

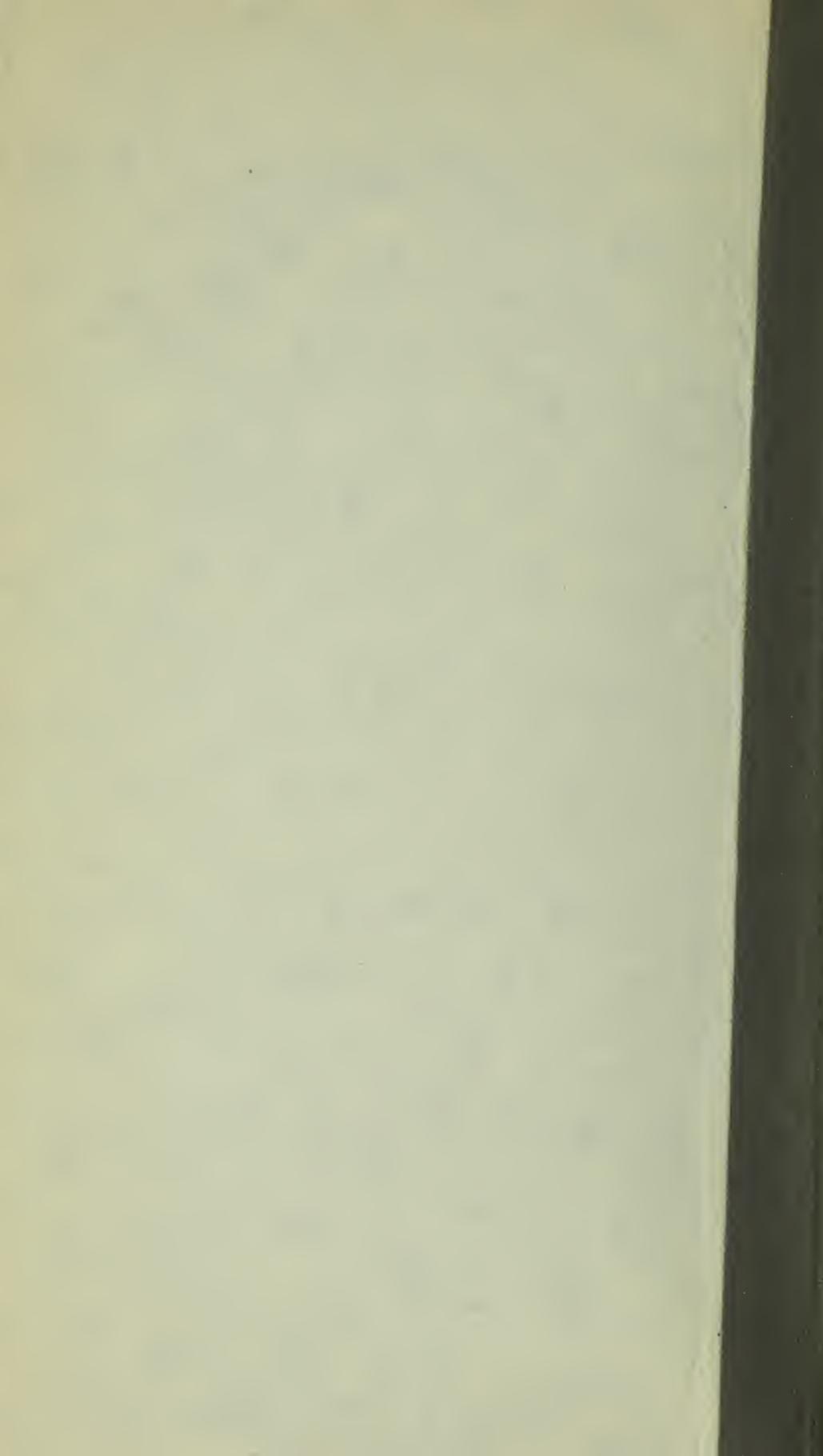


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THE MUNICIPAL
HISTORY
of
DUNDEE



OLD TOWER & CHURCHES. DUNDEE.

WINTER, DUNCAN & CO.

'1878

THE MUNICIPAL
 HISTORY
 OF
 THE ROYAL BURGH
 OF
 DUNDEE

COMPILED FROM ORIGINAL AND AUTHENTIC DOCUMENTS AND RECORDS
 IN THE ARCHIVES OF THE TOWN AND OTHER SOURCES

AND EMBELLISHED BY

*Plans of Ancient and Modern Dundee, Engraved Views of Public Buildings
 AND FAC-SIMILES OF HISTORICAL DOCUMENTS HITHERTO UNPUBLISHED*

IMPROVED EDITION



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DUNDEE
 WINTER, DUNCAN & CO. CASTLE STREET
 1878

WINTER, DUNCAN AND CO. DUNDEE.

TO

JAMES YEAMAN, ESQ., M.P.,

FOR THE ROYAL BURGH OF DUNDEE.

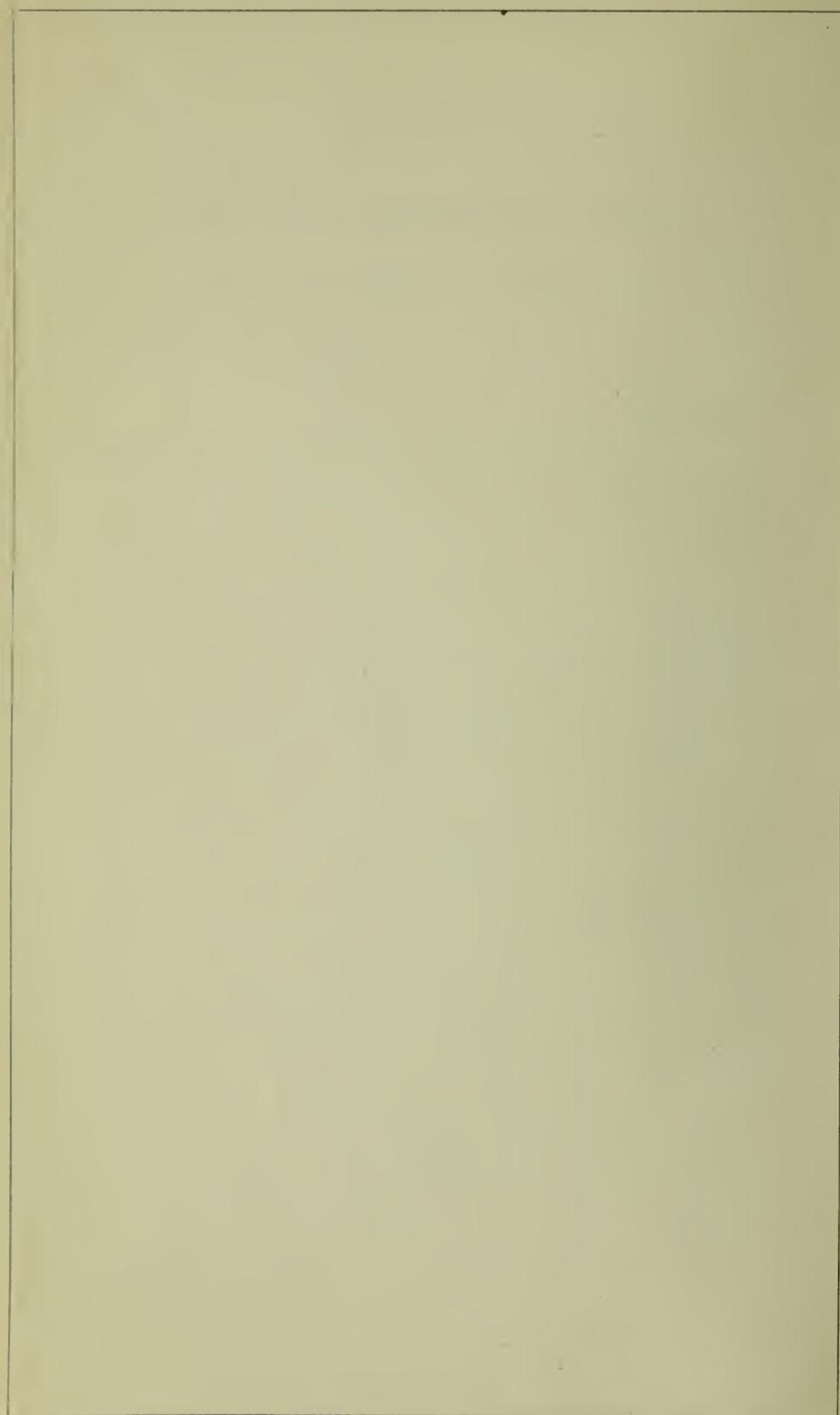
DEAR SIR,

In consideration of your having, as Chief Magistrate, expressed your regret at the non-existence of an authentic and comprehensive History of Dundee, incorporating the original and interesting Documents and Records found in its Archives—suggesting, at same time, that I should undertake the work of supplying that defect—and also as a sincere expression of my gratitude, in return for your kindness, when the result of my labours lingered in manuscript outside the barriers of the press for lack of “the sinews of war,” in voluntarily coming forward and personally undertaking the financial responsibility of its publication, I most respectfully dedicate this Work to you, expressing the hope that you may long enjoy the distinguished political position to which you have been deservedly elevated by the voice of your fellow-citizens, and be enabled to continue those acts of beneficence for the performance of which you are pre-eminently distinguished.

I have the honour to remain,

Your devoted Servant,

THE COMPILER.



P R E F A C E .

THE Compiler of this Work, having been employed by the Magistrates and Town Council to classify, arrange, and make up an Inventory of the Ancient Charters, Documents, Books, and Papers in the Burgh Archives, so as these might in future be more easily accessible and more carefully preserved, found, in the course of his labours, that many of the documents were of considerable historical importance. It was thereupon suggested by the then Chief Magistrate, Provost YEAMAN, that a new History of the Town, compiled from these Documents and Records, would be very interesting and acceptable to the public, which suggestion was accordingly acted upon, and the following pages are the result.

In the hope that his efforts will contribute to the pleasure and satisfaction of his fellow-townsmen, and all who take an interest in the ancient Town of Dundee, this Work is respectfully submitted by

THE COMPILER.

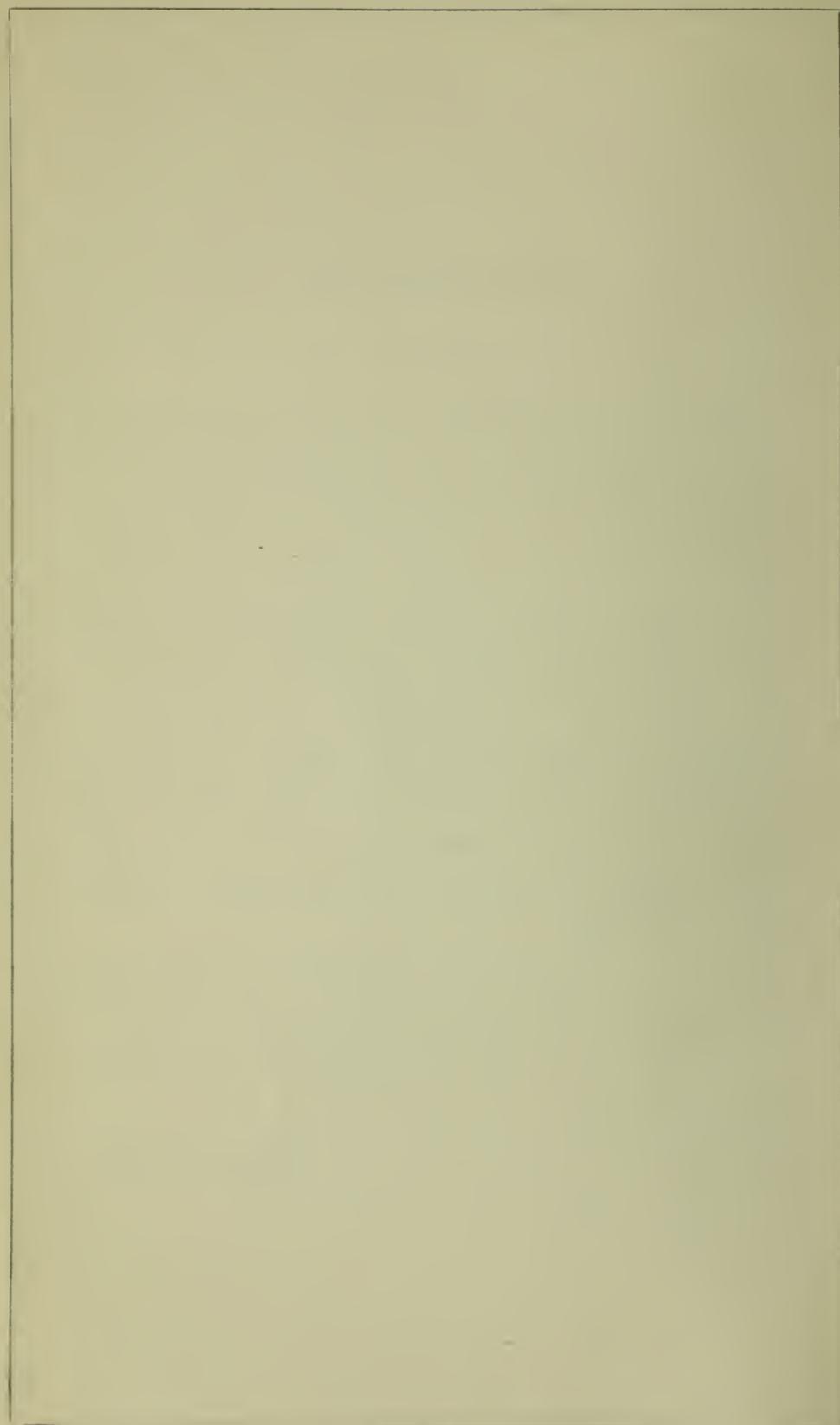


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NOVEMBER 1831.

William Lindsay, *Provost*.

Bailies.

John Morton.

Edward Baxter.

Alexander Keay.

John Anderson.

Alexander Kay, *Dean of Guild*.

William Christie, *Treasurer*.

Councillors.

William McGavin.

Robert Adamson.

James Pullar.

William Bell, Sen.

George Gardiner.

Adam Symer.

Robert Jobson.

James Small, Jun.

Peter Dron.

Peter Kinmond.

Thomas Rattray.

Aaron Lithgow.

James Brown.

NOVEMBER 1841.

Alexander Lawson, *Provost*.

Bailies.

George M. Gray.

Peter Hean.

James Reid.

John Anderson.

Councillors.

William Moyes,

William G. Baxter.

Alexander Easson.

David Jobson.

George Ross Baxter.

Thomas Erskine.

James Brown.

Charles Norrie.

James Webster.

William Young.

Thomas Miller.

Charles Smith.

Alexander Balfour.

James Thoms.

 NOVEMBER 1851.

P. H. Thoms, Esq., *Provost.*

Bailies.

John Anderson.
Alexander Low.

George Rough.
James Spankie.

Charles Smith, *Dean of Guild.*

James Kennedy, *Treasurer.*

Councillors.

David Jobson.
Alexr. Moncur.
Alexander Leask.
John Robertson.
Thomas Smith.
George Aymer.
William Halley.

James Watson.
Robert Webster.
George Ower.
John Allan Small.
John Maclean Beatts.
Andrew Robertson.
John Whitton.

 NOVEMBER 1861.

Charles Parker, *Provost.*

Bailies.

George Ower.
William Halley.

James Yeaman.
Andrew Scott.

James Kennedy, *Dean of Guild.*

William Foggie, *Treasurer.*

Councillors.

John Mackay.
David James.
James Burns.
John Ritchie.
David Nicoll.
David Robertson.
David Cooper.

William Nicoll.
William Hean.
David Rollo.
David Neave.
Andrew Greig, jun.
Andrew J. Wighton.

NOVEMBER 1871.

James Yeaman, Esq., *Provost.**Bailies.*

William Brownlee.	David Petrie.
Alexander Maxwell.	Alexr. H. Moncur.
William Chalmers.	G. T. Graham.

Robert Macnaughtan, *Dean of Guild.**Councillors.*

William Robertson.	A. W. Fairweather.
Thomas Buchan.	T. L. Parker.
James Allan.	William Thomson.
J. H. Mackay.	Peter Gray.
James Cox.	Hugh Ballingall.
Charles Edward.	D. Macdonald.
J. D. Grant.	Peter Kerr.

NOVEMBER 1873.

James Cox, Esq., *Provost.**Bailies.*

Alex. Hay Moncur.	Peter Moir Cochrane.
David Petrie.	Charles Edward.
William Robertson.	James Foggie.

James Luke, *Dean of Guild.*John M'Lean, *Treasurer.**Councillors.*

George M'Farlane.	Frank Henderson.
David Jobson, jun.	Thomas Laidman Parker.
James Allan.	William Cleghorn.
William Brownlee.	William Thomson.
Alexr. Smart Drummond.	Peter Gray.
John Robertson (Lochee).	Henry M'Grady.
Peter Kerr.	Hugh Ballingall.
James David Grant.	Duncan Macdonald.
George Hall Nicoll.	Alexr. Smith.
John Robertson (Dundee).	

NOVEMBER 1877.

William Robertson, Esq., *Provost.*

Bailies.

John Robertson.
William Cleghorn.
Duncan Macdonald.

James Thomson.
James Allan.
James Low.

Charles Edward, *Dean of Guild.*

William M'Dougall Ogilvie, *Treasurer.*

Councillors.

John Anderson.
Andrew Graham Kidd.
William Brownlee.
James Perrie.
William Blair.
John Sutherland.
James Cowan.
Robert Laing (*Int.*)
David Anderson Bruce.
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George Hall Nicoll.
Frank Henderson
William Philip, Jr.
William Thomson.
James Gentle.
John Anderson.
Hugh Ballingall.
Charles C. Maxwell.
Alexander Hay Moncur.

GLOSSARY OF ANTIQUE WORDS

Used in the Acts, Minutes, and Documents transcribed in the following Work :—

Aits.	Oats	Colper,	Dealer
Aucht scoir,	Eight score	Chopkeperis,	Shopkeepers
Ayth,	Oath	Calsy,	Causeway
Awand or awine,	Owing	Cuff,	Blow
Aganes,	Against	Cordiner,	Shoemaker
Alsmeikell,	As much	Crearis,	Barges
Assythment,	Compensation	Coft,	Bought
Ane hundreth,	One hundred	Compt,	Account
Airis,	Heirs	Cloissis,	Closes
Awne,	Own	Creelis,	Creels or baskets
Beir,	Beer	Coills,	Coals
Bassone,	Basin	Cuttelasses,	Cutlasses
Buith,	Shop	Evite,	Avoid
Baresses,	Barriers	Eisane,	Coming
Breid,	Breadth	Extranean,	Stranger
Brunt,	Burned	Ferriaris,	Boatmen
Befoir,	Before	Fishe stokkis,	Fish stocks or stalls
Byrun,	Backgone or byegone	Fail,	Turf

Geir,	Goods or effects	Quhilpit,	Whipped
Guif,	Give	Quhill,	While
Gryt, gryter,	Great, greater	Quhanger,	Sword or hanger
Harne,	Tent cloth	Quhilck or quilch,	Which
Hous of weight,	Weigh-house	Quhair quhairfor,	Where wherefore
Harbric, harbourie,	Harbour	Quyete,	Quiet
Heichest,	Highest	Regrator,	Forestaller of markets
Headsticks,	Roof joists	Reparatioune,	Repair
Haif, haifing,	Have, having,	Reiving,	Robbing
Habilitie,	Ability	Sclaiths,	Slates
Hienes,	Highness	Shoull,	Shovel
Housmaillis,	House rents	Strypis,	Stripes
Idyll,	Idle	Schole,	School
Kok,	Weathercock	Schippe,	Ship
Kokstuill,	Stool of Repentance	Sicylke,	Also
Knawin,	Known	Soll,	Sole or whole
Keist,	Cast or throw	Sklanderig,	Slandering
Knok,	Clock	Sall,	Shall
Lib.,	One pound Scots	Sclaitheughis,	Slate quarries
Luggen,	Lodging	Suldartis Souldaris	Soldiers
Mail,	Rent	Schoir,	Shore
Mispersoning,	Falsely accusing	Scoir,	Score
Mansworn,	Perjured	Subsryve,	Subscribe
Meangaird,	Mainguard	Schir,	Sir
Minaseit,	Compelled	Sauld,	Sold
Makand,	Making	Strakkis,	Strokes
Moyane,	Money	Shawine,	Shewn
Nocht,	Not	Saylleris,	Sailors
Notifeit,	Notified	Soumes,	Sums
Nichtbour,	Neighbour	Servandis,	Servants
Notaganstandand,	Notwithstanding	Taylzeouris,	Tailors
Ouklie,	Weekly	Vretine,	Writing
Onlaw,	Fine	Volt,	Vault
Prickett,	Pinnacle	Woll,	Wool
Pwir,	Poor	Wyiff,	Wife
Preseryvit,	Prescribed	Wyndocks,	Windows
Pundis,	Pounds	Warit,	Disbursed
Poynt,	Point	Yat yrat,	That thereat
Pane,	Penalty	Zeiris,	Years
Prentes,	Prentice	Zele,	Zeal

E R R A T A.

- Page 3, line 10, for "fortresses," read "fastnesses."
Page 34, line 28, for "Duke," read "Earl."
Page 39, line 12, for "absolvitro," read "absolvitor."
Page 73, for lines 9 and 10, read "on the death of her husband retired to Dalkeith Castle."
Page 96, line 3, for "William," read "George."
Page 149, line 27, for "lift," read "fill."
Page 165, line 26, for "Divins," read "Divines."
Page 172, line 21, omit the word "hill."
Page 176, line 2, add "Maltmen."
Page 178, line 14, add "and Government Grant."
Page 195, line 24, for "Duke," read "Earl."
Page 201, line 14, for "Wha," read "Qha."
Page 206, line 28, for "laudohit," read "laudabit."
Page 206, line 28, for "Thoms," read "Thoma."
Page 208, line 27, for "tower," read "camp."
Page 212, last line, for "Buchanan," read "Aikman."
Page 220, line 20, for "J. Duncan," read "A. Duncan."
Page 288, line 16, for "seuring," read "seruing."

DUNDEE IN 1878.



THE CHANGES AND IMPROVEMENTS effected during the last four years have been of great extent and of lasting importance. Although at the present time the staple trade is not so prosperous in several departments, yet the population has not suffered more than that of other manufacturing centres by the dulness of trade, which appears to be general all over the world, particularly in those countries dependent upon the fruits of manufacturing industry. The best hands have still employment at our factories, and successful efforts have been made to furnish those accustomed to unskilled labour with the means of existence at the public works and improvements being carried out by the municipal bodies.

THE STREET IMPROVEMENTS have greatly added to the amenity of the town: the old decaying slums in the centre of the town, which until recently furnished the sole domestic accommodation of a certain class of the population, have been entirely demolished, and comfortable houses erected on their sites and in various quarters sufficient to furnish much superior accommodation and in more healthy positions than formerly obtained. The passing of the Police

and Improvement Act, giving powers to the Police Commission to institute a more rigid inspection of the stability, sanitary arrangements, and other requisites, has operated in a wonderful manner to improve the health and add to the domestic comforts of the working population. The abundant supply of pure water from the Loch of Lintrathen, acquired at a large expense, has brought that indispensable requisite to every home at a moderate outlay; while the protection of life and property has kept pace with the extension of the districts in which the new tenements have been erected.

The buildings which have been erected on the sites of the slums, which formerly were felt to be a disgrace to the town, are of the most substantial and elegant construction, and form specimens of street architecture not excelled in any city in Europe. The streets which were formerly only narrow gorges have altogether disappeared, and in their place have been constructed spacious thoroughfares affording ample room for all descriptions of traffic; while the commodious buildings along both sides afford an abundant supply of shops, business offices, and dwelling-houses, having all the advantages suggested by modern science.

Two public buildings which long stood as landmarks in the centre of the town, and which were always considered to be ornaments at the extreme ends of the spacious square called the High Street, have been entirely removed after long obstructing the thoroughfares leading from that street. The consequence of that improvement is, that now from the Cross or High Street the view to the westward is opened up showing the line of the great thoroughfare of the Nethergate as far as the newly erected and gorgeous structure the Queen's Hotel; while to the east is opened up an excellent view of the improved Murraygate and Seagate, stretching out on each side of the magnificent building recently erected by the Clydesdale Bank of Scotland for the transaction of their business of the Branch of that Establishment.

The ancient street named Bucklemaker Wynd, now known as the Victoria Road, through which necessarily was conveyed a large portion of carriage traffic, but which from its narrowness was a source of inconvenience and danger, has been entirely remodelled, and has now assumed the appearance of a spacious thoroughfare; handsome buildings having been erected on both sides, among which is now being erected at great expense, by private enterprise, a handsome Arcade and Market for the supply of all descriptions of household and culinary requisites.

The improvements carried out by virtue of the power bestowed upon the Town Council as Commissioners of Police, and those projected but not yet carried into effect, although the old properties have been already acquired for that purpose, will in a few years cause such changes in the aspect of the town as to have appeared almost incredible within the limited time in which these changes have been so intelligently and successfully effected. The expense of these improvements will entail an outlay of upwards of £350,000; but it is predicated by those who have had an active part in carrying them into effect, that when the whole of the new sites for building are disposed of, the ground annuals secured will go a great way to recoup that large expenditure, thus securing an extensive series of improvements of vital interest to the success of the town at a comparatively small ultimate expenditure and consequent insignificant burden on the ratepayers. As a matter of course there will be some grumbling and party criticism on the proceedings of the Committee under which these improvements were effected; but no well-disposed citizen ought to grumble although it were necessary to impose an assessment of 2d. per pound on the rental of the burgh, the benefit to the town far exceeding in value any deficiency which may render assessment necessary. Dundee has up to a recent date been considered a century behind Edinburgh, Glasgow, and Aberdeen; but now in most respects it may be considered their equal, and in a few others may contest for the superiority.

Another great improvement and important acquisition to the locomotion between the centre of the town and its outlying districts is the recent construction of TRAMWAYS along the principal streets by authority of an Act of Parliament. This system, so far as carried out, has already proved a great boon to the inhabitants, and so much have the facilities been appreciated by the public, and the results of the experiment been satisfactory to the Commissioners of Police and the Company to whom the powers under the Act have been leased, that a much more extensive area has been laid down on plans now before Parliament for sanction under a New Tramway Act.

The TRADE IN JUTE, notwithstanding the general depression of trade, still goes on briskly. The arrivals at Dundee from Calcutta direct of steamers and sailing vessels of the largest class, almost daily in our spacious docks, impart a cheering and prosperous appearance to the trade of the Harbour, augmenting our street traffic and affording material for the employment of the large portion of the industrial population engaged in the manufacture of that now important fibre. At the present time it is felt by manufacturers that the erection of Jute Factories in Bengal has very much curtailed the demand for jute fabrics of the coarser sort; but it is pleasing to perceive that a fair trade is still being carried on by our enterprising townsmen in the production of the finer fabrics, and in the manufacture of flax goods, for the superior quality of which Dundee has been all along famous.

THE LAW or HILL of Dundee, which forms so prominent a feature in views of the town taken from any point, has now become the sole property of the Town and Community. Although from time immemorial, and even to a remote era, succeeding generations have used this Hill as a place of public recreation, and never imagined that it was not their own property; yet in the commencement of this century the proprietor of a portion of

the ancient estate of Dudhope, termed the "Mains," or what in former times constituted the Home Farm of the Scrymgeours, proceeded to lay claim to sole proprietorship in the Hill. The then Magistrates and Town Council, although not disposed to go to law regarding the matter so long as the Community were not debarred from enjoyment of their wonted privileges, finding in 1819 that the Proprietor of the Mains or his tenants were breaking up the surface of the Hill, executed a protest against the said Proprietor and his tenants interfering with the Hill by quarrying, removing turf or mould from its surface, or otherwise interfering with or obstructing the public in the enjoyment of their rights. For some time no attempt was made to renew the objectionable proceedings; but in the year 1860, the then proprietor, Richard Gardner, proceeded to build a wall across one of the accesses to the Hill, and diminish the breadth of another; this being perceived, and the Town Council being then unfortunately under Trust, and not therefore in a position to resist these measures by legal means, certain citizens, members of a society under the name of the Right-of-Way Association, adopted resolutions to prevent the encroachment, and accordingly it was found that all the work in dyke-building done during each day was found each succeeding morning to have been demolished during the preceding night. This mode of warfare between the Laird and the Public was found to have the desired effect, for the Laird submitted to keep the access open, and leave it of sufficient width to accommodate the Public.

The process of quarrying away the rocks forming the base of the cone was, however, continued with great industry, and an immense chasm having been formed where formerly grassy slopes existed, the Police Commissioners about two years ago resolved to endeavour to secure the Hill entire to the Community before its ancient proportions, outline, and amenity were destroyed. They therefore entered into negotiations with the Trustees of Mr Rankine of Mains of Dudhope, with the view to effecting such

arrangement as would secure the Hill for all time coming as the undoubted and sole property of the Town and Community. After various interviews and correspondence it was agreed that the rights claimed by the Laird should be bought by the Commissioners of Police at a sum amounting in all to about £15,000, and the notices required by the Police Act to authorise the completion of the purchase were advertised in the newspapers and posted through the streets of the town. Everything having been prepared, and every statutory preliminary being complied with, a final meeting of the Board was called for ratification of the arrangements and conclusion of the purchase. But it occurred to several intelligent citizens that it was rather premature and imprudent to resolve to give away so large a sum out of the Police Rates for the purpose contemplated, at least until it should be ascertained whether the property did not already belong to the Community. Public opinion being in favour of delay and investigation, the Commissioners paused, and latterly the bargain fell through by consent of both parties.

Further information having been considered requisite to enable the authorities to decide as to the matter, the search was continued, when it appeared manifest that although it might be the fact that the Community are the real proprietors of the Hill, yet the length of time which has elapsed since the purchase, the want of written evidence corroborative of the Town's right, and the removal of the old landmarks which formerly indicated the northern boundary of the "Mains" portion of the estate, combined to render an action of Declarator before the Supreme Court a matter of considerable expense and uncertainty. In these circumstances it was considered that the cone and quarry should be purchased at an outlay of only about £4,500.

Ultimately on Monday, 21st January, 1878, at the Joint Meeting of Council and Police Commission, Provost Robertson made a motion that the purchase should be made and paid for

by the Town Council, and the property handed over to the Community.

This motion was adopted with unanimous consent, the Provost stating that it was in consideration of the Police Act relieving the Council of sundry duties for the performance of which compensation was given in the shape of Petty Customs exigible by the Council, that he decided that it was nothing but fair that the Corporation Funds should bear the expense of a final settlement of the case, and that no part of the burden should be laid upon the Police Ratepayers. Thus has the most prominent feature of the burgh passed for ever into the hands of the town and community, and generations yet unborn cannot fail to respect the present for effectually arresting the process of absorption into alien hands of a place of recreation and historical fame so interesting to all native Dundonians.

The TAY BRIDGE has now been finished, inspected by the Government Inspector, and found admirably constructed for stability, safety, and permanence. A new suite of Station Premises within the River Esplanade is being erected, and the Tunnel along the whole length of the Docks is being finished. At the completion of these works Passenger Trains will run regularly between the Counties of Fife and Forfar by way of the Tay Bridge, and on the whole Dundee will thereby experience an immense increase of railway facilities, for the want of which hitherto the town has been a considerable sufferer. The constructors of the great trunk lines of railway in this part of the kingdom from the first appear to have concluded that Dundee was not a town of sufficient importance to have its interests considered, and was therefore left in the position of a mere siding communicated with only by branch lines. Time, however, showed that the enterprising men who directed the town's destinies were not at all disposed to submit to be ignored by the great railway authorities, and having set their energies to work have, by their

mercantile success and intelligent direction of affairs, compelled the town and its interests to be acknowledged in a mercantile point of view, so as to have taught the railway authorities that their own interests would be best consulted by facilitating instead of thwarting the wishes of the inhabitants. This has been accomplished, and Dundee is now in a position little inferior in railway facilities than if it had originally held the position of a station on the great trunk line between South and North.

The HARBOUR has now been placed by the intelligent Board who in trust for the Community manage its arrangements in the first rank of the Shipping Ports of Great Britain. In 1875 Victoria Dock, after being substantially finished in its construction, augmented in its depth, and comprising a new Graving Dock sufficient to accommodate vessels of the largest class, was opened with great rejoicings in the presence of about 40,000 of the inhabitants and a large number of the nobility and gentry of the surrounding districts. Sheds have been erected on the quays to facilitate the loading and unloading vessels in all weathers. Commodious warehouses, both bonded and free, have also been erected contiguous to the quays for storage of produce; and powerful hydraulic and other cranes—the largest one raising a burden of seventy tons—have been fitted up whereby trade in the exportation of coal and machinery is largely benefited. Timber ponds are being constructed for the accommodation of importers of foreign timber. Building yards have been increased in number and extent, and branch lines of railway have been laid down on the quays, which have very much added to the regulation of the harbour traffic.

The TAY FERRIES, the practical management of which the original Shareholders unfortunately permitted to go out of their hands for a number of years, have now been acquired by the Harbour Trustees, who very properly commenced their operations

as proprietors by adding to the facilities for carrying on both goods and passenger traffic.

Dundee may now congratulate herself in having secured a harbour affording every facility for carrying on a large shipping traffic for many years to come without further burden ; while the admirable system of finance of the Trust presents every appearance of realising the gratifying end of a complete emancipation from debt within a reasonable time.

The ALBERT INSTITUTE is now fulfilling the intentions of its founders. The FREE LIBRARY is now in an admirable state of efficiency, the number of volumes being largely added to, while the Museum presents a variety of interesting subjects and specimens worthy of the notice of students of every variety of science. The Picture Gallery contains a very respectable nucleus for a collection of works of art, considering the short time it has existed, and from the excellent example shown by the late George Duncan, formerly M.P. for the burgh, a native born Dundonian, in bequeathing a large portion of his superior collection of pictures to the Albert Institute, it is not doubtful that other gentlemen of taste will, by their contributions of high class works of art, render the Dundee Picture Gallery worthy of the notice not only of the inhabitants of the town and district, but also of connoisseurs of the Fine Arts.

The passing of the Education Act has enabled the School Board of Dundee to institute a very complete system of primary education for behoof of the children within the burgh. Every district has now been supplied with a school house, constructed without regard to expense, embracing every sanitary arrangement and healthy accommodation which modern science demands, while the supply of competent male and female teachers proves very satisfactory, not only to the intelligent members of the Local Board, but also to the parents of the pupils.

The Directors of the HIGH SCHOOL, after due deliberation, have now adopted a Curriculum, which has the merit of comprehending every department of primary and secondary Education requisite to an adequate preparation to pupils entering the Universities. The Teachers are admitted to be all above the ordinary class, and many of the pupils turned out for the various Colleges have been successful in obtaining high University honours.

The Town has now acquired a very complete establishment for the sale of Cattle and preparation of butcher meat. The Police Commissioners secured for the purpose a piece of ground at Carolina Port, on which have been built abbatoirs and every requisite for facilitating the production of a large and superior supply of butcher meat of undoubtedly wholesome quality. Branch lines from the railway are introduced into the establishment, whereby cattle are received in good order for market, and sent away in the like good order when bought by parties from other districts. In fact so perfect have the arrangements been carried into effect by the plan adopted by authority of the Police Commission, that deputations from various parts of the country have visited and reported most favourably of the same.

While the attention of the citizens have been deeply engrossed in the changes and improvements above described, they have not altogether been unmindful of what is due to those bright lights which have rendered Scotia famous by their works in former days. The tardy acknowledgment of the genius of BURNS, and the growing respect of Scotsmen of all classes for his memory, have induced his admirers in Dundee to express their admiration in a tangible form, and a Committee is now earnestly engaged in preparations for erecting a bronze statue of the National Poet, which has been contracted for with Sir John Steele, an artist of whom Scotland is proud. This gentleman has already produced several

works of art which have been highly admired, and it is believed that the replica statue of Burns will prove worthy of the high fame of the artist.

While posthumous honours have been showered upon our National Poet, it is gratifying to notice that Dundee has not forgotten to do honour to the memory of one of the most modest of her citizens and most gifted in his profession. The late JAMES CARMICHAEL, Engineer, was most successful during his career in inventing important improvements on the construction of the Steam Engine and various Machines, contributing largely to the development of trade and manufactures, all of which he gave the benefit of freely to the world without ever having applied for patents for his inventions. In memory therefore of his disinterested conduct, mechanical genius, and integrity of character, it was resolved to raise a Monument to his memory. This has been done in the form of a Colossal Statue in bronze erected in the grounds of the Albert Institute, forming an apt companion to that erected to the memory of the late George Kinloch of Kinloch for his patriotic exertions in favour of Parliamentary Reform. The ceremony of unveiling the Statue erected to the memory of Mr Carmichael was performed on Saturday, 17th June, 1876, in presence of a large portion of the most wealthy and intelligent, as well as of the hard-working, industrious classes of his fellow-citizens, who vied with each other in exhibiting their appreciation of his merits.

The LOCAL PRESS has been augmented by the issue of two additional daily newspapers, viz., the *Evening News* and the *Evening Telegraph*. The almost hourly publication of their various editions places the public of Dundee on an equality with other large cities in the rapid dissemination of news. The *Home Journal*, a weekly literary paper, is also issued by the proprietors of the *Evening News*.

A large increase in the number of PLACES OF WORSHIP has taken place within the last five years. The Established Church Presbytery has not been behind the Presbytery of the Free Church, U.P. Church, and other dissenting bodies, in planting Churches and instituting Mission-houses and School-houses in different parts of the extended Royalty where the influx of population rendered it necessary, to introduce a knowledge of the Gospel of Jesus Christ, and afford secular instruction for preparing children for the practical duties of their position in life.

The TOWN COUNCIL, on whom rests the responsibility of maturing and carrying into effect as *ex officio* Members of most of the Public Boards the improvements and monetary transactions connected with the Town, appear to respond satisfactorily to the wishes and expectations of the majority of the citizens. In this course it is hoped they will continue, so that they may earn the gratitude of future generations, as their predecessors in more troublous times have done, and that the names of those who distinguish themselves in procuring public benefits for their fellow townsmen, and maintaining the dignity and honour of the Town, will appear prominent in its future history as worthy descendents of the Halliburtons, Wedderburns, and others, whose names will ever appear as shining lights in any History which may be written of the Loyal, Ancient, Royal Burgh of

BONNIE DUNDEE.

HISTORY OF DUNDEE.

SEC. I.—CHRONOLOGICAL.

DUNDEE appears to be of considerable antiquity, its existence as a settled community having been referred to so far back as the end of the first century. The original name applied to the town was *Alectum* or *Alec*, the former by the Romans and the latter by the native Celts, the signification of both names being "beautiful," *Scottice* "bonny." In the course of some centuries subsequently we find the town designated by a different name, viz., *Dei Donum*, signifying the Gift of God. Edward I. and his immediate successor in the beginning of the 14th century, in their despatches to the Governor of the Castle of Dundee, then possessed by an English garrison, spelled the name "Dunde." In Queen Mary's Charter the name is spelled "Dondei." In writings of the 17th century it is spelled by the Town Clerk and by the Clerk of the Convention of Royal Burghs "Dundy;" and for a century afterwards we find it spelled "Dundie," which is the mode of spelling used by Graham of Claverhouse, Viscount Dundie, in signing deeds as Superior of the Lands of Dudhope. Gaelic-speaking Highlanders of the present day use the name *Dun Dhia*—the Hill of God. It is fruitless, however, to hazard conjectures regarding the real origin of the name, as it is not difficult to reconcile all these different names as having had a share in

originating the modern name of Dundee, the tendency of all being towards the same pronunciation. In the collection of maps published by the London Antiquarian Society in 1774 (Relics of the Romans in Britain, by General Roy) the names laid down are, for the Frith of Tay, *Tava Estuaria*; for the river, *Tavus Flumen*; and for the town, *Taodunum*, meaning the Hill of Tay, at the base of which the town is built. The present mode of spelling, however, was adopted in the beginning of the 18th century. The following on the subject from Christopher Irvine's *Historiæ Scotticæ Nomenclatura* may be read with interest:—

“*Taodonum, the Hill of Tay.*—This is the name of Dundee or Duntay, said to be taken from the hill that riseth above the town called ‘Dundee Law;’ but this seemeth not to be a *vera ratio nominis*, for, besides that there are many duns or hills on the banks of Tay on both sides more conspicuous than this, which might give it more justly that name, we find in our Histories it to have taken this name from the safe arrival of David, Earl of Huntingdon, King William’s brother, who, on his return from the Holy War, in a great storm, from the sight of this hill received first comfort, and, next, his crazy vessel safe harbour at St Nicholas Craig; upon which emergency he called it *Donum Dei*, because it was the first assurance he had that his prayers were heard. He afterwards fulfilled his vows, and erected there a stately church in honour of the ‘Blessed Virgin.’”

Regarding this and many other matters of a like interesting nature in connection with the town nothing is left but conjecture, in consequence of the ruthless barbarity displayed by Edward I. in either destroying or carrying away into England all the records and documents which would have thrown light on the town’s early history. But Dundee does not stand alone in this respect, most of the Royal Burghs in Scotland having been deeply injured by the same heartless treatment, so that all must have severely suffered by the wanton exercise of military power to which they have been repeatedly subjected.

The state of affairs which existed at the above period of Scotland's history—viz., the beginning of the 14th century—is thus graphically described by George Buchanan :—

“The whole of Scotland being reduced, an Assembly of the Estates was convoked at St Andrews, where all the principal men of the kingdom, terrified into compliance, took the oath of allegiance, except Sir William Wallace, and he, dreading lest he should be given up to his most inveterate enemy, the King of England, by the nobility, who hated him, retired with a few followers to his native fortresses. Edward, having appointed Governors and Magistrates over all Scotland, returned to England. At his departure he gave a remarkable proof of his hatred to the Scottish name. Not content with having removed all those who appeared likely to produce any revolution, he bent his soul, if possible, to abolish the very name of the nation. He abrogated the ancient laws, altered the religious worship according to the English form, destroyed every history, treaty, and ancient monument, whether left by the Romans or erected by the Scots, and carried off all the books and teachers of learning into England. He sent also to London the rude marble stone with which the fate of the kingdom was commonly believed to be connected, nor did he leave any relic by which a generous mind might be roused at the remembrance of pristine greatness, or that might excite and encourage true magnanimity of soul; and thus, having not only broken the strength, but even, as he imagined, the spirits of the people, and reduced them to a state of servile humiliation, he promised to himself ‘perpetual peace for Scotland.’”

Such a consummation, however devoutly Edward may have wished for it, was not destined to be accomplished. Scotland was only “scotched, not killed,” and the determination to strike a blow for liberty at the first opportunity kept every patriot heart whole in hope of better times; and at last just retribution was, by the instrumentality of Robert Bruce, inflicted upon the English by a glorious victory on the field of Bannockburn—a victory which relieved Scotland of the *incubus* which had for some time

paralysed her energies and weighed her spirits down to the lowest depths of national depression.

The position of Dundee must have been selected by its original founders on account of its great natural advantages for a town and harbour. Being situated on the bank of a noble river, with a bay or natural harbour extending from the Castle Rock on the east to St Nicholas Craig on the west, abundant shelter was secured for the small vessels which originally frequented the port. The town itself was sheltered by three hills—viz., Castle Hill on the east, the Corbie or Windmill Hill on the west, and Tenter Hill to the north of High Street, on which latter the Chapel of St Salvador was situated; both of which latter hills, although now totally removed, even in the early part of this century raised their heads above the surrounding houses. The space thus enclosed and protected, although limited in extent, was for many centuries found to be sufficient for the accommodation of the industrial community by which the town was inhabited, until about the end of the 17th century, when the gradual increase of commerce and population, and consequent accumulation of wealth, induced the principal inhabitants to erect self-contained villas along the banks of the river, both to the eastward of the Castle Rock and westward of St Nicholas Craig.

Although, from causes already explained, there do not exist sufficient sources of information to enable the historian to describe all the different stages of the town's growth and progress, yet there can exist no doubt that the enterprise and intelligence of its citizens, in the early stages of its history, enabled them to place it in a high position among the burghs, to exercise an important influence in the Legislature, and to take a prominent part in the events recorded in Scottish history; while many noblemen and gentlemen, of large landed property in the neighbouring counties, built residences and resided in the town a great portion of the year, thereby giving a high tone to its society. The town, too, having been all along possessed of strong walls and fortifications,

afforded ample protection to all, and often proved a city of refuge to strangers in times of ruthless invasion and violent persecution.

The Parish of Dundee is situated in the County of Angus or Forfar, in the Synod of Angus and Mearns, and in a Presbytery named from the town. The length of the parish from east to west is about six miles, but its breadth is various, for towards the west it is nearly two miles, towards the middle, where the town stands, not more than one mile, and towards the east between three and four. It is bounded on the west by Liff; on the north by Liff, Mains of Strath Dighty, and Murroes; on the east by Murroes and Monifieth; and on the south by the river or Frith of Tay. The southernmost point or *ness* on the Estate of Blackness, from which that estate received its name, is the most southerly point of the county. It is hardly possible to describe the form of the Parish, but the following are its features:—The ridge of mountains which runs from Perth to the east promontory of Forfarshire, called the Redhead, separating between this part and Strathmore, is well known, being a continuation of the Ochil Hills, and in the parts where it approaches nearest the parish of Dundee it is named the Siedlaw Hills. While these mountains run along the Carse of Gowrie no new range rises between them and the Tay, and there the country is flat and almost level. But where the Carse terminates near Mylnefield, a new range of lower hills rises, running from Balgay Hill on the west to the Knock Hills near Arbroath on the east, and forms the south boundary of a sort of vale or *strath* contained between them and the ridge of Siedlaw, Lorn, &c., on the north. In this vale no single great river runs, but it is watered by several streams which descend from the northern ridge, and, traversing various parts of the vale, make their way through the lower range into the Tay. On part of the lower range of hills, and chiefly on their southern exposure, the parish of Dundee is situated. Towards the east end it is intersected

by Dighty and Fiethy, the principal of all the streams which run from the higher ridge; and in the north and also partly in the east another, named the Burn of Murroes, is the boundary which separates it from Murroes and Monifieth. The parish, however, is not mountainous, for the Law of Dundee, the highest hill in the whole parish, is only 525 feet above the level of the Tay; Balgay Hill, on the west of the Law, is considerably lower; and the ground of Craigie, to the east of it, excepting at one point, is a gently rising bank. The appearance of the country is beautiful, particularly the south slope of all the grounds towards the Tay, the south slope of Duntrune Hill towards the Fiethy, and the bottom where Dighty and Fiethy meet, and where they are soon joined by the Burn of Murroes. Balgay Hill, besides its beautiful form, studded with stately trees, has now been converted into a recreation ground for the inhabitants of Dundee, and a Cemetery for their dead. The Law of Dundee, rising gently from the low ground in the centre of the town, is cultivated, where not built upon, up to nearly the summit, which shoots into a round, green, and uncommonly fresh-looking cone. The principal estates in the parish are those of Dudhope, Craigie, Drumgeith, Baldovie, Clepington, Pitkerro, Duntrune, Wallace Craigie, Blackness, Balgay, and the various lands belonging to the Countess of Home.

The Town.—The early history of Scotland, and of the reigns of the monarchs, though minutely detailed by some historians and chroniclers, is generally considered apocryphal, if not altogether fictitious, until the commencement of the 11th century, after which it acquires a greater degree of authenticity. For example, the account of the reign of Macbeth in the Chronicles, and as dramatised therefrom by Shakespeare, has been proved to be more than doubtful. The compiler of this work, therefore, considers it preferable to record the history of Dundee from the authentic records and acknowledged sources of historical informa-

tion, instead of attempting to supply the want of early records by the fancies of chroniclers, who appear to have been desirous to fill up the *vacuum* to gratify curiosity at the expense of truth.

The sanguinary wars carried on between the Picts and Scots, of which the country in the neighbourhood of Dundee was the theatre, are the earliest historical incidents regarding which there exists any authentic information. We find nothing particular regarding Dundee, however, till the time of Malcolm II., who collected his army in the town previous to his great attack upon Cadmus the Dane in 1027. Towards the end of the 11th century Dundee appears to have been a place of occasional residence of the Kings of Scotland—the palace or royal residence of St. Margaret's, formerly existing in Dundee, having been named after the Queen of Malcolm Canmore. The sovereigns of Scotland at that time and subsequently had several royal residences in various parts of the kingdom, and were accustomed to spend a portion of the year in each, so as to utilise by themselves and their servants the rents, which were then payable in kind. In these residences the King's Thane or Maormer generally resided during the absence of the monarch.

About the commencement of the 12th century we find that King Edgar, after endeavouring to put down the lawlessness which had crept into existence during a long struggle for possession of the throne, and while engaged in superintending the building of a castle on the braes of the Carse of Gowrie, fell sick, and, having been conveyed to Dundee, died there in 1106, and was buried in Dunfermline. This Prince dying without children, *Alexander* his brother, surnamed *the brave*, succeeded him. This Prince ruled in peace, and, in the fulness of his wisdom for the encouragement of trade and commerce, bestowed valuable privileges upon the town of Dundee, which privileges and immunities were confirmed by his brother David, who succeeded to the throne in 1124, by charter under the Great Seal. David was succeeded by Malcolm, whose brother William, surnamed the

“Lion,” thereafter succeeded to the throne, and during his reign his brother David, Earl of Huntingdon and Garioch, at the request of William, followed King Richard of England to the Holy Land, and at his return built the Church of St Mary at Dundee. King William was so overjoyed at the safe return of his brother that he bestowed upon him the Superiority or Sovereignty of Dundee, and granted to its citizens a confirmation of all its ancient privileges. Alexander III. having succeeded to the throne, was accidentally killed at Kinghorn by a fall from his horse in 1285, and, leaving no issue, a dispute arose regarding the succession to the Crown. The race of Alexander being extinct, except the granddaughter of the King of England’s sister, that monarch demanded her in marriage for his son, which proposal the Scotch nation appeared quite agreeable to comply with, but the young princess died, and hence arose the dispute between the rival claimants, Bruce and Baliol, who unfortunately agreed to refer its decision to Edward I. of England. This crafty monarch, after amusing both parties for a considerable time, during which he learned thoroughly the respective natural dispositions of the rival claimants, decided in favour of Baliol, knowing that he would be the more pliable tool in accomplishing the purposes cherished by Edward—viz., the possession of the Crown and Kingdom of Scotland by himself. Giving his award, then, and reserving to himself the title of “Lord Superior” of the kingdom, he bestowed on Baliol the mock sovereignty, at same time ordering the Governors of the Castle of Dundee and other fortresses to give up the same to Baliol. A transcript of this important State paper in the original Latin, being the law language of the period, is here inserted :—

“Edwardus, Dei Gratia, Rex Angliæ, Dominus Hiberniæ, Dux Aquitaniæ et Superior Dominus Regni Scotiæ, delecto et fideli suo, Briano filio Alani, custodi castrorum de Forfar, Dunde, et Rokesburgh. Cum Joannes de Balliote, nuper in Parlamento nostro Berwick super Tweedam venisset coram nobis, et petivisset pre-

dictum Regnum Scotiae, sibi per nos, adjudicavi et sasinam ipsius Regni sibi, ut proximior herede Margaretae filiae Regis Norwagiae Domine Scotiae, et nepotes quondam Alexandri ultimi Regis Scotiae, jure successionis liberari; ac nos audites et intellectes petitionibus et rationibus tam predicti Joannis de Balliote, quam aliorum petentium predictum regnum et eisdem petitionibus et rationibus, diligenter examinatis, invenerimus prefatum Joannem de Balliote esse propinquiorem heredem predictae Margaretae quod predictum regnum Scotiae optimens. Propter quod idem regnum Scotiae et Sasinam ejusdem eidem Joanni de Balliote salvo jure nostro et heredem nostrorum reddimus. Vobis mandamus quod seisinam predictorum castrorum de Forfar, Dundee, Gedworth, et Rokesburgh, cum omnibus pertinentibus suis, una cum aliis rebus vobis, per cyrograssum traditis et secundum quod in predictorum castrorum custodia hujus modi recipistis sine delatione, predicti Joanni de Balliote vel attorney suis, has literas deferentibus deliberari faciatis. In cujus rei testimonium has literas nostras fieri fecimus patentes. Teste meipso apud Berwick super Tweedam, decimo octavo die Novembris anno Regni nostri vicesimo (1292).

“EDWARD R.”

The following is the substance of the foregoing document :—

“Edward, by the Grace of God, King of England, Lord of Ireland, Duke of Aquitania, and Lord Superior of the Kingdom of Scotland: To his trusty and faithful Brian, son of Alan, keeper of the Castles of Forfar, Dundee, Gedworth, and Roxburgh. Whereas John de Baliol, lately in our Parliament held at Berwick-on-Tweed, came before us and petitioned us for the said Kingdom of Scotland, for himself, on the ground of his being nearest heir of Margaret, daughter of the King of Norway, and grandson of Alexander, King of Scotland, in lawful succession: And we having heard and considered said petition, and the reasons adduced in support of said claim by the said John de Baliol, and having diligently examined and found the said John de Baliol to be nearest heir of the said Margaret, and having the best claim to the Kingdom of Scotland: Therefore we have preferred him, and resolved to deliver to him possession thereof, according to

law. You are therefore commanded to deliver up possession of the said Castles of Forfar, Dundee, Gedworth, and Roxburgh, with all their pertinents, and all other things pertaining thereto, as per Inventory, and in the same condition as you received them into your custody, without any delay, and that to the said John de Baliol or his attorneys, for which these letters are sufficient warrant. In testimony of which we have caused to be issued these letters patent. Witness us at Berwick-upon-Tweed, the eighteenth day of November, in the year of our Reign the twentieth." (1292.)

"EDWARD R."

The result of this was that Baliol ascended the throne and was crowned King at Scoon—all except Bruce swearing fealty to him. Baliol, having been subsequently subjected to considerable indignity on the part of Edward, had the courage to resent the affront; and Edward commenced the game he had planned, by asserting his assumed right of superiority over Scotland, and sending a fleet to the Tyne for the attack of Berwick. That town being well fortified, however, withstood the attack of Edward's forces, and the Scots succeeded in destroying eighteen of the English ships, putting the rest of the fleet to flight. Edward, being exasperated at this, summoned Baliol to appear and answer before him; but neither Baliol nor others of the Scots nation appearing at his call, he applied to Bruce, and offered him the Kingdom if he would assist in dethroning Baliol. Bruce declined these advances, and Edward ultimately attacked and took Berwick, and thereafter the Castles of Edinburgh, Stirling, and Forfar, where Baliol then was; and when Edward had reached Montrose without resistance, Baliol surrendered to him both himself and his crown. Edward then summoned the Scottish nation to Berwick for the purpose of doing obeisance to him; but William Douglas alone refusing, he was thrown into prison, where he died within a short time.

Everything succeeding to his wishes, Edward returned to London, appointing John Warren, Earl of Surrey, Regent of the Kingdom of Scotland, and Hugh Cressingham, Lord Chief Justice.

Baliol meantime was committed to prison, but was shortly after released on agreeing to live in France, leaving his son as a hostage at the English Court. The Scots nation, not at all pleased with that state of matters, endeavoured to urge their chiefs to retake the strongholds possessed by the English, and thus throw off their yoke; but the nobility in general appeared to have no heart or inclination to enter into any great enterprise. In this degrading state of affairs, however, Wallace arose, and along with his trusty friend and companion, Alexander Scrymgeour of Dudhope, and a number of faithful followers, laid siege to the Castle of Dundee. The reduction of the Castle occupied a long time, but Scrymgeour persevered, while Wallace proceeded to fight an invading English army in the neighbourhood of Stirling, over whom he obtained a complete victory, 5000 English being left dead on the field. After this battle, Wallace, in conjunction with Scrymgeour, returned to Dundee, renewed the siege with vigour, and carried the place by assault. In consideration of his valuable services in this siege, and other good deeds, Robert I. when he gained the throne invested Scrymgeour with the dignity of Hereditary Constable of Dundee, which feudal title his descendants held for several centuries, in addition to their title of hereditary Royal Standard-bearer. Mr Wedderburn, of Wedderburn and Birkhill, now represents the Scrymgeour family. During the sieges of the Castle in the reigns of Edward I. and his successor, various letters were despatched by Edward regarding it. These letters were all written in Latin, and the following is a transcript of one of them as a specimen of the rest:—

Order by King Edward to Governor and inhabitants of
Dundee to hold out the town against the Scots till
Whitsunday ensuing, when he would relieve them.
Dated 15th December 1309:—

“Edwardus, Dei Gratia Angliæ, Dominus Hibernicæ, et
Dux Aquitanicæ delectis et fidelibus suis, custodi et probis

hominibus villæ suæ de dunde in Scotia Salutem—Mandamus vobis quod vos villam nostram predictam contra agressus inimicorum et rebellium nostrorum in partibus illis, per treugam seu sufferentiam nec non et aliis viis et modis quibus pro honore nostro et salvatione villæ predictæ ad opus nostrum, melius expedire videritis usque ad festum Pentecosto proximo futurum custodiatis. In eadem autem festo ad ultimum de statu vestro taliter ordinabimus. Deo dante quod dictos inimicos et rebelles nostros; vos non oportebit ulterius formidare. Et isto negotio vos taliter habitatis quod fideletatis vestro constantiam debeamus inde merito commendare. Testo meipso apud Westmonasterium decimo quinto die Decembris anno regni nostri tertio.

“EDWARD R.”

The following is the substance of the above despatch:—

“Edward, by the Grace of God, King of England, Lord of Ireland, and Duke of Aquitania, to his beloved and faithful subjects, the honest men of the Town of Dundee, in Scotland, greeting—We command you that you defend our said Town against the attacks of our enemies and rebels in those parts, even through trials and sufferings, and also in other ways and modes by which our honour and the safety of the said Town may be preserved, till the feast of Pentecost next (Whitsunday); and in this matter, as you have already acted with fidelity and constancy, you deserve our high commendation. Signed by me at Westminster, the fifteenth day of December, in the third year of our reign.” (1311.)

Letter by Edward II. to the Sheriff of Lincolnshire to send provisions to Perth, and to the Castle of Dundee 50 qrs. grain, 50 qrs. vegetables, and 30 qrs. peas and beans:—

“Edwardus, Dei Gratia, Rex Angliæ, Dominus Hiberniæ, et Dux de Aquitaniæ, Viscompti Lincolnæ Salutem—Quia pro munitione castrorum nostrorum in Scotia victualibus plurimum indegunus tibi precipimus firmiter injugentes quod de exitibus ballivæ tuæ in eadem balliva tam infra libertates quam extra in

locis ubi ad majus commodum nostrum et ad minus gravamen hominum partium illarum fieri poterit ducenta et quinquaginta quarteria frumenti, ducenta et quinquaginta quarteria brasini, et quater viginti et decem quarteria fabarum et pisarum at opus nostrum, sine delatione, emi et provideri et ducenta quarteria frumenti ducenta quarteria brasinæ, et sexaginta quarteria fabarum et pisarum, usque ad villam Sancti Joannis de Perth, et quinquaginta quarteria frumenti quinquaginta quarteria brasini et triginta quarteria fabarum et pisarum usque ad castrum de Dundee, mitti faciatis receptoribus instaurorum nostrorum ibidem pro munitione eorundem villi et castri liberanda pro ut delectus clericus noster Nicholaus de Lughtenburgh, et cum diligentia fieri procuranda specialiter ad te mittimus tibi scire faciat et ex parte nostra. Et hoc, sicut nos et honorem nostrum et commodum regni nostri delegitis nullo modo omittatis. Et custum quod tam in emptione eorundem usque dicta villam et castrum posueritis cum illud faciemus. Teste meipso apud Westmonasterium, duodecimo die Maii, anno regni secundo.

“ EDWARD R.”

Despatches, of which the following contain the substance, were also sent by King Edward :—

“ Edward, by the Grace of God, King of England, Lord of Ireland, and Duke of Aquitania, to his devoted and faithful William de Montefitchet, keeper of the Town of Dundee, and to all and sundry faithful to his cause and affording assistance, greeting—Whereas, for the defence of said Town against our enemies and rebels, and for the punishment of their presumption and checking of their wickedness, up till this time you have manfully laboured in the midst of dangers, and been loyal to our cause : Therefore we have pleasure in returning thanks for your fidelity, constancy, and solicitude, recommending you specially for your devotedness and exertions against our enemies, hitherto repulsed by you at their attacks on our said town, hoping that you will continue your spirited defence, and persevere in defeating all attacks, for which valuable services it will be our pleasure hereafter to show our gratitude, and make substantial acknowledg-

ments when opportunity occurs.—Signed by us at York, the third day of February, and fifth year of our reign.” (3d Feb. 1311.)

“Edward, by the Grace of God, King of England, Lord of Ireland, and Duke of Aquitania, to the venerable Father in Christ, William, by the same Grace Bishop of St Andrews, in Scotland, greeting—Whereas we sent our lovite, John Parlot, to parts of Scotland beyond the sea to prosecute negotiations on our behalf, and being satisfied of your circumspection, industry, and fidelity, we specially confide in you commanding and requesting that for the expedition and negotiations foresaid, which the said John will explain to you on our part, you will immediately use diligence in getting the said John forwarded to our town of Dundee, and safely conducted thither. We confide in your discretion as to the mode of accomplishment of this our wishes. Signed by me at York, the first day of March, and fifth year of our reign.” (21st March 1311.)

Order by King Edward II. to William de Monte Fychet to break the Convention with the Scots for the stipulated surrender to them of the Town of Dundee:—

“Edward, by the Grace of God, King of England, Lord of Ireland, and Duke of Aquitania, to our beloved and faithful William de Monte Fychet, greeting—We command you, under forfeiture of life and members, and every other penalty in our power to inflict, that you will not give up the custody of our Town of Dundee, which we have committed to your keeping, on any pretext, by convention between you and the Scots, our enemies, on the plea that the said city was without provisions. Therefore we charge you not to surrender the same to our enemies, as such a course is contrary to our will, under any conditions whatsoever, but rather render the same safe and secure for our future use, making known to those who have custody of prisoners to send them to a place of safety, and those condemned for execution be disposed of in manner to be authorised by Walter de Murref, and all other prisoners of Scotia wheresoever in custody to be dealt with in like manner without doubt or delay.—Signed by me at York (*Elboracum*), the second day of March and fifth year of our reign.” (1311.)

Order by King Edward of England to the Mayors and Bailiffs of Newcastle and Berwick, and others, to provide ships for the defence of the Town of Dundee :—

“Edward, by the Grace of God, King of England, Lord of Ireland, and Duke of Aquitania, to his beloved the Mayor and Bailies of his Town of Newcastle, on the Tyne, greeting—Whereas we have ordered our beloved Secretary, Master John de Weston, our Chamberlain of Scotland, to procure whatever ships and barges may be in your said town and harbour as may be required, and to provide men, arms, and transport, victuals and munitions of war to our Town of Dundee, and to rendezvous with said ships, men, and victuals at Holy Island by Whitsunday next, at latest, and also that the said men, armed with akelones, haubergetts, and bassinets, be conveyed to the said Town of Dundee, for the provisioning and defence thereof: We command you, under pain of banishment, and without excuse, to give effect to the injunctions of our said Secretary in all and single the premises, and whom you will consult in as to all you wish to know. And for the better accommodating the garrison of our said beleaguered town, your good town will devote as much cash as you can spare, according to your discretion, and pay the same either to my said Secretary or to our Viscount Northumberland, to whom and our said Secretary we commit all arrangements regarding the preparation of the said ships and barges, and for supplying them with men and victuals requisite, and which it is expected you will complete without delay. Therefore the said matter, which interests us very much, will not admit of delay, and we require immediate obedience.”

Letters in similar terms were sent to Berwick-on-Tweed.

“Edward, by the Grace of God, King of England, Lord of Ireland, and Duke of Aquitania, to our devoted and faithful William de Montfitchet, keeper of his Town of Dundee, greeting—We command you to use every exertion to keep the enemy outside of the fortifications of our said city, and defend the same with resolution and firmness, and thus secure its safe custody for us: And as to your prisoners, if these prefer to be liberated so as

to join our enemies, you may permit them to have liberty, provided they give money for their redemption, which we give as a present to you, so as you may be encouraged and contented in our service. Regarding other matters, we refer you to John Parlot, who will on our part explain more fully as to those matters which we have entrusted to him.—Signed by me at York, the twenty-first day of March, and year of our reign the fifth.” (1311.)

“Edward, by the Grace of God, King of England, Lord of Ireland, and Duke of Aquitania, to our beloved and faithful the Mayor, Bailies, and whole community of the Town of Dundee, greeting—In consideration of the immense labour and expense at which you have proved your fidelity and constancy regarding the safety and defence of our said city, so as to keep the same for us and our heirs, we have specially authorised John Parlot to explain to you what is our will in the present state of the said city, the defence of the same, and securing it for us and our heirs, to which end you have so largely contributed, and for which we owe an expression of our approval.—Signed by me at York, the twenty-first day of March, and fifth year of our reign.” (1311.)

Similar letters were directed to Edmund de Hastings and John de La Moille, and all others concerned in defence of the Royal Town of Dundee.

Commissions by Edward II. of England in favour of William de Montfitchet and David de Breghin, as Governors of the Town of Dundee :—

“Edward, by the Grace of God, King of England, Lord of Ireland, and Duke of Aquitania: To all whom these present letters may come—For the fidelity, constancy, circumspection, and industry of our beloved and faithful William de Montfitchet, and in manifestation of our full confidence in him, have appointed him to the keeping of our Town of Dundee during our pleasure. In testimony of which we have issued these our letters patent to that effect.—Signed by me at Edinburgh, the twenty-first day of March, and fifth year of our reign.” (1311.)

“And orders are hereby given to the mayor, bailleis, honest

men, and all others of the said Town of Dundee, and for the defence of the same, that they support the said William in all things requisite to the secure keeping of our said Town, to which work it is expected they will devote themselves, by superintending, counselling, and assisting so often as may be required by the said William on our behalf: And this because the honour of the King and exigency of the State requires to be diligently performed." (21 March 1311.)

A similar letter or commission in favour of David de Breghine.

Letter of thanks by King Edward II. to Hugh Lovel and others for their defence of the town :—

"Edward, by the Grace of God, King of England, Lord of Ireland, and Duke of Aquitania, to his beloved and faithful Hugh Lovel, greeting: In consequence of the onerous labour and expense which has been incurred in preserving our Town of Dundee, in the defence of which for our honour you have done good service: We therefore request that you will continue your exertions, and give your counsel and assistance in our said town for the safety thereof, and that you will kindly continue to co-operate with our beloved and faithful David de Breghine, who will on our part explain everything to you in the premises. Therefore, because to your fidelity and constancy we owe our success, we therefore commend your merits, and will consider your services as deserving of future favour and reward.—Signed by me at York, the 21 day of March 1311."

It will thus be seen that the Scots were at this time sorely pressing the English garrison. Wallace occasionally, however, was engaged in defeating detachments sent by the English monarch into other parts of Scotland, which actions he performed with equal celerity and boldness, until he was at the head of no contemptible army, by which he was proclaimed Regent, and proceeded to govern the kingdom as Lieutenant of John Baliol. This title he assumed, not from ambition or a desire to rule, but solely from compassion and love towards his country. He lost no

time in going earnestly to work, recovering from the English many castles, and, by the additional forces contributed to him, he reduced all the fortresses held by the English beyond the Forth, including Dundee, which he attacked at the head of his intrepid followers. The garrison, no doubt apprised of the signal victory gained by Wallace at Stirling, were doubly terrified at the re-appearance of so formidable a foe. Unwilling, therefore, to risk a continuance of the irresistible fury of their opponents, the garrison at once capitulated to Wallace, and surrendered the castle and town into his hands on condition of being allowed to depart into England. Captain Morton having with an English division re-taken Broughty Castle, the siege was conducted afresh with great fury. Morton offered to capitulate, but his proposals were spurned; nothing but the lives of the besieged could satiate the assailants. Wallace in the meantime hearing of the approach of Edward, divided his army, and marched to oppose him, leaving, as already stated, the siege to be conducted by Alexander Scrymgeour, through whose persevering energy the obstinate Morton surrendered at discretion, and was led by the conqueror to Perth, where he was hanged.

The English monarch being then in France, ordered an army to attack the Scottish forces, and all the efforts of a brave patriot could not prevail to raise a nation whose nobles were full of jealousy towards the saviour of his country, and Edward succeeded in again obtaining possession of the Castle of Dundee and other strongholds; and the other parts of the country being reduced to subjection, Wallace was betrayed into the hands of the King of England, and cruelly put to death, to the great sorrow and regret of the people of Scotland, then held under the heel of the creatures of the monarch of England. Shortly afterwards, Robert Bruce, taking his proper position at the head of the nation, defeated the English army at the battle of Bannockburn, and thus relieved Scotland from all immediate fear of future invasion.

Immediately on Bruce assuming the Crown as Robert I. he ordered the works on the Castle Hill of Dundee to be demolished, and the town under his reign began to extend its commerce, and enjoy the fruits of its industry in peace; and being desirous of making good the defects arising from the removal or destruction of the charters and records of the Burgh of Dundee, on 22d June 1325 issued a commission to Bernard, Abbot of Aberbrothwick, Chancellor, and Alexander Fraser, Chamberlain of Scotland, to make recognition upon the liberties possessed by the burgesses of Dundee, as in the time of King Alexander, "who last deceased," and his other predecessors, Kings of Scotland, and to report. These two Commissioners accordingly repaired to Dundee in 1327, and examined on oath the following persons—vizt., Alexander Stratoun, William de Strabrot, David de Innerpeffer, Patrick de Ogilvie, James de Stratoun, John Tremlay, Duncan Innes, Adam de Pilmor, and many others of Berwick, Aberdeen, St Andrews, Forfar, Arbroath, and Montrose, when full and complete evidence was afforded that the burgesses of Dundee enjoyed in the time of former Kings the same liberties of buying and selling by land and water with those of any other most distinguished or favoured town in Scotland.

Translations of Commission by Robert Bruce, and Report thereon :—

"Robert, by the Grace of God, to all honest men to whom these present letters may come, greeting—Know that we have constituted Bernard, by the Grace of God, Abbot of Aberbrothoc, our Chancellor, and Alexander Fraser, our Chamberlain, our trusty and faithful subjects, in our stead to investigate as to the liberties which the burgesses of Dundee had or possessed in the time of Alexander, King of Scotland, of blessed memory, of our predecessors the last deceased, and of other Kings of Scotland, our predecessors, and to report to us and our Council as to those particulars which they learn and find out in the premises.

Wherefore, I command and charge the said Chancellor and Chamberlain, without delay, in our room to inquire into and answer as the matters now submitted for investigation.—Witness our hand at Aberbrothoc, the twenty-second day of June, and twentieth year of our reign.

“ROBERT R.”

“Recognition or acknowledgment of the liberties which the burgesses of Dundee had or possessed in the time of Alexander, by the Grace of God, King of Scots, last deceased, and in the times of Kings of Scotland, his predecessors, done at Dundee in the last day of the nativity of the blessed John the Baptist, in the year of grace one thousand three hundred and twenty-five, before the venerable Lord Bernard, by the Grace of God, Abbot of Aberbrothoc and Chancellor of Scotland, and Lord Alexander Fraser, Chamberlain of Scotland, by virtue of a plenary commission under the common seal of the Kingdom: Having specially examined the parties underwritten—viz., Alexander de Stratoun, William de Stabroke, David de Innerpefer, Patrick de Ogilwill, John de Ogilwill, Henry de Fethie, Patrick de Strivelyn, James de Stratoun, John de Greinlay, Duncan Innes, Adam of Pilmore, and also a sufficient number of respectable Burgesses of Berwick, Aberdeen, the city of St Andrews, Forfar, Arbroath, and Montrose, specially called and sworn: It clearly appears by their unanimous testimony that the foresaid Burgesses of Dundee possessed and enjoyed in the time of King Alexander foresaid, and of the Kings of Scotland, his predecessors, the same liberty of buying and selling by sea and land as the other burgesses over the whole of Scotland have freely and peaceably possessed and enjoyed—viz., in markets, in fairs, in free port, with free access for ships to load and unload thereon, with the Merchant Guild and all the other liberties which other free burgesses of the Kingdom have exercised, among whom the Chancellor of the Kingdom has in his official journey found other Royal Burghs of the Kingdom to enjoy.”

A Charter was accordingly granted by the Crown in favour of Dundee on 12th March 1327, which Charter is now in the Burgh Archives in a good state of preservation, and a copy of it in the

original is appended to this work. Not only was Dundee honoured by an acknowledgment of its valuable national services and renewal of its ancient rights, privileges, and immunities, but King Robert frequently honoured the town by residing in it, and in his reign some of the most important national transactions were concerted in it. It was in the Church of the Minorites at Dundee that the Bishops, Abbots, Priors, and the rest of the clergy of Scotland, met and declared, on 4th February 1309, that Robert was both the true heir of the Crown, and advanced to it by the authority of the people; and there these ecclesiastics swore fealty to him. At Dundee, also, Robert granted a commission to his Ambassadors—Thomas Randolph, Earl of Murray, Lord of Walls, Annand, and Man; Mr James Dun, Archdeacon of St Andrews, Doctor of Laws; Adam Murray, Doctor of Canon Law; and Walter Tyntham, Canon of Glasgow, for renewing with Charles the Fair the ancient league between Scotland and France.

During the minority of David II. the English again attacked Scotland in 1337, in conjunction with Edward Baliol, who had been advised to attempt the seizure of the Crown, and who, having raised a number of adherents, took possession of Perth and had himself crowned; but the Scots under the Regent Stewart re-took most of the castles from the English, including the Castle of Edinburgh, by a stratagem executed by William Currie, a merchant of Dundee. The story is thus told:—"William Currie, who happened accidentally to have a vessel laden with provisions lying at Dundee, at the Firth of Tay, was despatched by William Douglas to the Forth. On his arrival at Leith, feigning to be an Englishman, and having communicated the design to William Bullock, an English priest in the confidence of Douglas, Currie carried two bottles of his best wine and some other presents to the Governor of Edinburgh Castle, and requested that he might be allowed to dispose of the rest of his provisions in the garrison; at the same time he requested the Governor to say in what

manner he could serve him or the garrison, and he would cheerfully attempt it. The Governor then ordered him to bring some hogsheads of wine and a certain quantity of ship biscuits, promising him access whenever he chose; and Currie, pretending to be afraid of the Scots, who made frequent excursions in that quarter, replied he would come at the dawn of morning. That night Douglas, with twelve of his most chosen companions, in sailors' dresses above their armour, brought the provisions to the castle, and having placed soldiers in ambush as near as possible, he ordered them to await his signal. Douglas and Simon Fraser, who went a little before—the rest being ordered to follow at a moderate distance—when let in within the pallisades by the porter, perceiving the keys of the doors suspended from his arm, killed him and opened the castle gate without noise. Then, as had been agreed upon, they gave the signal to their companions by blowing a horn. The sound of the horn at the same time informed those who were in ambush, and they who were guarding the castle, that the fortress was entered by the friends of the one and the enemies of the other; and, both hastening to the spot, the Scots threw down their burdens in the entrance to the gate, lest the doors should be shut before the arrival of their comrades, who could advance but slowly up the steep declivity. A sharp conflict ensued, with considerable bloodshed on each side. At last the garrison gave way, the whole being killed or wounded except the Governor and six soldiers."

Some time after this the King and Scottish army having incautiously invaded England, a battle took place near Durham, in which the English army was victorious, and King David was taken prisoner. After being kept in prison for eight years in England, David returned to Scotland, the Burgh of Dundee, along with certain other Royal burghs, becoming bound to pay a ransom of 100,000 merks sterling to the King of England, besides a number of noble youths given as hostages, and who all died in England of the plague. Thomas, Earl of Angus, when held as a

hostage in England, was permitted to return to Scotland to procure four armed ships from Dundee to assist in one of his warlike expeditions against France.

Thus it is seen that, although the town was frequently committed to the flames, its sanctuaries violated, and its inhabitants plundered, yet Dundee, when left alone with her industrious citizens, arose again "like a phoenix from its ashes" in defiance of such calamities. David II. granted a charter in favour of Dundee in 1359, so very favourable that an edict accompanied it prohibiting the villages of Coupar Angus, Kettins, Kirriemuir, and Alyth from holding markets, and discharging all persons under the highest penalties from attending their fairs, as being within the liberties of Dundee. The two gentlemen burgesses of Dundee who consented to sign the bond to the King of England for the ransom of 100,000 merks sterling were named John de Somervyll and Robert Kyd.

Robert II. succeeded his uncle, David, in 1377, and during his reign the battle of Otterburn was fought with the English under Earl Percy (1388), which gave peace to Scotland for some time.

Robert III. succeeded his father in 1390, and it was during his reign that the family of Lindsay had the Earldom of Crawford added to their titles. It was also in this reign that the rivalry and jealousy which existed between the towns of Perth and Dundee came first to a height, the avowed causes being rank and precedence in Conventions, and the limits of their respective ports in the Tay. The people of Perth pretended that their port included the whole river, and "that nae schip of a venture in the water of Tay ought to brak buik till they cam within the burch of Perth." This matter was debated by Commissioners on both sides before the Duke of Albany, Chamberlain of the Kingdom, or rather actually Regent of it during a great part of the reign of Robert III. The decision of the Duke and his Council is dated from the "Frier Kirk" of Edinburgh, 19th May 1402, and is in these words:—"We pronounce, determine, and decretis that the

burch and burgesses of Dundee and yair successoris have freedom to by any schip or schips yat come in the water of Tay on a venture yat lykes to loss at yair haven, notagainstandand ony priveleges aledgat befor us in the contrair, through the procurators of the burch of Perth. Thairfor we put silence to yame of Perth and to yair successoris for evermair. Whilks, &c."

The plea of precedence was, however, after an angry controversy, decided in favour of Perth; while the privileges of the port of Perth were limited to that part of the river which runs through or along the Sheriffdom of Perth, and the privileges assigned to the port of Dundee were declared to extend along that part of the river which bounds the County of Forfar, viz., from Invergowrie Burn to the Gall of Barry, and on the south side of the river from the Abbey of Balmerino to the sands of Drumly—Dundee alone being empowered to place buoys or other marks in the mouth of Tay, and to levy an impost on all vessels coming within the river, while their right to collect shore-dues was declared perpetual.

Robert III. was succeeded by his son, James I., who when a boy was seized by the English, and kept prisoner for eighteen years. In order to procure his release, the Burghs of Edinburgh, Dundee, Perth, and Aberdeen had to grant a bond to Henry VI. of England for 50,000 merks on 26th February 1423, and James was accordingly released, and was crowned King of Scotland. James afterwards relieved the Town of Dundee from these obligations. His residence in England, by the lenience and kindness of King Henry, was beneficial, in so far as it enabled James to obtain the benefit of a high-class education, and the enjoyment of the most refined society, so that he afterwards proved a most accomplished Prince, a poet, a musical composer, and just ruler; and during his reign a great deal of the lawlessness on the part of feudal barons, which had previously been permitted to go unpunished, was put down, and protection was afforded to the burgesses of Burghs and their commercial and

manufacturing industry, This good King was murdered on 20th February 1437, in the Monastery of the Dominicans at Perth, by Robert Graham, with the connivance, it is said, of the Earl of Athol, the King's own uncle.

