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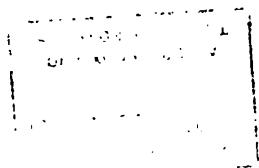
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CHARTERS AND OTHER DOCUMENTS

RELATING TO

THE CITY OF GLASGOW.





COMMON SEAL OF THE BURGH OF GLASGOW.

(Appended to Deed dated 3 August 1605. *Glasgow Charters*, vol. I., pt. i., Appx., p. 54, No. 458; *Glasgow Protocols*, No. 620. Here enlarged by $\frac{1}{4}$ inch in diameter).

Glasgow, City of

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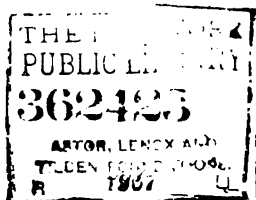
VOL. II.

A.D. 1649-1707.
WITH APPENDIX, A.D. 1434-1648.

EDITED BY
SIR JAMES D. MARWICK, LL.D., F.R.S.E.,
AND
ROBERT RENWICK, DEPUTE TOWN-CLERK.



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PREFACE.

THOUGH very desirous to complete the publication of the "Charters and other Documents relating to the City of Glasgow," the first portion of which was issued in 1894, I would not have ventured upon that work now had I not been assured of the unstinted co-operation of Mr. Renwick. Having had the charge of the Conveyancing Department of the Town-Clerk's Office for upwards of thirty years, he has acquired a knowledge of the city's archives which no one else possesses, and that is indicated not only in the preparation for press of the portion of the work which I had designed, but in the arrangement and publication of the interesting collection of documents which forms the Appendix to this volume.

The 1894 volume contains the charters of Glasgow from the foundation of the city by Bishop Joceline, under the authority of King William the Lion, in the twelfth century, till the middle of the seventeenth century, when prelacy had been overthrown, and the General Assembly of the Kirk was dominant, and it and the Scottish Parliament had pronounced episcopal government and the civil places and power of kirkmen to be unlawful. The first King Charles had granted the lands and barony of Glasgow to James, duke of Lennox and Richmond, and parliament had conferred on the city the free election of its magistrates, subject to its submitting to the duke annually a list of three persons for the office of Provost, out of which his grace was to select the one to be appointed to the chief magistracy.

The present volume opens in 1649, with the city under its reformed administration, municipal and ecclesiastical, and extending its possessions by the acquisition of Gorbals and Bridgend and minor properties. But in 1662 the sway of the pendulum overturns the presbyterian administration, replaces that of the former church, with its government by bishops and archbishops, the latter resuming the selection of the magistrates according to the original system. Three years later, Alexander, archbishop of Glasgow, is found ratifying to the magistrates and council of the city the lands of Gorbals and Bridgend and those of Linningshaugh, now forming part of Glasgow Green.¹

Then the city—constituted as all the early royal burghs were with narrow and exclusive privileges and restrictions of trade which gave rise to endless jealousies and trouble—is found disputing, but disputing successfully, the old question with

¹ Most of the purchases for the formation of the Green are recorded in the present volume.

Dumbarton as to the repressive claims of the latter over the traffic of the Clyde. Still, however, Glasgow continues to extend its territory. In 1667 the community acquire the lands of Provan. A year later they realise the necessity for establishing a port of their own at Newark; and there the building of a bulwark was undertaken in 1676, while, about the same time, action was taken against the burgh of barony of Greenock for attempting to exercise rights of merchandise which then belonged exclusively to royal burghs. In 1672 Parliament ratified the Letter of Guildry which had been settled in 1605, notwithstanding the reluctance of the merchants and craftsmen, who in former years had resisted the pressure of the Convention of Burghs to induce it to establish a guildry. About this time the city, though apparently largely consisting of humble houses and merchants' booths fronted with wood and roofed with straw or heather, was said to be one of the fairest of Scottish towns, but the too frequent recurrence of fires in the Scottish burghs of that time induced Parliament to require the adoption of less dangerous structural materials. So, in 1681, Parliament, recognising the necessity for preventive measures, directed the houses of Glasgow and other towns to be covered with lead, slate, or tile.

The establishment of an infant trade with the West Indies, and of a primitive manufacturing trade at home, led Parliament, in 1681, to sanction the establishment of sugar works and a woollen work in Glasgow; and in the same year Parliament ratified several alienations of the common lands of the burgh made in 1676. In 1684 the archbishop granted tacks of the teinds of lands in the barony parish and near the city; documents which help to illustrate the ecclesiastical arrangement of the period. Three years later King James VII., in consideration of the city's losses through war, fires, and other causes, granted to the community authority to levy imposts on ale, beer, and other liquors.

When the arbitrary government of James VII. led to his fleeing the kingdom, and to William and Mary being proclaimed King and Queen of Great Britain and Ireland, the Scottish Estates declared prelacy to be abolished, and presbyterian rule was re-established. The new sovereigns thereafter gave Glasgow power to choose its own magistrates, and confirmed the rights and privileges of the city by a Charter which was ratified by Parliament in 1690. The same Parliament authorised the magistrates and council to sell part of their common good, and appointed the superiority of lands which had been formerly held of prelates or bishops or chapters to be afterwards holden of the sovereign. In 1692 the merchants of Glasgow engaged to load and unload vessels at no port or creek on the Clyde save at Newport. In 1693 the city obtained from Parliament authority to levy an impost on ale and beer brewed and sold within the city, and that privilege the King continued for thirteen years.

In 1694 Glasgow acquired the lands of Ramshorn and Meadowflat, on which the present municipal buildings stand, and obtained from William and Mary a Charter of the lands which were, under a special arrangement, conveyed to Hutchesons' Hospital in 1696. In the latter year a decree of erection of the parish kirk of Port-Glasgow, disjoining it from the parish of Kilmacolme, was obtained; and an act of Parliament authorised the erection of a new sugar manufactory in the city.

In 1699 an agreement as to the rebuilding of Blackfriars church, which had been destroyed by fire in 1670, was effected between the magistrates and council and the University. In 1700 an arrangement was come to between Glasgow and Dumbarton, under which the long continued disputes between the two burghs as to their respective rights and interests in the Clyde were settled for a time; and the contract then entered into was ratified by Parliament in the following year. In that year also Parliament continued to Glasgow the imposition authorised by the act of 1693.

The leading contents thus briefly referred to are followed by an Abstract of 431 Charters and Documents relating to the period from 1649 to 1701. But the Appendix matter, which has been exhumed by Mr. Renwick, extends over 121 additional documents, and is practically a collection of original matter illustrative of the ancient history of the city. Lists of the archbishops from the Restoration till the Abolition of Episcopacy, 1661-89, of the ministers of Glasgow from 1649 till 1707, and of the Provosts of the city for the same period, with an Index of Persons and an Index of Places and Subjects, complete the letterpress. The appended Plan gives a precise delineation of the ancient royalty and shows Gorbals and other adjoining districts, while, with the view of farther enhancing its interest, the volume has been supplied with representations of various old seals and notaries' signs.

In Part I. of the first volume of Glasgow Charters, I attempted, in 1897, to sketch the constitutional history of the burgh, from its institution in the twelfth century till the end of the reign of King Charles I., on 30th January, 1649. That sketch, however, cannot be satisfactorily continued till farther progress is made in the publication of Extracts from the Records of the Burgh.

J. D. MARWICK.

19 WOODSIDE TERRACE,
GLASGOW, December, 1906.

TABLE
OF
THE CONTENTS.

TABLE
OF
THE CONTENTS.

TABLE OF CONTENTS.

	PAGE
CXXIV.—Allocation and Mortification by the Provost, Bailies, and Council to the two ministers serving the cure at the New Kirk of Glasgow of £600 Scots of yearly feu-duty, payable furth of the mills and kilns without the Drygait Port, in part payment of their stipends. Glasgow 1 December 1649, -	3
CXXV.—Disposition by Sir Ludovick Stewart of Minto to the Provost, Bailies, and Council of the Burgh of Glasgow, for behoof of two of their ministers in the New Kirk, of the superiority of the Sub-dean's mills, kills, and others. Glasgow, 1 February 1650, - - - - -	5
CXXVI.—Charter by King Charles II., proceeding on the Resignations in Nos. c. and cxxv., to the Provost, Bailies, and Councillors of the Burgh of Glasgow, of the superiorities of the mills and kilns of the lands of Westers Craigs and others, for behoof of their two ministers in the New Kirk. Edinburgh, 1 March 1650, - - - - -	11
CXXVII.—Judicial Ratification by Dame Susanna Douglas of the Disposition by Sir Robert Douglas of Blackerstoun, her spouse, with her consent, to the Provost, Bailies, and Councillors of Glasgow and others, of the lands of Gorbals and Brigend. Edinburgh, 28 May 1650, - - - - -	19
CXXVIII.—Charter by Sir Robert Douglas and his spouse in favour of the Provost, Bailies, and Council of Glasgow, for behoof of the Community, and of Hutchesons Hospital and the Crafts Hospital, of the lands of Gorbals and Brigend. Glasgow, 23 February and 28 May 1650, - - - - -	21
CXXIX.—Contract whereby John Craig, portioner of Nether Newton, disposed to the Provost, Bailies, and Council of Glasgow a rood of land, adjoining the malt or meal mill and the Waulk Mill, on the Water of Kelvin. Glasgow, 28 March 1654, - - - - -	30

	PAGE
CXXX.—Charter by the Commissioners for the Duke of Lennox and Richmond confirming Charter No. cxxviii. in favour of the Provost, Bailies, and Council of Glasgow, for behoof as therein mentioned. Glasgow, 8 September 1655, - - - - -	33
CXXXI.—Extract Act of Parliament ratifying several Charters in favour of the Provost, Magistrates, and Council of Glasgow, and annexing Gorbals and Bridgend, with the wheat mill on Kelvin, to the City of Glasgow, for certain purposes. Edinburgh, 20 May 1661, - - - - -	36
CXXXII.—Contract between the Commissioners of the Burgh of Glasgow and the Commissioners of the feuars and inhabitants of Gorbals and Bridgend, relative to questions between them. Edinburgh, December 1661, - -	43
CXXXIII.—Act of Parliament for the restitution and re-establishment of the ancient government of the Church by archbishops and bishops. Edinburgh, 27 May 1662, - - - - -	46
CXXXIV.—Account of the Bailies of the Burgh of Glasgow for the burgh fermes, rendered in Exchequer. Edinburgh, 1 July 1662, - - - - -	50
CXXXV.—Charter by Alexander, bishop of Glasgow, ratifying all Charters and other writs in favour of the Magistrates and Council of Glasgow, of the lands of Gorbals and Bridgend and the lands of Linningshauch. Edinburgh, 20 June 1665, - - - - -	52
CXXXVI.—Decree of Declarator by the Lords of Council and Session, pronounced in action at the instance of Glasgow against Dumbarton, as to the exaction of shipping dues in the River Clyde. Edinburgh, 8 February 1666, -	60
CXXXVII.—Excerpts from Decree of Absolvitor, pronounced by the Lords of Council and Session, in action at the instance of Dumbarton against Glasgow, as to the exaction of shipping dues in the River Clyde. Edinburgh, 8 February 1666, - - - - -	112
CXXXVIII.—Extract Disposition by Sir Robert Hamilton, of Silvertownhill, to the Provost, Bailies, Council, and Community of Glasgow, of the lands of Provan. Glasgow, 3 September 1667, - - - - -	120

TABLE OF CONTENTS.

xiii

PAGE

CXXXIX.—Extract Contract of Sale and Feu between Sir Patrick Maxwell of Newark, with consent of his spouse and son, and the Provost, Bailies, Council, and Community of Glasgow, of pieces of land at Newark for building a port or harbour, with certain privileges. Glasgow and Newark, 4 January and 28 February 1668, - - - - -	132
CXL.—Charter by King Charles II., under the great seal, confirming to the Provost, Bailies, Council, and Community of Glasgow the Contract of Sale (No. cxxxix.) of pieces of land at Newark, and authorising the construction of a harbour or port, with certain privileges. Edinburgh, 20 January 1668	142
CXLI.—Charter by King Charles II., under the great seal, confirming to the Provost, Bailies, Dean of Guild, Treasurer, and Community of Glasgow the lands of Ballanerk or Provan. Edinburgh 3 March 1669 - - -	156
CXLII.—Act of Parliament ratifying and approving certain Charters, infestments, and privileges granted in favour of the Provost, Bailies, Dean of Guild, Treasurer, and Community of Glasgow. (1669, c. 108.) Edinburgh, 23 December 1669, - - - - -	168
CXLIII.—Act of Parliament ratifying the Decreet Arbitral and Agreement between the Merchants and Crafts of Glasgow, known as the Letter of Guildry. Edinburgh, 11 September 1672, - - - - -	181
CXLIV.—Disposition by William Andersoune to the City of Glasgow of ground at the back of the Metropolitan Church. Glasgow, 16 September 1674, -	182
CXLV.—Contract between the Magistrates and Council of Glasgow and John Clark, mason, burgess of Glasgow, for building a bulwark at Port-Glasgow. Glasgow, 5 February 1676, - - - - -	185
CXLVI.—Decreet by the Lords of Council and Session in proceedings by the City of Glasgow against certain inhabitants of Greenock. Edinburgh, 7 December 1676, - - - - -	188
CXLVII.—Decreet Arbitral by a Committee of the Convention of Burghs, in submission between the City of Glasgow and Town of Greenock, as to alleged infringement of the city's privileges. Glasgow, 19 and 20 May 1680, -	204

	PAGE
CXLVIII.—Act of Parliament ordaining houses in Glasgow and some other burghs to be covered with lead, slate, or tyle. (1681, c. 97.) Edinburgh, 17 September 1681, - - - - -	214
CXLIX.—Act of Parliament declaring the sugar works at Glasgow to be a manufactory. (1681, c. 103.) Edinburgh, 17 September 1681, - - -	214
CL.—Act of Parliament declaring a woollen work in Glasgow to be a manufactory. (1681, c. 104.) Edinburgh, 17 September 1681, - - - - -	216
CLI.—Act of Parliament empowering the Magistrates and Council of Glasgow to set certain lands in feu. (1681, c. 157.) Edinburgh, 17 September 1681	217
CLII.—Tack by the Archbishop of Glasgow to the Magistrates and Council, for behoof of the Community, of the teinds of lands in and adjoining the city. 22 April 1684, - - - - -	220
CLIII.—Tack by the Archbishop of Glasgow to the Magistrates and Council, for behoof of the Community, of the teinds of lands within the Barony Parish, with certain exceptions. Edinburgh, 25 August 1684, - - - - -	224
CLIV.—Gift by King James VII. to the Provost, Bailies, and Council of Glasgow, in name of the Community, of imposts on ale, beer, wine, and other liquors. Whythall, 15 January, 1687, - - - - -	229
CLV.—Act of Parliament annulling certain grants by the Magistrates and Council of Glasgow. (1689, c. 95.) Edinburgh, 24 May 1689, - - - - -	233
CLVI.—Act of Parliament “Abolishing Prelacie.” (1689, c. 4.) Edinburgh, 22 July 1689, - - - - -	234
CLVII.—Letter from King William authorising the Town Council to choose their Provost and Magistrates. Hampton Court, 19 September 1689, - -	235
CLVIII.—Charter by King William and Queen Mary confirming the rights and privileges of the City of Glasgow. Kensington, 4 January 1690, - -	236

TABLE OF CONTENTS.

xv

PAGE

CLIX.—Act of Parliament ratifying to the City of Glasgow the Charter No. clviii. (1690, c. 18.) Edinburgh, 14 June 1690, - - - - -	239
CLX.—Act of Parliament authorising the Magistrates and Council of Glasgow to sell part of their Common Good. (1690, c. 45.) Edinburgh, 18 July 1690, -	240
CLXI.—Act of Parliament anent the superiority of lands and others, which formerly held of prelates or bishops and their chapters, to be now holden of the King and Queen. (1690, c. 59.) Edinburgh, 19 July 1690, - -	241
CLXII.—Obligation by the Merchants of Glasgow not to load or unload vessels at any port or creek on the River Clyde except at Newport Glasgow. Glasgow, 13 December 1692, - - - - -	243
CLXIII.—Extract Act of Parliament granting to the town of Glasgow and community thereof an Imposition on Ale and Beer brewed and sold within the town and suburbs. Edinburgh, 15 June 1693, - - - - -	246
CLXIV.—Letter from King William to the Privy Council directing the impost on ale and beer granted to the City of Glasgow (No. clxiii.) to endure for thirteen years. Camp at Lembeck, 14 (registered in books of Privy Council, 29) August 1693, - - - - -	249
CLXV.—Extract Disposition by Ninian Hill, of Lambhill, and spouse, to the City of Glasgow, of lands of Ramshorn and Meadowflat. Glasgow, 14 May (registered in the books of Council and Session, 15 August) 1694, - -	251
CLXVI.—Charter of Resignation by King William and Queen Mary to the City of Glasgow of the lands of Ramshorn and Meadowflat. Edinburgh, 3 August 1694, - - - - -	259
CLXVII.—Excerpts from Decreet of Erection of the Parish Kirk of Port Glasgow. Edinburgh, 1 July 1696, - - - - -	264
CLXVIII.—Disposition by the Magistrates and Council of Glasgow to the Preceptors of Hutchesons' Hospital of the lands of Ramshorn and Meadowflat. Glasgow, 31 August 1696, - - - - -	267

	PAGE
CLXIX.—Act of Parliament erecting a new sugar manufactory at Glasgow. (1696, c. 33.) Edinburgh, 9 October 1696, - - - - -	273
CLXX.—Contract between the Magistrates and Council, as representing the Community of Glasgow, and the Principal and others, Moderators of the University, as to the rebuilding of Blackfriars Church. Glasgow, 6 May 1699, - - - - -	274
CLXXI.—Contract between the Burghs of Glasgow and Dumbarton as to their rights and privileges in the river of Clyde. Edinburgh, Dumbarton, and Glasgow, 12, 28, and 29 June 1700, - - - - -	280
CLXXII.—Act of Parliament ratifying Contract (No. clxxi.) betwixt the Burghs of Glasgow and Dumbarton anent their rights and privileges in the river of Clyde. (1701, c. 27.) Edinburgh, 31 January 1701, - - - - -	289
CLXXIII.—Extract Act of Parliament continuing to the town of Glasgow the imposition (granted by No. clxiii.) on ale and beer brewed and sold within the town and suburbs. Edinburgh, 21 September 1705, - - - - -	290
ABSTRACT OF CHARTERS AND DOCUMENTS RELATING TO THE CITY OF GLASGOW, 1649-1707, - - - - -	295
APPENDIX—	
I.—Notarial Instrument on Sale by Sir William Wyschard, vicar of Govan, to Mr. Patriok Leiche, vicar of Dundonald, of two roods of land on the north side of Ratounraw. Glasgow, 13 April 1434, - - - - -	437
II.—Disposition by John Anderson to Davy Purdie of an annualrent of 9 s., payable furth of a tenement in Linlithgow. Glasgow, 24 August 1445, - - - - -	440
III.—Grant by David of Cadezou, Precentor of the Church of Glasgow, to the Prior and Convent of the Friars Preachers of Glasgow, for the celebration of masses at the altar of Our Lady and other religious services. Glasgow, 1 May 1454, - - - - -	441

TABLE OF CONTENTS.

xvii

PAGE

IV.—Notarial Instrument on Sale by John Bollok and others to Patrick Leyche, of an annualrent of 3s. furth of a tenement on the south side of Ratounraw. Glasgow, 10 January 1454-5, - - - - -	444
V.—Foundation by Mr. Patrick Leiche, Chancellor of the Cathedral Church of Glasgow, of the Chaplainry of St. Machan in the Cathedral; and endowment of the same with certain tenements and annualrents. Glasgow, 6 March 1458-9, - - - - -	447
Confirmation by Bishop Muirhead of the foregoing Foundation. Glasgow, 6 March 1458-9, - - - - -	452
VI.—Indenture between the Provost, Bailies, and Community of the Burgh of Glasgow and the Prior and Friars Preachers of Glasgow, as to setting in feu-farm certain roods in the High Street, belonging to the Friars. Glasgow, 12 June 1467, - - - - -	454
VII.—Instrument on Sale by Friar Patrick of Govane, Prior of the Friars Preachers of Glasgow, to Patrick Hynd, burgess of Linlithgow and Glasgow, of an annualrent of four merks, payable furth of a tenement in Gallowgate, Glasgow. Glasgow, 13 May 1472, - - - - -	457
VIII.—Notarial Instrument on Sale by George Hynd, citizen of Glasgow, to James Douglas of Achincaschill, of annualrents payable furth of properties in Glasgow. Glasgow, 16 October 1472, - - - - -	461
IX.—Notarial Instrument on the appointment of a Procurator to receive Sasine of an annualrent of 20 s. on behalf of the Leper Hospital, near the bridge of Glasgow. Glasgow, 30 June 1485, - - - - -	465
X.—Instrument on Gift by Thomas Hutchonson for behoof of the poor Lepers dwelling in the Hospital near the bridge of Glasgow. Glasgow, 1 July 1485, - - - - -	468
XI.—Instrument on Gift by Robert Adamson to the Lepers in the Hospital near the bridge of Glasgow, and the newly built Chapel of St. Ninian, of an annualrent of 12 d., payable furth of a tenement in the Walkergait. Glasgow, 16 August 1491, - - - - -	471

	PAGE
XII.—Notarial Instrument on Resignation by Agnes Parchar to Robert Watson of a tenement on the east side of the High Street of Glasgow. Glasgow, 11 October 1491, - - - - -	474
XIII.—Notarial Instrument on Resignation by Nigel M'Carthy, and spouse, to Nicholas Rankyn, and spouse, of one rood of land on the west side of Stockwellgait. Glasgow, 15 March 1500, - - - - -	477
XIV.—Notarial Instrument on Resignation by Mr. Thomas Muirhead, rector of Stobo and canon of Glasgow, of a tenement on the north side of Bridgegate, for endowment of a chaplainry founded by him. Glasgow, 10 October 1508, - - - - -	479
XV.—Notarial Instrument on Sale by Agnes Portar, spouse of the late Robert Hall, to Patrick Lappy and Jonet Burell, spouses, of a tenement in High Street. Glasgow, 9 January 1512-3, - - - - -	482
XVI.—Notarial Instrument on Ratification by John Scot of Foundation by John Schaw of a Chaplainry at the altar of St. Christopher in Glasgow Cathedral. Glasgow, 31 May 1514, - - - - -	483
XVII.—Notarial Instrument as to Boundaries of Tenements in High Street, belonging to Patrick Dunlop, alias Lopyy, and Kentigern Mortoun, respectively. Glasgow, 7 June 1515, - - - - -	488
XVIII.—Notarial Instrument on Gift by Robert Adamson to the Leper Hospital of an annualrent of 2 s., payable furth of a tenement on the east side of Saltmarket. Glasgow, 9 September 1522, - - - - -	491
XIX.—Notarial Instrument on Consent by Gavin, archbishop of Glasgow, with approval of the Dean and Chapter, to Mr. James Houston, vicar of Eastwood, founding the Church of St. Mary and St. Anne in Glasgow. Glasgow, 29 April 1525, - - - - -	494
XX.—Notarial Instrument on Resignation by Euphemia Solater, spouse of Nigel M'Carthy, in favour of Christian M'Carthy, her daughter, and by the latter to her affianced spouse, of a tenement in Stockwell. Glasgow, 24 November 1525, - - - - -	498

TABLE OF CONTENTS.

xix

PAGE

XXI.—Instrument of Sasine in favour of Sir Thomas Flemyng, vicar pensioner of Glasgow in the Burgh, and his successors, in a tenement and orchard in the Stabyll Greyne, containing Foundation by Sir Mark Jameson of certain masses and religious services. Glasgow, 5 November 1539, - - - - -	501
XXII.—Decreet by George Elphinstoun and others, judges and liners in a question between two proprietors. Glasgow, 20 July 1543, - - -	505
XXIII.—Notarial Instrument on the breaking of Sasine of a tenement in Bridgegate, by Marion Mungumery, relict of John Hegait, senior, burghess of Glasgow. Glasgow, 23 July 1545, - - - - -	506
XXIV.—Notarial Instrument on Assignment by Andrew Campbell and Marion Gayne, spouses, to John Wallace of the rental right of the lands of Meikle Cowcaddens. Glasgow, 27 August 1545, - - - - -	508
XXV.—Tack by Gavin, archbishop of Glasgow, with consent of the Dean and Chapter, to Henry Crawford, parish clerk of Cadder, of the Customs of the City of Glasgow. Glasgow, 16 April 1547, - - - - -	511
XXVI.—Rental Rights by James, archbishop of Glasgow, to Archibald Lyon, of the Walk Mill, on the River Kelvin, with liberty to change it into a wheat mill. Glasgow, 10 August 1554, - - - - -	512
XXVII.—Charter by Sir Christopher Knox, chaplain and prebendary of the prebend and chaplainry of the blessed Virgin Mary, situated within the New Collegiate Church of Glasgow, to George Herbertson and Marion Muir, spouses, of a ruinous tenement called "the Chapel," on the north side of the street of St. Tenew. Glasgow, 10 February 1555-6, - - - - -	513
XXVIII.—Charter by Sir Thomas Flemyng, vicar pensioner of the Metropolitan Church, with consents, to David Rollok of Kyncladie and others, of properties lying at the Stabill Grene. Glasgow, 9 September. 1556, - - - - -	517

	PAGE
XXIX.—Charter by the Dean and Chapter of the Metropolitan Church of Glasgow, with consents, to Mr. William Baillie, canon of Glasgow, and one of the Lords of Council, of the Channon lands, in the parishes of Largs and Dalry. Glasgow, 16 October 1565, - - - -	522
XXX.—Charter by the Provost and Prebendaries of the New Collegiate Church of St. Mary to John Stewart of Bowhous and Elizabeth Montgomerie, his spouse, of a waste tenement adjoining the cemetery of said church. Glasgow, 7 April 1566, - - - -	528
XXXI.—Notarial Instrument on Gift by Sir Mark Jamesoun, vicar of Kilspindy, to the poor Lepers in the Hospital on the south side of the bridge, of an annualrent of 6 s. furth of a tenement of Bridgegait. Glasgow, 11 March 1566-7, - - - -	532
XXXII.—Letters by Sir Mark Jamesoun, vicar of the parish church of Kilspindy, as testamentary executor of John Paniter, preceptor of the Song School of the Metropolitan Church of Glasgow, assigning certain annualrents to the Poor of the Hospital of St. Nicholas, and to the poor Lepers. Glasgow, 26 March 1567; approved by Mr. Robert Rollok, 4 September 1581; registered on Presbytery books, 31 March 1590, - - - -	534
XXXIII.—Obligation by Mr. David Rollok of Kyncladie to Sir Mark Jamesoun, vicar of Kilspindy, for payment of an annualrent of £5 furth of an orchard and tenements in Stable Green. Glasgow, 28 March 1567; registered in the Presbytery books of Glasgow, 9 March 1590, -	540
XXXIV.—Charter by Mr. William Baillie of Provand to Robert lord Boyd, and spouse, of the Channon lands of Glasgow. Edinburgh, 10 November 1567, - - - -	541
XXXV.—Discharge by Mr. William Baillie, lord Provand, president of the College of Justice, to Robert lord Boyd, and his spouse, of 1,100 merks, being price of the Channon lands of Glasgow. Edinburgh, 10 November 1567, - - - -	545

TABLE OF CONTENTS.

xxi

PAGE

XXXVI.—Contract between the Town of Glasgow and Sir Robert Watsone, prebendary of the prebends of St. Andrew, St. Martin and Duorum Puerorum, in the New College Kirk of Glasgow. Glasgow, 26 April 1569, - - - - -	546
XXXVII.—Decree by the Bailie of the Barony and Regality of Glasgow against the Baxters of Glasgow, as to the dam to their Mill on the River Kelvin. Glasgow, 16 November 1569, - - - - -	548
XXXVIII.—Charter by Mr. Thomas Archibald, rector of Cardross, to George Huchessoune, son of Thomas Huchessoune, burgess of Glasgow, of the site of the Manse of Cardross, on the north side of Drygait. Glasgow, 6 April 1575, - - - - -	549
XXXIX.—Contract between the Provost, Bailies, and Council, as representing the Community of Glasgow, on the one part, and Archibald Lyon, burgess of Glasgow, on the other part, whereby the community acquired the Mill on Kelvin in rental, and Archibald Lyon acquired the Town Mill in mortgage. Glasgow, 14 May 1577. Registered in the Books of Council and Session, 22 January 1577-8, - - -	553
XL.—Renunciation by Robert Hutcheson, merchant, and his spouse, of their right to a tenement at the back of the Grammar School. Glasgow, 24 June 1577, - - - - -	557
XLI.—Extract from the Act Book of the Barony Court of Glasgow as to Henry Gibsoun's portion of the lands of Lwnyngishauch. Glasgow, 20 November 1577, - - - - -	558
XLII.—Contract among the Rentallers, Widows, Tenants, and Occupiers of the lands of Lunyngishauch. Glasgow, 8 March 1577-8, - - -	558
XLIII.—Decreet of Division pronounced by the sworn men of Partick Ward as to the lands of Lwnyngishauch. Glasgow, 19 and 20 November 1578, and 28 January 1578-9, - - - - -	560

	PAGE
XII.—Notarial Instrument on Resignation by Agnes Parchar to Robert Watson of a tenement on the east side of the High Street of Glasgow. Glasgow, 11 October 1491, - - - - -	474
XIII.—Notarial Instrument on Resignation by Nigel M'Carthy, and spouse, to Nicholas Rankyn, and spouse, of one rood of land on the west side of Stockwellgait. Glasgow, 15 March 1500, - - - - -	477
XIV.—Notarial Instrument on Resignation by Mr. Thomas Muirhead, rector of Stobo and canon of Glasgow, of a tenement on the north side of Bridgegate, for endowment of a chaplainry founded by him. Glasgow, 10 October 1508, - - - - -	479
XV.—Notarial Instrument on Sale by Agnes Portar, spouse of the late Robert Hall, to Patrick Lappy and Jonet Burell, spouses, of a tenement in High Street. Glasgow, 9 January 1512-3, - - - - -	482
XVI.—Notarial Instrument on Ratification by John Soot of Foundation by John Schaw of a Chaplainry at the altar of St. Christopher in Glasgow Cathedral. Glasgow, 31 May 1514, - - - - -	483
XVII.—Notarial Instrument as to Boundaries of Tenements in High Street, belonging to Patrick Dunlop, alias Lopy, and Kentigern Mortoun, respectively. Glasgow, 7 June 1515, - - - - -	488
XVIII.—Notarial Instrument on Gift by Robert Adamson to the Leper Hospital of an annualrent of 2 s., payable furth of a tenement on the east side of Saltmarket. Glasgow, 9 September 1522, - - - - -	491
XIX.—Notarial Instrument on Consent by Gavin, archbishop of Glasgow, with approval of the Dean and Chapter, to Mr. James Houston, vicar of Eastwood, founding the Church of St. Mary and St. Anne in Glasgow. Glasgow, 29 April 1525, - - - - -	494
XX.—Notarial Instrument on Resignation by Euphemia Solater, spouse of Nigel M'Carthy, in favour of Christian M'Carthy, her daughter, and by the latter to her affianced spouse, of a tenement in Stockwell. Glasgow, 24 November 1525, - - - - -	498

TABLE OF CONTENTS.

xix

PAGE

XXI.—Instrument of Sasine in favour of Sir Thomas Flemyng, vicar pensioner of Glasgow in the Burgh, and his successors, in a tenement and orchard in the Stabyll Greyne, containing Foundation by Sir Mark Jameson of certain masses and religious services. Glasgow, 5 November 1539, - - - - -	501
XXII.—Decreet by George Elphinstoun and others, judges and liners in a question between two proprietors. Glasgow, 20 July 1543, - - -	505
XXIII.—Notarial Instrument on the breaking of Sasine of a tenement in Bridgegate, by Marion Mungumery, relict of John Hegait, senior, burghess of Glasgow. Glasgow, 23 July 1545, - - - - -	506
XXIV.—Notarial Instrument on Assignment by Andrew Campbell and Marion Gayne, spouses, to John Wallace of the rental right of the lands of Meikle Cowcaddens. Glasgow, 27 August 1545, - - - - -	508
XXV.—Tack by Gavin, archbishop of Glasgow, with consent of the Dean and Chapter, to Henry Crawford, parish clerk of Cadder, of the Customs of the City of Glasgow. Glasgow, 16 April 1547, - - - - -	511
XXVI.—Rental Rights by James, archbishop of Glasgow, to Archibald Lyon, of the Walk Mill, on the River Kelvin, with liberty to change it into a wheat mill. Glasgow, 10 August 1554, - - - - -	512
XXVII.—Charter by Sir Christopher Knox, chaplain and prebendary of the prebend and chaplainry of the blessed Virgin Mary, situated within the New Collegiate Church of Glasgow, to George Herbertson and Marion Muir, spouses, of a ruinous tenement called "the Chapel," on the north side of the street of St. Tenew. Glasgow, 10 February 1555-6, - - - - -	513
XXVIII.—Charter by Sir Thomas Flemyng, vicar pensioner of the Metropolitan Church, with consents, to David Rollok of Kyncladie and others, of properties lying at the Stabill Grene. Glasgow, 9 September. 1556, - - - - -	517

	PAGE
CLXIX.—Act of Parliament erecting a new sugar manufactory at Glasgow. (1696, c. 33.) Edinburgh, 9 October 1696, - - - - -	273
CLXX.—Contract between the Magistrates and Council, as representing the Community of Glasgow, and the Principal and others, Moderators of the University, as to the rebuilding of Blackfriars Church. Glasgow, 6 May 1699, - - - - -	274
CLXXI.—Contract between the Burghs of Glasgow and Dumbarton as to their rights and privileges in the river of Clyde. Edinburgh, Dumbarton, and Glasgow, 12, 28, and 29 June 1700, - - - - -	280
CLXXII.—Act of Parliament ratifying Contract (No. clxxi.) betwixt the Burghs of Glasgow and Dumbarton anent their rights and privileges in the river of Clyde. (1701, c. 27.) Edinburgh, 31 January 1701, - - - - -	289
CLXXIII.—Extract Act of Parliament continuing to the town of Glasgow the imposition (granted by No. clxiii.) on ale and beer brewed and sold within the town and suburbs. Edinburgh, 21 September 1705, - - - - -	290
ABSTRACT OF CHARTERS AND DOCUMENTS RELATING TO THE CITY OF GLASGOW, 1649-1707, - - - - -	295
APPENDIX—	
I.—Notarial Instrument on Sale by Sir William Wyschard, vicar of Govan, to Mr. Patrick Leiche, vicar of Dundonald, of two roods of land on the north side of Ratounraw. Glasgow, 13 April 1434, - - - - -	437
II.—Disposition by John Anderson to Davy Purdie of an annualrent of 9 s., payable furth of a tenement in Linlithgow. Glasgow, 24 August 1445, - - - - -	440
III.—Grant by David of Cadezou, Precentor of the Church of Glasgow, to the Prior and Convent of the Friars Preachers of Glasgow, for the celebration of masses at the altar of Our Lady and other religious services. Glasgow, 1 May 1454, - - - - -	441

TABLE OF CONTENTS.

xvii

PAGE

IV.—Notarial Instrument on Sale by John Bollok and others to Patrick Leyche, of an annualrent of 3s. furth of a tenement on the south side of Ratounraw. Glasgow, 10 January 1454-5, - - - - -	444
V.—Foundation by Mr. Patrick Leiche, Chancellor of the Cathedral Church of Glasgow, of the Chaplainry of St. Machan in the Cathedral; and endowment of the same with certain tenements and annualrents. Glasgow, 6 March 1458-9, - - - - -	447
Confirmation by Bishop Muirhead of the foregoing Foundation. Glasgow, 6 March 1458-9, - - - - -	452
VI.—Indenture between the Provost, Bailies, and Community of the Burgh of Glasgow and the Prior and Friars Preachers of Glasgow, as to setting in feu-farm certain roods in the High Street, belonging to the Friars. Glasgow, 12 June 1467, - - - - -	454
VII.—Instrument on Sale by Friar Patrick of Govane, Prior of the Friars Preachers of Glasgow, to Patrick Hynd, burgess of Linlithgow and Glasgow, of an annualrent of four merks, payable furth of a tenement in Gallowgate, Glasgow. Glasgow, 13 May 1472, - - - - -	457
VIII.—Notarial Instrument on Sale by George Hynd, citizen of Glasgow, to James Douglas of Achincaschill, of annualrents payable furth of properties in Glasgow. Glasgow, 16 October 1472, - - - - -	461
IX.—Notarial Instrument on the appointment of a Procurator to receive Sasine of an annualrent of 20 s. on behalf of the Leper Hospital, near the bridge of Glasgow. Glasgow, 30 June 1485, - - - - -	465
X.—Instrument on Gift by Thomas Hutchonson for behoof of the poor Lepers dwelling in the Hospital near the bridge of Glasgow. Glasgow, 1 July 1485, - - - - -	468
XI.—Instrument on Gift by Robert Adamson to the Lepers in the Hospital near the bridge of Glasgow, and the newly built Chapel of St. Ninian, of an annualrent of 12 d., payable furth of a tenement in the Walkergait. Glasgow, 16 August 1491, - - - - -	471

	PAGE
XII.—Notarial Instrument on Resignation by Agnes Parchar to Robert Watson of a tenement on the east side of the High Street of Glasgow. Glasgow, 11 October 1491, - - - - -	474
XIII.—Notarial Instrument on Resignation by Nigel M'Carthy, and spouse, to Nicholas Rankyn, and spouse, of one rood of land on the west side of Stockwellgait. Glasgow, 15 March 1500, - - - - -	477
XIV.—Notarial Instrument on Resignation by Mr. Thomas Muirhead, rector of Stobo and canon of Glasgow, of a tenement on the north side of Bridgegate, for endowment of a chaplainry founded by him. Glasgow, 10 October 1508, - - - - -	479
XV.—Notarial Instrument on Sale by Agnes Portar, spouse of the late Robert Hall, to Patrick Lappy and Jonet Burell, spouses, of a tenement in High Street. Glasgow, 9 January 1512-3, - - - - -	482
XVI.—Notarial Instrument on Ratification by John Scot of Foundation by John Schaw of a Chaplainry at the altar of St. Christopher in Glasgow Cathedral. Glasgow, 31 May 1514, - - - - -	483
XVII.—Notarial Instrument as to Boundaries of Tenements in High Street, belonging to Patrick Dunlop, alias Lopy, and Kentigern Mortoun, respectively. Glasgow, 7 June 1515, - - - - -	488
XVIII.—Notarial Instrument on Gift by Robert Adamson to the Leper Hospital of an annualrent of 2 s., payable furth of a tenement on the east side of Saltmarket. Glasgow, 9 September 1522, - - - - -	491
XIX.—Notarial Instrument on Consent by Gavin, archbishop of Glasgow, with approval of the Dean and Chapter, to Mr. James Houston, vicar of Eastwood, founding the Church of St. Mary and St. Anne in Glasgow. Glasgow, 29 April 1525, - - - - -	494
XX.—Notarial Instrument on Resignation by Euphemia Solater, spouse of Nigel M'Carthy, in favour of Christian M'Carthy, her daughter, and by the latter to her affianced spouse, of a tenement in Stockwell. Glasgow, 24 November 1525, - - - - -	498

TABLE OF CONTENTS.

xix

PAGE

XXI.—Instrument of Sasine in favour of Sir Thomas Flemyng, vicar pensioner of Glasgow in the Burgh, and his successors, in a tenement and orchard in the Stabyll Greyne, containing Foundation by Sir Mark Jameson of certain masses and religious services. Glasgow, 5 November 1539, - - - - -	501
XXII.—Decreet by George Elphinstoun and others, judges and liners in a question between two proprietors. Glasgow, 20 July 1543, - - -	505
XXIII.—Notarial Instrument on the breaking of Sasine of a tenement in Bridgegate, by Marion Mungumery, relict of John Hegait, senior, burghess of Glasgow. Glasgow, 23 July 1545, - - - - -	506
XXIV.—Notarial Instrument on Assignment by Andrew Campbell and Marion Gayne, spouses, to John Wallace of the rental right of the lands of Meikle Cowcaddens. Glasgow, 27 August 1545, - - - - -	508
XXV.—Tack by Gavin, archbishop of Glasgow, with consent of the Dean and Chapter, to Henry Crawford, parish clerk of Cadder, of the Customs of the City of Glasgow. Glasgow, 16 April 1547, - - - - -	511
XXVI.—Rental Rights by James, archbishop of Glasgow, to Archibald Lyon, of the Walk Mill, on the River Kelvin, with liberty to change it into a wheat mill. Glasgow, 10 August 1554, - - - - -	512
XXVII.—Charter by Sir Christopher Knox, chaplain and prebendary of the prebend and chaplainry of the blessed Virgin Mary, situated within the New Collegiate Church of Glasgow, to George Herbertson and Marion Muir, spouses, of a ruinous tenement called "the Chapel," on the north side of the street of St. Tenew. Glasgow, 10 February 1555-6, - - - - -	513
XXVIII.—Charter by Sir Thomas Flemyng, vicar pensioner of the Metropolitan Church, with consents, to David Rollok of Kyncladie and others, of properties lying at the Stabill Grene. Glasgow, 9 September. 1556, - - - - -	517

	PAGE
XXIX.—Charter by the Dean and Chapter of the Metropolitan Church of Glasgow, with consents, to Mr. William Baillie, canon of Glasgow, and one of the Lords of Council, of the Channon lands, in the parishes of Largs and Dalry. Glasgow, 16 October 1565, - - - -	522
XXX.—Charter by the Provost and Prebendaries of the New Collegiate Church of St. Mary to John Stewart of Bowhous and Elizabeth Montgomerie, his spouse, of a waste tenement adjoining the cemetery of said church. Glasgow, 7 April 1566, - - - -	528
XXXI.—Notarial Instrument on Gift by Sir Mark Jamesoun, vicar of Kilspindy, to the poor Lepers in the Hospital on the south side of the bridge, of an annualrent of 6 s. furth of a tenement of Bridgegait. Glasgow, 11 March 1566-7, - - - -	532
XXXII.—Letters by Sir Mark Jamesoun, vicar of the parish church of Kilspindy, as testamentary executor of John Paniter, preceptor of the Song School of the Metropolitan Church of Glasgow, assigning certain annualrents to the Poor of the Hospital of St. Nicholas, and to the poor Lepers. Glasgow, 26 March 1567; approved by Mr. Robert Rollok, 4 September 1581; registered on Presbytery books, 31 March 1590, - - - -	534
XXXIII.—Obligation by Mr. David Rollok of Kyncladie to Sir Mark Jamesoun, vicar of Kilspindy, for payment of an annualrent of £5 furth of an orchard and tenements in Stable Green. Glasgow, 28 March 1567; registered in the Presbytery books of Glasgow, 9 March 1590, -	540
XXXIV.—Charter by Mr. William Baillie of Provand to Robert lord Boyd, and spouse, of the Channon lands of Glasgow. Edinburgh, 10 November 1567, - - - -	541
XXXV.—Discharge by Mr. William Baillie, lord Provand, president of the College of Justice, to Robert lord Boyd, and his spouse, of 1,100 merks, being price of the Channon lands of Glasgow. Edinburgh, 10 November 1567, - - - -	545

TABLE OF CONTENTS.

xxi

PAGE

XXXVI.—Contract between the Town of Glasgow and Sir Robert Watson, prebendary of the prebends of St. Andrew, St. Martin and Duorum Puerorum, in the New College Kirk of Glasgow. Glasgow, 26 April 1569, - - - - -	546
XXXVII.—Decree by the Bailie of the Barony and Regality of Glasgow against the Baxters of Glasgow, as to the dam to their Mill on the River Kelvin. Glasgow, 16 November 1569, - - - - -	548
XXXVIII.—Charter by Mr. Thomas Archibald, rector of Cardross, to George Huchessoune, son of Thomas Huchessoune, burghess of Glasgow, of the site of the Manse of Cardross, on the north side of Drygait. Glasgow, 6 April 1575, - - - - -	549
XXXIX.—Contract between the Provost, Bailies, and Council, as representing the Community of Glasgow, on the one part, and Archibald Lyon, burghess of Glasgow, on the other part, whereby the community acquired the Mill on Kelvin in rental, and Archibald Lyon acquired the Town Mill in mortgage. Glasgow, 14 May 1577. Registered in the Books of Council and Session, 22 January 1577-8, - - -	553
XL.—Renunciation by Robert Hutcheson, merchant, and his spouse, of their right to a tenement at the back of the Grammar School. Glasgow, 24 June 1577, - - - - -	557
XLI.—Extract from the Act Book of the Barony Court of Glasgow as to Henry Gibsoun's portion of the lands of Lwnyngishauch. Glasgow, 20 November 1577, - - - - -	558
XLII.—Contract among the Rentallers, Widows, Tenants, and Occupiers of the lands of Lunyngishauch. Glasgow, 8 March 1577-8, - - -	558
XLIII.—Decreet of Division pronounced by the sworn men of Partick Ward as to the lands of Lwnyngishauch. Glasgow, 19 and 20 November 1578, and 28 January 1578-9, - - - - -	560

	PAGE
XLIV.—Notarial Instrument on Grant by Sir Mark Jamesoun, vicar of Kilspindy, to the Master of the Almshouse and the Court Clerk of Glasgow of an annualrent of 14 s., for collecting and distributing certain endowments. Glasgow, 28 February 1581-2, - - - - -	561
Abstracts of six Instruments of Sasine containing an endowment of 41 s. yearly to the Leper Hospital, 1566-79, - - - - -	564
XLV.—Supplication by Mr. Henry Gibsoun, on behalf of himself and the other feuars of Lwningishauch, as to the altered course of Malyndoner Burn; with deliverances by the Provost and Bailies thereon; and Decree by the Liners of the Town and the sworn men of Partick Ward. Glasgow, 10 and 16 April 1596, - - - - -	567
XLVI.—Decree by the Liners of the Town of Glasgow as to Properties adjoining the New Kirk. Glasgow, 31 August 1596, - - - - -	569
XLVII.—Rental of Lands in Garngadhill, &c.; and Act of the Magistrates and Council of Glasgow thereanent. Glasgow, 3 December 1600, -	570
XLVIII.—Letter from the Provost, Bailies, and Council of Glasgow to King James VI., asking help to prevent the decay of the Metropolitan Kirk, Bridge, and River. Glasgow, 11 November 1609, - - - - -	573
XLIX.—Agreement between William Sommer, merchant, and Mr. Hew Eglyntoun, as to their tenements in Trongait. Glasgow, 28 July 1613, - - - - -	574
L.—Certificate by the Provost, Bailies, and Council of the Burgh of Linlithgow as to the delivery of the Firlot and other measures to the Burgh of Glasgow. Linlithgow, 12 August 1618, - - - - -	575
LI.—Accounts of the Common Good of the Burgh of Glasgow, for the years 1621, 1627, and 1633:—	
(1) The Compt of the Rentis of the Common Guidis of Glasgow, the yeir of God j ^m vj ^e twentie ane yeires, - - - - -	577
(2) The Compt of the Rent and Commoun Guid of Glasgow, the year of God j ^m vj ^e twentie sevin yeires, - - - - -	578

TABLE OF CONTENTS.

xxiii

PAGE

(3) The Compt of the Rent and Common Gude of the Burgh of Glasgow, the cropt and yeire of God 1633 yeiris, - - -	579
--	-----

LII.—(1) The Just Compt off Guidis and Marchanders transportit furchte off Clyd and entered at Glasgow, fra the first off November 1626 till the first off November 1627, - - - - -	580
---	-----

(2) The Just Compt off the Guidis inbroch into the River off Clyd, sence the first off November 1626 till November 1627, - - -	584
--	-----

(3) Outward, be land till Ingland, - - - - -	587
--	-----

(4) Inward frome Ingland, - - - - -	590
-------------------------------------	-----

LIII.—Signature for Charter by King Charles I., confirming all charters, rights, and privileges to the Burgh of Glasgow. Newmercat, 16 October 1636, - - - - -	591
--	-----

LIV.—Letter from King Charles I. to the Magistrates of Glasgow. Oxford, 21 April 1643, - - - - -	601
--	-----

LV.—Abstracts of Various Writs, 1455-1648, - - - - -	602
--	-----

LVI.—Rentals of the Leper Hospital and St. Nicholas Hospital, - - -	625
---	-----

(1) Rentall of the Lipper folkis at the Brigend, - - - - -	625
--	-----

(2) The Silver Rent of St. Nicholas Hospital as it was usuallie taken up at the Martinmas, - - - - -	626
--	-----

LVII.—List of Archbishops of Glasgow, from Restoration till Abolition of Episcopacy, 1661-89, - - - - -	630
---	-----

LVIII.—List of Ministers in Glasgow, from 1649 till 1707, - - - -	631
---	-----

LIX.—List of Provosts of Glasgow, from 1649 till 1707, - - - -	633
--	-----

Additions to list in vol I., - - - - -	635
--	-----

INDEX OF PERSONS, - - - - -	639
-----------------------------	-----

INDEX OF PLACES AND SUBJECTS, - - - - -	658
---	-----

ILLUSTRATIONS.

Common Seal of the Burgh of Glasgow, - - - - -	<i>Frontispiece.</i>
Signs of Notaries Public:—(1) John Spreule, (2) William Yair, (3) John Graham, - - -	PAGE
(4) George Anderson, (5) John M'Ure, (6) James M'Bride, - - -	297
Sign of John of Hawyk, notary public, - - - - -	439
Seals of (1) David Raite, vicar-general of the Friars Preachers of Scotland; and	
(2) The Friars Preachers of Glasgow, - - - - -	443
Sign of Henry Michaelson, notary public, - - - - -	446
„ John Michaelson, „ „ - - - - -	456
„ „ „ „ - - - - -	464
„ David Rede, „ „ - - - - -	464
„ George Lorn, „ „ - - - - -	467
„ Thomas Huchison, „ „ - - - - -	476
„ William Blak, „ „ - - - - -	478
„ Thomas Conynghame, „ „ - - - - -	481
„ John Blak, „ „ - - - - -	484
„ Nicholas Withirspuyn, notary public, - - - - -	493
Seal of Gavin Dunbar, archbishop of Glasgow, - - - - -	496
Sign of Cuthbert Simson, notary public, - - - - -	497
„ Martin Hommyll, „ „ - - - - -	499
„ John Morisoun, „ „ - - - - -	503
„ Michael Huchison, „ „ - - - - -	504
„ David M'Kown, „ „ - - - - -	507
„ James Cauldwell, „ „ - - - - -	510
Seal of the Chapter of Glasgow, - - - - -	527
„ Chapter of the Collegiate Church of St. Mary, - - - - -	531

“ Within a niche a figure of the Virgin, with nimbus, seated, holding the Child on her right arm. Beneath is mason work, with a shield in front of it; arms now defaced. Legend: S · CAPITVLI · ECCLESIE · COLLEGIATE · CIVITATIS · GLA. Oval, 2½ × 1½ inches.” Description by Mr. W. R. Macdonald.

	PAGE
Common Seal of the City of Glasgow, - - - - -	531
Sign of Thomas Knox, notary public, - - - - -	533
„ Archibald Eglyngtoun, notary public, - - - - -	563
„ Robert Cunynghame, „ „ - - - - -	564
„ Henry Gibsone, „ „ - - - - -	566
„ Robert Herbertsoun, „ „ - - - - -	608
„ John Thomesone, „ „ - - - - -	617
„ Gilbert Merschell, „ „ - - - - -	618
„ John Hutchesoun, „ „ - - - - -	620
Plan of the City of Glasgow, Gorbells, Caltoun and Environs; with an exact delineation of its Royalty. From an actual survey by James Barry, Surveyor in Glasgow, 1782. With additional lettering and the delineation of Canals and some Streets formed subsequent to 1782, - - -	<i>at end.</i>

CORRECTIONS.

Page 100, last line of footnotes, for "six" read "five."

Page 181, No. CXLIII., line 3, for "January" read "September."

Page 251, No. CLXV., line 2, for "at" read "of."

Page 313, footnote, 2nd column, line 1, for "did, sie" read "did sie."

Page 323, at end of Abstract No. 678, insert reference "Inventure," etc., "p. 132, b. 27, No. 3."

Page 342, abstract 734, line 4, for "Plummers-hall," read "Plummers-holl."

Page 350, abstract 755 (1), line 2 to be read thus : of the canonry and [prebend] of Barlanerik, or Provand, called the prebend of the church of Glasgow.

Page 354, abstract 767, line 1, for "Hammerman" read "Hammermen."

Page 372, abstract 825, line 2, for "1667" read "1676."

Page 394, abstract 886, line 2, for "Presiteriane," read "Presbiteriane."

Page 498, No. XX., line 2, for "M'Cormycht" read "M'Carmycht."

CHARTERS AND DOCUMENTS

RELATING TO THE

CITY OF GLASGOW.

CHARTERS AND DOCUMENTS

RELATING TO

THE CITY OF GLASGOW.

CXXIV.

ALLOCATION AND MORTIFICATION by the Provost, Bailies, and Council to the Two Ministers serving the cure at the New Kirk of Glasgow of £600 Scots of yearly feu-duty, payable furth of the mills and kilns without the Drygait Port, in part payment of their stipends. Glasgow, 1st December, 1649.

BE it kend till all men be thir present lettres, we George Porterfeild, proveist, Williame Dunlope, Wiliame Hoome and Niniane Gilhagie, baillees, Johne Grahame, deine of gild, Williame Lightbodie, deikine conveaner, Thomas Inglis, thesaurer of the brughe of Glasgow, and remanent counsell of the samyne, wndersubscryveand: Forsameikle as thir dyvers yeirs bygane we and our predicessores in office have had the propper wadsett of ane yeirlie few dewtie of sax hundrethe pundis Scottis dew and payable furthe of our mylnes and killis lyand without the Drygait port, quhairby we gott the benefite redounding to ws furthe of the samyne mylnes and killis imployit, with certane uthers of our commoun guidis,

in paying twa of our ministers quha hes beine serveing the cuire at our New Kirk, and had no provisioune utherwyse; lykas, because as it hes beine our practise to mak the benefite of the said proper wadsett furthecommand to the behove of our saids ministers in tyme past, so we ar most willing to secuire thame thairine for tyme to come, in pairt of payment to them of thair saids stipends: Tharfore wit ye ws to have allocat, mortifeit, assignet and disponit, as be the tennor heirop allocats, mortifeis, assignes and disponis to and in favores of our saids twa ministers, yeirlie and ilk yeir dureing thair lyftymes and serving of the cuire within our said brughe, and thair successores in office, in pairt payment to them of thair stipends as said is, all and haill the fairsaid proper wadsett of the said sax hundrethe pundis few dewtie, togither with all uther heretable right, tyle of richt, cleame, entres, propertie and possessioun quhilk we had, have, or can pretend thairto in any tyme to come; with power to them and thair successores fersaid, yeirlie, equallie betwixt thame, to intromett with, uplift and receave the samyne, call and persew gif neid beis for payment thair of, yeirlie, acquyttances to grant on the recept, and to do all uther things neidfull or requisite anent the premissis, also amplie in all respects as we might have done ourselfis befor the making of thir presentis. And for the mair securitie we ar content thir presentis be registrat in the buikes of counsell and sessioun or commissar buikes of Glasgow, thairin to remayne *ad futuram rei memoriam*; and for that effect constitutes (*blank*) procuratores, etc. Wryttine be Allexander Pettigrew, wrytter in Glasgow, and subscrivit at Glasgow, the first day of December j^m vj^e fourtie nyne yeiris, befor thir witnessis: Mr. Johne Spreule, towne clerk of the said brught, William Yair, noter thair, and the said Alexander Pettigrew. (*Sic subscribitur* :) G. Porterfeild, provest; Williame Dunlope, baillie; Williame Home, baillie; Niniane Gilhagie, baillie; John Graham; T. Allane; Peter Johnstoune; Niniane Andersone; Rot. Mak; Thomas Scott; James Armour; Robert Finlay; Thomas Inglis; Robert Allan; Thomas Campbell; Robert Boyd; Thomas Broune.

CXXV.

DISPOSITION by Sir Ludovick Stewart of Minto, to the Provost, Bailies, and Council of the Burgh of Glasgow, for behoof of two of their ministers in the New Kirk, of the Superiority of the Sub-dean's Mills, Kills, and others. Glasgow, 1st February, 1650.

AT Edinburgh, the tuentie ane day of Junij j^m vj^e and fiftie yeiris, in presens of the lordis of counsall, compeirit Mr. Williame Oliphant, advocat, procuratour for Sir Lodovick Stewart of Minto, knicht, and gave in the dispositione wnderwrittin, desyreing the same to be insert and registrat in the bookes of counsall and sessioun to have the strenth of ane decreit of the lordis thair of, with lettres and ececutoriallis to be direct thairupon, in maner thairin contenit, the quhilk desyre the saidis lordis thocht ressonabill, and thairfore hes ordanit and ordanis the said dispositione to be insert and registrat in thair said bookes of counsall and sessioun, decernis the same to have the strenth of thair decreit, and ordanis lettres and ececutoriallis to be direct thairupon in maner specifeit thairin-till, quhair off the tennour followis:—BE IT KEND till all men be thir present lettres, me, Sir Lodovick Stewart of Minto, knicht, forsameikill as be contract and appoyntment maid and endit betwixt Sir Walter Stewart of Minto, knicht, [and] umquhill dame Cristiane Craufurd, his spous, my parentis, on the ane pairt, the proveist, baillies, counsall, and deacones of craftis of the burgh of Glasgow on the uther pairt, of the dait at Glasgow the threttine and fourteine dayes of September, the yeir of God j^m vj^e and nyntein yeiris,¹ be vertew quhair of, and for the causiss

¹ The contract of 1619 and the charter of 1620, under which the community of Glasgow acquired the mills and kilns on the lands of Westercraigs from Sir Walter Stewart of Mynto, are printed in Glasgow Charters, pt. ii., pp. 302-14. Previous to this acquisition the town council had arranged with Sir

Mathew Stewart of Mynto for the collection, at the kilns, of the custom called the "ladle," as narrated in the following act of council dated 11th May, 1592:—"The baillies, counsale and dekyndes of the burght and citie of Glasgw, in thair counsalhous, foirseand the wele of thair commone guddis, and specialie

thairin contenit, the said Sir Walter and his said umquhill spous sauld and disponit, without reversione, to the saidis proveist, baillies, deine of gild, decone conveyner, thesaurer, counsall, decones of craftis and communitie of the said burgh, and to thair successouris in office, perpetuallie, but any redemptioun, regres of reversione, quhatsumever, all and hail these twa corne mylnes and man mylne, callit the Subdeanes Mylnes, adjacent to the said burgh, and litle kill perteing thairto, with the thirle, multer, suckin and sequellis thair of and killis of the samyne then alreadie biggit, and with the multure, suckin, and sequellis of the landis of Eister and Wester Craigis, usit and wount, dames and watter drauchtis perteing to the saidis mylnes, passages thair of to and fra the samyne usit and wount, and all uther priviledges or pertinentis perteing and belanging thairto, and with speciall priviledge, libertie and friedome of the casting and wining of stanes, fewall, fail and divett, for beitting and uphauling of the saidis mylnes, dames, water drauchtes, gangis and passages thair of, and with priviledge, libertie and friedome of staines for

the casualteis of thair commone custume ladill, quhilk be auld use is to be rowpit on Witsoneysdaye nixtocum, and be resson thair is within the landis of Westircraigis, pertenyng heritable to Schir Mathew Steward of Mynto, knyght, divers and sindry killis, quhair of the awnaris byis mekill beir and bringis to thame furth of the cuntrey about the towne, nocht being presentit to the marcate, quhairthrow the firmararis and havearis of the said ladill wantis the dewitie thair of: And being of mynde to mak the said ladill of greitare proffett, quhilk can nocht be gottin done withoute the consent and gudewill of the said Sir Mathew, heritour of the saidis landis, thairfore thai ernistlie and with greit instance desirit the said Sir Mathow, being personalie present, to sett and licenciat the firmararis of the said ladle, appointit and to be appointit be the towne, present and to cum, to ressave, uptak and intromett with the dewitie of the beir to be brocht to his saidis killis, lyke as thai get fra thame that

ar within the fredome and territorie pertenyng to the said toun and brocht within the samyn, and to caus the said firmararis to be ansuerit and payet thair of in tyme cuming, and that for payment of the yeirly dewitie underwritin; quhilk desire the said Sir Matho, at the ernist sute of the townschip foirsaid and respectand thair commone wele in tyme cuming, grantit and condescendit onto. And thairfore, be the tennour of this present act, the said Sir Matho settis the dewiteis callit of the ladill of the beir that sal happin to be brocht to all the killis within his saidis landis of Craigis to the said townschip of Glasgw, and the firmararis appointit and to be appointit be thame thairto, present and in tyme cuming, during the said Sir Mathois lyfetye; with power to the saidis firmararis to cum to the killis thair of, and to ressave, uptak and intromett with, fra the bryngares of the said beir to the samyn, the dewitie of the ladle usit and wont in the toun of Glasgw, lyk as the said beir had bene

uphalding of the saidis killis and bigging of the said littill kill; togidder with the superioritie and thirlige off all and sindrie tuentie thrie killis then biggit and adjacent thairto, lyand and situat neir the saidis mylnes, and with the haille few dewties adebtit and astrictit furth of the saidis killis and yairdis, and did infest and saise thame thairintill; for the quhilkis premissis the forsaidis proveist, baillies, counsell, thesaurer, dean of gild, and decones of craftis, band and obleist thame and thair successouris in office to mak good and thankfull payment to the said Sir Walter Stewart, my father, his airis and assignayes, of the sowme of nyne hundreth merkis money of this realme, yeirlie, at twa termes in the yeir, Witsounday and Mertimes, be equall portiones; as the said contract of the dait forsaid, conteining divers and sindrie uther heidis, obleismentis and conditiones, with the saidis proveist, baillies and counsell, thair chartour and saiseing following thairupon, mair fullie proportis. Lykeas, be ane posteriour contract, maid and endit betwixt the said Sir Walter, my said father, on the ane pairt, the proveist, baillies, and counsell of the said burgh for the tyme on the uther pairt, of the dait the sixt day of Junij j^m vj^c and threttie sevin yeiris, be vertew quhairof, and for the sowme of sevin thowsand and fyve hundredth pundis money forsaid, then

brocht to the fredome and mercat of Glasgw, and to dispone thairupone at thair plesouris, and to use thame in the said killis for obtenyng thair of as thai do within the fredome of the said town, and to cause thame to be obeyit, ansuerit and payit thair of, peceablie, during the said space. For the quhilk tak and licence the saidis baillies, counsall and dekyannis, bindis and obliissis thame and thair successouris to content and paye and to caus thair thesauraris of the said towne, present and to cum in tyme cuming, to paye to the said Sir Mathew the sowme of twenty pundis usuale money of this realme, yeirlie, at Witsoundaye and Mertymes, be equall portiones, begynnand the first termes payment at Mertimes nixtocum, and sua furth yeirlie and termlic during the said Sir Mathois lyftyme. And for fulfilling and observing of the premissis the said Sir Matho, baillies, counsall and dekyannis

consentit that this act and writting abone writtin be insert and registrat in the burro court buikis of Glasgw to have the strentht of ane decreit of thair courte, that executoriales of horning, poynding and warding may pas thairupone in forme as efferis. And for the mair verifigacione of the premiasis the said Sir Matho hes subscrivit thir presentis with his hand, and the saidis baillies, counsall and dekyannis ordanit this act to be insert in the saidis buikis to the effect fairsaid, etc. Followis the tenor of the subscriptione: Mathew Steward of Mynto, kny., etc. Extractum de libris actorum curiarum burgi et civitatis Glasguensis per me Magistrum Henricum Gibsone, notarium ac earundem curiarum et civitatis communem scribam; testante meis signo et subscriptione manualibus.—HENRICUS GIBSON subscripsit."

(MS. Inv. of Writs, I., p. 35, b. 9, No. 1.)

actuellie payit ad delyverit to the said Sir Walter be the forsaidis proveist, baillies, and counsall of the said burgh for the tyme, the said Sir Walter did sell, annaillie, wodsett and dispone to the saidis proveist, baillies and counsall of the said burgh, and to thair successouris in office, to the commoune weill and utilitie thairof, all and haill the forsaid few dewtie of nyne hundreth merkis money quhilk was to be upliftit furth of the saidis milnes and killis and utheris abonewrittin, and band and obleist him dewlie and sufficientlie to infest and saise thame thairintill, and that under reversione, redeimable be payment of the forsaid sowme of sevin thowsand and fyve hundreth pundis money forsaid; as in the said posteriour contract of the dait forsaid, conteining divers and sindrie uther heidis and obleismentis, at mair lenth is contenit. And seeing that the proveist, baillies and counsall of the said burgh, hes of befoire allocat, mortifeit, assignit and disponit to and in favouris of twa of thair ministeris serveing of the cure at thair New Kirk within the said burgh, yeirlie and ilk yeir dureing thair lyftymes and serveing the cure within the said burgh, and thair successouris in office, in pairt payment of thair stipendis, all and haill the foresaid proper wodsett of the said sowme of nyne hundreth merkis money, togidder with all uther heretabill richt, clame, entres, kyndnes, proppertie [and] possessione quhilk they had or can pretend thairto in tyme cuming; and that George Porterfeild, proveist, Williame Dunlope, Williame Home, and Niniane Gilhagie, baillies of the said burgh, Johne Grahame, deane of gild, William Lichtbodie, decone convener, Thomas Inglis, thesaurer thairof, Gabriell Cunynghame, James Stewart, Niniane Andersone, Thomas Allane, Robert Mak, Robert and James Hammiltounes, Thomas Broune, Cuthbert Campbell, Robert Allane, James Armour, Johne Johnstoune, Petir Johnstoune, Thomas Scott, Robert Wilsone, Robert Boyd, Walter M'Aulay, Patrick Bryce, Robert Cummyng, Robert Hoggisyaird, Walter Bryce, James Elphingstoune, Thomas Campbell, ordinar counsellouris of the samyne, hes maid good and thankfull payment to me of the sowme of aucht thowsand sevin hundreth and fiftie merkis money forsaid, quhilk with the forsaid sowme of sewin thowsand and fyve hundreth pundis money forsaid, specifeit and contenit in the forsaid posteriour contract abonementionat, maid and endit betwixt the said Sir Walter, my father, and the proveist, baillies

and counsall of the said burgh for the tyme, compleitis me the sowme of tuentie thowsand merkis money, off the quhilk sowme of aucht thowsand sewin hundreth and fiftie merkis money forsaide, I hold me weill contentit, satisfiet and payit, and dischairges the saidis proveist, baillies and counsall of the said burgh be thir presentis for evir. Thairfore, witt ye me, forseing my weill, commoditie and profite, to have sauld, disponit, renuncit, dischairgeit and overgivin, lykeas, I, be the tennour heirop, sell, dispone, renunce, dischairge, and frielie and simpliciter for evir overgive to and in favouris of the forsaide proveist, baillies and counsall of the said burgh, and that for the use, weill and behove of thair saidis ministeris, as haveing richt to the said locatione in pairt of payment to them of thair stipendis, all and haill the superioritie of the forsaidis haill milnes and killis abonewrittin, lyand as said is; with the forsaide reversione and richt of redemptioun off all and haill the said few dewtie of nyne hundreth merkis money, quhilk was yeirlie to be upliftit out of the samyne milnes and killis as is abonespecifeit; togidder with all richt heretable and uther richt and titill quhatsumevir quhilk I had, have or can pretend thairto for evir: Lykeas, I bind and obleis me my airis, executouris and successouris, dewlie and sufficientlie heretable to infest and saise thame thairintill, and that in the most sure and ampill way that can be devysed, with warrandice in ampill forme. And in the meane tyme, without prejudice of the forsaide obleisment, I have maid and constitute, and be the tennour heirop makis and constitutes the forsaidis proveist, baillies, counsall and thair successouris in office my lafull, undoubtit and irrevocabill assignayes in and to the procuraturie of resignatioun maid, grantit and conceavit in my favouris be the said Sir Walter, my father, for infesting of me, my airis and assignayes in the forsaide superioritie of the saidis mylnes and killis and few dewtie abonewrittin, in sua far allennarlie as the samyne may or can be extendit to the heretabill richt and superioritie of the saidis milnes and killis and few dewtie forsaide with the pertinentis; with power to them, be vertew thairrof, to obtaine thame-selfis, as my assignayes, dewlie and lawfullie infest thairin upon the resignatioun to be maid of the samyne, and that als fullie and frielie in all respectis as I micht have done myself befoire the making heirop, quhairat I obleis me and my forsaidis to abyd firme and stabill but

reclamatioune: Attour, now as if the saidis infeftmentis wer alreadie maid and perfytit, and then as now, I bind and obleis me and my airis, alsweill maill lyne tailyie as provisione, and successouris quhatsumever, to warrand, acquiet and defend thir presenttis, with the infeftmentis as follow heirupon, to be good and valeid to the saidis proveist, baillies and counsall and thair successouris in office, and the samyne superioritie and few dewtie to be frie, fred, quhyte and saife fra all and quhatsumevir inhibitiones, wodsettis, alienationes, appryseingis, interdictiones, disclamationes, nullities, forfaltouris, reductiones, recognitiones, wairdis, releives, nonentressis, ladies terces, conjunct fies, lyfrentis, bastardries, escheitis, annuallis, annualrentis, few dewties, and frie of all uther perrilles, dangeris and inconvenientis quhatsumevir, als weill not namit as namit, present, bygane, as to cum. And last, I bind and obleis me and my forsaidis to renew and mak over againe thir presenttis in favouris of the saidis proveist, baillies and counsall, for the use and behove of thair saidis ministeris, als oft and sua oft as they sall pleis to devys, ay and quhill they find themselves sufficientlie securit thairanent; and untill sick tyme as they shall be infeft thairintill by the lawfull and immediat superiour of me and my predicessouris, in the self same force and maner and for payment of (*blank*) money few dewtie as ane pairt of the few dewtie to be payit to my superiour for the saidis landis of Wester Craigis as I held and bruikit the samyne myself, keipeand the effect and substance abonewrittin, they presentand the writtis to me to be subscryvit. Farder, I be the tennour heiropf renunce in favouris of the saidis proveist, baillies and counsall and thair forsaidis, all richt and titill I have or can pretend in and to all bygane mantenance, leavie money, or quhat uther publict burdingis hes beine heirtofire imposed upon the saidis milnes and killis, for quhilk my saidis landis was distrest, with all actione persute and instance competent to me thairby. And for the mair securitie I am content thir presenttis be registrat in the bookes of counsall and sessioun, commissar or town court bookes of Glasgow, that executoriallis of horneing, poynding and wairding, may heirone pas, on ane simpill chairge of sex dayes; and constitutes Mr. William Oliphant, advocat (*blank*), procuratouris. Writtin be Alexander Pettiegrew, writer in Glasgow, and subscryvit, att Glasgow, the first day of Februar j^m vj^c and fiftie] yeiris

befoire thir witnessis Gilbert Merschell, clerk of the regalitie of Glasgow, Robert Landis, servitour to Mr. Johne Spreull, toun clerk thairoff, and the said Alexander Pettigrew. *Sic subscribitur*: Sir L. Stewartt; Gilbert Merschell, witnes; Alexr. Pettigrew, witnes; Robert Landes, witnes. Extractum de libro actorum per me [*Sic subscribitur*] Mr. And. Hay.

CXXVI.

CHARTER by King Charles II. proceeding on the Resignations in Nos. C. and CXXV. to the Provost, Bailies, and Councillors of the Burgh of Glasgow, of the Superiorities of the Mills and Kilns of the lands of Wester Craigs and others for behoof of their two Ministers in the New Kirk. Edinburgh, 1st March, 1650.

CAROLUS, Dei gratia Magne Britannie, Francie et Hibernie, Rex, fideique defensor: Omnibus probis hominibus totius terre sue, clericis et laicis, salutem: SCIATIS nos, cum avisamento et consensu predilectorum nostrorum consanguineorum et consiliariorum, Joannis comitis de Lowdoun domini Terrinzeane et Mauchlin, etc., magni cancellarii hujus regni nostri Scotie, Archibaldi Marchionis de Argyll comitis de Kintyre domini Campbell et Lorne, etc., Alexandri comitis de Eglintoun domini Montgomerie, etc., Joannis comitis de Cassillis domini Kennedy, etc., Roberti domini de Burghlie, etc., ac domini Danielis Carmichaell de Hyndfurd

CHARLES, by the grace of God, King of Great Britain, France and Ireland, and defender of the faith: To all good men of his whole land, clerics and laics, greeting: Know ye that we, with advice and consent of our well beloved cousins and councillors, John earl of Lowdoun lord of Terrinzeane and Mauchlin, etc., high chancellor of this our kingdom of Scotland; Archibald marquis of Argyll earl of Kintyre lord Campbell and Lorne, etc., Alexander earl of Eglintoun lord Montgomerie, etc., John earl of Cassillis lord Kennedy, etc., Robert lord of Burghlie, etc., and Sir Daniel Carmichaell of Hyndfurd, knight, our treasurer depute, com-

militis, nostri thesaurarii deputati, commissionariorum pro thesaurario nostro, necnon reliquorum dominorum nostri scacarii ejusdem regni nostri commissionariorum, dedisse, concessisse, disposuisse, et hac presenti carta nostra confirmasse, tenoreque eiusdem dare, concedere, disponere, ac pro nobis et successoribus nostris, pro perpetuo confirmare, dilectis nostris preposito, ballivis et consulibus burgi nostri de Glasgow, eorumque successoribus in officio, hereditarie, pro usu et comodo duorum eorum ministrorum cure apud Novam Ecclesiam infra dictum nostrum burgum inservientium, pro parte eorum stipendiorum, totas et integras superioritates et feudifirme divorias omnium et singulorum molendinorum et ustrinarum terrarum de Westir Craigis, de super situatorum et edificatorum; cum multuris, sequelis, lie suckin, knaveschip, libertatibus, privilegiis, hortis, partibus, pendiculis et pertinentiis quibuscunque dictorum molendinorum et ustrinarum ad eadem spectantibus et pertinentibus, jacentium prope dictum burgum nostrum de Glasgow, infra regalitatem de Glasgow et vicecomitatum nostrum de Lanerk: Quequidem superioritates et feudifirme divorie prefatorum molendinorum et ustrinarum, cum multuris, privilegiis et pertinentiis eorundem, ad dominum Walterum Stewart, seniore de Mynto, militem, per illum de nobis immediate tente perprius hereditarie pertinuerunt, ac per illum suosque legitimos procuratores ejus nomine ad hunc effectum specialiter consti-

missioners for our treasury, also of the remanent lords, commissioners of our exchequer of our said kingdom, have given, granted, disposed, and by this our present charter confirmed, and by the tenor hereof, give, grant, dispose, and for us and our successors, for ever confirm to our beloved provost, bailies and councillors of our burgh of Glasgow, and their successors in office, heretably, for the use and behoof of their two ministers serving the cure at the New Kirk, within our said burgh, as a part of their stipends, all and whole the superiorities and feu farm duties of all and sundry mills and kilns of the lands of Wester Craigs situated and built thereon; with multures, sequels, suckin, knaveship, liberties, privileges, yards, parts, pendicles and pertinents whatsoever of the said mills and kilns, belonging and pertaining to the same, lying near our said burgh of Glasgow, within the regality of Glasgow and our shire of Lanark: Which superiorities and feu farm duties of the said mills and kilns, with multures, privileges and pertinents thereof, formerly belonged heretably to Sir Walter Stewart, elder of Mynto, knight, held by him immediately of us, and were by him and his lawful procurators, in his name, for that effect specially constituted, and by letters patent,

tutos et literas patentes, in manibus dictorum dominorum nostri scacarii resignationes terrarum aliorumque de nobis tentarum recipiendi potestatem habentium et nova infeofamenta desuper dandi, tanquam in manibus nostris immediati legitimi superioris eorundem, pure et simpliciter, per fustim et baculum, ut moris est, apud Edinburgum resignate, sursum redde et extradonate fuerunt; unacum omnibus jure, titulo, interesse, jurisclameo, proprietate et possessione que dictus dominus Walterus Stewart, heredes sui aut assignati ad easdem habuerunt, habent seu quovismodo habere clamare vel pretendere poterant, in favorem pro hoc nostro novo hereditario infeofamento per nos nostro sub magno sigillo, prefatis preposito, ballivis et consulibus dicti burghi nostri de Glasgow eorumque successoribus in officio, hereditarie et irredimabiliter, pro usu et commodo dictorum eorum ministrorum cure apud dictam Novam Ecclesiam infra dictum nostrum burgum inservientium, pro parte eorum stipendiorum, dando et conficiendo; et hoc tanquam assignatis per dominum Ludovicum Stewart, juniorem de Minto, militem, legitime factis et constitutis in et ad literas procuratoriales resignationis per dictum dominum Walterum Stewart de Mynto, militem, eius patrem, factas et constitutas pro resignatione dictarum terrarum de Westir Craiges, cum molendinis, ustrinis, sequelis, aliisque beneficiis, proficuis et commoditatibus eorundem, in favorem dicti domini Ludovici eiusque heredum et

resigned, surrendered and upgiven, by staff and baton, as use is, at Edinburgh, in the hands of the said lords of our exchequer, having power of receiving resignations of lands and others held of us and giving new infeftments thereon, as in the hands of us immediate lawful superior thereof; together with all right, title, interest, claim of right, property and possession, which the said Sir Walter, his heirs or assignees, had, have or might in any way claim or pretend to have thereto, in favour and for this our new heritable infeftment, to be given and made, by us under our great seal, to the foresaid provost, bailies and councillors, of our said burgh of Glasgow, and their successors in office, heritably and irredeemably, for the use and behoof of their said ministers serving the cure at the said New Kirk within our said burgh as part of their stipends; and this as if assigned by Sir Ludovic Stewart, younger of Minto, knight, lawfully made and constituted in and to the procuratorial letters of resignation made and granted by the said Sir Walter Stewart of Mynto, knight, his father, for the resignation of the said lands of Wester Craigs, with mills, kilns, sequels and other benefits, profits and commodities thereof in favour of the said Sir Ludovic and his heirs and successors

successorum in contractu inter dictum dominum Walterum ab una et dictum dominum Ludovicum eius filium partibus ab altera, contentas, de data vigesimo octavo die mensis Julii ultimo elapsi, registratas in libris nostri consilii et sessionis vigesimo nono die mensis Augusti etiam ultimo elapsi; prout autentica instrumenta super dicta resignatione in manibus Jacobi Campbell, notarii publici, suscepta latius proportant. Insuper nos, pro bono, fideli et gratuito servitio nobis et preclarissimis nostris progenitoribus per dictum prepositum, ballivos et consules dicti burghi nostri de Glasgow, eorumque predecessores temporibus preteritis prestito et impenso, ac, pro certis aliis bonis causis et considerationibus nos moventibus, de novo dedimus, concessimus, disposuimus, et hac presenti carta nostra confirmavimus, tenoreque ejusdem de novo damus, concedimus, disponimus, ac pro nobis et successoribus nostris, cum avisamento et consensu predicto, pro perpetuo confirmamus prefatis preposito, ballivis et consulibus dicti burghi nostri de Glasgow eorumque successoribus in officio, hereditarie, pro usu et commodo dictorum eorum ministrorum cure apud dictam Novam Ecclesiam infra dictum nostrum burgum inservientium, pro parte eorum stipendiorum, totas et integras dictas superioritates et feudifirme divorias omnium et singulorum molendinorum et ustrinarum dictarum terrarum de Westir Craiges, desuper edificatorum et situatorum, cum multuris, *lie suckin*, *knaveschip*, libertatibus, privilegiis, hortis, partibus, pendiculis et

contained in the contract between the said Sir Walter on the one part and the said Sir Ludovic, his son, on the other part, dated the 28th day of July last, registered in the books of our council and session the 29th day of August last; as authentic instruments taken upon the said resignation in the hands of James Campbell, notary public, more fully bear. Moreover, for the good, faithful and gratuitous service done and rendered to us and our illustrious progenitors by the said provost, bailies and councillors of our said burgh of Glasgow, and their predecessors in times past, and for certain other good causes and considerations moving us, we have of new given, granted, dispoed, and by this our present charter have confirmed and by the tenor hereof we of new give, grant, dispone, and for us and our successors, with advice and consent foresaid, for ever confirm to the said provost, bailies and councillors of our said burgh of Glasgow, and their successors in office, heretably, for the use and behoof of their said ministers serving the cure at the said New Kirk within our said burgh, as part of their stipends, all and whole the said superiorities and feu farm duties of all and sundry mills and kilns of the said lands of Wester Craigs, built and situated

pertinentibus quibuscunque dictorum molendinorum et ustrinarum ad eadem pertinentibus et spectantibus ut supra jacentium; unacum omnibus jure, titulo, interesse, juriscleameo, proprietate et possessione, tam petitoria quam possessoria, que seu quas nos predicesores aut successores nostri habuimus, habemus, seu quovismodo habere clamare vel pretendere poterimus seu poterint, ad predictas superioritates et feudifirme divorias dictorum molendinorum et ustrinarum, cum multuris, *lie suckin*, *knave-schip*, libertatibus, et privilegiis earundem aut ad proficua et devorias hujusmodi de quibuscunque annis seu terminis, preteritis aut futuris, ratione warde, relevii, nonintroitus, eschaete, vitalis redditus, forisfacture, recognitionis, purprusionis, disclamationis, bastardie, ultimi heredis, infeofamentorum, sasinarum, retornatum, aliorumve scriptorum dictorum molendinorum et ustrinarum cum pertinentiis, reductionis aut annullationis, tentionum earundem minime ostentionis et notationis, dictorum infeofamentorum debito tempore non confirmationis, rentalis diminutionis, preteritarum feudifirmarum minime solutionis, aut virtute quorumcunque actorum parlamenti, aliorum actorum, legum, statutorum aut constitutionum dicti regni nostri, aut quocunque alio jure seu titulo, vel ob quamcunque aliam causam, factum seu occasionem preteritam diem date presentis carte nostre precedentem; renunciando, transferendo et extradonando eadem, cum omni actione, instantia et lite earundem, a

thereon, with multures, suckin, knaveship, liberties, privileges, yards, parts, pendicles and pertinents whatsoever of the said mills and kilns belonging and pertaining thereto, lying as aforesaid, together with all right, title, interest, claim of right, property and possession, as well petitory as possessory, which we, our predecessors or successors had, have, or in any way might claim or pretend to have to the said superiorities and feu farm duties of the said mills and kilns, with multures, suckin, knaveship, liberties and privileges thereof, or to the profits and duties of the same, of whatsoever years or terms, past or future, by reason of ward, relief, nonentry, escheat, liferent, forfeiture, recognition, purpresture, disclamation, bastardy, last heir, reduction or annulment of infeftments, sasines, retours, or other writings of the said mills and kilns with the pertinents, not showing and noting of the holdings thereof. non confirmation in due time, diminution of rental, non payment of past feu fermes, or by virtue of any acts of parliament, other acts, laws, statutes, or constitutions of our said kingdom, or by any other right or title, or on account of any other cause, action or past occasion preceding the day of the date of our present charter; renouncing, transferring and over

nobis nostrisque successoribus in favorem dicti prepositi, ballivorum et consulum dicti nostri burghi de Glasgow, eorumque successorum in officio, pro usu et commodo supramentionato nunc et imperpetuum, cum pacto de non petendo, ac cum supplemento omnium aliorum defectuum et imperfectionum quarumcunque, tam non nominatorum quam nominatorum, que tanquam pro expressis in hac presenti carta nostra haberi volumus. Tenendas et habendas, totas et integras predictas superioritates et feudifirme divorias omnium et singulorum molendinorum et ustrinarum dictarum terrarum de Westir Craiges, desuper situatorum et edificatorum, cum multurus, *lie suckin*, *knaveschip*, libertatibus, privilegiis, hortis, partibus, pendiculis et pertinentiis quibuscunque dictorum molendinorum et ustrinarum ad eadem spectantibus et pertinentibus, ut supra jacentium, prefatis preposito, ballivis et consulibus dicti burghi nostri de Glasgow eorumque successoribus in officio, hereditarie, pro usu et commodo dictorum eorum ministrorum cure apud dictam Novam Ecclesiam infra dictum burgum nostrum, inservientium, pro parte eorum stipendiorum, de nobis et successoribus nostris in feudifirma et hereditate imperpetuum, per omnes rectas metas suas antiquas et divisas, prout jacent in longitudine et latitudine, in domibus, edificiis, boscis, planis, moris, maresiis, viis, semitis, aquis, stagnis, rivolis, pratis, pascuis et pasturis, molendinis, multuris et eorum sequelis, aucupationibus, venationibus, piscationibus,

giving the same, with all action, instance and plea thereof, from us and our successors in favour of the said provost, bailies and councillors of our said burgh of Glasgow, and their successors in office, for the use and behoof abovementioned now and for ever, with agreement of not seeking [fulfilment of obligations] and with the supply of all other defects and imperfections whatsoever, as well not named as named, which we will to be held as expressed in this our present charter. To hold and have all and whole the foresaid superiorities and feu-farm duties of all and sundry mills and kilns of the said lands of Wester Craigs, situated and built thereon, with multures, suckin, knaveship, liberties, privileges, yards, parts, pendicles and pertinents whatsoever of the said mills and kilns, belonging and pertaining thereto, lying as above, to the said provost, bailies, and councillors of our said burgh of Glasgow, and their successors in office, heretably, for the use and behoof of their said ministers serving the cure at the said New Kirk, within our said burgh, as part of their stipends, of us and our successors in feu-farm and heritage for ever, by all their ancient right meiths and marches, as they lie in length and breadth, in houses, buildings, woods, plains, muirs, marshes,

petariis, turbariis, carbonibus, carbonariis, cuniculis, cuniculariis, columbis, columbariis, fabrilibus, brasinis, brueriis et genestis, silvis, nemoribus et virgultis, lignis, tignis, lapicidiis, lapide et calce; cum curiis, placitis, et earum exitibus, amerciamentis, herezeldis, bludewitis et mulierum merchetis; cum communi pastura, liberoque introitu et exitu, ac cum omnibus aliis et singulis libertatibus, commoditatibus, proficiis, asiamentis, ac justis suis pertinentiis quibuscunque, tam non nominatis quam nominatis, tam subtus terra quam supra terram, procul et prope, ad predictas superioritates et feudifirme divorias aliaque predicta, cum pertinentiis spectantibus seu juste spectare valentibus quomodolibet in futurum, libere, quiete, plenarie, integre, honorifice, bene et in pace, sine aliqua revocatione, contradictione, impedimento aut obstaculo quocunque. Reddendo inde annuatim dicti prepositus, ballivi et consules dicti burghi nostri de Glasgow eorumque successores in officio nobis et successoribus nostris, summam duorum solidorum monete dicti regni nostri Scotie ad duos anni terminos, festa, viz., Penthecostes et Sancti Martini in hieme per equales portiones, nomine feudifirme tantum. In cujus rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi procepimus. Testibus: predilectis nostris consanguineis et consiliariis Joanne comite de

ways, passages, waters, ponds, streams, meadows, grazings and pastures, mills, multures, and their sequels, fowlings, huntings, fishings, peat mosses, turf bogs, coals, coal heughs, coneys, coney warrens, doves, dovecots, smithies, brewhouses, heath and broom, woods, groves and thickets, timber, building material, quarries, stone and lime; with courts, pleas and their issues, amerciaments, herezelds, bludewites and merchets of women; with common pasture and free ish and entry, and with all other and sundry liberties, commodities, profits, easements, and their just pertinents whatsoever, as well not named as named, as well under the earth as above, far and near, with the pertinents belonging or which justly may at any future time belong to the said superiorities and feufarm duties and others foresaid, freely, quietly, fully, wholly, honourably, well and in peace, without any revocation, contradiction, impediment or obstacle whatsoever. Paying therefor yearly the said provost, bailies and councillors of our said burgh of Glasgow, and their successors in office, to us and our successors the sum of two shillings money of our said kingdom of Scotland, at two terms in the year, viz., at the feasts of Pentecost and St. Martin in winter by equal portions, in name of feu farm only. In testimony whereof we have commanded our great seal to be affixed to this our present charter. Witnesses: our well beloved cousins and

Lowdoun domino Terrinzeane et Mauchlin, etc., nostro cancellario; Jacobo duce Hamiltonii marchione Cliddisdalie comite Arranie et Cantabrigie domino Aven et Innerdaill, etc.; Willielmo Mariscalli comite domino Keyth et Altrie, etc., regni nostri mariscallo, Joanne comite de Sutherland, domino de Stranaver, etc., nostri secreti sigilli custode; Willielmo comite de Lowtheane domino de Newbottill, etc., nostro secretario; dilectis nostris familiaribus consiliariis dominis Archibaldo Johnstoun de Warriestoun, nostrorum rotulorum registri ac consilii clerico; Hugone Campbell de Cesnock, nostre justiciarie clerico; et Joanne Scott de Scottistarvett, nostre cancellarie direttore, militibus. Apud Edinburgum, primo die mensis Martii anno Domini millesimo sexcentesimo quinquagesimo et anno regni nostri secundo.

councillors John earl of Lowdoun lord of Terrinzeane and Mauchlin, etc., our chancellor; James duke of Hamilton marquis of Cliddisdale earl of Arran and Cambridge lord Avon and Innerdaill, etc.; William earl of Marschall lord Keith and Altrie, etc., marshal of our kingdom; John earl of Sutherland lord of Stranaver, etc., keeper of our privy seal; William earl of Lowtheane lord of Newbottill, etc., our secretary; our beloved familiar councillors Sirs Archibald Johnstoun of Warriestoun, clerk of our rolls, register and council; Hugh Campbell of Cesnock, clerk of our justiciary; and John Scott of Scottistarvett, director of our chancery, knights. At Edinburgh, the first day of the month of March in the year of our Lord one thousand six hundred and fiftieth, and in the second year of our reign.

