, maisteris, and the company and equippage of the saidis shippis to keepe his Majesteis peace ilkane of thame with otheris in his Majesteis watteris, and to forbear all persuit and invasioun the one of the other; certifeing thame that shall failyee and do in the contrair that the saidis Lordis will tak suche a course with thame as to his Majesteis honnour in suche a cause apperteynis. And the saidis Lordis ordaines the baillie of Leythe to desire the capitanes or some speciall persone of every one of the saidis shippis to present thame selffis befor the saidis Lordis and to mak ansuer for the remanent personis of thair shippis that thay shall keepe his Majesteis peace as said is."

"The quhilk day Mungo M'Call, baillie of Leythe, compeirand befor the Lordis of Secreit Counsell, declairit that he, conforme to the saidis Lordis directioun, accompanied with a herald and trumpett, past aboarde of the shippis abonewrittin and commandit the capitanes and equippage of the saidis shippis in his Majesteis name to observe his Majesteis peace, quhilk thay promiseist to do. Lyke as the said baillie exhibte befor the saidis Lordis Captane Johnne Cooke and Jacob Vetch, capitanes of tua of the Flemis shippis, and Matheas Rumboull, lieutenant to Peter Van Vorane, capitane of the ship of Ostend. And, the saidis Lordis haveing, by Coline Corsbie, thair interpretair, showne to the saidis capitanes and lieutenant the offens conimittit be thame to his Majesteis contempt in breking of his Majesteis peace within his Majesteis watteris, the Flemingis excusit thame selffis that these of Ostend had some Flemis prissonaris in thair ship, tane be thame in his Majesteis watteris, of whome thay refused to mak delyverie, thay being requirit to that effect; upoun quhilk unlaughfull refusaill and denyall of the prissonaris thay preast to haif releved thame be force. And the lieutenant of the Ostend ship excusit him selff that his ship wes first persewit be the Flemingis, and that nane of the prissonaris wer tane in his Majesteis watteris. And, the saidis Lordis haveing hard them bothe in this mater, thay commandit thame to keepe his Majesteis peace within his Majesteis watteris, quhilk thay promiseist faithfullie to do. And the saidis Lordis causit signifie unto thame that thay sould be furneist upoun thair reasounable expenssis of suche necessaris as thay stand in neede of; quhilk the saidis personis acknowlegeit with humble thankis. And, the saidis Lordis considdering that the promiseist maid be the saidis personis for keeping of his Majesteis peace is no sufficient warrand unles the said promiseist be maid be the principall capitanes, who hes pouer and autoritie to command thair companie in materis of this kynd, thairfoir the saidis Lordis ordanis the said Mungo M'Call to bring befor thame the morne the principall capitanes of the saidis shippis, to the effect thay may undertak the keeping of his Majesteis peace for thair whole companie."

Edinburgh 14th June 1622

"The quhilk day in presence of the Lordis of Secreit Counsell compeirit personalie Mousieur Howtene, Admirall Depute of Zeland, on the one pairt, and Peter Van Verrane capitane of the ship callit the Ambrois, on the other pairt [see ante, p. 737], and promiseist that thay and thair whole companyis during the tyme of thair remaning in his Majesteis watteris sall observe his Majesteis peace, keepe goode reule and quietnes the one with the other, as thay will ansuer upoun the contrarie at thair perrell."

Miscellaneous Letters

4th June 1622

"James R. Righte trustie and righte welbeloved cosens and counsellouris, and righte trustie and welbeloved counsellouris, wee greete yow well. Whereas there are in our porte of Leeth two shippes belonging to the King of Spayne, which, in fighte with some Hollanders having spente their provision and lost their mastes and parte of their tackling [ante, p. 737], are come thither to reparaire their said shippes; and, although wee doubt not but that withoute anie order frome us yee wold cause them be well used so long as their behaviour there deserved not the contrarie, yet, in respecte that wee are in good peace and amitie with the said King, and that his ambassadour resident with us hath taken notice of the being of the said shippes there, and requested us in their favour, wee have thoughte good by these præsentes to require yow that they may have munition, victualles, mastes, tackling, and whatsoever else they stand in neede of, eyther for themselves or reparation of their shippes, furnished unto them at reasonable and accustomed prices. Wherein nothing doubting of your care, wee bid yow farewell. Gevin at our Mannour of Greenwich the fourth day of June 1622."

14th June 1622.

"Monsieur Hautaine, admirall of Zeland, according to the ordour and directioun gevin unto him, presentit himselff this day (ante, p. 739) befor your Majesteis Counsell and expounded the caus of his repair within thir watteris; to wit, That, he having ressaved warrand and commandment from the Estaitis of the United Provinceis under quhome he served to attend upoun the fleit of merchand shippis and to defend and protecte thame frome the violence and invasioun of thair eneines, as thay wer upoun thair dew course tawardis thair port, he wes advertised that thair wes some Holland shippis perseguit be the Dunkirkaris, thair equippage takin prisonaris, and thair vessells suckin that thay wer bound tawardis the coast of Scotland; quhairupoun he maid his adresse hither, and immediatlie efter his arrivall, quhilk wes in the evening he wes boordit by a shallop direct frome ane other wauchter quhilk wes lyand in ths roade, quho acquainted him that thair wes ane Dunkirkair neir by in that same roade quho had sindrie Flemingis prissonaris within hir, quhome scho wald not delyver, and thairfoir required him according to the dewtie of his office to foirse and provyde for thair enlargement. Quhairupoun he send his boate unto the Dunkirkair, and in a verie courteous and gentle maner sollicitated thame that thay wald mak restitutioun of thair prisonaris, and that the Spaniard, disdaneing to harken to any suche propositioun, answert that gif thay had a purpose to haif thair prisunaris releivit thay behoovit to come aboarde of thame and do it, and utterit a number of scornefull and reprochfull speecheis against thame; at the report quhair of Monsieur Hautaine wes so exasperated and irritate that he stood long doubtfull and perplexed quhat course to resolve upoun for reparatioun of his credit and vindicating of his countrey men frome that ignominious and insupportable slaverie quhilk thay underlay, and efter a long conflict and ressoning with him selff in end he concludit that, gif it wes not lawfull for the Spaniard to keepe and deteene his countrey men as prisoners within your Majesteis dominionis, it wes verie lawfull for him to releive thame by force quhom by intreatie thay refused to delyver; quhairtipoun he gaif ordour to haif all thingis in preparatioun and readines, and without ony forder capitulating charged the Dunkirkair and enterit in a most cruell and eager combat with him; lykeas he wes quicklie secondit and backit by tua other wauchters quho wes lyand in the roade, quho undelaydlie come to his secours; and that this fight continewd fra twelff of the cloke at night quhill three houris in the morning. And declairit upoun his credit and honestie that during the tyme of the conflict he knew not how neir he wes to your Majesteis coast and portis (he nor his pilottis havine, nevir heirtfoir conversed in thir watteris), the day being dark and the smoake of thair artillerie having obscured the air, and that howsoone the day brak furthe and the air cleared, swa that he might persave your Majesteis towne and sea portis, that oute of his respective obedience quhilk he caryed to your Majesteis auctoritie and lawis, being conscious in himself that he had offendit in that point of service, he presentlie commandit and enjoyned a cessatioun frome armes and all forder persuite of thair enemies, quhilk wes accordinglie obeyed. And thairfoir, seing he had forborne to right his awne wrongis within your Majesteis watteris and dominionis, to seik redres of that by force quhilk by the commoun benefite of the law mycht alsweele be remedied, and quhairupoun he rested and wes assured, his humble desyre and petitioun unto us wes that, according to the law of nationis and uniforme practise universallie observit elsquhair (quhen ony strangeiris shippis arryved within ony port or harbourie with prisonaris in hir), that restitutioun and delyverie may be maid to him of suche personis as ar deteyned prisonaris be the Dunkirkar. And for prooffe of his alledgeance he gaif three severall instances quhair thair countrey men, being apprehendit be the Dunkirkars and caryed as prisonaris with thame to the portis of Bouloigne, Calice, and coast of Spaine, wer efter thair arryval within the harbourie at the sute of the pairtie, by warrand and directioun frome those quho wes in auctoritie, releivit and put to libertie. The first quhair of he verified by productioun of a passport granted to tua Englishe men, prisonaris to the Spaniard, be the Counsaill of Bulloigne, by quhose warrand and directioun thay wer releivit. Quhilk declaratioun and desyree being verie naturlie considerate and digestlie perpendit by us, and having conferrit and ressonit among our selfis how far we might proceed with equitie and

justice in a matter of this kynd, the lyke quhair of haid never occurred in our tymes, it being a noveltie without any president or reule quhairby to direct and guide us in a saiff resolutioun, and the tryall and cognitioun of thair quarrells committed out with your Majesteis dominionis nowayes belonging unto us, thay being bothe subjectis of Princes and Estaitis confederat with your Majestie and with quhome your Majestie keips and intertynis all mutuall dewtye of frendship and correspondence, at last we all with ane unamis consent inclyned and aggreit to consult your Majesteis judgements thairanent, and humblie to beseiche your Majestie to cleir our doubtis and remove our scruplis by the returne of your Majesteis pleasour, to the effect our proceeding may be warranted by your Majesteis directioun and nane of the pairtyis may haif reason to complene of partialitie or favour quhen thay sall sie our sentence drawne by the prescript of your Majesteis rule, and justice indifferentlie ministred to bothe. And so, expecting the significatioun of your Majesteis will and pleasour heiranent, we rest, &c."