James II. was only seven years old when, after the punishment of his father's murderers, he was crowned King in the Abbey of Holyrood, Edinburgh. During his reign, Sir William Crichton, a man of superior ability, acted as Regent during the young king's minority. James was afterwards married on the 23d to the daughter of the Earl of Somerset, and the Commissioners appointed to negotiate that matrimonial treaty obliged themselves to deliver four obligatory letters for the whole sum of £40,000 from the four principal Burghs—viz., Edinburgh, Dundee, Perth, and Aberdeen. From the indenture embodying this contract, and the fulfilment of it by Dundee, it is natural to conclude that the town was even at that time in a very flourishing condition, seeing that the security of it and the other three towns was looked upon as a sufficient guarantee for the payment of so great a sum. On 12th March 1425 James, after having held the second Parliament at Perth, ordered twenty-four of his nobles to be arrested, among whom was Scrymgeour of Dudhope, Constable of Dundee. In imprisoning so many illustrious personages for alleged acts of misgovernment, of which they were charged during the last two regencies, James meant to ingratiate himself with his people; but this had a contrary effect, and Scrymgeour, as well as most of the other illustrious prisoners, were found innocent.

During this reign, in 1439, in consequence of the scarcity and dearth of victuals, a pest or plague broke out, both in the country districts and in the burghs and towns; and James, in order to enable the Magistrates of Dundee to meet the emergency, granted a Charter in favour of the Burgh under the great seal, allowing the authorities to exact multures on all grain carried away to other places, the same as if ground in the town's mills. The date of this charter is 1458. In this reign, also, the disputes which

had long existed between the Burghs of Dundee and Montrose, regarding their respective rights, were settled by order of the King.

In 1445 a dispute arose between Alexander Lindsay, son of the Earl of Crawford, and Alexander Ogilvy of Inverquharity, regarding their claims to the bailiary of Aberbrothwick. Ogilvy took possession of the bailiary. Alexander Lindsay, considering himself robbed of his right, gathered a company of Hamiltons and other friends, who assisted him for the time, and displayed his banner in order to take Arbroath from Ogilvy, who, on his part, gathered a considerable force, among whom was Alexander, then Earl of Huntley; which state of matters being shewn to the Earl of Crawford, then residing in Dundee, he, willing to stop all the mischief, proceeded to Arbroath, where he arrived when the hostile bodies were about to commence battle outside the town. The Earl at once ordered a delay, which order his son obeyed; and proceeding to the Ogilvy side to interpose in a friendly manner between him and his son, the Earl was struck by a soldier with a spear, of which wound he died on the spot, the soldier not knowing who the Earl was, or what errand he was on. This fatal occurrence, however, so enraged young Lindsay and his friends that they suddenly rushed upon Ogilvy and his friends, and after a fierce struggle the Laird of Inverquharity was slain, along with a number of respectable inhabitants of the County of Angus, including John Forbes of Pitsligo, Alexander Barclay of Gartley, James Maxwell of Tealing, Duncan Campbell of Calder, William Gordon of Borrowfield—the Earl of Huntley fleeing on horseback to Inverquharity to save his life; but, being taken and brought to Finhaven, he there died of his wounds. James II. was killed by the bursting of a cannon at Roxburgh Castle in 1460.

About this time a dispute arose between the burghs of Dundee and Forfar as to jurisdiction. The Chief Magistrate of Dundee held that he was Sheriff-Depute within the burgh, and that the County Sheriff-Depute had no right to exercise juris-

diction therein. A Sheriff-officer residing in Forfar having come to Dundee with a Sheriff's warrant to summon one of the burgesses to a Court in Forfar, was apprehended and fined by the bench of Burgh Magistrates. A Commission was ultimately appointed to inquire into all matters in dispute, including the claim of Dundee to have the Sheriff Court held at Dundee, the principal burgh in the county; but the result was that Forfar was held to be best situated for the county town, and that the powers of jurisdiction conveyed by the Crown Charter in favour of Dundee did not exclude county jurisdiction, the Burgh or Bailie Court having a co-ordinate jurisdiction within the burgh.

In the reign of James IV. the relations between Scotland and England were on a very adverse footing. An English fleet was sent to plunder the Scottish ships and destroy her commerce. This fleet was commanded by a Captain Bull, who promised to do desperate things against the Scots. Sir Andrew Wood, Admiral of the Scots fleet, was requested to take the command, which he did, and by his superior skill and admirable management, sunk one of the English ships and captured the remainder off the mouth of the Tay, making Stephen Bull and the English crews prisoners, whom he brought up the Tay and landed at Dundee. There they were entertained till their wounded men were cured and dead buried. Stephen Bull, however, was handed over by Admiral Wood to King James, who received him very graciously, and the English sailors ultimately were sent to England in their own ships, after receiving presents from the Government and the citizens of Dundee, with a message from James to the King of England not to send any more of his captains into Scotch waters, otherwise they might not find a repetition of the experiment so agreeable.

About this time (1515) appeared a document called "The Merchandis Letter." The document purports to have been executed with the consent of the Magistrates and Town Council, and conveys to "Ye loving of God Almichtie, and of his precious

blood, and to his blessed Mother, ye Virgine Marie, and to ane chaplain daily to sing and say devine service at ye hailie bluid altar situat in the south ile of ye parochie kirk of ye said burgh, and for ane singing mess solemnlie ilk Thursday, in honour of ye halie bluid of our Lord Jesus Christ, continualie to be singing at ye said altar," certain duties collected by them from merchants importing goods into the burgh, and from unfree traders, and fees from newly-initiated members of the "Gild." These imposts they were permitted to continue to exact for a considerable series of years; but the advent of the Reformation, and the subsequent abolition of all exclusive trading privileges, have nullified the effects, and rendered unnecessary the powers assumed by the Guildry by virtue of the said document.

King James IV. frequently visited and resided in Dundee, with his Queen Margaret, daughter of the King of England. On these occasions they resided in the Palace of Whitehall, south side of Flukergaet or Nethergate. The Earl of Crawford's town mansion was in the immediate neighbourhood of the royal residence. King James ultimately, against the advice of his best friends, advanced into England with a large force, but was defeated, and lost his life at the battle of Flodden Field.

James V., when quite a child, succeeded his father, and his mother Margaret assumed the Regency. She thereafter married the Earl of Angus. An Ambassador at that time came from England, named Lord William Howard, and with him a Bishop and many other gentlemen, to the number of threescore, all well skilled in feats of strength, and the pastimes of shooting, running, leaping, wrestling, but they were all defeated before their leaving Scotland. The English having given a challenge to the Scots, the Queen favoured the English—she being sister of the King of England—and took upon herself the risk of the English side, while young James, her son, backed up the Scots—six to be selected either from yeomen or gentlemen, to contest with six of the English. James, therefore, caused his mother stake 100

crowns and a tun of wine upon the English six, while he staked the same value on the Scotch. The field was chosen at St Andrews, and three landed gentlemen and three yeomen were chosen to shoot against the Englishmen. The Scotch champions were David Wemyss of that ilk, David Arnot of that ilk, and Mr John Wedderburn, Vicar of Dundee. The yeomen were John Thomson of Leith, Stephen Taburner, and a piper called Alexander Bailie. The Scots were successful, which made the young King very merry. James, in 1539, married Mary of Lorraine, sister of the Duke of Guise. During this reign many persons suspected of Lutheran principles were apprehended, and many banished, and some were burned at the stake. George Buchanan, the historian of Scotland, was apprehended, and would have suffered, but he escaped by the window of his bedroom while his keepers were asleep. Lady Glamis was accused of *Lese majesty*, convicted, and burned upon the Castle Hill of Edinburgh. During this reign, too, Mr Norman Galloway, Vicar of Dollar, and David Straton, brother of the Laird of Lauriston, were accused before the Bishops and Kirkmen, and after a trial, in which they with great talent maintained the Gospel and the reformed doctrines, were executed by burning at Edinburgh. The King also attempted to put down lawlessness and reiving in the border counties, by imprisoning Mark Kerr and others in the prison of Dundee for cattle lifting and other unlawful practices, "so that thereafter there was great peace and rest for a long time, wherethrough the King had great profit, for he had a thousand sheep going in the Ettrick Forest in keeping of Andrew Bell, who made the King as good a count of them as they had to give in the bounds of Fife."

About this time there existed an increasing desire in Scotland to achieve the downfall of Popery, and among those who devoted their talents to that cause was James Wedderburn, a celebrated poet, a native of Dundee, and brother of John, Vicar of Dundee. This gentleman composed tragedies and melodramas in the

vernacular tongue, all tending to ridicule the tenets of the Romish Church. The subject of one tragedy was the beheading of John the Baptist, in which the corrupters of religion were treated with great severity. The subject of the comedy was Dionysius the Tyrant, in which also he handled Papists severely. Both these pieces were performed at the West Port of Dundee about 1540. Ballads, embracing a mixture of sacred and profane notions, thoughts, and expressions were industriously circulated. The result was that Wedderburn had to flee his country, from the powerful influence exercised against him. At this time, also, itinerant preachers began to preach the reformed doctrines with great acceptance in Dundee, and the Church of Rome was unmercifully dealt with by the satirical compositions of David Lindsay of the Mount and others. Sir David was Lord Lyon King-at-Arms to James V., and sheltered himself under the protection of his Sovereign, having full scope for those satirical ebullitions for which, even to this day, he is considered proverbial. Plays, too, ridiculing the Papal establishment, were written by the Knight of the Mount, and their performance was attended with efforts permanent and beneficial to the cause of religious liberty.

On the death of James V., his widow, Mary of Lorraine, became Regent, and she, spirited on by her brother, the Duke of Guise, ruled the country with a rod of iron. The Earl of Arran was appointed Governor of the country, and he, by the influence of the Queen Regent and Cardinal Beaton, concurred in most of the cruel proceedings adopted against those professing Protestantism. At this time, Mary Stuart, daughter of James, and future Queen of Scotland, was a young girl, and had resided with her mother and uncle in Linlithgow Palace since her birth. But being about to enter into her teens, Henry VIII. of England wished to secure her hand for his son Edward; but the Queen Regent and her adherents being determined to prevent such a union, which might have been the means of inducing her to adopt the reformed

doctrines, refused Henry's request. Henry, therefore, invaded Scotland, landed an army at Granton Grange, burnt Leith and great part of Edinburgh, and the Protector Somerset, in obedience to the King's orders, set fire to the Town of Dundee and other Scotch towns, in order to coerce the nation into the matrimonial alliance. In furtherance of this object, the English also took possession of Broughty Castle, from whence the Earl of Arran, assisted by officers of experience from abroad, could not drive them. In order to protect their extensive depredations, the English erected a fort at Balgillo, extending their incursions to Dundee, which they took and plundered. But Somerset, hearing that the Scots were approaching to its relief, made good his retreat, after setting fire to the town. The young Queen was in the meantime sent to the Court of France, that her liberty might not be in danger from the inroads of the English, and that she might be trained in the Catholic religion.

The assistance contributed by the French at this time having been viewed as a breach of international law, the English invaded Scotland with an army of 18,000 men. The Scots prepared to meet the enemy, and succeeded in dispersing the English cavalry, but on the fatal field of Pinkie suffered a complete defeat. At this time Arran withdrew from the investment of Broughty Castle, leaving James Halliburton, Provost of Dundee, with 100 horsemen, to succour the country round from hostile raids. There were also several companies of foot raised in Dundee under the command of Captain Learmont, who, acting in conjunction with Halliburton's troopers, succeeded in circumscribing the operations of the English. The Earl of Argyle next attempted to dislodge the English from Broughty, and at the head of a considerable body of troops renewed the siege which had been abandoned by Arran, with as little success, for the garrison, formidable by situation, and reinforced by additional troops from England, made a vigorous resistance, and Argyle was compelled to retreat. *D'Esse*, a French General, next tried to take Broughty, but he was

defeated, and retired to Dundee, building a wall round it; and he being afterwards superseded, De Termes, his successor, took both Broughty and Balgillo.

About this time Dundee had to take a considerable share in the national defence, and often was called upon to do more than it had the power to comply with, and had to purchase exemption from service frequently, as evidenced by the following documents in the Burgh Archives:—

- 1st. Letters by the Regent Mary dispensing with the Burgesses of Royal Burghs proceeding to the Borders for the National Defence. 19th Nov. 1544.
- 2d. Precept under the Signet, authorising the Keeper of the Privy Seal to prepare a warrant for a remission to pass under the great seal to the inhabitants of Dundee for their absence from the Queen's armies. 8th Feb. 1546.
- 3d. Warrant by the Earl of Arran, Governor of Scotland, permitting the inhabitants of Dundee to remain at home from the Queen's army. Dated 10th April 1550.

In 1540, Archibald, 5th Earl of Douglas, was married at Dundee, at the mansion of the Earl of Crawford, near St Nicholas Craig, to Maude Lindsay, daughter of the Earl, "with sic pomp and triumph that the lyk was never sene at no man's marriage."

The cause of the Reformation was fast gaining converts, and about 1544 the preaching of George Wishart, son of the Laird of Pitarrow, appears first to have infused into the minds of the inhabitants of Dundee that religious zeal for the Protestant form of worship which ultimately led to the overthrow of Popery. He was a man distinguished by learning and piety. His ministry in Dundee commenced in the shape of lectures, which were attended by immense crowds of hearers, failing not to alarm the Romish clergy, who foresaw that by the popularity of these lectures and desertion of their churches the spirit of heresy was extending, and therefore must be put down, and accordingly plans were

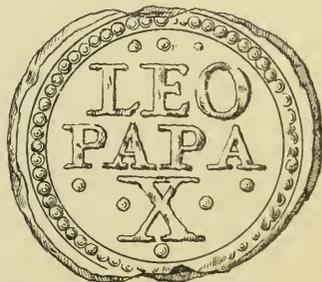
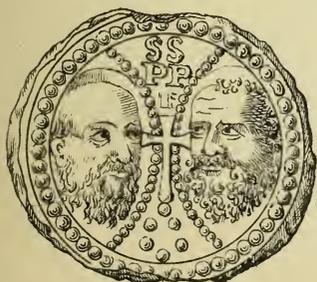
Ancient Seal of the Burgh of Dundee.



Seal attached to a Deed Executed in the 15th Century, Executed by John, Bishop of Brechin.



Seal attached to a Bull promulgated by Pope Leo X., appointing a Professor to the College at St. Andrews in the 16th Century.



concerted for compassing the destruction of that pious man. The work of persecution was eagerly undertaken by Cardinal Beaton, a priest whose temper and brutality well fitted him for the task of guiding and directing the proceedings which subsequently took place. The Government first sent an order that Wishart should no more "trouble the people with his preaching." This message was accordingly given in presence of a congregation of the inhabitants of Dundee, by Mr Robert Miln, a man of standing in the burgh, at the close of the sermon. Wishart at first appeared struck with such an arbitrary proceeding, but, soon recovering, he answered the bearer of the message in these words :—

"God is my witness that I never minded your trouble, but your comfort ; yea, your trouble is more grievous to me than it is to yourselves ; but sure I am, to reject the Word of God and drive away his messengers is not the way to save you from trouble, but to bring you into it. When I am gone, God will send you messengers who will not be afraid either of burning or banishment. I have, at the hazard of my life, remained among you, preaching the word of salvation ; and now, since you yourselves refuse me, I must leave my innocence to be declared by God. If it be long well with you, I am not led by the Spirit of Truth ; and if unexpected trouble come upon you, remember this is the cause, and turn to God for repentance, for he is merciful."

He then descended from the pulpit, and at the bottom of the steps he was saluted by the Earl Marischal and several of the nobility and gentry, who had been present during the sermon, and now with words of condolence entreated him earnestly to accompany them to the North, but he declined their offers of friendship, and departed for the West of Scotland.

A few days after he departed a dreadful plague visited the inhabitants, by which they were cut off in immense numbers, whole families being prostrated in one common ruin. The pious Wishart was no sooner informed of this than he returned to

Dundee at the risk of his life, to comfort and solace the people in their great distress. At this time the gates were kept constantly closed, and all those infected were instantly removed to temporary hospitals erected on the beach to the eastward of the town. On Wishart again appearing in town, he intimated that he would preach a sermon, standing on the East Port or Gate of the town, that those infected might hear his words without, while the uninfected might listen within the town wall. Crowds flocked to hear him. His text was very appropriate to the appalling circumstances, viz., Psalm cvii. 20: "He sent his word and healed them, and delivered them from destruction." All were encouraged by his preaching, and requested him to continue amongst them; and he, compassionating their awful condition, at the hazard of his own existence, kindly visited the infected poor, ministering to their temporal and spiritual wants. Such dignified philanthropy was not long in rousing the latent inveteracy of Beaton, who, in order to accomplish the destruction of Wishart, enlisted into the service a worthless priest, named John Wighton, to assassinate him. This emissary was not long in obeying the dictate of his master, by placing himself at the foot of the Port armed with a dagger to assassinate Mr Wishart as he concluded a sermon, expecting to escape thereafter among the crowd.

In the consciousness of his guilt the countenance of the priest exhibited such marks of perturbation and excitement, and the nervous action of his features indicated so truly the dark workings of his mind, that Wishart, descending from the top of the gate, looked sternly at him, and asked "what he intended to do," and, at the same instant seizing his hand, by one violent effort disarmed him of his murderous weapon. The inhabitants, exasperated at the audacious attack thus proved to have been meditated upon the life of one so much beloved and esteemed, made as if they were determined to annihilate the assassin; but Wishart, with that benevolence and forgiving disposition so well becoming a devoted follower of Christ, threw his protecting arm

around the priest, declaring that he had done him no harm. Nothing but the great veneration in which Wishart was held could have quelled the people's thirst for vengeance; and they were contented subsequently to see the intended assassin depart from the town, loaded with the groans and hissings of the multitude. Soon after Wishart's arrival in Dundee the pestilence began to subside, and he parted with his affectionate flock and went to Edinburgh.

In the Appendix to this work will be found various transcripts of minutes of the Town Council, in which the precautions taken by the burgh authorities against the importation and spread of the plague are fully described, and which cannot fail to be interesting as showing the degree of knowledge of sanitary science possessed by our local rulers in the early part of the 16th century.

The system of government carried on by the Queen Regent and her advisers caused much dissatisfaction, and after the martyrdom of Wishart, and the retributive act of vengeance perpetrated on the person of Cardinal Beaton, the flower of the nation combined for the defence of their lives and for the enjoyment of civil and religious liberty, and accordingly a covenant was entered into, called the "Solemn League and Covenant," and those noblemen who joined the League conducted the requisite movements under the name and authority of "The Lords of the Congregation."

In the meantime the Reformers put themselves in marching order, and advanced to Cupar to oppose the army of the Queen Regent. Among the Reformers were about a thousand of the inhabitants of Dundee, headed by their patriotic Provost, James Halliburton, who had the chief command. Under his directions the reforming army were placed on a commanding spot, where they patiently waited the approaches of the Queen Regent, who being informed of the force of her opponents, and the commanding position they had chosen, rather than hazard an engagement, proposed a truce of eight days, for the ostensible purpose of employ-

ing Commissioners to negotiate a reconciliation. This proposition, however, turned out to be a mere ruse to gain time for the perpetration of treachery, and the Reformers being satisfied of this, at once marched towards Perth, where Charteris, Laird of Kinfauns, the Municipal Governor, was harassing the inhabitants to a great degree in the desire to display his loyalty. Without loss of time the town of Perth was besieged, and so irresistible was the impetuosity with which the inhabitants of Dundee acted their part, headed by their Provost and his brother Alexander, that in a few days the forces in Perth had to capitulate. The tyrannical Kinfauns was then removed, and Patrick Ruthven, his predecessor, was reinstated.

The inhabitants of Dundee, justly proud of a victory to which they had so bravely contributed, marched towards Scone. When the cavalcade, which was composed of a promiscuous group of military and ecclesiastics, arrived there, a shot fired from a window in the village killed one of the latter, and so incensed the Reformers of Perth that they proceeded to destroy the Abbey and Palace, notwithstanding the remonstrances of John Knox, who is said to have been present, and of the leaders of the Reformers. Provost Halliburton some time after marched with the Dundee men to Leith, then held by the Queen Regent's French auxiliaries, and, for the purpose of assisting in reducing the place, placed his artillery in an advantageous situation for overawing the fort. The French, looking upon the burgesses as only worthy of contempt, inconsiderately made a sortie in force, for the purpose of cutting off the Dundonians, but found that to be not so easy of accomplishment. After a fierce struggle, it was found that the French outnumbered the Scotch, and a retreat was accordingly resolved on and deliberately effected. In the midst of the consternation, the French commander thought it a good opportunity by a flank march to attack and take possession of Edinburgh; but the gallant Provost Halliburton, heedless of all danger, rallied his men, attacked the French, killed numbers of them after a

desperate struggle, and carried others in triumph to Dundee as prisoners. By Halliburton's able conduct, also, in encamping and conducting the Protestant forces in Fife, the attempt of the Queen Regent's mercenaries, under the French General D'Oussell, to reduce St Andrews and seize the chief leaders of the Protestant Reformation, was defeated; and by him many other acts were performed by which the success of the Reformation was finally rendered sure and stable.

Marie Stuart, daughter of James V., married the Dauphin of France, at the instigation of her mother, the Queen Regent, and her uncle, the Duke of Guise. At the marriage, Provost Halliburton attended as one of the deputation sent from Scotland to assist at the Royal ceremonies. After a long life, and having held the Provostship for thirty-three years, this distinguished patriot died universally respected and lamented. The people of Dundee, from gratitude for his services and respect for his memory, gave him a public funeral, paying the whole expenses thereof, and awarding him the honour of lining with masonry his grave, near the south wall of the choir of St Mary's Church, in which spot his remains were found at digging for the new foundations of the Old or East Church after the fire in 1841.

The monument was a horizontal one, with carved armorial bearings and an inscription in Latin, of which the following is a translation:—

“Here lies James Halliburton, kinsman to an honourable man, Sir George Halliburton of Pitcur, Knight, who, for the space of thirty-three years, happily administered the office of Provostship within the City of Dundee. He died in the year of our Lord 1588, of his age 70.

“He was Provost of Dundee, Defender of his Country, Protector of the Orphan, and a Son of the Church of Jesus.”

Dundee occupied a very prominent position in the country, and its importance as one of the Royal Burghs is fairly indicated by the position it holds in the Roll of Assessment levied for the

£60,000 of expenses incurred at Queen Mary's marriage to the Dauphin of France, of which sum the Royal Burghs had to contribute according to the following rating:—

Edinburgh, .	£2501	0	0	Elgin, .	£101	5	0
Dundee, .	1265	11	0	Renfrew, .	101	0	0
Aberdeen, .	914	0	0	Kirkubright,	100	5	0
Perth, .	713	10	0	Lanark, .	94	1	6
St Andrews, .	300	0	0	Forres, .	84	1	6
Montrose, .	270	0	0	Dunbarton, .	84	0	0
Cupar Fife, .	274	0	0	Rothesay, .	47	10	0
Ayr, .	237	0	0	Ruglein, .	67	10	0
Glasgow, .	202	0	0	Selkirk, .	67	10	0
Dunfermline,	201	5	0	Peebles, .	67	10	0
Dumfries, .	174	18	0	Dunbar, .	67	10	0
Brechin, .	168	15	0	Lawder, .	67	10	0
Inverness, .	163	15	0	Banff, .	67	10	0
Haddington,	147	9	0	Kirkaldy, .	67	10	0
Irvine, .	135	0	0	North Berwick,	34	10	0
Aberbrothoc,	135	0	0	Cullen, .	34	10	0
Dysart, .	108	2	6	Nairne, .	34	10	0
Stirling, .	102	0	0	Craill, .	9	0	0
Wigton, .	100	5	0	Forfar, .	1	12	6
Whitehorn, .	101	5	0	Thayne, .	1	12	6
Jedburgh, .	101	5	0				

The death of the Queen Regent put a period for a time to the Civil War which agitated the Kingdom, and greatly contributed to the success of the Reformation. The Rev. William Christian was installed minister of Dundee, to the great joy of the inhabitants, who had been so long deprived of a gospel ministry. The triumphs of the Protestants, however, led some of them into great excesses, and many ancient churches were consigned to ruin and devastation which might have, in subsequent ages, proved ornaments to the country, and afforded accommodation for worshippers according to the Reformed faith. But, during the almost indiscriminate havoc which took place throughout Scotland, Dundee was highly favoured, the inhabitants having been moderate in

their actions, while at same time stedfast in their attachment to the Protestant cause. That this is no unmerited compliment may be learned from the fact that there existed at that time no lack of desire on the part of the adverse party and their agents to prove the contrary, they having actually denounced to the Government a large number of the inhabitants of Dundee, including some of the most respectable of its citizens, of having been guilty of assisting the English and setting fire to monasteries. For expiscating the truth as to these charges, a commission was granted in favour of Sir John Campbell of Lundy, who entered into a minute investigation thereof at Dundee, after which he pronounced a Decree of Absolvitro in favour of all the parties accused, which decree is dated 8th March 1542, and is now in the Town's Archives in an excellent state of preservation. As the names of all the citizens implicated are particularly mentioned in the body of the decree, and as even at the present day it may be interesting to ascertain their respective names, a list of them will be found in the Appendix to this work ; and it is very probable that these parties formed the Dundee battalions which proceeded to Perth to oppose the movements of the Queen Regent and the French auxiliaries.

The Dauphin of France, the husband of the young Queen, Mary Stuart, having died shortly after their marriage, and the Queen Regent having been removed by death from the government of Scotland, the nation began to feel relieved at being rid of her government, and desired much to have the presence of their young Queen, who accordingly complied with the national wish, and arrived in Scotland in 1560—she being then only eighteen years of age, and having resided twelve years in France. During her reign she visited Dundee three times, viz., on 17th December 1560, immediately on her arrival from France ; again on 3d November 1561, and again in 1564, on which last occasion she was accompanied by her husband, Lord Darnley, the Royal couple taking up their quarters for a whole week in the Royal palace

or lodging of Whitehall, situated on the south side of the "Flukargate," or Nethergate. It was during this visit that Her Majesty granted under her own sign manual authority to the magistrates to discontinue interments in St Clement's Kirkyard, south side of "Mercatgate," or High Street, and to use in future for that purpose the ground at the north side of the town, then called "The Friars' Cordeliers Yards," afterwards known by the singular name of "The Howff." As this Royal licence or authority is in an excellent state of preservation, a *fac simile* is prefixed to this page, and the following is a transcript of its contents:—

"We, understanding that the Kirkyaird of the Burgh of Dundee is situat in ye myddis yairof quhare ye common traffique of Merchandis is usit, and thro' occasion of ye said buriall pest and other contagious seekness is ingenerit, and, after infectioun, it maks ye sam to perseveir and continue, to ye grat hurt, nocht onlie of ye inhabitants of our said brugh, but alsua of ye hail realme; and wth ye realme of France and other foreign partes there is no deid buryit wth burrows and grit townis, but have thair bureall-places and sepultres outwit ye same, for evading of ye contaguis seekness foirsaid. And ye said Kirkyardis quharin ye deid was buryit of befoir, mair decent policie may be had to ye honor of our Realme and rest of our Leiges. Quhairfor, and for other reasonable causes and considerations moving us, and for guid trew zail and thankful suite done and to be done to us and our successoris, hes permittit and licencit, and, be yr pr^{nts} permittis and licencis thaim and yair successoris foirsaid to bury yair deid outwit and besyd o^r said bur^h, and to intromitt, repair, use, clois, and big ye same sufficientlie to ye effect foirsaid in tyme coming, butt ony revocatioun, obstacle, impediment, or again-calling quahatsomever.

"Subscreyvit with oure hand, and given under our Signet at Dundie ye ellevent day of September, in the zeir of God jaj thrie scoir for zeires.

"MARIE R."

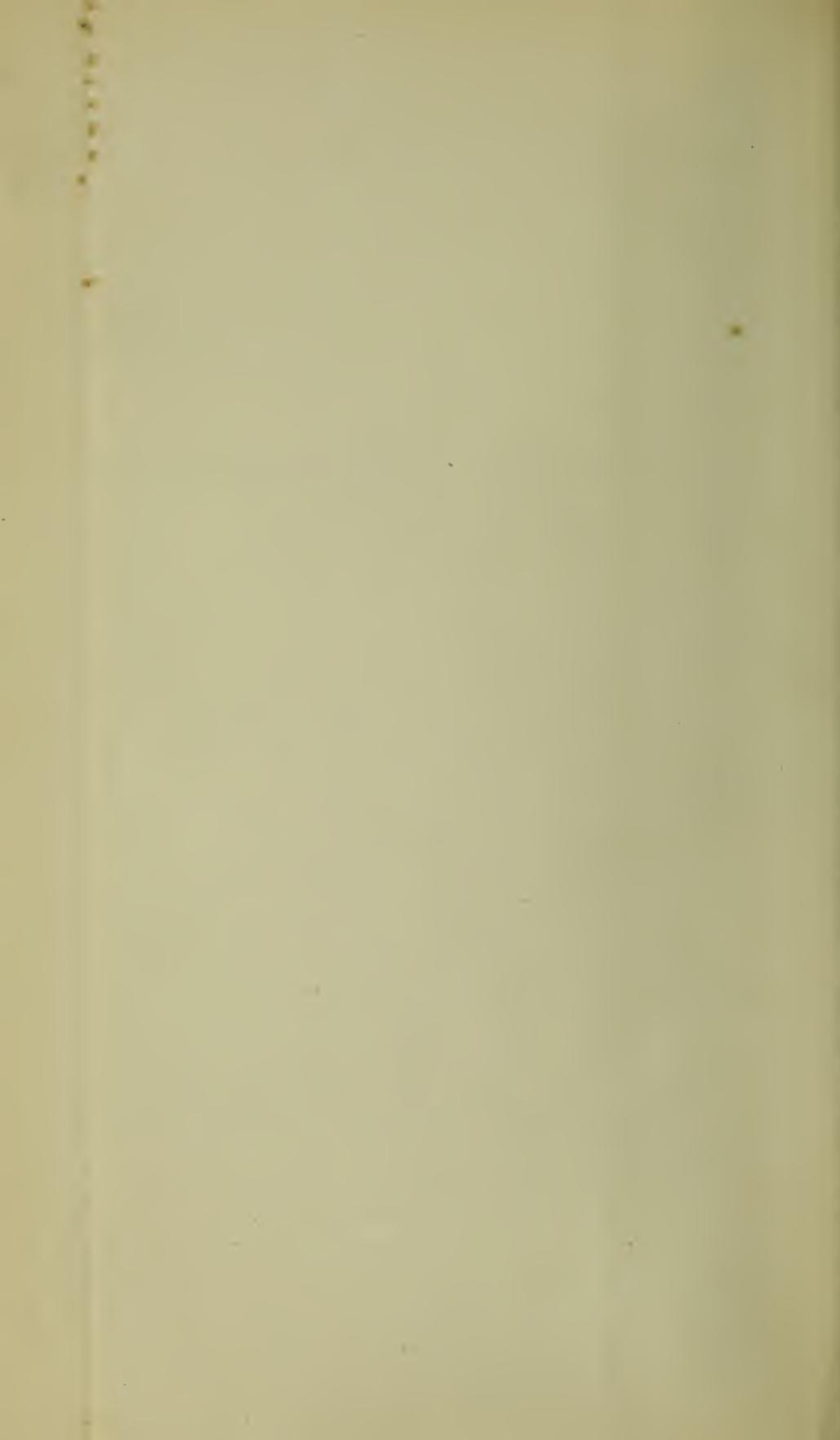
(Seal.)

Regina

De

Understanding that the burgh of Dundee is situated in the myddis
quair of quhairm ye town of Inverurie of moorlandie is sit And als ye deid of our said
Gardner to be writ And thair occasion of ye said burgh and thair outgais
Dekens to Inverurie And efter Inverurie it makis ye said to ye town and Continell
to ye said burgh and west outis to ye inhabitants of our said burgh but alsua of 3 haill
Koulnis And with ye walnis of freine and thair for ye thair ye wa deid
burgh with burgh and yeit thair to god your burgh place and populair outis
ye said for shading of ye outgais Dekens burgh And in ye said burgh
quhairm ye deid was burgh of burgh man deid deid may be god to ye burgh
of our said burgh and eif of our burgh. Quhairfor and for thair is spoullie
traiff and considerations moving us and for god well doill and thankfull sentis
done and to be done to us and our successour be ye provost Bailie consail and
of our said burgh and your successour have permitit and licentit and be ye said per
mitit and licentit thair and your successour for said to buy your deid in your place and
Gardner all sumtyme we occupit be ye your burgh for our outis and thair of said
burgh And to Intervent upon us thair and be ye said sufficient to ye effort
for said in tyme coming but our revocation obstacle impediment or utpne fullint
quhairfor Subscript ut our hand and sealis under our signett At
Dundee ye xxviii day of September Ye year of god 1516

MARKE



The tenor of the foregoing document bears evidence that even at that early date sound views obtained in high places as to the science of sanitary laws for the public health; and, had that document been produced in the discussions which took place before the Sheriff some years ago on the subject of closing the same burying-ground or Howff, and other intramural burying-places, it would have had considerable influence and effect in deciding the questions at issue.

When Queen Mary visited Dundee in 1561 numerous rhymes were composed in her honour; and she being well pleased with her reception, and seeing the loyalty pervading the inhabitants, notwithstanding their firm opposition to the religion in the belief of which she had been reared, granted the Charter by which all the ecclesiastical property within and belonging to the Church were conveyed to the Magistrates and Council, in trust, to form a foundation or hospital for the support of the Reformed ministry and poor of the burgh. The property thus conveyed was duly accepted of and taken over by the municipal authorities, and the following transcripts of acts and minutes of Council regarding them may throw light upon the nature of the subjects conveyed, and the mode in which municipal business was then transacted:—

“Dundee, 7 July, 1562.

“The quilk day James Forestare, John Fotheringhame, Bailies James Lowell, &c., personis of ye comoun Council for ye comoun weill of this burgh, being convenit in ye Counsall Hous. And taking consideratioun yat ye annualrentis, few males and dewties quhilk pertainit to ye toun in patronage, and wer assignit to Priestis and Choristaris for maintainance and upholding of idolatrie in tyme of ignorance. And now sein yat God has showed his trew religion among ws, the saide annualrentis, few males and dewties assignat as said is to ye choristares, and always perteyning to ye toun in patrimonie are neglectit and forgott to be uptaken fra ye persouns det bound for ye samen and sua abell to becum in oblievioun and to perise fra ye comoun weill of yis burgh: Theirfoir, and for remeid yairof, the said Baillies and

Counsall maks, constitutis, and ordainis yair lawfull and irrevocable factoris, gevand, grantand and committand to yame ye townis full power to uptake all manner of annualrentis and few males within this burgh quhilk of befoir were uptakin for ye chorasteris and callit comounis of ye queir, and apply ane half yairof to ye awi sustentation for ye lawborers, and to pay to the Thesaurer ye uther half of ye samen, vizt., of all and quhatsoever they sall happin to get and obtain of ye samen to ye comoun guid of this burgh. And yat Officiares pass, poind, and distranzie in concurrens with yame, conforme to ye rental be ye space of three terms last by past, and thai to call and pursew for ye rest. And for sure payment of ye townis part above written, Thomas Ogilvie is becum actit cautioner for ye said Thomas Deuchars, and George Forest cautioner for ye said Andro Cowp^s, and they are baith actit for relief yair cautioneris foirsaid."

"9th October 1563.

"The quhilk day ye Baileis and Counsall present hes electit and chosen Thomas Logy, yair sacristan, to ring ye bells at all tymes appointit, yat is to forenoon prayeris, curfew and mating bell, and sall alsua order ye Kirk, see the samen clene, and prepair wattr for baptysm, and vg. faice usit of befoir, for ye space of one zeir next to cum, for ye quhilk service yair is disponit to ye said Thomas for ilk persoun yat payes taxatioune within yis burgh at twa times Whitsunday and Martimes in winter by equal portiones, and yat Officiares pass throu ye toune wit ye said Thomas and poynd yairfor as effeirs, and further for every bairn yat is baptisit, and of ilk persoun mareing iiii.^d; ye puir alwyss to be fre, and yat ye first tymes payment begin at Martimes next to cum."

"12 June 1564.

"The quhilk day & maist of ye Counsall prest^t, be yir pr^{nts}, disponis to ye Doctoris of ye Grammer Schowell, thre in nummer, to be at ye electioun of ye maister y^t of yair few mailles of Sanct Agathas Chaplainrie, extending zeirlie to seventein merkis induring ye tyme of yair guid service in ye schowill and kirk at ye optioun and will of ye said maister. That is to David Nichol seven markis, and to every ane of uther twa fyve märkis."

“ 6 October 1564.

“ Item, it is statute and ordainit y^t ye Sounday be kepit in meditatioune and hering of godds word be all psones inhabitantis of yis bur^t. And qhaever byde frae ye preaching vpon Sounday, either befor noon, or efter, sall, for ye first, secund, and thrid tymes be admonisit be ye minister and assembleie, and gif yai forbeir, no^t yat ye obstinacie being declarit to ye magistratte, yai sall pay for ye first falt xx^s. to ye Kirk Wark, and the psones q^{ll} hes no^t it to pay sall stand 4 hor^{ris} in ye chocks.”

“ 28th August 1565.

“ The quhilk day James Haliburton, Prowest, James Lowell, George Rollok, and Richard Blay^t (Blyth), Bailies of ye burch of Dundie, and maist pairt of ye Counsall yairof, convenit in ye Counsall House: Be ye tenor of yis present Act hes sett and disponit to yair well-belovit Androw Cowper, glasin wright and master gunner, all and haill ye luggen whilk ye said Andro presentlie occupies, lyand on ye south-east end of yair new flesch hous, with free ish and entere yairto, and all pertinents yairof, for all ye dayis and space of ye said Androw is lyfetime, butt ony revocatioun; for ye whilk ye said Androw Cowper hes actit himself now presentlie to mend and repair ye haill glass woun-docks of ye Paroche Kirk of yis burgh, and mak ye samen sufficient, and alsua sall uphald ye samen dureing his lyfetime, providing giff ye said Androw can try ony persone brekin ye said glass woundouks, or ony bairnis of yis burgh reckleslie duing ye samen or vilfulie, yat ye said bairnis sall recompens and pay to ye said Androw ye wail of ye skayth; and alsua ye said Androw sall attend upon ye artailyrie of yis burgh in vsing yeioff, quhen tym necessar sall chance, and yis hous of lugeing above written to be maill free to ye said Andrew dureing ye space forsaied.”

An Act of Council was subsequently passed, holding parents liable for damage done to the windows of the church and the great window of the Steeple, under the pain of pointing their “readiest gudes and effects;” and as it is probable that this measure did not have the desired effect, the bargain with the said “Androw” must have been to him a losing one; and it is very probable that, as the large Gothic window in the west wall

of the Old Steeple in particular must have been glazed with expensive panes of glass, and probably of an ornamental nature, the continued breakage must have entailed a considerable burden upon the municipal funds in replacing them, and that may have induced the authorities to build up the window with masonry, so as effectually to stop that item of expenditure, and thus account for the state in which Sir Gilbert Scott found the window, and which he caused to be re-opened, thus revealing its original delicate tracery, to guide him in its restoration.

“7 October 1567.

“Item, it is statuet and ordainit yat David Ramsay be collect^r of ye Quenis Majesties donatioun for uphald of ye ministerie of yis burche, be obeyit of all and sundrie few maillis, anualrentis, fermes, emolumentts, and vr^{yis} dewteis, quibilk pertenet of befoir to ye grayfreiris and black, gray sisteris, choristis, and chaplanis of yis bur^t, and yat na persone resist or disobey ye said Dawid in his office foirsaid, vnder ye pane of tynsall of yair fredome w'in yis bur^t.”

The following transcripts of Acts and Minutes of Council are selected from the records of the Council during the minority of James VI. :—

“8 October 1582.

“It is statuet and ordainit yat ye actes made anent ye bairnis yat playis, cryis, and perturbis in ye kirkzeard, and breakeris of ye glasin wyndowis yereof, be put to executioun, wit yis additioun, yat what bairne heirefter beis fund breking ye said act, yair parentis sall be compellit to mend ye skayt yat ye bairnis committis, and alsua sall pay viii^s. of onlaw for ilk tyme yat ye said bairnis be apprehendit in ye said kirkzaird.”

“1 October 1587.

“*Anent Slattis Bying.*—It is statuit and ordainit by univsale consent of Baileis, Covnsale, and Cort, for avoiding the imminent dearth of slattis, quhilk his bene in tymes bypast, causing of forstallers bying yame w'out ye toune, and transporting ye same

till Leith, Edinbur^h, and all ye other places, to ye grit grief of ye comonweill of this burro, That in all tyme hence yat na nybor wⁿ yis bur^h, freman or unfreman, by slattis in gryt quantitie, but sa mony as may suffice ye necessitie of yair own proper bigging; and gif ony bees committ for contravenning of yis act, yat for ye first falt yai be poyndit for five lb.; and for ye nixt, tynsale of yair fredome gif yai be fre, and to pay ten lib. gif yai be not fre; and for the third falt, forfeiting all the slattis bocht be ye transgressoris of yis act."

"10 January 1588.

"*Anent Sklanderung of Honest Wemen.*—The quhilk day the Bailleis and Counsall p^{nt} w^h all ye Deykins of Craftes of ye sammin, for ye expulsione of vice fur^t from yis bur^h and conservatioun of ye comonweill yrof, hes maid and statuit ye actis and ordinances after following w^{lk} yae will have dewlie put to executioun in all pointis. In ye first branch, to ye grit defame, blame, and shame of honest medis wiffis and ye dochteris and wemens guardianis of yis burgh, it hes bene reportet and spoken that yai have bene beset by panderis or procurrers, to engage yairnselves unlawfelle in fornication and hurdom; for remeid of q^{lk} it is statuit and ordainit gif yr be ony men or wemen w^{tn} yis bur^h panderis, yat yai depart yaim selfs of ye same, w^{tn} 24 houris nixt hereof, under ye pane to be takyen and openlie haid to ye Mercat Croce of yis bur^h and yai be banisit ye same forewer."

"*Anent Street Walkeris.*—Item yat no persoun wⁿ yis burgh be found walkyn in the nicht season, privatlie or openlie, in ye streetis or yettis of ye same, nor drynkin in ony wynd or ale taverne w^{tn} yis bur^h after ten houris of ye nyt, under ye pane of furty sh. for the first falt, and for ye nixt falt to be banisit yis bur^h, and yat nane sall sell aill or harbour such personis under ye pane of banising yame ye toun."

"October 1589.

"*Anent Adultereris.*—The quhilk day it is statuit and ordainit be ye Prowest, Bailleis, Counsall, and Corte of this bur^h at yis Head Court, yat gif ony Adulterer man or woman be apprehendit within yis bur^h sall, for ye first falt stand in ye

chokes at ye croce four houris, in ye maist notable tyme of day, and yairafter had to ye foot of ye gybot, sall set by, and thryce bow yairntill, and again banisit yis bur^h, for ewer,—and, for ye second falt, gif yai be reconcilit and cum againe to yis bur^h, and yrafter failzeis, as yai did as befoir, to inflict *the pane yat sall befit* for adulterie be ye Lordis of Counsale and Congregatioun.”

“ October 1589.

“ *Anent ye Maister of ye Hie Schule.*—The quhlk day the said Bailleis, Counsall and Corte have statute and ordainit yat na maister nor doctor w^{tn} yis bur^h fra yis day fur^t tak upon yame to receive in ye schullis ony bairnis q^{lk} hev bene in Maister Thomas Macgibbonis scule, w^{tout} the said Maister Thomas his testimonial that he is thankfullie payit of ilk ane of yame yat happens to depart, for his lawful demand upon yame preceding ye departing fra him. And gif the saide maisteris doth failzoris, they sall be compellit to pay of yair awn proper founds the det to ye said Maister Thomas by poynding and distranit of yair gudis and geir yrfor.”

Subjoined is a list of the Town Council in year 1587-88:—

James Scrymgeour of Dudhop, *Constable, Prowest.*

Bailleis.

Alex. Scrymgeour.
James Auchinlek.

Alexander Ramsay.
John Fyndlasoun.

Counsell.

James Forrester.
James Carmichaell.
William Duncane.
Robert Kyd.
George Speirs.
David Leman.
Patrick Lyonn.
Thomas Davidsoun.
Robert Fletchour.

Alex. Wedderburn, Pier
Master.
Peter Clayhillis, Dene of Gild.
John Bursie, Kirk Master.
Walter Hay, Hospital Master.
James Finlaysoun.
William Man.
Patrick Wedderburn.
Thomas Ramesay.

For ye Craftis.

William Drummond.

Andro Crauford.

" 8 Oct. 1589.

" It is concludit w^t comune consent that the Auld Kirk sall be repairit, all impediments within ye samin removit, and loftis made yerin, whereby ye sam may be mad mair capable of people nor it presentlie is, and for yis effect, and devysin of ye manner of repairin foresaid, has nominat Alex. Scrymgeour, William Man, James Auchinlik, and Charles Ramsay to concur with ye Kirkmaster, wha sall convene betwixt yis and Tuesday next, and report ye deligence upon ye same to ye Counsall, and upon Wednesday to the Sessione of ye Kirk."

" 5 Nov. 1590.

" Quhilk day the Bailleis and Counsall his concludit all wit ane voice that it sall be leisum to sic persons as sall gif liberallie to ye reparation of ye Croce Kirk, attour ye awaill and price of ane knock to erect within ye said Kirk, ane monument and remembrance of yame and ye said liberalitie to stand yere in perpetuitie in all tyme coming; and yis monument to be placit vnder ye cuplis quhilk yai sall geive, or in sic other plaice as yai sall happene be yair liberalitie to repair."

The following transcripts are regarding business done during the reign of James VI. :—

" 28 February 1604.

" The Bailleis and Counsall has resiavit fra Mr Alex. Wedderburn, in name of William Goldman, the Quenis Ma^{ries}, gift of ye hail Chaplainries and altarages wth ye libertie of dundie to ye Provest, Bailleis, q^{ns}all, and coitie to ye upholding of ye hospital, wit ye sasing following y^r upon; and lykways fra Alex. Kyd ye p^{ct} of sasing following y^r upon ye said gift q^{lk} yai haif now ordainit to be send to ye Advocates in Edin^r to Mr John ———, to be usit in ane suspensie raised at ye toun's instance against Andro Galbraith."

" 25 March 1606.

" Quhilk day comperit Mr David Lyndesay, Minister and present M^r of ye Grammar Schole of ye said burgh, and declarit that he was not habile to discharge wit ane gude conscience bayth

ye said offices. Thairfor, upon houp and expectatioun that ye said Provost, bailleis, and counsale, sall haif consideration of his estait, and yat he may haif ane sufficient moyane quharupon he may leive as ane honest man in service in ye ministrie of ye said Burgh be ye tenor heirof demittet in ye handis of ye said Provost, bailleis, and counsall ye foresaid office of maistership of ye grammer schole of ye said burgh, to ye effect yai may provide ane sufficient qualified person to yat place. And becaus ye said Mr David exponit to ye said Provost, bailleis, and counsall that he had three chalders of victuall assignit to him as a pairt of his stipend furth of ye frerites and rentes of ye Abbeyis of Lindores and Scona, whilk was not certain, but may be quarrelit be law. Thairfor ye said Provost, bailleis, and counsall of ye said burgh, and yair successoris, Provost and Counsall of ye said burgh resolved to mentene and defend be law."

" 12 May 1638.

" Quhilk day the Provost, Bailleis, Counsall, and Dykines of Craftes of ye Burgh of Dondei, and yair successoris in all tyme thairafter, should answer, obey, and mak payment yearlie to ye said Ministeris, Master of the Gramer Schole, Reidder and keeper of ther Clok above nemat the soumes of money subsequent for ilk ane of thame for thair own pairtes as is after devysit in ane pairt of their stipendis and fees forth of the first and reddiest of the comune rentis dew to the poore resident within the Hospitall of the said Burgh, vizt., to the said Bishope ane hundrethe poundis. *Item*, to the said Maister Colene Campbel ane hundreth thretty poundis six shillingis eight pennies. *Item*, to the said Mr James Glege thriescoire six poundis threene shillingis foar pennies; to the said Robert Stibbelis eight poundis, and to the said John Ramsay twelf poundis, as the forsaid Actes at greater length recordes. And the said Provost, Bailleis, Counsell, and Communitie of the said burghe of Dondei, with the said Father in God, Thomas now Bishope of Breichine, and remanent ministeris of Dondei, most zealouslie thinking that the said Acks w^h have bene made were prejudicial to the poore of thair said Hospitall, and tendis to the evill exampell of invert-ing of all pious donationes and mortificationes to other uses nor they were intended to, contrare to all law, equitie, and conscience.

Thairfor they all of one comune consent, with heart and mind have agreid to the rescinding and annulling of the afoirsaid Actes. Likeas they be the tennor heirof *per verba de presentis* rescindes and annullis the same, and willes and declaris that the whole rentes and emolumentis shalle be employed and converted onlie to the use of the said Hospitall in all tyme hereafter, conforme to the foundatione of the same, and that the Maister of the said Hospitall at all tymes hereafter conforme to the foundatione of the same, and that the Maister of the said Hospitall at all tymes hereafter be free and liberat of the foresaid Actis, and of any payment in vertew thairof; and this thair said Ack they have ordained to stand inviolabill in all tymes heirafter. And in signe whairof they have subscriybed thir presentis with their handis, as followes," &c.

As it may be interesting to learn the state of the churches and chapels in Dundee at the time of the Reformation, the following information is supplied from the Town's records.

The churches and church lands of the whole parish belonged to the Monastery of Lindores, by the gift of its founder, Earl David, brother of King William. Down to the Reformation, the Abbot of Lindores, as rector of the parish, and entitled to the tithes, was bound to maintain a perpetual vicar of the Church of Dundee; and by an ancient covenant, sanctioned by diocesan and Papal authority, the perpetual vicar, instead of vicarage tithes, drew the altarage—that is, the dues of baptisms, burials, &c., and offerings belonging by law to the parochial church—and paid to the convent ten merks yearly. The proper benefice of the vicarage, however, was much more valuable, and some of its property required in aftertimes that the minister, though really stipendiary, should be legally constituted and styled vicar, to give a title to uplift certain rents. At the taking up of the thirds of benefices for the Reformed clergy after the Reformation, the Vicarage of Dundee was valued at £40.

By another covenant, also sanctioned by the Episcopal authority (1442), the burgesses undertook to maintain the

fabric of the choir of their Parish Church, in consideration of five merks annually paid to them by the Abbot of the Monastery of Lindores as rector, on whom by law the maintenance of the choir fell. Being thus responsible for the choir, as well as the rest of the church, donations of church plate, vestments, books, &c., for its use were afterwards made to the Magistrates as the proper custodiers, and it was apparently in connection with this obligation of the burgesses that the officer called the Kirkmaster was appointed.

The following is an excerpt from a translation of the Latin original of the covenant referred to, dated 10th March 1442:—

“ Be it known to all and sundry who shall see or hear this present indenture, that when lately upon occasion of the reformation, sustentation, and reparation of the vestments, books, chalices, covering of the great altar, and other ornaments of the choir of the Parish Church of St Mary’s, of the Burgh of Dundee, in the diocese of Brechin, belonging to the venerable father in Christ, Lord James de Rossy, Abbot of the Monastery of Lindores, in the diocese of St Andrews and convent of the same, which the rectors of the said Parish Church occupy, and the fruits of which they receive, a frequent and earnest complaint many years depending was brought by those honourable men, the burgesses, council, and community of the said Burgh of Dundee, before the reverend father in Christ, Lord John, by Divine permission, Bishop of Brechin, and his officers and ministers in the office of visitors at the said church, on account of which not only the said fruits belonging to the foresaid religious rectors were often the subject of litigation, but also very great discord, contention, and altercations frequently arose between the foresaid religious rectors and the burgesses of the said burgh, and when afterwards treated of, divers conferences and communications between the before-named religious persons and burgesses were often held, had, and continued and endured for many years without any agreement. At length, mutually agreeing to a settlement of the foresaid complaint and discord between the before-written religious persons, on the one part, they, by unanimous consent and mature and digested deliberation, have peaceably come to the agreements, treaty of

union, and final conclusions which are set forth in the following form, viz."

Then follow the terms and the mode in which the five merks shall be provided to the Council, in the shape of annual rents exigible out of certain properties within the burgh.

Besides the parochial vicar there were numerous endowed clergy in Dundee. The Earl of Crawford endowed a chantry of five priests or vicars of choral in honour of St George the Martyr (1406); and there are still extant many charters by different Earls of that family, founding and endowing chaplains to perform service in the Parish Church of Dundee. These priests, with probably some others, formed the body known as the "Chaplains of the Choir," hebdomadars of the choir, or simply choristers.

The other chaplainries and altarages were also very numerous, and, besides the endowments for secular clergy, there were several foundations of regular religious bodies within the burgh. The most considerable of these was the Monastery of Franciscan Friars or Minorites, called also Grey Friars or Cordeliers, said to have been founded by the mother of John Baliol, and known to have been further endowed by the families of Hay of Errol and the Lindsays of Crawford. There were at least fourteen friars of this convent besides the Warden in 1481. When the thirds benefices were taken up for the Reformed clergy and the Crown, after the Reformation, "the haill maillis of the Grey Frieres of Dundie were state at £25 and one chalder of bear."

The Dominicans, or Friars' Preachers, had a monastery in Dundee, the rents of which after the Reformation were stated by the collector at £6 3s 4d. The Convent of Franciscan Nuns, or Grey Sisters, had rents at the period of the Reformation amounting to twenty-eight shillings.

There was also in Dundee a Convent of Brethren of the Holy Trinity (called also *de redemptione Captivorum* and Red Friars). Sir James de Lindsay, who died in 1397, granted to the Brethren

of the Holy Trinity his tenement in Dundee to be a Hospital and *Maison Dieu* for them, and for their support in sickness and old age; and King Robert III., confirming that grant, endowed the said Hospital and *Maison Dieu* with the church of Kettins and its whole fruits and revenues, so long as they could be enjoyed under an old grant to the Hospital of Berwick, then in possession of the English.

The following subordinate endowments were wholly or mostly in the Parish Church :—The Chaplainry or Altarage of St Clement, John the Baptist, St John the Evangelist, St Andrew, St Ninian, St Thomas, St Catherine, St Agatha, St Barbara, The Rood Altar, All-Saints or All-Hallows, St Servanus, St Fillans, St James the Greater, St Margaret the Queen, St Stephen the Martyr, St Anne, St Anthony, St Traduan, St Lawrence, St James the Less, St Leonard the Confessor, and St Colme. These chantries were chiefly endowed with fixed annual rents, very commonly ten merks; but some had lands which were either leased or feued. The “haly bluid” Altar in the south aisle of the Parish Church was largely endowed by the Guild of Merchants, as already described; also the three Kings of Cologne Altar, the revenue of which in 1561 was at least £30. A chaplain of St Salvador in the Parish Church had £5 from the Customs of Dundee allowed yearly in exchequer, to pray for the soul of the murdered Duke of Rothsay, son of King Robert III., besides the third part of the lands of Milton of “Craigy,” and of the lands of Westfield, by grant of Patrick of Inverpeffer, confirmed by the same King. The chaplain of St Thomas had land on the north side of the Fleukargate (now Nethergate), and also some acres and a manse (formerly Temple lands) in Kettins. St Agatha had property, afterwards appropriated as the endowment of the masters of the Grammar School. Our Lady Altar had an annual of five pounds sterling out of the Customs of Dundee; and the Rood Altar gave the name to the Rood Yards, east of the town.

Several chapels appear to have been endowed in other parts of the burgh.

A chapel dedicated to the Virgin was known as our Lady's Chapel, in the Cowgate.

A chapel of St Mary Magdalene stood at the Magdalene Yard.

A chaplainry of St Mary the Virgin, in St Clement's Church, was endowed with a third part of the lands of Craigie.

St Roche had a chapel near the Cowgate Port, in connection probably with the Leper House to the eastward.

The chapel of St Nicholas *in Rupe infra fluxum maris* was situated near the present Craig Pier.

St Duthac had either a chapel or lands from which a chapel was endowed, near the Wellgate.

An endowment of St John of the Sclaitheuchs seems to mark a chapel connected with the Quarries near Carolina Port.

A chapel and chaplainry were also founded within the Earl's Lodging, before described.

All these ecclesiastical properties and revenues were freely conveyed by Queen Mary to the burgh, for behoof of the ministry and the poor, and that interesting but unhappy Sovereign might have reigned happily and lived long in the affections of her subjects ; but, having been reared by the family of Guise in the Roman Catholic faith, the stern men of the Protestant Reformation and the body of the people being devoted to the extinction of that form of worship, Mary was not able to stem the tide, and was made the victim of foreign and domestic intrigues more than of her own faults, and was ultimately under the necessity of throwing herself on the clemency (!) of her cousin, Elizabeth of England. After having been kept in prison by that remorseless Sovereign nineteen years, Mary was, on a trumped-up charge of high treason, declared guilty, and beheaded in terms of her sentence—Elizabeth coolly refusing to use her prerogative of mercy, although Mary's son, the young King of

Scotland, begged and entreated that his mother's life should be spared.

In 1556 the Magistrates and Town Council bestowed the gift of the office of Town Clerk upon Alexander Wedderburn and his heirs. This gentleman held the office for about forty years in his own person, and succeeding members of his family held the said office till the year 1715. From this family sprung several highly respectable Scottish families and eminent men, among whom may be mentioned Chief Justice Lord Loughborough, and Sir James Wedderburn of Blackness—both the Wedderburn and Birkhill families having recently united by descent in the person of the present Mr Wedderburn of Birkhill and Wedderburn.

The Old Protocol Book of the date of Queen Mary's death, preserved in the Archives of the Burgh, has on one of the boards, in Mr Wedderburn's handwriting, the following on the death of Queen Mary :—

“EPITAPHIUM MARIE REGINÆ SCOTORUM.

“Regibus orta auxi Reges Reginaque urci
Nupta tribus, tribus orba vivis, tria regna reliqui
Gallus opes, Scotus unās habet, Anglia sepulchrum.”

Immediately below, in the same handwriting, is the following translation :—

“ I cam of Kyngis, I Kyngis increst, my state a Crown did crave,
Thrys weddit, and als wedow, thrie kyngdomes heir I leave :
Fraunce has my welth, Scotland my birth, and Ingland has my
grave.”

The Duke of Lennox was appointed Regent during the minority of James VI. He took the oath of fidelity to the Protestant religion, and then called upon Perth and Dundee to assist in putting down the “Popish party,” who were in arms near Brechin. Provost Halliburton, who took the command of

the Dundee contingent, used the utmost expedition, and next night hastened forward with the foot soldiers mounted on horseback, thus arriving fresh at the place where Huntly, Ogilvy, and Balfour, the leaders, had their men encamped. These leaders, when they saw the array against them, left their men and retreated; a number of their men took possession of the tower of a neighbouring church, and the rest fled to the seat of the Earl of Mar. Next day these, finding they had been deserted by Huntly, submitted at discretion, and thus was the reactionary party defeated.

In 1589 King James went to Denmark to bring home his Queen, to the expense of which voyage Dundee contributed largely. In 1590 the King and Queen arrived at Leith, and soon after the Queen was crowned in Holyrood Abbey. The Dundee magistrates and a deputation from the Council attended the ceremony. The entry of the Royal cavalcade was made with great pomp, and the magistrates of Edinburgh excelled themselves on that occasion. The procession passed along the whole line of the modern city wall, where Lauriston now is. At the West Port there was a costly display. A variety of allegories and ingenious devices had been prepared. An angel presented the keys to Her Majesty, who rode in a carriage drawn by eight horses, decorated with velvet trappings, richly embroidered with gold and silver, and was attended by six youths as Moors, with chains about their necks, and gorgeously apparelled with jewels and ornaments of gold. The Nine Muses received them at Butter Trone with singing of psalms. At the Cross another "verie good psalme," and then they entered St Giles' Church, where sermon was preached before their Majesties. As the Royal party proceeded through the town numerous allegories were exhibited. At the Netherbow there was let down to the Queen, by a silk string from the top of the port, a bag covered with purple velvet, with Her Majesty's initials wrought on it in diamonds and precious stones, a gift from the good town.

The following is a list of the Magistrates and Council in 1590, as taken from the old Minute Book :—

James Scrymgeour of Dudhop, Knight, *Provost*.

Bailleis.

Patrick Lyoun.		Robert Flescher,
John Traill.		William Auchinlek.

Counsall.

William Man, Den of Gild.		John Bursy, Kirkmaster.
Patrick Wedderburn, jr., Hos. Master.		Andro Fletcher, Treasurer. Walter Hay.
William Duncane.		Thomas Man.
Peter Clayhillis.		Thos. Traill.
Richard Blyt.		George Ramsay.
James Carmichaell.		William Spens.
James Scrymgeour, jr.		John Finlasoun.
John Wilsoun.		James Prokter.
David Wedderburn.		Johne Gudlet.
Robert Wedderburn.		Alexr. Ramsay.
William Goldman.		

For ye Craftis.

William Gill.		Patrick Hodge.
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In 1601, James granted a Charter in favour of the Burgh of Dundee, confirming former Charters in favour of the town by Kings Alexander, Robert, David, the Jameses, and Queen Mary, his mother, which document and the infestment thereon are in the Burgh Archives in a good state of preservation.

About this time members of Council were not permitted to absent themselves from municipal meetings with impunity, as will be shown by the following excerpt from minute, dated 2d March 1602 :—

“The Provost, Bailleis, and Counsall has concludit that the hail persones of the Counsall that sall be absent upon the ordinarie dayis and houris sall pay 40^d preceislie for ilk dayis absens, by all uther penalties contenit in the former actis, and that the Provost

with his awne consent sall ilk tyme pay 10^{sh} and ilk baillie 6^{sh} 8^d."

These forfeits appear to have been got up for, and were devoted to, periodical private convivial meetings in "Jak's Taverne," being then the principal "hostlerie" in the town, and which was situated on the west side of the Castle Hill, and east side of "Skirling's," now Tindall's, Wynd. The mode in which these fines were collected was by depositing them in a curious pewter vessel or bank, to be seen in good preservation in the Town House. Its shape is that of a globe, much depressed at the poles, and has a slit in one side for the admission of coins. It is fastened by a curious iron puzzle fastening, by means of two rods running transversely through the body of the vessel. The surface is ornamented by an arabesque pattern engraved by hand, connecting four shields, each encircled by a belt or riband. On the belt round the first shield is engraved "Lord Blesse the Provest, Bailzies, and Counsell of Dvndie," and on the shield itself "Sir James Scrymgeour, Provest, 1602, 14 May." On the second shield is engraved the Scotch lion rampant, and on the belt the motto "Feare God and Obey the King, I⁶R." On the third shield is engraved the Pot and Lily, with "Dei" on one side, and "Dom." on the other; on the fourth shield, "P. L., R. F., I. L., W. H., Bailzeis, An. 1602," and on the belt, "Payment for not comeng to the Counsell of Dundie." The Roman capitals are the initials of the four Bailies then in office—viz., Patrick Lyon, Robert Fletcher, John Lovell, and William Halyburton.

It would appear from the following extracts from the Burgh Court books that in the reign of King James VI. the inhabitants of Dundee must have gone about armed against both friends and foes:—

"12 *Jany.* 1598.—Robert Miln fined fyve poundis for mispersoning of George Fluik, and threatening him with ane quhingear."

"16 *Febry*. 1598.—Thomas Goldman fined fyve lb. for drawing of ane quhinger and persewing of Johne lowsoun thairwith, and Johne lowsone fined fyve lb. for troublance committit be him aganes Margaret Jak, spous of James Goldman, in drawing her backward in the guttir."

"6 *March* 1598.—Andro Shippert fined fyve lib. for persewing of James pitbladdo with ane drawine quhinger.

"William Saidler fined fyve lib. for striking and abusing indiscreitlie of Robert Guthrie, his prentes, and Andro Guthrie fined alike for persewing the said William Saidler with ane drawine quhinger"

"18 *April* 1599.—John Goldman, elder, fined ten pundis for striking John Lambe with ane quhinger."

"10 *May* 1599.—Margt. Lyoun, spous to John Lamb, fined v. lib. for striking John Goldman sundrie back straikes in the body, and John Lyoun fined fyve lib. for his irreverent behaviour ryithit toward the Magistratis, quhen as thai tuik ordour with his dochter.

"Henry Beatoun, lilster, fined fyve lib. for cutting James Litljohn, lilster, and persewing him with ane quhinger."

"7 *Jany*. 1601.—Robert Goldman, Collector of the Craftis, fined ten pundis for abusing of James Patersoun, and calling him a thieff."

"12 *Aug.* 1601.—Waltir Cuper, tailzeour, for striking of Alexr. Duncan, Goldsmyth, on the face with his nef^s, to pay ten lib. of onlaw and 10^{sh} to the collector of the onlaws, with amendis to the pairtie—viz., to pas to the croce, and on his kneis to craif him pardoun, and in caise he be found ane nycht walker or injuring ony person herefter within this burgh, to tyne his fredome within this burgh for ever."

"5 *Sept.* 1603.—Convictis Robert Wedderburn in 20^{sh} for selling dearrer beir nor the statute, and James Gudlet in other 20^{sh} for the lyk fault."

2d *July* 1604.—Quhilk day the Bailleis and Counsall and dekyonis of Craftis considering that Anthone Court, common pyipper, hes playit sum springis throw this burgh to the discontentment of sum honest nichtbours and irritating of thame, provoking to gret anger the inhabitants of this burgh, and apperandlie to brew grite seditioun within this burgh, thairfor

has suspendit and discharged the said Anthone of using of his commoun office throw the burgh in the eveningis and morningis ; ay and quhill he gett ane new warrand fra the provest, baillies, counsall, and dekynis of craftis for vsing thair of, and forder inhibitis the said Anthone to play that spring callit 'Tobacco, or the Laird tint his gantlet,' under quhatsoever uther name ather privelie in mennis houssis or publiclie vpon the streittis at ony tyme heerefter under the pane of banishment."

"1 *March* 1604.—Quhilk day Robert Fleschour, William Auchenlek, and Mr John Lovell, bailleis of the Burgh of Dundie, sitand in gudgement within the tolbuith of the sam, hes found that William barry upon Mononday last struck Thomas Davidstone upon the face with his hand upon the calsy of the burgh, without ony iniure then offered be the said Thomas to him, in respect of the said William his awine confessioun made thair of this day judiciale, and thairfor the saidis bailleis ordanis him to haif incurrit the panes contenit in the Actis made anent the geving of ane cuff, and to remane in waird ay and quhil he satisfie the sam, and mak amendis to the partie at the sight of the bailleis and counsall; and the said Thomas being accused be the said William, that ridiculoslie and skornefullie he haid uttered thir wordis againis him, 'The laird has tint his gantlet,' in Valtir Cowperis hous at ane banquet, and syndrie uther tavernis, quhilk he referrit to the said Thomas ayth, the said Thomas being sworne deponit that he uttered nocht the saides wordis in the hous of Valtir Cowper, bot in other plaices he haid spokine thame nocht of scorne nor contempt."

The following shows that night walking and rioting were rather prevalent in the streets :—

"17 *April* 1604.—Quhilk day Mr John lovell, bailie, John findlasone, dene of gild, and ane grate number of the counsall, present within the counsalhous, William Kyd, cordiner, confest and declaired that vpon the 11th day of Aprile instant he was in companie with Johne Peirstoun, litster, Patrick broun, Patrick gourlay, cordiner, and Johne bowden, and that thai efter midnycht past throw the towne with drawine swordis, first to the croce, and thairat drank Robert Fleshouris' skeill, and thairefter

to the said Robertis hous, and thairfra that thai all (except the said Patrick Broun) past west the gaitt to Johne Alisone, dekyne of the baxteris hous, and that thair thai strak at his dur with thair swordis and cryed vpon him, calling him 'fals tratour lowne,' he sauld the towne, with uther iniurious wordis, and fra that past down the kirkzeard, keist stanes at James Scrymgeouris dwelling, and mispersonit him, and thairefter past to Valter Rollokis hous with thair drawine swordis, drank ane skeill at his wyndock and keist thair drink in thairat, and that sum of the cumpanie cryed gif he weer at hame he suld haif fyve hundreth at his back, and that the said Patrick gourlay said fye he culd get na fechtig. In respect quhairof the said bailie, with advyiss of the counsall and dekyneis of craftis present, ordainit the said William ta remain in waird ay and quhill he found sufficient caution to be answerable for his offens befor hes Maiesties privie counsall, and lykwayis to satisfie the panes contenit in the Actis of this burgh maid anent nycht wakeris and troubleris of the toun under silence of nycht, and Patrick Kyd is actit cautioner for reentering the said William in waird to the effect he may underly punishment dew for his offens, under the pane of one hundreth lib."

In 1603 King James succeeded to the Crown of England, by the death of Queen Elizabeth. In 1617 he visited Dundee, and was cordially received and welcomed by the inhabitants—Mr Wedderburn, the Town Clerk, making a highly panegyric speech, and reading two Latin poems of his own composition.

The following transcript of a Minute of Council, shewing the emoluments and duties of the "Town's Piper," affords evidence that the "Piper o' Dundee" was not a myth, but a regularly constituted and commissioned official of the burgh. Whether one of these indispensable officials at any time rejoiced in the name of Carnegie, and been the hero of the old song of that name, we cannot say; but if so, it must have been subsequent to the time of the appointment of Magnus Anderson, as at the date of his election to the piper's post King James VI. was on

the throne, while the song regrets the exclusion of the Stuart dynasty in the following lines :—

“The auld Stuarts back again,
Wi’ muckle mirth and glee.”

Tradition, however, points to a scion of the noble house of Southesk as the veritable piper of the song.

“6th Dec. 1609.

“The quhilk day the foresaidis provest, bailleis, and counsale of the said burgh hes statute and ordainit that everie householder within this burgh sall pay to Magnus Anderson, commoun pypper, the soume of twenty twa pennies yeirlie for his fie and service in passing and playing everie day in the morning at four houris and everie nicht throch this burgh at aught houris, and siclyke ordainis the Thesaurer of the said burgh to delyver to the said Magnus one stand of clothis of the townis livray and culloris yeirlie, as the said Thesaurer sall be directit be the Magistrates for the tyme, and ordain officiaris to concur with the said Magnus, and assist him, gif need beis, in poynding of the reddiest gudes pertening to the nychtbouris of this burgh for payment of the yeirlie dewtie above writtene.”

In 1665 we find another party named Alexander Cuming appointed to the office, whose emoluments were declared to be the same as his predecessor.

James VI. having died, Charles I. succeeded, and he also visited Scotland, and was crowned in the Abbey of Holyrood on 18th June 1633. This prince was not long in showing that he designed to subvert the established form of religion in Scotland. In 1634, Mr John Denmure, writer in Dundee, enjoying the confidence of Lord Balmerinoch, on a visit to Barnton House, took occasion to remark that those who knew the real sentiments of the clergy and laity did not represent such to the King. To this his Lordship replied, that “they purposed to have done it, and had a petition signed, which the Earl of Rothes having shown him, he commanded that there should be no more of it;”

and further added, "that the framing of the same having been committed to him, he yet had the original, and would show it to him."* Having got possession of the document, Denmure took an early opportunity of copying it, and then restored it to his Lordship. On his return home, exulting at the information he had acquired, he communicated the same to his friend the laird of Naughton, who was not long in discovering from whom Denmure had obtained his knowledge, shrewdly supposing that Balmerinoch had given him a copy of the petition. Possessing the confidence of Denmure, who lodged at his house at the time, Naughton found means to obtain the document, and carried it to the Archbishop of St Andrews, then Lord Chancellor, who transmitted the paper, with every other collateral information, to the King. Orders were immediately issued by the Privy Council to call Balmerinoch and Denmure before them, who accordingly obeyed the summons. The copy of the petition was read in the hearing of his Lordship, who admitted that it was a true copy. Consequently the Dundee writer was declared to be not implicated in the matter. Not so his Lordship, who was sent prisoner to Edinburgh Castle, where he stayed for some months, and was at last brought before the Lords of Justiciary, when, being found guilty of treason by an assize of his peers, he received sentence of death. In a short time, however, the King was pleased to grant a remission of it.

Charles, on a day known as Stony Sunday, made the first attempt to introduce a Prayer Book, composed by Archbishop Laud, into Scotland, as a preliminary to forcing Prelacy upon the nation. But in this he did not succeed, as all ranks determined to oppose it. In Edinburgh they formed a league in

* This document was entitled "A Scroll of Grievances." It was drawn up and signed by the disaffected clergy and laity, and sent privately to the King by the hands of the Earl of Rothes, who suppressed the document. Denmure was then Burgh Fiscal, and was subsequently dismissed from his office.

defence of religion, each section being classified according to their rank, and thus arose the famous Committees, called the Four Tables. On the Royal Edict for the maintenance of the Service Book being proclaimed at the Market Cross, on 22d July 1638, a solemn protest was read aloud by some of the chief noblemen deputed for the purpose. The *English* Liturgy, undesired as it certainly was, would not have excited any such commotion as that which Laud now tried to force on Scotland as, for the special benefit of the Scots, he had contrived one of his own, more nearly resembling the Popish Breviary, and in various points, particularly in the Communion Service, borrowing the very words of the Mass Book.

In the early part of the 17th century the Town Council of Dundee was presided over by Provost Fletcher, who was most active and successful in securing and defending the interests of the town, and in preserving its influence and supporting its authority. It was his energetic exertions which secured for Dundee the honour of having sittings of the General Assembly and Convention of Royal Burghs to be held at Dundee, while he at same time did battle with the hereditary Constable, Scrymgeour of Dudhope, in his attempts to seize and monopolise the judicial powers of the Magistracy of the burgh, and the authority which the Council had all along exercised by virtue of the Royal Charters. At the death of this worthy citizen, on his tomb was placed the inscription of which the following is a translation :—

“To the memory of Andrew Fletcher, merchant and worthy citizen of the Town of Dundee. In testimony of their affection, Robert, Mr David, and Mr John caused cut this monument. He died 9 June 1637—of his age 71.”

About this time Dundee ranked as one of the principal towns of Scotland, and was next to Edinburgh—its comparative importance being evident in the list of assessments levied on the towns of Scotland, and as apportioned by the Convention of

Royal Burghs, copies of which lists are included in the transcripts of the Minutes of said Convention to be found in the Appendix to this work.

In 1642 Charles granted the Charter under which the municipal properties of the burgh are held and revenues collected. This document may be termed the *Magna Charta* of Dundee, and in order that the readers may have an opportunity of learning its contents, an English translation is appended to this work.

“28 March 1643.—It is resolvit that ane lettir be sent to the Marquis of Argyle in name of the remanent noblemen who writte us for lenning of money for Ireland, excusing the towne be reasoune of thair inhabilitie, and that the letter contayne all the fair excuses that may be.”

“28 April 1646.—The Counsall takand to thair consideratioun the necessitie of casting the ditch alongst the eist end of the towne, hes ordaned that all the inhabitantis of this burgh shall be requyred to come and work per vices, and such as shall not come forth after they ar requyred to pay 6^{sh} *toties quoties*, and ordanes intimation to be maid heiroyf be the drum.”

Quarrels began to arise between Charles and his English subjects, somewhat of the same nature as those in which Scotland had been engaged, and in consequence English Commissioners were sent to the General Assembly which met in Edinburgh in 1643, in the new church aisle of St Giles, then first fitted up for their reception. A solemn league was there agreed on between the three kingdoms, and shortly afterwards Scotch Commissioners were sent to London to assist at the meeting of both Houses of Parliament—the Town Clerk of Dundee (Mr Wedderburn) being again selected as one of these Commissioners; and during that session of Parliament the Assembly of Divines met at the Church at Westminster, dedicated to the much-loved Scottish Saxon Queen Margaret, where the Confession of Faith and Larger and Shorter Catechisms were drawn up. A miserable

time of civil war followed in both kingdoms. In this struggle Dundee was doomed severely to suffer. Formerly the battles were between Protestantism and Papacy, but now the issue rested between Presbyterianism and Episcopacy. The people demanded the continuance of the former, and the King attempted to impose the latter, notwithstanding the fact of Charles having solemnly ratified the Covenant, and establishment of Presbyterianism. The nobles of the Reformation rose in arms to defend themselves and their religious liberties, and among these was the Marquis of Montrose, who subsequently, feeling hurt at not being made Commander-in-Chief, changed sides, and offered his services to the King, who gladly accepted them, and gave him command of a strong military force in Scotland. Dundee having all along been staunch in its support of the Reformed doctrines, was marked out as a victim to punish and a mart of wealth to plunder; and accordingly Montrose having been joined by a number of Irish auxiliaries and Scotch Highlanders, after scouring the country and attempting to disperse the friends of the Covenant, approached Dundee, which he captured by a fierce assault, sacking the town and burning a large portion of it. The following is a description of this exploit by Dr George Wisheart, Bishop of Edinburgh, who accompanied Montrose in all his expeditions, and was an eye and ear-witness of what he relates :—

“Montrose being deserted by the Gordons, and unwilling that he should be thought unsuccessful, thought it well worth his labour, if by the way of his retreat to the north he could take Dundee, a most seditious town; for that being the securest haunt and receptacle of the rebels in those parts, and a place that had contributed as much as any toward the rebellion, was kept by no other garrison but of the townsmen. He therefore commanded the weakest and worst armed men to go along the bottom of the hill, and to meet him at Brechin. And he, taking with him what horse he had, which were but one hundred and fifty in all, and six hundred nimble musketeers, departed from Dunkeld about twelve o'clock in the morning of 4th April. He

summoned the townsmen to deliver the town to the King, which was the only way to preserve their own lives and safety. If they would not they must expect fire and sword. The townsmen began to make delays, after first giving no answer at all, and afterwards committed the herald to prison, which affront provoked Montrose so highly that he stormed the town in three places at once. The townsmen stood out a while, and maintained their works, but they had as good done nothing, for the Irish and Highlanders would take no repulse; but with a resolute assault soon beat them out of their sconces, and, possessing themselves of the ordnance, turned it against the town. Others beat open the gates and possessed themselves of the church and market-place, and others set fire to the town in various places. And, indeed, had not the common soldiers by an unseasonable avarice and intemperance addicted themselves to pillage, that rich town had been immediately all on fire. But, as it happened, it was better both for the conquerors and conquered that it was not, for all the intelligence the scouts had brought in concerning the enemy being seen to cross the Tay was absolutely false. It may be that they saw a few troops pass over it, which they believed to be the whole body of the enemy, and by that means were like to have undone both themselves and the whole party.