CXXVII.

JUDICIAL RATIFICATION by Dame Susanna Douglas, of the Disposition by Sir Robert Douglas of Blackerstoun, her spouse, with her consent, to the Provost, Bailies, and Councillors of Glasgow and others, of the lands of Gorbals and Bridgend. Edinburgh, 28th May, 1650.

VIGESIMO octavo die mensis Maij, anno Domini j^m vj^e quinquagesimo. The quhilk day, in presens of Robert Lokhart, bailie, compeirit Dame Susanna Douglas, spous to Sir Robert Douglas of Blakerstoun, knight, and producit the dispositioun maid be hir said spous and hir to and in favouris of George Porterfield, provest of Glasgow, Williame Dunlope, Williame Home, and Niniane Gilhagie, bailleis thairof, Johne Grahame, deane of gild, Williame Lichtbodie, deacone convener, and James Hamilton, merchand, maister of the hospitall situat within the said brugh callit Hutchiesones hospitall; in the quhilk the said Sir Robert Douglas and his said spous, baith with ane advyse and consent, for the sowme of fourscoir thowsand pundis, guid and usuall money of Scotland, advancit, payit and delyverit be the saidis persones to thame, in maner thairin contentit, [did] sell, annalie and heretable, for now and evir, dispone to and in favouris of the saidis George Porterfield, provest, Williame Dunlope, Williame Home, Niniane Gilhagie, bailleis, Johne Grahame, deane of gild, Williame Lichtbody, deacone conveener, and James Hamilton, maister of the said hospitall called Hutchiesones hospitall, and remanent counsellouris of the said brugh, and thair successouris, in name and for the behove of the counsall and commwnitie thairof, and that for all and haill ane just fourt pairt of the landis and utheris eftirspeifeit, with the pertinentis allanerlie, as als to thame in name and for the propper use and behove of the said hospitall called Hutchiesones hospitall, and of the poore placed and to be placed within the samyn, for all and haill tua just fourt pairtis of all and sundrie the landis and utheris eftirnarnit with the pertinentis; and siclyck to and in favouris of the foirnarnit persones and thair successouris in office, in name and for the propper use and behove of the hospitall callit Craftis hospitall, for all and haill the last

just fourt pairt of all and sindrie the samyn landis eftirmentionat and utheris underwrittin, with the pertinentis; all and hail that saxe pund land of auld extent of Garballis and Brigend with the coallis and coal-heuchis being within the saidis boundis, with tour, fortalice, manour place, houssis, biggingis, yairdis, orcheardis, tennentis, tenandreis, serveice of frie tennentis, and all uther pairtis, pendicles and pertinentis of the same quhatsumevir; together with all and hail the heretabill office of bailliarie and justiciarie within the saidis boundis, with all priviledges and liberteis quhatsumevir belonging thairunto. And the said Sir Robert Douglas band and obleist him and his foirsaidis not onlie to move and caus the said Dame Susanna Douglas, his spous, subscryve the said dispositioun, compeir befor ane judge ordiner and thair ratefie and approve the samyn, outwith his presens, with the infetmentis to follow thair-upone, bot lyckwayes that schoe sall give hir solemne aith that schoe is not compellit nor coactit to the doeing thair of bot of hir awin accord, and that schoe sall nevir cum in the contraire thair of, quarrell nor impugne the same, directlie nor indirectlie, in tyme cuming, with sindrie utheris heidis, articles and claussis contenit in the said dispositioun; as the samyn of the dait the tuentie thrid day of Februar last bypast and tuentie aucht day of Maij instant at mair lenth bairis. Conforme to the quhilk dispositioun, and for fulfilling of the claus of ratificatioun thairin contenit, the said Dame Susanna Douglas being solemlie suorne, *extra presentiam sui mariti*, maid faith and declarit that schoe haid subscrivit the said dispositioun and given hir consent thairto, and that the samyn was done be hir of hir awin frie motive will and of certane knowlege for hir seine weill, utilitie and proffeitt, and als ratefeit and approvit the samyn in the hail heidis, articles and claussis thair of, and faithfullie promittit nevir to cum in the contraire of the samyn, directlie nor indirectlie, in judgment nor outwith judgment, be law nor by law, be na maner of way in tyme cuming. Upone the quhilkis, all and sindrie the premissis, the said George Porterfield, provest, for himself and in name and behalf of the baillies and utheris foirsaidis askit actis and instrumentis. Extractum de libro actorum curie burgi de Edinburgh, per me magistrum Andream Ker, commwnem clericum dicti burgi, testantibus his meis signo et subscriptione manualibus. (Subscribed) Mr. A. Ker.

CXXVIII

CHARTER by Sir Robert Douglas and his spouse in favour of the Provost, Bailies, and Council of Glasgow, for behoof of the Community and of Hutchesons Hospital and the Crafts Hospital, of the lands of Gorbals and Bridgend. Glasgow, 23rd February and 28th May, 1650.

OMNIBUS hanc cartam visuris vel auditoris: dominus Robertus Douglas de Blaikerstoun, miles, cum speciali avisamento et consensu domine Susanne Douglas, mee sponse, et nos uterque unanimi avisamento et consensu, et ego dicta domina Susanna cum speciali avisamento et consensu dicti domini Roberti, mei mariti, et ego dictus dominus Robertus plenum onus in me suscipiendum pro dicta mea sponsa, salutem. Noveritis, nos unanimi avisamento et consensu, ut dictum est, pro perimptione et observatione quarundem literarum alienationis et dispositionis per nos in favorem Georgii Porterfield, presentis prepositi burgi de Glasgow, Gulielmi Dunlope, Gulielmi Home, et Niniani Gilhagy, ballivi dicti burgi, Joannis Grahame, decani gilde eiusdem burgi, Gulielmi Lightbody, decani convocantis ibidem, et Jacobi Hamiltoun, mercatoris, magistri hospicii infra dictum burgum situati Hutchesounes Hospitall nuncupati, et eorum successoribus in officio, pro seipsis et nominibus consulum et communitatis dicti

TO all who shall see or hear this charter: I Sir Robert Douglas of Blaikerstoun, knight, with the special advice and consent of dame Susanna Douglas, my spouse, and we both, with joint advice and consent, and I the said dame Susanna, with the special advice and consent of the said Sir Robert, my husband, and I the said Sir Robert taking full burden on me for my said spouse, greeting. Know ye, that we, with joint advice and consent, as said is, for implement and observance of certain letters of alienation and disposition made and granted by us in favour of George Porterfield, present provost of the burgh of Glasgow, William Dunlope, William Home and Ninian Gilhagy, bailies of said burgh, John Grahame, dean of guild of the said burgh, William Lightbody, deacon convener there, and James Hamiltoun, merchant, master of the hospitall situated within the said burgh, called Hutchesounes Hospitall, and their successors in office, for themselves and in name of the councillors and community of the said burgh, and of the said

burgi, et dicti hospitii nuncupati Hutchesounes Hospitall, et alterius hospitii nuncupati Crafts Hospital, infra dictum burgum situati, terrarum aliorumque subscriptorum, cum privilegiis et pertinentiis secundum divisionem postea specificatam, factarum et concessarum virtute quarumquidem literarum alienationis et dispositionis, prefatos prepositum, ballivos, decanum gilde, decanum convocantem et magistrum dicti hospicii nuncupati Hutchesounes Hospitall, eorumque successores in officio, pro seipsis et nominibus quibus supra respective, in terris aliisque subscriptis, modo sub sequenti infeodare tenemur et astringimur prout in dictis literis alienationis et dispositionis de data presentium latius continentur: Igitur, dedisse, concessisse, alienasse, disposuisse et hac presenti carta nostra confirmasse, necnon tenore presentium dare, concedere, alienare, disponere et, hac presenti carta nostra, pro nobis et successoribus nostris, pro perpetuo, confirmare prefatis Georgio Porterfield, preposito, Gulielmo Dunlope, Gulielmo Home, et Niniano Gilhagie, ballivis, Joanni Grahame, decano gilde, Gulielmo Lightbody, decano convocanti, et Jacobo Hamiltoun, magistro hospicii predicti nuncupati Hutchesounes Hospitall, et reliquis consulibus dicti burgi, eorumque successoribus in officiis, nomine et ad usum et utilitatem consilii et communitatis ejusdem; et hoc pro tota et

hospital called Hutchesounes Hospital, and of another hospital called Crafts Hospital situated within the said burgh, of the lands and others underwritten, with the privileges and pertinents, conform to the division after specified, are bound and obliged by said letters of alienation and disposition to infest the foresaid provost, bailies, dean of guild, deacon convener and master of the said hospital called Hutchesounes Hospital, and their successors in office, for themselves and in name as above, respectively, in the lands and others underwritten in manner following, as is in the said letters of alienation and disposition of the date of these presents more fully contained, have therefore given, granted, alienated, disposed, and by this our present charter have confirmed, and likewise by the tenor of these presents give, grant, alienate, dispose, and by this our present charter, for us and our successors, for ever confirm to the said George Porterfield, provost, William Dunlope, William Home and Ninian Gilhagie, bailies, John Graham, dean of guild, William Lightbody, deacon convener, and James Hamiltoun, master of the foresaid hospital called Hutchesounes Hospital, and remanent councillors of said burgh, and their successors in office, in name and for the use and behoof of the council and community thereof, and that to the extent of all

integra justa quarteria seu quarta parte terrarum aliorumque subscriptorum cum pertinentiis solummodo; ac etiam eis nomine et ad proprium usum et utilitatem dicti hospicii nuncupati Hutchesounes Hospitall, et pauperum inibi locatorum vel locandorum, pro totis et integris duabus justis quarteriis seu quartis partibus omnium et singularum earundem terrarum aliorumque subscriptorum, cum pertinentiis; et similiter, pre-nominatis personis eorumque successoribus in officiis nomine et ad proprium usum et utilitatem prefati hospitii nuncupati Crafts Hospitall pro tota et integra novissima quarteria seu quarta parte omnium et singularum earunden terrarum aliorumque postea mentionatorum cum pertinentiis, totas et integras nostras sex libratas terrarum antiqui extentus de Gorballs et Brigend, cum carbonibus et carbonariis, infra dictas bondas existentes, cum turre, fortalicio, maneriei loco, domibus, edificiis, hortis, pomariis, tenentibus, tenandriis, libere tenentium servitiis, et omnibus aliis partibus, pendiculis et pertinentiis earundem quibuscunque, jacentibus infra baroniam et regalitatem de Glasgow et vicecomitatum de Lanark; unacum toto et integro hereditario officio balliatus et justiciarie infra dictas bondas, cum omnibus privilegiis et libertatibus quibuscunque ad eadem pertinentibus; una etiam cum omni alio hereditario jure, titulo juris clameo, pro-

and whole the just quarter or fourth part of the lands and others underwritten with the pertinents only; and likewise to them in name and for the proper use and behoof of said hospital called Hutchesounes Hospital and of the poor placed or to be placed therein, to the extent of all and whole the two just quarters or fourth parts of all and sundry the said lands and others underwritten with the pertinents; and likewise to the beforenamed persons and their successors in office, in name and for the proper use and behoof of the foresaid hospital called Crafts Hospital, to the extent of all and whole the remaining quarter or fourth part of all and sundry the said lands and others aftermentioned, with the pertinents, all and whole our six pound land of old extent of Gorballs and Brigend, with coals and coal heughs, existing within the said bounds, with tower, fortalice, manor place, houses, buildings, yards, orchards, tenants, tenandries, services of free tenants, and all other parts, pendicles, and pertinents thereof whatsoever, lying within the barony and regality of Glasgow and shire of Lanark; together with all and whole the heritable office of bailiary and justiciary within the said bounds, with all privileges and liberties whatsoever belonging thereto; together also with any other heritable right, title, claim of right, property, possession, other right and

prietate, possessione, aliis jure et titulo quibuscunque que nos nostrumve alteruter ad eadem habere, clamare vel pretendere, possumus. Tenendas et habendas totas et integras predictas sex libratas terrarum antiqui extentus de Gorballs et Brigend, cum carbonibus et carbonariis infra dictas bondas, turre, fortalicio, maneriei loco, domibus, edificiis, hortis, pomariis, et ceteris pertinentiis predictis, cum predicto hereditario officio balliatus et justiciarie prescriptorum et omnibus aliis jure et titulo suprascriptis, pre-nominatis preposito, ballivis, decano gilde, decano convocanti et magistro hospitii predicti nuncupati Hutchesounes Hospital, eorumque successoribus in officiis, ut dictum est, pro seipsis et nominibus et ad usus et utilitates suprascriptas respective, secundum divisionem supra expressam jacentes, ut predicatur,* de nobis, heredibus et successoribus nostris, in libera alba

title whatsoever which we or either of us have or may claim or pretend thereto. To hold and have all and whole the foresaid six pound land of old extent of Gorballs and Brigend, with coals and coal heughs within the said bounds, tower, fortalice, manor place, houses, buildings, yards, orchards and other pertinents foresaid, with the foresaid heritable office of bailiary and justiciary, and all other right and title above written, to the foresaid provost, bailies, dean of guild, deacon convener and master of the foresaid hospital called Hutchesounes Hospital, and their successors in office as said is, for themselves and in name and for the uses and purposes respectively above written, conform to the division above expressed, lying as aforesaid, of us, our heirs and successors in free blench farm

* From this part the "Tenendas" and "Reddendo" clauses of another charter, granted simultaneously with that printed in the text, run thus:—"A nobis heredibus et successoribus nostris, de nobile et prepotente principe Jacobo Lennocie et Richmondie duce, heredibus et successoribus suis superioribus earundem, in feudifirma, libera alba firma, feodo et hereditate imperpetuum, per omnes reotas metas suas [etc., as in text down to and including the words "secundum divisionem supraspecificatam"] prefato nobili et prepotenti principi Jacobo Lennocie et Richmondie duci, heredibus suis et successoribus, superioribus prescriptis, eorumque camerariis et factoribus pro tempore existentibus, pro

To hold and have all and whole . . .

from us, our heirs and successors, of a noble and potent prince, James, duke of Lennox and Richmond, his heirs and successors, superiors thereof, in feu farm, free blench farm, fee and heritage for ever, by all their right ancient meiths and marches.

. Paying to the foresaid noble and potent prince, James, duke of Lennox and Richmond, his heirs and successors, superiors foresaid, and their chamberlains and factors for the time being, for all

firma feodo et hereditate imperpetuum, per omnes rectas metas suas antiquas et divisas, prout jacentes longitudine et latitudine, in domibus, edificiis, hortis, boscis, planis, moris, marresiis, viis, semitis, aquis, stagnis, rivolis, pratis, pascuis et pasturis, molendinis, multuris et eorum sequelis, aucupationibus, venationibus, piscationibus, petariis, turbariis, carbonibus, carbonariis, columbis, columbariis, cuniculis, cuniculariis, fabrilibus, brasinis, brueriis et genestis, silvis, nemoribus et virgultis, lignis, tignis, lapicidiis, lapide et calce, cum curiis et earum exitibus, amerciamenis, herezeldis, bluduitis et mulierum merchetis, cum communi pastura, liberoque introitu et exitu; ac cum omnibus et singulis aliis libertatibus, commoditatibus, proficuis, asiamentis ac justis suis pertinentiis quibuscunque, tam non nominatis quam nominatis, tam subtus terra quam supra

fee and heritage for ever, by all their right ancient meiths and marches, as they lie in length and breadth, in houses, buildings, yards, woods, plains, muirs, marshes, ways, paths, waters, ponds, streams, meadows, grazings and pastures, mills, multures, and their sequels, fowlings, huntings, fishings, peateries, turf bogs, coals, coal heughs, doves, dove cots, coneys, coney warrens, smithies, breweries, heath and broom, woods, groves and thickets, timber, building material, quarries, stone and lime; with courts and their issues, amerciaments, herezelds, bludwites, and merchets of women, with common pasture, and free ish and entry; and with all and sundry other liberties, commodities, profits, easements and their just pertinents whatsoever, as well not named as named, as well under the earth

totis et integris predictis sex libratibus terrarum antiqui extentus de Gorbals et Brigend, cum carbonibus et carbonariis infra dictas bondas, turre, fortalicio et ceteris pertinentiis predictis, jacentibus ut supra, sex libras usualis monete hujus regni Scotie unacum octo bollis farine molendino de Partick; predicta feudifirma pecuniaria solvenda ad duos anni terminos consuetos festa, viz., Penthecostes et Sancti Martini in hieme, per equales portiones, nomine feudifirme; et dicta victualis feudifirma solvenda annuatim in terminis solitis et consuetis; tanquam antiquam firmam feudifirmariam pro dictis terris prius solvi solitis et consuetis; necnon summam (blank) tanquam proportionalem partem summe duorum soli-

and whole the foressaid six pound land, old extent, of Gorbals and Brigend, with coals and coal heughs within the said bounds, tower, fortalice, and other pertinents foressaid, lying as above, six pounds usual money of this kingdom of Scotland, together with eight bolls of meal to the mill of Partick; the said feu farm money to be paid at the two usual terms in the year, viz., the feasts of Whitsunday and Martinmas in winter, by equal portions, in name of feu farm; and the said victual farm to be paid yearly, at the terms used and wont; as the old farm of feu farm formerly used and wont to be paid for the said lands; also the sum of (blank) as the proportional part of the sum of two shillings, money foressaid, in

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terram, procul et prope, ad predictas terras aliaque prescripta, cum pertinentiis spectantibus, seu juste spectare valentibus quomodolibet in futurum, libere, quiete, plenarie, integre, honorifice, bene et in pace, absque aliquo impedimento, revocatione, contradictione aut obstaculo aliquali. Reddendo inde annuatim, prefati prepositus, ballivi, decani gilde et convocans et magister hospicii predicti nuncupati Hutchesounes Hospitall, eorumque successores in officiis, pro seipsis et nominibus quibus supra, secundum divisionem supraspecificatam, nobis heredibus et successoribus nostris, unum denarium usualis monete regni Scotie, super solo alicujus partis dictarum terrarum, ad festum Penthecostes, nomine albe firme si petatur tantum, ac nostris immediatis superioribus earundem feudifirme, divoriarum aliorumque jurium et servitiorum inde prius solvi debitorum

as above the earth, far and near, belonging, or which might in any future time justly belong to the said lands and others foresaid with the pertinents, freely, quietly, fully, wholly, honorably, well and in peace, without any impediment, revocation, contradiction or obstacle whatever. Paying therefor, yearly, the said provost, bailies, dean of guild and convener, and master of the said hospital called Hutchesounes Hospitall, and their successors in office, for themselves, and in names as above, conform to the division above specified, to us, our heirs and successors, one penny, usual money of the kingdom of Scotland, upon the ground of any part of the said lands, at the feast of Whitsunday, in name of blench farm if asked only, and to our immediate superiors thereof of the feu farm, and of the

dorum, monete predictae, pro augmentatione rentalis earundem terrarum suprascriptarum respective, et dimidietate quinque mercatarum terrarum de Wodsyd, tredecim solidatis et quatuor denariatis terrarum in Nether Newtown olim Joanne Stuart de Roisland spectantium et tredecim solidatis et quatuor denariatis terrarum de Meikle Cowcaldames, cum illa parte *lie* mos de Meikle Govane eisdem terris de Meikle Cowcaldames pro rata spectante et incumbente cum pertinentiis prius solvi debite prefatis terris de Gorbals et Brigend aliisque respective supradispositis cum pertinentiis correspondentibus secundum ratam et preportionem hujusmodi ad dictos terminos Penthecostes et Sancti Martini, in hyeme, per equales portiones ut dictum est;

augmentation of the rental of the said lands respectively above mentioned, and of the half of the five merk lands of Wodsyde, the thirteen shilling and four penny land in Nether Newtown, sometime belonging to John Stuart of Rosland, and the thirteen shilling and four penny land of Meikle Cowcaldanes, with that part of the moss of Meikle Govane belonging and falling ratably to the said lands of Meikle Cowcaldanes, with the pertinents, formerly wont to be paid for the foresaid lands of Gorbals and Brigend, and others respectively above disposed, with the corresponding pertinents, conform to the rate and proportion thereof, and that at the said terms of Whitsunday and Martinmas in winter, by equal portions as said is; and doubling the said feu

et consuetorum. Et nos vero, heredes et successores nostri quicunque, totas et integras terras aliaque particulariter suprascripta, cum pertinentiis, prenominationis preposito, ballivis, decano gilde, decano convocanti magistro hospicii predicti nuncupati Hutchesounes Hospitall, eorumque successoribus in officiis, pro seipsis et nominibus respective supra expressis, secundum divisionem supra expressam, in omnibus et per omnia forma pariter et effectum, ut premissum est, contra omnes mortales, warrantizabimus, acquietabimus, et imperpetuum defendemus. Insuper dilectis nostris (*blank*) et vestrum cuilibet, conjunctim et divisim, ballivis nostris in hac parte specialiter constitutis, salutem vobis precipimus et firmiter mandamus quatenus visis presentibus indilate, statum, sasinam hereditariam pariter et possessionem corporalem actualem et realem totarum et integrarum pre-

other duties rights and services formerly owing and accustomed to be paid. And we, our heirs and successors whomsoever shall warrant, acquit, and for ever defend all and whole the lands and others, particularly above written, with the pertinents, to the said provost, bailies, dean of gild, deacon convener, master of the foresaid hospital called Hutchesounes Hospital, and their successors in office, for themselves and in name above expressed, respectively, conform to the division above expressed, in and through all, in like form and effect, as is beforewritten, against all mortals. Moreover, to our lovites (*blank*) and each of you, conjunctly and severally, our bailies in that part specially constituted, greeting, we command and firmly require that on these presents being seen, you without delay make, give and

ac duplicandi dictas feudifirme divorias primo anno introitus cujuslibet heredis ad terras aliaque supra dispositas cum pertinentiis prout usus est feudifirme; ac pro dicto officio balliatus et justicie predictorum unum denarium monete argenti antedictæ, apud castrum de Glasgow in festo Penthecostes nomine albe firme si petatur tantum, unacum fidei administratione in dictis officiis tantum pro omni alio onere, exactione, questione, demanda seu servicio seculari, que de predictis terris de Gorbals et Brigend, cum carbonibus, carbonariis, hereditario officio, privilegiis et pertinentiis, respective predictis, per quoscunque juste exigi poterint quomodolibet vel requiri. Et nos vero, heredes et successores. . . .

farm duties in the first year of the entry of each heir to the lands and others above disposed with the pertinents, as use is in feu farm; and for the said office of bailiary and justiciary foresaid, one silver penny of money foresaid, in name of blench farm, at the castle of Glasgow, at the feast of Whitsunday, if asked only, together with faithful administration only in the said offices, for all other burden, exaction, question, demand, or secular service, which can in any way be justly exacted or required furth of the foresaid lands of Gorbals and Brigend, with coals, coal heughs, heritable office, privileges and pertinents, respectively before mentioned. And we, our heirs and successors. . . .

dictarum sex libratarum terrarum antiqui extentus de Gorballs et Brigend, cum carbonibus et carbonariis infra dictas bondas existentibus, cum turre, fortalicio, maneriei loco, domibus, edificiis, hortis, pomariis, tenentibus tenandriis, liberetenentium servitiis, et omnibus aliis partibus pendiculis et pertinentiis earundem quibuscunque, ac hereditarii officii predicti, pre-nominatis Georgio Porterfield, preposito, Gulielmo Dunlope, Gulielmo Home, Niniano Gilhagie, ballivis, Joanni Grahame, decano gilde, Gulielmo Lightbodie, decano convocanti, et Jacobo Hamiltoun, magistro hospitii predicti nuncupati Hutchesounes Hospital, pro seipsis et nominibus et ad usus et utilitates supra et subscripta, viz. prefatis preposito, ballivis, decanis gilde et convocanti, et magistro hospitii predicti, pro seipsis et nomine et ad usum et utilitatem dicti concilii et communitatis eiusdem, pro tota et integra dicta quarteria seu quarta parte terrarum aliorumque suprascriptorum, cum pertinentiis; acetiam eis nomine et ad proprium usum et utilitatem dicti hospitii nuncupati Hutchesounes Hospital, et pauperum inibi locatorum vel locandorum, pro totis et integris dictis duabus justis quarteriis seu quartis partibus omnium et singularum earundem terrarum aliorumque suprascriptorum cum pertinentiis; et similiter, pre-nominatis personis nomine et ad proprium usum et utilitatem predicti hospicii nuncupati Crafts Hospital, pro tota et integra novissima

deliver heritable state, as also sasine, actual and real corporal possession of all and whole the foresaid six pound land of old extent of Gorbals and Brigend, with coals and coalheughs existing within the said bounds, with the tower, fortalice, manor place, houses, buildings, yards, orchards, tenants, tenandries, services of free tenants, and all other parts, pendicles and pertinents thereof whatsoever, and of the foresaid heritable office, to the said George Porterfield, provost, William Dunlope, William Home, Ninian Gilhagie, bailies, John Graham, dean of gild, William Lightbodie, deacon convener, and James Hamiltoun, master of the foresaid hospital called Hutchesounes Hospital, for themselves and in name and for the use and behoof above and underwritten, viz. : to the said provost, bailies, dean of gild, and convener and master of the foresaid Hospital, for themselves and in name and for the use and behoof of the said council and community of the same, to the extent of all and whole the said quarter or fourth part of the lands and others above written with the pertinents; and also to them, in name and for the proper use and behoof of the said hospital called Hutchesounes Hospital, and of the poor placed or to be placed therein, to the extent of all and whole the said two just quarters or fourth parts of all and sundry the said lands and others above written, with the pertinents; and likewise to the beforenamed persons, in name

quarteria seu quarta parte omnium et singularum earundem terrarum aliorumque prescriptorum, cum pertinentiis, vel eorum certis actornato vel actornatis, presentium latori vel latoribus, per terre et lapidis fundi earundem traditionem et deliberationem ut moris est, juste haberi faciatis, tradatis et deliberetis, sine dilatione, et hoc nullo modo omittatis; ad quod faciendum vobis, et vestrum cuilibet conjunctim et divisim, ballivis nostris in hac parte antedictis, nostram plenariam et irrevocabilem tenore presentium committimus potestatem. In cujus rei testimonium, presentibus (per Robertum Neill, scribam, Edinburgi, scriptis manibus nostris subscriptis) sigillum nostrum est appensum apud Edinburgum vigesimo tertio et vigesimo octavo diebus mensis Februarii et Maij, anno Domini millesimo sexcentesimo quinquagesimo, coram his testibus: subscriptioni mei dicti domini Roberti, magistro Alexandro Burnett, advocato, Joanne Hamiltoun de Bardowie, magistro Willielmo Lichtbodie, scriba, et dicto Roberto Neill et ad subscriptionem dicte domine Susanne, dicto vigesimo octavo die mensis Maij, dicto Joanne Hamiltoun de Bardowie, Joanne Hamiltoun, juniore de Bardowie, et magistro Joanne Spreule, notario in Glasgow. (Subscribed) R. Douglas, Susanna Douglas, Alexr. Burnet, testis; John Hammiltoun, witnes; W. Lightbodie, witnes; R. Neill, witnes; J. Bardouie, witnes; Mr. J. Spreule, witnes.

and for the proper use and behoof of the foresaid hospital called Crafts Hospital to the extent of all and whole the remaining quarter or fourth part of all and sundry the said lands and others before written with the pertinents, or to their certain attorney or attornies bearer or bearers hereof, by delivery of earth and stone of the ground of the same, as use is, you cause justly to be done, without delay, and this in no ways ye leave undone; which to do we by the tenor of these presents commit to you and each of you, conjunctly and severally, our bailies in that part foresaid, our full and irrevocable power. In testimony whereof our seal is appended to these presents (written by Robert Neill, writer, Edinburgh, and subscribed by our hands) at Edinburgh on the twenty-third and twenty-eighth days of the months of February and May, in the year of the Lord one thousand six hundred and fifty, in presence of these witnesses: to the subscription of me the said Sir Robert, master Alexander Burnett, advocate, John Hamiltoun of Bardowie, master William Lichtbodie, writer, and the said Robert Neill; and to the subscription of me the said lady Susanna, the said twenty-eighth day of the month of May, the said John Hamiltoun of Bardowie, John Hamiltoun, younger of Bardowie, and master John Spreule, notary in Glasgow.

CXXIX.

CONTRACT whereby John Craig, Portioner of Nether Newton, disposed to the Provost, Bailies, and Council of Glasgow a rood of land adjoining the Malt or Meal Mill and the Waulk Mill, on the Water of Kelvin. Glasgow, 28th March, 1654.

AT Glasgow the twentie aucht day of Marche j^m vj^c fiftie four yeiris, it is appoynttit and aggreit betwixt Johne Andersoune, James Pollock and Walter Neilsoune, balyeis of the burghe of Glasgow, James Hammiltoune, dein of gild, Manasses Lyill, deikin conveyer, Johne Louk, thesaurer thairof, and remanent counsellouris of the samyne, undersubscrivand, on the ane pairt, and Johne Craig, portioner of Nether Newtoun, on the uther pairt, in maner, forme and effect fallowing: That is to say, the said Johne Craig, for the few dewtie to be payit to him as is wnderwrytin, does heirby sell, dispone, sett and perpetuallie, in few and heretage, lattis to the saidis balyeis and counsell of the said brught and thair successoris, proveist, balyeis and counsell of the samyne, all and haill ane ruid of land or thairby, as being propper pairts and pertinentis of his saidis landis of Nether Newtoun, lyand within the baronie and regalitie of Glasgow and shirrefdome of Lanerik; and quhilk ruid of land or thairby lyes contigue, adjacent with the malt or meill mylne and waikmylne and other landis thair belonging to the said brughe of Glasgow,¹ and is boundit betwixt the landis of umquhill Mr. Robert Stewart² on the west and southe, the water of Kelveine on the north, and

¹ The mills here referred to stood on the site acquired by the town from Archibald Lyon in 1577-8. The rental right then acquired from Lyon was in 1588 renewed to the town by the lord feu farmer of Glasgow barony, Walter Stewart, who converted the rental into a feu by a charter dated 9th February, 1588. (See Glasg. Chart., I., pt. ii., pp. 446, 452; Glasg. Protocols, No. 3266.) At that time there appears to have been only one mill on the ground, and the records indicate that the walk mill mentioned in the

text was erected about the year 1650. (See Glasg. Rec., II., pp. 186-7, 192, 200, 435-6.) In 1771 the whole property, then called Clay-slaps Mill, was sold to the Incorporation of Bakers, but was reacquired by the corporation in 1874, and the site is now included in Kelvingrove Park.

² In a 16th century rental, printed by the Regality Club (vol. IV., p. 166), "John Steward of Rosland" is entered as possessor of the 13s. 4d. land and John Craig as possessor of the 20s. land of Nether Newton.

the said towne of Glasgows landis and myles on the eist pairtis, according as the samyne shall be pottit, meithit and merchit aff frae the rest of the said Johne his landis; togidder with all right, heretable tytyle of right, cleame, entres, kyndnes, propertie, possessione, actione, persute and instance, petitor or possessor, quhilk he had, hes, or anywayes can cleame or pretend thairto for ever: to the effect the samyne may be annexit and consolidat with the saids mylnes and mylne landis now belonging to the said brughe of Glasgow, perpetuallie, in all tyme comeing. And quhilk dispositioun and few locatioun, abowewrytin, off all and haill the said ruid of land or thairby with the pertinentis, the said Johne Craig does heirby bind and obleis him, his aires and successouris to his saids landis to warrand to the saidis bailyeis and counsell of this brughe and thair foirsaidis successoris in office, proveist, bailyeis and counsell of the samyne, at all handis and against all deidlie; and the samyne to be frie of all kynd of dewteis and exactiones that can any maner of way be cravit furthe thairto in tyme comeing except the few dewtie wnderwryttin allanerlie; and does heirby presentlie enter and posses the saidis bailyeis and counsell and thair foirsaidis in and to the reall, actuall and peceabill possessione of the said ruid of land or thairby, swa that they heirby may frilie enter thairto presentlie, labour, manure or utherwayes use the samyne as thair oun propper in all tyme comeing, without any kind of trouble or impediment whatsoever. For the quhilk premissis and locatioun abowewryttin, the saids bailyeis and counsell of the said brughe does heirby bind and obleiss them and thair successours in office thankfullie to content and pay to the said Johne Craig, his aires and successouris to his saidis landis, all and haill the sowme of four pundis Scottis money, at twa terms in the yeir, Whytsunday and Mertimes, be equall portiones, beginnand the first terms payment thairto at Whytsunday nixtocome, and swa furthe to continow in thankfull payment of the said few dewtie perpetually in all tyme comeing, with threttie schillings penalty for ilk terms falyie. And to the effect that the saids bailyeis and counsell and thair saidis successours may be dewlie infeft and seaisit in the said ruid of land or thairby, with the pertinentis, boundit and lyand as said is, the said Johne Craig does heirby mak, creat, nominat and constitut (*blank*), ilk ane or any ane of them, conjunctlie and severally,

his bailyeis in that pairt, giveing heirby warrand and commissioun to them, or any ane of them, immediatlie efter sight heirof to pas to the said ruid of land or thairby, with the pertinentis, and thair for him and in his name to give heretable infeftment, stait and seasing, as also reall, actuall and corporall possessioun of all and hail the samyne ruid of land or thairby, with the pertinents, boundit and lyand as is abovewryttine, to the saidis bailyeis and counsell of Glasgow, or to thair actorney or actorneys in thair names, and that be delyverie to them of earthe and stane of the saids landis as use is, and that yee doe nowayes neglect to doe the samyne; to the doeing quhairof the said Johne Craig does heirby committ his full power, warrand and commissioun. Lykas it is aggreit betwixt the saidis pairteis that it shall be lisome to the said Johne Craig, yeirlye, dureing his lyfytyme, when himself hes to doe with bigging allanerly, to wine, upone his owne chairges, ane hundrethe draught of staines in the quarrell¹ to be maid in the landis abovedisponit, and that his successouris sall have no kynd of benefite to this last clause anent the saids stones. And for the mair securitie the saids pairteis ar content thir presentis be registrat in the buikis of the court of justice, commissar or towne court buiks of Glasgow, that executoriallis of horning, pointing, and warding may heiron pas, on sax dayes, and constitutes (*blank*) procuraturis. Wryttine be Alexander Pettigrew, wryter in Glasgow, and subscrivit as fallowes, at day, yeir and place forsaid, befor thir witnessis: Robert Hammiltoun, Johne Herbertsoun elder, Adame Ritchie, merchands, burgessis of Glasgow, and Mr. Alexander Forrest, schoolmaister thair, and James Bischop, officer. (Subscribed:) J. Andirsoun, baillie; James Pollok, bailyea; Walter Neilsone, baillie; James Hamiltoun, Manasses Lyill, J. Louk, Patrick Park, Georg Broome, J. Hall, Mr. J. Dunlop, William Wilsoun, James Govane, Arthur Tacket, James Bell, Coline Campbell, James Trane, Johne Andersone, J. Campbell, W. Cumming, J. Colhoun. I Williame Yfair, notar publict, subscriyving for the said John Craig, at his command, becaus he cannot wrytt. I Alexander Pettigrew, conotar, doe subscriyve also for the said Johne Craig, at his command. J. Hammiltoun, witnes, A. Richie, witnes, Mr. A. Forrest, witnes, J. Bischop, witnes.

¹ The site of this "quarrell" appears to be that which is marked "Old Quarry" on the Ordnance Survey Map of 1857. The new Art Galleries now occupy the adjoining ground.

CXXX.

CHARTER by the Commissioners for the Duke of Lennox and Richmond, confirming Charter No. CXXVIII. in favour of the Provost, Bailies, and Council of Glasgow, for behoof as therein mentioned. Glasgow, 8th September, 1655.

TO all and sundrie quhom it effeires, to whois presence this chartour sall come: Johne earle of Traquhair, William lord Cochrane, Sir George Maxwell of Nether Polok, Sir Archibald Stewart of Blaikhall and Johne Stewart, fiar thairof, commissioners constitut be Marie dutches of Lennox, tutrix testamentar to Johne now duike of Lennox and Ritchmont earle Dearnlie and Marche lord Torboltoune, Methven and Obenie, and als lord of the lordship, boronie and regalitie of Glasgow, and swa superiour of the lands and utheris underwryttin, for guying and governeing of his graces affaires within the natione of Scotland, and speciallie for entering and recaveing of vassellis and heretable tennentis to thair lands wpon resignatione, be confirmatione and preceptis of clare constat, and granting of chartouris, confirmationes and preceptis thairwpon, conforme to the commissione grantit be the said Marie dutches of Lennox to ws, or any thrie of ws, the said earle of Traquhair being alwayes one for that effect, off the dait the (*blank*) day of (*blank*) lastbypast and registrat in the court buikis of justice wpon the (*blank*) day of (*blank*) thairefter. Witt ye ws, for certaine guid causes and considerationes moveing ws, to have ratified and approve, and be the tennour heiroy ratifies, approves and perpetuallie confirms the chartour, alienatione, venditione and precept of seaseing thairin contenit, maid and grantit be Sir Robert Dowglas of Blaikerstone, knycht, with the speciall advyse and consent of dame Susanna Dowglas, his spous, and he takand the burdene in and wpon him for her, to George Porterfeld, proveist, William Dunlope, William Hooome and Niniane Gilhagie, baillies, Johne Grahme, deane of gild, William Lightbodie, deacon conveyner, and James Hamiltone, master of the hospitall callit

Hutchesones Hospitall, and the rest of the counsellouris of the said burgh of Glasgow, and thair successouris in offices, in name [and] to the use and utilitie of the counsell and communitie thair of, and that for all and haill the just fourt part or quarter part off the lands and utheris underwrittin, with the pertinentis allenerlie; and als to them in name of and to the proper vse and wtillitie of the said hospitall callit Hutchesones Hospitall and the puir plaiced and to be placed thairin, for all and haill twa just quarter or fourt partis off all and sundrie the samein lands and wtheris wnderwrittin, with the pertinentis; and siclyk to the fornamed persones and thair successouris in offices, in name and to the proper use and wtillitie off the hospitall callit Craftis Hospitall, for all and haill the last or fourt quarter or fourt part off all and sundrie the samein lands and wtheris eftermentonat, with the pertinentis, off all and haill the sex pund land of old extent of Gorballis and Brigend, with coallis and coallheuches, within the bounds thair of, with tour, fortalice, maner plaice, housses, biginges, yeards, orchyeards, tennentis, tennendries, service of frie tennentis, and all and sundrie wther partis, pendicles and pertinentis thair of quhatsoever, lyand within the borownie and regalitie of Glasgow and sheref dome of Lanerk; together with the heretable office of baillirie and justiciarie within the said bounds; with all privilegedges and liberties quhatsoever belonging thair to; together alsoe with all wther heretable right, claime of right, propertie and possessione, wther right and tittill quhatsoever quhilk the said Sir Robert Dowglas, his said spous, or ether of them could claime thair to. To be holdin of the deceist noble prince James duike of Lennox and Ritchmont, etc., father to the said Esme, now duike of Lennox, and his aires and successouris, superiours thair of, in few ferme and blenche ferme, fie and heretage for ever, for the yeirlye payment to be maid be the said proveist, baillies, deane of gild, deacon conveiner and maisters of the said hospitallis, and thair successouris, for themselves and in name and behalfe abovewryttin, conforme to the divisione abovewryttin, to the said noble prince Esme, now duike of Lennox, his airs maill and successouris, superiours above mentionat, thair chalmerlanes and factouris in thair name, for all and haill the said sex pund land of old extent of Gorballis and Bridgend, with coallis and coallheuches within the bounds thair of, tour, fortalice and remanent

pertinentis abovewrittin, lyand as said is, the sowme of sex pund wswall money of this natioune, with aucht bollis of meill to the myne of Partick; payand the said silver few ferme at twa termes in the yeir, Whitsonday and Mertimes in winter, be equall portiones, in name of few ferme; and the said wictwall few ferme yearlie at the termes wsit and wont, as the old few ferme dewtie wsit and wont of befor to be payit for the saids lands; as also the sowme of (*blank*) as the proportionail part of the sowme of twa shillinges money forsaid of augmentatione off the rentall of the abovewrittin lands and of the halfe of the fyve merk land of Wodsyde, the thretein shilling four penny land of Nether Newtoun, belonging of old to Johne Stewart of Rothesay, the thretein shilling four penny land of Meikill Cowcadanes, with that part of the moss of Meikill Goveane belonging thairto, at the saids twa termes in the yeir, Whitsonday and Mertimes in winter, be equall portiones as said is; and als dowbleand the forsaid few ferme dewties the first yeir of the entrie of everie air to the saids lands and wtheris abovewrittin with the pertinentis, as wse is of few ferme; and for the saids office of baillirie and justiciarie ane penny money, at the castle of Glasgow, at the feist of Whitsonday, in name of blenche ferme, if it be askit allennerlie; quhilk chartour is of the dait at Edinburgh the twinttie thrid and twinttie aucht dayes of Februarii and Maii ane thowsand sex hundreth and fyftie yeiris: In the haill heids, articles, clausses, circumstances and conditiones thairof and conforme thairto in all poyntis; together with the instrument of seaseing following thairwpone. Reservand allwayes to the said noble prince Esme duik of Lennox, his aires maill and successouris the few dewties, blenche dewties and wther dewties and services wsit and wont to be payit furth of the saids lands to them befor this present confirmatione. Attoure, we the saids commissioners willis and grantis, decernes and ordaines this present generall confirmatione to be als guid, valied, effectuell and sufficient to the proveist, baillies, counsell, deane of gild, deacon conveyner and maisters of the hospitallis abovewrittin, and thair successouris in the saids offices, for thair bruiking and joyseing of the lands and wtheris abovewrittin with the pertinentis, as thair proper heritage in all tyme cuming, as gife the forsaid chartour and instrument of seaseing following thairwpon wer at lenth and word be word insert heirintill, and siclyk as if this present

chartour had bein grantit be ws to them of the saids lands befor the seaseing abovewrittin takein be them thair of; quhairanent and anent all wther imperfectiones and objectiones that may be proponit or alledgit aganest the validitie of this present chartour, we as commissioners forsaide [have dispenced] and dispences for ever. In wittnes whair of we have subscrivit this present chartour (writtin be James Mudie, notar in Glasgow), the seall of the said noble prince is heirto affixt, at Glasgow, the aucht day of September, j^m vj^e fyftie fyve yeiris, befor thir witnessis: Mr. John Sprewell, wryter in Glasgow, Gawine Burnet, wryter in Edinburgh, and Albert Nisbit of Scheillis, etc. Reservand allwayes to the said noble prince in maner conforme to the reservatioun contenit in the chartour grantid by his graces predicesouris in favouris of the viscount of Balheaving, now deceist, of the foirsaidis lands and justiciari. [Subscribed:] Traquaire; Cochrane; Sir G. M. Neather Pollok; Sir A. S. Blakhall; J. Stewart; Jo. Spreule, witnes; A. Nisbit, witnes; Ga. Burnet, witnes. Compositio: threttie pund sterling.

CXXXI.

EXTRACT Act of Parliament ratifying several Charters in favour of the Provost, Magistrates, and Council of Glasgow, and annexing Gorbals and Bridgend, with the Wheat Mill on Kelvin, to the city of Glasgow for certain purposes. Edinburgh, 20th May, 1661.

AT Edinburgh the tuentie day of Maij the ycir of God ane thousand sex hundreth thrie score ane yeires. Our Sovereigne Lord, with advyse and consent of the estaites of this present parliament, hes ratified and approvin, and be thir presentis ratifies and approves the chartour and infettment made and granted be his Majesties deceist father, of happie

and eternal memorie, with advyse and consent of his Hihnes thesaurer, comptrollor, collector generall and thesaurer of his Hihnes said deceist fatheris augmentatiounes of Scotland, and of the remanent lords of his Hihnes exchequar for the tyme, wheirby his Majesties said deceist father, with advyse and consent foirsaid, hes ratified and approvin diveris and sundrie chartoures, infeftmentis, preceptis, instrumentis of seasing, confirmatiounes, actis, sentances, decreits, donatiounes, mortificatiounes, rightis of patronages and utheris rightis, titles, evidentis and secureties, liberties, commodities, priviledgis and utheris, particularlie and generallie theirin exprest, made and grantit to the burgh and citie of Glasgow, provest, baillies, deane of gild, thesaurer, counsell and communitie of the samin, and their successouris, be his said Majesties deceist father, or be whatsumevir his Majesties most noble progenitoures, Kinges, Queenes, Princes and Stewartis of Scotland, and their regentis and governoures for the tyme, or be the lordis of counsell and sessioun and colledge of justice, and with all and sundrie actis of burrowis, wther actis, rightis, liberties, and possessiounes anywayes bruiked of befoire be the said burgh of Glasgow, and kirkes, colledgis, ministeris and hospitalles within the samin, in maner specified in the said chartour; wheirby also his Majesties dearest father, with consent of his said Hienes thesaurer and comptroler, collector, and remanent lordis of exchequer for the tyme, his Hihnes commissiouneris, hes given, granted and disponed, *cum clausula de novo damus*, to the proveist, baillies, counsell and communitie of the said burgh and citie of Glasgow and to their successoures for evir, all and haill the said burgh and citie of Glasgow, with all and sundrie landis, houssis, biggingis, tenementis, yairdes, orcheardis, kirkes, kirkyardes, patronages, chappellis, chaplanries, teyndis, [wallis,] portis, gaites, passages, calsayes, aikeris, ruides, lochis, burnes, toftis, croftis, infeild, outfeild, territorie and commounitie of the samine, mylnes, mylnelandes, multouris, sequellis, suckin, thirlage, dames, inlayeris, leades, and water-gangs, craigs, hilles, salmond fischingis and uther fischings in the water and river of Clyde, hospitalles, correctiounhouse, mures, mosis, greines, commounties, loanes, bridges, coalles, coalheughes, lyme, limestone, annwellrentis, few mailles, few fermes, duties, mansiounes, frutes, emolumentis, foundatiounes, donatiounes, presentatiounes, mortificatiounes,

almes, dailsilver, and all wther priviledges and immunities, alsweill ecclesiasticall as secular, belonging theirto, and with libertie and priviledge in the water of Clyde in maner specifeit in the said chairtour errecting the said burgh in ane frie burgh royall, and giving to the samin burgh ane correctiounhous; and with that hous callit the lipperhous and Sainct Ninianes hospitall, with sundrie liberties and priviledges, and with the customes and duties belonging to the said burgh, and making the proveist, baillies, counsell and communitie of the samyn burgh and their successoures heretable patrones of the Trongaitt Kirk of Glasgow, as in the said chairtour, conteining diveris and sundrie wther heides, claussis, giftes and donatiounes in favoures of the said burgh and citie of Glasgow, provest, baillies, counsell and communitie theirrof, and their successouris, of the dait at New Mercat the sixtein day of October, j^m vj^c threttie six yeires, at more length is contained; togither with the act of parliament following theirwpon of the dait the sevintecinth day of November j^m vj^c fourtie ane yeires, wheirby his Majesties umquhile father, with advyse and consent of the estates of parliament for the tyme, hes ratified and approvin all and sundrie the foirsaidis chairtours, infeftmentis, preceptis, instrumentis of seaseing, confirmatiounes, acts, sentances, decreitts, donatiounes, mortificatiounes, rightis of patronages, and wtheris rightis, titles, evidentis and secureties, liberties, commodities, priviledgis and wtheris particularlie and generallie theirin exprest, made and grantit to the said burgh and citie of Glasgow, proveist, baillies, deane of gild, thesaurer, counsell and communitie of the samin, and their successouris, in maner specified in the said chartour, in all and sundrie heides, clauses and circumstances theirrof, togither with the precept and instrument of seasing following theirwpon and all that hes followed or may follow theiranent, and hes decerned and ordained that the foirsaidis rightis, secureties, priviledgis and wtheris exprest in the said chartour, then ratified and approvin be his Majesties deceist father, with advyse and consent of the saidis estates of parliament for the tyme, are and shall be guid and valide rightis to the provest, baillies, counsell and communitie of the said burgh of Glasgow, and to their successouris, for bruiking and joyseing of the samin perpetuallie in all tyme theireftir, but trouble or impediment, conforme to the tennour theirrof in all poyntis. And sicklyke our

said Sovereigne Lord, with advyse and consent of the estates of this parliament, hes ratified and approvin, and be thir presentis ratifies and approves all and sundrie the contractis of alienatioune, letteris of dispositioun, preceptis, procuratories and instrumentis of resignatioun, chartouris, infetmentis, and all rightis and secureties of whatsumevir daitt or daittes the samin be, made and granted be umquhile Sir Walter Stewart, elder of Minto, knight, and Sir Lodovick Stewart, younger of Minto, knight, his lawfull sone, to the provest, baillies and counsell of the said burgh of Glasgow and to their successouris in office, heretable and irredeimable, for the vse and profite of their tuo ministeris serveing the cure at the New Kirk within the said burgh of Glasgow, as ane pairt of their stipend, off all and hail the superiorities and few ferme duties of all and sundrie the mylnes and killes of the landis of Westircraiges, foundit and bigged theirwpon, with multouris, sequelles, suckine, knaveship, liberties, priviledgis, yairdes, pairtes, pendicles and pertinentis whatsumevir perteing and belonging to the saidis mylnes and killes, lyand neir the said burgh and citie of Glasgow and shireff-dome of Lanerk; togither with the chartour under his Hienes great seall, grantit be his Majestie, with advyse and consent of his Highnes commissiouneris for the thesaurarie and remanent lordis off exchequar of this kingdome for the tyme, to the proveist, baillies and counsell of the said burgh of Glasgow and their successores in office, heretable, for the vse and behuiff of the saidis tuo ministeris serveing the cure at the said New Kirk as a pairt of their stipend off all and sundrie the saidis superiorities and few ferme duties of all and sundrie the saidis mylnes and killes of the landis fairsaidis, with multouris, sequellis, suckine, knaveship, liberties, priviledges, yairdes, pairtes, pendicles, and pertinentis whatsumevir perteing and belonging theirto, to be holdin of his Majestie and his Hienes successouris (wpon the said Sir Walter and Sir Lodovick Stewarts their resignatioun) in few ferme and heretage for evir, for payment yeirlie of tuo shillings Scotis money at tuo termes in the yeir, Whitsunday and Mertimes in winter, be equall portiones, of few ferme allanerlie; which chartour is of the dait the first day of March j^m vj^e and fyftie yeires, and contenes ane clause of *de novo damus* in ample forme and with the precept and instrument of seaseing following theirwpon.

As lykewayes his Majestie, with advyse and consent foirsaid of the estaites of this present parliament, hes ratified and approvin and be the tennour heiroy ratifies and approves the chartour of alienatioun and dispositioun theirin conteined and precept of sasine folowing theirupon, made and grantit be Sir Robert Douglas of Blaikerstoune, knight, with consent of Dame Susanna Douglas, his spous, to the proveist, baillies, deane of gild, the deacones, and maister of the hospitall called Hutcheounes hospitall, and to the rest of the counsellouris of the burgh of Glasgow and to their successouris in office, in name and to the vse and utilitie of the counsell and commountie their off certaine pairtes and portiounes of landis and wtheris underwritin, as als to them in name of and to the propper vse of the hospitall called Hutchesones hospitall, and to the poor placed and to be placed theirintill, for certaine pairtes and portiounes of the samin landis eftirspecifeit, and sicklyke to the foirnamed persones and their successouris in office in name and to the propper vse and utilitie of the hospitall callit the Craftis Hospitall, for ane certaine wther pairt and portioun of the samin landis and wtheris eftirmentiouned with the pertinentis, to witt, off all and hail the six pound land of old extent of Gorballes and Brigend, with coalles and coallheughes within the boundis their off, and with the toure, fortalice, maner place, houses, bigings, yairdes, orchyairdes, tennents, tennendries, service of frie tennentis of the samin, and all wther pairtes and pendicles their off whatsumevir, lyand within the barronie and regalie of Glasgow and schireffdome of Lanerk, and with the heretable office of bailliarie and justiciarie within the saidis boundis, with all liberties and priviledges whatsumevir belonging theirto, and with all wther right, propertie and possessioun belonging to the said Sir Robert Douglas and his said spouse; to be holdin of the deceist noble prince Esmy duke of Lennox and erle of Ritchmont, superiour their off, in few ferme, fie and heretage, in maner specifeit in the said chartour, beiring dait the tuentie thrid and tuentie eight dayes of Februarij and May j^m vj^e and fyftie yeires; together also with the chartour of confirmatioun and ratificatioun their off, made and granted be Johne erle of Traquair, William lord Cochrane, Sir George Maxwell of Nethir Pollock, knight, and Sir Archibald Stewart of Blackhall, knight, commissiouneris constitute be Mary dutches of Lennox,

tutrix testamentar of Esmý duke of Lennox erle of Ritchmont erle Darnely and March lord Torbultoune, Methven and Obigny, lord of the lordship and barronie and regalitie of Glasgow, superiour of the saidis landis and wtheris abovewritten, for guydeing and governeing of his graces effaires within the kingdome of Scotland, and namelie for entrie and receiveing of vassallis and tennentis to the landis and wtheris wpon resignatioun or confirmatioun, preceptis of clare constat, and granting of chartouris and confirmatiounes and preceptis theirwpon, conforme to the commissioun grantit be the said Marie dutches of Lennox to them, or any thrie of them, the said earle of Traquair being alwayes ane for that effect, to be holdin of the said deceist noble prince James duke of Lennox and erle of Ritchmont, father to the said Esmý, duke of Lennox, his aires and successoures, superiouris theirow, in few ferme and blensch ferme fie and heritage for evir; which chartour is of the dait at Glasgow the eight day of September j^m vj^c fyftie fyve yeires. Togither lykewayes with all and sundrie wther chartouris, infeftmentis and preceptis, instrumentis of seasing, confirmatiounes, donatiounes, mortificatiounes, and all wtheris rightis and securesities made and grantit to the said burgh and citie of Glasgow, proveist, baillies, deane of gild, thesaurer, deacone conveyener, maister of the hospitall, counsell and communitie off the samin, be whatsumevir persone or persones, in all and sundrie heidis, clauses and circumstances of the saidis chairtours, infeftmentis, rightis, titles and securesities foirsaidis, and with the preceptis and instrumentis of seaseing following theirwpon and all that hes followit or may follow theiranent. Attoure our said Sovereigne lord, with advyse and consent foirsaid of the estates of this present parliament, decernes and ordaines that the foirsaidis chartours, infeftmentis, rightis, securesities, priviledges, liberties, and wtheris particularlie and generallie exprest theirintill, now ratified and approvin, are and shall be guid and valide rightis to the said proveist, baillies, deane of gild, counsell and communitie of the said burgh of Glasgow, and to their successouris for evir, for bruiking and joyseing of the samin perpetuallie in all tyme coming but trouble or impediment. As lykwayes findis and declaires this present ratificatioun to be als valide, effectuell and sufficient, to the effect before rehearsed, as if the foirsaidis chartouris, infeftmentis, seaseingis, rightis, and securesities, particularlie and generallie above mentiouned, heirby ratified, were insert verbatim

heirintill; wheiranent our said Sovereigne lord and estates of parliament have dispensed and be thir presentis dispensssis for evir. Moreover in respect the saidis landis of Gorballs and toune of Bridgend, quhair of the right is established to the toune of Glasgow and their hospitalles, as said is, ly contigue to the said citie, at the wther end of their bridge; together with the wheat mylne wpon the water of Kelving, belonging properlie to the said toune and the baxteris within the samin; theirfoire our Sovereigne lord, with advyse and consent of the estates of parliament, doe heirby dissolve the saidis landis of Gorballes and toune of Brigend, wheat mylne fairsaid, from the shyre of Clydisdaill, regalitie of Glasgow and parochin of Govane, and annex, allocat and unitt the samin to the citie of Glasgow, to this effect allannerlie, viz., wheirby the inhabitantis theirow may be parochineris in and with the toune of Glasgow and repaire for the ordinances to the church within the citie ewest to them, and in all publict musterings, levies, and outreikes, joyne, levy and randivouse with the citie and inhabitantis theirow, and lykewayes bear ane proportionable pairt of all stentis, taxatiounes and impositiounes with the burgh, appoynting also the saidis inhabitantes of Gorballes and toune of Brigend and wheat mylne fairsaid to be ordered, taxed and judged be the magistrats of Glasgow, and to be subject to their jurisdictione and magistracie of the said citie, in the same maner as are the frie burgessis and inhabitantis of the same in all tyme cumeing; declareing alwayes that the said union and annexatioun shall inferre no farther citie priveledge to the said inhabitantis of Gorballs and Brigend and wheat mylne fairsaid then to be parochineris of the citie to joyne in all musterings, randivous and levies with the citie, and to be ordoured, taxed and judged by the magistrates theirow allanerlie and no further. Lykeas it is farder provydit and declaired that this present mortificatioun, annexatioun and union shall not frie or exeime the saidis landis of Gorballis and wtheris heirby mortified, annexed and unite, from the dewis and impositiounes payable in commoun be wtheris in the schyre of Lanerk be any order from publict authoritie, but that the saidis landis sall be lyable in payment of excyse and wther publict impositiounes with the rest of the schyre. Extracted furth of the records of parliament be me Sir Archibald Prymerose of Chester, knight and barronet, clerk of his Majesties counsell, registeris and rollis. [Subscribed] A. PRIMEROSE, Cls. Reg.

CXXXII.

CONTRACT between the Commissioners of the Burgh of Glasgow and the Commissioners of the feuars and inhabitants of Gorbals and Bridgend relative to questions between them. Edinburgh, December, 1661.

AT Edinburgh the (*blank*) day of December j^m vj^c thrie score ane yeiris. It is agreaed and condiscended to betwext John Bell, late proveist of Glasgow, and James Campbell, late bayleff thereof, haveing power and commission frae the toune and magistrats of Glasgow, and takeing burden upon them for the said toune and magistrats thereof, on the ane parte, and William Corbet, Thomas Andersone, David Scot, Allan Cumming and George Thomsone, fewaris in Gorbellis and Brigend of Glasgow, for themselves and haveing warrand and commission frae the remanent fewaris and inhabitants there, and takeing burden on them for the saidis remanent fewaris and inhabitantis, on the uther parte, as followeth: That is to say, forsameikill as there was question likely to arise betwext the said toune of Glasgow and the saidis fewaris and inhabitantis of Brigend anent the act of ratificatioun past in the last session of this present parliament in favouris of the said burgh of Glasgow, dated the twentieth day of May j^m vj^c thrie score ane yeares, bearing in the end therof ane union of the saidis landis of Gorballis and Brigend to the said citie of Glasgow, to the effects therein mentionat; which union the saidis fewaris and inhabitantis of Brigend conceaved to be contrare to their just rights, infestments and uther priviledges quhich they formerly enjoyed. And withall it being the desire of both the saidis parties that the foresaidis differences should reather be amicably composed than that they should proceed to a further hearing in law, have by intermediation of the right honourable Sir John Fletcher, his Majesties advocat, arbiter chosen for the said toune of Glasgow, and Mr. Robert Sinclare of Lockermaikhous, advocat, arbiter chosen for the saidis fewaris and inhabitants of Gorballis, and of the most

noble and potent earle William earle of Glencairne, etc., high chancellare of Scotland, oversman mutually chosen (in case of variance) by both the saidis parties, settled and agreed the saidis differences in maner after-mentionat, to wit:—The saidis fewaris and inhabitants of Gorballis agreeas to, and shall not in any time hereafter question their dissolution frae the shire of Clidsdale, regalitie of Glasgow and parochin of Govean, and union to the said citie of Glasgow, to the effects following allennerlie, viz.:—to the effect the saidis inhabitantis of Gorballis may be parochineris in and with the citie and inhabitantis therof and repair for the ordinances to the church within the said citie ewest to them (if the said citie shall think the same convenient); and next to this effect that they may joyne in musterings, leavies, and outreikis proportionally (in maner after explained) with the said citie; provideing allwayes the saidis fewaris and inhabitantis be first freed and exeemed frae any mustering, leavying and outreiking with the said shire of Clidsdale or Lanerk. And upon the uther parte it is agreed and condiscended to be the saidis commissioneris for Glasgow, takeing burden upon them for the said citie and magistrats therof as said is, that notwithstanding of the said ratification and union therin contained, the saidis fewaris and inhabitants of Gorballis and Brigend shall not be lyable to beare any part of any stents, taxations, impositions, either of excise or assessment, or uther publick burdens with the said citie of Glasgow, aye and while they be fully and wholly freed of bearing the saidis burdens with the said shire of Clidsdale or Lanerk or any uther parte of the regalitie of Glasgow, except with the said citie of Glasgow allennerly; which the saidis commissioneris, takeing burden on them for the said citie, obleissis them to procure before the saidis fewaris and inhabitantis of Gorballis be lyable as said is. And in case the said citie shall obtaine the saidis fewaris and inhabitantis of Gorballis altogether freed frae bearing burden with the said shire of Clidsdale or Lanerk, that than and in that case the saidis fewaris and inhabitantis shall be no further lyable in stents, taxations, leavies, outreikis, or uther publique impositions and burdens foresaidis with the said citie, but according to that proportion they were formerly lyable to beare while they remained unite to the said shire and regalitie, according to their severall pieces of landis they bruike and rights whereby they bruik and enjoy the

same, and as the vassallis and inhabitantis of uther baronies and regalities as to landwart beare and are lyable to their superiouris and masteris. And, last, it is expressly agreed and consented to be the saidis commissioneris for Glasgow that, notwithstanding of the said act and union foresaid therein contained, the saidis fewaris and inhabitantis of Brigend and Gorballis shall be judged and ordered by ane bayliff to be chosen be the magistrats and counsell of the said burgh of Glasgow. And as to the place of holding courts, remitts the same to the magistrats therof. And the saidis commissioneris for Glasgow obleissis them to procure and obtain the subscriptions of the present proveist and bayliffs of Glasgow to this present agreement, and the samyn to be ratified be the toune counsell therof and recorded in their toune court buikis *ad futuram rei memoriam*. In witness quherof (written be Mr. Hugh Maxwell, writer, Glasgow) both the saidis parties have subscribed these presentis with their handis, day, moneth, yeare and place abovewrittin, before these witnessis: Sir Robert Dowglass of Blakerstoune, knight, Alexander Dowglass, his sone, the said Mr. Robert Sinclare of Lockermaikhouse, Mr. John Wilkie of Broomhouse, and the said Master Hugh Maxwell. [Subscribed:] Jon. Bell, J. Campbell, Wm. Corbett, David Scot, Georg Thomsoune, Alex. Douglas, witnesse; Hu. Maxwell, witnesse; Sir R. Dowgles, witnes; Mr. R. Sinclair, witness; J. Wilkie, witnes.

[The following undated writing, marked on the back "The fewares of Gorballes acknouledgment of ane fault," is put up with the Contract:—]

Wee, undersubscrivers, being vassells and tyed by many obligationes to the magistrates and counsell of Glasgow, our superiores, does by these presents acknouledge our rashnes in giveing in any complaint to the privie counsell before all endevoures had been used at home for remedie and redres, and does in all humilitie acknouledge our error and hopes that their w. will pardone it as proceeding from waiknes and not disrespect, and shall be alwayes readie to pay all due respect that can be expected frae vassells to their superiors as they expect from them all clemencie and tendernes. [Subscribed:] Wm. Corbett, David Scot, Thomas Andersone, A.C., George Thomsoune.

CXXXIII.

ACT of Parliament for the restitution and re-establishment of the ancient government of the church by Archbishops and Bishops. Edinburgh, 27th May, 1662.

FORASMUCH as the ordering and disposall of the externall government and policie of the church doth properlie belong unto his Majestie, as ane inherent right of the croun, by vertew of his royall prerogative and supremacie in causes ecclesiasticall; and in discharge of his trust, his Majestie and his estates of parliament, takeing to their serious consideration, that in the beginning of, and by the late rebellion within this kingdome, in the yeer 1637, the ancient and sacred order of bishopes was cast off, their persons and rights wer injured and overturned, and a seeming pairtie among the clergie factiously and violently brought in, to the great disturbance of the publict peace, the reproach of the reformed religion, and violation of the excellent lawes of the realme for preserveing ane orderlie subordination in the church. And therewithall considering what disorders and exorbitancies have been in the church, what encroachments upon the prerogative and rights of the crown, what usurpations upon the authoritie of parliaments, and what prejudice the libertie of the subject hath suffered by the invasions made upon the bishops and episcopall government, which they find to be the church government most agreeable to the word of God, most convenient and effectuell for the preservation of treuth, ordour and unitie, and most suteable to monarchie and the peace and quyet of the state. Thairfor his Majestie, with advise and consent of his estates of parliament, hath thought it necessar, and accordingly doth heirby redintegrat the state of bishops to their antient places and undoubted priveledges in parliament, and to all their other accustomed dignities, priveledges and jurisdictions; and doth heirby restore them to the exercise of their episcopall function, presidencie in the church, power of ordination, inflicting of censures and all other acts of church discipline, which they are to perform with advice and assistance of such of the clergy

as they shall find to be of known loyaltie and prudence. And his Majestie, with advice forsaide, doth revive, ratifie and renew all acts of any former parliaments made for the establishment and in favours of this antient government; and doth ratifie and approve all acts and proclamations emitted by his Majestie or his privy counsell since the first day of Junij last in order to the restitution of bishops. And further it is heirby declared that whatever shall be determined by his Majestie, with advice of the archbishops and bishops and such of the clergie as shall be nominated be his Majestie in the externall government and policie of the church (the same consisting with the standing lawes of the kingdome), shall be valeid and effectuell. And his Majestie, considering how necessar it is, that all doubts or scruples which from former acts or practises may occur to any concerning this sacred order be cleared and removed, doth therfor, of certane knowledge and with advice forsaide, rescind, cass and annull all acts of parliament by which the sole and only power and jurisdiction within this church doth stand in the church and in the generall provinciall and presbyteriall assemblies and kirk sessions, and all acts of parliament or counsell which may be interpreted to have given any church power, jurisdiction or government, to the office-bearers of the church their respective meittings, other than that which aknowledgeth a dependance upon and subordination to the soveraigne power of the King, as supream; and which is to be regulated and authorized, in the exercise therof, by the archbishops and bishops, who are to put order to all ecclesiasticall maters and causes, and to be accomptable to his Majestie for their administrations. And particularly his Majestie, with advice forsaide, doth rescind and annull the first act of the tuelff parliament of King James the sext, holden in the yeer 1592, and declares the same and all the heids, clauses and articles therof void and null in all time comeing. And his Majestie considering that the jurisdiction of the commissariots is a propper parte of the rights and priveledges belonging to the bishops, doth therfor, with advice forsaide, restore the archbishops and bishops to their said jurisdiction of commissariots, according to the sext act of parliament 1609, which is heirby ratified and renewed; and accordingly ordaines that in all time comeing the quotes of testaments be payed in to the archbishops and bishops in their respective diocesses as formerly; and rescinds and annulls

the tuentie eight act of the last session of this present parliament, anent the quotts of testaments, and declares the same void in all tyme comeing. It is alwayes heirby declared that this act is without prejudice of the present commissaries, their clerks and fiscalls, their injoying their places and benefites thairof conform to their gifts and lawes of this kingdome, wnles for their insufficiency or misdemanours they be found incapable of the same. Further his Majestie, with advice and consent forsaid, statuts and ordaines that no act, gift, tack or deid, passed by whatsoever authority, since the interruption of the government by archbishops and bishops in the yeer 1637, to the prejudice of their rights, patronages, admiralties, superiorities, rents, possessions and jurisdictions perteaning to the severall bishopricks, stand valeid or be in force, but that the saids archbishops and bishops, may have their clame, right and possession, for the yeer 1661, and all yeers following, to whatsoever wes possest by, or by the lawes of the kingdome wes due to their predicessours in anno 1637; and that notwithstanding of any donation or rights made to colledges, churches, corporations, ministers, or any other persons since the yeer 1637, by whatsoever order, deid or warrand, excepting as is aforesaid, in favours of commissaries, clerks and fiscalls. And whereas diverse persons haveing right to lands, annuellrents, or some other estate, holden formerlie of bishops, or who had succeded or acquired rights to the saids lands and others of the nature and holding foresaid, have been forced dureing the late troubles, ther being no other way or superior for the tyme, to obtaine themselfs infeft therein, holden of his Majestie or his royall father, or of their donators, haveing right for the time; and to that effect did take precepts out of the chancery and to passe infeftments under the great scale, and to obtain percepts and charters from the said other persones who had right to their superiorities for the time; and his Majestie being graciously pleased that such rights and infeftments as for the time wer necessary and of course taken and past in maner forsaid, should not be prejudged, thairfor it is statute and declared that all persones who since the begining of the troubles, in the yeer 1638, are entered or infeft by his Majestie or his royall father by the pretended authority for the time, or any other person haveing right from them in any land or estate holden immediatlie of the bishops befor the saids troubles, shall now hold the

same of the respective archbishops and bishops, their lawfull superiors, in the same maner as they, their predicessours and authors, held the same befor the late troubles. And it is declared that neither this, nor any other act of the last or present session of this parliament, shall prejudice any retours, signatours, charters, precepts, infeftments, seaseings of lands, annuelrents, or any other estate holden immediatlie of bishops, wherby the same are retoured, or infeftments of the same are taken, to be holden of the King or his donators since the time forsaid, upon retours, resignations, compromiseings, adjudications, or by way of confirmation or precepts of clare constat, or otherwayes; which infeftments being orderly past, as they ought to have been for the tyme, with the retours, signatures, and other warrands of the same, his Majestie with consent forsaid doth ratifie and approve and declares to be valeid rights, as if the same had been granted or renewed by the saids archbishops or bishops. It is alwayes declared that the declaration and ratification forsaid shall not be extendit to any new gift or grant or any other clause or right contained in the saids infeftments or signatures, or other warrands of the same, wherby any new gift or originall right of the saids lands and others are given, or the right of the same is granted or conveyed otherwayes then conforme to the rights and infeftments therof befor the time aforesaid. Lykas it is heirby declared that the said ratification and declaration forsaid shall not corroborat or import any ratifications of the saids vassalls their former rights, which are to be in the same cace as they wer in the begining of the saids troubles in the yeer forsaid, in regaird it is his Majesties intention, lykeas it is declared by his Majestie, with consent forsaid, that the archbishops and bishops shall be, as to their patrimony and rents, in the same cace and condition as they wer in the yeer forsaid, notwithstanding of whatsoever acts of the pretendit parliaments, since the time forsaid to the contrare; and notwithstanding of whatsoever rights, grants or deids, flowing from or depending upon, or done or granted be vertew of any act or acts of the said pretendit parliaments, which his Majestie, with consent forsaid, doth declare, decerne and determine to be voyd and null, except in so far as is reserved and ratified in maner above-written. It is heirby declared that this act of restitution shall give no right to any of the saids archbishops or bishops, or their successours, nor

to the heirs or executers of the deceased bishops, of any rents belonging to the archbishopricks or bishopricks preceeding the yeer 1661 after the said yeer 1638; bot that all the saids rents intrometted with, by and perteaning to such persones as had right therto for the tyme, and wherewith they have or might have intrometted, shall be secured to them. As also all such persones who *bona fide* have made payment of their few dewties, teinds and teind dewties, and other rents of their bishopricks, are and shall be also secured for bygons allenerlie, free of any action or question, notwithstanding of this present act or any thing therincontained.

CXXXIV.

ACCOUNT of the Bailies of the Burgh of Glasgow for the Burgh Fermes, rendered in Exchequer. Edinburgh, 1st July, 1662.

COMPUTUM Ballivorum Burgi de Glasgow, redditum apud Edinburgum per Joannem Young, scribam, Edinburgensem, nomine eorundem, primo die mensis Julij, anno Domini millesimo sexcentesimo sexagesimo secundo, de omnibus receptis suis et expensis per firmas burgales dicti burgi, a die undecimo mensis Julij anni, etc., millesimi sexcentesimi sexagesimi primi usque in diem hujus computi, et sic de duobus terminis infra hoc computum.

ACCOUNT of the Bailies of the Burgh of Glasgow, rendered at Edinburgh by John Young, writer, Edinburgh, in their name, on the first day of the month of July in the year of our Lord one thousand six hundred and sixty second, of all their receipts and expenditure on account of the burgh fermes of the said burgh, from the eleventh day of the month of July, one thousand six hundred and sixty first, to the date of this account, and so of two terms in this account.

Idem onerat se, imprimis, de xiiij lib. vj s. viij d. monete nomine census burgalis solvendis ad duos anni terminos, festa, videlicet, Pentecostes et Sancti Martini in hieme, per equales portiones; et de x lib. xiiij s. iiij d., solvendis annuatim Andree, archiepiscopo Glasguensi, et suis successoribus, secundum infeofamentum per S.D.N. Regem, suo sub magno sigillo, praeposito, ballivis et consulibus dicti burghi de Glasgow, de data decimo sexto die mensis Octobris anno Domini millesimo sexcentesimo trigesimo sexto, de terminis computi. Summa hujus oneris xxiiij lib. monete. De qua summa allocatur computanti in decem libris tredecem solidis quatuor denariis monete solvi debitis dicto Andree, archiepiscopo Glasguensi, ad terminos prescriptos, virtute et secundum infeofamentum prescriptum, x lib. xiiij s. iiij d. Et eidem in tredecem libris sex solidis octo denariis monete solutis Joanni Campbell de Fordiensis, uni receptorum firmarum domini Regis, ipso presente et testante solutionem super computum, xiiij lib. vj s. viij d. monete, pro qua summa respondebit. Et sic eque. [Subscribed:] Cls. Reg.; Ja. Thomson. [On margin:] Rnt. Campbell pro xiiij lib. vj s. viij d. monete. [Subscribed:] John Campbell. (Indorsed thus:) Clerk Register, 13s. 4d. Isher, £1 6s. 8d. Clerk, £9 10s. Dictatouris, 6s. 8d. Doore keeper, 6s. 8d. = £12 3s. 4d.

In the first, he charges himself with £13 6s. 8d. money in name of burgh ferme, payable at two terms in the year, viz., the feasts of Whitsunday and Martinmas in winter, by equal portions; and with £10 13s. 4d. payable yearly to Andrew, archbishop of Glasgow, and their successors, conform to infeftment by our Sovereign Lord the King, under his great seal, to the provost, bailies, and councillors of the said burgh of Glasgow, of the date on the sixteenth day of the month of October in the year of our Lord one thousand six hundred and thirty sixth, of the terms of the account. Sum of this charge, £24 money. Of which sum, allowed to the accouter £10 13s. 4d. money owing to the said Andrew, archbishop of Glasgow, for the foresaid terms, by virtue and conform to the foresaid infeftment. And to him £13 6s. 8d. paid to John Campbell of Fordun, one of the receivers of the fermes of our lord the King, himself present and acknowledging the payment upon the account, for which sum he shall answer. And thus equal.