Edinburgh 25th July 1622

"The quhilk day Joseph Marjoribankis and Patrik Bleis, baillies of Edinburgh, wer commandit to go to Leith to the Spanishe ship callit the Ambrois, and to tak ane phisitioun with thame and thair to visite the Flemis prisonneris being within the said ship in quhat estate and conditioun thay ar, and how mony of thame ar trewlie seeke, and to reporte to the Counsaill upoun Twisday the estate of the saidis prisonaris. As alsua to warne the Capitane of the Spanishe ship and the Capitane of the Waughter to compeir lykwayes, instructit with suche informatioun and probatioun as thay will use quhairby the one of thame may lafullie crave delyverie of the prisonaris and the other crave retentioun of thame."

Edinburgh, 18th September 1622.

Sederunt Chancellor; Treasurer; Mortoun Glencarne; Wyntoun; Lotheane; Melros; Lord Erskine; Master of Jedburgh Advocate; Innerteill; Marchinstoun; Fostersait; Mr Robert Spottiswode; Mr Peter Rollok; Sir Johnne Scott.

"Thequhilk day in presence of the Lordis of Secreit Counsell compeirit personalie Robert Durie, skippar and gaif his grite and solemne oathe that the ship callit The Blessing of God sometime pertening to Lambert Cornelisone in Encousane, now pertenis to the said Robert, and that sho is his awne proper shipp boght be him fra the said Lambert conforme to ane dispositioun in write maid be the said Lambert of the ship foirsaid to the said Robert, quhilk he produceit in judgement befor the saidis Lordis. And alsua the said Robert actit and oblist him selff under the pane of fyve thousand merkis that he nor nane in his name sall not mak ony langar use of the attestatioun and certificat grantit to him towcheing the said ship nor the same pertenis to him, and that he sall not gif the same to otheris to be maid use of."

Edinburgh 18th September 1622

Supplication by Robert Durie, skipper in Leith, as follows: In August last, he "boght ane ship of Encusane callit The Blessing of God frome ane Fleyming, inhabitant of the said toun, and hes maid him full and compleit payment of the pryce of the said schip " [ante, p. 58]. And now, being "in termes of frauchting of his schip towardis Spayne, dar not perfyte nor end any conditioun thairanent for fear of trouble and confiscatioun of his schip and of hir laidning in Spayne, becaus, sen the renewing of the troublis and wearis betuix Spayne and the Lowe Countryes, all commerce and handling betuix these countreyes is prohibite and forbiddin, and all hoisteill advantageis ar tane on ather syde quhair the personis, schippis, or guidis of ather pairtye may be apprehendit, and the proportioun and forme of every schip biggit in the Lawe Countryes is so weill knowne throwout all the sea portis of Spayne that hardlie can any schip eschaip undiscoverit, and diverse Fleymis schippis, being lawfullie boght be his Majesteis subjectis, haif bene arreistit, stayed, and confiscat in Spayne as gif thay pertenit to Fleymingis." The petitioner has thus "verie gud reason to feare that the lyke trouble sall befall him," and he prays the Lords to give him an attestation and certificate under the great seal that the ship is his own ship," laughfullie boght be him and in his possessioun, and that scho onnawayes perteynis to any Fleymingis." The Lords grant the prayer of, the petition, and allow the Chancellor to append the great seal to the desired certificate, because the petitioner, appearing personally before them, has given his solemn oath that the ship is his own, as stated, and has also bound himself under a penalty of 5000 merkis " that he sall lawfullie use the said certificat, and that he sall mak no longer use thairof nor the schip foirsaid perteynis unto him, and that he sall not delyver the said certificat to ony uther persone or personis to be made use of, and, gif he salhappin to sell the said schip, that he sall exhibite and produce the certificat foirsaid befor the saidis Lordis."

Edinburgh 10th December 1622

Sederunt Chancellor; Treasurer; Mortoun; Glencarne; Lothiane; Bugeleugh; Melros; Lauderdaill; Lord Gordoun; Lord Areskin; Colvill; Carnegie; Master of Elphinston; Master of Jedburgh; Privy Seal; Treasurer Depute; Clerk of Register; Advocate; Kilsyth; Craigtoun; Sir Johne Scot; Mr Peter Rollok Mr Robert Spotiswood.

“Forasmekle as the Lordis of Secreit Counsell ar informit that their hes bene sindrie racounteris betuix the companies of the King of Spaine shippis of Dunkirk and Holland warre shippis lyand at Aberdeene and in the harbourie of Leythe, and that some bloodshed and otheris inconveniences hes fallin out betuix them to the break of his Majesties peace; and that likwayes some unrewlie, undiscreit, and rude people, inhabitants of Aberdeene and Leythe, and utheris resorting and repairing thairunto, hes verie oft misbehavit themselves against the saidis straungeris, sometymis by offering of violence and uther injuries unto them and sumtymis by uttering of reprochefull and disgracefull speeches against them and giving a number of occasiouns of offense and displeasour unto them both by word, deid, and countenance; quhilk being a mater of bad exemple and against the commoun dewtie of humanitie, that straungeris and the subjectis of a prince and estate with quhome our Soverane Lord standis in good termis of freindship sould be so rudelie, uncomelie, and uncourteouslie used, against reasoun, modestie, and discretioun, and no notice taine therof and punishment inflicted upoun the offenderis: Theirfoir the saidis Lordis ordaines and commandis the proveist and baillies of Aberdeene and the water baillie of Leythe to cause a strait prohibitoun be made by sound of drume throug thair toun that nane of his Majesties subjectis inhabitantis within the saidis touns, nor na utheris resorting nor repairing therunto, give anie just cause or oceasioun of offense or displeasour, by word, deid, or countenance, to anie of the companie and equippage of the saidis shippis, but that they respect them with these commoun dewties of freindship quhilkis beseemeth good and modest people to show to straungeris, being freindis and confederatis, under the paine to be apprehendit, wairdit, and utherwayes punished at the discretioun of the saidis proveist and baillies and water baillie of Leythe, everie one of them within their awin boundis. And siclyk to command and charge the companie and equippage of the saidis shippis that they keep good reule and quyetnes ilk ane of them with utheris during their remaining in his Majesties wateris, and that they mak no provocatioun of offense the one to the uther, nor doe nor attempt nothing quhairupoun anie truble or disordour may arise betuix them, under the paines abovewrittin, as the saidis proveist and baillies and water baillie of Leythe will answer upoun the contrare at their perrell.”

Edinburgh 19th December 1622

Complaint by William Layng, merchant burgess of Abirdeyne, as follows : He lately sent from London a ship full of wares; and, when it arrived at “the Ely,” there was a true entry given up of the whole goods and his Majesty's custom was paid thereon; after which, by the Complainer's own order, a bark was freighted to carry part of the goods to Aberdeen, which sailed under the command of George Baillie in the East Ferry of Dundee as master. But, while he was waiting "for the tyde at the bak of the bar of Abirdene, Jane Raymorgan and William Clasen, capitanes of the Wauchter schippis quhilk presentlie lyis in the harborie of Abirdeyne, come with two schip boittis, with the nomber of men in every one of thame, all boidin in feir of weir with muskattis, pickis, and uther armour, to the said bark the tyme foirsaid, and, having violentlie enterit aboardof hir, thay caryed hir furth to the roade of Abirdeyne," and wrongfully intromitted with the complainer's goods. Compelling George Baillie and his company "to oppin thair haill kistis and cofferis," they "ryppit and searcheit all the pairtis thair of, gif thair haid bene any money thairintill." As the captains could not transfer all the goods from the bark to their own ships that night, a number of men guarded the bark all night, and the goods were carried off in the morning. The captains also compelled skipper Baillie to deliver to them his Majesteis cocquet, threattining him with death gif he dissobeyit and, when the bailies of Aberdeen desired them to render the same with the goods, they refused, "alledgeing the same to be thair prey, and sua as yit detenis both guidis and cocquett." The pursuer appearing personally, and the defenders not appearing, the Lords order the defenders to be denounced rebels.

Edinburgh, 2nd January

Sederunt Chancellor Melros; Treasurer Depute; Ridhous Sir Johnne Scot; Mr Peter Rollok.