“Montrose stood upon the top of a hill close to Dundee looking upon this skirmish, when his almost breathless scouts brought him news that Bailly and Hurry, with three thousand foot and eight hundred horse, were scarce a mile off. He immediately called his men out of the town, which he had much to do to persuade them; for the soldiers, counting themselves sure of victory, and thinking they had done a good day's work already, and besides, being a little headed in drink and much taken by so rich a booty, could hardly be brought to leave the town they had so newly taken. And, truly, before they could be beaten off from the spoil, they had set fire to the Rotten Row or Hilltown, and the enemy was come within musket shot of them; and now (as it uses to happen in great dangers) Montrose's Council of War were of different opinions. Some persuaded that Montrose should shift for himself with the horse he had, because they conceived it not possible that he should be able to bring off the foot, who had been wearied with a march of above twenty miles

in the morning, and after that were spent in hot fight at noon, and either overladen with drink or prey, especially seeing he was to march twenty or perhaps thirty miles from Dundee before they could rest in safety. This was the fortune of war, and to be patiently undergone, especially since he had given oftentimes far greater overthrows to the enemy than this could be to him. Others cried out that all was lost already, and there was nothing left for them but to die with honour. Montrose concurred with neither of these, for he could never be brought to forsake so good men as he had in the extremest danger, and preferred an honourable death among his soldiers before dishonourable safety, but not rashly to run their heads against a superior force. Immediately he sends out four hundred foot before him, and commands them to make all speed; then he appoints two hundred of the most active to follow them, and he and his horse brings up the rear. The horse trooped on in so open order that their ranks admitted of receiving the musketeers. He believed that the enemy's foot could not overtake them, and if horse should be charged by horse, he conceived it no hard matter to keep them off. Thus was Montrose's retreat effected, and the enemy was by the rapid march placed in the rear, and he ultimately succeeded in eluding his pursuers."

An incident relative to the battle of Kilsyth, in which Montrose was victorious, regards the ancestors of one of our present respected Members of Parliament :—

"The charge of the Ogilvys of Airlie having turned the tide of battle against the army of the Committee of Estates, the Earl of Argyll, who commanded, appears to have acted very severely to those who espoused the cause of the King. Among the Forfarshire gentlemen in the army of Montrose was Alexander Ogilvy, eldest son of Sir John Ogilvy of Inverquharity. He was but a youth (scarce twenty), but valiant above his age, and of a daring spirit, and displayed his loyalty by devoted service; but being taken prisoner by Argyll's troops, and Argyll, between whom and the Ogilvys there had long been a fierce feud, resolved to sacrifice the young Ogilvy, who was accordingly executed by Argyll's orders, for loyalty to the King and treason against the self-appointed Committee of Estates."

Whether this charge against Argyll be true we have no means of knowing ; but were the sacrifice of this young gentleman found to have been the result of the inexorable decision of a Court-martial, or the express order of the Government, it may be conceived that no stigma should rest on the memory of Argyll.

Montrose was sometime afterwards defeated by General Leslie, made prisoner, and executed at Edinburgh.

The following account will furnish an idea of the state of the Burgh Revenue and Expenditure, or Common Good, for 1664-65 :—

Charge.

	LIB.	B.	D.
Imprimis for ane yeirs ferme of the Milns,	2666	R	4
Income for the pettie Customes,	566	R	4
Do. for the weighous and packhous,	266	R	4
Do. for the salmond fishing,	100	00	0
Do. for the fleschhous and fish stocks,	100	00	0
Do. for Burgess dues and oy ^r etceteras,	200	00	0
	<u>£3900</u>		<u>00 0</u>

Discharge.

	LIB.	B.	D.
Imprimis to the two ministeris,	2000	00	0
Item to the persone,	100	00	0
Item to the schoolmaster and doctoris and genetor,	420	00	0
Item to the officieris for watching and fees,	300	00	0
Item to Georg Knock, keeper,	133	06	8
Item for repairing the portes and streits,	400	00	0
Item for the Commissioner his expenses attending public meetings,	800	00	0
Item for annual rents,	3000	00	0
Item for incident charges,	200	00	0
	<u>£8353</u>		<u>06 8</u>

We, the Magistrates of Dundee, acknowledge this account, which

is subscribed by Sir Alexander Wedderburne of Blackness, our Clerk, by our command, at Dundee, the twentie-eight of Jany., jajbj (1666), and sixtie-six years.

Sic Subs., A. WEDDERBURNE.

Charles I. having been defeated by Cromwell, as commander of the Parliamentary forces, took refuge in Scotland, where he was loyally received, and advised to dismiss his obnoxious counsellors; but he, buoyed up by false hopes, refused, and by his own desire some time afterwards returned to England. After promising "the safety and preservation of his Royal person, his residence in a palace of his own, and the security and rights of his children," the Parliament, after getting the King within their power, subjected him to a mock trial and beheaded him.

On 5th Feby. 1649 Charles II. was proclaimed King of Scotland at the Cross of Edinburgh by the Committee of Estates, and consequently Charles visited Edinburgh in 1650 and ratified all the articles of the Covenant, and was crowned at Scoon.

Cromwell then invaded Scotland, defeated the Scotch army at Dunbar, and marched against Edinburgh, and on 7th Sept. 1650 he entered that city.

The following transcripts of documents, addressed to the Magistrates of Dundee about this time, shew the difficult political position in which the town was placed, being held bound to supply both contending parties with men and munitions of war:—

"Report by Sub-Committee of Estates, 26 April 1649.

"The Sub-Committee finds that the Magistrates of the Town of Dundie had ane warrant from the Committee of Estates for transporting the cannon, powder, match and ball which formerlie were appoynted to goe to Berwick, and which belong to the Town of Saint Johnston, and returned thair back again to the said toun of Perth, which they did, freighting boats and doing all upon their own charges, which did extend to the soume of four hundreth fourteen pound one shilling four pennies, as is parti-

cularly instructed under the Thesaurer of the said town and the Secretary's hand. In relation of the last three articles in their bill pouring the first article concerning the armes, they pass from it. As it is the humble opinion of the Sub-Committee, thât the precept or warrant be given to the Generall commanding for payment of the said soume above written to the Town of Dundie, by allowance thereof to them in their maintainance or Exeysse or otherways for your present satisfaction.

“ ARGYLL, J.P.D., Com^r.”

“ J. SMITH.

“ JOHN GISBORNE.”

“ Stirling, 12 Sepr. 1650.

“ The Gen. Committee of Estates dothe hereby specially requyre the Magistrates of the Town of Dundie with all speed to cause mount the two cannon belonging to the public and which are lyeing there, and to cause make them ready, well fitted with all necessaries for the service, wherein they are not to fail, but to see it done with all diligence. And the Committee declare that the charges and expenses to be layed out thereuppon shall be repayed by the publick.”

“ 13 Nov. 1650.

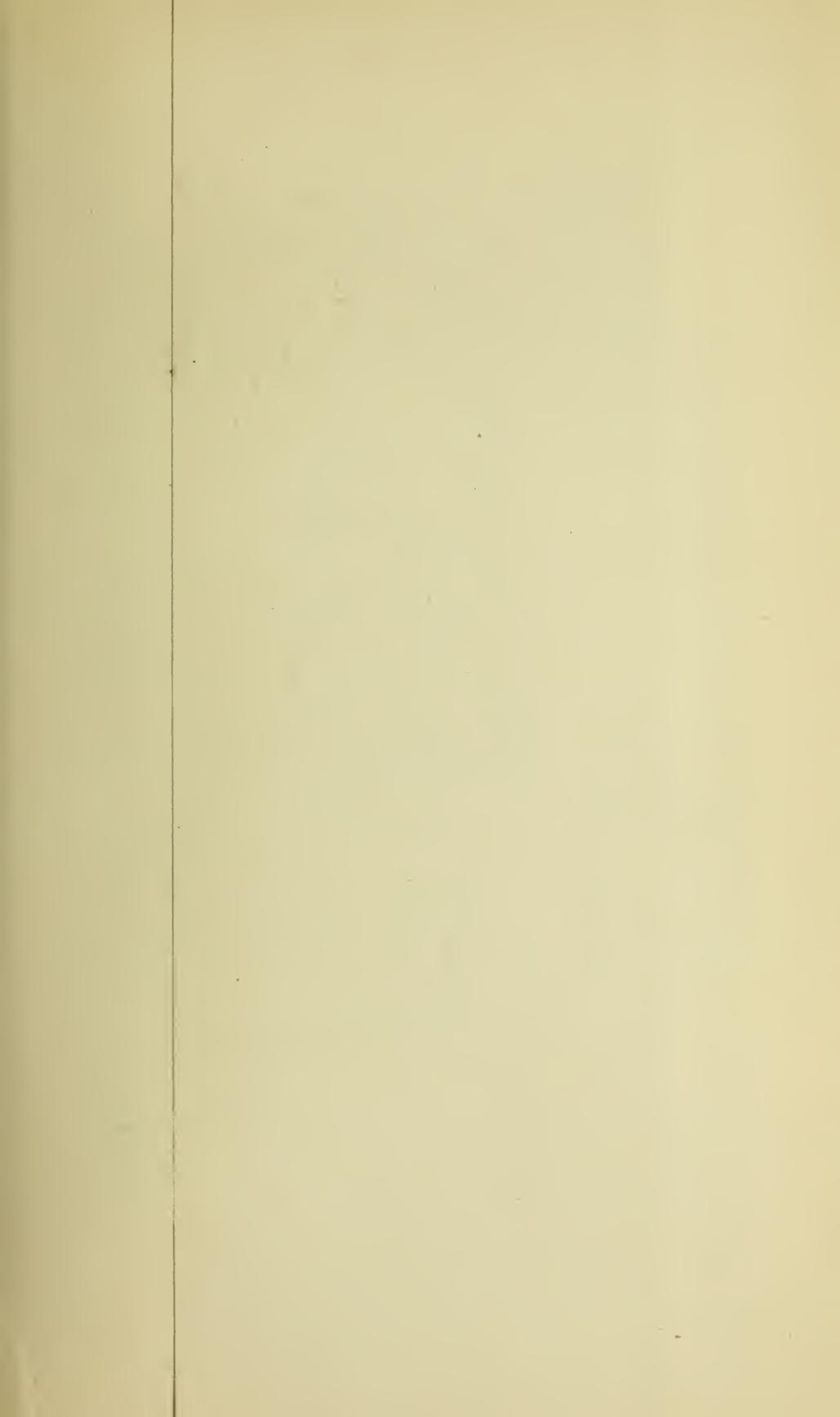
“ Whereas the bearer hereof, Robert Mansod, and three of his comrades, gave allowance of six shillings sterling per diem for waiting on his Maj^{ty}s barge: Therefore in regard I have not ready money to pay them their arrears, be pleased to give the said Robert Mansod, out of the money rest and owing by your town of Dundie, the sowme of one hundreth threttie-six pounds sixteen shillings Scots money; which will be accepted in part of pay^t of your town's portion of the 80,000 merks payable by the Royal Burrowes for his Maj^{ty}s entertainment, and sall be a courtesie unto

“ Your affectionate friend and servant,

“ JO. DICKSON.

“ To the Most Honoured the Provost and Bailies
of the Burgh of Dundee.”

The following being an interesting document, and signed by some of the eminent men who composed the Committee of Estates



of the nation, is not only here transcribed, but also a *fac simile* of it is prefixed to this page :—

“To the Provost and Bailies of Dundee.

“Loving friends,—

“Whereas be public advert^t from the King’s Majesty and Estates of Parliament the Town of Dundee were ordered to send two hundred men to Burntisland for guarding that town against the comon enemy. And the condition of the country being such that requyres great care to be taken of that town, we doe yrfore order and demand you forthwith upon sight hereof to send to Bruntyland the first proportion of men formerlie appointed to be sent from Dundie to Bruntyland, and that the said Town of Dundie take means of providing of the men with entertainment, and that they stay at Burntyland till the first day of August next to come, at which tyme orders will be sent for sending in of the Regiment that is expected to guard that town.—We are, your affectionate friends,

“HAMILTON.

“ARGYLL.

“BALCARRAS.

“COCHRANE.

“KOLQUHOUNE,” &c.

“Perth, tertio Februarii 1651.

“The King’s Majesty and Committee of Estates ordain the Magistrates of Dundie forthwith, upon sight hereof, to transmit the fyve hundredth stone of yron with the wood formerlie appointed to provide for the use of the Artillerie to the House of Ravenshough in ffyfe, with certification if they fail parties will be sent to quarter on them.”

“Last of Januar 1651.

“The King’s Majesty and Committee of Estates, in pursuance of a former Act of 20th of this month for provyding nyne hundreth weight of iron and two hundreth pounds Flemish steel to the Generall of Artillery for the use of the train, whereunto obedience has not been given, as was expected and the importance of the service requyred, doe hereby again requyre and command the Ma^{ts} of Dundie to give present obedience to the foresaid Act, and either to send the foresaid nyne hundreth weight of yron to

Kirkcaldy, and provyde the two hundreth pounds of steel or moneyis for the same, to be allowed to the said town, in the first end of any of their public dues or otherways, do hereby ordain the said town to be quartered upon, untill obedience be given hereunto, and give warrand to the Generall of Artillery to that effect."

"Dunfermiling, 30 April 1651.

"Worthy friends,—

"The King's Majesty and the Committee of Estates, taking to their consideration the great importance of the Town of Burntisland to the hail kingdom, and how necessary it is that the same be sufficientlie secured from the enemy, and finding it necessary for the strengthening of the army that the Reg^t presentlie lying there be called from thence, have therefore appointed a Reg^t of foot to be conveyed out of several shyres and burghs to be put in the said town for the defence and security thereof. And lest in the interim, before the said Reg^t can be raised, any prejudice or danger should ensue to the said place, and consequentlie to the whole kingdom, you are appointed and hereby required upon sight hereof to send two hundred men sufficientlie armed to the said town of Burntisland, for helping to keep and defend the same against the enemy. And when the said Regiment is raised the foresaid two hundred men with their armes shall be returned unto you. We trust you will be so sensible and careful of the necessary defence and safety of the place, and remember how cheerfully and reddily the shyre and touns of Fyfe in the tymes of your former troubles and straits did give you all the assistance which they were able, that you will not need many argu^{ts} to induce your affection by their preservation, and the public good which is earnestly desyred and expected of you.

"Your affectionate friends,

"LOUDON," &c.

The following is transcript of the appointment of the Provost and Bailies of Dundee as Admirals-Depute of the Tay from Broughty Ferry to Perth in 1642:—

"Be it kend till all men by thir presents, Me, James, Duek of

Lennox and Richmond, Earl of Darnley, and Norisse, Lord Torbol-
 toune, Methven, and St Andrewis, Great Chamberlain, and Ad-
 miral of the Kingdom of Scotland and seas thereof: That, for-as-
 much as it is understood that good and lawful service has been
 done to us and our great Lords, from tyme to tyme, by our trustie
 and well-belovit the Provost and Bailleis of the burgh of Dundie:
 Therefore, and for the said leal services done, and to be done by
 them, to us and our said Lords, as occasions sall offer: To have
 made, constitutit, and ordainit the said Provost and Bailleis of
 the said burgh of Dundie, present and to come, conjunctlie and
 severallie, and their substitutes, due and lawful and undoubtit,
 Admirall Deputts within the said Burgh of Dundie, Port and
 Harbour thereof, and within the hail boundis, portis, creekis, and
 harboris, as well by sea as land, ffra Bruchtie, on the north syde
 of the water of Tay, and the fferrie-partin-craig to the south
 yairof, westward to the burgh of Perth, and that during the will
 and pleasure allenarlie, and aye and until they be dischargit by
 us and our said Lords, and give and grant to them the said office
 of Admiraltie within the boundis, and during the space above
 prescribed, with all fees, casualties, privileges, and immunities
 pertaining and belonging thereto: With full poware to the said
 Provost and Bailleis of the said Burgh of Dundee, and their said
 Lords, present and to come, to substitute deputies under them in
 the said office, and may affix, affirm, hold, and continue Admiralty
 Courts as oft as need beis: And for that effect clerkis, serjandis,
 dempsteris, and all the members of Court needful to elect and
 choyse, for whom their due administration the said Provost and
 Bailleis sall be halden to ans^r; and to sit and convene before
 them all the boatmen and ferriereis so they sall think expedient,
 to the effect the said Lordis may have the hold of the Tay from
 the said water foresaid, and all the tollis, &c., pertaining to said
 Admiraltie in said boundis, to execute decretis, arrestments,
 poyndings, and all other execution thereon," &c.

The following is transcript of the Certificate granted by the
 Lyon King-at-Arms of the Armorial Bearings:—

“To all and sundrie whom it effeirs: I, Sir Charles Arskine,
 of Cambo, Knight Baronet, Lyon King of Armes, considering that

be severall Acts of Parliament, assweell of our dread soveraigne Lord, Charles the Second, be the grace of God King of Scotland, England, France, and Ireland, Defender of the Faith, as of His Majesties Royall predecessors, especiallye be the twenty-one Act of the third session of this current Parliament, I am empowered to visit the whole Armes and Bearings within this kingdome: Therefore, conforme to the power given to me by His sacred Majestie, and according to the tenour of the said Acts of Parliament, I testifie and make known that the Armes of old belonging to the Royall Burgh of Dundie, and now confirmed by me, Do matriculat on my said public Register, upon this day and date of thir presents, and are thus blazoned, viz., The said Royal Burgh of DUNDIE gives for ensignes armoriall *Azure* a pot of growing Lilies *Argent*, the escutcheon being supported by two dragons, their tails rowed together underneath *vert*, with this word in ane estroll above a Lilie growing out of the top of the shield at the former, *Dei Donum*: Which Armes above blazoned I hereby declare to have been, and to be the true and unrepealable signes armoriall of the Burgh Royall above-named. In testimony whereof, I have subscribed this extract with my hand, and have caused append my seal of office thereto. Given at my office in Edinburgh, the threttie day of July, and of our soveraign Lord's reign the twentie-fyth year (1673).

“CHAR. ASKINE, Lyon.”

“25 Decr. 1650.—The Counsell all in ane voce hes concludit for out putting of the Townis dragoneris in this present leve of His Majesty's service, being 55 in number. That for defraying of ane pairt of the chairges thair of thair be presentlie borrowit money for that effect three thousand markis.”

“Last of August 1648.—The Magistrattis and Counsell maid report that they had been upon the ground quhair the barres in the Overgate may be most conveniently situat; that they found the most proper place to build the same was to fix the stone wall upon the east syd of fleemings wynd, and the other upon the stone wall of James Nicolis land.”

“I, Captain W^m. Davidsons, by these presents grantis me to have receivit from the Toune of Dundie ane compliance of foot

soldiers, consy sting of ane hundred and aught men, whereof ane hundred are marched towards Stirling, and aught soldiers remaining to your use, and that there is plentie officeris upon the s^d companie with myself, viz., ane Luftenment and ensign, two sargents and dromer, forbie a master-at-armis, and that the whole officeris and soldiers his receivit their fourtie dayis corne and meal, as also one baggage horse, harness, and ponis, conforme to the Act of Parliament, and therefor relieving the whole toune of Dundie of the forces.—In witness whereof I have subscribed these pre^{nts} w^h my hand, at Dundie, the 29 day of April 1651 zeires, before thes witnes, James Smyth and James Gardner.

“ W. DAVIDSONE.

“ James Smyth, Witnes.

“ P. Gardner, Witnes.”

In consequence of the possession by Cromwell's troops of Edinburgh and other towns south of the Forth, the Committee of Estates ordered the Magistrates of Dundee to fortify the town, to prevent it from falling into his hands, which was accordingly done, at an expense of £20,000 Scots. The municipal authorities, hearing that General Monck, who had been left in command in Scotland by Cromwell, was advancing to the north for the purpose of taking possession of the castles and towns holding out for the King, held a meeting on 3d July 1651—

“ *Sederunt*—

*Thomas Mudie, Provost.	Robert Sterling.
*Robt. Davidsons, elder baillie.	John Scrymgeour, Thesuarer.
Walter Rankene, baillie.	John Arbuthnot.
Thomas Scot, baillie.	James Smyth.
<i>Counsellars.</i>	David Tendill.
Robt. Bultie, D.G.	Wm. Quhitit.
George Broun.	George Spens.
Alex. Haliburton.	<i>Deacons.</i>
Wm. Fergusson.	John Petrie, Baxter.
Dad. Zeman.	Andro Kynmont, Hammerman.

* After the Restoration of Charles II., Provost Mudie and Bailie Davidson's son both received the honour of Knighthood.

The following were appointed District Commissioners for seeing that everything is done so as to secure success in the defence of the town, viz. :—

For Nethergait.

Wm. Rodger.
Wm. Jackson.
Wm. Brugh.
James Muresone.
Walter Watson.
Andro Bruce.

For Seagait.

George Ferney.
Wm. Duncan.
Robert Davidson, younger.
Peter Kynard.

For Obergait.

John Scrymgeour, elder.
James Butchard.
David Zeman.
James Wightan.
Andrew Kyneser.

For Morraygait.

Wm. Morton.
Wm. Reat.
Andro Bathgait.
James Patersone.
James Guthrie."

A Committee was appointed by the Magistrates and Council with power to compel heritors to demolish such buildings as might give shelter to the enemy, or be otherwise necessary in the defence of the town. Lord Duffus' regiment was also marched into the town by order of the Committee of Estates, to co-operate with the citizens in all defensive measures. Such was the state of matters when Monck made his appearance before the town and summoned it to surrender. Governor Lumsden and the garrison being determined to repel any attack, declined to respond to the summons, and Governor Lumsden addressed the following letter to the English General :—

"Sir,—We received yours. For answer thereunto we by these acquaint you that we are commanded by the King's Majesty to desire you and all officers and soldiers and ships that are at present in array against the King's authority to lay down your arms, and to come in and join with his Majesty's forces in this Kingdom, and to conform and give obedience to his Majesty's

declaration sent you herewith; which, if you will obey, we shall continue

“Sir,

“Your faithful friend in the old manner,

“ROBERT LUMSDEN.”

When Monck received this letter he was surprised at the steadiness and resolution it displayed; and perceiving that the town would be defended while the smallest hope remained to the besieged, he resolved to strengthen his measures and delay making any vigorous assault till full information regarding the garrison and its measures of defence were obtained. Skirmishes took place, however, in which the besieged generally succeeded in beating off the enemy. The besieged also had the assistance and counsel of eminent men from different parts of Scotland, who had removed their families and valuable effects into Dundee as a place of strength, and who cheerfully did duty when danger arose. Therefore every one considered that the attacks by Monck would be unsuccessful. But circumstances and the vigilance of the enemy proved the fallacy of these hopes. In the meantime many of the Royalists, joined by a Committee of the Estates of the Clergy, met at Alyth to concert measures for raising the siege of Dundee, but Monck, apprised of their intentions, immediately despatched a party under Col. Alured and captured the party. Monck on ultimately obtaining possession of the town acquired thereby an immense booty, and besides there were no less than sixty of the hundred vessels belonging to the port in the harbour at the time. These ships, it is said, were despatched for London loaded with the plunder, but a storm suddenly coming on, all were lost on the Abertay sands, at the mouth of the River Tay.

The loss of lives and consequent diminution in the number of the population in the siege and carnage must have been great, and cannot be estimated at less than one-sixth part of the whole inhabitants, over and above the strangers from other parts, and the barbarous massacre of Lord Duffus' regiment, slaughtered in

cold blood at the market place. Of 159 children born in the eight months immediately following, no less than 25 were posthumous; and as 159 is to 8047—the whole number of the inhabitants—so is 25 to 1265, the number that may be supposed to have been destroyed. It is true that this diminution of inhabitants did not produce any immediate effect upon the marriages or baptisms recorded in the Kirk Register; nay, the six succeeding years the marriages were more numerous than before the siege. But among these, 66 are the marriages of English soldiers; and though the baptisms during this period are not, upon the whole, increased, but in a small degree diminished, 255 of them are soldiers' children. Besides, the money spent by a numerous garrison could not fail to attract people by the hope of profit; and the exact discipline of Cromwell's troops, and the regular distribution of justice which took place during the whole time of his usurpation, gave full security in the various occupations. In addition to this, the soldiers of Monck were mostly men having learned trades, which they were permitted to work at under certain rules and conditions, thus adding to the industrial produce and consequent progress of the town's interests. But on the withdrawing of the garrison the deficiency of inhabitants became manifestly evident. Notwithstanding the accessions which the garrison has been supposed to attract, a calculation from the marriages brings out after the Restoration a diminution of 875 in the population; and towards the end of the reign of Charles II., and during the reign of James VII., a diminution of 1420.

This diminution of population cannot be ascribed to the flight or removal of the inhabitants on the expectation of the siege, for many had repaired to Dundee for refuge, including the Earls of Buchan, Tweeddale, Buccleuch, and Roxburghe, Viscount Newburgh, the Lairds of Balcarres, Elibank, Yester, and Ramsay, the Master of Burley, fifteen persons bearing titles of knighthood, eleven other gentlemen of landed property, nine of the faculty

of advocates, twenty-four writers, merchants, and *indwellers* of Edinburgh, and six citizens of the Canongate, Leith, and Musselburgh. Some even of the clergymen of the South country found it necessary to take shelter in Dundee, particularly Messrs Oliver Colt of Musselburgh, Stevenson of Dunbar, and Reid of West Kirk of Edinburgh. All these are mentioned in the Register as parents or witnesses to the baptisms recorded in it. One of the children christened Anne became Duchess of Monmouth, and afterwards married John Scott of Buccleuch, and therefore ancestress of the present ducal house of Buccleuch.

The names of the persons whose posthumous children are recorded, and who probably fell at the siege or after it, are John Duncan, Donald Dunbar, Robert Ritchieson, James Guthrie, and Andrew Kinneries, merchants; Robert Bultie, unmarried, of a respectable family, and Town Councillor; Major Robert Lindsay, probably son of one designed late of Kinnettles; Thomas Annand, taylor; George Barrie, mealmaker; David Elder, weaver; Thomas Nicol and Alexander Hill, maltmen; William Glenly, seaman; John Nicol, baxter; George Anderson, hammerman; and of persons whose designations are not given—James Angus, unmarried; James Thain, John Diston, John Johnston, Thomas Smith, John Kennedy, John Lyon, Thomas Watson, William Oughterlony, and James Stibbles.

The following are epitaphs on the tombstones of the Houff of two other persons who seem to have been of considerable note:—

“ Monumentum Roberti Davidson pretoris vigilantissimi, qui dum fortiter et magnanimiter urbis oppugnatione dimicabat, lethariter ab hostibus vulneratus, pro civitate et suis vitam reddidit. Cal. Septembris. Anno salutis humanæ MDCLI.”

Trans.

“The monument of Robert Davidson, a most vigilant Magistrate, who, while he bravely fought for the town, was wounded by the enemy, and rendered up his life for the good of the State and

his fellow-citizens. Kalends of September, and year of human salvation MDCLI.”

It will be seen on referring back to the list of those commissioned by the Magistrates and Town Council on 3d Aug. 1651, that Mr Davidson was one of the citizens entrusted with the defence of the Seagate district of the town.

“ Monumentum Georgii Broun pretoris meritissimi, qui hoc præturæ munere et decennium feliciter defunctus, undique pugnando lethaliter abhostibus vulneratus, quibus undique per martem languidus, mortem naturæ debitum pro civitate et patria reddidit 2^{do} nonas Octobris Anno 1651, ætatis sexagesimo.”

Trans.

“ The monument of George Broun, a Magistrate of great merit, who, after holding office acceptably for ten years, and who being mortally wounded when fighting against the enemy, lingered under his wounds, and paid the debt of nature, and rendered up his life for his native town and country, the second of the nones of October, in the year of our Lord 1651, the sixtieth year of his age.”*

In the destruction of so many inhabitants many strangers were involved, those especially who took up arms in defence of the town. The Governor, Mr Lumsden, of the family of Invergelly in Fife, is said, on the irruption of the English over the town wall, to have taken possession of the Old Steeple, and, being obliged soon after to surrender at discretion, he and all with him were massacred in the churchyard. No unusual provocation appears to have been given for such severity. On the contrary, Mr Gumble, General Monck’s chaplain, and who writes his life, speaks in high terms of the Governor for his gallant and brave defence. His head was, notwithstanding, cut off, and fixed upon a spike on one of the abutments of the Old Steeple; and

* George Brown, Esq. of Horn, Carse of Gowrie, Merchant, Dundee.

about the middle of the last century, when the stone to which the spike was attached fell down, the remains of the head were observable. The same indignities appear to have been perpetrated on the bodies of others. A tradition goes that the carnage did not stop till the third day, when a living child was found sucking its dead mother on the ground of the thoroughfare called Thorterrow.

Several of the persons who opposed the progress of Monck in subduing Scotland were on this occasion carried prisoners to London, probably along with the 300 officers surprised by Monck's subordinate, Colonel Alured, at Alyth, as already narrated. Among the prisoners were Andrew Affleck, the first minister, and John Robertson, second minister of the parish of Dundee. This Mr Affleck was ancestor of the two brothers who were Admiral and Captain in the Royal Navy about the end of the 17th century. The Provost of Dundee at the time of the siege was Mr Mudie, afterwards Sir Thomas Mudie of Gilhorn, near Arbroath.

Though no probable account can be given of the population of Dundee in remoter times, the town appears long before this calamity to have been a place of considerable note. The four burghs—Edinburgh, Dundee, Perth, and Aberdeen—were of such consequence that in all reigns after that of Robert I. they were taken as security for all the national treaties. Of the 1200 merks imposed a hundred years previously on the towns of Dundee, Forfar, Arbroath, and Perth for fitting out the yacht *Mary Gallant*, to fetch home the King and Queen from Denmark, the proportion paid by Dundee was 700 merks. At the time of Monck's assault Gumble speaks of it as a very rich and thriving town, as may be learned from the table of taxes levied on the Royal Burghs, already inserted in this book, but the vicissitudes hereinbefore narrated must have had a very depressing effect upon the minds, fortunes, and industry of its citizens, and the funds and property of the Municipality.

The following is a transcript of one of the documents relative to the Government of Scotland by Monck, under the orders of Cromwell, in name of the Commonwealth:—

“ By His Highness Council in Scotland for the Government thereof: Whereas by several ord^{rs} from this Counsell there were (for the reasons expressed in them) abatements of part of the assessments of many of the shyres and burghs in Scotland allowed monthly for the six months commencing the first of July, and ending the last of December 1656, it is thought fit, and hereby ordered, that the monthly abatements allowed out of the assessments of the said shyres and burghs respectively for the six months aforesaid be continued as formerly for the six months commencing the first day of Jany. 1656-7 and ending the last of June 1657, and the Comm^{rs} of Assess^t in ye respective shyres and burghs in this nation are hereby authorised and required to dispose of the monthly abatements hereby allowed to the same uses they were applyed to for the former six months. Provided alwaies that abatements allowed to any particular person or persons, or for any particular use, by special ord^r from the Counsell, the said Comm^{rs} are to observe such ord^r from the Counsell be given from this Counsell.

“ Signed in ye name and by order of ye Counsell.

“ GEORGE MONCK.

“ L. M. DOWNINGE,

“ Cl^k of ye Council.

“ To the Collector of the Shyre of Forfar, to be communicated to the Comm^{rs} of Assessment in the said Shyre and Burghs therein.”

The business-like system of administration introduced into Scotland by the Commonwealth was doomed to terminate on the death of Cromwell. Monck mainly contributed in replacing Charles II. on the throne of Britain. Scotland had all along remained faithful to her legitimate Sovereign, suffering persecution in the cause of the race of Stuart, and accordingly availed herself of the earliest opportunity of co-operating in the work of recalling the exiled Prince, and Commissioners were appointed to wait upon

Charles at Breda, to arrange preliminaries for his restoration. Mr Wedderburn, Town Clerk of Dundee, was appointed one of these Commissioners, who there pledged Charles to various stipulations regarding the security of the Presbyterian religion. Charles, in terms of the treaty entered into, bound himself by oath to maintain the Reformed Presbyterian religion, and uphold the Church as established by law. On his landing great rejoicings took place; but ere long, like the other Stuarts, his predecessors, his promises were broken, and the sacred liberties of the nation were attacked. The Covenants were publicly torn to pieces at the Cross of Edinburgh by the hands of the hangman, and the people were required to renounce what the King had twice sworn to observe; what had been ratified by the high Courts of the Kingdom; and what they had been encouraged to sign by the example of all those in authority over them. Many obeyed the King, renounced the Covenants, and helped to persecute their fellow-countrymen, but they do not appear to have had easy minds afterwards. The Earls of Glencairn, Rothes, and Annandale, persecutors during their time, all asked for Presbyterian ministers on their deathbeds. Instances such as this made the Duke of York (afterwards James VII.) observe that he believed that Scotsmen, be they what they would in their lifetime, were all Presbyterians at their death. Before this persecution began, Kirkton says that Scotland was in a prosperous and happy condition. "At the King's return every parish had a minister, every village had a school, and every family almost had a Bible; yea, in most of the country all the children of age could read the Scriptures. I have lived in a parish for many years and never heard an oath, and you might have ridden many miles before you had heard any. Also, you could not, in a great part of the country, have lodged in a family where the Lord was not worshipped by reading, singing, and prayer." Such were the people called upon to give up their faith. Their faithful ministers submissively went out of their pulpits and relinquished their benefices, but it was no easy matter to

supply their places. The character of their prelatie successors may be best given in the words of an English bishop. "They were the worst preachers I ever heard," says Bishop Burnet; "they were ignorant to a reproach, and many of them openly vicious; they were a disgrace to their sacred function, and were indeed the dregs and refuse of the northern parts." For refusing to attend the ministrations of such men, and for assembling in the quiet glens among the hills to worship with their own much-respected ministers, the Scottish people were treated as rebels, slaughtered, shot down without form of law, and tortured with a cruelty scarcely equalled. No respect was paid to rank or sex—the noble and the peasant alike suffered; young girls and innocent children were killed for no other crime than having been present at a meeting for prayer on the hill-side.

It can scarcely be wondered if the people, so driven desperate, sometimes tried to unite in self-defence, for which they were destined to suffer death or be transported to work in the plantations as slaves. During this miserable period the Duke of York, afterwards James VII., came three separate times to Scotland, where he tried flattery, bribery, the sword, and torture to make Scotland Popish, but with scant success. At length Charles died, and James, his successor, threw off all disguise. On being proclaimed King at Edinburgh, an altar, vestments, and priests arrived at Leith, and were placed in Holyrood Abbey, where a college of priests was established, and the Popish service daily performed in the chapel. The result was riots in the capital and complainings in the parishes, where the despotic orders of the King were carried out with great cruelty, until that perverse Prince had to flee from the Kingdom and remain in exile. One of the most zealous agents of the King was John Graham of Claverhouse, who was created by James Viscount Dundie, and who, having bought out the interest in the Dudhope estates of the widow of the last of the Scrymgeours, Earls of Dundie, assumed the authority of Constable of Dundee, and claimed exclusive

right to the Chief Magistracy of the burgh, and sole judge of its Courts. At this time the inhabitants of Dundee were taking a bold stand against the general tyranny, which course so exasperated Claverhouse that he demanded of Provost Fletcher the Charters of the town to be delivered up to him, and asserted that all power to elect magistrates was placed in his person. This assumption of power was so stoutly resisted by the Provost and inhabitants that Graham, in retiring from the town after formally making his demand, barely escaped with his life; and, foaming with rage, he hastily sent to the North for his Highland adherents, and commenced his march against the town. The Provost and burgesses were timeously apprised of the intended raid by the kindness of Mrs Maxwell of Tealing, who, on observing Claverhouse and his followers marching down the Siedlaw Hills, and divining his evil intentions, sent one of her servants, named More, as a messenger to apprise the inhabitants of Dundee with the information of Claverhouse's hostile approach. More managed to pass the band unchallenged; but Claverhouse, afterwards reflecting on the man's appearance and celerity of pace, suspected that he might be a messenger to the town, and ordered a party to give chase. But More, deserting the highway and turning down a hollow near the burn of Clepington, had eluded pursuit. The party in quest of More, however, found a man asleep on the road, and imagining him to be the man they were in quest of feigning to be asleep, made him prisoner. On Claverhouse coming up, he charged the man with being the suspected messenger; but the man appeared utterly surprised, and expressed entire ignorance of everything relating to the charge made against him. Claverhouse seeing his error, by which he had lost some valuable time, redoubled his pace; while More in his eager course had reached Dundee, where he by exhaustion and fatigue could only make expressive gesticulations and utter breathless warnings. By this means, however, he conveyed information of the imminent danger with which the town was

threatened, and in consequence, before Claverhouse arrived, a strong body of citizens had mustered in defence, determined to give him a warm reception. Enraged at so great a disappointment, he commanded his followers to fire the Rottenrow (Hilltown), which was accordingly done, and all the houses situated on it were reduced to ashes, the owners being obliged to stand silent spectators of their ruin. The fact of this assault was communicated the same night by express to the Committee of Estates of Parliament by one of the magistrates (Bailie Duncan of Lundie*), and in consequence the Committee of the Estates of Parliament ordered six firekings (firkins) of powder to be sent from Bo'ness to Dundee, and commanded Hastings' regiment of infantry and Berkley's regiment of horse to proceed from Berwick to protect Dundee.

The following is a transcript of one of the peremptory orders which the Magistrates of Dundee were in the habit of receiving from those who administered the Government :—

“Edinr., 3d Aug. 1667.

“These are to give you notice that William Georges is Commissioner to receive His Majesty's annuity of Excise for the months of May, June, and July last and in time coming. You shall, therefore, as you regard the good of His Majesty's fortune and the weal of the country, pay in the same to him quarterlie, within thretty dayes after it is dew, wherein if ye refuse you may expect a party of hors will be immediately ordered to quarter upon you till the same be paid.

“This advertysement is thought fitting to be signified unto you, the Magistrates of Dundee.

“TWEEDALL. “BALLENDE.
“COCHRANE. “MORAY.”

During all these important events it would appear that the

* Ancestor of the Earls of Camperdown.

science of music was not neglected, as evidenced by the following copy petition and deliverance thereon, dated 1677:—

“To the Hon^{ble} my Lord Provost, bailzies, and counsell of the Brugh of Dundee: The humble Petitione of Mr Alex. Reid, Master of ye musick scool:

“Sheweth,—That gras thir severall yeires bygon I have taucht my scollars in a verie cold rowme, to the prejudice not onlie of my young ons, but also to the prejudice of my musicall instrumentis many tymes in tyme of raine: It is theifor the humble petitione of your humb^l servant that ye would take it on consideratione, and fall upon some way that the rowme may be maid warmer, for the encouragement of ye young ons in the winter tyme.”

“Dundie, the sixt day of March 1677.

“The Counsell ordains the clerk to help the rouff of the musick schooll, and to tyll the same instantly, and what expense you sall be at in repairing yrof sall be allocated to you in your accompts.

“JA. WEDDERBURNE.”

The following transcripts exhibit an episode in the history of this eventful time:—

“Duncrub, 11 Sept. 1689.

“Sir,—I give you the troble to desyre you may put my Trouper, William Wallace, whom you have in your prisone as ane remaining from my troupe, at freedome, provyding he give beall to act honestly and to return to me at Duncrub, with his saddle and furnitur and arms, against Wednesday’s night next, and upon your letter with him he sall be allowed to ryd in the troupe as formerlie. Als I desire he may not go out of prisone till he pay for the tyme he has been in y^r.

“This is all, expecting you will doe me this favor, restis,

“Sir, your most affectionate and humble servant,

“ROLLO.

“The Provost of Dundee, and in his absence Wm. Oliphant, merch^t y^r.”

The following transcript shows in what manner the Burgh Authorities disposed of the above request:—

“Be it known to all men by these presents, me, William Wallace, trouper in my Lord Rollo’s troupe: Forasmuch as I was taken and apprehended at the Burgh of Dundie and imprisoned within the tolbooth thereof for deserting and leaving the said troupe without any furlough: And seeing that my Lord Rollo, my Captain, has been pleased to write to James Fletcher, Provost of Dundie, to set me at libertie upon my giving bail to return to him at Duncrub, with my saddle, furniture, and armes, against Wednesday’s night, the eighteen instant, and that I shall act honestlie in the said troupe thereafter, as on the said letter, dated the sixteen of September instant, at more length is contained. Therefore wit ye me as principal, and me, William Wallace, in work in the parochen of Auchterhouse, my father, who becomes bound and security for me, to be bound and obliged, likeas we hereby bind and oblige us jointly and severally, our heirs, &c., to James Fletcher, present Provost of the Burgh of Dundie, and his successors in office, that I, the said William Wallace, younger, shall present myself to the said Lord Rollo, my Captain, at Duncrub, betwixt and the sixteen day of September instant, with my saddle, furnitur, and armes, and sall serve honestlie in said troupe or otherways as my said Captain his pass, and that under the penaltie of one hundred pound Scots money in case of failure. And I, the said William Wallace, younger, obliges me and my airs and executors to warrand, free, relieve, and skaithless keep the said William Wallace, senior, my father, of his said obligation, and of all skaith, damage, or expense he or his foresaids shall happen to sustain or incur in any manner of way whatsoever; consenting to the registration hereof in the books of Counsell and Sessione, burrow court books of Dundee, or any other competent that letters of horning on six days’ charge, &c.

“WILLIAM WALLACE.

“P. Wilson, Witnes.

“James Pantor, Witnes.

“Thomas Jackson, Witnes.”

William III. and Mary his Queen, whom the Parliament had

called to the throne, never seemed to show much regard for Scotland, although she was the daughter of the exiled Prince, and last of the Royal race of Stuart destined to reign in Britain. On the contrary, they and the Government were very jealous of any appearance of loyalty to that unfortunate race. As a specimen of the surveillance exercised even in private society in a town so far from the seat of Government as Dundee, the following copy of a document in the Archives cannot fail to be interesting :—

“ Be it known to all men by these p^{nts}, Mr Robert Lindsay, mer^t, burges of Dundie, Fornasmeikleas I am imprisoned be the Magistrates of the s^d burgh for the alleged drinking of the late King James his health, or at least being in companie wher the samen was drunken : And seeing that the Magistrats of the s^d burgh has condescendit to set me at libertie upon my finding sufficient bail to appear before yem or privie counsell of this kingdome : Therefore, witt ye me as princ^l, and with me William Whittet and William Galloway, mer^{ts}, who hereby becomes bail and securitie for me, to be bound and obliged, lykeas wee hereby bind and oblidge us, conjunctlie and severallie, our airs, exers, and successoris, our goods and gear whatsoever : To the Lords of ye privy counsell and Magistrats of the s^d burgh : That is, the said Robert Lindsay shall appear before the Lords of Her Majesty's Privie Counsell or Magistrats of the s^d burgh of Dundie, and that within the space of fourty-eight houris nixt after I, or my said bail, or other of us, shall be desyred for that effect, under the penaltie of fyve hundred merks Scots money, attour fulfilling hereof : And I, the said Robert Lindsay, binds and obliges me, my airs and exers, to warrand, free, and releive, and skaithless keep my said bails and their foresaids of their bailzie, and of all loss and skaith, dammage, and expenses that they or their fore-saids shall happen to sustain or incur therefrom, consenting to the registratioun hereof in the books of Counsell and Sessione, burrow court books of Dundie, or any ors competent, to have ye strength of an deid, that letters of horning, on six days' charge, and others needful, may pass hereon, and hereto constitute

our prors : In witness whereof (written be William Rattray, writer in Dundee) we have subs^d thir pr^{ts}, at Dundie,

the thretty-one day of October jajbac nyntie-on yeris (1691), befor thir witnesses, James Bower, mer^t in Dundee, James Ramsay, mer^t there, and the s^d William Rattray.

“ RO. LINDSAY.

“ WM. GALLOWAY.

“ WILLIAM WHITTET.”

“ Wm. Rattray, Witnes.

“ James Bower, Witnes.

“ Ja. Ramsay, Witnes.”

During the reign of William and Mary the Scotch scheme of a settlement in Darien was set afloat, but the Government, indifferent to everything Scotch, threw cold water on it, and the dissatisfaction with that discouragement had not subsided when the union of the two Kingdoms was proposed in the reign of Queen Anne. The first steps were taken in the Parliament which met in Edinburgh in 1705; and the Scotch Parliament met for the last time in 1707, in its old Hall in Parliament Close, and after adjusting the Articles of Union, was dissolved, never again to meet as a national assembly. This union, although a salutary, and, as it proved for Scotland, a wise and beneficial measure, was keenly opposed by the people of Scotland, and occasioned many riots in Edinburgh. The Royal Commissioner, and all who abetted him, were kept in terror of their lives. The military had to be called out, and guards appointed to the public buildings. The Act of Union was privately signed—some say in a summer-house in the garden of Moray House; others assert that it was signed in a low shop, 177 High Street; probably partly in both places, as it was signed under cloud of night, and secretly for fear of the people.

During the last Scotch Parliament and the first Imperial Parliament after the Union, Dundee was represented by George Yeaman, Esquire of Murie, who rendered good service to Scotland in the negotiations regarding the rights and privileges which Scotland should be allowed to retain.

The following extract gives the Sett of the Burgh of Dundee in 1710 :—

“ The Magistrates and Counsell, consisting of twenty persons, doe meet yearly on Tuesday preceding Thursday immediately preceding Michaelmas, and after leiting of ten merch^{ts} and six tradesmen, they make choice of five merchants and three trades to be counsellers for the year ensuing, of which there must not be two trades Councillors of one trade.

“ After the saids merchants and trades Councillers are chosen, and accepting, the old and new Counsell proceed to the making up of leits for the new Counsell, and, after nominating four persons who have caryed the charge of magistracie, they make choise of two to be on the leit for the Provost's office. Then they proceed to the making up of the leits for the Baillies' office, and they nominat sixteen who have carried the charge of counsellers, and out of these they make choice of eight to be on the leit for the Baillies' office. Then out of the four Baillies presently in office they make up a leit of two for the Dean of Guild's office. Then they nominate four for the Treasurer's office, and of these they make choice of two to be on the leit.

“ On Wednesday thereafter these leits are extracted, and given out to the Convener of the Nine Trades, who do meet in the common buriall place, and every trade gets a double of the leits. On Thursday thereafter the nine Deacons, and old and new Counsell, proceed to the electing of the Provost, Baillies, Dean of Guild, and Treasurer, which is carried according to the plurality of votes.

“ Extracted from the Records of the Royal Burghs of Scotland by

“ ALEX. DUNCAN, Clerk of Dundee.”

The foregoing Sett of the Burgh is a complicated piece of machinery, apparently calculated to mystify ordinary mortals, but actually throwing into the hands of a compact party in office the power of perpetuating their hold of power, and consequent ascendancy over an independent minority—all expression of public opinion to the contrary notwithstanding; and many years were destined to elapse before a Sett was obtained

worthy of the name of a fair and popular system of election of municipal representatives.

In 1715 the discontent in Scotland, arising from the passing of the Act of Union, and feeling of loyalty existing in many districts of the country towards the exiled family of Stuart, developed into the Rebellion of 1715, which, however, was at last terminated at the battle of Sheriffmuir. The Municipal officials of Dundee, who had all along been loyal to their native Princes, were considerably implicated in this rising, and along with Mr Wedderburn, Town Clerk, exerted themselves in the cause of the Pretender, *alias* the Chevalier St George. On 18th May the Magistrates in their zeal, by tuck of drum and public proclamation issued on 27th, prohibited the appearance of the inhabitants with arms in the streets next day, which was the anniversary of the birth of George I., under the penalty of forty pounds, to be exacted from every one who should offend, the proceeds of which penalties they probably expected as a fund to devote to the service of him whom they accounted their lawful sovereign. The loyal and peaceable portion of the inhabitants, however, took no notice of the proclamation ; but on that day, proceeding in a body to Dudhope Castle, they there, drawing themselves up in arms, drank to His Majesty King George's health, with several other loyal and patriotic toasts, accompanying each with a volley ; and, having thus expressed their loyalty and affection to His Majesty's Government, they returned quietly to their homes, to the great mortification of the burgh authorities, who did not dare to interrupt that demonstration of loyalty to the House of Hanover. But the following day being the 29th, the anniversary of the Restoration of Charles II., was, in perfect consistency with their principles, celebrated by the Magistrates with the accustomed ceremonies.

The Earl of Mar at last hoisted the standard of Rebellion, proclaiming the Pretender King, at Braemar, on 6th September 1715. Mr Grahame of Duntrune, styling himself Lord Viscount

Dundie, renewed the proclamation at Dundee soon after. During that month, Mar, having taken possession of Perth, proceeded to fortify it; and for this purpose he carried away from Dundee four pieces of large and three of small ordnance, with other seven from Dunnottar, intending to plant them on the new fortifications he proposed to erect, but the battle of Sheriffmuir ultimately broke the back of the Rebellion. The Pretender had landed at Aberdeen on 22d December 1715. After residing there a week he proceeded south, and on Friday, 6th January 1716, arrived in Dundee, and made a public entry on horseback, the Earl of Mar on his right and the Earl Marischal on his left, with a train of three hundred gentlemen following. Upon reaching the High Street he continued nearly an hour on horseback, at the desire of his friends, to show himself to the people, who crowded around him in great numbers. Those of the inhabitants who espoused his cause, including the Jacobite portion of the Magistrates and Council and the nonconforming clergy, received him with loud and reiterated acclamations of welcome, and in return enjoyed the honour of kissing his hand. That night he lodged in the town mansion of Stewart of Grandtully, situated at the head of the Seagate (now removed to make way for the addition to the British Hotel). Leaving Dundee next day, the Chevalier proceeded on his way to Perth, where he was made to go through the vain formality of a coronation at the hands of his friends. But in the course of a short time even his best adherents grew cool in his cause, and the result was, when he learned that the Duke of Argyll was approaching from Stirling against him, he abandoned Perth, by way of the Carse (stopping to refresh at Fingask Castle) to Dundee, Arbroath, and finally Montrose, where the baffled Chevalier St George embarked in a French vessel, never more to appear in Scotland.

Argyll, pushing on after the rebels whom the Chevalier had thus left in the lurch, reached Dundee, and found the town in a state of chaos, no Magistracy appearing, they being mostly in

the Jacobite interest, and from prudential motives declining to trust themselves in Argyll's hands, or appear to perform their municipal functions until the conqueror should have placed himself and his troops at a respectable distance. But Argyll, being a fair business man as well as a soldier, as Commander-in-Chief of His Majesty's forces in Scotland issued an order, appointing certain citizens as Commissioners for carrying on the municipal affairs, until a new Magistracy could be regularly appointed. As this document is interesting in a national as well as local point of view, a *fac simile* of it is prefixed to this page, and the following is a transcript :—

“ John, Duke of Argyll, General and Commander-in-Chief of His Majesty's Forces in North Britain, &c.

“ Whereas there are no Magistrates at present in this city who can act or take care of the affairs of the city, whereby His Majesty's service as well as the city may suffer, you are therefore hereby required and authorised to take upon you the care of this city and the affairs thereof, till such time as the proper Magistrates can be appointed by lawful authority.

“ Given at Dundee, the 3^d February 1716.

“ ARGYLL.

“ To Mr John Scrymgeour,
James Alison, David Maxwell,
Alex. Preston, James Fairweather,
and Mr Mungo Murray.”

The result of the state of municipal matters above described was that His Majesty in Council issued a Royal Warrant for a poll election in the following terms :—

“ At the Court of St James the 10th day of March 1716.

“ *Present—*

“ The King's Most Excellent Majesty in Council.

“ Upon reading, this day, at the Board, a memorial from the R^t Hon^{ble} Sir David Dalrymple of Hailes, Bart., His Majesty's Advocate ; the Right Hon^{ble} Adam Cockburn of Ormeston, Lord

John Duke of Cornwall
General & Commander in Chief
of his Majesty's Forces in North
Britain &c

Whereas there are no Magistrates at present
in this City who can act or take care of the
affairs of the City, whereby his Majesty's
Service as well as the City may suffer, You
are therefore hereby Required & authorized to
take upon you the Care of this City and the
affairs thereof, till such time as the proper
Magistrates can be appointed by lawful
authority. Given at Dundee the 3^d of
February 1716.

To Mr. John Symmour
James Alison, David Maswell
Alex^r Creston James Fairweather
& Mr Mungo Murray.

JAD

Justice Clerk ; and Sir James Stewart of Goodtrees, Bart., His Majesty's Solicitor, dated in Edinburg 20th February last, and directed to the Right Honb^{le} Lord Visco^t Townshend, His Majesty's principal Secretary of State, touching the most popular method of resettling the Magistracy of several towns in North Britain in such a manner as may contribute to the restoring of the peace of these towns, and to the securing thereof in the future : And whereas it hath been represented to His Majesty that several burghs in North Britain were at Michaelmas last (in the ordinary and legal time of their election of Magistrates) either entirely hindered from making such elections according to their several constitutions, or that, where the formality of election has been observed, being then under the power and impression of the rebels, the freedom of such election hath been thereby restrained, and the Burgh of Dundee in particular, having lain under such or the like circumstances before-mentioned, His Majesty in Council taking the same into consideration is pleased to order, and it is hereby ordered, that a popular election be made by the burgesses and inhabitants resident within and bearing a share of the common burthens of the said burgh by poll, of twenty-one persons to be common councillors, with power to them to elect their office-bearers according to the Sett or Constitution of the said burgh, to the end that the Magistrates and Councillors so elected may continue from that time forward until the ordinary time of the annual change of the Magistrates and Councillors of said burgh in the year 1716 : And it is hereby further ordered that the Duke of Douglas, Lord-Lieutenant of the shire of Angus (within which the said burgh lies), and Constable of the said burgh ; George Duncan of Lundy, Esq. ; James Halliburton of Pitcur, Esq. ; John Scrymgeour of Telen, Esq., senior ; and John Scrymgeour of Telen, jun^r., Esq., or any three of them, are hereby authorised and required to convocate and assemble (giving due intimation) the burgesses and inhabitants aforesaid within the said burgh, at a certain convenient day in the month of April next ensuing, to be by them or any three of them appointed, and there and then to oversie and direct the said election, according to the rules in use to be observed in such cases, and to form an authentic instrument thereupon, under their subscription manual, to be reported to His Majesty in Council for His Royal confirmation.

Of all which the persons before-named are to take notice, and to pay due obedience to His Majesty's pleasure herein signified.

“WILLIAM R.”

The foregoing instructions having been carried into effect by the nobleman and gentlemen named, the following report or return embodying the result of the poll election was transmitted to the Government in London:—

“At Dundie, the eighteenth day of April, one thousand seven hundred and sixteen years, and of His Majesty's reign the second year: By virtue of an Order of the King's Most Excellent Majesty in Council directed to his Grace Archibald Duke of Douglas, Lord-Lieutenant of the Shire of Angus and Constable of the burgh of Dundie, and his Constable Depute, *Alexander Duncan, Esq. of Lundie, James Halliburton of Pitcur, Esq., John Scrymgeour of Tealine, senior, Esq., and John Scrymgeour of Tealine, jun^r, Esq., or any three of them, authorising and requiring them to convocate and assemble (giving due intimation) the burgesses and inhabitants resident within and bearing a share of the common burthens of the burgh of Dundee, at a certain convenient day in April then next, &c.

“In obedience to which order and commission, by virtue of a warrant granted by John Scrymgeour, sen^r and jun^r of Tealine, and George Duncan, Constable-Depute of Dundee, His Majesty's Order and Commission ordering the said popular election was intimated from both pulpits of the two churches in Dundee on Sabbath, the 15th instant, in the forenoon immediately after worship, and that the said election was to be and begin on Wednesday, the eighteenth instant, at ten o'clock in the forenoon, in the West Church of Dundee, and all persons having, and

* It may be interesting here to state that the Mr Duncan of Lundie above referred to was the grandfather of Admiral Duncan, the hero of Camperdown, and founder of the noble family of the Earls of Camperdown. The present Earl is great-grandson of the Admiral, and is now connected with the Admiralty Department of Government; and, from the appearances which he has made, although comparatively a young man, in his capacity as an official administrator and as a Member of the Upper House of Parliament, as well as a County Magistrate, Commissioner of Supply, and Turnpike Road Trustee, it is expected that he will ere long take a prominent position as a British Statesman.

pretending to have, a voice in said election, were desired and required to compear and give their voices thereon ; and accordingly, at said West Church, day and date of these presents, at the hour appointed, the said Commissioners being present, and, after having elected Alexander Duncan of Lundie as their Preses, then they caused call a full and exact list of the said burgesses and inhabitants residing within and bearing a share of the common burthens, and many appearing and taking the oaths of allegiance and abjuration, and with them signing a list of names given in by them of twenty persons for common Councillors, which heall lists being markit and compared by the said overseers, they found that the said John Scrymgeour of Tealine, sen^r, David Maxwell, merchant, James Yeaman, sen^r, Thomas Bower, and Thomas Wardroper, all merchants ; James Alison, John Ferrier, Mungo Murray, and James Fairweather, merchants and late Bailies ; Alexander Maxwell, merchant ; Alexander Duncan of Lundie ; John Dowie, shipmaster ; John Scrymgeoure of Tealine, jun^r ; William Morison ; James Whitted, glover ; Thomas Skirline, cordiner ; and Thomas Paterson, weaver, by a great plurality of votes, were elected common Councillors ; and the whole fore-said twenty persons being all present except Mungo Murray and Wm. Morison, the eighteen remaining Councillors, in order to proceed to the election of their office-bearers, did elect Alexander Bower, shipmaster, as proxie for Mungo Murray, and John Halliburton, shipmaster, as proxie for Wm. Morison ; and all being qualified by swearing the oaths, elected John Scrymgeour of Tealine, senior, Provost ; David Maxwell, James Yeaman, Thomas Bower, and Thomas Wardropper, Bailies ; James Alison to be Dean of Guild, and Alexander Maxwell to be Treasurer, all of whom accepted office."

The report, of which the above is a copy, was approved and confirmed by the King in Council on 6th July 1716. The new Magistrates and Council lost no time in making an investigation into the circumstances of the late Rebellion, and the connection which the officials of the burgh had therewith. The following are copies of the documents resulting from that investigation :—

“ William Gib, maltman in Dundie, informeth the Magistrates

of Dundie that upon the sixth day of January 1716 years, Alexander Wedderburn, Clerk of Dundie, then came to the Councill house, accompanying the Earls of Mar and Merchail, and several oy^r rebellious gentlemen, when they were getting a treat and burgess tickets in the said Councill house. I saw the said Alex. Wedderburn acting as clerk, and bring in the burgesses tickets, and called to Tho. Traill, his serv^t, to fetch more tickets after the first quantity were done; and that the said noblemen and gentlemen had none when they went into the Councill house, but had tickets in their hats when they came out; and that the said Alexander Wedderburn was clerk at the petty customs rousing of the said burgh, under those who exercised the Magistracy in the late Rebellion; and that the said Alexander Wedderburn went to the Cross of Dundie with the rebels, at one or oy^r of their treasonable solemnities, and also went and met the Pretender, when coming to Dundie, and came with him, and his sword drawn in his hand, and also collected the excyse for the use of the rebels; and this I offer to prove, and I have signed thir p^{nts}. At Dundee, the 14 July 1716.

“ WILLIAM GIB.”

The Magistrates and Council upon this information remitted to the Provost and Bailies to investigate into and take evidence regarding the matters contained in the foregoing information, and the following is a copy of their report:—

“The saids Provost and Bailies having considered the remitt by the Councill to them or any of them of the articles and facts contained in the information given to the Council by William Gib, maltman in Dundee, ag^t Alex^r Wedderburn, late clerk thereof: In pursuance to whilk remitt the saids Provost and Bailies ordaines the said William Gib to be ready to prove the said articles and facts contained in his said information, and granted warrand for citing the said Alex^r Wedderburn and what witnesses the said William Gib thought proper for proving as said is accordingly—the said Alexander Wedderburn and the said witness after-mentioned were all personally cited to compear before the Provost and Bailies in the ordinary Court-place upon the fifteen, seventeen, and twenty-second days of April instant, by

James Gardyne and James Anderson, two of the Town Officers ; and the said Provost and Bailies having convened in the said Court-place upon the said day and month, the said William Gib being personally present and offered to prove the facts contained in the said information ; and the said Alexander Wedderburn being called to compear and hear and see the said probation led. But he failing to doe the same, the saids Provost and Bailies, having examined the witnesses after-mentioned, and considered their depositions, make the following report, viz. :—

“ They find it proven by the oaths of John Wast, walker in Dundee, the first witness, and James Gardyne, one of the Town Officers of the said burgh, the second witness, that upon the 6th day of January 1716 years the said Alexander Wedderburn came to the Council house of Dundie, accompanying the late Earls of Mar and Marischal and several other rebellious gentlemen, when they were getting a treat and burgess tickets in the said Councill house, and that the said Alexander Wedderburn acted as clerk, and brought in the burgess tickets, and called Thomas Traill, his servant, to fetch more tickets after the ffirst quantity were done, and that the saids noblemen and gentlemen had none when they went in, but hade tickets in their hats when they came out, and y^t for ought the deponent thinks the s^d Alexander Wedderburn acted everything francklie and free lie w^out the least compulsion or force, and also, they find it proven by the depositions of the said James Gardyne, the second witness, and Thomas Watson, mariner in Dundee, the fourth witness, that upon Martinmas day 1715 years, or one or other of the days of the month of November and year foresaid, the said Alexander Wedderburn sat and acted as Clerk at the rouping of the pettie customs of the said burgh under those that then exercised the Magistracy in the burgh.

“ As also they find it proven by the depositions of the said James Gardyne, the second witness ; William Hog, jun^r, bonnet-maker in Dundie, the fifth witness ; Mr William Ogilby, one of the doctors of the Grammar School of Dundie, the seventh witness ; George Yeaman, merchant in Dundie, the tenth witness ; and James Ogilby, mer^t in Dundie, the fourteenth witness, that upon the sixth day of January 1716 years the said Alex^r Wedderburn did goe out with the then Councill to meet the Pretender.

As also they find it proven by the depositions of Thomas Marshall, Councill officer, the eighth witness, and Patrick Neilson, one of the town officers of the said burgh, the ninth witness, that, after the election in the year 1715, when Alex^r Watson was Provost, the said Alex^r Wedderburn several tymes went into the Councill house with the members of the then Councill, and there sat and acted as Clerk to the Councill; as also they find it proven by the depositions of David Crichton and Patrick Will, maltmen in Dundie, the eleventh and twelfth witnesses, that during the time of the Rebellion the said Alex^r Wedderburn did collect the Excyse.

“JA. FAIRWEATHER, Bailie.

“JOHN SCRYMGEOUR, Bailie.

“J. DUNCAN, Bailie.”

The result of the above evidence was that Mr Wedderburn was, by Decree of Declarator by the Court of Session, legally deprived of his office of Town Clerk, and declaring that George Duncan was lawfully appointed thereto. This decree is dated 28th December 1717. There is also another decree by the Supreme Court ordaining Mr Wedderburn to deliver up the whole papers of the burgh in his possession; the date of that decree is 25th February 1718.

The following are a few extracts from the Acts and Minutes of Council, shewing the measures then found necessary to be adopted by the Magistrates in the Burgh Court for the regulation of the *manners* and *customs* of a certain class of the burgh population :—

“Dundie, 23 December 1710.

“Robert Wardroper, James Fairweather, John Robertson, and David Balvaird, Bailies.

“The said Bailies, taking into their consideration that Agnes Dorward, residenter, was formerly banished the town, and being now returned contrair to the Act of banishment, and having sometime resided here and harboured Barbara Raitt, *her daughter*, who was also banished for several crimes, and particularly as being a common whore and strumpet; and Janet Clark, servant

to David Watson, mason, being formerly guilty of the said crime as ane whore and common strumpet: Therefore the said Bailies doo hereby banish the said two persons from the town, and discharges them ever to be seen therein hereafter, under the pain of being brunt on the cheek by the common hangman; and in the meantime ordains the said Barbara Raitt and Janet Clerk to be tyed to ane post at the end of the plainstones, and there to receive each of them twenty-one stripes by the comon scourger, and yrafter the hail three above-named persons to be conveyed out of the burgh by the comon scourger and the officers of the burgh."

"Dundee, 20 Feby. 1711.

"Robert Wardroper and John Robsone, Bailies.

"The saids Bailies having convened Katharine Low, late servant to Patrick Maxwell, Maltman, before them, and finding her to be a common whore and strumpete, and that she went away with the souldiers when they went away from this place, and returned contrary to ane proclamation yranent: Therefor the said Baillies banishes her the toun, and ordains her never to come within the samen hereafter, under ye pane of being burnt on the cheek by the comon hangman; and in the meantime ordains ye said Katharine Low to be tyed to ane post at the end of the plenstons, and yr to be scourged by the comon scourger, and yrafter to be conveyed by him and the officers of the burgh out of the town."

"Dundee, 5 January 1712 years.

"George Yeaman, Provost, and Mr Henry Guthrie, Bailie.

"The said Provost and Baillie having convened Mary Eustone, Mary Bailie, Mary Buchanan, Isobell Murray, and Janet Ellis before them, and finding them to be vagabonds: Therefore the said Provost and Bailie banishes them the toun, and ordains them never to come within the samen hereafter, under the paine of being burnt on the cheek by the hangman—Isobell Murray and Janet Ellis to be conveyed out of the town by the town officers over the water."

In 1744 the French monarch invited Prince Charles Edward,

the eldest son of Chevalier St George, to Paris. That Prince joyfully accepted the invitation, and in the guise of a Spanish courier hastened from Rome to Paris. Louis not only received him with flattering honours, but stipulated to afford him asylum in his kingdom, and proceeded to prepare a fleet and army for the invasion of this country. Charles, thus induced to assert his claim to the Crown of Britain, landed in Scotland, and raised his standard at Lochaber in 1745, where he was joined by several men of distinction, and among the rest Sir James Kinloch of Kinloch, the descendant of a burghess of Dundee, and owning estates in the neighbourhood. Sir James with his brigade, consisting of a number of citizens of Dundee and men of Angus, held the town in name of the Prince for a considerable time; but on the defeat of the Prince's adherents at Culloden, and consequent close of the Rebellion, Sir James was under the necessity of fleeing the country.

The following extract from the Kirk Treasurer's books gives a laconic account of the transactions connected with the memorable *forty-five* :—

Mr Charles Jobson, Treasurer.

July 7. Sabbath—Rebellion commenced.			
Sept. 8. Rebels entered Dundee yesterday.			
„ 22. Preston fought yesterday.			
Nov. 4. A Fast.			
„ 24. About 60 Rebels came to town.			
„ 18. King's fast stopt by the Rebels.			
Dec. 18 to 20. Collected from house to house, worship being stopt by the Rebels (one of the churches being made a stable),	. . .	lb.23	3 3
Dec. 26 to Jan. 2. Collected,	. . .	28	5 5
Jan. 2 to „ 9. Do.,	. . .	28	6 9
„ 9 to „ 14. Do., which day the rebels departed never to appear here,	. . .	28	19 5
Jan. 17. Falkirk—Shamefully.			
„ 19. Sabbath after departure of the rebels,		50	14 2

Feby. 2. Sabbath—The rebels run from Falkirk 1st current.

Ap. 17. Thursday—Yesterday, 16 current, was fought the famous battle of Culloden, when rebellion died.

CHAS. JOBSON.

At this time Dundee seems to have, with all the other towns and districts of Scotland, felt the weight of the depression of trade consequent upon the calamities of civil warfare. In fact, the manufacturing trade of the district was depressed to an almost incalculable extent, and the circumstances of the population were so miserable that, instead of increasing, the number had much diminished. At that time the means of cheap locomotion did not exist, and those able-bodied working people who might have removed to another district, where employment might have been obtained, had no choice but to linger at home in hopeless destitution.

Immediately after the suppression of the Rebellion, however, Government saw the necessity of turning a greater degree of legislative attention to the affairs of Scotland. The period had now arrived when the arbitrary system of hereditary jurisdictions must approach its final dissolution. From that moment the great hereditary powers of the Constable of Dundee were destined to cease, and the judicial functions to be exercised by the regular Burgh Magistrates. Meantime the encouraging liberality of Parliament granted a bounty on brown linens made for exportation—a trade which from the weight of the fabric and the lowness of price could not then be carried on without loss. This at once gave a spring to the Dundee staple trade, and animated the industrial community with the best hopes. Manufactories were established, and attended with a success that seemed to operate with a beneficent influence on domestic comfort, and Dundee since that epoch has continued to flourish beyond all expectation. Fields, which before the " '45" displayed their yellow treasures to the sun, began to be transformed into spacious suburbs, the seats

of manufacturing enterprise. With a zeal that could not fail to ensure success, the Magistrates and Town Council set about town's improvement with a spirit equal to the means at their command. Finding that the chief architectural features of the town were almost all embraced in the High Street, and that the communications between the town and harbour were a discredit to a town having any pretensions to taste or practical knowledge, they set about opening up new thoroughfares and widening old ones—divesting the town of all the warlike habiliments in which for ages it had been attired, thus turning “the sword into the ploughshare, and the spear into the pruning hook,” until the traces of the feudal times have been gradually obliterated, leaving only here and there a relic to remind the present generation that such an obnoxious system of tyranny and obstruction had ever existed.

The Convention of Royal Burghs used to exercise a large influence over the municipal government of Scotland, and formed a protection against the aggressive pretensions of feudal superiors and predatory chieftains of the early period of its history. Although now the day of the usefulness of such a representative body is well-nigh past, yet at its annual meetings discussions take place on various subjects interesting to sections of the community. In the Appendix will be found interesting excerpts from the meetings of this body, exhibiting it in the character of an industrial Parliament of considerable authority and influence, frequently contributing to the defence of the country against the repeated attacks of its enemies, exercising a beneficial influence on the actings of the national Parliament, presenting a bold front to feudal tyranny, and fostering, by a mode adapted to the times, those industrial occupations by which the inhabitants of Burghs were destined to earn a subsistence.

In 1720 Provost Scrymgeour attended as delegate for Dundee at the meeting of that year held in Edinburgh, and as a specimen of the detailed form of then rendering “deputation accounts” of

expenses incurred in journeys on the service of the burgh, it appears to be a model worthy of imitation at the present day :—

“ Comp^t of Money Rec^d and Debursed by Joⁿ Scrymseur, elder, Provost, and Joⁿ Scrymsour, yo^r., his Assessor, at the General Convention of Burroughs, July, 1720 :—

Spent at our partine in Dundee,	lb.1	8	0
Passage over and spent at the water syd,	2	9	0
Spent that night at Cupar for men and horse,	2	8	0
On the morrow at the Plasterers and at Kinghorn,	1	12	0
Horse hire and drink money,	6	6	0
Passage to Leith 12/7, spent there 19/8,	1	11	0
			<u>lb.16 0 0</u>

Consultation with and money to

Mr Elphinston,	lb.25	9	0
To his serv ^t ,	4	10	0
			<u>29 14 0</u>

Money paid as Missive dues this yeare,	378	11	8
Paid in part pay ^t of Town's dewes for the years 1718, 1719, 1720, as per Rec ^t ,	250	0	0
For bringing over the money,	0	12	0
Chamber maill and drink money at Edin ^r ,	7	4	0
Our ordinarie and extraordinarie expenses at Ed ^t , including our spending and the Town's,	73	16	4
Spent at Leith in our return passage over, and spent at Kinghorn that night,	2	11	0
Betwixt the watters and the watter syd,	1	9	0
Horse hire and drink money,	6	6	0
Tho. Cathrow for his service,	3	0	0
Passage over,	0	18	0
Balance returned by the Compter as delivered,	79	18	0
			<u>lb.850 0 0</u>

July 3. Money rec^d from The-
saurer,

lb.600 0 0

July 3. Money sent to Edin^r by

Joⁿ Strachon, 250 0 0

lb.850 0 0

The following description of Dundee in 1746, and written in 1799, is given here as an interesting and amusing account by an eye-witness :—

“The extent of the town was not so far westward as Tay Street, excepting a straggling brewseat and malt-loft in the Nethergate, and a house or two in the Overgate. It was bounded by the *Howff* or burying-ground *northwards*, and the present Sugar House terminated it to the *east*. Besides this there were no buildings so far as Blackness westwards, Craigie (except Wallace Craigie) eastwards, and Dudhope northward. Black’s garden, Chapelshade, and Blackcroft were unenclosed, and in corn cropping. The last was let at an annual rent of fifty shillings sterling only. The *Hilltown* or *Rotten Row* formed an ancient Barony of itself. The west shore buildings were bounded on the south by Mr Smith’s house, the lower part of which is now (1799) possessed by Mr Thomas Neish. The tide flowed up to it, and presently up to the Fishmarket (now Greenmarket). My worthy cousin Grizzell’s country house or villa was then at *West Port*, on the south side, and not fifty yards from the present Mr Pyott, the wheelwright’s shop. The situation was prescribed to her by her physician for the salubrity of the air, but, above all, for the singular advantage of the precious and wholesome flavour arising from a cow byre below stairs.

“*Inhabitants*.—The inhabitants at that period did not exceed 6000. The living were warned to bed by the sound of the bagpipe and the toll of the curfew, and the dead were carried to their graves by the tinkling of a hand-bell.

“*Buildings*.—The buildings were generally of wood. There were not then above half a dozen of stone houses in the High Street or market-place. Large vacant areas were lying in a state of nastiness and puddle in the most central parts of the town, particularly in the Thorter Row and Burial Wynd, and premiums for building had been given by the Magistrates. The town, in police, inhabitants, &c., had been for about a hundred years stationary! A couple of dirty houses, called inns or public houses, were situated in two narrow and dreary lanes, and not so good as a modern alehouse. These were comfortable caravan-

saries for the repose of the wearied traveller! Alas! *Bonnie Dundee* had none better.

“*Shipping*.—The shipping, comparatively with the present, were extremely limited, and these were regularly unrigged and laid up for the winter, and there was no voyaging after October. The annual port revenue did not amount to twelve hundred pounds sterling; and small vessels were then built close to the west gable of the present Sailors’ Hall.

“*Vivres*.—Vivres, especially vegetables, were scarce, and could only be procured fresh on a Friday, and that only in summer and autumn, there being then no winter feeding. Onions, leeks, carrots, common kail, and cabbage formed the verdant catalogue. (John Lord Gray was the first who introduced potatoes for sale from the field, in 1753). They were indeed cheap, and about one-fourth of the present price. Beef one penny halfpenny per pound; a hen for fourpence, and eggs three-halfpence per dozen. Spirits had not then shed their baneful effects in general over the constitution and conduct of the inhabitants. A draught of malt beverage formed all the debauch of the labourer and mechanic, and this was then so powerful as to send them reeling and happy home. Butchers’ carrion (for such things *were* and now *are*) was then seized and hung up *in terrorem* at the Market Cross, and afterwards thrown into the river. Flour was unmixed, and milk was unadulterated. A choppin of ale was sold for a halfpenny, a goose for one shilling, a decent roasting pig for eightpence, and a Scotch pint of claret for four or five shillings.

“*Churches*.—According to Dr Small, there were only two Established Churches—one of them well frequented, the other but indifferently. There was, however, a third one, the Cross Church, which was appropriated solely as a repository for hay for His Majesty’s dragoon horses, so comparatively small was the population at that period.

“*Shop Rents*.—The highest rent in the High Street did not exceed three pounds sterling; and from the shops in general little was to be procured. The shopkeeper locked his door at one o’clock p.m., and retired to feed; his customers (if he was of any note) were forced to wait his belly filling, and there was no resource. Some of these shops contained a motely assortment of

train oil and salt, candles and molasses, black soap and sugar, peats and heather, all crowded into less than a square of three or four yards.

“*Lodgings.*—In those days our predecessors were easily accommodated. No houses fetched above ten pounds of rent, and few half that sum. A lodging, indeed, of five rooms, low kitchen, garret, shop, a couple of gardens, and pigeon-house and stable, in the High Street, was let in 1753 at £14 rent only. It was thought very dear, and every wiseacre wondered. The shop alone would now rent at £25 a-year. Withdrawing-rooms were not known, or at least not used. The man and wife lived and soaked lovingly in their bedchamber, and the dining-room was reserved as a cold bath for the first unfortunate visitor. The father-parent of the middling and lower classes was then little known to his children. He breakfasted at the alehouse; they went to school, and returned before he went to dinner; they were fast asleep in bed before he returned in the evening from his club, his twopenny, and his tobacco. Thus, unless on a Sunday, he saw no more of his children than the man in the moon.

“*Merchants.*—The venerable character of merchant was then in the background. The respectable place they now hold in society was not then filled up. The toe of the peasant had not then come so near the heel of the courtier as to gall his kibe. The landed gentry who (like the woodcocks) did us the honour to pass the winter amongst us, strutted it about on tiptoe and in sullen *hauteur*. The feudal manners then scorched us and reigned uncontrolled. Floating wealth had not then balanced her current account with *landed insolence*, and the simple cottager, drudging tenant, and useful mechanic were in a total state of poverty, servility, and depression.

“*Carriages.*—One single horse chaise supplied the demands and travels of the whole inhabitants. Even John Barnet, the *solitary* saddler, who repaired it daily before a journey, grew pert and saucy from self-consequence and importance. John scrupled not tauntingly to desire his customers who were displeased to employ his neighbour. John should have had his ears crompt.

“*Carts and Carters.*—Robert Black in the Wellgate was the only carter in town.

“*Roads.*—Turnpike roads were then unknown. The roads

were bad, narrow, and unshapely; a journey to Edinburgh was a serious business for a thinking person. It was then a route of some days, with the addition of terror from rascally boatmen and lame hack horses. A man generally made his bequest before he undertook it.

“ *Meadows.*—The Meadows or greens were then unenclosed, wet, and dirty, and the health of the inhabitants was much infected from stagnant pools there.

“ *Post.*—The post arrived in a very irregular and awkward manner. The letters travelled through Fife, by Kinghorn and Cupar, by a common carrier.

“ *Milliners and Mantuamakers.*—Of these there were two in all, who, with the aid of Mr Durham, the lank tailor (in the mantuamaking line), did all the millinery and mantuamaking business in Dundee.

“ *Dancing.*—Mr Noseman was the only dancing-master. I shall ever remember him. He was a tall German; he wore a small silver-laced hat, diminutive round silver buckles and cane, and walked upright as an oak, drank brandy, and was a thorough pedant in profession. The present Postm—r and I figured away in our *first minuet* with him, on the same day, and paid each a pound of Bohea to the servant maid as the accustomed and stated dues, and as the first fruits of our *labours sa'tant*.

“ *Horsemarket and Shambles.*—In the centre of the town and in the narrowest street was held a horse market twice a year. There horses neighed, galloped, trotted, and kicked, and the aged, the women, and children were wholly at their mercy. In that same choice spot did our forefathers in the exercise of their architectivè abilities erect shambles and a slaughtering place. Wounded animals escaping from the hands of the butcher seldom failed to stick their horns into the first unguarded inhabitant that came in their way. Trembling scenes for parents, guardians, and relatives (I was going to add husbands and wives), and a rich harvest for surgeons, undertakers, and grave-diggers.

“ *Streets.*—The streets were in a wretched state. Two narrow lanes formed all the communication from the town to the shore and shipping, and they were coarsely paved with round sea stones. The pavements were worse, and stairs jutted out into the common

path. Open cellar stairs adjoining formed men-traps for catching the heedless and unwary.

“*Lamps.*—Not a lamp was to be seen, not even the shadow of light. All was dark as Erebus, save when the moon lent her friendly aid. There was then no fire-engine in town, and houses burned at their own leisure.