CXXXV.

CHARTER by Alexander, bishop of Glasgow, ratifying all charters and other writs in favour of the magistrates and council of Glasgow of the lands of Gorbals and Bridgend and the lands of Linningshauch. Edinburgh, 20th June, 1665.

OMNIBUS hanc cartam visuris vell audituris: Alexander miseratione divina archiepiscopus Glasguensis, immediatus et legitimus superior terrarum aliarumque infrascriptarum cum pertinentibus, salutem in Domino sempiternam. Noveritis nos ratificasse, approbasse, ac pro nobis et successoribus nostris pro perpetuo confirmasse, necnon tenore presentium ratificare, approbare, ac pro nobis et successoribus nostris pro perpetuo confirmare omnes et singulas cartas, infeofamenta, precepta et sasinarum instrumenta, confirmationes, jura, titula et securitates quascunque, factas, datas et concessas dilectis nostris presentibus preposito, ballivis et consilio burgi de Glasgow pro seipsis ac in nomine et ad utilitatem successorum eorum in officio vell eorum predicesoribus et authoribus, per Walterum, commendatorem de Blantyre, vell suos predicesores tam archiepiscopos Glasguenses, aut per S. D. N. Regem, virtute acti annexationis terrarum ecclesiasticarum corone sue, ac etiam per quamcunque personam seu quascunque personas, hereditarios proprietarios terrarum subscriptarum,

TO all who shall see or hear this charter: Alexander, by divine mercy, archbishop of Glasgow, immediate and lawful superior of the lands and others underwritten, with the pertinents, greeting in the Lord everlasting. Know ye that we have ratified, approved, and for ourselves and our successors for ever confirmed, and, by the tenor of these presents, ratify, approve and for ourselves and our successors for ever confirm all and sundry charters, infeftments, precepts and instruments of sasine, confirmations, rights, titles and securities whatever, made, given and granted to our lovites, the present provost, bailies and council of the burgh of Glasgow, for themselves and in name and for behoof of their successors in office, or their predecessors and authors, by Walter, commendator of Blantyre, or his predecessors, as archbishops of Glasgow, or by our Sovereign Lord the King, by virtue of the act of annexation of church lands to his crown, and also by whomsoever person or persons, heritable proprietors of the lands underwritten, of and upon

de et super totis et integris illis sex libratis terrarum antiqui extentus de Gorballis et Brigend, cum pertinentibus, jacentibus infra parochiam de Govane, barroniam et regalitatem nostram de Glasgow; necnon de totis et integris illis duodecim solidatis terrarum antiqui extentus de Lyningshaugh, cum omnibus earundem partibus, pendiculis, privilegiis et pertinentibus quibuscunque, jacentibus infra parochiam, barroniam et regalitatem nostram de Glasgow; in omnibus et singulis suis capitibus, articulis, clausulis, conditionibus et circumstantiis quibuscunque in eisdem contentis, cum omnibus de super sequentis vell sequendis; decernando et pro nobis et successoribus nostris declarando hinc quod hec presens nostra confirmatio et generalitas ejusdem omnium et singularum prefatarum securitatum, sit et erit omni tempore futuro tanti valoris, roboris, efficacie et effectus prefatis preposito, ballivis et consilio eorumque successoribus in officio, pro securitate omnium et singularum prefatarum terrarum de Gorballes, Brigend et Linningshaugh, cum pertinentibus et privilegiis earundem, ac si predictæ carte aliaque jura, titula et securitates, respective, generaliter confirmate ut supra de verbo in verbum hic insererentur et hinc in speciali ratificentur et approbantur; super quibus omnibus et

all and whole those six pound lands, old extent, of Gorballs and Brigend, with the pertinents, lying within the parish of Govan, our barony and regality of Glasgow; also of all and whole those twelve shilling lands, old extent, of Lyningshaugh,¹ with all parts thereof, pendicles, privileges and pertinents whatsoever, lying within the parish of Glasgow and our barony and regality of Glasgow; in all and sundry their heads, articles, clauses, conditions and circumstances whatsoever, contained therein, with all following or to follow thereon; decerning, and for us and our successors declaring that this our present confirmation and generality thereof, of all and sundry the foresaid securities, may and shall henceforth in all time coming be of as much validity, strength, efficacy and effect to the foresaid provost, bailies and council, and their successors in office, for security of all and sundry the foresaid lands of Gorballis, Brigend and Linningshaugh, with the pertinents and privileges thereof, as if the foresaid respective charters and other rights, titles and securities, generally above confirmed, were word for word inserted herein and here specially ratified and approved;

¹ The lands of Lyningshaugh were acquired by the town council in 1662 and 1664, and were used in the formation of the New Green.

Particulars of the purchases will be found in the appended Abstract of Charters.

singulis inconvenientiis que de super sequi poterint et cum omnibus aliis imperfectionibus, objectionibus et defectibus (si que sint) que contra validitatem predictarum securitatem omnium et singularum prefatarum terrarum quas tanquam pro expressis in hac presenti carta nostra haberi volumus et hujus nostre generalis confirmationis earundem proponi, objici vell allegari poterint, nos pro nobis et successoribus nostris dispensavimus ac per presentes dispensamus pro nunc et in perpetuum. Quequidem terre aliaque suprascripte de nobis et successoribus nostris Glasguensibus archiepiscopis immediate tenentur in feudifirma pro annuali solutione feudifirme firmarum aliarumque divoriarum respective particulariter subtus mentionatarum. Preterea pro bono fidei gratuito servitio nobis et predicesoribus nostris per dictos prepositum, ballivos et consilium eorumque predicesores in officio, ac pro diversis aliis magnis respectibus et bonis considerationibus nos moventibus, igitur de novo dedisse, concessisse, assedasse, arrendasse et ad feudifirmam seu amphitheosim hereditarie dimississe et hac presenti carta nostra confirmasse, necnon tenore presentium, cum speciali avisamento et consensu venerabilium fratrum nostrorum decani et capituli metropolitani Glasguensis subscribentium, dare, concedere, assedare, arrendare, locare et ad feudifirmam seu amphitheosim hereditarie dimittere et hac presenti carta nostra de

upon which inconveniences, all and sundry, that may follow thereon and with all other imperfections, objections and defects (if such may be) against the validity of the foresaid securities of all and whole the foresaid lands which we will to be held as expressed in this our present charter, and which may be competently proponed, objected or alleged of this our general confirmation of the same, we for us and our successors have dispensed and by these presents dispense for now and ever. Which lands and others above written are held immediately of us and our successors, archbishops of Glasgow, in feu farm, for the yearly payment of the feu farm and other respective farms and duties particularly aforementioned. Moreover, for the good, faithful, gratuitous service [rendered] to us and our predecessors by the said provost, bailies and council, and their predecessors in office, and for sundry other weighty respects and good considerations moving us; therefore we have of new given, granted, set, let and in feu farm or fee heritably conveyed, and by this our present charter have confirmed; and by the tenor of these presents, with the special advice and consent of our venerable brethren the dean and chapter of the metropolitan [church] of Glasgow, subscribing, give, grant, set, let, lease and in feufarm or fee heritably convey and by this

novo confirmare Willielmo Andersoune, preposito, Jacobo Polloke, Joanni Herbertson et Joanni Ker, presentibus ballivis dicti burghi de Glasgow reliquisque consilii ejusdem pro suis ipsis et in nominibus eorundem successorum in officiis, prepositis, ballivis et consiliis dicti burghi, hereditarie, totas et integras predictas sex libratas terrarum antiqui extentus de Gorballes et Brigend, cum villa ejusdem, domibus, edificiis, hortis, pomariis, toftis, croftis, cottagiis, pratis, moris, partibus, pendiculis, privilegiis, annexis, connexis, omnibusque aliis earundem pertinentiis quibuscunque, tam non nominatis quem nominatis; necon totas et integras predictas duodecim acras terrarum antiqui extentus de Lyningshaugh, cum decimis rectoriis et garbalibus earundem, et privilegiis, libertatibus et pertinentibus quibuscunque, jacentibus ut premititur; unacum omnibus jure, titulo, interesse, juris clameo, proprietate et possessione que seu quas nos predicesores aut successores nostri in et ad easdem terras prescriptas seu ad aliquam earundem partem vell ad sensas, firmas, proficua et divorias earundem de quibuscunque annis seu terminis preteritis aut futuris habuimus, habemus, seu quovismodo habere vell clamare poterimus aut poterint, ratione wardie, relevii, nonintroitus, escate, forisfacture, bastardie, recognitionis, disclamationis, totius aut majoris partis alienationis, feudifirme, feudifirmarum aliarumque divoriarum minime solu-

our present charter of new confirm to William Andersoune, provost, James Polloke, John Herbertson, and John Ker, present bailies of the said burgh of Glasgow, and the rest of the council thereof, for themselves and in name of their successors in office, provosta, bailies, and councils of the said burgh, heritably, all and whole the foresaid six pound land, old extent, of Gorballs and Brigend, with the town thereof, houses, buildings, yards, orchards, tofts, crofts, cottages, meadows, muirs, parts, pendicles, privileges, annexes, connexes, and all other pertinents thereof whatsoever, as well not named as named; also all and whole the foresaid twelve acres of land, old extent, of Lyningshaugh, with the parsonage teinds and sheaves thereof, and the privileges, liberties and pertinents whatsoever, lying as aforesaid; together with all right, title, interest, claim of right, property and possession, which we, our predecessors or successors, had, have or in any way might have or claim to have in and to the foresaid lands, or to any part thereof, or to the rents, farms, profits and duties thereof, in whatsoever years or terms, past or future, by reason of ward, relief, nonentry, escheat, forfeiture, bastardy, recognition, disclamation, alienation of the whole or greater part, non payment of the [by past] feufarms and other duties, not showing the holdings,

tionis, tentionum minime ostentionis, non confirmationis, vell ob quacunque aliam causam, actionem seu occasionem preteritam diem data presentium precedentes; renunciando et extradonando easdem, cum omnibus actione et instantia earundem, pro nobis et successoribus nostris Glasguensibus archiepiscopis, in favoribus [dictis] presentibus preposito, ballivis et consilio dicti burghi pro seipsis ac in nomine eorum successorum in officiis in perpetuum; cum pacto de non petendo; ac cum supplemento omnium defectuum et imperfectionum, tam non nominatarum quem nominatarum, quas tanquam pro expressis in hac presenti carta nostra haberi volumus. Tenendas et habendas totas et integras predictas sex libratas terrarum antiqui extentus de Gorballes et Brigend et pertinentes earundem predictas; necon totas et integras predictas duodecim acras terrarum de Linningshaugh, cum decimis garbalibus et rectoriis earundem predictis jacentibus ut permittitur, per dictos prepositum, ballivos et consilium dicti burghi, eorumque successores in officio, de nobis et successoribus nostris Glasguensibus archiepiscopis in feudifirma et hereditate in perpetuum per omnes recta suas antiquas [metas] et divisas prout jacent in longitudine et latitudine, in domibus, edificiis, hortis, boscis, planis, moris, maresiis, viis, semitis, aquis, stagnis, rivolis, pratis, pascuis et pasturis, aucupationibus, venationibus, piscationibus, petariis, turbariis, cuniculis,

non confirmation, or for any other cause, action or occasion by past, preceding the date of these presents; renouncing and overgiving the same, with all action and instance thereof, for us and our successors, archbishops of Glasgow, in favour of the said present provost, bailies and council of the said burgh, for themselves and in name of their successors in office for ever; with agreement of not asking [fulfilment of obligations]; and with the addition of all defects and imperfections as well not named as named which we will to be held as expressed in this our present charter. To hold and have all and whole the foresaid six pound land, old extent, of Gorballs and Brigend and the foresaid pertinents thereof; also all and whole the foresaid twelve acres of Linningshaugh with the foresaid parsonage and teind sheaves thereof lying as aforesaid, by the said provost, bailies and council of the said burgh, and their successors in office, of us and our successors, archbishops of Glasgow, in feu farm and heretage for ever, by all their right ancient meiths and marches, as they lie in length and breadth, in houses, buildings, yards, bushes, plains, muirs, marshes, ways, passages, waters, pools, rivers, meadows, grazings and pastures, fowlings, huntings, fishings, peateries, turf bogs, rabbits, rabbit warrens, coals, coal pits, heath and broom, woods, timber, building

cuniculariis, carbonibus, carbonariis, brueriis et genestis, silvis, lignis tignis, lapicidis, lapide et calce, curiis, amerciamentis, bludeuitis, commune pastura, liberoque introitu et exitu, ac cum omnibus et singulis libertatibus, proficuis, commoditatibus, libertatibus et asiamentis ac justis suis pertinentiis spectantibus eisdem vell juste spectare valentibus, tam non nominatis quem nominatis, tam subtus terra quem supra terram, procul et prope, quomodolibet in futurum, libere, quiete, plenarie, honorifice, integre, bene et in pace, sine aliquo impedimento, revocatione, contradictione aut abstituto aliquali. Reddendo inde annuatim dicti prepositus, ballivi et consilium eorumque successores in officiis nobis et successoribus Glasguensibus archiepiscopis vell nostris factoribus aut camerariis nostris nominibus pro predictis sex libratis terrarum de Gorballes et Brigend sex libras monete, octo bollas farine molendino nostro de Partick tanquam firmas antiquas pro eisdem prius solvi solitas et conseutas; et pro predictis duodecim acris terrarum de Lyningshaugh summam quatuor librarum duodecim solidorum et quatuor denariorum Scotie monete, tanquam firmam antiquam pro eisdem prius solvi solitum et consuetam; unacum quatuor decem denariis et obulo in augmentationem rentalis; cum multuris molendino de Particke inde debitis; unacum aliis serviciis usitatis et consuetis; necnon prestando tres sectas curie ad tria nostra placita capitalia

material, quarries, stone and lime, courts, fines, bludeuites, common pasture, and free ish and entry, and with all and sundry liberties, profits, commodities, liberties and easements and their just pertinents whatsoever, belonging or that might at any future time justly belong thereto, as well not named as named, as well under the earth as above the earth, far and near, freely, quietly, fully, honorably, wholly, well and in peace, without any impediment, revocation, contradiction or obstacle whatever. Paying therefor, yearly, the said provost, bailies and council and their successors in office to us and our successors, archbishops of Glasgow, or our factors or chamberlains in our name, for the foresaid six pound land of Gorballs and Brigend, six pounds of money and eight bolls of meal to our mill of Partick, as the old fermes formerly used and wont to be paid for the same; and for the foresaid twelve acres of land of Lyningshaugh the sum of four pounds twelve shillings and four pennies Scots money as the old ferm formerly used and wont to be paid for the same; together with fourteen pennies and a half penny in augmentation of rental; with the multures owing therefrom to the mill of Partick; together with other services used and wont; also giving three suits of court at our three head courts of our said barony and

dicte nostre barronie et regalitatis Glasguensis et ad omnes alias curias ejusdem cum ad easdem legitime premoniti et requisiti fuerint, tantum pro omni alio onere, exactione, questione, demanda seu servitio seculari que de predictis terris aliisque prescriptis per quoscunque juste inde exigi poterint vell requiri. Et nos vero, cum consensu predicto, omnes et singulas prefatas terras de Gorballes, Brigend et Linningshaugh aliasque prescriptas unacum hac presenti carta novedame et infeofamento de inde sequente in omnibus et per omnia forma pariter et effectum ut premissum est, dictis preposito, ballivis et consilio eorumque predictis, ab omnibus et singulis periculis, damnis et inconvenientiis quibuscunque a proprio nostro facto sollummodo procedentibus warrandizabimus, acquietabimus et in perpetuum defendemus. Insuper dilectis nostris (*blank*) et vestrum cuilibet, conjunctim et divisim, ballivis nostris in hac parte specialiter constitutis, salutem, vobis, igitur precepimus et firmiter mandamus quatenus visis presentibus indilate statum et sasinam hereditariam, necnon realem, actualem et corporalem possessionem totarum et integrarum predictarum sex libratarum terrarum antiqui extentus de Gorballes et Brigend, ville ejusdem omnibusque aliarum earundem pertinentibus predictis; necnon totarum et integrarum predictarum duodecem acrarum terrarum de Linningshaugh, cum decimis aliisque prescriptis jacentibus ut supra,

regality of Glasgow, and at all other courts thereof when they shall be lawfully warned and required thereto, only, for all other burden, exaction, question, demand or secular service which can be justly asked or required by any person whomsoever furth of the foresaid lands and others. And we also, with consent foresaid, shall warrant, acquit and for ever defend all and sundry the foresaid lands of Gorballs, Brigend and Linningshaugh, and others foresaid, together with this present charter of novodamus and infeftment following thereon, in all and by all, in form and effect as aforesaid, to the said provost, bailies and council and their foresaids, from all and sundry perils, damages and inconveniences whatsoever, proceeding from our own fact only. Moreover to our lovites (*blank*) and each of you, conjunctly and severally, our bailies in that part, specially constituted, greeting, we therefore command and strictly charge that, on sight of these presents, you, without delay, justly deliver and cause to be given state and heritable sasine, also real, actual and corporal possession of all and whole the foresaid six pound lands, old extent, of Gorballs and Bridgend, town thereof, and all the foresaid pertinents of the same; also of all and whole the foresaid twelve acres of the lands of Linningshaugh, with the teinds and others foresaid lying as above, to the said provost, bailies and counsel of the said burgh of

memoratis preposito, ballivis et consilio dicti burghi de Glasgow pro suis ipsis et in nomine eorum successorum in officiis velle eorum certo actornato, latoris presentium, per terre et lapidis fundi utriusque predictarum terrarum deliberationem, ut moris est, juste tradatis deliberetis et haberi faciatis; et hoc nullo modo omittatis; ad quod faciendum vobis aut vestrum cuilibet, conjunctim et divisim, ballivis nostris in hac parte antedictis, nostram plenariam et irrevocabilem tenore presentium committimus protestatem; salvo jure cujuslibet. In cujus rei testimonium presentibus, ex chirographo Roberti Maxwell, scribe in Glasgwa, manu nostra ac manibus dicti nostri capituli subscriptis, sigillum nostrum ac sigillum eorum sunt appensa, apud Edinburgum, vigesimo die mensis Junii anno Domini millesimo sexcentesimo sexagesimo quinto, coram testibus: magistro Andrea Burnet, scriba, Edinburgense; Joanne Smith, ejus servitore, et dicto Roberto Maxwell. [Sic subscribitur:] Alex. Glasguen; Mr. J. Ramsay, dean of Glasgow; Mr. E. Wright, Goveanus; Mr. J. Ross, rector de Glasgowe; Mr. Alexr. Inglis, Douglasiensis; Mr. R. Watsons, Cardross; Mr. T. Courtney, Askirkens.; Jacobus Crichtoune, Celle Brigidensis; Jacobus Law, thesaurarius; David Cuninghamus, Cambuslangus; Mr. A. Dennistounne, cancellarius; Jo. Hay, Peebles, archidiaconus; Joannis Haliburtoun de Roxburgh; Robert Ingles, Glasgo Secundo; Mr. An. Burnett, testis; Jo. Smith, testis; R. Maxwell, testis.

Glasgow for themselves and in name of their successors in office, or to their certain attorney, bearer of these presents, by delivery of earth and stone of the ground of each of the foresaid lands, as the manner is; and this in no way you omit; for the doing of which we commit to you or either of you, conjunctly and severally, our foresaid bailies in that part, our full and irrevocable power, by the tenor of these presents; saving the right of every one. In testimony whereof, to these presents, written by Robert Maxwell, writer in Edinburgh, subscribed with our own hand and with the hands of our said chapter, our seal and their seal are appended, at Edinburgh, on the twentieth day of the month of June in the year of our Lord one thousand six hundred and sixty fifth, in presence of these witnesses: Mr. Andrew Burnet, writer, Edinburgh, John Smith, his servitor, and the said Robert Maxwell.

CXXXVI.

DECREE of Declarator by the Lords of Council and Session, pronounced in action at the instance of Glasgow against Dumbarton, as to the exaction of shipping dues in the River Clyde. Edinburgh, 8th February, 1666.

AT Edinburgh the eight day of Februarij j^m vj^e thrie scoir and six yeires, the lords of counsell and sessione, they are to say, Sir Johne Gilmour of Craigmiller, knight, president, Alexander lord Halkertoun, Sir Archibald Prymrose of Chesters, knight, clerk of his Magesties register and rolls, Sir James Lockhart of Lee, knight, Sir James Foullis of Collingtoun, knight, Sir Archibald Stirling of Carden, knight, Sir James Dalrymple of Stair, knight, Sir Robert Nairne of Strathurd, knight, Sir Johne Scougall of Whytkirk, knight, Sir Andrew Aytoune of Kinglassie, knight, Sir David Nevoy of that Ilk, knight, Johne Home of Rentowne, lord justice clerk, Sir Johne Nisbet of Dirletoun, knight, Sir Johne Baird of Newbyth, knight, and Sir Johne Lockhart of Castlehill, knight: In the actione and caus of declarator, first raised and intended befor the lait pretendit commissioners for administratioun of justice to the people in Scotland, at the instance of Johne Bell, then provest of the brugh of Glasgow, Freadrick Hamiltoun, James Rae and Andrew Muidie, lait bailies of the same brugh, James Colquhoun, then thesaurer therof, James Campbell, then deane of gild, Walter Neilson and Manasses Lyell, then deacones conveyaris of the same brugh, all persones of the commone counsell, for themselves and in name and behalf of the remanent burgesses, councill and comunitie of the samen, againes Walter Watstone, then provest of the brugh of Dumbartoun, Johne Cunynghame and Mr. Donald M'Alpie, then bailies of the same brugh, and Johne Smallat, then dean of gild, for themselves and in name of the comone counsell therof and remanent burgesses and inhabitants of the samen, and all wthers haveing or pretending to have intres, and thereafter walkned and insisted

on befor the lords of counsell and sessione, at the instance of the said Johne Bell, lait provest of the said brugh of Glasgow, James Campbell, Robert Rae and James Colquhoun, lait bailyies ther, John Barnes, lait deane of gild of the same brugh, persones of the commone counsell thereof, for themselves and in name and behalf of the remanent counsell of the same, burgesses and communitie therof, againes the said Walter Watstone, provest of the said brugh of Dumbartoun, Robert Watstone and Mr. Donald M'Alpie, bailyies, ther, Johne Smallat, deane of gild, William M'Kie, elder, thesaurer, James Munn, William Craige, Patrick William-sones, elder and younger, Patrick Ewing, Johne M'Aula, James M'Keane, Gabriell Porterfield, Johne Cunynghame and James Thome, persones of the commone counsell of the said brugh, for themselves and in name and behalf of the haill remanent burgesses, communitie and inhabitants of that brugh, and all wtheris haveand or pretendand to have intres in the mater underwritin, makand mentione that whair, albeit the said brugh of Glasgow, situat upon the river of Clyde, wes of old erected in ane frie brugh royall, with all liberties, freedomes and priviledgis belonging to ane frie brugh, more speciallie with alse mutch freedome as wes allowed to any uther brugh within the natione, and therby naturallie and as ane necessarie and assentiall poynt of freedome had right and priviledge of merchandising, sailleing out and in with thair shipes, barks, boats and uthers veshellis upon the river of Clyde, and to aryve, load and unload ther goods at the places convenient within the said river, and acknowledged and reputed ane frie brugh longe befor the brugh of Dumbartoun had any fundatione, errectione or being, by the publict acts and records of the land, of parliament, conventiones of estaits, conventiones of burrowes, acts of the councellis of the Kings of Scotland, and of all publict judicatories within the samen, and therefore allowed place and precedencie to ryde, sitt and vote in parliament, and in all publict and nationall meetings long befor the brugh and towne of Dumbartoun, in sua far as that the brughes and townes of Air, Irving, Renfrew, Drumfries, and severall other brughes, to the number of tuentie six or therby, quhilk gave place to the said brugh of Glasgow and are ranked and ordered efter Glasgow, gave place and prioratie befor Dumbartoun, for by ane chartour granted by King Robert, ratefieing and confirmeing ane chartour granted

be King Alexander,¹ erecting Glasgow in ane frie brugh with als mutch freedome as is allowed to any brugh within this natione, quhilk chartour relats to ane anteriour chartour grantit to the said brugh by King William,² who wes father to the said King Alexander, quherby the lyke priviledge and benefeit of erectione is granted to the brugh of Glasgow, as the said chartour daited the aughtteen yeir of the reign of King Robert more fully proports.³ And be ane chartour granted be King Alexander the tuentie sixt yeir of his reigne,⁴ ratefied and confirmed be King Robert the tuentie thrid yeir of his reigne,⁵ ther is priviledge and libertie granted to the citizenes of Glasgow to traffique to Arguyll and to pas thither and repas, without any impedement, ther said traffiqueing to Arguyll being hindred and opposed be the men of Dumbartoun, pretendand Arguyll to be upon thair syde of the firth of Clyde and sua within thair priviledge; by the whilk chartour of King Alexander and chartour of King Robert confirming the samen, it is declared that this traffiqueing and libertie to Arguyll wes granted to Glasgow befor the foundatione of Dumbartoun, and sua befor it wes ane toune and had any being. And by ane mutuall indentour betuixt the brughs of Glasgow and Dumbartoun, daited in anno j^m four hundreth nyntie nyne yeires,⁶ the saids tuo burrowes contracted and agried for all tymes thereafter to ane mutuall compliance and correspondance and the defence and maintenance of each of the utheris priviledges, condisceding to ane equall entres of the river of Clyde, nether of them pretendand priviledge nor prerogative over the other, nether are ther any sillable in all that indentour, so mutch as poynting at any of these presumed priviledges over Glasgow now contraverted by Dumbartowne. And be the act of burrowes in thair conventione, daited the nynteen day of Junii j^m and six hundreth yeires,⁷ relateing to ane suplicatione presented to the meeting of the burrowes of the toune of Dumbartoun, craveing ane suplie

¹ 22 November, 1225. Glasg. Chart., pt. ii., pp. 11, 12, No. VII.

² A.D. 1175-8. *Ib.*, pp. 1, 2, No. I.

³ 28 July, 1324. *Ib.*, p. 23, No. XVI.

⁴ 18 June, 1275. *Ib.*, p. 17, No. XII.

⁵ 15 November, 1328. *Ib.*, p. 24, No. XVII.

⁶ So far as can be ascertained, the indenture of 1499 has not been preserved either in

original or transcript. The document is probably that which was referred to as a "band" and "contrak" in proceedings between Dumbarton and Renfrew in 1524, and between Dumbarton and Glasgow in 1531. See Glasgow Protocols, No. 1103, and footnote.

⁷ Printed Conv. Rec., II., pp. 90, 91.

for upholding of thair bulwarkis, foundit by them for withstanding the irruptiones of the watter of Levine, quhilk threatted the taking away of thair citie, and by ane posteriour act of the said conventione of burrowes of the dait the seventeen day of November thereafter,¹ relative to the said first act and relative to ane act of the King and counsell for the tyme consequent to the said first act of the burrowes, ther is ane impost and exactione of certane pittie dewties upon the river of Clyde granted to the said towne of Dumbartowne, for the space of seven yeires allenerlie; quhilk impost and exactione is restricted and declared to be only of veshellis and goods imported to ther owne road and harbour of Dumbartowne in the water of Levin, expreslie debarring and excluding them from meddling with anything belonging to the priviledge of Glasgow within the said river of Clyde; quhairby it is manifest that the said towne of Dumbartowne befor and at the tyme of the saids acts of burrowes had not nor did not plead any right or priviledge superior and prejudiciall to the priviledge of the said brugh of Glasgow in the said river of Clyde, or to any benefeit aryseing therfrae and from veshellis and goods imported therin. Mairover the said brugh of Glasgow, by thair chartour under the great scale granted be King James the Sixth in the year of God j^m vj^e and elevine yeires,² ratified in parliament j^m vj^e and twelf yeires, quhairby all thair former rights, chartours and priviledges granted, and gifts and acts concerning the samen, are ratified, approved and confirmed, have freedome, libertie and power granted to them of loading and unloading of ships, boats, barks, crearis and uther veshells of whatsoever kynd, of buying of all sort of goods and merchandize, alswell of all shipes as of wther kynd of veshells, belonging either to strangers or natives comeing into Clyde within the bounds, betwixt the Cloachstane and the brugh of Glasgow, according to use and wont, conforme to the whilk chartour, long befor and ever since, the saids persewaris and their predicessouris, provest, baillyies, counsell, burgeses, inhabitants and communitie of the said brugh of Glasgow, have enjoyed the said right and priviledges befor related, and have been in possessione therof past all memorie; and notwithstanding the said brugh of Dumbartowne, by no evident right and title whatsoever, can plead or

¹ 7th (not 17th) November, 1600. Printed
Conv. Rec., II., pp. 94, 95.

² 8 April, 1611. (Glasg. Chart., pt. ii.,
pp. 278-83, No. XCII.

pretend any priviledge or right upon the said river of Clyde over any veshells aryveing therin, or goods imported in the samen, different and more then is allowed to the said brugh of Glasgow, or to any customes, anchoradges, measuradges, and wther pettie dewes in use to be payed and demanded of the veshells and goods of strangeris aryveing in the said water, bot the saids tuo burrowes of Glasgow and Dumbartowne, past all memorie and ever since the mutuall indentor in the said yeir j^m iiij^e and nyntie nyne yeires, corresponding and complying in ane joynt and equall intrest in the freedome of the said river of Clyde and benefite of anchorage and measuradge, and uther dewes in use to be payed by strangeris aryveing therin, and ay and whill ane chartour purchest be the said towne of Dumbartowne from King James the Sixt, in the year of God j^m vj^e and nyne yeires,¹ by whilk and the exorbitant new grant therin includit they acclaimed the right and priviledge of dewes in the said river of Clyde solly and wholly to themselves, in sua far that the said towne of Glasgow and merchands therin aught and should aryve at ther brugh, make entries, and take cockits ther, load and unload ther, make sale of ther commodeties therin, and should in effect and by necesser consequence reseid at and incorporat be the said towne of Dumbartowne; posterior to the whilk chartour, by act of interloquitour daited in the said yeir of God j^m vj^e and elevine yeires,² pronounced by the lords of sessione in ordour to ane suspensione raised by the towne of Glasgow against ane charge of horning given to ther merchants, at the instance of the said brugh of Dumbartowne, concerning ther priviledge in the said river, and the dewes payable and arryseing from the shipes and goods imported therein, efter full heiring of both pairties, compeirand by thrie advocats one each syde, and production of all ther rights, *hinc inde*, the said towne of Glasgow is found to have right in manner fairsaid; attour all contraversies and debaits arysing daylie betuixt the saids tuo burrowes anent the saids priviledges and dewes of the said river by mediatione of the burrowes of Scotland at ther conventione in the yeir of God (*blank*) the saids brughs of Glasgow and Dumbartowne being perswadit to submitt ther contraversies whatsomever and debaits, being or standing betuixt the saids townes, to certane

¹ Irving's Hist. of Dumbartonshire, pp. 173-83.

² Glasg. Chart., pt. ii., p. 464; Abstract No. 154.

merchands of the brugh of Air, and to that effect to subscribe and submissione most solemnelie attested by the magistrats and counsell of the saids tuo brughs, conforme to the said submissione, decreit was pronounced by the saids merchands of Air, arbitaris, finding and declareing the saids brughs of Glasgow and Dumbartowne to have equall intrest and priviledge in the said river and to the dewes foirsaid aryseing therfrae: Nevertheles Walter Watstone, provest, Johne Cunynghame and Mr. Donald M'Alpie, baillies of the said brugh of Dumbartowne, Johne Smallat, dean of gild, persones of the comone counsell of the said brugh, and remanent burgesses, inhabitants of the samen, daylie troubles and molests the saids persewaris in the enjoyment and possessione of ther priviledges in the said river of Clyde, and of the dewes aryseing therfrae in manner foirsaid; quhairthrow neccesser it is to the saids persewaris, and it aught and should be found and declared be the honourable commissioneris for administratione of justice to the people in Scotland that the provest, baillyies, counsell and communitie of the brugh of Dumbartowne hes no right to exact or uplift from the inhabitants, burgesses and communitie of the towne of Glasgow, nor of any veshells and shipes belonging to them or fraughted by them, aryveing within the river of Clyde at the foirsaid roads and ports of Potterige, Inschgreen and Newark, any anchorage, weyadge, measuradge, tunnage, dock mail, cockits, or wther dewes quhatsoever, but that it is lafull for the proveist, baillies, counsell and communitie of Glasgow to aryve with ther shipes and goods within the river of Clyde, speciallie at the foirsaid roads or ports of Potterige, Inschgreen, and Newark, and to load and unload ther and to transport ther goods upon the river of Clyde to Glasgow, frie of the burden of the foirsaid pretendit dewties of anchorage, measuradge, weyadge, tunnage, dock mailles, cockits, or uther dewes whatsoever, to the towne of Dumbartowne; and that therfor the provest, baillyies, counsell, communitie and inhabitants of the said brugh of Dumbartowne should be decerned to desist and ceas from all farder troubling or molesting the saids persewaris, provest, baillyies, counsell, communitie, and inhabitants of the said brugh of Glasgow, in aryveing with ther shipes and goodis upon the river of Clyde, and loading and unloading ther shipes and goods at the saids roadis, as is alledgit: And therefore the saids defendaris, conforme to the saids principal summons and

summonds of walkining, for themselves and the remanent burgesses, inhabitants and communitie of the said brugh of Dumbartowne, and all wtheris haveing or pretending to have intres in the said mater, to have hard and seen it fund, decerned and declared, in manner abovementionat, as at mair lenth is contained in the principall summonds raisit in the said matter, summonds of walkining therof, acts, letters, and haille proces following and depending therone; the saids provest, bailies, deane of gild, counsell and communitie of the said brugh of Glasgow, persewaris, for themselves and thair successouris, representing the said brugh, compeirand be Sir George Lockhart, Mr. Robert Trotter, Mr. George Norvell, Mr. Johne Harper, Mr. David Falconer and William Braidie, advocats, ther procuratouris; quho for instructing of the said summones and actione, producit in presence of the saids lords, the foirsaid chartouris, acts of counsell and burrowes, act and interloquitouris of the saids lords, indentour and agriement, past betuixt the saids brughs and wtheris at lenth abovementionat, all of the daits, tennouris and contents respective abovementionat; and the saids provest, bailies, counsell and communitie of the said brugh of Dumbartowne, compeirand be Sir Peter Wedderburne, Sir Thomas Wallace, Sir Robert Sinclair, Mr. William Maxwell, Mr. Johne Cunynghame, and Mr. George M'Kenzie, advocats, ther procuratouris, and all wtheris haveing or pretending to have intres in the said mater being lawfullie summoned to this actione, oftymes called and not compeirand: Therefter all the rights, reasones and allegationes of either of the saids pairties, compeirand as said is, with the foirsaid principal summonds raised and intended befor the said lait pretendit comissioneris and summonds of walkining therof raisit and insisted upon befor the saids lordis, with the foirsaid chartouris, acts of counsell and burrowes, act and interloquitour of the saids lords, indentour and agriement, all of the daits, tenouris and contents abovementionat and lybellit, with ane protestatione maid and taken for the brugh of Glasgow against the brugh of Dumbartownes great chartour, and the minutes of proces in divers courts holden by the magistrats of Glasgow and Dumbartowne, conjunctim, frae the yeir j^m v^e and nyntie ane inclusive, anent the mutuall affaires of the said brughes anent the manadgement of trade one the river of Clyde and anent ships and goods aryveing thair. Item, ane sumonds raised befor the lords of his

Majesties privie counsell at the instance of the magistrats and inhabitants of the brugh of Glasgow against the magistrats, counsell comunitie and inhabitants of the said brugh of Dumbartoun, daited the second day of November j^m vj^c and sixteen yeires. Item, lettres of suspensione of lawborrowes the towne of Glasgow contra the towne of Dumbartowne daited the second day of October j^m vj^c threttie aught yeires. Item, lettres of lowsing of arreistment, the towne of Glasgow contra the towne of Dumbartowne, daited the fyfteen day of Appryll j^m vj^c and ten yeires. Item, sumonds and actione [of] reductione, the towne of Glasgow against the towne of Dumbartowne, daited the sixt day of October j^m vj^c fiftie eight yeires. Item, lettres of lowsing of arreistment at the towne of Glasgows instances against the towne of Dumbartowne, daited the twentie ane day of November j^m vj^c fiftie seven yeires. Item, letters of law-borrowes, with the executiones thairof raised at the instance of the magistrats and inhabitants of the brugh of Glasgow against the magistrats and inhabitants of the burgh of Dumbartowne, daited the seventeen day of December j^m vj^c fiftie seven yeires. Item, ane suspensione of law-borrowes, with the intimation or executione therof raised at the instance of the magistrats and inhabitants of the said brugh of Glasgow against the towne of Dumbartoun and inhabitants therof, daited the tuentie day of January j^m vj^c fiftie eight yeires. Item, ane suspensione of lettres of horning raised at the instance of the magistrats and inhabitants of the brugh of Dumbartowne against the magistrats of the brugh of Glasgow and inhabitants therof, chargeing them for certane of the dewes lybellit, daited the twentie fyft day of November j^m vj^c fiftie seven yeires. Item, threttie nyne peace of peaper, being all subscryved entries of shipes that aryved in the said river of Clyde, all entered at Glasgow from the yeir of God j^m vj^c threttie fyve to the yeir of God j^m vj^c thretty eight yeires. Item, six uncovered books and one covered, containeing the customes goods of merchand wair imported and exported be the merchands of Glasgow and uther strangeris to and frae the said brugh of Glasgow by the river of Clyde, frae the yeir of God j^m vj^c and tuentie eight to the yeir of God j^m vj^c fourtie ane yeirs. Item, ane decreit of counsell daited the sixt day of May j^m vj^c fiftie eight yeires, quairby the magistrats and inhabitants of the brugh of Dumbartowne found to have comitted a great ryot in troubling the

merchants of Glasgow by forceing and compelling them to make ther entress at Dumbartowne, togither also with the depositiones of divers famous witnesses led and aducit by either pairtie, *hinc inde*, in this mater, and also in ane uther actione persewed by the magistrats, counsell and comunitie of the said brugh of Dumbartowne against the persewaris and the inhabitants of the said brugh of Glasgow: Being all at lenth hard, red, seen and considerit be the saids lords, and they therwith being well and ryplie advysed, the lords of counsell and sessione finds and declaires that the saids provest, bailyies, counsell and communitie of the brugh of Dumbartowne have no right to exact or uplift from the inhabitants, burgesses and comunitie of the said towne of Glasgow, nor any veshellis and shipes belonging to them or fraughted by them aryving in the river of Clyde at the foirsaid roads and ports of Potterige, Inchgreen and Newark, any anchoradge, measuradge, weyadge, tunnage, dockmaill, cocketis or uther dewes whatsoever; and finds and declaires that it is lawfull for the saids provest, bailyies, counsell, inhabitants and comunitie of Glasgow to aryve with ther saids shipes and goods in the river of Clyde, and speciallie at the foirsaid roads and ports of Potterige, Inchgreen and Newark, and to load and unload ther, and to transport ther goods upon the river of Clyde to the said towne of Glasgow frie of the burden of the foirsaid pretendit dewties of anchoradge, measuradge, weyadge, tunnage, dock maill, cockets, or uther dewes whatsoever to the said towne of Dumbartowne; and decernes and ordaines the saids provest, bailyies, counsel, communitie, burgesses and inhabitants of the said brugh of Dumbartowne, to desist and ceass from all troubling, molesting or impedement making to the persewaris, proveist, bailyies, counsell, burgesses and inhabitants of the said brugh of Glasgow, present and to come, in aryveing with ther shippes and goods upon the said river of Clyde and loading and unloading ther shippes and goods at the saids roads of Potterige, Inchgreen and Newark, and transporting ther goods from thence to Glasgow, frie of the burden of the foirsaid pretendit dewes, or any of them, to the said towne of Dumbartowne, as pairties haveing no right therto, in sua far as is above fund, decerned and declaired, notwithstanding of ther actione of declaratour persewed against the said brugh of Glasgow, magistrats, communitie and inhabitants therof, which together with the

chartouris, infeftments, books of entries, uther rights, and depositiones of witnesses, aduced by the said towne of Dumbartowne, is at lenth heirwith considered, and frae whilk, by decreit of the dait of thir presents, the saids magistrats, communitie and inhabitants of the said brugh of Glasgow are fully assolzied and exonered: Becaus the said actione and cause being called in the saids lords ther presence, it wes alledgit be the saids Sir Peter Wedderburne, Sir Thomas Wallace, Sir Robert Sinclair, Mr. William Maxwell, Mr. Johne Cunynghame and Mr. George M'Kenzie, procuratouris foirsaidis for the saids provest, bailyies, counsell, communitie and inhabitants of the said brugh of Dumbartowne, that ther could be no proces granted at the persewaris instance in this actione bot on the contrair proces aught to be sustained in the declaratour persewed at the instance of Dumbartowne against Glasgow, wherupon they now insist and the grounds quhairof they repeat by way of defence againes the declarator persewed at the instance of Glasgow, becaus Glasgows declarator being foundit on the antiquitie of the towne of Glasgow, by chartouris given in ther favouris frae King William, of ever blessed memorie, the said chartour gives only power to them to hold a weekly mercat and to the bishope for the tyme that his owne men might freely goe and returne from Argyll and to the samen, bot ther is no mentione in that chartour of the towne of Glasgows being a royall brugh and the precedencie lybellit of the toune of Glasgow to the towne of Dumbartowne and uther brughs is no certane argument of ther antiquitie. And as to that act of parliament given by the *Auditouris Quærelarum* it is alledgit theragainst that the towne of Dumbartowne does not contravert the towne of Glasgows libertie of buying wyne from strangeris, and the indentour lybellit upon, past betwixt the townes of Glasgow and Dumbartowne in anno j^m iiij^e nyntie yeires,¹ cannot be respected, becaus the samen contains only ane agriement anent merchandizeing and trafique, and does not meet in this caise, or can infer any declaratour of propertie against the brugh of Dumbartowne; and the towne of Dumbartowne cannot be vertue therof be debarred from exercising these priviledges and liberties they have been in possessione of tuo hundreth yeires befor the dait of the said indentour; and as to the act of counsell abovewritten, whairby it is

¹ The date previously given is 1499. See footnote 6, p. 62; also footnote 2, *postea*, p. 72.

declaired that the towne and citie of Glasgow is free from payment of these small imposts imposed for reparatiōne of Dumbartownes harbouris, in respect of the towne of Glasgoves dissasent therto, it cannot from that be inferred that the towne of Glasgow is not lyable in payment of these dewes which properlie belong to the towne of Dumbartowne and whairof they have been in constant possessione; and as to the saids lords ther act of interloquitour lybellit the same cannot be respected becaus ther the towne of Dumbartowne past from thair charges given to the merchants of Glasgow, and the samen charges given wer then expreslie restricted to this particular charge that the towne of Glasgoves shipes should breake bulk and enter ther goods at Dumbartoune. Lykas that interloquitour of the lords wes only conditionall that the towne of Glasgow should prove use and possessione, whilk they have not done, and sua are only in the termes of ane interloquitour and not of a definitive sentence, whereas Dumbartowne wes erected in a royall brugh in King William his time with power of exacting customes *cum telonio apud Kelvin*, and from thence to the head of Lochlounge. And declared that they proponed this alledgance for the towne of Dumbartowne allenerlie for cleiring of ther right and propertie of anchorage, weyage, measurage and dewties therof, of all bottomes belonging to the towne and cittie of Glasgow arryveing in the river of Clyde, and for fourtie peneis of the tunn of all goods imported and exported in that river by these that trade to and from the citie of Glasgow on strangeris bottomes. Quhairunto it wes ansuered and replied be the saids Sir George Lockhart, and remanent procuratouris compeirand for the persewaris as said is, that the fairsaid alledgance and haill members therof aught to be repelled and ther sumonds found relivant and proven, notwithstanding the alledgance, conforme to ther chartouris, acts of parliament, acts of counsell, acts of burrowes, indentour or agriement, the saids lords ther interloquitour and utheris producit for the pairt of the saids persewaris as said is, becaus albeit the towne of Glasgow and thair magistrats and counsell doe not contravert bot the towne of Dumbartowne is ane royall and frie brugh, yet the same is farr inferior to Glasgow in antiquitie, the greatest antiquitie Dumbartowne can pretend to being a chartour granted to them be King Alexander the second in anno (*blank*), quhilk is confirmed by another chartour granted be him in anno (*blank*),

whairby he confirmes to them ther liberties *cum sequela*, that is ther territories and precincts; and in that chartour ther is no grant maid to them of the libertie of the wholl river of Clyde but only mentione maid of tuo places therof, viz., Kelvin and Lochloun, wheras Glasgow was ane episcopall sea seven or eight hundreth yeires befor Dumbartowne was foundit, as is cleir from Archbishop Spotiswoods historie, who relates that, in anno five hundreth, Sanct Mungo was first bishope of the sea of Glasgow, and that the said cittie and brugh was a famous nurserie of scholleris and more ancient then Dumbartowne, in sua far as the towne of Dumbartownes first chartour is only daited in anno j^m ii^e tuentie ane yeires, wheras the towne of Glasgow hes chartour granted to them by King Alexander in anno j^m ij^e and eleven yeires,¹ giveing them power to trade befor the foundatione and erectione of the towne of Dumbartowne; and this is cleirly evident by another chartour granted to the towne and cittie of Glasgow by King Robert indewing them with all priviledges belonging to any other royall brugh [and referring to charter] granted by King William, father to the said King Alexander, purchased be Josleine, then bishope of Glasgow, erecting the towne and cittie of Glasgow in a royall brugh, whilk Josleine, as Archbishop Spotiswood relates, lived long befor the yeir ane thowsand and tuo hundreth yeires; and the said Archbishope Spotiswood sayes that in bishope Josleine tyme the towne and cittie of Glasgow was erected in a royall burgh, and in all parliaments, conventiones of estaits, and burrowes within this kingdome, the towne and citie of Glasgow had and ever hes the precedencie far befor the brugh and towne of Dumbartowne, and, conforme to the said towne of Glasgow thair rights as a royall brugh, situat one the watter of Clyde, hes been in use and possessione of all liberties and priviledges competent to any royall brugh by traffiqueing in his Majesties seas and publict riveris, and particularie in the said river of Clyde, and by arryveing therin with ther veshellis and goods, and speciallie in the roads of Potterig, Inschgreen and Newwark, and to load and unload ther, and to transport thair goods thence to the towne and

¹ King William was reigning in 1211, and the reference is probably to his charter dated 27th June, and supposed to have been granted

before 1211. See Glasg. Chart., pt. ii., p. 7, No. IV.

cittie of Glasgow, the river not being portative at the said citie of Glasgow for veshells of great burden, and to make ther entries at ther owne cittie and brugh, or wtherwayes at thair saids harbours and roads. And ther was never any questione moved theranent befor the yeir j^m iiiij^e thrie scoir nyne yeires, at which tyme the towne of Dumbartoun, as lying neerer the sea then the said brugh and cittie of Glasgow, pretendit that all foiraigne shipes should first come to the brugh of Dumbartoun and make offer of ther goods to them, whairupon they impedit some merchands of Glasgow to buy wines from a Frenchman, but that being complained upon to the parliament, the parliament fand that Dumbartowne had done wrong in hindering the merchands and traderis in Glasgow to buy wyne from the Frenchman and discharged the towne of Dumbartowne frae hindering and impeding the merchands and traderis in Glasgow frae buying therof and utheris comodeties to be sold be strangeris in that river in tyme thereafter.¹ Lykas, by the fairsaid indentour or agriement past betuixt the towne and cittie of Glasgow and the towne of Dumbartowne, in anno j^m iiiij^e and nyntie yeires,² wherin the cittie of Glasgow is first named they entered into ane societie mutuall and agried that all ships and goods comeing into the river of Clyde by venture and strangeris should be equallie devydit betwixt the saids brughs of Glasgow and Dumbartowne, and that all things in relatione to such caises should be caried one upon ther mutuall and equall expenses: Bot the ground of the oppositione to the persewaris just declaratouris and ryse of the bussines proceedit from the povertie of the said brugh of Dumbartowne, which brugh, being in hazard to be overthrowne by the water of Levine, did supplicat the royall burrowes for some suplie towards the reparatione of thair bulwarkis, and by the burrowes ther tollerance or allowance they did obtaine from his Majestie for the tyme ane impost for some pettie dewes, and that only within ther owne liberties and not in the leist in the river of Clyde, from the which the brugh and citie of Glasgow dissasented; quhairupone and in respect

¹ Decrees of the Lords Auditors, 29 November, 1469. Glasg. Chart., pt. ii., pp. 54, 55, No. XXIX.

² No indenture of 1490 is known. Perhaps the document is that which is previously referred to as dated 1499 (*antea*, p. 62), or it

may possibly be the indenture of 9 October, 1590 (Glasg. Chart., pt. ii., pp. 225-7; *infra*, p. 84), as the provisions alluded to in the text are contained in the latter. But see footnote *infra*, p. 119.

quhair of the towne of Dumbartowne haveing raised and intended summons befor the secret counsell for the tyme, they be ther act, daited in anno j^m vi^e yeires, ordained the said impost to be uplifted within the territories and liberties of the brugh of Dumbartowne allenerlie, and ordained the commissioneris of burrowes at thair meeting to explaine ther owne act anent the liberties and territories of Dumbartowne;¹ lykas the commissioneris of royall burrowes declared that it was not ther meaning that the river of Clyde should be comprehendit within the towne of Dumbartowne ther liberties and territories, bot the said brugh ther impost should only be uplifted and payed by such as traded in the watter of Levine.² Notwithstanding quhair of thereafter, in anno j^m vi^e nyne yeires, the towne of Dumbartowne haveing maid applicatioun to the Kings Majestie procured a chartour from him which never had a paraleall, prejudiciall to all persones that had right and entres in the watter of Clyde, and destructive to the towne of Glasgow ther rights, wherin ther is granted to the towne of Dumbartowne libertie of fishing *ex utroque latere Glottis*³ from Kelvine to Lochloun, whair of they have never been in possessione to this day, and granting to them *parvas custumas*,⁴ as anchoradge, tunadge, shoare dewes and dockmailles, and that of all ships that should enter the river of Clyde, and ordaining that non should unload goods till they went to Dumbartowne and maid merchandize or entred ther goods ther; which exorbitant impositiones the towne and citie of Glasgow never acknowledged, and if the same wer sustained Glasgow could never be repute and holden ane brugh royall. Lykas, since that pretendit chartour, viz., in anno j^m vj^e and elevine, the towne of Dumbartowne haveing charged some merchants and shipperis in Glasgow not to brake bulk at Potterrige, Inschgreen and Newwark, in respect they wer not royall burrowes, but that they should come and enter ther shipes at Dumbartowne, it being the first and neerest royall burrow, whilk charge being suspendit by the merchants of Glasgow the lords of sessione, by ther interloquitor, after a contentious dispute in the suspensioun, fand the reasones of Glasgows suspensioun relivant, foundit upon ther right of erectione as ane royall burrow and immemoriall possessione of unloading ther goods at the ports

¹ Privy Council Reg., V., pp. 160-1.³ On both sides of the Clyde.² Convention Rec., II., pp. 94, 95.⁴ Small or petty customs.

foirsaidis; quhairupone the towne of Dumbartowne, then chargeris, ther procuratouris past frae ther charges given, and yet the lords of counsell and sessione for the tyme ordained and caused extract that interloquitour in favouris of the towne and citie of Glasgow; notwithstanding quhair of the saids defendaris, for themselves and in name and behalfe of ther brugh and communitie therof oppose the magistrats and cittie of Glasgow ther just actione of declarator afoirsaid, albeit the brugh and cittie of Glasgow do not contend against the towne of Dumbartowne, defendaris, but that they as a royall brugh have ther dewes dew and payable to them in ther owne ports, provyding they be not exorbitant, and that they are content the towne of Dumbartowne have the libertie of the river of Clyde, ther libertie therto not being exclusive of the libertie and priviledge of the royall brugh and citie of Glasgow; but if they pretend to a libertie privative they contend, *mordicus*, that ther is not a word of the river of Clyde in the towne of Dumbartowne old chartouris and a certane bounds limited to them, and no mentione therin of debarreing the cittie of Glasgow from the river; lykas the towne of Dumbartownes chartour, daited in anno j^m vj^c and nyne yeires, can be no ground or warrand to them to alledge one against the towne of Glasgows just rights, priviledges and liberties, becaus the samen is only granted *periculo petentis et salvo jure cujuslibet*,¹ as all grants and chartouris are, even these given be the King and parliament are understood soe to be, and albeit that chartour had been intendit to the prejudice of the towne and cittie of Glasgow (which is not to be presumed) yet kings and princes are understood to doe according to law *et nulli tollere jus quesitum*; ² and this chartour, being only a *de novo damus*,³ presuposes no former right and cannot take from the frie brugh and cittie royall of Glasgow *jus acquisitum*, haveing befor the granting of that chartour as a royall brugh beine in use to win, pas, and repas, load and unload in the river of Clyde without payeing any dewtie to Dumbartowne; and these impositiones being *inter maxime regalia* ⁴ cannot be inferred from that grant or chartor, and therefore any sutch gift granted in prejudice of the towne of Glasgow most be looked one as surreptitious,

¹ At the risk of the petitioner and saving the right of every one.

² To take from none a vested right.

³ Giving of new.

⁴ Among the crown rights specially.

and therby the towne and citie of Glasgows liberties, wherin they have been in continowall use and possessione, cannot be taken away. And quhairas it is declared by the defendaris procuratouris that they use ther alledgencies proponed for them, and restricts ther declaratour in relatione to anchorage, weyadge, measuradge and dewties therof, to be uplifted of all bottomes belonging to the brugh and cittie of Glasgow arvyeing in the river of Clyde, and for fourtie peneis of the tunne of all goods imported and exported by the merchandis traderis and citizens of Glasgow in strangeris bottomes; to the which it wes ansuered and replied for the brugh and cittie of Glasgow that ther right aught to be declaired, notwithstanding the alledgance and declaratione of the defendaris; and the towne and citie of Glasgow cannot be lyable to the brugh of Dumbartowne for these dewes, becaus if any of the shipes of the brugh and citie of Glasgow come within any port or harbour belonging to the towne of Dumbartowne, they are content to pay anchoradge and uther dewes payable therfoir *pro tanto*, but ther shipes and other veshells aryveing or being loaden in any uther port or road not belonging to Dumbartowne, the merchands and traderis of the towne of Glasgow cannot be lyable to Dumbartowne for these dewes becaus anchorage and utheris of that nature is only dew to the owners of ports in regaird of ther charges expendit for reparacione therof, and *portus* in the civill law is defyned to be *statio munita*, whereas the places that the citie of Glasgow makes use of for loading and unloading of ther goods, viz., Newark, Inchgreen, Potterige and utheris, are not *portus* but *stationes* or roads, quherin Dumbartowne hes no intres to quarrell them, seing they belong to noblemen and gentlemen in the countrey, and that they ly one the south syde of Clyde, wheras the ports belonging to Dumbartowne ly one the north syde therof, and therfor Glasgow haveing no benefeit of the ports belonging to Dumbartowne nor comeing to them, being ane royall brugh befoir Dumbartowne, and sua long befoir that charter daited j^m vj^o and nyne, wherby they wold interrupt this the persewaris actione of declarator, and as ane royall brugh being in use of loading in the river and to enter ther goods at Glasgow and of bringing ther ships and veshells to the roads of Potterig, Newark and Inchgreen, and ther to load and unload thair goods without paying anchoradge or any other dewes to Dumbartowne, the towne and cittie of

Glasgow could not be prejudiced of ther right and possessione by any such surreptitious chartor granted to Dumbartowne, in respect whair of the towne and cittie of Glasgow cannot be lyable for anchoradge and other dewes as to any goods which they take to these roads and not to Dumbartowne, and decreit of declarator aught to be given in ther favoris, finding, decerning, declareing and ordaineing in manner at lenth above-mentionat and lybellit, &c. Quhairunto it wes duplyed be the defendaris procuratouris that the defendaris alledgance in manner above declared insisted one stands relivant, notwithstanding the persewauris lybell and reply, becaus albeit they acknowledge the dyference betuixt *statio et portus*, yet heir the defendaris are in the caise of *portus*, seing in these roads lybellit be the persewauris the towne and cittie of Glasgow enjoyes all the benefites of a port, and ther load and unload goods, and the law gives also great priviledges of anchoradge dewties in navigable riveris, and of pettie customes, as any uther place, and the Kings Majestie might undoubtedlie crave a recognizance and so might give it to the towne of Dumbartowne, and Dumbartowne hes undoubted right to the river of Clyde from Kelvine to the head of Lochloun, within which bounding those roads ly, at which the shipps and veshells of the cittie of Glasgow doe aryve, and that bounding cannot be restricted to the north syde of the river becaus then the defendaris infetment *cum telonio*¹ will signefie nothing, shipps in respect of the running of the tyde not being eable and in capacetie to break boulk upon the north syde of the river, and the defendaris cannot be more restricted in the matter of harbouris and roads then in the fishing granted to them by thair chartor, and therfoir seeing ther bounding is speciall and ther gift soe express, the cittie of Glasgow can never contravert ther right, speciallie seeing that, conforme to thair chartor and infetment, they have been in possessione of the foirsaid anchoradge and uther dewes declared insisted anent past all memorie of man; and, secondlie, the cittie of Glasgow cannot contravert this ther priviledge and right becaus the defendaris offeris them to prove that they *indefinite* as to all persones and veshells have been in use, also oft as the persones payed ther customes to the Kings Majestie, to pay ther entries also at the towne of Dumbartowne; tertio, becaus the defendaris offers

¹ With toll, or right to exact dues.

themselves to prove that when the towne and cittie of Glasgows infeftment was ratified in parliament, in anno j^m vj^e and elevine, the commissioners of parliament for the towne of Dumbartowne protested that ther right and ratificatione might be but prejudice of any of the liberties of the towne of Dumbartowne, the provest of Glasgow being then present and saying nothing to the contrair. To the which it wes triplyed be the said Sir George Lockhart and remanent procuratouris for the persewaris, that the persewaris summons and reply stands relivant, notwithstanding of the alledgance and duply proponed for the defendaris, becaus the river of Clyde being a publict river and albeit *quoad proprietatem* it be *principis*, yet *quoad usum* it is *communis*,¹ wherin the wholl leidges and consequentlie the merchands and sea traderis of Glasgow may pas and repas; and wheras it is duplied that the Kings Majestie may crave a recognizance it wes triplyed that the towne of Glasgow payes customes to the Kings Majestie alswell and mutch more then Dumbartowne, and hiewayes are as mutch the Kings Majesties as riveris, and in many things *equiparantibus*, and yet it is not presumable that the Kings Majestie wold impose ane custome upon all that passes in ane publict hie way albeit the parliament does sometymes impose such customes for the good of the leidges for mending of the wayes and bridges, and therefore the Kings Majestie, with consent of his parliament, could not impose such a custome or dewtie one a frie royall brugh as this that is now alledgit one, being a servitude on the people and inconsistent with ther libertie, and no benefit redounding to them therby *nam ea tantum possumus quae de jure possumus*.² And as to the bounding mentioned in the foirsaid last chartour it wes triplyed that the defendars have foisted therin what they pleased, but it is not in the first charter, and it is observable that in that last charter both Clyde and Levine are specefied in the bounding, with this expres difference that Levine is given to the defendaris *ex utroque latere* ³ and the uther, viz, Clyde not mentioned to be given *ex utroque latere*, and sua all right the defendars can pretend to have to the river of Clyde *quoad* ther bounding most be understood to be to the north syde only and allenarlie. And as to the mater

¹ As regards ownership it belongs to the prince, yet the people have the use of it. which we can possess by law.

² On both sides.

³ For we can possess those things only

of possessione the persewars are not heir in that caise they being *nolo* one the poynt of right becaus befor the yeir j^m vj^e and nyne the towne of Glasgow had right to the libertie of the water of Clyde, and be that chartor purchest be the defendaris j^m vj^e nyne, the towne of Glasgows right could not be taken away, lykas any possessione the towne of Dumbartowne had or could pretend was interrupted first civillie in anno j^m vj^e and elevine, by ane suspensione raised at certane of the inhabitants of Glasgow ther instances against the towne of Dumbartowne of ther charges and letteris then given, quhairin the lords then fand that notwithstanding the towne of Dumbartownes chartour foirsaid the burgessis and inhabitants of the said brugh of Glasgow wer not bound and oblidged; 2^{do}, becaus the foirsaid pretendit possessione wes naturallie interrupted, in sua far as the persewaris offers them to prove that the shipes belonging to Glasgow wer in use to arryve at Newark, Inschgreen, Potterig, and uther places accustomed be them in the said river of Clyde, and ther load and unload ther goods without paying any anchoradge or uther dewis to the towne of Dumbartowne, and give some private persones of the cittie of Glasgow maid any voluntary payment to the towne of Dumbartowne of some pretendit dewes, the same being inconsiderable, that cannot prejudice the communitie of the brugh and cittie of Glasgow; lykas any possessione the said towne of Dumbartowne had of the saids pettie dewes wes violent, in sua far as Johne Sempell, provest of Dumbartowne, being for the tyme captane of the Kings Majesties castle ther, did send downe pairties of men to the roads and anchor holls, wher the towne and cittie of Glasgow ther shippes and veshells lay, and ther seased one the merchands seamen and utheris belonging to the cittie of Glasgow, and imprisoned them untill they payed these pretendit dewes; and in lykmaner in anno j^m vj^e fiftie eight the towne of Dumbartowne followed the foirsaid course of violence, by the helpe and power of the English souldieris, whilk thereafter was fund by the English counsell to be a heigh ryot, etc. Quhairunto it wes quadruplyed by the defendaris procuratouris that the alledgance and duply stand relivant, notwithstanding the persewaris summons and rights producit, reply and tryply proponed for them, in respect that the reasone why in the towne of Dumbartown, defendaris, ther great chartour the right of Levine is given *ex utroque latere* and Clyde is not, that the

defendars have lands pertaineing to them one both syds of Levine bot not soe upon Clyde, and qualesies Dumbartownes possessione thus that, comparing the Kings Majesties entrie bookis with these of the brugh of Dumbartowne, it will appeare that the merchants and utheris of the brugh and citie of Glasgow made ther entries to the towne of Dumbartowne also oft as they did to the Kings Majestie, and offered them to prove that this proveist of Glasgow, his deceist father, and divers utheris eminent men of that citie maid ther entries and payed their dewes at Dumbartowne; and as to what wes triplyed anent John Semples violence, it wes quadruplyed that the same must be interpret to be a peaceable possessione, becaus no lawburrowes raised therupone nor summons and actione intended to the effect foirsaid at the persewaris instances, untill the year j^m vj^e fiftie eight, etc. Quhairunto it wes quintuplyed be the persewaris procuratouris that the defendaris alledgance, duplyes and quadruplyes, aught to be repelled becaus any pretendit possessione the towne of Dumbartowne had of the anchoradge and wtheris foirsaid wes without right and interrupted, in sua far as the persewaris offered them to prove that many considerable persones of the towne and cittie of Glasgow never payed any anchorage or uther dewes to the towne of Dumbartowne, and befor prescriptione offeris to prove that they wer civille interrupted by ane sumonds raised at the towne of Glasgow, persewaris, ther instances against them in anno j^m vj^e threttie four yeires, or therby, and therfor, etc. The quhilk sumonds and actione, with the persewaris rights produced as said is, alledgance and declaratione of the defendaris, ansuers, replyes, triplyes, quadruplyes, and quintuplyes above specifiet all producit for either pairtie *hinc inde* as said is, being seen, considerit, and hard be the saids lords, they, befor ansuer given thairunto, gave and granted full power and commissione to Sir James Hamiltowne of Orbiestoun, or in his absence to Sir George Maxwell of Nether Pollok and William Cunynghame, provest of Air, for the pairt of the said brugh of Glasgow, and to Johne Naper of Kilmahew and Mr. Robert Barclay, late provest of Irving, for the pairt of the said brugh of Dumbartowne, and to William Earle of Glencairne, lord heigh chancellor of Scotland for the tyme, as supernumeraree and indifferent persone for both pairties, incaice of difference, to have mett and conveyed at the places and upon the dayes contained in the said act

and commissione, and upon such uther dayes as they should have ap-
pynted for the effect following, and to have examined and tryed by the
depositiones of witnesses and such wtherwayes as they should have thought
necesser and expedient, anent what sort of freedome the citizenes of the
towne and citie of Glasgow have had and exerced frie of the burdenes of
anchoradge, measuradge, weyadge and tunadge, alledgit pertaineing to the
said brugh of Dumbartowne, and also anent what manner of possessione
the town of Dumbartowne have haid past all memorie of man to the saids
anchoradge, measuradge, weyadge and tunnadge, alledgit one and insisted
anent *primo loco* be the defendaris; and in lykmaner ordained the towne
and cittie of Glasgow to have produced in the saids persones, commissionat
as said is, ther presence, all and any interuptiones they have had of the
towne of Dumbartownes alledgit possessione of the said anchoradge,
measuradge, weyadge and tunnadge; and also ordained the saids persones
comissionat in the said matter to have considerit the Kings Majesties
customeris bookis anent the entries and utheris incumbent for cleiring
this matter, and the entrie bookis of the said brugh of Dumbartowne, and
such uther bookes, wryts, peaperis and evidents as either pairtie should
have produced *hinc inde* in thair presence, tuitching the matter contra-
verted as said is, and either pairties rights, propperties, dewes and
priviledges theranent *hinc inde*; and gave power to the saids comissioneris
to have maid choyse of ther owne clerk for whom they wold been
answerable in this mater, to the effect above specifeit; and for better
effectuating and cleiring of what is above ordained, ordained letteris to
have been direct for summonding of such witnesses and probatione and
utheris necessarie to have been aduced for cleiring this mater for either
pairtie *hinc inde* as should been condiscendit one be them and either of
them, and necessarie to have been led, used and aduced be either pairtie,
to have compeired, deponed and declared theranent, upon such in-
terogatoris as should been given in be either pairtie; and that to have
been upon such dayes, dyets, tymes and places as the saids comissioneris
should have appynted, prescryved and prefixt for that effect, with certifi-
catioune, etc. And farder the saids lords seriouslie recomended to the
saids persones, comissionat to the effect foirsaid, to have used ther utmost
and best endeavouris to have setled and agried the said pairties in ane

amicable way, and incaice they could not have settled and agried them theranent ordained them to report in the saids lords ther owne presence ther judgement and opinione in this matter, with ther acting and procedour theranent and dilligence to have been taken in a cognisance therof for all pairties, upon ane certane terme now of long tyme bygaine, to the effect the saids lords, efter report maid theranent in manner above-mentionat, might have proceedit and administred farder justice to both pairties as effeired and accordis of the law. Therefter the mater being of new called in the saids lords thair presence, upon ane act maid therin to the effect foirsaid, the said Sir George Lockhart and remanent procuratouris for the persewaris show that the commissione afoirsaid had taken no effect, and desyred in that respect and that the same proved ineffectuall, by the brugh of Dumbartounes ther commissioneris fault, who deserted the prosecutioun of the commissione, the persewaris and thair commissioneris being alwayes readie to have prosecuted the commissione, as is clear by instruments taken in the hands of Robert Alexander, noter publict, that the saids lords wold have been pleased to have appoynted some of thair owne number for cognosceing and trying of the said mater in manner and to the effect foirsaid; quhilk desyre of the persewaris procuratouris, and instrument producit be them, being also considerit be the saids lords they, in respect the foirsaid former commissione proved ineffectual, nothing being done nor following therone, granted warrand to both pairties for taking out new dilligences for citteing of witnesses to the effects foirsaid, and ordained them to produce all wryts and instructions that they had and could conduce or wold prove effectuall for cleiring the matter above contraverted, and to examine ther witnesses and produce thair wreats befor the lords Carden and Stair, tuo of ther owne number, whom they commissionat to the effect abovespecifeit, and assigned to the saids parties ane certane terme for that effect, and ordained the saids lords Carden and Stair to report thair oppiniones in the said mater, efter witnesses wer aduced *hinc inde* and both pairties wreats wer produced, as they should think just and reasonable, that therefter the saids lords might proceed and administer farder justice in the said matter as effeired, in obedience to whilks act and ordinance of the saids lords both pairties haveing taken out dilligences in the said matter and aduced severall

witnesses, and produced ther wreats for cleiring therof in manner and to the effects abovespecifeit, and the said lords Carden and Stair haveing considered the samen depositiones and wreats producit for either pairtie and maid ther report in the saids haill lords thair presence, and thereafter the said mater being called *in presentia*, the saids Sir Peter Wedderburne and remanent procuratouris for the defendaris resumed the caice and staite of the process, and shew that Dumbartowne wes ever in possessione of the dewties contraverted, and that in this actione ther had been tuo commissiones past and that now seing witnesses wer examined and both pairties wryts produced, and that the lords commissionat had maid report, and therefore craved that the haill lords wold advyse the cause, lykas the said Sir George Lockhart, and remanent procuratouris for the persewar, also shew that ther wer depending betuixt the saids pairties mutuall declaratouris, quhairof thir persewaris actione is anent the finding and declareing that they or ther predecessouris and successouris have been and are free of these exorbitant impositiones acclamed by the brugh of Dumbartowne, and haveing resumed the progres of both pairties rights craved to be hard to propone his defences against the brugh of Dumbartownes right to the impossitiones acclamed, this actione being of great importance to Glasgow, and any comissione granted by the saids lords for tryall of the mater of possessione being only befor ansuer, and alledgit that no respect coul'd be had to any right or probatione producit and aducit for the towne of Dumbartowne in this actione, and decreit of declaratour aught to be given in the persewaris favouris in manner and to the effects above fund, decerned and declaired, because the towne of Glasgow being erected in a brugh royall with all priviledges of a brugh royall befor the toune of Dumbartowne they could not be clogged with any such impositiones as are abovewrittin and pretendit to belong to Dumbartowne, the towne of Glasgows right being foundit in *jure comuni*,¹ and shew that he did not contravert bot such merchandis of Glasgow as pleased to enter at Dumbartowne should pay ther impositiones and entries ther, bot it does not follow in that respect that all shipes belonging to Glasgow, comeing within the river of Clyde, which is a publict river, should make ther entries at Dumbartowne, becaus navigable riveris albeit they be *inter regalia et*

¹ Common law.

juris regalis quoad jurisdictionem et protectionem, yet they are *juris publici quoad usum et transitum*,¹ and it is a maxime in law *quod meum est a mei auferri nequit nisi ex consensu*.² And the persewaris doe not contravert bot his Majestie may impose dewties to be payed by shipes to portmasteris, bot these are not simplie payed for passage bot for the advantage of harbour, and for the onus lying one portmasteris to hold up the ports and harbouris; bot in this caice Dumbartowne cannot say that ther lyes any onus on them of that kynd, and Glasgow craves nothing bot libertie of passage which is competent to them be vertue of ther erectione in a brugh royall, for thair libertie of trade; and for cleiring therof ceited Craige, *dieg: que sint inter regalia*, quhair he hes thir words: *portus sunt in quibus naves appellant et tributum quod inde exigitur portorium dicitur; quod ea tantum causa a Principe introductum est, ut portus locis idoneis constituerentur, munerentur aut reficerentur*.³ And in that *dieg:*, debaiting that pairt anent impositiones *pro transitum mare vel in flumine*,⁴ he concluds the same to be most unwarrantable, and sayes that the impositione exacted by the King of Denmarke at Elshinore being for a simple passage hes no shaddow nether of law nor reasone nor no reasone for it; and as the towne of Glasgows right is foundit one the commone law soe Dumbartowne hes no right to clame the dewties foirsaidis be vertue of ther rights, becaus ther chartour, in anno j^m tua hundreth and tuentie tuo, given be King Alexander does only relate to the Kings dewes and great customes, but not to thir pettie dewes, the words being *tolineum et consuetudinem debitum ad opus nostrum capiunt* ⁵ and Dumbartowne can instruct no possessione of the particular dewes now contraverted befor the yeir j^m vj^c and nyne, either be thair entrie bookis or be depositions of witnesses, quhairas by the wreats producit for the towne of Glasgow it appeares that they wer frie of the impositione both by act of parliament

¹ Though among crown rights as regards jurisdiction and protection, yet they are of public right as regards use and passage.

² What is mine cannot be taken from me unless by consent.

³ Craig's "Jus Feudale" (1732 edition) p. 153. Translation:—"Harbours are places to which ships come to land, and the toll

which is exacted therefrom is called custom, which was introduced by the Prince for this reason only, that in suitable places harbours might be established, built, or repaired."

⁴ For passage in a sea or river.

⁵ They may take toll and custom due for our use.

j^m iiij^c and sixtie nyne yeires, quhairin, upon complaint maid by the merchands of Glasgow, the parliament fand that the men of Dumbartowne had done wrong in hindering the merchants of Glasgow to buy wyne and uther commodeties from straingeris aryving in the river of Clyde, and be ane indentour in anno j^m v^c and nyntie,¹ past betuixt the tua brughes, quhairby the brugh of Glasgow and Dumbartowne entered in mutuall societie anent the trafique upon the river of Clyde, and agried that all things relateing therto should have been caried one by them upon their equall charges and expensies, and in prosecutione therof ther are produced severall minuts of courts holden joyntlie by comissioneris for both brughes for regulating the trade one the river of Clyde and censuring the contraveeners of the acts; and also the same evidentlie appeares by tuo acts of the conventione of burrowes in anno ane thousand and six hundreth yeires, in so far as Dumbartowne haveing petitioned the burrowes that they might have a licence obtained for impositione from the Kings Majestie towardis the reparatiene of thair bulwark, broken downe by erruptione of the water of Levine, whilk wes accordingly granted, and they haveing troubled the merchandis of Glasgow for payment of that impositione, the burrowes by a posterior act declaired that it wes the meaning that the foirsaid impositione should only have been extendit to the watter of Levine and no farder; and as to the towne of Dumbartownes chartour under the great seale, daited in anno j^m vj^c and nyne, containeing a number of the dewties abovewrittan and lybellit, it wes alledgit that no respect could be had therto *quia ea tantum possumus quae de jure possumus*, and contendit that the Kings Majestie could not grant any such impositiones to the prejudice of the liberties compitent to Glasgow as ane brugh royall, and whair of they have been in immemorial possessione, and that chartour daited in anno j^m vj^c and nyne, in sua far as it incroaches upon the priviledges of Glasgow most alwayes be understood to be granted *salvo jure* of the towne of Glasgows right and possessione, being impetrat surreptitiouslie and granted *periculo petentis*; and as this most be presumed to be the Kings intentione, soc as that chartour is conceaved it cannot carie and give right to Dumbartowne of the impositiones contraverted, in respect the brugh of Dumbartowne is situat upon the north

¹ Glasg. Chart., pt. ii., pp. 225-7, No. LXXIX. See footnote *supra*, p. 72.

syde of the water of Clyde and the ports, roads or stationes belonging to the brugh of Glasgow, and whair of they have bein in immemoriall possessione being one the south syde of the river, and the river not being portative to Glasgow the merchants of Glasgow are in use to bring thair shipes and uther veshells to the ports, roadis and stationes of Potterige, Inschgreen and Newark, quhilk are one the south syde of Clyde, and fyve or six mylles of sea distant from Dumbartowne; and that chartour of Dumbartownes in anno j^m vj^e and nyne beares a gift and grant to the brugh of Dumbartowne of the watter of Levine *ex utroque latere* bot of Clyde only from Kelvine to the head of Lochloun, and therfor albeit the chartour could be sustained yet the same could never be extendit to the brugh of Glasgow and priviledges therof, or the foirsaidis ports of Potterige, Inschgreen, and Newark, becaus they ly not within the bounds mentionat in the chartour bot in the sheriffdome of Renfrew, and in propertie of speetch cannot be said to ly betuixt Kelvine and Lochloun, being oposite thereto and direct against the same, one the other syde of the river. And as to the particularis lybellit and above writtand, and first that of tunnadge, whilk the towne of Dumbartowne insists for and alledgis they have right therto, in sua far as concernes strangeris shipes fraughted by Glasgow merchandis, it is alledgit, primo, that that dewtie cannot be declaired in favouris of the brugh of Dumbartowne, bot in the persewarie favouris, becaus that exactione wer equivalent as to exact the same of the merchandis of Glasgow, they being oftentimes forced to fraught strangeris for importing and exporting ther goods, soe that the exacting of that dewtie of these strangeris is in effect the exacting therof of the merchandis of Glasgow, the strangeris laying alwayes that burding one the fraught, lykas the brugh of Dumbartowne hes no right to crave tunnadge nether be thair originall chartour nor be that ther chartour daited in anno j^m vi^e and nyne; secundo, they never could pretend any possessione therof befor the yeir j^m vi^e and fourtie thrie yeires, ther being no mentione of that alledgit dewtie in ther pretendit entrie bookis befor that tyme, and the burding of tunnadge is considerable, being as they alledge fourtie peneis Scots one ilk tunn, and as to weyadge, measuradge and utheris abowewrittand, the persewaris repeits and oppones ther former alledgance and dispute, viz., that Glasgow being a brugh royall and haveing right

to import and export measurable goods, the merchandis quherof cannot be lyable to pay any such dewtie as is lybellit to the brugh of Dumbartowne, and albeit the brugh of Dumbartowne keep the standart measure, yet that can give them no right to the dewtie no more then Lithgow who keepes the standart of the firloft; and as to any pretendit possessione that appeires either from Dumbartownes entrie bookis or be the depositions of ther witnesses, whatever the same be, yet Glasgow cannot be prejudged by the neglect or condiscendence of some particular persones voluntar or compelled deeds, albeit they wold have betrayed the libertie of Glasgow, seing such acts and deeds could not prejudge the comontie of the brugh of Glasgow and priviledges therof, and no respect can be had to the pretendit entries, seing be acts of parliament, entries are only appoynted to be maid in relatione to the Kings Majesties great customes, and that he be not defraudit therof and merchandize forstalled be unfreemen, and it cannot be presumed that the merchandis of Glasgow should make ther entries at Dumbartowne; lykas albeit it wer maid appeir that Glasgow merchandis maid ther entries ther yet the same wes only voluntar acts of some persones, whilk cannot prejudge the towne of Glasgows priviledge, and any pretendit possessione had be the brugh of Dumbartowne is not ane immemorial and continuall possessione which may be *loco juris constituti*¹ bot discontinuall and interrupted be Glasgow, both naturallie and civillie, naturallie in sua far as many citizens of Glasgow being craved and assaulted by the towne of Dumbartownes people for payment of these dewties now contraverted have interrupted and resisted the payment therof to ther blood and imprisonment; and the samen wer civillie interrupted in anno j^m vj^c and elevine, in sua far as the merchandis of Glasgow being charged for payment of the foirsaidis dewties to the brugh of Dumbartowne they suspendit the charges, and the lords then by ther interloquitor fand the merchandis of Glasgow not lyable therin to them, the extract of which interloquitour the lordis ordained to be given to the brugh of Glasgow and merchands therof, notwithstanding that the brugh of Dumbartowne then past frae ther charges, and ther are many legall interruptiones maid be the brugh of Glasgow and merchants therof sensyne, in sua far as soe soone as ever it came to the knowledge of the magistrats of Glasgow that the towne

¹ In the position of a settled law

of Dumbartowne wer exacting and pretending to exact thir dewes they alwayes interrupted them either by raising of summonds, lowsing of arreistments, lettres of lawborrowes, raising of suspensiounes, and decreits of his Majesties privie counsell and utheris governing for the tyme, one whair of is daited in anno j^m vj^c and fiftie seven yeires; and as to the entrie bookis producit for the brugh of Dumbartowne it was alledgit for the persewaris that the samen could not be respected, being a confuised rapsidie of informall compts and a number of sheadullis of peaper bund together, alterable and altered at the towne of Dumbartowne ther magistrats and utheris inhabitants ther pleasour, and some leaves therof blotted, utheris razed out, and most pairt of the entries not subscrivied, and any of ther entrie bookis befor the yeir j^m vj^c and four ar relative to the foirsaid indentour and agreement betuixt the brughs daited in anno j^m v^c four scoir ten, quhairby it was agried that ane joynt course should have been takine for regulating the traffick on the river of Clyde, soe that to these yeirs the pretendit entrie bookis rather ratifie the said indentour than anywayes prejudge the brugh of Glasgow of ther priviledgis, liberties and imunities; and fra the yeir j^m vj^c and nyne to the yeir j^m vj^c and seventeen ther is no mentione of any of these dewties receaved either for measuradge or anchoradge, and ther is no mentione of tunnage therin till the yeir j^m vj^c fourtie thrie; and to evidence how interrupted Dumbartownes possessione hes been the brugh of Glasgow hes produced entrie bookis, contemporare with these of Dumbartowne for the space of threttie yeires, from which it evidentlie appeares that *de facto* great shippes came to Glasgow, wherof ther is not the least mentione in Dumbartownes entrie bookis, and sua Dumbartownes pretendit possessione being at first inconsiderable and clandestine and thereafter violent and alwayes discontinuall and interrupted, cannot be respected, speciallie considering that Dumbartowne lying a great way downe the river from Glasgow, Johne Semple, being then both provest of Dumbartowne and captane of the castle, how easie it wes for him to force the merchandis of Glasgow to make ther entres at Dumbartowne and pay the dewties abovewrittin and lybellit, and that *de facto* he did the same; remittit the probatione therof to the depositiones of the witnesses extant in proces aduced for the brugh of Glasgow. Quharunto it wes answered and replied be the said Sir Peter

Wedderburne, Sir Thomas Wallace, and remanent procuratouris for the magistrats, counsell and comunitie of the said brugh of Dumbartowne, that, notwithstanding of what is alledgit for the pairt of the persewaris, magistratis, counsell and comunitie of the said brugh of Glasgow, be thair saids procuratouris, yet the brugh of Dumbartowne hes good right to the dewties and impositiones abovewrittin and lybellit, to persew declarator of ther right, propertie and entres therto; and, first, that pairt therof quharby it is alledgit that the dewties and impositiones foirsaidis can only be acclamed wher ther are ports, whilks are not heir, and not *pro transito vel statione in flumine*,¹ aught to be repellit, becaus the river of Clyde belongs to the Kings Majestic and the river is *inter regalia*, and the King, as superior, most have a reddendo and recognizance, and may impose ane exactione upon whatsomever persons for the use of the river, speciallie heir whair the caice is not of casting anchore in *marj libero*,² and the towne of Glasgow not being eable to bring ther shipes up to ther owne brugh, the river not being portative that lenth for veshells of burden, most arryve and anchore ther shipes at Potterig, Inschgreen and Newark, and therefore albeit these places and pairts of anchor hold be not *portus* bot *stationes in flumine*, yet they being also usefull and the same benefit redounding therby as may be had in ports by unloading the goods there, the dewes imposed therfore aught and most be payed, and this is cleir by the custome used in the riveris of France, wher the Kings Majestic of France hes a recognizance of all shipes in the lyke caices, and the Hollanders payes to the Kings Majestic dewties for fishing even in *marj libero*, and the persewaris themselves acknowledge that the King of Denmarke hes dewes payed to him at Elshinore, and ther may be naturall ports alswell as arteficiall, viz., beyes, inlats, loches, etc., and as the Kings Majestic might impose dewes foirsaidis, soe the same being imposed as he might have retained them himself soe he might give and grant the same to the brugh of Dumbartowne, and being granted by his Majestic to them the same might and should been declared in ther favouris; and that the Kings Majestic granted the same to Dumbartowne it appeares be that ther chartour dated in anno j^m ij^c and tuentie tua, quhairby Dumbartowne is not simplie erected in a brugh royall bot also with the priviledge

¹ For passage or station in the river.² Free sea.

capiendi telonia et consuetudinem debitam et consuetam ¹ from Kelvine to Lochloun, and Craige defynes *telonia* to be soe comprehensive as to extend to all dewes whatsomever exacted of shipes, and therefore all particularis most be understood to be contained in that generall, and the towne of Dumbartowne hes no uther dewes payable to them one the river of Clyde bot these abovewrittin and lybellit; and as the brugh of Dumbartowne hes right to these dewes be vertue of ther erectione soe the erectione being in King Alexanderis tyme is long prior to Glasgows erectione, ther being nothing to state Glasgow to debait with Dumbartowne as a brugh royall befor the yeir j^m vj^e and elevine, that chartor granted be King Alexander relative to ane chartour granted be King William in favouris of the brugh of Glasgow, which is ther most anciant evident, not being simplie granted to the brugh of Glasgow, *sed Quintigerno episcopo glasguensi et ejus hominibus*,² and soe is given to the inhabitants of Glasgow only *tanquam episcopi hominibus*,³ and grants only a libertie to them to goe to Argyll and returne thence, which is no erectione of them in a brugh royall; and the right granted to them be King Alexander of a weeklie mercat shoves they wer not a brugh royall, it importing nothing to a brugh royall alreadie erected a grant and gift of the privilege of a weeklie mercat; and befor that indentour and agriement dated in anno j^m v^e and fourscoir ten yeires, quhairby the brugh of Dumbartowne hes acknowledgit the brugh of Glasgow to be a brugh royall, they cannot produce any erectione they have of being a brugh royall; And as to that chartour of the towne of Dumbartowne, daited in anno j^m vj^e and nync albeit the same bear a *de novo damus*, yet Dumbartownes originall chartour granted be King Alexander, being prior, caries the brugh of Dumbartowne to have right to the dewes contraverted without respect to that daited j^m vj^e and nyne, becaus the Kings Majestie by that chartour daited in anno j^m ij^e twentie tua haveing granted to Dumbartowne all the dewes acclamed under that generall of *telonia*, and in that chartour j^m vj^e and nyne all the particularis being ratified except tunnadge, the brugh of Glasgow could not alledge that they had ane erectione prior to

¹ To take tolls and custom due and wont. his men.