The Kingis Majesties missive letter for warrant of the Act underwrittin Right trustie and weilbeloved counsellour, right trustie and weil belovit cousens and counsellouris, we greete yow weil. By your letter of the fyft of this instant we have understood the substance of the petitioun latelie made unto yow by the captains of the two Dunkirker shippis lying at Leith. and Aberdeene, and lykwayes have considerit what wes propouned be the Lord Gordoun unto yow in the name of the Marquis of Huntlie, his father. Quheranent becaus ye desire to be acquainted with our resolutioun, we have thocht

good heirby to certifie yow that, being much and often tymis importuned by the States Commissioneris to give ordour for the releefe of their prisoneris deteaned be the Dunkirkeris in Leythe, our answeere hath still beene to them that we wold have directid that to have beene done long agoe if the Waughteris had not invaded them in our wateris. But, since that can not now be done, the safest and fairest course we think can be intendit for satisfioun of both pairties is to indeavoure that the prisoneris may be delyverit be the Dunkirkeris, and, that done, that the Waughteris give assurance not to truble or invade them in thair voyage home. Quherfore our pleasure is that ye first deale with the Dunkirkeris, and use your best meanes and instance to perswade them to delyver their prisoneris upoun the forsaid assurance to be taken of the Waughteris; which we think they will the willinglier yeeld to becaus, as we ar informed, a great manie, at least some, of these prisoneris ar ellis ransoned and releevd. And, if this can be obtained with consent of both pairties so as the Dunkirkeris may be safelie secured in their returne home, we sall be glade that the assurance may be urged and accepted with als littill offense to the Hollanderis as may be. But, incace your instance cannot obtaine this transactioun betweene them, it is then our pleasure that ye caus charge the Waughteris be ane herauld and a trumpet within such a tyme as ye sall think meit and competent to delyver their sailes to such as ye sall appoint in Leythe and Aberdeene, to the effect that the same may be keptit for the space of two tydes after the Dunkirkers sall mak saill from the places where they ly; which if the Waughteris refuse to obey, ye sall therof advertise us with diligence, that we may tak such ordour as sall be fitt in the premissis. And so, not doubting but ye will use your best indeavoure (before ye intend this last course) to dispose them if it be possible to a transactioun upou the above writtin conditionis, which we cheefelie affect, we bid yow fairweill. From our court at Roystoun the sixteenth of December 1622."

"Forsamekle as it is weill knowin to the Kingis Majestie that the custome of natiouns universallie ressavd throughtout all the pairtis of Europ quhere the trade of navigatioun is frequented and haunted admittis and allowis the libertie and priviledge of two tydis for the safest outgoing of the shippe or ships that first arryvis in anie port or harbourie, especially when the case is such that [thay] being enemies one to the uther arryvis within the wateris, portis, or harberis of a Prince who standis in good terms of freindship with the Princes or States to whom these shippis appertayneth; And, quheras their is some Spanish and Holland shippis of warre presentlie lyand in the harberies of Leythe and Aberdeene, attending and awaiting the opportunitie and occasioun to tak their vantage the one of the uther and so to breake his Majesties peace, it becometh his Majestie in honnour and justice, seing the King of Spayne and the Estates of the Low Countreyis of Flanderis, to whom these shippis appertaines, ar both his Majesties freindis and confederatis, and all mutuall dewties of princelie and good correspondence maintained betuix them, to forsee that this allowable custome of natiouns, so weill groundit upoun infallible and good reasouns of policie and state, sall be observed and kepted betuix thir shippis, and that the Spanish or Dunkirk shippis, who, as is weill knowen, come first in the harberies of Leythe and Aberdeene, sall have the libertie and priviledge of twa tydis for their safe and sure outgoing; And theirfoir the Lordis of the Secreit Counsell, according to the Kingis Majesties will and directioun signifiet unto them in this mater, ordaines letteris to be direct to herauldis with a trumpet charging them to pas and in his Majesties name and auctoritie to command and charge the captanes, masteris, and skipperis of the Waughteris lyand at Leith and Aberdeene to delyver the whole saillis of their shippis, viz., the Waughteris at Leythe to one of the baillies of Edinburgh, and the Waughteris at Aberdeene to the provost or one of the baillies of Aberdeene, who sall be appointed to ressave them and who will be ansuerable for the sure keeping and redelyverie of the same, to the effect the Spanish or Dunkirk shippis may in suirtie have the priviledge of twa tydis for their outgoing, within xxiiij houris nixt after the said charge, under the paine of his Majesties high offense and displeasure. Certifieng them and they disobey that his Majestie will repute, hold, and esteeme them as contemneris of his Majesties royal and princelie command, groundit and warrauntid upoun the custome and uncontravertid exemple of natiouns, and will tak such ane uther course for inforcing their obedience as his Majesties honour and justice, and the respect of that princelie correspondence which his Majestis hes ever inviolatlie keepit with his freindis and confederatis, requyris."

"Ane missive frome his Majestie anent the Holland and Dunkirk shippis; and, conforme thairto, James Ainslie or Johnne Sinclair, baillies, wer ordanit to go to Leythe and to deale with the capitane of the Dunkirk ship that he wald releve the Holland prisoneris being in thair ship. Quhilk directioun being permit be Johnne Sinclair, baillie, he returnit ansuer that the said capitane refused in ony caise to mak delyverie of the prisounaris, alledgeing thay had not ane warrand frome the King of Spayne, thair maister, to that effect."

Edinburgh 23rd January 1623

"Forsamekle as their hes beene some Dunkirk and Holland shippis of warre lyand in the harberes and roades of Leythe and Aberdeene thir diverse monethis bygane, who being enemies one to another and nevertheles belonging to a Prince and Estate with whom the Kingis Majestie standis in good terms of freindship, it becometh his Majestie in honnour and justice, and out of these respective dewties of mutuall and freindlie correspondence whilk his Majestie hes ever inviolablie keepit with his confederatis and freindis, to foirsee that his Majesties peace be observed betuix thir shippis

during their abode in his Majesties wateris, and that such other course be tane with them as his Majesties interesse with their masteris, being his freindis and confederatis, requyris: For quhilk purpose the Lordis of Secretit Counsell ordaines letteris to be direct, charging the captanes of the saids Dunkirkar and Holland shippis of warre lyand in the harbouries and raids of Leythe and Aberdeene to compeir personallie before the saidis Lordis upoun the xj day of Februar nixtocum to underly such ordour as sall be tane with them alsweele for keeping of his Majesties peace as for such uther thingis as sall be enjoyned unto them tuiching his Majesties honour in the pointis of correspondence whilk his Majesties indifferentlie keepest with all his freindis and confederatis, under the paine of rebelloun and putting of them to the horne, with certificatioun to them and they failyie that they sall be denunciit and declarit to be rebellis to his Majesties and contemneris of his royall and princelie commandementis."

Edinburgh 23rd January 1623

Complaint by Blei (or Bles) Osterbrei, Englishman, plasterer, as of follows:- On [blank] December last, as he was "walking alongis the schoir of Leyth in a peceable maner, dreiding harme of no man, ane of the company of the Spanishe or Dunkirk schip presentlie lying within the harbory of Leyth, being the compleneris awne countreyman, come to him, and under truist traynit him in to the said schip to drink with him; and, the complener haveing simple gone aboard with him and haveing gone doun under the rowme, the complener wes then immediatlie layed handis upoun and putt fast in the irnis, quhair he hes bene still detenit sensyne," he being in no way subject to the captain or company of the ship. Charge was given to "Capitane Peter Vanvoran, capitane of the schip foirsaid," to produce the complainer; and now the captain, appearing personally and having produced the complainer, pleads in his own defence that, haveing discoverit a purposis tuiching the betraying of his schip, and that some of his awne equippage wer upoun the counsaill thairof, and this Bles Osterbrey comeing to his schip and asking for ane of the company who wes upoun the counsaill of betraying of hir," he had good reason to suspect the complainer as accessory to that deed and therefore detained him prisoner. The complainer having replied that he was wholly ignorant and innocent of such a design, the Lords find that Peter Vanvoran has done wrong, and order him to sett the said Bles free, paying him £40 in satisfaction. They also order Peter to "acknowledge his offence done to his Maiestie and the saidis Lordis in the matter foirsaid and to crave the saidis Lordis pardoun for the same"; which the said Peter " instantle did, with all kynd of reveerence and humliltie, sitting on his kneysis."

Edinburgh, 11th February 1623.

Supplication by "Capitane Anthone Rotashe, capitane of the Spanishe schip lyand at Abirdene," as follows : Having, shortly after his arrival at the port of Abirdeyne, "enterit in consideratioun how his equippage and companye might be furneist with bread," and finding it "moir expedyent to mak choise of one man to mak thair furnissing nor to underly the daylie fashrie of thair furniture frome sindrie handis," he had delt and travellit with David Kempt, baxter, burges of Abirdeyne, to undertak that charge."Kempt performed his duty very carefully and honestly; and the petitioner expected that, as by the providence of God " he wes cassin in this countrey, quhair Christianitie is profest," and as "the Kingis Majestie standis in goode termes of broderlie love and frendship with the King of Spayne, his maister," he would have friendly usage, or "at the least that no foull, deteastabill, and treacherous practize, unworthie to be hard of amongis Cristianis, sould have bene contryved or plotted against him or his company." Yet David Kempt hes bene verrie earnestlie delt with and intreated be some personis of the toun of Abirdeyne to poisonne the said supplicant and his companyes bread," and there was great promise of reward made to David "for that earand." The honest man not only refused; but, "being towched in conscience with the horrou and deteastatioun of suche a foull deid, fearing that some utheris wald undertak that whilk he refused, he reveilled unto the said supplicant the purposis, advyseing him to be upoun his guard and to bewar with whome he hes ado, bot he refuissis in any caise to reveill unto the said supplicant the personis who delt with him in that earand, pretending that thay have his promeis for secrecie." The Lords give commission to the provost and bailies of Aberdeen to summon David Kempt before them, examine him as to who dealt with him for the alleged purpose, what conditions were offiered, the time, place, and circumstances, and why he gave information; and, if he accuse any inhabitants of the burgh, the provost and bailies are to seize the accused, commit them to ward, examine them, confront them with the said David Kempt if necessary, and send their depositions, closed, to the Lords.