“*Raiment.*—The raiment of the ladies was costly. Fashions did not change or vary much. High-priced stuffs could not be easily renewed. The grandmother’s marriage brocade served the granddaughter for her wedding garment. A *linsey winsey* clad the middling people. The lower order of the sex were barefooted, except on a Sunday, when, in imitation of their betters (for white stockings were rare), they put their limbs into mourning. A full suit of broadcloth was the general wear of gentlemen, and every youth assumed a round curled wig at his marriage or majority—like barristers, it was thought necessary to convey the semblance of wisdom to the wearer. Wig and bonnetmakers were then tolerable trades. The first is now sickly, and the last is lost, and in it is a corporate novelty. There we view *a corporation without one active constituent.*

“*Money Banks.*—There was no money bank north of the Forth. Old women and children kept their poses in their *kist neuks* and *pirlly pigs*. Dealers got cash and notes the best way they could from Edinburgh.

“*Town’s Revenue.*—The Town’s Revenue was then in a low state. The present Townhouse or public building had been lately erected, and had cost a round sum. One of its public rooms (the west one) was not finished till nearly twenty years after the building. A Provost Fletcher had, before that period, given a severe wound to the funds by vanity and extravagance, and by entertaining the Convention of Burghs in this town. It therefore required wisdom, time, and economy to repair the breach, and to bring the funds again to useful and public purposes.

“*Sunday.*—The Sunday or Sabbath was kept holy and decent. Old women went to church with their Bibles under one arm and a folding-stool under the other. Those persons who did not attend church gave at least no public offence, and disturbed not those who did. None but a straggling blackguard or two were seen idle, and parading the streets during Divine service, or in any

part of the day, or even in the evening. Field ambulation was not practised on that day. *There were seizers in those days;* and boys were not then publicly permitted to infest the streets and lanes, and to play at *marbles, penny stone, or palaals*, to the offending of tender and sober consciences, and to the extinction of all decorum in a Christian society.

“*Passage Boats and Piers.*—The boats of the passage were not then decked, and, it must be confessed, were insufficient; and there was no sloping shipping and landing pier at all times of the tide. These, too, deservedly impressed travellers against it, and there was too much reason for their complaint.

“*Water Pipes* for the supply of the inhabitants from the Ladywell fountain had then been introduced, and a few wells were placed in convenient situations for that purpose.”

Such was the general state of the town at that period.

The following transcript of a document in the Burgh Archives is an interesting specimen of the summary mode by which the Magistrates of the town asserted and defended their claim to exclusive jurisdiction within the burgh:—

“Dundee, 31 Jany. 1749.

“I, John Craig, Sheriff Mair of Forfar, being this day convicted before the Magistrates of Dundie of summoning one of their inhabitants before the Sheriff of Forfar, for which I was fined in the sum of five pounds Scots, and considering that the said Magistrates have at my desire, and upon my granting these presents in manner underwritten, agreed that ye said sentence shall not be put in execution against me: Therefore I hereby oblige me that I shall not execute any Sheriff of Forfar precept against any of ye inhabitants of Dundie, until the plea betwixt ye Magistrates of Dundie and the Sheriff of Forfar relating to their jurisdiction be ended, and that under the pain of five pounds *toties quoties*.

“JOHN CRAIG.”

The following transcripts from the Books of the burgh will

not be uninteresting, as shewing the mode in which justice was administered by the Magistrates :—

“ 20 April 1780.

“ I, Graham Suthel, resider in Dundee : Whereas I am this day indicted before the Magistrates of Dundee for irregular practices within the burgh, and the Magistrates having been pleased to pass from any punishment against me, upon my banishing myself from the town for life, with the express condition that should I return to the town again I shall be liable to be apprehended and publicly whipped and branded with the town’s burning iron, for doing whereof this shall be sufficient warrant.”

“ 17 Novr. 1784.

“ I, Elizabeth Ogilvie, resider in Dundee : Whereas I was lately incarcerated in the tolbooth of Dundee for receipting stolen goods, and whereas the Magistrates have agreed to liberate me from the said tolbooth upon my becoming bound and obliged instantly to remove from the town and liberties thereof, and never return to the same during all the days of my life, with this express certification, that if ever I be found within the same in time coming I shall be again imprisoned, publicly whipped, and branded with the town’s branding iron, for doing whereof this shall be a sufficient warrant.”

“ 20th November 1784.

“ I, John Orchard, a sailor : Whereas I was lately incarcerated within the Tolbooth of Dundee for being concerned in and accessory to the breaking up of the cabin of the ship —, lying at the shore of Dundee, and taking away several articles of apparel therefrom, and seeing that the Magistrates have agreed to liberate me upon my becoming bound in manner underwritten, therefore will ye me,” &c.

“ Whereas I, James Rind, servant to Robert Guthrie, weaver in Wellgate of Dundee, lawful son to John Rind in Hillhead, was accused before the Session of Dundee of being guilty of fornication with Helen Kay, indweller in Dundee, and acknowledged

the same, and was therefore fined by George Yeaman, one of the present Bailies of Dundee, in ten pounds Scots, conform to Act of Parliament, and the said Bailie having ordered me to find caution and surety for paying the charges of the said Helen Kay's lying in childbed, and, in case of a living child, to relieve the Town of Dundie and ye said Helen Kay of the maintainance and education of ye said child: Therefore the saids James and John Rhinds bind and oblige us con'ly and sea'lly, our heirs and successors, not only to pay the necessary charges that the said Helen Kay shall be put to in childbed, but also to free and relieve her and the town of Dundie of the charge of maintaining and educating the said child. In testimony whereof we subscribe these presents, written by David Jobson, serv^t to Alex^r Duncan, Clerk of Dundie. At Dundie, the fourteen day of October 1742 years, before these witnesses, Peter Hay, also servant to the said Alex^r Duncan, and the said David Jobson.

“ JAMES RHIND.

“ JOHN RHIND.

“ Peter Hay, Witness.

“ David Jobson, Witness.”

The following Acts and Ordinances, adopted by the Magistrates for regulating the trade of the burgh and police thereof, will instruct as to the system on which municipal government was conducted when all had to emanate from, and be carried into effect by, the Magistrates and Town Council :—

“ Acts and Ordinances made by the Provost and Magistrates in 1762.

“ 1st, That the Lord's day, commonly called the Sabbath day, be religiously kept, and all profanation thereof abstained from, and that none shall refrain from church, and in special that no baxters bake on the Sabbath day or carry bread through the town, or barbans dress wiggs or carry them thro' the town on said day; and for the better observation thereof, that no inhabitants drink in any alehouse or tavern the said day, under the penaltys contained in the Act of Parliament made thereanent; and that no brewars or vintiners allowing any persons to drink

within their houses on the Sabbath day (except strangers), under the penalty of four pounds Scots, to be exacted from the master of the alehouse *toties quoties*; and that no hyrers presume to hyre horses on the Sabbath, under the pain of fourty shillings Scots *toties quoties*; that no boats cross the water the said day (except on express and by the Magistrates' warrant), under the pain of fourty shillings Scots *toties quoties*; and that no person whatsomever within this burgh walk openly in the fields, upon the streets, shore, or Craig, or under the forestairs, on the Sabbath day, under the penalty of six shillings Scots *toties quoties*, to be exacted from each transgressor.

" 2d, That all ordinary drunkards and swearers be punished conform to the Act of Parliament made thereanent, and that the dilators shall have half of the fine.

" 3d, That the Magistrates of this burgh be revered and obeyed in their offices by the inhabitants, and that none of them presume to pursue another for any civil cause or debt before any Inferior Court other than the Magistrates; and in case any person shall pursue any of the inhabitants before any inferior judicatorie, or advocate any action competent to the Magistrates of this burgh, or suspend their decrees that shall happen to be discussd, and the charge in the Decree or Letters of Horning shall be found orderly proceeded, or action remitted to the Magistrates, the party failzier or contravener shall pay to the use of the common good of this burgh one hundred pounds Scots *toties quoties*; and if any burgess or inhabitant within this burgh at any time hereafter shall happen to receive any coppie of a summons or charge to make payment from any Sheriff or Commissar's Mair, by virtue of the Sheriff or Commissar's precept, that the receiver thereof after receipt of the same intimate it to the Magistrate.

" 4th, That all neighbours or inhabitants within the burgh assist the Magistrates in the execution of their offices, under the pain of looseing their liberty; and that none revile any of the Magistrates or Council, under the pain of one hundred pounds Scots *toties quoties*; and that none revile the stent-masters, or offer any petition to the Council complaining of them or creaving redress of the stent laid on them, or revile the Quartermasters, under the penalty of forty pounds Scots *toties quoties*; and that

none revile the Constables, under the pain of six pounds Scots *toties quoties*.

“ 5th, That all inhabitants within this burgh who shall enjoy the benefit of marriage in their own chambers shall pay to the Kirkmaster or his Collector five merks Scots, and to the Kirk-Treasurer and his successors the like sum of five merks Scots for each marriage; and siclike that all the inhabitants within this burgh who shall enjoy the benefit of marriage in any of the churches, either before sermon or at extraordinary times, shall pay to the Kirkmaster or his Collector fourty shillings Scots for each marriage, and thirteen shillings four pennys Scots for each private baptism.

“ 6th, That all fleshers present their heal tallow unsold to the mercat with the flesh and hydes, under the pain of confiscation of the tallow; and that, from and after Martinmas next, the candlemakers presume not to sell the pound of moulded candle above fivepence sterling per pound, British weight, the duty imposed by Act of Parliament being included, and make the same sufficiently good, under the pain of confiscation of the candle, and to be fined in five pounds Scots by and attour confiscation.

“ 7th, That the Petty Customers within this burgh uplift no higher rates nor is prescribed to them and contained in their tables, under the pain of doubling the sum to the parties damnified, and punished at the Magistrates' decision.

“ 8th, That all land fleshers present their bestiall and sheep whole and entire to the mercat, with their hydes and tallow unsold, and that they be wholly tirmed, and upon their wombs, and that they suffer not their skins to be pulled or their hydes to be tarleathered, under the pain of confiscation of all such presented; and that no fleshe whatsoever offered to be sold within any part of the town be blown with mouth, knife, skour, or any other manner of way, and that the same be sufficiently blooded; that the half of the hearts of the calfs go with each fore leg, and that the feet be presented to the mercat with the skins, under the pain of confiscation of the flesh, and punished as the Magistrates think fit; and that no unfreeman presume to buy any hides or skins in this burgh from unfreemen but on the mercat days.

“ 9th, That all acts made anent regrators of vivres, such as fishes or others of that kind, shall be put in execution; and

that no neighbour presume to buy any greater quantities of butter or other goods of that nature brought in by strangers for the space of forty-eight hours, except what serves themselves; as also that no neighbours buy any sort of dry fish brought in by strangers for the space of two days after their coming, but what shall serve themselves, and that all fishes brought in upon horseback be presented to the fish mercat and sold there, under ye pain of five pounds Scots *toties quoties*. And, likewise, that none presume to sell any salmond or other green fish or shell fish in the mercate but the fishermen themselves (not debarring spelding fish to be sold therein), and that no cadgers or regrators buy any fish that come to the mercate till two hours after full sea, under such penalties as the Magistrates shall think fit to inflict.

“ 10th, That all acts made in favours of the heall Trades of this burgh be put in execution conform to their charter and agreeable to the Acts of Parliament made thereanent.

“ 11th, That no inhabitants keep up any unfree walker either to receive or deliver cloath, whether on mercate days or not, under the penalty contained in the old Acts, viz., for the first fault the value of third part of the cloath, the second fault the half, and the third the heall cloath; and that no inhabitant within this burgh presume to list or dye any cloath, woll or yearn, woolen or linnen, but what is merely for their own use, and that within their own houses, except free masters of the walker trade, under such penalties as the Magistrates please to inflict; and that no inhabitant employ any unfree walkers who are not burgesses and freemen to the trade, under such penalty as the Magistrates please to inflict; and that no inhabitant employ any unfree walker or other person to scour or dress woolen cloth except free walkers, under like penalty.

“ 12th, That no inhabitant employ any unfree tradesman and not under the Deacons, under such penaltys as the Magistrates may please to inflict.

“ 13th, That all grindable corns belonging to the inhabitants of this burgh be ground at the town's milns, under the pain of confiscation of the corns of all such as shall be found guiltie, and of being otherwise punished by the Magistrates as they shall think fitt, and of losing their libertys, and otherways, conform to the old Acts made thereanent.

“ 14th, That all Acts made anent loading of ships, taking in and casting out of ballast lying, or removing from the shoar, as they shall be ordered by the Shoarmaster, be observed, under the penalty of forty shillings Scots *toties quoties*; and that no ship or bark (open boats excepted) shall liver or lay any plank for that end till they make their entry into the Clerk's Chamber and record the same in his books, and the same be subscribed by the skipper, and that he pay six shillings and eightpence Scots as subscriber of the book for each foreign voyage, and not till then; and that each ship coming from any voyage within this Kingdom pay only three shillings and four pennies Scots, and that they pay the dues belonging to the Kirkmaster and Hospitalmaster; and that the Tacksman of the shoar duty presume not to lay any planks on ships or barks that shall happen to come to this port for livering thereat till such time as the skipper make his entry as above, and give a sufficient pledge for payment of the town's dues, viz., the Kirkmasters, Hospitalmaster, and Seaman's Boxmaster, under the pain of paying the dues himself, and to be otherways punished as the Magistrates shall think fit.

“ 15th, That no strangers presume to buy any wheat out of the mercate of this burgh before twelve o'clock mid-day, under the pain of confiscation; and that the meal mercate begin at twelve hours in winter and one o'clock in the summer.

“ 16th, That none presume to put any horse, nolt, or bestiall in the churchyard or buriall-place, or lead any horses or cows through the churchyard, under the pain of forty shillings Scots *toties quoties*; and if any horse or bestiall be found to come in to the buriall-place from any back gates, the owners of the back gates shall not only be fined, but their back gates shall be closed up; and likeways, that none presume to spoil the same with their excrements, under the pain of six shillings Scots *toties quoties*; and all these fines given to the delators.

“ 17th, That no metters or weighers of salt, bear, meal, or other grain presume to take more than two pennys for metting or weighting of ilk boll; and that no metters of smiddy coall take any more than four pennys for metting ilk boll.

“ 18th, That no porters presume to take from the inhabitants of this burgh any greater sum of money than is contained in the

Table made thereanent, under the pain of twenty shillings Scots *toties quoties*.

“ 19th, That all burgesses make their residences within this burgh, for contributing help in all public burdens, under the pain of losing their libertys, conform to the old Acts made thereanent.

“ 20th, That no stranger make his residence within the burgh till a testimoniall of his behaviour from whence he came be first shown to the Magistrates.

“ 21st, That no yearne shall be presented to sale, either at the mercate cross or shops, but such as shall be sufficient tale and length; and that the yearne be sufficient; and that small and round yearne be not mixed in one hesp, under the penalty contained in the late Act of Parliament.

“ 22d, That no tradesman be admitted a free master of his trade till first he be admitted a free burghess of this burgh, under the pain of one hundred pounds Scots, to be payd by the contravening Trade, conform to the old Acts made thereanent; and also, that no person whatsoever shall set up as a brewer or vintner within the burgh until such time as he enter business.

“ 23d, That all persons who shall desire to be buried in the West Church shall pay to the Kirkmaster or his Collector fifty pounds Scots, and that none to break the ground thereof without license; and that all persons who shall desire to be buried in the Cross Church shall pay to the Kirkmaster or his Collector fifty merks Scots.

“ 24th, That no merchant within this burgh buying any Denning or Great Coall shall sell the same among smiddy coalls, under such penalties as shall be thought fitt to be inflicted upon the seller and weighter by the Magistrates.

“ 25th, That in respect the hail ancient rights and privileges of this burgh are of late ratified in Parliament: Therefore, those requiring that all hornings and inhibitions raised and execute against any inhabitant within this burgh be published and denounced at the Mercate Cross thereof, as the place appointed for that effect, and that the same be registrated by the Town Clerk of the said burgh, conform to the ancient rights and privileges thereof lately ratified in Parliament, as said is under all highest pains and charges that may after follow.

“ 26th, That all persons concerned repair the ruinous houses within the burgh, within the space, under the pains, and with certification in manner specified in the Acts of Parliament made thereanent.

“ 27th, That all persons carrying nolt's hydes or sheep's skins out of this burgh shall pay of custom for ilk ane of said nolt's hydes or sheep's skins sixpennys Scots.

“ 28th, That from henceforth no horse nor nolt go in the Back Meadows to break the sward of the grass, nor no horse ride through the same for watering or otherways, under the penalty of twelve shillings Scots *toties quoties*.

“ 29th, That all lime stones that shall happen to come to this burgh to be sold be presented to the wind miln or magazine house thereof, and that none buy any of them except what serves for their own use, and that the same shall stand for the space of two hours, under the pain of three pounds Scots *toties quoties*.

“ 30th, That none keep fire in their houses except they have lumbs, under the pain of two pound Scots; and that no tradesman build or re-build any clay, plaster, or timber chimneys or lumbs within this burgh in time comeing, under the pain of ten pound Scots *toties quoties*, to be exacted of the tradesman, besides the loss of his freedome in this burgh; but that all chimneys or lumbs be built or re-built within this burgh hereafter to be done with stone and lime, for preventing the hazard or damage by ffire that may happen thereby.

“ 31st, That no servant within this burgh fee with two several masters or mistresses, and if any so does, the person with whom the servant first fees shall have the service or fee at the master's or mistress's pleasure, and the second master or mistress with whom the servant fees, the service or fee after the first has the choice. The party offender to be otherways punished at the Magistrates' pleasure.

“ 32d, That no unfreeman presume to sell any woll except on the mercate days, and in the Mercate Place and nowhere else, without advice of the Dean of Guild, except free burgesses, under such penalty as the Magistrates please to inflict, and that all said woll be carried to the town's weight-house and weighted there; as also, that all said woll be sold betwixt eleven o'clock

before noon and five o'clock afternoon, under such penalties as the Magistrates shall inflict.

" 33d, That no person within this burgh presume to dress lint betwixt the sun rising and going down thereof, under such penalties as the Magistrates please to inflict.

" 34th, That no fires be kept in ships within the harbour, and that none have lighted candles within their ships except in lanterns, and that all masters shall be accountable for their servants, under the penalty of fourty pound Scots, to be exacted from each transgressor; and that no person shall burn or singe their ships at the shoar or any other place of the harbour but at the Craig or West Pier, allenarlie, and that no pitch be boild below the Packhouse door, under the pain of one hundred pounds Scots, besides repairing the damage.

" 35th, That no inhabitant within this burgh sell any flour to any within or without the same except free burgesses on the mercate days and at mercate hours, with certification to those who shall contraveen this order, they shall be lyable in such fines and mulcts as the Magistrates shall please to impose on them; and that the bakers sell all flour by weight and not by measure.

" 36th, That no unfreeman bring in any shoes to any burges or inhabitant within this burgh except on the mercate days, and that the same be presented to be sold in the mercate, under the pain of confiscation of the shoes to the apprehenders, and fourty shillings Scots to be imposed by the Magistrates; and that no shoemakers or others presume to condemn shoes without concurrence of ane Magistrate. As also, that the shoemaker trade shall have power to visit the calf skins, and have ordinary apprising money, viz., of prizeing money one penny Scots for each calf's skin, six penneys money foresaid for each hole, and three pennies Scots for each ception, with the apprising money for nolt's skins as formerlie.

" 37th, That no unfreeman buy or sell any linnen or woolen yearn or cloath, round cloath or yearn, from unfreemen but on the mercate days and after ten hours, and that it be first presented to the Cross, under such penalties as the Magistrate please to, and the half of such fines to be given to the Weaver Trade for their care and pains in attending and visiting the mercate, and ye other half to the Dean of Guild's officer.

“ 38th, That all butter, cheese, and wool presented to the mercate, or sold, shall be weighed in the town’s weigh-house, with certification to them who shall contraven the foresaid Act, they shall be proceeded against and punished as the Magistrates shall think fitt. As also that no hucksters presume to sell any eggs, butter, cheese, or any other thing, except herbs, kail, and fruit; and that no hucksters sell any of these things on the Sabbath day, under such penalty as the Magistrates think fitt to inflict; and that all hucksters within the four ports of this burgh who do not keep their stands at the Tron pay the Thesaurer ane yearly duty of twenty shillings Scots for the liberty of keeping their stands foregainst their own doors or cross-heads where they dwell (unless they be free Guild Brethren), and to be charged therewith in his accompt.

“ 39th, That no person whatsoever cast out any dung or chamber-pots over windows, under the penalty of twenty shillings Scots *toties quoties*; and that none lay down chamber stools on any part of the High Street, nor in the churchyard, or in closses or lains, under the pain of fourty shillings Scots *toties quoties*; and that all persons within this burgh make the street clean before their own doors and gates, als well doors within closses as on the fore streets, under the pain of thirteen shillings four pennies Scots *toties quoties*—the one-half of the said penalties to be given to the informer, and the other half to the collector of the fines.

“ 40th, That no unfree hammerman presume to come to this burgh to do any work of a hammerman therein, or burgesses or inhabitants employ unfree hammermen, to the prejudice of the hammerman craft thereof, under such penaltys as the Magistrates shall think fitt to inflict; and appoint any two of the hammerman trade to visit the Tron or other mercate belonging to the hammerman trade; and that no encroachment be made in their proceedings; and that none of the hammerman trade condemn any work as insufficient but by authority of one of the Magistrates. As also, that all old iron, such as kyes of doors or girths of buckels, offered to be sold be first presented to the Deacon of the Hammermen to see if it be come ane honest way, under such penalty as the Magistrates shall inflict.

“ 41st, That from henceforth no apprentice, or other person

whatsomever, presume to wash any new apprentice head, and particularly the seamen and maltmen, under the penalty of ten merks Scots, by and attour such punishment as the Magistrates shall think fit to inflict, and that the masters of such apprentice or servants contraveners shall be lyable for them.

“ 42d, That no inhabitant within this burgh bring in any straw or hay for feeding their horses or other bestiall, or heather for burning, except what is kepted in houses or places where there can be no hazard of fire, and that they do not burn the same in their houses, under the penalty of ten pound Scots *toties quoties*.

“ 43d, That no person presume to sell any gunpowder to children, under the penalty of five pound Scots.

“ 44th, That no coall or salt deacon or workman upon the shoar presume to exact anything from any person who shall be entered a porter on the shoar for the freedom thereto, or upon any pretext whatsomever, under a penalty of fourty shillings Scots each coall or salt deacon or workman, by and attour re-founding to the party what shall be exacted from the said porter, and by and attour such punishment as the Magistrates shall think fitt to inflict.

“ 45th, That all great coall be hereafter sold by weight, at eight hundred pounds British for each boll, and so proportionally for greater or lesser quantities, and that there be paid for each boll eight pennies Scots for weighing; and that no skipper, merchant, or importer of great coall throw water upon their coals before they are weighted, or take greater price for the half creel than for the chalder in proportion, nor sell any denning among their great coalls, under the pain of fourty pounds Scots.

“ 46th, That all smiddy coalls that come to this burgh, or libertys thereof be not offered to be sold to any person whatsomever until the price be accorded in by the Dean of Guild, and thereafter that the same be distributed by those appointed by the Guildry.

“ 47th, That all gloves brought to mercate to be sold be liable to the inspection of the Dean of Guild and two of the Glover trade, and if found insufficient, the gloves to be confiscate, and the sellers fined at the Magistrates' pleasure; and that the Glover trade shall have the prizeing of the lamb skins, and the ordinary prizeing penny.

“ 48th, That no inhabitants within this burgh, either in public or private, employ any taylor but a free master, and that no women sett up as Manky Makers in this burgh without being privileged, or work in any sort of taylor work clandestinely, under such penalty as the Magistrates shall see fit to inflict.

“ 49th, That all fleshers within this burgh or coming from land near and selling beeves in the mercate be obliged to brake one side of their beeves in pieces, and the other side of their beeves in fourth parts, and that all beeves to be broken in fourth parts be taken to the shambles and broken there, under such penalty as the Magistrates shall think fit. But without prejudice to the said fleshers to sell their beeves in legs, sides, or heall, from this to the first of January next, and that no unfree flesher shall sell any fleshes within this burgh untill they expose the same on the mercate place, and that no unfree flesher kill any beasts within the burrow, under such penalty as the Magistrates shall think fit.

“ 50th, Lint brought into this burgh for sale shall not be exposed or offered for sale until it be presented to the Cross, and that the said lint shall not be sold till ten o'clock forenoon, that the same may be inspected and found sufficiently drest, under such penalty as the Magistrates shall think fitt.

“ 51st, That all pigeons brought to this burgh for seall have their heads taken off and their crops taken out, under such penaltys as the Magistrates shall inflict.

“ 52d, That no person shall have the privilege to vote in the electing of Provost, Bailies, Dean of Guild, or Thesaurer of this burgh, or in the electing of the Deacon-Convenor or the Deacon of any Incorporation, till they be first a booked burgess, and take the burgess oath.

“ 53d, That no inhabitant of this burgh buy more shoes in any other burrow than serves for their own use and the use of their familys, in order to sell them within the burgh, or purchase them at any country mercate, to be sold within this burgh, under such penalties as the Magistrates shall think fit to inflict.

“ 54th, That no carters going through the burrow ride throw the same on their horses or in their carts, but that they lead the tram horse by the head, under the penalty of twelve shillings Scots *toties quoties*.

“ 55th, That no inhabitant of this burrow shall riddle ashes or

sinders on the streets of the same, from the eleventh day of March to the eleventh day of October, from six o'clock in the morning to eight o'clock at night, and from the eleventh of October to the eleventh of March, from eight o'clock in the morning to eight o'clock at night, under the penalty of one shilling sterling *toties quoties*.

" 56th, That no unfree fleshers shall have the privilege of hinging any sheep, calfs, or other bestiall at any shope doors or upon posts for sale within this burgh, but that they shall laye these upon stands and upon the high streets, under such penaltys as the Magistrates shall think proper to inflict *toties quoties*.

" 57th, That no inhabitant of this burrow shal was linnens or yearn, or o'yrs whatsoever at public wells, under the penalty of twelve shillings Scots *toties quoties*.

" 58th, That the bonnetmaker trade have the privilege of searching all bonnets offered for sale in the public mercate not manufactured by freemen.

" 59th, That no maltman in this burgh receive any apprentice for under three years' space, under the penalty of the apprentices loseing any freedome in this town. As also, that no maltman shall receive any apprentice untill the said apprentice find sufficient caution, for whom the master shall be answerable at the sight of the Dean of Guild for the said apprentice his good behaviour, and that the said Bond be recorded in the town's books.

" 60th, That no person lay or fix any skins or cloath of any kind upon any of the dykes belonging to the town or hospitall, under the penalty of five pound Scots.

" 61st, That hereafter all puttatoes be sold in this burrow by weight, at the rate of two stone Amsterdam weight for the peck, and so in proportion for lesser or greater quantities.

" 62d, That the glover trade shall have the privilege of visiting the sheep skins as well as the lambs, and they shall be entitled to four pennies Scots for each ception, and one shilling Scots for each hole in each sheep's skin."

The following is an interesting description by Dr Small of the parish of Dundee as at 1789 :—

" The territory of the parish altogether yields a valued rent of

£7874 3s. 6d. Scots. The real rent, abstracting from it the houses and gardens in the town, is probably between £8000 and £9000 sterling. The number of Scottish acres under culture is about 3400, and in plantation about 300. The principal estates in the parish are those of Dudhope, with the other lands belonging to Lord Douglas, Craigie, Drumgeith, Baldovie, Pitkerro, Duntroon, Clepington, Wallace, Blackness, Upper Dudhope, Logie, and Balgay. In a parish so extensive there must be a considerable variety of soil. Little of it, however, is naturally rich. The rising ground toward Blackness is naturally thin and poor, with gravelly bottom, and the surface was probably covered for a long time with heath. About Blackness the soil continues equally thin, and the bottom is of till. But to the north of Blackness, particularly on the east end of the Hill of Balgay, the soil is deeper, and consists of a rich black earth. Except about the old Castle of Dudhope and on the low grounds the soil of the Law is poor, with a bottom of till. The ground to the eastward of the Law, though better, is not remarkably rich; a good part of Craigie, which consists of the best of it, was moor not thirty years ago, and the bottom is also generally of till. To the eastward of Craigie the soil in some farms of the Douglas estate becomes better, and inclines to clay. The best land is in the bottom where Dighty and Fiethy meet; it includes part of Baldovie and Drumgeith, and seems to be deposite from two waters. The estate of Pitkerro, bounded on three sides by Fiethy, Dighty, and Murroes burn, consists of a soil good and dry, though rather thin, and the south bank of Duntroon is also fertile. The worst land is north of the Hill of Balgay, Duntroon, and the Law. But the neighbourhood of this large town seems to place all these varieties of soil upon a level. They are in general in a high state of cultivation, and produce valuable crops; and, instead of large pieces of moor, which within the last thirty years were to be found everywhere, there is hardly to be seen a single spot. All is in culture or plantation except a few acres of common, and very little lies waste by neglect.

“The number of people who have farms is thirty-one or thirty-two. But of farmers properly so called, and who make farming their only business, there are not more than fifteen. The practice of one of the most industrious and intelligent is as follows:—He

rents 130 acres at 40s per acre, and he keeps seven constant servants and eight horses. He employs in the spring three ploughs, each wrought by two horses, and in the winter two ploughs wrought by four; and he uses four carts, eight feet by four each. His land is laid out in seven divisions—fallow, wheat, potatoes and turnips, barley, oats with grass seeds, grass and clover, and grass for hay. In this rotation the whole manure is given to the wheat. An acre of good turnips sells for £7 to £10 sterling, according to distance from town. The potatoes are chiefly planted by Dundee manufacturers, who also clean them with hand hoes and take them up. The farmer puts the ground in proper order for receiving them, and draws from £4 to £6 per acre. This practice is attended with the best effects to the health, and more easy subsistence to the manufacturer and his family, and to the farmer in clearing his land from weeds more effectually than by any other method. No services are in this parish exacted from farmers, and this oppressive custom, though still subsisting in other parts of Angus, is here happily abolished.”

The following is a list of the Magistrates and Town Council for 1788 :—

John Pitcairn, Esq.—*Provost*.

James Johnston, John Guild, John Thoms, John Patrick—*Bailies*.

James Halliburton—*D. G.*

Peter Kid—*Treasurer*.

Alexr. Riddoch, David Myles, Alex. Thoms—*Old Bailies*.

Alexr. Pitcairn—*Guild Councillor*.

Andrew Peddie—*Shoremaster*.

George Dempster of Dunnichen, Wm. Anderson, Patrick Smith,
John Cairncross, and Henry Blyth—*Merchant Councillors*.

John Ivory—*Deacon of Hammermen*.

Thos. Blair—*Deacon of Shoemakers*.

Matthew Buist—*Deacon of Glovers*.

Towards the end of the 18th century and beginning of the 19th Dundee was represented in Parliament by George Dempster

of Dunnichen, whose portrait adorns the wall of the Council Chamber. This gentleman was so independent, and was possessed of such strict integrity of principle, that in a Parliament ruled over by Pitt that statesman is said to have boasted that he knew every man's price but one, and that one George Dempster, who was quite unapproachable either to the statesman or his emissaries, who much desired to secure the support of so true a man to his mischievous policy of interference in those Continental disputes which landed Britain in a load of debt, under which the nation has ever since groaned.

As a specimen of the value of a vigilant Parliamentary representative and the interest which Mr Dempster took in forwarding good works, the following copy of a letter by him in the Town's Archives regarding the construction of a Lighthouse on the Bell Rock will not be uninteresting :—

“ Dunnichen, by Forfar, 14 May 1803.

“ Wm. Chalmers, Esq., Town Clerk, Dundee.

“ My dear sir,—

“ I pray what follows may be mentioned without loss of time to your Magistrates. I believe a motion will be made for the lighting of Bell Rock or Cape Rock. It is thought a petition from the maritime towns near it would secure the measure. State its dangerousness strongly and briefly, and pray the House to take measures for erecting a lighthouse on it. There is not a day to be lost. The petition sent to Sir D. C. in Mr Scott's absence. I write in great haste, and fear illegibly, to save a post, and remain respectfully,

“ Dear sir, yours, &c., &c., &c.,

“ GEORGE DEMPSTER.”

About the end of last century the Town of Dundee was rapidly increasing in wealth and importance, and extending its internal manufacturing facilities and external commerce. Among other experiments was that of commencing a glass manufactory. The premises secured for carrying on the manufacture of that useful

material were the buildings and ground of Carolina Port (still popularly called "the Bottleneck"); but the duty on the manufacture of that useful material, and the heavy shore dues exacted by the Magistrates and Council as proprietors of the Harbour, were so excessive that after a time the proprietors, anxious to avoid abandoning the trade, in 1790 memorialised the Town Council for exemption from shore dues on the importation of the raw material. This memorial is a very creditable and well-reasoned pleading, and the following is a copy:—

"Unto the Honble. the Provost, Magistrates, and other Members of the Town Council of Dundee.

"The Petition of the Dundee Glass Work Company

"Sheweth,—

"That your petitioners have at much expense and risque commenced a Glass Manufactory, a little to the eastward of the town, which they conceive will be of considerable benefit to the place at large, and to the shipping and revenue of the town in particular. That they have for the protection of shipping at their work been obliged to build a harbour at an expense of above four hundred pounds, whereby the ships in their employ do not interfere with or incommode the town's harbour.

"That it is an invariable practice and policy of all communities to promote and encourage a spirit of industry and enterprize within their jurisdiction as the only means of encreasing their prosperity, wealth, and power. And thus it is, wherever manufactures are established they are indulged with every privilege granted them in other places, without which they could not flourish, but would be beat out of market by their more privileged neighbours. That the City of Edinburgh, conformable to this principle, actually gave to the Glass Work Co. there the ground whereon their manufactory is erected, to the value of from two to three thousand pounds sterling, *gratis*; and as a further encouragement, exempted them from all shore dues upon the materials necessary for their manufacture; and the manufactory of glass continues to be considered of so much importance to that place, that the same privilege of exemption

from shore dues on the materials is just now extended to the new work lately erected there.

“That none of the glass works in Great Britain are subject to shore dues on the materials they use, and that therefore the Glass Manufacture of your petitioners labours under an expense to which no other work of the kind in the kingdom is subjected. Wherefore, it is hoped your Honours will grant your petitioners an exemption from shore dues on the raw materials they import at their own work, in order to enable them to meet their rivals at market on equal terms so far as depends upon your Honours; for your petitioners labour under other disadvantages, from the great sum expended upon their harbour, and the extraordinary expense of freight for their coals, both unavoidable, but which tend to the greater advantage of this place, by the employment of the shipping, and of the town's revenue from the tonnage, &c., of the ships so employed to a considerable amount, and these advantages to the place may, with due encouragement of your Honours, be much increased by the extension of your petitioners' manufactory.”

It does not seem that the Magistrates saw their way to complying with the above request, and we find that after languishing a few years the trade was discontinued, and the Glass Works entirely abandoned. The ground and buildings have since been used for various purposes, but the whole were recently purchased by the Police Commissioners of the burgh for the purposes of a cattle market, slaughter-houses, and offices connected therewith.

In 1783 the scholars attending the burgh Grammar School appear to have long enjoyed the privilege of free sittings in the west gallery of the Old or East Church; but these young gentlemen having at that time appreciated the privilege so little as either not to have shewn themselves in church with sufficient regularity, or to have when there conducted themselves in a manner unbecoming the character of gentlemen and disrespectful to the ordinances of religion, the Council resolved to withdraw the privilege from them altogether. This resolution brought the

young swells to their senses, and drew forth the following *pious* petition from the contrite ones. As the document is a fair specimen of juvenile composition, and as a few of the citizens of Dundee of the present generation may be able to trace some of the names appended to the petition as their grandfathers or great-grandfathers, it is here given *in extenso*, with the signatures adhibited :—

“ To the Honble. the Lord Provost, Dean of Guild, Magistrates,
and Town Council of Dundee,

“ The Petition of the Subscribers, Scholars and Pupils at the
Grammar School of Dundee,

“ Humbly Sheweth,—

“ That your petitioners are informed by their parents and others that your Honours intend setting the loft immemorially appropriated for the use of those who attend the Grammar School of Dundee, hearing Divine service and receiving public instruction as to the principles of the religion of their fathers, and established by the laws of our country, and besides which place the numerous youth who attend that Grammar School have no other particular place allotted to them. Of late years it was a rule, and a good one, that every scholar who had not the consent of his parents was obliged, under proper penalties, to attend that place of worship, and the masters by that means, who were expected to attend, had them under their inspection, and could observe their behaviour during Divine service. This practice, founded in that regard which your petitioners expect, and have a right to from their parents and teachers, and which the Scriptures entitle them to, they have been for some time past in a great degree deprived of, and by what is presently proposed will be totally so. Their good forefathers provided this privilege for them, more essential to their real interest than riches or the pride of blood. Little as their experience is, they don't wish to part with it. If it has not been used to the good purposes originally designed, those whose duty it was to have overseen, and, on the prudent rules established, executed that design, will be to blame; but if the design was originally good, it is not less

necessary in the present profligate age than in any one age of the eldest man alive. The religious education of your infant subscribers is on that very account of more consequence, and deserves better the consideration of the public than any former period.

“ May it therefore please your Honours,” &c.

First Class.

George Mitchell.
John Dick.
John Guthrie.
Alex. Bell.
Alex. Ogilvie.
David Patrick.
Patrick Brown.
James Graham.

Second Class.

George Falconer.
Wm. Neilson.
James Guild.
Alex. Black.
Robert Graham.

George Maxwell.
Robertson Morison.

Third Class.

John Nicoll.
William Nish.
James Mitchell.
Thomas Kyd.
John Simpson.
Alex. Neilson.
John Watson.

Fourth Class.

Robert Jobson.
John Webster.
Wm. Dick.

Thomas Halliburton.
David Hunter.
Patrick Maxwell.
Jas. Henderson.

Fifth Class.

Thomas Ivory.
John Mikljohn.
P. Hunter.
P. Watson.
Fras. Campbell.
Dad. Moncur.
James Craik.
George Profit.
James Robertson.

It does not seem that the Magistrates precisely complied with the prayer of the above petition, for we find shortly afterwards that boys of a humbler class were awarded the privilege of free seats in the west gallery. These boys were bursars educated under the various Mortifications, including Roger's, Brown's, White's, &c., all of which were mustered on Sunday mornings at the respective schools attended by them during the week, and proceeded in double rank, along with their respective teachers or monitors, to the free pews alluded to; and this practice continued till the churches were consumed by fire in 1841.

The following description of Dundee in 1799 is by the same writer whose description of Dundee in 1746 is already given in this work :—

“ *In Extent* the buildings of Dundee are now doubled. They stretch to Blackness, Craigie, and the Bonnet Hill or Rottenrow; and to the south we have encroached upon the river. Some of the buildings of the town approach to elegance. The environs and country are much improved, and we are encircled by water,

by gardens, and by villas. Families live in an improved taste, and require more accommodation. *House rents* are now from £5 to £40 and even £50 *per annum*. Ground for building in the centre of the town hath become extremely valuable, and there is hardly a vacant spot in it. A small area containing about 300 square feet was lately sold at a public sale at the amazing price of £300.

“*In Numbers and Population* we are since 1750 quadrupled, that is, they may now be fairly taken at 25,000 souls.

“*In Inns* we are completely accommodated. Neither Gordon’s nor Morren’s would do dishonour to any town in Europe; and it is by rivalry the public can be well served. We have had enow of *John Barnets* in our time already.

“*The Shipping* is wonderfully increased. Foreign tonnage is at least quadrupled. Vessels are well found and manned, and they voyage without interruption from Christmas to Christmas. The London traders sail and arrive every fortnight, and our home tonnage may be reckoned at from 8000 to 9000 tons.

“*Piers for Shipping and Boats* are greatly extended (altho’ but very imperfect), and have cost large sums, particularly a shipping one hath been added, with arches for the passing tide. The whole staple trade is unloaded there, and it forms a pleasing and healthful walk to the inhabitants. A shipbuilding dock is well occupied and employed, and vessels can be built there from 200 to 300 tons. A declivious boat pier has been built some years ago with much judgment, under the management of the late Bailie Myles, at the west shore, and gives easy access to passengers at all times.

“*Manufactures* are on a very increasing and large scale. The staple Osnaburg hath advanced greatly. A single weaver may now earn £50 a-year by his daily labour.

“*Buildings* have been greatly extended. There are now five churches well occupied and frequented, exclusive of every denomination of sectarians. A new market-place for butcher meat and slaughter-house hath been built. We have an elegant hall for the Nine Incorporated Trades, a handsome English Chapel, and a Glassite Octagon, and these give ornament to all around. The *Town House* or Tolbooth is a piece of noble architecture, but its present situation can never be viewed to advantage or

justice to the architect. Our forefathers (and even some of the present generation) seem to have looked no farther than their noses when they turned proprietors and builders. Never was a building (if we except the *Mansion House* of London and the *Sailors' Hall* here) so murdered in situation. It is set down in a hole fitted only for a hog's sty, and, what is to be much lamented, it is one of those capital blunders which cannot without immense expense be now remedied.*

"*Three New Streets* have recently been judiciously laid out by the public-spirited and persevering exertions of *Provost Riddoch*. One of these (Castle Street) is literally scooped out of a huge rock by force of gunpowder. Two of these communicate with the shipping, and the other (Tay Street) forms a convenient access to the country and turnpike.

"*The Common Meadows* are of late partially drained. They are enclosed with stone walls, and laid out (though yet greatly deficient) for washing and bleaching the linens of the inhabitants. A back road by the town is also begun to be made through the Meadows, and will soon connect the turnpikes.

"*Retail Shops* are found in every street and corner, and we are fully supplied with every family article, and (in general) you are well and civilly treated for your money.

"*Merchants* are a respectable, well-educated, and wealthy class. The taverns and alehouses are deserted for the drawing-room and their friends, and elegance and hospitality preside at their tables. The country squires have for the present quitted the town. Like Cincinnatus, they have returned to their ploughshares and to their seats, and have thus become *burgh seceders*. They find that by time they have acquired very respectable and opulent rivals in the city, that a couple of mansions are not now necessary to spend *one rent-roll*, and that

* The writer of the above would if he were alive be astonished to see the great improvement which the opening up of Reform Street, and the alterations in the paving and the introduction of sanitary and drainage operations, have effected on the site of the Town House. The removal of the worn-out erections on the south of the building and the erection of new municipal offices on the site have contributed to render it a most appropriate one for a building in which the public business of such a town can be most conveniently transacted.

self-consequence and *importance* are delicate and tender plants, that are much more quietly reared and nursed in wilds and heaths and amongst mountains and forests than in the bustling circle of a mercantile and independent community. We have three banking-houses. The old Banking Company, established in 1763, now do business, it is thought, to at least sixteen times the extent they did at first setting out.

"*The Post* goes and arrives daily. A mail coach from Edinburgh to Aberdeen has been established since August last, and travellers of every description profit by such conveniency. Letters are received here the third day from London.

"*The Streets* are rather better lighted up, nor are we groping about like Cupids or Jocky Blind-man in the dreary month of December.

"We formerly had only one single horse gig; we have now at least a dozen elegant four-wheeled chaises, and from trade and population they are in constant demand and employ.

"In 1746 we had only *one carter*; we have now one hundred and thirty, and nothing marks the increase of the town more than this article.

"*Gentlemen, Ladies, and Servants* are all well dressed and neatly habited. Even our own kitchen wenches carry *umbrellas* and wear veils to protect their pretty persons from the inclemency of the winter sky, and their beauty and charms from the sun and dews of the summer. The fashion and *ton* in one article is wholly changed: the ladies alone now wear wigs, and the gentlemen are turned croppies and roundheads.

"*Vivres* of all kinds are confessedly dearer, but are to be had in great abundance at all times. Beef is 6d, a hen 1s 6d, and eggs 6d per dozen, and there is a plenteous supply of vegetables. We have, in humble imitation of *Covent Garden*, our melons, cucumbers, and asparagus in the public street. Fish seldom exceed one penny per pound.

"*The Town's Annual Revenue* may be valued at about £3000, and tonnage, anchorage, beaconage dues, &c., forming a part of it, did not amount to more than £40 or £50 sixty years ago, and is now let at £1300 to £1400 sterling."

In the early part of the present century an Act of Parliament

was obtained whereby the management of the Harbour was vested in a Board of Commissioners for the benefit of the public. That measure proved the commencement of a new era in the history of the port, and greatly facilitated the accomplishment of those immense improvements and extensions which were imperatively required for the accommodation of the rapidly augmenting traffic.

In the beginning of this century an attempt was made to carry on the business of sugar refining by a highly-respectable Company, whose premises were situated in the Seagate—the late Sir David Baxter, when a young man, being a partner, and taking an active share in the management ; but the trade did not thrive, and was discontinued by the Company about the year 1825, after which the late Mr Boyd carried on the work on his own account with no better success.

In 1816, Dundee suffered severely from the stagnation of trade by which the nation in general was depressed. Provisions became scarce and dear, while thousands of working men in the district were out of employment. In these circumstances the unemployed foolishly accused the provision dealers in the town of causing the famine, by hoarding up stores of food in their warehouses, and the dissatisfaction became so great that a riot occurred, then described as a "Meal mob." The shops of the meal sellers were broken open, and their stock of provisions thrown out to the streets, where hungry men and women gathered them up, and carried them home to feed their famishing children. In consequence of these proceedings, the aggrieved dealers applied to the Magistrates for payment of the damages sustained, which demand the authorities declined, alleging non-liability ; but after due enquiry, they were convinced of their power to compensate the complaining parties, and reimburse themselves by an assessment on the inhabitants. However, it was resolved not to exact a tax for the purpose, and the more able inhabitants contributed a voluntary assessment, whereby the parties aggrieved were

adequately compensated. The following are the names of the claimants, and the amount of their respective claims:—

Thos. Mudie, . . .	£6 6 1	J. Glenday, . . .	£1 4 0
Wm. Finlay, . . .	6 2 8	Fras. Young, . . .	4 3 2
D. Nicoll, . . .	8 10 0	A. Wighton, . . .	37 16 10
Wm. Murdoch, . . .	181 18 0	James Duncan, . . .	16 16 10
Mungo Shepherd, . . .	4 4 9		
J. Ducat, . . .	0 18 6		£317 9 9
Jas. Young, . . .	1 16 0		

The following is a list of the Magistrates and Town Council in 1817:—

Alexander Riddoch of Blacklunan, *Provost*.

Bailies.

David Brown, merchant.	Patrick Anderson, late banker.
David Hazeel, manufacturer.	James Gray, ironmonger.

Old Bailies and Councillors.

George Thoms, merchant; John Crichton, surgeon; and Andrew Peddie, wood merchant.

John Calman, shipbuilder, *Treasurer*.

Merchant Councillors.

Sir David Wedderburn of Ballindean, Bart., M.P. for District of Burghs; John Guild, wood merchant; David Blair of Cookston, merchant; Archibald Ogilvie, merchant; William Barrie, writer, and Collector of Cess.

Trades Councillors.

Kinnaird Brown, baker; Colin Salmon, watchmaker; and David Hill, glover.

In 1819 the inhabitants of Dundee resolved to add the influence of their support to the movement for Parliamentary Reform, and accordingly a public meeting was held at the Magdalen Yard, presided over by George Kinloch, Esq. of that Ilk, and a petition to Parliament was adopted, praying for a

Reform of the Representation of the People in the House of Commons. Although this meeting was conducted with peace and propriety, and although the object of it was quite constitutional, yet the Government of the day seemed determined to put down with a strong hand all attempts to ameliorate the representative system; and accordingly the Lord Advocate was instructed to adopt criminal proceedings against Mr Kinloch as chairman of that meeting, and consequently as guilty of sedition. As such a charge was at that stage of Scottish national history tantamount to conviction and sentence of transportation, Kinloch, who, like his forefathers, would have been nothing loth, in a fair field, to have exhibited his skill and prowess in arms in preference to retiring before an enemy, was, by the advice of his friends, induced to withdraw for the time from his native land, and he accordingly retired to the capital of France, in the hope of being permitted to return to his native country in more auspicious times. In 1822, he therefore, after receiving, through means of his daughter's intercession, a Royal pardon, returned to his estates in the neighbourhood of Dundee, where he quietly performed the duties of a landlord and magistrate for a number of years.

In 1830, the cry for Reform raised by the people brought all true Reformers to the front, and among the rest George Kinloch, who gave every support to the Government of Earl Grey in their arduous task of carrying through Parliament the first Reform Bill; and this co-operation was so afforded in the shape of the Dundee Political Union, brought into existence by the influence of Mr Kinloch, and which, in combination with the great Birmingham Political Union, and other similar confederated bodies, so operated upon the opponents of Reform that the opposition both in the House of Commons and House of Lords wisely gave in to the popular voice, and that first great measure of popular election and national representation was triumphantly passed into law. Under that Act, at the first election of a Member for Dundee, Mr Kinloch was elected M.P., but he only held that

office for a few weeks, he having been seized with mortal illness in London when closely attending to his Parliamentary duties, to the great regret of all his constituents. After his death subscriptions were entered into for defraying the expense of a monument to his memory, but it was only in 1871 that the subscribers could succeed in obtaining a suitable site, when the municipal authorities permitted the colossal bronze statue prepared by Mr Steel of Edinburgh, the eminent sculptor, to be erected in the grounds of the Albert Institute, which that superior work of art and memorial of a genuine Reformer now adorns. Prominent on that occasion appeared his son and daughter—the former having shortly before received the honour of knighthood and a baronetcy, in acknowledgment of his own and his father's patriotic conduct.

The following is the inscription cut into the granite pedestal on which the statue stands :—

G E O R G E K I N L O C H
 O F K I N L O C H ,
 O U T L A W E D F O R
 T H E A D V O C A C Y O F P O P U L A R R I G H T S ,
 22 D E C E M B E R 1819.
 P R O C L A I M E D M E M B E R F O R D U N D E E ,
 22 D E C E M B E R 1832.
 D I E D I N L O N D O N 1833.
 E R E C T E D B Y P U B L I C S U B S C R I P T I O N , T O C O M M E M O R A T E A
 S I G N A L T R I U M P H O F P O L I T I C A L J U S T I C E .
 3 D F E B R U A R Y 1872.

The following is a description of Dundee in 1820 :—

Although population, manufactures, and improvements had greatly increased and extended since the end of the 18th century, still Dundee in 1820 held a comparatively insignificant position to the colossal proportions it has now attained—a result far

exceeding the most sanguine imaginations and hopes of its citizens of that period. The steam engine, although then introduced partially into the staple manufactures of the town, was not much used as a motive power, although even then forcing its way upon the attention of all intelligent and enterprising citizens. Mills were being then projected on a larger scale than usual for spinning flax into yarns, great part of which had previously been produced by hand labour. Small manufacturers, or "household weavers," as they were then termed, still carried on the handloom process of manufacture. On market days frugal and industrious housewives might have been seen at the west end of the High Street exposing for sale bundles of yarns of various descriptions, from the finest flax to "backings" and "grunt." Manufacturers might then be seen chaffering with these dames with the view to purchasing their stocks—the weight per hasp being quickly ascertained and tested on the spot by small spring balances, which the purchasers appeared, as a matter of course, to carry constantly in their pockets. These small purchases of homespun yarns were thereafter woven on handlooms into the various fabrics mostly used by families, viz., shirting, sheeting, towelling, &c., while the coarser sort of yarns were converted into Osnaburgs, sacking, and other coarser fabrics suitable for external trade. Jute had not then been introduced; but the bounty allowed by Government on the export of home manufactured linens kept up a rather stirring export trade.

Greengrocers and fruit dealers daily occupied the High Street as a market-place. Morren's Hotel then stood on the space now forming the south end of Reform Street, and the household dames and maid-servants making their daily purchases of verdant requisites filled up agreeably the figure portion of the picture, which was also often enriched by the advent of the gentlemanly and venerable landlord of that hotel, with "uncovered locks of silver grey," black dress coat, and white neckcloth, the collar of

the coat being plentifully embalmed in a shower of shining hair powder. During the course of the day small groups of respectable citizens congregated on the High Street for conversation and gossip, some of these, even including high municipal dignitaries and members of the learned professions, not considering it *infra dig.* to promenade along the street, kail blade in hand containing ripe strawberries, &c., discussing public news, while thus enjoying the refreshing flavour of the luscious fruit.

The town was then well supplied with fish and butcher meat. The fishermen personally exposed their fish for sale to the public in the Fish Market (now Greenmarket), for the convenience of which traffic boards, or "stocks," were supplied by the burgh authorities. The Butcher Market, situated in Butcher Row, had long been the general mart for the supply of butcher meat to the inhabitants, but it was then beginning to fall into disuetude—several respectable butchers having given up using the market stalls, and removed to shops in eligible positions in the town for the carrying on of their trade. The Butter Market was well frequented by the country dames and lasses—wives and daughters of well-to-do farmers not then considering it *infra dig.* to devote their talents to the sale of their peculiar produce, thereby showing that civilization had not so far progressed as to induce the latter to prefer driving out or playing on the piano to milking the kye and playing on the kirn. Burly farmers, in boots and tops, with sconces well protected by broad blue bonnets, may then have been seen on a good cart-horse wending their way into town on a market-day, the gudewife comfortably perched on a pad behind her jolly lord—he to dispose of his corn and she her hens, butter, and eggs.

The Incorporated Trades continued then to cling strictly to their monopoly. No industrious tradesman dare do a bit of work on his own account unless he first of all entered the craft and paid the fees, failing which legal measures were promptly instituted to prevent him. But this state of matters could not

much longer be submitted to, and these privileges have since been abolished by Act of Parliament—permitting free and unfettered exercise of his trade and talents to every subject of Her Majesty without molestation. The town still retained its ancient boundaries as a Royal Burgh, these not having been in the least extended since the date of its first Charter—Tay Street bounding it on the west, the south wall of the Houff on the north, St Roque Lane on the east, and the beach on the south parts.

The shops were generally small, and ill-constructed. Many of those along the north side of the High Street, although the best in town, were lighted by small bow windows, subdivided into small panes, the floors of the shops being two or three steps higher than the level of the footpath in front—these steps projecting a considerable distance, and forming an obstruction to foot passengers. A portion of the stock-in-trade of the shopkeepers was kept and exhibited in cellars beneath the shops, access to which was afforded by a flight of steps, the upper end terminating about the middle of the footpath, and kept open during the day-time for convenience of trade, but to the danger of the limbs of the lieges. At night, however, these openings were covered with sloping wooden covers, which appeared to be favourite stages for the boys of the town for exercising their limbs in dancing horn-pipes thereon, and making a noise like a concert of bass drums, anything but pleasant to sensitive nerves.

Of cabs there were literally none, a few vehicles termed *noddies* only being kept for hire by Mrs Barnie, in the Seagate. Sedan chairs, however, were frequently in request for conveying ladies to and from evening parties. The proprietor of these machines—John Macintosh—and his assistants on such occasions might be seen *doubling* along the streets between the shafts, and keeping such exact time in their respective paces as to impart to the machine a gentle undulating motion, no doubt imparting to the lady in full dress within, similar pleasant sensations as the inventor of the baby jumper *calculated* that his invention would

impart to the rising generation. Some ladies, however, preferred to proceed on foot on such occasions, when they might be seen stepping, even in sloppy weather, along the streets, on iron-shod pattens or wooden clogs, followed closely by their maids carrying a large triangular lantern, to throw forward light on their mistress' path—a process absolutely necessary, from the fact that the few public oil lamps, affixed at considerable distances from each other, only contributed by their sickly twinkle to render darkness visible.

The peace of the town was watched over by six town officers, the remains of the Old Town Guard. These were all elderly men, most of them being old soldiers. They were dressed in blue cloth dress-coats, trimmed with bright figured lace, and were crowned by three-cornered laced hats. These were really a "terror to evil doers," particularly of the rising generation, who then frequently indulged in the dangerous pastime of pitched battles in stone-throwing, or "trapping," as the practice was then termed. Notwithstanding their advanced ages, these public functionaries were shrewd, cunning customers, and frequently managed to outrun many big boys, and land them to cool in the renowned "thief's hole"—a subterranean stronghold situated under the Town House, from which dark *locus penitentiae* they were either set free after a few hours of fright, or in aggravated cases conveyed before one of the Magistrates and tried by summary process, fines being imposed or admonitions administered according to the circumstances of each particular case.

As far as education was concerned, any one will conclude that the state of that important element of civilization must have been exceedingly satisfactory, when it was well known, and has been since often repeated in the public press, that a very learned man in the town at that time held the subordinate public office of Town Drummer. This man was a first-rate linguist, a good classical scholar, well versed in classic and Eastern Asiatic

literature. On a certain occasion a learned Jewish Rabbi visited Dundee and proposed to give a lecture on Hebrew literature, and in order to facilitate his plans called upon the parish minister, who received him kindly, but did not evince superior literary acquirements, and in consequence the Rabbi concluded that whatever shortcomings he might exhibit at the lecture there would be little chance of minute criticism on the part of the audience. He accordingly waited on the Town Drummer (whose name was Daniel M'Cormick) with the view to employing him to proclaim the lecture through the town by tuck of drum. "Dan" on the occasion entered into conversation with the Rabbi, and shewed such an intimate knowledge of Hebrew, Arabic, and Sanscrit that the learned Israelite suddenly resolved to make discretion the better part of valour, by quietly taking his departure, being afraid to exhibit himself before a community whose town drummer even so far exceeded in educational acquirements many *alumni* of famous seats of learning. It was not known what had been Dan's antecedents, but it was rumoured that he was the son of an aristocratic personage, whose paternal relation to Dan was unacknowledged, in consequence of the existence of a *bar sinister* on Dan's escutcheon. Be this as it may, a good education was evidently bestowed upon the "Drummer o' Dundee."

The Kirks were well attended. Ministers and elders of the Established Church were practically the Parochial Board of the parish, and collected and disbursed the weekly contributions at the plate among the poor and afflicted of the town and district. The Magistrates every Sunday walked in procession from the Town Hall to the East Church, in black silk cloaks and cocked hats, preceded by the town officers, carrying each an ancient "halbard." In church the Magistrates sat in the front pews of the east gallery. These were covered and cushioned with crimson velvet, the Bibles being ornamented by the town's armorial bearings in gold on the bindings. The approach to that portion

of the East Church then was by a wide flight of stone steps extending from Church Wynd (now called Tally Street) to the level of said gallery, to which also access was obtained by a door in the east gable of the church. Ladies attended church in scarlet mankay or tartan plaids, closely pinned to the head, neck, and shoulders, the extremities of these plaids spreading gracefully over the skirts of the plain substantial dresses then worn, consisting of brocades and satins, both plain and quilted, well calculated to be handed down from generation to generation in the best of order. The brilliant colours of the plaids operated as a pleasing variety among the crowds of church-goers along the streets on the Sabbath day, as well as in the pews of the church itself, into which a scant amount of light only penetrated through the narrow Gothic windows. Gentlemen wore cloth "Spencers" above their dress coats, and most of them wore Cashmere breeches buttoned at the knee—professional men wearing black silk stockings, and laymen coloured woollen ones. Elderly men, however, generally covered their calves by cloth leggings or gaiters, extending from the knee to the instep, and buttoned on the sides by gilt metal buttons. A few who prided themselves in possessing a well-turned limb, however, preferred to wear the "pantaloons" style of small clothes, generally of fine knitted wool, closely adhering to the limbs, and exhibiting their symmetry to advantage. Others rejoiced in wearing hessian boots with tassels at the top along with their pantaloons, which combined had a very fine effect. Boots with yellow leather tops were also much worn, particularly by landed proprietors, farmers, and others in the practice of riding much on horseback.

The river was then accessible to the inhabitants for bathing in its waters and recreation along its banks. Rooyards and Yeaman Shore were favourite bathing-places for the middle and lower classes. The gentry, most of whom lived in villas east and west of the town along the river bank, had private access to the river by means of doorways in the south walls of their gardens

from which they could at the proper state of the tide emerge and enjoy the luxury of a plunge. There was then no railway between Dundee and Perth. A small steamer (the *Caledonia*) sailed between the two towns once or twice a week during the summer season, but never went "to sea" in winter, and the only conveyance for passengers then was Robert Lawson's van, a one horse machine capable of conveying six or eight passengers. Sloop-rigged barges were the means of transportation adopted for conveying building stones from Kingoodie Quarry to Dundee. These vessels on arrival at high tide opposite Yeaman Shore cast their cargoes into the flood, and these at the ebb tide formed cairns on the beach, which were gradually diminished by removal in carts as required for the builders' purposes. A voyage to Kingoodie was then an effort of seamanship—vessels even on so short a voyage being, from the nature of the cargo, liable to founder "at sea." The estuary of the Tay was therefore then looked upon by the skippers of these barges as an important arm of the German Ocean—one of them remarking to a friend that he never was happier than when "at sea."

Shipbuilding and timber yards occupied the whole space between the Yeaman Shore and the Craig Pier, which latter consisted of a short sloping wharf, projecting into the river a few yards only. There was then no steamer on the Tay Ferry. The whole traffic was carried on by "pinnaces," two-masted boats with lugger sails, one of which craft, on a stormy night, foundered in the middle of the river on its return trip from Newport, when all on board, viz., crew of boatmen and passengers, were drowned. Another boat, about same time, was also lost on a Sunday with a party of pleasure on board, all being drowned, among whom was the owner, a public local character, going under the popular appellation of "Cossack Jock." The frequency of these accidents, and the increasing traffic on the ferry, caused a general demand for larger and safer accommodation, and accordingly the present piers were constructed at both sides of the river, and a steamboat

on the "twin" principle, and named the "Union," was built and laid on the passage. There were no wet docks then. The present Earl Grey's and King William's Docks were only partly finished tide harbours. Shore Terrace and Dock Street only extended as far eastward as Castle Street, all to the eastward being occupied as shipbuilding and timber yards. The buildings now forming the north side of Dock Street are founded on what then constituted the bed of the river. Union Street was not in existence, and Kewan's shipbuilding yard then occupied the ground now occupied by the Caledonian Hotel, the whole space constituting West Dock Street and westward to South Lindsay Street being covered by the tide, and forming part of the West Tide Harbour. Where Union Street now exists there were spacious gardens, with tall old fruit trees, the remains of the pleasure grounds of the baronial residence of the Earls of Crawford. Several street houses of timber then existed, but only two now are left—one at the west end of High Street, the other in the west end of Overgate. A very interesting wooden mansion was situated in Nethergate, but was removed to make way for the construction of Union Street. This building had every appearance of having been the town residence of a family of rank—its style of architecture and interior fittings being very elaborate, and, for the age in which it appears to have been constructed, comfortable. It had a *verandah* facing the Nethergate, with doors communicating with the apartments of the first floor above the ground storey. In the seventeenth century it was occupied as a hotel. In 1820, however, the quality of its inhabitants had much degenerated in status, for the upper apartments were let in single rooms to poor people, and the *verandah*, in which doubtless knights and their ladies fair in ancient times enjoyed their afternoon *tête-à-tête* under its cool shade, was put to the ignoble purpose of exhibiting old furniture for sale, the tenant then being a broker.

The *Meadows* were then used as a public bleaching-green.

St Francis' Well supplied the means of watering the "washings" spread out on the grass to bleach, whilst a canal running through the Meadow, and having a lock at one end, supplied water for washing and "tramping" purposes, performing which latter operation might be seen any day a bevy of stout females with kilted skirts, discovering a goodly supply of bone and muscle in their well-turned limbs, which they vigorously employed in "stamping out" all unclean matter from the family linens. This practice was not looked upon as at all indelicate or improper, the effect produced by the operation being, in the absence of the chemical appliances since invented, considered a matter of economy, if not of necessity, as a cleansing process. The green was watched during certain nights of each week by the town officers, on which occasions a small charge was made by them in proportion to the size of the washings spread out to bleach in the cool night air. On Saturday evenings jaded cart horses were for a small charge allowed to enjoy from Saturday night till Monday morning the stunted grass and soap suds, when they might be seen without bridle or halter wallowing, rolling, and racing *ad libitum* the long Sabbath day. The Little Meadows, anciently called "Andrew Barrie's Meadow," was partly a swamp and partly dry ground. It was frequently used as a place for depositing mill waste, before the value of that article became known and its capabilities appreciated. At certain seasons it was covered with shows, and frequently was used for the performance of equestrian feats by circus men, who exhibited their agility in horsemanship to the admiring crowd, who generally were called upon to remunerate these professionals by taking a ticket in the lottery which always came off as a *finale* to their mountebank performances. Constitution Road was then only a horse track, bounded on both sides by hedges, enclosing market gardens. The densely-populated suburbs of Wallacetown and Maxwelltown were ploughed fields, while the Stobswell district was cultivated as a dairy farm.

The "Hospital Ward" was a very convenient and pleasant place of recreation for the inhabitants. It was of considerable extent, and in the shape of a parallelogram, completely enclosed by stone walls, and laid out with grass, a broad gravel walk running along the east and north sides of the enclosure, with gates or barriers at each end, viz., at the top of Barrack Street and at Lochee Road. This walk was shaded by tall elm and oak trees, planted at each side. Servants and children resorted to this retreat at all hours of the day. In the afternoons and summer evenings young gentlemen practised archery on the green, and middle-aged men amused themselves with machines named "Dandy Horses," very similar in appearance to the modern velocipedes, but requiring the riders' feet to propel them by pushing against the ground. Children amused themselves plucking gowans and buttercups, while their nurses wiled away the time in knitting stockings, with the occasional relaxation of a chat with their lads. In winter the area of the Wards was partially flooded by the water of Todsburn, and in frosty weather skating and sliding was then indulged in. Where the Court-house buildings and Dudhope Crescent now stand, market gardens then existed, a considerable portion of the ground being sublet to tradespeople as garden plots for the cultivation of flowers and vegetables. The part of the Wards on which Bell Street Church is built was named "Culloden," where a brass foundry was then in full operation. The West Wards were nothing but a complete quagmire, in which no footing existed either for man or beast.

The *Houff*, or old burying-ground, was then a wilderness of graves, mounds, hollows, and tombstones in a deplorable state of chaos, Deacon Dron not having had it under his improving hand.

The *Streets* were very badly paved, the system of square setts of causeway blocks not having been then introduced, consequently the action of cart wheels in a very short space of time caused deep ruts in the causeways, which rendered carriage conveyance to be rather unpleasant; and in wet weather the

numerous "dubs" caused foot passengers, even when shod with clogs or pattens, to exercise great care and skill in navigation, to keep clear of wet feet. Middens might be seen on the sides of the public streets, and no system of drainage then existed. All disagreeable liquid substances were thrown into the water channels, and allowed to disseminate the seeds of malaria, which too often developed into cholera, typhus, and other deadly diseases, which for a time dealt sickness and death among the less comfortable portion of the population.

The old *Sett* of the *Burgh* was still in operation, a mode of municipal government called "self-election"—those having the good fortune to be "in" tacitly agreeing to withstand every attempt to introduce "new blood." This system had already withstood many assaults by the Deacons of Trades, and also by outside reformers, backed by the encouragement and assistance of the independent portion of the local press. Although these onslaughts were not immediately successful, yet they operated as demonstrations of public opinion, and served to keep alive a just sense of the great necessity which existed for a system of municipal representation based on popular election—a measure of justice which was afterwards awarded to all burghs by the Imperial Legislature.

The *Population* amounted to about 35,000. Police and water rates had not yet come into existence. Water was free to all at the public wells, but the supply was so deficient that often two hours of waiting had to be endured before the members of a family acquired right by rotation to lift their pitchers.

Besides the Parish Church there were then five charges in connection with the national Establishment. There were also in the town about twenty denominational churches, including Scottish Episcopalians, United Seceders, Methodists, Reliefs, Baptists, Glassites, and a small chapel at Meadowside in which the few Roman Catholics then residing in Dundee worshipped. There were twenty physicians and surgeons (one of them a Knight),

six druggists, thirty lawyers or writers, and thirty teachers of youth.

The number of vessels then belonging to the port was 160 ; gross tonnage, 17,000 ; and navigated by 1400 men and boys.

It may be interesting to notice that the first Joint-Stock Shipping Company was established in 1798, named the "Dundee, Perth, and London Shipping Company," and that Company had all along been in the practice of regularly despatching two smacks from Dundee every week, and the same number from London. The value of each vessel was calculated at £2000, the value of each cargo averaged about £5000, and the total number of voyages performed from 1798 up to 1824 amounted to 5408. The value of each ship being £2000, and cargo £5000—therefore during the intervening time the aggregate amount of property afloat and conveyed by water betwixt the Tay and the Thames was £37,856,000. From the first commencement of this trade up to 1824 one vessel only was lost, value £2000 ; add expenses incurred in saving cargo, £1000 ; add to this the amount of averages and partial losses £3000—total loss in twenty-six years, £6000, during the greater part of which time the trade had to encounter the additional risk of capture by privateers and other cruisers fitted out in the ports of France, Holland, Denmark, and Sweden. The benefit arising to shippers of goods, passengers, and underwriters on these then superior vessels will appear from the simple fact that the trifling rate of $3\frac{1}{2}$ per cent. about covered the risk between Dundee and London by these smacks. Had the goods conveyed to and from London been insured at the very moderate premium of 5s per £100, the profit to the underwriters would have amounted to the sum of £88,640, after paying every loss in full.

During the period above alluded to a large direct shipping trade was carried on with the ports of the Baltic, America, and other foreign ports, which shows that even at the time when the trade of the world was comparatively limited, Dundee enjoyed a

large share of traffic; and the trade of the port so rapidly increased that, on 24th Nov. 1824, the first wet or floating dock in connection with the Dundee Harbour Works was formally opened, in presence of about 20,000 of the population and strangers from different parts of the neighbouring counties, when the smack "Lord Kinnaird," a Dundee and London trader, entered the lock, amidst the firing of artillery and cheers of the multitude assembled to do honour to the occasion.

A capacious graving dock was also constructed, which has served well the purpose for which it was required, until a few years ago, when it was gradually found that, in consequence of the great increase in the size of vessels frequenting the port, and also the large and suddenly developed trade of direct importation of jute from India by steamers and sailing vessels of unprecedentedly large tonnage, a much larger graving dock was absolutely necessary. The Harbour Trustees accordingly resolved to provide a new one of very large dimensions, which has already been contracted for, and the work is in the process of construction.

Shortly after King William's Dock was opened, as above described, it was found that additional accommodation for floating vessels was required, and consequently a new dock was constructed in 1832, to the westward of the Mid Quay, and the foundation-stone was laid with masonic ceremonies by Lord Kinnaird, then Grand Master Mason of Scotland, and was named Earl Grey's Dock, in compliment to the then Prime Minister, for his consistent support of the cause of Reform, and his success in achieving the victory for the people in the passing of the Reform Bill. On the same day the foundation-stone of the Dundee Public Seminaries, now called the High School, was laid with masonic honours, and that day was observed as a general holiday in the form of a jubilee, in which all classes joined.

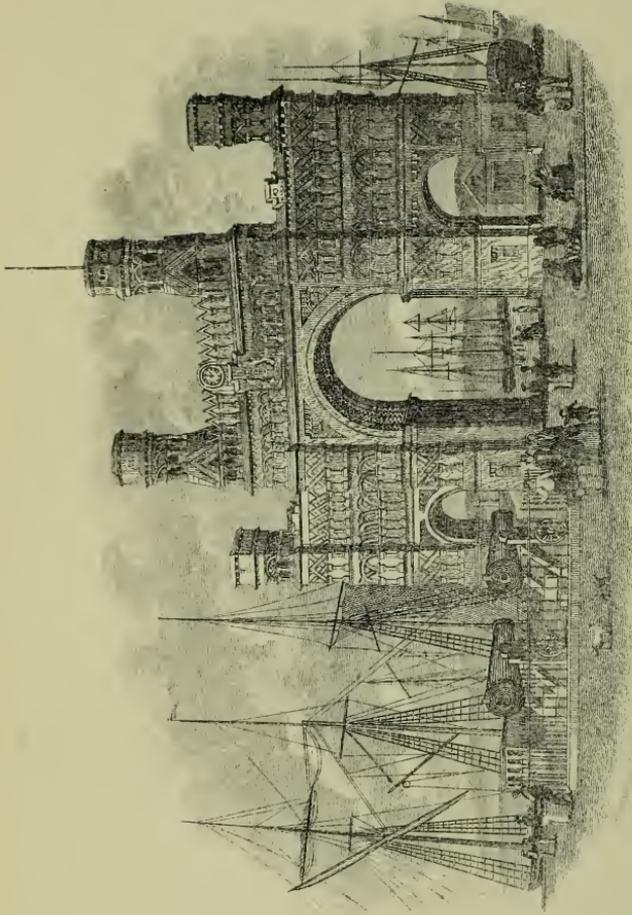
A few years ago further demands for Harbour accommodation arose, and the Trustees resolved to convert the east tide harbour into a floating or wet dock, which was accordingly done, and the

dock thus constructed admits vessels of great draught of water, and is therefore found most serviceable for the accommodation of the numerous vessels of large class now frequenting the port; and as a compliment to the noble family of Camperdown, which has been connected with Dundee and district for centuries, that dock was named "Camperdown Dock."

Notwithstanding all these improvements and extensions of the Harbour, it appears to be a settled matter that ere long the vastly expanding traffic will necessitate larger extension, and such additions will fall to be constructed by advancing further into the river bed, so as to embrace and enclose the dangerous and inconvenient obstructions which exist directly opposite the Harbour works, in the shape of the Beacon and Fowler Rocks, an operation which will render the entrances to all parts of the Harbour more safe, and at same time secure deeper water, plentiful accommodation, and a more direct and forcible scour of the tide, without the necessity of incurring the heavy expense of constant dredging.

The Dundee, Perth, and London Shipping Company have now on the passage one of the finest fleets of iron screw-propelled steamers that money and skill can produce; and a number of other large and powerful ocean-going steamers are owned by private parties. A fleet of steam vessels suitable for the trade annually make two voyages to the Arctic regions—the first in pursuit of seals, and the second of whales—in which trade they have of late years been very successful.

In the autumn of 1844 Her Majesty Queen Victoria arrived at Dundee on a visit to the Highlands, and landed from her steam-yacht about eight A.M. of Wednesday, 11th September, at the Mid Quay, where she was received by the Earl of Airlie, Lord-Lieutenant of the County of Forfar; Viscount Duncan; George Duncan, M.P. for Dundee; James L'Amy, Sheriff-Depute of the County; and a number of landed gentlemen of the shires of Forfar, Fife, and Perth; the Magistrates and Town Council of



THE ROYAL ARCH, DUNDEE.

Dundee, and the other public bodies of the burgh; besides deputations from the burghs of St Andrews, Arbroath, Brechin, Forfar, Montrose, &c. Along the whole length of Her Majesty's route the streets were crowded, the windows filled with the beauty and fashion of the town and district; and the house-tops alive with clusters of the male sex, all enthusiastically cheering and waving their hats and handkerchiefs as Her Majesty and *cortege* passed. At the north end of the Mid Quay a handsome temporary triumphal Arch, designed by Mr Leslie, then Harbour Engineer, was erected, which had a fine effect; and subsequently, in order to commemorate Her Majesty's first visit to Dundee, the permanent structure which now adorns the spot was erected in memory of the occasion, mainly through the munificence of the late Lord Panmure.

Some years ago a very unpleasant contest occurred between the municipal authorities, as trustees of what is called the "Hospital Fund," and the Presbytery of Dundee, regarding the stipends payable to the ministers of the various Established Churches or charges in the burgh. The Charter by Queen Mary, already described, conveyed the ecclesiastical properties and revenues in the burgh in favour of the Magistrates and Council for the benefit of the ministry and the poor. Expense of living and keeping up a respectable social position having largely increased since the stipends of £105 were originally fixed, an action of declarator was raised before the Court of Session at the instance of the Dundee Presbytery for an increased stipend out of the said fund. After an intricate investigation of old charters and records of the town by lawyers and professional accountants appointed by the Court, it was ultimately decided that the ministers were entitled to support out of, and to have a vested interest in, that fund; but in this decision a bequest to the poor alone, made by Mr Robert Johnston in 1639, was erroneously included as part and portion of the funds of the Hospital; and accordingly the question was brought under review

of the House of Lords, who decided that Johnston's bequest formed no part of the foundation of Queen Mary, and accordingly this fund is now devoted to the maintenance of the poor of the burgh alone. The litigation occupied a number of years, and ultimately a compromise was arrived at, whereby a stipend of £300 per annum was fixed for each of the ministers, other than the parish minister, whose stipend was payable out of the unexhausted teinds, the sum of £688 being annually set aside out of the revenues of the Hospital foundation. Both parties subsequently applied to the Legislature for an Act regulating the management of the Hospital funds, and guaranteeing the stipends fixed upon, which Act was duly passed, and immediately all trace of the legal conflict disappeared, and the funds are yearly experiencing an increase in amount, caused by the enhanced value of the properties held under Queen Mary's Charter, arising from the unprecedented prosperity with which the town has since been so fortunately favoured. The revenues of the Hospital for 1872-73 amounted to £1581, of which the stipendiary ministers received £709, and the pensioners on the fund £493. The revenue for 1873 of Johnston's bequest amounted to about £1000, and there was distributed among the beneficiaries the sum of £721.

DUNDEE IN 1873.

No one could foresee, nor would have imagined that the comparatively short space of fifty years would have effected the great changes and improvements which have taken place during that time on the size, appearance, wealth, and influence to which Dundee has now arrived. This change, not only in the estimation of those who may have returned after a series of years' absence, but also of those who have all along resided in the town,

appears equally surprising. From its ancient circumscribed boundaries, and all the attributes of a small provincial town, it has now developed into the colossal dimensions of a city, and from limited traffic and meagre capital to commercial and political importance of the first order.

The extended Burgh, by the Municipal and Parliamentary Reform Act of 1832, was made to embrace a large portion of the estates in the neighbourhood of the town, and to extend from Craigie Terrace on the east to Wills' Braes on the west, and from the River on the south to the Fair Muir on the north. In 1866 the area was further extended by including within the municipal boundary the populous and thriving village of Lochee. The population of the extended burgh now numbers about 130,000; and instead of the antiquated *self-elected* Town Council, or the reformed municipal representation of twenty members elected by occupants at £10 of yearly rent, the community is represented by twenty-seven members, elected by almost universal suffrage, the same broad constituency being entrusted with the important duty of electing the two Members to serve in Parliament awarded to the town in the last Parliamentary Reform Act. The ancient estates of Wallace Craigie, Logie, Clepington, Blackness, Dudhope, Craigie, Balgay, &c., are now more or less covered with tenements, dwelling-houses, villas, spinning-mills, and power-loom factories. The port owns 168 ships, many of them of the largest class, the total tonnage amounting to about 60,000, giving employment to from 5000 to 6000 men and boys. This amount of shipping, however, affords no criterion for calculating the magnitude of the trade of the port, great part being carried on by vessels belonging to other ports of the kingdom and in foreign bottoms.

A general system of drainage has been carried into effect, under well-devised Police and Improvement Acts, whereby all impurities are conveyed from the streets and buildings of the town by about forty-six miles of underground sewers to the river, the water channels of the streets and squares requiring only to serve

the purpose of conveying the rain surface water to drains communicating with the main sewers. The police force now numbers about 150 officers and constables, affording protection to property, and ministering to the detection and punishment of vice and crime. The sanitary department of the police establishment employs about 124 carters and scavengers, whose labours secure the timely removal of all deleterious matter—the police revenue being considerably benefited by the price realised for the manure collected and sold to the farmers of the surrounding districts.