² But to Kentigern, bishop of Glasgow, and ³ As to the bishop's men.

Dumbartowne, ther erectione being long posterior therto, and the Kings Majesties erectione of Glasgow in a brugh royall with all the priviledgis competent to a brugh royall wold not inferre ane immunitie to them from the dewties foirsaid, the samen not being intrinsick to a brugh royall, and the brugh of Glasgow cannot alledge that they have any gift or grant of these dewes maid or granted to them, soe that the Kings Majestie *quatenus non concessit* ¹ to Glasgow he might despose these impositiones to any uther, and having *de facto* given the same to the brugh of Dumbartowne long befor the brugh of Glasgows erectione as said is, the same cannot be quarrellid by Glasgow, speciallie seing not only brughs royall bot also brughs of regaletie and barronie as Eli, Desyrt and wtheris, befor the same was a brugh royall, had right from the Kings Majestie to exact *telonia debita et consueta* ² for making use of ther ports and roads; and the brugh of Dumbartowne declared that they insisted only for the dewties abovementionat and lybellit of such goods as are unloaded and exonered one the river of Clyde at the ports, roads or stationes abovementionat, and of such goodis as are immediatelie caried up to Glasgow; and upon the consideratione of the place it will appear that the grant of these impositiones to Dumbartowne wes most rationall, Dumbartowne lying tuelf mylles below Glasgow one the river of Clyde, and these ports or stationes of Potterig, Inschgreen and Newark lying fyve or six mylles below Dumbartowne, in the same river, and the Kings Majesties castle being situat at Dumbartowne, so that it cannot be thought, imagined or presumed that the Kings Majestie, by the erectione of Glasgow in a brugh royall, intendit to give them the priviledge of these places with the dewties and impositiones foirsaid; and as to the qualification of the bounding of Dumbartownes chartour, viz., from Kelvine to Lochloun, and that therby it wold appeare that the right behoved to be restricted to the north side of the watter, it is answered that the bounding foirsaid is only in for the designatione of the longitude, the one place being furthest up the river and the uther furthest down the same, bot it cannot be understood therby that the brugh of Dumbartowne ther possessione of the north syde only of the river, becaus in that caice the Kings Majesties gift wold operate nothing in favouris of Dumbartowne, the river of Clyde runeing with a

¹ So far as he has not granted.

² Tolls due and wont.

strong current on the north syde, soe that *naves non possunt ibi appellere*,¹ and ther are no other stationes in the said bounds bot these thrie of Potterige, Inschgreen and Newark, and the towne of Dumbartowne cannot be restricted in the matter of harbouris and roads one the river of Clyde more nor they are in the fishing upon the said river, both being equallie granted to them be the foirsaid chartour, and the towne of Dumbartowne now insists for menteing of ther possessione; and it is not propper to them to debait ther title, whilk is cled with fourtie yeires possessione, as is practised in the caice of abstracted multures in fortificatione of the astrictione thair of, whilk perhappes is only a rollment of court, the said towne of Dumbartowne will offer to prove fourtie yeires possessione, whilk in law is most relivant and unquestionable, and whenever the towne of Glasgow shall intend actione of reductione of Dumbartownes right they wold be answered as accords, and by the law of this kingdome fourtie yeires possessione albeit the title be altogether generall, and in servitudes even without a title the same gives sufficient right, and the towne of Dumbartowne have proven by ther entrie bookis producit, and be missive letteris under the provest Andersone and severall utheris eminent merchants of Glasgow ther hands, and by the depositiones of witnesses, that they have been in possessione of the dewties contraverted *ultra memoriam hominum*,² quhairto they referr themselves. And as to what is alledgit against Dumbartownes entrie bookis, Dumbartowne referres the same to the lords and conceaves they will have regaird therto as a cleir probatione. And whairas it is alledgit that sundrie of the merchants of Glasgow entred not at Dumbartowne ther shipes and goods, it is answered therto that the reasone therof wes that these veshellis whilkis maid not ther entrie at Dumbartowne wer only small veshellis whilkis the brugh of Dumbartowne wold not be hard anent being ther nightbour merchands, but ther wer no shipes nor veshellis of any importance belonging to Glasgow that come to these roads of Potterige, Newark and Inschgreen, quhilkis, upon notice of ther arryvell ther, the magistrats of Dumbartowne, conforme to ther right, did not exact ther dewes and impositiones; and as to the interruptiones alledgit maid be the towne of Glasgow merchandis and inhabitants therof *via facti*, they can condiscend

¹ Ships cannot come to land there.

² Beyond the memory of men.

one non preceeding the yeur j^m vj^c fiftie six, at which time they maid use of ther moyan with the Englishes and got these dewes contraverted sequestrat, whilkis remaines soe till this verie tyme, and which interuptione wes most unfavourable being procured by the force of a prevailling enemie, and as to the entrie bookis producit for the towne of Glasgow the entres therin mentioned are only in ordour to the Kings great customes and not anent ther dewties contraverted; and if ther be any of ther dewties contraverted in the towne of Glasgows entrie bookis, quhilks are not in the brugh of Dumbartownes entrie bookis, they have either been inconsiderable veshellis or such as the magistrats of Glasgow, such as provest Andersone, provest Graham, and utheris, by lettres under ther hands, acknowledged the dewes contraverted of to belong to the towne of Dumbartowne, and either payed the same or gave band to the towne of Dumbartowne ther collectour therfore; quhilk cannot be interpret to be a legall interuptione of the towne of Dumbartownes right and possessione. And as to the indentour quhair-upon Glasgow founds a member of ther alledgance, it is answered that the same does not meet this caise and subject the samen only relating to strangeris shippes that should come within Clyde, and that Glasgow and Dumbartowne should be equall shareris in buying of ther goods therin, and the decret of parliament alledgit one for the brugh of Glasgow finds only that the merchands of Glasgow might buy wyne from strangeris alswell as Dumbartowne, and ther is no uther thing contained therin, and as to the interloquitor of the lords alledgit upon for Glasgow, it is answered that no respect can be had therto, becaus the towne of Dumbartowne haveing charged, upon the act of parliament, the merchandis of Glasgow to make ther entries at Dumbartowne in relatione to the Kings great customes, it wes only found by that interloquitour that Glasgow being a brugh royall might make ther entres as to the Kings great customes of any of the ports befor mentioned, and had no necessetie to go to Dumbartowne and make ther entries ther. And as to the act of burrowes anent the pettie customes imposed and therin mentioned, bearing these pettie customes not to be exacted of shippes bot only of boats loading and unloading horse, kyne, and utheris, for upholding the bullwarkis one the water of Levine, and the towne of Glasgows exemptione therfrae in regaird they unloadned ther goodis at Potterige, Inschgreen and Newwark,

and not at Dumbartowne, that act cannot inferr a civill interruptione of Dumbartownes right, or debarr them from the dewties contraverted and abovewrittin, the same not being *ad diem*, sua that the interruptiones alledgit for the towne of Glasgow being either different from the present caice and questione or private deeds, such as lowsing of arrestments, suspensiones, and utheris of that nature, quhairupon decreit of declaratour could not have followed in the towne of Glasgoves favouris, no respect can be had thairto as naturall and civill interuptiones, seing that notwithstanding therof the towne of Dumbartowne offeris to prove ther possessione of the impositiones contraverted from tyme to tyme, without any interruptione, and albeit the same wer valied interuptiones, yet the towne of Glasgow hes past frae the same, in sua far as upon the ratificatione of the towne of Glasgoves chartour, in anno j^m vj^e fourtie ane, the commissioner for Dumbartowne haveing protestit that that ratificatione should not prejudice Dumbartownes priviledges, quhairof they had been in possessione be the space of thrie hundreth yeires before, the provest then of Glasgow consented to the foirsaid protestatione, quhilk in effect wes ane acknowledgement of the towne of Dumbartownes right. And as to what is alledgit against the towne of Dumbartownes right of tunnage, it is answered that albeit the same be not exprest in the towne of Dumbartownes chartour, daited anno j^m vj^e and nyne, yet the towne of Dumbartowne hes right thairto be vertue of thair old chartour, the same being comprehendit under *telonia*, and that chartour given in anno j^m vj^e and nyne being a *de novo damus* is only ane exigesis, and tunadges is bot ane inconsiderable dewtie, being only fourtie penneis one the tunne, and universallie observed and payed; lykas the lyke dewtie hes ever been payed at Leith, and measuradge and weyadge are alwayes payed both at Leith and at Dundie; the weyadge is ane considerable pairt of the townes commone good and is fermed at thrie thousand merkis by yeir, and measuradge is soe uncontraverted that even in Levine, a pettie brugh of barronie, shippes arveing ther, loaden with timber, payes a dale befor the mast and a dale beeft the mast for measuradge; and the merchandis of Glasgow cannot pretend imunitie from the dewties contraverted, becaus the same behoved to be either as burgesses of Glasgow or comone burgesses, and as burgesses of Glasgow they can pretend no priviledge

bot that which is compitent to the brugh, *et ita est* the brugh of Glasgow cannot pretend the imunitie foirsaid, seing the ports or stationes above writtin ly not within the bounds of Glasgow, and as comone burgesses cannot claime the freedome and imunitie foirsaid becaus they pay the dewties contraverted in uther places, as at Leith, Borrowstownes, and elswer; and as to that pretence that *vectigalia* are imposed only *ob causam* ¹ as for advantage of harbour and onus of upholding the same, it is ansuered that the Kings Majestie may impose these dewties contraverted, not only one that accompt bot also *ob protectionem et tuitionem*,² and Craige sayes *quod aliqua ratio suaderet nisi in minium incrementum excrevessit*;³ and the river being the Kings Majesties he might hinder any veshellis to pas throw the same, alswell as ane heretour of land may hinder any persone to goe throw his land, and therfor the Kings Majestie might impose the dewties lybellit as a recognizance to him, and the same being small and inconsiderable aught not to be quarrelled. And whairas it is alledgit by the wordis of Dumbartownes chartour ther right is restricted to the north syde of the river of Clyde, it is answered that the Kings Majestie haveing given to them the river of Clyde from Kelvine to Lochloun he hes also given to them all the stationes in Clyde within these bounds, and consequentlie Potterige, Inschgreen and Newark, ther being no uther stationes in these bounds bot these thrie only; and as to what is alledgit anent the towne of Glasgows interuptiones of the towne of Dumbartownes possessione, it is farder replyed that albeit in *servitutibus habentibus causam continuam* ⁴ it is necesser to prove continowall possessione, yet in sutch servituds as this acclaimed *quae habent causam sua natura discontinuam* ⁵ it is enough to prove possessione in the begineing, at the midle and end of fourtie yeires, and the towne of Dumbartowne need not alledge and prove at all tymes and in all places especiallie whair the possessione is *per universitatem*.⁶ And the subject of the debait not being anent the Kings great customes, bot anent small impositiones and customes, sutch as anchorage, measuradge, tunnadge, etc., and anent sutch as are not only

¹ Customs are imposed only for a purpose.

² For protection and defence.

³ That any purpose might serve unless it should grow to too great an increase.

⁴ Servitudes having a continuous cause.

⁵ Which have a cause by its nature discontinuous.

⁶ As a whole.

ordinarlie granted to brughs royall be the Kings Majestie, bot also anent sutch as brughs may prescrive and ordour by immemoriall possessione, it appears then that the questione is not in this caice *de potestate sed de voluntate regis*,¹ and the towne of Glasgow can pretend no prejudice by the Kings Majesties grant of these dewties to the brugh of Dumbartowne, sieing when the samen wer first granted the brugh of Glasgow wes not a brugh royall, and when the samen wer thereafter disponed, in anno j^m vj^e and nyne, the towne of Glasgow could pretend no right thereof granted to them, and the towne of Glasgow can produce no right erecting them in a brugh royall befor that chartour daited anno j^m vj^e and elevine, and albeit the towne of Dumbartowne had no more bot that old chartour granted in thair favouris in anno j^m ij^e and tuentie tua, yet, notwithstanding the generalitie therof, they are not holden to debait anent the particularis contained in that concessione and grant of his Majestie, becaus as consuetude is the best interpreter of the law soe is possessione of right, and sieing the towne of Glasgow can pretend no right to these customes and impositiounes, and that the towne of Dumbartownes chartour, granted in ther favouris in anno j^m vj^e and nyne, gives them expreslie right therto, albeit the same does not mentione the ports now in debait, yet the towne of Dumbartownes possessione being knowne to extend to these ports whensoever the merchandis of Glasgow did unload ther goods ther, and the towne of Dumbartownes right being foundit both one the first chartour daited in anno j^m ij^e and tuentie tuo, and that chartor daited in anno j^m vj^e and nyne, they most be preferred to the towne of Glasgow, and the towne of Dumbartowne uses ther possessione allendarlie for explaineing of ther right, and quahatever the towne of Glasgows interuptiones be cannot prejudge the towne of Dumbartowne to explaine ther right and to cleir that the samen extends to the abovewrittin ports, unles Glasgow wold alledge a better right. And as to the prescriptione, the towne of Dumbartowne is foundit both upon possessione and right, whilk hinders prescriptione, and non of the towne of Glasgow interuptiones can prejudge the towne of Dumbartowne ther declaratour of ther right, and Glasgows wholl interuptiones, alsweil *via facti* as *juris*² are past frae, in sua far as

¹ Concerning not the power but the will of the King.

² By way of fact as well as of law.

the towne of Glasgoves commissioneris consent to that protestatione in anno j^m vj^c fourtie ane, maid against the ratificatione of Glasgoves chartor, doeth acknowledge and cleir the towne of Dumbartownes right afoirsaid; and the towne of Dumbartowne also is foundit one acts of parliament, for the eight act of the first parliament of King James the first declaires that all customes, great and small, belongs to the King, and be the fiftie fourt act of the elevint parliament of King James the Sixt it is ordained that non shall exact customes of victuall and uther goods comeing to mercats or frie ports except they have either ane expres grant therof, or that they have been in immemoriall possessione of the same, which is the towne of Dumbartownes caice, they haveing both ane expres grant to the dewes acclamed from the King and lykwayes in possessione therof, and be the act of parliament it is cleir that the same was not meant in relatione to the Kings great customes bot of small customes. Quhairunto it wes duplyed be the saids persewaris procuratouris that ther declaratour and the grounds therof stands relivant, notwithstanding of the defendaris reply and wholl members of the same, becaus it is evident by the chartour and infetments produced for the toune of Glasgow that they wer erected in a brugh royall, with all the priviledges compitent to any brugh royall, *ante fundationem burgi de Dumbartowne*,¹ in sua far as Glasgow wes erected in King Williams tyme, quhairas the most anciant chartour producit for Dumbartowne is a chartour granted be King Alexander, sone of King William, and one of the towne of Glasgoves chartouris beares that the priviledgis of a brugh royall wer granted to Glasgow *ante fundationem burgi de Dumbartowne*, quhilk chartour is granted be King Alexander the Second confirming a chartour granted be King William, his father, and albeit it could be made appeir that Dumbartowne had been a brugh royall befor Glasgow, as it cannot, yet ther is no shadow of right as to the dewties and exactiones acclamed by Dumbartowne that can be inferred from the foirsaid chartour granted be King Alexander, in sua far as it appeires that ther wes nothing else intendit be the foirsaid chartour bot the erectione of Dumbartowne in a brugh royall, and the granting to them these liberties and priviledges compitent to royall burrowes, with power of collecting *telonia et consuetudinem debitam*

¹ Before the erection of the burgh of Dumbarton.

ad opus regium,¹ which clause in reasone can import no more bot the collectione of the Kings great customes, quhairof all the royall burrowes in this kingdome wer then collectoris and comptable therfoir to his Majestie, and which is cleir by the wordis themselves, bearing the same to be *ad opus regium* and for his utilitie and behove, and which interpretatione is consonant both to his Majesties royall intentione in the said chartour, intending no more bot the erectione of Dumbartowne in ane brugh royall, and to the chartour itself, for, efter the said clause of collecting *telonia ad opus regium*, ther is set downe severall assignationes of landis and utheris which are given in thir termes *ad commune commodum burgi nostri de Dumbartowne*,² and quhairby it is cleirly contrarie distinguished from the former clause giveing power of collecting *telonia* bot *ad opus regium*. Lykas the first claus is in thir termes, *volumus et precipimus*,³ which does cleirly evince that the collecting of *telonia* wes imposed upon Dumbartowne as ane onus and burden, quhairas the last clause is in thir terms, *assignavimus et donavimus*;⁴ and it cannot be imagined that the said chartour granted be King Alexander in the termes foirsaid, quhairin ther is not soe mutch as mentione of the river of Clyde, can import a right to Dumbartowne of the exorbitant dewties and exactiones contraverted, not only as to all shipes belonging to strangeris or to the citizenes of Glasgow arying within the harbour of Dumbartowne, bot also as to all shipes comeing within the said river to the roads and stationes of Potterige, Inschgreen and Newark, fyve mylles distant from Dumbartowne and one the south syde of the said river of Clyde, quhairas Dumbartowne is not soe mutch as situat upon the water of Clyde bot upon the water of Levine, one the north syde of the water of Clyde; and which dewties and exactiones, if they had been intendit to have been given in favouris of Dumbartowne, they being *inter suprema regalia* wold certanlie have been exprest, and it is the comone opinion of lawieris that *ea quae sint inter regalia*, speciallie *jura quae maxime exorbitantia contra publicam et privatam utilitatem sub generali concessione non*

¹ Tolls and custom dues for the royal use.² We will and command.³ For the common profit of our burgh of Dumbarton.⁴ We have assigned and given.

transeunt,¹ and it wer absurd to inferr the same from the word *telonia*, quhair it may be utherwayes interpret *congruenter* both to the meaning of the granter of the said chartour *et naturæ actus*,² which wes the erectione of Dumbartowne in ane royall brugh. And quheras it is pretendit that Dumbartownes possessione ensewing upon the said chartour hes both cleired the extent of ther right and prescryved the same, it is answered the argument is retorted for *consuetudo* is indeed *optima legum interpres*,³ And it is cleir that Dumbartowne had no right be King Alexanderis chartour, in sua far as it cannot be maid appeare by any evident or moniment upon record that ever Dumbartowne had any pretendit possessione of all or any of the dewties now contraverted, untill the yeir j^m vj^c and seventeen; and albeit no respect aught to be hade to the entrie bookis product be Dumbartowne yet even the same, sutch as they are, does sufficientlie redargue Dumbartowne pretences, in sua far as they wold ascryve ther right to the chartour granted be King Alexander, ther being no mentione in the saids bookis of any possessione had be Dumbartowne of the exactiones now contraverted untill the yeir j^m vj^c and seintein, long efter the chartour j^m vj^c and nyne, quhairas in contravertedly the towne of Glasgow, past memorie of man, befor the yeir j^m vj^c and nyne wes a royall brugh, and in immemoriall use and possessione of importing and exporting of goods upon the river of Clyde frie of the dewes contraverted, and as to which freedome they are foundit in *jure communj*,⁴ and by ther right of erectione, and needs no utherwayes qualefie, bot in sua far as it cannot be maid appear that Dumbartowne wes in possessione of usurping from the merchandis and citizenes of Glasgow befor the yeir j^m vj^c and seventeen; and yet for farder cleiring of the freedome and imunitie of Glasgow from the saids exactiones the same does evidentlie appeir from the decreit of the *Auditores Quærelarum* ⁵ j^m iiij^c sixtie nyne, and by the indentour j^m v^c and nyntie, and by the acts of burrowes anno j^m vj^c

¹ Those things which may be among crown rights, especially the rights which are most oppressive against public and private interest, do not pass under a general grant.

² Agreeable both to the meaning of the granter and nature of the deed.

³ Custom or usage is the best interpreter of laws.

⁴ Common law.

⁵ Auditors of Complaints, a committee of parliament for judicial purposes.

and by the sederunts of the commissioneris for both burrowes in prosecutione of the indentour, and specialle by the interloquitour anno j^m vj^e and elevine, and by the uther interuptiones producit for Glasgow, soe that how oft soever Dumbartowne attempted and took advantage, by reasone of ther situatione, to incroatch upon the merchandis of Glasgow, also often as the same came to the knowledge of the towne and magistrats of Glasgow they did vindicate ther liberties and priviledges befoir parliament, lords of sessione, privie counsell, conventione of burrowes, who wer proper and competent to questiones aryseing therupone, soe that the towne of Glasgow as to ther freedome and imunitie are not only foundit upon ther right of erectione and comone law of the kingdom bot hes preseryved the same. And quhairas it is replyed that the chartour in anno j^m vj^e and nyne is only exigiticall and declaratorie of Dumbartownes former right, it is duplyed that the former answeres are repeited and oponed, wherby it is cleir that Dumbartowne hes no right by the chartour granted by King Alexander, and quhairof Dumbartowne themselves being conscions they therfore, in the chartour in anno j^m vj^e and nyne, took right to the saids dewties be ane *novo damus*, and which *novo damus* could not prejudge the liberties and priviledges of Glasgow, bot containes as to them a *salvo jure*, and which wes granted to Dumbartowne *periculo impetrantis*, and the said chartour j^m vj^e and nyne could not prejudice the liberties and priviledges of Glasgow by imposeing sutch dewties upon ther shipes and goods for the use of the river, which ar inconsistent with and destructive of the being of ane brugh royall, the libertie of trade being the cheif priviledge compitent to Glasgow as a brugh royall, and ther is no mentione of Glasgow in that chartour, which being in itself most exorbitant is strictly to be interpreted, lykas any grant therin to the towne of Dumbartowne of the dewes contraverted is in thir termes and with this restrictione,—as they and ther predicesoris had been in use and possessione befoir; and it cannot be maid appeir that they had any possessione of the same untill long after the said chartour in anno j^m vj^e and nyne. And albeit it is not contraverted bot publict riveris are *inter regalia quoad jurisdictionem, quoad protectionem*, and as to salmond fishing, yet notwithstanding they are *juris publici quoad usum*, in soe much that *prohibere aliquem piscari in mari vel navigare in flumine*

*publico*¹ is by the lawes of all nationes unjust and unwarrantable, *et facit locum actioni injuriarum*² and albeit be the law of nationes ther wer discrete *gentis dominia distincta*,³ yet in that apropreatione of propertie some things wer not divydit bot left for convenience and commerce sake commune to all and among sutch are *viæ regie et flumina publica*,⁴ and for the intire and inviolable use therof ther wer many wholsome interdicts published in that excellent Romane law as *nequid in flumine publico fiat*⁵ and the lyke, albeit ther be ane recognizance dew to his Majestie for the use of the saids riveris, yet that is no other then the customes payable be Glasgow, and though there shippes aryve within any harbour or port it is compitent to sutch who are infest with the libertie of ports to exact anchoradge, dockmaill, and uther pettie dewes, yit that is in contemplatione of the benefite that shippes have by aryving within the same, and of the onus that lyes upon the masteris of such ports in building and repairing therof, and which in the opinione of Craige and all lawieris in the title *que sint inter regalia*, is the only just cause in consideratione quhairof the saids pettie dewes can be exacted; and conforme wherunto it is not denyed bot if the shipes of Glasgow aryve within the harbour of Dumbartowne they should be lyable in payment of the ordinar pettie dewes, as *de facto* when they aryve within the harbour of Greenock the shipes belonging to Glasgow mak payment of the pettie dewes to the laird of Greenock, bot it wer absurd that shipes belonging to Glasgow aryveing in the watter of Clyde, and making use nether of the harbour of Dumbartowne nor of any uther harbour, bot only of ane naiked and open statione which is four mylles from the north syde and one myll from the south syde,⁶ should be lyable to any impositione for the use of sutch a statione, and the same is contrair to the lawes of nationes and the intres of trade and comerce, and to the liberties and priviledges of Glasgow as a royall brugh, and is reprobate be the practeis of this and all uther nationes, whatever is pretendit to the

¹ Public rivers are among crown rights as regards jurisdiction, protection, and salmon fishing, yet they are of public right as regards use, insomuch that to forbid any person to fish in the sea or to sail in a public river.

² And gives ground of action for damages.

³ Distinct properties of the nation.

⁴ King's highways and public rivers.

⁵ Let nothing be done in a public river (Digest, lib. 43, tit. 13).

⁶ One or other of these distances must be overstated as no part of the Firth over which Glasgow had control was nearly so much as six miles in width.

contrair by the towne of Dumbartownes procuratouris, which is bot gratis dictum and without any warrand; and the towne of Edinburgh albeit infest in the port of Leith particularlie, with the dewties of anchoradge and utheris of all shipes aryveing within the same, yet they doe not exact these dewes of such shipes as by licience of the customer brack boulk and unload ther goodis in the road of Leith, never aryveing within the harbour, and that no impositiones are dew for the use of naked stationes in a publict river is warranted by the authoratie of all lawieris who have wryten one that subject, and in speciall by that excellent lawier Sixtinus who hes written expreslie one that title *quae sint regalia*, wher haveing layed it downe as a certane positione that *usus fluminis publici*, wes *juris publici*, and which *quivis de populo competit*, he adds that *omnis concessio imperatoria in prejudicium istius usus est dura et iniqua ut pote juri egentium et constitutionibus imperatorum contraria*.¹ And wheras it is replyed that the shipes of Glasgow does not only make use of the saids stationes bot loads and unloads ther goods ther, it is duplyed that the said exoneratione or breaking of boulk is in the open river and not in order to sale, bot the river of Clyde not being portative to Glasgow with ships of great burden, the merchands of Glasgow, in order to the transportatione of ther goodis to Glasgow, doe carie up the same in smaller boats upon the river of Clyde, without making sale untill they aryve at Glasgow² and ther pay the Kings great customes, which can be

¹ The use of a public river was a public right competent to any one of the people, he (Sixtinus) adds that every imperial grant in prejudice of that use is harsh and unjust, as contrary to the right of the poor and the constitutions of the emperors (Tractatus de Regalibus, II., cap. 18).

² By royal charter granted to the community of Glasgow in 1611 power is given to load and unload ships and other vessels within the Clyde, between Glasgow bridge and the Clochstane, and all the privileges which the community had hitherto enjoyed by land, sea, and water, were confirmed (Glasg. Chart., pt. ii., p. 280). No place of loading and un-

loading is specified, but twenty-five years afterwards (1636) when another charter, in fuller terms, was granted, the three roadsteads of Inchgreen, New-wark, and Pott of the Rigg are mentioned as being then in use. According to the latter charter, in which the naval enterprise of Glasgow merchants and expenditure by the citizens in improving the navigation are acknowledged, these roadsteads, as well as any others within the bounds between the bridge and Clochstane, were to be used by the burgesses for loading and unloading merchandise, imported and exported, in their own as well as in foreign vessels. Power was given also to the com-

no ground quhairupon any dewtie might be imposed upon the merchands of Glasgow ther unloading of goods at the foirsaid roads, being allenarlie for transportatione to Glasgow as said is; and quhairas it is further replied for the defendaris that besyde the payment of the Kings great customes ther are uther pettie dewes payed to portmasteris, as to the towne of Edinburgh at Leith, yea even to brughs of barronie and regalitie and to noblemen or gentlemen infett in ports, quhairas the merchands of Glasgow are frie of all uther pettie dewes except these payable to Dumbartowne, it is duplyed for the towne of Glasgow that the foirsaid reply aught to be repelled, becaus the foirsaid pettie dewes are only exacted by portmasteris from shipes actuallie aryveing within ther ports and harbouris, which the persewaris doe not contravert bot Dumbartowne hes right therto as to any shipes aryveing within the harbour of Dumbartowne, bot the questione is as to shipes of Glasgow aryveing at naked stationes in the river of Clyde, which are at leist four mylles distant from Dumbartowne and upon the south side of the river of Clyde, which the persewaris contend cannot be liable to pay any impositiones to Dumbartowne one that accompt; and if the towne of Glasgow (who be vertue of ther erectione in a brugh royall have right to exact, besyde the Kings customes the foirsaid pettie dewes as to any veshellis aryveing within ther

munity to build ports and roadsteads, bulwarks and jetty heads, to render the river more navigable and for receiving their ships, boats, and vessels, within the bounds of the river, as far as the spring tide flows, and to take stones and other materials for these works (*Ib.*, pp. 390-1). The decree here printed contains several references to these three stations, and as it is stated (p. 94) that there were no other stations within the bounds between Kelvin and Loch Long "bot these three only," the "naked and open statione" referred to in the text (p. 100) must have been one of them. In view of the interest which attaches to the origin and purpose of the "crannogs" recently discovered in the firth, not far from Dumbarton, particulars regarding the materials used in the construc-

tion of the "naked and open statione" would have been acceptable. On account of their situation, some miles below Dumbarton, none of the three stations can be identified with either of the two "crannogs," but they may all have originally belonged to the same class of structure. It has elsewhere been conjectured that the "crannogs" had something to do with the early navigation of the Clyde, and, though not in use by Glasgow merchants at the date of the decree, it may be that, at some other period, they served as stations for the transfer of goods between ships and small boats, a mode of loading and unloading which must have been practised from early times, and was only discontinued when the depth of water was such as to enable the larger vessels to reach Glasgow.

harbour) be pleased for the incouragement of trade and merchandize to dispence with ther right as to ther owne citizenes, that does not concerne Dumbartowne, and it will not follow that therfore the merchands of Glasgow most make payment of the foirsaidis pettie dewes at Dumbartowne. And quhairas it is replied that Dumbartowne chartour in anno j^m vj^c and nyne, unles it did carie the ports one the south syde of the watter of Clyde it could operate nothing, ther being no ports nor harbouris one the north syde, it is duplyed for the persewaris, primo, the towne of Glasgow hes no necessetie to debait what the foirsaid chartour could operate, seing it is humblie conceaved any grant therin could not burden the shippes of Glasgow in favouris of Dumbartowne for the reasone foirsaid; 2d, it is notour that ther are roads one the north syde of the river of Clyde quhair shippes doe aryve, as at the castle of Dumbartowne and at the mouth of the watter of Levine; and quhairas it is asserted be the defendars procuraturis that Dumbartownes chartour in anno j^m vj^c and nyne caries these ports of Poterige, Inschgreen and Newwark, *per expressum*, the chartour is opponed, bearing no sutch thing, bot one the contrair they are expresslie sett downe in the towne of Glasgows chartour j^m vj^c and elevine, which wes als soone ratified in parliament as Dumbartownes. And quhairas it is replied for Dumbartowne that the towne of Glasgows comissioner did consent to the ratificatione of Dumbartownes chartour in anno j^m vj^c and nyne, and that Dumbartownes comissioner protestit against the ratificatione of Glasgows chartour, which protestatione wes admittit and insert in Glasgows ratificatione, it is duplyed that the reply aught to be repelled, becaus as Dumbartownes chartour j^m vj^c and nyne containes as to Glasgow a *salvo jure* soe the ratificatione therof falls under the *salvo jure*, and which being past in course by the parliament, as is usual, Glasgows comissioner had no necessetie to take notice therof or to protest againes the same that being inherent in law and utherwayes secuired by that *salvo*; and it is false that Dumbartownes comissioner did protest against the ratificatione of Glasgows chartour and that the same wes insert in the body therof, the ratificatione being simple and bearing no sutch protestatione. And as to the fiftie fourt act of the elevint parliament of King James the Sixt, replied one be Dumbartownes procuraturis, it is duplyed that the same

meetts not this present caice, bot one the contrair rather militats for the towne of Glasgow, seing by that act all exactiones of unwarrantable customes upon goods comeing to publict mercats and utheris are reprobat and forbidden, and it cannot be maid appeir that Dumbartowne, as to the exactiones now in questione, is either a valied right or a immemoriall possessione, ther chartour granted be King Alexander being no shaddow of right to the same, as nether ther chartour in anno j^m vj^c and nyne, for the reasones foirsaid, and far les is ther possessione either peaceable or imemoriall, and thairfore the act of parliament is retarded againes Dumbartowne, yea in ane caice betwixt the towne of Lithgow and the fleshouris of Edinburgh, the fyfteent of July j^m vj^c twentie ane yeires, albeit it wes alledgit for the towne of Lithgow that by ther chartour they had right to the pettie customes *per expressum*, and by virtue therof had been in continuall and peaceable possessione of uplifting of tua peneis upon ilk ox, kow or hors, and four peneis upon everie ten sheep dryven throw or by ther towne, yet it was fund by the lords of sessione that the said custome wes exorbitant and againes the comone law and could not be sustained unles it had been by a speciall grant, and that upon considerations of the publict good, as for building or repairing of bridges and the lyke and hie wayes and publict riveris *equiparantur in jure*,¹ and Dumbartowne cannot alledge immemoriall possessione, and sua is not soe strong as the towne of Lithgow wes in that caise. And quhairas it is farther replyed that Dumbartowne, conforme to ther right, hes been in possessione of uplifting the saids dewties, as is evident by ther entrie bookis and by the depositiones of ther witnesses, and that Glasgows interuptiones are bot lait, viz., in the tyme of the Inglishes, and for the most part bot *via facti* and violent, it is duplyed, 1^o, the townes of Glasgow and Dumbartowne being now in petitorie actiones of declaratouris possessione *non relivat*,² quherupone to inferre against the towne and incorporatione of Glasgow ane hie incroachment and usurpatione upon ther liberties and priviledgis, and any sutch pretendit possessione as being ane exorbitant custome, is bot *vetustas erroris*³ and cannot prescryve soe hie a servitude againes the liberties of the towne of Glasgow, bot notwithstanding

¹ Equal in law.

³ The antiquity of error.

² Possession is not relevant.

ing of any sutch usurpatione it is lawfull to Glasgow *reclamare* as now they doe by the conclusion of ther declaratour; 2^{do}, any pretendit possessione Dumbartowne hes is as appeires from ther owne entrie bookis bot the acts and deeds of particular citizens of the towne of Glasgow, and many tymes be citizens of Dumbartowne in name of the citizens of Glasgow, and as the deeds of private persones could not, tho they had intendit the samen, prejudice the liberties of Glasgow, soe far les can any possessione qualesied in manner foirsaid be prejudiciall therto, speciallie sieing be act of parliament act 112 pa: 11 Ja 6.,¹ it is expreslie prohibite that any brugh shall sell or dispoone upon ther freedome or priviledgis in favouris of any uther brugh, or utherwayes whatsomever, without consent of the King and parliament, under the express certeficatione of tinsell of ther freedome both to buyer and seller, whence it is inferit for Glasgow that if nether ther magistrats nor the wholl corporation be commune consent could expreslie annalzie, without consent of King and parliament, ther freedome and priviledges, far les can any possessione inferrit upon the deeds of private persones operate the same, and to suppose that by simple possessione, or the conivance or negligence of any merchandis in Glasgow, the liberties of Glasgow might be imparit, it wer ane interpretatione destructive of the act of parliament and wold make it nothing else bot *legem imponere verbis* and *salva prerogativa verborum sententiam ejus circumvenire*,² seing it is cleir that it wes his Majesties intentione be the said act of parliament to secuire the rights and priviledgis of royall burrowes; 3^{do}, the said pretendit possessione, as it is without any cullour of right befor the yeir j^m vj^e and nyne, soe it cannot be maid appeir that Dumbartowne had any possessione untill the yeir j^m vj^e and seventeen, sua that ther possessione is not imemorial bot lait, discontinued and interrupted be the towne of Glasgow, both naturallie and civillie, naturallie in sua far as albeit it wer granted that some particular citizes of Glasgow had been constrained be Johne Semple, governor of the castle and provest of ther towne, to pay some pettie dewtie to Dumbartowne, therby to redeeme ther trouble, they not being eable to resist Dumbartownes violence, yet it is supposed to be proven by the witnesses aducit for Glasgow that utheris

¹ 29th July, 1587, c. 114, in Record Edition of Acts of Parl., III., p. 506.

² To impose the law on the words and saving the prerogative of words to evade the sense.

of ther citizens, who wer more jealous of Glasgoves priviledges, have resisted Dumbartownes violence even to blood and imprisonment, as also Glasgow did interupt Dumbartownes possessione civillie by the decreit of the *Auditores Querelarum*, indentour, acts of conventione of burrowes, and speciallie by the interloquitor in anno j^m vj^e and elevine. And quhairas it is replyed for the defendaris that that interloquitour is only in relatione to entreis, the interloquitor is opponed, quhairby it is cleir that at that tyme Dumbartowne charged not only for entries bot also for all the uther dewes now contraverted, as they are exprest in the chartour in anno j^m vj^e and nyne, but becaus they had not sutch a cullorable right for the rest as for entries, it not being lawfull be the act of parliament to brake bulk any wher bot at royall burrowes, and Dumbartowne being the first royall burrow upon Clyde they wer forced to restrict themselves to entries, and yet even as to these the lords fand the towne of Glasgow not lyable to make ther entres at Dumbartowne bot that they might load and unload at the foirsaid ports of Potterige, Inschgreen, and Newark, and ordained the interloquitor to be extracted and given to Glasgow; as lykwayes Glasgoves interuptiones are cleir by lousings of arreistments, reasing of lawburrowes, sumonds of contraventione, etc.; 4^o, ther is produced bookis of entrie be Glasgow, coincident in yeirs with these of Dumbartowne, quhairby it is cleir that many considerable shippes of wyne entered at Glasgow, quhairof ther is no mentione in Dumbartownes entrie bookis, and in ther owne entrie bookis ther is no mentione of any shippes of wyne belonging to Glasgow that entered at Dumbartowne from the yeir j^m vj^e to the yeir j^m vj^e fourtie four, quhairas it is notour that above ane hundreth considerable shippes of wyne aryved in Glasgow at that tyme; 5^o, Dumbartownes bookis of entrie aught to make no faith, being bot ane patched up rapsidie and some sheadullis of peaper, not soe much as bund in a formall book, and alterable and altered at the pleasure of Dumbartowne, and in some places leaves cutt out and in utheris entries razed and expunged, and many of the entries not subscryved, and any possessione had be Dumbartowne of the dewties now contraverted appeires not from ther owne entrie bookis to have been befor the yeir j^m vj^e and seventeen, for albeit some entries make mentione of measures yet ther wer no dewes exacted therefore untill the yeir j^m vj^e and seventeen, and efter

that tyme as Dumbartowne fand opertunatie they did increase ther incroatchments upon the citizes of Glasgow, in soe mutch that ther wes no mentione of cockets untill the yeir j^m vj^c and fourtie tua, nor of tunnadge till the yeir j^m vj^c fourtie thrie, soe that any sutch pretendit possessione which wes clandestine, violent and interrupted in manner foirsaid, can in no law amount to import a right. Quhairunto it wes triplyed be the saids Sir Peter Wedderburne, Sir Thomas Wallace, Sir Robert Sinclair, and remanent procuratouris for the towne and inhabitants of the brugh of Dumbartowne, defendaris, in answer to that pairt of the alledgance and duply proponed and duplyed for the persewaris, bearing that King Alexander his chartour, granted to the towne of Dumbartowne with power of collecting *telonia*, could only be understood in relatione to the Kings Majesties great customes, that the same aught to bee repelled, becaus as a brugh royall they had that priviledge, and therfor the foirsaid grant and gift most comprehend more, as appeares by the subsequent wordis of the chartour, viz., *nequis teloniam aut aliquam aliam consuetudinem quæ predicto burgo dari debeat asportare presumat de predictis burgensibus nostris*,¹ sua that it is cleir that it wes the Kings Majesties intencion to give the towne of Dumbartowne right to these pettie customes. And wheras it is alledgit and duplyed that the towne of Dumbartowne wes not in possessione of the dewties contraverted befor the yeir j^m vj^c and nyne, it is triplyed that they wer alwayes in possessione therof, even befor that tyme, bot the trade and traffick wes bot inconsiderable in these places befor King James his goeing to Ingland, which is the reasone that ther are not such evidences of thair possessione befor that tyme as since. And quhairas it is alledgit and duplyed that *flumina navigabilia sunt publica*, it is triplyed that ther being thrie things to be considered in *fluminibus*, viz., *proprietas, jurisdictio et usus*, it is not contraverted that *quoad usum* they are *publica* bot all lawieris, except Baldus and some few followeris of him, allowed to the supream magistrat not only *jurisdictionem et tuitionem sed etiam proprietatem fluminum navigabilium*,² in regaird wherof hee may impose customes one ports and

¹ Let no one presume to carry away from our foresaid burgesses toll or any other custom which ought to be paid to the foresaid burgh.

² Jurisdiction and defence, but also ownership of navigable rivers.

navigable rivers; and Mr. Thomas Craige sayes that *flumina navigabilia erant publica et totius populi hodie in personam regis translata et ideo qui naves in flumine publico exonerant vectegalia regi solvunt*,¹ and therefore *flumina publica* being *inter regalia* the Kings Majestie may impose customes one all shippes loading and unloading in the stationes of the river, and the towne of Dumbartowne are content that the use of the river be patent to the inhabitants of the towne of Glasgow. And notwithstanding therof it is verie consistant with the publick use of the river that the merchandis of Glasgow should pay the dewties contraverted for the use of the stationes in the river, and it being cleir that the Kings Majestie could give such a grant, being *inter regalia*, soe also he might doe it notwithstanding of the towne of Glasgows being a brugh royall befor the yeir j^m vj^c and nyne, and *de facto* he did grant the same to the brugh of Dumbartowne, and upon the same reasone used by Glasgow as being a brugh royall they might contravert the libertie granted to the towne of Dumbartowne of salmond fishing one the river of Clyde, and lykwayes the merchandis of Glasgow might pretend immunitie from these pettie customes when they aryve in any port of any uther brugh within this kingdome, albeit all shipes belonging to royal burrowes within this kingdome payes the dewes contraverted, viz., anchoradge, measuradge and weyadge, not only at Leith bot also at Cromartie and Heymouth² whilkis are brughs of barronie when they aryve ther. And as to the difference alledgit and duplyed betuixt ports and stationes, it is triplyed the law makis no difference betuixt them and the definitione of *portus* quadrats with thir stationes now in questione, *portus* being defnyed to be *locus conclusus et tutus in quo importantur et exportantur merces*; ³ and Sextinius, cited by the persewaris procuratouris, sayes that *portus tam naturales quam artificiales sunt inter regalia*,⁴ and soe the Kings Majestie haveing equall power as to both might *de jure* grant right of the impositiones now contraverted to the towne of Dumbartowne, and he haveing given them, the towne of Dumbartowne hes

¹ Navigable rivers were public, and transferred to the whole people in the person of the King, and therefore those who unload ships in a public river pay customs to the King.

² Heymouth, a form of Eymouth.

³ An enclosed and protected place in which goods are imported and exported.

⁴ Harbours, as well natural as artificial, are among crown rights (*Tractatus de Regalibus*, II., cap. 4).

good right to uplift the same; and Craige himself acknowledges that the Kings Majestie may impose sutch customes *justa et prerogative causa ob utilitatem publicam*,¹ whilk is the towne of Dumbartownes caice, for be that chartour daited in anno j^m vj^c and nyne, not only doeth the Kings Majestie give the towne of Dumbartowne right to the dewties contraverted bot also declaires his intention to amplefie ther right and to give them further right, and soe it cannot be said that that chartour is surreptitious; and the chartour narrats the cause for which these dewties wer granted, viz., that by this brugh of Dumbartowne these barbarus places adjacent therto wer civilized, and for ther defending the inhabitants of Lennox, and in regaird of the innundatione of the watter of Levine, and for thair charge in maintaineing ther bulwarkis to keepe of the innundationes of the river, soe that it appeares that the chartour wes granted for necesser causes, and being thereafter ratefied in parliament is ane unquestionable right to the towne of Dumbartowne, unles the towne of Glasgow wold shaw ane better right, *et ita est* they can shaw no right to the river of Clyde befor that chartour, daited in anno j^m vj^c and elevine, which wes granted by the Kings Majestie efter he wes denudit as to thir dewes contraverted in the towne of Dumbartownes favouris, and both the brughs craving ratificatione of ther chartouris in anno j^m vj^c fourtie ane, the comissioner for the towne of Dumbartowne did not only protest that the ratificatione in favouris of the towne of Glasgow might not prejudge the towne of Dumbartowne, bot the same wes also admitted, and the protestatione wes not generall bot speciall, viz., that the towne of Glasgows ratificatione might not prejudge the towne of Dumbartowne of ther liberties and priviledges one the river of Clyde, bot that the same should remaine in force siclyke as if thair had been no chartour granted to Glasgow. And quhairas it is alledgit and duplyed that the ratificatione most be understood to be *salvo jure* it is triplyed that the towne of Dumbartowne doeth not found ther right solly one that protestatione and ratificatione, but joynes the same with ther uther rights, and the towne of Glasgow can found nothing one that *salvo jure*, unles they could alledge upon a priour right; and as to that interloquitour given in anno j^m vj^c and elevine, quhairby the lordis fand the towne of Glasgow not lyable to make

¹ On just and weighty cause for the public behoof.

ther entres at Dumbartowne, it wes not simplie upon the accompt of ther being a royall brugh bot in regaird they offered to prove custome and possessione, quhilk wes never proven even to this day, and that interloquitour wes only in reference to the Kings Majesties great customes. And quhairas it is alledgit and duplyed that the towne of Dumbartownes possessione cannot be respected, being only ane alledgit act of private persones, and that any payment maid by the merchandis of Glasgow wes upon simplicitie voluntarlie, they not knowing ther right, it is triplyed that ther could be no uther deeds in this caice bot of the private merchandis, and albeit the same wer voluntar, yet being sutch deeds as they might have been compelled to if they had refused, be vertue of the towne of Dumbartowne ther right *per inde est*; and as to any entres alledgit and duplyed anent maid be the towne of Glasgow the same are only in order to the Kings Majesties great customes, and as for the lowsing of arreistments the towne of Glasgow cannot make it appeir that the same wes in ourdour to thir particular dewties now contraverted. And as to that practique citted for the towne of Glasgow, past be the lords in anno j^m vj^e and tuentie ane, betuixt the flesheris of Edinburgh and the towne of Linlithgow, the same quadrats not with the present caice, becaus ther the impositiones wes so much upon everie kyne, horss, sheep, etc., that came through the streets of the towne, or by the towne and within ther liberties, albeit they came not to ther mercat, conforme to the chartour granted to the towne of Lithgow of customes in generall, quhairas in this caice the towne of Dumbartowne hes a speciall grant of thir customes and dewties contraverted *per expressum*, and ther is a great difference betuixt customes one hie wayes, quhilkis should be patent to all the leidges, and thir customes now acclamed whilk are *pro statione in flumine*; and Selden in his treatise *De mare clauso*, is cleir that the King may exact customes for fishing even in *mare libero*, mutch more may he exact customes *pro statione in flumine publico*, and this is the uncontraverted practique of all nationes, as in the riveris of France the King of France exacts exorbitant customes even *pro statione in flumine*, as at Burdeaux and uther places; and so lykwayes our King in the river of Theames, sua that it cannot be denyed to the Kings Majestie in this kingdome. And quhairas the persewaris urge a reasone therof, it is triplyed it may be given thus that the Kings Majestie

haveing ane right of propertie to the river he needit not let any persone pas throw the same, and that the Kings Majestie haveing past from that his right of propertie and allowed *usum navigationis*, and also the use of stationes in the river, he hes reserved thir customes to be payed to himself as a recognizance of his superioratie, and this is the universall practique of this natione, that at all places wherever they pay the King great customes they also pay thir pettie dewties now contraverted, as at Leith, Dundie and uther places else whair in this kingdome. And as to what wes alledgit and duplyed that *flumina sunt quoad usum publica*,¹ it is triplyed that all that is debated upon that point by Grocius and wtheris is only in relatione to frie passage and navigatione, and that *quoad* navigation the same should be comone to all, which Dumbartowne does not controvert and conceads that the merchandis of Glasgow should have frie passage throw the river bot thir dewes being only a recognizance dew to the Kings Majestie for stationes in the river, which the Kings Majestie hes expreslie granted to the towne of Dumbartowne befor the towne of Glasgoves right, the same aught not to be contraverted, speciallie sieing the towne of Glasgow cannot alledge that they intendit any actione of declarator of ther right either befor or since the yeir j^m vj^e and nyne, and that protestatione maid by the comisioneris for Dumbartowne upon the ratificatione of the towne of Glasgoves chartour, and admitted by the parliament, and quhairunto the comissioner for Glasgow consented, quhilk makes the same alyke as if the towne of Dumbartownes right to thir dewties contraverted wer insert in the body of the towne of Glasgoves chartour, till of lait in the English tyme as appeires heirby, and therfore, etc. The quhilk haill proces and progres therof, with ane uther actione of declarator persewed at the towne of Dumbartowne ther instance againes the towne of Glasgow, and the respective wholl rights, wryts, and entrie bookis produced *hinc inde*, and the depositiones of the witnesses aduced for either pairtie for proveing the towne of Dumbartownes possessione of the impositione and dewties contraverted, and the towne of Glasgoves imunitie and freedome from these impositiones and dewties, and ther interruptiones of the fairsaid possessione, with the disputes at lenth above-mentioned maid for either pairtie, and haill circumstances of this cause,

¹ Rivers are public as regards use.

being all at lenth hard, seen, and considerit be the saids lords, and they therwith being well and ryplie advysed, they gave ther decreit, finding, declaireing, decerning and ordaining in favouris of the brugh of Glasgow, persewaris, and dischargeing the brugh of Dumbartowne in manner at lenth above mentionat; and fand that the chartouris, infeftments and rights producit for the brugh of Dumbartowne, with any possessione had be them of the dewties and impositiounes contraverted and instructed by the entrie bookis and depositiones of the witnesses aducit be them, could not give them ane valied and sufficient right to the impositiounes and dewties contraverted in haill or in pairt; and assolzied the towne of Glasgow from that actione of declaratour depending at thair instance against the towne of Glasgow; and decerned, declaired, fand and discharged in favouris of the towne of Glasgow against the towne of Dumbartowne in this actione in manner at lenth abovementionat. And ordaines lettres and executorialis neccesser to pas and be direct heirone in forme as effeires. [Subscribed:] A PRIMROSE, Cls. Reg.

CXXXVII.

EXCERPTS from Decree of Absolvitor pronounced by Lords of Council and Session in action at the instance of Dumbarton against Glasgow as to the exaction of shipping dues in the River Clyde. Edinburgh, 8th February, 1666.

AT Edinburgh the eight day of Februarie the yeare of God j^m vj^e and thrie scoir sex yeares, in the actioun and cause first intentit and persewed befor the lait pretendit comissioners for administratioun of justice to the people in Scotland, and thereftir walkened and insisted in befor the lords of counsell and sessione, they are to say, Sir Johne Gilmor of Craigmillar, knycht, lord president, Allexander lord Halkertoune, Sir Archibald Prymrose of Chesters, knycht, clark of register, Sir Johne Home of Rentoune, knycht, lord justice clark, Sir Johne Nisbett of Dirletoune, knycht,

our Soveranie Lords advocatt, Sir James Lockhart of Lie, knycht, Sir James Foulles of Colingtoun, knycht, Sir Archibald Stirling of Carden, knycht, Sir James Dalrimple of Stair, knycht, Sir John Scougall of Whytkirk, knycht, Sir Robert Nairne of Strathurd, knycht, Sir Andro Aytone of Kinglassie, knycht, Sir David Nevoy of that Ilk, Sir John Baird of Newbyth, knycht, and Sir Johne Lockhart of Castellhill, knycht, att the instance of the proveist, bayllyies and counsell of the burgh of Dumbartane, for themselves and in name and behalf of the remanent burgessis of the said burgh and inhabitants therof, against the proveist and bayllies of the brough of Glasgow, and als against Johne Andersone of Dowhill, Johne Walkinshaw, (*blank*) Barnes, Walter Wilsone, James Campbell, Johne Andersone, Andro Cunynghame, Thomas Allane, Johne Grahame, Colleine Campbell, elder of Blythwood, Colleine Campbell, younger of Blythwood, his sone, Robert Andersone, Johne Broune, Williame Cunynghame, James Boyll, Allexander M'Kinne, Robert M'Nee, Niniane Andersone, elder, Thomas Davidstone, James Hamiltone, Heugh Nisbett, Johne Caldwell, Peter Gemill, Robert Boyll, Johne Hall, Colleine M'Cullas, Robert Reid, Johne Bell, Johne Boyll, Mr. Archibald Graham, James Pollock, Johne Andersone, James Wilsone, skipper, Johne Barnes, Johne Miller, Frederick Hamiltone, James Watstone, Heugh Powart and Johne Purveyans, all burgessis of the said burgh of Glasgow, and als against all uthers having or pretending to have entres in the actione undirwrittine, makand mentioun that quhair umquhill King Alexander the Second, now be the space of four hundreth and fyftie yeares since and above, erected the said burgh of Dumbartane, situat in the west pairts of Scotland, in ane frie burgh royall, and gave and granted to the said burgh and inhabitants thereof and ther successores, for evir, divers lands and rents, with the lyk proviledges and friedomes and immunities belonging or knowne to apperteine to anie brough royall within the said kingdome of Scotland, and speciallie such as belonged to the burgh of Edinburgh; lykas the said umquhill King Allexander the Second, be his chartor undir the great seall, of the dait the tuelt day of December j^m ij^e and tuentie thrie yeares, gave and granted to the said burgh of Dumbartane and burgessis therof certaine lands, rents and priviledges, and speciallie the haill toll and custome betwixt the water of Kelving and the head of Loch-

leavin,¹ prohibiteing straitlie that no persone presume to transport or tack away the saids tolles or anie uthir customes dew to the said burgh from the burgessis therof and ther servands, undir the payne of daith; lykas also the said King and sundrie uthers his predicessores Kings of Scotland have granted divers rychts, tytles, and priviledges to the proveist, bayllies, counsell and comontie of the said brough of Dumbartane, and ther predicessores and successores, with sundrie lands, rents, tenements and uthers belonging therto; and sicklyk umquhill King James the Sext hes not onlie ratified and approvin the ancient gifts, imunities, priviledges, and liberties granted to the said burgh of Dumbartane, burgessis and inhabitants therof, but also did of new grant to them sundrie imunities, priviledges, and liberties, and sicklyk gave, granted and disponed to the said proveist, bayllies and counsell of the said burgh and ther successores all and haill the friedome and libertie of the river of Leiven and of the river of Clyd, betuixt the water of Kellwing and the head of Lochlong, with power to them to intromett with and uptack the haill small customes within the bounds of the saids rivers, with deuties of cocqueits, entries of shippes, barks, creares, and uthers veshells, anchoradges, water measures, dockmeales, shoar silver, assyse bolles, with the deuties of measurage, weyage and uthers customes, imposts and deuties of all goods coming in or ganging furth to and frae the said burgh, ports, havens and lading places quhatsumevir within the saids rivers and bounds, comanding and chargeing all and sundrie the leidges, strangers and uthers, that shall happin to come within the saids rivers of Clyd and Leaven with thair ships, veshells, barks, creares and boatts, that they nor nane of them presume nor tack upon hand to break bulk, coupe or sell anie of thair waires, merchandyse, goods or geir, befor they come to the said burgh of Dumbartane, enter ther ships and uthers veshells with thair haill goods and geir in the books of the said brough, mack ther mercats with friemen and discharge and louse the samen ther, conforme to the act of parliament, and that they tack ther coquetts befor thair departour, and lykwayes that they readilie answer, obey and mack payment to the saids proveist, bayllies or counsell of the said burgh, and ther successores, ther factors, collectores and customers, in ther names, of all and sundrie the

¹ So written, but Loch Long is meant.

forsaidis customes, anchorages, assyse bolles, deuties of measurage, wey-age, docksilver, shoarmaill, and all uthers customes, imposts and dueties quhatsumevir, undir the paynes contained in the acts of parliament, to be execut against them with all rigor; as the new infetment of ratificatioun of all the former rights and priviledges, granted to the said burgh of Dumbartane be the said King and his predecessors, containeing ane new gift undir the great seall, dated the thretteine day of December j^m vj^e and nyne yeares, at more lenth proports: Be vertew quhairof the proveist, bayllies and counsell of the said burgh of Dumbartane for the tyme, hes beine still in peaceable possessione of thair said priviledges, and of uplifting and receaveing the particullar dewes, customes and uthers eftir-specifeit of all ships and uthers veshells coming and going furth of the said river of Clyd, within the bounds forsaidis, viz., from ane frieman and burges of anie frie burgh, out of ilk tune thrie shilling eight penneyes; item, from ane unfrieman, out of everie tune conteineing eight barrells five shilling four penneyes; item, from ane unfrieman, for ilk ship loading with salt, corne, or anie uther measurable goods, tuo assyse bolles of water-meassur used and wont, with four penneyes out of ilk boll salt of water-meassur and tuo penneyes out of ilk boll corne for the meassuraige duetie, with five shilling four penneyes as said is for ilk tunn conteineing eight barrells, with tuentie thrie shilling four penneyes of anchorage; item, from ane ship loadned inward from anie forraine natione, belonging to unfriemen, ane or mae, with wyne, tuo punsheones, viz., ane befor the mast [and another] beeft the mast, with fyve shilling four penneyes further upon each tunn as said is, with tuentie thrie shilling four penneyes for anchorage; item, from ane burges of ane frie brough, out of everie hundreth timber and dailles of all sorts, ane and ane half, with ane shilling upon ilk tunn; item, from ane unfrieman of ane ship laidining inward from anie forrain pairt, tuo of everie hundreth, with ane shilling upon ilk tunn, togethir with tuentie thrie shilling four penneyes of anchorage; item, from ane frieman of ane ship loadned with coalles, of ilk chalder thrie shilling four penneyes, with the meassuraige duetie, viz., eight penneyes for the tunn, compting four tunn to ilk chalder; item, from ane unfrie man of ilk chalder of coalles fyve shilling four penneyes, with the meassuraige duetie, viz., eight penneyes for the tun; item, from ane

stranger and unfrie man, of all goods coastlie, as silverware, cloath, spycerie, and uther coastlie wair, of everie pound Scotts waireing four penneyes, quhich is out of everie hundreth threttie thrie shilling four penneyes; item, from ane unfrie man of ilk shipp, for anchorage tuentie thrie shilling four penneyes; item, from ane unfrieman for anchorage for ilk bark not having overlape and topmast sex shilling eight penneyes; [item, from ane unfrieman for anchorage for ilk bark having overlape and topmast, threttine shilling four penneyes;¹] item, from ane great boat belonging to unfrie men rowing with oares, of anchorage sex shilling; item, for ane great boat belonging to friemen, rowing with oares, of anchorage four shillings; item, from ane burges of ane frie brugh, of ilk ship loadned with irone, tobacco, indigo, or anie uther weyable goods, ane pound and ane half out of everie hundreth weight, with four penneyes of weyage in ilk hundreth, togithir with tuentie thrie shilling four penneyes of anchorage; item, from ane ship loadned inward from anie forraine pairt or natione, belonging to unfriemen, ane or mae, with iron, tobacco, indigo or ane uther weyable goods, tuo pound out of ilk hundreth, with eight pounds out of each hundreth for weyage, and tuentie thrie shilling four penneyes for anchorage, besyd the tunage as is abovwrittine. Lykas the saids proveist, bayllies, counsell and burgessis of the said burgh of Dumbartane hes benie in use and consuetud be themselves, ther thesaurers, collectors, customers, and uthers in thair names, to possesse, intromett with, uplift, ask, crave and receive the particullar customes, entreyes of shippis, deuties of measuraige, weyage, tunage, anchorage, and uthers particularlie above specifeit, continewallie in all tyme bygainne past memorie of man, till of late that the proveist, bayllies and counsell of the toune of Glasgow, and remanent persones defendares abovenamed, all burgessis of Glasgow, hes striven to stoppe, trouble and impede the saids persewares in thair rights and possessione of ther said priviledges and uplifting and intrometting with and receaving the deuties and customes particullarlie aboveryttine, or ane or uther of them, in the moneths of Januarie, Februarij, March, Apryll, Maij, June, Julij, August, September, October, November and December, or ane or uther of the saids moneths, yeirlic, the yeares of God j^m vj^c and fyftie seveine, j^m vj^c

¹ The words within brackets are omitted at this part, but inserted at another part of the decree.

and fiftie eight, quherthrow necessar it is to the saids persewares to have it found and declaired, be decreit of the saids pretendit commissioners for administratione of justice to the peopell in Scotland, that the said burgh of Dumbartane and the saids persewares and ther predicessores and successores, proveist, bayllies and counsell therof, bygaine, present and to come, had and hes sufficient, good and undoubted right and priviledge to intromett with, uplift, ask, crave and receive the particullar customes, entries of slips, dueties of measurage, [weyage,] tunage, anchorage, and uthers deuties, customes and impostas, abov and eftirspecifit, of all ships, barks and uthers veshells and goods comeing in and going furth of the said river of Clyd and bounds therof forsaid, to witt, [as detailed above]. And it ought and should be found and declaired that the saids persewares and ther predicessores hes benie in continowall peaceable possessione, past memorie of man, of the forsaid priviledges, dueties, customes and uthers abovwritine, be vertew of ther infetments and rights therof abovementionat, and thairfor the saids proveist, bayllies, and counsell of Glasgou and remanent persones above named hes done wrong in molesting, troubleing and impeding the saids persewares and the said burgh of Dumbartane in ther just rychts and possessione; and sicklyk the saids proveist, bayllies and counsell of Glasgou, and remanent persones forsaid, and all uthers merchands, burgessis and inhabitants therof, now present and to come, ought and should be decerned to desist and cease from all farder troubelling and molesting the saids persones and ther successores, proveist, bayllies, counsell and comontie of the said burgh of Dumbartane in exerceing of ther saids priviledges, and in the peaceable possessione, brooking, joyseing, intrometting with and uptacking of the forsaid customes and duties of shippes, deuties of measurage, weyage, tunnage, anchorage, and uthers deuties and customes abovspecifeit, but to suffer and permitt them peaceable to possesse and enjoy the samen without molestatione, trouble or contradictione, frielie, quietlie, weill and in peace, in all tyme comeing, conforme to ther rychts and infetments therof abovspecifeit in all poynts, as is alleadged. And anent the severall charges given to the saids defendars and all uthers having or pretending to have entres in the said matter first to have compeired befor the saids lait pretendit commissioners to have heard and seine decreit given and pro-

nounced in the said matter in maner as at more lenth is contened in the saids sumonds, and thereafter to have heard and seine the samen walkened, called and discussed befor the saids lords in maner as at more lenth is contened in the saids sumonds of walkeneing raised theranent and executiones therof, the saids persewares compeirand be Sir Peter Wedderburne, Sir Thomas Wallace, Mr. William Maxwell, Mr. Robert Sincklair, Mr. Johne Cunynghame and Mr. George M'Keinzie, advocatts, ther procuratores, whae for instructing the saids persewares thair rights and entres to persew the actione of declarator abovwritine, produced in presence of the saids lords the forsaid chartoures lybelled, all of the daits, tennores, and contents abovespecifeit, togithir with thrie instruments all of the dait, att Air, the tuentie sext day of Maij the yeare of God j^m vj^c and nyntene yeires; [and also the following documents:—(1) Ratification by parliament, in favour of Dumbarton, of their charters and writs, dated 17th November, 1641; (2) protestation by the commissioner of Dumbarton against the ratification in favour of Glasgow, 17th November, 1641; (3) ratification by parliament in favour of Dumbarton, dated 20th May, 1661; (4) protestation by the commissioner of Dumbarton against ratification in favour of Glasgow, 20th May, 1661; (5) entry book showing payments of dues by Glasgow merchants and others to Dumbarton from 20th March, 1595, to 8th March, 1658; (6) letter from John Graham, late provost of Glasgow, to John Cunynghame, bailie of Dumbarton, dated 19th June, 1655;] quhilk letter mentiones that the said Johne Grahame having ane ship come into Newark, and that he himself being haistned to goe for Glasgow, and desyred Johne Andersone of Dowhill to doe for him as if he were present himself, and that therfoir the said bayllie sould tack off Dowhill quhat was dew to be payed, and that the said bayllie wold be also favourable as if he were present himself; item, ane uther letter of the dait the eleveint day of September j^m vj^c fyftie yeires, directed be the said Johne Andersone of Dowhill to the bayllies of the said burgh of Dumbartane, bearing that he had sent his sone to them to enter ane salt ship and to receave thair furlotts, and that they wold mack no scrouple of the skippers not comeing unto them, in regaird of ane extraordinar gutt or palsie that he had tacken, and also in regaird that the said Johne had sent the chartour pairtie to them and assured them that quhat they had

to lay to the skippers charge he sould cleare all befor his outgoing of the river, and also that he had ane intentione to have his sone inrolled in the books of the said toune of Dumbartane; as the said tuo missive lettres of the daits respective forsaidis more fullie proports. And the saids proveist, bayllies, deane of gild and counsell of the said brough of Glasgow, for themselves and in name and behalf of the remanent inhabitants of the said burgh and remanent persones, defendares abovwrittine, compeirand be Sir George Lockhart, Mr. Robert Trotter, Mr. George Norvell, Mr. Johne Harper, Mr. David Falconer and William Bradie, advocatts, ther procuratores, whae for instructing the disput underwrittine maid for the pairt of the saids defendars, repeated thair right and interest produced in ane uther proces raised at ther instance against the persewares to heare and sie it found and declaired that the persewares have no right to the anchorage, meassurage, weyage and uthers abovwrittine, and that it is lawfull for the saids defendares to arryve, unloaden ther ships and transport ther goods within the haill bounds abovspecifeit, without payment of anie of the dewes abovwryttine, and als that the saids persewares ought to desist and cease from troubelleing the defendares theranent in all tyme comeing; and quhilks interrests repeated for the pairt of the saids defendares produced in the said uther proces consists of the wreits and evidents following, viz., [here follow a description of charters and other documents,¹ together with the pleadings of parties, all similar to those contained in the Decree No. CXXXVI.]. The quhilk haill proces and progres thairrof, with the forsaid uther actione of declarator persewed at the instance of the said toune of Glasgow against the saids persewares, and thair respective haill rights, wreits, and entrie bookes produced *hinc inde*, and the depositiones of the witnessis adduced for ather pairties for proveing the persewares possessione of the impositiounes and deuties contraverted, and the toune of Glasgows imunitie and friedom from the samen, and thair interruptiones of the persewares possessione, together

¹ One of the documents is described as "mutuall indentares betuixt the brugh of Dumbartane and the burgh of Glasgow, daited in anno j^m 4^e and nyntie nyne yeares, [whereby] the saids tuo burrowes contracted and aggried, for all tymes eftir the dait of the saids in-

dentoures, to ane mutuall compliance and correspondence, and the defence and mentin-
ance of each of the uthers privilegedes, and
condescending to ane equall interest of the
river of Clyd." (See p. 62 and footnote 6;
also footnote 2. p. 72).

also with the haill disputs abovementionatt, maid for ather pairtie, and haill circumstances of this cause, being all at lenth heard, seine and considdered be the said lords, and they thairwith being weill and ryplie advysed, they assoylzied the said brough of Glasgow and remanent defendares abovwrittine from the haill poynts of the forsaid summons and actione of declarator persewed against them at the instance of the said burgh of Dumbartane, persewares, in maner abovementionatt, and that notwithstanding of the haill wreits produced and depositions of the witnessis adduced and haill disput proponed for the pairt of the said burgh of Dumbartane persewares; and als the saids lords fand and declaired in favors of the said burgh of Glasgow in the forsaid uther actione of declarator depending at thair instance against the said toune of Dumbartane, viz., that the saids defendares were and ought to be frie of the impositiounes and duties lybelled, acclaimed be the said brough of Dumbartane, persewares, conforme to the desyre of the principall sumonds of declarator raised thairanent in all poynts. And ordaines letteres to be direct heirupon in forme as effeires. *Extractum de libris actorum per me dominum Archibaldum Prymrose de Chesters, militem barronetum, clericum registri, rotulorum ac consilij S.D.N.Regis, sub hisce meis signo et subscriptione manualibus.* [Subscribed:] A. Primerose, Cls. Reg.

CXXXVIII.

EXTRACT Disposition by Sir Robert Hamilton, of Silvertonhill, to the Provost, Bailies, Council, and Community of Glasgow, of the lands of Provan. Glasgow, 3rd September, 1667.

AT Edinburgh, the thirty first day of May one thousand six hundred and seventy five years, in presence of the lords of council and session, compared William Yeaman, esquire, advocate, as procurator for the party after named and designed, and gave in the disposition underwritten, desiring the same might be registered in their lordships books, conform to law, which desire the said lords found reasonable and ordained the

same to be done accordingly whereof the tenor follows, viz.:—Be it knowne to all men be thir present letteres, me, Sir Robert Hamiltoun of Silvertounhill, knight, heretable proprietor of the lands and others underwritin, with the pertinents, for the soume of ane hundreth and sex thousand merks Scots money, contented, payed and delyvered to me, as for the pryce of the lands and others eftermentioned, and for making this present dispositioun and richt therof, be William Andersone, present proveist of Glasgow, Robert Rae, and Johne Andersone, present baillies of the said burgh, Johne Walkinshaw, present dean of gild therof, Johne Miller, deacon conveyiner of the samen, and Robert Scot, thesaurer therof, for themselves, and in name and behalf of the remanent counsell of the said burgh, and as representing the whole bodie and comountie of the samen, wherof I grant the receipt, hold me weill content, satisfied and compleitlie payed, and for me, my airs, executors and assignayes, I doe heirby exoner, quytclame, and simpliciter discharge the saids proveist, baillies, dean of gild, deacon conveyiner, thesaurer and counsell of the said burgh, and ther successors, representing the whole bodie and comountie therof, and all others whom it effeirs of the samen for ever, renounceing the exceptione of not numerat money and all others exceptiones that can be proponed or allegit in the contrairie: Witt ye me to have sold, annalied and disposed, likas I, be the tennor heirof, sell, annalie and dispone, from me, my airs, and all others my successors and assignayes, to and in favours of the said proveist, baillies, dean of gild, deacon conveyiner, thesaurer, and counsell of the said burgh of Glasgow, for themselves and ther successors representing the whole bodie and comountie of the said burgh, heretabillie and irredeimable, but any maner of reversione, redemptione or regress quhatsoever, all and whole the lands and others underwritin, to witt, all and whole the lands of Ballanerk *alias* Provand, containing the particular lands eftermentioned, viz., the lands of Easter Cunschlie, Wester Cunschlie, Gartcraig, Blairlume, Blairquhairn, Germistoun, Balgray, the lands of Hewgonfield, Ballarnock, Mylnetoun, Riddrie, Rachesie, Craigend, Garthomlock, Cardowane, Garsheugh, with the dominicall lands and meidowes called the Provand meidow, mylne of Provand, mylne lands, astricted multers, comounlie called dry ferme multers, rings, sequells and pertinents therof, services and knaivships of

also with the haill disputs abovementionatt, maid for ather pairtie, and haill circumstances of this cause, being all at lenth heard, seine and considered be the said lords, and they thairwith being weill and ryplie advysed, they assoylzied the said brough of Glasgow and remanent defendares abovwritrine from the haill poynts of the forsaid summons and actione of declarator persewed against them at the instance of the said burgh of Dumbartane, persewares, in maner abovementionatt, and that notwithstanding of the haill wreits produced and depositions of the witnessis adduced and haill disput proponed for the pairt of the said burgh of Dumbartane persewares; and als the saids lords fand and declaired in favors of the said burgh of Glasgow in the forsaid uther actione of declarator depending at thair instance against the said toune of Dumbartane, viz., that the saids defendares were and ought to be frie of the impositiounes and dueties lybelled, acclaimed be the said brough of Dumbartane, persewares, conforme to the desyre of the principall sumonds of declarator raised thairanent in all poynts. And ordaines letteres to be direct heirupon in forme as effeires. *Extractum de libris actorum per me dominum Archibaldum Prymrose de Chesters, militem barronetum, clericum registri, rotulorum ac consilij S.D.N.Regis, sub hisce meis signo et subscriptione manualibus.* [Subscribed:] A. Primerose, Cls. Reg.