Edinburgh, 25th February 1623

"The quhilk day Gilbert Aitchiesoun, baillie of Edinburgh, wes commandit to caus the water baillie of Leeth gang to the Dunkirk ship lyand in the harborie and visite the prisouner being in the ship, in quhat estate he is and whereof he standis

in neede, and to gif directioun to the commandars of the ship to suffer suche necessaris to be ministrat unto him as he shall stande in neede of."

Edinburgh, 9th May 1623.

"Quheras there wes a verie great barbaritie and violence committit upoun Sondag and Monondag last against the poore strangeris and souldouris being in the Dunkirk ship lyand at the harbourie of Leith be a number of rude, uncivile, and mischeant people, who without pitie or compassioun of the distresse and miserie wherin the poore strangeris had fallin by the wrak of their ship, they violentlie and shamefullie spoylit and robbit the poore strangeris not onlie of their armour bot of their clothing and such uther goodis as they had within the ship, to the great discredite and disgrace of the cuntrey if delyverie and restitutioun be not made of the saidis goodis: Therefore the Lordis of Secreit Counsell ordaines and commaundis the proveist and baillies of Edinburgh, the baillies of Leythe, and baillies of the Cannogait, that they within their awin boundis cause thair drummes be towkit throug their touns, and be open proclarnatioun in our Sovereane Lordis name and authoritie to commaund and charge all and sindrie, persouns, of quhat estate or degree soever they be, that hes anie of the goodis, geir, armour, clothing, or what ellis belonged to the said strangeris, in their possessioun and keeping, whither the same wes violentlie reft and tane be thame fra the strangeris or out of the said ship, or whither the same wes boght or resset be thame, that they and everie one of thame, within xxiiij houres nixt after the publicatioun heirof, bring, present, exhibite, and delyver the said goodis, viz., these within Edinburgh and Leythe to ane of the baillies of Edinburgh, and these within the Cannogait to ane of the baillies of the Cannogait, to the intent delyverie may be made of the same to the awneris; with certificatioun to thame that sall or in whose possessioun anie of the saidis goodis sall be apprehendit, or against whome it sall be verifiet and proven that they hed anie suche goodis in their possessioun, that they sall be repute, holdin, and esteemit as commoun and notorious theeves and resseteris of thift and sall be persewit and punished for the same to the death without favour or mercie."

For additional particulars of the incident here recorded, and for further illustration of the anxieties of the Council occasioned by the precence of Spannish ships and Dutch ships simultaneously in the Scottish harbours, see

Calderwood, vii., 572 575. Prince Charles being then in Spain on the unpopular business of his proposed marriage, Spanish ships in the Scottish waters were no welcome sight.

"Ane missive frome his Majestie concerning the undeutifull behaviour of some personis anent the Dunkirk ship brynt at Leethe, and the consideration thair of continewit to the 22 of this instant,"

Holyrood-house 31st July 1623

"Ane missive to his Majestie concerning the insolence and barbartie at Leith committit against the Dunkirk ship brynt at Leethe."

Holyrood-house 20th August 1623

"Ane missive frome his Majestie concerning the Dunkirk ship brynt at Leethe, and the Counsallis answer thairunto."

Edinburgh 4th November 1623

A missive to be writtin to the Iord Chancellour desiring him to crave his Majesties opinioun anent the persuite to be moved aganis the burgh of Edinburgh anent that mater of the Dunkirk ship brynt at Leethe, and in quhat place that persuite salbe followit oute."

Edinburgh, 6th November 1623.

After oure verie hairthe commendationis to your goode lordship; -Your lordship rememberis how that in the moneth of August last, the Kingis Majestie haveing recommendit unto us the trying and punisheing of the insolence and

misbehaviour of his Majesties subjectis in that mater of the Dunkirk ship brynt at Leethe according to the natur and qualitie of the severall offensis concurring in that earand, we by our ansuer returnit unto his Majestie excusit oure selffis anent oure not proceding thairin at that tyme inrespect of the importance of the bussynes, whilk requirit the presence and heiring of a frequent number of the Nobilitie and Counsell, and that the seasoun of the yeir wes suche that it threatned a laite and bruckle harvest; and promeis wes maid unto his Majestie that at the beginning of this sessioun that mater sould be putt to a point. Bot now, we haveing considerit that this persuite and tryall will stryke cheiflie aganis the magistratis and bodie of the burgh of Edinburgh, and being doubtfull yf his Majestie will allow of the said burgh as a fitt and convenient place for prosecution of that tryall, we ar thairfoir verie desyrous to be consultit and advisit with his Majesties cleir and excellent judgement in this point. And for this effect we will eirnistlie requeist your goode Lordship, at some fitt oportunitie of his Majesties laiser, to sound his Majesties opinioun thairanent, to the intent that accordingle we may conforme oure selffis thair unto. Your lordship knowis that thair wilbe a verie grite difficultie in the discoverie of the principall actoris and offendaris in this bussynes, seing we haif nane to gif us ony light or informatioun thairin, and these who wer agentis, and thairby pretendit to haif interesse in the same, hes never troublit thame selffis thairwith, nor never dilaitit nor gaif up to us the names of ony one guiltie persone, and thay ar now at Courte. Always thair salbe no thing wanting in us wherby according to our bundin dewtie we may gif unto his Majestie satisfacioun heirin. And so, attending your lordships answer, with the remembrance of oure best and hairtiest affectionis, we commith your lordship to the protectioun of God. Frome Edinburgh, the saxt day of November 1623. Your lordship's verie loving and assured goode freindis, Mar, Roxburgh, Melros, Lauderdaill, J. Arskeene, Ar. Naper, Kilsaithe, S. W. Oliphant.

The evidence in this document of a desire not now to make too much of the incident referred to may be connected with the fact that the negotiation for the Spanish Match

were at an end [ante, p. 375, footnote], and therefore there were no particular reasons any longer for puniaging an outbreak of popular wrath against anything Spanish.

Edinburgh 27th January 1624.

"Most Sacred Soverane. Thair wes tua petitionis govin in to your Majesties Counsell, the one be Sir Robert Denneistoun, knight, Conservatour, and the other in name of the whole Burrowis of this kingdome, bothe complening upoun Mr Nathanaell Uddart: the first for that the said Mr Nathanaell, upoun sinister informatioun maid unto your Majestie that the said Sir Robert, be ressoun of his aige, inhabillitie, and not residence, wes content and consentit that Mr Nathanaell sould be adjoynd to him in the said charge, had procured youre Majesties patent thairupoun under your Majesties hand; and the other becaus the said Mr Nathanael had misknowne thame in that particular and intendit to intrude him selff upoun thame without thair knowlege, to thair grite greif, thay haveing speciall interesse in the choise and nominatiou:n of a Conservatour, inrespect he is thair judge and hes his fees and dewtyis payit be thame, and that thair must be suche a mutuall harmonie and correspondence betuix him and thame as may procure your Majesties honnour, his credite, and thair weele; in whilk, point they constantlie afferme that the said Sir Robert had evir bene and still is so respective as thay wer nevir better used nor thay haif bene and still ar be him and his deputis, whereas by the contrair thay haif mony pregnant objectionis aganis Mr Nathanaell. And thay bothe desirit that we wald gif notice heirof unto your Majestie and interpone our humble requeist unto your Majestie that no forder way sould be gevin to this patent till thay wer first hard. And, quhairas in materis of this kynd proceeding frome the just greevis of your Majesties subjectis, who hes not the occasioun thame selffis to present thair greevis unto your Majestie, we could not in justice refuse thame, we haif thairfoir presoomed to send up thair petitionis heirwith unto your Majestie, to the intent that your Majestie, after dew consideratioun and examinatioun thairrof, may oute of your singlar and princelie wisdoms gif suche directioun thairanent as your Majestie shall holde fitting. And so, praying God to blisse your Majestie with mony lang and happie yeiris, we rest, Chan.r, Mar, Murray, Perth, Wigtoun, Roxburgh, Melros, Lauderdaill, Dunkeld, Dunblane, Melvill, Carnegy, S. R. Cokburne, Edinburgh, 27 January 1624"

Theobalds 6th April 1624

"Right trustie and right weilbelovit counsellour, right trustie and right weilbelovit cosines and counsellouris, and otheris our trustie and weilbelovit counsellouris, we greete yow Weele. Haveing ressaved your letter of the 27th of Januair last [ante, p. 408], togidder with the petitionis thair inclosed preferred unto yow by Sir Robert Dennystoun and the Burrowis of that our kingdome for representing unto us thair greiffis aganis Mr Nathanael Uddart as incrotcheing upoun the ones office and the otheris privilegeis by keeping a Courte as oure Conservatour at his laite being in Camphere and substituting a deputie in the said office, treulie we could not bot think it verie strange to heir that he had so summarlie possess him of that office, whereof we onlie intendit the reversioun to him after the said Sir Robertis deathe and not that he sould presentlie joyne in office with the said Sir Robert, as his signatour signed be us doeth (as we ar credibillie

informed) importe. And thairfoir these ar to require yow to call for the said signatour and to consider the qualitie and natur thairof; whiche, yf it importe ony forder then a reversioun or securitie of the said office to him after the present possessouris deathe, is consaved otherwayes nor we meaned. And howsoever it be conceived, our pleasour is that yow gif ordour to the officiaris whome it concernis not to gif way thairto, nor suffer the same to pas at our seallis till our Burrowis be hard for thair interesse, or making suche objectionis as thay haif to propone for opposing the said Mr Nathanaels admissioun to that office, according to thair petitioun preferred unto yow. And, for doing of the premissis as these salbe unto yow a sufficient warrand, so we bid yow fairwell. Frome our Courte at Tbeobaldis, the saxt of Aprile 1624."