After many struggles to obtain a plentiful supply of wholesome water, the town was for a number of years adequately served by a Joint-Stock Company from the Burn of Monikie; but that source having, from the increased population, and consequent increased consumption, become insufficient, and the town having resolved to acquire the right of supply from the Company, an Act of Parliament was passed, and the Magistrates and Town Council took possession of the works on behalf of the community. It soon afterwards became apparent that the supply from the source of the Monikie, even with the addition of the other minor sources within reach, would be quite inadequate to the rapidly increasing domestic and manufacturing requirements, and accordingly the Town Council set about the duty of searching for and acquiring an extensive and infallible supply. This was found in the water of the Loch of Lintrathen—a source capable of affording a constant supply of 12,000,000 gallons *per diem*. This source of supply was very judiciously purchased from the Earl of Airlie at a reasonable price; and the proposed works for introducing the clear water of the Highland loch into the town are now being energetically carried into effect; but much difference of opinion subsequently arose between the engineers consulted and among the members of the Water Commission as to whether preference should be given to the circuitous or the direct route. It was ultimately, however, agreed to adopt the latter plan, with the addition of a large high-level reservoir at Clatto.

The staple trade of Dundee previous to the introduction and general use of Jute, was that of the manufacture into yarns and cloth of

THE FLAX FIBRE, &c.

In 1707 Parliament, in consideration of the great sufferings of the citizens, and destruction and depreciation of the municipal properties in the time of the troubles, and consequent injury sustained by the trade of the burgh, granted an impost of two pennies Scots on every pint of ale or beer made or sold in Dundee for twenty-four years. This was one of the last Acts of the Scottish Parliament, and Mr George Yeaman, M.P., was mainly instrumental in acquiring the boon, which proved of the utmost importance in recruiting the municipal revenues.

The manufacture of sewing thread was in the 17th century an important branch of trade in Dundee, and for a long series of years gave employment to a large number of the population; but in the beginning of the 19th century it began to fall off, and gradually died out in the district.

A branch of the Bank of Scotland was established in Dundee in 1696, but it having proved unsuccessful was ultimately withdrawn till 1731, when a branch was again attempted to be established. It was again found to be premature, and was withdrawn after two years' trial.

After the Rebellion in 1745, Government resolved to put an end to the arbitrary system of hereditary jurisdictions, and in 1747 an Act was passed vesting them in the Crown. The Duke of Douglas was paid £1800 for his constabulary rights and privileges in Dundee. The town thus freed from control began to emerge out of the gloom in which it had been so long enveloped, and brighter days began to dawn upon her. At this time the liberality of Parliament in granting a bounty on brown linens for exportation was beginning to be felt. Formerly the

trade could not be carried on without loss, partly from the weight of the fabrics made, and partly from the lowness of the prices got for them; now the industry of the inhabitants was stimulated, manufactures were established, and prosecuted with a success that operated in a most beneficial manner on the domestic habits and comforts of the people.

The tanning of leather was an important branch of trade in Dundee in the 17th and 18th centuries, the annual value being about £14,200, and besides it afforded employment to curriers, shoemakers, &c., the value of boots and shoes exported being about £7000 annually. Soap-making was also an art practised in Dundee, but it began to decline in the end of the 18th century, and subsequently disappeared. Many persons were, however, at that time engaged in the manufacture of tobacco, snuff, and candles. A sugar-house with three pans gave employment to a number of persons. There were also a foundry and salt works. Two native Banks and two branch Banks were by the end of the 18th century established in Dundee—the one from Edinburgh, and the other from Paisley—with an estimated circulation of £16,000; and a Fire Insurance Office, which, although established only a few years, had then insurances current to the extent of £800,000.

Dundee had always been a seat of flax manufactures, but it was in 1793 that the first attempt to spin by machinery was made in the town; the attempt, however, did not succeed. A renewed attempt was made some three or four years afterwards, but was also unsuccessful. In 1798 Mr Wilkie of Auchlishie erected a mill in the town with twenty horse-power, and about the same time the small mills at the Dens and on east side of North Tay Street were also put in operation. The trade, however, did not much prosper, but when Mr Brown of Cononsyth erected a mill called the Bell Mill in Guthrie Street with improved machinery a more prosperous era in flax manufacture was initiated; and as cotton spinning was then profitable, it was matter for doubt and

decision whether machinery for spinning cotton or flax should be procured, and for the future good and ultimate prosperity of the town Mr Brown was persuaded to decide in favour of flax. This decision, it is probable, was the means of determining the future destinies of the town and its staple trade, as it undoubtedly formed the foundation of the system of spinning flax by improved machinery which has since culminated in the colossal manufacturing eminence which the town has now acquired.

The most important article of commerce and manufacture is now

THE JUTE FIBRE.

The extraordinary development of the jute trade is probably without a parallel in the history of textile manufactures. Thirty years ago the fibre was scarcely known in this country, or, if known, was looked upon with the greatest suspicion both by spinners and manufacturers. No one would have ventured to predict that the barque "Selma," of Dundee, which in 1840 brought the first quantity of jute to Dundee direct from Calcutta, was the pioneer of a trade destined to employ a fleet of the largest class of merchantmen that ever ploughed the deep. True, the Magistrates and Town Council bestowed upon the commander, Captain Luckie, the freedom of the burgh—one sapient Bailie remarking that the captain was a *lucky* man; and the owner of the vessel, Mr William Davidson, was highly complimented for his enterprise. But these expressions of pleasure had no reference whatever to that portion of the cargo composed of jute. The compliments bestowed were intended as an expression of the satisfaction of the burgh authorities at the arrival of the first ship at the port direct, after the removal of the prohibition which had up till that time existed against admitting any but certain favoured ports as "free ports of entry" for East India produce—a measure which largely interested Dundee, and

inaugurated the commencement of a system of free trade with India, which has largely benefited both the home country and that important appendage of the British Empire.

Without the fibre of jute, however, it will be universally admitted that Dundee would never have known the prosperity it now enjoys. Although the small spinning-mill of 1820 at the Dens has now, by the enterprise of the Baxter family, expanded to the proportions of a small town, yet goods made of flax would never have been able to compete successfully with cotton for cheapness; but now, with an unlimited supply of jute, Dundee has nothing to fear. Those manufacturers who first essayed to bring it into practical use had to overcome many difficulties before effecting their purpose. The machinery used for spinning flax was not well adapted for working it. The want of knowledge of the means of softening and rendering the fibre sufficiently pliable impeded the process of manufacture, and consequently the reputation both of the yarns and manufactured article, and the prejudice existing against its use, prevented the enterprising spinners and manufacturers from obtaining for it a footing in the market. By-and-bye, however, the difficulties were largely overcome. The trade in jute may be said to have taken its rise between 1830 and 1840. Its progress was at the first slow, the total quantity imported into Britain in 1836 being only 4000 bales. Four years after 29,500 bales were imported, and so great a start had the trade taken during the succeeding ten years that the imports in 1851 amounted to not less than 219,346 bales. The price of the raw material was first quoted in the local prices current in November 1836, when it sold at £22 to £23 per ton. In July 1846 7 lb. jute yarns first appeared in the list at 1s 11d to 2s per spindle. From that date forward the trade continued to increase steadily, but until the year 1861, when the exports of jute manufactures were first entered separately in the Board of Trade Returns, there were no means of ascertaining accurately the rate at which it was expanding.

The jute trade having now passed through its first decade as an officially recognised branch of textile manufactures, a glance at the progress it has made during that period will doubtless be of interest to the readers of this work.

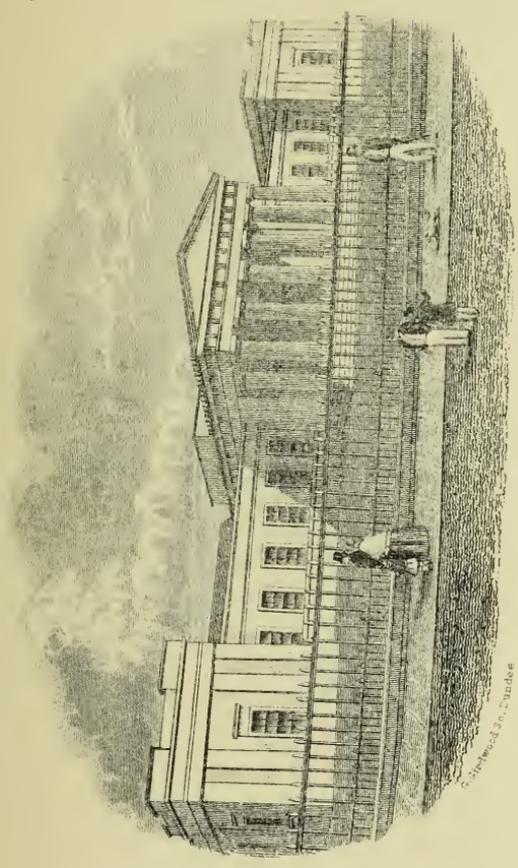
At the period when jute manufactures first took their place in the Board of Trade Returns, Dundee was just recovering from the effects of the panic of 1857. That panic, occasioned by the disarrangements of American commerce, was one of the severest through which this country has passed. The failures of banking companies and private mercantile firms were of a magnitude previously unheard-of, and the linen trade, in common with other branches of industry, suffered seriously. Production was curtailed, and much distress was endured by the working classes in consequence. During the five years following that financial crisis the trade of the town slowly recovered, and on the outbreak of the Civil War in America the local linen trade became again in a very satisfactory state. One result of that war was to give a start to the jute trade, which it has fully maintained ever since. The great dearth of cotton opened up markets for the Dundee goods that otherwise might have remained closed. To meet the additional requirements, old works were extended and new ones built. Money rapidly accumulated, and every branch of trade in the town was benefited by the change. The imports of jute into Britain in 1861 reached a total of 45,205 tons. The imports last year reached the large total of 172,719 tons, being only 8000 tons short of four times the quantity received in 1861. The imports of flax did not exceed 107,124 tons, and taking flax, tow, and hemp together, the total imports were only 195,719, while that of jute alone reached 172,719. The statistical abstract for the United Kingdom shews an increase in importation from 904,092 cwts. in 1861, value £709,961, to 3,454,386 cwts. in 1871, value £3,454,386. One satisfactory feature in the trade returns is the evidence it affords that the cultivation of the fibre is keeping pace with the demand. Although the importation has

gone on increasing so rapidly, the average price, except in the exceptional year 1863, has not varied to any material extent. Formerly the supply was imported into London or Liverpool, but of late direct importation largely increased, and has now become the rule. Last year the quantity landed at Dundee from Calcutta was 436,985 bales, as against 648,803 bales received at London and Liverpool; and to all appearance the direct trade in jute between Calcutta and Dundee will increase in magnitude, the more especially as from experiments it has recently been found that the coarser sort of the fibre is the best, toughest, and cheapest material for the manufacture of paper which can be obtained by the most diligent search made in all parts of the world.

Dundee and the district around it has reaped nearly all the advantage of this vast increase of the jute trade. So rapid an expansion, however, as has been witnessed during the past ten years can hardly be looked for at the end of the next decade; but this fact is quite evident, that the trade has become firmly fixed and rooted in our midst, and there is little ground to fear Dundee receding from its position as the capital of the jute manufacture.

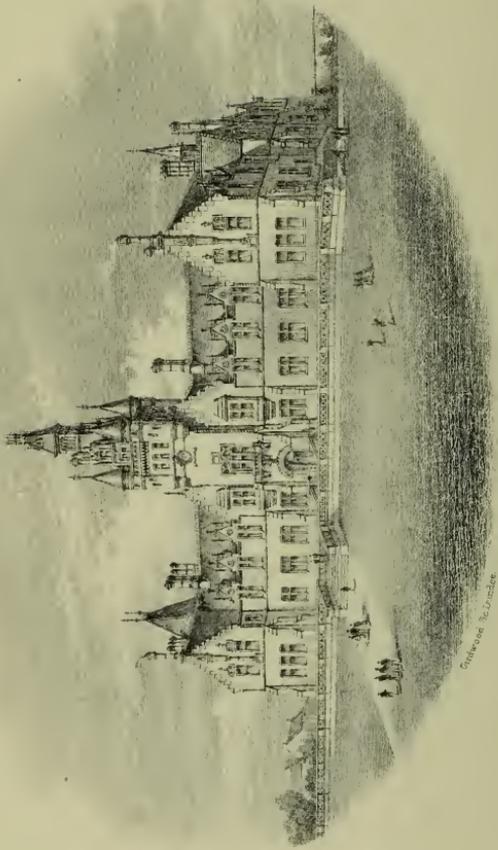
EDUCATION.

The Burgh and Grammar Schools, which even in the time of Edward I. and subsequently were noted for the erudition of their "Doctors" and teachers, have retained their ancient character, and now occupy a position second only to that held by a College or University. The Burgh Schools are now combined by Royal Charter into one educational establishment and with one constitution, under the title of "The High School," governed by a Board of Directors, elected one-half by the Town Council and the other half by the subscribers who contribute annually to its support.



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HIGH SCHOOL



Chapman & Hornsby

MORGAN HOSPITAL

The building, which is situated on an eligible site at the north end of the principal street, on part of the ground formerly known by the name of the "Meadows," is in the Doric style of architecture. The portico or central part is modelled after the Parthenon at Athens, and other architectural details are in imitation of the coragic monument of Thrysallus. The designs of the High School and the modern street leading to it, named Reform Street, were prepared by Mr George Angus, architect, Edinburgh, and reflect great credit on his abilities. Sundry additions have been made to the accommodation afforded for teaching the different branches of education, and these being in strict keeping with the original design, have contributed to constitute it the most chaste of all the public buildings of the town. An engraved view is annexed.

THE MORGAN HOSPITAL.

This building, of which an engraved representation is annexed, is situated at about a mile's distance from the centre of the town, upon a rising ground, sloping gently towards the south, at the junction of the Forfar and Pitkerro turnpike roads. The situation is admirable both for health and appearance, and the house is a very handsome structure, with abundance of ornamental and recreation ground, and the apartments are sufficiently comfortable to board and lodge a hundred boys, for the education and maintenance of which number Mr Morgan, a native of Dundee, devoted the greater part of a fortune accumulated in India.

In the Morgan Hospital appears an excellent illustration of the sunny side of the Monastic system. The discipline is excellent, and the appearance and manners of the boys have nothing to suggest the charity school. There is an air of intelligent reliance about most of the boys which shows that they have been taught to respect themselves, and, as a necessary consequence, to respect others.

THE NEWSPAPER PRESS.

There are only two newspaper printing establishments in the town, but these throw off an amazing quantity of printed matter. The *Advertiser*, the oldest-established newspaper, has a daily and bi-weekly circulation; and besides, there is connected with it a weekly issue named the *People's Journal*, the circulation of which alone amounts to 120,000 to 130,000 copies; and the *People's Friend*, a weekly miscellany, from the same establishment, has also a very large circulation. The printing presses are of first-class quality and design, throwing off an almost incredible number of copies per hour.

The other paper is the *Courier and Argus*, published daily at one halfpenny, and a weekly issue at one penny, under the title of the *Weekly News*. The daily paper has a very large local circulation, and the presses, machinery, and printing premises are new, and of the most complete construction.

It has often been remarked that, considering the educational and scientific acquirements of a large portion of the population, it is singular that Dundee does not produce a magazine for the ventilation of native talent. All such publications have generally, from some cause or other, after a lingering existence, dropped entirely out of sight. It is to be hoped, however, that ere long measures will be adopted for supplying that defect, admitted to be discreditable, considering the great advance which, by the operation of an untaxed press and the spread of education, has been made by the population in general intelligence and literary knowledge.

MODERN CHURCHES.

At the commencement of the era of the Reformation, the first Protestant minister who officiated in Dundee was the Rev. Wm.

Christison; and after all the Roman Catholic establishments were abolished, and their properties transferred to the National Reformed Church, only two ministers, the parson and the vicar, officiated as colleagues in the Old or East Church, and in the transept or South Church. The patronage of the first charge was in the family of the hereditary Constables of Dundee, and that of the second was vested in the Town Council as representing the community. After the Reformation, the Town Council also acquired the patronage of the first charge by purchase, and the vicarage was exchanged for a fixed stipend. The Council afterwards became patrons of all the Established charges planted in the town, which amounted to six in number; but a few years ago, about the time of the Disruption, it was found requisite to suppress the sixth charge, its further retention as a charge in the National Establishment being deemed unnecessary. This was then accordingly done; but the Presbytery of Dundee having recently insisted upon the performance of the town's obligation to maintain that charge, a compromise was effected, whereby the town and community paid to the Presbytery a sum of money in full of all claims, that body agreeing to maintain the charge for the future; and accordingly with the money so obtained, and large subscriptions from the friends of the Establishment, the handsome church of St Mark's has been erected and endowed, and its members include a large number of highly respectable citizens.

Many eminent Divins have officiated in the church at Dundee since the beginning of the Reformation, amongst whom were the Rev. Dr Willison, well known from his many religious publications, among which were "The Mother's Catechism," and "The Afflicted Man's Companion." Dr Robert Small, who was also for many years parish minister, in the end of last century published a statistical account of Dundee, which gave a great deal of information regarding the town and parish which no attempt previously made had been successful in collecting

together for the use of the public. Besides the churches constituting parochial charges, there are others termed territorial charges or missions, of which there are several in various parts of the town. These are connected with and managed by the ministers and elders of the respective *quoad sacra* parishes in which they have been planted, and it is in contemplation by the General Assembly of the Church of Scotland largely to increase the number of these territorial churches over the country. Strong efforts are being made to accomplish this praiseworthy object by collections and voluntary contributions, and so far as the scheme has been carried into effect these efforts have proved eminently successful.

The Free Church of Scotland.—This body is very strong in Dundee, and possesses many fine places of worship in the town, including that of St Paul's, Nethergate, in which the Rev. Dr Wilson officiates. The church now in the course of erection for the congregation presided over by the Rev. William Knight, and named St Enoch's, is a very beautiful building, the south front facing the Nethergate being of an imposing style of architecture—the square turrets and fairy-like minarets with which it is adorned impressing in the distance the beholder with the idea of a miniature Notre Dame, or equally interesting Cathedral of Rouen. A very handsome place of worship was lately erected as a Territorial Church to the memory of the late Rev. Robert Murray M'Cheyne, and named "The M'Cheyne Memorial Church," in perpetuation of the memory of that pious and benevolent servant of God, who officiated for many years in St Peter's Church, Perth Road, and who at his death at an early age was lamented by all good men. There are besides a number of other Free Churches in the bounds of the burgh, and various Territorial charges in connection therewith. The zeal with which these congregations exert themselves in spreading the Gospel and extending the area of religious labour may in no small degree account for the life and energy with which the Established

clergy have set themselves to the work of planting territorial mission churches and schools over the face of Scotland.

The United Presbyterian Church has a strong muster-roll of membership, and possesses a number of well-frequented chapels. One of the earliest planted in this district is that presided over by the Rev. George Gilfillan. The other churches in the town, of which there are one or more of almost every religious denomination, all indicate zeal and attachment to religious principles; and although some of them may devote too much attention to theological controversies, yet these are seldom carried on with rancour or animosity, and do not disturb the general harmony.

The Scottish Episcopal Church is gradually increasing in the number of its adherents, and possesses several chapels. The principal is that situated at the west end of Seagate, in which the Right Rev. Alexander Penrose Forbes, Bishop of Brechin, conducts divine service. This chapel, or Cathedral, as it is usual to term the chief place of worship in an Episcopal See, is a beautiful piece of architecture, and one of the productions of Sir Gilbert Scott. Although built in the midst of a group of narrow sloping streets, and closed in by buildings around, yet its proportions and design are exceedingly striking and effective. The style is geometric decorated, and the design of the edifice, especially of its tower, with corbelled gallery and spire some 210 feet high, is quite unlike any other of Sir Gilbert's works, and yet it equals the best of them in architectural beauty.

From the large influx of natives of Ireland into Dundee, most of whom are Roman Catholics, the churches in connection with that body had to be increased in number. There are now some five or six chapels, with a requisite proportion of schools, now erected, and an adequate staff of clergymen and teachers at work among the 20,000 or thereby who profess the Roman Catholic faith. In connection with the chapel at Lochee the Little Sisters of the Poor contribute much to the comfort of those whom poverty or distress have rendered objects of sympathy.

THE ALBERT INSTITUTE.

On the lamented death of Her Majesty's Consort, Prince Albert, at a period of his life when, according to nature, every appearance and hope existed of his being permitted to enjoy many years of happiness and usefulness in the elevated sphere assigned to him by Providence, resolutions were adopted in various parts of the country to erect lasting memorials of the public appreciation of his sterling worth. Dundee also took measures to that end, and ultimately succeeded in securing a portion of the ground situated in the centre of the town, formerly a portion of the town's meadow, as a site for the erection of a memorial building, to be named the "Albert Institute." The Town Council, as representing the community, who were proprietors of the ground, in parting with the same stipulated that, in case of the "Free Library Act" being adopted by Dundee, accommodation should be afforded for it in the contemplated building. A plan was accordingly obtained from Sir Gilbert Scott, of London, and in accordance therewith the western portion of the erection was completed, exhausting the whole of the subscribed capital of the Limited Liability Company into which the subscribers had resolved themselves. The Free Library Act was shortly afterwards adopted by the inhabitants of Dundee, and, in terms of the agreement before referred to, the ground floor of the building, composed of two large saloons, was appropriated for, and shortly afterwards opened as, a Lending and Reference Library. The facility thus afforded for all classes of the population obtaining such knowledge as books are calculated to bestow having been largely taken the benefit of, the Free Library Committee or Board resolved to add a Museum and Picture Gallery, under the provisions of the said Act; and accordingly the eastern portion of the buildings, now in the course of being finished, were erected from a plan supplied by Mr D. M'Kenzie,

architect, Dundee. This addition, although in keeping with the style of the western portion, yet the taste displayed in the harmony and cheerfulness of the exterior features introduced into the original design go far to redeem the gloomy ponderosity of the western portion. The edifice as a whole constitutes a very excellent specimen of the combined Byzantine and Venetian styles of Gothic architecture. The upper floor of the western portion is used for lectures, concerts, and meetings. It is intended that the first floor of the eastern portion be used for accommodating and exhibiting the Museum belonging to the Free Library Committee, and the second floor for accommodating and exhibiting such works of pictorial art as may be acquired by that Board.

DUNDEE ROYAL LUNATIC ASYLUM.

This Institution, for the safe keeping and care of insane persons, is situated on a site high above and half-a-mile north of the busy streets and quays of the town. It is managed by a Board of Governors, and is supported by subscriptions, in supplement of the board payable for the respective patients, according to their different classes. The most approved medical and physical treatment is put into practice. Neither labour, time, nor expense are spared to alleviate the sufferings of those unhappy persons labouring under the most severe of all human calamities. And this system has been uniformly most successful. Additions, in the shape of airing grounds, chapel, and out-buildings, have been from time to time made to the establishment, and every accessory added which may have been considered requisite to maintain its capabilities equal to the increased demand for its benefits. A due appreciation of the beneficial results of free air and ample accommodation, and the large increase of patients, have induced the Governors to consider the propriety of building a new establishment, more removed

from the town, and it is likely this object will ere long be effected.

THE DUNDEE ROYAL INFIRMARY.

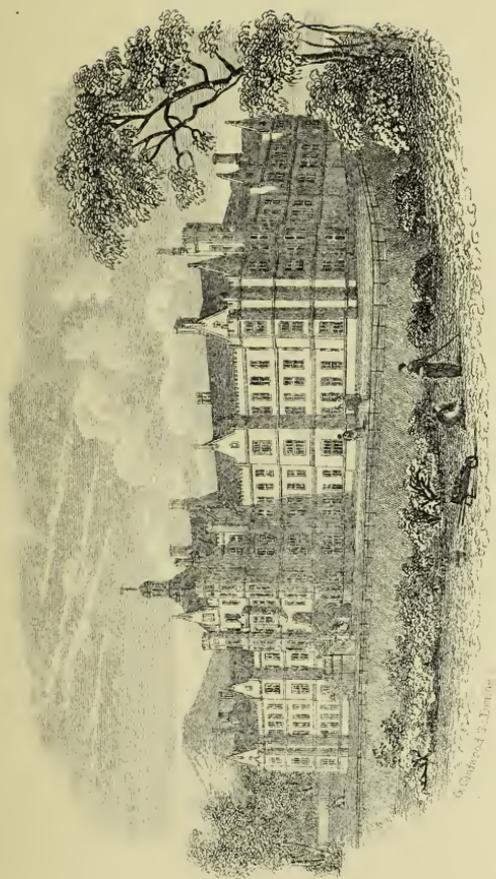
This useful Institution is supported by public contributions, and is governed by a Board of Directors. The building is situated on a rising ground north of the busy part of the town, and is sufficiently isolated to secure quietness and salubrious air to the patients. Spacious airing grounds and flower plots surround the house. Every modern invention for rendering the wards healthy and comfortable have been adopted. It is admirably managed. The medical and nursing staff is most effective. Its popularity is well established, and every person standing in need of medical assistance as an indoor patient is happy at the thought of being admitted to the benefits of the Institution, being assured of experiencing the most skilful and attentive treatment.

THE ORPHAN INSTITUTION

has existed since the commencement of the present century. Its benefits having lately expanded by the more liberal contributions of the public, a new building was recently erected in a very pleasant spot on the estate of Craigie, bordering the river, and affording every accommodation for the board and education of such boys and girls as have been deprived of their parents, where they are educated and trained, and afterwards placed in a position to maintain themselves by a course of industry and usefulness in after life.

THE BAXTER PARK.

This fine recreation ground was presented in 1863 by the late



ROYAL INFIRMARY, DUNDEE.

Sir David Baxter, Bart., and his sisters, to Dundee, as a token of their benevolence towards the inhabitants of the town in which the fortunes of the family were made, by the industrious co-operation of the working population. Not only was the Park and its handsome accessories presented free to the people, but an adequate sum of money was, in addition, devoted to the purpose of permanently endowing the gift with the means of keeping the grounds in good condition in all time coming. The southern portion, next the turnpike between Dundee and Arbroath, is laid out in grass, with walks and shrubberies along the borders. On this part games of cricket, football, &c., take place in the suitable season. The northern portion is laid out in terraced walks and shrubberies, grottos, and grassy hillocks, altogether forming a most agreeable summer promenade, affording healthful recreation and pure air to all classes. In the centre of the ground is erected a handsome pavilion, under the canopy of which stands a fine marble life-size statue of Sir David, by Mr Steell, the celebrated Edinburgh sculptor. The statue was erected by 16,731 subscribers, as a grateful acknowledgment of Sir David's munificence; and on the opening day, 9th Sept. 1863, Earl Russell, then Prime Minister, the Earls of Dalhousie and Camperdown, Lord Amberley, and others in high position, graced the proceedings with their presence. The procession of the Public Bodies, Trades, and Volunteers, extended about two miles along the streets; and in the Park the ceremonial of the formal opening was gone through in presence of about 70,000 of the inhabitants of Dundee and surrounding districts. The whole is under the rule of a Board, judiciously selected by Sir David himself, including representatives from the working class of the population; and generations yet unborn will admire the large-hearted generosity which dictated a course so colossal in expenditure, and so unique and complete in all its details, for securing permanency to the benefits intended to be bestowed by the donor.

BALGAY RECREATION GROUND.

The public authorities, in acquiring and laying out the Balgay Hill as a place of recreation, have done much towards beautifying the town, and promoting the healthy recreation of the people. This place of recreation is one of the most admirable adaptations for the purpose of healthful exercise ever offered by Nature for the use of man. Its natural shape and contour, which have required very little alteration, are such as no architect could have planned, and no amount of pecuniary expenditure could have effected. A hill for centuries towering over the western part of the suburbs of the town, but quite unapproachable by the pent-up population—a steep mount, hitherto useless for any other purpose to the proprietor than for its stunted grass, and mayhap its venerable trees, has been converted into one of the most pleasant places of recreation which could be desired. Although the sides of the hill have been intersected by terraced walks, the sylvan beauty of the scene has been in no degree diminished, few of the old venerable oaks and elms having been interfered with in the laying out of the grounds. Every few yards along these walks exhibit a new scene, and at almost every step a new point of admiration opens up to view. What the Baxter Park was intended for to the population of the eastern hill, Balgay was secured to furnish to those residing in the western district of the town. But so far does the western exceed the eastern in natural grandeur and variety of scenery, that visitors both from England and from abroad uniformly express their unlimited admiration of the site and its natural adaptation, which no purely artificial operations alone could have called forth. The property was purchased by the Commissioners of Police of the burgh—the Act under which they exercise their powers authorising the requisite expenditure, and an annual assessment spread over the whole of the ratepayers for its maintenance.

This investment, or rather the judiciousness of it, has never been called in question, even although it is a general feeling on the part of the taxed that additional taxation is an unwelcome guest; and it is not too much to hope that generations yet unborn will appreciate the forethought of the men who resolved to secure so excellent and permanent a privilege at a moderate charge, instead of procrastinating till the increase of population, and consequent increase in the value of property, should have operated to prohibit the purchase, unless at a price exceeding the power of local taxation to accomplish. Connecting the Recreation Ground with the Burgh Cemetery, called the Western Necropolis, is a handsome light bridge, consisting of three spans or openings, the principal one being the arch that carries the roadway over a ravine which runs between the Recreation Ground and Cemetery. The span of this arch is eighty feet. It is composed wholly of cast-iron, and the roadway beams are connected with the arch-ribs by open trellis work, surmounted by a handsome railing, flanking a shield bearing the town's arms, and the following inscription in relief:—

BALGAY HILL RECREATION GROUNDS,

PROVIDED BY

THE COMMUNITY OF DUNDEE

FOR

THE USE OF THE PEOPLE,

AND

OPENED 20TH SEPTEMBER 1871.

THE PRISON AND COURT-HOUSE BUILDINGS

form an important feature of the town, and are much superior in their architecture to the generality of such buildings. The

erections comprise a long-drawn and lofty range of buildings, consisting of a central portico and wings, in the Tuscan order. In this respect the edifice is, it is believed, *unique* in this country. It would be difficult to find another building in which the Tuscan order, here so appropriate to the purpose of the edifice, figures so conspicuously. The effect is imposing, and so far expressive of the majesty of the law. The buildings, as a whole, are well designed, and the stone used is very pleasing. The portico is raised some eighteen steps above the street level, and has a pediment adorned with relieved carving.

THE CUSTOM-HOUSE BUILDINGS.

This is another classic building of very admirable proportions, but the design is rather uninteresting—an Ionic range of two storeys, raised on a rusticated arcade, with here and there a sculptured pediment. The western portion of the building is appropriated to the use of the Excise officials, the centre as the Custom-House and Mercantile Marine Office, and the east wing to the use of the Dundee Harbour Board. A little to the westward stands

THE ROYAL ARCH.

This interesting architectural feature of the Harbour, erected as a memorial of the Queen's visit, is a massive stone structure of Scoto-Norman character, slightly resembling in general outline the well-known St Augustine's gate at Canterbury, the difference being that this has no less than three archways. It certainly has a very pleasing appearance, but would have had a much better effect had it been erected across a street affording sufficient scope on both sides for a more distant view of its proportions. An engraved representation of it is annexed.

THE ROYAL EXCHANGE

is situated at the junction of Meadow Road and West Panmure Street. Here the merchants and manufacturers carrying on the staple trade of the town and port assemble to read the telegrams, acquire a knowledge of the news of the day, and manage matters of exchange. The reading-room occupies the whole upper portion of the building, the ground floor being appropriated to ante-rooms and private offices. From the extreme softness of the ground on which the structure is built, and the error of using concrete instead of piling for the foundation, the building has considerably settled down below its intended level, and thereby thrown its fine proportions and decorations considerably off the horizontal, marring the effect which such an edifice should, on an eligible site, have produced. The mercantile interest is incorporated by Royal Charter as "The Dundee Chamber of Commerce," and is presided over by a President and Vice-President, assisted by a body of Directors annually elected.

THE GILDTRY INCORPORATION,

which centuries ago wielded considerable local power, is still retained in existence, although its monopolies or exclusive privileges are now abolished. As an old Incorporation, however, its past history is respected, and, besides a seat in the Town Council, the judicial authority belonging to its Dean in regard to disputes as to contiguous properties and boundaries is still in force, and its members have the privilege of sending representatives elected from their number to form part of the various public Boards. The revenues of the Incorporation are considerable, and great part is devoted to the maintenance of decayed members and their families.

THE NINE TRADES

consist, as of yore, of the Bakers, Shoemakers, Glovers, Tailors, Bonnetmakers, Fleshers, Weavers, and Dyers. These also possess the privilege of electing certain of their number as members of the various public Institutions; but they have no direct representation at the Municipal Council—a privilege which they were permitted to exercise in former times, and up to the earlier portion of the present century.

THE GAS COMMISSION.

This body came into existence three years ago, and, as representing the community, purchased the stock of the Old and New Gas Companies. Instead of that indispensable means of lighting being supplied at an enhanced price, to cover profit to a Company, the Municipal Authorities very properly took measures to get the supply into their hands, so as the community might be permitted to consume it at prime cost. This was at last accomplished, and the change has afforded general satisfaction.

THE WATER COMMISSION.

This body, as before mentioned, was constituted from nearly the same causes as originated the Gas Commission, viz., the propriety of the supply of this indispensable element being in the hands of the community. The municipal authorities accordingly acquired the works possessed by the Joint-Stock Company which had previously afforded the town a tolerably fair supply, but whose resources were proving quite inadequate to the increasing demand. Accordingly, at considerable expense,

the Commission (composed entirely of the Magistrates and Town Council) secured the supply from Lintrathen Loch, which is likely to be sufficient for the town in all time coming.

THE CIRCUIT COURTS OF JUSTICIARY

are held in Dundee twice a year for the trial of criminal cases and disposal of appeals from the decision of the Sheriff of the County.

THE SHERIFF COURT, DUNDEE DISTRICT,

is presided over by a resident Sheriff-Substitute, affording every facility for the administration of justice in civil and criminal cases. The procurators, or law agents, are about fifty in number, most of whom are men of high character and considerable legal attainments, thus affording a staff of practitioners calculated to render support to the law, justice to the oppressed, and punishment to the perpetrators of wrong.

THE BANKS.

All the native Banks of Dundee have now been absorbed by leviathan national Banks, which have bought out the original establishments, and planted agencies or branches of their own in their place. The Banks whose branches now do the banking business of the town are the Bank of Scotland, Royal Bank, National Bank, British Linen Co., Commercial Bank, Union Bank, Clydesdale Bank, and City of Glasgow Bank. In addition, there is of course the Post Office Savings Bank, and also a Bank for savings, which has existed for many years, and been productive of much good to the community. Its funds are rapidly accumulating, and these are judiciously laid out in Government Securities, which yield a safe and steady income to the local depositors in the shape of interest on their deposits.

MARS TRAINING SHIP.

Not the least attractive of the institutions connected with our ancient burgh is that of the line-of-battle ship "Mars," which has been very judiciously appropriated to the board, maintenance, education, and exercise of boys in poor circumstances, who, if not rescued in time, might have lapsed into crime, and thereby added to the already heavy burden of expenditure for the repression of crime and punishment of criminals. At present there are on board about 350 boys from the counties of Forfar, Fife, and Perth, and also from towns and districts further distant, and these are carefully trained in the elementary branches of education and in the duties of a seafaring life, qualifying them to become useful members of the mercantile or naval marine of the country. The Institution is entirely supported by voluntary subscriptions, and has proved itself to be one of the most interesting and successful beneficial experiments by which philanthropy ever attempted to turn aside the daily temptations to vice and crime existing in a largely crowded centre of population. It is managed by a Board of Trustees and Committee, all being gentlemen of high standing and acknowledged worth; and the practical working of the establishment is conducted under the personal superintendence of Captain Scott, R.N., who, with his subordinate officers and teachers, has given exceedingly great satisfaction to all parties, while to the boys the ship appears in the light of a home, and they look up to the chief or commander as a father granted them by Providence for the supply of that parental care and counsel of which they would otherwise been destitute. May continued success attend the "Mars," which is devoted to a cause equally honourable as when she formed a portion of the "wooden walls of Old England!"

THE DUNDEE INDUSTRIAL SCHOOLS.

George Duncan, Esq., M.P. for Dundee, after having faithfully served his fellow-townsmen as their representative in Parliament for a number of years, and having resolved to relinquish that highly honourable post and retire into private life, was presented with a service of plate, and a sum of about £1000 was subscribed for by all classes of the community as a token of their sense of his public character and services. Mr Duncan, while graciously receiving this testimonial, intimated that the money portion would be devoted to a charitable use, and accordingly he handed it over to a Committee of gentlemen for the purpose of assisting in the institution of a Ragged School for the support and education of waifs taken from the streets, and who might be otherwise uncared-for and liable to lapse into crime. The idea was favourably received and acted upon, and by the assistance of several philanthropic individuals the present buildings, near the Court Houses, were erected, and a system of training, education, and industrial exercise put into operation, which has proved very beneficial to the poor children, and, at same time, satisfactory to the patrons of the Institution and to the community. Such institutions are the cheapest and most effective for the prevention of crime and reclamation of criminals—they taking time by the forelock, and practically showing that, in reducing the number of the criminal population of a country, early prevention by training and education is better than attempts to cure by punishment inflicted on adult criminals.

HOTELS AND REFRESHMENT ROOMS.

These houses of entertainment are on a scale equal to the requirements—the British and Royal being at the head of those

establishments supplying exciseable liquors, while Lamb's Hotel, Reform Street, asserts a position as a temperance house equal in every respect to any in this country. Besides a number of other hotels and taverns, there have been opened within the last few years a description of public-houses termed Restaurants, where eatables of every description, ready cooked and served up hot at short notice, may be had at moderate charges. At same time—these being licensed houses—every description of beer and liquors may also be obtained. These establishments appear all to be well frequented, particularly at the luncheon hour, by business people, and on market days by parties residing in the country, to whom the restaurants have proved a great convenience.

THE TAY BRIDGE.

The colossal specimen of railway architecture for spanning the estuary of the Tay, and now in course of construction, will be the largest viaduct in the world. It is expected to be of considerable benefit to the trade and manufacture of the town, being suited to facilitate the transportation to the north of the mineral treasures of Fife, and, when the spanning of the Forth Bridge is constructed, will facilitate every description of traffic between the northern and southern districts. The engineering skill exhibited in the construction of the submarine portion of the works is wonderful, and displays the ingenuity of man in contending with the natural obstacles presented by the elements—the materials on which the structure must be raised, viz., shifting sandbanks, being obliged to be penetrated till a solid foundation is obtained, the powerful tidal currents being, in the course of the operation, neutralised by engineering precautions creditable to the ingenuity of both engineers and contractors. Should this difficult undertaking be carried to a successful issue—(in the rapid progress of science it may be that such an extraordinary work may be eclipsed by

something more wonderful)—succeeding generations cannot fail to recognise the boldness and skill of the present in constructing such a work.

THE EASTERN CLUB.

This Club is composed of gentlemen of high standing in Dundee and surrounding district. The building, which was only recently erected, and is situated close by the Albert Institute, is of a beautiful style of architecture, and the interior arrangements are such as to furnish its members with the comforts and society of a genteel home during their temporary sojourn within its walls.

WORKING MEN'S CLUB.

By the munificence of George Armitstead, Esq., M.P. for Dundee, an experiment of a very important character has lately been made, with the view of affording working men that degree of mental and social recreation in their hours of leisure calculated to effect an improvement in their habits, thoughts, and morals, in so far as he handed over to a body of trustees a sum of money sufficient to purchase, adapt, and furnish a tenement of land in South Tay Street, affording all the comforts and advantages of a modern fashionable club. The club, formed in terms of the donor's recommendation, has now been in existence about two years, and comprises about 800 members. During that time so much have its benefits been felt and appreciated that the directors have recently purchased the self-contained house adjoining, one portion of which has been converted into a lecture hall, in which a series of weekly lectures on scientific and other suitable subjects has already been inaugurated, while the remaining portion of the space acquired will be devoted to the accommodation of the increasing numbers of the members. Books, news-

papers, periodicals, billiards, and other amusements are accessible to all; and although in the refreshment department ardent spirits are excluded, refreshments in the shape of malt beverages and substantial *vivres* of the best quality are to be had at moderate charges, thus affording the benefits of a home to those who have no family ties, and an hour's rational enjoyment and recreation beneficial to the physical and mental wellbeing of all. The management is strict and methodical, and the result is so highly satisfactory that it is most likely other clubs with similar rules will ere long be instituted in other districts of the town, whereby a great portion of the time and money hitherto spent unprofitably in public-houses will be devoted to that real healthful recreation and enjoyment which tend to elevate instead of degrade the great and indispensable source of national wealth—the intelligent working man.

STREET AND OTHER CONVEYANCES.

Instead of Mrs Barnie's noddy, Dundee now gives employment to nearly one hundred cabs, working under regulations agreed upon with the sanction of the Commissioners of Police, the fares being moderate, and the community largely patronising them. Other machines and horses are kept on hire for special purposes by various livery stables, affording facilities for the many picnics and pleasure excursions to noted places in the country in which employers largely indulge their employees. Formerly the Lady of Murie's carriage was almost the solitary private carriage to be seen in the town; but now our wealthy merchants and the capitalists of the town have handsome equipages, evidencing the increase of the material wealth of Dundee. An Act of Parliament has been passed authorising the construction of tramways on the streets of the town, and these modern and cheap modes of locomotion will shortly be in operation under the auspices of the

Magistrates and Town Council as Commissioners of Police, who have very properly taken the institution and management of them into their own hands, so as to secure to the community the benefit of that mode of conveyance at rates covering only the cost of the formation of the system and expense of management. The Tay Ferries will in future be under the charge of the Harbour Trustees, who will thus be enabled to give such accommodation as the public may require, without interference on the part of any of the parties who have hitherto carried on the traffic with the view to profit more than to the accommodation of the public. Building will thus be encouraged on the south side of the river, where the inhabitants may erect dwelling-houses, affording to their families the benefit of the bracing air and clear water of the river, away from the deleterious smoke and dust inseparable from a large manufacturing centre, which Dundee has now become. In railway accommodation the wants of Dundee have hitherto been much overlooked by the two competing lines, but that error is about being corrected by the adoption of measures calculated to place the town in that position in the railway system of the country to which its commerce and passenger traffic justly entitle it. The colossal railway bridge now being constructed across the estuary of the Tay will not only secure greater facility for developing the mineral resources of the county of Fife, but also the abundant and regular supply of fuel indispensable to the manufacturing interest of the district around Dundee, at same time furnishing a shorter and less tedious route by the east coast between the northern and southern portions of the kingdom. In addition to these benefits, it is confidently expected that the legitimate rivalry between the competing lines will secure to the public, at moderate rates and charges, such accommodation as a properly directed railway ought to supply to every important centre of population and industry within the districts traversed by it, the carrying trade of which is generally a virtual monopoly.

THE EASTERN NECROPOLIS.

The Magistrates and Town Council of Dundee, in their character as the Parochial Board under the Burial Ground Act, purchased twenty acres of the estate of Craigie, distant from the centre of the town about one mile and a half. This piece of ground has a fine exposure to the south and east, and commands an uninterrupted view of the river and east coast. It is enclosed on three sides by a substantial stone wall with ornamental copes. The southern side, adjoining the Arbroath turnpike, is enclosed by a low parapet wall, supporting a massive iron railing. The principal gateway is composed of three Gothic arches, richly carved on the buttresses, and well-cut figures representing with decided effect "Childhood, Youth, Manhood, and Old Age." Other figures represent "Death and Immortality," and statuesque figures symbolise "Faith and Hope."

The whole twenty acres are laid out in twenty-four sections, according to the letters of the alphabet from A to X. These sections are of various shapes, generally wavy curves, according to the windings of the several miles of parallel walks which bound and intersect them. The ground is tastefully planted with trees, shrubs, and flowers. The whole was laid out by Mr W. M'Kelvie, the Superintendent of the Burgh Cemeteries.

THE WESTERN NECROPOLIS

is situated on the Hill of Balgay, and covers the western portion of that eminence. It is connected with the Balgay Recreation Ground by an ornamental bridge constructed across the ravine intersecting the Hill. The ground, laid out as lairs for interments, lies at the base and around the sides of the Hill. The landscape design, as now completed, is both very pleasing and very impressive. Grand walks, shrub borders, and flower pots enliven

the picture, while as many of the "monarchs of the wood"—the majestic oak—and elm trees as found practicable have been spared by the woodman, so as to throw their protecting branches and sheltering foliage over the last resting-place of generations to come. An hour's retirement and contemplation in the precincts of these beautiful grounds cannot fail to impress the mind with the idea that both nature and art have combined to render the place most fitting for reflection on the power of the Creator, the shortness of human life, the immortality of the soul, and the heavenly rest beyond the grave prepared for the people of God.

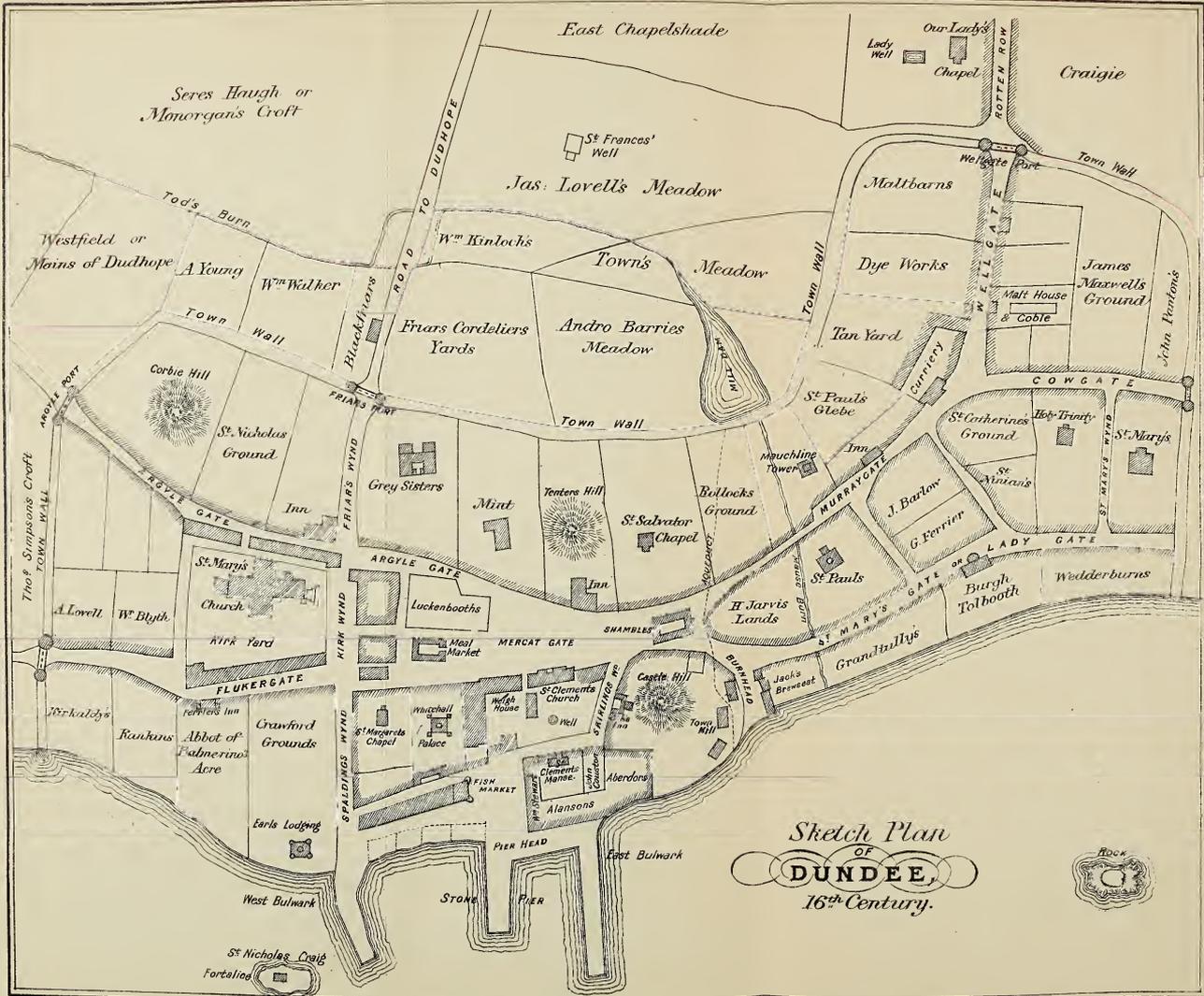
THE WESTERN CEMETERY,

situated about one and a-half mile west from the High Street on the north side of the turnpike connecting Dundee with the city of Perth, is the property of a Joint Stock Company, originating about twenty-five years ago in the great want of a proper public burying place. This Company secured a field on the estate of Balgay, well suited by its gentle southern exposure and deepness of soil for a place of interment. The ground is tastefully laid out, is surrounded by a high wall, and the southern front is enclosed by a handsome iron railing, surmounting a façade in rustic masonry. The gateways are very appropriately designed, and bear various inscriptions, all pointing to death and immortality. This cemetery has been well patronised, and has proved a great convenience to the community, as well as a remunerative investment to the shareholders.

Thus have we endeavoured to describe Dundee as it appears in the few traditions handed down to us from remote ages—proceeding along the course of its eventful career and chequered experiences, until we have reached a description of the last resting-places prepared for its children. In terminating these labours, we cannot avoid expressing the hope that our ancient

town has seen the worst and most disagreeable phases of its history, and experienced the last of the vicissitudes of its fortune. It is pleasing also to reflect that in all the misfortunes which have from time to time overtaken it, the citizens have invariably exhibited a degree of intelligent independence, military chivalry, and mercantile honour, highly creditable and encouraging to those whose destiny it may be to watch over and influence the future of our good town and its interests. It is fondly to be hoped that the future career of Dundee will be one of honour, influence, and prosperity, and that while after generations of its citizens are enjoying the benefits secured to a large extent by the exertions of those who went before them, they will look back with devoted interest and becoming veneration to the past history of the town as narrated in these pages, and pay a just tribute of respect to the merits of those citizens who in dangerous times defended to the death the homes of their fellow-countrymen from hostile invasion, and clung fondly to the evangelical truth—sealing their faith with their blood, and ultimately contributing to the emancipation of their native country from a system inimical to the growth of intellect and the expansion of mind—thus promoting in a high degree the formation of a public opinion tending towards political liberty, and to the enlightened progress and civilisation of the human race.

It will be perceived in tracing the history of Dundee for centuries that it has always held a conspicuous position, yet its recent progress and prosperity have passed all reasonable anticipations. The small area at one time comprehended within its ancient bulwarks no longer gives the slightest idea of the modern city now composing the Parliamentary burgh, and having within its limits not less than seventy-five miles of streets. What were formerly rural and agricultural districts are now studded with dwelling-houses, villas, mills, and factories—the scene of a busy enterprise, and destined, to all appearance, to become one of the largest and most important centres of national industry.



Sketch Plan
OF
DUNDEE,
16th Century.



SECTION II.

DESCRIPTION OF ANCIENT PLACES, &c.

THE following description of the ancient features of the town and neighbourhood is given with the view of enabling the reader to understand more thoroughly their history and peculiarities of position, &c., than it was found practicable to describe them in the body of the chronological portion of this work. A sketch of the town as it existed in the sixteenth century also is prefixed to this section, in order that readers may more readily arrive at a knowledge of the localities where the old features of the town alluded to in the preceding section were situated.

One of the most prominent objects from the beginning must have been the Castle Hill, on which was situated the ancient fortress of

THE CASTLE OF DUNDEE.

At a very early period this hill or rock must have been fixed upon as a place of great natural strength, and therefore of importance for defensive purposes, both in a local and national point of view. From the glimpses obtained of its eventful history, the Castle built upon it must have been considered almost impregnable, and its possession, therefore, all along formed a bone of contention between the conflicting parties in all the wars of invasion, as well as in all the civil contests which too frequently took place.

The exact date at which the Castle was built is not ascertained, but it is probable that its completion was the work of a progressive course of construction and erection covering a large space of time. In the reign of Edward I. of England it appears to have been in its greatest strength, and when this monarch, during the unfortunate dispute between Bruce and Baliol, took possession of it in his assumed title of "Dominus Superior" of Scotland, he appointed one of his followers, named Selby, as Governor of the Castle of Dundee. At this time we are told that Sir William Wallace, then a lad, was one of the pupils attending the Burgh School, and felt much depressed at the tyrannical manner in which the English lorded it over his native country. To fill up the measure of his exasperation, one day when engaged in fishing, young Selby, the Governor's son, had the impudence to insult Wallace, and use contemptuous expressions towards Scotchmen. This the future hero of Scotland resented, and, raising his fishing-rod, he struck Selby a blow, of which he died. Whether the blow was intended to be fatal cannot now be decided, but Wallace found it prudent to betake himself to the west country, where, being among his friends, there was less likelihood of his being molested. After Selby we find that the Castle had two Governors under Edward. These were named William de Montfitchet, an Englishman, and David de Brechine, apparently a renegade Scotchman—and probably the undutiful relative of King Robert Bruce of that name—who was subsequently executed for high treason. Scrymgeour of Dudhope subsequently took the Castle by storm; and ultimately, by the order of Robert Bruce, all the works on the Castle were demolished, in order to prevent them being again used by invaders for the purpose of subjecting the country to English domination.

Immediately north and east of the Castle were formerly situated the Town's Mills, commonly called "the Sea Mills," for grinding "corns, barley, wheat, peas, oats, and other grain." In order to supply these mills with the requisite water power, it

was found necessary some three hundred years ago to divert "Todsburn" from its natural course and by a higher level to these mills. In order to effect this, the eastern part of the common Meadows, through which the said burn flowed, was converted into a dam or pond, and an aqueduct was constructed in a diagonal direction therefrom across the west ends of the Murraygate and Seagate to the mills, at the place now called Burnhead. About a century ago, however, the Town Council discontinued using these mills, having acquired mills with sufficient water power at Dighty. The pond at Meadows and unused aqueduct having then proved a nuisance, a petition was presented to the Magistrates and Council praying for their removal, which request was complied with; and measures were about being taken to effect the desired object when an interdict was served upon the burgh authorities by a firm of thread manufacturers, named John Wemyss & Son, whose dyeing and thread manufacturing works were contiguous to the aqueduct, in which and its water they considered they had acquired a vested interest. The result, however, was that the streamlet was restored to its original channel, and the Meadows relieved from the accumulated water.

As Todsburn and its supply of water have, from the commencement of the manufacturing industry of the town, and more particularly since the introduction of the steam engine, formed important elements for consideration in the selection of spots suitable for the erection of factories supplied with steam power, it may be interesting to state that it "is composed of two small streams rising on the north-west of the town—the one called the Scouringburn and the other the Burn of Logie, which both united and run through the Hospital Ward, and then acquired the name of Todsburn—from thence it run along the north side of the town, through the common Meadows, to the east of which the water was at one time collected in a mill dam, but the natural course was by 'Mausehole,' or burn, across the Murray-

gate and Seagate to the river." This burn now falls into King William's Dock, a little eastward of Gellatly Street.

The only portion of the Castle rock now remaining is that on which stand the handsome cathedral or chapel and the dwelling-house of the Right Rev. the Bishop of Brechin. To the south of the rock, immediately below the cliff, and between it and the river, was a space of beach ground on which had been erected "brass furnaces," or foundries. This ground was in 1795 sold by Provost Riddoch to the town, and converted into a ship-building yard and graving dock, where, up to the time of constructing Dock Street, Mr John Calman, one of the bailies of the burgh, carried on the business of shipbuilding. The space is now occupied by Commercial Street, all to the south of that street having been recently formed on the river bed.

ST CLEMENT'S CHURCH.

This ancient church is said to have been one of the earliest ecclesiastical buildings in Scotland, and was dedicated to St Clement, the Patron Saint of Dundee. The date of its foundation cannot be ascertained, but there is reason to believe that it was long anterior to that of the Church and Steeple of St Mary, built by order of the Earl of Huntingdon and Garioch. It occupied the site of the present Town House, and its kirkyard or cemetery extended southwards to the present line of Castle Lane, and from the line of Crichton Street to Skirling's (now Tyndall's) Wynd. Part of the north wall or enclosure of the cemetery is still standing, and may be seen with copestones entire forming part of the south wall of the tenement of land fronting High Street, immediately on the east of the entrance to St Clement's Lane. Most of the ground was built upon in the end of the 16th century, both to the eastward and westward of the church, and the edifices then erected appear to have been of a very tasteful description.

The following extracts from the Treasurer's books show the value of interment ground in the fifteenth century in the ancient cemetery called St Clement's Churchyard:—

“Anno millesimo quadringentesimo octagesimo—temp^o Macom Guthrie. P. positi.

“1. Dictus Malcomus solvit p. sepulcro suo et Marianæ spouse suæ. Davido Barry, Thesauro, pro 2lb. 13sh.

“2. Jacobus Foulerton solvit pro suo sepulcro et Elizabethæ spouse suæ—viginti solidos—in muro.

“Tempore Jacobo Rollok. P. positi, Jacobo Fotheringham magistro fabricii.

“3. Johne Scrymgeour solvit pro suo sepulcro et Elizabethæ spouse suæ, 13sh—in muro.

“4. David Scrymgeour solvit p. sepulcro suo et Margarithæ spouse suæ, 2lb. 13sh.—infra vestiaria.

“5. Robert Kyd solvit pro sepulcro suo 2lb. 13sh.—infra vestiaria.”

Translation.

In the year 1480, Macom Guthrie, Provost.

1. The said Malcom paid for burying ground for self and spouse Marian to David Barry, Treasurer, £2 13s Scots.

2. James Foulerton paid for burying ground for self and Elizabeth, his spouse, twenty shillings Scots—ground situated at the wall.

In the time of James Rollok's Provostship.

3. John Scrymgeour paid for burying ground for himself and Elizabeth, his spouse, 13s. Scotch—close to the wall.

4. David Scrymgeour paid for burying ground for self and spouse Margaret £2 13s. Scots, within the vestry.

5. Robert Kyd paid for his burying ground £2 13s. Scots, within the vestry.

In 1560 the burgh authorities built an erection on the churchyard of St Clement's, called in the title deeds “The hous of weight,” or weigh-house, and we further find that in 1580 John Lovell conveyed in favour of the town the space behind the

present Town House, which is thus described:—"The waste land lying in the cemetery of Sanct Clement, on the east syde of the comon hous of weight, comonlie callit the weighous, between the lands of Andrew Rankine on the south, the said weight hous on the west, and the said cemetery as well on the east as the north parts." It would thus appear, then, that the old building on the north side of St Clement's Lane, which was recently removed to make way for the erection of the new Town Hall and Chambers, belonged originally to Andrew Rankine, shipmaster, Dundee. About the middle of the 17th century it belonged to Provost Patrick Yeaman, and about the end of that century it belonged to David Ogilvy, chief doctor of the Grammar School, from whom it descended through various proprietors till the year 1841, when it was purchased by the town from the trustees of John Wilson, shipmaster in Dundee. The building on the west side of St Clement's Lane was erected about 1582, and was thereafter used as the Burgh Grammar School up till the time the Burgh School-houses were erected at the south-west corner of St Mary's Church-yard, Nethergate, about the middle of the 18th century. It was in the end of the last and beginning of the present century, during the wars of Napoleon and his threatened invasion of this country, used as a guardhouse. On the passing of the first Police Act for Dundee in 1822 it was converted into a Police Court and offices, and continued to be so used till the time of the erection of the present Courthouse and offices, which form the east wing of the gaol and bridewell.

It was hoped that important antiquarian relics would have been found in excavating the ground for the foundations of the new hall and municipal chambers, but few vestiges even of human remains were met with, all having been dissolved by the action of time and the sandy nature of the subsoil. Two carved stones, however, were dug up, being apparently fragments of the old church—the one a corbel which had formed the base of one of the groins intersecting the roof; the other a portion of the

capital of one of the stone pillars on which the arches had been supported. Both stones are covered with armorial bearings, evidently of Royal personages. These stones have been carefully placed for preservation and public observation in prominent positions, projecting from the west wall of the new Town Hall.

At the removal of the old buildings behind the Town House a semicircular recess was found at the east corner of the quadrangle, formerly used as a playground for the scholars attending the Grammar School, and considerable curiosity was exhibited to learn what explanation of its purpose the removal of the materials would furnish. Some thought the recess had contained a statue, others that it was a well, and the latter conjecture proved to be the true one, a well having been found with clear water in it. Another problem, however, had to be solved. The said semicircular recess was surmounted by a copestone bearing on its surface the carved representation of the head and mitre of a Bishop. Many sage surmises were made on the subject, but no light was found. The title-deeds of the contiguous properties, however, show that that was called "St Clement's Well," to which right is still reserved to these proprietors in the neighbourhood and in Tyndall's Wynd and their tenants, by a footpath through the intervening portion of St Clement's Churchyard. This communication with Tyndall's Wynd is still kept up by means of an entry and stair leading right through the tenements east side of St Clement's Lane to Tyndall's Wynd. The Bishop's head and mitre may be satisfactorily accounted for from the fact that one of the Bishops of the Catholic See of Brechin was, in the fifteenth century, buried in Dundee, and to whose memory a monument had been erected in the churchyard of St Clement's, having carved upon the stone tablet the figure or effigy of a Bishop. Nothing, therefore, is more likely than that in dismantling the churchyard the authorities appropriated the upper portion of the stone as a copestone to the well, probably thinking that a more appropriate superstructure could not be

selected than a Bishop's head and mitre as a coping for "St Clement's Well."

At the south-west corner of that portion of St Clement's Cemetery now called the "Vault" stands a large old building, the north entrance gateway of which bears very rich and elaborate carvings in stone. This was one of the first buildings erected on the ground of the cemetery. It is still in a good state of repair, and is occupied as shops, a tavern, and flats of dwelling-houses. The following extract from the title-deeds will give its history, and account for the cause of its having gone under the name of the "Strathmartine Lodging."

"That greate tenement of land which formerly belonged to the deceased Alexander Duncan of Strathmartine, and which by progress afterwards pertained to Jean and Elizabeth Lyon, lawful daughters of the deceased George Lyon, merchant burges of Dundee; thereafter to William Maxwell, merchant there; thereafter to James Miln of Woodhill, late merchant in Dundee, lying on the south side of St Clement's Churchyard."

The old manse of St Clement's was situated on the south side of the churchyard, but was long ago removed. To the chaplaincy of "the Blessed Virgin Mary" in this church belonged the town and lands of Hilltown and Craigie, the sunny part of Gotterstone, a portion of the lands of Craigie, &c.

WHITEHALL PALACE.

This Royal lodging was probably erected about the same time as the church of St Mary. It was situated on the south side of the Fleukargate (Nethergate), a little way eastward of Spalding's (Couttie's) Wynd. This was frequently the residence of James IV. and James V., both of whom were a little erratic in their habits, and who in their *incognito* rambles are reported to have

performed many creditable actions. James IV. granted a Charter in favour of the town, confirming the citizens in all their ancient privileges. Queen Mary, daughter of James V., before her marriage with Darnley, twice visited Dundee, and resided at Whitehall during her sojourn. After her marriage she and her husband, Lord Darnley, visited Dundee—viz., in 1564—when they resided a week in Whitehall Royal Lodging, and it was on this occasion that she issued the authority for the removal of the cemetery, already described. Upwards of a century ago the last ruins of the building were cleared away to admit of the construction of the nest of buildings lying between Nethergate and Fish Street, and the only relics of the ancient house are a few sculptured stones which have been built into the walls of a house situated in Whitehall Close. A portion of the original wall of the palace on the west side of the close still shows remains of antique carving in stone. At the entry are carved the Arms of Charles I., with “God Save the King, C.R., 1660.” On a door lintel is *Tendit cerrima virtus*. Over a broken chimney lintel is “Obay ye King James VI. in de—1589,” with a Crown and Royal Scotch Lion.

King James V. and his Consort, Mary of Lorraine, of the house of Guise, resided frequently at Whitehall, and particularly at the time of the marriage of the Earl of Errol to the daughter of the Duke of Lennox, which marriage was celebrated with great pomp, the officiating clergymen being the Archbishop of Glasgow and the Bishop of Caithness. The King and Queen on that occasion resided six days in the town, and on Sunday joined in the Divine service in the Church of St Mary, the mass being then celebrated, while the numerous choir, assisted by accomplished musicians from other towns, sung high-class musical compositions. The Duke of Guise, brother of the Queen, was also present. Whitehall appears to have been surrounded with residences of the nobility, among which was the noble baronial mansion and grounds of the Earl's Lodging—the town residence

of the powerful Earls of Crawford. Here was married the celebrated Archibald Earl Douglas, Earl of Angus, and Lord of Liddesdale, to Maud Lindsay, daughter of the Earl of Crawford, with a degree of pomp and magnificence unprecedented in these times. Here, also, were held Conventions of Estates and Royal Burghs, and General Assemblies of the Church. About the beginning of the 18th century, however, the building fell into decay, and stood quite uncovered and in comparative ruin, when it was repaired a few years before the Rebellion of 1745 by Bailie Watson, a partizan of the house of Stuart, and who, it is said, commanded a body of insurgents at that memorable era. The rebel troops who, under the leading of Sir James Kinloch, took possession of and held the town for a short time for the exiled family, were partly formed of the corps of this civic leader, who, at an entertainment given by him to his brother officers at the head of the court before the palace, handed chairs to them for their accommodation out of the windows. In that part of the building used as a residence by Watson, a small recess concealed in the wall of one of the apartments was explored some years ago, in which were found a pair of jack-boots and a basket-hilted sword. Within this recess tradition says that this Jacobite Bailie secreted himself after the battle of Culloden.

ST NICHOLAS CRAIG.

This was a rock situated in the river, opposite a projecting tongue of land or ness, now forming South Union Street. In former times a fortalice was situated on the rock, and it is also said that a chapel dedicated to St Nicholas was situated there. The land and rocks are now joined by filling up the intervening space, and instead of the fortalice the rock formed the foundation of the house of the Superintendent of the Tay Ferries, but which has now been taken down to open an entrance to the

Esplanade. The whole grounds, with the manor house called the "Earl's Lodging," belonged to the Earls of Crawford, which was situated at the south end of North Union Street, and was occupied by that noble family as their town residence. Not far from the Earl's Lodging was the Royal Lodging of Whitehall, in which, while James IV. and Queen Margaret were residing, incidents are said to have occurred which form the groundwork of a portion of the historical novel by Grant, named the "Yellow Frigate." The craig, chapel, mansion, and gardens were conveyed to the town in 1737 by Sir John Carse, along with the patronage of the five chaplainries of St George the Martyr; and same year the fortalice was disposed to the town by William Lyon, advocate, the then proprietor. These chaplainries were endowed by the Earl of Crawford shortly after his having been successful in obtaining the prize in the warlike feats near London Bridge on a St George Day. The house stood and was used for many years in the 18th century as a windmill and magazine for the town's ammunition. In 1746, however, James Smith, clocksmith in Dundee, the then proprietor, demolished the whole, and with the materials built a tenement of dwelling-houses, part of which is now standing solitary at the south end of North Union Street.

THE OLD SHAMBLES.

The Public Slaughter-house, called in the old deeds the "flesch house," was situated at the east end of the High Street or "Mercatgate," the site being now occupied by the Trades' Hall or Clydesdale Bank. The shambles were built in 1565, and after having been in use about two hundred years, and being much decayed, the Town Council for sanitary reasons caused the Flesher Trade to remove to premises erected at the made-up ground between the beach and St Nicholas Craig. The shambles at High Street having been thus cleared away, the site was

brought to sale for building purposes. The Incorporation of Nine Trades at this time contemplated building a hall in which to hold their meetings, and thought the site vacated by the Flesher Trade would be very suitable for the purpose. The estate of Wallace Craigie being at same time for sale, much discussion took place among the members whether the Nine Trades should invest their funds in the building of a hall of meeting, or in the estate of Wallace Craigie. Ultimately, at a general meeting of the Trades, it was resolved by the casting vote of the chairman that a hall should be preferred, and accordingly the Trades Hall was built. At that time no one could conceive the immense increase in value which landed property would experience in the course of a few years, but it is now clear that had the vote gone in the opposite direction the Nine Trades would now have been the most wealthy Incorporation in Scotland, as, for a sum of £2000 then laid out, the income arising from the feu-duties for building lots on the ground of that estate, amounting to many thousands per annum, would now have been the property of the Incorporation.

CHURCH AND TOWER OF ST MARY.

This edifice, the only original portion of which remaining is the square tower or steeple, the height of which is 186 feet above the level of the Tay, is said to have been built in the eleventh century by order of David, Earl of Huntingdon and Garioch, brother of King William the Lion. The church was built in the form of a cross, and was dedicated by him to the "Blessed Virgin," in implement of his vow as already narrated. Originally the four projecting portions were undivided, and composed one grand place of worship—the eastern portion or chancel being appropriated for the choir, and the other portions, in which altars had been erected to the various saints, were used for public

worship, confessionals, &c. These altars were amply endowed, and chaplains to each appointed by the founder, and by bequests from private individuals. Many deeds exist among the Archives of the burgh in good preservation, securing annual rents to the various chaplains in the Church of St Mary, including those of St George, St Salvador, St Thomas the Martyr, St Ninians, and St Mark. The choir was always formidable in numbers, the requisite vestments, &c., for their use being provided for out of the rents of properties situated within the burgh, then belonging to the Abbey of Lindores—an agreement, signed by the Abbot, binding himself to keep in repair the vestments, ornaments, &c., of the choir, dated 1442, being now in the Burgh Archives in an excellent state of preservation. In 1390, Robert I. conveyed by charter the third part of the Milton of Craigie and of the Westfield of Dundee, in favour of the Chaplain of St Salvador, in the Parish Church, bestowing the patronage thereof upon Patrick de Inverpeffer, burgess of Dundee. The supplement to this work contains a correct list of the revenues of these Chaplainries. After the Reformation all these properties and annual rents fell, under Queen Mary's charter, into the management of the Magistrates and Town Council, for behoof of the ministers and poor of the burgh.

A circumstance connected with the building of the Church and Steeple may be here narrated, as having some curiosity, if not authenticity, attending it. There long existed a tradition to the effect that the architect of these buildings had given so great satisfaction to King William and his brother that the former bestowed upon the said architect a gold signet ring, having the impress of the bust of the King upon it; and that the architect some time afterwards joined a party of the gentry of the district in hunting, and when engaged in that pursuit he lost the ring on the Hawkhill, now a closely built-upon and densely populated district. Although the above story was known to antiquarians to have had foundation in fact from evidence preserved of the lost

ring having been proclaimed by the public crier of the burgh at the time it was lost, and a reward offered for its recovery, yet no trace of it was found till about the commencement of the present century, when, in the course of digging certain foundations at Heathfield House, Hawkhill, a massive gold ring was found in the soil or subsoil of sand, said ring bearing the impression of a crowned head, still sharply defined and in an excellent state of preservation. The finding of the ring created at the time considerable interest, and it is now in the possession of James Neish, Esq. of Laws.

After the Reformation, when the Presbyterian form of worship became established, St Mary's Church was divided into four separate places of worship, in which galleries were erected for increasing the accommodation. The ancient choir was appropriated as the Parish Church, the parish minister or parson being maintained from the teinds ; the southern portion of the transept was devoted to the second parish minister or vicar, and was named the South, now St Paul's Church ; the northern division was called the Cross, now St John's Church ; and the western division, or nave, was called the West or Steeple Church—to each of which a stipendiary minister has since been appointed by the Town Council, their stipend being provided for partly out of the burgh funds and partly from the funds of the Hospital.

In the Parish or East Church the eastern gallery was set apart for the Magistrates and Council, and the chief seat was more than once graced by being occupied by Royalty. In said gallery was an antique chair or throne in oak, termed the Royal chair. These churches, in 1826, being in the course of undergoing a series of alterations and repairs, this chair was thrown aside and lost sight of till a few years ago, when the late Mr Charles Roger, a keen antiquarian, found the principal parts of it used as a signboard in a back street of the town, and he lost no time in rescuing and fitting it up again in its almost original state, and was proud to show it to his friends as an antiquarian relic

adorning his dining-room. At the sale of that gentleman's collection of curiosities, which took place after his death, that chair or throne was purchased by and is now in the possession of Mr Neish of Laws. In each of the churches the different trades and other public bodies held property in certain pews, occupying the same on Sundays by their officebearers. In the west gallery of the East Church were situated the pews of the Bonnetmaker Trade. At the inner end of one of these pews was affixed on the wall a board, on which were painted the emblems of the trade (three broad blue worsted bonnets and a set of knitting weres), and underneath these emblems was painted the following inscription :—

“ THIS IS THE BONATMAKERS SET
WHA LAST TO SPEIR.”

The pew which belonged to the Shoemaker Trade bore the following :—

“ HERE SITIS THE CORDINARS.”

The money endowments before alluded to, although falling into the hands of the Town Council after the Reformation, are now found to be of little value. The change from the old currency of Scotland to the imperial or sterling has dwarfed the amount of the annual rents derivable from properties in the burgh under the original grants to merely nominal sums; and, in fact, all trace of various properties thus burdened for the support of the church has been lost in the lapse of time, and the confusion which the various vicissitudes of war and persecution brought upon the town successively for a long series of years.

In 1566 the church required to be rebuilt, it having been set on fire in 1548 by the English garrison of Broughty Castle, which had captured the town and held possession of the same until the Queen Regent's troops, mostly composed of French and German auxiliaries, advanced to re-take it, on which the English resolved to retreat, to cover which and prevent or retard pursuit, they set

fire to the church. In order to effect the desired object of rebuilding, strenuous exertions were made by the authorities, and among others the following Act of Council was then adopted, which shews that, besides the possession of administrative, the municipal authorities then (1566) also possessed large legislative powers:—"Item, it is ordainit yat ye Den of Gild of yis brugh quhen hes macknd and elect and chois ane number of yae yat are maist honourbl to gang severallie upon ye Sunday in ye kirk, and alsua yat ye deacons of craftes in lyke maner quhen ye brethren of ye craft, and chois in lyke maner out of ye maist honbl and gar to pass wit ye brod to ye officier of ye kirk and disobey ye same his readiest gudes and gear sall be poyndit for als meikl money as yat person collectit ye Sunday immediately preceding the disobedient charge." In 1651, when General Monck took possession of the town, he appropriated the Cross Church or transept to the purpose of a stable for his troop horses, and set fire to the west church or nave, which, with the interior fittings of the Steeple. were burned to the ground.

At the Reformation only two ministers were established in the parish, one called the parson and the other the vicar. The Scrymgeours of Dudhope, constables of the castle, were patrons of the first charge, and the patronage of the last belonged to the community. As the cure of the parish was too laborious for two ministers, Mr James Robertson, the vicar, on obtaining in 1608 a fixed stipend of 800 merks, resigned to the patrons his vicarage, and in 1609 they appointed in his place an additional minister, Mr William Wedderburn, who in 1613 received also a fixed stipend equal to Mr Robertson's, and gave up to the Council the more casual and insufficient produce of the vicarage. Though these transactions do not appear to have been authorised by any decree of the Lords of Erections, and no consent appears to have been either asked or obtained from the patron of the first charge, the patronage of both the others was considered as the undoubted property of the community. The parish was thus supplied with

three ministers, one drawing his living from the parsonage *teinds*, and the other two from the various corporate funds; and they have always officiated as colleagues in two places of worship, the choir and the south part of the cross building in the ancient church. As the inhabitants were found too numerous for being accommodated in two churches, the Magistrates, in the year 1795, fitted up the north part of the cross building as a chapel of ease, and the town continuing to increase, they built in 1789 what is now called the Steeple Church on the site of the ancient nave, which had till then lain in ruins, and by a decree of the Lords of Session both were erected into churches on the establishment for two additional stipendiary ministers, who officiated as colleagues in both by turns. As the Town Council had, after the Revolution, acquired the patronage of the first charge by purchase, they are now undoubted patrons of all the five.

In 1826 the East, South, and Cross Churches were substantially repaired and renovated, at a cost to the town of about £9000. In 1841, however, on the first Sabbath morning of the year, these three churches were accidentally burned to the ground, arising from overheating of the flues used in airing the buildings—the west or Steeple Church having been saved solely through the extraordinary efforts of the fire brigade and others to prevent its catching fire. Among the few articles saved on the occasion was a service of ancient communion plate in silver, consisting of a bread plate and eight wine cups. On the centre of the plate is engraved a crest without motto, surrounded by the following inscription, viz. :—

“ Joannes Fithivs, in amoris tesseram ecclesiæ Taodunensi ad sacram cœnam celebrandam vas hoc argentevm. Dono Dedit, 1665,”—signifying

“John Fithie, as a token of his love for the Church at Dundie, presented as a gift this silver plate for the celebration of the Supper, 1665.”

The cups were also gifts to the church, as shewn by the engraved inscriptions upon them, and in which the following gentlemen are named as the donors, viz., Thomas Reid of Auchinleck, merchant ; Alexander Maxwell, merchant ; and William Guild. These cups bear the date of 1733.

It unfortunately happened that at the time of the fire in 1841 the sum of £1000 only was kept insured on each of the four churches, and in consequence the town sustained a very heavy loss. In order to accomplish the work of rebuilding them, the Town Council, as trustees for the Kirk fabric, were under the necessity of disposing of part of the heritable property belonging to that fund or trust ; and the two handsome edifices comprising the parish churches of St Mary's and St Paul's were reared on the sites of the three churches destroyed, the transept, which was till then composed of two places of worship, having been contracted in length and reconstructed as one church. "The Old Steeple," or tower, on the west gable of the chancel (Steeple Church), being the only original remnant of the ancient ecclesiastical fabric remaining, having lately been found rapidly verging to a state of decay, and there appearing to exist a general desire among the inhabitants of all classes to preserve that "venerable pile" as an excellent specimen of the early architecture of Scotland, a public subscription was entered into for defraying the expenses of repair and restoration. That subscription having been cheerfully entertained, and the result proving satisfactory to the promoters of the scheme, they accordingly consulted Sir Gilbert Scott, the eminent architect, whose efforts at restoration of ancient Gothic edifices have been very successful, and a plan of restoration of the Steeple was prepared by him, whereby complete restoration might be secured, while the original architecture and decoration were strictly adhered to. That plan having been adopted, the work has just been completed, the practical part having been executed by Messrs Sturrock and Sheriff, the contractors, with great care and skill, under the directions of

Mr Yeoman, Sir Gilbert's assistant, and the fine old tower now appears to equal its pristine stability and beauty.

A proposal was mooted to erect a crown on the summit of the tower as an appropriate finish to the structure, and several plans have been suggested for effecting that object; but it appeared to be the wish of all that no alteration on the *statu quo* should be made, and the cape-house was accordingly restored in its recent form. It is somewhat doubtful whether the tower was constructed simultaneously with the churches to which it was attached, and various points of its architecture suggest the idea that it must have been built nearly two centuries later. This opinion is supported by the fact that in similar buildings of the same style constructed in the 14th century, and still standing, these peculiarities are apparent, their summits covered by similar cape-houses, with the slight difference of the gables being finished by crow-steps, which Schlezer's views prove originally to have existed on the Old Steeple of Dundee. At all events it is better that the crown theory was not put into practical operation, as in some of the plans to that effect the addition would have proved anything but an improvement, the enormous dimensions of the proposed crown appearing to dwarf the fine stately old tower, depriving it of its fair proportions, and suggesting an idea of overburdening and top-heaviness to the whole structure. An excellent peal of bells has been introduced by the generosity of six gentlemen connected with the town. A new clock has also been introduced, and this ancient landmark, architectural gem, and historical relic of the town has assumed such a renewed appearance as to warrant the belief that it will resist the action of the elements and the operations of time for centuries to come.