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same to be done accordingly whereof the tenor follows, viz.:—Be it knowne to all men be thir present letteres, me, Sir Robert Hamiltoun of Silvertounhill, knicht, heretable proprietar of the lands and others underwrittin, with the pertinents, for the soume of ane hundreth and sex thousand merks Scots money, contented, payed and delyvered to me, as for the pryce of the lands and others eftermentioned, and for making this present dispositioun and richt therof, be William Andersone, present proveist of Glasgow, Robert Rae, and Johne Andersone, present baillies of the said burgh, Johne Walkinshaw, present dean of gild therof, Johne Miller, deacon conveyner of the samen, and Robert Scot, thesaurer therof, for themselves, and in name and behalf of the remanent counsell of the said burgh, and as representing the whole bodie and comountie of the samen, wherof I grant the receapt, hold me weill content, satisfied and compleitlie payed, and for me, my airs, executors and assignayes, I doe heirby exoner, quytclame, and simpliciter discharge the saids proveist, baillies, dean of gild, deacon conveyner, thesaurer and counsell of the said burgh, and ther successors, representing the whole bodie and comountie therof, and all others whom it effeirs of the samen for ever, renouneing the exceptione of not numerat money and all others exceptiones that can be proponed or allegit in the contrairie: Witt ye me to have sold, annalied and disposed, likas I, be the tennor heirof, sell, annalie and dispone, from me, my airs, and all others my successors and assignayes, to and in favours of the said proveist, baillies, dean of gild, deacon conveyner, thesaurer, and counsell of the said burgh of Glasgow, for themselves and ther successors representing the whole bodie and comountie of the said burgh, heretabillie and irredeimable, but any maner of reversione, redemptione or regress quhatsoever, all and whole the lands and others underwrittin, to witt, all and whole the lands of Ballanerk *alias* Provand, conteining the particular lands eftermentioned, viz., the lands of Easter Cunschlie, Wester Cunschlie, Garterraig, Blairlume, Blairquhairn, Germistoun, Balgray, the lands of Hewgonfield, Ballarnock, Mylnetoun, Riddrie, Rachesie, Craigend, Garthomlock, Cardowane, Garsheugh, with the dominicall lands and meidowes called the Provand meidow, mylne of Provand, mylne lands, astricted multers, comounlie called dry ferme multers, rings, sequells and pertinents therof, services and knaivships of

the samen, the wood called Gartwood, with all and sundrie the loches within the saids lands and fishings within the samen, extending the lands and others immediatlie abovewrittin in the whole to ane twenty pound land of old extent, with the pertinents, includeing the tennendrie of the saids lands of Blairlume, with all and sundrie their houssis, biggings, toures, fortalices, yairds, orchyairds, tofts, crofts, tennents, tennendries, services of frie tennents, parts, pendicles and whole pertinents of the samen quhatsoever, lying within the parochine of Glasgow and shiredome of Lanerk, and unite and incorporat in ane whole and frie tennendrie called the tennendrie off Provand, together with all richt, title, enteres, kyndnes, clame of richt, propertie and possessioun quhatsoever, which I, my airs, successors or assignayes, had, have or anywayes may have, clame or pretend to the forsaid lands, mylnes, loches, fishings and others abovespecifeit, or any pairt or pairts therof, be whatesomever maner of way in time comeing. In the which lands, mylnes, loches, fishings and others particularlie above disposed, with the pertinents, lying, extending and unite as said is, I faithfullie bind and obleige me, my airs and successors, dewlie, valiable and sufficiently, to infeft and sease the saids proveist, baillies, dean of gild, deacon conveyner, thesaurer and counsell of the said burgh of Glasgow, for themselves and ther successors representing the whole bodie and comountie of the said burgh, heretable and irredeimable, as said is, and that be two severall chartours, infeftments and manners of holdings, the one therof to be holden of me the said Sir Robert Hamilton, my airs and successors, in frie blensh ferme, for the yearlie payment of ane pennie Scots money upon the ground of the saids lands and others abovespecifeit, or any pairt therof, at the feast of Witsonday, in name of blensh ferme, if the samen beis asked allanerlie, and als for payment yearlie to my imediate superiors of the forsaid lands and others above-exprest of the few ferme dewties and others dewties contained in the infeftments granted to me and my prediccursors and authors of the samen; and the other of the saids infeftments to be holden from me and my aforsaid of my immediat laufull superiors of the samen lands and others respective abovespecifeit, ther airs and successors, sicklyk and als frielie in all respects and in that same maner of holding as I or my prediccursors or authors held, holds or may hold the samen ourselves, and that either

be resignatioune or confirmatioune, as best sall please the saids proveist, baillies and counsell of the said burgh, for themselves and ther successors representing the comountie therof as said is, to devise, and for that effect to mak, perfyte, subscryve and delyver to them all chartors, conteining precepts of seasine, procuratories of resignatioune, and others writts and securities necessar and requisit, the saids writts being allwayes made and formed, the superiors consent purchast and procured, and the saids infetments past and exped be the saids proveist, baillies and counsell of the said burgh, and ther successors, for themselves and representing as said is, be ther owne moyane and upon ther owne proper charges and expenssis. And for the better expeding of the forsaid infetment be resignatioune I have made, constitut and ordained, and be the tennor heiroyf mak constitut and ordaine (*blank*) and each on of them, conjunctlie and severallie, my verie lauffull, undoubted and irrevocable procurators, actors, factors and special earand bearers to the effect underwrittin, giveing, granting and committing to them and each one of them, conjunctlie and severallie as said is, my verie full, frie, plaine power, expres bidding, mandament and charge, for me, in my name and upon my behalf, at quhatsomever tyme and place convenient, puirlye and simplie, be staffe and bastoune, as use is, and with all other solemnities and dew reverence requisit, to resigne, renunce, surrander, upgive, overgive and delyver, from me, my airs and assignayes quhatsomever, lykas I, be the tennor heiroyf, resigne, renunce, surrander, upgive, overgive and delyver, from me and my forsaidis all and whole the saids lands and others above and underwrittin, to witt all and whole the saids lands of Ballanerk *alias* Provand, conteining the particular lands above and under exprest, viz., the saids lands of Easter Cunschlie and Wester Cunschlie, Garterraig, Blairlume, Blairquhairren, Germistoun, Balgray, Hewgonfeild, Ballarnock, Mylnetoun, Riddrie, Rachesie, Craigend, Garthomlock, Cardowane, Garsheugh, with the dominical lands and meidowes called the Provand meidow, mylne of Provand, mylne lands, astricted multers, comounlie called dry ferme multers, rings, sequells and pertinents, services and knaivships of the samen, the wood called Gartwood, with all and sundrie the loches within the saids lands and fishings within the samen, extending the lands and others imediatlie abovewrittin in the whole to ane twentie pound land of

old extent with the pertinents, includeing the tenendrie of the saids lands of Blairlume, with all and sundrie ther houssis, biggings, tours, fortalices, yairds, orchyairds, tofts, crofts, tennents, tennendries, services of frie tennents, pairts, pendicles and whole pertinents of the samen quhatsomever, lying as said is, and all unite and incorporate in the said whole and frie tenendrie called the tenendrie of Provand; together with all richt, title, interes, clame of richt, propertie and possessioun quhatsomever, which I or my forsaid had, have or any wayes may have, clame or pretend therto, or to any pairt therof, be quhatsomever maner of way in tyme comeing: In the hands of my imediate lafull superiors of the samen lands and others respective above specifeit, their airs and successors, or in the hands of ther comissioners haveing power to receave resignatiounes in ther names, and to grant new infeftments therupon, and that in favors and for new infeftment therof to be made and granted bak again be my saids superiors, or be ther saids comissioners, haveing ther power as said is, to the saids proveist, baillies, dean of gild, deacon conveyner, thesaurer and counsell of the said burgh of Glasgow, for themselves and ther successors representing the whole bodie and comountie of the said burgh, heretable and irredeimable as said is, in such dew and competent forme as effeirs, acts, instruments and documents, ane or moe, therupon to ask, lift and raise, protestatiounes to mak, and generallie all and sundrie other things anent the premisses to doe, haunt and exerce, which I might doe my selfe if I wer personallie present, or which to the office of procuratorie in such caices of the law and consuetude of this realme justlie perteines or ar knowne to perteine; promising to hold firme and stable, etc. Which infeftments abovewrittin and either of them sall bear and containe the warrandice following, lykas now as if the same infeftments were already made and perfyted, and then as now, I bind and obleige me, my airs, alsweill maill as of lyne, tailzie, privioun and conqueis, and successors to me in my lands and heretages quhatsomever, conjunctlie and severallie, renunceing the benefite of the ordour of discussing of them, to warrand, acquyet and defend all and sundrie the fornamed lands, mylne, loches and others respective abovespecifeit, with the pertinents, in maner as followes, viz., the saids lands of Easter and Wester Cunschlies, Gartcraig, Blairlume, Riddrie, Rachasie, Craigend, Garthomlock, Cardowane,

and Garsheugh, with the dominical lands, mylne of Provand, mylne lands, astricted multers, commounlie called dry ferme multers, rings, sequells, and pertinents thereof, services and knaivships of the samen, the said wood called Gartwood, with all and sundrie the loches and fishings within the saids lands, with all and sundrie ther houssis, biggings, and others therof forsaid, with the pertinents, as propertie, and the saids lands of Blairquhairn, Mylnetoun, Balgray, Hewgonfeild, Ballarnock, Germistoun and meadow lands with the pertinents therof, as superioritie; together also with this present dispositioun, procuratorie of resignatioun, and infeftments forsaid to follow therupon, to the saids proveist, baillies, dean of gild, deacon conveyner, thesaurer and counsell of the said burgh of Glasgow, and ther successors representing the whole bodie and comountie of the said burgh, to be frie, safe and sure to them, in all and be all things as is before rehearsed, from all and sundrie wairds, releives, nonenteress, mariages, ladies terces, conjunct fies, lyfrents, former alienatiounes, privat or publick, seasines, inhibitiounes, interdictiounes, appryseings, disclamatounes, bastardies, purprestures, forfaultors, escheits, lyfrents, annuelrents, evictiounes, nullities, and fra all reduciounes for not payment of the bygone few duties, or for not shawing of holdings, bygone taxatiounes, mentinance, cess, bygone few dewties, annuities, ministers and readers stipends, and all other publick burdeines of quhatsoever name or designatioun the samen be off; and from all others perrells, dangers, impediments and inconvenients quhatsoever, alsweill not named as named, bygone, present and to come, at all hands and against all deidlie as law will; and bindes and obleiges me and my forsaid to delyver to the saids proveist, baillies, and counsell of the said burgh of Glasgow and their successors acquittances and discharges of the saids bygone taxatiounes, mantinances, cess, ministers and readers stipends, few dewties, annuities, and of all and quhatsoever burdeines of quhatsoever name or designatioun the samen have bein made, of the cropt j^m vj^c thre score sex years, and off all cropts preceeding; excepting and reserving alwayes furth and from the said warrandice the few richts and others richts and infeftments made and granted be me and my predecessors to the fewars and vassalles of the lands and others respective above and vnderwrittin, to witt, the few richt and infeftment made and granted be umquhill

Sir Robert Hamiltoun of Goslingtoun, knicht, and umquhill Edward Hamiltoun of Silvertounhill, my father, his lafull sone, to umquhill James Hamiltoun of Mylnetoun, also lafull sone to the said umquhill Sir Robert Hamiltoun, and the said umquhill Edward Hamiltoun, his said sone, of the two pairt of the saids lands of Ballarnock, to umquhill Mr. Thomas Law, minister at Inchinnan;¹ item, ane other few richt and infeftment made and granted be me of the third pairt of the saids lands of Ballarnock to Mr. Thomas Law, sone to the said umquhill Mr. Thomas Law; item, ane other few richt and infeftment made and granted be me of the saids lands of Balgray to umquhill Walter Neilsone; item, ane other few richt and infeftment made and granted be me of the saids lands of Blairquhairn to umquhill Mr. Johne Spreull, wryter in Glasgow; item, ane other few richt and infeftment made and granted be me of the saids lands of Germistoun and meadow lands to John Kirkland in Cardowane; item, ane other few richt and infeftment made and granted be me to William Clidsdail, chirurgiane in Glasgow, of the saids lands of Hewgonfeild; for the yearlie payment of the few dewties and others dewties contained in the saids few richts and others richts and infeftment. And sicklyk excepting and reserveing furth and from the said warrandice the taks, assedatiounes, and rentales made and sett be me or my predecissors to the tennents and possessors of the lands and others respective abovewrittin and teyndis therof, dureing the spaces therein rehearsed, for payment of the yearlie rentall and tak dewties therein mentioned, each on of them respective for their owne pairts, as is therein divyded, all specifeit and sett downe in ane particular subscryved inventar therof relative heirunto and of the date heirop, and which is holden as ane pairt of thir presents. Which few richts and others richts, taks and rentales respective forsaidis, sall nowayes be comprehended under the said warrandice but ar heirby speciallie excepted and reserved therfrom, and with the burdein wherof this present dispositioun, richt and infeftment to follow ther-

¹ Thomas Law, minister of Inchinnan, was a son of Archbishop Law and father of Robert Law, author of the famous "Memorialls." In 1621 he married Jean, daughter of Sir Robert Hamilton of Silvertounhill. Through

some defect in the text its meaning is obscure, but it is probably correct to assume that the minister had come into possession of two-thirds of Ballarnock.

upon, is made and granted and appoynted to be made and granted be me to the saids proveist, baillies, dean of gild, deacon conveyiner, thesaurer, counsell and comountie of the said burgh and ther successors and ar so accepted be them allenerlie and no otherwayes; provyding alwayes, lykas it is heirby speciallie provyded, that the forsaid exceptiones sall be no ratificatioune or approbatioune of the saids few richts and others richts and taks and rentales excepted from the said warrandice as said is, bot that it sall be leisum and lafull to the saids proveist, baillies, dean of gild, deacon conveyiner, thesaurer, counsell and comountie of the said burgh and ther successors, to quarrell, impugne, reduce, and annull the samen as accords of the law for quhatsomever cause which may not infeire warrandice against me the said Sir Robert Hamiltoun or my forsaid. Attour I be thir presents assigne and transferre from me and my fore-said to and in favours of the said proveist, baillies, dean of gild, deacon conveyiner, thesaurer, counsell and comountie of the said burgh of Glasgow and ther successors, all richt, title, interes, kyndnes, and clame of richt quhatsomever quich I or my forsaid had, have, or anywayes may pretend, clame or have in and to the teynd, personage and viccarage, of the forsaid lands and others respective above mentioned, and to the annuitie payable to his Majestie furth therof of this instant cropt and year of God j^m vjth thre score sevine years, and of all cropts and years heirefter to come. And I be thir presents mak and constitut them and ther forsaid my undoubted and irrevocable cessioners and assignayes in and to all and sundrie taks, assedatiounes, rentales, decreits of prorogatioune, assignatiounes, translatiounes, dispositiounes, and others writts, richts and securities quhatsomever made and granted to me or to my cedents, predicessors or authors, of or concerneing the teynd, personage and vicarage, of the saids lands and others above dispoyned with the pertinents, or annuities payable furth thereof, and in and to all actioun, instance, persute and executioun competent or that may be competent to me or my forsaid be vertew of the samen; and surrogattes and substitutes them and ther forsaid in my full richt, title and place therof for ever. Moreover I be thir presents mak and constitute the saids proveist, baillies, dean of guild, deacon conveyiner, thesaurer, counsell and comountie of the said burgh, and ther successors, my verie lafull, undoubted and irrevocable

cessioners and assignayes in and to the whole maills, fermes, kaynes, customes, few dewties, tak dewties, rentall dewties, proffeits and others dewties, and rents quhatsomever dew and payable for the forsaid lands, teyndis and others respective abovespecifeit, with the pertinents heirby disponed as said is, als weill contained in the taks and rentales therof, old and new, as wherof ther is no taks or rentales, and also contained in the saids few richts and other richts and infetments, and dew and payable to me therby, and that of this said instant cropt and year of God j^m vj^e thre score sevine years, and of all years and termes heirefter to come, and in and to the saids whole taks and rentales made and sett to the tennents, and in and to the whole tak and rentall dewties, services, penalties and others obleigements and claussis quhatsomever contained therein, with all that hes followed or may follow therupon, and in and to all actionne, instance, persute and executione competent, or that may be competent, to me or my forsaid be vertew therof; surrogateing and substituteing be thir presents the saids proveist, baillies, dean of gild, deacon conveyner, thesaurer, counsell and comountie of the said burgh, and ther forsaid, in my full richt, title, roume and place of the samen, for now and ever; which dispositiounes and assignatiounes respective abovespecifeit of the forsaid mailles, fermes, few and tak dewties and rents abovementioned, and of my richt, title and kyndness of the saids teyndis, I bind and obleige me and my forsaid to warrand to the saids proveist, baillies, counsell and comountie of the said burgh and ther forsaid from all facts and deeds done or to be done be me or my forsaid that may be anywayes hurtfull or prejudiciall therunto. And I have instantlie delyvered to them the forsaid whole taks and rentales quhich I have of and concerning the saids lands and others above disponed, to be kepted and used be them and ther forsaid as ther owne proper writts, at ther pleasure, in tyme comeing, conform to the forsaid inventar therof subscrivit be me of the date of thir presents. And farder I bind and obleige me and my forsaid to flitt and remove myselfe, my bairnes, familie, tennents, goods, and gear, furth and from the maner place of Provand and whole office houssis, yairds, orchyairds, barnes, byres, stables and pertinents therof, and furth and from so mutch of the saids lands as is occupied be my selfe, and to leave the samen void and red, and to enter the saids proveist, baillies, dean

of gild, deacon conveyner, and thesaurer of the said burgh, for themselves and in name and behalfe of the remanent counsell and comountie therof, to the voyd, actuall, reall and peaceable possessiounne of the said maner place and others office houssis, yairds, orchyairds, barnes and others forsaidis, and of so mutch of the saids lands as is possest be me, betuixt the date heirop and the first day of May nixt to come, and for that effect, at or before the said day, to delyver or cause be delyvered to the saids proveist, baillies, dean of gild, deacon conveyner and thesaurer, for themselves and in name and behalfe forsaid, or to ther abovewrittin, the whole keyes of the said maner place, yairds, barnes, byres, and others above mentioned, to be kepped and used by them and ther forsaidis at ther pleasure in tyme comeing; with full power to them and ther forsaidis, at any tyme efter the said day, at ther owne hands, to enter to the possessiounne of the said maner place and others above exprest, but any danger or process of ejectiounne, intrusiounne, spuilzie, or any other actiounne or danger to be incurred be them therthrow, or persewed against them therefore; renunceing the samen from me and my forsaidis for now and ever; which enterie and possessiounne abovewrittin I bind and obleige me and my forsaidis to warrand to be good and valeid to the saids proveist, baillies, counsell and comountie and ther forsaidis, at all hands and against all deidlie. And in lyk maner I be thir presents mak and constitute the saids proveist, baillies, dean of gild, deacon conveyner, thesaurer, counsell and comountie of the said burgh, and ther successors, my verie lafull, undoubted and irrevocable cessioners and assignayes in and to all and sundrie contracts, dispositionnes, chartors, infeftments, precepts, sasines, procuratories and instruments of resignatiounne, assignatiounnes, translatiounnes, decreits, and processis of apprysing, adjudicatiounnes, grounds and warrants therof, and in and to all others writtis, evidents, richts, titles and securities quhatsomever, made and granted to me, or to any of my cedents, predecessors, and authors, mediat or imediat, or conceived or that may be interpret in favours of me or any of my saids cedents, authors or predecessors forsaidis, mediat or imediat, of or concerneing the forsaidis lands, teyndis and others above mentioned, heirby disponed as said is, or any pairt therof; and in and to the claussis of warrandice therin contained, and whole remanent

heids, articles, claussia, obleigements and conditiounes of the samen, and to all that hes followed or may follow therupon, and in and to all actiounes, instance, persute and executioun competent or that may be competent to me or my forsaisds be vertew therof. And I be thir presents transferre the samen and my whole richt therof to and in favors of the saids proveist, baillies, counsell and comountie of the said burgh and their successors, surrogatteing and substituteing be thir presents them and ther forsaisds in my full richt, title, roume, and place of the premisses, for now and ever. Which assignatioun abovewrittin in and to the saids writts I bind and obleige me and my forsaisds to warrand to saids proveist, baillies, counsell and comountie and ther forsaisds from all facts and deids done or to be done by me and my predecessors and our forsaisds that may be anywayes prejudiciall or hurtfull heirunto. And I have instantlie delyvered to the saids proveist, baillies, dean of gild, deacon conveyiner, and thesaurer, for themselves and in name and behalfe of the whole remanent counsell and comountie of the said burgh, the whole evidents and writts which I have of and concerning the forsaisds lands and others abovewrittin, to be keeped and used be them and ther forsaisds as ther owne proper writts and evidents at ther pleasure in tyme comeing, conforme to ane particular inventar therof conteining the particulars of the saids writts and evidents mutuallie subscrivit be me and the said proveist, baillies, dean of gild, deacon conveyiner, thesaurer, counsell and comountie of the said burgh of the date of thir presents, which is holden as exprest and set doune heirintill; and quhich evidents and writts, contained in the said subscrivit inventar, the saids proveist, baillies, dean of gild, deacon conveyiner, thesaurer and counsell of the said burgh, and ther successors, sall be holden and obleiged to make patent and furthcomeing to me and my forsaisds quhensoever we sall have necessarlie to doe therwith for defence of all actiouns, if any sall happen to be moved, intended and persewed concerneing the evictioun of the saids lands and others abovementioned or any pairt therof; and if at any tyme heirefter it sall happen me to get or purchase any other writts and evidents concerneing the saids lands and others abovespecifeit, or any pairt therof, in that caice I bind and obleige me and my forsaisds to delyver the samen to the saids proveist, baillies, counsell and ther forsaisds, provyding alwayes that the assignatioun heirby made in favors of the

said toun of the teynds quhairunto the said Sir Robert hes richt sall not inferr warrandice against the said Sir Robert Hamiltoun in so far as he hath made any former assignatioune of the saids teynds of any of the forsaid lands fewed be him; as also but prejudice to the saids magistrates of Glasgow and ther successors, to bruik and enjoy the forsaid haill lands and teynds, either be vertew of this present richt or be vertew of any other richt which they have acquired or sall acquire heirefter. And for the more securitie I am content and consent thir presents be insert and registrat in the books of council and sessioun, or in any others judges court bookes within this realme, to have the strength of ane decreit of any on of the judges therof interponed heirto, that letteres and executorialls of horneing, on ane simple charge of sex dayes only, and others requisit, in forme as effeirs, may be direct heirupon; and for registratioun heirof I constitut the said William Yeman, esquire, advocate, (*blank*), my procurators, etc. And finallie I be thir presents desyre and requyre you James Andersoun of Stobcross, etc., and each on of you, conjunctlie and severallie, whom I heirby constitut my baillies in that pairt, that immediatlie efter the sight heirof ye pass and give and delyver heretable state and seaisine and also actuall, reall and corporall possessioun off all and whole the saids lands of Ballanerk *alias* Provand, conteining the particular lands and others abovewrittin and unite in the tennendrie above specifeit, with all and sundry ther maner places, toures, fortalices, houssis, biggings, yairds, orchyairds, mylne, woods, fishings, loches, mossis, mures, meadowes, tofts, crofts, tennents, tennendries, services of free tennents and others therof above exprest; with the whole pairts, pendicles and pertinents of the samen, all lying and extending as said is, to the saids proveist, baillies, dean of gild, deacon conveyner, thesaurer and counsell of the said burgh of Glasgow, for themselves and their successors, representing the whole bodie and comountie of the said burgh, or to ther certain actorney or actorneyes in ther name, bearer or bearers heirof, be delyverance of earth and stone of the ground of the saids lands, at the said tour, fortalice and maner place of Provand, or upon any pairt of the ground of the lands and others forsaid, which is heirby declared to be sufficient for all and sundrie the lands and others abovewrittin, with ther pertinents, conforme to the dispensatioun contained in the chartor and infetment made to me

of the samen lands and others above exprest: To be holden of me and my forsaid, or from me and my abovewrittin, of my imediat lafull superiors of the lands and others above rehearsed, in maner abovementioned, conforme to thir presents and infeftments to follow heirupon or any of them; and that this on nowayes ye leave undone, the which to doe I heirby comitt to you, and each on of you, conjunctlie and severallie, my baillies in that pairt forsaid, my full and irrevocable power. In witnes of the which thing, I have subscrivit with my hand thir presents (writtin be George Andersone, servitor to Mr. Robert Hamiltoun, wryter to his Majesties signett), att Glasgow, the third day of September j^m vj^c thre score sevine years, before thir witnesses, Mr. Johne Harper of Camnethen, advocat, Gavine Hamiltoun of Raploch, Mr. Andrew Burnet, wryter in Edinburgh, William Yair, town clerk of Glasgow, Johne Grahame, wryter ther, and the said George Andersone. (Signed:) Silvertounhill. J. Harper, witness, G. Raploch, witnes, An. Burnett, witness, W. Yair, witness, J. Graham, witness, Geo. Andersone, witness. Extracted from the Records in his Majesty's General Register House, upon this and the thirty preceding pages of stamped paper, by me, one of the keepers of these records, having commission for that effect from the Lord Clerk Register. [Subscribed:] William Robertson.

CXXXIX.

EXTRACT Contract of Sale and Feu between Sir Patrick Maxwell of Newark, with consent of his spouse and son, and the Provost, Bailies, Council, and Community of Glasgow, of pieces of land at Newark for building a Port or Harbour, with certain privileges. Glasgow and Newark, 4th January and 28th February, 1668.

AT EDINBURGH, the twenty sixth day of October, j^m vij^c and four years, in presence of the lords of council and session, compeared Mr. Mathew M'Kell, advocat, as procuratour for Sir Patrick and Sir George Maxwells

and Dame Marion Campbell, all afterdesigned, on the one pairt, and also compeared Mr. George Dickson, advocat, as procuratour for the magistrats of Glasgow and other subscribers, all also afterdesigned, on the other pairt, and gave in the contract underwritten, desyreing the same to be registrat in their lordships books, that letters and executorialls of horning, on six days charge, poynding and others might pass therupon in form as effeirs, which desyre the said lords having found reasonable, they ordain the same to be registrat in their said books, to the effect forsaid, wherof the tenor followes:—At Glasgow and Newark the fourth and twenty eight days of the moneths of January and February, the year of God j^m vj^e three score eight years, it is appointed, contracted, concorded and finally agreed betwixt the pairties following, they are to say, Sir Patrick Maxwell of Newark, knight, heretable proprietor of the lands and others underwritten, with express advice, consent and assent of Dame Marion Campbell, his spouse, and of Sir George Maxwell, appearand of Newark, knight, their eldest sone lawfull, and them all with one consent and assent, on the one pairt, and John Anderson of Dovehill, present provest of the burgh of Glasgow, James Pollock, John Caldwell and John Kerr, present bayllies of the said burgh, John Walkinshaw, dean of gild, John Miller, deacon conveener, and James Kerr, present thesaurer of the burgh forsaid, for themselves and in name of the remanent council, community and incorporation of the said burgh of Glasgow, on the other pairt, in manner, form and effect as after follows, that is to say, the saids Sir Patrick Maxwell of Newark, knight, with consent of his said spouse and sone, and they all with one consent and assent as said is, have sold, dispoined and in feu ferme and heretage perpetually sett and letten, as be the tenor hereof they, for the soume of money and other onerous causes underwritten, sell, dispoine and in feu ferme and heretage, for the feuduetie afterspecified, sett and perpetually lett to the saids provest, bayllies, dean of gild, deacon conveener, thesaurer and council and community of the said burgh and incorporation of Glasgow, and their successors, all and hail these peices and portions underwritten of the said Sir Patrick his lands of Divolsglen, wood and wards of Newark, to witt, the hail ground and lands from the little burn or stripe at the west end of the houses and land sometyme possest by umquhill Andrew M'Farlan, and now be John Paul and

Alexander Rankine, and frae that upward the said burn or strype to the wood dyke and alongst be the said dyke to the stone craig eastward, and also along eastward be the said craigface, and be the wood dyke at the east end of the said craig to the back of the yeard downwards, viz., James Henries kaill yeard back and rest of the kaill yeard dykes there, westward to Robert Leitch his kaillyeard nook, and doun be the west syde of the said kaill yeard be the back wall of Robert Leitches house to the sea, and alongst all the shoar westward frae thence to the said abovewritten burn or strype, at the west syde of the houses forsaid, formerly possest be the said umquhill Andrew M'Farlan, includeing all the arable land, bogwood, other ground, houses and yeards within the bounds above repeated; with power to them to have, build, edifie and incorporat all houses, biggings, yeards, edifices, structures, and other accommodations for their best benefite and use, at their pleasure, within the bounds above designed and now feued to them. And together with the teind shaves and other teinds, both parsonage and viccarage, of the saids peices and portions of land abovewritten included, all lyand within the said Sir Patrick his barrony of Finlaystoun Maxwell, parochine of Kilmacolme and shirrefdom of Renfrew. And whilks peices and portions of land and ground abovefeued and disposed are hereby extended to ane merkland of old extent; and together also with the harbour and station or port of shipping for rydeing and anchoring their ships, barks, boats, and other vessells, and bigging of ane harbour at their pleasure, from the forsaid burn or strype within the full sea mark to the low ground ebb and round about eastward through the haill bay, and with the priveledge of the haill bay itself, from the said full sea to the said low ground ebb, and all priveledges of the water toward the sea betwixt the said burne and strype and round about eastward to the point called the Blackhouse nook; for their use and well of their shipping (excepting and reserving as is underwritten). And with the priveledge and liberty also of all the louse stones within the bay and other stones there, or any other place of the said Sir Patricks ground toward the shore (excepting such stones wherof the want may prejudge the said Sir Patrick his houses or dykes) for bigging of the said harbour and other their necessary and lawfull uses, at their pleasure. And with the priveledge and liberty also to wonne, lead, and away take all stones necessary and

usefull for them at their pleasure furth of the said stone craig at the south syde of the abovewritten lands now feued, betwixt the ends of the two dykes that bounds with the said craig in length, and for that effect to tirr six elnes of ground inward on the topp of the said craig for the better accommodation in winning of the said stones through the length forsaid, and to wonne stones downward to the bottom of the poiste. And sicklyke to wonne, lead and away take all other stones farder necessar for them in the said craig, or any other free quarrie or craig within the said Sir Patrick his adjacent lands, for their building of harbours, houses or others their expediencies and necessities, they paying the said Sir Patrick his heirs and successors for the saids other or farder stones to be wonne be them, at the least for the skaith that is done to the suard or superfue of the ground therby, be the sight of two honest and neutrall men to be mutually chosen by both the said parties for that effect. And with free ish and entry to the haill premised peices of ground, priveledges and others above disponed and licentiat, in manner abovewritten, reserving allwayes to the said Sir Patrick and his forsaid and their tennents to have sheltring, anchoring and lyeing with their vessells whatsoever within the harbour, bay and bounds abovewritten, without any paying of any dues whatsoever for the same, they allwayes not sheltring strangers under the pretext of the said liberty reserved to them. And reserving also to the said Sir Patrick and his forsaid, and their said tenents of the quarries and craigs abovewritten with free ish and entry therto; and in lyke manner reservand to the said Sir Patrick and his forsaid and their said tennents and all others his Majesties leiges the liberty of the high way be the shoresyde used and wont. And farder the said Sir Patrick, with consent of his said spouse and sone, and they all with one consent and assent, hereby give liberty to the saids provest, bayllies, dean of gild, deacon conveyener, thesaurer, council and community of the said burgh of Glasgow, and their successors and their servants in their names, for intakeing of fresh water furth of the said Sir Patrick his burnes or springs of his lands abovewritten, or sand ballast out of any of the bays theirow, for the necessary use of them and their shipping and vessells at their pleasure, when they shall find the samen needfull and convenient. And in the whilks haill premisses above disponed and sett in feuferme in

manner abovementioned, with the priveledges and licences and others abovementioned, and with the teinds, parsonage and viccarage, of the peices of land abovespecifeit included, he the said Sir Patrick Maxwell of Newark, knight, with consent forsaid of his said spouse and sone, and they all with one consent and assent as said is, hereby bind and oblidge them, their heirs and successors, duely and sufficiently to infest and sease the saids provost, bayllies, dean of gild, deacon conveener, thesaurer, council and community of the said burgh of Glasgow and their successors, to be holden be them of the said Sir Patrick Maxwell of Newark, knight, his heirs male, successors and assigneys, in feu ferme, and heretage for ever, be all right meiths and marches their of, and designations of the samen above exprimed; with free ish and entry therto, and with writes, issues, and amerceaments their of, bloods and bloodwitts, and with all other priveledges and immunities therof as the said Sir Patrick now has the samen himself (excepting and reserving as is above excepted and reserved) for the yearly payment to the said Sir Patrick and his forsaid of the soume of four merks money of this realme of feu maill yearly, at the terme of Whytsunday, and with our Sovereign lords taxations, and all publick burdens imposed or to be imposed on the premisses, according to the rate and proportion of the said one merk land abovementioned, frae their entry to the premisses, whilk is hereby appointed to be and begin at the second day of February next to come in this instant year of God, and sua furth yearly in all tyme thereafter; the not payment of the whilk feu duety of two, three, or more years or termes running together shall be no cause of nullifieing or reduceing of the said infeftment of feu ferme, notwithstanding of whatsoever acts of parliament of this realme made or to be made in the contrair, the benefite wherof the said Sir Patrick, with consent forsaid, has hereby discharged and discharges for ever. And for that effect he, the said Sir Patrick, with consent abovementioned of his said spouse, and they all with one consent and assent, hereby bind and oblidge them and their forsaid to make, perfyte, seall, subscrivye and delyver to the saids provest, bayllies, dean of gild, deacon convener, thesaurer, council and community of the said burgh of Glasgow, and their successors, sufficient charters of feu ferme containing precepts of seasine of the haille premisses, to be holden in manner forsaid (excepting and reserving as is above excepted and

reserved) the samen being formed and presented be them on their own charges and expenses to the said Sir Patrick, his said spouse and their forsaid, and they also procureing the superiors confirmation of the said infettment of feu ferme, on their oun charges and expenses, and relievand the said Sir Patrick, his said spouse and their said sone, and their forsaid theirof, and of all danger theranent; and with speciall clauses of warrandice to be contained in the said infettment of feu ferme. Lykeas now as gif the samen were made and perfyted, and then as now, the said Sir Patrick Maxwell of Newark, knight, and Sir George Maxwell, his sone, hereby bind and oblige them and ilk one of them and their heirs, successors and assigneys to warrand, acquitt and defend to the saids provest, bayllies, dean of gild, deacon conveener, thesaurer, council, and community of the said burgh of Glasgow and their successors all and hail the forsaid peices and portions abovewritten of the said Sir Patrick his said lands of Divolsglen, wood and ward of Newark, bounded and designed as is abovewritten, and teinds, parsonage and viccarage therof included, with the bays, harbours, priveledges, liberties, and others particularly and generally above enumerated and repeated, excepting and reserving as is above excepted and reserved, to be sure, safe, quyte, and free to them and their said successors frae all wards, reliefs, nonentries, ladies terces, conjunct fees, liferents, annuelrents, recognitions, reductions, forfaultures, escheats, inhibitions, interdictions, appryseings, disclamations, bastardies, former alienations, publick and privat seasines, tacks, assedations long or short, and frae all other alienations, evictions, claimes, inconveniencies, publick burdens, teinds and taxations, and frae all other feudueties, multers and exactions in tyme comeing, except the feudueties, taxations and publick burdens above written, appointed be this present security to be payed for the premisses, as freely and quietly in and be all things as is above exprimed, at all hands and against all deadly as accords of the law. Lykeas the said Sir Patrick and his said sone, for them and their forsaid, hereby give and grant their full power and commission to the saids provost, bayllies, dean of gild, deacon conveener, thesaurer, councell, and community of the said burgh of Glasgow, and their successors, to procure, purchase, impetrat and obtain from our Söveraign Lord the Kings most excellent Majesty, as prince and steuart of Scotland, or from his

Majesties successors, kings, princes and steuarts of Scotland, the priveledges and liberty of imposing pettie customes, anchorages, tholls, and other dueties or dues, great or small, of all vessells anchoring and comeing or being within the saids bays, port and station, in the most ample and firm manner as they can obtain, and the samen to exact, and the samen also to their oun use [to] apply; and that either be themselves or be others in their names as they shall find convenient; to the whilk the said Sir Patrick and his said sone, for them and their forsaid, hereby consent, reserving to the said Sir Patrick and his forsaid and their saids tenents the exemption abovementioned wherby they are exeemed from the samen. And farder he, the said Sir Patrick Maxwell of Newark, knight, hereby binds and oblidges him and his forsaid to move and cause the said Dame Marion Campbell, his spouse, compear judicially befor any judge convenient and ordinary next adjacent to her residence, and there, judicially, outwith her said husbands presence, subscrivve this present contract for her consent to the premisses and give her solemn oath that she is nowayes compelled, coacted or seduced be the said Sir Patrick, her husband, to the subscrivveing theirow, and that she shall never come in the contrair theirow, directly nor indirectly, in judgement or outwith, in tyme comeing. For the whilk causes the saids provest, bayllies, dean of gild, deacon conveener and thesaurer of the said burgh of Glasgow, for themselves and in name of the council and community of the said burgh of Glasgow, have, at the makeing hereof, contented, payed and delyvered to the said Sir Patrick Maxwell of Newark, knight, all and hail the soume of twelve thousand merks good and usuall money of this realme of Scotland, and wherwith the said Sir Patrick Maxwell grants and holds him well content and satisfied, dischargeing them theirow for now and ever. And sicklyke the said provost, bayllies, dean of gild, deacon conveener and thesaurer of the said burgh of Glasgow for themselves, and takeing the burden upon them for the council and community of the said burgh, hereby binds and oblidges them and their successors to make good and thankfull payment and delyverance to the said Sir Patrick Maxwell of Newark, knight, and his forsaid, of the said yearly feu-duety of four merks money forsaid, yearly, at the said terme of Whytsunday, beginnand at the said first terme of Whytsunday next in this instant year of God,

and sua furth yearly thereafter in all tyme comeing and for ever; and also to relieve and disburden the said Sir Patrick and his forsaides of our said Sovereign Lords taxations, and all publick burdens imposed or to be imposed on the premisses above disposed, according to the rate and proportion of the said one merk land abovementioned, frae their entry therto abovespecified and yearly in all tyme thereafter. And in case they shall failie in payment to the said Sir Patrick and his forsaides of the said feu duety or to relieve the said Sir Patrick and his forsaides of the saids taxations and publick burdens, yearly, or one year in tyme comeing, in that case it is provyded hereby that it shall be loissom to the said Sir Patrick and his forsaides to poind and distreinzie the readiest goods and gear being on the ground of the said lands for the samen, and to cause appryse the saids goods on the ground of the saids lands therfor be honest men, sworn to that effect, to intromett therwith and dispone therupon at the rate and worth of the deficiencie, and that be the said Sir Patrick and his forsaides their own officer empowered by them to that effect, without farder process or order of law, without hazard of spulzie or other action of law whatsoever, whilk is hereby renuned and discharged. And for the mair security both the said parties are content and consent that thir presents be insert and registrat in the books of council and session or court books of any other judicatorie competent within this realme therein to remain *ad futuram rei memoriam*, and to have the strength of ane decreet of either of the judges theirow and their authority to be interponed therto, that letters and executorialls of horning on six days charge, poynding and others necessar may pass therupon in form as effeirs, and hereunto they constitut the saids Mr. Mathew M'Kell and Mr. George Dickson, advocats, their procurators, conjunctly and severally, in *uberiori forma, promittentes de rato*. And last to the effect the saids provest, bayllies, dean of gild, deacon conveener, thesaurer, council and community of the said burgh of Glasgow and their successors may be duely and lawfully and sufficiently infett and seased in the premisses above disposed and feued to them be the said Sir Patrick Maxwell of Newark, knight, and may obtain and procure the said immediat superior his confirmation therupon; he the said Sir Patrick Maxwell of Newark, knight, with consent forsaid of the said Dame Marion Campbell, his spouse, and of the said Sir George

Maxwell, appearand of Newark, their son lawfull, and they all with one consent and assent, have nominat and constitut and hereby do nominat and constitute their lovites (*blank*) and ilk one of them, conjunctly and severally, their bayllies in that pairt, greeting; and they hereby require them or any of them, their bayllies in that pairt forsaid, that on the sight hereof they pass and give and delyver state and seasing, heretable, reall, actual and corporall possession to the saids provest, bayllies, dean of gild, deacon conveener, thesaurer, council and community of the said burgh of Glasgow, for them and their successors, for ever, of all and hail the forsaid peices and portions abovementioned of the said Sir Patrick Maxwell of Newark, knight, his said lands of Divolsghen, wood and wards of Newark, bounded and designed as is above written, and teinds, parsonage and viccarage therof included, and of the saids bays, harbours, liberties, priveledges and others particularly and generally aboverepeated (excepting and reserving as is above excepted and reserved) and all lyand as is abovementioned, disponed and sett in feu ferme in manner forsaid, to be holden be them in feu ferme of the said Sir Patrick and his forsaid in manner abovementioned, or to their acturney, bearer hereof, in their names, be deliverance of earth and stone of the said lands, and ane handfull of corn and grass of the samen as use is, conform to the tenour of this present contract and security abovementioned in all points, and that this they noways leave undone; and to the doing wherof the said Sir Patrick, his said spouse and their said sone, hereby committs to them, their bayllies in that pairt forsaid, or any of them, their full power. In witness wherof, thir presents are written be Robert Alexander of Blackhouse, writer in Pasley, and the other double therof is written be John Graham, writer in Glasgow, subscryved by the said parties day, moneth, year and place forsaid, befor thir witnesses, Robert Allan and Patrick Clerk, servitors to William Yair, toun clerk of Glasgow, and the saids John Graham and Robert Alexander. *Sic subscribitur*: Newark, G. Maxwell, Marion Campbell, Johnne Andersone, James Pollok, John Calduell, Johnne Ker, Johnne Walkinshaw, Robert Rae, J. Andersone, Peiter Gemmill, Manasses Lyill, Marcus Marshall, Alexander Eglintoune, Wm. Gray, Wm. Wallace, Robert Scott, Tho. Bogle, Johnne Watstone, Daniell Purdone, James Davidstone, I.M., John Miller; deacon conveener his mark, James Ker, Rot. Allane

witness, Pa. Clark witness, Ro. Alexr. witness, Jo. Graham witness, J. Cuninghame witness, H. Montgomerie, witness. On the back of which paper is written as follows:—At Newark the twenty eight day of February j^m vj^e three score eight years about twelve hours, the whilk day in presence of Mr. Hugh Montgomerie of Silverwood, shirrif deput of the shirrefdom of Renfrew and of me, notar publick undersubscribeand, and witnesses after[named], compeared personally the within designed Dame Marion Campbell lady Newark [and there. out] of the presence of hir said husband, not only subscriyved [the foregoing contract] but also solemnly gave and declared her bodily oath that she [was nowayes] compelled be her said husband to the granting and subscriyveing thair of, but that she did the same willingly and of her own accord, and shall never come in the contrair hereof, directly nor indirectly, in tyme comeing. In witness wherof thir presents are subscriyved be her and be the said Mr. Hugh Montgomerie, and be me, notar publick, undersubscribeand, in whose hands the within named John Anderson for himself, and in name and behalf of the remanent magistrats, council and community within specified, asked instruments on the premisses, in presence of Mr. William Kyle, and James Cunyngham, servitors to the within written Sir Patrick Maxwell, witnesses required to the premisses. *Sic subscribitur*: Marion Campbell, H. Montgomerie, Jo. Graham, notarius publicus, Mr. William Kyle, witness, Ja. Cuninghame, witness. Extracted by [Subscribed:] R. Alexander.

CXL.

CHARTER by King Charles II., under the great seal, confirming to the Provost, Bailies, Council, and Community of Glasgow the Contract of Sale (No. CXXXIX.) of pieces of land at Newark, and authorising the construction of a Harbour or Port with certain privileges. Edinburgh, 20 January, 1668.

CAROLUS, Dei gratia, Magne Britannie, Francie et Hibernie, Rex, fideique defensor: Omnibus probis hominibus totius terre sue, clericis et laicis, salutem. Sciatis nos pro nobismetipsis ac tanquam Principem et Senescallum Scotie et Vallie, ducem Rothsaie, Cornwallie et Eboraci, comitem de Kyill, Carrick et Cunynghame, etc., dominum Insularum ac baronum baronie de Renfrew, cum expressis avisamento, consensu et assensu confisorum nostrorum consanguineorum et consiliariorum, Joannis comitis de Rothes, domini Leslie et Balinbroiche, etc., supremi nostri cancellarii hujus regni nostri Scotie, Joannis comitis de Lauderdale vicecomitis Maitland domini Thirlestane et Boltoun, solius nostri secretarii status dicti hujus regni nostri, Joannis comitis de Tueddale domini Hay de Yestir, Willielmi domini Bellenden de Brughtoun, nostri thesaurarii deputati, Willielmi domini Cochrane de Dundonald et fidi nostri consiliarii domini Roberti Murray, nuper justiciarie nostre clerici, nostrorum

CHARLES, by the grace of God, King of Great Britain, France, and Ireland, and defender of the faith: To all good men of his whole land, clerics and laics, greeting. Know ye that we, for ourselves and as Prince and Steward of Scotland and Wales, duke of Rothesay, Cornwall and York, earl of Kyle, Carrick and Cunynghame, etc., lord of the Isles and baron of the barony of Renfrew, with express advice, consent and assent of our trusty cousins and councillors, John earl of Rothes lord Leslie and Balinbroiche, etc., our high chancellor of this our kingdom of Scotland; John earl of Lauderdale viscount Maitland lord Thirlestane and Boltoun, our sole secretary of state of this our said kingdom; John earl of Tueddale lord Hay of Yestir; William lord Bellenden of Broughton, our treasurer depute; William lord Cochrane of Dundonnald; and our faithful councillor Sir Robert Murray, late clerk of our justiciary, our commissioners for our treasurer,

commissionariorum pro nostro thesaurario, computorum rotulatorio, collectorio et thesaurario novarumstrarum augmentationum infra dictum regnum nostrum Scotie; necnon cum avisamento et consensu reliquorum dominorum aliorumque nostri scaccarii dicti regni nostri nostrorum commissionariorum, ratificasse, approbasse et hac presenti carta nostra confirmasse, tenoreque ejusdem ratificare, approbare ac pro nobismetipsis et tanquam Principem et Senescallum Scotie proque successoribus nostris pro perpetuo confirmare contractum et appunctuamentum factum, subscriptum et perfectum inter dominum Patricium Maxwell de Newark, militem, hereditarium proprietarium terrarum aliorumque subscriptorum, cum expressis avisamento, consensu et assensu domine Mariote Campbell, ejus sponse, ac domini Georgii Maxwell apparentis de Newark, militis, eorum filii legitimi natu maximi, illosque omnes unanimi consensu et assensu, ab una, et dilectos nostros Joannem Andersone de Dowhill, presentem prepositum burgi nostri de Glasgow, Jacobum Pollok, Joannem Caldwell et Joannem Kerr, presentes ballivos dicti burgi nostri, Joannem Walkinshaw, decanum gilde, Joannem Miller, diaconum principalem *lie deacon convenir*, et Jacobum Ker, presentem thesaurarium predicti nostri burgi, pro seipsis ac nomine reliquorum consulum, communitalis et incorporationis dicti burgi nostri de Glasgow, ab altera partibus, de data apud dictum burgum nostrum de Glasgow et [Newark] quarto et

comptroller, collector and treasurer of our new augmentations within our said kingdom of Scotland; and also with advice and consent of the remanent lords and others, our commissioners of our exchequer of our said kingdom, have ratified, approved and by this our present charter confirmed, and by the tenor hereof ratify, approve and for ourselves and as Prince and Steward of Scotland, and for our successors, for ever confirm a contract and appointment made, subscribed and completed between Sir Patrick Maxwell of Newark, knight, heritable proprietor of the lands and others underwritten, with express advice, consent and assent of dame Marion Campbell, his spouse, and of Sir George Maxwell, apparent of Newark, knight, their eldest lawful son, and they all with one consent and assent, on the one part, and our lovites John Anderson of Dowhill, present provost of our burgh of Glasgow, James Pollok, John Caldwell and John Kerr, present baillies of our said burgh, John Walkinshaw, dean of guild, John Miller, deacon convener, and James Ker, present treasurer of our said burgh, for themselves and in name of the remanent councillors, community and incorporation of our said burgh of Glasgow, on the other part, of the date at our said burgh of Glasgow and at Newark the fourth

[vigesimo octavo] diebus mensium Januarii [et Februarii] anno Domini millesimo sexcentesimo sexagesimo octavo, virtute cujus et pro causis onerosis in eodem contentis, prefatus dominus Patricius Maxwell de Newark, miles, cum consensu dicte sue sponse et filii et illi omnes unanimi consensu et assensu ut dictum est, vendiderunt, disposuerunt ac in feudifirma et hereditate, pro feudifirma divoria subtus specificata locaverunt et pro perpetuo dimiserunt prefatis preposito, ballivis, decano gilde, diacano principali *lie deacon convenir*, thesaurario, consulibus et communitati dicti burgi nostri et incorporationis de Glasgow eorumque successoribus totas et integras illas petias et portiones subscriptas dicti domini Patricii suarum terrarum de Divollisglenn, silve et parcarum *lie wardis* de Newark prout designantur ut sequitur in vulgari, viz., the haill ground and landis from the litle burne and stryip at the west end of the houssis and land sometyme possest be wmquhill Androw Mackfarland and now be Johne Paule and Alexander Rankein, and frae that upward the said burne and stryip to the wood dyik, and alongis be the said dyik to the stone craig eistwardis, and als alongis eistward be the said craigfoot and be the wood dyik at the eist end of the said craig to the back of the yaird downwardis, viz., James Henries kailyaird back, and the rest of the kailyaird dyikis ther, westwardis to Robert Leitch his kailyaird nook, and doune be the west syid of the said kailyaird be the back wall of Robert Leitch hous to the sea, and alongis all the schoir westwardis frae thence to the abovewrittin burne and stryip at the west syid of the houssis fairsaid formerlie possest be the said wmquhill Androw Mackfarling, including all the arable land, boigwood, uthir ground, houssis and yairdis within the boundis above repeated; cum potestate illis habendi, edificandi,

and twenty-eighth days of the months of January and February in the year of our Lord one thousand six hundred and sixty-eighth, by virtue whereof and for the onerous causes therein contained, the foresaid Sir Patrick Maxwell of Newark, knight, with consent of his said spouse and son, and they all with one consent and assent, as said is, sold, disposed and in feufarm and heretage, for the feufarm duties afterspecified, set and for ever granted to the foresaid provost, baillies, dean of guild, deacon convener, treasurer, councillors and community of our said burgh and incorporation of Glasgow, and their successors, all and whole those pieces and portions underwritten of the said Sir Patrick his lands of Divollisglenn, wood and parks or wards of Newark, described as follows in the common language, viz., [as above]; with power to them to have, build, construct and incorporate

construendi et incorporandi omnes domus, edificia, hortos, edes, structuras aliasque accomodationes pro eorum meliori beneficio et usu ad eorum placitum infra bondas supra designatas et nunc illis in feudifirma locatas; unacum decimis garbalibus aliisque decimis, rectoriis et vicariis, dictarum petiarum et portionum terrarum suprascriptarum inclusis; omnes jacentes in dicta domini Patricii baronia de Finlastoun Maxwell, parochia de Kilmacolme et infra vicecomitatum nostrum de Renfrew. Et quequidem petie et portiones terrarum et fundi supraspecificate et disposite per dictum contractum ad unam mercatam terre antiqui extentus extendunt. Ac similiter unacum portu et statione navium pro anchorandis navibus, lembis, cimbis, aliisque navigiis, *lie for ryding and anchoring schipis, boatis and uthir vessellis*, et pro edificatione portus ad eorum libitum a predicto torrente *lie burne or stryip* infra plenum maris fluxum *lie full sea mark* ad infimum maris recessum *lie low ground ebb* et circum circa orientalter per integram stationem navium, et cum privilegio integre stationis ipsius a dicto pleno maris fluxu ad dictum infimum recessum maris; ac omni privilegio aque versus mare inter dictum torrentem *lie burne and strype* et circum circa orientalter ad punctum nuncupatum *lie Blackhous Nook*, pro eorum usu et commodo eorum navium (excipiendo et reservando modo subscripto). Ac etiam cum privilegio omnium mobilium lapidum *lie loose staines* infra stationem navium aliorumque

all dwellings, buildings, yards, houses, structures and other accommodations, for their greater benefit and use, at their pleasure, within the bounds above described and now set to them in feufarm; together with the teind sheaves and other teinds, parsonage and vicarage, of the said portions and pieces of lands abovewritten included; all lying in the said Sir Patrick's barony of Finlaystoun Maxwell, parish of Kilmacolme and within our sherifffdom of Renfrew. And which pieces and portions of lands and ground above specified and disposed by the said contract extend to one merk land of old extent. And likewise with the harbour and station or port of shipping for riding and anchoring ships, barks, boats and other vessels, and for building a harbour at their pleasure, from the foresaid burn or stripe within the full sea mark to the low ground ebb, and round about eastward through the whole port, and with the privilege of the whole port itself from the said full sea mark to the said low ground ebb; and with all privilege of the water toward the sea between the said burn and stripe and round about eastward to the point called the Blackhouse Nook, for their use and advantage of their shipping (excepting and reserving as is underwritten); and also with the privilege of all the loose stones within the port, and other stones there or in

lapidum ibidem vel alio quovis loco dicti domini Patricii ipsius fundi versus littus, exceptis talibus lapidibus quorum defectus prejudiciare poterit dicti domini Patricii domibus seu vallis *lie dyikis*, pro edificatione dicti portus aliisque eorum necessariis seu legitimis usibus ad eorum libitum. Ac cum privilegio et libertate etiam fodiendi, ducendi et transportandi omnes lapides, necessarios et usitatos pro illis ad eorum libitum de dicto lapicidio ad australem partem prescriptarum terrarum nunc in feudifirma locatarum, inter fines duorum vallorum *lie dyikis* bondatorum cum dicto lapicidio in longitudine; et ad hunc effectum deglubendi *lie tir* sex ulnas fundi introrsum in vertice dicti lapicidii pro eorum meliori accomodatione in eruendis dictis lapidibus per longitudinem predictam et eruendi lapides deorsum ad fundum postis *lie post*. Et similiter effodiendi, ducendi et transportandi omnes alios lapides ulterius necessarios pro illis in dicto lapicidio vel quovis alio libero lapicidio *lie quarrell or craig* infra dictas domini Patricii ejus adjacentes terras pro eorum edificatione portus edificiorum vel ad alios eorum usus necessarios, solvendo dicto domino Patricio, heredibus suis et successoribus, pro dictis aliis vel ulterioribus lapidibus per illos lucrandis, saltem pro damno superficiii *lie swaird* et superficiii fundi per illos facto vel faciendo conspectu duorum honestorum et justorum virorum *lie newtrull men* per dictam utramque partem ad

any other place of the said Sir Patrick's ground toward the shore, excepting such stones, the want whereof may prejudice the said Sir Patrick's houses or dykes, for building of the said harbour and their other necessary or lawful uses, at their pleasure. And with the privilege and liberty, also, of digging, leading, and carrying away all stones, necessary and useful for them, at their pleasure, furth of the said stone quarry on the south side of the said lands now set in feufarm, betwixt the ends of the two dykes bounding with the said quarry in length; and for that effect to uncover six ells of ground inward on the top of the said quarry for their better accommodation in digging the said stones through the length foresaid; and to dig and work the stones downwards to the bottom of the post. And likewise to dig out, lead and carry away all other stones farther necessary for them in the said quarry or in any other free quarry or craig within the said Sir Patrick's adjacent lands, for the erection of the harbour, buildings, or for other their necessary uses, they paying to the said Sir Patrick, his heirs and successors, for the said other or additional stones to be taken by them, at the least for the damage that is done or caused by them to the sward and surface of the ground, at the sight of two honest and neutral men to be mutually chosen

hunc effectum mutuo eligendorum. Ac libero introitu et exitu ad easdem integras premissas pecias terras, privilegia aliaque supra dispositas et licentiatas modo prescripto. Reservata tamen dicto domino Patricio ejus ve predictis et eorum tenentibus libertate *lie scheltering*, anchorandi et jacendi cum eorum navigiis quibuscunque infra portum, stationem navium, et bondas prescriptas, absque solutione ullarum divoriarum quarumcunque pro eisdem dummodo illi tamen non protegant *lie they alwayes not scheltering* peregrinos sub pretextu dicte libertatis illis reservate. Ac reservato etiam dicto domino Patricio ejusque predictis et eorum tenentibus usu lapicidiorum *lie quarries et craigis* prescriptorum, cum libero introitu et exitu ad eadem. Et similiter reservata dicto domino Patricio ejusque predictis et eorum tenentibus, omnibusque aliis nostris subditis, libertate publice vie per latus littoris usitata et consueta. Et ultra dictus dominus Patricius, cum consensu dicte sue sponse et filii, illique omnes unanimi consensu et assensu, per dictum contractum, dederunt libertatem prefatis preposito, ballivis, decano gilde, diacono principali *lie deacon convenir*, thesaurario, consulibus et communitati dicti burghi nostri de Glasgow et eorum successoribus, eorumque servis illorum nominibus, pro receptione *lie intaking* aque dulcis ex dictis domini Patricii suis torrentibus vel fontibus *lie burnes et springis* suarum terrarum prescriptarum, et arene ac sabuli *lie ballast* ex aliquibus stationum earundem

by both the said parties to that effect. And with free ish and entry to the whole foresaid pieces of lands, privileges and others, above disposed and licensed in the foresaid manner. Reserving always to the said Sir Patrick or his foresaids, and their tenants, liberty of sheltering, anchoring, and lying with their vessels whatsoever within the harbour and bounds foresaid, without payment of any duties whatsoever therefor, they always not sheltering strangers under pretext of the said liberty reserved to them. And reserving also to the said Sir Patrick and his foresaids, and their tenants, the use of the foresaid quarries and craigs, with liberty of ish and entry thereto. And likewise reserving to the said Sir Patrick and his foresaids, and their tenants, and all others our subjects, liberty of the public way by the side of the shore used and wont. And farther the said Sir Patrick, with consent of his said spouse and son, and they all with one consent and assent, by the said contract, gave liberty to the foresaid provost, bailies, dean of guild, deacon convener, treasurer, councillors and community of our said burgh of Glasgow, and their successors, and their servants in their name, for intaking of fresh water furth of the said Sir Patrick's burns or springs of his foresaid lands, and sand and ballast from any of the said ports, for the

pro illorum necessario usu et illorum navigatione et navigiis ad eorum libitum cum illud necessarium et conveniens invenerint. Ac in quibus integris premissis supra dispositis et in feudifirma locatis modo prescripto, cum privilegiis et licentiis aliisque supramentionatis, ac cum decimis, rectoriis et vicariis, petiarum terrarum supraspecificatis inclusis, prefatus dominus Patricius Maxwell de Newark, miles, cum consensu predicto ipsius sponse et filii, ac illi omnes unanimi consensu et assensu, ut predicatur, per dictum contractum, astrinxerunt et obligaverunt seipsos, eorum heredes et successores, debite et sufficienter infeodare et sasire dictos prepositum, ballivos, decanum gilde, diaconum principalem, thesaurarium, consules et communitatem dicti burghi nostri de Glasgow, eorumque successores, per illos tenendis de dicto domino Patricio Maxwell de Newark, milite, heredibus suis masculis, successoribus et assignatis, in feudifirma et hereditate imperpetuum, per omnes rectas limites et metas suas et designationes earundem supraexpressas cum libero introitu et exitu ad eadem, ac cum curiis, exitibus et amerciamentis earundem, *lie bloods et bloodweits*, ac cum omnibus aliis privilegiis et immunitatibus earundem, prout dictus dominus Patricius easdem ipse habuit (excipiendo et reservando prout supra excipitur et reservatur) pro annua solutione prefato domino Patricio, ejusque predictis, summe quatuor mercarum

necessary use of them and their shipping and vessels, at their pleasure, when they shall find the same needful and convenient. And in which whole premises above disposed and set in feufarm in manner foresaid, with privileges, licences, and others above mentioned, and with the teinds, parsonage and vicarage of the pieces of land above described, included, the foresaid Sir Patrick Maxwell of Newark, knight, with consent of his foresaid spouse and son, and they all with one consent and assent as aforesaid, by the said contract, bound and obliged themselves, their heirs and successors, duly and sufficiently, to infest and seize the said provost, bailies, dean of guild, deacon convener, treasurer, councillors and community of our said burgh of Glasgow and their successors, to be held by them of the said Sir Patrick Maxwell of Newark, knight, his heirs male, successors and assignees, in feufarm and heritage, for ever, by all their right meiths and marches and designations above expressed, with free ish and entry thereto, and with courts, issues and amerciaments thereof, called bloods and bloodweits, and with all other privileges and immunities thereof, as the said Sir Patrick had the same himself (excepting and reserving as is above excepted and reserved), for the yearly payment to the said Sir Patrick, and his foresaids,

monete hujus regni nostri feudifirme divorie annuatim ad terminum seu festum Pentecostes, ac cum nostris taxationibus omnibusque aliis publicis oneribus super premissis impositis seu imponendis secundum ratam et proportionem dicte unius mercate terrarum prescriptarum ab illorum introitu ad premissa qui per dictum contractum statuitur fore et incipere secundo die mensis Februarii in hoc instanti anno Domini millesimo sexcentesimo sexagesimo octavo et ita deinceps annuatim omni tempore futuro, non solutio cujusquidem feudifirme divorie per duos, tres vel plures annos seu terminos insimul currentes nulla erit causa nullitatis seu reductionis dicti infeofamenti feudifirme, non obstantibus quibuscunque actis parlamenti hujus regni nostri in contrarium factis vel faciendis. Unacum precepto sasine in dicto contractu inserto et contento et instrumento sasine desuper sequi statuto, in omnibus et singulis capitibus, punctis, clausulis, circumstantiis et conditionibus dicti contractus, precepti sasine in eodem contentis et instrumento sasine desuper sequi ordinato. Preterea nos pro nobismetipsis, ac tanquam princeps et senescallus Scotie, volumus et concedimus ac pro nobis et successoribus nostris decernimus et ordinamus quod hec presens nostra confirmatio est et erit tanti valoris, roboris et effectus prefatis preposito, ballivis, decano gilde, diacono principali, thesaurario, consulibus et communitati dicti burghi

of the sum of four merks money of this our kingdom, of feufarm duty, at the term or feast of Whitsunday yearly, and with our taxations and all other public burdens imposed or to be imposed on the premises, according to the rate and proportion of the said one merk of the foresaid lands, from their entry to the premises which, by the said contract, was stated to be and begin on the second day of February in this instant year, one thousand six hundred and sixty eighth, and so furth yearly in all time coming, the not payment of which feufarm duty, for two, three or more years or terms running together, shall be no cause of nullity or reduction of the said infeftment of feufarm, notwithstanding any acts of parliament of this our reign, made or to be made in the contrary. Together with the precept of sasine inserted and contained in the said contract and instrument of sasine appointed to follow thereon, in all and sundry heads, points, clauses, circumstances and conditions of the said contract, precept of sasine contained therein and instruments of sasine ordained to follow thereon. Moreover, we for ourselves, and as Prince and Steward of Scotland, will and grant and for us and our successors decern and ordain that this our present confirmation is and shall be of as much validity, strength and effect to the foresaid provost, bailies, dean of guild, deacon convener, treasurer, councillors and community of our said burgh

nostri de Glasgow eorumque successoribus pro pacifica fruitione, gavigatione et possessione omni et singularum dictarum peciarum et portionum suprascriptarum dictarum terrarum de Divoltisglenn, silve et pratorum *lie wairdis* de Newark bondatarum et designatarum ut supra, ac decimarum, rectoriarum et vicariarum, earundem predictarum inclusarum, et dictarum stationum navium, portuum, libertatum, privilegiorum aliorumque, particulariter et generaliter suprarecitorum (excipiendo et reservando prout supra excipitur et reservatur) et omnes jacentes modo prescripto, ac si dictus contractus, preceptum sasine in eodem contentum et instrumentum sasine desuper sequi ordinatum de verbo in verbum ad longum in hac presenti carta nostra inserentur tametsi non ita inserantur, penes quod nos pro nobismetipsis et tanquam princeps et senescallus Scotie dispensavimus tenoreque presentis carte nostre cum consensu predicto dispensamus imperpetuum. Insuper nos pro nobismetipsis ac tanquam princeps et senescallus Scotie, pro bono, fideli et gratuito servitio nobis nostrisque nobilissimis progenitoribus per dictos prepositum, ballivos, decanum gilde, diaconum principalem, thesaurarium, consules et communitatem dicti burghi nostri de Glasgow eorumque predecessores prestito et impenso, necnon pro diversis aliis bonis causis et considerationibus nos moventibus, ex nostra regali autoritate, certa scientia, proprioque motu,

of Glasgow, and their successors, for the peacable cultivation, enjoyment and possession of all and sundry the said pieces and portions above written of the said lands of Divolglen, wood and wards of Newark, bounded and described as above, and of the foresaid teinds thereof, parsonage and vicarage, included, and of the said ports, harbours, liberties, and other privileges, particularly and generally above recited (excepting and reserving as is above excepted and reserved), and all lying in the manner foresaid, as if the said contract, precept of sasine contained therein, and instrument of sasine ordained to follow thereon, were, word for word, inserted, although they are not so inserted, in full in this our present charter, whereanent we for ourselves and as Prince and Steward of Scotland have dispensed, and by the tenor of this our present charter, with consent foresaid, dispense for ever. Moreover we, for ourselves and as Prince and Steward of Scotland, for the good, faithful and gratuitous service given and rendered to us and our most noble progenitors by the said provost, bailies, dean of guild, deacon convener, treasurer, councillors and community of our said burgh of Glasgow and their predecessors, and also for sundry other good causes and considerations moving us, of our royal authority, certain knowledge and our

cum avisamento et consensu predicto, fecimus, ereximus, annexavimus, creavimus et incorporavimus, necnon nos pro nobismetipsis ac tanquam princeps et senescallus Scotie tenoreque presentis carte nostre facimus, erigimus, annexamus, unimus, creamus et incorporamus illam partem dicti fundi et terrarum a dicto torrente *lie burne et stryip* infra plenum maris fluxum ad infimum maris refluxum et circumcirca orientaliter per dictam integram navium stationem et integram navium stationem ipsam a dicto pleno maris fluxu ad dictum infimum maris refluxum ac integras bondas infra dictum torrentem *lie burne and stryip* et circumcirca orientaliter ad dictum punctum nuncupatum *lie Blackhous Nook*, in unum integrum portum et navium stationem, nunc et omni tempore futuro Portum et Navium Stationem Burgi nostri de Glasgow nuncupandum, dando, concedendo et committendo dictis preposito, ballivis, decano gilde, diacono principali, thesaurario, consulibus et communitati dicti burgi nostri de Glasgow eorumque successoribus, per presentis carte nostre tenorem, plenam potestatem et libertatem predictum portum et navium stationem pro anchoragio, custodia et preservatione navium lemborum, cimbarum aliorumque navigiorum super predictis bondis respective supra designatis erigendi et edificandi; ac desuper aggeres *lie bulwarkis* erigendi et condendi; et pretorium seu carceris domum super quavis parte dictarum terrarum pro preservatione boni ordinis in iisdem et transgressorum

own motive, with advice and consent foresaid, have made, erected, annexed, created and incorporated, and also we for ourselves, and as Prince and Steward of Scotland, and by the tenor of our present charter, make, erect, annex, unite, create and incorporate that part of the said ground and lands from the said burn and stripe within the full sea mark to the low ground ebb and round about eastward through the said whole port, and the whole port itself from the said full sea mark to the said low ground ebb, and whole bounds within the said burn and stripe and round about eastward to the said point called the Blackhouse Nook, in one whole harbour and port, now and in all time coming to be called the Harbour and Port of our burgh of Glasgow; giving, granting and committing to the said provost, bailies, dean of guild, deacon convener, treasurer, councillors and community of our said burgh of Glasgow, and their successors, by the tenor of our present charter, full power and liberty to erect and build the foresaid harbour and port for the anchorage, custody and preservation of ships, barks, boats and other vessels upon the foresaid bounds respectively above described; and to erect and construct bulwarks thereon, and also a tolbooth or prisonhouse upon any part of the said lands for keeping of good order therein and punishing of transgressors;

punitione; et ballivos, clericos, officarios, adjudicatores aliaque curie membra necessaria pro administratione justicie infra bondas prescriptas pro gubernatione et regimine earundem faciendi et creandi; ac dictos officarios in prenominationis officiis annuatim eligendi illosque in iisdem imponendi, eliminandi, prout ipsis expediens videbitur; ac sola jurisdictione civili et criminali infra bondas predictas cuivis baroni lege et consuetudine hujus regni nostri competente utendi, exercendi et habendi; ac parvas et minutas custumas seu vectigalia et anchoragia de et super omnibus navibus, lembis, cimbis, aliisque navigiis e dicto portu et statione navium advenientibus exigendi, intrcmittendi, levandi et intromittendi levandi et recipiendi; necnon omnes alias divorias ad portum et navium stationem spectantes exigendi, recipiendi et levandi, ac desuper ad eorum libitum utendi et disponendi. Ac cum potestate dictis preposito, ballivis, decano gilde, diacono principali, thesaurario, consulibus et communitati dicti burgi nostri eorumque successoribus omnia et singula alia infra bondas prescriptas faciendi, exercendi et utendi. Necnon omnibus immunitatibus, privilegiis aliisque quibuscunque ad libertatem liberi portus spectantibus utendi et exercendi similiter adeoque libere sicut quovis alius portus seu alia navium statio infra hoc regnum nostrum per leges et consuetudinem ejusdem facit seu facere poterit. Necnon nos pro nobismetipsis et tanquam Princeps et Senescallus Scotie, cum avisamento

and to make and create bailies, clerks, officers, dempsters and other members of court needful for the administration of justice within the foresaid bounds for the government and rule thereof; and, as shall seem to them expedient, to choose, the said officers in the said offices yearly, and to input and output them in or from the said offices; and to use, exercise and have the sole jurisdiction, civil and criminal, within the said bounds, competent to any baron by the law and custom of this our kingdom; and to exact, intromit with, uplift and collect the small and petty customs, or tolls and anchorages from and upon all ships, barks, boats and other vessels coming into the said harbour and port; also to exact, collect and uplift all other duties appertaining to a harbour and port, and to use and dispose thereof at their pleasure. And with power to the said provost, bailies, dean of guild, deacon convener, treasurer, councillors and community of our said burgh, and their successors, to make, exercise and use all and sundry other things within the foresaid bounds; and also to use and exercise all immunities, privileges and others whatsoever belonging to the liberty of a free harbour, in like manner and as freely as any other harbour or port within this our kingdom, by the laws and custom thereof, does or may do. Also we for ourselves and as Prince and

prescripto, volumus et concedimus ac pro nobis et successoribus nostris decernimus et ordinamus quod unica sasina nunc per prefatos prepositum, ballivos, decanum gilde, diaconum principalem, thesaurarium, consules et communitatem dicti burghi nostri pro seipsis eorumque successoribus super fundo alicujus partis seu aliquarum partium predictarum petiarum et portionum terrarum prescriptarum capienda, stabit et sufficiens erit illis eorumque successoribus sasina pro predicto libero portu et navium statione nuncupato portu et navium statione dicti burghi nostri de Glasgow; cum integris privilegiis, libertatibus, immunitatibus et commoditatibus ejusdem suprascriptis ut supra jacentium ac bondatarum, absque ulla alia speciali seu particulari sasina vel sasinis per illos seu eorum predictos super aliqua alia parte vel aliis partibus dictarum terrarum capienda seu capiendis, penes quod nos pro nobismetipsis ac tanquam Princeps et Senescallus Scotie, pro nobis et successoribus nostris, cum consensu predicto, dispensavimus tenoreque presentis carte nostre dispensamus imperpetuum. Tenendum et habendum totum et integrum dictum portum et navium stationem, nuncupatum, portum et navium stationem dicti burghi nostri de Glasgow, cum omnibus et singulis predictis privilegiis, libertatibus, commoditatibus, immunitatibus et pertinentibus ejusdem prescriptis ut supra jacentes bondatos et erectos prefatis preposito, ballivis, decano gilde, diacono principali, thesaurario, consulibus et communitati dicti

Steward of Scotland, with advice foresaid, will and grant, and for us and our successors decern and ordain, that one sasine now taken by the foresaid provost, bailies, dean of guild, deacon convener, treasurer, councillors and community of our said burgh, for themselves and their successors, upon the ground of any part or parts of the foresaid pieces and portions of lands foresaid, shall stand and be sufficient sasine to them and their successors for the foresaid free harbour and port, called the harbour and port of our said burgh of Glasgow, with the whole privileges, liberties, immunities and commodities thereof abovewritten, lying and bounded as above, without any other special or particular sasine or sasines, taken or to be taken by them or their foresaids upon any other part or parts of the said lands, whereanent we, for ourselves and as Prince and Steward of Scotland, for us and our successors, with consent foresaid, have dispensed and by the tenor of our present charter dispense for ever. To hold and have, all and whole the said harbour and port, called the Harbour and Port of our said burgh of Glasgow, with all and sundry the foresaid privileges, liberties, commodities, immunities and pertinents thereof, lying, bounded and erected as above, to the foresaid provost, bailies, dean of guild, deacon convener, treasurer, councillors and community of

burgi nostri de Glasgow, eorumque successoribus, de nobis tanquam Principe et Senescallo Scotie, et successoribus nostris, principibus et senescallis ejusdem, superioribus dictarum terrarum aliorumque prescriptorum, in libera hereditate, libero portu et navium statione imperpetuum, per omnes rectas metas suas antiquas et divisas, prout jacent in longitudine et latitudine, in domibus, edificiis, boscis, planis, moris, marresiis, viis, semitis, aquis, stagnis, rivolis, pratis, pascuis et pasturis, molendinis, multuris et eorum sequelis, aucupationibus, venationibus, piscationibus, petariis, turbariis, cuniculis, coniculariis, columbis, columbariis, fabrilibus, brasinis, brueriis et genistis, silvis, nemoribus et virgultis, lignis, tignis, lapicidiis, lapide et calce; cum curiis et earum exitibus, herezeldis et bludewitis, cum communi pastura liberoque introitu et exitu, ac cum omnibus aliis et singulis libertatibus, commoditatibus, proficiis, asiamentis ac justis suis pertinentiis quibuscunque, tam non nominatis quam nominatis, tam subtus terra quam supra terram, procul et prope, ad predictas terras cum pertinentiis spectantibus seu juste spectare valentibus quomodolibet in futurum, libere, quiete, plenarie, integre, honorifice, bene et in pace, sine aliqua revocatione, contradictione, impedimento aut obstaculo quocunque. Reddendo annuatim prefati prepositus, ballivi, decanus gilde, diaconus principalis, thesaurarius, consules et com-

our said burgh of Glasgow and their successors, of us as Prince and Steward of Scotland, and our successors, princes and stewards thereof, superiors of the said lands and others foresaid, in free heretage, free harbour and port for ever, by all their right ancient meiths and marches, as they lie in length and breadth, in houses, buildings, bushes, plains, muirs, marshes, ways, paths, waters, ponds, streams, meadows, grazings and pastures, mills, multures and their sequels, fowlings, huntings, fishings, peateries, turf bogs, rabbits, rabbit warrens, doves, dovecoats, smithies, breweries, heath and broom, woods, groves and thickets, timber, building material, stone quarries, stone and lime; with courts and their issues, herezelds and bludewits, with common pasture and free ish and entry, and with all other and sundry liberties, commodities, profits, easements and their just pertinents whatsoever, as well not named as named, as well under the earth as above the earth, far and near, belonging, or which might in any way justly belong, to the foresaid lands, with the pertinents, in future, freely, quietly, fully, wholly, honourably, well and in peace, without any revocation, contradiction, impediment or obstacle whatsoever. Paying, yearly, the foresaid provost, bailies, dean of guild, deacon convener, treasurer, councillors and community of our said

munitas dicti burgi nostri de Glasgow, eorumque successores, nobis tanquam Principi et Senescallo Scotie nostrisque successoribus, principibus et senescallis ejusdem, pro toto et integro dicto portu et navium statione nuncupato portu et navium statione dicti burgi nostri de Glasgow, cum libertatibus, privilegiis, commoditatibus, immunitatibus aliisque iisdem pertinentiis prescriptis ut supra, jacentibus, bondatis et erectis, jura et servitia debita et consueta, tantum, pro omni alio onere, exactione, questione, demanda seu servitio seculari que de eisdem juste exigi poterit quomodolibet vel requiri. In cujus rei testimonium huic presenti carte nostre magnum sigillum nostrum appendi precepimus. Testibus: predilecto nostro consanguineo et consiliario Willielmo Mariscalli comite domino Keith et Altrie, regni nostri mariscallo et nostri secreti sigilli custode, etc.; dilectis nostris familiaribus consiliariis dominis Archibaldo Prymrois de Dummany, nostrorum rotulorum, registri, consilii, sessionis, scaccarii et parlamenti clerico; Joanne Home de Fentoun, nostre justiciarie clerico, militibus, et domino Willielmo Kerr de Haddin, milite, nostre cancellarie direttore. Apud Edinburgum, vigesimo die mensis Januarii anno Domini millesimo sexcentesimo sexagesimo octavo et anno regni nostri decimo nono. [Indorsation:] Sealed at Edinburgh, the fourteine day of Februarij 1688. [Subscribed:] Jo. Cunynghame. xij lib. [Seal wanting.]

burgh of Glasgow, and their successors, to us, as Prince and Steward of Scotland, and our successors, princes and stewards thereof, for all and whole the said harbour and port, called the harbour and port of our said burgh of Glasgow, with the foresaid liberties, privileges, commodities, immunities and others belonging thereto, lying, bounded and erected as above, the right and service used and wont, only, for all other burden, exaction, question, demand, or secular service which from the same can in any way be justly exacted or required. In testimony whereof we have commanded our great seal to be affixed to this our present charter. Witnesses: our well-beloved cousin and councillor, William earl Marshall lord Keith and Altrie, marshal of our kingdom and keeper of our privy seal, etc.; our beloved familiar councillors, Sir Archibald Prymrois of Dummany, knight, clerk of our rolls, register, council, session, exchequer and parliament; Sir John Home of Fentoun, knight, clerk of our justiciary; and Sir William Kerr of Haddin, knight, director of our chancery. At Edinburgh, on the twentieth day of the month of January, in the year of our Lord one thousand six hundred and sixty eighth, and in the nineteenth year of our reign.

CXLI.

CHARTER by King Charles II. under the Great Seal, confirming to the Provost, Bailies, Dean of Guild, Treasurer, and Community of Glasgow, the lands of Ballanerk or Provand. Edinburgh, 3rd March, 1669.