Holyrood-house, 15th June 1624

"Most Sacred Sovereane. The importatioun of forreyne victuall hes bene so frequent and commoun and in so exceiding grite abundance and quantitie thir tua or thrie yeiris bygane as the most pairt of the moneye of this kingdome hes bene exportit and bestowit to that use; wherupoun hes followit suche ane skairstie and penurie of moneyeis that numberis of your Majesteis subjectis of all rankis, whose burdeynis straitit thame at this terme and who wer willing and responsall in landis and guidis to have givin unto thair creditouris satisfioun, wer to thair greif dishablit throw the skarstie of money to do the same. The consideratioun quhairof moved us, upoun the humble petitioun of Williame Dick and Williame Wilkie, burgesses of Edinburgh, who wer speciall importaris of this victuall, and haid suche ane quantitie thairof lying upoun thair handis, and lyke to spill be ressoun it wes so soone broght in and thair wer few or nane to buy it, to grant unto thame ane licence for exportatioun of ane certane quantitie of the said victuall, especiallie quhite, whilk wes the grayne the countre stooode least in neid of, and wherwith thay undertook to bring in money or, gif the necessitie of the countrey sould require, the dowble quantitie of ony uther soirt of victuall whilk wes moir usefull for the countrey. And, thay haveing leadnit tua shippis with this victuall and being upoun course towardis thair port, expecting nothing les then ony hurt frome any with whome your Majestie yitt standis in termes of frendship and correspondence, thair schippis wer notwithstanding persewit, buirdit, and tane be tua weare schippis of Dunkirk, and carved into the toun of Dunkirk, wher the shippis and guidis ar maid lawfull pryse. This is a mater quhilk in our humble opinioun wald be narowlie advertit and looked unto, not so meikle for the privat interesse of the tua honnest men, who ar heirby verrie far damnefeit, as for the publict interesse of the whole merchant estait. For, gif this be tollerat, and yf the forder course and progres thairof be not interruptit, the whole forreyne commerce of this kingdome, whilk for the most pairt is intertenyed with Holland, wilbe shaikin louse and cutt of, to the undoing not onlie of the mercheant estait, bot to the grite hurt of the rest of the kingdome. And thairfoir we will in all humilitie presooome to recommend this matter to your Majesteis wyse and princelie consideratioun, beseiking your Majestie to tak suche ordour thairin as in the excellencie of your princelie wisdome yow sall hold fitting, quhairthrow the honnest men may[be] redrest and restoirit to thair shippis and guidis, and the lyk of this attempt forborne heirafter. And so, &c. Halyrudhous, xv Junij 1624. Sic subscribitur: Geo. Hay, Mar, Lauderdaill, Jo. Erskene, Carnegie, A. Mr Elphinstoun, Ar. Naper, S. R. Cockburne, Kilsayth, Jo. Hammiltoun, S. A. Hammiltoun, W. Oliphant, A. Gibsoun."

Royston, 18th July 1624

"Right truistie and right weilbeloved counsallour, right truistie and right weilbeloved cousens and counsallouris, and right truistie and weilbeloved counsallouris, we greit yow weill. We ressavd frome Yow tuo letteris, both of the xvth of June, one concerneing the Scottis shippis takin by the Dunkirkkeris and the uther concerneing Mr Robert Boyde [ante, pp. 5266-528]. As for the first, we haid long befor the recepte of your letter givin ordour to our agent resident at Bruxellis to crave restitutioun, with certificatioun in caise of refusall that we wald gif licence to the pairtyes interessd to repair thair losse be way of facte. As concerneing Mr Robert Boyde, we mervell that not any bischope did sette his hand to that letter whiche ye sent to us in his favouris, and thairfoir we suspend our judgement and defere to declair our pleasour concerneing him till we salbe furder enformed of his behaviour by the bischoppes. Whiche expecting in tyme convenient, we bid yow fairweill. Givin at Royston, the 18th of July 1624."

Edinburgh, 31st July 1624

"To all and sindrie whome it effeiris unto whome these presentis salbe showne, we, the Lordis of his Majesteis honnourable Previe Counsell, wisheth healthe: Whereas the ship of Leethe, callit The St Johne, quhairof George Gourlay is maister, is now, God willing, bowne tawardis the cite of Lundone, thair to be providit and furnist with some peeces of irne artillerie for hir better suirtie and defence and withstanding the injurie of pirottis and robberis now frequenting and hanting the seas; and whereas some objectionis may be maid aganis the said ship, in respect of hir

proportioun and building, that sho is not a Scottishe ship, bot belongeth to strangearis: these ar thairfoir to signifie and declair unto yow and eache one of yow, and thairwithall to assure yow of the treuthe, that the ship foirsaid belongeth properlie to David M'Ka, Archibald Tod, Johne Howstoun, James Name, Johne Name, George Scott, and David Jonkeene, merchantis burgess of Edinburgh, and to the said George Gourlay, and that sho wes biggit in Roterdame upoun the proper charges and expenss of the personis abonewrittin and by thair command and directioun: requesting heirfoir all whome it concernis to sell to the maister and suche otheris as hes the command of the ship so mony peeceis of irone ordinance upoun reasounable and competent pryces as the said ship will stand in neid of. Gevin at Edinburgh, the last day of Julij, the yeir of God 1624 yeiris. Sic subscribitur : Geo. Cancell, Melros, Lauderdaill, R. Cokburn, J. Hammiltoun, Ard. Naper, Geo. Arskyne."

"The quhilk day in presence of the Lordis of Secreit Counsaill compeirit personallie Archibald Tod, David McKa, Johne Name, George Scott, Johne Howstoun, marcheantis burges of Edinburgh, and George Gourlay, maister of the ship callit The St Johne, and gaif thair grite and solempne oathe that the ship foirsaid wes thair awne proper ship, buildit be thame and at thair commandement in the toun of Roterdame, conforme to the tennour of the commissioun abonewrittin."

Edinburgh 4th November 1624.

Sederunt –Chancellor; St Androis; , Bishop of Glasgow; Mortoun; Linlithgow; Melros; Lauderdaill; Maister of Elphingstone; Privy Seal; Treasurer depute; Clerk of Register; Advocate; Kilsayth; Innerteyll; Ridhous; Durie; Fosterseate; Sir Robert Spotswoode; Sir Johne Scott.

“Forasmekle m the Lordis of Secreit Counsell ar surelie informed that the contagions seeknes of the Pest is now at the pleasure of God become verie violent withim the bounds of Holland, the Ile of Waker, and sindrie pairts of the Easter seas quhair the subjects of this kingdome hes thair most frequent intercourse and trade of marcheandice, and it is verie lickle that this intercourse of commerce and handling, betuix this kingdome and the pairtis foirsaidis sall bring the said visitatioun and seeknes heir if all lauchfull meanis be not used quhilk by Gods assistance may prevent the same: Thairfore the Lordis of Secreit Counsaill ordanis letteris to be direct to command, charge, and inhibite all and sindrie his Majesties leiges and subjectis who hes repairit frome the pairtis foirsaidis, and ar now lyand in ony roade within this kingdome, and who ar now at thair voyaiges in the saidis suspect pairts or on thair course homeward, or who salhappin to repair in thair laughfull trade to the saidis pairtis during the tyme of Godis visitatioun and continewance of the seeknes within the same, as alsua all strangears arryveing in this kingdome from the pairtis foirsaidis, be oppin proclamatioun at the mercat croceis of all the burrowis and sea portis within this kingdome, that nane of thame praesume nor tak upoun hand to bring thair ships and veshells in ony harborie within thig kingdome, and that nane of the companie and equippage of the saidis ships and veshells nor passingers being within the same presooome to come to land nor to loose ony pairt of thair merchandice and goodis, nor ressave ony of the cuntrey people within thair ships, bot that they contene thame selffis and thair goodis within thair ships till first thay give notice and informatioun to the provest, bailleis and magistratis of the burrowis and sea portis quhair thay intend to land fra what pairtis and portis thay lowsed and broght thair laidning, quhat wes the estate and conditioun of these pairtis concerning the said seeknes, in what estait thay thame selfils, thair shippis and guidis, ar, and that thairafter they procure the licence, consent, and allowance of the said provest, bailleis, and magistratis for thair landing. And, if upoun goode considerationis they sall ressave directioun from the saidis provest, bailleis, and magistratis for withdrawing and reteiring thameselffis to ony parte or place to abyde thair tryall or for clenging of thair goodis if so be the necessitie sall requyre, that they conforme thameselffis thairunto and obey the saine under the pane of dead; certifieing thame that sall failyie and do in the contrair of ony poynt of the proemissis that the pane of dead salbe execute upoun thame without favour. As alsua to command and charge the provost and bailleis of all the burrowis and sea portis within this kingdome, as namelie of Leith, St. Androis, Carrail, Ely, Anstruther Easter and Wester, Pittinweyme, Weymes, Dysart, Kirkcaldie, Kinghorne, Brunt Iland, Innerkething, Culros, Borrowstounes, Quensferrie, Mussilburgh, Prestounpanis, Dundie, and Monrois, and the maisteris and awnaris of the portis of Airthe, Alloway, Torrie, Carribdin, that thay haif ane speciall care and caus diligent attendance be given that no ships, mercheands, passingeris, nor otheris personis quhatomevir comeing from the pairtis foirsaidis within this kingdome be sufferit to come ashoir and land in thair boundis, nor no merchandice and goodis to be lossed within the same, till first thay be cleirly informed and resolvit that the saidis ships and goodis and all the personis being within the same ar cleine and without all suspitioun of infectioun and seeknes, under all heighest pane, cryme, and offence that they may incurr in that behalf, and forder under the pane of rebelloun, &c., with certificatioun to thame that sall failyie and do in the contrair that not onlie thay salbe denunceit rebels and putt to the horne, bot salbe otherwayes punist at the discretioun of his Majesties Counsaill. And, quhairas it is understand to the saidis Lordis that sindrie ships comes from the parts foirsaidis to this kingdome for coal and salt, whilk lykewyse may produce some danger and hasaird if care be not had thairanent, thairfore to command and charge the awnaris of the said