The ceremony of laying the foundation of the restoration and renovation was performed by Provost Cox on 21st May 1873, being the birthday of Her Most Gracious Majesty, in presence of a large number of the citizens—various documents, coins, newspapers, &c., being enclosed in glass and deposited in the

foundation-stone, situated at the base of the grand entrance on the west wall of the tower, on which occasion the new octave of bells rang out merry peals for the first time. As the renewed steeple and its bells may be interesting to the antiquarian centuries after the present generation shall have disappeared, a full description of these may not be out of place in the present work, which, by its local interest and more permanent nature, is likely to survive the columns of the periodical press, in which similar information may have been recorded.

PEAL OF BELLS.

8th, Weight, 20 cwt. ; 49 inches diameter. Note E.

Inscription—

Dundee, 1819. — Patrick Anderson, Provost ; David Brown, David Hazeel, James Gray, Archibald Gray, Bailies ; David Blair, Jun., Dean of Guild.
T. Mears of London, *fecit*.

BELL RECAST.

7th, Weight, 14 cwt. 1 qr. ; 43 inches diameter. Note F sharp.

Inscription—

Dundee, 1872.—James Yeaman, Provost ; W. Brownlee, Alex. Maxwell, A. H. Moncur, G. T. Graham, W. Chalmers, D. Petrie, Bailies ; R. Macnaughtan, Dean of Guild ; D. Macdonald, Convener of Property Committee.

NEW BELLS.

6th, Weight, 11 cwt. 1 qr. ; 40 inches diameter. Note C sharp.

Inscription—

Deum labiis exultationis laudobit os meum dedicatum a Joanne et Emilia Leng.
MDCCCLXXII.

5th, Weight, 9 cwt. 3 qrs. ; 33 inches diameter. Note A.

Inscription—

Hocce donatum est a Thomæ Thornton et Helena Hean ejus uxore mortua.
A.D. MDCCCLXXII.

4th, Weight, 8 cwt. ; 34 inches diameter. Note B.

Inscription—

1872.—Dedicated by J. W. Thomson to the Memory of his beloved Father, the Rev. James Thomson, Minister of the Steeple Church of Dundee for LII. years. Quis desideris sit pudor aut modus tam cari capitis.

3d, Weight, 7 cwt. ; 32 inches diameter. Note C sharp.

Inscription—

In Memoriam Hendrici Henderson in pace MDCCCLXXI., ex dono Frank Henderson. MDCCCLXXII.

2d, Weight, 6 cwt. 1 qr. ; 30 inches diameter. Note D sharp.

Inscription.

Presented by James Cox of Clement Park, First Baillie of Dundee, and senior partner of the firm of Cox Brothers, Camperdown Linen Works, 1871.

1st, Weight, 6 cwts ; 29 inches diameter. Note E.

Inscription.

Gulielmus Harris ex mercatoribus Taodunensibus unus, et unus quondam ex Magistratibus, huic oppido oriundus, hocce donum debuit. MDCCCLXXII.

LIST OF DONORS.

8th and 7th, The Magistrates and Town Council, . . .	£121	1	6
6th, John Leng, Esq., Editor of <i>Dundee Advertiser</i> , . . .	105	0	0
5th, Thomas Thornton, Esq., Solicitor, . . .	90	0	0
4th, John W. Thomson, Esq., Solicitor . . .	75	0	0
3d, Frank Henderson, Esq., Merchant, . . .	65	0	0
2d, James Cox, Esq., Provost, . . .	60	0	0
1st, William Harris, Esq., Merchant, . . .	56	0	0

THE HAND CHIMES.

William Myles, Esq., Accountant, . . .	25	0	0
Patrick Anderson, Esq., Merchant, . . .	20	0	0

Provost Cox said,—Ladies and Gentlemen—It is my pleasing duty, as Provost of Dundee, to take over this peal of bells in name of the Town Council, as gifted to the town by the gentlemen recorded as the donors, and return thanks to all for the great interest and energy displayed in the work, and express a hope that those who have so liberally responded to the calls made upon them may, every time the sound of these bells booms out, realise afresh that by their generosity they have been the means of thrilling tones of joy through a thousand hearts.

The total cost of the peal and opening expenses amounted to about £720.

OTHER ANCIENT CHURCHES.

The church or chapel of St Mary's, or Our Lady, in the Cowgate, which has long ago disappeared, was situated between Cowgate and Seagate, in the neighbourhood of Sugarhouse Wynd, formerly called St Mary's, or Our Lady's Wynd. This

chapel was erected and endowed by David de Aberkerdore, burghess of Dundee in 1414, and the deed of erection and endowment is preserved among the Burgh Archives. St Mary's Chapel, Ladywell, has also disappeared. There were, besides, a number of other small chapels and religious houses in different parts of the town, including the monastery of Grey, or Cordelier Friars, east side of Barrack Street, formerly Friars' Wynd, the yards belonging to which were appropriated by Queen Mary Stuart as a cemetery, as already narrated. There was also a convent of nuns, who followed the rules of St Frances, founded by Dornagilla, daughter of Alan Lord Galloway; a convent of Dominicans, built by Andrew Abercromby, burghess of Dundee; and a house of Mathurian Friars, founded by James Lindsay about 1390, all of which evidenced that in the early stages of the town's history, as in the present, ministers of religion and places of worship were far from scarce, and were also well provided for, so that religious ordinances might be waited upon in every other street by night or by day, while those who were able and willing to pay might obtain the benefit of masses for the relief of souls of departed friends, and the intervention of the Virgin and all the saints in the calendar for the forgiveness of their own transgressions.

THE LAW OF DUNDEE.

This hill, which forms a background to the view of the town, is 525 feet above the level of the Tay, and has always been the most prominent feature in the district. It appears to have had at one time fortifications erected on its conical summit, in the shape of a rectangular tower with relative outworks, the positions and plan of which are distinctly observable; and from specimens of the foundations uncovered, it would appear that the masonry had undergone the process of vitrification. It is not certain at what period the hill was fortified. At the time of the invasion

of this part of the country by the Roman legions under Agricola, it does not appear that it was a fortified place ; or, if so, neither Tacitus nor other Roman historians of that General's campaign, and of the battle with the Caledonians under Galgachus, make mention of it as such, although the Roman army in their march to meet Galgachus must have passed almost within sight of it. At the time of the seizure of the Castle of Dundee by Edward I., and its siege by the Scots under Wallace and Scrymgeour, there is no mention of the hill being a fortified post ; and we also find that during the hours the troops of Montrose were engaged in the sack of the town, he sat on the Law and looked down from its green top upon the assault. The probability, however, is that, on the retirement of the Roman army to the southern counties of Scotland, this hill was selected as a post of strength, as well as a point for observation, in case of the country being again invaded by a foreign foe, as, on account of its position and altitude, it afforded every benefit of a watch-tower for the district. The vitrification may be accounted for either by the walls having undergone that process at the time of erection, or when, after the works fell into decay, watch-fires may have been lighted up on the old foundations, and thus caused the present calcined state of the materials. This hill has always been looked upon by the inhabitants of Dundee as a favourite place of resort for purposes of recreation.

TOWN WALLS AND FORTIFICATIONS.

From its earliest formation Dundee as a town appears to have possessed means of defence, to a greater or less extent, to prevent surprise, and to admit of the exercise of official surveillance over its traffic with the adjoining districts. Ports were early erected, at which the dues exigible by the burgh authorities were payable, and the streets and houses were laid out and

constructed on such a system as to preclude access to the town except by the authorised ways. In the course of time, however, a wall was erected so as to enclose and protect from external violence the inhabitants and property. In the 16th century a substantial wall was built by the French auxiliaries whom Mary of Guise held in her pay. By the storming and sack of the town by the Marquis of Montrose the defensive works were much injured, and considerable part of the walls entirely demolished; and in general the whole had become in such a dilapidated condition that in 1650 the Committee of the Estates of the Kingdom ordered the Magistrates and Town Council to have the town regularly fortified. This was accordingly done, at an expense to the town of £20,000 Scots, the walls being further extended, and at some points made double, with a ditch between, heavy artillery mounted at suitable points, and a levy from amongst the male inhabitants made, so as to keep watch and serve the guns in time of invasion. The outer walls in the 16th century ran in a line from the river in an almost direct course along the line of Long Wynd to within a short distance of Todsburn; thence in an easterly direction by the north base of Corbie or Windmill Hill, along the line of the south boundary of the Old Burying-ground to the south-east corner of Little Meadows, then called Androw Barrie's Meadow; thence in a northerly direction to near the Ladywell reservoir; thence in a south-easterly direction near the north end of Sugarhouse Wynd; and from thence in a southerly direction to the river. In these walls there were four ports or gates flanked by defensive works. The gate or port at Fleukargate, or Nethergate, originally led to the district including the Magdalene Yard only, the junction between Roseangle and Hawkhill road not then having been formed; the gate or port at Argylegate or Overgate, which admitted the traffic with the north-western district, the Hawkhill being then the only high road to Perth; the port or gate at Wellgate, at foot of the Hilltown; and the port or gate in the Cowgate.

It leaves the Lord & that art att present quarter in
Dundee are shorthie to bee drawne away and it may bee
inconvenient & dangerous for the Towne to have the port
continue standing. Those are to authorize you to flight
to demolish the workes of the said Towne in such maner
as you shall thinke fitt for as they may not bee an
advantage to any Enemy to possess the Towne; Give order
my hand & seal wth. D^d. the 14th day of November. 1657
George Monck

To the provost & Bailiffs of the
Burgh of Dundee

In 1650, when the then existing fortifications of the town were repaired and extended, in anticipation of attack by the English army under Cromwell, the walls were extended, and the old east and west ports were removed, so that the Overgate and Nethergate ports were constructed about the present line of Tay Street, and the Cowgate port removed from the top of Sugarhouse Wynd to the position it at present occupies at the east end of Cowgate. It would thus appear that the great reverence for the memory of George Wishart on the part of generations of local rulers has been entirely misplaced in keeping up that old gateway, which is a great obstruction to the street and traffic of the district. It is abundantly evident that the gateway from which he addressed the people in the 16th century was demolished, and the present one erected at the time of the extension of the defensive works in 1650.

The walls and relative works, although fully relied on as sufficiently strong to constitute Dundee a city of refuge, did not prove effectual to keep out the enemy, for we find that in 1651 the English Parliamentary forces under General Monck, after a lengthened siege, stormed and took possession of the town, and, in order to prevent the likelihood of being again compelled to repeat his labours on obtaining possession of the town, that military leader some time after ordered the Magistrates to demolish all the defensive works which had been recently constructed at so great expense, by order of what was considered to be the properly constituted authorities of Scotland. The document issued by Monck to the above effect is in the Town's Charter Chest in an excellent state of preservation, and as it is of considerable historical interest, a *fac simile* is annexed, and the following is a transcript of the document:—

“ Whereas the soulds that are at present quartered in Dundie are shortly to be drawne away, and it may be inconvenient and dangerous for the Toune to have the workes continue standing : These are to authorise you to slight and demolish the workes of

the said Toune in such a manner as you shall think fitt, so as they may not be an advantage to any enemy to possess the Toune.—Given under my hand and seal at Ed^r, the 14th day of November 1659.

“GEORGE MONCK.”

That the fortifications were not a sufficient defence of the town was not the cause of Monck having taken and sacked it, for the works proved quite adequate, the assailants having sat down for weeks before it, the defenders fighting valiantly, and repeatedly repulsing the English army; but it is evident that treachery was the instrument by which the town was taken possession of, and the inhabitants decimated by the exasperated soldiers. The popular tradition is that a boy, son of one of the burgesses, was in the practice of amusing himself on the works, and on one occasion actually went over the wall and visited the camp of the besiegers, where he incautiously informed the enemy that at a certain hour of the day (twelve noon) the works were undefended, the men then retiring into the town to indulge in their daily allowance of beer, for which Dundee has been long celebrated, and that afterwards a nap by the beer-drinkers was no uncommon occurrence. Profiting by this hint, Monck ordered an assault to take place next day at the time indicated, which order was carried into effect, when it was found that the defences were almost unguarded, thus affording easy admission for his troops. The defence hitherto had been maintained with such courage and skill that Monck's forces were much exasperated, and therefore they vented their ill-feeling by slaying as many of the inhabitants as they could lay hands on. The carnage is said to have continued for two days, and that on the third day it was put a stop to by the scene of a woman being seen lying on the ground at the Thorter Row shot to death, while her young child was endeavouring to suck its dead mother.

Another account of the matter is given thus by George Buchanan :—“Dundee, to which the Mint had been previously

removed, contained the riches of the surrounding country. It was repeatedly summoned to surrender, but refusing, it was, owing to the intoxication of the soldiery and townsmen, taken by storm on the 1st of September. The garrison was put to the sword, the town delivered up to pillage, and the inhabitants, without distinction of age or sex, to massacre and dishonour. The spoil was estimated at more than two millions and a half. The brave Governor, Sir R. Lumsden, was killed in cold blood by order of the base and inhuman Monck, after quarter was given; and the ministers of religion, although they had advised the surrender of the place, were insulted and sent prisoners to England, along with a number of the Committee of Estates, who had been seized at Alyth, where they met two days before to concert measures for the defence of the country. Calculating upon Dundee making a vigorous resistance, the Lord Chancellor, the Earl of Leven, Lords Ogilvy, Crawford, Lindsay, and a number of noblemen, had resolved to attempt its relief; but Colonel Allured surprised them at their place of rendezvous, and dispersed their levies." "They were betrayed," says the genealogist of the house of Sutherland, "by William Buchan, scout-master of the Scottish army, who conveyed and led the English thither by a secret and quiet way. Those who escaped of the Committee met after at Inverury, where Huntly was chosen preses, and it was proposed to create him Captain-General; but the sudden advance of the enemy broke up that assembly, when all retired north of the Spey except Huntly and Balcarras, who in the month of September submitted to the English. The bloody execution done upon Dundee terrified the other towns into submission; and the insignificant army which Cromwell had left with Monck was found sufficient to complete the subjugation of a country which the most terrible array of the most powerful of the English monarchy had been unable to conquer."

The only relic of the town's fortifications now standing is the

East Port or Gateway. This the municipal authorities have all along resolved not to remove, in token of the respect of the community for the memory of George Wishart, the celebrated martyr of the Reformation, who, when the "pest fever" was afflicting the town, preached from the top of the gateway to the sick outside and the whole within the gate. This, however, is not the gate from which he preached, as it was constructed in 1650, while this pious and truly good man was, on 1st March 1546, burned at the stake at St Andrews, under a conviction obtained by the machinations of Cardinal Beaton, after a trial by prejudiced judges, for the alleged crime of heresy against the Church.

THE HARBOUR.

Originally, and up to a comparatively recent date, the Harbour was of very small dimensions. It consisted only of a single pier projecting into the river, with the addition of two wooden "bulwarks," and latterly of a convex breakwater, and a basin or reservoir extending north to within a few feet of the south gable of the Crown Hotel, the water in which was used for scouring the Harbour, and preventing it being silted up. The vessels which, up to the commencement of the present century, frequented the port were mostly small coasters, varying from fifteen to fifty tons burthen. There were only two modes of communication between the town and harbour, viz., "Skirling's," now Tyndall's Wynd, and "Spalding's," now called Couttie's Wynd. A lithographed plan of the town and its fortifications and harbour, as they existed in the 16th century, is annexed to this section of the work. About the end of the 16th century an additional communication was, however, opened up through St Clement's churchyard, by the lane and archway commonly called "the Vault."

In order to assist in keeping the Harbour in repair, the Con-

vention of Royal Burghs sitting at Dundee passed the following Act :—

“ Undecimo Julii, jm vj^e vj^o (11 July 1660).

“ The quhilk day grants and gives licence to the Brugh of Dundy to impetratt of our soueraine lord ane gift of the impost following, for reparatioun of thair schore and herbere, for the space of fyve zeires after the obtaining thereof, viz., twa schillingis of ilk twn of guidis entrand within the said herbere, and twa schillingis of ilk twn of guidis passand furth thair of, to be vptakin of quhatsumever owneris of the saidis guidis, and twelf penneis to be vptakin of the fraught of ilk twn of the saidis guidis entrand and passand furth of the said herbere, and that fra the owneris of the maisteris of the saidis schipis, boitis, or creyaris ; item of euerie hundredth peceis of tymber of all sortis loissit within the boundis of thair said herbere and priuelegeis thair off, and of ilk chalder of wituall twa schillingis, the twa pairt thereof to be payit be the owner of the guidis, and the third pairt thair of be the maister of the schip ; and siclyk of all uther kind of guidis that ar measurit ; prouiding the said Brugh imploy the said impost to the effect foresaid, and mak zerle compt thair of to the burrowes, onder the pane of ane onlaw of xx. li. (£20) ; and the Commissionaris of the Brugh of Perth disassentit, and thairupon askit instrumentis.”

About the end of last century, the traffic of the port having largely increased, these primitive thoroughfares were found to be quite inadequate, and the Magistrates and Council opened two new streets between the town and harbour—the one, named Castle Street, constructed by blasting and removing a great part of the Castle rock ; the other, named Crichton Street, leading from the west end of the High Street to the Greenmarket. In 1826 another access was opened between the Nethergate and the harbour, named Union Street, which, with the great alteration and extension of Trades' Lane on the east, have formed excellent thoroughfares for the large traffic now carried on.

In the early part of this century those engaged in the commerce and shipping of the port became convinced that sufficient

facilities were not afforded for successfully carrying on the trade, while a large revenue was being received in the shape of shipping dues, and an agitation was commenced and carried on, resulting in the passing of an Act vesting the management of harbour affairs in a representative Board of Commissioners, which measure proved the commencement of unexampled progress and prosperity—these Commissioners having ultimately paid to the Town Council a money compensation for their right of property in the harbour as representing the community. Several additional Acts of Parliament have been obtained since, and the dock accommodation is now most extensive, while the growing importance of the town is rendering further accommodation still necessary. The annual revenue of the harbour is now £41,300, and a renewed impetus has been given to its prosperity by the rapid and extensive development of the trade in jute between the port and Calcutta. In construction of works upwards of £600,000 have already been expended to afford accommodation to meet the increasing traffic, and not less than £400,000 of that sum have already been repaid out of the shore dues levied from the traffic and the shipping frequenting the port.

MONCK'S LODGING.

This building stands at the west end of the High Street, and may be distinguished by the circular tower at its north-east angle. Although one of the oldest houses in the neighbourhood of the High Street—having been built about the commencement of the seventeenth century—it is still in a good state of preservation. Monck, when he entered the town in bloody triumph in 1651, must have found the building comparatively new and commodious, and therefore selected it as his headquarters. In this house was born the Duchess of Monmouth, daughter of the Earl of Buccleugh, and wife of the unfortunate Duke of Monmouth who died on the

scaffold for an unsuccessful rebellion against the reigning prince. In the rear of that building were situated what were called the "Luckenbooths," or narrow street of shops, and up to a few years ago the houses in that district were popularly known by that name. To the south and west of Monck's Lodging was formerly the Tolbooth* or Town House, previous to St Clement's Church having been appropriated to that purpose.

THE HOSPITAL.

The building in which the poor of the burgh were at one time lodged was situated on the south side of the Fleukargate, or Nethergate, opposite the south end of South Tay Street. Part of the original building is still standing, and is at present used as a cabinetmaker's workshop. The ground on which it was built consisted of four acres, which were purchased in 1615 by the "town, ministers, and elders, for behoof of the poor," from George Sterling, merchant, burghess of Dundee, for three thousand merks Scots. The Hospital was built on that portion of ground next the river, and had a chaplain and Scripture reader, whose salaries were paid by the Magistrates and Council out of the revenues conveyed by Queen Mary's Charter. The ground immediately opposite, on the north side of the Nethergate, was called the Hospital Gardens, through which grounds the thoroughfare named Tay Street was constructed in the beginning of the present century, and formed a new connection between the Nethergate and the north and west parts of the town.

It having, about a century ago, been considered preferable to make outdoor allowances to the burgh poor, instead of maintaining them within an hospital, the former system was adopted, and is still continued in practice. The buildings were then appropriated

* "Tolbooth"—Toll-house, or Burgh Dues Office.

as class-rooms for that portion of the Burgh School named the Academy, and were continued to be so used till the erection of the present handsome and commodious buildings in the Meadows, now called the "High School"—an educational institution of high repute, and furnishing tuition in all the different departments of learning, from the simple primer to the classics, mathematics, and fine arts.

THE MAGDALENE YARD.

This piece of ground, situated at the west end of the town, and close to the river, belonged originally to the College of St Andrews, but the Lairds of Blackness and the town of Dundee have for centuries been contending for the right to this green, the result of which was that both were found to possess certain rights—the inhabitants having a right of servitude to walk over it and otherwise use it as a place of recreation; while Blackness interest consisted only of the right of pasturage.

In order to shew the jealousy with which the public interests were watched upwards of a century and a half ago, and also the attempts by the proprietors of the Estate of Blackness to take sole possession or encroach upon it, the following transcript of a protest, served by the burgh authorities upon the then Laird of Blackness, is laid before the reader:—

"Whilk day, in presence of me, Nottar Public, and witnesses afternamed, compeared personalie, Alexander Blair, Provost; Thomas Scott, Thomas Fairweather, and James Yeaman, Bailies; Thomas Abercrombie, Dean of Gild; Thomas Wardroper, Thesaurer; and John Nicoll, Convener of the Trades of the burgh of Dundie, who, being informed of the removing of ane March stane, with the toun of Dundie's armes thereon (standing in the Magdalene Yard, at the foot of ane walk opposite the avenue of Blackness), by William Young and Alexander Rioch, both servitors to Sir Alexander Wedderburn of Blackness, and at

his order and command, as they find by the confession of the said William Young and Alexander Rioch; and the said Provost, Bailies, Dean of Gild, Thesaurer, and Convener, having gone to the place where the said March stane was standing, and found that the same was away, therefore the said Magistrates protested that the removing of the said stane might not prejudice the right and property of the said town in any manner of way, qupon and upon all and sundry the premises the said Thomas Wardroper, for himself and in name of the rest of the Magistrates and good town, asked and took instruments in the hands of me, Nottar Public subscribing. Thir things were done upon the ground of the said Magdalene Yeard betwixt four and five hours in the afternoon, day, month, place, and year of God and Queen's reign first above written, in presence of Robert Dog, maltman in Dundee; James White, late Convener of the Trades; Andrew Hunter, Nottar Public, subscribing witnesses specialle called and required to the premises."

The present generation must estimate at its proper value the vigilance of their ancestors as displayed in the above matter.

TOWN'S PROPERTIES.

The town and community of Dundee at one time possessed large properties in the burgh and the landward part of the parish. About two hundred years ago the estates of part of Dudhope, Rottenrow or Hilltown, East Ferry Acres, Duntrune, Baldovie Mills, Drumgeith, Wallace Craigie, Lands and Salmon Fishings of Draffin, &c., belonged to the town. But from the vicissitudes and calamities of civil war, and the repeated exactions of contending parties, most of these properties had to be parted with in order to pay the debts of the burgh, and carry on the Municipal Government. In 1657 an Act of Parliament was passed granting a sum of money to the town to assist in making up its losses by the war. It would appear from the following document in possession of the Town Council that the millers at

Dighty Water are entitled to the use of the water of the Loch of Lundie without any charge :—

“ I, Alexander Duncan off Lundie, hereby binds and obliges me and my aires and successors, heritors of the Milnes off Lundie, that the town of Dundee, having accomplished and perfected that work presently intended be them anent the cutting off the shore in the mouth of the Loch of Lundie for the more fluent course of the water to the milnes of Dundie, I, nor my foresaides, shall never stop the course of the said water, except allways when we have not use for the water ourselves, and no otherwise, sua shal the milnes belonging to the town of Dundie shall have the use thereof as the milnes of Lundie. And, farder, I bind and oblige me and my forsaides that this benefit presently granted to the town of Dundie shall be gratuitous, and I shall never require any acknowledgement from yame for ye samen. As also, I shall iterate and renew thir presents, iff required, in more ample form, always keeping the substance hereof unaltered.—And in wittnes yerof I have writtin and sub^d yir presents at Lundie, yis twenty-ane day off Julij japbie and aughtie-ane years (1681).

“ J. DUNCAN.”

In 1704 the town was under the necessity of making an arrangement with its creditors. The Hospital ranked for £17,095, and received nine and a-half acres near Hilltown called Langlands' Acres, and nine acres to the north thereof, and a piece of land called Butchart's Acres—thus liquidating the claim of that trust against the town, and still retaining these valuable properties to the town's use and benefit.

In 1711 the town and harbour were in so dilapidated a condition that the Town Council were under the necessity of applying to the Convention of Royal Burghs for pecuniary help, which application, after strenuous opposition on the part of the deputation from Aberdeen, was successful.

After that period, although the Rebellions of 1715 and 1745 occurred, in the former of which Dundee was considerably

implicated, yet its material prosperity commenced gradually to increase, and has continued, with a few unfortunate years, to increase, in spite of the loss entailed by the Water contest, and the consequent alienation for a time of the management of the town's finances, until, in the present year, its size, its commerce, and political importance are all of the first magnitude. The annual income of the Corporation for the year 1872-73 amounted to £4115, while the assets, composed of heritable properties, feu-duties, &c., amount to the sum of £82,343 sterling.

THE MEAL MARKET.

This market was situated at the west end of the High Street, the site now occupied by the "Union Hall," formerly known as the "English Chapel." About the middle of last century the meal market was removed to the quadrangle behind the Town House, around which sheds were constructed for the accommodation of the meal and flour brought by millers and others to market. Under the old system the Magistrates exercised considerable control over the sale of provisions of all kinds brought into the town. Forestalling was then treated as a misdemeanour, and adulteration as a crime worthy of condign punishment. Under the system of private shopping, however, as now practised, the same surveillance cannot be so easily exercised; but the Legislature, by recent measures for the repression of such practices, shows that our forefathers, although going to extreme in some things, were not far wrong in their attempts to put down every form of unlawful dealing.

THE BUTCHER MARKET.

This market was formerly held on the space south side of

Butcher Row, now occupied by the new Fish Market. The square space was surrounded by stalls, with roofs supported by stone pillars. At these stall butchers displayed their meats for sale. About forty years ago, however, the more respectable members of the trade removed to shops in eligible parts of the town, and the market was ultimately abandoned, and let to a coal merchant for storing coals, for which purpose it was used till four or five years ago, when it was converted into the present Fish Market.

INNS AND HOSTELRIES.

The principal inn in Dundee in the 16th and 17th centuries was that situated on the west side of the Castle Hill, and close upon the line of the east side of Tyndall's, but then called "Skirling's" Wynd. The ground for building that house of entertainment was given off by Scrymgeour of Dudhope, Constable of Dundee, and superior of the ground of the Castle Hill, to James Jak, maltman, burgess of Dundee. The building appears to have been a very handsome structure, if we are to judge from the specimen of the walls still standing. In connection with it were a malt mill, kiln, and coble on the east side of the hill, and it appears that these were in the possession of the family of Jak for nearly two centuries, till it subsequently came into the possession of a Councillor Bathgate, who in the 18th century married an only child of the last of the Jaks. The ruins of this establishment, which are situated on the east side of Tyndall's Wynd, about half-way down, and are approached by a narrow entry, are well worthy of a visit from any native Dundonian, or archæologist who may make up his mind to penetrate into that unsavoury neighbourhood. However antiquated, contracted, and unfashionable that thoroughfare may be, it and Couttie's (anciently "Spalding's") Wynd formed the only approaches between the town and harbour; and many a municipal

feast has been enjoyed at the "Castle Inn" while in possession of the hereditary succession of Jaks, who must have acquitted themselves in the character of "mine host" to the general satisfaction. A horizontal stone monument, erected in the 16th century to the memory of one of the Jaks, may be seen in the old Howff, towards the south wall, and about the middle distance from east to west, on which an inscription appears in raised Egyptian capitals.

The only other inn on a large scale in the 16th century was situated at the north side of the High Street, but it was taken down and rebuilt in the beginning of the 18th century, and was named "Gordon's," and subsequently "Morren's Hotel." The ground occupied by this commodious building, however, having been required to form the line of Reform Street, was in 1833 demolished, along with the tenements adjoining on the east and west.

THE HEREDITARY CONSTABLE OF DUNDEE.

This feudal office was bestowed upon the Scrymgeour family by Robert I., commonly known by the name of Robert the Bruce, in recompense of and as a compliment for his valuable services, including those rendered in the siege of the Castle of Dundee. The family of Scrymgeour also held the title of Hereditary Standard-bearers to the King. Great portion of the original site of the town was part of their family estates of Dudhope. In 1641, Sir John Scrymgeour, Constable of Dundee, was created a Peer, with the titles of Lord Scrymgeour, Viscount Dudhope. His son, the second Viscount, was killed in 1644 at the battle of Marston Moor, engaged on the side of Parliament against the King. The third Viscount accompanied Charles II. to the battle of Worcester, and was created Earl of Dundie after the Restoration. In the meantime, Maitland of Hatton had assumed possession of Scrymgeour's estate and dignities. This man held

the office of "Deputt Lord Thesaurer" of Scotland, and feeling elated in his possession of the office of Constable, made strong efforts to override the jurisdiction possessed by the burgh Magistrates, and frequent collisions occurred, in which the latter showed manly and courageous spirit. The disagreements latterly came to such a height that the matter was brought before the Secret Council in 1676, which body, as a matter of course, decided in favour of their official colleague, ordaining the Council to submit. The Council having no resource, was constrained to do so in form, whilst they in spirit still held by their ancient privileges. The following transcript of the minute of the proceedings taken by the Council to comply with what they considered to be an illegal interference with their chartered rights, will not fail to be interesting to the reader:—

"At Dundie, and within the Tolbuith thair of, the twenty-seventh day of March jajbj and thriescoir and sextene zeires (1676): The whilk day, in presence of me, Nottar Public under subscriyved, and witnesses underwritten, comperit personally George Brown of West Horn, Provost of Dundie, with Alexander Forrester, Bailzie to Charles Maitland of Hatton, Lord Thesaurer Deputt of Scotland, of his Lands and Barony of Dudhop and Hill of Dundie, and Constabularie of Dundie, and thair the said George Brown, Provost, reallie offered to the said Alexander Forrester, Bailzie foresaid, the person of James Nicoll, prisener in the Tolbuith of Dundie, for receipt of theft, in obedience to the Lords of His Majesty's Secret Counsell their decret, and not for any right the said Lord Thesaurer deputt or his bailzie had or can pretend to the criminal jurisdiction of the burgh. Which offer the said Alexander Forrester refusit to accept of, and affirmed he had nothing to doe in that matre. Upon the which offer and refusall the said George Brown, provost, askit and requirit instruments in the hands of me, Nottar Public, underscriband. Thir thingis were doen in the said Tolbuith about three houris in the afternoon, day and month and year of God fores^d, befor Alexander Nicoll and James Whyt, maltmen, burgesses of Dundie, with divers other witnesses callit and requirit to the premises.

I John Biscourt of Dundee grants me to have
received one thousand merkes which Alexander
Cathcart received upon the fourth day of October
last by pass from John Graham Collector of the
towns gift of two merkes upon each boll of malt
brown and sold within the town of Dundee the
said summe is payable to me berme out of
the first end of the said gift and discharges
the said ~~town~~ town of the terme of mortmes
paynt eightie eight as witness my hand
at Dunhope the 11 of march 1689
Dundie

“Ita est Ego Jacobus Wedderburne Notarius Publicus et prenuissa requisitus attestor tanta manu mea propria.

“JA. WEDDERBURNE.”

It may be mentioned that the Laird of Hatton was ultimately expelled from the estate of Dudhope and Constablership of Dundee. Graham of Claverhouse, the celebrated Lieutenant of James VII., afterwards obtained possession by purchase of the estate of Dudhope, and asserted his claim to the office of Constable and Chief Magistrate of the burgh. The King created him Viscount Dundie, and he resided in Dudhope Castle, now included within the bounds of the burgh. In virtue of certain feudal rights attached to his acquired position he exacted certain taxes out of the trade carried on in the burgh; and the following is a transcript of a document holograph of Graham, written in his capacity of Constable of the Town, in the spring of 1689, being the same year in which he was slain at the battle of Killiecrankie, and a *fac simile* is annexed to this page:—

“I, John, Viscount of Dundie, grants me to have received one thousand merks which Alexander Cathcart received upon the fourth day of October last by pay^t from John Graham, Collector of the townes gift of two merkes upon each boll of malt brewn and sold within the toun of Dundie, whilk sowme is payable to me termlic out of the first end of the said gift, and discharges the said toun of the term of Mertimes, jajvie eightie-eight, as witness my hand at dudhope, the 11 of March 1689.

“DUNDIE.”

The estates and feudal superiority thereafter descended to the noble family of Douglas, who peaceably exercised their rights so long as these existed. In the title-deeds of some of the tenements in the neighbourhood of the Castle Rock the only feudal service stipulated for is that the vassal shall attend the Courts held by the superior on the Castle Hill. The following is the manner in which his Lordship is styled in one of the deeds

granted by him, and dated 1743 :—" Ane High and Mighty Prince, Archibald, Duke of Douglas, Marquis of Angus and Abernethy, Viscount of Jedburgh Forest, Lord Douglas of Buncle, Preston, and Robertstoun." The property described in the deed referred to was to be "held for service of burgh used and wont, and for giving three suits yearly to the said Duke, his three Head Courts to be holden upon the Castle Hill of Dundee," where, after the demolition of the Castle walls, the Constable erected an official residence, where he and his successors, as hereditary Constables, held their Courts until the total abolition of feudal jurisdictions.

THE MARKET CROSS.

The first Tolbooth or Town-house of Dundee, and Market Cross of the Burgh, were situated in St Mary's Gate (Seagate), opposite the south end of Peter Street. The ground was granted in 1327 by Robert I., and the Charter of it is preserved in the Town's Archives. The building erected on said ground in the course of time became inadequate, and not sufficiently central, and in the 15th century a Tolbooth was erected at west end of High Street, immediately south and west of the building already described as "Monck's Lodging." The Market Cross was also removed from the Seagate, and fixed at the west end of High Street, whence it was removed in 1697, being replaced by a circular figure in the causeway. The Tolbooth having again become inadequate, it was resolved to convert St Clement's Church into a Town-house, which was accordingly done. That building, however, in the beginning of the 18th century, having become much decayed, the municipal authorities in 1732 resolved to build a new Town-house on the site of the old church of St Clements, and in 1734 the present Town-house was accordingly erected.

The Old or Seagate Cross is said to have been the spot where poor Grizell Jaffray was burned to death in 1669 for the alleged crime of witchcraft. Grizell, whose husband's name was Ramsay, was widow of a seaman, or rather ferryman, or "ferrier," as these useful boatmen were anciently termed. There is a popular tradition that her son, a mariner, had been abroad for a number of years, and, having been advanced to the position of master of a merchant ship, arrived in Dundee on the evening of his mother's judicial murder, when he was so horrified at the tale, and so disgusted with the ignorance and bigotry of his fellow-townsmen, that he at once turned his back on his native country, and ended his days in a foreign land. The tradition is further supplemented by an addition recorded in Myles' "Rambles in Forfarshire," of the grandson of Grizell Jaffray, who made a fortune, and returned under the adopted name of Yeaman, and purchased the estate of Murie in the Carse of Gowrie, and thus founded the family of Yeamans of Murie. This is further supported by the author of that work by the fact that after the death of Miss Spence Yeaman, of Murie in 1848, the whole furnishings of the mansion-house of Murie were sold off by auction by Mr Beatts, auctioneer, and that among these were a very fine portrait in oil colours of a gentleman in Eastern costume, and also an antique teakwood chest, strongly clasped and bound with brass mountings. Public curiosity and interest regarding these two lots were excited among all who had heard of the popular tradition, and consequently the competition was so great that the chest brought a very high figure, and the portrait was knocked down to the late Mr Gardiner of Dudhope at the handsome price of 132 guineas. This portrait is now in Dudhope House. It is only necessary, however, to state that the Yeaman family was a very old one, and existed long before Grizell Jaffray's execution; and it is well known that George Yeaman of Murie was M.P. for Dundee in the end of the 17th and beginning of the 18th centuries, when he at the passng

of the Act of Union between England and Scotland obtained certain advantageous concessions in favour of the town and trade of Dundee, as already narrated. The latter part of the tradition appears to be therefore quite unfounded.

BROUGHTY CASTLE

was originally built by Lord Gray in 1496, and was then calculated to accommodate 2000 men. The site being the extremity of a peninsula projecting into the river, and probably having at one time been an isolated rock surrounded by water, has always been considered a place of strength, and in consequence of its thorough command of the entrance to the river has been maintained in a state of fortification. At the time of the Roman invasion it was in some manner fortified by the Caledonii, and as such is mentioned by Roman historians. When the Queen Regent, Mary of Lorraine, and her brother, the Duke of Guise, ruled Scotland, the Earl of Arran being then Governor of the Kingdom, and Cardinal Beaton the instigator of her anti-national policy, the country was invaded by an English army of 18,000 men. The Scots prepared to meet them, and succeeded in dispersing their cavalry at the first onset, but after some hard fighting the English army on the field of Pinkie were completely victorious. Elated by this success, they then advanced their detachments as far north as the Firth of Tay, and captured Broughty Castle. By this acquisition the English General effectually intercepted the trade of the river, and thus practically blockaded the ports of Dundee and Perth. The forces of the Queen Regent, aided by French auxiliaries, made great exertions to dislodge the English troops; but the English commander, Dudley, being a man of skill and experience, held firm possession, and Arran was obliged to withdraw from the siege, leaving Provost Halliburton of Dundee with one hundred horsemen to oppose the inroads of the English

foraging parties, who were in the practice of sallying out of the Castle, pillaging the surrounding district, and laying it under contribution.

About this time several Volunteer Companies were raised in Dundee, under the command of Captain Learmonth, who, acting in conjunction with Halliburton, succeeded in mainly repressing the aggressors. Some time after the Earl of Argyll with a strong force attempted to dislodge the English from Broughty Castle by commencing a siege, but with little success against the garrison, which had been largely reinforced by additional troops from England. Argyll having withdrawn from the siege, the English became more emboldened, and proceeded to erect a fort on the adjacent hill of Balgillo, which they finished and occupied, and thereafter attacked the town of Dundee, of which they took possession; but they had shortly to evacuate the town on the approach of the French General Desse, in command of the Queen Regent's forces. The English did not abandon the town, however, before plundering it, and setting fire to a considerable number of buildings. They then retired to Broughty, satisfied with the efforts they had made and the erection of the fort on Balgillo Hill, by means of which they commanded and overawed sufficient space of country to supply their daily wants. The French General attempted to reduce Broughty Castle, but was utterly discomfited, and, as the next best course, he proceeded to fortify Dundee with a wall completely encircling the town, and placed in it a garrison for its defence. The want of success attending this General, however, caused his recall by the French monarch, and General de Termes succeeded to the command. This General energetically took to his work, in which he succeeded, first by taking by storm the Castle of Haddington, making its English garrison prisoners, and proceeding northwards. Being reinforced by the Dundee Volunteers, he stormed and took the fort at Balgillo, and immediately thereafter received the unconditional submission of the garrison of Broughty Castle, of which

he took possession, putting the garrison to the sword. The fort at Balgillo was then demolished, and the Castle of Broughty was thereafter allowed to get into a state of decay, from which it was rescued only a few years ago, during the tenure of office of the Earl of Dalhousie when Secretary at War, by being put in an admirable state of repair, with additional works, calculated to be of considerable service in case of any attempts at invasion of the coast.

DRUMMOND'S LODGING, OR OLD CUSTOM-HOUSE.

At the west side of the Greenmarket stands an old building, with a circular tower at each corner. This was originally the family town residence of the Drummonds of Stobhall—Admiral Drummond, of the Scottish Navy, having occupied it upwards of three hundred years ago. About two centuries ago part of it was put in use as the Custom-house of the port, in which were collected the shore dues and Government duties of customs and excise, but at the beginning of this century its use for these purposes was discontinued. It is now occupied by a china merchant and private families. Grant, in his interesting book "The Yellow Frigate," gives a very minute description of certain occurrences said to have taken place in this house, the Earl's Lodging, and Whitehall Palace, between the Douglasses, the Lindsays, and the Drummonds, in the reign of James IV.

THE ROYAL MINT.

There appears to have been a Royal Mint in existence in Dundee in the reign of Robert III., and he probably was the erector of it, or rather the author of its erection. This building was situated between Nethergate and the river, to the eastward

of Couttie's Wynd. Silver groats, bearing the impress of Robert III., were minted here, and are still to be seen in the collections of the curious. In the minority of Queen Mary, when the powerful national confederacy, organised in opposition to the tyrannical and oppressive Government of the Queen Regent, and which was known by the title of the "Lords of the Congregation," were compelled in self-defence to assume the Government, and defend the country by force of arms against the French troops in the pay of the Queen Regent, the National Mint at Dundee was re-opened in the same premises for the supply of the metallic currency, and was only discontinued at the death of the Queen Regent. At another time in the same century, when plague broke out in Edinburgh, the Mint in Dundee was used by the Government officers for the requisite national coinage, and in the middle of the next century, during the struggles between Charles I. and his English Parliament, the Royal Mint was removed to Dundee, in consequence of Edinburgh having been taken possession of by the English Parliamentary troops, under Cromwell. The premises so used at that time were situated at the north side of the "Mercatgate," or High Street, and there by authority of the Committee of the Estates of the Parliament of Scotland coins were minted in the name of Charles I. The entry to these Mint premises is still named the "Mint" Close, but the buildings were some years ago entirely removed, to permit of the extension to the westward of the shops situated in the west side of Reform Street. The lane in which the more ancient Mint was situated has hitherto had an oft-repeated story connected with it, purporting to account for its present name, to the effect that King James IV., being in the practice of making pedestrian excursions unattended, was on one occasion, when crossing the Glen of Ogilvy, attacked by robbers, who had nearly overcome his Majesty, when a blacksmith of Dundee, named Couttie, on his way from Glamis, accidentally came upon the group, and rescued the King, who afterwards, in

gratitude for the service rendered, bestowed on the smith certain property in the neighbourhood of the lane referred to, and hence the name of "Couttie's Wynd." The compiler of this work, however, has merely to state that in the title deeds of all the contiguous properties that ancient thoroughfare between the town and the harbour, from the earliest date till nearly two hundred years after the reign of James IV., was known only under the name of "Spalding's" Wynd; and further, the records of the Town Council at the end of the 17th century shew that Bailie Coutey, an active and enterprising merchant burgess, who then owned property in the neighbourhood, was more likely to be the originator of the name than the chivalrous but unfortunate victim of the "God of Battles" at Flodden field.

BARONY OF HILLTOWN, OR ROTTEN ROW.

The Barony of the Hilltown of Dundee was originally of large extent, and held by the Corporation under a separate title. The suburb of Dundee now known as the Hilltown is of ancient date—in fact, its existence must have been coeval with that of the town, it being the only thoroughfare which in early times existed between Dundee and the district of country situated to the north of it. The suburb having been situated outside the port of the town's fortifications, was subjected to vicissitudes which misgovernment and civil war always entail, it having been repeatedly set on fire and burned. The trade carried on by the inhabitants in old times, both male and female, was that of bonnet-making, and hence arose the more modern name of the Bonnet Hill. The Bonnetmaker trade of Dundee gave out the woollen yarn to the inhabitants of Hilltown to work into Highland bonnets; and in fine weather the inhabitants of all ages might have been seen busily engaged at that work on benches placed in the gables of their cottages, which gables were generally facing the street in

the old Dutch style. In 1706, however, the Barony was incorporated with Dundee, and in 1832 it was constituted an integral portion of the extended Parliamentary Burgh. The old feudal practice of electing a Baron Bailie is, however, still kept up. Instead of the thatched cottages or hovels which formerly lined the thoroughfare substantial buildings are now being erected in all parts of the suburb, and property is rapidly rising in value, from the increase of the population, and demand for house accommodation by those employed in that district.

PUBLIC MEADOWS AND HOSPITAL WARDS.

The space originally occupied by the old town appears to have at a very early period existed in the form of a peninsula, of a triangular shape, extending from its base at Blackness to its apex at a point on the margin of the River Tay near where Candle Lane is situated. The tidal water evidently at one time flowed from that point to Fleuchar Craig, along the bed of the valley, afterwards forming the Meadows or swampy ground on the north of the ancient burgh. The subsoil along that course is composed of silt and marine shells, and so very soft that it has been found absolutely necessary to construct all buildings along that valley on piled foundations, the experience of the architect of the Royal Exchange buildings at Panmure Street proving the impossibility of even foundations of concrete being sufficient to support structures on the treacherous bottom—that handsome building having subsided so far from its original level as subsequently to necessitate depression of the level of the street in front, so as to neutralise the effect of the defective mode of foundation adopted. The swampy ground, or meadows, having thus bounded the ancient burgh on the north, formed at all times a valuable defence against hostile attack from that quarter, the disposable force of the garrison being stationed at the east and west

approaches of the town, by which the troops of both Montrose and Monck gained access in their successful assaults upon and sack of the town. The several parts of which these Meadows were composed are shown on the sketch plan annexed as the property of the respective parties named; but in the course of time the Town Council, as representing the community, and as trustees under the Hospital grant, acquired the whole, and converted the portion lying east of the Dudhope Road into a bleaching-green, and that to the westward of said road into a recreation ground, both particularly described in the Chronological Section of this work. Ultimately, however, it was found advantageous to feu the Meadows for building purposes, and accordingly the valuable buildings utilised as the Albert Institute, the Post and Telegraph Offices, the High School, the Royal Exchange, and other buildings, were erected; and on what previously formed the Hospital Wards are built saw-mills, spinning-mills, powerloom factories, and other buildings, giving employment to, and contributing to the prosperity of the population.

SECTION III.

TRANSCRIPTS OF OLD ACTS AND MINUTES
OF COUNCIL.

THE following extracts from the records of the burgh give a glimpse of its inner municipal and social life, while some of the incidents described throw light upon portions of the town's eventful history. To the present generation a knowledge of the acts, movements, and inner life of the early inhabitants, and the indomitable spirit of industry and independence exhibited by them, in the face of feudal tyranny and political and military rapacity, cannot fail to be highly interesting, as a picture in contrast to the personal and political freedom enjoyed at the present time by all classes of the people. These extracts have been selected from the recorded Acts and Minutes, extending over about two centuries, and embrace those incidents most likely to be interesting to the present generation.

“ 13 October 1562.

“ David Gordon, mariner, convenit befor the counsall and convict in the panes contenit in the actis maid against thame that blasphemis the Provost, Bailleis, and Counsall, in respect in ther presens he said to ther defamation that if he had silver eneuch he wold by them all, or that effect, and therefor ordain him to cum openlie to the place quhair he maid the said offers, and ther upon his knees desyre the counsall forgiveness, and officers to uplift hof of his rediest guds and geir conform to the said Act, and anent his bigging in Skirling's Wynd certain restrictions were imposed on him.”

“ 18 June 1563.

“ Ordainit officeris to pas and warn all the inhabitants of the first quarter of this burgh, that thai and ilk ane of them furnish ane servant with skeill, barrow, shuil, and speid to inter on Mononday in the morning at six houris for clensing the mill dam, ilk person under the pane of 8s of onlaw, and thereafter daylie to warne the remanent quarteris of this burgh, ilk ane of them, for ane day vnto the completing and redding of the said dam under the pane forsaid, to be upliftit of the disobedientis butt favor, and this becaus the same concerns the common weill, and the town is in use of doing of the premises.”

“ 16 November 1566.

“ Ordainit be reson of the gryt exorbitant darth of flesh within this burgh, and that throw eating of flesh on days forbidden be the Actis of Parliament, therefor, that no taverner nor ailhous within this burgh, or ony other nightbour, either privately or opinlie, pretend to eat flesh on Friday or Saturday hereinafter, under the panes contenit in the Actis of Parliament.”

“ 15 Maii 1589.

“ According to the appoyntment maid betwix the towneschip on the one pairt, and John Lovell, zounger, on the other pairt, touching the disposition of that vaste piece of ground at the back of the weighous for bigging of ane schole thairupon, ordainis the samyn work to be accomplesched with all gudlie expeditioun, and for payment of the sowme of aucht schoir merkis promittit be the town to the said Johne for the alienatioun of the said piece of vaste ground. Ordainis the sowme appertening to the hospitall presentlie lying upon the four buiths under the new tolbuith to be put in the handis of John Bursie, maister of wark, appoyntit for reparatioun of the said schole, and for the said hospitallis securitie ordainis the maister of the said hospitall to be infest in the laigh cellaris and voltes to be biggit under the said schole vnder reversioun contenand the said sowmes, &c.”

“ 16 July 1589.

“ Comperit William Spense, and grantit to len to the town the hail centres oset be him in the making of his voltis under

the new schole, for the quhilk the saids bailleis and counsall dischargis be thir presentis the said William of his pairt of the first taxatioun that sall be imposed upon the neighbouris of this burgh, and shall restoir the saim to the said William after the completing of the town's voltis in alsgude estait as he delyveris the same.—Quhilk day the bailleis and counsall hes ordainit ane boy to be directit to John Findlasoun and John Lowell with the lettirs for summoning my Lord Erle Bothwell.”

“ 22d Augt. 1589.

“ Ordainit William Man, baillie, collector of the schoir silver, to delyver to Robert Wedderburn, maister of work, devysit for attending on the new schole, the sowme of one hundreth lib. to be applyit to the bigging of the said schole, and that of the reddiest of the said schoir silver being in his handis, and ordainit the said William to retene in his handis for his releif thair of the sowme of ane hundreth lib., quhilk wes appoyntit for mounting the ordinance, and gif thair be ony thair of debursit, or that thair inlaik ony pairt thair of be ewell payers, that the sam, gif it be vnder 30 lib., be stentit with the next taxatioun, and delyvered to the said William, and William Pattulloch disassentit to the last pairt of this ordinance.”

“ 25 Sept. 1565.

“ The Provost, my Lord Erl of Crawford, and maist pairt of the Covnsal, being convenit in the Covnsalhaus, ordainit the thesaurer to content and pay the pryce of the wyne tane up be Robert Kyd, baillie, for furnising of the Kingis and quenis Majesties and my Lord of Athol, the last tyme thair wer in this burgh, extending to the particulars efter following, to Andrew Annand, younger, ane puntion, John Small twa puntions, Robert Child fourteen gallons, and to my Lord of Athol ane tun, delivirit to the said Robert Kyd, and keep this present for his warrant.”

“ 7 April 1588.

“ Devysed that void plaice at the back of the weghous in St Clementis kirkyeard to be maist commodious place quhairupon to big ane commune schole, quhilk schole thair haif ordainit to be biggit with all gudelie diligence, and hes appoyntit John bursy

maister of wark, &c., and certain persons were named oversearis of the said wark, &c.”

“ 10 N^r 1582.

“ Ordainit, with commune consent, that all back dykis of this burgh be biggit up and repairit sufficiently quhair the samyn is decayit or broken downe, and that the back zetts of every tenement be made sufficient with lokis, bandis, and utheris necessaries, and closit ewerie nycht, and that under the pane of 40 sh. every nycht fra the owner of the saids dykis and zettis, to be upliftit so oft as thai be fund insufficient or standyng oppin in the nicht ; and als gif it bees found gif ony persone clymis over the saidis dykis thai sall be put in ward, ay and quhile they pay 8s., to be applyit to the kirk wark.”

2d Octr. 1559.

“ If any one give cufe, or draw a quhangear befor the Magistratis, or in any Court, he is fined 10 lbs., and for so doing privately fine is 40s. No buths to be opened on Sunday. Persons speaking without leave in tolbooth to have their case dischargit for 14 dayis. Bakeris to mak thair bred gud, and brewsters their ail gud. Middings to be removit.”

“ 4 Octr. 1566.

“ Ordainit that the Cowgaitt be all calsyit be the persones detbound therto, begynand at the est, and swa wastward to our Lady Wynd (Sugarhouse Wynd), and gif the said personis begynis nocht the same w^{thn} ten days next efter the date heiroff their heid dykis salle be cassin down, and same sall, as thair haif of the townis cassy, sall be appropriated to the town in tyme cuming.”

“ 4 Octr. 1580.

“ Any one convictit of the odious cryme of adulterie, which bringis on desolation and wrak upon haill famelies, will be punishit in manner following—to wit, the said adulterer sall be takin and put in the maist strong prisone of this burgh, thair to remaine vpon breid and wattir be the space of aucht dayis, and sal be taken out three severall dayis of the saids aucht dayis, and

had to the skoffot at the tolbuith of this burgh, and thair betwix the houris of ten and twelf befor none be bound with ane iryn chain, and crown of pepir on their heids, declaryng that their punishment is for the cause of adulterye, and immediatlie after the saids aught dayis the adulterer sal be tane to the croce of this burgh, and there salle be banishit this burgh for evir.

“Ordainit that gif it sall happin any men’s wyffis, or uther women that hes money to pay, to be hard opinlie in schamfullie flyting, reproaching, sclanderyng, cursing, or making ony horrible imprecatiounis, or feirful blasphemies of the name of God, betwix thame and any uther persone, that the offendare haiffand money to pay, sall stand in ward quhill thai pay 40sh. to the repairin of the commoun workis of this burgh, and also sall pass to the mercat croce of this burgh, or to the place quhair thai offendit their neighbour, and upon thair kneis ask thaire forgiveness, and the persone that hes no money to pay sall be put on the cokstulle be space of thre houris in the maist patent tyme of day, and thairafter satisfie the pairty in maner foirsaid.

“Ordainit that gif it sall happin ony young woman to comit huirdom within this burgh, and after thai be conceavit with bairne, sall be fund gangand with their bair hair as ane shameles huir, that incontinent she sall be had to the cokstuill, and upon skoffat thairof, hir hair sall be cut off, and thair nouttit to the example of utheris.”

“ 2 Octr. 1581.

“Ordainit be reasone it is perfectly considerit that the inhabitants of the South ferry are great ennimies to this commoun weill, quha receiveis their furneshyng in this burgh and transportis thair collis to uther portis, thairfoir it is statute and ordainit that na persone, inhabitant in the South ferry, be sufferit to be furnisheit with ony wincis within this burgh, either to their town or boiths, without thai bring thair collis to this burgh and sell them heill; and also, gif ony craft aryve within the bulwark of this burgh, and she put her tow on shoar or on the bulwarks or git her ankr in the grund, that thai sal be holden to sell their collis in the town, or else to remain 15 days, upoun the protes to be maid betwix thame and the town.”

The following notice appears regarding the marriage of King James VI. :—

“ The Coonsall hes nominat and electit Patrick Lyoun, commissionair for this burgh, to convene in Edinburgh with the remanent estaiths to be assembled at Edinburgh, the second day of Aprile next, for intreating of such matteris as sall be proposit thair, speciallie for condescending to ane taxatioun for making expenses and chaarges in the matter of the Kyngis Majesties marriage and furnessing of his hienes Ambassadouris to that effect, and ordains ane commission to be maid to the said Patrick under the privie seall.”

The following couples not only “like cases and moods,” but *animals* also :—

“ 25 April 1588.

“ It is statute that the auld actis maid anent expelling of beggaris, vegabondis, and swyne furth of this burgh be instantly putt to execution with all severitie, and that publicatioun be maid heirof be the bell, to the effect nane pretend ignorance thereof.”

“ 16 May 1588.

“ Ordainit the haill neighbouris and fensible personis of this burgh to be in reddynes with beddine, with jak speir, steill bonnet, and hagbutt, and other armour appoyntit be Act of Parliament, to attend and awaitt upon the Provost and Bailleis directions, quhen thai sall be chargit according to the Kyngis Maiesties chaigris directit and publishit to that effect, under the pane contenit in the Actis of Parliament and Statutis of this burgh.”

“ 7 October 1588.

“ Quhilk day the Bailleis and Counsall of the burgh of Dundie, being convenit within the counsal house thereof, hes nominat John Fyndlasoun, ane of their number, to pass to my Lord Admirall, and declair the town's gude will to his Lordship's furtherance and service, and that the town hes concludit to remember hes Lordship's friendship declarit to thame in all their advis, with a tokine of ane hundreth crownis and ane pair of

pistolettis, and this present to be ane warrand to the said Johne to that effect.

“Concludit that the frier Wynd Port sall be instantlie removed from the place quhair it standis, and placit mair inwardlie, equallie with the middel dykis upon the south syid of the yardis.”

The following shews that the Vaults below the old Police Court-house, St Clement's Lane, were coeval with the Grammar School above :—

“16 July 1589.

“Comperit William Spens, and grantit to len to the town the hail centres usit be him in the making of his voltis to the townis service in making the voltis under the new schole, ffor the quhilk the said Bailleis and Counsall dischairges be thir presentis the said William of his pairt of the first taxatioun that sall be imposed upon the neichtbouris of this burgh, and shall restoir the sam to the said William, after the completing of the townis voltis in alsgude estate as he delyveris the sam.”

“19 Sepr. 1589.

“The Bailleis and Counsall hes grantit and disponit to Patrick Ramsay, smith, ane burges ship for making of the cok putt upon the prickit, on the stiple head, and for the repairing of the sam and making the sam more substantial, and ordains the thesaurer to receive any persoun the said Patrick sall present to the lockit-buik. It is concludit with comune consent that the Auld Kirk sall be repairit, and all impedimentis within the sam removit, and loftis maid therein, quhaireby the sam may be maid mair capable of people nor it presentlie is, and for this effect and devysing of the manner of the reparation forsaid hes nominat Alex. Scrymgeour and others to concur with the Kirkmaister, &c.”

“16 Jany. 1589.

“It is concludit with commoun consent that the Beir mercat sall be removit and translated fra the plaice quhair it is presentlie kepit to that commoun boundis be east the cokstule, quhair it is

ordainit to be kept in all tyme coming, and that the woll mercat be kepit be east the tolbuith stair upon the heicht of the calsay, and that na persoun hald mercat under stairis."

" 21 March 1589.

" The Bailleis and Counsall ordainis William Man, Dene of Gild, to sell the auld peces callit heidsticks being in the steeple to the grytest awaill, and to wair and bestow the money gottine thairfoir upon sufficient yetling ordinance to the commoun use of this burgh, quhairfor the said William sall be answerable to the present Bailleis and Counsall: ordainis 76 ruiff spars to be bocht to the ruiff of the new schole, with fiftie small ruif spars to the cuple feitt to be payit with ane pairt of the sylver addebit be the craftis for the tallow laitlie apprehendit."

" 7 April 1589.

" Appoyntit William Man, Dene of Gild, to resaive fra the Dekynis of Crafts of this Burgh the sylver restand awand be thame for the tallow laitlie apprehendit, tane forth of the schip called the 'Primrose,' and to retene and keip the sam in his hands, quhilk order be tane anent the dispositioun thairof."

" 7 May 1590.

" Ordains the Volt and the southmost volt under the new schole to be publiclie rolpit within the tolbuith of this burgh threi severall dayis for maist yearlie dewtie and maist grassoum for the space of fyve yeiris, &c."

" 12 July 1590.

" Quhilk day the Provest, Bailleis, Counsall, and Dekynis of Craftis of the Burgh of Dundie being convent within the Revestrie thairof, hes ordainit the sowme of nynetene thousand poundis money ressavit be Robert Fleshour and Alexander Scrymgeour, Commissionaris of the said Burgh, fra my Lord Comptroller as ane pairt of His Majesties tocher to be imputt in the handis of Robert Fleshour, bailie, there to remane, ay and quhill the same be sufficientlie warit be the advyiss of the said Provest, Bailleis, Counsall, and Dekynis of Craftis, and becaus the said Alex. Scrymgeour, as ane of the saids Commissionaris,

hes, be the appoyntment maid betwix the said Comptroller and thame, grantit him to haif ressavit the sowme of twentie thousand lib. for the said Comptroller, and that the sam is now ressavit fra his handis and delyverit to the said Robert in manner foirsaid; thairfoir the said Provest, Bailleis, Counsall, and Dekynis of Craftis exoneris and dischairgis the said Alex. Scrymgeour, his airis, executoris, and successoris of the forder ansuering for the said sowme for now and evir."

" 26 Sepr. 1590.

"Ordainit William Man, Dene of Gild, to wair the sylver of the tallow, being in hes handis, vpon ane grene clayth to the Counsalhours Burd."

" 5 Octr. 1590.

"The Baileis and Counsall and Dekynis of Crafts hes concludit for satisfeing of His Majesties chairge impetrat at the instance of my Lord Airlie, for passing to the hous of Den for persewing his maiesties Rebellis being thairin, that the number of threttie hackbutteris sall be directit thair under the commandment of an honest nichtbour."

[The minute proceeds to name payment for said service, but it is scored out, and a note put on the margin, thus—"This is delcit in respect the hagbutteris ar stayit."]

" 4 May 1591.

"The Provest, Bailleis, and Counsall hes nominat James Carmichaell and Patrick Lyoun, Commissionaris, to pass to Edinburgh for keeping this convention of the estaitis the vi. of this instant Maii, anent ordour to be tane with sorceris and certane practiseris againis his Maiesties persoun, and ordainis an commissioun to be maid to thame coniunctlie and severallie under the privie seall."

" 27 July 1591.

"The Baileis and Counsal being convenit within the Counsale houss hes appoyntit Michael Moses, now electit commoun officer for executionis within this burgh, to attend upon keping clene of all the calsays, streittis, and kirkyard of this burgh, and be thir presentis disponis to him the hail fullie that he sall apprehend

lyand betwix the buriall wynd and the burn head attour 24 houris after the outlying thairof, and the haill fulzie by and in other pairtis attour 48 houris, with power to him according to the actis to confiscat the sam and appropriat the sam to his awine vse, and for this purpose the toun sall furniss to him ane quheill bairow upon thair awine chairgis, and, furdre, gives full libertie to the said Michaell to slay all the swyn that he can apprehend within this burgh and apply the same to his awine vse, and in caiss ony persoun mak him impediment in the using of his said office, or troublis or inquiettis him in ony tyme cuming, either be word or deid, to pay v. sh. 8^d for ilk tyme, and sic as hes not money to pay, to be wardit for the spaice of 26 houris vpone breid and watter and siclyike, that the said Michaell attend vpone all vagabondis and idyll beggaris eisane to this burgh, quha ar not born within this burgh, and expell and putt thame furth of this burgh, for the quhilkis causes the said Bailleis and Counsale ordainis the Thesaurer to delyver to the said Michaell by and attour the commodities above writtine ouklie twa sh. 8^d."

" 12 Octr. 1591.

" That the West Port be of new repairit in maist honest maner, and that ane maister of work be appoyntit thairto, and that St Francise Well be of new biggit, and maid cloiss that na commoun access be had thairto. That John Traill, theasurer, with all diligence, be provydit with materials for repairin said West Port of Argyillis Gait."

" 21 Octr. 1591.

" Quhilk day the Provost, Bailleis, and Counsall being convenit in the Counsallhous, Archibald Kyd, last theasurer, hes delyverit to Johne Traill, now theasurer of this burgh, twa acquittances, subscriyvit be my Lord Comptroller, contening ane discharge of the annual rent of twa thousand lib. award be this burgh for the profit of the pairt of His Majesties tocher delyverit to the said burgh of the Whitsunday and Martimes termis last bypast."

" 22^d Decr. 1591.

" Whilk day the Provost, Bailleis, and Counsall hes ordainit John Traill, theasurer, to pay to Mr Thomas Ramesay, Maister

of the Grammer Schole, the sowme of ane hundreth pundis money as ane remembrance of his lang trawellis and panes tane in the instruction of the youth of this burgh thir 24 yeiris past, and that of the superplus of the burgeshipis appointit to be collectit be him."

" 28 Decr. 1591.

"It is ordainit that in all tyme cuming the Freir Port (Barrack Street) of this burgh sall be haldine closit, and the wicket thairof onlie oppine, and in caiss neightbouris haif to do with the carriage of fulzie forth of the said port, that the ownare of the said fulzie hald ane kepare at the said port continually during the said spaice and be answerable theirfor, and ordains this to be intimat to William Auchinlek, kepare of the said port; and sicklyk ordainis all the keparis of the portis of this burgh howsoon thai hear of ony tumult to clois the saidis portis and suffer na persone to pass furth thereat, under the pane of banishment."

"The Provost, Bailleis, and Counsall hes convictit Thomas Fleming, &c., occupieris of the acris of blacknes, in rying out the townis' commounttie of the Magdalene geir, without the auld methis and merchis thairof, and thairfoir ordainis thame to pay ilk ane of thame ten lib. to the common wark, and lay over the reid lare revine out be thame, and restoir the sam to the auld estait, and for that effect at the taillis of all thair riggis and mark ane stalrig vpon the auld boundis of the saidis acris, and naway to transcend the auld merchis of the said Magdalene geir in tyme cuming, under the pane of dischargeing thaim thair libertie and fredome within this burgh for ever, and to be declairit publiclie men sworne personis at the Mercat Croce of this burgh."

" 13 October 1601.

"Quhilk day the Bailleis and Counsall, with the Deykinis of Craftis, being convenit in the Counsallhous thairof, hes resolvit and concludit that the eist littill kirk be repairit in the north tofall thairof, and siclyk that sufficient dykis be biggit about the commune buriall place of this burgh in substantiveous maner, and for doing of thir necessar and godlie warkis it is agreeit upon

that their sall be ane ouklike collectioun ilk Sondag befor-none of sic voluntare and charitable contribution as it shall pleis God to move the hartis of the people resorting to preaching and Godis service to grant of their awine benevolence, and that thair be four collectaris ilk Sondag appoyntit be the Sessioun of the Kirk for this earand, and that this sall begin on the nixt Sondag."

" 7 May 1605.

" Quhilk day hes found that Thomas Mayne, webster, has ressavit a testimoniall to the repairs of Leucharis for ressavng of him thair, and that under collour thairof he hes past to the Citie of St Andreis, quhilk is presentlie visited with the plague, and brocht furth thairof ane burding of claythis and reports ane testimonial of his immediate cuming fra Leucharis, abusing thairby the minister of Leuquharis, director of the said testimoniall, and indangering this hail burgh and inhabitants thairof be the bringing of the saidis claythis within this burgh, and thairfoir the bailleis and counsall ordanis the said Thomas Mayne to be banished this burgh for ever."

" 20 June 1605.

" The Bailleis and Counsale hes nominat Johne Findlasone and John Peirson, bailleis, Robert Watsoun and Patrick Hodge, counsalvaris, to concur with the Ministeris and Elderis of the Kirk in the collection of the contribution decryit for the support of the town of Geneva."

The following Act of Council was passed on the approach of the plague :—

" 6 August 1605.

" Quhilk day the Bailleis and a pairt of the Counsall, with the Dekynis of Craftis, convenit in the counsalhous, hes concludit, during the tyme of the continuance of the plague of pest in St Andreis, and Leyth, and Edinburgh, and other pairts of the south countrie, that there sall be na passage at the fferrie of this burgh but sic as sall schip or land at the Woodhevine, Steany, or Skarness, upon the south syid, and at the schoir, Chapell-Craig, or Kilcraig, upon the north syid, and that sic as crocis the ferry

at any other pairt sall na way be permittet to haif ony access within this burgh, and that intimatioun be maid heiroy be Thomas Auchinlek and John Alasone to the Balleis of Portoncraig and Abbot of Balmerrinocht. And farder hes concludit that all the portis of this burgh sall be lockit and haldine fast, except the Overgait-port, the Wellgait-port, and the Seagait-port, and that thair sall be ane sufficient watche appoyntit to keep the saidis portis in the day season; and for setting of the said watche, and attending vpon the precise keping thairof, has nominat the quartermasteris following, viz. :—For the Nethergait quarter, William Goldman, Andro Painter, Robert Watsoun, James Piersoun; for the Overgait quarter, John Piersoun, zounger, Thomas Auchinlek, John Alasone, and David Melvile; for the Murraygait, Alexr. Andersone, Alex. Cokburn, Alex. Kyd, and John Gibsoun; and for the Seagait, Patrick Lyn, Peter Man, Patrick Kyd, and John Auchinlek; and that sic as sall absent thaim fra the watche sall pay 99 sh. onlaw; and the quartermasteris quha sall nocht attend diligentlie vpon their office, sall pay ilk ane of thame fyve lib. Attour that all nychtbouris and inhabitantis of this burgh quha hes bakzettis and passagis upon the ancient syid of this burgh, presentlie that thair repair the samyn, and mak the sam cloiss and sufficient, and suffer no passage to be thereat, under the pane of ten pundis, to be upliftit of ilk persone contravening this present, and the saidis passages to be repairit within twenty-four houris next after the dait hereof.”

“ 26 Augt. 1605.

“ In presens of the Provest, all the Bailleis, and Counsall, comperit James Peirsoun, as principall, and David Wedderburn and Alex. Peirsoun of Wairdmyln, as cautioners for him, and actit thame selfis of thair awine consentis, coniunctlie and severally, thair aires, executoris, and assignis, to content and pay to the thesaurer of the said burgh, in name of the Magistratis, Counsall, and communitie thairof, the sowme of ane thousand merkis, in caiss any of the persones presentlie being in the said ‘ James’ bark, lyand in the fferry roads, come on shoir on any pairt upou the north syid of Tay, after the said schippis arryving neir the boundis of the Magdalene geir, or that thair ressave or delyver ony geir without licence of the provest, bailleis, and counsall of the

said burgh, and the saids Alexr. and James ar actit, coniunctlie and severally, to relieve the said David of the premisses, and the said James to relieve the said Alex., quhairupon all the saidis parteis askit actis."

" 15 Octr. 1605.

"William. Lowsone and Thomas Mounk, fferiaris, being accused of transporting a woman upon Sunday last over the fferry, was refused be the water baillie aganes the actis and lawis of the town. David Persones answered that John Lowsone, younger, visitit thame to transport the said woman, and offered to brek thair heades quhen thai wer nocht nobill to resist, in respect he was in his arms. Nochtwithstanding quhair of the saidis provest, bailleis, and counsall hes ordainit the said William Lowsone to pay 16s to reparacioune of the kirk wark, and to be banished this burgh during thair will, and ordainis officiaris to tak and apprehend the said Johne Lowsone, and putt him in waarde aye and quhill he satisfie for the offens above wretine."

" 6 Octr. 1606.

"It is concludit be the Provost, Bailleis, and Counsall of Dundie, be advyiss of the Dekynis of Craftis thair of, convent within the counsallhous of the sam, that during the tyme of the continuance of the plague of pestilence, at the pleasour of God, within this burgh, thair sall be electit and interteinit within the said burgh twenty-four souldaris, under twa commandiris, vizt., John Lovell, elder, and William Peat, quha sall attend and watch this burgh in the nicht season, that na insolence be committit thairin to the hurt of honest neighbouris, thair houses, or gudes, and in the day seaseone sall attend upon the portis, and the directionis of the Magistratis and quartermaisteris, in conveying in and out of this burgh of the dengeris and sick and infectit personis and thair gudes, and that ilk ane of the saidis suldaris sall ressaive foure lib. monethlie for thair wagis, and ilk of the saidis twa commanderis twelf pundis in the moneth, and for payment thair of and suppleing of the necessitie of the puir of the said burgh quhilkis are found to exceed 1200 persones, it is concludit that thair sall be monethlie upliftit of the

nichtbouris and inhabitantis of the said burgh fyve hundreth merkis money of Scotland be forme of taxatioune to be imposed vpon thame, for setting of the quhilk taxatioune the said provest, bailleis, and dekynis of Craftis hes nominat Adam Bennet, Thomas Young, Alex. Kyd, Thomas Halyburton, and John Renkyne, quha being warnit and presentlie sent for, hes acceptit upon thame said officè, and maid fayth for dew administratioun thairroff, and because thair is na present monie to supplie the necessitie of the puir of this present time, it is concludit that the sowme quhilk was collectit for the support of Geneva, and put in the hands of the said Adam Bennett, sall be upliftit furth of his handis and applyit to the help of the puir presentlie."

" 14 April 1607.

"Quhilk day the Bailleis, Dene of Gild, and Counsall being convenit, considering the present indigent estait of Mr Robert Nairne, maister of the Grammer Schole of the burgh, and that the said Schole, in respect of the visitation of this burgh with the plague of pest this zeir bypast, hes bene altogether improffit-able to him, he haiffing na other moyane to leive vpon onlie the quarter dewteis, hes, in recompens of his bygane service, ordainit and appoyntit the sowme of ane hundreth merkis to be payit to the said Mr Robert."

" 9 Feby. 1608.

"The Bailleis and Counsall hes with consent of the collector and dekynes nominat the persones following to set ane taxatioun of three thousand merkis for payment of the taxatioun and debtis under writine imposed upon the inhabitantis of this burgh, viz.:—For the payment of the second yeir of the Kyngis Majesties grit taxatioun, extending to aughtene hundreth and fourtie merkis, and sicklyke of the townis pairt of the taxatioune of threttie thousand merkis imposed upon the haill estates for help to Dumbartane, extending to three hundreth and ninety pound, and lyikwayis for payment of thrie scoir fyftene lib. to James Wynrame, agent to the borrowis, according to ane act, and sicyke for payment to Thomas Fisher of the townis pairt of the sowme of twa thousand sevine hundreth lib. imposed upon the burrows for his chairges in passing to England and ffrance on the

burrowis affaires, extending to twa hundreth four scoir lib. fyve sh., &c."

" 21 Jany. 1612.

" Quhilk day the provest, bailleis, and counsale hes gevine and grantit to Mr John Mow, maister of the Sang Schole, the sowme of ane hundreth merkis by and attour the sowme of twa hundreth merkis permittit of befor for his stipend in teaching of the youth in music and taking up the psalme in the Kirk, makand in the hail thrie hundreth merkis to be payit to him yeirlie heirafter during his service, quhair of the Theasurer sall pay twa hundreth and fyftie merkis and the Kirk fyftie merks, besyid the said Mr John his housmaill, extending to twentie lib., to be payit to him yeirlie during the said space, the first quarter's payment of the said stipend to begin at Candlemas nixt."

" 10 November 1612.

" Quhilk day the Bailleis and all the counsale of Dundie being convenit in the counsalhous thair off haiffing considerit ane missive letter direct to thame be ane nobile and potent Erle, George Erle of Marschall, recommending to them the work anent the reparatioun of the harbourie of Stanehyve, and desyring thair voluntare contributioun thairto, according to ane act maid in the last conventioun generall of the burrowis holdine at Aberbrothoc in the moneth of Julii last, hes gevine and grantit to the help and furtherance of the said work the sowme of two hundreth merkis, to be payit to Robert Irving, quha hes the charge thair off for the first and reddiest of the first extent and taxatioun that sall be imposed upon the inhabitants of the said burgh."

" 10 August 1613.

" Quhilk day the Bailleis and Counsall, for the advancement of the music schole of the said burgh, hes givene and grantit to ane docter to serve in the said schole under Mr John Mow, present maister thair off, ane yeirlie pensioun of ten pundis money to be payit furth of the reddiest of the onlawis of the said burgh, and ordains the collector of the saidis onlawis to mak yeirlie payment thair off, quhairanent this present sall be his warrand."

“ 22 Feby. 1614.

“ The Bailleis, Counsall, and Dekyns of Craftis of the said burgh being informit that a grit number of the maltmen and uther inhabitants of the said burgh makis grit quantities of aittis in malt, and mixis the same with malt of beir, and sellis the said malt maid of aittes for als grit prices as the malt maid of beir, to the grit hurt and prejudice of the poor browsteris and utheris, his Majesties lieges, the prices of the beir and aits being very far different and disconforme—quhairas the boll of beir is sauld for aucht pundis, and the bollis of aitts for sevene or aucht merkis—by the quhilk fraud the simplicitie of the poore hes bene very far abused, ffor remeid quhairof it is statute and ordainit that na persone sall mak ony aittis in malt and sell the sam to ony nichbour heirefter, ather mixt or onmixt, vnder the pane of 10 lib. *toties quoties*, and this to stand onlie for a yeer heirefter following.”

“ 12 Decr. 1615.

“ Quhilk day the Provest, Bailleis, and Counsall being con-venit in the Counsalhous thairroff, hes found that John Lyoun, skynner, at St James day last, vnder silence of nicht, persewit Thomas Scheir and William Hay, indwellers in the hill, passing to their awine houssis, with ane drawne sword, and strak and woundit thame in diverss partes of thair bodeis, to the effusioun of thair blood in grit quantitie, and thairfor convictis the said Johne in troublance and blood, and ordains him to haif incurrit the panes contenit in the actis maid thairanent, and siclyk ordanis the said John Lyoun to satisfie John Gibson and John Keill, chirurgians, for the curing of the saidis woundis, and to relieve the saidis persons thairroff; and farder ordainis the said John Lyoun to pass to the hill, to the place quhair he committit the wrong above vretine, and thair, vpon his knees, humblie to creave the saidis persones pardoun for the offens foirsaid, and to delyver to thame his sword be the poynt; and becaus the said Johne has bene found and convict in divers troublances of befoir, thairfoir, with his awne consent, ordains him to be banished this burgh in cais he be tryit troubling or molesting the saidis Thomas Scheir or William Hay, or any other peaceable nyctbour heirefter, othervays nor be order of law.”

“ 10 December 1616.

“ Quhilk day the Provest, Balleis, Counsale, and dekynis of craftis being convenit in the Counsalhous thairof, hes aggreit that ane taxatioune of thrie thousand merkis sall be sett and imposed upon the hail inhabitantis of this burgh, and liftit with all diligence, for defraying the commoun chairges to be maid upon the reparatioune of the portis and calsayis of the Steple, making ane barge for transporting of his Majestie over the water of Tay, and otheris extraordinar preparationis for his Majesties honorable and contented receptioun within this burgh in the approaching simer seasoun ; and for setting the taxatioun hes nominat Alex. Wedderburn,” &c.

“ *Eo Die.*—Quhilk day it is appoyntit betwixt Patrik Kyd, kirkmaister, on the ane pairt, in maner following, to witt, the said John oblisses him to work sufficientlie ane seat for his Maiestie within the kirk of the said burgh, in the place quhair his Maiesties auld seat was situat, and that according to the paterne and draught maid be John Smyth, paynter, and as sall be enioyned to him be the said Patrik Kyd.”

28 Sept. 1619.

“ It is statute and ordainit that in cais ony servand be tryed to have blasphemed thair maister or maistres, or slandered thame with the cryme of adulterie, or uther the lyik abominabill vice, to thair discredit, that thai sall be put in the jougis, and deteaned thairin fourtie-aught houris, and also be banished this burgh for ever.”

It would appear by the following transcript that Mr John Denmuir, writer and Procurator-Fiscal, at last met with that fate which he deserved :—

“ 29 July 1637.