CAROLUS, Dei gratia, Magne Britannie, Francie et Hibernie, Rex, fideique defensor: Omnibus probis hominibus totius terre sue clericis et laicis salutem: Sciatis nos, cum expressis avisamento, consensu et assensu pre-confisorum nostrorum consanguineorum et conciliariorum, Joannis comitis de Rothes domini Leslie et Balinbreiche, supremi nostri cancellarii hujus regni nostri Scotie, Joannis comitis de Lauderdaill vicecomitis Maitland domini Thirlestane et Boltoun, solius nostri secretarii status dicti regni nostri, Joannis comitis de Tueddale domini Yester, Alexandri comitis de Kincardine domini Bruce et Torrie, Gulielmi domini Bellenden de Brughtoun, nostri thesaurarii deputati, Gulielmi domini Cochrane de Dundonald, et fidi nostri consiliarii domini Roberti Murray, militis, nuper justiciarie nostre clerici, nostrorum commissionerum pro nostro thesaurario, computorum rotulatorio, collectorio et thesaurario novarumstrarum augmentationum infra dictum regnum nostrum Scotie, necnon cum avisamento et consensu reliquorum dominorum aliorumque nostrorum commissionerum nostri scaccarii dicti regni nostri, dedisse, concessisse,

CHARLES, by the grace of God, King of Great Britian, France, and Ireland, and Defender of the Faith: To all good men of his whole land, clerics and laics, greeting: Know ye that we, with express advice, consent and assent of our right trusty cousins and councillors, John, earl of Rothes lord Leslie and Balinbreiche, our high chancellor of this our kingdom of Scotland; John, earl of Lauderdaill viscount Maitland lord Thirlestane and Boltoun, our sole secretary of state of our said kingdom; John, earl of Tweddale lord Yester; Alexander, earl of Kincardine lord Bruce and Torrie; William, lord Bellenden of Brughtoun, our treasurer depute; William, lord Cochrane of Dundonald; and our trusty councillor Sir Robert Murray, knight, lately clerk of our justiciary, our commissioners for our treasurer, comptroller, collector and treasurer of our new augmentations within our said kingdom of Scotland, and also with advice and consent of the remanent lords and others, our commissioners of our exchequer of our said king-

disposuisse, et hac presenti carta nostra confirmasse, tenoreque eiusdem dare, concedere, disponere, ac pro nobis et successoribus nostris pro perpetuo confirmare, dilectis nostris Gulielmo Andersone, presenti preposito burgi nostri de Glasgow, Joanni Walkinshaw, Petro Gemill, et Jacobo Fairie, presentibus ballivis dicti nostri burgi, Roberto Rae, presenti decano gilde ejusdem, Manassi Lyle, diacono principali dicti burgi nostri, et Thome Scott, thesaurario ejusdem, ac reliquis consulibus dicti burgi nostri de Glasgow, pro seipsis eorumque successoribus, representantibus integrum corpus et communitatem dicti burgi nostri, hereditarie et irredimabiliter, absque ulla reversione, redemptione seu regressu quocunque, totas et integras terras aliaque subscriptas, viz., totas et integras terras de Ballanerk alias Provand continentes particulares terras subius mentionatas, viz., terras de Eastir Cunschlie, Westir Cunschlie, Gartcraig, Blairlum, Blairquhairne, Germistoun, Balgray, terras de Hewgondfeild, Ballarnock, Miltoun, Riddrie, Rachasie, Craigend, Garthomlock, Cardowane, Carscleugh; cum terris dominicalibus *lie maynes*, et pratis nuncupatis *lie Provand meadow*, molendino de Provand, terris molen-dinarijs, astrictis multuris *vulgo lie dry ferme multures, lie ringes*, sequelis et pertinentiis ejusdem, servitijs et *lie knaveschips* hujusmodi et silva appellata Gartwood; cum omnibus et singulis lacubus intra dictas

dom, have given, granted, disposed, and by this our present charter confirmed, and by the tenor hereof give, grant, dispo, and for us and our successors for ever confirm to our lovites, William Andersone, present provost of our burgh of Glasgow; John Walkinshaw, Peter Gemill, and James Fairie, present bailies of our said burgh; Robert Rae, present dean of guild thereof; Manasseh Lyle, deacon convener of our said burgh; and Thomas Scott, treasurer thereof, and remanent councillors of our said burgh of Glasgow, for themselves and their successors, representing the whole body and community of our said burgh, heritably and irredeemably, without any reversion, redemption, or regress whatsoever, all and whole the lands and others underwritten, viz., all and whole the lands of Ballanerk, otherwise Provand, containing the particulars lands under mentioned, viz., the lands of Eastir Cunschlie, Westir Cunschlie, Gartcraig, Blairlum, Blairquhairn, Germistoun, Balgray, the lands of Hewgonfeild, Ballarnock, Milltoun, Riddrie, Rachasie, Craigend, Garthomlock, Cardowane, Carscleuch, with the dominical lands and the meadows called the Provand Meadow, mill of Provand, mill lands, astricted multures, commonly called dryferme multures, ringes, sequels and pertinents of the same, services and knaveships thereof, and the wood called Gartwood, with all and sundry lochs within the said lands and fishings within

terras, et piscationibus in ijsdem; extendentes terras aliaque immediate prescripta in integro ad viginti libratas terrarum antiqui extentus; cum pertinentiis, includentibus tenandriam dictarum terrarum de Blairlume; cum omnibus et singulis suis domibus, edificijs, turribus, fortalicijs, hortis, pomarijs, lie toftis, croftis, tenentibus, tenandrijs, libere tenentium servitijs, partibus, pendiculis, et integris pertinentijs earundem quibuscunque, jacentes in parochia de Glasgow et infra vicecomitatum nostrum de Lanerk, omnes unitas et incorporatas in unam integram et liberam tenandriam nuncupatam tenandriam de Provand. Quequidem tote et integre prediacte terre, molendinum, lacus, piscationes, aliaque particulariter supra disposita, cum pertinentijs, ut predicitur, jacentes, extendentes et unite, ad dominum Robertum Hammiltoun de Silvertounhill, militem, perprius hereditarie pertinuerunt, per illum de nobis nostrisque successoribus immediate tente, et que per illum ejusque legitimos procuratores suo nomine specialiter constitutos, virtute literarum suarum procuratorialium ad hunc effectum concessarum, debite et legitime resignate fuerunt per fustim et baculum, ut moris est, in manibus dictorum dominorum nostri scaccari aliorumque nostrorum commissionariorum predictorum pro dicto nostro thesaurario constitutorum pro resignationibus nostro nomine recipiendis et novis infeofamentis desuper concedendis, tanquam in manibus nostris immediati legitimique superioris earundem,

the same, extending, the lands and others immediately above written, in whole to a twenty pound land of old extent, with the pertinents, including the tenandry of the said lands of Blairlume; with all and sundry their houses, buildings, towers, fortalices, yards, orchards, tofts, crofts, tenants, tenandries, service of free tenants, parts, pendicles, and whole pertinents of the same whatsoever, lying within the parish of Glasgow and within our sherrifdom of Lanark, all united and incorporated into one whole and free tenandry, called the Tenandry of Provand: Which whole foresaid lands, mill, lochs, fishings, and others particularly above disposed, with the pertinents, lying, extending, and united, as said is, formerly belonged heritably to Sir Robert Hammiltoun of Silvertounhill, knight, holden immediately by him of us and our successors, and were by him and his lawful procurators, specially constituted in his name, in virtue of his letters of procuratory granted for that effect, duly and lawfully resigned by staff and baton, as use is, in the hands of the said lords of our exchequer and others our commissioners foresaid for our said treasurer, appointed for receiving resignations in our name and granting new infeftments thereupon, as in our hands, immediate and lawful superior there-

apud Edinburgum, vigesimo sexto die mensis Februarij proxime elapsi, unacum omni jure, titulo, interesse, jurisclameo, proprietate, et possessione quibuscunque, que seu quas prefatus dominus Robertus Hammiltoun, heredes sui, seu assignati, habuerunt, habent, habuit, habet vel ad easdem seu aliquam earundem partem quovismodo in futurum habere, clamare seu pretendere poterit vel poterint, in favorem, proque hoc novo nostro infeofamento earundem per nos cum consensu predicto, nostro sub magno sigillo, prefatis preposito, ballivis, decano gilde, diacono principali, thesaurario et consulibus dicti burghi nostri de Glasgow, pro seipsis eorumque successoribus, representantibus integrum corpus et communitatem dicti burghi nostri, hereditarie et irredimabiliter, ut predicatur, in tali debita et competenti forma ut congruit, desuper faciendo et concedendo, prout autentica instrumenta desuper suscepta in manibus magistri Roberti Hammiltoun, notarij publici, latius proportionant. Insuper nos, cum avisamento et consensu predicto, ratificavimus, approbavimus, et hac presenti carta nostra confirmavimus, tenoreque ejusdem ratificamus, approbamus, ac pro nobis et successoribus nostris pro perpetuo confirmamus literam alienationis, dispositionis, et jus factam, datam, et concessam per prefatum dominum Robertum Hammiltoun dictis preposito, ballivis, decano gilde, diacono principali, thesaurario, et consulibus dicti burghi nostri de Glasgow,

of, at Edinburgh the twenty sixth day of the month of February last bygone; together with all right, title, interest, and claim of right, property and possession whatsoever, which the foresaid Sir Robert Hammiltoun, his heirs or assignees, had, have, or may in any way have, claim, or pretend to the same, or any part thereof, in time coming, in favour and for this our new infeftment of the same, under our great seal, to be thereupon made and granted by us with consent foresaid, to the foresaid provost, bailies, dean of gild, deacon convener, treasurer and councillors of our said burgh of Glasgow, for themselves and their successors, representing the whole body and community of our said burgh, heritably and irredeemably, as said is, in such due and competent form as effeirs, as authentic instruments taken thereupon in the hands of master Robert Hammiltoun, notary public, more fully bear. Moreover we, with advice and consent foresaid, have ratified, approved, and by this our present charter confirmed, and by the tenor hereof, ratify, approve, and for us and our successors for ever confirm, the letter of alienation, disposition, and right made, given, and granted by the foresaid Sir Robert Hammiltoun to the said provost, bailies, dean of gild, deacon convener, treasurer, and councillors of our said burgh of Glasgow, for themselves and

pro seipsis eorumque successoribus, representantibus integrum corpus et communitatem dicti burghi nostri, hereditarie et irredimabiliter, ut predicatur, de totis et integris predictis terris, molendino, lacubus, piscationibus, aliisque particulariter supra expressis, cum pertinentijs, jacentibus, extendentibus et unitis modo supramentionato, tenendis vel de dicto domino Roberto Hammiltoun, heredibus suis, et successoribus, in libera alba firma, pro annua solutione unius denarij monete hujus regni nostri Scotie super fundo dictarum terrarum aliorumque supra specificatorum vel cujusvis partis earundem, ad festum Pentecostes, nomine albe firme, si petatur tantum; necnon pro solutione annuatim prefati domini Roberti, immediatis superioribus predictarum terrarum aliorumque supra expressorum, feudifirme divoriarum aliarumque divoriarum in infeofamentis illi ejusque predicesoribus et authoribus de iisdem concessis contentis, vel tenendis, a dicto domino Roberto ejusque predictis, de suis immediatis legitimis superioribus earundem terrarum aliorumque respective supra specificatorum, eorum heredibus, et successoribus, similiter, adeoque libere in omnibus respectibus, eodemque tentionis modo, prout prefatus dominus Robertus Hamiltoune, predecessores, seu authores sui easdem ipsi tenuerunt, tenent, vel tenere potuerint; idque per resignationem vel confirmationem prout prefatis preposito, ballivis, consulibus dicti burghi nostri,

their successors representing the whole body and community of our said burgh, heritably and irredeemably, as said is, of all and whole the foresaid lands, mill, lochs, fishings, and others particularly above expressed, with the pertinents, lying, extending, and united in manner above mentioned; to be held either of the said Sir Robert Hammiltoun, his heirs and successors, in free blench farm, for the annual payment of one penny money of this our kingdom of Scotland upon the ground of the said lands and others above specified, or of any part thereof, at the feast of Whitsunday, in name of blench farm, if asked only, and also for payment annually to the foresaid Sir Robert's immediate superiors of the foresaid lands and others above expressed of the feufarm duties and other duties contained in the infeftments thereof granted to him and his predecessors and authors; or to be held from the said Sir Robert and his foresaids of his immediate lawful superiors of the said lands and others respectively above specified, their heirs and successors, in the same manner, and as freely in all respects, and by the same manner of holding, as the foresaid Sir Robert Hamiltoune, his predecessors or authors held, hold, or might hold the same themselves, and that by resignation or confirmation, as may best please the foresaid provost, bailies and councillors

pro seipsis et eorum successoribus, representantibus communitatem ejusdem, melius placuerit, prout dicta dispositio de data tertio die mensis Septembris, anno Domini millesimo sexcentesimo sexagesimo septimo, latius proportionat: unacum precepto sasine in dicta dispositione contento et instrumento sasine desuper sequenti in omnibus et singulis capitibus, punctis, clausulis, articulis, circumstantantijs et conditionibus earundem. Salvis tamen et reservatis nobis nostrisque successoribus feudifirme divorijs, juribus, et servitijs totarum et integrarum prenominarum terrarum, molendini, lacuum, piscationum, aliorumque suprarecitorum, cum pertinentijs, nobis et predicesoribus nostris pro eisdem ante hanc presentem nostram confirmationem earundem solvi solitis et consuetis. Preterea nos volumus et concedimus, ac pro nobis et successoribus nostris decernimus et ordinamus quod prædicta hæc nostra confirmatio est et erit tanti valoris roboris, efficacie et effectus prefatis preposito, ballivis, decano gilde, diacono principali, thesaurario et consulibus dicti burghi de Glasgow, pro seipsis eorumque successoribus, representantibus corpus et communitatem ejusdem, pro eorum pacifica possessione, fruitione et gavigatione prenominarum terrarum, molendini, lacuum, piscationum, aliorumque respective supraspecificatorum, cum pertinentijs, ac si eadem confirmatio per nos nostro sub magno sigillo, prefatis preposito, ballivis,

of our said burgh for themselves and their successors, representing the community of the same; as the said disposition, of date the third day of the month of September in the year of our Lord one thousand six hundred and sixty-seven, more fully bears; together with the precept of sasine contained in the said disposition and instrument of sasine following thereupon in all and sundry heads, points, clauses, articles, circumstances and conditions thereof. Saving nevertheless, and reserving to us and our successors the feufarm duties, rights and services of all and whole the foresaid lands, mill, lochs, fishings, and others above recited, with the pertinents, used and wont to be paid to us and our predecessors for the same before this our present confirmation of the same. Moreover, we will and grant, and for us and our successors, decern and ordain that this our foresaid confirmation is and shall be of as much strength, force, efficacy and effect to the foresaid provost, bailies, dean of gild, deacon convener, treasurer, and councillors of our said burgh of Glasgow, for themselves and their successors, representing the body and community thereof, for their peaceful possession, cultivation, and enjoyment of the foresaid lands, mill, lochs, fishings, and others, respectively above specified, with the pertinents, as if the said confirmation had been made and granted by us, under our great seal, to the foresaid provost, bailies, and

et consulibus dicti burghi nostri, eorumque successoribus, pro seipsis et representantibus, ut predicatur, ante sasinam per illos de predictis terris alijsque suprarrecitatis hactenus susceptam, facta et concessa fuisset, et ac si predicta dispositio, preceptum sasine in eadem insertum, et instrumentum sasine desuper sequens, ad longum et de verbo in verbum, in hac presenti carta nostra confirmationis insererentur; penes quam sasinam hactenus susceptam, et non insertionem predictorum scriptorum, et cum omnibus alijs defectibus et imperfectionibus quibuscunque que contra validitatem predictae dispositionis, precepti sasine in eadem contenti, et instrumenti sasine desuper sequentis, vel hujus nostre presentis confirmationis earundem, objici poterint, nos, pro nobis et successoribus nostris, cum avisamento et consensu predicto, dispensavimus, tenoreque presentis carte nostre dispensamus imperpetuum. Ulterius nos, cum avisamento et consensu predicto, univimus, annexavimus et incorporavimus, tenoreque presentis carte nostre unimus, annexamus et incorporamus omnes et singulas prenominate terras et villas respectue prescriptas, domos, edificia, silvam, lacus, molendinum, aliaque suprarrecitata, cum pertinentijs, in et ad dictum burgum nostrum de Glasgow, cum eodem omni tempore futuro inseparabiliter remanendas. Et similiter nos, cum avisamento et consensu predicto, volumus et concedimus, ac pro nobis et successoribus nostris decernimus et ordinamus

councillors of our said burgh, and their successors, for themselves and representing as aforesaid, before the sasine already taken by them upon the foresaid lands and others above recited, and as if the foresaid disposition, precept of sasine therein inserted, and instrument of sasine following thereon were inserted at length and word for word in this our present charter of confirmation; regarding which sasine already taken, and the non-insertion of the foresaid writs, and with all other defects and imperfections whatsoever which can be objected against the validity of the foresaid disposition, precept of sasine therein contained, and instrument of sasine following thereon, or of this our present confirmation thereof, we, for us and our successors, and with advice and consent foresaid, have dispensed, and by the tenor of our present charter dispense for ever. Further we, with advice and consent foresaid, have united, annexed, and incorporated, and by the tenor of our present charter unite, annex and incorporate all and sundry the foresaid lands and farm-houses respectively above written, houses, buildings, wood, lochs, mill and others above recited, with the pertinents, in and to our said burgh of Glasgow, to remain inseparably with the same in all time to come. And in like manner we, with advice and consent foresaid, will and grant, and for us and our successors discern and ordain, that a single sasine now to be

quod unica sasina nunc per prefatos prepositum, ballivos, decanum gilde, diaconum principalem, thesaurarium et consules dicti burghi nostri de Glasgow, pro seipsis eorumque successoribus, representantibus integrum corpus et communitatem dicti burghi nostri de Glasgow, de dictis terris alijsque predictis apud turrin, fortalitium, et maneriei locum de Provand, vel super aliqua parte fundi terrarum aliorumque supramentionatorum capienda, est et erit sufficiens et valida sasina illis eorumque successoribus omni tempore futuro pro omnibus et singulis terris alijsque prescriptis, cum omnibus eorundem pertinentijs, similiter et eodem modo ac si particularis sasina super fundo vniuscujusque partis terrarum aliorumque predictorum capta fuisset, non obstante quod eedem minime contigue et insimul jaceant, sed in diversis partibus et locis; penes que et cum omnibus inconvenientijs (si que sint) que desuper sequi poterint, nos pro nobis et successoribus nostris, cum avisamento et consensu predictis, dispensavimus tenoreque presentis carte nostre dispensamus imperpetuum. Tenendas et Habendas totas et integras predictas terras aliaque supra et subscripta, viz., totas et integras dictas terras de Ballanark alias Provand, continentes particulares terras supra et subtus mentionatas, viz., dictas terras de Eistir Cunschlie, Westir Cunschlie, Gartcraige, Blairlume, Blairquhairne, Germistoun, Balgray, dictas terras de Hewgondfeild, Ballar-

taken by the foresaid provost, bailies, dean of gild, deacon convener, treasurer and councillors of our said burgh of Glasgow, for themselves and their successors representing the whole body and community of our said burgh of Glasgow, of the said lands and others foresaid, at the tower, fortalice and manor place of Provand, or upon any part of the ground of the lands and others above mentioned, is and shall be a sufficient and valid sasine to them and their successors in all time coming, for all and sundry the lands and others above written, with all their pertinents, similarly and in the same manner as if a particular sasine had been taken upon the ground of every part of the lands and others foresaid, notwithstanding that the same do not lie contiguous and together but in different parts and places, wherewith and with all inconveniences (if any be), which may follow thereupon, we for us and our successors, with advice and consent foresaid, have dispensed and by the tenor of our present charter dispense for ever. To hold and to have all and whole the said lands and others above and underwritten, viz., all and whole the said lands of Ballanark, otherwise Provand, containing the particular lands above and under mentioned, viz., the said lands of Eistir Cunschlie, Westir Cunschlie Gartcraige, Blairlume, Blairquhairne, Germistoun, Balgray, the said lands of Hewgondfield, Ballarnock, Mylnetoun, Riddrie, Rachasie, Craigend,

nock, Mlynetoun, Riddrie, Rachasie, Craigend, Garthomloch, Cardowan, Garscheugh, cum dictis terris dominicalibus *lie maynes*, et pratis nuncupatis *lie Provand meadow*, molendino de Provand, terris molendinarijs, astrictis multuris *vulgo lie dry ferme moultoris*, *lie ringes*, sequelis et pertinentijs eiusdem, servitijs et *lie knaveships* huiusmodi, et dicta silva appellata Gartwood, cum omnibus et singulis lacubus intra dictas terras, et piscationibus in ijsdem, extendentes dictas terras aliaque immediate prescripta in integro ad viginti libratas terrarum antiqui extentus; cum pertinentijs, includentibus tenandriam dictarum terrarum de Blairlume; cum omnibus et singulis suis domibus, edificijs, turribus, fortalicijs, hortis, pomariis, toftis, croftis, tenentibus, tenandriis libereque tenentium servitiis, partibus, pendiculis, et integris pertinentijs earundem quibuscunque, ut supra, jacentes et unitas in dictam integram et liberam tenandriam nuncupatam Tenandriam de Provand, prefatis preposito, ballivis, decano gilde, diacono principali, thesaurario et consulibus dicti burghi nostri de Glasgow, pro seipsis eorumque successoribus, representantibus integrum corpus et communitatem dicti burghi nostri, de nobis et successoribus nostris in feudifirma et hereditate imperpetuum, per omnes rectas metas suas antiquas et divisas prout jacent in longitudine et latitudine, in domibus, edificiis, boscis, planis, moris, maresiis, viis, semitis,

Garthomloch, Cardowan, Garscheugh, with the said dominical lands and the meadows called Provand meadow, mill of Provand, mill lands, astricted multures commonly called dry ferm multures, ringes, sequels and pertinents of the same, services and knaveships of the same, and the said wood called Gartwood, with all and sundry lochs within the said lands and fishings in the same, extending the said lands and others immediately above written in whole to a twenty pound land of old extent with the pertinents, including the tenandry of the said lands of Blairlume; with all and sundry their houses, buildings, towers, fortalices, yards, orchards, tofts, crofts, tenants, tenandries, services of free tenants, parts, pendicles, and whole pertinents thereof whatsoever, as above, lying and united into the said whole and free tenandry called the Tenandry of Provand, to the foresaid provost, bailies, dean of gild, deacon convener, treasurer and councillors of our said burgh of Glasgow for themselves and their successors representing the whole body and community of our said burgh, of us and our successors in feufarm and heritage for ever, by all their right meiths and marches, old and divided, as they lie in length and breadth, in houses, buildings, woods, plains, moors, marshes, ways, paths, waters, ponds, streams, meadows, pastures and

aquis, stagnis, rivolis, pratis, pascuis et pasturis, molendinis, multuris, et eorum sequelis, aucupationibus, venationibus, piscationibus, petariis, turbariis, carbonibus, carbonariis, cuniculis, cuniculariis, columbis, columbariis, fabrilibus, brasinis, brueriis et genistis, silvis, nemoribus et virgultis, lignis, tignis, lapicidiis, lapide et calce, cum curiis et earum exitibus, herezeldis, et bludewitis; cum communi pastura liberoque introitu et exitu; ac cum omnibus aliis et singulis libertatibus, commoditatibus proficuis, asiamentis ac justis suis pertinentiis quibuscunque, tam non nominatis quam nominatis, tam subtus terra quam supra terram, procul et prope, ad predictas terras cum pertinentiis spectantibus seu juste spectare valentibus quomodolibet in futurum, libere, quiete, plenarie, integre, honorifice, bene et in pace, sine aliqua revocatione, contradictione, impedimento aut obstaculo aliquali. Reddendo inde annuatim prefati prepositus, ballivi, decanus gilde, diaconus principalis, thesaurarius, et consules dicti burgi nostri de Glasgow, pro seipsis eorumque successores, representantes integrum corpus et communitatem dicti burgi nostri, nobis et successoribus nostris, nostris ve thesaurarijs, comerarijs, et factoribus in nostris nominibus, summam nonaginta quinque librarum et septem solidorum monete hujus regni nostri Scotie ad duos anni terminos, festa viz. Pentecostes et Sancti Martini in hieme, per equales portiones, necnon

pasturages, mills, multures, and their sequels, hawkings, huntings, fishings, peat mosses, turf bogs, coals, coal heughs, rabbits, rabbit warrens, doves, dovecots, smithies, breweries, heath and broom, woods, groves and thickets, firewood, timber, stone quarries, stone and lime, with courts and their issues, herezelds and bludewites, with common pasturage, free ish and entry, and with all other and sundry liberties, commodities, profits, easements, and their just pertinents whatsoever, as well not named as named, as well under the ground as above the ground, far and near, belonging or that may justly belong, in any manner of way in future to the foresaid lands with their pertinents, freely, quietly, fully, wholly, honourably, well and in peace, without any revocation, gainsaying, impediment or obstacle whatever. Paying therefor annually the foresaid provost, bailies, dean of gild, deacon convener, treasurer, and councillors of our said burgh of Glasgow, for themselves and their successors, representing the whole body and community of our said burgh, to us and our successors or our treasurers, chamberlains and factors, in our names, the sum of ninety five pounds and seven shillings money of this our kingdom of Scotland, at two terms in the year, viz., the feasts of Whitsunday and Martinmas in winter, by equal portions; and thirty

triginta duas bollas avenarum, *lie horse corne*, vel pro qualibet bolla earundem quinque solidos monete et octo duodenas pultrearum, vel pro qualibet pultrea earundem sex denarios monete predicte ad voluntatem et beneplacitum dicti prepositi, ballivorum, et consulum eorumque successorum, inter festa Sancti Martini in hieme et Purificationis Beate Marie Virginis, per equales portiones tanquam firmam antiquam solvi solitam et consuetam, pro dictis viginti libratiss terrarum de Provand continentium et comprehendentium, ut predictur; necnon, in augmentationem rentalis, annuatim summan trium mercarum monete predicte, plusquam unquam dicte terre, molendinum, pratum, silva, lacus aliaque prescripta, cum pertinentijs, perprius persolverunt, et in antiqua originali carta earundem contente fuerunt, cum summa quinque solidorum monete predicte, nove augmentationis dicti rentalis; et sic prefati prepositus, ballivi, decanus gilde, diaconus principalis, thesaurarius, et reliqui consules dicti burghi nostri, pro seipsis, et eorum successores, representantes communitatem ejusdem, solvent annuatim, pro omnibus et singulis dictis terris de Balanerk alias Provand, continentibus et erectis in tenandriam predictam, et pro firmis, grassumis, omnibusque alijs divorijs simul in pecunia redactis, cum augmentationibus prescriptis, computatis in integro summam nonaginta septem librarum et duodecim solidorum monete pre-

two bolls horse corn, or for every boll thereof five shillings money, and eight dozen poultry, or for every poultry six pennies money foresaid at the will and good pleasure of the said provost, bailies, and councillors and their successors, between the feast of Martinmas in winter and Candlemas, by equal portions, as the ancient duty used and wont to be paid for the said twenty pound land of Provand containing and comprehending as aforesaid; likewise, in augmentation of the rental, annually, the sum of three merks money aforesaid more than ever the said lands, mill, meadow, wood, lakes, and others above written with the pertinents formerly paid and were contained in the ancient original charter of the same, with the sum of five shillings money foresaid of new augmentation of the said rental; and so the foresaid provost, bailies, dean of gild, deacon convenor, treasurer, and remanent councillors of our said burgh, for themselves and their successors representing the community thereof, shall pay yearly for all and sundry the said lands of Ballanark otherwise Provand, containing and erected into the tenandry foresaid, and for the mails, grassums, and all other duties altogether reduced into money, with the augmentations before written, computed in whole, the sum of ninety seven pounds and twelve shillings money foresaid

dicte, ad duos anni terminos consuetos, festa, viz. Pentecostes et Sancti Martini in hieme, per equales portiones, cum dictis triginta duabus bollis avenarum, *lie horse corne*, et octo duodenis pultrearum, vel precijs earundem predictis in pecunia redactis ad voluntatem dicti prepositi, ballivorum, et consulum, eorumque successorum; que omnes insimul compute extendunt ad summam centum et octo librarum monete predicte, cum summa decem solidorum monete antedicte nove augmentationis dicti rentalis, plusquam eodem perprius persolverunt; et edificando sufficientem politiam super dictis terris solo earundem correspondentem secundum tenorem antiquorum infeofamentorum earundem tantum pro omni alio onere, exactione, questione, demanda, seu servitio seculari que de predictis terris aliisque supraspecificatis cum pertinentiis per quoscunque juste exigi poterint quomodolibet vel requiri. Proviso quod hec presens carta nostra erit absque prejudicio quarumlibet feudifirme divoriarum nobis ante annum Domini millesimum sexcentisimum sexagesimum debitarum (si que sint). In cujus rei testimonium huic presenti carte nostre magnum sigillum nostrum appendi precepimus. Testibus: predilecto nostro consanguineo et consiliario Willielmo mariscalli comite domino Keith et Altrie, regni nostri mariscallo et nostri secreti sigilli custode; dilectis nostris familiaribus consiliariis dominis Archibaldo Prymrois de Dummany,

at the two usual terms of the year, viz., Whitsunday and Martinmas in winter, by equal portions, with the said thirty two bolls of horse corn and eight dozen poultry, or the prices thereof aforesaid converted into money at the option of the said provost, bailies, and councillors, and their successors, all of which computed together extend to the sum of one hundred and eight pounds money foresaid, with the sum of ten shillings money foresaid of new augmentation of the said rental more than the same formerly paid; and erecting a sufficient policy upon the said lands corresponding to the ground of the same according to the tenor of the ancient infeftments thereof, allanarly, for all other burden, exaction, question, demand, or secular service, which might by any persons be justly exacted or required from the foresaid lands and others above specified with the pertinents: providing that this our present charter shall be without prejudice of whatever feufarm duties (if any be) which were due to us before the year of our Lord one thousand six hundred and sixty. In testimony whereof, we have commanded our great seal to be appended to this our present charter. Witnesses: our well-beloved cousin and councillor, William earl marischall lord Keith and Altrie, marischall of our kingdom and keeper of our privy seal; our beloved familiar-councillors Sirs Archibald Primrose of Dummany, clerk of our rolls, register,

nostrorum rotulorum, registri, consilii, sessionis, scaccarii et parlamenti, clerico, Joanne Home de Rentoun, nostri justiciarie clerico, militibus, et domino Willielmo Kerr de Haddin, milite, nostre cancellarie direttore. Apud Edinburgum, tertio die mensis Martij, anno Domini millesimo sexcentesimo sexagesimo nono, et anno regni nostri vigesimo primo. [Indorsations:] Writtin to the great seall the seventeint day of Apryle, 1669. [Subscribed:] J. Achesone, c. dept. Sealled at Edinburgh the nynteint day of Apryle, 1669. [Subscribed:] Jo. Cunynghame. xl lib.

council, session, exchequer, and parliament; John Home of Rentoun, our justice clerk, knights, and Sir William Kerr of Haddin, knight, director of our chancery. At Edinburgh, the third day of the month of March in the year of our Lord one thousand six hundred and sixty ninth and in the twenty first year of our reign.

CXLII.

Act of Parliament, ratifying and approving certain Charters, Infeftments, and Privileges, granted in favour of the Provost, Bailies, Dean of Guild, Treasurer and Community of Glasgow. (1669, c. 108). Edinburgh, 23rd December, 1669.

OUR Soverane Lord, with advyce and consent of the estates of this present parliament, ratifies and approves the charter and infeftment made and granted be our said Soverane Lord, with advyce and consent of his Majestys commissioners of thesaurie and new augmentations within this kingdome of Scotland, and remanent lords of his Hienes exchequer, to and in favours of the provost, baillies, dean of gild, deacon conveyener, thesaurer and remanent councill of the burgh of Glasgow, for themselves and their successors, representing the haill bodie and communitie of the said burgh, heretable and irredeimable, off all and haill the lands and others underwritten, viz., all and haill the lands of Balanerk, otherways

called Provane, containing the particular lands and others after mentioned, viz., the lands of Eister Cunschlie, Wester Cunschlie, Gartcraig, Blairlum, Blairquharne, Germestoun, Balgray, the lands of Hewgenfeild, Ballarnock, Miltoun, Riddrie, Rachasie, Craigend, Garthomleck, Cardowan, Carscleuch, with the dominicall lands, mains and meidows called Provane Meadow, milne of Provand, milne lands, astrictit multers, commonly called dryferme multers, rings, sequells and pertinents thereof, with services and knaveship of the samen, and wood called Garthwood, with all and sindrie louchs within the forsaid lands, and fishings in the samen; extending, the forsaid lands and others immediately above written, in the haill, to ane twenty pund land of old extent, with the pertinents, including the tennendrie of the forsaid lands of Blairlum, with all and sindrie their houses, bigings, tours, fortalices, yeards, orchyeards, tofts, crofts, tennents, tennendries, services of frie tennents, parts, pendicles, and haill pertinents of the samen whatsumever, lyand within the parochine of Glasgow and shirreffdome of Lanerk, all united and incorporat in ane frie tennendrie called the Tennendrie of Provane, proceeding upon the resignation of Sir Robert Hamiltoun of Silvertounhill, to whom the samen perteaned heretable of befor; by the whilk chartour our said Soverane Lord, with advice and consent forsaid, ratified and confirmed the letters of alienation, disposition and right, made, given and granted be the said Sir Robert Hamiltoun to the saids provost, baillies, dean of gild, deacon conveyener, thesaurer and counsellours of the said burgh of Glasgow, for themselves and their successors, representing the haill bodie and communitie of the samen, heretable and irredeimably, off all and haill the saids lands, milns, louchs, fishings, and others particularly above exprest, with their pertinents, lying, extending, and united in maner above mentioned: To be holden either of him or from him, of his immediat superiors thereof, in maner therein mentionat; together with the union, annexation and incorporation of the samen haill touns, lands, milns, woods, fishings, louchs, and others, above writtin, with the pertinents, in and to the said burgh of Glasgow, to remain inseperable therewith in all tyme comeing, contained in the said charter, and the dispensation therein contained for takeing of sasine at the maner place of Provand, to stand and be sufficient for the haill lands and others above exprest, to be holden of our

said Soverane lord and his highnes successors, in few ferme and heretage, for the soun of four-score fiftein pundis seven shilling Scots money, at two terms in the year, Whitsonday and Mertymes in winter, be equall portions, and thirtie tuo bolls horse corne, or fyve shilling Scots money for ilk boll thereof, together with eight dozen of poultrie or sex pennies money forsaied for ilk pultrie, at the will and pleasure of the saids provost, baillies, coun-cill and their successors, betwixt the feists of Yule and Candlemes, as the old fewferme duety, used and wont, to be payed for the saids tunetie pund land of Provand, comprehending and containing as said is of befor; as also, in augmentation of the rentall, yeerly, the soume of three merks money forsaied more then ever wes payed for the samen of befor or wes contained in the originall infeftment thereof; together with the soume of fyve shillings money forsaied of new augmentatione of the said rentall; whilks all being compted and turned into money extends to the soume of one hundreth and eight pundis money forsaied; with ten shillings money forsaied of new augmentation of the said rentall more nor ever the samen payed of before; and building and keeping sufficient policie upon the saids lands, corresponding to the ground therof, in maner and at lenth specified in the said charter, which is dated, under his Majesties great seale, at Edinburgh, the third day of March last by past, 1669 years: ¹ Together with the precept and instrument of sasine following therupon. And siclyk the charter and infeftment, under his Majesties great seale, dated at Edinburgh the eight day of January, 1668 years,² whereby our said Soverane Lord, with advice and consent of his Hienes saids comissioners of thesaurie and remanent lords of his Majesties exchequer within this kingdome of Scotland, ratified, approved, and confirmed, for himselff and as Prince and Stewart of Scotland and his Hienes successors, ane contract and appointment made and perfyted betwixt Sir Patrick Maxwell of Newark, knight, then heritable proprietour of the lands and others underwritten, with advice and consent of Dame Marjorie Campbell, his spous, and Sir George Maxwell, appeirand of Newark, their eldest sone and appeirand air, and them all, with ane consent and assent, on the one parte, and John Andersone, of Dubhill, then provost of the said burgh of Glasgow, James Pollock, Johnne Caldwallis and Johnne Ker, then baillies, Johnne Wilkinshaw, then dean of

¹ *Antea*, No. CXLI., pp. 156-68.

date is 20th January, 1668.

² *Antea*, No. CXL., pp. 142-55; but the

gild, Johne Miller, then deacon conveener, and James Ker, then thesaurer of the said burgh, for themselves and in name of the remanent councill, communitie and incorporation of the same, on the other parte, of the date at the said burgh of Glasgow and (*blank*) the fourt and (*blank*) days of January, the said year of God 1668:¹ Be vertew whair of, for the causes onerous therein contained, the said Sir Patrick Maxwell, with consent of his said spous and sone, and they all with one consent and assent, sold, disposed and in fewferme and heretage set, assedated and perpetually dimitted, to the saids provost, baillies, dean of gild, deacon conveener, thesaurer, councill, communitie and incorporation of the said burgh, and their successors, all and hail the peices and portions underwritin of the said Sir Patrick his lands of Divolsglean, woods, parks, and wairds of Newark, as they are designed as follows, viz., the hail grund and lands from the little burne and stripe at the west end of the houses and lands sumtyme possess be wmqhill Andrew M'Farling and now be Johne Paull and Alexander Rankine, and from that upward the said burne and stripe to the wood dyk, and alongst the said dyk to the stone craig eistwards, and also along eistwards to the said craigfoote, and be the said wood dyk at the eist end of the said craig to the bak of the yeard downwards, viz., James Hendries yeard dyk bak, and the rest of the kaillyeard dyks, ther, westwards to Robert Keith his kail yeard nook, and down be the west syd of the said kail yeard be the bakwall of Robert Leith² his house, to the sea; and alongst all the shore westwards from thence to the forsaid burne and stryp at the west syd of the houses forsaid, formerlie possess be the said wmqhill Andrew M'Farline, includeing all the arable land, boigwood, other ground, houses, and yeards within the bounds above repeated; with power to them of haveing, building, edifeing and incorporating all houses, bigings, yeards, dwellings, structures, and other accommodations for their better use and benefite, at their pleasure, within the bounds above mentioned, and now set to them in few ferme; together with the teindsheaves

¹ *Antea*, No. CXXXIX., pp. 132-41; dated at Glasgow and Newark, 4th January and 28th February, 1668.

² The name written "Leith" in the MS. extract of the act of parliament is previously

written "Keith." Keith is the name printed in the Record edition of the acts. "Leitch" is the name written in the contract and charter (*antea*, pp. 134 and 144).

and others teinds, both personage and viccarage, of the forsaid peices and portions of land above specifeit includit, all lyand within the barronie of Finlistoun Maxwell, parochine of Kinmacolme and shirreffdome of Ranfrew; and whilks peices and portiones of land and ground disponed be the forsaid contract extends to ane merk land of old extent; as lykways with ane harbour and road for ryding and anchoring of ships, crears, boats, and other vessells, and for building of ane harbour at their pleasure from the said burne and stripe within the said haill sea mark to the low ground ebb, and round about eistwards throw the haill road, and with priveledge of the said haill road it self, fra the seamark to the low ground ebb, and with priveledge of the water towards the sea betwixt the said burne and stryp and round about eistward to the point called Blakhouse-nook for the use and commoditie of their ships and vessells; exceptand and reservand as is reserved in the forsaid contract; and with the priveledge of all louse stones and other stones within the said road or any other parte of the said Sir Patrick his ground towards the shore, except such stones the want whairof might prejudice the said Sir Patrick his dyks and houses for building of the said port and other necesser and lawfull uses; as also with the priveledge of diging, winning, leading and transporting of all stones necesser and usefull for them furth of the quarrells upon the south parte of the forsaid lands disponed in fewferme, boundit within the ends of the two dyks with the said quarrell; and for that effect to tir sex elnes of ground inwards in lenth upon the top of the said quarrell for their better accommodation in diging of the said stones be the lenth above-written, and diging of stones downward to the ground of the post; and siclyk of diging, winning, leading and transporting furth of the said quarrell and craig, within the said Sir Patrick his haill adjacent lands, of all stones that should be fund further necessar for building of the said harbour or any other their necessar uses, together with frie ish and entrie to the saids haill peices and portions of land, priveledges and others above disponed and licentiated, in manner above mentionat, wnder the reservations always in favors of the said Sir Patrick and his tennents particularly set down in the said contract and charter; wherby, farder, the said Sir Patrick, with consent of his said spous and sone, and they all with one consent and assent, gave full libertie and power to the saids provost,

baillies, dean of gild, deacon conveener, thesaurer, councill and communitie of the said burgh of Glasgow, their successors, and others, in their names, for intakeing of fresh water furth of the said Sir Patrick his burns and springs, and of sand and ballast furth of any parte of the forsaid road and bounds for the necesser use of them, their ships and vessels, at their pleasure: all to be holden of the said Sir Patrick Maxwell, his airs maill and successors, in fewferme and heretage for ever, in maner mentioned in the said contract, be all rights, meiths and marches thereof, and designations above exprest, with frie ish and entrie therto, with courts, dewes and amerchiaments therof, blood and bloodweits, and with all other priviledges and immunities of the samen, as the said Sir Patrick himself had: For the yeerly payment to the said Sir Patrick and his forsaid of the soume of four merks money forsaid of fewferme dewtie, yeerly, at the terme of Whitsunday, with his Majesties taxations and all other publict burdens imposed or to be imposed therupon, according to the rate and proportion of the said merk land, fra their entrie to the premises, whilk be the said contract is appointed to be and begin at the second day of February 1668 years, and sua furth thereafter yeerlie in all tyme comeing; the not payment of the whilk fewferme duetie be the space of tuo, three, or mae yeers, or termes, runing together, to be no cause of nullitie or reduction of the said fewferme, notwithstanding of whatsumever acts of parliament made or to be made in the contrair: Together with the precept of sasine contained in the said contract and instrument of sasine ordained to follow therupon, in all and sindrie the heids, points, clauses, circumstances and conditions of the said contract and precept of sasine therin contained and sasine following or to follow therupon. Attour our said Soverane Lord, for himself, and as Prince and Stewart of Scotland, for the causes contained in the said charter, and with advice and consent therin mentioned, made, erected, annexit, created and incorporated that parte of the foresaid grund and lands from the forsaid burne and stripe within the full sea mark to the low ebb of the samen, and round about, eistward, throw the haill road forsaid it self, from the full sea mark to the lowest ebb of the samen, and haill bounds within the said burne and strype, and round about eistward to the point called Blakhousnooke, in ane haill and free ship road and herbours to be called now and in all tyme comeing the Ship Road and

Harbour of the Burgh of Glasgow; and gave, granted and committed to the said provost, baillies, dean of gild, deacon conveyener, thesaurer, councill and haill communitie of the said burgh of Glasgow, and their successors, full power and libertie of erecting and biging of the said road and harbour within the bounds respective above designed, for anchorage, custodie and preservation of their ships, creares, barks, boats and other vessells; and therupon to erect and build bulwarks, as also ane tolbuith or wardeing place upon any parte of the saids lands for keeping of good order therin and punishing of transgressors; and to make and create baillies, clerks, officers, dempsters, and other members of court neidfull for administration of justice within the forsaid bounds, and for guyding and governing of the samen; and the saids officers yeerlie in the saids offices to choise, output and input, as they shall think fit; and to use, exerce and have sole jurisdiction, civill and criminall, competent to ane barrone be the law and consuetude of this kingdome; and to uplift, intromet with, receave and uptake the litle and small customes, tolls and anchorages of all ships, barks, boats and other vessells comeing within the said port and harbour; together with all other dues belonging to ane frie port and harbour, and therupon to use and dispoine at their pleasure; as also with power to them to make, use, and exerce all other things within the bounds forsaid, with all immunities, priveledges and others, whatsoever, pertaining and belonging to the libertie of ane frie sea port and harbour, siclyk and als freely as any other sea port or harbour within this kingdome does or may doe be the laws and consuetude therof; be the whilk charter it is ordained that the sasine of the said frie port and harbour to be taken upon the ground of any parte or parts of the saids peices and portions of land above written shall stand and be ane sufficient sasine for the said frie port and harbour, called the port and harbour of the said burgh of Glasgow, haill liberties, immunities, priveledges and commodities thereof above specifit, without any other particular sasine or sasines to be taken at any other parte elswher: To be holden, the said frie port and harbour of Glasgow, with all and sindrie priveledges, liberties and immunities, commodities and pertinents therof above written, lying, boundit and erectit, as said is, of our Soverane Lord as Prince and Stewart of Scotland, and his Hienes successors Princes and Stewarts of Scotland, superiors of

the lands and others abovewrittin, in frie heretage, frie port and ship harbour for ever, for service of waird and relieff in maner mentioned in the said charter; together with the precept of sasine of the said port and harbour, priviledges and liberties therof above mentioned, following upon the said charter and instrument of sasine following upon the same. And, in lykmaner, the decreit of declarator given and pronounced be the lords of counsell and session upon the eight day of February, 1666 years,¹ in the action and cause of declarator first raised and intendit befor the late commissioners for administration of justice, at the instance of the then provost, baillies, dean of gild, thesaurer, deacon conveener of the said burgh of Glasgow, all persons of the common counsell thereof, for themselves and in name and behalf of the remanent council and communitie of the samen, against Walter Watson, then provost of the burgh of Dumbartan, Johne Coninghame and Mr. David M'Gie, then baillies therof, Johne Smollet, then dean of gild, for themselves and in name and behalf of the common counsell, remanent burgesses and inhabitants of the said toun of Dumbartan, and all others haveing or pretending to have interesse; and thereafter walkned and insisted on befor the lords of counsell and session, at the instance of Johne Bell, then provost of the said toun of Glasgow, James Campbell, Robert Rae and James Colquhoun, then baillies therof, John Barns, then dean of gild of the samen, persons of the common counsell therof, for themselves and in name and behalf of the remanent counsell and communitie of Glasgow, against the saids Walter Watsone, provost of the said burgh of Dumbartan, Robert Watson and Mr. David M'Capie, then baillies therof, the said Johne Smollet, dean of gild, William M'Gie, elder, thesaurer, and the other persons nominat in the said decreit, of the common counsell of the said burgh of Dumbartane, for themselves and in name and behalff of the haill remanent burgesses, communitie and inhabitants of the said burgh of Dumbartan, and all others haveing or pretending to have interesse; by the whilk declarator the saids lords of counsell and session fand and declared that the saids provost, baillies, counsell and communitie of the said burgh of Dumbartan, had, nor hes no right to uplift nor exact from the inhabitants, burgesses and communitie of the said burgh of Glasgow, nor of any vessells and ships belonging

¹ *Antea*, No. CXXXVI., pp. 60-112.

Harbour of the Burgh of Glasgow; and gave, granted and committed to the said provost, baillies, dean of gild, deacon conveyener, thesaurer, councill and hail communitie of the said burgh of Glasgow, and their successors, full power and libertie of erecting and biging of the said road and harbour within the bounds respective above designed, for anchorage, custodie and preservation of their ships, creares, barks, boats and other vessells; and therupon to erect and build bulwarks, as also ane tolbuith or wardeing place upon any parte of the saids lands for keeping of good order therin and punishing of transgressors; and to make and create baillies, clerks, officers, dempsters, and other members of court neidfull for administration of justice within the forsaid bounds, and for guyding and governing of the samen; and the saids officers yeerlie in the saids offices to choise, output and input, as they shall think fit; and to use, exerce and have sole jurisdiction, civill and criminall, competent to ane barrone be the law and consuetude of this kingdome; and to uplift, intromet with, receave and uptake the litle and small customes, tolls and anchorages of all ships, barks, boats and other vessells comeing within the said port and harbour; together with all other dues belonging to ane frie port and harbour, and therupon to use and dispoise at their pleasure; as also with power to them to make, use, and exerce all other things within the bounds forsaid, with all immunities, priveledges and others, whatsoever, pertaining and belonging to the libertie of ane frie sea port and harbour, siclyk and als freely as any other sea port or harbour within this kingdome does or may doe be the laws and consuetude therof; be the whilk charter it is ordained that the sasine of the said frie port and harbour to be taken upon the ground of any parte or parts of the saids peices and portions of land above written shall stand and be ane sufficient sasine for the said frie port and harbour, called the port and harbour of the said burgh of Glasgow, hail liberties, immunities, priveledges and commodities thereof above specifit, without any other particular sasine or sasines to be taken at any other parte elswher: To be holden, the said frie port and harbour of Glasgow, with all and sindrie priveledges, liberties and immunities, commodities and pertinents therof above written, lying, boundit and erectit, as said is, of our Soverane Lord as Prince and Stewart of Scotland, and his Hienes successors Princes and Stewarts of Scotland, superiors of

the lands and others abovewrittin, in frie heretage, frie port and ship harbour for ever, for service of waird and relieff in maner mentioned in the said charter; together with the precept of sasine of the said port and harbour, priviledges and liberties therof above mentioned, following upon the said charter and instrument of sasine following upon the same. And, in lykmaner, the decreit of declarator given and pronounced be the lords of councill and session upon the eight day of February, 1666 yeers,¹ in the action and cause of declarator first raised and intendit befor the late commissioners for administration of justice, at the instance of the then provost, baillies, dean of gild, thesaurer, deacon conveener of the said burgh of Glasgow, all persons of the common councill thereof, for themselffs and in name and behalf of the remanent council and communitie of the samen, against Walter Watson, then provost of the burgh of Dumbartan, Johne Coninghame and Mr. David M'Gie, then baillies therof, Johne Smollet, then dean of gild, for themselffs and in name and behalf of the common councill, remanent burgesses and inhabitants of the said toun of Dumbartan, and all others haveing or pretending to have interesse; and thereafter walkned and insisted on befor the lords of councill and session, at the instance of Johne Bell, then provost of the said toun of Glasgow, James Campbell, Robert Rae and James Colquhoun, then baillies therof, John Barns, then dean of gild of the samen, persons of the common councill therof, for themselffs and in name and behalf of the remanent councill and communitie of Glasgow, against the saids Walter Watstone, provost of the said burgh of Dumbartan, Robert Watson and Mr. David M'Capie, then baillies therof, the said Johne Smollet, dean of gild, William M'Gie, elder, thesaurer, and the other persons nominat in the said decreit, of the common councill of the said burgh of Dumbartane, for themselffs and in name and behalff of the haill remanent burgesses, communitie and inhabitants of the said burgh of Dumbartan, and all others haveing or pretending to have interesse; by the whilk declarator the saids lords of councill and session fand and declared that the saids provost, baillies, councill and communitie of the said burgh of Dumbartan, had, nor hes no right to uplift nor exact from the inhabitants, burgesses and communitie of the said burgh of Glasgow, nor of any vessells and ships belonging

¹ *Antea*, No. CXXXVI., pp. 60-112.

to them or fraughted by them, arryveing in the river of Clyd, at the roads and ports of Poterig, Inshgrein and Newark, anie anchorage, measurage, wayage, tunage, dockmaill, cokquets, or other dues whatsumever; and also hes fund and declared that it is lawfull for the said provost, baillies, coun-cill, and inhabitants and communitie of the said burgh of Glasgow, to arrive with their ships, vessells and goods, in the river of Clyd, and specially at the forsaid roads and ports of Poterig, Inshgrein and New-work, and to load and unload ther and transport their goods from the said river of Clyd to the said burgh of Glasgow, frie of the burding of the forsaid pretendit dueties of anchorage, measurage, wayage, tunage, dock-maill, cockquets, or other dues whatsumever, to the said burgh of Dum-bartan, and decerned and ordained the saids provosts, baillies, coun-cill, inhabitants, and communitie of the said burgh of Dumbartane, to decist and cease from all trubleing, molesting, or impediment making to the provost, baillies, coun-cill, inhabitants and communitie of the said burgh of Glasgow, present and to come, in arriveing with their ships, vessells and goods, vpon the said river of Clyd, and loading and unloading their ships, vessells, and goods at the saids ports and roads of Poterig Inshgrein and Newark, and transporting their goods from thence to Glasgow, frie of the burding of the saids pretendit dues, or any of them, to the said toun of Dumbartan, as parties haveing no right thereto, notwithstanding of their action of declarator persewed be them against the said burgh of Glasgow, magistrates and communitie thairof; which, together with the charters, infeftments, books of entries, other rights and depositions of witnesses, adduced by the said toun of Dumbartan the tyme of the giveing and pronounceing of the said decretit, wes at lenth considered be the said lords of coun-cill and session, and from whilk action of declarator and haill points thairof, by decretit of the said lords of coun-cill and session, of the same date,¹ the saids magistrates, coun-cill, inhabitants and communitie of Glasgow, are fullie and simpliciter assolzied and exonered in ample forme, in maner and for the causes specifit in the saids tuo decreits of declarator and absolvitor; together also with the forsaid decretit of absolvitor sua given and pronouncd in favors of the said burgh of Glasgow, of the date and contents above and therin specifit. As lykways our said Soverane

¹ *Antea*, No. CXXXVII., pp. 112-20.

Lord, with advice and consent of his Hienes estats of this present parliament, ratifies and approves the charter and infeftment made and granted be his Majesties deceast father, of happie and blessed memorie, with advice and consent of the thesaurer, comptroller and collector generall or thesaurer of his Hienes new augmentations of Scotland, and of the remanent lords and others of exchequer for the tyme, wherby his Majestie, with advice and consent forsaid, ratified and approved divers and sindrie charters, infeftments, precepts, instruments of sasine, confirmations, acts, decreits, sentences, donations, mortifications, rights of patronages, and other rights, titles, evidents and securities, liberties and commodities, priveledges and others, specially and generally therin exprest, made and granted to the said burgh and citie of Glasgow be his Majesties said deceast father, or be whatsumever his Majesties most noble progenitors, kings, queens, princes, and stewarts of Scotland, their regents and governours for the tyme, or be the saids lords of counsell and session, with all and sindrie acts of burrows, others acts, rights, titles and liberties whatsomever, anyways brooked of befor be the said burgh of Glasgow, kirks, colledges, ministers and hospitalls within the samen; and gave, granted, and disposed, *cum clausula de novo damus*, to the provost, baillies, counsell and communitie of the said burgh and citie of Glasgow and to their successors for ever, All and Hail the said burgh and city of Glasgow, with all and sindrie lands, heretages, houses, bigings, tenements, yeards, orchyards, kirks, kirkyeards, patronages, chappells, chaplanries, teinds, ports, gates, passages, calssis, aikers, roods, louchs, burns, tofts, crofts, infeild, outfeild, territorie and commontie of the samen, milns, milnelands, multers, sucken, sequells, thirlage, dams, leads, inways, watergangs, craigs, kills, hills, salmond fishings, and other fishings in the said water and river of Clyd, hospitalls, correction-houses, mures, mosses, greins, commonties, laids, craigs, coals, coalheuchs, lyme, lymestone, annualrents, fewmaills, fewferme dewties, mansions, fruits, emoluments, foundations, donations, presentations, mortifications, alms, deal-silver, and all other priveledges and immunities, alswell ecclesiastical as secular, belonging thereto; and with the priveledge and libertie in the said water of Clyd, in maner mentionat in the said charter; and erecting the samen burgh in ane frie burgh royall, and giveing to the samen burgh ane correction house, and

that house called the Lipperhouse and St. Ninians Hospitall, with all and sindrie liberties and priviledges thereof, and with the customs and dewties belonging to the said burgh, and makeing the provost, baillies, counsell and communitie of the said burgh, and their successors, heretable patrons of the Trone Kirk of Glasgow, in ample forme, in manner specifit in the said charter, whilk contains divers and sindrie other clauses, gifts and donations in favours of the said burgh and city of Glasgow, provost, baillies, counsell and communitie thereof, and their successors; and whilk charter is dated at Newmarkit the sexteinth day of October, 1636 yeers;¹ with the precept and instrument of sasine following vpon the said charter, together with the act of parliament following thereupon, dated the seventeinth day of November, 1641 yeers,² ratifieing and approveing the samen, and hail rights, titles, and securities, specially and generally above mentioned. As likewise the act of parliament dated the tuentie day of May, 1661 yeers,³ not only ratifieing and approveing the forsaid great charter, infeftment and sasine following thereupon, and other charters, infeftments, precepts, instruments of sasine, confirmations, acts, decreits, sentences, donations, mortifications, rights of patronages, and others rights, tytles, evidents and securities, liberties, priveledges and others specially and generally therein mentioned, and former act of parliament above mentioned, ratifieing and approveing the samen as said is, bot also ratified and approved all and sindrie contracts of alienation, letters of disposition, procuratories and instruments of resignation, charters, precepts, sasines, and all other rights, titles, and securities, of whatsumever date or dates the samen be of, made and granted be umquhill Sir Walter Stewart of Minto, knight, and Sir Lodowick Stewart, then younger of Minto, knight, his sone, to the provost, baillies, and counsell of the said burgh of Glasgow, and to their successors in office, heretable and irredeimably, for the use and proffeit of their two ministers serving the cure at the New Kirk within the toun of Glasgow, as ane pairt of their stipend, off all and sindrie the superiorities and fewferme dewties of all and sindrie the milns and kills of the lands of Wester Craig, foundit and bigit thereupon, with multers, sucken, sequells, knaveship, liberties, priviledges, yeards, parts, pendicles and

¹ Glasg. Chart., I., pt. ii., No. CX., pp. 375-95.

² *Ib.*, No. CXVIII., pp. 413-4.

³ *Antea*, No. CXXXI., pp. 36-42.

pertinents whatsumever, pertaining and belonging to the saids milnes and kills, lying neir the said burgh of Glasgow, within the shirreffdom of Lanerick; with the charter under his Majesties great scale,¹ precept and instrument of sasine following therupon, containing ane clause *de novo damus*. And also the charter of alienation, disposition and precept of sasine therein contained, made and granted be the deceast Sir Robert Douglas of Blaikerstoun, knight, with consent of umquhill Susanna Douglas, his spous, to the said provost, baillies, dean of gild, deacons of crafts hospitall and master of the hospitall called Hutchesons Hospitall, and to the remanent councillors of the said burgh of Glasgow and their successors in office, in name, to the use and behove of the councill and communitie thereof, of certane parts and portions of the lands and others underwritten, as also to them, in name of and to the proper use of the said hospitall called Hutchesons Hospitall, and to their poore placed and to be placed therin, of certane other parts and portions of the lands and others afterspecifit, and in lykmaner to the fornamed persons and their successors in office in name and to the proper use and behove of the hospitall called the Crafts Hospitall, of ane certane parte and portion of the samen lands and others after mentionat, as is particularly divydit in the said charter, viz., off all and hail the sex pund land of old extent of Gorballs and Brigend, with coalls and coal heuchs within the ground thereof, with the tour, fortalice, maner place, houses, bigings, yeards, orchyeards, tennents, tennendries, services of frie tennents, and all other parts, pendicles and pertinents thereof whatsumever, lying within the barronie and regalitie of Glasgow and the said shirreffdom of Lanerick, with the heretable office of baillerie and justiciarie within the hail bounds therof, and all liberties and priviledges whatsumever belonging therto; to be holden of the then duke of Lenox and his successors, in maner mentionat in the said charter, with the instrument of sasine following thereupon; as also the charter of confirmation following vpon the samen, dated and particularly mentioned in the said last act of ratification, and whilk is dated the eight day of September, 1655 yeers;² by the whilk last act of parliament our said Soverane Lord, with advice and consent of the estates of parliament for the tyme, for the causes therein mentioned, dissolved the saids lands of

¹ *Antea*, No. CXXVI., pp. 11-18.

² *Antea*, No. CXXX., pp. 33-6.

Gorballs, with the toun of Brigend, with the milne called the wheatmilne belonging to the said burgh and baxters of the samen, from the shire of Cliddisdale, regality of Glasgow and parochine of Govane, and annexed, united and allocat the samen to the said burgh and city of Glasgow, in maner, to the effect and provision mentioned in the said act of parliament. And finally our said Soverane Lord, with advice and consent of the estates of this present parliament, ratifies and approves all and sindrie other charters, infeftments, precepts, instruments of sasine, confirmations, donations, mortifications, and others rights, tytles and securities, whatsumever, made and granted to the said burgh and city of Glasgow, provost, bailies, dean of gild, deacon conveeners, masters of the hospitalls, be whatsumever persone or persons, of whatsumever dates, tenors or contents the samen be of, in all and sindrie the heids, points, clauses, articles, circumstances and conditions of the saids charters, infeftments, precepts and instruments of sasine, contracts, bands of alienation and disposition, decreits, mortifications, donations, acts of ratification in parliament and others rights, titles and securities, specially and generally abovementioned, heirby ratified and approven, after the formes and tenors thereof in all points. Attour, our said Soverane Lord, with advice and consent of his Hienes estates of this present parliament, decernes and ordains that the forsaid charters, infeftments, sasines, decreits, acts of parliament, others rights, securities, priveledges and others particularly and generally exprest therintill, now ratified and approven, are and shall be good and valeid rights to the said provost, baillies, dean of gild, thesaurer, deacon conveener, masters of hospitalls, council and communitie of the said burgh of Glasgow, and to their successors, for brooking and joyseing of the samen burgh, haill lands, heretages, milnes, milnelands, fishings, teinds, superiorities, fewferme dewties, other dewties, mortifications, fruits, rents, liberties, priveledges, immunities and others whatsumever belonging to the said burgh therein contained, perpetuallie, in all tyme comeing, but trouble or impediment; and lykways wills and declares that this present ratification shall be als valeid, effectuell and sufficient, to the effect befor rehearsed, as if the forsaid haill charters, infeftments, sasines, decreits, acts of parliament, others rights, tytles, and securities, particularly and generally above mentioned, hereby ratified, wer all insert *verbatim* herein-

till, notwithstanding that the samen be not so done; wheranent, and with all other defects and imperfections that may be proponed or alledged against the samen and validitie therof, and this present ratification of the samen, our said Soverane Lord and estates of parliament hes dispensed and be thir presents dispenses for ever.¹

PROTEST by the Burgh of Rutherglen against the foregoing ratification.

The whilk day, James Riddell, commissioner from the burgh of Ruglen, protested, in open parliament, in name of the said burgh, that the ratification passed this day in parliament in favours of the burgh of Glasgow should no ways be prejudiciall to the said burgh of Ruglen, nor to their rights, liberties and priveleges, conform to their evidents of the samen.

CXLIII.

Act of Parliament, ratifying the Decreet arbitral and Agreement between the Merchants and Crafts of Glasgow, known as the Letter of Guildry.² Edinburgh, 11th January, 1672.

OUR Sovereigne Lord, taking to consideration the great and manie debaits, differences and contests, which wer betuixt those of the merchant ranke and those of the crafts within the burgh of Glasgow in the tyme of his royall predecessors, and particularlie in the reigne of his Maiesteis grandfather, of evir blessed memorie, until the yeir j^m vj^e and fyve yeares, at which tyme by the mediatione, interpositione and endeavours of severall persons of qualitie and wise men, burgesses of the said burgh, the saids differences came to be settled and composed; and thereupon, on the sixt

¹ The MS. extract of the act of parliament has the following certificate:—"Extracted furth of the records of parliament by me Sir Archibald Primrose of Chesters, knight,

clerk of his Majesties counsell, registers and rolls. (Subscribed :) A. Primrose, Cls. Reg."

² The Letter of Guildry is printed in Glasgow Charters, pt. i., pp. devii.-dxxx.

day of Februare, the said year, a submission having bein maid, following upon a comissione granted be the great counsell of the toune, for the saids pairties, their entering in a submission, which submission is daited the tenth of November, j^m vj^e and four years; whereupon the settlement affirmentionat followed, and is intituled The lettir of gildrie, deacon conveyner, and visitor of maltmen and meilmen, daited the sixth of February, j^m vj^e and five years, wherein the particular powers and authorities condiscended upon to belonge to the saids respective imployments are speciallie enumerated by the magistrats in maner contained in the said agreement; which visitors are for visiting mercats of meill and all kind of victuall, and appointed to try the sufficiencie and insufficiencie thereof; be vertew of which agreement and decreit arbitrall the inhabitants of the burgh of Glasgow have lived in great peace, unities, and concord amongst themselves; as also thereby good ordor have bein observed in the respective crafts and callings, and ordorlie contributions made for maintainance of the poor: Thairfor, his Maiestie, with express advice of the estats of parliament, ratifies, confirms, and approves of the said gildrie, decreit and agreement, wherby the said merchants and crafts have lived peaceable and in good ordor, and the said merchants and crafts have mett and made ordourlie contributions for the maintainance of their poor; declaireing the said decreit and agreement to have the force and strenth of ane act of parliament.

CXLIV.

DISPOSITION by William Andersoune to the City of Glasgow of ground at the back of the Metropolitan Church. Glasgow, 16th September, 1674.

BE it knoune to all men be thir present letteres, me, Williame Andersoune, portioner of Newtoune, younger, merchand, burges of Glasgow, and present proveist therof, with express advyce and consent of Jeane M'Dougall, my spous, and I the said Jeane for my selfe, for all lyfrent

right and uther right and title quhatsomever quhilk I had, have, or can pretend to the landis and utheris under wryttin, with the pertinentis, with consent of the said William Andersoun, my husband, and I the said William Andersoun, for my selfe and as takand the burdine in and upon me for her, and us both with ane consent and assent: Forsuameikle as we have pertaining and belonging to ws, heretabillie, all and haill that meikle yaird adjacent to theis landis and croftis callit the Subchanters Croft and Bell Croft, lyand within the territorie of this burgh, at the bak of the great Metropolitane Church therof, and quhilk yaird is boundit betwixt the burne of Mollindinor on the east, the landis of Mr. Francis Kinkaid and utheris on the wast, the said crofts on the north, and the passage to the said burne, with the landis of Mr. Robert Goveane on the south partes;¹ and now, for ane certane sowme of monye actuallie payit and delyvered to ws, at the making heirof, be Johne Walkinshaw, Hugh Nisbit, Johne Hall, baillies of the burgh of Glasgow, Johne Cauldwall, deane of gild, Patrick Bryce, deacon conveyner, Johne Bryssoun, thesaurer therof, and remanent persones of the toune counsell of the said burgh, representing the communitie and haill incorporatioun therof, quherof we hold ws weill contented, satisfeid and payit, with full exoneration to them and all otheris quhom it effeires therof be thir presentis for ever: Therfor wit ye ws to have sold, analied and, but ony regres, reversioun or ony kind of redemptioun quhatsomever, heretabillie disposed to the said baillies and counsell and their successouris in office, proveist, baillies and counsell of the said burgh, representing the communitie therof, all and haill the said meikle yaird with the pertinentis, boundit and lyand as said is, together with all right, heretabill title of right, clame, entres, kyndnes, proppertie, possessioun, actioun, persuit and instance, petitorie and possessorie, quhilk we or ather of ws had, have, or ony maner of way can clame or pretend therto. And for the said proveist, baillies and counsell, and their successouris in office, their furder and better securitie of the said yaird with the pertinentis, we bind and obleis ws and our aires and assignayes to dewlie and sufficiently infeft and sease the said proveist, baillies and counsell in the said meikle yaird

¹ For further particulars regarding this ground, which was acquired for the purpose of a washing and bleaching green, see Glasg. Rec., III., pp. 182-3.

with the pertinentis, boundit and lyand as said is, and that be resignatioun therof in the handis of our Soveraigne Lord the Kings Majestie, or in the handis of the lordis of his Majesties exchequer or thesaurie, as superiouris therof, in favouris and for new infeftment and seasing to be given and grantit of the samyne to the said proveist, baillies and counsell, and their successouris in office, or in the handis of the said proveist, baillies and counsell themselves, for new infeftment and seasing to be given and grantit therof to them and their said successouris, to remayne with them for the behove of them and their said successoris and haill communitie of the said burgh in tyme coming. And for this effect [we] heirby mak constitute and ordaine (*blank*), ilk ane or ony ane of them, our verie lauffull, undoubtit and irrevocable procuratoris, actouris, factouris and commissioners, gevand, grantand and committand to them, or ony of them, our full power, warrand and commissioun to compeir, at ony tyme heirafter, in presens of our said superiouris, or wpon the grund of the said landis, and ther, for ws and in our names, resigne, renunce, surrander, wpgive and overgive all and haill the said meikle yaird, with the pertinentis, in the handis of the forsaid superiouris respective above specifeit, or ony of them as sall be thought most fitting, in favouris and for new infeftment and seasing to be given and grantit therof to the said proveist, baillies and counsell and their successouris in office, to remayne with them for ever; lykas we heirby resigne the samyne in their handis in favouris and to the effect forsaid; actis, instrumentis and documentis to ask, lift and rais therwpon, and generallie to doe everie thing we could doe if present, obleising ws to stand and abyd at all [our] procuraturis does for [ws] in the premissis, firme and stable, but reclamatioun; quhilk heretabill dispositioun of the said yaird, with the pertinentis, grund right and proppertie therof, procuraturie of resignatioun forsaid, infeftment and seasing to fallow therwpon, we obleis ws, our aires and assignayes, to warrand and defend to the said proveist, baillies and counsell, and their said successouris in office, from all perrillis, dangers, inconveniences and evictiounes, bygane, present and to come, except the few dewties, tyndis, tynd tak dewties and utheris, if ony be, yearly payable furth therof, usit and wont, att all handis and against all deidly. And becaus the wrytis and evidentis therof ar included with wther the wrytis of my uther landis, I

obleis me to mak the samyne furthcumand to them quhensoever they sall have to doe therwith. And, last, I the said William Andersone obleis me to caus my said spous judicallie, on oath, ratifie thir presentis and declair shoe is not compellit be me therto; consenting, both of ws, thir presentis be registrat in the bookis of counsell and sessione, or ony uther judges bookis, that letteres and executoriellis of horning, poynding and warding, on a simple charge of sex dayes, may pas heirwpon, and therto constitutis (*blank*) procuratouris, etc. Wryttin be Robert Allane, notar in Glasgow, and subscrivit, att Glasgow, the sextine day of September j^m vj^c and seavintie four yeares, befor thir witnessis, George Andersoune, toune clark of Glasgow, John Flemyng of Coutstoune, Androw Buchanan, ane of the officers of the said burgh, and the said Robert Allane. [Subscribed:] W. Andersone, Jean Mackdougall; G. Andersone, witnes; James Brounlie, witnes; Andro Buchanan, wittnes.

CXLV.

CONTRACT between the Magistrates and Council of Glasgow and John Clark, Mason, burgess of Glasgow, for building a bulwark at Port-Glasgow. Glasgow, 5th February, 1676.

ATT Glasgow the fyft day of Februarie j^m vj^c seventie six yeirs. It is apoynted, agried and finally endit betwixt the persones pairties wnder-writtin, they are to say, John Bell, proveist of the burgh of Glasgow, Ninian Andersone, Robert Campbell and John Wallace, baillies therof, Frederick Hamiltone, dean of gild, James Fairie, deacon conveyner, and Robert Corse, thesaurer of the said burgh of Glasgow, for themselves and in name and behalfe of the haille remanent cowncell, cownmontie and incorporatioune of the said burgh, on the ane pairt, and John Clarke, meason, burgess of the said burgh, on the uther pairt, in maner, forme and to the effect fallowing, that is to say, forswameikle as the said John Clarke is become bownd and obliet, as be the tennor heirop he binds and oblieses

him, his aires and successores, dewly and sufficiently to build ane wall or bullworke of hewin stone, skwaird and broacht, in the foir fronte in that place of the river syd of Clyd called Port Glasgow, the lenth of fyve score ells or therby betwen that stowpe or pole of the bullworke that stands nearest the shoar and ane other stowpe now fixed on the east syd of the baiy, of the thicknes of six English foote, and of the height of fyve ells from the fundatioun therof, quhich sall be levelled and eqwally laid also deep as the watter is att the herbur head the tyme of the grownd ebb; and sicklyke the said John Clarke binds and oblieses him and his foirsaid to cast and transport also much of the grownd and redd that is befor the said wall to the seaward, evinly alongst the wall, as will levell and fill w^p the haill lenth of the said dyck betwixt the head of the samen and the threschold of Master William Cunynghames house, or the threschold of the port of the great closse wher the towns scellars are, and to have the tope of the said dyck or bullworke the said haill lenth with sufficient sqwair and brotched stones; and toward quhilk worke swa to be maid the said John Clarke binds and oblieses him and his foirsaid to furnisch all and sundrie materialls, as stones, lyme and instruments for working therof, wpon his owne proper chairges and expenssis, and to satisfie and pay workmens wages, leading and cariing of the saids materialls by land or water, and all uther charges and expenssis requisite to be impendit therwpon till the finall end and compleating therof, and to compleat and perfyt the samen betwen the daite heirof and the terme of Candlemes j^m vj^c seventy eight yeirs. For the quhilks causes the saids John Bell, proveist [and others], for themselves and in name and behalfe foirsaid, binds and obliese them and ther successores in office to thankfully content and pay to the said John Clarke, his heirs, executors or assignes, all and haill the sowme of seveintein thowsand merks money wswall of Scotland, att the tearmes fallowing, viz., two thousand merks therof att Candlemas now instant, j^m vj^c seventy six yeirs, and thereafter two thousand merks qwarterly till the sowme of sixtein thowsand merks be compleatly payed, and ane thousand merks money in compleat payment of the foirsaid haill sowme of sevintein thowsand merks money foirsaid immediatly efter the pefyting of the foirsaid haill worke. Attour they bind and obliese them and ther foirsaid to make payment to the said

John Clarke and his foirsaidis of two chalders good and sufficient victuall, ane halfe oat meill and the uther halfe beir, quherof ane chalder presently att his entrie and the other chalder att Candlemas j^m vj^c seventy sevin yeirs. Attour they heirby make and constitut the said John Clarke and his foirsaidis ther assigneys in and to any transactione or agriement mad by them, or any in ther name, for casting or redding the grownd between the place quher the said wall is designed to stand and the sea, he allwayes fullfilling ther pairt of the said agriement; and sicklyk in and to all title and entress quhatsoever they have by any transactione or agriement with the laird of Newarke to any craig or qwarry belonging to them or him for building the said wall; and in caice the craige to quhich they have right beis not sufficient to furnish him qwarry to the said worke, swa fare as the stones that are to be fownd ther can be wsfull therintill, the said John Clarke is to referr himselfe to the magistrats and cowncell of Glasgow for the tyme for making ane new transactione with the laird of Newark theranent. And both the saids pairties bind and obliese them and ther foirsaidis to performe and fullfill ther respective pairts off this present contract, in maner and forme as above specifeit, *hinc inde* to utheres, wnder the paine of ane thowsand poundis money foirsaid of penaltie and liqid expenssis to be payed be the pairty failer to the pairty observer and willing to observe, attour performance. Consenting, for the more securitie, thir presents be insert and registrat in the books of cowncell and sessione or any uther judicatorie competent within this kingdome, that letteres of horning and utheres needfull may heiron passe, on six dayes, and constituts (*blank*) procurators, etc. Writt by Robert Robertstone, servitour to John Grahame, wreyter in Glasgow, are subscrivit day, yeir, moneth and place foirsaid, befoir thir witnessis, Robert Allane, elder, wrytter in Glasgow, and Robert Clark, servant to the said John Graham, inserter of date and witnessis and filler wp of the blacks. [Subscribed:] John Clark; Jon. Bell; Rot. Campbell; Jon. Wallace; Frederick Hamiltoune; Robert Corse; Rot. Allane, witnes; Robert Clark, witnes.¹

¹ By an obligation dated 5th September, 1676, in which the foregoing contract is narrated, and in which it is stated that "Johnne

Clark has depairted this lyfe and hes not performed the premissis conforme to the tennour of the said contract," Robert Boyd,

CXLVI.

DECREET by the Lords of Council and Session in proceedings by the City of Glasgow against certain Inhabitants of Greenock. Edinburgh, 7th December, 1676.

ATT Edinburgh the sevinth day of December j^m vj^e thrie scoire saxtine years. Anent the summons raised and persewed befor the lords of counsell and sessionne att the instance of John Bell, present proveist of the burgh of Glasgow, John Andersoun, younger of Dowhill, John Johnstoun and James Collquhoun, present baillies, Frederick Hamiltoun, present dean of gild, and Archbald Sheilles, present thesaurer, for themselves and in name and behalfe of the remanent counsell and comunitie of the said burgh, William Browne, wrytter in Edinburgh, agent for the borrous, and also att the instance of Sir John Nisbit of Dirltoun, knight, his majesties advocat, for his entres, in the mater underwryttin, against James Tailzour, merchand in Greinock, John Hunter, ther, James Johnstoun, ther, William Kirkwood, ther, John Tailyour, ther, James Morisoun, skipper, ther, Patrick Galbraith, skipper, ther, John Tailyour, called dean of gild, ther, John Aliesone, ther, James and John Rowandis, ther, John Garven, ther, John Bryce,

"measoun, burges of Glasgow," with whom the magistrates and council had agreed for completion of the work, undertook to fulfil all the conditions of the contract. Put up with the contract and obligation is a note of "the city of Glasgow their accompt to Robert Boyd," containing the following items:—"For building the breastwork and filling the herbery of Newport Glasgow, and that conform to agreement, £11,333 6s. 8d. Item, for building the houses at the back of the custom hous and furnishing therto, as ston, lyme, sand, timber, dails, nails, thatching and all other materials, being two great sellers and ane stable, and divisions of parpall walls of ston, and casieing the sellers and stable, and for four rounbs abov them, and building the

dyck about the clos, with the lairge entrie theirt, £1,333 6s. 8d. Item, for building the breastwork eastward, being essler work, as the rest is, £666 13s. 4d. Item, for building the poudre hows, £120. Item, for dressing and repairing the towns yoll, at several tymes, conform to accompt, £66 13s. 4d. [Total:] £13,520. For my extraordinarie pains in coming and going up and down the water, and in taking down the turners to pay the workmen, refers to your lordship and counsell." The credit side of the account is thus stated:—"Received at several tymes from several persons as be the particular accompt therof comes to £11,180 8s. Ballance of this accompt yet dew to Robert Boyd be the town of Glasgow, £2,339 12s."

ther, Alexander Tailyour, younger, ther, William Hunter in Gowrock, Robert Wardine in Greinock, and John Wrie, ther; makand mentione that quher by the ane hundreth fyftie tua act of the tuelfe parliament of King James the saxt,¹ of blissed memorie, it is statued and ordained that noe persone should exerce the trafique of merchandice but the burgesses of frie burroues, and that whosoever should exerce the said trafique of merchandice, not being frie burges, thair haille guidis and geir should become in esheat, the ane halfe to his Majestie and the other halfe to the burgh whais comissioner or collector should first apprehend the samyne; and gave and granted full power and authoritie to every one of the saids frie burgessis, be themselves or the comissioner or collector whom they should have power to deput in that behalfe, to search and seek the guidis and geir of the saids unfriemen traficqueres, to intromett theirwith as escheat, and delyver the ane halfe to his Hienes thesaurer and the other halfe to the burgh wherof he should be appoynted [comissioner] or collector, whither it wer within this realme or in any other pairt or place the samyne might be challenged, and to arreist the saids guidis, call, fallow and persew therfor befor unsuspected baillies or deputies whom they should have pouer to creat for that effect. As also be the saxt act of the nyntine parliament of King James the saxt,² it is statued and ordained that all unfrie persons, not being actuall burgessis of the royall burrous, who buir not burdene and payit not taxt and stent to his Majestie, should deseist and ceas fra using of any trade of marchandice of the liberties and priviledges of the saids royall borroues, under the panes contained in the acts of parliament made anent traficquers of befor; and ordained letteres of horning to be direct theirupon, charging quhatsoever unfriemen and usurperis of the priviledges of the saids burrous to find sufficient caution for obedience to the said act. And in lyk maner, by the tuentie fourth act of the first parliament of King Charles the First,³ of happie memorie, all acts in favours of royall burrous preceeding the said act wes ratified and approvine, and ordained that noe persone duelling out of burghs should use any merchandice, nor yet buy nor sell wyne, wax, silks, spycerie, wald, nor siclyk stuffs, nor yet staple guidis, and that

¹ Acts of Parl., Record Edition, 1592, c. 74; ² *Ib.*, 1607, c. 13; IV., p. 375.
 III., p. 578. • ³ *Ib.*, 1633, c. 24; V., p. 42.

non should pake nor peill in Leith, or other places without the Kings burrous, under the paine of esheit of the guidis that should be topped, sold, packed or peilled contrair to that statuit. And sicklyk by the first act of the thrid sessioun of his Majesties second parliament, haldin att Edinburgh upon the tenth day of Julij j^m vj^e seavintie tua years,¹ it is statuit and ordained that it is and should be the priviledge of frie men of royall burrous, and noe uther incorporatioun nor persone within this kingdome (except noblemen, prelats, barrons or utheris, for the proper use of themselves and their famillies allenerlie) should have pouer to import or export the samyne, or to import any other comodities except the commodities efterspecifeit, to wit, to export furth of this kingdome, by sea or land, all maner of corns that are of the groueth of the kingdome, all maner of cattle, nolt, sheep, horse, coal, salt, woollskins, hyds, and all other native comodities of the kingdome, and that it should be leasume to the burghs of regalities and barronie, by any of their burgessis or members of societie to export all their awine proper manufactorie, or such guidis as should be bought be them in fairs or mercats, and to import in returne of the said guidis exported, or of the fraught and hyre of the ships the guidis and comodities fallowing, viz., timber, iron, tar, soap, lint, lintseed, hemp, unions, or other necessaris for tilladge or building, or for the use of their said manufactorie, and also to tape and retail all commodities quhatsoever; and statut and ordained that if any man, not being frieman in the royall burroues, should be fand to have in his possessione any guidis or comodities to be bought, sauld, exported or imported by him, contrair to the said statut and the priviledge of the royall burrous granted theirby, the saids whole guidis should be esheat, the ane halfe to his Majestie and the uther halfe to the burgh apprehender, and that [if] the saids guidis should be apprehendit within any of the saids royall burrous or suburbs as appendices belonging to them, or within their ports or harbours, the samyne might be sumerlie seized upon and secured as guidis esheit in maner forsaid: As the saids acts of parliament of the respective daits abovewritin in themselves mair fullie proports. Nevertheles and notwithstanding wherof, trew it is that the persones after named have contraveined the foresaids acts of parliament, and speciallie

¹ Acts of Parl., Record Edition, 1672, c. 5; VIII., p. 63.

the last act above deducit, in sua far as they have, since the said act, bought, sold, exported and imported the guidis, geir and comodities after-specifeit, of the quantities and species eftermentionat, prohibit by the aforcitted acts of parliament, ilk ane of them respective for their awine pairtes, as is heirafter dividyt, viz. James Tailyour, merchand in Greinock, John Hunter, younger, ther, James Johnstoune, merchand, ther, William Kirkwood, merchand, ther, John Tailyour, merchand, ther, James Moriesone, skipper, ther, Patrick Galbraith, skipper, ther, John Tailyour, called dean of gild, James Aliesone, John Alesone, James Rowan, John Rowand, John Garven, John Bryce, Alexander Tailyour, William Hunter, Robert Warden, John Wrie, all merchands, and John Wrie, merchand in Gourrock, they and ilk ane of the persones abovewrittin particularie and partneres have imported, yearly and ilk year, the years of God particularie underwrittin, viz., j^m vj^c sextie tua, j^m vj^c sextie thrie, j^m vj^c sextie four, j^m vj^c sextie fyve, j^m vj^c sextie sax, j^m vj^c sextie sevine, j^m vj^c sextie eight, j^m vj^c sextie nyne, j^m vj^c seavintie, j^m vj^c seavintie ane, j^m vj^c seavintie tua, j^m vj^c seavintie thrie, j^m vj^c seavintie four, and j^m vj^c seavintie fyve years, particular quantities of prohibited guidis and comodities, viz., they and ilk ane of them have imported yearly, the years of God lybellit, the number of fyve hundreth walter bolls of bay salt, ane thousand weight of rossat, ten tune of French wyne, ten tun of brandie, sextie rum of paper, four thousand weight of copper, four thousand weight of tobacco, and twentie thousand weight of suggar, and ane hundreth weight of indigo; by quhich importationes be them, and ilk ane of them, they have contravened the forsaidis acts of parliament, and have incurred theirby the losse of their haill moveablis, quhich might and should be declaired be the saidis lords of counsell and sessione against the forsaid haill defendents, and lykwayes decerned and ordaned to ceas and desist fra the trading in haill sale with the forsaidis comodities or any other comodities prohibited by the laws of this kingdome, under the paines and certificationes therein expressit; lykas, be the said act of parliament j^m vj^c seavintie tua, the said unfrie men ar prohibited and discharged to buy in whole sale any comodities quhatsoever; as also by the said statute it is inacted that nae persone sall import any of the guidis therein mentioned, except it be in returne of the export of the naturall product of the

cuntrie, and yit nevertheles the said haill persones not only doe buy in hail sale, viz., haill loadning of timber, salt, or utheris comodities, but doe send money and drawes bills to Norway, France, Sueden, and other forayne places, and doe theirby import timber, iron, wyne and other comodities, not allowed to them to import except in returne of the exported native comodities, contrair to the exprese words and meaning of the said act; and therfor of all law, equitie and reasone, it aught and should be fund and declared, be decreit of the forsaid lords of counsell and sessionne, that the forenamed persones have contravened the forsaid acts of parliament, in sua far as they have bought, sauld, exported, [and] imported the particular prohibited guidis and comodities of the quantities and species abovementioned, and therfor aught and should be lyable to the penalties contained in the saids actis; and lykwayes they aught and should be fyned and americiat in such sumes of money as the lords of counsell sall think fitt and allow for the saids contraventione, in maner forsaid, as is alledgit. And anent the charge given to the saids defenders to have compeired befor the saids lords, att ane certane day bygone, to have hard and seine it fund and declaired [be] decreit of the saids lords that they have contraveined the forsaid acts of parliament, in sua far as they have bought, sold and imported and exported the prohibited guidis and comodities particularlie abovementionat, of the species and quantities above expresit, and theirfor their whole moveables to have falline and become in his Majesties hand, the ane halfe therof to belong to his Majestie and the other halfe to the said burgh of Glasgow, first informer therof, and also the saids defenderis to heir and see themselves to make payment of such sumes of money as the saids lords sall think fitt to americiat and fyne them in, and also to desist and seas fra any langer buying, selling, exporting or importing any of their prohibited guidis and comodities above exprest in tyme coming, and for that effect to find sufficient cautione acted in the books of counsell and sessionne that they sall not doe the samyne conforme to the tenor of the forsaid acts of parliament particularlie above deduced, as att mair lenth is contained in the principall lybellit sumonds raised in the said matter: The said Sir John Nisbit, his Majesties advocat, compeirand personallie, for his Hienes entres in the said matter, the saids proveist, baillies, dean of gild, and thesaurer of Glasgow, and

William Broune, agent for the burroues, persewars, compeirand be Sir Robert Simsan, Sir George Lockhart, Sir George M'Kenzie, Sir John Dalrumple, Mr. John Stewart, Mr. Roderick M'Kenzie and Mr. Edward Wright, advocats, their procuratouris, and the saids defenders compeirand be Sir John Cuninghame, Sir Rodger Hoge, Mr. William Hamiltoun and Mr. William Monnypennie, advocats, their procuratours: Thairafter all the rights and alligations of the saids parties compeirand as said is, with the forsaid summonds and disput after mentionat, being hard, seine and considered be the saids lords, and they theirwith being weill and reiply advysit, the lords of counsell and sessioun findis and declaires that the persewars and other burghs royall within this kingdome have the onlie priviledge of importing the comodities above mentioned and insisted for in the desput underwrittin, viz., wyne, brandie and salt, but prejudice to the defenders to buy the saids comodities from the burgesses and friemen of any burgh royall within this kingdome, and also the saids lords heirby declaires the penaltie in caice of contraventione to be the confiscatioun of the guidis imported or vallow therof, but not the esheat of the importers whole moveables, and declaires that the guidis may be summerlay seized and secured as esheat, if the importer be fund to have the samyne in his possessione within burghs royall, or the suburbs or appendicles belonging to them, or within the ports or harbors, and that they may be arreisted if the importer be fund to have the samyne elsequer untill they be declared to be escheat, and in caice the importer have not the samyne in his possessione, aither within burgh or without the samyne, declaires that the vallow of the guidis may be confiscat be way of actione; becaus, the tyme of the discussing of the said matter, the said Sir Robert Sinclair, Sir George Lockhart, Sir George M'Kenzie, Sir John Dalrumple, Mr. John Stewart, Mr. Roderick M'Kenzie and Mr. Edward Wright, procuratours for the persewars, declared they insisted against the defenders as having contravened the acts of parliament in importing wyne, brandie and salt, and in respect therof that their whole moveables may be confiscat, and that they may be decerned to desist from importing of theis comodities in tyme coming; and the saids Sir John Cuninghame, Sir Rodger Hoge, Mr. William Hamiltoun and Mr. William Monnypennie, procuratours for the defenders, having alledgit that as to the wyne the burghs of regalitie

and barronie desyre they may have the priviledge of importing wyne, they alwayes making offer therof to burghs royall befor they breake bulk, quhich cannot be denyed them, seing it is allowd to strangers who are not his Majesties subjects; as to brandie, it not being wyne but of the nature of strong watters and having so farr altered its nature that it becomes a liquor especially distinct, the priviledge of burghs royall as to wyne cannot be extended to brandie more nor to aquavite, and the reasone why brandie was not enumerat as ane of the comodities allowed to be imported by burghs of regalitie and barronie wes becaus it was then a prohibited comoditie; and for salt, their being a necessitie for importing of the samyne for curing of their fishes, quhich are the naturall growth of the kingdome, and the fishing being now become ane perfytt airt and manufactorie, the defenders most be allowed the priveledge of importing salt, seing by the act of parliament they are allowed to export their awine manufactorie and to import salt quhat is necesser for the use of the manufactorie, and to deny them this priveledge wold destroy the fishing, seing otherwayes they wold be necessitat to sell their fishes to the toune of Glasgow att quhat raits they pleas to give, and the samyne wold not defray the expens of taking the fishes, and they might with alse guid reasone hinder the defenders to import hooks, barrellis, staves, and canves for fishing; and the fishing of this kingdome hes beine sua far considerat by authoritie as their is ane companie erected for improvement therof and it may suffice the burghs royall that they only have the priveledge of importing of salt for sale, the defenders desyring the samyn only for the use of their fishing, quhich undoubtedlie most be understood to belong to them by the forsaid generall claus in the act of parliament. As to the conclusion of confiscatioun of their whole moveables, albeit the lords should find that the defenders have contraveined the acts of parliament (it is hoped they will not) yet their guidis cannot theirupon be esheat, seing quatever grund may be for confiscatioun in the old acts of parliament the samyn are derogat by the act j^m vj^e seavintie tua, quherin ane speciall penaltie is condeshendit on, viz., the esheat of the comodities imported. Wherunto it wes answered and replied be the procuratours for the persewars that, notwithstanding quhat is alledgit, yet the persewars declarator aught to be susteined, for as to the first the act of parliament

is expresse, burghs royall being only allowed theirby to import wyne, and that act being *lex correctiana*,¹ in sua far as it derogats to the former laues it is to be stricklie interpret, and therfor wyne, not being includit in the specificatioune of the particulars allowed by the act to be imported by burghs of regalitie and barronie, it must be understood to be excludit; and quheras it is alledgit that it is lafull for them to import wyne as strangers may doe, viz., offering the samyne to burghs royall, seing it cannot be suposed that the parliament wold not debar them from quhat was allowd to strangers, and quheras befor the said act the trades of the kingdome wes solie staited in the burghs royall, and the act having communicat the priveledge of trade to burghs of regalitie and barronie in the particulars theirin expresit, it being a correctorie law and not to be extendit *de casu in casum*,² and their is noe paritie of reasone betuixt them and strangers seing the priveledge of importing merchandice is allowd to strangers for the libertie of commerce, and that not allowd to them they wold refuse the samyne to us, and it is with ane proviso that they make the first offer to royall burghs without breaking of bulk, quich law presumes they wold doe in reasonable termes, quheras [if] burghs of regalitie and barronie had this priveledge, it not being their designe in importing to make the forsaid ofer without breaking bulk, they wold offer upon exorbitant termes and so render the act altogither ellusorie, and by this act the parliament hes expressly declaired that the defenders hes noe priveledge of importing any comodities except the expresse therin. As to brandie, it now being ane lafull subject [of] trade, and not being includit in the specificatioune of guids granted to the defenders by the act of parliament, it fallows that burghs royall most have the sole priveledge of importing brandie, they being universallie foundit in the subject of trade except in sua farr as they are restricted by the said lait act of parliament; and as to brandie by that act it is not granted to the defenders, sua it is allowd to the persewars, wyne being granted theirby, quherof brandie is ane compound, it being wyne reductive. As to salt, it being cleir that it is not only of thoes comodities expreslie allowd to be imported by burghs of regalitie and barronie, it is alledgit by the defenders that it fallis under the generall claus, it being necessarie for curring of fishes, quich is ane

¹ A corrective law.