coall and salt, as namelie Alexander, Earle of Linlithgow, Sir George Bruce of Camok, [blank] Wardlae of Torrie, Mr Alexander Hamiltoun of Kinglas, [blank] Shaw of Sauquhie, Alexander Bruce, sone to the said Sir George, [blank] that they and everie ane of thame haif ane speciall care with whome they bloke and bargane in that kynd, and afor they enter in ony kynd of condition with thame that thay be fullie certified and assured of the estait of the saidis ships, yf thair be ony seeknes or suspitioun of seeknes within the same, and, if thair be ony seeknes within the saidis ships or in the pairts or ports quhairfra they lowsed, and that the suffer nane of the companie nor equippage of the saidis ships to come on land; and, yf they mak ony bargane with thame for coale or salt, that they caus the coale and salt be delyverit at the ship syde and that nane of the caryaris nor no otheris goe aboarde of the ships, and they ressave not thair payment quhill it be weele clenget as they will answeir upoun the contrair at thair perrell"

Edinburgh 13th January 1625

"Forsamekle as the Kings Majestie is certanelie informed that diverse turbulent and seditious personis ar come, at the least ar comeing, from the Low Cuntreyis of Flanderis to this kingdome of Scotland to stirr up tumult and disordour by false and malicious reports and imbringing and dispersing of seditious wretts and printed pamph[^l]etts and bookis: for preventing of the effects of quhilks mischeavous courses the Lordis of Secreit Counsall ordanis letteris to be direct chargeing officiars of armeis to pass to the mercat croceis of the heid burrowis and sea portis of this kingdome, and thair be oppin proclamatioun to command and charge all and sindrie magistratis of burrowis and townes, customars, searchers, and others officiars and ministers of his Majesties lawis, that they onnawayes suffer ony ship or ships comeing from the Low Cuntreyis of Flanders sett ony one of thair merchands, passingers, equippage, or companie quhatsomever on land or shoire till first so exact searche be maid by the saids magistrats, searchears and customars, and others foirsaidis whome it apperteneris, as all such letters, wretts, and buiks as salbe fund within the saids shipis be maid sure, and not sufferit to be dispersit or delyverit to ony persone quhatsomever till first they be presentit to the Lords of Secreit Counsall or such as they sall appoynt to that effect, and that they tak and apprehend all suspect personis yf onie be fund in the saidis ships, and speciallie such as salbe fund to be imbringaris of the saidis wretts, buikes, or pamphletts, and præsent thame befor the saids Lordis of Secreit Counsall, as the saidis magistrats, customers, searchears, and others foirsaidis will answeir upoun there alledgeance at thair heighest charge and perrell."

Calderwood, noting this Proclamation (vii. 629) observes that it made no mention of the titles of the books the importation of which was principally dreaded. Among them, he says, were An Epistle to a Christian Brother An Exhortation to the Kirk of

Edinburgh, and A Dispute about Communicating adding that "by the providence of God" these books were safely brought out of a ship before it was searched, and were "kept close" meanwhile for use at the approach of the Easter Communion.

Edinburgh, 14th January 1625.

Sederunt –Chancellor; St. Androis; Melros; Lauderdaill; Bishopof Abirdene; Privy Seal; Kilsaythe; Advocate; Innerteill; Durie; Curriehill; Fosterseate; Sir Robert Spottiswoode; Mr Peter Roge [sic I. Rollok].

"The quhilk day in precence of the Lordis of Secreit Counsall comperit personallie John McNacht, Williame Dick, and Archibald Tode, bailleis of Edinburgh, John Byrris, dean of gild, and George Sutis, thesaurer of the said burgh, Gilbert Kirkwoode, deacone conveynar, and Mr Johnne Hay, clerk, with some others of the counsall of the said burgh, as commissionaris for the same; and, they being demandit if they had onie thing now to propone and object aganis the signatour signed be his Majestie in favouris of Mr Patrick Drummond of the reversioun of the office of Conservatour after the decease of the present incumbent [ante, p. 615], seing they gate ane copie of the signature to be advysed with and had diverse Counsall dayes appointit unto thame for giveing of thair answeir thairanent, they declairit that, seing it wes his Majesties gracious will and pleasure to mak choise of the said Mr Patrik for the office foirsaid, they, to testifie thair humble obedience and conformitie to his Majesties will and pleasure, and upoun the confidence they had of the gentleman his sufficiencie for the said charge, and upoun hoip of his dewtifull discharge thair of, they had nothing to say aganis the said signature, bot in name of the whole Burrowis acquiesced and agreed to his Majesties royall will and pleasure, and to the expeding of the said signature, with this protestatioun alwayes, that the same sould nawayes præjudge the free burrowis of this kingdome in no tyme comeing anent ony right, title, or enteresse prætendit be thame to the said office, or that they can acclame thairunto, or to the presentatioun or disposing thair of when the same salhappin to vaik, as accordis of the law. Like as Sir Williame Oliphant of Newtoun, his Majesties Advocat, in his Majesties name and for his Majesties entresse, protested in the contrair."

Miscellaneous Papers

7th October 1622

Petition by Captain Peter Wanvoir, captain of the King of Spain's ship "St Ambrois," and John Claysoun, one of the soldiers of that ship, as follows : On [blank] last, John Claysoun, being in the town of Leith, was apprehended and warded in the Tolbooth there, by order of Mongo McKaill and Alexander Hereot, bailies of Leith, and has since been detained prisoner, having committed no crime. Further, Bailie Mackaill, under pretence of a right "to uplift tua gilderis and ane halff of every hundreth gilderis of the ransomis of the prisonneris dimissit" out of the said captain's ship, wrongfullie detains from the captain "tuentie rex dolouris " belonging to him as part of the said ransom, and will not deliver the money till the said duty be paid; which ought not to be enacted from the captain, as his ship "is ane of the King of Spaynis wear schippis, and sua nawayes subject to suche ane imposition."

Letters are craved, charging the two bailies to appear and present the said John Claysoun, that he may be liberated, or to show cause to the contrary. On the back: "Apud Edinburgh, octavo Octobris 1622. Fiat ut petitur, A. Hay."

January 1623.

Petition by John Styll (not designated), as follows: In the month of August [blank] he, by direction from the Estates of the United Provinces, came over into England "with commissioun to Sir Noell Carroun, ambassadour for the Estaitis in that kingdome, to negociat for releiff of my cuntreymen who wer detenit prisonnaris in the Dunkirk ship presentlie lyand in the harborie of Leyth." He was then commanded by the ambassador to repair to Scotland "to attend the receipt of ane warrand whilk he promised to procure of his Majestie for that effect. Quhairupoun I, having made my addresse to this kingdome, and with earnest longing having expectit the significatioun of his Majesteis will thairanent, in end I wes constrayned to caus renew the petitione formarlie exhibited unto your Lordships on behalff of the prisonnaris, that according to the law of nationis observit in the lyke caises thay mycht be releivit and sett at libertie. Bot, your Lordships, in respect of the noveltie and importance of the buseynes, having refused to cognosce or medle in that mater till the returne of his Majesteis pleasour, in the meanetyme divers of the prisonnaris through occasioun of thair hard usage and long continewed thraldome (being depryved of light and denyed of food) contracted heavie seiknes, quhairof some departed this lyffe and the rest wes in danger to rin the lyke fortune. Quhilk being notified unto me, I wes moved out of a christiane commisseratioun and respect tawardis the preservatioun of thair lyves to provyde for thair indempnitie, quhairupoun I listed als muche money als wald correspond to the particulair ransommes imposed upoun ather of thame, and accordinglie delyverit and told down the same to the capitane of the Dunkirk ship," with this condition and proviso, that, if his Majesty ordered the prisoners to be set free without ransom, he should return the money; which he agreed to do, and signed a bond to that effect. The King has since written regarding the relief of the prisoners, "and securing of the Dunkirk ship frome all forder persute be the Hollanderis within his Mejesties watteris"; which imports that the prisoners be free without ransom. And, seeing the Hollanders in obedience to his Majesty are content to return into the harbour and submit to the order prescribed, the petitioner craves the Council's warrant to obtain repayment from the captain of the Dunkirk ship of the ransom money paid, that he may satisfy such gentlemen and merchants as, out of their charitable and frank disposition, disbursed the money for the prisoners. Compare ante, pp. 134 6.