“ Whilk day the Prowest, Bailleis, Counsell, and Dekynes of Craftis being all convened within the Counsallhous thairof, for taking ordour with the chairge of lawburrowes raised and execute at the instance of Mr Williame hunter of Balgey aganes them, and ane gryte number of the nightbouris and inhabitantis of the said burghe, and being informed that Mr John Denmuir, notter

thaire, procuratour fiscall, haid geven counsell for that effect to the said Maister William, at the least the said Maister William haid consulted with him thairanent, they drectit Alex^r. Realman, thaire ordinarie officiar, to chaarge him to compeir, to heir and sie the premisses verrified and provine aganes him, and to heir and sie him censoured for that effect. The said John compeirand personallie being interrogat be Thomas Davidsoune, prowest, in name of the counsell and communitie thereof, whidder or not he vas accessorie to the raising of the saidis lettires of lawborrowes could not purge himself be his aith being required to that effect. Whairfoire the saidis prowest, bailleis, counsell, and dekynes of Craftis takand to consideratioune the said Maister Johne his vnloyall dealling heirin in not acquenting them tymously with the premisses, he being thair procurator fiscall in all commune causes admitted and sworne and pensioner for that effect, they, be the tenour heirof, discharges the said Maister Johne of his office of procurator fiscall, and of any pensioune or gratuitie granted be the prowest and bailleis for the tyme to him, aslykwayes they dischaarge their present thesaurer and all thesaureris who shall happine to succeed heirafter from any forder payment to him, as also they find and declaire the said office to be now vacant in their handis and at their donatioune."

" 12 July 1642.

" Anent the letter of the erle of Argyle desyryng that they wold vse thair best diligence for geving of some sogeris to be of his eldest sone the lord lorne his company, the collector and deacones weer convened, wha all resolved to doe thair diligence, and to report the same this afternoon."

" 17 Nov. 1642.

" William Wright ordained to cause transport the ammunition furth of the laigh house under the Tolbuith down to the wynd mylne."

Eo die.

" The contraveneris of the Actis of this burgh anent the pryce of coalles!!! and who takis more nor 13sh. 4d. the creel to be unlawed 4 merks for everie chalder sold at ane dearer rate nor the pryce foirsaid."

“ Last January 1643.

“ It is concludit that the turnpyk vpon the Steeple be presently repayred, and that with stone work, and for that effect the counsall geves commissioun to any one of the bailleis and the Thesaurer to aggrie with John Mylne, maister measone, and to report the nixt counsall day.”

“ 27 March 1643.

“ The quhilk day there was ane letter produced be the clerk directed to the Magistratis and Counsall of this burgh from the Marquis of Argyle, Erles of Cassillis and Lauderdaill, and therein ane act of the Lordis of Secret Counsall desyryng that all weill affectit subjects may advance such sums of money for releife of the Scottis Army in Ireland as thai ar able, and that upon the securitie mentioned in the said act, quhilk is of the dait of Edinburgh, the 4th of March 1643, quhilk letter and act being, as they thairwith being weill advised, thocht it expedient that they should think seriously thair of till the morrow.

“ The Counsall taking to thair consideratioun the Letter of the Lordis of the Secret Counsall, with the act thair of anent the lenning of money for the releife of the Scottis airmie in Ireland, did, all and every one of them, declare thair willingnes ; but for the present thai had none, and thairfor thai ordaned the Deane of Gild should convene all merchandis and propos the act and letter to them, and to try if any will advance any money upon that securitie, and likewayis that the Notaris be inquired if they know any that will advance any sowmes for that use.”

“ 28 Sepr. 1643.

“ Thomas Mudie, Bailie and late Commissioner at the meeting of Royal Burghs, intimate that it was the intention of the Government to uplift 900,000 lib. from the kingdom, for suppleing the Scottis armie in Ireland, and that befor the feast of Candlemas nixt ensuing the same should be in readiness, and thairfor for his testificatioun of his diligence made intimatioun heirof.

“ And also, forsameikle as it is come to the knowledge of the counsall that thair ar generall musteris throughout the kingdom, and that ffryday nixt is ordaned be the proclamatioun of the

counsall to be the muster day of this shyre, thairfor it is ordaned that all the inhabitants within this burgh be reqyred presently to be in their armes upon fryday nixt, and thair to mak thair muster befor the magistrattis of this burgh the said day at ten houris, under the paynes contained in the actis.

“As also that no neightbour nor inhabitant within this burgh sell any powder, ball, or match to any person quhatsoever, without speciall warrand and license of the magistrattis of this burgh, under the payne of one lib. *toties quoties*, and lykewayes that no burgess tak wadger from any one who will desyre them, under the payne of lossing their libertie.

“The Counsall hes nominat to be officieris for the Nethergait, vizt.:—For the captaine, James Rollok; for livetenant, William Fergusone; for handseigne, Mr John Murray; for serjeantis, Robert Gairdene, elder, John Lowsone, younger, and William Jäckson.

“For the Overgait—For the captayne, Alexander Wedderburn of Kingennie; for livetenant, Alexander Wedderburn; and for handseigne, Alexr. Symmer, younger; for serjantis, Alex. Watsone, younger, William Crawford, and Alex. Gray, maltman.

For the Seagait—For captaine, George Browne; for livetenant, James Kyd; for handsigne, William Kyd; for serjeantis, David Tendill, Williame Duncan, and George Wightoun.

“For the Murrygait—For captayne, Thomas Mudie; for livetenant, Thomas Scott; for handsyne, Walter Tasker; for serjantis, Robert Stirlie, Alex. Tyrie, and John Fithie. The Counsall ordanis the persones above specifyet to be warned to compeir and accept thair places afternoone at the gild court.

“The Counsall has ordained that the bailleis in their quarters upon Monunday nixt tak up the exact roll and number of all the men betwix sixty and sixteen, and beginne upon Monunday nixt.

“The Counsall has resolvit that the maner of uplifting this company shall be first essayed in this maner, that the gild craftis, maltmen, litsteris, and sailleris shall be convened in their severall societies, and thair tryed who will freely offer themselves for this expeditioun, and the craftis to be convened for that effect upon Thursday, and Thomas Haliburton, the clerk, to speak them. The saillers to be convened the morne in the hospitall, at two afternoon.”

“ 5 Octr. 1643.

“ It is resolvit that the towne shall be watched nightly, and quhill it please the lord to settle the present troubles, and that 20 shall be the number quhill farder be thought be the counsall, and to beginne the morne at the Nethergait quarter, and that the hail quarter successive shall goe out, and thairafter the hail quarteris to follow.

“ The Counsall hes ordained that the absentis from the mustaris and weaponshawing yesterday shall be onlawed as follows :—All these of the better soirt and abilitie 5 lib., and the rest of the inferior rank according to thair abilitie, at the discretioun of the magistrattis, and the magistrattis ar ordained to report thair diligence this day eight days.”

“ 18 October 1643.

“ The said day the Counsall maid nomination and electioun of Williame Fergusone, merchant, to be Captayne to this Company who are to goe out of this burgh in this present expeditioun, who compeir and accepted and gave his aith *de fidei administratione*. The Counsall hes nominat and ordained Mr Archibald Auchinlek to provyde for 15 or 16 baggage horse at the easiest pryce he can, and at most not to exceed 50 merk the piece ; also 200 muskettis from Thomas Scott, for which bond was granted to him, and lyes now consigned in the handis of James Fletcher, lait Provost. John burden and Andro Kynmount ordained to ressave the cloath to be coattis to the sojoris, and to give the same to the tayloris and to recpe compt.”

“ 18 December 1643.

“ The Counsall takand to thair consideration the present necessitie of this expedition, and that thairwith the townes pairt of the loan and taxt to the amount of 92,000 lib., extending to the sowme of 14,313 lib. 2sh. 2d., be presently advanced, and in respect the shortnes of the tyme allowed for payment of the saim will not admit of any delay, thairfor they have resolved that the same shall be borrowed quhair it can be had, and securitie given be them thairfor, and for releif thairof, that the stentris with all convenience be charged to convene and sitt downe and stent the hail inhabitants of this burgh for such pairt of the former

sowme as shall be thought fitting by the counsale, gildrie, and craftis.

“The Counsall hes nominat the deane of gild, George Browne, and William Rodger, Thesaurer, to convene Thomas Scott befor them, and to tak compt of the number of 200 muskettis, for the quhilk bond was granted to him, and lyes now consigned in the handis of James Fletcher, lait Provost. It is resolvit that the towne shall be watched upon Wednesday nixt, or any other night, be the Regiment or any pairt of them, who are going to this expedition, and that Monkishole have the chairge the first night.”

“9 March 1644.

“The Counsall being convened anent some directiones from the Committee of Warre within this Shyre, for ane general muster within this Shyre, vpon tuesday nixt, quhilk they thocht necessarie to observe and keipe, thairfor they have ordained intimation to be presently maid be drums, charging all inhabitants to be readie with thair armes the said day under the pain of 20 lib. by and attour the lossing of thair fredome.”

“21 March 1644.

“The Counsall having resaved informatioun that the Gordounes and thair adherents are convened to ane head and committing great insolenceis aganes these who gives obedience to the actis of the Kirk and estaittis of this Kingdome, they have thocht fitt that the particular following shall be ordered as followes, first that the hail barresses within this burgh be repaired presently in that same maner as they wer the time of the lait troubles, and for that effect that William Rodger, thesaurer, cause provyd trees and uther furniture necessarie for the work, and he to disburse money for the same, quhilk shall be allowed to him according to his compt, and ordanes him to be generall surveyor of the hail workis, and to the effect that the workis may be the sooner dispatched ordains William Wemes and James Ramsay to attend and oversie the Nethergait Port and barres, Alexander Wedderburne, peirmaister, to attend the Overgait barres and the platform on the Corbie hill, James hodge and Alex Murisone to attend the Murraygait, Andro Kynnareis and Patrick guthrie to attend the Seagate and barres.

“Item that the pieces and fowlleris be transported from the place quhair they ly to the croce, and thairafter to be sett quhair sall be thought fitting.

“Item that ane company be presently designed for this expeditioun to the North, and Mr Archibald Auchinleck is nominat to be captayne thairof, and continues the nominatioun of the vnder officeris till the morne.

“It is ordained that the heritoris of all the backsydis of this burgh shall presentlie repair the sam, and thai ar charged for that effect under the payne of 10 lb. and lossing thair libertie.

“The Counsall be advyce of the Captayne, Mr Archibald Auchinlek, hes nominat Alex^r Symmer, younger, to be Live-tenant, Thomas Garden handseigne, Andro Butchert serjent, who were all sworne and accepted, as also elected James Strachen to be serjend.”

“Last March 1646.

“The Counsall, in respect of the instructions from the shyre that the hail sojoris who goes to the rendevous in the North upon Tuesday nixt shall have 10 dayes provisiones, thairfor they have ordained that als much money shall be borrowed as will pay everie sojor 6 sh. per diem, and to the officeris accordingly.”

“Last Appril 1644.

“The Counsall hes ordainit that the hail back dykis of the Overgait quarter and Murraygait quarter be repairit with stone and mortar, and that of ane good hight and bread, and this under the payne of 20 lib., and farder to be esteemed anemie to the kirk and kingdome.”

“13 August 1644.

“The present Bailleis declared that they had uplifted from the breweris of aill within this burgh 200 dollaris, and that thai had resolved to employ the same upon two roundis to be built upon the steiple, and that they had for that effect agreeit with Johne Mylne, maister measoune, to give him 800 merkis for the same, for the quhilk he was to furnish all neassar scaffolding, and all except iron work, and for the ground and soll of these roundis the said Johne wold referre himself to the counsallis discretioun.

The said Johnne compeared and acknowledged the hail particularis, and actid himself for performance of the same, with all convenient diligence, at the fardest befor the 2 day of Februar 1645."

" 20 August 1644.

"The Counsell thought fit that ane letter be writtene to livetennent Generall Bailie to recomend to his favour and cair our company, which is in this expeditioun, that he will vse them favorable, as also ane letter to the captayne showing their pleasour concerning the caring the culloris."

" 25 November 1644.

"Ane letter produced be Captayne Wemes from the Erle of Craufurd Lindsey, quhairas his Lordship desyres that his levetenant collonell may have the soll orderis and command in this towne during the remaying of his Lordship's regiment in this towne, whairwith the counsall being advysed hes condescendit that the livetennent colonell shall be dealt with, and to satle with him upon such conditiones as hes bene read in presence of the counsall, quich, if they be not condishended to then, the Erle of Craufurd will be written to to condishend to the same.

"It is ordaynit that the Earl of Craufurt's Regiment shall be quartered according to the vottes geven in be the magistrates and the levetennent Colonel Muffet, &c."

" 4 March 1645.

"The Counsall, Collector, and deaconis of craftis hes resolved that the fortificationis shall be prosequite to the westward be casting ane ditch close alongis the dykis lyand to the south of the townis laidd, and that the work alreadie founded be prosequite and perfytit, and for casting the ditch that the boundis devyded according to the number of the inhabitants of the four quarteris of the towne, and power is given to John Mylne, maister measoune, to oversie the same, and to tak order with the clousse."

" 5 May 1645.

"It is resolvit that all those houses that are without the fortifications already intended shall be demolished, and for that

effect that the Commissioners to be nominat to goe to Edinburgh to the committie of estaittes sall procure thair warrant and act for that effect.

“That the thousand weight of powder bargained for be Alexr. Halyburton, baillie, with Robert Quhyt, shall be sent for and given thairfor, and that some match be written for from the said Robert Quhyt.

“The Counsall takand to thair consideratioun the great prejudice the town may susteane if those houses shall be suffered to stand which are lyand neirby the wall of the fortificatioun, and in the Cowgait, hes all concludit that the samen shall be presentlie demolished, and the heritores shall be satisfied out of the first end of any contributione yat shall be granted for the brunt landis.”

“ 16 June 1645.

“The Counsall takand consideratioun that the plague is now spotting in Meigle, as also how it is daily increasing in Leith, Edinburgh, and other places adjacent thairto, thairfor it is ordained that thair sall only be two portis keiped oppen, and those gairded be the inhabitantis of this burgh, and that the Bailleis shall meitt afternoone and set downe thair vottis for that effect, and for securing the passage be water they have ordained Robert Stirline and Walter Rankine to goe to ffyffe, and thair to cause transport hither all boattis and yollis in ffyffe.—15 July 1645.”

“ 2 Sepr. 1645.

“Ane letter produced to the Committee of Estaitts daitted the 29 day of this instant, requyring that the clerk be sent to berwick to treat with the English Commissioneris, who, having taken the same to consideration, did resolve that on should be sent to the comittee of Estaittes with ane letter of excuse, declaring the necessitie of his stay, in respect of the great appearances of the infectioun.”

“ 4 Novr. 1645.

“The Counsall nominat Mr Alexr. Wedderburne, Clerk, to be Commissioner to the ensuing Parliament to sit at St Andreis,

and Mr George Halyburton to be his assessor, and to supplie his place in case of sicknes or absence."

The following Acts of Council were passed after Montrose's retreat to the north :—

" 28 August 1646.

" The Counsall, takand to thair consideratioun the conditioun of a great number of poore people who had their landis burnt at the assaulting of the crewell and bloodie rebellis, hes resolvit to distribut the sowme of ane thousand crosse dollaris and to give to everie one according to the hundreth, and for that effect gives power to the present Magistrattis to revyse the valuationes of the brunt landes, and to distribute accordingly, and joynes Thomas Mudie, James Symsons, Alex. Bower, and Mr George Halyburtone to be assisting to the Magistrattis."

" 9 March 1647.

" The Provest, Bailleis, and Counsall being convened, and having, after dew deliberatioun, considered the prophanatioun of the Lordis day be the mercat formerlie keiped on the Saturday weiklie, now ordaines the weeklie mercat to be changed from Saturday, and be weeklie keiped in tyme comeing on Fryday, and the first Fryday mercat is to beginne on Fryday the nynetene of Marche instant, and swa forth to continue weeklie."

" 11 April 1648.

" The Counsall, having considered the Precept of the Generall Commissar directed to the Magistrattis of this burgh for payment to General Major Midletone of the sowme of ffour thousand merkis, ordanes the same to be payed and delyvered to Mr Johne Dunmure, who is entrusted with the said precept upon delyverie of the said precept and the generall major his discharge of the said sowme.

" The Counsall having heard the report of those persones who wer appoynted to visite the westmost peir and bulwark of this burgh, findis it necessarie that the samen be helped and repaired with all diligence, thairfor the Counsall hes geven by these presentis comission to James Duncan, present peirmaister, to

provyde timber for the same, and if convenient timber be not to be had within this burgh, ordanes him to provyd the samen elsquhair, and William Rodger and William Wemes ar appoyntit to be witnesses to the aggrement of the workmen's wages, making and pryce of the timber.

"The Clerk maid report of the publick actis laity concluded in Parliament, viz., the Act for putting the Kingdome in ane posture of defense, the Act of levie, the Act of maintenance, and the Act of Excyse.

"The Counsall, considering the Act of levie, found it necessarie for eschewing greater inconveniences that the Lord Carnegy be dealt with, what ease may be had of the townes proportion laid upon thame be the shyre extending to ane hundreth and fyftie men, and in the mene tyme thair armes quich ar in the townes magazine to be visite be craftismen and to be maid fixed.

"The Counsall hes admitted William Lowsone, mariner, to have the benefit of the hospitall from this daitt, and he hes undertaken to visite and attend dayly the fortifications of this burgh."

"Last May 1648.

"The Counsall, considering the great difficultie they had to mak up that portion of the levie layed upon thame, in respect that the Colonelles of the Cavallarie were daylie intysing and taking away many of their inhabitantis, resolved to discharge any of thair inhabitantis to tak in with any officer in this levie till thair company should be modelled, and ordained intimatioun heiroyf till be maid be the drume."

"3 June 1648.

"The Counsall, being agayne requyred be the Lord Carnegy to have their proportion in readinis, desyred David Tendell, collector of the croftis, to convene all under deacernzie alsweel maisteris as servantis vpon Mononday next in the foirnoone, and to bring the list of thair hail numberis, that the Counsall might then think upon the easiest way for making up thair number. The Deane of Gild ordained to convene the Geldrie upon the foirsaid day, and to the same effect."

“ 27 June 1648.

“The Counsall having ressaved ane ordour from the Committee of Estaittes to send ane boatt to Perth to bring downe two brasen ordinance, with their cariages and other furniture, recommended the samen to Robert Bultie, thesaurer, to provyde for the same.”

“ 22d August 1648.

“The Counsall, being convened to tak some course anent the death of an foottman, laitly come from Aberdeen, who being visite be the peysitionés is found to be suspected to be dead in the plague, hes resolved that Andro Nicol, stabler, in whose house he died, shall be put furth, with his familie, in the fields to abyde ane tryall, and the thesaurer ordained to cause put up the lodge for him.

“The Counsall in respect of the many reports quhich they daylie heare that many of this kingdome ar now rysing in armes both south and north, the groundis and reasones thair of being vnknowan to thame, thought it necessarrie that the town be put in ane posture of defense, and that ane compleit company be nightly upon the watch, and this to continow quhill furdre certainty may be had of the publict condition of affaires of the kingdome, and that in the menetye all neighbouris be discharged be drume to sell any ammunitioun to any persone quhatsoever without special licence obtained from the Magistrattis.”

“ 19 Sepr. 1648.

“The Counsall, being informed that there was canon and ammunitioun in ane bark ryding in the road, quhair of Johne Ramsay was skipper, quhich was intended for Berwick, as the charter-partie did clearly evidence, in respect of the present condition of affaires, gave ordour to James Duncane, skipper, to bring the foirsaid bark to the harberie, and to tak up inventorie of the hail ammunitioun, that the samen may be forthcomand to the publict.”

“ 24 Sepr. 1648.

“Ane letter produced from the Committee of Estaittis at Sterlene, direct to the Magistrattis of this burgh, requyring thame to put thair towne in ane posture of defence, and so

acknowledge no other Comittee bot thame. The Counsall resolvit to mak no answer thairto."

"21 September 1648.

"The Counsall having heard the report of those who wer desyred to visit the knock in the Steple, how faultie she was, ordained James Alisone to tak hir downe, and helpe all defectis in hir, and at the perfyting of the werk they promised to satisfie as they should hes paynes."

"13 Feby. 1649.

"It is concludit that the collector sall caus the hail craftis meit this afternone that Colonell Innes regiment may gait quartering in the toun."

"2 May 1649.

"The Counsall hes nominat William Jacksons, elder, William Quhittit, Thomas Nicoll, and Patrick Jacksons to be quartermaisteris of the Nethergait quarter, to tak paynes for quartering of any sojaris quha sall happin to come, and hes maid faith. The Counsall ordainis the hail inhabitantis of this brugh to presentlie pay thair mantinance, under the payne of quartering, as also to ordaine that the towne be nichtlie watched, and to begin at the Nethergait."

"14 January 1651.

"The Counsall hes condischended that twentie thousand merk sall be upliftit frae the inhabitantis of the burgh who are not to goe furth personallie in this levie; and for the maist spedie way of devyding the sam among the inhabitantis, they have appoynted the Comittee formerlie nominat to meit, and cast everie mane's proportion upon thame be way of opinioun, and to report the sam to the Counsall."

"21 Jany. 1651.

"The Counsall, having heard the report of the Comittee who wer ordained to cast the proportion of the twentie thousand merkis, and considered the roles produced, thought fitt that everie hundredth merkis should be allowed for outputting ane footman

with compleit armes, clothes, and 40 dayes loan, proportion of the baggage, horse and harne for tentis, and ordainis billeths to be casten in the afternoone, and sent to every on accordingly."

" 24 Feby. 1651.

" Report maid be Alexr. Bower that he had agreed for the dragoonis, with Collonell Collen Campbell, for 2000 merkis to be payed by and attour the 1000 merkis quhilk was formerlie payed, and ane bond of elleven hundreth lib. quhilk he was awand to the towne. This report the Counsall approvit, and ordainis the same to be borrowed, and notteris employed for that effect.

" The quhilk day the Counsall has nominat and elected Robert Davidsons, baillie, to be thair Commissioner to attend the ensuing session of Parliament, quhilk is to sitt at Perth, and ordares his commission to be drawn and exped."

" 7 April 1651.

" The Counsall, having considered the sowmes of money quhich wer now demanded of thame, do find that ane present course most be taken for satisfeing thir sowmes following, viz. :—For the maintenance of January and February last, now assignes to the generall of artillerie be the commissar-generall, 2520 lib. ; ane moneths mantenanie granted by this Parleament for the Kingis vse, 1260 lib. ; Item that remaynes for the cloth of the garrison at Sterline, 800 lib. ; Item for schoolles to be advanced presentlie to the army, 200 lib. ; and lastly, for 20 dayis more provision to our company, quhich is ordained be Act of Parliament, 600 lib. ; Inde of the haille, 5380 lib.

" Ane letter produced from the Comittee of the Shyre of fyff, subscryved be the laird of Fernie, requystring the towne to send ane company of neighbouris to enable thame to defend thair coast for some few dayes. The Counsall, all in ane voice, hes agreed to this desyre, and ordained the toonis resolution to be intimat be the drummer, and ane company to be in readines agayne tomorrow—Francis Garden nominat to be capitayne ; Patrick Jackson, livetennent ; and Thomas Mernes, handseigne."

" 5 May 1751.

" Ane letter was produced from the Committee of Estaittis,

daited at Dumferlene the last of April, requyring the towne to send over to bruntyland, with all diligence, two hundreth foot sojeris, with compleit armes, under officeris, for securing and gairding of that place, and quhill the regment quhich is ordained to be leveed for garrisoning that towne be maid up. The counsall all in ane voice has aggreit to obey the desyre of this letter, and for obedience thair of, and spidie promovng of the service, they have nominat and elected Major Alexr. Edwart and John Duncane to be captaynes of the two companyes, and for the maner of raising of thame the counsall hes ordaned everie on of the six captaynes to give to the forsaidis Alex^r Edwart and Johne Duncane the proportionable pairtis and numberis as has been formerlie in vse, and that they be assisting to put out thair numberis."

" 12 May 1651.

" Ane letter produced from the Kingis Sacred Majestie, quhilk was read in counsall, which contayneth ane desyre to the towne to advance be way of borrowing ane thousand lib. sterline upon either privat or publict securitie, quhairon His Majestie offeris the engadgment of his privat rentis, customis, impostes, or other casualities for repayment of the same. The letter is dated Dunferline, the day of Majj 1651. The Counsall hes thocht the readiest way to obtayne the money that particular persones be requyred to condischend to lene particular sowmes upon the townes securitie, and the Kingis securitie to be taken for the townes vse."

" 26 May 1651.

" The quhilk day, in presence of the counsall, the Kingis Majesties letter wes producit, daitit the 20 day of this instant, desyring that presentlie they wold send their townes companies of sojeris to bruntiland sufficientlie provydit with amonitioun, powdder, ball, and thair to attend upon the public service upon the town's expenses, quhill the first day of July nixt, quhill the shyres releved them. In obedience quhair of the counsall for better forderance of that service hes ordenit that thair sall be presentlie upliftit aff the inhabitantis of this burgh two monthis mentinence to be distribute amongis the said companie and thair

oultreik, vizt. :—Ilk sojer daylie schilings for his mentenance, and that the said company sall presentlie merche, and ordainis the drum to mak intimatioun throw the toun heirof.”

“ 21 July 1651.

“The Towne Counsall, being mett and convened for putting the townè in ane posture of defence, thought it necessarie that the greatest ordinance be placed at such places upon the seasyde as shall be most requisit, and hes entrusted the cair of the executioun hereof to William Rodger, Alex. Carmichail, and John Raitt. The Counsall hes appoynted the baillie Walter Rankene, Robert Bultie, and James Smyth that they shall tak inspectioun quhat ammunitioun thair is in the townes magazine, and tak the best course they can to try and secure quhat ammunitioun thair is in the towne, or within the harborie thairof. Gilbert Guthrie is ordered to attend the helping of the fortifications, and the Magistrattis hes promised to assist the bringing furth of the wemen with barrowes for careing fail. Alexander Halyburton, younger, and Thomas Tosche ordaned captaynes to the Nethergait, John Duncane and Alex. Davidson captaynes for the Overgait, Thomas Gairdene captayne for the Murraygait, and William Watson for the Seagait.”

“ 14 August 1651.

“The Counsell, taking to their serious consideratiounes that the fortificatiounes of this burgh ar waik in sundrie pairtis and not sensibill to defend the inimie for invasioun, and that it will requyre present moneyis to repair the same, thairfoir they all in ane voce hes concludit that thair be presentlie upliftet off the inhabitantis of this burgh two monethis mentinence and apply it to the bigging, beitting, and repairing of the saidis fortificatiounes, and to begin this day for collecting thairof, and for that effect hes appoyntit Alexr. Halyburton, elder, for this day in absence of Robert Davidsons, and the said Robert himself quhen he comes, and James Andersone, collector for the Nethergait; Thomas Scott, baillie, and John Arbuthnot, collector for the Overgait; Walter Rankine, baillie, and Alexr. Duncane, collector for the Murraygait; and for the Seagait, George broun and James Wilson, collector.”

The capture and sack of the town by Monck appears to have suspended municipal business, as no minute of a meeting is recorded till 8th October, when a new Council was elected.

“9th October 1651.

“The Counsell, taking to thair consideratioun the gryt preiudice that the ledgis doeth sustene by the derth of the seall of aill within this burgh, and of the pryce of the pund of Candill sauld within the same, thairfoir they all unanimsly hes statut and ordenit that no inhabitant within this burgh presum nor tak vpoun hand at no tym after this hour to sell the peynt of aill any deirer nor twa sh. Scottis the peynt, nor yet to sell the pund of Candill deirer nor six sh. Scottis the pund, under sic paynes as may be inflicted agains the contravenaris butt favour.”

“8th October 1651.

“The Counsall hes ordained the clerk and Johne Scrymgeour to goe to Leith and deall with the Commissioneris for the Parliament of England for restoring to the vse of the burgh the commune mylnes, and to endeavor that thair thesaurer in thair name may be authorised to intromitt with all the other revenues of this burgh”

“27 December 1657.

“Ane petition agged to be presented to generall Major Lambert and L. Generall Menk anent the grevanes of this burgh, and the counsall all resolved to attend the prosecution of the same. The same day the Counsall, takand to thair consideratioun the conditioun of Mr Andro Auchinlek and Mr John Robertson, now prisoneris at londone, hes resolved they shall be supplied by ane voluntarie contributioune, and hes entrusted the collectioun thairfoir to Johne Scrymgeour and William Duncane and David Tendell.”

“30 December 1651.

“The counsall, takand to thair consideratioun the great abuse of the extraordinarie pryce of wynes quhich is sold by vinteneris in this towne, and that farre above the pryce it is vinted and sold at Edinburgh or Leith, hes thairfoir ordained that from

henceforth the French wyne quhich shall arryve to this Towne from any forrayne nation shall be sold be the vintner at no dearer pryce nor 18 sh. Scottis the pynt, and the sekk 30 sh. the pynt; but if any wynes, French or Spanish, shall be broight hither from Leith, in that caise thair is allowed to the vintner to tak 2 sh. mor upon each pynt."

The following excerpt exhibits the pleasures of supporting an army of occupation :—

" 20 Jany. 1652.

"The counsall takand to thair consideratioun the great trouble the Magistrattis are put to in quartering the souldieris at all ocasionnes, hes thocht fitt that in all tyme comming that quarter maisteris be chosein in the severall quarteris, and they only to have the laying on of the quarteris; and for the Nethergait they have nominat James Monford, Patrick Jackson, James Muirisonne; for the Overgait—James and Thomas Butchertis and David Yeamanes; for the Murraygait—Andro Gairden, William Raitt, and Andro Watsonne; and for the Seagait—James Wilsonne, William Henderson, and George Garvie.

"The Counsall, vpon the petitione of John Fithie, Andro Watsonne, Thomas Robertsonne, and Andro Paull, lait fermaris of the townnes Mylnes, doeth freelie dischaarge them of the last quarteris dewtie, in respect of the English seising vpon the towne and mylnes."

" 14 February 1652.

"The quhilk day the Counsall and ane great many burgissis and nighbouris of the burgh being convened, the clerk produced ane ordour from the English Commissioneris requyring them to mak choose of some of thair number to goe to Dalkeith to ressave the declaratiounes of the intentiounes of the Parliamint of the commonwealth of England, the warrant being read in presence and audience of all who compeired in obedience to the forsaid warrant, they did unanimouslie nominat and elect Sir Alexander Wedderburne and Robert Davidsonne, thesaurer, to be commissioneris. The draught of the Commissioun was read, approven, and subscrivit, and ordained to be insert in this book of counsall."

“ 8 May 1652.

“ The Generall Major to be petitioned for easing the townes burdens of sojoris of the rent of the packhouse, for privat houseis to be restored to neighbouris, and for releef of prisoneris.”

“ 8 June 1652.

“ The bailleis, considering the fabrick of the church how it requyres great chaarges and expenssis to vphold and repare the same, and that thair is no considerable rent belonging to the church for the foirsaid vse, have thairfor mortified all the fyffe creelis of coalles formerly payed to the Magistrattes, of all shippes, crearis, and boattis quhatsoever, to the vse of the church for vpholding the fabric thairof, and ordanes the Kirkmaister for the tyme to vplift the fyffe creelis and to despone thairupon, and that he shall be charged thairwith in his yeirlye comptis, as also they mortifie for the foersaid vse the land gauges.

“ The Counsall, takand to thair consideratioun how that the musick scool is now destitute of a maister, and being informed that George Runseman is expert to teach all vocall and instrumentall musick, thairfor they have admitted him to be teacher in the samen scool, and ordanes him to have the highest rowme in the church yeard for his scolleris to be taught in, and that he shall have yeirlye fyftie lib. Scottis payed to him be the thesaurer, and his first termes payment to be at Lambes nixt to come.”

“ 26 June 1652.

“ The quhilk day the Clerk did produce, in presence of the Counsall and neighbouris of the burgh, the warrant for convening thame, and intimating to thame the declaratioun of the Parliament of England anent the vnion, &c., quhich was publicly read, and thairafter the neighbouris and burgesses who wer present did nominat the Clerk to be Commissioner.”

“ 7 December 1652.

“ The quhilk day, in presence of the Counsell, compeirit Thomas Philp, hamerman, and being accuset give he did laitlie call William Cuik, sojer, ane of Colonell Corbitis Regiment, “ skourgit hangman, theiff, loon,” he dennyt the same. The Council put the said accusatioun to the tryell of the witnesses

underwritten, vizt., William Dougles and Thomas Finsch, two of Colonell Corbitis regiment, and Thomas Davidsons, one of Captain Bredest sojeris, quha being sworne deponit anent the said accusation *affirmato jure* gaird quhair of the Counsall all in ane voce ordanis the said Thomas Philp, upon the nynt day of this instant at twa houris eifternone, to be brocht to the meangaird in presence of the parad, to be quhipit throw the towne by the cross begaiting of twenty ane strypis thairof, seven at ilk tyme at the several tymes, in presence of the sojeris, and put furth at the Murraygait porrt, with his wyf, famellie, guidis, and geir, and nevir to mak thair residence within the liberties of this burgh hereafter."

" 27 August 1653.

"The Counsall ordainis Blackness to deal with Collonel Lilburne for the townes relefe of coall and candle, in relatioun to the troupperis quartered in this towne. Ane letter produced from Collonell Lilburne to the Counsall, quhich was read, the tenor quhair of followes :—

" ' Gentlemen,—The Counsall of Estait having commanded me to give you notice that they think it fitt that the civil officeris of the shyres and corperatiounes of this nation that ar now in office shall be continued vntill thair shall be farder order from the Counsall for making new elections, I desyre you to tak notice heirof accordingly.—From your very loving friend,

" ' Dalkeith, 17th Sepr. 1653.

" ' R. LILBURNE.' "

" 3^d October 1653.

"The Counsall, upon informatioun that the vessell come in to this river from Queensbrigh, quharin is Alex. Halyburtone, James Kinlogh, and Thomas Bultie, with the skipper and saylleris, and that thair was suspitioun of the plague in that towne, thocht it necessar that the vessell, with the merchantiss, skipper, and saylleris, shall remayne within boord quhill the change of the moon be past, and that no persone be suffered to goe aboard to thame during the said space, and that in the interim the persones fairsaidis shall handle thair lint or flax, oppen the porkkis each day in presence of John Scrymgeour, Deane of Gild, Alex. Watson, Thomas Scot, baillie, William Brugh, James Smyth, David Tendell, and William Broune, or any two of thame."

“ 5 October 1653.

“The Counsall all in one voce thinkis it expedient that Alex. Haliburton, James Kinloch, and Thomas Bultie, merchand, of the weschell laitlie come fra quiensbrig, bring the said weschell now to the harborie of this burgh, and wei thair gudis and siclyk, that George Brown also bring his bark to the schoir, and mak vse of his gudis, and repair throw the town with thair nyctbouris.”

“ 12 November 1663.

“The Counsall convened. Present—Alex. Wedderburne, Provest, George Fletcher, Baillie, William Guthrie, Thomas Bower, John Tarbet, do., John Kinloch, James Kinloch, Alex. Davidson, do., William Rait, William Browne, Walter Ranken, do., Thomas Gray, William Petrie.

“The Councell takand to thair consideratioun that the towne is very ill provyded with arnes, quhairby the Magistratis ar lyklike to ressave affrontis in the exequion of thair offices, and other damages redoundes to the towne, have therfor enacted and ordayned that all chope keperis shall, befor the first of ffebruar nixt, provyd thamselffes with ane banded halbertis to remayne in thair chopes vnder the payne of fyve lib., and that all merchantis provyd thamselffes with musket and sword befor the first March next, under the penaltie of ten lib.; and that each croftisman who cannot provyd ane musket to provyd ane sufficient pyk and sword befor the said dyet, under the payne of five lib., and the deane of Gild is forthwith to intimat this to the gild bretherin and the collector of the craftis.”

“ 22 March 1664.

“There was presentit ane recommodatioun from the Secret Councill, quharin they desyre ane voluntarie contribution for repairing the bridge of Tay, which the Councell condischended to, and suspended the demanding thairof quhill the result of the provinciall Synod be knowan thair.”

“ 19 April 1664.

“Ane letter was read from the bailees of Bruntlyland, craving asistance for repayingr thair harbour, quhairupon the councell

ordayned thair should be ane voluntarie contributioune collected for it at the church doris, the tyme quhairof is left to the Magistrattis."

"30 Augt. 1664.

"The Counsell ordaynes Robert Stratone and Thomas Davidson to draw William Smith to the lowest price they can for mending the steple knob, and quhat they sall cloass with him for, ordaynes the thesaurer to pay the sam, quhich sall be allowit in his accompts."

"11 Octr. 1664.

"John Kinloch, bailee, having been laityly employed to goe to Edinburgh to informe the towne's condition anent the proportion of seamen imposed upon this burgh for His Majestie's service, did mak report that the Secret Councill were not sitting, but that he had gone to the clerk of the Councill, who had advysed quhat number might be had may be haisted thither. The Counsell in perseverance of this hes recommended to the bailleis that this night thy secure sutch ane number as may be had, and that thy see thame boated, and Robert Kyll is chosen and elected to accompany thame to Leith with sutch otheris as he shall think fit to accompany him, and each of the persones ar to have allowance of ane rex dollar for thair expenses to Leith, quhich the thesaurer is to give Robert Kyll with allowance for his owen expensis."

"18 October 1664.

"The said day Robert Kyle made report of his delivery to the seamen on the towne's accmpt to Thomas Moncreife, and producit his receipt of them, quhich was given up to the thesaurer, and therafter made report of the payment of ten pounds sterling of contribution for the harbour of Bruntyland, and gave in the magistrattis recept thairof, quhich was delyverit to the thesaurer."

"25 October 1664.

"The Counsall takand to thair consideratioun that the pryce of burghshipe is too low, thairfor they have appoynted that henceforth who shall be admitted burges and shall delyver to the

thesaurer for the townis vse ane sufficient musket, and pyk, and bandleer, or elss twentie merkiss, and this by and attour the hundreth merkis formerly payed, as also if any extranean shall be admitted burgesses he shall be ether tyed to mak his residence heer, or if he shall be dispensed thairwith, and he shall happen to die in the countrie only on of his sones shall have the privilege of his father."

" 28 March 1665.

" The said day ane silver bassone, being giftit be John Feithy, merchand, for the use of the communion table, was delyverit to John Tarbet, Kirkmaister, with foure silver cups belonging to the kirk, quhich were in the custodie of John Kinloch, late kirkmaister."*

" 21 July 1665.

" In respect the Duke of Hamilton is violent in his persute againes the toune for that taxation he hes chargit the Magistrats for, and that it is lyk he will prevaill thairin, the Counsell therefor, to avite greater prejudice, ordaynes ane ample commission to be given to the Deane of Gild for settling with the said Duke upon whatsoever termes annent the said debt, and if need be to give the Duke land therefore, whereof the Counsell heirby obleidge them to releive him.

" The Counsell, considering the confusion that the towne's papers are in since the towne's storming, have therefore ordaynit the present bailzies, thesaurer, and hospital measter, and the depute to view the saidis wrytes, and make up ane inventor thereof with all convenient diligence."

" 5 September 1665.

" The Counsell, considdering the great danger may befall the toune throw the spreading of the plague in England, therefor, and for preventing vnder God of any infectioun thereof heir, they heirby ordayne that the bailzies command twa honest skilful neighbouris of the toune *per vices* to remayne at and to

* These vessels were saved from the burning of the Churches in 1841, and are now in use at the Communion.

Kirkaldies' house each week, and ane ather to remayne at the Craig for receaving of passes from all passengers repairing hither."

"9 Jany. 1666.

"Ane petition being presentit from the memberis of the colledge of Aberdene, for a subsidie for building and repaying of the said colledge in maner at lenth specefeit in the said petition, which the Counsell taking to their consideration to be a work of charitie, have therefore grantit the desyre of the said petition, and ordaynes that ane contribution be made publectly at the kirk dores for that effect, and that the ministeris intimat the same with ther convenience."

"29 Nov. 1666.

"The Counsell, considdering the great necessitie there is to put the toune in a posture of armes, have therefore ordaynit that seeing Thomas Gray is appoyntit to goe over to Leith to cause make the carriages for gunnes for the towne's vse, that the said Thomas also there, and at Edinburgh, try for armes for the use of the toune, and buy the same at such rates as he can have them.

"The Counsell ordaynes that Thomas Bower, John Man, John Watson, James Kinloch, William Smith, Thomas Gray, John Scot, and James Lawson, with all diligence, to search for and secure the hail powder within this burgh, and to report thereanent the next day."

"11 Decr. 1666.

"The Counsell have upon severall considerationes thought expedient that the general mustering day formerly appoyntit to be on the threttene instant be prorogate and continuit quhilk the first tuesday of Merch, and that the same be intimat be the drum, and als that all persones answer the officers of their respective quarters quhen and how oft sover they sall be callit for exercising themselves in ther armes betwixt and the said day, each persone under the payne of five poundis Scots money *toties quoties*, and that quhoever sall absent himself from the said general mustering the said day sall pay ane onlaw of ane hundredreth pounds Scots money."

“ 2 July 1667.

“ The Counsell, for the better securitie of the toune, ordaynis that ane watch of thretty-six men be keepit nichtlie within the towne, and the court of guard to be within the fore tolbooth, and that the said watch be begun the fort instant, being Thursday next, and that the captaines order the same by turnis in their respective quarteris.

“ The Counsell being fully informit of the miscarriage done by John Pitcairne, ensigue, to John Smith, his captain, upon the ellevent instant, at night, on the guard, and finding that the said ensigne was exceedingly blameworthie in the said act, have therefore reducit and dischargit the ensigne from and of his said charge and office, and continues the said captaine in his office, and exercise of his power and authority therein usual.”

“ Dundy, the fyft of September 1667.

“ The watch of the toune being disbandit, the Counsell ordayne the ffour captaynes of the towne to cause bring the 4 culloris and drumes to be broght to the Councellhouse, thairin to remayne.”

“ 28 Jany. 1668.

“ The Counsell being certainly informed of the ryot latly committit be James Smith, suordslipper, againes Mr Alex. Yemen, doctor of medicine, under silence of night, at the buriell of the Ladie Reiriss, and of his disobedience given to the Magistrats, and unseemly behaviour towards them, have therefore (and in consideration that for his former miscarriages he hes been and stands vnder severall acts of banishment) ordaynit that the said James Smith, his wyfe, bairnes, and familie be banishit the towne, and that he continow in waird quhill his wyfe and bairnes remove themselves, and that he be punishit by the stokis or utherwayes as the Magistrats shall thinke expedient, with this certificat that if ever he be seen in this toun againe efter his banishment he sall be whipped, and receive the townes burning marke upon him as a notorious malefactor, without any uther quarrell or process to be had or led aganes him.”

“ At Dundy, the seventeen day of Februar 1668.

“ The Counsell have thought expedient that James Anderson,

shoarmaister, fraught a ship for Norroway with his best convenience, and bring hame a loading of oacken trees, for beeling and repairing of the bulwarkis quher they are most decayit."

" 5 Feby. 1668.

"The Counsell, considdering ther wes ane act formerly made for taking doune of the Overgate barress, and that George Forrester has, in name of the Counsell, promisit for the taking doune thereof, have therefor appoyntit that the said barress be, with all conveniencie, takin doune, and that ane broad even port be set up agayne at Flemyngs wynd (Long Wynd) head, as the Magistrats sall contrive the same, and order in the place thereof."

" 21 April 1668.

"The Counsell ordaynes that all those in the roll for ryding of the townis merches be warnit to that effect, each person under the payne of fyve poundis Scots, to be payit by each contravener absenting himself the tyme of ryding the merches prescryvit be the former acts."

" 12 May 1668.

"The Provest maid report that the townis merches were reddin this day aught dayes, and that they had found on merch stone in the Magdalen gair out of the way, and thairfor ordayned to provyd ane other to be put in the place thair of; as also gives power to the provest, bailies, and the Dene of Gild to meet with the laird of Monorgane for righting the passage of the water of Dichty in relation to their mylnes; as also ordayns the thesaurer to provyd ane march stone to be placed quhair thair was on formerlie; as also ane other march stone at Baldovane mylne. It was ordered that the *interruption* maid at the ryding vpon ane bark as they did ryd downe to the Craig be the eastmost end of their march be extracted, and layed up in the townis chest."

" 20 May 1668.

"Upon ane petition presentit to the Counsell by George Sibbald, brother-german to Sir David Sibbald of Rankeillor, desyryng that they will remit the byrun annuallis due out of his lands on the east syde of Cowties wynd, seeing he is willing to

repayre the same, quhilk for the present are ruinous, the Counsell, in ansuer wherunto, have promisit that how soon the saidis lands sall be repayrit and made water ticht, they will then give ane full dischaige to the petitioner of all the byrun annualrentis due to them furth herof, provyding the work be entrit to and perfyted within the year."

" 2 July 1668.

"The Councell, considering that the hospitall seat in the west kirk is far off from the pulpit, so that the men cannot heare the minister, they ordayne that ther seat in the said west kirk be liftit from thence to the east kirk, and that the same be set up between Craigie's seat and the maltmenis seat, and answerabill to both, as sall be best contryvit."

" 7 July 1668.

"The Counsell, considdering that upon information given by some of the seamen undernamit, that John Robertson, Alex. Murray, and Andrew Wilson, in Ideartis, intendit to goe to the sea for pillaging and piracy, and that the bailzies, efter examining of them—they are to say, John Blak in Woodhaven, John Ramsay in Dundy, John Wood and John Adamson in Elie, William Adamson at the Sea Milnes, David Murdo in South ferry, and John Butter in Ideartis—did find by thair depositiones that the saidis persones intendit the forsaid cause, and that therupon the Magistrats, having maid address to the Admirall, he, by his order ishudd therupon of the nixt instant, appoynts them to send over all the saidis persones to him to be re-examined, and to secure ther vessel in the South ferry; therefor the Counsell have thought it expedient that the Magistrats send over the saidis persones for Edinburgh, with such otheris to convey them as they sall think most fitt, and that they also order some persones for bringing up the said vessell from the South ferry to the herbure of this burgh with all conveniencie, for obedience, and conforme to the said order. Principal order delyvered to George Forrester."

" 11 August 1668.

"The Provost produced ane order from the lordis of secret councell, subscribed by Mr Alex. Gibsone, thair clerk, requyring

the Magistrats to detayne Sir James Stewart close prisoner, and to transport, with ane sufficient gaird, to the Magistrattis of Perth Sir John Cherslie.”

“ 20 August 1668.

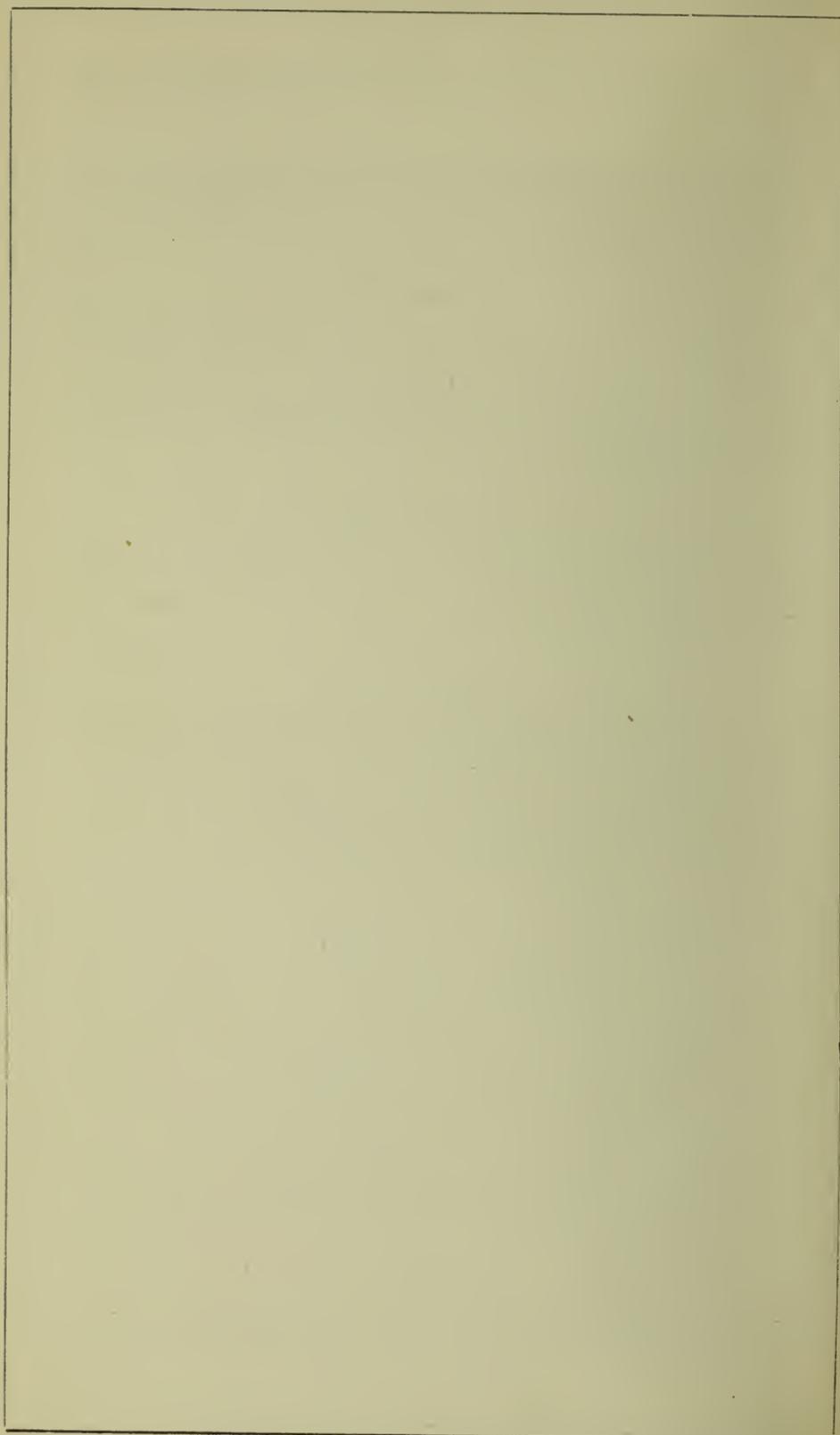
“ George Forrester produced ane receipt from the bailie and thesaurer of the persone of Sir Johne Cherslie, quhich is delyvered to the thesaurer, to be put in the townis chest. The Councell ordaynes his expenses, being 20 lib. 9 sh., to be payed by the thesaurer.”

“ 4 October 1668.

“ The Counsell hereby ordaynes that the east kirk be pewed be the Kirkmaister, be advice of the Magistrats and ministers and collector, with all possible convenience, vpon the expenses of the said Kirkmaister.”

“ 20 October 1668.

“ The Councell, considdering the great miscarriage of the late fencer in this towne towards the Magistrats, ordayne that ane letter be writtin to the Magistrats in St Andrewes for his imprisonment upon the said accompt, quhill farder course be taken with him ; and William Smith to carry the said letter.”



EXCERPTS FROM RECORDS OF THE CONVENTION
OF ROYAL BURGHS IN THE 16TH CENTURY.

THE following extracts are from the Records of the Convention of Royal Burghs held during the 16th century :—

“ At Edinburgh, October 1579.

“ The samyn day the commissioneris of burrowis abouewrittin, being conuent in the Nether Tolbuyth of the said burgh of Edinburgh, all in voce fyndis the tovne of Donndie suld pay ane vnlaw of fourty pundis for contravening of thair act maid at thair convention in Cowper in Februar 1578, anentis the election of thair provest, the tutour of Petcur, nocht beand ane merchant trafficquar, in commission at the convention haldin at Striveling in August last bypast.”

“ At Glasqu, the xxiiij., xxv., xxvj., and xxij. dayis of Februar 1579.

“ Alsua, comperit Alexander Scrymgeour and Richart Blythe, commissioneris for Dondie, and ratefeit and apreuit the act maid at Striveling in the convention of burrowis haldin thair the xxv of October, 1579, bering that quhatsumeuer contention beis betuix burrowis concerning thair liberties salbe proponit in generall conuention of burrowis, and referrit to certan to be chosin be thame thairfoir, as in the said act at lenth is contenit ; And lykewyis Diones Conquerour and Maister Patrick Quhytelaw, commissioneris for Perth, ratefeit and apprevitt the samyn, and thairupon the saidis commissioneris of Perth take note with provision that the said ratificatioun, maid be thame of Perth, preiugit thame nocht touching the prioritie of thair place, albeit they be second in ratification as said is.

“The samyn day, Robert Alexander, commissioner for Striveling, protested that quhatsumeuer thing beis done or decernit betuix the burghis of Dondie and Perth tuiching the second place of burrowis clamit be ather of thame, preiugit nocht Striveling and the privilege it hes to the second place of burrowis, and thairupoun askit instrumentis.

“Item, Forsamekill as be act of parliament maid at Edinburgh in October last, the question and debait betuix Perth and Dondie anent thair place in parliament was referrit to the decision of commissioneris of burrowis, to be decydit at this convention now in Glasqu, and efter lang resonyng thairwith be the saidis commissioneris, it was ernistlie requestit be thame, in respect of the wechtie materis now to be treittit tuiching the weilfare and libertie of the haill burrowis, that the saidis commissioneris of Perth and Dondie suld tak vp, in hoip of concord, the said mater, and all vther materis debatabill and questionabill betuix the saidis tua burrowis, sua that perpetuall amitie may heirefter remane amangis thame: At the quhilk ernist requeist, and for the causis foirsaidis, the saidis commissioneris of Perth and Dondie hes obeyit, and the saidis haill commissioneris hes continewit thair conclusioun thairin quhill thair nixt convention, with consentt of pairtis as the mater standis now, butt preiudice of the act of parliament thairanent, and ather of thair rychtis; And thairfoire the saidis commissioneris of Perth hes promiseist to cawse thre honest induellaris, gild brethir of the samyn tovne, to cum to the kirk of Raitt on the Wednesday immediately preceding Palme Sunday nixt, and inlyke wayis the saidis commissioneris of Dondie hes promiseist in lykemaner to cause thre honest men induellaris, gild brethair of thair tovne, to cum on the said day to the said kirk of Raitt, and the saidis thre, or twa of thame, on ilk syde, as the counsallis of the saidis burghis sall think expedient, to accept the decision of the saidis materis on thame, together with ane ouerisman to be chosen in this maner: that ather Dondie sall cheis fyve burgessis, induellaris within seueral burghis, of quhilkis Perth salhave the chois of ony ane of thame, or gif it happynnis Perth to nominatt the fyve men, Dondie to have thair chois of ony of the saidis fyve men to be ouerisman as they salhappin to agrie vpoun,—twa tikketis to be put in ane hatt, the ane to contene fyve mennis names, and the

vther nane, and quhilk of the tovnis gettis the tikket contenand the names thatt toвне sall nominatt the men, and the vther toвне salhave thair chois quhilk of the fyve men they will cheis to be ouerisman for thame baith, and the iuges and ouerisman to decreitt thairanentt as they sall agrie, within sic space as they sall appoynt at thair meting ; provyding the wryting of the names of Perth or Dondie in this present act preiuge nane of thame in the prioritie of thair places clamit."

" At Sanctandris Vigesimo primo Aprills I^m. V^o. lxxxj^o.

" Item, Anent the supplicatioun gevin in for the pairt of the skipperis and awners of schips of the burch of Dundie desyring the articles vnderwritten to be eikit to the acts of burrowes maid anent the scattig and lotting for pilleit and cassin guidis, to wit, that gif it sall happin any schip to be laidin furch of France or Flanders with Rowane or Flanderis wairis and siclyke coistlie guidis and merchandice, and the schip to be pilleit be pirats, in that case that the schip be nocht haldin to scatt or contribute, but onely hir fraucht, Alsua gif ane schip cumand fra Burdeaulx beis pilleit in hir veyage, that it sall be in the optioun of the gevar quhidder the schip or fraucht sall contribute with the guidis pilleit, Als if it sall happin the appareling and geir of the schip, as ankers, caibills, saillis, ordinance, or ony vther geir pertenig to the schip, or airmour being thairin for defence of the merchants guidis, to be pilleit and taikin, the schip and guidis to be haldin togidder to contribute with the same, Attour gif it happinis any schip laidin or licht to be constraynit, be tempest or vehemencie of wedder, or be men of weir, to be put vpoun the schoir for saifty of the schip, merchants guidis, and mennis lyves, in that case the schip and merchants guidis togidder to contribute all damage and skayth that happinis to fall thairthrow, And gif it happinis ony merchant or mariner to be hurt or mutilate in defence of the schip and guidis, in that respect uniuersall contributioun to be had of the hail schip and guidis to the support of that persoun hurt or mutilat ; as at lenth is contenit in the said supplicatioun. The commissioneris presentlie assemblit declaris this to be ane new mater quhair of thai haif nocht the avyse and ansuer of thair burrowes, and thairfoir continewis thair ansuer heirto to the nixt conventioun, and ordanis the sam to be

rememberit in the missiues to be direct befor the said convention."

" At Edinburgh xxiiij^o Octobris I^m. V^c. lxxxj^o.

" Item, The commissioners of burrowes foresaids and vnder-subscryvand, anent the contrauersie betuix the burchis of Perth and Dundie twicheing the dignity and priority of place, quhair it wes desyrit be Alexander Scrymgeour, for the party of the said burch of Dundie, that the said questioun wer zitt decydet be the saidis commissioners at this present conventioun, conforme to the act of parliament maid anent ranking and placeing of burrowes, Dyones Conquerour and Henry Adamsoun commissioneris for Perth being lykewyis present, the said mater resonit and votitt, the pairteis remouit and incallit agane, All in ane voce ratefeis and apprevis the last act maid hereanent in the conventioun haldin at Edinburgh the xxj of Aprile last, and zitt as before fyndes, decernis, and declairis the said burch of Perth to haif and bruk the priority and first place before the said burch of Dundie quhill this present parliament, and quhill the said questioun be decydet be the Estaitts, the Kings Grace, and Lordis of Secreitt Counsale, to quhome the said debaitt is remittit, conforme to the said act in all poynts; Quhairvpon the saidis commissioners of Perth askit instruments, And the said Alexander Scrymgeour dissassented hereto, allegeing the said questioun nocht to be decydet conforme to the said act of parliament, and thairfore protested for remeid of law, Alswa William Norwell commissioner for Stirling protestit that the premisses suld nocht preiuge his burch anent the priority and dignity of the secund place to voit nixt Edinburgh, quhilk he allegeit to pertene to the sam, and thairvpoun askit instrumentis, And in lykemaner, Gilbert Meinzeis, provest and commissioner for Abirdene, protested that this act suld nocht preiuge the said tovne anentis the prioritie of the third place, and disassented to the former actis maid betuix Perth and Dondie thairanent."

" At Air xvij Iunij lxxxiiij.

" The quhilk day, the commissioneris foirsaidis being present, Alexander Scrymgeour commissioner for Dundie protestit that the voiting of Dioneis Conquerour commissioner for Perth afor

him as commissioner for Dundie foirsaid, nor na vtheris creatit at this present conventioun, quhilk may authorice the pretendit decreit gevin aganis the said toun of Dundie anent prioritie of place, in na wayis preiudge the said burgh of Dundie anent the reductioun of the said pretendit decreit as law requyris, bot that thai as geve the said decreit had nocht bene gevin mycht haue, but preiudice of the said reductioun, sic access to thair iust persute as geve the said decreit had nocht beine gevin.

“Subseryuit be the commissioneris of Edinburgh, Air, Cowpar, and Kingorn.

“Henrie Charteris. “Dauid Crauffurd.

“Michael Gylbert. “I. Andersone.

“Ihone Kyrkcaldy.”

“At Linlithqu xiiij^o Iulij 1584.

“The samyn day, Peter Clayhillis commissioner for the burgh of Dondie protested that the resaues of Dioneis Conquerour commissioner for the burgh of Perthis voitt before him nixtt Edinburgh suld na wayis preiuge the said burgh in thair second place and prioritie in voting befor the said burgh of Perth, nochtwithstanding ony decreitt obtenitt in the contrair, in respect, as the said Peter allegit, that the said burgh of Dondies admissioun be the Kingis Maicstie and his Grace Estaitis in second place in voting in Parliament nixt Edinburgh, and insafar as the said decreitt obtenit be the said burgh of Perth lvis vnder reductioun, quhairupoun he was mynditt, as commissioner for the said burgh of Dondy, to complene to the Kingis Maicstie and Secreitt Counsall heirin; and William Norowell commissioner of Streveling inlykwayis protested of new for the said second place nixtt Edinburgh, in maner as is contenit in ane act and protestatioun maid at Edinburgh the fourt of October 1581.”

“At Linlithqu Decimo septimo Iulij 1584.

“The samyn day, comperitt Peter Clayhillis commissioner for the burgh of Dondie, and producit the Kingis Maicsties letter, charging thairby the saidis commissioneris to rank and crave his voitt befor the commissioner of Perth nixtt the burgh of Edin-

burgh, nochtwithstanding ony decreitt impetratt or obtenit in the contrair, as the said letter of the daitt at Falkland the tentt of this instant subscriuit be his Hienes, the Lordis of Dovin and of Pettinweme, proportis, and cravit obedience thairof; and Dioneis Conquerour, commissioner of Perth, producitt ane decreitt obtenit be the said burgh in their favouris or prioritie of place and voting befor the said burgh of Dondy, nixtt Edinburgh, pronouncit and given be the commissioneris of burrowis vpon the day of Iunij 1582 zeris, alleging the said writing producit be the said Peter to be contrair to the narrative of his said decreitt, and in respect thairof, as alsua of ane decreit of befor pronouncitt in fauoris of the said burgh of Perth, in Edinburgh, be the saidis burrowis, decerning thame the prioritie and nixt voitt to Edinburgh as said is ay and quhill ordour had been tane thairnintill, and siclyke be reson of thair possessioun thairof past memory of man thatt they aucht nocht be displacitt befor the reducioun of the saidis decreitis, and that the said letter, as prevelie purchest be the said Peter, suld haif na place, and he amerciatt for purchessing lordschip contrair the lovabill actis and constitutionis of burrowis maid thairanentt, as alsua thatt the said Peter suld nocht be hard, becaus he past away but licence befor the desoluing of this conuention and was ynlawit thairfoir as the actis proportis; nochtwithstanding the quhilkis allegeances the said Peter cravitt ansuer of the said writing, quhairvnto Ihoun Forrest, provest of the said burgh of Linlithqu, moderatour to the said conventioun, in name and att command of the saidis commissioneris, efter thair voittis and dew resolution had, ansueritt thatt all substantiall materis war concluditt and votitt vpon befor the said Peteris production of the said wryting, quhairby na occasion of placing or voting was offeritt, thairfoir continewitt the ansuering thairto vnto the nixtt parliamentt, quhen as the haill burrowis suld, be aduyse of the Kingis Maiestie and his Hienis Estaitis, geve ansuer thairto. And the said Peter disallowitt all things instantly concludit on at this present conventioun, protesting na thing done thairatt preiuge the said burgh of Dondy, other in thair priorite of place granted to thame in the last parliament, or vtherwayis; and the said commissioner of Perth anserand to the said decreitt and allegeances maid thairupoun in the contrair, etc."

“ At Dondy the thrid day of Iulij.

“ The same day, Robertt Kid commissioner for the burgh of Dondy producitt ane supplicatioun of the provest, baillies, counsall, and communitie thairof, desyring the commissioneris presentt to declair ane pretenditt decreitt gevin and pronuncitt in thair last generall assemblie of burrowis haldin in the burgh of Perth, in the moneth of Iunij 1582 zeiris, to be, for the causis mentionatt in the said clame, declaritt null befor they enter to the particular ranking of the hail burrowis of this realme, now deuoluit and put in thair handis be virtu of an act of parliamentt, and the Kingis Maiesties missive presentlie producit be the provest of the said burgh of Dondy, as also conforme to the act of continuatioun maid for ranking of the saidis hail burrowis to this present conventioun, and quha war lawfully summonitt to that effectt; and Robert Andersoun and Iames Adamesoun, commissioneris for the said burgh of Perth, affermitt and allegitt the placing and ranking of the burrowis of Perth and Dondy to be alrady discust and adiuggitt be the saidis commissioneris of burrowis, be privilege of oure Souerane Lordis actt of Parliamentt made be his Hienes with aduyce of the three Estaitis quhilk is daittit at Edinburgh the penult day of Nouember 1581 zeris, and the said burgh of Perth and thair commissioneris decernit to have the prioritie and first place, rank, and voitt in all oure said Souerane Lordis and his Hienes successouris parliamentis and generall conventiouns of the Estaitis and burrowis, in all tymes to cum, befor the said burgh of Dondy, and the said burgh of Dondy to desist and ceis fra all troubling and molestatioun of thame thairinto, as the copy of the said decreitt past be the saidis commissioneris of burrowis, and act of parliamentt foirsaid, presentlie producitt for verefeing heirof, proportis; and that thairfor the commissioneris presentt nawayis may alter the said decreitt nor preiuge the said burgh of Perth nor commissioneris thairof in placing nor ranking, thatt mater being alrady adiuggitt in the awin strenth, and that na previe letter, purchest of his Maiestie, may preiuge the said burgh of Perth, nor decreitt gevin in thair fauouris be privilege of his Hienes actt of parliament and estaittis foirsaidis, protesting, thairfor, gif the saidis commissioneris does in contrair thairof, that thair proceeding sall nocht be hurtfull to thame, nor thair said decreitt, and for

remeid thairament in tyme and place as accordis of the law, quhairvpoun the saidis commissioneris of Perth askitt instrumentis; quhairvnto itt was replyitt be the commissioner of the said burgh of Dondy, thatt the former friuoll and informall allegeance meittis nawayis the said burgh of Dondy desyir, bot standis in termis direct repugnantt thairto, lyke as the samyn nather meittis nor evacuattis ony resoun contenit in the said clame, and acceptis the hail foirsaid allegeance sa far as makis for thame. And the foirsaidis clame, decreitt, and actt of parliamentt again resaut vp be the saidis commissioneris of the saidis burrowis of Dondy and Perth."

" At Dondy Quarto Iulij, 1587.

" The same day, anentt the desyir of the merchantis of this realme, trafficuaris in the pairtis of Flanderis, for erectioun of ane Scotis kirk in the tovne of Campfer in Zeland, and appoynting of ane minister for seuring thairin, the foirsaidis commissioneris, efter gude digestioun of thatt matter, and consideratioun of the necessitie of the same, hes with ane consentt aggreitt and accorditt thatt ane minister salbe electitt and appointed for teching of Godis wourd within the said tovne of Campfer, and that he be sustenitt, aither vpoun thatt benefite granted be the said tovne of Campfer, the tyme of the establisching of the Scotis staipill thairin, anent the discharge of the excyse of beir, or ellis be ane impoist of the gudes thatt salhappin to arryve to Flanderis, or be ane contributioun of the Scotis factouris resident thair, or be ony ane or twa of the saidis meanis; committing hereby full power to the burghis of Edinburgh, Dondy, Perth, Abirdene, Striveling, Linlithqu, Glasqu, or ony four of thame coniunctlie, to entreitt and handill this matter specialie, and als to nominatt and elect the foirsaid minister to serue in the said functioun, be the aduyce of the Kirk and Assemblie thairof."

" At Edinburgh Tertio Nouembris 1587.

" The samyn day, anentt the continwatioun to this presentt conuentioun of ane ansueir to the desyir of certan merchantis of this realme, trafficuaris in the pairtis of Flanderis, for erectioun of ane Scottis kirk in the tovne of Campfer in Zeland, and appoynting of ane minister to serue thairin, the saidis com-

missioneris, as was concluditt of befoir att the last generall assembleie of burrowis haldin at Dondy in Iulij last, as zitt condiscendis and concludis to the erectioun of the said Scottis kirk in Campfeir and appoynting of ane minister thairto, and thatt his intertinement and sustenyng salbe vplifted zeirlic of the reddiest of the excyse of beir and wyne granted be the said tovne of Campfer to the Scottis natioun the tyme of the establisching of the staipill thairin, sua thatt the samyn salbe exchangitt fra the vse quhairto the samyn was and is presentlie applyitt to the vse aboue expremit, and quhatt superplus or excrescence beis thairof, the samyn to be furthcumand and return to the generall vse of the estaitt of burrowis; committing heirby full power and commission for thame selues and remanentt hail burrowis of this realme to the burrowis of Edinburgh, Dondie, Perth, and Striveling, to prescryve ane maner forme and ordour of doing and performing thairof, and quhatsumever thairanent itt salhappin thame to do, promesis to allow and ferme and staibil to hald, etc."

"At Edinburgh Quarto Novembris 1587.

"The same day, efter lang resonyng vpoun thatt heid of the missive direct to thame concerning the debursment maid be the magistratis of the burgh of Dondy of the sovme of ane thowsand markis money of this realme for outredding of Alane Lentroun with his schip for staying of piratis in the pairtis mentionat in the indentour maid thairanentt, and the said burgh of Dondies craving together with the interes payitt thairfoir remboursment thairof, all in ane voce agreis thatt ane extentt of alevin hundredth markis twenty markis be raisitt and vplifted of the hail burrowis of the samyn as for paymentt of the said principall sovme aduoncitt and lentt be the said burgh as said is, including the entres to be payitt to the said burgh for the lane thairof vnto the feist of Witsonday nixtt thairintill, and gif the samyn beis nocht payitt betuix and the said feist of Witsonday to the said burgh thatt the interes to be payitt be thame zeirlic thairfoir continew and rin on, and the saidis burrowis astricted in payment of the samyn ay and quhill the said principall sovme be payitt as said is. And becaus they vnderstand the said Alane Lentroun to haif maid na compte of his proceedingis as be his

indentour foirsaid he was astricted thairto vnto the burrowis contractouris with him, thairfoir gevis full power and commissioun to William Makartney, thair agent, vpoun thair expenssis, to persew the said Alane for performing of his pairtt to thame of the said indentour; and heirypon and vpon the delyuerance of the said indentour to the said agent the said commissiouner of Dondy askitt instrumentis, and to be extenttitt vpoun the hail burrowis, and the sovme foirsaid to be ingatherit brocht in agane the feist of Witsonday nixt."

" At Edinburgh Quarto Novembris 1587.

" The quhilk day, Maister George Hacquett, conseruatour, for schawing of his diligence done be him in the effaires of burrowis, being direct be thame with Ihonn Gourlay in commissioun to the pairtes of England and Flanderis, for sekng of ane discharge of ane certan edict raisit be the Quene of England and Estaitis of Flanderis for staying of Scotis schippis passing throw the pace to France and vtheris pairttis thair bezond, exhibitt and producitt certan pecis and writtis exponng the contentis thairoff att lenth, quhairof thair is ane letter patent of the libertie obtenit to the merchantis of this realme frielie to pas thairthrow butt molestatioun or impediment. Quhilk expeditioun, negotiatioun, and diligence was thankfullie allowit and acceptit be the saidis burrowis, quha randeritt to him greitt thankis thairfoir. And thairefter in thair audience he proponit vnto thame in name of the magistratis of the tovne of Campfer the contentis of ane certan missive sentt vnto the magistratis of the burgh of Edinburgh, declaring the brek of the contract sett down be the burrowis of this realme and thair commissioneris in thair names agreing thairto, and the said tovne of Campfer, be transporting be dyueris and sindry merchantis of thair saidis burrowis of thair gudes to vtheris poirttis in Flanders than the said tovne of Campfer, place destinatt as stapil to thame,—quhairof the saidis commissioneris being nawyis acknawlegit fand greitt faltt thairwith, and thairfoir for ratificatioun of the said contractt hes statute and ordanitt thatt thair said estapill in the pairtis of Flanderis suld be, according to the setting thairof, att the said tovne of Campfer be thair commissioneris foirsaidis as place appointed alanerlie thairto, and ordanis the samyn to remane

and be kepitt thairatt ay and quhill it be vtherwys concluditt and sett doun be generall consentt of the haill burrowis of this realme. And to the effect thatt nane of thair number ather in generall or particular sall pretend ignorance heirof, ordanis the commissioneris presentt to intimet this presentt act to the magistratis and inhabitantis of thair particular burrowis, and thatt letteris of inhibitoun be obtenitt and direct to the haill number of the estaitt of burrowis, charging all traffecquaris within the pairtis of Flanderis to keip the said tovne of Campfer as place appointed for thair estaipill, vnder the payne of ane hundreth pundis Scottis sa oft as they sall be found doing in the contrair. And to mak the tennour of this presentt actt mair notour to the saidis magistratis of Campfer, ordanis Thonn Guthre, thair generall clark, to subscribe ane missive to be direct with diligence thairto in thair names, *promittendo de rato, etc.*"

" Apud Glasqu die secundo mensis Iulij 1588.

" The quhilk day, the commissioneris foirsaidis efter lang resoning vpoun the contentis of ane act maid att Edinburgh in ane generall assemblee haldin thairatt vpoun the thrid of Nouember last be the commissioneris of burrowis conuenit thairto, geving thairby to the burrowis of Edinburgh, Dondy, Perth, and Streveling thair power and commissioun for thame selues and haill remanent burrowis of this realme to prescrive ane maner forme and ordour of doing and performing of the erectioun of ane Scottis kirk in Campfer and appoynting of ane minister thairto, quhais intertinement and sustentatioun was thairby ordanit to be vplifted zeirlie of the reddiest of the excyse of beir and wyne granted be the said tovne of Campfer to the Scottis natioun the tyme of the estaiblisching of thair estaipill thairatt, as at mair lenth is contenit in the said act of the daitt abouewrittin; and fynding the samyn to be forzett for laik of the acceptatioun of the commissioneris of the saidis four burrowis to accomplis and performe the same, Thairfoir as of befoir hes ordanit the saidis four burrowis to accept in and vpoun thame the said commissioun granted to them be the act abouewrittin. The commissioneris presently conuenit quhairof, nocht haifing commissioun of thair particular burrowis to burdene thame thair-

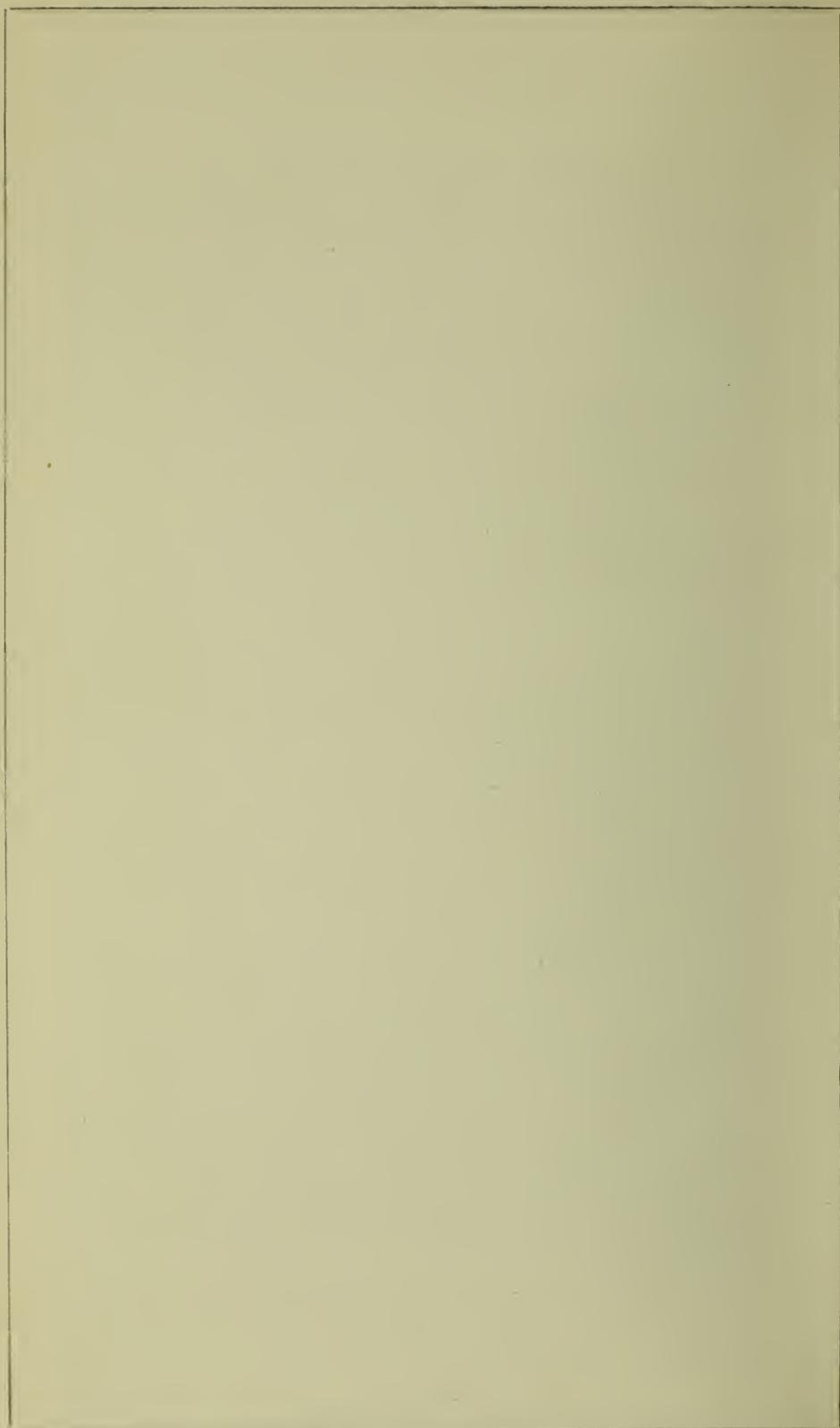
with, they alwis respecting the samyn to be very godlie and necessar to be done, obleissis thame att the desoluing of this presentt conuentioun and thair hamecuming to thair saidis burghis, to geve in ane supplicatioun to the magistrattis of thair saidis burrowis vpoun the contentis of the said actt, thatt the samyn may be put to poyntt, and to repoirtt ane perfyte ansuer of the saidis magistratis to the saidis burrowis agane thair nixtt generall conuentioun of burrowis, quhairver the samyn salbe appoynted to be haldin, or soner, as it salhappin ony vther conuentioun to intervene."

"Apud Abirdene decimo Iunij 1590.

"The same day, Androw Hunter, commissioner for the burch of Forfar, gave in ane supplicatioun aganis the magistratis of the burch of Dondye, craveing reformatioun of the vplifting be thame from the inhabitantis and burgessis of Forfar, of certane customis contenit in the said supplicatioun: Efter the reiding quhairrof, and of ane certane decret arbitrall givin be certane iudges, contenit thairintill, betuixt the saidis tua burrowes, Iames Auchinlek, commissioner for the said burch of Dondy, protestit in name of the communitie thairroff, that the commissioneris presentlie convenit suld nocht proceid in forder nor is contenit in the said decret, quhilk, gif thay did, for remeid of law. And the saidis commissioneris, in sa far as na complaynt was givin in be the burch of Forfar, nather was the said decret abefoir schawin or product, quhairby the commissioner of Dondye nicht have cum to this conventioun instructit to haue givin ansuer thairto, thairfor continewes all proceeding heirintill into thair nixt generall assembye of burrowis, quhan as thai ordane the said burcht, be thair commissioneris to be sent thairto, to give ansuer to the samin; and ordanis ane cople of the said burch of Forfaris complaynt to be givin to the said Iames Auchinlek as commissioner forsaid. And the said commissioner of Forfar resaut vpe the said decret, quhairrof they ordane him at the requisitioun of the said commissioner of Dondy or magistratis thairrof, to delyuer inlykmaner to him or thame gif neid beis ane autentik cople thairrof, and ordanis the contentis heirof to be rememberit in thair misseves, etc."