² From one cause to another.

airt and manufactorie, quherunto ansuers this is ane cleir evasione of the act, for the act does indeed allow the exporting of salt to the defenders as being the proper groueth of the kingdome, but in the samyn act quher the priveledge of importing is repeitted their is noe the leist mentione made of salt, quhich is ane cleir argument from the act that the parliament nevir intendit to give the burghs of regalitie the priveledge of importing salt, seing then it wold be expresit; and albeit it should be granted that they may import for the use of manufactories, yet fishing is noe manufactorie, for albeit their be ane airt in the curring of fishes, yet the samyne being only the improvement to ane comoditie in ordour to export, it cannot be called ane manufactorie, seing the subject mater *non inducit aliam speciem*,¹ quhich is alwayes ane manufactorie, *sed solummodo perficitur et expellitur species*,² and it is cleir by the actis of parliament in anno j^m vj^c sextie ane,³ concerning the erectting of companies for fishing and manufactories, that they do not understand fishing and the curring of fishes to be ane manufactorie; and seing in the forsaid lait act of parliament the priveledge of burghs royall are comunicat to the defenders in severall particulars, if after all theis allowances they make invasione upon quhat is reserved to the royall burrous the certificatiounes aught to stand and be severallie execute. As to quhat is alledgit that the confiscatiounes of the defenders moveables being the penaltie in the old acts of parliament, and the lait act imposing ane speciall penaltie, it theirby derogats from the former ansuers, quher a supervenient law condeshends in ane punishment quhich is adequat and proportionat to the act prohibited; with reguaird to the annalogie of punishment settled by former laues, then leist the punishment should be *ultra condignum*⁴ ther upon the grund of naturall reasoune the former penaltie ceasses, but that is not in this caice, seing the confiscatiounes only of the guids imported is not adequat to the former punishment, quhich besyds this was also the esheat of the contraveiners hail moveables, and this is not only the comerce of the persewars but of the Kings Majestie who falls the esheat of the guids, and any claus in the said act reschinding former acts is only

¹ Does not produce another species.

³ Record Edition of Acts of Par., 1661,

² But the same species is perfected and exported.

cc. 279, 280; VII., pp. 259-62.

⁴ Beyond the punishment deserved.

in relatione to the regulating and distinguishing of the priviledges of importing and exporting comodities betuixt the burghs royall and burghs of regalitie and barronie, but not as to the penalties quhich stand in full force. And farder replyed that burghs of regalitie and barronie, having gottin sua great priveledge indulgit to them be the forsaid act of parliament, it is just and reasonable that the royall burghs, who beir the saxt pairt of all publict burdings of the kingdome, should securlie enjoy the previlidges reserved to them by the said act. As to salt, that the defenders cannot have the priveledge of importing the samyne for the reasone that induced the parliament to make the forsaid act was that noblemen and gentlemen could not improve the native product of their grund unles some further priveledge wer granted to burghs of regalitie and barronie, viz., to export the native groueth of the kingdome and to import comodities necessar for manufactouris of that kynd, but they never had fishing under the consideratioune, as being ane thing altogether extrinsick, and the parliament having beine sua particular as to expresse oynions in the enumeratione of the comodities allowed to be imported by burghs of regalitie and barronie, they wold certainly have mentioned salt if it had beine intendit, and salt being expreslie in the export but not in the import it apeires that it hes bein omitted designedlie, it not being the parliaments intentione to allow them the importatione therof, and burghs royall had alwayes the sole priveledge of importing salt, and if it should be allowed the defenders upon the heid as being necessarie for manufactories, the act wold be rendered altogether elusorie and brewers and bakers might clame the privilidge becaus their is noe brewing or baking without salt, and be that argument that salt is necessarie for manufactorie it might be contendit that it should be frie of custome and excyse, and therby the King wold loose four thousand pund sterling of his yearly revenew, wheras the rcyall borroues craves noe modificatioune on that accompt, and salt being esteemed the first spycerie the defenders are expreslie debarred theirfra be the act of parliament. As to the penaltie, the esheat of the contraveiners moveables being the punishment provydit by former statutis, and wherby his Majestie hes *jus acquisitum*¹ the samyne cannot be takine away by a posterior law imposing ane other

¹ Acquired right.

penaltie, without exprese derogatione or rescisione of the former, that not being under the parliaments consideratioun nor the King hard; and as this is clear in the comoune law that whair a new penaltie is statuit, without exprese derogatione of the former, that both have place, so that their is ane cleir instance in our awine law for the punishment in deforcment being by old acts of parliament that transgressors lyfe and fortune should be in the Kings will and by posterior actis esheat of moveabls, the justice court have by decisions fund that the on did not derogat to the other; and the royall borroues not having constant waiters for deprehending transgressors in the burghs of barronie and regaltie, it is most reasonable that the penaltie of esheat of their guidis should continow, speciallie seing by the forsaid lait act the defenders priviledges are inlargit and the persewars restricted, thes reserved to them aught to be weill secured, and the defenders are in noe hazard if they observe the law, quheras the persewars will be ruined if they want the certificatioune. Whairunto it was duplyed, be the saids defenders their saids procuratours, that the persewars declarator for debaring burghs of barronie and regaltie from importing wyne [and] brandie cannot be susteained simplie, but only that if they import they should be obleidgit to make offer to borroues royall, as they ware in use formerlie, for it is cleir by the hundreth act of King James the fyfth,¹ quich is thereafter ratified by Queen Marie,² that not only friemen of royall borroues but others may bring home wyne, salt and timber, provyding the samyne be offered to the magistrates of burghes royall quho war to sett pryces upon the samyne; and as to salt they contend that as to the import therof the defenders are foundit in the exprese termes of the act of parliament, seing it allowes them the priveledge of importing commodities necessarie for manufactories, and fishing is ane manufactorie, the curring and barrelling of fishes being ane artefait, for ane artefait is not to be takine so stricklie according to the persewars procuratours sence, viz., whither their is such ane change of the subject matter that it becomes another species, for their are severall artefaitis quher their is onlie ane small alteratioune of the qualitie, as in dyeing [and]

¹ 14 March, 1540. "The provest, baillies, and counsell suld make the prices of wine, salt and timmer." Record edition of Acts of

Par., 1540, c. 18; II., p. 373.

² *Ib.*, 20 June, 1555, c. 35; II., p. 499.

perfuming, quher their is noe change of the matter. 2°, The defenders are foundit on another generall claus of the act quherby they are alloued to export the native product of the kingdome, and fishes are ane native comoditie and ane of the leist¹ of our staple comodities, their being that plentie of them that we are not able to consume the samyne, so that we have enugh to incite our industrie and reward our paines, and the export of our staple commodities being that quhich inritches the kingdome, and on that consideratioune the export of fishes being alloued, it is imposible to export them without salt, and sua consequentlie the defenders most be allowed to import the same; and quheras it is alledgit that the defenders may buy salt from the royall borroues, ansueris if they war put to that their priuiledge of exporting of fishes wold signifie nothing, for if they behoved to have recours to burghs royall for salt, barrellis and staves, their wold be the inconveniencie that the fishing for the most pairt being in the wester seas, quherin their are but thrie or four royall borroues, and thoes having themselves a considerable intres in the fishing, they wold sua manadge the trade of salt as aither to import nae mair nor to serve themselves, or they wold sell the samyne att exorbitant raits, sua as the defenders buying the samyne wold have noe benifeit; and seing the defenders clame the priueledge of importing salt only in ordour to the curring of their awine fishes, the royall borroues have enugh to them, they only having priueledge of importing salt in ordour to sale, and the defenders could not with any advantadge export fishes if they have not this priueledge of importing salt, and actis of parliament are to be understood *in eo sensu qui est rei gerende aptior*; ² and if the defenders be not alloued to import salt and trie for their fishing the rest of the comodities alloued to be imported by them signifies nothing, seing other subjects who are not burghs of regaltie and barronie, may import iron, timber, tarr, etc. As to the penaltie, that the samyne can only be the confiscatioune of the guids imported, the act of parliament is cleir quhich imposes the same as ane sufficient punishment for such ane dilict, for befor the said act j^m vj^c seavintie tua, the burghs royall being most sever in their executioune against burghs of regaltie and barronie, charging them with horning

¹ Perhaps the correct reading should be "best" or "not ane of the leist."

² In that sense which is the more agreeable for the thing to be done.

and denouncing them to make their esheits fall, which was in effect a forfaulter of them, therfor the parliament in that act, considering that the priveledge of trade being by former laues allowed generally to all borroues, thereftir burghs royall obtained acts of parliament inhanceing the priveledge of trade solelie to themselves, to the prejudice of burghs of regaltie and barronie, therfor the parliament indevored to reduce trade to the ancient way, and in regaird burghs royall had severlie execut the former penaltie of esheat, they thought fitt to reduce the samyne to the old penaltie, viz., the confiscatioun of the guids imported, this being also much as the King hes for his customes, and ther being a speciall punishment condeschendit on, ane act quhich is sufficient and more then adequat to the fault, the samyne most derogat to the former penalties quhich if they had place it wer impossible for the defenders to trade; and quheras it is alledgit that the said act does only derogat to the former actis of parliament in allowing greater friedomes of trades to burghs of regaltie and barronie, but not as to the penalties of former lawes, ansueris the act making noe such distinctione, and imposeing ane speciall penaltie without reservation of the former, it most be understood to derogate *in totum, et pene semper sunt restringende*.¹ Wheirunto it was triplyed by the saids persewars their forsaid procuratours above named that the for-said act of parliament j^m vj^r seavintie tua being a corectorie law, allowing burghs of regaltie and barronie friedome of trade in certane comodities then exprest, quhich was by former laues, and particularlie that in j^m vj^r threttie thrie, given to burghs royall only, the said act is not to be extendit, and by that act it appeires that the parliament had the whole subject of trade under their consideratione, for it gives libertie to all unfriemen to export the native groueth of the kingdome, and to burghs of regaltie and barronie to export their awine manufactorie, and also to import certane comodities exprest and also necessar for manufactories, so that all the rest of the subject of trade, baith as to export and import, is reserved to burghs royall, now wyne and brandie being both out of daits their is yet reasone to allow the import of salt then any other tua, for albeit the act allowes the importatioun of materiall for manufactories it will not allow therefor salt is allowed² as necessarie for curring of fishes, the samyn not.

¹ In whole, and penalties are always to be restrained.

² The words "is allowed" seem to be superfluous.

being ane proper artefait far lese ane manufactorie, a proper artefait requiring alteratione in the forme, and that the samyn be of ane spesifick and distinct use, and have a distinct denominatione from quhat it had quhen it was *in rudi materia*,¹ non of quhich can be said of fishes, but that quhich distingues a manufactorie comoditie from uther artefaits is that in it the matter is soe confoundit and by no airt it is reduceable to the former species, as is evident in all thoes quhich our acts of parliament reakines as a manufactured comoditie, viz., cloath, silk, stuffe, stokens, etc., quheras it cannot be said that fishes salted and barrelled assume ane new forme, or have any distinck specifick use or a distinck denominatione, and the takeing of fishes ane trade and the salting of them ane improvement of them to make them keep and to make fitt for export, it wold be *contra communem loquendi modum* ² to call that a manufactorie; and if wherever the native groueth [or] comodities of the kingdome are improvine and perfyete in ordour to export the samyn should be called ane manufactorie, then it being provydit by actis of parliament that comodities imported for the use of manufactories should be frie of custome and excyse, and the stock to be frie of all burdine, Greinock be that samyn argument might plead not onlie for libertie of importing of salt but also to have it frie of custome and the stock of fishing to be frie of all burdine. 2°, Not only is fishing noe manufactorie or artefait but the export of fishes is ane unlaifull and prohibit trade to any but societies, for the parliament considering that the improvement of the trade of fishing wold be of great advantage to the kingdome they appoynted societies to be erected against ane certane day, and discharged any to export fishes but the members of theis societies, and therfor the defenders cannot wpon the grund of improvement of the naturall groueth of the kingdome crave ane extentione of the law to give them the priveledge of importing salt, seing they are secludit from the priveledge of that import, and any licence and dispensatione granted by the royall societie to them not being warranted by law can not give them the said privileidge, and the act of parliament j^m vj^c seavintie tua does distinguish betuixt the naturall groweth of the kingdome and manufactories *quoad* export and import, so it is cleir that the parliament did not understand the improvement of ane native

¹ In raw material.

² Contrary to the common mode of speech.

comoditie of the kingdome to be ane manufactorie, for albeit airt be versant about the curring and barreling of fishes yet seing airt goes noe farder than in the pollishing and perfyting of the samyn, in ordour to preservatione and export, it can nether be called a manufactorie or artefait, seing airt does not soe change the matter as to make it become another species, and if the defenders should be allowd to import quhat ever might tend to the improvement of the native groueth of the kingdome, than pickled oysters being ane improvement of that comoditie they might, under the forsaid generallitie, import spyce and vinegar, being necessarie therto, and if this were, burghs royall wold have no priviledge mair then burghs of barronie and regaltie. As to the peneltie, this act j^m vj^o seavintie tua does not derogat from former acts, and particularlie of the j^m vj^o threttie thrie, being in the caice of correctorie law regulating the subject of trade betuixt burghs royall and burroues of barronie and regaltie, quhich cannot derogat to his Majesties right and intres. 2^o, Their being by former actis noe penalties against burghs of regalities and barronie for importing of prohibited guidis, viz., seizour of the guidis and esheat of the importars moveables, the first respecting the possessor is contigate and restricted by the samyne act j^m vj^o seavintie tua, quhich allowes only seizour of the guidis if they be fund within burghs royall. As to the esheat of all the importers moveables, it is nowayes derogat by the said act, and seing both penalties are *consisti*, and that the last is not expreslie takine away by the said act, it most stand the generall confiscatione respecting importer, as the speciall confiscatione of the guidis prohibat dates the possessione, and if the persewars had noe other penaltie but the confiscatioun of the guidis imported it wold not be worth the paines, especialy as the samyne is restricted by the forsaid act. As to the hundreth act of King James the Fyft his parliament, the samyne does not relait to the importing of guidis by unfriemen and offering the samyne to burghs royall, but the intent and tenor of that act is only that quher guidis are imported the proveist and baillies of borrous should have libertie to sett pryces therupon, that the leidges be not extorted, and that the word in the act (to other Scotismen) cannot licence unfriemen to trade, but most be understood of utheris trading by speciall priviledge. 2^o, *Esto*, any thing could be foundit on that act, yet the act of parliament j^m vj^o threttie

thrie and the act j^m vj^c seavintie tua are derogatorie therto. Wherunto it wes quadruplyed be the saids defenders their procuratours above namit that the forsaid act of King James the Fyft, quhich is after ratified by Queen Marie, is only made use of to the effect it may appeir that the defendars have the priviledge of importing, they making ane offer to burghs royall, wheras the acts j^m vj^c threttie thrie and j^m vj^c sevintie tua are not in the caice of making ane offer but when they import for retailing; and as to that definitione of manufactors quhich the persewars procuratours give it is not to be supposed that the parliament hade that subtile notione of it, but that they took it *secundum vulgarem loquendum modum*,¹ ane instance quherof is that perfuming is a manufactorie allowed by our law and yet perfumeing makes nae alteratione of the matter but of ane qualitie, viz., the sent, sae that a manufactorie may be quher their is not a considerable alteratione of the matter. And quheras it is alledgit that the export of fishes is prohibit to any but to societies, ansueris that is derogat by licences granted to the defenders by the royall societie, and that the defenders *quoad* the forsaid priviledge being foundit on the commoun law *quicquid recurrit ad suam naturam*,² and albeit they war not allowd to export yet they may make for countrie use, quhich cannot be done without salt. As to that of the penaltie, if anything the act j^m vj^c seavintie tua hes derogat to former laus, it hes in this far, wheras by former laus their severall penalties against unfrie traders this does condeshend in a speciall penaltie and setles the method of executione therof, the samyne most be [in] place of all former penalties, and [if] the persewars argument hold guid then quher a law did inflict a sanguinarie punishment for a delict, if by ane posterior law ane arbitrarie punishment should be inflicted, without expres derogatione of the former, both might have place. And as to quhat is alleadgit anent the Kings right and interest, certanlie the King and parliament might dispense theirwith. Whairunto it wes quintuplyed be the said persewars forsaid procuratours above named that as to quhat is alledgit anent ane sanguinarie punishment inflicted by ane law, and ane arbitrarie for the samyne come by a posterior law, it does not quadrat in this caice, seing theis tua punish-

¹ According to the common manner of speech.

² Whatsoever returns to its own nature.

ments are not consistent, wheras baith the penalties may weill consist heir. Thairefter the saids lords having considerat the forsaid summonds, together with the whole disput above mentionat, they be their interloquitor given in the said matter repellit the haill disput proponit for the defenders, and gave their decreit in the said matter, finding and declairing that the said persewars and other burghs royall within this kingdome have the only priviledge in importing comodities abovementionat, and insisted for the disput abovewryttin, viz., wyne, brandie and salt, but prejudice to the saids defenders to buy the saids comodities from the burgessis and friemen of any burgh royall within this kingdome, and declaired the penaltie in caice of contraventione to be the confiscatione of the guidis imported or vallow theirof, but not the esheit of the importers whole moveables, and declaired that the guidis might somerly be seased and secured as esheat if the importer wer fund to have the same in his possessione within burghs royall, or the suburbs or appendicles belonging to them, or within their ports or harbors, and that they might be arriested if the importer were fund to have the samyne elsewher untill they wer declaired to be esheat; and in caice the importer had not the samyne in his possessione, aither within burghs or without the samyne, declaired that the vallow of the guidis might be confiscat be way of actione; and ordanes letteres and executorials necessar to pas and be direct heirupon in forme as effeires. Extractum de libro actorum per me. Sic subscribitur: Al. Gibsone. [Attestations by Mr. Robert Selkrig and Robert Allane, notaries, certifying that the writing is a true copy of the principal decret.]

CXLVII.

DECREET Arbitral by a Committee of the Convention of Burghs in Submission between the City of Glasgow and the Town of Greenock, as to alleged infringement of the city's privileges. Glasgow, 19 and 20 May, 1680.

ATT Glasgow the nynteinth day of May j^m vj^e four scoir yeiris, according to ane act of conventione of burrowes daitit the third day of October

last,¹ mentioning that Sir John Shaw of Greinock, as taking burding wpon him for the toune of Greinock, had submitted all differences between the burghes of Glasgow and the toune of Greinock to the conventione of burrowes, who accepted the submission, and appoyntit the commissioneris of Edinburgh, Pearth, Sterling, Aberdeen, Linlithgow, Haddingtoun, Aire, and Lanerick, or any four of them, to meet att Glasgow the second Tewsday of March for that effect, and declared the decisione to be maid by the saids commissioneris, or ther quorum, to be also effective as if it ware doone by the whole conventione: In persewance of the quhilke commissione divers of the saids commissioneris met att Glasgow, the said nynt day of March, and, of consent of the said Sir John Shaw and the said proveist of Glasgow, did prorogatt the dyett of the said submissione to the third Tewsday of May, being the eighteenth day of the said moneth, and fra thence the commissioneris efter mentionat, of consent of the saids parties, continowed the effect of the commissione to this day; and now according therto conveyned Robert Russell, proveist of Sterling, Alexander Myllne, proveist of Linlithgow, William Cunyghame, proveist of Aire, and William Wilkie, commissioner for Lanerick, who elected the said Robert Russell, preces, and appoyntit John Garhame, nottar, Glasgow, clerk to the meeting. The said John Bell, proveist of Glasgow, compeired and gave in his clame against the toune of Greinock and the said Sir John Shaw, as burdinger for them, making mentione that quher by the ane hundreth fiftie two act of the twelve parliament of King James the Sixt² it is statute and ordained that no persone should exerce the trafficque of merchandice bot the burgessis of free burrowes, and whosoever should exerce the said trafficque, not being a free burges, their goodis and geir should be escheat, the on halfe to the King and the uther halfe to the burghs whose commissioner or collectour should apprehend the contra-ventione of the said act, quhich act granted power to each of the free burrowes, by themselves and ther commissioneris or collectouris quhom they should deputt in that behalfe, to search and seek the goodis and geir of unfreemen traffiqueris, and to intromett therwith as escheat, and to

¹ The correct date seems to be 3rd December, 1679. Convention Rec., IV., p. 17.

² "It is not leasum to unfreemen, bot to

burgesses to exerce the trafficque of merchandise;" 5th June, 1592; Record edition of Acts, 1592, c. 74, III., p. 578.

deliver the samen, the ane halfe to his Majesties thesaurer and the uther to the burgh his constituent, and that taken within or without this realme or in any uther place wher the samen may be challenged, and to arreist the saids goodis, call, fallow and persew therfor befor wnsuspected baillzies or deputtis, whom they should have pouer to creat for that effect. As also by the sixt act of the nyntein parliament of King James the Sixt ¹ all unfree persones, not being actwall burgessis of free burrowes, who beir no burding nor payes no stent nor tax to his Majestie shall desist and ceasse from trade of merchandize or wther priviledges of royall burrowes, wnder the paynes containd in the actis of parliament. And by the twenty fourt act of King Charles the First ² all actis preceeding in favouris of the royall burrowes are ratefied and approven; and it is ordained that no persones dwalling out of burrowes should wse any merchandice, nor buy nor sell wyne, wax, silke, speiceries, wald, nor silke stuffs, nor yett staple goodis, and that non should packe nor peill in Leith, or uther places without the Kings burrowes, wnder the payne of the escheat of the goodis that should be sold, topped, packed or peilled. And by the first act of the third sessione of his Majesties second parliament, the tent of July j^m vj^c seventy two yeiris, ³ it is statute and ordained that it is and should be the priviledge of freemen of royall burrowes, and no wther incorpora-tiounes or persone within this kingdome, to buy or sell, in great or wholl-sale, wyne, wax, silkes, spyces, wald, or uther materiallis for daying, and that no uther persone or incorporatione within this kingdome, except noblemen, prelats, barrons or utheris, for the proper wse of themselves or ther families, should have power to export or import the samen, or to import any uther commodities efterspecifeit, to witt, to export furth of the kingdome, by sea or land, all maner of cornes that are of the grouth of the kingdome, all maner of cattell, nolt, sheep, horse, coall, salt, wooll, skins, hyds, and all uther native commodities of the kingdome, and that it should be leasume to the burghes of regalities and

¹ "Act against unfreemen;" 11th August, 1605; Record edition of Acts, 1607, c. 13, IV., p. 375.

Record edition of Acts, 1633, c. 24, V., p. 42.

² "Ratification of the priviledges of the free royall burrowes;" 28th June, 1633;

³ Act concerning the privileges of burghs royal. Record edition of Acts, 1672, c. 5, VIII., p. 63.

burrowes, by any of their burgessis or members of societies, to export all ther proper manufactory or such goods as should be bought by them in faires or mercatts, and to import in returne of the saids goods exported, or of the fraught and hyre of the shipes, the goods and commodities fallowing, viz., timber, iron, tarr, soape, lint, lintseed, hemp, onions, or uther necesser for tillaidge, for building or for the wse of ther said manufactorie, and also tappe and retaill all commodities quhatsoever; and statuts and ordaines that if any man, not being freeman in the royall burrowes, should be found to have in his possessione any goods or commodities to be bought, sould, exported or imported by him, contrar to the said statut and the priviledge of the royall burrowes grantit therby, the said wholl goods should be escheat, the ane halfe to his Majestie and the uther halfe to the burgh apprehender, and that the saids goods should be apprehendit within any of the saids royall burrowes or suburbs as pendicles belonging to them, or within ther portis or harbouris, the samen might be summarily saised wpon and secured as goods escheat in maner foirsaid: As the saids actis of parliament, of the respective daites abovewrittin, in themselves more fully propert. Nevertheless, notwithstanding wherof, true it is and of veritie that the persones efternamed have contraveined the saids actis of parliament, and especially the last act above deducit, in sua farr as they have, since the said act, bought, sold, exported and imported the goods, geir and commodities efterspecifeit, of the quantities and species eftermentionat, prohibit by the said act of parliament, ilke ane of them for ther ounie pairtis as is efter dividit, viz., James Craufurd, James Taillziour, John Hunter, younger, Alexander Taillziour, James Hill, James and Thomas Renkeins, John Allasone and John Wrrrie, merchantis in Greinock, John Richmond, schoollmaister ther, Hew Scott, skipper, ther, James Johnston, Robert Warden, John Taillziour, John Hunter, elder, and James Rowand, merchantis, ther, John Rowand of Baidland, Thomas Craufurd in Greinock, Archbald Craufurd, merchant, ther, his brother, George Craufurd, skipper, Hew Warden, skipper, and Hew Warden, merchant, ther; they and ilke ane of them, and ther partiners, have imported yeirly and ilke yeir, the yeiris of God particularlie wnder-writtin, viz., j^m vj^o sextie two, j^m vj^o sextie three, j^m vj^o sextie four, j^m vj^o sextie fyve, j^m vj^o sextie sex, j^m vj^o sextie seven, j^m vj^o sextie

eight, j^m vj^c sextie nyne, j^m vj^c seventy, j^m vj^c seventy one, j^m vj^c seventy two, j^m vj^c seventy three, j^m vj^c seventy four, j^m vj^c seventy fyve, j^m vj^c seventy sex, j^m vj^c seventy seven, j^m vj^c seventy eight, and j^m vj^c seventy nyne yeiris, the particullar quantities of prohibit goods and commodities efter mentionat, viz., they and ilke ane of them imported yeirly the yeiris of God above lybelled the number of fyve hundreth watter bollis of bay salt, ane thowsand weight of rosett, ten tuns of French wyne, ten tuns of brandie, sextie rim of paper, four thowsand weight of copper, four thowsand weight of tobacco, twenty thowsand weight of shugir, ane hundreth weight of indigo, thertie daker of hydys and uther tanned lether, by quhich importationes by them and ilke ane of them they have contraveined the foirsaidis actis of parliament, and have incurred therby the losse of ther whole moveabillis. Lykas, by the said act of parliament j^m vj^c seventy two yeiris, all persones. except the inhabitants of burghes royall or ther burgesses therintill, are prohibit and dischargit to import in this kingdome any uther forraigne goodis or merchandize bot such as are bought with the native product and commodities of this realme, exported therfra, and the manufactory of this kingdome, or the returne of the fraught of ther shipes, wnder the paynes foirsaidis, yett nevertheless the persons above named, and ilke ane of them and ther pairtiners, have in the yeiris of God above mentionat, or ane or uther of them, by money sent abroad, billis of exchange draune home and utherwayes, contrar the tennour of the said act, imported within this realme ten thowsand daill boardis, fyve hundreth oakin trees, fyve hundreth firr trees, thertie tune of irone, twenty last of soape, thertie hogaheidis of lintseed, ane thowsand weight of hemp, ane thowsand weight of lint, and diverse uther goodis and merchandize, to the value of twelve thowsand poundis Scottis, yeirly, and vented and sold the samen within this kingdome, to the prejudice of the royall burrowes and specially to the comptaris. And siclyke in the moneth of (*blank*) yeiris, Thomas and James Rankeins, merchants in Greinock, in manifest contemp of the saidis actis of parliament, did import from Ireland threescoir dakeris of tanned lether, quhilke is nott allowed conforme to the saidis actis of parliament to be imported bot by burgesses of free royall burrowes, and sold or sent the samen to be sold within our said burgh of Glasgow, and quherof we

apprehendit and seased wpon fourtie daker of the said lather, conforme to the said act of parliament: And therfor crevand the foirnamed persones, ilke ane of them for ther oune pairtis, and the said Sir John Shaw, as burdinger for them, to make furthcumand to the saids proveist, baillzies and counsell of Glasgow, for themselves and in behalfe of the haill comountie of the said burgh, the equall halfe of the haill goodis, geir and merchandice abovewrittin, imported in maner abovementionat, or the avallis and pryces therof, and to make furthcumand to them the foirsaid twenty dacker of lether, imported by the said James and Thomas Rankeins, attour the lether saised wpon, and the foirsaid haill persones above named and the haill remanent persones, inhabitants of the said toune of Greinock, and the said toun of Greinock and the said Sir John Shaw as burdinger for them, aucht and should find sufficient cautione for dew observance of the saids actis of parliament conforme to the tennour therof. Quhilkes haill premissis they craved the saids commissioneris to decerne and ordaine to be doone and performed to them accordingly, conforme and by vertue of the submissione grantit by the said Sir John Shaw to them theranent; quhilke haill premissis they craved, without prejudice to them or ther successoures to persew or receive from the haill foirnamed persones all uther goods or merchandize exported or imported by them the space abovewrittin, contrar to the tennour of the saids actis, nott contained in this clame, and sicklyke without prejudice to them to fallow and persew the inhabitantis of the said toune of Greinock and ther partineris for transgressing and contravening the saids actis of parliament in reference to the goods and commodities particularlie above mentionat, or any utheris quherof they shall be found guiltie, as accordis of law. And the said Sir John Shaw being required by the arbiteris to give in any clame he had to charge the toune of Glasgow with, he declared that he had no clame to give in against the burgh of Glasgow, since the decreit declarator befor the lordis of counsell and sessione, except that they dayly vexed and molested the inhabitantis of Greinock with sumondis, charges of horning, and uther letteres and dilligence, also weill befor as efter the suspension raisit against them therwpon, and the seasure of the lether mentiond in the petitione given in befor the committee of the burrowes by Thomas and James Rankeins, quhich he repeated as his clame, quherof the tennour

fallowes:—Wnto the ryght honourabill the committie of the conventione of the burrowes, for present att Glasgow, the humble supplication of Thomas and James Rankeins, indwalleris in Greinock, sheweth that quher, in July last, wee having imported from Ireland to this kingdome ane quantitie of Irish lether, we att the tyme fairsaid sold and delivered the same to James Chapman, merchant in Glasgow, and efter the selling and delivering therof the magistrates of Glasgow caused sease theron in the hands and custodie of the said James Chapman, pretending the samen to be of the nature of such commodities as by the lawes of this kingdome cannot be imported by any bot such as are memberis of royall burrowes, wheras the fairsaid commodities was never judgit to fall under the compasse of thes restrictive lawes, nather was it ever heard that any persone whatsoever, whither inhabitantis of burghes and barronies, or utherwayes, ware ever stopped or impedit in the importatione of such lether or any wayes taxed for the same; and seeing the differences now depending betwixt the said burgh of Glasgow and the toune of Greinock are by the generall conventione of burrowes remittit to your honouris, as ane committie therof, and that wee your poore supplicantis are reducted to great povertie and straits throw the said seasour, may it therfor please your honouris to take the premissis to your serious consideratione, so as we your poore supplicantis may be reponed to our oune; and your honouris ansuer, etc. The committee ordained the clame of Glasgow to be given wp to Sir John Shaw to see, and ordaind the clerke to give out a nott of Sir John Shaws allegationes and Renkeins petitione to the toune of Glasgow to see, and them to returne the samen att six aclock in the efternoone, and adjurnes ther meeting till then. *Eodem die, hora sexta, post meridiem*, the commissoneris of the burrowes abovenamed ajurnes ther meeting till tommorrow the twenty instant till eight aclock in the fornoone. May, the twenty day, j^m vj^c four scoir yeiris. Sederunt *ut supra*. Sir John Shaw returned the clame with the ansueris fallowing maid therto, and the toune of Glasgow returned the petitione given in by Renkeins with ansueris therto, of quhilkes ansueris tennour fallowes: Ansueris Sir John Shaw, quherin the clame given in by the toune of Glasgow, contra the toune of Greinock and him, as burdinger for them, and first sayes the lordis of counckill and sessione, efter a full debate in the said cause, wpon the twenty

day of December j^m vj^e seventy eight, have by ther interloquiter pronounced therunto found that ther can be no actione att the instance of burrowes royall against unfreemen wpon the accompt of wnlawfull goodis exported or importit, except they be actually seased in the possessione of the exporter or importer or in the handis of any persone whose name is interposed for ther behoofe, as the duple of the said interloquitor heirwith produced beiris; and seeing the fairsaid clame does nowayes bear the said burgh of Glasgow to have seased or arreisted the goodis therin specifeit conforme to the interloquitor fairsaid, the samen in that caice is nowayes relevant, and if it be alledgit that my submissione gives ground to the burrowes to decerne theruntill, without respect to the fairsaid interloquitor, as if the samen had never bein, I ansuer therto that by that submissione I never did nor yett doe anywayes intend in the least to passe therfra bot in the contrar to adhere therto. And it is not to be imagined that I intendit to putt myselfe or my tenentis in a worse conditione nor they ware in by the interloquitor, for all that I intendit or doe intend therby is ane amicable agreement for the future, so as the inhabitantis of Greinock should not needlesly be trubled unless they transgress the said interloquitor, quhich if they should doe, in that caice I resolved and resolves to make the toun of Glasgow ther judges and I myselfe to be assistant therin to them. As for the lether now in handis it was nether seased nor arreisted in maner fairsaid, and therfor I conceive they aught not to have medilled therwith altho the samen had bein so aither seased or arreisted, yett I judge the samen ware not of the nature of such commodities as the memberis of burghes and barrony have not libertie to import; yea it is the first time that ever any commoditie of that kynd was ever noticed or challenged by any free burgh, and therfor it is hoped the poore men will gett it restored to them againe. Ansueris the magistrates of Glasgow to the supplicatioun given in by Thomas and James Renkeins to the committee of burrowes: It is ansuerit that the seasure maid by the magistrates of the fairsaid lether was most warrentable, and by act of parliament in July j^m vj^e seventy two, anent the priviledge of royall burrowes, does authorize and allow that all goodis and commodities not permitted to unfreemen to export or import, conforme to the tennor of the said act, the said goodis being in the possessione of the saids delinquentis,

should be escheat in maner specifeit in the act, and that the saids goodis nott allowed to be imported by unfreemen, by vertue of the said act, may be apprehendit within any of the royall burrowes or the suburbs or appendicles belonging to them, and summarly seased as goodis escheat in maner foirsaid; by which act it appears that the magistrates of Glasgow have walked in the seasure of the saids goodis very legally and warrantabley, conforme to the tennor of the said law; and it is the pretence that lether was never judgit and repute a commoditie prohibit bot unfreemen have bein still in custome to import the same, the foirsaid pretence is most groundless and heath no warrend from the said statute, bot wpon the contraire ther is ane express clause therin discharging unfreemen to import any commodities allowed and permitted to the royall burrowes, except such as are allowed to them by the said act, and by the act ther is ane speciall enumeratione of all goodis allowed to unfreemen to import quherof lether is non; and seeing it is not exceptit it most necessarily be understood to fall under the prohibitiones, and therfor the seasure hes ben warrantable and the complent most groundles and callumnious. Quhilke being considered by the commissioneris of the burrowes, and they therwith reyply advisit, and having first considered the particullar anent the lether in difference and putt the same to voit whither it be lawfully seased wpon by the toun of Glasgow or not, they declare and determen the foirsaid seasure of the lether to be lawfully and orderly maid by the toun of Glasgow, conforme to the act of parliament, in respect that lether is a commoditie not allowed for burghes and barronies by the act of parliament to import, and that it was found and seased on within the burgh of Glasgow; bot withall recomendis the supplicantis, Thomas and James Renkeins, to the favour of the magistrates and councill of Glasgow for the saids goodis for this tyme; and decerne and ordaine the inhabitantis of Greinock to desist fra importing of lether in all tyme comeing. And in reference to the rest of the clame given in by the burgh of Glasgow against the toun of Greinock and inhabitantis therof therin mentionat, for importing the goodis and merchandice whereof the importatione by law belonges to the royall burrowes, and for importing goodis allowed by law to burghes of barrony to import, aledgit importit by Greinock men, by money sent outward, bills

of exchange or utherwayes, contrar to the tennour of the act for keeping peace and concord between the tounes and for saving the unnecesser truble and expenssis ilke ane of them against utheris in legall persuits and diligence, they have decerned and ordaind the toune of Glasgow to desist and cease from molesting, calling, charging or summonding the persones complained wpon for any of the goodis imported by them containd in the clame, att any tyme preceeding the daite heirof, and them to be free and quitt of all further process and truble theron (except the lether determind in maner foirsaid); and for the tyme to come they, of consent of both parties, have ordaind the toune of Glasgow nowayes to truble, charge, sumond or persew any of the inhabitantis of Greinock for contraveining the actis of parliament, or finding cautione for observance of the same till first they represent to Sir John Shaw the persones names they complaine wpon for importatione of finding cautione, and what importatione or exportatione they charge them with, and that the said Sir John Shaw and his foirsaidis shall cause them find cautione and shall be obleist to give the toune of Glasgow satisfactioun therin according as they shall instruct the persons complained wpon to have contraveined, or utherwayes the said Sir John Shaw shall put them out of the toune of Greinock and all libertie therof; and the toune of Glasgow shall have full pouer and libertie to sease wpon and arreist all the goodis sua imported or exported, and to recover the availlis therof fra the delinquentis, whither they be arreisted or not; and in caice the goodis can be apprehendit within Greinock, or any jurisdictione therof, that the said Sir John Shaw shall cause make the samen, or availlis therof, furthcumand to the persewaris; and that all persones inhabiteris of the toune of Greinock, importeris or exporteris under culler of uther mens names, shall be in the same conditione in reference to the premissis as if they themselves imported or exported. Quhilk hail premissis the commissioneris ordaines the saids parties to performe faithfully, ilke ane of them to utheris, and ordaines letteres and executoriallis needfull to passe heiron in forme as effeiris. Subscribed: Robert Russall; Al. Mylne; Will. Cunnyngame; W. Wilkie.

CXLVIII.

Act of Parliament ordaining houses in Glasgow and some other burghs to be covered with lead, slate, or tyle. (1681, c. 97.)
Edinburgh, 17 September, 1681.

OUR Sovereigne Lord considering the danger that may ensue from theicking of houses within the towne of Edinburgh with straw, bent, or other combustible matter, the toun being thereby exposed to the hazard of fyre, and that the same is nowayes decent to be seen in the chief city of this kingdom, therefore his Majesty, with consent of his estates of parliament, doeth prohibit and discharge the theicking of any houses in the said toun, Cannogate, and other suburbs therof, in tyme coming, with straw, bent or heather; but ordains them to be theicked with lead, sclait, scailzie or tyle; and statuts and ordains that such houses within the said town as are at present theicked with strae be theicked of new with sclait or tyle, within the space of ane yeer after the date hereof, under all highest pain and charge that after may follow. And lykwayes ordains all houses that shall be built in tyme coming in the burghs of Glasgow, Aberdeen, Dundy, and Stirling, to be theiked with lead, sclait, scailzie or tyle, and no otherways, under the foresaid penalty. And recommends to his Majesties privy councill, upon application to be made to them by the magistrats of any other burgh royall, to give the like warrand and ordor for the theiking of houses within their burgh.

CXLIX.

Act of Parliament declaring the Sugarworks at Glasgow to be a Manufactory. (1681, c. 103.) Edinburgh, 17 September, 1681.

FORASMUCH as ther being a petition presented to the Kings Majestic and estates of parliament be Frederick Hamilton and John Corse, for themselves and in name and behalf of their partners, maisters of the tuo

suggarworks at Glasgow, representing that upon the encouragement given to them be the acts of parliament made anent manufactories, they did employ a great pairt of their stocks and fortunes in setting up the saids tuo works which are now brought to that perfection that they are able and doe sell the suggar at a thrird part cheaper then the same can be imported from abroad, by which many people are kept at work, and a great stock of money, which used to be exported, kept within the kingdom; and wheras by the tuelt act of his Majesties last parliament, the former acts anent manufacturies are ratified and approven, and it is thereby declared and ordained that if any strangers shall come or be brought in to this kingdome by natives to set up work and teach his airt of makeing of cloath, stuffs, stockings, soap, or any kynd of manufacture, that he shall enjoy the benefite of law and all other privileges that a native doeth enjoy; with power to erect manufactures, either in burgh or land, as they shall think fitt, and ther to dwell and exercise their trade without any stop or truble; and that they shall have libertie and freedom of trade, and to buy and purchase lands and heretages and all other goods, moveable and immoveable, and all other privileges, liberties and capacities that doeth belong to any native subjects born within this kingdom; and for the further encouragement of manufactures all oyl, dying stuffs, forraign wooll, potashes, or any other materials whatsoever usefull for manufactures, that shall be imported, are declared to be free of custom and excise and all other publict dues in all time coming, and that all cloaths, stuffs, stockings, or any other commodities to be made and exported by them, shall be free of custome and excise for the space of 19 years after the date thereof; and it is farder declaired that any stock employed or to be employed for erecting and intertaining any manufactures, the same shall be free of all privat and publict taxes whatsoever, and all quartering and levying of souldiers, and that all the servants of the saids manufactures shall be free of watching, warding, militia and levyes, dureing their actuall service therein, for the space of seven years after the date of the said act; with power to the maisters, erectors or intertainers of the saids manufactures to meet for making of ordinances for the right ordering of their services, sufficiency of their stuffs, cloath and others, and for appointing visitors of their work: And therefore humbly supplicating

that the saids tuo suggar works might be declared to be manufactures, and that they may have, possess and enjoy the haill freedoms, privileges and immunities contained in the saids acts of parliament, and particularly that the collectors, customers and waiters, may be discharged from exacting of any custom, excise, or other publict dues, for any of the materialls necessar imported for the said manufactures in all time coming, or of any commodities, as the product of the said manufacture for the space of nineteen yeers after the dait heiroy, conform to the said act of parliament; and that the maisters of the said manufacture may be allowed to grant transires, for the product of the said manufactures without application to the custom-house of Glasgow. The Kings Majestie and estates of parliament having heard and considered the foirsaid petition, and report of the lords of the articles theranent, doe hereby declare the saids tuo suggar-works of Glasgow to be manufactures, and ordains the petitioners and their successors to have, possess and injoy the haill freedoms, privileges and immunities contained in the foirsaid acts of parliament, and discharges the collectors, customers and waiters, present and to come, from exacting of any custom, excise or other publict dues, for any of the materialls imported for or made use of be the saids manufactures in all tyme coming, or of any commodities being the product of the saids manufactures, for the space of nyntein years after the dait hereof, conform to the said act of parliament; and gives warrand to the maisters of the saids manufactures to grant transires for the product of the saids manufacturies without necessity of any application to the custom-hous of Glasgow.

CL

Act of Parliament declaring a Woollen Work in Glasgow to be a
Manufactory. (1681, c. 104.) Edinburgh, 17 September,
1681.

FORASMUCH as ther being a petition presented to the Kings Majestie and estates of parliament be James Armour, younger, merchand in Glasgow, representing that upon the encouragement given to him be the acts

of parliament anent manufacturies, and the late proclamation anent trade following therupon, he hath imployed a considerable part of his stock in setting up a work within the town of Glasgow for making that kind of searge which is comonly called Searge de Mein and other stuffs of woollen, which hath this advantage of all other cloath manufacturies that the same can be made of the grouth and product of the kingdom and by our own countrymen, and whereas by the twelt act of his Majesties last parliament, [etc. Here follows narrative as in No. CXLIX., p. 215]: And therefore humbly supplicating that the said work for making Searge de Mein and other stuffs of woollen set up be the supplicant at Glasgow might be declared a manufactory, that the petitioner, his airs and successors may have, possess and enjoy the haill freedoms, privileges and immunities contained in the saids acts of parliament. The Kings Majestie and estates of parliament, having heard and considered the fairsaid petition and report of the articles theranent doe hereby declare the said work of making of searges and stuffs set up by the petitioner at Glasgow to be a manufactory; and ordains him, his airs and successors to have, possess and enjoy the haill freedoms, privileges and immunities contained in the saids acts of parliament, and discharges the collectors, customers and waiters, present and to come, from exacting of any custome, excyse or other publict dues for any of the materials imported for the said manufactory in all time coming, or of any commodities being the product of the said manufactory, for the space of nineteen years after the date heirof, conform to the said act of parliament.

CLI

Act of Parliament empowering the Magistrates and Council of Glasgow to set certain lands in feu. (1681, c. 157.) Edinburgh, 17 September, 1681.

OUR Sovereigne Lord, with the speciall advice and consent of the estates of parliament, presentlie convened by his Majesties speciall authoritie, hes ratified and approven, and be thir presents ratifies, approves and

perpetually confirms ane act of convention of burrowes, of the date the sexth day of July j^m vj^c seventie sex years, impowering the magistrats and councell of the burgh of Glasgow to sett out and dispoine in few to whatsomever person or persons who would give most therefore, certane poiffles and portions of their common muir, and ratifieing and approveing the dispositions, chartors and uther rights and securities whatsomever, to be made and granted be the saids magistrats to whatsomever person or persons thereupon. And siclike our said Sovereigne Lord, with consent of the saids estates of parliament, ratifies, approves and perpetuallie confirms ane disposition of the date the tuentie two day of August j^m vj^c seventie sex years made and granted be the provest, baillies, and councell of the burgh of Glasgow, with consent of ane right reverend father in God Alexander be the mercie of God then archbishop of Glasgow, now archbishop of St. Andrews, and of the dean and chapter of the cathedrall kirk of Glasgow, to and in favors of John Campbell of Woodsyde, his airs and assigneyes, off all and haill the lands or litle maillings in the Wester Common of the said burgh called Moodies Mailling and Peters Mailling, with free ishe and entrie thereto, with houses, biggings, yairds, mosaes, muirs, pairts, pendicles, and pertinents thereof, alswell beneath the ground as above the samen, and all other priviledges and pendicles belonging thereto, lyand within the territorie of the said burgh, and bounded in maner mentioned in the said disposition, with the reservation therein exprest; to be holden, be the said John Campbell and his foresaids, of the saids provost, baillies and councell of Glasgow, and their successors in office, in name and to the behove of the haill commontie of the said burgh, in fewferme, for payment of the soume of ten merks Scots money yearlie, at two termes in the year, Whitsonday and Mertimas, be equall portions, in name of few dewtie, and performeing the uther rights and services mentioned in the said disposition; and als doubling the said few ferme dewtie the first year of the entrie of the aires or assigneyes of the said John Campbell to the lands, teinds and uthers above written; together with the precept of seasing contained in the end of the said disposition and instrument of seasing following thereupon. And in likemaner ane disposition of the date the said tuentie two day of August j^m vj^c seventie sex years foresaids, made and granted be the saids provest, baillies and

councill of the said burgh, with consent above specified, to and in favours of James Fairie, late baillie of the said burgh and burges thereof, his airs and assigneyes, off all and haill the lands of Cowlairs, Seggieholme, with the hill thereof, and west pairt of that hill called the Sight hill, with free ishe and entrie thereto, lyand within the territorie of the said burgh, and bounded in maner therein mentioned, with the reservation therein specified, together with the teinds of the saids lands great and small, parsonage and viccarage included, never of before separat therefrae, to be holden be the said James Fairie and his foresaids of the saids provest, baillies and counsell of the said burgh, and their successors in office, to the behove of the haill commontie of the said burgh, in few ferme and heretage, for payment of ten merks Scots money of few dewtie, yearlie, at two termes in the year Whitsonday and Mertimas, be equall portions, and performeing the other services contained in the said disposition; and als the aires and assigneyes of the said James Fairie dowbling the said few dewtie the first year of their entrie to the lands, teinds and others foresaids; togither with the precept of seasing contained in the said disposition, and instrument of seasing following thereupon. And als ane other disposition, of the date the said twentie two day of August and year of God foresaid, made and granted be the saids magistrats and counsell of Glasgow, with consent foresaid, to and in favours of Ninian Anderson, merchant, burges of the said burgh, his airs and assignays, off all and haill that boig called the Lymehouse boig, with the peices of ground on the east and west ends thereof, and peices of muir on the east and north ends of the samen, lyand within the territorie of the said burgh and bounded in maner mentioned in the said disposition, together with the teinds thereof, great and small, parsonage and viccarage included, never of before separat therefrae, with free ishe and entrie thereto, and all other pairts and pertinents thereof; to be holden be the said Ninian Anderson and his foresaids of the saids magistrats and counsell of Glasgow, and their successors in office, for the behove of the haill commontie of the said burgh, in fewferme and heretage, for payment of the soume of ten merks Scots money, yearlie, at two termes in the year, Whitsonday and Mertimas, be equall portions, in name of few dewtie, and performeing the other services contained in the said disposition; and als the airs and assigneyes

of the said Ninian Anderson dowbling the said few dewtie the first year of their entrie to the lands, teinds and others foresaids; together with the precept of seasing contained in the said dispositioun and instrument of seasing following thereupon. Together, in like maner, with ane disposition of the said Lymehouse boig, with the teinds and pertinents thereof foresaids, lyand and bounded as said is, made and granted be the said Ninian Anderson, with consent of his pairtners therein mentioned, to and in favors of John Bell, present provest of the said burgh of Glasgow, his airs and assigneyes whatsomever, to be holden alternatively in maner therein exprest; together with the procuratorie of resignation and precept of seasing contained in the said disposition and infestments following thereupon; in the haill heads, articles, tenors, contents, clauses and conditions of the foresaids haill writs. And our said Sovereign Lord, with consent of the saids estates of parliament, decernes and ordaines the foresaid general ratification to be als valid and sufficient, and of als great force, strength and effect, to all intents and purposes, as if the foresaid act of burrows and haill dispositions above deduced, with the infestments following thereupon, were particularlie *de verbo in verbum* insert hereintill, albeit not swa done. Whereanent his Majestie, with consent foresaid, be thir presents dispenses for ever.

CLII.

Tack by the Archbishop of Glasgow to the Magistrates and Council, for behoof of the Community, of the Teinds of Lands in and adjoining the City. 22 April, 1684.

ATT Glasgow the twenty twa day of Apryle j^m vj^e eightie four years. It is appoynted, aggried, and finally ended betwixt the most reverend father in God, Arthur, by the mercie of God, archbishop of Glasgow, as having good, full and undoubted right in and to all and sundrie the haill teyndis, fruits, profites, profents and emoluments of the paroch kirks and parochens of Glasgow and barrony therof, both personage and viccarage

of the same, with the speciall advyce and consent of the dean and chapter of the metropolitan kirk of Glasgow on the ane part, and John Barnes, present proveist of the said burgh, John Andersone and George Graham, baillies thereof, John Fleyming, dean of gild, John Wallace, deacon conveener, Robert Fynnyson, thesaurer of the said burgh, and remanent persons of the town counsell therof undersubscribing, for themselves and in name and behalf of the haill commontie thereof, on the other part, in manner, forme and effect following; that is to say: Forsuameikle as the said archbishop and his predecessors, archbishops of Glasgow, have been in possession and use of drawing and leading of the teyndes, great and small, personage and viccarage, of the lands, burrow aikers and others underwritten, viz., of the lands called St. Enochs Craft, Broomelaw Craft, Palzeoun Craft, Ramshorne, Meadowflett, Swans Yett, Crubbs, Deanayde, Provansyde, Langcraft, Dowhill, Eglishames Craft, Crabnestock, Kinclaith, Hen Craft, Round Craft and Linningshauch; with the teyndes of the yairds adjacent to the said burgh of Glasgow; and ther being now severall howssis built upon a pairt of the ground of the said lands, and severall yairds, enclosures, and parks taken in and made of other pairts of the saids lands, and particularly that park called the New Grein, bounding in manner underwrittin, viz., by a stone dyck running by the rivolet of Molendinor on the west, and the said dyck running alongst the back passage towards Markdaylie, till you come to the way running toward the Borrowfield, on the north; and from thence to the head of Provosthaugh land on the east; and the water of Clyde till you come to the said rivolet of Molindinor, on the south parts; wherby the said archbishop is debarred from drawing of the teyndes thereof. And to the end the said archbishop may sustain no prejudice therthrow the saids magistrates hes aggried with him to make payment to him and his successors for the worth and value of the saids teyndes of the lands and others forsaides of the yearly tack dewty afterspecifeit, during the years therof aftermentionat, and likeways to make payment to the parson of Glasgow and his successors, parsons thereof, of what they are in use to pay to him in lieu and place of his manse, conform to ane former agreement made thereanent, and that yearly and ilk yeir during the space of the tack afterspecifeit. Therefor the said archbishop hes sett and in tack and assedatione lettin, and heirby,

with consent forsaid, setts and in tack and assedatione, for the yearly dutie underwrittin, letts to the saids provost, baillies, and counsell, and their successers in office, for themselves and in name and behalf and for the use, weill, and behove of the haill commontie of the said burgh, all and sundrie the haill teynds, great and small, personage and viccarage, of the haill lands, aikers, and others particularlie above mentionat, wherof the said archbishop and his predecessors hes bein in possession and use of drawing and leading in manner abovewrittin, and that for all the dayes, yeirs, and space of nyntein years and cropts next and immediately following their entrie theirt, quhilk was and began at the term of Candlemes last byepast, and fra then furth to be peacablie bruiked, joyssed, intromitted with, teinded, led, collected, ingathered, set, used, and disposed upon be the said provost, baillies, and counsell, and their successors in office, for the use abovewrittin, at their pleasour, during the years of the tack above mentionat, freely, quyetly, weill, and in peace, but any impedement or again calling quhatsoever; with full power to the saids magistrates and their foresaids to draw, lead, teynd, collect, ingather, and dispose upon the saids teynds hereby set in tack as said is, during the years of the tack above writtin, and if neid beis to use inhibitiones and all other diligence necessar for causing themselves be readily ansuered, obeyed, and payed therof and requisit concerning the premissis to doe, use, and exerce, siclyke and als freely in all respects as the said archbishop might or would doe therin himself at or befor the making heirof. For the quhilk tack and assedatione above writtin of the saids teynds, the saids proveists, baillies, and counsell binds and obleissis them and their successors in office, proveists, baillies and counsell of the said burgh, to make good and thankful payment to the said archbishop and his successors, archbishops of Glasgow, or to their factors or chamberlanes in their names, of the soun of eighteen hundreth merks money uswall of this realme, yearly, during the years of the tack above writtin, at twa termes in the year, Whitsonday and Martimes, be equall portions, beginnand the first termes payment therof upon Whitsonday evin nixt to come, and swa to continew in good and thankful payment therof yearly and termly, at the termes above writtin, the years of the tack above mentionat, with the sum of ane hundreth merks money forsaid of liquidat penalty and expenassis for ilk

termes failzie, attour the termie payment itself; and lykwayes obleissis them and their forsaidis to make payment to the parson of Glasgow and his successors, parsons therof, of that which they are obleigded and lyable to pay and was formerly payable be them to him in lieu and place of his mans, conform to ane former aggreement made theranent, and that yearly and ilk year at the termes above writtin during the space of the tack above mentionat; and to relieve the said archbishop and his forsaidis of all taxaciones and impositions that may or can be imposed upon the fore-said teinds during the years of the tack abovewrittin, except allenarly the stipend payable to the said parson of Glasgow and his successors parsons therof; wherof the said archbishop hereby binds and obleissis himself and his successors, archbishops of Glasgow, to make good and thankful payment to the said parson and his successors, yearly and termly, the terms above writtin, during the years of the tack above mentionat, and to warrand, relieve, disburden and skaithless keep the saids proveist, baillies, and counsell of Glasgow and their successors in office therof. And it is herby declared be baith the saids parties that the remanent teyndis of the barrony of Glasgow, now set be the said archbishop to the saids magistrats be another tack granted be him to them therof, of the date of thir presentis, shall stand affected and burdened with the stipend payable to the minister at the Barrony Kirk of Glasgow, and that the teyndis herby sett in tack as said is are to be no further burdened than is above exprest. Whilk tack and assedacione abovewrittin the said archbishop, with consent forsaid, binds and obleissis him and his successors, archbishops of Glasgow, to warrand, acquyt, and defend to the saids proveist, baillies and counsell of Glasgow, and their successors in office, during the hail years and space above writtin, fra his own proper fact and deed allenarlie, that is to say that he hes not done nor shall doe no fact nor deed in hurt or prejudice hereof. And for the mair securitie both the saids parties are content and consents that thir presents be registrat in the books of council and session, or any other competent judicatory within this kingdome, that letteres of horning, on ane simple charge of six dayes, and others needfull may pas heirupon in forme as effeirs and therto constituts (*blank*) their procuratours, etc. In witness quherof thir presents (written be James Muir, servitor to George Andersone, toun clerk of Glasgow) are sub-

scrivit be both the saids parties, and the seall of the said archbishop, with the seall of the said dean and chapter is hereto appended, at day, year and place respective forsaid, befor thir witnessis, John Anderson of Milntoun, James Anderson, merchand in Glasgow, and the saids George Andersone and James Muir, with John Johnns, procurator fiscall to the commisariot of Glasgow, Richard Manwell and James Heriot, also servitouris to the said George Andersone. (Subscribed :) Arth., Glasguen; Tho. Hamilton, dean of Glasgow; Geo. Mylne, cancellarius; Ja. Gillan, thesaurarius; Mr. F. Ross, p. de Renfrew; Alexr. Rose, subdean of Glasgow; Mr. S. Nimmo of Cumnock; Mr. H. Gordon, parson of Cardros; Mr. A. Gregorie, parson of Aire; Mr. J. Hay, archdeacon of Glasgow; Mr. A. Inglis, parson of Ashkirk; John Chisholme, p. of Lillisleife; Mr. R. Waddell, par., Glas.; Mr. Ja. Craig, Killearn; Mr. D. Rob, Areskine; Mr. David Cunynghame, Cambuslang; Ja. Gillespie, Tarboltoun; Geo. Adam, Glasguæ Secundo; J. Barnes, proveist; John Anderson, Geo. Grahame, J. Skimming, Jon. Wallace, R. Fynnison, Alexr. Yuile, John M'Cuir, James Robison, Alexander Telefeire, John Stirling, Allan Meikell, Gabriell Listoun, Alexander Govane, John Garner, Alex. Thom, Robert Stirling, Walter Corbett, Alexr. Wotherspon, James Boyd, Jon. M'Cuir, Jo. Anderson, Androw Purdoun. Ja. Andersone, witnes; J. Craufurd, witnes; G. Andersone, witnes; Jo. Johnns, witnes; Ja. Muir, witnes. (Both seals gone, except a small portion of one.)

CLIII.

TACK by the Archbishop of Glasgow to the Magistrates and Council, for behoof of the Community, of the Teinds of Lands within the Barony Parish, with certain exceptions. Edinburgh, 25th August, 1684.

BE it knowne to all men be thir present letteres: We Arthure, by the mercie of God, archbishop of Glasgow: Forsameikle as wee have full, good and undoubted right in and to all and sundrie the haill teinds, fruits,

profites, provents and emoluments of the paroch kirks and paroches of Glasgow and barronie therof, both parsonage and viccarage of the same, and accordinglie our predecessors have bein in use to set the same; and now, for ane certane soume of money actuallie payed and delivered to us at the makeing heiroy, in name of grassum silver, for granting the tack underwrittine, be John Barnes, present proveist, John Andersone and George Grahame, baillies of the burgh of Glasgow, John Fleiming, dean of gild, John Wallace, deacon convener, and Robert Fynnison, thesaurer of the samen burgh, for themselves and in name and behalfe and for the use, weill and behoove of the haill toune counsell and community therof, wherof wee heirby grant the receipt and therwith hold us weill content, satisfied and payed, renunceand all exceptiones in the contrare, and exoners and simpliciter discharges the saids magistrats and their successors of the same, be their presents, for now and ever: Therefore witt ye us to have set and in tack and assedation lattine, likeas wee, be the tennor heiroy, with the speciall advyce and consent of the dean and chapter of our cathedral kirk of Glasgow undersubscribing, setts and in tack and assedation (for the yearlie dewtie underwrittine) latts to and in favoures of the saids proveist, baillies, and counsell of the said burgh, and their successors in office, for themselves and in name and behalfe and for the use, weill and behoove of the communitie of the said burgh, all and sundrie the haill teinds, personage and viccarage, of the said paroch kirks and parochines of Glasgow and barronie therof, with the haill teind herrings and uther teind fish of the water of Clyd, haill profites, provents and emoluments whatsoever belonging to the saids personage and viccarage teinds of the paroches abovewrittin, and that for all the dayes, space, years and cropts of nyntein years and cropts nixt and immediatlíe following their entrie therto, whilk shall be and begin at the feast of Michaelmass nixt to come, and frae thence furth the saids personage and viccarage teinds to be peaceablie bruiked, joyсед, intronett with, teinded, led, collected, ingathered, set, used and disposed upon be the saids proveist, baillies and counsell of the said burgh, and their successors in office, for the use abovespecifeit at their pleasure, during the years abovewrittin, freeíie, quyetlie, weil and in peace, but any impediment or againe calling whatsoever; excepting and reserving allwayes

furth heirof the teinds, personage and viccarage, set be us to the saids magistrats conforme to ane tack granted be us to them therof apairt, of the daitt underwrittin, whilks were formerlie used to be drawn be us and our predecessors, for the years and for payment of the yearlie tack dewtie therein specifeit; and sicklike excepting and reserving to us and our successors, archbishops of Glasgow, the personage and viccarage teinds payable be us furth of Partick Mylne, with the teinds, personage and vicarage, of the lands afterspecifeit, to witt, the personage and viccarage teinds of the lands of Gairbraid, Lambhill and Garroch, belonging to Ninian Hill; the personage and viccarage teinds of the lands of Borrowfield, Muirhouse, Camlachie, and uthers, belonging to John Walkinshaw, younger of Borrowfield; the personage and viccarage teinds of the lands of Woodsyde, Meikle Cowcaddines, Blythswood, with these pairts of the lands of Nether Newtoun, sometyme belonging to umquhill Coline Campbell of Blythswood; the personage and viccarage teinds of the lands of Keppoches and North Woodside, sometime belonging to Joan Colquhoun, relict of umquhill Alexander Irwing of Mountbodo; the personage and viccarage teinds of Over Newtoun, belonging to William Andersone, laitt proveist of Glasgow; the personage and viccarage teinds of the lands of Over Possle, belonging to Sir William Fleming of Ferme; the personage and viccarage teinds of the lands of Coutstoun,¹ belonging to John Fleming of Coutstoun; and the personage and viccarage teinds of the lands of Milntounes, belonging to John Crawford, wryter, in Glasgow. With power to the saids proveist, baillies and counsell of Glasgow, and their successors in office, for the use aforesaid, to ask, crave, receave, intromitt with, teind, leid, collect, uplift, bruik, joyse and dispon upon all and sundrie the foresaid teinds, personage and viccarage, of the saids paroches and paroch kirks of Glasgow and barronie therof, haill frootes, rents, profitis, provents and emoluments whatsoever pertaining and belonging therto; together with the said teind herrings and other teind fish of the said water of Clyd, pertaining and belonging to the same (excepting always as is above excepted and reserved); acquittances and discharges upon the receipt of payment to grant, subscribe and deliver; and if need beis to use inhibitiones, ane or mae,² and all other dilligences whatsoever

¹ Written Contstoun.

for causing themselves to be readillie answered, obeyed and payed of the saids teinds; decreitts therupon to recover, and the same to due execution cause be put; and, generallie, all and sundrie uther things necessar and requisite concerning the premisses to doe, use and exerce, siclyke and als freelie in all respects as wee might or could doe therin our selfe, if we had not granted this present tack. Payand therefor yearlie the saids proveist, baillies and counsell of Glasgow, and their successors in office, to us and our successors, archbishops of Glasgow, or to our factors or chamberlands in our name, yearlie and ilk year during the saids nyntein years space abovewrittine, all and hail the soume of three hundreth merks money usewall of this realme, at two termes in the year, Whitesounday and Martimas in winter, be equall portions, as being the old tack dewtie formerly payed for the saids teinds heirby sett in tack as said is, attour the tack dewties yearly payable to us be the saids magistrats for the said uther teinds, sett be us to them be the said uther tack apairt, whilk is of the daitt twentie two day of Apryle last by past j^m vj^e eightie four years; beginning the first termes payment therof upon Whitesounday evin in anno j^m vj^e eightie fyve years, and sua furth thereafter to continue and indure in good and thankfull payment of the present yearlie tack dewtie, yearlie and termly, at the termes abovespecifeit during the years of the tack abovementioned; and also the saids magistrats and their successors releiving us and our successors of the reparation of the kirks pertaining to the personage of Glasgow, and of the ministers stipends and furnishing of the elements of bread and wyne to the communion imposed or to be imposed upon the personage and viccarage teinds of the saids paroches and paroch kirks of Glasgow [and] barronie therof, whether heirby set in this present tack or excepted and reserved furth therof, in manner abovespecifeit; and that during the hail years and space of the tack above writtine, except allendarlie the stipend payable to Mr. Richard Waddell, laitt minister at our cathedral kirk of Glasgow and his successors ministers therat, which wee bind and obleidge us and our successors, archbishops of Glasgow, to satisfie and pay yearlie to the said Mr. Richard Waddell and his successors foresaid, and to warrand, freith, releive, disburdein and skaithless keep the saids proveist, baillies and counsell of Glasgow, and their successors in office therof, yearlie and ilk year during

the space of the tack abovewrittin. And likewise the saids magistrats and their foresaids alwayes releiving us and our successors of all taxationes, publick burdinges and impositiones whatsoever, imposed or to be imposed upon the teinds above sett be us to them in tack as said is. And wee the said archbishop of Glasgow, with consent of our said dean and chapter binds and obleidges us to warrand, acqyte and defend this present tack to the saids proveist, baillies and counsell of Glasgow, and their successors in office, during the haille yeares and space above writtine, from our oune proper fact and deed allenarlie, that is to say that wee have not done nor shall doe noe fact nor deed in hurt and prejudice heirof; with and under the exceptiones and reservationes particularlie above excepted and reserved; consenting, for the mair securitie, thir presentis be registrat in the bookes of counsell and session or in any uther competent judicatorie within this kingdom, therin to remaine for conservation. And therto constitutes (*blank*) our procuratours, &c. In witnes wherof (writtin be James Heriott, servitor to George Andersone, toun clerk of Glasgow) wee and our said dean and chapter have subscrievd thir presents with our hands, our sealls are heirto appended, att Edinburgh the twentie fyfth day of August j^m vj^e fourscoir and four years, befor thir witnesses, John Marshall, wryter to his Majesties signet, James Hamilton, merchand in Glasgow, maister Robert Selkrig and John M'Cuir, wrytters ther; the date and witnesses heirof being insert by the said John M'Cuir. (Subscribed:) Arth. Glasguen; Tho. Hamilton, dean of Glasgow; Mr. A. Peacock, parson of Morbattle; John Kerr, parson of Roxburgh; Mr. W. Sterling, parson of Ancrum; Alex. Rose, subdean of Glasgow; Mr. A. Gregorie, parson of Aire; Mr. F. Ross, parson of Renfrew; Geo. Mylne, cancellarius; Geo. Adam, Glasguæ Secundo; Ja. Gullane, thesaurarius; John Chisholme, pars., Lilisleife; Mr. J. Hay, archdeacon; Tho. Smyth, parson of Edlestoun; Mr. W. Bullo, parson, Stobo; Mr. S. Nimmo, parson of Cumnock; Mr. Ja. Gillespie, Tarboltowne; Mr. Ja. Crichtoune, Kilbryd; Mr. David Cuninghame, Cambuslang. Jo. Marschell, witnes; Mr. R. Selkrig, witnes; Jon. M'Cuir, witnes. (Two seals appended.)

CLIV.

GIFT by King James VII. to the Provost, Bailies, and Council of Glasgow, in name of the community, of Imposts on ale, beer, wine, and other liquors. Whythall, 15th January, 1687.

JACOBUS, Dei gratia, Magnæ Britanniae, Franciæ et Hyberniae, Rex, fideique defensor: Omnibus probis hominibus ad quos presentes literæ nostræ pervenerint, salutem. Quandoquidem nos sereno et serio animo expendentes, civitatem de Glasgow, durantibus nuperis rebellionibus, sedem fuisse belli, ac locum ubi rebelles maximam sustinuerunt oppositionem et resistentiam, ac onera etiam sustinuisse in igne et luminibus suppeditandis duobus copiarum nostrarum præsiidiis, principalibus scilicet et inferioribus, cum equis onerariis, vehiculis et clitellis plurimis hisce annis retroactis cum res aut servitium nostrum postulasset; nosque etiam perpendentes damna insignia quæ ibidem per flammam devastantes contigerant, unde pars maxima ædificiorum et bonorum ad incolas spectantium fuere consumpta, peramplos etiam sumptus in portibus suis ab extrema ruina præservandis, ac libera halecum piscatura incolis procuranda ab ipsis impensos, cum oneribus suis ingentibus in taxationibus nostris persolvendis, ac summo eorum damno ex non solutione ingentium monetæ summarum, per nuperum Argatheliæ marchionem, ipsis debitarum; ita

JAMES, by the grace of God, King of Great Britain, France and Ireland, and defender of the faith: To all good men to whom our present letters shall come, greeting. Whereas we, with a serene and serious mind, considering that the city of Glasgow, during the late rebellions, has been the seat of war and the place where the rebels encountered the greatest opposition and resistance, and also that it sustained the burdens of supplying fire and lights to two ranks of our forces, viz., officers and men, with baggage horses, waggons and many pack saddles, in these bypast years, when our business or service required; and we also considering the great damage occasioned by destructive fires, whereby a great part of the buildings and effects belonging to the inhabitants were consumed; also the great charges in preserving their ports from utter ruin and the expenses incurred by them in procuring for the inhabitants free fishing of herring; with their great charges in paying our taxations, and their heavy loss on account of the non-payment of large sums of money owing to them by the late marquis of Argyle;

ut magistratus dictæ civitatis æs alienum contrahere pro ædificiis suis reparandis, tributis nostris ac debitorum suorum annuis redditibus persolvendis, coacti fuere; unde eadem civitas in inopiam summam, imo et ruinam extremam, protinus erit redacta, si non illico auxilium et remedium efficax adhibeatur, præsertim si ipsorum creditores extrema legum executione in ipsos utantur: Nos autem animum addere dictis magistratibus atque opem ferre in debitis suis solvendis utque publica sua opera in commodum et utilitatem incolarum civitatis melius administrentur, et ut in posterum nobis servitia debita præstare validiores reddantur abunde sumus cupidi. Noveritis igitur nos ex certa nostra scientia proprioque motu ac potestate regia, dedisse, concessisse et disposuisse, sicuti per has nostras literas, ob rationes prædictas aliasque causas, damus, concedimus et disponimus præposito, balivis et consiliariis dictæ civitatis de Glasgow, nomine communitatis ejusdem, impositionem quatuor denariorum, monetæ Scotiæ, super unaquaque pinta cervisiæ et zythi, concocti seu importati ac venditi in dicta civitate ac locis suburbanis ejusdem; cum potestate magistratibus dictam impositionem super cerevisia et zytho, sive ut supramentionatur sive per precium duarum mercarum monetæ Scotiæ super unaquaque bolla brasii per brasiatores in dicta civitate seu locis suburbanis solvendum, ad arbitrium magistratum et consilii pro tempore

so that the magistracy of the said city was forced to borrow the money for repairing their buildings, for our taxes, and for paying the annualrents of their debts; whereby the said city will forthwith be reduced to the greatest want, indeed to utter ruin, unless effective help and remedy shall be applied, especially if their creditors should use extreme diligence of the laws upon them: But we are exceedingly desirous to give heed to the said magistrates and to render assistance in paying their debts, so that the public works may be better administered for the profit and benefit of the inhabitants of the city, and that in future they may be more able to give due services to us. Know ye therefore that we, of our certain knowledge and of our motive and royal power, have given granted and disposed, as we, by these our letters, for the foresaid reasons and other causes, give, grant and dispose to the provost, bailies and councillors of the said city of Glasgow, in name of the community thereof, an impost of four pennies, Scots money, upon every pint of ale and beer, brewed or brought in and sold in the said city and suburbs thereof; with power to the magistrates to exact and receive the said impost upon ale and beer, either as above-mentioned or at the rate of two merks Scots upon each boll of malt, payable by the brewers in the said city or suburbs, at the option of the magistrates and

exigendi et recipiendi. Et similiter damus, concedimus et disponimus præposito, balivis et consiliariis dictæ civitatis de Glasgow impositionem quinquaginta librarum monetæ prædictæ super unoquoque dolio (vulgo *tun*) vini Hispanici, summam quinquaginta librarum super unaquaque cada (vulgo *but*) vini Gallici sive Rhenici, ac similem summam quinquaginta librarum super unoquoque dolio (vulgo *tun*) spiritus vini (*brandie* vulgo vocatur) aquavitæ seu aquarum fortium, ac summam viginti solidorum monetæ prædictæ super unoquoque doliolo (vulgo *barrell*) zythi extranei (quod *mum beere* vulgo vocant) venditi in dicta civitate, per cerevisiæ zythi, vini Gallici, Hispanici et Rhenici, spiritus vini, aquævitæ, aquarum fortium ac zythi extranei, venditores solvendum. Quasquidem impositiones super cerevisia ceterisque liquoribus antedictis absque omni prejudicio fore ordinariæ excisæ et annuitati nobis per parlamenti acta concessæ per præsentis declaramus. Et præterea volumus et declaramus prædictas impositiones et earum singulas durare et effectum habere pro spatio novem decem annorum a festo Purificationis Beatæ Virginis anno Domini millesimo sextentesimo octogesimo septimo, a quo tempore easdem initium capere declaramus. Cum plenaria admodum potestate præposito, balivis et consiliariis dictæ civitatis de Glasgow, præsentibus seu pro tempore, impositiones antedictas in rentale dimittendi, sive collectores (pro quibus respondebunt) pro recipiendis et exigendis

council for the time. And likewise we give, grant and dispoñe to the provost, bailies and counsellors of the said city of Glasgow an impost of fifty pounds of the foresaid money upon each tun of Spanish wine, the sum of fifty pounds upon each butt of French or Rhenish wine, and the like sum of fifty pounds upon each tun of brandy, aquavitæ, or strong waters, and the sum of twenty shillings of the foresaid money upon each barrel of mum beer, sold in the city, to be paid by the sellers of ale, beer, French, Spanish and Rhenish wine, brandy, aquavitæ, strong waters and mum beer. Which imposts upon ale and other liquors foresaid, we by these presents declare to be without any prejudice to the ordinary excise and annuity granted to us by acts of parliament. And, moreover, we will and declare that the foresaid imposts and each of them shall endure and have effect for the space of nineteen years from the feast of the Purification of the Blessed Virgin, in the year of our Lord one thousand six hundred and eighty seven, from which time we declare the same to take a beginning. With full power to the provost, bailies and counsellors of the said city of Glasgow, present or for the time, to set the foresaid imposts in tack, or to appoint collectors (for whom they shall be responsible) for receiving and collecting the abovementioned

impositionibus supræexpressis ac solvenda debita dictæ civitatis idque sive ex cerevisia et zytho sive bolla brasii ut prædicitur ac vinis aliisque liquoribus supraexpressis, nominandi; ac si necesse erit pro eisdem namandi et distringendi; et generaliter omnia alia peragendi pro efficaci earundem collectione, similiter adeoque libere in quovis respectu, ac magistratus et consilarii cujusvis burghi regalis in dicto nostro regno faciunt seu jure facere possunt per donationes seu similis naturæ literas per nos aut serenissimum nostrum fratrem Carolum Secundum beatæ memoriæ ipsis concessas. In cujus rei testimonium præsentibus magnum sigillum nostrum appendi præcepimus. Apud Aulam nostram de Whythall, decimo quinto die mensis Januarii, anno Domini millesimo sexcentesimo octogesimo septimo et regni nostri anno secundo. Per signaturam manu S.D.N.Regis suprascriptam. (Indorsations:—) Writtin to the greate seale and registrat, the eighteenth day of Februar, 1687. (Subscribed:) Jo. Grahame, rot. Sealled at Edinburgh, the twentie twa day of February, 1687. (Subscribed:) J. Hay.

imposts and paying the dues of the said city, and that either from the ale and beer or the boll of malt as aforesaid and the wines and liquors abovementioned; and if need be to poind and distrain for the same; and generally all other things to do for the efficient collection thereof, in like manner and as freely in every respect as the magistrates and councillors of any royal burgh in our said kingdom do, or can lawfully do by gifts or letters of a similar nature, granted to them by us or our most serene brother Charles the Second, of blessed memory. In testimony whereof we have commanded our great seal to be appended to these presents, at our court of Whythall, on the fifteenth day of the month of January, in the year of our Lord one thousand six hundred and eighty seven, and in the second year of our reign. By the signature superscribed with the hand of our Sovereign Lord the King.

CLV.

Act of Parliament annulling certain grants by the Magistrates and Council of Glasgow. (1689, c. 95.) Edinburgh, 24 May, 1689.

ANENT the supplication given in and presented to the meeting of the estates be the inhabitants of the toune of Glasgow, shewing that wheras the estates were pleased by their act¹ to appoynt all the royall burrowes within the kingdome of Scotland to elect ther magistrats and toune coun-cill of new, by the poll of all the habile burgesses, in respect of the late invasiones hath bein upon the right of electiones, which libertie of election as to the toune of Glasgow hath bein hitherto impeded.² And sieing it hath bein of late the sad custome of those magistrats who did apprehend themselves to be laid aside from the magistracie, immediately befor the Michaelmes or tyme of the electione, to grant precepts and bonds for great soumes of money to whom they pleased, by which that once flourishing place is utterly ruined, and therfor humbly craveing that the honorable estates wold be pleased to appoynt and ordain that all precepts and bonds granted, or acts of coun-cill made by the present magis-trats and toune coun-cill of Glasgow in favours of any of themselves or any persone whatsoever, except for payment of the publict debts, since the dait of the forsaid act of the estates, may be voyd and null, except it be approven and allowed by the succeeding magistrats and coun-cill. Which supplication being read in presence of the said meeting of estates, they declair that all precepts and bonds granted, or acts of coun-cill made by the present magistrats and toune coun-cill of Glasgow in favours of any of themselves, or any other persone, except for payment of the publict debts, since the dait of the act of the estates ordaining new electiones of magistrats in burghes by poll of the habile burgesses, to be voyd and null, unles the same shall be approven by the succeeding magistrats and toune coun-cill.

¹ 18 April, 1689, c. 48. Acts of Parl., IX., oil in Glasgow took place on 2 and 3 July, 1689. (Glasg. Rec., III., pp. 425-6.) p. 49.

² The new election of magistrates and coun-

CLVI.

Act of Parliament "Abolishing Prelacie." (1689, c. 4.) Edinburgh, 22 July, 1689.

WHERAS the estates of this kingdome in their Claime of Right of the eleavinth of Apryll last, declaired that prelacie and the superioritie of any office in the church above presbyters is and hath been a greate and unsupportable greivance to this nation, and contrair to the inclinationes of the generalitie of the people ever since the Reformation, they haveing reformed from poperie by presbyters, and therefor ought to be abolished:¹ Our Sovereigne Lord and Lady, the King and Queens Majesties, with advyce and consent of the estates of parliament, doe hereby abolish prelacie and all superioritie of any office in the church in this kingdome above presbyters; and hereby rescinds, casses and annulls the first act of the second session of the first parliament of King Charles the Second,² and the second act of the third session of the first parliament of King Charles the Second,³ and the fourth act of the third parliament of King Charles the Second,⁴ and all other acts, statutes, and constitutiones, in so farr allennerly as they are inconsistent with this act, and doe establish prelacie or the superiority of church officers above presbiters; and the King and Queens Majesties doe declaire that they with advyce and consent of the estates of this parliament will settle by law that church government in this kingdome which is most agreeable to the inclinationes of the people.

¹ Acts of Parliament, IX., p. 40.

² "Act for the restitution and re-establishment of the ancient government of the church by archbishops and bishops." Acts of Parl. (Record Edition), 1662, c. 3, VII., pp. 372-4. *Antea*, No. CXXXIII., pp. 46-50.

³ "Act against separation and disobedience to ecclesiastical authority." 1663, c. 9. *Ib.*, pp. 455-8.

⁴ "Act for securing the peace of the countrie." 29 August, 1681, c. 4. *Ib.* VIII., p. 242.

CLVII

LETTER from King William authorising the Town Council to choose their Provost and Magistrates. Hampton Court, 19th September, 1689.

[Superscribed:] WILLIAM, R.

TRUSTY and welbeloved; wee greet you well. Whereas wee, understanding that the nameing of your Provost does properly belong to us, and there being no Bishop, it is now in our power; yet in consideration of the particular service done to us by that our city, and of the zeale and affection wee are well assured you have for us, are therefore resolved to grant to you a speciall mark of our royall favour in allowing and empowering you to choose your own Provost for the next ensuing year as freely as others of our royall burroughs doe. Therefore, it is our will and pleasure, and wee doe hereby authorise and require you to elect and choose as well your Provost as other magistrates for the ensuing year, at the ordinary time, and in the accustomed manner, notwithstanding of the right wee have of naming your said Provost. For doing of which, these presents shalbe to you and all others respectively who may be therein any way concerned, a sufficient warrant. And so wee bid you farewell. Given at our court at Hampton Court, the 19th day of September 1689, and of our reigne the first year. By his Majesties command. [Subscribed:] Melvill. [Addressed:] To our trusty and welbeloved the present Magistrates and Town Councill of the City of Glasgow.¹

¹ A facsimile of this letter is given in the "Memorial Catalogue of the Old Glasgow Exhibition, 1894," p. 236.

CLVIII.

CHARTER by King William and Queen Mary, confirming the rights and privileges of the City of Glasgow. Kensington, 4th January, 1690.