13th May 1623.

Our humble and hartlie obedience and service in all submissive dewtie præmitted. It may pleas your Lordships, we received this last weke a charge from your Lordships whairby we wer chargit to repair to the tuo waughter schippis lyand in this herbrie, and to command in his Majesties name the capitannes of the saidis schippis to mak the herbrie mouth patent for the saulff outgoing of the Spanishe schip lyand within the same, and to frie hir of thair cabillis, towis, and anchores. Conforme to the quhilk charge, and for obedience thairunto, we past abuird on the saidis tua waughters, with Gilbert Guthrie, ane of his Majesties herauldis whome we causit charge, with displayed cott of armes in his Majesties name, the capitanes off the saidis tuo waughters, personallie apprehendit, and gaive to ilk ane of thame the just copie of the letters, and causit tuo of our nightbouris be truthemen and interprett to thame the haill effect and substance of the charge. Quhilk the saidis capitanes most reverendlie and dewtifullie accepted; and, in testimonie of thair obedience and conformitie thairunto, they causit instantlie louse thair cabillis and towis, quhilkis then wer lyand above the cabillis of the Spanishe schip, and patt thame under and beneth the Spanyearchis cabillis, and hes faithfullie promiseist so to hauld thame in tyme cumming during the haill tyme of thair remaining heir. As lykwayes they have faithfullie promiseist, how sone the Spanishe capitane salbe redie to mak saill that thay shall mak way for his frie and saiff passage to the sea without any lett or hinderance to be maid unto him be the saidis waughters, or ather of thame, nather sall thay mak any kynd of persute or use any violence aganes him till he be frie over the bar outwith our herbrie in the oppin seas, unless the Spanzearde be the first persewar; and so hes promiseist all dewtifull obedience to your

Lordships charge. Whair of we thought meit to acquaint your Lordships, and heirwith also to send thair awin letter direct to your Lordships in token of thair obedience; quhilk pleas your Lordships ressave. And, thus in all humble ductie tacking our leive, we rest ever your Lordships with all humble obedience and service redie to be commandit, Provest and Bailleis of the burgh of Abirdene. GEORGE NICOLSONE, PROVEST; ROBERT JOHNSTONE, baillie; GILBT. CULLEN, baillie; MR JON MORTIMAR, ballie; THOMAS COLINSONE, baillie. Aberdeen, 13 May 1623. On the back: "To our werie honorable and most speciall good Lordis, the Lordis Chancellor, President, and remanent Lordis of his Majesties most honorable Privie Councell, these." The provost's seal impressed, G. and N. on either side of a shield bearing a head between three [blank] heads two and one.

Authe richt honourabell, wyse, forseing Lordis, my Lordis of hes Majesties Secreit Counsall of Grit Britan resident at Edinburgh. –Richt honourabell, wyse, and weill understanding, Lordis, my Lordis of heichest Counsall of Scotland Pleis your Lordships wit that we have receivid commandment from the provoist [and] bailzeis of Aberdeine, the quhilk is sent from your Lordships, quhairin we sall expreslie the haven of Aberdein frie and patent mak, that the Spaniche schep thair lying may be frie of our ankeris, cabillis, and toues. Quhilk we have presentle done as we was cominandit, our ankeris and cabellis and toues frie from the Spaniche schep and sall continov frie from hes ankeris or cabellis and schep so long as we sall remain heir; and, so sone as the Spaniche capitane salbe redie to saill or go out, he sall have frie passag out to the sie to saillen without any stop or empediment of us. Trew it is, so long as we have lyin heir in this havin, it is ane perrellous reweir – quhilk maid ws mak our schepes weill fast with ankeris and toues, and that for feir of the grit floodis of freche waters that comes from abone out of the heiche countrie; bot, so sone as the Spaniche sall go, he sall have no stop nor impediment of us, or it most come be any uther commission from our Lordis and maisteris the H.M. Lordis Staitis Generall and hes Princlie Exelence; and with Godis help we sall saill with him that sam tyd he gois out to the sie, and we sall not geve persute nor provocation of persut, to the tyme we ar over the bar of Aberdein in the sie, or the Spainyert most first prowok ws. Thes we thought guid to writ to your Lordships to schaw our obedience and willingnes to obey, and we never had no suche thought or mening our selffes maisteris to mak of his Majesties fre haven, bot evell report be ane Wellem Lang, the quhilk your Lordships hes hard; bot thair is none to partie us to geve him ansure of our doinges. No mor, bot wissing your honouris altogidder ane guid, godlie, halie, lang during rewlling. Atten the 10 of Majj 1623 new styll in the schep callet the Tomme (?) lying at Aberdin, bij me Nicoles Kemp, comadir, Jan Semousen Van Housen. On the back: "To my honourable Lordis, my Lordis of hes Majesties of Scotland Secreit Consall, resident at Edinbrughe." Indorsed Frome the Dunkirk ship at Abirdene."

Edinburgh 25th March 1690

Sederunt: Hamilton, President; Douglas; Craftird; Southerland; Glencairne; Eglingtoune; Cassills; Lothian; Leven; Annandale; Forfarr; Dundonald; Kintoir; Ross; Cardross; Carmicheall; Master of Forbes; Master of Melvill; President of Session; Advocate; Justice Clerk; Skelmorly; Polwart; Grant; Blackbarony; Stivensone; Ormistoune; Brodie; Maj. Gen. McKay; Sir George Monro; Sir John Hall.

"The Lords of Councill recommends to Captan Arenet Van den Colick, commander of their Majesties good ship of warr called the Stadt Breill, receive aboard of his ship Livtenant Collonell Edward Wilson, somtyme prisoner within the garisone of the Bass, and to transport him to the province of Holland and sett him free upon the shoar of the said province of Holland, without sufering him to goe ashoare upon any other kingdome or natione befor his aryvall ther."
Edinburgh 25th March 1690

Edinburgh. 31st March 1690.

Sederunt: High Commissioner; Douglas; Drumlangrig; Argyle; Crafrud; President; Southerland; Mortoune; Eglingtoune; Cassills; Leven; Anandale; Master of Forfar; Kintoir; Cardross; Balhaven; Carmicheall; Master of Forbes; Master of Burleigh; President of Session; Advocate; Justice Clerk; Skelmorly; Grant; Blackbarony; Ormistoune; Brodie; Fountonhall; Aberurchell; Sir George Monro; Major General McKay; Sir John Hall.

"The Duke of Hamiltone, President of Councill, being out of towne, their Majesties High Commissioner nominat the Earl of Crafrud to be President of Councill in his absence."

"Their Majesties High Commissioner and Lords of Privy Councill doe recommend to the Lords Commissioners of the Thesaurie to give order for payment to the governor of the Bass upon the accompt of Livtenant Colonel Wilson the

soume of fourtie shillings sterling by and attour the soume of thrie punds sterling formerly ordered for defraying the charges and expence of his transportatione to Holland."

Edinburgh 16th June 1690

"Anent a petitione given in to their Majesties Lords of Privy Councill be Tobias Bourk, Timothy Mallouny, John Correll, John Barry, James Dignan, Thomas Kellie, Hary Browne, James Lindsay, Brayne Cuncanen, Ewan Cameron, Edmond Bourk, Walter Cousweek, Timothy Manan and John Hay, shewing that wheras the saids Lords petitioners haveing been seized and apprehended at Cromdall by Sir Thomas Liveingstoune and sent heir by him and ware now their Lordships prisoners within the tolbooth of the Cannogate and wes wery willing and desyreous to serve their Majesties and to goe to Holland for that effect under the command of Captaine Reid, and for evidenceing our willingnes therto they were content to take the oath of alleadgance to their Majesties. And therefore humbly craveing the saids Lords to grant warrant for liberating the petitioners furth of the said tolbooth of the Cannogate, that they might be in readienes to goe allong with the said Captaine Reid to Holland with the convoy quhich wes goeing ther, as the said petitione bears. Their Majesties High Commissioner and Lords of Privy Councill haveing considered the above petitione, they grant warrant to and ordaine the magistrates of the Canogate and the keeper of their tolbooth to sett the petitioners at liberty and to deliver them to Captaine Reid of Bonaketle, the petitioners not being above the statione of ordinary centinalls, and they swearing and signeing the oath of alledgance to their Majesties; the said Captane Reid allwayes finding cautione under the penalty of fourtein hundred punds that he shall cause them be shipt safe aboard and transport them to Holland and enter them in their Majesties service in these provinces."

Edinburgh 23rd July 1690

"Their Majesties High Commissioner and Lords of Privy Council doe heirby recommend to the Lords Commissioners of the Thesaury to give order or payment of the soume of ten punds sterling money to the Dutch seamen put in at or about Craill by a Franch privateer and who have their ship cast away on this coast."