“ Apud Kirkcaldie decimo quarto Iunij 1592.

“ The sam day, anent that haid of the missive beiring the burch of Dondie to send thair commissionaris fullie instructit to ansuer to the complent of the burch of Forfair, for the vplifting of the ladill full of victuall of ewirrie saik thair of brocht in to be sauld in the said burch of Dondie, contrar to the tennour of the mutuall indenter maid betuix thame and the said burch of Forfair, as is allegit; efter the maneir of the summar decisioun of the said debaitable questioun was sufficientlie ressonit, baithe the saidis pairteis, viz., William Duncan, commissioner for the burch of Dondie, and George Suttie and Ihone Traill, commissionaris for the said burch of Foirfair, compromittit the said mater, in the burch of Montrois and Couper of Fyff, for the said Dundies pairt, and the burchis of Perth and Breichane, for the pairt of the said burch of Forfair, and incais of discripance or diwisioun, the prowest of the burch of Edinburgh, present thane for the tyme to be oursman for the tyme, at quhais determinatioun the saidis pairteis contendand ar suorne, but reuocation, to abyd; and the commissionaris present of the said four burrowis acceptit in and vpon thame the decisioun thair of, and appointis to convein at the said burch of Dondie vpon fyftein dayis warning, to be maid be the said commissionaris of Forfair to the commissioner of the said burch of Dondie, to the effect ather of the saidis pairteis may adverteis thair arbitouris to convein at sic day as they sall aggrie on. And in the mentyme, suspendis the said burch of Dondie fra all vptaking of the said dewtie of the ladill, or vsing of ony nouatioun of customes vpon the said burch of Forfair, and the said burch setting down cawtioun to the said burch of Dondie, that gif it be fund be the saidis arbitouris and oursman that the said dewtie of the said ladill full of victuall sould be vplifit, for payment thereof to the said burch of Dondie, at sic tyme as sall be appoyntit be the arbitouris and oursman forsaidis, and to decerne heirin betuixt and the nixt generall conventioun of burrowis, with power, gif neid beis, to prorogat. And the saidis pairteis *hinc inde* ressaute vpon thair indentouris and peicis productit in proces.



A P P E N D I X .

COPIES OF ANCIENT DOCUMENTS AND PAPERS.

RECOGNITIO SUPER LIBERTATIBUS BURGENSUIM DE DUNDE, A.D. 1325.

Robertus Dei Gratia Rex Scotorum, omnibus probis hominibus suis ad quos presentes litere pervenerint Salutem ; Sciatis quod Constituimus Bernardum Dei Gratia Abbatem de Aberbrothoc, Cancellarium nostrum, et Alexandrum Fraser Camerarium nostrum, dilectos et fideles nostros locum nostrum tenentes, ad recognoscendum libertates quas Burgenses de Dundee habuerunt seu possiderunt tempore bone memorie domini Alexandri Regis Scotiæ predecessoris nostri ultimo defuncti, et aliorum Regum Scotiæ predecessorum nostrorum, et ad retornandum nobis et concilio nostro eaque per ipsos in premissis recognita fuerint et inuenta. Quare vobis mandamus et precipimus quatenus dictis Cancellario et Camerario nostris tanquam locum nostrum in premissis tenentibus intendentes sitis et respondentes. Teste meipso apud Aberbrothoc xxije die Junii anno regni nostri vicesimo.

Recognitio super libertatibus quas Burgenses de Dundee habuerunt possederunt tempore bone memorie domini Alexandri Dei Gratia Regis Scotorum ultimo defuncti, et temporibus Regum Scotorum predecessorum suorum ; facta apud Dundee die Martis in crastino nativitate beati Johannis Baptisti, anno gratia millisimo tricentesimo vicesimo quinto, coram venerabili patre domino Bernardo dei gratia Abbate de Aberbrothoc et Cancellario Scotie, domino Alexandro Fraser, Camerario Scotie ad hoc

plenam, commissionem sub communi sigello regni specialiter habentibus, perjuros infra scriptos, videlicet: Alexandrum de Stratoun, Willielmum de Strabroke, David de Innerpefir, Patricium de Ogilwill, Johannem de Ogilwill, Henricum de Fethi, Patricium de Strivelyn, Jacobum de Stratoun, Johannem de Greinlay, Duncanum indicem Adam de Pilmore et per sufficientis et fidedignos Burgenses de Berwico, de Aberdein, de ciuitate Sancti Andree, de Forfar, de Aberbrothoc, et de Monros, ad hoc juratos et electos; per quos unanimiter extitit veraciter recognitum, quad prefati Burgenses de Dunde habuerunt et possederunt tempore Regis Alexandri predicti, et temporibus Regum Scotorum, predecessorum suorum, erendem libertatem emendi et vendendi per aquam et per terram, sicut aliqui Burgenses per totum Regnum Scocie liberius aut quiecuis habuerunt sen possederunt, videlicet, in mercato, in nundinis, in libero portu cum accessu navium oneracione et exoneracione carundem, cum gilda mercatoria, et aliis libertatibus universis, sicut liberi burgenses regni semper ab inicio pacifice permanentes inter quos camerarius regni iter suum et officium exercebat sicut in aliis burgis dicti regni. In quorum omnium recognitorum testimonium sigilla juratorum predictorum sunt appensa.

English translations of the foregoing documents are given at the proper date in Section II. of this work.

CARTA REGIS ROBERTI I., IV. MARTII, A.D. 1327.

Robertus, Dei Gratia, Rex Scotorum, omnibus probis hominibus tocius terre sue, salutem. Sciatis nos concessisse, et hac presenti carta nostra confirmasse, burgensibus nostris burge de Dunde, heredibus suis et assignatis ac eorum successoribus in perpetuam omnes liberates et jura, quas et que tempore bone memorie dimini Willielmi, David patri suo dictum bargum contulerat. Concessimus eciam et confirmassimus eisdem omnes libertates et consuetudines, cum libero portu, foro et nundinis, quibus otebantur, tempore bone memorie domini Alexandri Regis Scotorum predecessoris nostri vltimo defuncti, pro ut de mandato nostri speciali coram Cancellario et Camerario nostro, per probos

et fideles homines patrie et burgorum circumquaque vicinorum superfacrat recognitum apud Dunde : Damus eciam et concedimus eisdem, ac presenti carta nostra, confirmamus pro nobis et heredibus nostris in perpetuum, quod liberi burgensos nostri, sent in dicto burgo et omnimodas libertates habeant, exerciant et possideant et teneant, ita libere et plenarie pacifice et honorifice, sicut burgenses nostri de Berwico libertates suas habent, tenent, exercent, seu possident, salvis libertatibus aborium burgorum : Et quod liberi sent et quieti per totum regnum nostrum de tholoneis, pontagiis, passagiis, muragiis, panagiis, canagiis, lastagiis, rivagiis et picagiis, et de tota venticione sua, achato et rechato, et ab omnibus costumis de bonis suis propriis prestandis, nova costuma nostra que dicitur maletort duntaxat excerpta. Volumus eciam et concedimus, ut omnes in dicto burgo manentes, qui cum dictis burgensibus nostris ad forum communicare voluerint, comunicent cum ad auxilia nostra reddenda et alia quæcunque onera suportanda cujuscumque homines sint, exceptis illis qui perminra regalitatis libertates suas huc usque vsi sunt et suis tenentibus quibus cumque. Concedimus etiam et confirmamus eisdem, vt habeant gildam suam mercatoriam adio libere in omnibus, sicut burgenses nostri de Berwico gildam suam mercatoriam liberius habent seu possident. Et quod omnes venientes ad forum dicti burgi, seu eciam ad nundinas eiusdem, firmam pacem et proteccionem nostram, eundo, morando, et redeundo, habeant in perpetuum. Et primitus prohibemus ne quis eis malum, molestiam, iniuriam seu granamen aliquod inferre presumat injuste, super nostram plenariam forisfacturam. Prohibemus in super ne quis infra vicecomitatum de Forfar emat lanas vel corea preter burgenses de Dunde : Et quod nullus mercator extraneus infra dictum vicecomitatum, vel in eodem burgo de Dunde, aliquam mercaturam smat nisi a predictis burgensibus dicti burgi super nostram plenariam forisfacturam saluis libertatibus aliorum burgorum dicti vicecomatitibus. Si vero aliquis mercator inventus fuerit emens lanas vel eorea aut alias mercaturas alio sub modo in dicto vicecomitatu vel in burgo de Dunde, corpus eius per burgenses nostros de Dunde predictos capiatur et detineatur donec deco precipimus voluntatem nostram, et bona sua sic eripta ad bargum de Dunde predictum conducantur, et burgensibus eiusdem burgi pro escaeta efficiantur. Prohibemus

insuper ne quis mercator extraneus obviam et mercatoribus venientibus per terram vel per aquam cum mercandis suis quosque ad predictum burgum, venerint et mercemonia sua ibidem vendicioni exposuerint, sub pena omissionis rei empte, ad vsum dictorum burgensium applicandi et sub pena carceris, a quo sine grani castigatione non euadat. Et quod nullus extraneas mercator vendat vel emet aliquas mercaturas que tronari vel ponderare debet nisi per stateram, vel tronam nostram sub forisfactura rei sic empte vel vendite vsibus dictorum burgensium applicande. Volumus eciam et concedimus quod nullus mercator extraneus vendat aliquas mercaturas in dicto burgo, nisi in grosso et hoc debitis temporibus limitatis, secundum quod consuetudo fuit tempore Alexandri Regis Scottorum predecessoris nostri vltimo defuncti firmiter que prohibemus ne aliquis de regno nostro, infra burgum vel extra, burgenses de dicto burgo de Dunde, namet seu distringat pro aliquo debito plegiagio vel forisfacto nisi inde fuerit debitor principalis vel plegius. Has antem libertates prescriptas eisdem burgensibus, heredibus suis et suis assignatis et eorum successoribus dedimus, concessimus et hac presenti carta nostra confirmarimus, pro nobis et heredibus nostris, ac firmam pacem nostram et protectionem in perpetuum firmiter inhibentes ne quis eas infringere aut eis contravenire malum, molestiam, injuriam, seu granamen eisdem burgensibus inferre presumat injuste, super nostram plenariam forisfacturam decem librarum. In cuius rei, testimonium presenti carte nostre sigillum nostrum precipimus apponi. Testibus Willielmo Johanne Johanne et Rogero Sancti Andree, Glasguensis, Moraniensis, et Rossensis Dei gratia Episcopis, Bernardo Abbate de Aberbrothoc Cancellario nostro, Hugone Comite de Ross, Jacobo Domino de Douglas, Roberto de Lauedir, Willielmo de Montefixo militibus, apud Edenburgh quarto die Marcii anno regni nostro vicesimo secundo.

CARTA REGIS DAVID II., A.D. 1359.

Dauid Dei Gratia Rex Scotorum omnibus, &c., Sciatis nos de concilie et ordinatione proborum regni, inspectu nostra utilitate concessisse et ad feudifirmam dismisse, et hac presenti carta

nostra confirmasse, burgensibus nostris et civitati burgi de Dundee, dictum burgum nostrum de Dundee cum pertinentiis, tenendum et habendum dictis burgensibus et civitati supradicte, heredibus suis et assignatis et eorum successoribus in perpetuum de nobis et heredibus nostris in feudo et hereditate, in libero burgagio per omnes rectas metas et divisas suas—cum molendinis aquis piscariis, minutis custumis, tholoneis, curiis, ponderibus, mensuris, et cum libero portu, foro, nundinis, et mercato, et cum omnibus aliis libertatibus, commoditatibus, aysiamenis, consuetudinibus, et cum pertinentiis suis quibuscunque tam non nominatis quam nominatis ad dictum burgum spectantibus, seu quoquomodo spectare valentibus in futurum, adeo libere, quiete, plenarie, bene, et in pace secut burgenses nostri de Berwico super Twedam, Edinburgh, et de Aberden, burgos suos habent, tenent seu possident. Reddendo inde nobis annuatim in cameram nostram dicti burgenses heredes sui et assignati; ac eorum successores, viginti libras Sterlinenses tantum ad duos anni terminos, vizt., ad festum Pentecostes et Sancti Martini in hyeme, per equales portiones pro omni alio servitio exactione consuetudine sui demanda, &c. Volumus et concedimus ut omnes in dicto burgo marrentes, qui cum burgensibus dicti burgi nostri communicare ad forum voluerint, communicent cum eisdem et ad nostra auxilia reddenda solvere teneantur, et omnia alia onera cum dictis burgensibus nostris supportanda per eosdem compellantur. Preterea volumus et concedimus ne quis infra vicicomitatum de Forfar emat lanas, pelles, coria, preter burgenses nostros de Dundee exceptis illis qui per nos et predecessores nostros de libertate emendi per cartam infeodantur. Volumus etiam et concedimus quod dicti burgenses nostri nulli solutione dictarum viginti librarum aliquialiter respondeant nisi tantum camerario nostro Scotiae qui pro tempore fuerit. Volumus insuper et concedimus quod dicti burgenses nostri heredes sui et assignati et eorum successores, libere et sine impedimento alicujus cujuscunque extiterit in campis moris maresiis et aliis locis quibuscunque ad dictum burgum infra et extra pertinentibus, seu in futurum pertinere valentibus tam sub terra quam supra terram possint omnimodam culturam facere, mansiones et edificia construere, focale fodere, et omnes alias quascunque commoditates exercere, perficere, et ordinare, prout melius viderint expedire.

Volumus insuper et concedimus quod dicti burgenses nostri, heredes sui et assignati, et eorum successores, ita liberi sint ad emendum omnimodas mercaturas infra Villam de Cuper in Fyff, et ad eas libere abducendas sine impedimento cujuscunque, sicut liberius fuerunt temporibus aliquorum predecessorum nostrorum. Insuper volumus quod nullus judicarius, vicecomes seu constabularius, vel aliquis alius minister regni nostri cujuscunque conditionis fuerit seu status, super observatione cognitione, et impletione presentis, concessionis nostreque infeodationis aliquantiter cognoscat, ut supra defectibus ejusdem se intromittant, nisi tantum camerarius noster Scotie qui pro tempore fuerit, exceptis illis qui vitam et membra tangunt. Ita tamen quicumque super aliquo defectu vel delicto legaliter convictus fuerit, penam hujus modi criminis in persona propria, vel in bonis subire teneatur si quod nullus propter alterius debitum forisfactum puniatur vel gravetur, presentibus concessionibus nostris et infeodatione in suo robore firmiter in perpetuum duraturis. In cujus rei testimonium, &c., testibus, &c., apud Perth xx^o die anno regni nostri trigesimo.

ACTS BY THE LORDS OF SECRET COUNCIL FOR THE SUPPORT OF
MINISTERS IN BURGHS.

Stirling, 10 Jany. 1566.

Sederunt—George, Earl of Huntlie; Archibald, Earl of Argyle; James, Earl of Murray; George, Earl of Caithness; John, Earl of Sutherland; John, Bishop of Ross; Alexander, Episcopus Candidæ casæ; Secretarius Clericus Registri; Advocatus Camerarius Rossen.

PROVISIOUN FOR SUSTENTATIOUN OF THE MINISTERIS OF
BURGHS.

The quhilk day the Quenis Majestie and Lordis of Secret Counsall being weill myndit that the Ministeris within the hail Realme be intertenit, alsweil to burgh and land, as hir Majestie fund the samyn at hir arryval in Scotland: And becaus the hail Lordis of Secret Counsall may nocht weill vaik at all

tymes for the ordouring thairof being occupyit with uther weichty matteris : Thairfor, hir Hienes, with advyis of hir Counsall foirsaid, hes constitute and namit hir lovites underwritten—My Lord Hvntly, Chancellor, Ergyle, Murray, Bothwell, Atholl, Cassils, Crawford and Marr ; My Lordis Bischopis of Galloway, Rois, and Orknay : My Lord Secretare, Mr John Spens of Condy, Advocate ; Sir John Bellenden, Justice Clerk ; Sir James Balfour, Clerk of Register ; and David Fores, General of the Cunzie House—to quhom, be thir presentis, the Queen's grace and hir counsall foirsaid, gevis thair full power and Commissioun, or to ony fyve or sex of thame, to call befor thame the haill burghis of this Realme, generallie or particularlie as thai, or ony fyve or six of them, sall think expedient, and to consider the habilities of the saids burghis particularlie, and according thairto to appoint, innputt particular taxatioun or imposition upon everie burgh yeirlye, to be gadderit and upliftit for sustentatioun of the said ministerie, be themselves, thair collectouris or chamerlains, as the saids commissionaris, or ony fyve or sex of them, sall think expedient, as thai will answer to God and the Quenis Majestie thairupon ; and that quhatsumevir the saids Commissionaris, or ony fyve or sex of thame, sall do in the premises, the samyn sall haif the lyke force and effect as gif the samyn were done in plane Counsall ; and letteris to be direct thairupon, as efferis, as the said ministeris and thair collectouris will requier. And alsua for releif of the saids Burghis the Quenis Grace, with onyis of hir Counsall foirsaid, be thir presentis, gevis and grantis to the saids burghis and everie ane of thame the annuelis of alteragis, chaplanreis, and obitis within the samyn, quhairevir the samyn sall happin to vaik be the deceis of the possessouris thairof, or utherwayis hes happenit to vaik sen the Quenis Grace arryval in Scotland, quhilk as yit remains ungeven or distributit to the poor and hospitallis of everie burgh within thameselffis, be advyis of the Minister and Eldaris thairof, as thai will answer to the Maist Hiest thairupon ; and letteris to be directit to the Lordis of Secret Counsall and Sessioun, as thai salbe requirit for publicatioun of thir premises.

TRANSLATION OF PRECEPT OF SASINE IN QUEEN MARY'S CHARTER
IN FAVOUR OF THE PROVOST, BAILIES, AND COUNCIL, AND
COMMUNITY OF THE BURGH OF DUNDEE, DATED 15TH APRIL
1567.

Mary, by the Grace of God Queen of Scots, to the Sheriff and his Bailies of Forfar, as also to our beloved Wellwood, citizen of St Andrews, and to each of them conjunctly and severally our Sheriffs of Forfar in that part, greeting.—Whereas we, more earnestly taking into our consideration our duty towards the service of God, and for the lively zeal we entertain for upholding government and equal order among our subjects, and chiefly within our burgh of Dundee: Considering, therefore, that we, in virtue of our office, are bound to discharge our duty towards God, by whose providence we have been preferred to the rule of this kingdom, so that it is incumbent on us, in virtue of our office, by all honest means, to provide for the ministers of God's Word, and that hospitals be kept for poor, maimed, and miserable persons, orphans, and children deprived of their parents within our said burgh: After our perfect age, with advice of the Lords of our Privy Council, Ordain, Grant, Dispose, and for us and our successors for ever, Confirm to our well-beloved Provost, Bailies, Council, and Community of our said burgh of Dundee, and to their successors for ever, all and sundry lands, tenements, houses, buildings, churches, chapels, gardens, orchards, lofts, crofts, annual rents, fruits, duties, profits, emoluments, *lie de* silver, obits, anniversaries whatsoever, which in any way pertained, or are known to pertain, to whatever chaplainries, altarages, prebends, in whatever church, chapel, or college, within the liberty of our said burgh of Dundee, founded by whatever patron, in possession of which the chaplains and prebendaries of the same had been, wherever the foresaid houses, tenements, buildings, orchards, gardens, annual rents, emoluments, and duties whatsoever, which pertained formerly to the dominican or preaching friars, minorites or franciscans, and nuns, commonly called gray sisters, of our said burgh of Dundee, together with all and sundry lands, houses, and tenements lying within our said burgh and liberty of the same, with all annual rents levied from whatever house, lands, or tenement within our

said burgh, given, granted, and founded in favour of whatever chaplainries, altarages, churches, mortifications, or anniversaries, wherever they be within our kingdom. And also with all and sundry annual rents, and other duties accustomed, or which can be demanded by whatever church without our said burgh from the Provost and Bailies of the same, out of the common rent of the same, for the celebration of prayers, with the pertinents. And also, with consent before written, we unite and incorporate all and sundry the lands, tenements, houses, buildings, churches, cemeteries, chapels, orchards, gardens, crofts, annual rents, fruits, duties, profits, emoluments, dele silver, obits, anniversaries of friars and nuns, places, and gardens of the same, with their pertinents, into one body, to be called in future OUR FOUNDATION of the MINISTRY and HOSPITAL of Dundee. It is our will, also, that one sasine, once taken by the foresaid Provost and Bailies, or any one of them, in name of the said Ministry and Hospital at the Court-house of our said burgh, shall be a sufficient sasine in all time to come, as if the same were taken upon the particular lands belonging to the said chaplains, prebendaries, friars, and nuns, or in the foresaid annual rents, anniversaries, rents, profits, and duties before written, due to them, the distance of places notwithstanding. We command and charge you that you cause to be justly given to the foresaid Provost, Council, and Community of our said burgh, and to any of them, in name of the said Ministry and Hospital, or their certain attorneys, bearers of these presents, sasine of the foresaid lands, tenements, houses, buildings, orchards, gardens, annual rents, fruits, duties, and others above-written, with their pertinents, according to the tenor of our said Charter, which they hold of us thereupon. Moreover, it is not our will by these presents that the chaplains, prebendaries, friars, and nuns who were provided for before the said change of religion be prejudiced by this our infetment, but we reserve to them the use of the said fruits and duties during their lives only. And this in no wise ye leave undone, for doing of which we commit power to you, and each of you, conjointly and severally, our Sheriffs of Forfar in that part. Given under testimonial of our Great Seal, at Edinburgh, the fifteenth day of April, One thousand five hundred and sixty-seven, and of our reign the twenty-fifth.

An instrument of sasine was, in terms of the foregoing precept, passed in favour of the Provost, Bailies, Council, and Community, on 1st May 1567, and was recorded in the Burgh Court Books.

COPY DISPOSITION THE MAGISTRATES AND TOWN COUNCIL IN FAVOUR OF THE HOSPITAL-MASTER, DATED 9TH JANUARY, 1569.

Sexto die Mensis Octobris, Anno Domini 1571.

The quhilk day the foresaid James Forrester, baillei, sittand in gudgement, comperit Peter Clayhills, Almishous Maister, and producit ye obligation underwrittene, maid to him and his successoris Almishouse Maisteris be ye Provost, Bailleis, Counsall, Cominaltie and Dekins of Craftis of this burgh, and desyrit ye samen to be actit and registrat in ye common court buikis of yis Bur., *ad futurum memoriam rei*, and decernit to have ye strenth and effect of ane decreit of ye Provost and Bailleis yr'ff, and yair authority to be interponit y^{to}, with executorialles of poynding or warding to pass yairupon, in forme, as effeirs. Quhilk desyre the saids Bailleis fand reasonable, resavit ye said obligatioun and ordainit ye samen to be registrat in ye said buikis *ad futuram rei memoriam*: and by yese p'nts interpones his decreit and autoritie yairto, and ordains executorialles of poynding or warding to pass yairupon in form as effeirs: of the q^{lk} obligatioun ye tonor followis in effect:—" We, ye Provost, Baillies, Counsal, Dekines of Craftis, and Cominaltie of ye Bur. of Dundie, heavand consideratioun that the Autoritie for ye tyme gave and disponed to us and our Successoris, Provost, Baillies, Counsal, Dekins of Craftis, and Cominaltie of ye said Bur. of Dundie, All and Sundrie ye places, yardes, croftis, akeris, rentis, feumalis, annual rentis, emoluments, and uyeris dewties quhatsomever, quhilkis pertenet to ye Gray freris, Black freris, Gray Sisteris, chaplainries, cloisteris and hebdomidaries of ye s^d Bur. to have been applyit to ye uphald and sustentatioun of ye ministrie of ye s^d Bur., and hevand respect and consideratioun that ye puir, decayit, honest personis of this Bur. to be placit in ye Hospital of yis Bur. or Almishous yairoff is ane pairt and portion of ye

said ministerie of this Bur. and that it belongis to us and our duties for yair sustentatioun to provyd, thai at yis pr'nt being all utterlie destitute of ony sufficient rent to sustain yaim ; and alsua persevand yat some particular persons perseveris to have interest and possession of ane gryt pairt of the said akeris, yeardis, and croftis quhilkis pertenit to ye saidis Freris and Gray Sisteris, for yair awne privat commodities, causand no to lat ye samine be disponit to uphald ye puir, according to the institution and foundation yairof, without remeid be provydit thereto in dew time : Therefour we the saidis Provost, Baillies, Counsall, Dekins of Craftis, and Cominaltie of ye said Bur., according to the authorities donation foresaid, by yir presents disponis perpetuallie to the maister or maisteris of ye Hospital or Almishous of yis Bur. and successoris, maisteris yairof in name of ye puir, quhilkis shall be placit yairuntil, All and Hail the foresaidis placis, yardis, croftis, and akeris of land, with All and Sundrie yair pertinents, quhilk pertenit to ye said Gray freris, Black freris, Gray Sisteris, and now to us, be ressonne of the disposition yairof foresaid : To be haldane of our Soverane lord and his successoris in free burrowage for payment of service of Bur. usit and wont, and yat it sall not be leisome to ye said Maisteris of ye Hospital, or yair successoris, to set in few or anywise dispone ye saidis placis, zeardis, croftis and akeris to ony manner of person or personis, or any pairt or portionis yairof, nor yet for lang takis in ony time cuming, but zat only ye samen be labourit, occupyit, and manurit for ye welfare of ye puir personis of ye said Hospital, and to nane uyer use ; and ordainis ane sufficient chartair and infetment to be made hereupon, under ye common seal of yis Bur. in maist suir and ample form. In witness of ye quhilkis the said Provost, Baillies, Counsall, Dekines of Craftis, in name of ye rest of ye comminaltie of this Bur. hes subscrivit yir presentis with yair handes as follows:—At Dundie the nynt day of Januar, the zeir of Ged IV. thre scoir nyne zeris (sic subscriptum) John Fotheringhame, Baillie ; James Finalysone, Bailie ; James Wedderburne, John Duncan, William Forrester, Peter Clayhillis, William Kinloche, Patrick Durhame, Thomas Kinloch, Richard Blyth, Thomas Muir, w^t my hand at ye pen led by the Nottar underwrettane at my command ; John Gray, Dekine ; William Walker, Dekine of ye Skinneris ; George Spenss,

John Marchall, Alexander Meall, of ye Counsal; Richard Peit, Collector; Thomas Gray, Dekine of the Baxteris; John Dickson, Deacon of the Tailoris; Hew Baine, Dekine of the Fleschears; George Kyd, Dekine of the Waulkeris; John Myl, Dekine of the Bonat Makeris; John Braden, Dekine of the Websteris, with our handis at the pen led be Alexander Wedderburn, Nottar public, at our command becaus we could not writ.

A. WEDDERBURN.

The Government officials having in 1574 claimed the right to the rents and duties of the properties conveyed in favour of the town by Queen Mary for behoof of the poor and the ministry, and, further, having charged the Magistrates and Council to hand the same over to the Government receiver, under pain of horning and pointing, the Magistrates, in order to protect themselves and preserve the town's interests, were under the necessity of presenting to the Supreme Court a Bill of Suspension, on consideration of which the following decret was pronounced in favour of the town:—

At Edinburgh, ye 29 day of October, the zeir of God 1574.

The Lordis of Counsall underwritten—that is to say, ane reverend Father in God, Adam, Bischop of Orkney; Robert, Commendator of Dunfermling; Alexander, Commendator of Culross; Maister Blaze; Lord ———; Mr Alexr. Dunbar, Dene of Murray; Mr Robert Pont, P'vost of ye Trintie College; Maister James Mak'zie of Rankeillor, Clerk Regist.; Sir John Callonder, yr. of Aught—, Knyt, Justice Clerk; Sir Richeirt Maitland of ———, Knyt; Maist. David Borthweck of Lothian, Advocait to our Sovereine Lord; William Douglas of Quittinghame; and Mr Thomas M'Calzour of Cliftounhall—anent our Sovereine Lordis Letteris, purchest at the instance of ye P'vost and Balzeiss of Dundie, agains Robert Lord Boyd, Collector-General of the rentis, and James Purdy, his deput and ressviar under him: Makand mentioun, That q^r the said persouns hes causit chaireg the saids complainers, be vertew of Generall letteris direct at his instance, for answering and obeying to him of the

theirdes surplus omittit and few lands, to mak payment to him and the said James Purdy, ressewar under him, all ye mailles and dewties of the landis, houses, and zearde, &c., quhilk p'tenit to the Freires sometime of the said Brugh and Gray Sisteris thereof, within ten dayis next after ye chairg, under the pain of rebellion and putting of ye saids Complainers to yehorn, and intendis as they is informit to put them yrto: Howbeit it is true and of veritie that yai haiff, All and Hail ye lands, houses, biggins, zairds, crofts, and partinentis quhilk pertenit to ye said some-tyme Freires and Gray Sisteris, given, grantit, and disponit to yaime be our dearest Moder, bearand the authoritie for ye time be infestment under the Great Seall, in dew forme, to the support of yair ministrie and Hospitalitie within ye said burgh, and be vertew yrof has been in possessioun of ye samyne, third zeirs by past continuallie, sene the dait of the said infestment, lik as yai or zitt havand ye undoubtit ryt yrof disponit to yame and yair successouris to ye effect forsaid for evir, according to the qlk infestment ye saids complainers hes applyit and ressivit ye mailles and dewties of ye said landis upoun the sustentacioun of ye Puir, after the dispositioun and mynd of the same infestment, lyk as yai ar myndit to do in tyme coming (God willing), and unjustlie usit and execut agains ye said complainers, craving that thing to be delyverit to him q^{lk} naway appertenis nor is comprehendit under his office, but is fullie disponit to yame lang of befoir to the effect forsaid as said is; and yrfor the samin b^{rs} and of Horning yrintra, aucht and suld be suspendit *simpliciter* the said complainers in tyme coming for the causes above written, lik as at mair length is contenit in the said l^{rs}; the said P'vost and Balzeis compearand by Mr John Scrymgeer, J^r P^r, and the said Robert Lord Boyd and James Purdie compearand Mr Alexander Syme, y^r P^r.

The ressons and allegatiounes of ye said parties have sene and understand, and therewith being ripely advisit, the Lordis suspendis the said bres purchest by the said Robert Lord Boyd agains the said Provest and Balzeis *simpliciter*, and decernis ye same, and effects yroff.

EXCERPTS FROM THE ACCOMPT BOOKS OF THE HOSPITAL AND
THE CONVEYANCES IN FAVOUR OF THE HOSPITAL-MASTER.

- (1.) The Tofts, Crofts, Yards, and Meadows which pertained to the Cordelier Friars of the Burgh.

Contract of sale by David, Earl of Crawford, 13 October 1594.

The conveyance is to "Thomas Man, maister of the Hospital, and his successoris, maisters yrof, in name of the Pure commorant yrin."

The subjects are "All and Hail the toftis, craftis, zeardis, and meadowis quhilks sumtyme appertenit to ye Cordelier Frieris of the said Bur. ; of ye quhilks meadows ane sumtyme was occupyt by umq^l James Lovel, burges of ye said Bur. ; ane uyer be William Kinloche, burges yrof, and the remanent twa sumtyme be umq^l Andrew Barry, with all and sundry houses, biggings, and pertinents of the samen quhilkes war of auld possessit be the said Cordelier Frieris, byand besyd ye Bur. of Dundie wⁿ the Sheriffdome of Forfar, beginnand at the eist, qr ye common dam of ye said Bur. is situat and yrfrae extending northwast as the common meadow of the said Bur. stakis toward the land pertening to the Constable of Dundie, and as the said Freiris wall zeardis are extendit at the west to the hill called the Tentorhill and Briery zeardis, and yairfrae to Thomas Monorgan's Croft, and frae the said Croft southwast towards the walls of the said Bur. (the Kirk place and Kirk zeard being only excepted).

- (2.) James Cokburn's Yaird and Barn and Barn Yaird, with the Dwelling House, hich and laich in the Fleukergait of Dundee.

The entry in the accompt book is Julii 1647. Item gawen to James Cowbron for his zeard and barne and barn yeard, with the dwelling house hich and laich, £466 13s. 4d.

The sasine is given—"Pertraditionem Gulielmo Duncan, Magistro Hospitalitis dicti Burgi, tanquam actornatus prepositi bailivorum et concilii dicti Burgi in usum et subsidium dicti; Hospitalitatis et Pauperum ejusdem profuesenti et tempore affuloro."

(3.) Seres Haugh or Monorgan's Croft, latterly Hospital Ward.

The entry in the Hospital Account Book is Junii 1646. Item payit to Sir Alex^r Wedderburn of Blackness for the West Hach callit Monorgan's Croft, £1666 13s. 4d.

Ratification and Disposition by Sir Alexander Wedderburn in favour of the Hospital Master :—" And seeing it is of veritie that the said Disposition was omitted and lost by reasons of the common calamitie at the storming of the said Burgh by the English, as I am informed."

He dispones " All and Haill that croft of arable corn-field land, sumetyme callit Seres Hach, lying on the north side of the tenements and zairdes thereof, upon the north syde of the Argyles Gaite of the said Burgh, betwixt the Medow sumtyme of the heirs of Alex. Black, thaireafter belonging to the laird of Claverhouse, and now to on the west, the saids tenements and zairdis on the south, the lands of the Conventual friars, now belonging to the Burgh of Dundie as Superiors, on the east, and the Maynes of Dudhope on the north parts," to and in favour of " the said John Grahame and his successors, Maisters of the said Hospital, for the special use, behoof, utilitie, and profite of the poor of the said Hospital."

(4.) Richard Anderson's Tenement in Nethergate or Fleukergate.

The entry in the Hospital accounts is " to Richard Anderson for his housse, January 1649, and deposit with the Seasine and Dispositione, £74 9s."

The disposition is granted " for ane certaine sowme of money prⁿtlie payit and delyverit to me be Alexander Watsone, zor Hospital-Maister of the Burgh of Dundie, in name, for the use, and to the behove of the fabrick of the said Hospitall and the poor of the samen," and dispones to " the said Alex. Watsone, zor, and his successors, Maisters of the said Hospitall, for the use and to the behove of the fabrick and poore of the samen, as said is. All and Haill, that my tenement of land, up and down, bak and foir, w^t all priveleges and pertinents yairof, now almost w^yst boundis, laitlie burnt be the Irish rebellis and their adherents."

- (5.) Annual Rent of £6 13s. 4d. out of Alex. Nicoll's House and Yard in the Cowgate.

The Deed of Provision by Thomas Wightane sets forth—"For as meikle as ane lang tyme since I haid ane intention, efter my deceis, to leave ane remembrance to the poore peopill reseiding, and whilk sould resid in the Hospitall of the Burgh of Dundie for the tyme: Thairfor, and for fullfilling of my said intention and purpos yearanent, and to animat utheris to doo the lyk, and for syndrie uther guid respectis, onerous causes and considerations moving me yeirto," he binds himself to infett "James Kynloch, merchantt, and present Maister Hospitall of yis Burgh, and his successoris, Maisters Hospitall of the sam, being for the tyme, to the use, utilitie, and profeit of the said poore, heritable in All and Hail ane yeerlie a' rent of ten merkis money of yis nation, at twa termes in the zeir, Witsenday and Martimes in winter, be equall portiones to be upliftit and tackine furth of All and Hail the said tenement and yard."

- (6.) Five acres of Land purchased from Graham of Claverhouse and his tutors.

Excerpts from accounts of William Reat, Hospital-Master, 1655.

In Charge.

From Alexr. Goldman, yr.—was left be his father in legacie,	£66 13 4
From Alexander Haliburton, q ^{lk} was left be Andrew Brand,	190 0 0
From Tuttors of Claverhous left be Mr George Haliburton—principal,	666 13 4
It.—For two zeiris annual of it,	80 0 0
Item.—From James Peirson, provest, his airis, left be him in legacie,	100 0 0

In Discharge.

Imprimus, bocht from the tuttors of Claverhous 5 Aker of land,	£1333 6 8
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The Contract of Alienation and charter by John Grahame of Claverhouse and his tutors disposes the subjects referred to to "William Reat and his successors, Maisters Hospitale of the said Burgh of Dundie, for the use of the said Hospitall."

The preamble of the Deed of Grant by Queen Mary sets forth with the solemnity which the advisers of the Queen, the rulers of the country at that date, would explain, the duty of the Sovereign towards the service of God, and the obligation of providing for the ministers of God's word; and that the Hospitals be kept for poor, maimed, and miserable persons, orphans, and children deprived of their parents within the burgh. The former is a general national purpose—the predominating duty, as then viewed, of the Sovereign—as the old establishment was broken up, and without provision for which no good could arise from the Reformation. So, when funds were set free by the abolition of the Papal institutions which had been devoted to maintain any of the ecclesiastical bodies or institutions, of whatever kind, the natural and appropriate destination of the same was to maintain the ministers of the Word—a limited body, who were to perform their sacred duty in lieu of the numerous persons attached to the Papal Church, which seems to have had an endless number of chapels and similar endowments in Dundee. Some of these funds were applied to maintain proper *hospitals*, to hold within the same paupers, such as are described in the grant, and who might be all thrown loose and destitute if their case were not also considered, and such establishments for their shelter and maintenance kept up and provided.

The minutes of Council from the Reformation, 1560, to the date of the grant, shew the expedients resorted to for the support of the ministers, and the desire to obtain possession of the ecclesiastical funds left vacant by the downfall of the former system. And in June, 1567, the Queen's donation is referred to as commencing a new system for the clergy; and in October of that year the object of the grant is described as "the Queen's Majestie's donation for the uphold of the ministry of this burgh." Some time elapsed before the grant could be made effectual. The minutes shew the difficulties the town experienced. Some part of the property was still held by the parties in possession of

the same before the Reformation. Other portions were claimed by individuals, and some were only obtained by compromise or purchase out of the foundation funds many years after. But not long after the rental was ascertained, the Council voted a payment out of the Hospital funds to each of the ministers towards the arrears due to them. It is difficult to ascertain the origin of such funds, the deeds applicable to them, the sort of authority which practice gives to the supposed power of the administrators to give or withhold as they please, which the Council of Dundee seem to have all along acted upon; and it is quite possible that the ministers never had any correct knowledge of the grant and of its administration, and so long as they obtained adequate stipends this was to them no matter of importance; but no kind of prescriptive usage could thereby be created, excluding the claim against the funds, or limiting their application to the small payments which were for three centuries made, and which with the large increase in the requisite expenditure for the status of a minister of the 19th century became quite inadequate. In these circumstances it was wisely determined to make a proper allowance of stipend, and calling in the aid of an Act of Parliament to regulate these matters in all time to come.

It has been already stated that James VI. granted a Charter confirming that of his Royal mother, and he added several important privileges in consideration "the faithful and gracious services done to him and his ancestors by the burgesses and inhabitants, and for divers *great* sums paid by them to his officers in his name."

The following is a translation from the Latin original of the Charter granted by Charles I. in favour of Dundee, which forms the authority under which the affairs of the town are now managed, and the properties belonging to the community held and the revenues collected :—

" Charles, by the Grace of God, King of Great Britain, France,

and Ireland: To All Good Men of his whole territories, clergy and laity, Greeting: Know ye us, with the express advice and consent of the Lords Commissioners for our Treasury, and of our beloved familiar counsellor Sir James Carmichael, of that Ilk, Knight Baronet, our Treasurer Depute, and of the remaining Lords of the Exchequer of our Kingdom of Scotland, our Commissioners, to have ratified, approved, and by this our present CHARTER confirmed, and, by the tenor thereof, ratify, approve, and, for ourselves and our successors, perpetually confirm All and Sundry Charters, Infestments, evidents, oughts, and securities, made, given, and granted by our deceased dearest Father James the Sixth, by the Grace of God of most blessed memory, or by the deceased Queen Mary, or by the deceased Kings James the Fifth, Fourth, Third, Second, First, our predecessors of most blessed memory, or by any others our predecessors Kings of Scotland: To our LOVITES, The Provost, Bailies, Councillors, and Community of our Burgh of Dundee, and their successors of the said Burgh, of the liberties, privileges, immunities, tolls, customs, duties, markets, fairs, mills, fishings, ports, pier and shore-dues, and other duties belonging to our said Burgh, contained and described in the particular Charters, Infestments, and other securities thereof, granted to them by our said deceased dearest Father of most blessed memory, or by any others of our predecessors, Kings of Scotland, and particularly, without prejudice to the generality of the said Charters, Infestments, rights, and securities above-written, the particular evidents under-mentioned, viz., A COMMISSION or PROCURATORY made and granted by the deceased Robert, King of Scotland, constituting and nominating his Chancellor and Chamberlain his Deputes for revising and recognising the liberties which the burgesses of our said Burgh of Dundee had or possessed in the time of the deceased Alexander, King of Scotland, his predecessor, and for returning an answer to the said deceased King Robert, conform to the evidence of what was recognised and found by them concerning the same, dated the 22d day of June, in the twentieth year of the reign of the said deceased King Robert, and a Declaration and Recognition made by the said Chancellor and Chamberlain to the said deceased King Robert of the liberties and privileges found by them disposed to our said

Burgh of Dundee by the said deceased King Alexander and his predecessors, Kings of Scotland, dated in the year of our Lord 1315: A CHARTER granted by the said deceased King Robert to the said burgesses of Dundee and their successors of the whole liberties and rights which they had and possessed in the time of the deceased William, formerly granted to the deceased David, his brother, of the said Burgh of Dundee, and of the immunities and customs, with the free market and fairs held by them in the time of the said deceased Alexander, and of whatever other gifts, liberties, and privileges granted to them, and particularly expressed in the said Charter, dated the 4th day of March, and of the reign of the said deceased King Robert the 22d year. ANOTHER CHARTER by the deceased David, King of Scotland, granting, and in feu farm demitting to the said burgesses of Dundee the said burgh with its pertinents, and specially with power to them to compel all the inhabitants in our said burgh who resort to the markets of our said burgh of Dundee, with the burgesses thereof, to pay contributions with the other burgesses of our said burgh for their support, aid, and relief of the burdens to be imposed upon the said burgh. As also willing and granting that no inhabitant within our Sherifffdom of Forfar should buy wool, skins, or hides except the burgesses of our said burgh of Dundee, and those who had the liberty of buying these granted to them by the rights and securities thereupon granted to them by the said deceased King David, or any other of his predecessors, dated the 20th day of January, and of the reign of the said deceased King David the thirtieth year. ANOTHER CHARTER by the said deceased David, King of Scotland, prohibiting all markets at our burgh of Coupar, or in any other places to the prejudice of our said burgh of Dundee; and ratifying and approving all and sundry ancient infestments, privileges, liberties, and possessions which our said burgh of Dundee and the burgesses thereof had and used, and of which they were in the use and possession, and specially of their petty customs, ports, pier, or shore dues, privileges, and duties thereof, and others mentioned at length in the said Charter, dated the 5th day of March, and of the reign of the said deceased King David the 23d year. A CHARTER of confirmation granted by the deceased King James the Fourth, by the Grace of God of most blessed memory, to the burgesses

and to our said burgh of Dundee, satisfying and approving the aforesaid five evidents and charters particularly above-mentioned, in the whole points, heads, clauses, articles and privileges thereof, and All and Sundry other ancient infeftments and privileges of the said burgh, granted to them in the year of our Lord 1511. A CHARTER, granted by our deceased dearest Father of most blessed memory, in favour of the said Provost, Bailies Council, community, and burgesses of our said burgh and their successors, ratifying, approving, and confirming the aforesaid Charter of Confirmation granted to them by the said deceased King James the Fourth, and certain other Charters and Infeftments therein *at length* mentioned, and in virtue whereof our said deceased dearest Father of new gave, granted, disposed, and confirmed to the said Provost, Bailies, Council, and community of our said burgh of Dundee and their successors All and Whole our said burgh of Dundee, with the whole lands, tenements, and annual rents lying within the said burgh and territory thereof, and All and Sundry such privileges and immunities as they and their predecessors were in possession of at any time heretofore, together with the petty customs, ports, pier dues, and duties, and the tolls, customs, and duties of the markets and fairs of our said burgh used and wont, with the immunities, privileges, and liberties of the water of Tay, of loading and unloading of ships and boats, at whatever part of the said water they shall think proper on both sides thereof, from the mouth of the rivulet commonly called Burnmouth of Invergowrie on the west, to the place which is called the Gaw of Barry on the east, on the north side of the said water of Tay; and from the place where the Monastery of Balmerino was situated on the west, to the sands which are called Drumlaw Sands on the east of the south side of the said water of Tay, with power of preventing and hindering others from all loading and unloading of whatever ships or boats, in that part of the said water within the before-mentioned boundaries, and of levying and receiving all petty customs and anchorage, shore, silver, and other duties within the aforesaid boundaries, as freely and in all respects as the burgh of Edinburgh levies at the burgh of Leith, or as is levied by any other free Royal burgh, or any other person at any seaports within our said Kingdom; as also, of levying twelve pennies for every ton of goods to be brought in

whatever ship, boat, or other vessel within the mouth of the said water of Tay, and descending the same in all time coming, and of applying the said new imposition of twelve pennies on every ton of the said goods for erecting buoys, marks, and signals upon the said place called the Gaw of Barry, and upon the said sands called the Drumlaw Sands, and for keeping in repair the said buoys, marks, and signals for ever in time coming, for showing and pointing out the dangers and depths of the waters to all navigators sailing to and from the havens of the said water of the Tay for the safety of their ships, boats, and goods. As also the salmon fishings and other fishings on the north side of the said water of Tay between the said Burnmouth of Invergowrie on the west, and the Rock called the Kilcraig on the east, together also with two Water Mills and a Windmill built and situated within the said burgh, liberty, and territory thereof, with the astricted multures, sequels, or knaveships of all corn, barley, wheat, pease, oats, and other grain whatsoever belonging to the inhabitants of the said burgh and all others bringing their grain to be ground at the said mills, or any of them, with the liberty and privilege also of building, having and holding within the said burgh and liberty thereof more water-mills and wind-mills, with dams, aqueducts, and houses corresponding thereto, for the common use of the said burgh, and the common meadow lying on the north side of the said burgh and liberty thereof, and of which the said Provost, Bailies, Council, and Community and their predecessors had possession in times past : And, in like manner, the superiority of the third part of the lands of Craigie, with the Chaplainry of the Blessed Mary founded within the Church of St Clements, and all lands, tenements, and annual rents belonging to the said Chaplainry and Kirk, together with the said Kirk called St Clement's Kirk, and all and sundry the aforesaid lands, tenements, houses, buildings, kirks, chapels, yards, orchards, crofts, and annual rents, which formerly belonged to the Black Friars and Grey Friars, or Dominicans and Franciscans, and whatsoever Monkish Friars, Chaplains, and Prebends, with the places and dwelling-houses of the said Monkish Friars, Chaplains, and Prebends founded within the said burgh and territory thereof, and with full and free power of holding Courts for the administration of justice and punishment of transgressors

according to the nature of their offences, agreeably to the laws and practice of our said Kingdom, and of levying issues, fines, and escheats of the said Courts with bloodwits as often as they shall occur, and of applying and disposing thereof for the common good of the said burgh. As also of having a Dean of Guild and Council of the Guild and of using and exercising the jurisdiction thereof within the said burgh according to the tenor of the Act of Parliament made thereanent, as also of levying and receiving for cleansing the high street and market places of the said burgh for every load of victual and salt which shall happen to be brought either to the market or to any houses or other places within the said burgh to be sold, a ladle full according to ancient custom and use, which now by Decree of the Lords of Council having commission to that effect from the States of Parliament in the year of our Lord one thousand six hundred and thirty-three, shall be restricted and reduced to half a lippie, as the said Decree dated at Holyrood-house, the twenty-sixth day of the month of September, in the year of our Lord one thousand six hundred and thirty-three, more fully bears; and for every load of fish one penny, and for every load of sheep, oxen, butter, or eggs one penny; for every unloaded horse standing in the street after being unloaded of his burden, one penny, and to other like customs used and wont; and by virtue whereof our said deceased dearest Father gave, granted, and disposed to the said Provost, Bailies, Council, and Community of our said burgh of Dundee and their successors for ever, All and Whole the vicarage of the Church and parish of Dundee, with all and sundry fruits, rents, and emoluments whatsoever belonging to the said vicarage to be intromitted, levied, and received by the said Provost, Bailies, Council, and Community and their Successors, factors and chamberlains for the crop, and year of our Lord one thousand and six hundred, and thenceforth yearlie and termly, and to be applied for support of the ministers serving the cure of the said Church of Dundee, and entertainment of the poor residing within the Hospital thereof. TO BE HOLDEN of our said deceased dearest Father and his successors as in the said Charter granted thereupon is more fully contained, together with the precept and instrument of sasine following on the said Charters, Infestments, Rights and Securities therein mentioned, and thereby ratified

and approved, made, given, and granted by us and our said predecessors therein contained to the aforesaid Provost, Bailies, Council, and Community of our said burgh of Dundee and their successors, and of the immunities, privileges, liberties, tolls, customs, duties, markets, fairs, mills, fishings, shore dues, and others above specified of the dates and contents, contained in the said Charter,—Together also with All and Sundry other Charters, Infestments, Evidents, Rights and Securities, made, given, and granted to the said Provost, Bailies, Council, and Community of our said burgh and their predecessors of All and Sundry Liberties and possessions which the said burgh of Dundee and the burgesses thereof had and used, and of which they are and were in the use and possession; As also of All and Sundry customs, profits, privileges, anchorage dues, tolls, fishings, mills, multures, duties, land tiends, and others above specified belonging thereto, and of the Prebendaries and Chaplainries aforesaid situated within the said burgh IN ALL AND SUNDRY heads, clauses, articles, and conditions contained and specified in the said Charters and Infestments specially and generally above mentioned according to the form and tenor thereof, SAVING nevertheless and RESERVING to us and our successors the burgh mails and services of burgh due and accustomed to us and our predecessors prior to this our present confirmation. MOREOVER, We with consent foresaid will and grant, and for ourselves and our successors, decern and ordain, that the said generality shall infer no loss or prejudice to the specialty, nor the specialty in any manner derogate from or prejudice the generality, and that this our present confirmation and ratification of All and Sundry the premises is and shall be in all time coming of as great force, strength, efficacy, and effect to the said Provost, Bailies, Council, and Community of our said burgh and their successors for the enjoyment and possession of the said burgh and others respectively above specified as if all the said Infestments, Charters, and other evidents generally and specially above mentioned and each of them had been inserted word for word at length in this our present Charter notwithstanding the non-insertion thereof or the omission of the same, wherewith and with all other defects, impediments, and objections whatsoever which can be opposed or objected against the same or the validity thereof we with consent

foresaid dispense for ever. MOREOVER, We with consent foresaid, for the good faith and gratuitous service rendered and performed to us and our predecessors by the burgesses and inhabitants of our said burgh of Dundee and divers other reasons and considerations moving us OF NEW have GIVEN, GRANTED, DISPONED, and by this our present Charter Confirmed, and by the tenor hereof of new Give, Grant, Dispone, and for us and our successors perpetually CONFORM to the said Provost, Bailies, Council, and Community of our said burgh of Dundee and their successors, ALL and WHOLE the said burgh of Dundee with all lands, tenements, and annual rents lying within the same and liberty thereof, and with all and sundry privileges, liberties, and immunities thereof, of which they and their predecessors are and were in possession at any time heretofore, TOGETHER with the petty customs, ports, pier dues, privileges, and duties, together with the tolls, customs, and duties of markets and fairs of our said burgh, used and wont, with the immunities and liberties of the water of Tay, of loading and unloading of ships and boats at any part of the said water at their pleasure on both sides thereof, from the said Burnmouth of Invergowrie on the west, to the place which is called the Gaw of Barrie on the east, on the north side of the said water of Tay, and from the place where the Monastery of Balmerinoch was situated on the west, to the said sands called Drumlaw Sands on the east, on the south side of the water of Tay, with power of hindering and preventing others from all loading and unloading of whatever ships and boats in any part of the said water within the aforesaid bounds, and of levying and receiving all petty customs, anchorage, or shore silver, and other duties within the aforesaid bounds as freely and in all respects as the burgh of Edinburgh levies at the town of Leith, and as is levied by any other free Royal burgh, or by any other person at any seaports within our said kingdom. And also of levying twelve pennies for every ton of goods to be brought in any ship or other vessel within the mouth of the said water of Tay, and departing therefrom in all time coming, and of applying the said new impost of twelve pennies per ton of said goods for the erection of buoys, marks, and signals upon the said place called the Gaw of Barrie, and upon the said sands called Drumla Sands, and for keeping in repair the said buoys, marks, and signals for ever

in time coming, for showing and pointing out the dangers and depths of the waters to all navigators sailing to and from the said water of Tay for the safety of their ships, boats, lives, and goods. As also the salmon fishings and other fishings on the north side of the said water of Tay between the said Burnmouth of Invergowrie on the west, and the rock called Kilcraig on the east; together also with two water mills and the windmill, built and situate within the said burgh, liberty and territory thereof, tofts, crofts, houses, dams, aqueducts, and other privileges of the said mills, used and wont, and the astricted multures and sequals of all corn, barley, wheat, peas, oats, and other grain whatsoever belonging to the inhabitants of the said burgh, and all others bringing their grain to be ground at the said mills, or any of them, with liberty and privilege also of building, having, and keeping within the said burgh and liberty thereof more water mills, and wind mills with dams, aqueducts, and houses corresponding thereto, for the common use of the said burgh. As also the common meadow lying on the north side of the street, called the Murraygate, of the said burgh, with all other greens, meadows, marshes, and moors pertaining to the said burgh and liberty thereof, and of which the said Provost, Bailies, Council, and community, and their predecessors were in possession at any time heretofore. As also, the said superiority of the said third part of the lands of Craigie, with the Chaplainry of the Blessed Mary, founded within the Church of St Clement, and all other lands, tenements, and annual rents pertaining to the said church and chaplainry: Together with the said kirk, called St Clement's Kirk, with all and sundry the aforesaid lands, tenements, houses, buildings, kirks, chapels, yards, orchards, crofts, and advents which formerly belonged to the Black Friars and Gray Friars or Dominicans, and Franciscans, and whatever other Monkish Friars, chaplains and prebends, with the manor places of the said Monkish Friars, chaplains and prebends, founded within the said burgh and territory thereof, and with full and free power of holding courts for the administration of justice and punishment of transgressors, according to the nature of their offences, agreeably to the laws and practice of our said kingdom, and of levying the issues, fines, and escheats of the said courts, with broodwitts, as often as they shall happen, and of applying and disposing of

the same for the common good of the said burgh, as also of having a Dean of Guild, and Council of the Guildry, using and exercising the jurisdiction thereof within the said burgh, according to the tenor of the Act of Parliament passed thereanent. As also of levying and receiving for cleaning the High Street and Market Places of the said burgh, for every load of victual and salt which shall happen to be brought either to the Market Place, or to any houses, or other places in the said burgh to be sold, the ordinary custom of the same, ordained by the said decree of the Lords of Council, extending to half a lippie for every boll of the said victual and salt which shall come to the said burgh, and within the same as said is, to be sold, in all time coming, and for every load of fish one penny; and for every load of sheep, oxen, butter, and eggs, one penny; and for every unloaded horse standing on the street, after being unloaded of his burden, one penny; and other like customs used and wont. As also, all and whole the vicarage of the said church and parish of Dundee, with the whole teinds, fruits, rents, and emoluments whatsoever belonging to the said vicarage to be intromitted with, levied, and received by the said Provost, Bailies, Council, and community of the said burgh and their successors, and their factors and chamberlains, for all crops, years, and terms to come, and to be applied for support of the ministers serving the cure of the said church of Dundee, besides and exclusive of the parson, who has his stipend and living out of the parsonage teinds of the church and parish of Dundee, from having a tack, or tacks thereof, during the years of such tacks, and entertaining the poor residing within the hospital thereof. As also, we, understanding that the common rents and patrimony of the said burgh are so small and slender, that, along with the said vicarage, they are not sufficient for maintaining their common works, charges, and expenses, and for support of the said other ministers, besides the parson. Therefore, we, from our certain knowledge, give and dispose to our said burgh of Dundee a small imposition on wine of four pounds to be taken for every tun of wine which shall be vended within the said burgh, with power to the said Provost, Bailies, Council, and community of said burgh, and their successors in all time coming, of levying the same, which shall be applied by them, and their successors, for supporting the said

ministers, besides the parson, serving the cure of the said church of Dundee, and for supporting the poor residing within the said Hospital thereof; as also the weigh-house of the said burgh, with the whole privileges, customs, casualties, and duties due, belonging to the said weigh-house, and to the measures thereof, of which the said Provost, Bailies, Council, and community of the said burgh are and were in use and possession in time past, with power to the said Provost, Bailies, Council, and community of the said burgh, and their factors and chamberlains, in their names, to enjoy and possess the said weigh-house, and the treasures of the same, and whole privileges belonging thereto, and to collect, levy, and intromit with the customs and casualties due and belonging to the said weigh-house and measures thereof aforesaid, and generally to do, use, and exercise all and sundry the premises in like manner, and as freely in all respects as our said burgh of Edinburgh any wise does or did. Moreover, we, understanding the said burgh of Dundee to be the chief and principal burgh within our Sheriffdom of Forfar, in which there is a great exercise of trade, and to which there is a great resort and repair, and that formerly the late Sheriff of our said Sheriffdom sat and held Courts within our said burgh,—and further considering that our said burgh lies at a great distance from our burgh of Forfar, in which the Sheriff of our said Sheriffdom and his Deputies now hold their Courts, THEREFORE, and for divers other good reasons moving us, we, with consent foresaid, Give, Grant, and Dispose to the said Provost and Bailies of our said burgh of Dundee and their successors, the Provost and Bailies thereof, in all time coming, the office of Sheriffship of our said burgh of Dundee, and of the whole bounds, lands, and common acres, crofts, mills, fishings, lanes, streets, passages, and others aforesaid belonging thereto within its precinct and liberty, with all liberties, privileges, fees, casualties, commodities, duties, and immunities pertaining and belonging to the said office of Sheriffship within the bounds foresaid by the law and custom of our said Kingdom. AND WE have made and constituted, and by the tenor of this our present charter make and constitute the aforesaid Provost of our said burgh of Dundee elected and to be elected in all time coming the Principal Sheriff, and the said Bailies elected and to be elected to be Sheriffs

Depute, conjunctly and severally under him, of the said burgh, lands, bounds, commonties, and others above specified, with power and liberty to them and their Deputies conjunctly and severally to hold Courts as well criminal as civil as often as necessary within the said burgh, lands, commonties, mills, and others above written thereto belonging or within any part of the said bounds, of administering justice, of convening and convocating the said Sheriff Courts, of calling suits, fining absentees, and of punishing transgressors, delinquents, and offenders of the burgesses and inhabitants and other transgressors and delinquents to death by or by whipping or burning in the hand or cheeks, and to inflict all other punishment as any other burgh used or could use according to the nature of the crimes of the offenders and agreeably to the laws of our said Kingdom, and of making, creating, and constituting clerks, serjeants, dempsters, and all other officers and members of the said Sheriff Courts necessary, from among the burgesses of the said burgh only, and no others to be elected and imposed without the said burgh, and of using and exercising the said office of Sheriffship within the said burgh, lands, bounds, and territory thereof, with the whole liberties, privileges, immunities, and commodities thereto belonging in the same manner and as freely as any other Sheriff used and exercised the said office in any other Sheriffdom, burgh, or jurisdiction; and to the effect the said Provost and Bailies may the better possess and enjoy the said office, privilege, and liberty thereof aforesaid within the said bounds, WE, with consent foresaid, have exempted, and, by the tenor of this our present Charter, exempt the said Provost, Bailies, Council, and Community of our said burgh of Dundee and the whole burgesses and inhabitants thereof present and to be, from all compearance in any Courts to be held by the Sheriff of our said Sheriffdom of Forfar and his Successors or their Deputies within the said burgh of Forfar, or any other place within the said Sheriffdom in time coming; and WE have prohibited, and by the tenor of this our present Charter prohibit, our said Sheriff of Forfar and his Deputies present and to be, from all attachment, arrestment, calling, and convening of the said Provost, Bailies, Council, and Community of our said burgh of Dundee burgesses, and inhabitants thereof present and to be,

or any of them, in Courts to be held by the said Sheriff and his Deputies in time coming, and from all imposition of issues or fines on them or any of them for their non-compearance in the said Courts. MOREOVER, WE, with consent foresaid, will grant and expressly declare that all our letters of horning, pointing, inhibition, appraising, and other letters against any of the burgesses and inhabitants of our said burgh to be raised in time coming shall be proclaimed, used, and executed at the Market Cross of our said burgh, and that the said letters of horning, inhibition, relaxation, and other writs of whatever nature shall in all time coming be registered in the Court books of the burgh by the Clerk of the said burgh, and which we declare shall be as sufficient as if registered in the Sheriff Court books of Forfar. MOREOVER, WE, with consent foresaid, and of our certain knowledge of our own accord, of new united, annexed, and incorporated, and by the tenor of this our present Charter, unite, annex, and incorporate all and sundry the aforesaid lands, tenements, annual rents, yards, orchards, mills, multures, fishings, immunities, privileges, the aforesaid vicarage with the teinds, fruits, rents, profits, and emoluments thereof, the said small imposition on wine, the office of Sheriff and others generally and particularly above written, with the said burgh of Dundee, to remain with the same in all time coming, as parts and pertinents of the patrimony and income thereof. AND WE Will and Grant, and for ourselves and our successors decern and ordain that one Sasine to be now taken by the said Provost, Bailies, Council, and Community, or any of them at the Town Court of the said burgh, shall stand and be a sufficient Sasine in all time coming in the same manner as if particular Sasines had been taken at every part of the said lands, mills, fishings, and others above specified, with their pertinents notwithstanding the same be discontinuous and in different parts, wherewith we, by the tenor of this our present Charter, dispense for ever, TO BE HOLDEN and to hold ALL and WHOLE our said burgh of Dundee, containing the particular lands, tenements, mills, multures, immunities, privileges, office of Sheriff, vicarage, small impost on wine, fruits, rents, emoluments, and others respectively above specified

by the said Provost, Bailies, Council, and Community of our said burgh and their successors in fee, heritage and burgage forever, by all the right marks thereof, old and divided as the same be in length and breadth, with houses, buildings, woods, places, mines, marshes, roads, paths, water-pools, rivulets, meadows, pastures and pasturages, mills, multures, and their sequels, fowlings, huntings, fishings, peat mosses, peat, coals, coal heughs, rabbit warrens, dove-cots, forges, malt kilns, breweries, heather and broom, woods, groves, timber, beams, quarries, stone and lime, with courts and their issues, fines, herezilds, bloodwits and marchets of women, with common pasturage, and freeish and entry, and with all other liberties, commodities, profits, easements, and their just pertinents whatsoever, as well not named as named, as well below ground as above ground, at a distance and near pertaining, is justly to the said burgh and others respectively, particularly before mentioned, with the pertinents, in whatsoever manner in future freely, quietly, entirely, honourably, well and in peace, without any revocation, contradiction, impediment or obstacle whatsoever: Giving therefor, yearly, the aforesaid Provost, Bailies, Council, and Community of our said burgh of Dundee and their successors, to us and our successors, the burgh mails and services, used and wont allenary, and doing and administering justice to all persons in the courts of the said Sherifffdom, according to the laws of our said kingdom. In testimony whereof we have caused our great seal to be appended to this our present charter of confirmation before these witnesses, our well-beloved cousins and counsellors, John, Earl of Loudon, Lord Torrinzeance and Mauchline, and our Chancellor James, Marquis of Hamilton, Earl of Arran and Cambridge, Lord Aven and Innerdaill, and Robert, Earl of Roxburgh, Lord Ker of Cessforde and Caverton, Keeper of our Privy Seal; William Earl Marischal Lord Keith, Marshall of our Kingdom; William, Earl of Lanark; Lord Mauchaneshyre and Polmont, our secretary, our beloved familiar counsellor; Sir Alexander Gibson, younger of Durie, Clerk to our Rolls of Register and Council; John Hamilton of Orbidstoun, our Justice Clerk; and John Scott of Scotstarvit, Director of our Chancery, knights at Halyruidhouse, the fourteenth day of September,

sixteen hundred and forty-one, and of our reign the seventeenth year.

“Written to the Great Seal the third day of February 1642,

“Jo. ELLIS.

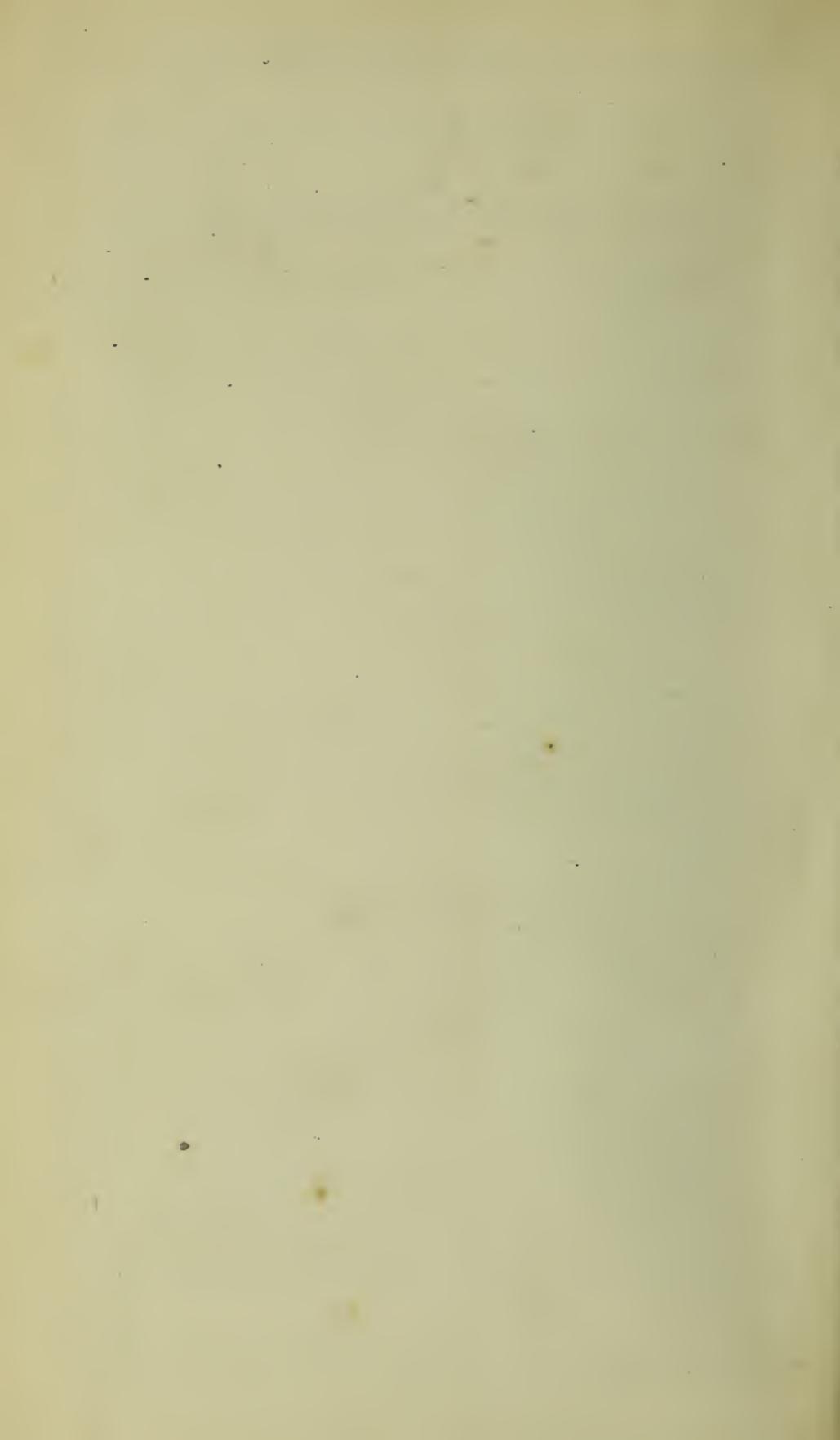
“Sealed the third day of February 1642. Jo. HALDANE.”

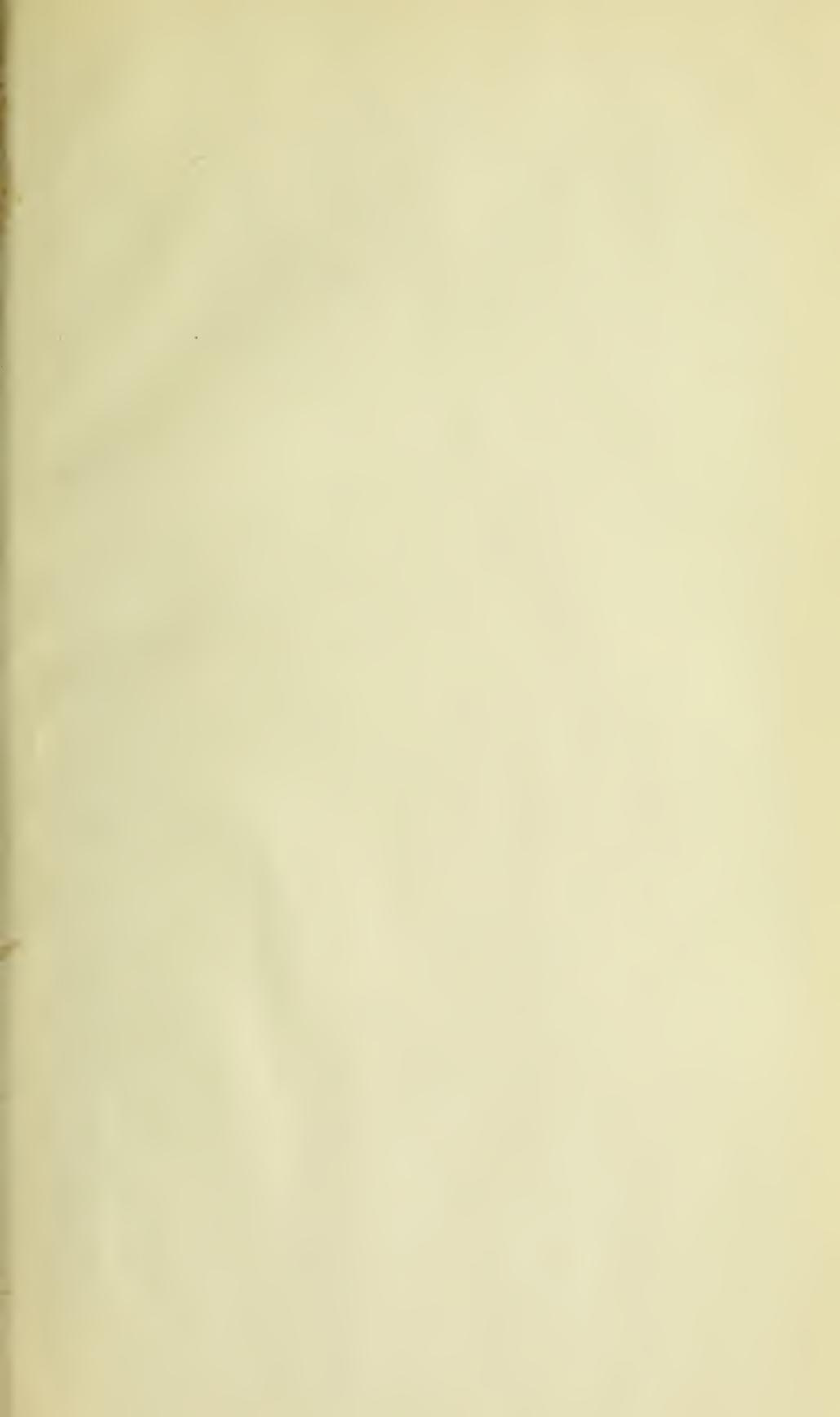
This charter was confirmed by Act of Parliament in the reign of Charles II., at Edinburgh, 12th July 1661.

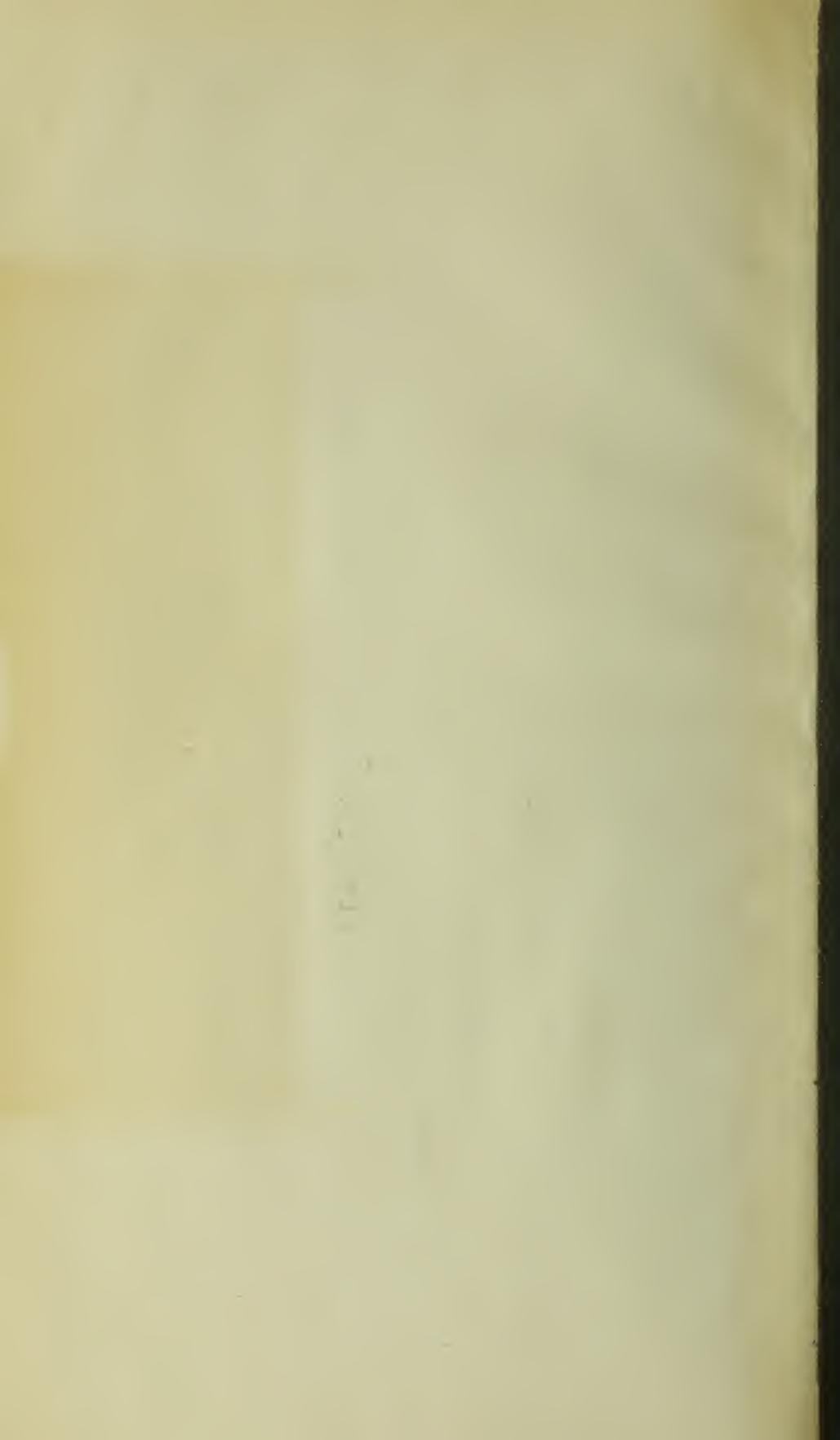
The following is a list of those inhabitants of Dundee who were denounced to the Government of the Queen Regent as having been guilty of assisting the English and of burning churches and monasteries, but who were assoilzed from these charges by Sir John Campbell of Lundy, Knight, to whom the Earl of Argyll, Commander-in-Chief of the Scottish Army, granted a Commission, and whose Decree of *Absolvitor* is dated 8th March 1552, and is still in excellent condition in the Burgh Archives:—

James Lovell, Peter Sorby, James Guthrie, Peter Myln, Gilbert Gladstane, John Duncanson, Thomas Monorgand, James Dik, James Rollok, jr., Thomas Cant, Andrew Jak, Henry Richardson, John Small, James Hay, Robert Kid, Patrick Brue, Robert Burt, Andrew Barre, Alexr. Patersone, James Procter, David Wedderburn, William Portare, Robert Lovell, James Rodgerson, baker, Thomas Maxwell, Robert Peblis, William Carmichell, George Spalding, Peter Duncan, William Rollok, Alexr. Barry, Patrick Lioun, Alex. Wedderburn, Alexr. Mitchelson, Andrew Blak, George Blak, Peter Finlay, John Peirson, Patrick Mitchel, Thomas Robesoun, John Broun, George Anderson, Henry Mitchelsoun, John Waltar, Robert Thomsoun, John Guld, Peter Gilgour, John Hutoun, Andrew Strang, David Duncane, Alexr. Tuke, Robert Mitchol, John Jaksoun, John Patersoun, Robert Mitcholsoun, David Logy, William Wilsoun, Robert Gibsoun, John Gary, David Whyt, John Moresoun, Philip Ramsay, John Weland, George Wisheart, John Sowter, John Blak, Peter Potblade, Thomas Galloway, George Salson, George Baxter, Robert Wedderburn, James Wryht, James Rob, Furlaine Duncane,

Thomas Ogilvy, John Gow, Peter Cathro, Adam Smyt, James Reky, Patrick Giryn, Robert Rolland, Robert Barty, Alexr. Maill, Thomas Hendersoun, David Watsoun, Thomas Cowston, Robert Muddie, David Thomsoun, David Maxwell, Andrew Henderson, Peter Gall, Peter Sprot, Andrew Mar, David Hill, Robert Spensar, David Rollok, baker, Thomas Gray, Alexander Perfat, David Gay, William Hert, John Young, Thomas Quhitsoun, David Wedderburn, David Robertsoun, Charles Luvell, David Cokburn, James Kynand, John Clog, James Scrymgeour, Robert Watt, Alex. Symsoun, James Pantoun, Andrew Thomsoun, David Gill, Furland Fell, Thos. Pattullo, Andrew Butchart, Patrick Blak, Peter Dicksoun, William Kid, Robert Mitchol, John Forester, James Ferriar, David Donnit, Alexr. Allanson, James Lithgo, George Hay, James Stewart, John Quhite, James Gray, Alexr. Profit, David Dog, George Cathro, Robert Striveling, Alexr. Smyt, Robert Clayhillis, William Richardson, James Reky, James Child, Robert Greg, Peter Broun, Alexr. Maill, William Ker, James Reid, David Liddale, Thomas Garden, James Reth, Robert Pryor, James Blyt, Thomas Man, William May, John Gibsoun, Walter Cathro, Andrew Robertsoun, James Irving, Robert Kynmont, George Cousins, George Baxter, John Kinnear, Alexr. Donaldsoun, James M'Kay, John Fell, and Archibald Ratray.







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