Edinburgh 31st July 1690

The Lords, having considered the petition by James Gordon, merchant in Rotterdam and Charles Divie, his factor, John Allerdyce, John Ross and James Gordon, merchant in Aberdeen, craving that the ship and loading of Alexander Wedderburne, skipper in Dundie, be secured and carried to Aberdeen, grant warrant to cite Alexander Wedderburne to compear before them at Edinburgh on 2nd August and meantime ordain the magistrates of Dundie and the collector at that port to secure the ship and loading and to see "ane honest skyper and crew put aboard the samen."

Edinburgh 14th October 1690

"The Lords of his Majesties Privy Councill being informed that Albert Vanderlan, captaine of the ship called the Seven Provinces, lately lying in the road of Leith, did at his own hand secure and detain Alexander Craighead and [blank] waiters at Leith, who were put aboard his vessell for uplifting of some publict dues, and that the baillies of Leith have secured in their tolbooth Daniall Vandenryn and Jan Lewwisen, two of the said captaine his company, untill the waiters should be sent ashoar and put at liberty, and that the said captaine is sailed with his said vessell and caried away these two waitters with him to Holland, and considering that Captaine Jaccob Lebloe, captaine of the shipp called the Breill, is content to enact himself and find cautione to the effect underwritten, therfore the saids Lords of Councill. give order and warrant to the magistrats of Edinburgh and baillies of Leith to sett at libertie the saids Daniall Vandanryn and Jan Leuwisen, two of the said Captaine Albert Vanderlans company, furth of the said tolbooth, in so farr as they are warded therein for the cause forsaid allenarly, in respect the said Captaine Lebloe, captane of the shipp, has found cautione in the Councills books that the saids two waitters shall be sett at liberty within ten dayes after the aryvall of the Captaine Jacob Lebloe at Holland and that he shall produce the saids two waitters to Mr Androw Kennedy of Cloburne, Conservator of the Scots priviledges in the Unitted Neitherlands, or in his absence to Androw Russell, factor at Rotterdam, and that he shall produce certificats therof to the Councill. under the said Conservator or in his absence the said Androw Russells hands betwixt and the tenth day of January nixt, and that under the penalty of ane hundred punds sterling for each of the saids two waitters. And the saids Lords recomends to the said Mr Androw Kennedy, Conservator, to take care that the publict interest of the kingdome be not prejudged but that the same be redressed for any wrong done by the said Captain

Albert Vanderlan in carieing away at his own hand the two waitters who are publict servants and who were put aboard his vessell upon a publict accompt."

Edinburgh 24th October 1690

"The Lords of their Majesties Privy Councill doe heirby strictly requyre and command the masters or skippers of the severall vessells, now lying in the road of Leith and bound for Holland or any wher else abroad furthwith to come ashoar and attend the committie of Councill at Edinburgh the morrow at ten acloak in the forenoon as they will be answerable at their highest perrill; to Generall. Major McKay, commander in cheiff of their Majesties forces in this kingdome, to wryt to the captaine of their Majesties men of warr presently lying in the said road under whose convoy these ships are to sail to continue in the road untill the masters of the ships shall returne aboard of their respective vessells."

Edinburgh 23rd December 1690

"Anent the petitione given in to the Lords of their Majesties Privy Councill be Mr John Falconer, prisoner, shewing that the petitioner designing for Holland about his lawfull affairs was seized the tuentie seventh day of October last on board a Dutch dogar wherin wes the Lord Ballendine under the name of Mr Ker with others unknown to the petitioner and would appear from the examinations taken on that head, and now the petitioner being destitute of all means of support and being confident his innocencie would appear to the saids Lords. And therfor humbly craving the saids Lords to call for the petitioner befor them in order to be examined and liberat or allow him ane aliment, as the said petitione bears. The Lords of their Majesties Privy Councill having considered the above petitione, they grant warrand to and ordain the magistratts of Edinburgh and keeper of their tollbooth to sett the petitioner att liberty furth therof, in so far as he stands incarcerat therin for the causes abovewritten."

Edinburgh, 16th June 1691.

Petition by Tier Jelles, skipper of the ship Crowned Raven, belonging to Amsterdame: "Being loaded with severall sorts of limber, such as masts, knappell, hemp and lint, from the port of Rigow and from thence to goe to Portugall with the said fraught and being cast in upon the north coast of Scotland among the islands thereof (to witt Assint) and there being ane laick struck in the said ship befor ever she came to land wes overflowed with water, yet by the providence of Almighty God the ship and men with the fraught [won] to shoar, but thereafter the countrie people came down and broke all the said ship to pieces, where the poor petitioner lost both his pass and bills of loadneing". A certificate under the hand of Kenneth Mckenzie, chamberlain of Assint, is produced. A good part of the goods is preserved in the keeping of Mr. John Mckenzie, chamberlain to the Earl of Sieforth. He craves the Lords to grant warrant to him to seize his goods where he can find them and to direct such methods as they think fit. The Lords give power to [blank] Ross of Balnagoune to make enquiry if the goods truly belong to the petitioner and to cause those in whose hands they shall be found to deliver them to the petitioner, if he find they belong to him.

18th June 1691

"The Lords of their Majesties Privy Councill. for the kingdome of Scotland upon a representatione to them be Sir John Ramsay of Whytehill, knight and barronet, sheuing that his affairs called him abroad to England and Holland if he had their pass to that purpose, doe heirby permitt and allow the said Sir John Ramsay with Hendry Sinclair, his servant, and their horses and armes to pass from this to England or Holland about his necessary affaires and to returne againe without trowble or molestatione, he alwayes behaving himself as becometh. Signed at Edinburgh the tuenty day of Junii instant by warrand and in name of the saids Lords of Privy Councill by William, Earle of Crauffird, Lord Lindsay of Struthers and Parbroath, ane of the Lords of their Majesties most honourabill Privy Councill for the said kingdome and President therof for the tyme and ane of the Lords Commissioners of their Majesties Thesaury; and the cashet of Councill is heirto affixed. To all their Majesties judges, magistrats and officers, civill or military.

8th August 1691

"The provost of Edinburgh having acquainted the Lords of their Majesties Privy Councell that ther are to the number of about [blank] Dutchmen and other forraigners landed at Leith, who informe that they and a great many moe were fishing at [blank], and being attacqued by some French capers all their vessells were taken and all the men made prisoners except these who are come heir and the vessell in which they are come, and that being destitute of all supply they expected releiff from their Lordships, the saids Lords recommends to the Lords of their Majesties Thesaury to cause provyde such supply for the saids persones as may serve them for some competent tyme in order to their returne to their oune homes."

Edinburgh 31st August 1691

"The Lords of their Majesties Privie Councell being acquainted by his Grace the Duke of Hamiltone, their President, that he hes this day received a letter which he produced and caused the clark read to the Board wrytin in Dutch from Captain Cornelius Waissmair, commander of the Dolphine frygott belonging to the States of Holland now lying in the road of Leith, bearing that the said captaine hes seized upon a Danish ship loadned with wyne, brandie and other French commodities and made her prize, which he hes done without intentione of any reflectiōne on their Majesties government and that therfore he might not be mistaken in so doing because by the acknowledgement of the master of the said shipp he was to sell these French goods into this kingdome, the saids Lords doe heirby recommend to his Grace to deall with the captaine of the said Dolphine frygott to delyver the said shipp and goods seased by him to such merchants of this kingdom and city as oune and pretend any intrest and right therto, upon their finding sufficient cautione to the value of the said shipp and goods to ansuer, obey and fulfill and actione to be intended against them for the same before the High Court of Admirality or any other competent judicatorie at their Majesties instance or at the instance of the said captaine of the Dolphine frygott and that they shall make the same furthcoming to such who shall be found to have best right."

Edinburgh 31st December 1691

"Anent a petitione given in to the Lords of their Majesties Privie Councell be Alexander Dickson, leivtenant in De Offerrells regiment in Flanders, sheuing that quher the petitioner having come from Flanders to this kingdome to get recruites for making up the compliment of men which he is obleidged to have as a leivtenant in the said regiment, but albeit the petitioner have taken all the paines possible for making up his saids recruites yet he cannot gett the same performed without their Lordships concurrence. And ther being severall prisoners in the tolbooth of Edinburgh and Cannongate who are incarcerat for robberies, thifts and other crymes alleadged committed by them and against whom ther hes never as yet anything been proven, yet for their liberatione they are satisfied to take banishment or otherwayes to take on in his Majesties service. And therfore humblie craving their Lordships to allow the petitioner the saids prisoners for recruiting of the said regiment for their Majesties service, as the said petitione bears. The saids Lords of their Majesties Privie Councell having considered this petitione given in to them be Leivtenant Dickson with ane consent under the hand of John Kello, prisoner in the tolbooth of Edinburgh for alleadged keeping of ane baudie house, consenting to goe abroad with the petitioner in their Majesties service to Flanders, they heirby give ordor and warrand to the magistrats of Edinburgh and keeper of their tolbooth to delyver the said John Kello to the petitioner to be by him carried abroad for their Majesties service, as said is, the petitioner paying alwayes to George Drumond, keeper of the said tolbooth, the house dues and others resting be the said John Kello to him for meat and drink."

Innes A. Duffus
Archivist to the Nine Incorporated Trades of Dundee