GULIELMUS et MARIA, Dei gratia Magnæ Britanniae, Franciae, et Hiberniae, Rex et Regina, fideique defensores: Omnibus probis hominibus totius terræ suæ, clericis et laicis, salutem. Sciatis quia nos considerantes regiam nostram civitatem de Glasgow in antiquo hoc nostro Scotiæ regno unam esse ex amplissimis et maximi momenti societatibus in dicto nostro regno, tum propter incolarum numerum, tum etiam propter eorum dispositionem, facultates, et ad commercium applicationem; quodque itidem ingentes pecuniarum summæ a dicta civitate, erogatæ et exantlatæ fuere, ex eo quod magistratuum suorum electionem non habuerunt; nosque etiam considerantes firmam et constantem communitatis dictæ civitatis adhesionem religioni reformatæ, summam etiam suam alacritatem et zelum erga servitium nostrum in quibus sese notabiles insigniter reddidere, et hinc est quod dictæ civitati jus et potestatem præpositum seu magistratus de Glasgow designandi (apud nos remanentem virtute acti episcopatum abrogantis), tanquam regii nostri gratiæ indicium concedere benigne

WILLIAM and MARY, by the grace of God, King and Queen of Great Britain, France and Ireland, and defenders of the faith: To all good men of their whole land, clerics and laics, greeting. Know ye that we, considering that our royal city of Glasgow, in this our ancient kingdom of Scotland, is one of the greatest and most important communities in our said kingdom, as well on account of the number of its inhabitants, as on account of their disposition, advantages, and application to trading; and that likewise large sums of money have been by the said city spent and squandered because they had not the choice of their magistrates; and we in like manner considering the firm and steadfast adherence of the community of the said city to the reformed religion, and their very great readiness and zeal for our service, wherein they have singularly distinguished themselves; and therefore it is we have graciously resolved, as a token of our royal favour, to grant to the said city the right and power of electing the provost or magistrates of Glasgow (which remains in our hands by virtue of the act abolishing episcopacy); and that the said city be in the same position as the rest of

statuimus; utque dicta civitas in eodem sit statu cum reliquis nostris burgis regijs quoad privilegium, præpositum reliquosque omnes magistratus suos nominandi et eligendi. Nos igitur ex certa nostra scientia, proprioque motu, et ex potestate nostra regia, cum avisamento et consensu summi nostri thesaurarij, et thesaurarij nostri deputati, seu thesaurarij nostri commissioneriorum pro tempore, ac reliquorum dominorum aliorumque scaccarij nostri, ratificavimus, approbavimus et confirmavimus, sicuti tenore præsentis nostræ cartæ ratificamus, approbamus, et confirmamus omnes et quasculunque cartas, privilegia, donationes, et concessionem per quosvis nostros serenissimos antecessores dictæ communitati civitatis de Glasgow, vel gildæ, mechanicis ac singulis societatibus et diaconis ejusdem concessas, tam plene ac cum eodem effectum quam si unaquæque particularis erectio in hac nostra carta speciatim enumeraretur. Atque itidem nos, tanquam in vice archiepiscopi Glasguensis succedentes, pro nobismetipsis, proque omni alio jure nobis competente, de novo damus, concedimus, et disponimus dictæ civitati de Glasgow, et consilio burgali ejusdem, amplam potestatem, jus et facultatem præpositum, ballivos, reliquosque omnes magistratos suos, ordinario modo et tempore designandi et eligendi, et adeo libere ac quodvis aliud burgum regium in dicto nostro regno præpositum, ballivos, et magistratos suos eligunt seu eligere possunt; incipiendo primam electionem suam ad festum Michaelis proxime sequentis

our royal burghs as to the privilege of naming and electing their provost and all their other magistrates. We, therefore, of our certain knowledge, and by our own motive, and by our royal authority, with advice and consent of our high treasurer, and our treasurer depute, or commissioners of our treasury for the time being, and other lords of our exchequer, have ratified, approved, and confirmed, likewise by the tenor of our present charter we ratify, approve, and confirm all and whatsoever charters, privileges, gifts, and concessions, granted by whomsoever our most serene predecessors to the said community of the city of Glasgow, or to the guildry, craftsmen, and sundry societies and deacons thereof, as fully and with the same effect, as if every particular erection were specially enumerated in this our charter. And in like manner we, as succeeding in the stead of the archbishop of Glasgow, for ourselves, and for all other right competent to us, of new give, grant, and dispose, to the said city of Glasgow, and town council thereof, full power, right and faculty, to nominate and elect their provost, bailies, and all their other magistrates, in the usual manner, and at the usual time, and as freely, as any other royal burgh in our said kingdom elects, or may elect their provost, bailies, and magistrates, beginning their first election at the feast of Michaelmas next following, and so yearly thereafter in all time coming. Moreover,

atque ita annuatim deinceps omni tempore futuro. Volumus porro, ac cum avisamento et consensu predicto pro nobis nostrisque successoribus decernimus, declaramus, et ordinamus hanc nostram ratificationem et concessionem adeo fore efficacem dictæ civitati de Glasgow ac si unaquæque particularis erectio, carta, seu concessio in præsentī hac carta nostra speciatim exprimeretur et enumeraretur. Quocirca, cumque omnibus defectibus inde sequuturis, cumque omnibus alijs objectionibus et imperfectionibus contra validitatem cartarum et securitatum per quosvis nostros regios antecessores dictæ civitati de Glasgow concessorum, aut hujus nostræ confirmationis et concessionis opponendis et allegandis, nos pro nobis nostrisque successoribus, cum avisamento et consensu predicto, dispensavimus, et per præsentem hanc nostram cartam in perpetuum dispensamus. Promittimus deinceps hanc nostram confirmationis cartam in proxima sessione parlamenti dicti regni nostri ratificare, pro cujus ratificatione præsens hæc nostra carta sufficiens erit instructio commissionario nostro. In cujus rei testimonium huic præsentī cartæ nostræ magnum sigillum nostrum appendi præcepimus. Testibus: fidelibus et dilectis nostris consiliariis, Joanne domino Belhaven, Roberto magistro de Burleigh, et domino Thoma Burnet de Leyes; ac fidelibus et dilectis nostris domino Duncano Campbell de Auchinbreck, milite, et Joanne Hay de Park, commissionariis pro munere et officio nostrorum rotulorum et registorum

we will, and with advice and consent foresaid, for us and our successors, decern declare, and ordain this our ratification and grant to be as effectual to the said city of Glasgow, as if every particular erection, charter, or grant were specially expressed and enumerated in this our present charter. Whereanent and with all other defects following therefrom, and with all other objections and imperfections that can be opposed and alleged against the validity of the charters and securities granted by whomsoever our royal predecessors to the said city of Glasgow, or of this our confirmation and grant, we, for us and our successors, with advice and consent foresaid, have dispensed, and by this our present charter for ever dispense. Moreover, we promise to ratify this our charter of confirmation in the next session of the parliament of our said kingdom, for which ratification this our present charter shall be sufficient instruction to our commissioner. In witness whereof, we have commanded our great seal to be affixed to this our present charter. Witnesses: our faithful and beloved councillors, John lord Belhaven, Robert master of Burleigh, and Sir Thomas Burnet of Leyes; and our faithful and beloved Sir Duncan Campbell of Auchinbreck, knight, and John Hay of Park, commissioners for the duty and office of clerk of our rolls and registers; and Sir William

clerici; et domino Gulielmo Kerr, equite aurato, et domino Carolo Stewart de Pettindreich, milite baronetto, nostræ cancellariæ directoribus. Apud aulam nostram de Kensingtoun quarto die Januarij millesimo sexcentesimo nonagesimo et regni nostri anno primo. [Indorsations:] Written to the great seale and registrat the fiftenth day of Februar, 1690. [Subscribed:] Dun. Ronald, dept. Sealled at Edinburgh the sevententh off Februarij, 1690. [Subscribed:] A. Inglis.

Kerr, knight, and Sir Charles Stewart of Pettindreich, knight baronet, directors of our chancery. At our Court of Kensington, on the fourth day of January, one thousand six hundred and ninety, and in the first year of our reign.

CLIX.

Act of Parliament, ratifying to the City of Glasgow the Charter No. CLVIII. (1690, c. 18.) Edinburgh, 14th June, 1690.

OUR Sovereigne Lord and Lady, taking to their consideratione that the city of Glasgow is amongst the most considerable of the royall burrowes within their ancient kingdome of Scotland, both for the number of inhabitants and their singular fitness and application to trade and the convenient situation of the place upon the river of Clyde, and that the common good of the said city hath been greatly wasted and exhausted by draineing vast sommes of money from magistrats who were not freely elected and chosen as is usuall in other royall burrows; and likewise considering the firme adherence and constant zeall for the protestant religion of the community of the said city, their Majesties did grant ane full and ample chartour in favours of the said city of Glasgow and the common council thereof, confirming all former charters granted to them by any of their royal predecessors in favours of the community of the said city, or gild brethren, tradesmen or any societie or deaconry within the samine; and alsoe of new granting and dispoeneing to the said city and common councill thereof

a full and ample power, right and facultie, of electing their provost, baillies, and other magistrats, at the ordinary time of electione, als freely as any other burgh royall might doe within the said ancient kingdome, promising to confirm the forsaid charter in the next Parliament. Therefore their Majesties, with advyce and consent of the estates of Parliament, doe statute, enact and ordaine that the city of Glasgow and toun councill thereof shall have power and priviledge to choise their own magistrats, provosts, baillies, and other officers within burgh, also fully and also freely in all respects as the city of Edinburgh or any other royall burgh within the kingdome enjoys the same, beginning the first electione at Michaelmas next and soe furth yearly in time coming; and further, their Majesties, with consent forsaid, doe ratifie, confirme, and approve the forsaid charter, granted be them in favors of the community and common councill of Glasgow, of the date the fourth day of January 1690, in the hail heids, articles, and clauses thereof, als fully and amply as if the samine were word by word herein ingrossed, wheranent their Majesties, with consent forsaid, doe hereby dispense for now and ever. It is alwayes hereby expressly provyded and declared that this present act shall be without prejudice or derogation to their Majesties of their rights to the regality of Glasgow, or other rights, except as to the power and freedom of the burgh of Glasgow in relation to the chooseing of their own magistrats and the severall erections of incorporations and deaconries in that burgh.

CLX.

Act of Parliament authorising the Magistrates and Council of Glasgow to sell part of their Common Good. (1690, c. 45.)
Edinburgh, 18 July, 1690.

ANENT the petition given in and presented to his grace their Majesties high commissioner and the three estates of parliament, be the magistrats and councill of Glasgow, for themselves and in name of the community

of the said city, shewing that where the vast debts lately contracted by the former magistrats and councill of Glasgow are now arisen so high that the annualrents therof doe exceed the whole revenue and common good of the toun, whereby the magistrats are greatly discouraged, and they nor their successors cannot have personall safety from the diligence of creditors unless a considerable part of the common good be sold for the defraying of some of these pressing debts, therefore humbly craveing that their Majesties high commissioner and the estates of parliament would authorise the petitioners and their successors, magistrats and councill of Glasgow for the time, to sell any lands, teinds and pertinents belonging to the common good, in property or superiority, (and particularly the lands of Provan lately acquired) at a just and competent price, with this express provision and condition that the magistrats and councill who receive the price shall be bound and obleidged to instruct the applicatione therof to the payment of debts dew by the good toun upon bonds beareing annualrent preceeding the sale, as the said petition fully beares; which petitione being heard and considered by their Majesties commissioner and estates of parliament aforesaid, they granted and doe hereby grant the desire thereof, in case the convention of burrowes shall finde a necessity for the sale mentioned in the said petitione.

CLXI.

Act of Parliament anent the superiority of lands and others which formerly held of Prelates or Bishops and their Chapters to be now holden of the King and Queen. (1690, c. 59.) Edinburgh, 19th July, 1690.

THE King and Queens Majesties, considering that by the declaratione of the states of this kingdome containeing the Claime of Right and the offer of the Crowne to their Majesties, of the date the eleventh day of Aprile 1689 yeares, prelacie and the superiority of any office in the

church above presbyters is and hath been an unsupportable grievance and trouble to this nation, and contrary to the inclinations of the generalitie of the people ever since the Reformatione (they haveing reformed from popery by presbyters) and therefore ought to be abolished:¹ Lykeas, in pursuance of the said declaratione, their Majesties, with advyce of the estates of parliament by an act of the [twenty second] day of [July 1689 years], have abolished the office of bishops or prelates out of this kirke and kingdome:² Therefore, for removeing of all doubts and questions that may arise anent the superiorities of these lands, milnes, fishings, heretable offices, and others, which formerly held of the prelates or bishops or of their chapters or of deanes, subdeanes and archdeanes, or any other beneficed persone, by reasone of the abolishing of the saids offices and chapters forsaid furth of this kirk and kingdome; and to the effect the subjects and vassalls of these holdings may be put in assureance hereanent, have statute, ordained and declared, and by thir presents statute, ordaine and declare that all these superiorities which formerly pertained to the saids prelates and bishops and their chapters or deanes and others forsaid, doe now pertaine and belong and shall hereafter pertaine immediately to their Majesties and their successors in all tyme comeing, and that the vassalls of these lands, milnes, fishings, heretable offices and others, which formerly held immediately of the saids prelates, bishops, and their chapters, deanes and others forsaid, doe now and shall in all tyme comeing hold the samine immediately of their Majesties and their successors, in the samen form and manner of holding as they formerly held of the saids prelates, bishopes and their chapters, deanes and others forsaid, conforme to the saids vassalls their infeftments and rights made and pertaineing to them, which are hereby declared to be unprejudged by the abolishing of the saids prelates, bishops and their chapters, and others their former superiors: And sicklike, their Majesties and estates of parliament declare all these services of aires to their defunct predecessors to any of the lands and others, holding of the saids prelates or bishops, deanes and others forsaid (since they were abolished), whereby these aires are served to these lands to be holden of their Majesties, to be valide and lawfull services and rights led and done; and ordaines all such services

¹ Acts of Parl., IX., p. 40.

² *Antea*, No. CLVI., p. 234.

as are to be led and deduced hereafter, for serveing of the aires of the vassals of the lands and others forsaid as aires in the samen lands to be served aires theirintill, to be holden immediately of their Majesties and their successors forsaid, as their superiors of the samen lands and others above mentioned, in all tyme comeing; and it is hereby declared that it shall not be leisome to interpose any other superior betwixt their Majestys and any of these vassalls, who are hereby ordained to hold immediately of their Majesties in manner forsaid; and if any persone doe in the contraire all such deeds are hereby declared to be void and null, even albeit the vassall should consent thereto.

CLXII.

OBLIGATION by the Merchants of Glasgow not to load or unload vessels at any port or creek on the River Clyde except at Newport Glasgow. Glasgow, 13th Dccember, 1692.

WHEREAS by diverse and sundrie acts of parliament, the lawes and daylie practique of this realme, and be the acts and statutes of the conventiones of royall burrowes, agreeable to the saids generall lawes, and be the particular acts and constitutiones of the magistrats and counsell of this burgh, in pursuance of the saids acts of parliament and the acts of conventiones of burrowes, it hes bein for many ages bygane divised, inacted, statute and ordained, for incouragement of marchandize and navigation, and for incouragement of fishing, makeing of herrings, and other fish for transportation, and for incouragement of skipperis, seamen and utheris, the respective workmen, artificeris and mechanick employments depending upon the same, for the hehove and advantage of the royall burrowes within the kingdome, and for preventing the defraud, imbazleing and diminution of his Majesties revenues in the custome and excyse of merchand goods, that all ships and other vessellis comeing

toward or going from this realme should loaden their goods outward and unload their goods homeward only at royall burrowes and seaports to them belonging, and that the saill and merchandize of the saids goods should allenarlie belong to the burgesses of the royall burrowes, who beares and sustaines a great part of the burdine of the kingdome in consideration of that priviledge; and speciallie considering that the burgh of Glasgow, for incouragement of trade and accomodation of merchands, skipperis, seamen, and other craftismen exerceing merchandize, navigation, and other imployments therupon depending, in contemplan of the due observance of the saids lawes, hes of late yeares impendit great and vast soumes of money for purchaseing the ground of a seaport and harborie to this burgh at Port Glasgow in Clyd, and hes therupon built a most safe and convenient harbour, with lodgeings, sellaris, and all other buildings necessar and convenient for loading, livering, preserveing and bestowing of all maner of goods accustomed to be imported or exported in Clyd, with fit and convenient habitationes for seamen, carpenteris and utheris necessar to the said livering and loading, and for building, dressing and repairing of vessellis, and for the residence of the Kings Majesties custome office, with the servants and dependents therto belonging, which by the care and concourse of the merchands and other freemen of this burgh useing merchandize, might be yet much further improvine and advanced, to the ornament and advantage of the kingdome in generall and to the emolument and profite of the said burgh of Glasgow in particular, wheras be the disordour and confusion of the late tymes the execution of the saids lawes, acts and statutes, hes bein alltogether neglected, and the merchands and inhabitants of this burgh hes contraveened the samen by livering and loading, dressing and repairing their vessellis at unfree ports, and by hyreing and fraughting of ships and other vessellis belonging to strangeris furth of this realme and to unfreemen within the samen, in contempt of the saids lawes and the great discouragement, detrement and loss of the comon good of this citie, whereby they have incurred the rigorous and seveer penalties of loseing and forefaulting the saids ships and goods therintill, and all otheris their moveable goods, and diverse other penalties and certificationes contained in the saids acts of parliament; and seing the magistrats and toune counsell of this burgh,

with consent of the dean of gild and his breithren of counsell of the merchand rank, and of the deacon conveener, deacones, and other memberis of their societies and incorporaciones of trades, hes thought fit to forbear and pass by the punishment of the saids contraventiones for bygaines, in regaird of the disordouris occasioned in the countrey be the late troubles, wpon condition that in tyme comeing the haill merchands, freemen and other gildbreither within this burgh useing merchandize, should in all tyme comeing become obleidged for due and punctuall observance of the saids lawes, acts and constitutiones in maner following: Therefore, by authoritie and with the consent of the saids magistrats and counsell, dean of gild and deacon conveener, and utheris foresaidis, it is agreed that wee, undersubscryveris, now useing and exerceing the trade of marchandize within the said burgh, and all otheris who shall hereafter use and exerce merchandize therintill, shall become bound and obleidged, and hereby bind and obleidge ws to the due and exact observance and performing of the articles and conditiones afterspecifeit, agreeable and conforme to the saids lawes and acts of parliament, viz., that non of the inhabitants within this burgh at any tyme hereafter shall presume to loaden or unloaden any ship or vessell, or to build, dress, or repair the saids ships or vessellis at any port or creik upon the river of Clyd except at Newport Glasgow, and in caice of necessitie at the ports of other royall burrowes upon the said river. In testimonie of the truth of our engadgements aforesaid, and of our resolution to performe the samen, wee have subscryved thir presents with our hands at Glasgow the threttein day of December j^m vj^c nyntie twa yeares.

J. Anderson
Robert Corse
Ja. Crawford
James Bogill
John Smith
George Bogle
William Crosse
Gawan Wood
Robert Bogle, elder

Jon. Lecky
Jas. Cuming
Jo. Aird
James Slosse
Thomas Peter
Will. Wallace
Simon Baird
Jno. Magormen
James Maxwell

James Peadie
John Corse
John Aird
John Woddrope
Will. Napier
John Robisoune
Ja. Johnstoune
Tho. Calder
George Lockhart

Wm. Bogle, younger	Ge. Lyon	William Baxter
John Bryssoun	Geo. Andersone	Geo. Muirheid
Jo. Pettigrew	William Arbuckle	John Luke
John Edmondston	Will. Woddrop	John Bogill
David Ladley	John Napeir	Simon Tennent
Wm. Craige	John Brounlie	John Gillchrist
William Barklay	James Campbell	Robert Boyd
M. Cochrane	Ja. Gemmill	John Gibson
Will. Wallace	Robt. Ker	Robt. Dinwiddie
Tho. Weir	John Sympsoune	Ard. Campbell
John Herbertson	J. Stirling	John Wallace
William Knox	Jo. Ritchie	Rot. Campbell
John Peadie	George Nisbett	J. Luke
Robert Bogle, yor.	Ninian Gilhagie	Jo. Selkrig, with my hand
Rot. Rodger	Alexr. Cairlile	Matthew Cuming, junior
Ja. Blair	Wm. Marshall	George Henderson
Robt. Gibson	Robt. Alexander	James Robb
Donald Govan	Ja. Montgomery	Robert Zuill
Thomas Gilchrist	Tho. Maxwell	Wm. Dunlop
Lawrence Dinwiddie		James Corbett
William Smith		Pa. Houstoune
J. Hall		

 CLXIII.

EXTRACT Act of Parliament, granting to the Town of Glasgow and Community thereof an Imposition on Ale and Beer brewed and sold within the town and suburbs. Edinburgh, 15th June, 1693.

ATT Edinburgh, the fifteenth day of June, one thousand six hundred and ninety-three years. The which day, our Sovereigne Lord and Lady the King and Queens Majesties and the estates of parliament, taking to their consideration the great debts and burthens of the town of Glasgow,

occasioned by the malversation of the former magistrates, whereby that once flourishing place is like to be brought to outer ruine; and their Majesties and the estates of parliament being willing, in regard of the loyaltie and good affection of the said burgh, witnessed on all occasions since the late happy Revolution, that the foresaid town of Glasgow be relieved, and the debts payed in the easiest and most effectual manner: Therefore their Majesties, with advice and consent of the saids estates of parliament, do hereby give, grant and dispone to the said town of Glasgow and community thereof, and the saids magistrates and town councill of the same, and their successors in office, for their use and behove, the imposition of two pennies Scots, over and above the Kings annexed excyse and additional excyse, imposed in this session of parliament, upon the pynte of all ale and beere to be either browen or inbrought and vended, topped or sold, within the said town and suburbs and liberties thereof, imposing and ordaining the same to be payed to the said town and magistrates and councill thereof above mentioned, by the brewers, vintners, sellers or toppers of the said ale and beere, and that during such space of years as it shall please their Majesties to appoint, not exceeding the number of thirteen years, as ane just space and time calculate for payment and discharge of the towns debt, beginning the said imposition from the first day of November next to come, and so furth to continue during the whole years and time above mentioned, and to be payed, uplifted and gathered weekly, monthly, quarterly, or otherwise, as the foresaids magistrates and town councill shall think fit to prescribe and order, excepting only from this act all ale and beere that shall be browen in the countrey, without the liberties of the burgh, by heritors in their own lands and inbrought by them, they inhabiting for the time within the town, to be consumed for the use of themselves and their familys allenerly, and also excepting all ale and beere that shall be browen and¹ vended in the Gorbals, or any other lands within the towns priviledges that pays excise with the shires. And it is hereby declared that the saids magistrates and town councill of the said burgh shall farme and sett in tack the said imposition by way of publick roup, att the sight and by the advice of the sherrieff of the shire of Lanerk, the baillie or baillie deputes of the regality

¹ The word "and" is in the print of 1798, while "or" is in the Record edition of the acts.

of Glasgow, the first commissioner of the shire of Lanark, and the first commissioner of the shire of Renfrew, to the best advantage, for as many years and termes as shall be agreed to; provyding always that the foresaid imposition be applyed, lykeas it is hereby most strictly destinated, appointed and applyed for the payment of the said towns debt allready contracted and for noe other uses or ends, and in this manner, viz., for payment as well of the annuallrent of the saids debts as the principall sum for the space of the first three years of the said years to be appointed by their Majesties, and thereafter for payment of the principall sums of the saids debts allenerly, the annuellrent of the subsequent years being payed, likeas their Majesties, with consent foresaid, hereby ordain the same to be payed out of the common good and other revenues of the said town; certifying, lykeas their Majesties, with consent foresaid, do hereby certify and ordain that all magistrates of the said burgh or others misapplying the foresaid imposition to any other use or end, as also all the receivers of the said imposition so misapplied, that they shall be liable to make furthcoming and refund the samien, with the interest, to the creditors of the said town, and that at the instance either of the said creditors or of any burgess within the said burgh. And to the effect it may be certainly known both what the said imposition shall amount to, and that the same is duly applyed in manner foresaid, their Majesties, with consent foresaid, doe ordaine the said town and magistrates and councill thereof to keep distinct books of the said imposition, both of charge and discharge, and to make the same patent to all; and further, their Majesties, with consent foresaid, doe hereby impower the sherrieff of the shire of Lanark and the baillie or baillie depute of the regality of Glasgow, the first commissioner of the shire of Lanark, and the first commissioner of the shire of Renfrew, to inspect the said book of accompts, and, in case of misapplication or malversation, to comptroll the same and make the misappliers or malversers lyable in the manner foresaid. And further, it is provided that if any ale or beere browen in the countrey, without the liberties of the said burgh, and not above excepted, shall be found to be brought into the said burgh and liberties thereof, without paying the foresaid imposition, it shall be lawful seizure, both cask and liquor, to be declared by the saids magistrates. And it is hereby declared

that the said magistrates and councill are to have and use such like execution and diligence for collecting and ingathering the foresaid imposition as they have and use for the common good and revenues thereof, empowering them hereby fully for that end, and to cognosce and determine thereanent and anent all other questions and debates that may arise in the said matter betwixt the collectors and taxmen and the saids brewers, vintners, and topsters and others, as accords. And it is hereby declared that this imposition is granted to the said burgh with the burden of payment, in the first place, to William Andersone, son to the deceast William Andersone, late provost of Glasgow, of the sum of nyne thousand merks Scots money, to be payed in the space of three years, and that notwithstanding of any discharge granted thereof, or paction for granting the same, and it is likewise declared that this imposition is burthened with the magistrates of the said burgh their furnishing of a sufficient tollbooth for receiving and detaining such persons as shall be sent to them by the baillie of the regality of Glasgow or his depute, and for holding of his courts therein. Extracted furth of the records of parliament, kept in the lower Parliament House, upon this and the three preceeding pages, by Mr. Thomas Gibsone, one of the principall clerks of session, as having commission for that effect from Charles earl of Selkirk, lord clerk register. (*Sic subscribitur* :) Tho. Gibson.¹

¹ The foregoing extract act is reproduced with Record edition of Acts of Parl., vol. IX., from a print by Sir J. H. Blair and J. Bruce, p. 328. See footnote, *postea*, p. 293. King's Printers, Edinburgh, in 1798; collated

CLXIV.

LETTER from King William to the Privy Council, directing the Impost on Ale and Beer, granted to the City of Glasgow (No. CLXIII.) to endure for thirteen years. Camp at Lembeck, 14th (registered in books of Privy Council, 29th) August, 1693.

ATT Edinburgh, the twenty nynt day of August, j^m vj^e and nyntie three years. The lords of their Majesties privy councill, having heard a

letter from his royall Majestie to their lordships anent the impositione upon ale and bear, granted to the toune of Glasgow by ane act of the fourth sessione of this currant parliament, determining the tyme for which the said imposition is to commense, read in their presence, bearing date att his Majesties camp at Lembeck, the fourteenth day of August, old style, j^m vj^c and nyntie three, they ordained the samen letter to be recorded not only in the books of privy councill, but also in the books of their Majesties exchequer and session, to the end mentioned in and conforme to the tenor of the said letter, and appoynted the principall letter to remaine in the hands of the clerks of privy councill, to whom the saids lords did give order and warrand to give out extracts therof to the magistratts of Glasgow, or others concerned, if they shall desyre the same; of which letter the tenor follows:—*Suprascriptur*: WILLIAM R. Right trusty and right wellbeloved cousine and counsellor, right trusty and entirely beloved cousine and counsellor, right trusty and right well beloved cousins and counsellors, right trusty and well beloved cousins and counsellors, right trusty and well beloved counsellors, trusty and well beloved counsellors: Wee great yow well. Whereas, in the instructions wee gave to our commissioner for holding the last session of the present current parliament, wee impowered him to give our assent to ane act to be brought in for releiff of the toune of Glasgow as to the payment of their debts; in prosecutione wherof, wee understand that there is ane act past in the forsaid session of parliament, giving and granting to the said toune, for the end forsaid, the impositione of tuo pennies Scotts, over and above our annexed excyse and the late additionall excyse, upon the pint of all ale and beer to be brouen or inbrought and vended within the said toune and liberties therof; and that during such space of yeers as it should please us to appoynt, not exceeding the number of threetein, as the just space and tyme calculate for the payment and discharge of the touns debts. And wee being very willing to acknowledge the fidelity and good affectione that the said burgh hath, on all occasions, expressed towards us and our government, and to encourage them to persist therein for the future, have therfor thought fit heerby to declair our will and pleasure in the premisses, viz., that the forsaid impositione shall continue and endure to the said toune the wholl forsaid space of thirteen yeers contained in the said act,

sicklyke and in the same maner as if the said number of yeers had been absolutly therin sett doune; and this declaratiōe of our royall pleasure wee hereby will and order to be not only recorded in the books of our privy counsell but also in the books of our exchequer and sessione, to the end the same may be made publict, and that the forsaid act may hencefurth take effect according to the tenor thereof in all poynts. And so wee bid yow heartily farewell. Given att our camp att Lembeck, the fourteinth day of August, old style, j^m vj^e and nyntie three, and of our reigne the fyfth year. By his Majesties command. *Subscribitur*: Ja. Stevenson. Extracted by me. (Subscribed:) Da. Moncrieff, Cls. Sti. Cons.¹

CLXV.

EXTRACT Disposition by Ninian Hill, of Lambhill, and spouse, to the City of Glasgow of the lands at Ramshorn and Meadowflat.² Glasgow, 14th May (registered in the books of council and session, 15th August), 1694.

AT Edinburgh the fifteenth day of August one thousand six hundred and ninety four years, in presence of the lords of council and session, compeared Mr. Robert Veatch, advocate, as procurator for Ninian Hill of Lambhill, and gave in the disposition under written, desiring the same might be insert and registrat in their lordships books, in manner and to the effect therein mentioned; which desire the saids lords found reasonable and ordained the same to be done accordingly, whereof the tenor follows:— Be it kent to all men be thir present letters, me, Ninian Hill of Lambhill, heritable proprietar of the lands and others under written, with the

¹ The foregoing extract was recorded in the books of council and session on 5th September, 1693, and an extract from these books is also preserved.

² As shown on the plan prefixed to Glasgow

Charters, pt. i., these lands, embracing the site of the present George Square, extend from the properties on the west side of High Street westward to St. Enoch's or Glasgow Burn. See footnote, *postea*, p. 255.

pertinents, with the speciall advyce and consent of Marie Crawford, my spous, for all lyferent right, conjunct fie right, right of terce, or other right or title quhatsomever she hes or can pretend to the samen lands and uthers after specified with the pertinents, and she for herself and for her own right and entres as aforesaid, with my consent, and I as takeing the burden in and upon me for her in maner after mentioned, and us both with ane consent and assent, for the soume of twenty thousand and three hundreth merkes, good and usewall money of this realme, actually payed and delyvered to us att the makeing heiroy be William Napier, present provost of the burgh of Glasgow, John Leckie, John Aird and George Nisbett, baillies therof, John Cors, present dean of gild of the said burgh, Simon Tennent, deacon conveener, and Robert Rodger, thesaurer of the same, for themselves and in name and behalf of the remnant of the toun councill and community of the said burgh, as the full avall, worth and pryce of the lands and others after dispoed, and quherof wee both, with ane consent, grant recept, holds us weell content, satisfied and payed, renunceand all exceptiones in the contrair, and exoners, quyte claimes and simpliciter discharges the fornamed persones and ther successors of the same, be thir presents, for now and ever: Therefore witt yee us, the saids Ninian Hill and Marie Crawford, spouses, with ane consent and assent, to have sold, analzied, heritable and irredeemably dispoed, likeas wee both with ane consent and assent, be the tenor heiroy, frae us our aires and all others our assigneys, but regress, reversion, or any kynd of redemptioun, sell, analzie, heritably and irredeemably dispoed to and in favours of the saids William Napeir, provest, John Leckie, John Aird and George Nisbett, baillies, John Corse, dean of gild, Simon Tennent, deacon conveener, and Robert Rodger, thesaurer of the said burgh of Glasgow, and their successors in office, for the behove of the haill communitie of the said burgh, all and haill our threttie three shilling four pennie land of old extent of Ramshorn and Meadowflate, annexis, connexis, pairts, pendicles and haill priviledges and pertinents therof quhatsumever, lyand within the parioch of the barronie of Glasgow, regality therof and sheriffdome of Lanerk, with all heritable right, title of right, claime, entres, propertie and possessione, other right and title quhatsumever, that wee or either of us had, hes, may or can have, claime or pretend therto, or

to any pairt or portione therof in all tyme comeing, in any maner of way or sort quhatsumever. In the quhilkis lands and others above written, with the pertinents, lyand as said is, I the said Ninian Hill, with consent forsaid, heirby bind and obleidge me, my airs and successors, duely, lawfully and heritably, to infett and sease the haill forenamed persones and ther successors in office, for the behove of the communitie of the said burgh, and that be tuo severall chartours and infettments containing precepts of seasinge, with seasinge to follow theron, the ane therof to be holden of me and my airs in free blench for the yearly payment of ane Scots pennie, att the feast of Whitsunday, upon the ground of the saids lands, if the samen bees asked allenarly, and for payment to my immediat superiors of the saids lands of the feu dewties and others due and payable furth therof, and the other therof to be holden be them and their forsaid, frae me and my above specifeit, of my saids immediat superiors of the saids lands, in the self same sort and maner and for payment of the lyke feu dewties and others as I hold, bruick and payes for the same myself, and that either be resignatione or confirmatione, both or either of the saids ways, the ane but prejudice of the other, as the saids magistrats and ther successors in office shall devyse and best please; and shall make, grant, seall, subscribe and delyver to them all maner of chartours, procuratories of resignation and others wrytes necessar or requisite for that effect, containing the claus of warrandice under written, the superiors consent to the receaving of the resignatione or granting of the forsaid confirmatione being alwayes had and procured be the saids magistrats and ther successors in office, ther own moyand and upon ther own proper charges and expenses allenarly. And for the better effectuating of the forsaid infettment be resignatione, wee both, with ane consent and assent as said is, have made, constitute and ordained and hereby makes constituts and ordaines (*blank*) and ilk ane of them, conjunctlie and severally, our very lawfull, undoubted and irrevocable procurators, actors, factors and speciall earand bearers to the effect under written; with power to our saids procurators, conjunctlie and severallie as said is, to compear at any time heirafter befor our immediat and lawfull superiors of the lands and others forsaid, or ther commissioners haveand power to receive resignationes and grant new infettments therupon, and ther for us, in our names

and upon our behalfs, be staff and battoun as use is, to surrender, resigne, purely and simpliciter upgive and overgive all and haill our forsaid threttie three shilling four pennie land of old extent of Ramshorn and Meadowflate, annexis, connexis, pairts, pendicles and haill pertinents of the samen, lyand as said is, with all heritable right, title of right, claime, entres, property and possessione, other right or title quhatsumever, that wee or either of us had, hes or anywayes may or can have claime or pretend therto, or to any pairt or portion therof in all tyme comeing, in the hands of our said immediat superiors or ther commissioners haveing power as said is, in favours and for new heretable infeftment, state and seasine, to be given and granted to the saids William Napeir, provest, John Leckie, John Aird and George Nisbett, baillies, John Corse, dean of gild, Simon Tennent, deacon conveyener, and Robert Rodger, thesaurer of the said burgh of Glasgow, and their successors in office, for the behove of the communitie therof; acts, instruments and documents therupon to ask, lift and cause raise theranent, and generally all and sundry other things needfull or requisite concerning the premisses to doe, use and exerce, sicklyke and als freely in all respects as wee or either of us might or can doe therin ourselves if wee were personally present; quheranent wee obleidge us, our aires and successors, to abyde firm and stable, but reclamatione. Quhilk heritable disposition, procuratorie of resignatione above written, with the chartours and infeftments to follow heirupon, and assignations respective after specifit, I, with consent forsaid, bind and obleidge me, my aires and successors, to warrand, acquyte and defend, and the samen to be good and valide to the saids magistrats and ther successors in office, in maner and form as is above and under written, and that the ground right and propertie of the lands and others forsaid shall be safe, sure and free to them and ther successors in office, for the behove of the said communitie, frae all prior alienations, publick or private seasines, tacks, assedations, long or short, inhibitions, interdictions, adjudicationes, disclamationes, apprysings, escheats, lyfrents, annualrents, conjunct fees, ladies terces, wards, releevs, and frae all other perrills, dangers and inconveniencies quhatsumever, als weel not named as named, bygone, present and to come, att all hands and against all deadly; excepting furth and frae the saids warrandice the hail tacks sett be me of the

said lands to the present tennents and possessors therof, for payment of the yearly dewties and others therin specifeit. Lykeas, for the causes above specifeit, I, with consent forsaid, heirby make, constitute and ordain the fornamed persones, and ther successors in office for the behove of the said communitie, my cessioners and assigneys in and to the hail wrytes, right, titles and securities any wayes made and granted to me or any others, my authors and predecessors, of or concerning the lands and others forsaid, be whatsoever persone or persons, of whatsoever dates, tenors and contents the samen be of, and in and to the saids hail tacks sett be me of the saids [lands] to the present tennents therof, and yearly tack dewtie and others therby payable, or for the rest of the saids lands, and that for this instant cropt and year j^m vj^e nyntie four and in all tyme coming, and heirby surrogats, substituts and imputes the hail fornamed persons, and ther forsaid, in my full right, title and place therof. And I grant me to have in my custody and keeping the particular wrytes following of the lands and others above and after specifeit,¹ viz., ane charter granted be Janet, Elizabeth and Hellen Hutchiesons to umquhill Mr. Ninian Hill, my father, his airs and assigneys, of the fornamed lands and others therein named, dated the saxth day of August j^m vj^e fourtie two years, with his seasine following thereon dated the eight day of the said moneth of August and registrat at Glasgow be Mr. Hugh Fork the twelth day of the said moneth; item, an chartour of confirmatione granted to him be the commissioners of the deceast duke of Lennox, confirming the forsaid chartour and seasing dated the fyfteen and twenty days of the said moneth of August and year forsaid; item, ane precept of clare constat granted to me as air to the said umquhill Mr. Ninian Hill, my father, of the saids lands be Arthure, late archbishop of Glasgow, dated the first day of September j^m vj^e eightie three years, with my seasine following

¹ Some particulars regarding the earlier wrytes will be found in Glasgow Protocols, Nos. 1096, 3302, and 3399. In 1598, John Stark, of Auchinwoll, was vested in the lands. Among the wrytes of which the originals are preserved is an instrument of sasine dated 24th August, 1607, setting forth that Sir David Conynghame of Robertland, knight,

had transferred the lands to Frederick Conynghame, his son. Two years afterwards the lands were purchased from the latter by George Hutchesoune of Lambhill (original procuratory of resignation, 28th October, and sasine, 10th November, 1609), whose three sisters were the granters of the first charter mentioned in the text.

theron, dated the eleventh day of the said moneth of September and registrat att Glasgow be John Johns the second day of October thereafter. And because the saids wrytes contains my other lands I cannot delyver them up to the saids magistrats, therefore I heirby bind and obleidge me and my forsaid not only to make the forsaid wrytes furthcomeing to the saids magistrats and ther successors in office, whensoever they shall have necessar adoe therwith, for persuit and defence anent the ground right and property of the lands and others above disponed with the pertinents, upon ane obleisment for redelyvery of the samen again to me and my forsaid, betwixt and such ane competent tyme as shall be judged reasonable to allow them for that effect, bot also to exhibite and produce the same before some competent judge, to the effect the same may be transumed, and to delyver to them and ther forsaid sufficient transumps therof on our own charges, and that betwixt the date heirof and the term of (*blank*) next to come.¹ And in regard my haill lands in the said barronie parioch (whereof the lands above disponed are a part) are valued to fyve hundreth and seventie pounds Scots, the saids magistrats and I have agreed that the lands above disponed is and shall be holden and repute two hundreth and fifty pounds Scots, as a pairt of the said valuatione, for this instant cropt and year j^m vj^o nyntie four, and yearly in all tyme comeing sua long as the valuation of the said parioch remaines as the same is now, sua that the remnant of my saids lands in the said parioch is now to be bot three hundreth and twenty pound Scots; and that each of us, and our successors succeeding to us in the rights of the saids respective lands, shall be lyable to all publick burdens conform therto, and to releev others of the samen accordingly. And lastly, I the said Ninian Hill heirby obleidge me and my forsaid to move and cause the said Marie Crawford, my said spouse, not only to subscriye thir presents with the chartours to follow heirupon, bot also to compear befor some judge ordinar and ther, furth of my presence, by her solemn oath to ratifie and approve of the same and to declair therupon that she is not compelled be me, nor non in my name, to the subscriyeing and ratifieing therof, bot that she does the samen willingly

¹ A decree of transumpt, in which the wryts above specified are engrossed, was issued by the lords of council and session on 28 July,

1694, and is put up with the titles. (Inv. of City Writs, I., b. 39, pt. 2, No. 6.)

and of her own accord, and that she shall never come in the contrair heirof, directly or indirectly, in judgement or outwith the same, att noe tyme heirafter. Consenting, for the more securitie, thir presents be insert and registrat in the books of counsell and session, or in any other judges books competent within this kingdom, that letters and executorialls of horning and poinding and others needfull may pass heiron, on ane simple charge of sax days, in form as effeirs, and therto constituts Mr. Robert Veatch, advocat (*blank*) my procurators. Attour, to the end the forenamed persones, and ther successors in office, may be furthwith infest and seased in the lands and others above written, in maner above mentionat, wee both, with ane consent and assent, heirby require you (*blank*), our baillie in that pairt specially constitute, that, incontinent thir presents seen, yee pass and give heritable state and seasine, as als reall, actuall and corporall possessione of all and hail the forsaid threttie three shilling four pennie land of old extent of Ramshorn and Meadowflate, annexis, connexis, pairts, pendicles and haill priviledges and pertinents of the samen above specifeit, lyand as said is, to the saids William Napier, John Leckie, John Aird, George Nisbett, John Corse, Simon Tennent and Robert Rodger, and their successors in office, for the behove of the said communitie, or to their certain acturney in their names, bearers heirof, be delyverance of earth and stone of the ground of the saids lands, to be holden alternative in maner above written, both or either of the saids wayes, the one but prejudice of the other, and this on nae wayes yee leave undone, to the doeing quherof wee both, with ane consent and assent, heirby committs to you, our baillie in that pairt forsaid, our full power and commission. In witnes quherof, thir presents (written be Alexander Smellie, wryter in Glasgow) are subscribit be us, att Glasgow, the fourteen day of May j^m vjth nyntie four years, befor thir witnesses Archbald Murthland, servitor to James M'Braid, clerk deputt of Glasgow, and the said Alexander Smellie. And it is heirby declaired that the transumpt aforesaid shall be on the charges of the saids magistrates, notwithstanding of the obleisment above written that the same were to be on my charges, date and witnesses forsaid. (Subscribed:) Niniane Hill, Marye Craufurd, Arch. Murthland, witnes, Alexander Smellie, witnes. Follows the ratification on the back of the said disposition:—Att Glasgow, the

fourteenth day of May j^m vj^c nyntie four years, the quhilk day, in presence of me John Crawford of Miltoun, baillie substitute of the regaltie of Glasgow, and of me nottar publick under subscriyeand and witnesses after specifeit, compeared personally the within designed Marie Crawford, spouse to the within designed Ninian Hill of Lambhill, and furth of her husbands presence, by her solemn oath administrat to her be the said baillie substitute of the said regaltie, deponed that she was not compelled to the subscriyeing of the said dispositione, but that she did the same willingly and of her own accord, and that she shall never come in the contrair thereof, in judgement or outwith the same, att nae tyme heir-after. Whereupon John Aird, ane of the present baillies, asked and took instruments in the hands of me nottar publick undersubscriyeand. Thir things were done in the dwelling house of Robert Robertstone, wryter in Glasgow, betwixt six and seven hours in the after noone, day, year, moneth and place respective above written, befor Archibald Murthland, servitor to James M'Braid, clerk deputt of Glasgow, and Alexander Smellie, wryter in Glasgow, and heirof witnesses specially called and requyred to the premisses. (Subscribed :) J. Crawford, Marye Craufurd, Arch. Murthland, witnes, Alexander Smellie, witnes. Ita est, Jacobus M'Bryd, notarius publicus in præmissis requisitus, omnia et singula præmissa ut præmittitur attestor. Extracted furth of the Records in his Majestys General Register House, upon this and the nine preceding pages of stamped paper, by me, one of the principal clerks of Session, having commission for that effect from the Lord Clerk Register. (Subscribed :) Ja. W. Colquhoun.

CLXVI.

CHARTER of Resignation by King William and Queen Mary to the
City of Glasgow of the lands of Ramshorn and Meadowflat.
Edinburgh, 3rd August, 1694.

GULIELMUS et MARIA, Dei gratia Magnæ Britanniae, Franciæ et Hiberniæ, Rex et Regina fideique defensores: Omnibus probis hominibus totius terræ suæ, clericis et laicis, salutem. Sciatis nos, cum speciali avisamento et consensu prædilectorum nostrorum consanguineorum et conciliariorum Joannis comitis de Tweedale, summi nostri cancellarii antiqui regni nostri Scotiæ, Jacobi comitis de Drumlanrig, Joannis comitis de Cassills, Georgii comitis de Linlithgow, Joannis comitis de Breadalbine, et Alexandri domini Raith, commissionerum nostri thesaurarii, computorum rotularum et collectorum generalium nostrorum reddituum et novarum augmentationum infra dictum regnum nostrum Scotiæ; ac etiam cum avisamento et consensu reliquorum dominorum aliorumque nostri scaccarii dicti regni commissionerum, dedisse, concessisse, disposuisse, et hac præsentî carta nostra confirmasse, tenoreque ejusdem dare, concedere et pro nobis et successoribus nostris pro perpetuo confirmare dilectis nostris Gulielmo Napier, præposito burgi de Glasgow, Joanni Leckie, Joanni Aird et Georgio Nisbet, ballivis ejusdem, Joanni Corss, ædili dicti burgi, Simeoni Tennent, decanorum convocatori *lie deacon conveener* et Roberto

WILLIAM and Mary, by the grace of God, King and Queen of Great Britain, France and Ireland, and defenders of the faith: To all good men of their whole land, clerics and laics, greeting. Know ye that we, with special advice and consent of our well beloved cousins and councillors, John earl of Tweedale, our high chancellor of our ancient kingdom of Scotland, James earl of Drumlanrig, John earl of Cassills, George earl of Linlithgow, John earl of Breadalbine, and Alexander lord Raith, commissioners of our treasurer, controller and collectors general of our rents and new augmentations within our said kingdom of Scotland; and also with advice and consent of the remanent lords and other commissioners of our exchequer of our said kingdom,—have given, granted, disposed, and by this our present charter confirmed, and by the tenor thereof give, grant, and for us and our successors for ever confirm to our beloved William Napier, provost of the burgh of Glasgow, John Leckie, John Aird and George Nisbet, bailies thereof, John Corss, dean of guild of said burgh, Simeon Tennent, deacon convener, and

Rodger, thesaurario ejusdem burghi, et eorum successoribus in officio, pro semetipsis et nomine reliquorum conciliariorum dicti burghi et pro utilitate totius communitatis ejusdem burghi, hæreditarie et irredimabiliter, sine ulla redemptione aut regressu aliquali, totas et integras triginta tres solidatas et quatuor denariatas terras antiqui extentus de Ramshorn et Meadowflat, cum annexis, connexis, partibus, pendiculis et singulis suis privilegiis et pertinentiis quibuscunque, jacentibus infra parochiam baroniæ de Glasgow, regalitatem ejusdem et vicecomitatum de Lanerk. Quæquidem terræ aliaque supraspecificata perprius ad Ninianum Hill de Lambhill, hæreditarium proprietarium earundem, hæreditarie per-tinuerunt, tentæ per eum de archiepiscopo de Glasgow et nunc de nobis, immediatis legitimis superioribus earundem, tanquam in loco dicti archie-piscopi de Glasgow per abolitionem episcopatus, secundum tenorem acti parlamenti nuper eo circa confecti venientibus, et per dictum Ninianum Hill, cum speciali avisamento et consensu Mariæ Crawford, ejus sponsæ, pro omni jure vitalis redditus, jure conjunctæ infeodationis, jure tertiar, aut alio jure aut titulo aliquali quod seu quæ habuit vel quovis modo ad prædictas terras aliaque supraspecificata cum pertinentiis prætere-re potuit; et per eos utrumque, uno consensu et assensu, suosque procuratores eorum nominibus specialiter constitutos per procuratoriam resignationis

Robert Rodger, treasurer of the said burgh, and their successors in office, for themselves and in name of the remaining councillors of the said burgh and for behoof of the whole community thereof, heritably and irredeemably, without any redemption or regress whatever, all and whole the thirty three shilling and four penny land, old extent, of Ramshorn and Meadowflat, with annexes, connexes, parts, pendicles, and their sundry privileges and pertinents whatsoever, lying within the barony parish of Glasgow, regality thereof and shire of Lanark. Which lands and others above specified formerly belonged heritably to Ninian Hill of Lambhill, heritable proprietor thereof, held by him of the archbishop of Glasgow and now of us, immediate lawful superiors thereof, as coming in room of the said archbishop of Glasgow through the abolition of episcopacy, conform to the tenor of the act of parliament lately passed thereanent, and were, by the said Ninian Hill, with the special advice and consent of Mary Crawford, his spouse, for all liferent right, right of conjunct fee, right of terce, or any other right or title which she otherwise had or might in any way pretend to the foresaid lands and others above specified, with the pertinents; and by them both, with one consent and assent, and their procurators in their names, specially constituted by

in dispositione prædictarum terrarum cum pertinentiis, facta et concessa per dictum Ninianum Hill, cum consensu dictæ ejus sponsæ, et per eam pro seipsa et suo jure et interesse ut præfertur et per eorum utrumque, uno consensu et assensu, ad et in favorem dicti præpositi, ballivorum, ædilis, decanorum convocatoris *lie deacon conveener* et thesaurarii dicti burghi de Glasgow et eorum in officio successorum, pro utilitate totius communitatis ejusdem burghi, de data decimo quarto die mensis Maij ultimo elapso contenta, per fustum et baculum ut moris est, in manibus nostrum thesaurarii et scaccarii commissionerum, nostram potestatem habentium resignationes recipiendi et nova infeofamenta desuper concedendi, tanquam in manibus nostris immediatis legitimis superioribus prædictarum terrarum aliorumque præscriptorum, quasi in locum venientibus archiepiscopi de Glasgow more supramentionato, apud Edinburgum, tertio die mensis Augusti instantis, debite et legitime resignatæ fuerunt, in favorem proque hoc nostro novo infeofamento earundem præfatis præposito, ballivis, ædili, decanorum convocatori *lie deacon conveener* et thesaurario dicti burghi de Glasgow et eorum in officio successoribus pro seipsis et in nomine reliquorum dicti burghi conciliariorum et pro utilitate totius communitatis dicti burghi nostro sub magno sigillo, hæreditarie et irredimabiliter, in debita et competenti forma uti congruit, dando et conficiendo; prout

procuratory of resignation contained in the disposition of the foresaid lands with the pertinents, made and granted by the said Ninian Hill, with consent of his said spouse, and by her for herself and her right and interest as aforesaid, and by them both, with one consent and assent, to and in favour of the said provost, bailies, dean of gild, deacon convener, and treasurer of the said burgh of Glasgow, and their successors in office, for behoof of the whole community of the said burgh, of date the fourteenth day of the month of May last bypast,—duly and lawfully resigned, by staff and baton, as the manner is, in the hands of the commissioners of our treasury and exchequer, having our authority to receive resignations and grant new infeftments thereupon, as in the hands of us, immediate lawful superiors of the foresaid lands and othe.s before written, as coming in room of the archbishop of Glasgow, in manner above mentioned, at Edinburgh, the third day of the month of August instant, in favour and for this our new infeftment to be given and granted, heritably and irredeemably, under the great seal, in due and competent form, as accords, to the foresaid provost, bailies, dean of gild, deacon convener, and treasurer of the said burgh of Glasgow and their successors in office for themselves and in name of the remanent councillors of the said burgh and for behoof of the whole community of the said burgh; as authentic instruments

authentica instrumenta desuper suscepta, in manibus Davidis Callendar, notarii publici, latius proportant. Tenendas et habendas totas et integras dictas triginta [tres] solidatas et quatuor denariatas terrarum de Ramshorn et Meadowflat, cum domibus, ædificiis et singulis suis pertinentiis dicto præposito, ballivis, ædili, decanorum convocatori *lie deacon conveener* et thesaurario dicti burghi de Glasgow et eorum in officio successoribus pro semetipsis et nomine reliquorum concilii pro utilitate totius communitatis dicti burghi, de nobis, nostrisque successoribus tanquam in vicem archiepiscopi de Glasgow venientibus ut prædictis, in feudifirma feodo et hæreditate in perpetuum, per omnes rectas metas suas antiquas et divisas, prout jacent in longitudine et latitudine, in domibus, ædificiis, hortis, pomariis, boscis, planis, moris, maresiis, viis, semitis, aquis, stagnis, rivolis, pratis, pascuis, pasturis, molendinis, multuris et eorum sequelis, aucupationibus, venationibus, piscationibus, petariis, turbariis, carbonibus, carbonariis, cuniculis, cuniculariis, columbis, columbariis, fabrilibus, brasinis, brueriis, genestis, silvis, nemoribus, virgultis, lignis, tignis, lapicidiis, lapide et calce, cum curiis et earundem exitibus, hærezeldis, bludwitis, amerciamentis, cumque libero introitu et exitu, ac cum omnibus et singulis aliis libertatibus, commoditatibus, asiamentis, proficuis et justis suis pertinentiis, quibuscunque, tam non nominatis quam nominatis, tam

taken thereon, in the hands of David Callendar, notary public, more fully bears. To hold and have all and whole the said thirty three shilling and four penny lands of Ramshorn and Meadowflat, with houses, buildings and their sundry pertinents, to the said provost, bailies, dean of guild, deacon convener, and treasurer of the said burgh of Glasgow and their successors in office for themselves and in name of the other members of council, for behoof of the whole community of the said burgh, of us and our successors as coming instead of the archbishop of Glasgow as aforesaid, in feufarm fee and heritage for ever, by all the right ancient marches and bounds thereof, as they lie in length and breadth, in houses, buildings, yards, orchards, woods, plains, muirs, marshes, ways, passages, waters, pools, streams, meadows, pasturages, grazings, mills, multures and their sequels, fowlings, huntings, fishings, peateries, turf bogs, coals, coal heughs, rabbits, rabbit warrens, doves, dovecots, smithies, breweries, heath, broom, woods, groves, thickets, timber, building material, quarries, stone and lime, with courts and their issues, herezelds, bludwits, fines, and with free iah and entry, and with all and sundry other liberties, commodities, easements, profits, and their just pertinents whatsoever, as well not named as named, as well under the earth as

subtus terra quam supra terram, procul et prope, ad prædictas terras aliaque suprascripta spectantibus seu juste spectare valentes quomodolibet in futurum, libere, quiete, plenarie, integre, honorifice, bene et in pace, sine ulla revocatione, contradictione seu obstaculo aliquali. Reddendo inde annuatim dicti magistratus de Glasgow et eorum successores, nomine dicti burgi, nobis nostrisque successoribus, feudifirmæ divorias aliasque divorias de dictis terris cum pertinentiis, secundum antiqua jura et infeofamenta earundem, solvi solitas et consuetas. Insuper ballivo regalitatis de Glasgow et deputatis suis necnon dilectis nostris (*blank*) et eorum cuilibet, conjunctim et divisim, ballivis nostris regalitatis de Glasgow in hac parte specialiter constitutis, salutem, vobis præcipimus et mandamus quatenus præfatis præposito, ballivis, ædili, decanorum convocatori *lie deacon conveneer* et thesaurario dicti burgi de Glasgow et eorum in officio successoribus pro semetipsis et nomine reliquorum concilii, pro utilitate totius communitatis dicti burgi, vel eorum certo actor-nato, latori præsentium, sasinam totarum et integrarum prædictarum terrarum de Ramshorn et Meadowflat, cum pertinentiis suprascriptis, jacentium ut præfertur, secundum formam et tenorem antedictæ cartæ nostræ quam de nobis inde habent juste haberi faciatis sine dilatione; et hoc nullo modo omittatis; ad quod faciendum vobis et vestrum cuilibet,

above the earth, far and near, belonging or that may justly, at any future time, belong to the said lands and others above written, freely, quietly, fully, wholly, honourably, well and in peace, without any revocation, contradiction or obstacle whatever. Paying therefor, yearly, the said magistrates of Glasgow and their successors, in name of the said burgh, to us and our successors, the feufarm duties and other duties used and wont to be paid furth of the said lands with the pertinents, conform to the aucient rights and infeftments thereof. Moreover, to the bailie of the regality of Glasgow and his deputies and also to our lovites (*blank*), and each of them, conjunctly and severally, our bailies of regality of Glasgow in that part, specially constituted, greeting, we charge and command you that, without delay, ye justly cause to be given to the foresaid provost, bailies, dean of guild, deacon convener, and treasurer of the said burgh of Glasgow and their successors in office for themselves and in name of the rest of the council, for behoof of the whole community of the said burgh, or to their certain attorney, bearer of these presents, sasine of all and whole the foresaid lands of Ramshorn and Meadowflat, with the pertinents abovewritten, lying as aforesaid, according to the form and tenor of our said charter, which they have from us thereon; and this in no way ye leave undone; to the doing of which we commit power to you

conjunctim et divisim, ballivis nostris regalitatis de Glasgow in hac parte antedictis committimus potestatem. In cujus rei testimonium huic præsentī cartæ nostræ magnum sigillum nostrum appendi mandavimus. Testibus: prædilecto nostro consanguineo et conciliario, Georgio vicecomite de Tarbet, nobis ab archivis et registris clerico; dilecto nostro conciliario, Adamo Cockburne de Ormestoune, nostro justiciario clerico; et dilecto nostro domino Carolo Kerr, milite, nostræ cancellariæ direttore. Apud Edinburgum, tertio die mensis Augusti anno Domini millesimo sexcentesimo nonagesimo quarto et anno regni nostri sexto. (Indorsations :) Written to the great seal and registrat, the twentie fourth day of August, 1694. (Subscribed :) Dun. Ronald, dpt. Sealed at Edinburgh, the twenty fourth of August, 1694, in absence of Mr. John Dicksone, by (subscribed :) Tho. Aikman, depte.

and each of you, conjunctly and severally, our bailies of regality of Glasgow in that part foresaid. In testimony whereof, we have commanded our great seal to be appended to this our present charter. Witnesses: our well beloved cousin and councillor, George viscount of Tarbet, clerk of our archives and registers; our beloved councillor, Adam Cockburne of Ormestoune, our justiciary clerk; and our beloved Sir Charles Kerr, knight, director of our chancery. At Edinburgh, on the third day of the month of August in the year of our Lord one thousand six hundred and ninety four and in the sixth year of our reign.

CLXVII.

EXCERPTS from Decreet of Erection of the Parish Kirk of Port Glasgow. Edinburgh, 1 July, 1696.

ATT Edinburgh the first day of Julij j^m vj^e and nynty six years. Anent the summons of erection raised and persewed before the lords and others of the commissione appoynted for plantation of kirks and valuatione of teinds, att the instance of Mr. David Broun, moderator of the presbitry of Paislay, and John Blair, agent for the kirk, against John, erle of Glencairne [and others]; the which summons maketh mentione that where, by the thretty act of the second sessione of his Majesties first and current

parliament, power and warrand was given to the lords and others of the commissione appoynted for plantatione of kirks and valuatione of teinds to disjoyne too large and spacious paroaches, to cause erect and build new churches, and to annex and dismember churches as they shall think convenient, and to provyd ministers where they are not sufficiently provyded, and to modifie and appoynt constant locall stipends to each minister for that effect, in mainer prescryved in the said act, as the samen in itself more fully proports. And true it was and of verity that the paroachine of Kilmacolme was ane large and spacious paroach, there being above ane thousand and six hundred comunicants, naither could the samen be easily served at the paroach kirk of Kilmacolme for the reasones following:— Primo, Port Glasgow and the Bay of Newark lyeing at ane outer corner of the said paroachine, three myles distant from the said kirk, and haveing a myll of the said distance of a steep hill, hardly (if at all) rydable and utterly impassible aither to ryd wp or down with double horse, the people of the said Bay and Port Glasgow doe seldome or never goe to the said church by reasone of the great distance and dificulty of the way. Secundo, They are a numerous people that doe inhabit the said Port Glasgow and Bay of Newark and above half ane myll round it, amounting to the number of six hundred examinable persones. As also the great resort of shipping ocasioned a great deall of strangers and seamen to repair to the place which also increseth the number who would partak of the ordinances provyding there were a church esteablished at Port Glasgow, which in the meintyme they were destitute of, and occasioned a great deall of prophanity of the Lordis day, therfore expedient and necessar it was for the good of the church and propagatione of the gospell that there were ane new kirk erected at the said Port Glasgow, and that the lands underwrittin, viz., the toun and lands of Newport Glasgow, belonging to the toun of Glasgow, the tuo merk land of Bay of Newark, bounded on the east of James Forester of Auchinleckis march and on the west with Devells Glen burne, the lands of easter and wester Breaheads, the lands of easter and wester Devells, and the lands of easter and wester Douglahills, all pertaining to the laird of Newark, lying within the said paroachine of Kilmacolme, had bein disjoynd therfrae and united and annexed to the said new kirk to be erected at Port Glasgow, and that the hail

inhabitants therof were decerned and ordained to repair therto for hearing of the word, receiveing of the sacramentis, and all other publick divyne worship in all tyme comeing, as their ounne proper paroach kirk in all tyme comeing; as also that it might have bein ordained that a church should have bein built in a convenient place of the said new paroach to have bein erected; as also ane manss for the minister, and that a gleib might have bein bought and purchassed, and that there might have bein a stipend modified. [After certain procedure] the lords and otheris of the comissione have separated and disjoyned and heirby separates and disjoynes the lands and others above and underwrittin (viz.) The toun and lands of Newport Glasgow pertaining to the toun of Glasgow, the tuo merk land of the Bay of Newark, the lands of easter and wester Brae-heads, the lands of easter and wester Devells, and the lands of easter and wester Douglahills, from the said parochine and paroch kirk of Kilmacolme, and have united and erected and heirby unites and erects the samen in ane new paroach kirk by themselves, and decernes the said new kirk to be built for the ease of all the inhabitants of the saids lands abovewrittin within the said toun of Newport Glasgow, and decernes and ordaines the inhabitants of the haill lands abovewrittin to repair to the said new kirk for hearing of the word, receiveing of the sacraments, and all other acts of publick divyn worship, as their ounne proper paroach kirk in all tyme comeing; and decerned and ordained, and heirby decernes and ordaines the magistrats, toun councill and comunity of the toun of Glasgow, and their successors in office, to provyd the minister to serve the cure at the said new erected kirk with ane stipend of eight hundred merks Scots yearly at least;¹ and have declaired and heirby declaires that the teinds, parsonage and viccarage, of the paroach of Kilmacolme, nor any pairt therof, as it stood before this present erectione, shall not be burdened with the provisione of the said minister nor any pairt therof. . . .

¹ In 1774 the feuars of Port-Glasgow and Newark became bound to relieve the magistrates and town council of Glasgow of the minister's stipend and other ecclesiastical burdens, under a contract which provided for Port-Glasgow being governed by its own

magistrates. (Reports on Municipal Corporations, 1835, II., p. 335. Original contract dated 6, 14, and 23, and registered in town court of books of Glasgow, 27 September, 1774.)

CLXVIII.

DISPOSITION by the Magistrates and Council of Glasgow to the
Preceptors of Hutchesons' Hospital of the lands of Ramshorn
and Meadowflat. Glasgow, 31st August, 1696.

BE it kend to all men be thir presents: Us John Andersone of Dowhill, provest, John Corse, Robert Rodgers and George Buchanan, baillies of the burgh of Glasgow, John Aird, younger, dean of gild, George Nisbitt, deacon conveyener, and George Muirhead, thesaurer of the said burgh, and remanent of the town councell of the said burgh, for ourselves and in name and behalfe of the communitie of the said burgh, heretabill proprietoris of the lands and others underwritin: Forswameikle as the lands eftirspecifeit of Ramshorne and Meadowflatt being exposed to sale be Ninian Hill of Lambhill, then heretor therof, it was agreed to betwixt the town councell of this burgh and the three houssis or hospitallis eftirspecifeit, viz., the merchants and trades houssis and the hospitall called Hutchesones hospitall, that the said town councell should purchase the saids lands frae the said Ninian Hill and take the rights therof in their own name, and thereftir denude in favouris of the saids three houssis or hospitalls, to each ane equall third pairt, upon payment to be made of the soume of twentie thousand and three hundreth merkis, Scots money, as the pryce of the saids lands proportionally as said is; to be holden of the said town councell in few, for the yearly payment of some small fewdewtie, and the rightis being affected and burdened with such provisions and conditions as might be thought fitt for preventing the improveing of the saids lands in all tyme comeing in prejudice of this burgh; and accordingly the town councell of this burgh, haveing in May j^m vj^e nyntie and four yeiris obtained the right therof in their name, and the saids three houssis or hospitallis haveing payed the said pryce as said is, the merchantis and trades houssis have in September last (upon a supplication made be Hutchesones Hospitall to them) quitt their interessis in favouris of the town councell, to the effect they might denude themselves of the hail lands in favouris of Hutchesones Hospitall, conforme to the saids two

houssis their respective acts made theranent; lykeas, upon the nyynth day of December last bypast, wee the saids magistrates and town councell of this burgh, as patrons of the said hospitall, as also the ministeris of this burgh and Mathew Cuming, younger, preceptor of the said hospitall, having conveened at the said hospitall and taken the said matter to consideration, fand the condition of the said hospitall to be such that they might purchase the saids haille lands and defray the burden to be contracted therby within some few yearis; and therefore (and in respect these lands did formerly pertain to umquhill George and Mr. Thomas Hutchesones of Lambhill, founders of the said hospitall,) they agreed to the said purchase and to the fewdewtie and burdens and provisions eftirspecifeit, as ane act of the said hospitall of the dait forsaid more fullie bearis. Theirfore (and in respect the said preceptor hes made payment to the saids two houssis of their two third pairts of the said pryce, with annualrent therof since Whitsunday j^m vj^e nyntie four yeiris, which was the tyme of the advanceing of the said pryce, wee the saids provest, baillies, dean of gild, deacon conveener, thesaurer and remanent town councell of the said burgh, for ourselves and in name and behalfe forsaid, be thir presentis (for the yearly fewdewties and other dewties underwrittin and with and under the express burdens and provisions eftirspecifeit) sell, dispone and in few ferme and heretage lett and perpetually sett to and in favouris of the said Mathew Cuming, younger, merchant, present master or preceptor of the said hospitall called Hutchesones Hospitall within the said burgh of Glasgow, and of his successouris in office, preceptouris therof, for the use, weill and behoove of the said hospitall of the poor placed and to be placed therin, all and haille the threttie three shilling and four pennie land of old extent of Ramshorn and Meadowflatt, annexis, connexis, pairts, pendicles and haille priviledges and pertinentis therof whatsomever, lyand within the parochin of the barronie of Glasgow, regaltie therof and shirreffdome of Lanerk, with all heretabill right, title of right, claime, entres, propertie and possession, or other right and title whatsomever, that wee had, have or can pretend therto: To be holden, be the said hospitall, off us and our successouris in office, provest, baillies and councell of the said burgh, in few ferme and heretage for ever, for the yearly payment to us and our successouris in

office, or to our or their thesaureris and collectouris of the soume of four pounds Scotis money of fewdewtie, yearly, att two termes in the year, Whitsunday and Mertimes, be equall portions, beginning the first termes payment therof att the terme of Whitsunday next to come for the half year preceeding the same and so furth in all tyme thereafter; as also for the yearly payment to our immediat superioris of the saids lands and freething and disburdening us and our successouris in office off the fewdewties and otheris dew and payable to them furth therof. And sicklyke with and under the expresse burdens, conditions and provisions eftirspecifeit, viz., that it shall not be leisum to nor in the power of the magistrates and town councell of the said burgh, patrons of the said hospitall, nor the proprietoris therof, in all tyme heireftir, to build any dwelling houssis nor other buildings or houssis whatsoever, nor make any yairds upon the ground of the saids lands, or any pairt or portion therof, without the speciall licience of us and our successouris in office, provest, baillies and councell of the said burgh, first had and obtained therto in wryte; and which liciences if granted shall only be upon the speciall burdens and provisions eftirspecifeit, viz., that the saids houssis, buildings and yairds shall only be possesst be burgesses and freemen of the burgh of Glasgow, who shall be subject and lyable to bear scott and lot and other burdens with the said burgh, and to pay stentis and other burdens with the rest of the burgessis inhabitantis.¹ And which respective few-dewties above-

¹ In 1743 three roods and in 1763 other two roods of the lands of Ramshorn were feued to the Incle Factory Company; in 1718 a piece of the same lands containing one rood and a half was conveyed to the town council as a site for Ramshorn or St. David's Church, and burying ground attached thereto, and in 1767 the burying ground was enlarged by the acquisition of another portion of Ramshorn, containing 1 acre, 3 roods, 33 falls. With these exceptions all the lands embraced in the disposition of 1696 were in the year 1772 reconveyed by Hutchesons' Hospital to the city in consideration of the payment by the latter to the former of a yearly feu-duty of

£113 10s. The reconveyance was arranged with the view of the city laying out the lands in building lots, for which there was at that time some demand. Ramshorn and Meadowflat were not added to the burgh till 1800, and in order to prevent encroachment on the privileges of the burgesses by persons free from their responsibilities special provisions were inserted in the feu contracts of the building lots. The feuars were thirled to the city's mills and bound to "pay the same multures and services as the burgesses;" and they were also made liable in payment of "all taxations, watchings, wardings, scot and lot, and all other public burdens whatever to

writtin, and haill burdens and provisions and conditions forsaid, are heirby appointed to be insert and ingrossed in the infeftmentis and rightis of the saids landis in all tyme comeing, and are for all other burden and exaction whatsomever that may or can be acclaimed or required furth of the saids lands. And sicklyke wee the saids magistrates and toun councell of the said burgh, be thir presentis, bind and oblige us and our successouris in office to make, grant, subscrivye and delyver to the said Mathew Cuming, preceptor, and his successouris in office, masters and preceptoris of the said hospitall, for the use and behoove forsaid, sufficient chartouris of few ferme containing preceptis of seasin, and all other wrytes necessar for infefting of them in the lands forsaid, to be holden in maner and with and under the express burdens and provisions abovewrittin, the saids wrytes being formed and presented be the saids preceptouris and masteris upon the hospitallis expenssis and with claussis of warrandice to be contained in the saids infeftmentis of fewferme. Lykeas, the saids provest, baillies, dean of gild, deacon conveener, thesaurer and counsell of the said burgh binds and oblidges them and their forsaid to warrand, acquitt and defend to the said preceptor and master of the said hospitall and his successouris in office for the well, use and behoove forsaid, all and haill the lands and otheris forsaid above disposed in few as said is, to be sufficient, free, saife and sure to them from all perrillis, dangers, inconveniencies and incumberances whatsomever, which may any wayes stop, trouble or molest them in the peaceable possession, bruiking and joyseing of the saids lands in all tyme comeing (excepting the tackis sett be the said Ninian Hill of the same to the present tennentis and possessouris), and also from all cess, supplie and other publick burdens whatsomever preceding the terme of Whitsunday j^m vj^e nyntie four yearis. And sicklyke wee [the saids] provest, baillies, dean of gild, deacon conveener, thesaurer and councell of the said burgh, be thir presentis, assign, trans-

which the heritors, inhabitants, and burgesses of Glasgow and their tenants are subject and liable." On the other hand, the feuars and their tenants were to be entitled to become burgesses, and secure all the privileges enjoyed by inhabitants of the burgh. By another clause in the contracts it was pro-

vided that whenever the magistrates and council should apply to parliament for having the lands annexed to the royalty the feuars should acquiesce and consent to the application. The annexation was effected by 39 and 40 George III., c. 88 (1800).

ferr and dispone to and in favouris of the said preceptor and his successouris in office, for the use forsaid, the haill wrytes, rights, titles and securities any wayes made and granted to us or our predicessouris, provest, baillies and counsell of the said burgh, or their authoris, off or concerning the lands and otheris forsaidis, be whatsoever person or persons of whatsoever dates, tenouris or contentis the samine be off, together with the haill tackis of the saids lands sett be the said Ninian Hill to the present tennentis therof, and haill tack dewties and maillis and dewties dew be the tennentis and possessouris of the cropt and year of God j^m vj^e nyntie four yearis and sensyne and in tyme comeing. Lykeas wee have delyvered up to the said preceptor ane decreet of transumpt obtained att the instance of the provest, baillies and counsell of the said burgh for the tyme, against the said Ninian Hill, before the lords of counsell and session, dated the twentie eight day of July j^m vj^e nyntie four yearis, of the wrytes and evidents therinspecifeit, together with the extract of ane registrat disposition granted be the said Ninian Hill with consent of his spouse in favouris of the then provest, baillies and counsell of this burgh, of the saidis lands, dated the fourtein day of May j^m vj^e nyntie and four yearis, registrat in the bookis of counsell and session the fyftein day of August thereftir, with ane chartour of resignation therupon dated the third day of August j^m vj^e nyntie four yearis and instrument of seasin following upon the same dated the twentie fourth day of Aprile j^m vj^e nyntie fyve yearis, registrat in the register of seasines of the sherreffdome of Renfrew, barrony and regalitie of Glasgow, be John M'Cuir, keeper therof, upon the (*blank*) day of (*blank*) j^m vj^e (*blank*) yearis. And for the mair securitie wee are content and consents that thir presentis be insert and registrat in the bookis of counsell and session or any otheris competent, that letteris of horning and on sex dayes and otheris necesser, in forme as effeiris, may be direct heiron; and to that effect wee constitut (*blank*) our procura^touris, etc. Attour, to the effect the said preceptor and his successouris in office for the use and behoove forsaid may be infett in the saids lands and otheris forsaidis, wee the saids magistrates and toun counsell of the said burgh, for ourselves and in name and behalf forsaid, heirby require yow James Bogle, merchant in Glasgow, (*blank*) our baillies in that pairt, conjunctly and severallie, speciallie constitut, that incon-

tinent thir presentis seen ye pass and give heretabill state and seasin, actuall, reall and corporall possession off all and hail the said threttie three shilling four pennie land of old extent of Ramshorn and Meadowflatt, annexis, connexis, pairts, pendicles and pertinentis of the same above-specifeit, lyand as said is, to the said Mathew Cuming, younger, preceptor of the said hospitall called Hutchesones Hospitall, or to his successouris in office, for the use, weill and behoove of the said hospitall and poor placed or to be placed therein, or to their certain acturney in their name, bearer heiroy, be delyverance of earth and stane of the ground of the saids lands, to be holden of us and our successouris, provest, baillies and counsell of the said burgh, in few ferme as said is, for the yearly payment to us and them of the fewdewtie forsaid, as also for the yearly payment to our immediat superiouris of the saids lands, and friething and disburdening of us and our successouris in office of the fewdewties and otheris dew and payable to our saids immediat superiouris furth therof; and sicklyke with and under the express burdens, provisions and conditions above and eftirspecifeit, viz., that it shall not be leisum to nor in the power of the magistrates and town counsell of the said burgh, patrons of the said hospitall, nor the preceptors therof in all tyme heireftir, to build any dwelling houssis nor other buildings or housses whatsoever, nor make any yairds upon the ground of the saids lands, or any pairt or portion therof, without the speciall licience of us and our successouris in office, provest, baillies and counsell of the said burgh, first had and obtained therto in wryte; and which liciences if granted shall only be upon the speciall burdens and provisions eftirspecifeit, viz., that the saidis houssis, buildings and yairdis, shall only be possesst be burgesses and freemen of the burgh of Glasgow who shall be subject and lyable to bear scott and lott and other burdens with the said burgh, and to pay stentis and other burdens with the rest of the burgesses inhabitantis, conforme to the tenor of this present right in all poyntis; and this on no wayes ye leave undone; to the doing wherof we committ to yow, conjunctly and severallie as said is, our full power. In witnes wherof (writtin be Archibald Murthland, servitour to James M'Bryd, town clerk of the said burgh,) wee have subscribed thir presentis, att Glasgow, the threttie ane day of August j^m vj^o nyntie and six yearis, before thir witnessis the saids James M'Bryd and

Archibald Murthland and William Hamiltoun also servitor to the said James M'Bryd. (Subscribed :) Jo. Anderson, John Corse, G. Buchanan, John Aird, George Nisbitt, Geo. Muirhead, James Peadie, Will. Napier, James Slosse, William Barklay, John Robisoune, John Gillechrist, Peiter Corbett, G. Robisoune, Thomas Pollock, Stephen Crauford, Francis Stouensone, Robt. Dickie, Simon Tennent, Ja. M'Bryd, witnes, Arch. Murthland, witnes.

At Glasgow, the thirty first day of January j^m vij^e and ninety one years, this few right is recorded in the register of probative writes for the burgh of Glasgow by me, toun clerk therof. (Subscribed :) John Wilson.

CLXIX.

Act of Parliament erecting a new sugar manufactory at Glasgow
(1696, c. 33). Edinburgh, 9 October, 1696.

OUR Sovereign Lord, considering how much it tends to the advancement of trade and good of the whole kingdom that manufactories be erected, according to the former acts of parliament made theranent, and that the manufactory of sugar, commonly called the Suggarie, is found to be a most profitable manufacture, and that the companies therein concerned ought to be increased, therfor his Majestie, with advice and consent of the estates of parliament, oreats, erects and incorporats Hugh and James Montgomeries, merchants in Glasgow, and such others as they shall assume, being residents within the kingdom, in a lawfull and free company for a sugar manufactory, and that besides the companies and manufactories already erected for that end; giveing and granting to the forsaid persons erected in the said company, and their successors therein, being residents within the kingdom, the hail powers, priviledges, liberties and immunities granted to manufactories by the laws of the kingdom, and particularly by the acts of parliament one thousand six hundred and .

sixty one and j^m vj^c and eighty one years, for erecting of manufactories, with the haill other powers, liberties and immunities, granted, either by acts of parliament or acts of privy counsell or exchequer, to any other sugar manufactory within the kingdom; and his Majestie, with consent forsaide, statutes and ordaines the generality forsaide to be also good, valid and effectuell, as if every particular therin comprehended were here expressly set down; declaring that the forsaide liberties and immunities hereby granted for the encouragement of the said manufactory shall indure and continue for the space of nineteen years after the date hereof. And in regard the foresaide persons hereby incorporat in a company for a sugar manufactory are to set up at Glasgow, therefor it is hereby appointed that this company shall be called and distinguished by the name of The New Sugar Manufactory at Glasgow.

CLXX.

CONTRACT between the Magistrates and Council, as representing the Community of Glasgow, and the Principal and others, Moderators of the University, as to the rebuilding of Blackfriars Church. Glasgow, 6th May, 1699.

ATT Glasgow the sixth day of May one thousand six hundered nynie and nyne. It is contracted and aggried betwixt the parties following, to witt, James Peadie of Ruchill, provest, James Sloss, William Wooddrope and George Buchanan, baillies of the burgh of Glasgow, Robert Rodgers, dean of gild, John Woodrope, deacon convener, and Thomas Hamilton, toune thesaurer of the said burgh, and remanent members of the toune counsell thereof, undersubscribeing, for themselves and in name and behalfe of the commuity of the said burgh, on the ane part, and master William Dunlop, principall of the colledge of Glasgow, master James • Woddrow, professor of theologie, masters John Tran, John Law, Gershom

Carmichell and John Louden, regentis of the said colledge, and doctor Robert Sinclare, professor of mathematickis, there, with advyce and consent of Sir John Maxwell of Nether Pollock, lord justice clerk, and ane of the senators of the colledge of justice, rector of the university, and master Patrick Sympton, minister of the gospell at Renfrew, dean of facultie therof, moderators of the said universitie, and they all with ane consent, on the other part: Forsuameikleas doctor John Strang, then principall, with the regents of the said colledge for the tyme, with consent of the then archbishop of Glasgow, as chancellour of the said colledge, and of the then rector and dean of facultie thereof, be their disposition and right, of the date the fourth day of June j^m vj^e threttie fyve years¹ mentioning that the Blackfrier Kirk, called the Colledge Kirk, within the said burgh, had been great charges to the said colledge in upholding the samen for many years then bygone, and that then it was become so ruinous that there was necessity for repairing of the samen, which would have been great charges and expenssis to the said colledge and to the detriment thereof and rents of the samen; and seeing the magistrats and counsell of the said burgh had not only undertaken to repair the said kirk, upon their owne expenssis, but had lykewayes given to the said colledge tuo thousand merks money for supplie to the building of the new work of the said colledge and librarie therof, therefore the saids then principall and regents, with advyce forsaid, did by the said right and disposition renunce and dispoone to and in favors of the then provest, baillies and tounne counsell of the said burgh, and of their successors in office, for the tounes use underwriten, all and hail the forsaid Blackfrier Kirk, with free ish and entrie thereto, in the ordinary place, together with the kirk yaird of the samen, west from the gavill of the said kirk to the then mealmercatt, together also with eleven elnes of breadth alongs both the south and north sydewalls of the said kirk within the yaird called the Blackfrier yaird, to build and enlarge the same at their pleasure, within the saids bounds, reserveing allwayes to the said colledge, rector, dean of facultie, principall and regents thereof, and haill schollars and students therein, and all the members of the said colledge and their successors ane most commodious place and seat in the said kirk, nixt best

¹ Glasg. Chart., No. CVII., pt. ii., pp. 356-8.

after the counsell seat, and the use of the said kirk, yearly, at the makeing of the masters, and at all other occasions when they pleased, but prejudice of the publict meeting for divine service, ecclesiasticall exercise and discipline; provideing allways that the said right should noways prejudge the colledge and members therof of the lands, annualrents, dueties and casualties, then belonging to the said kirk, or of old to the Blackfriars, so that the said kirk to have been enlarged be the space forsaid, and the kirk yaird nixt to the mealmercatt alone should belong to the said burgh in tyme comeing, under the provision forsaid; as in the said disposition and right, of the date forsaid, containeing a provision that the magistrats and toune counsell of the said burgh and their successors should be bound to releive the colledge of the reparations and upholding of the said kirk so long as they might bruik and possess the same to the townes use, and ane obleidgement upon the colledge to give to the burgessis sons of the said burgh, actuall students in the colledge, the four laigh chambers specified in the disposition, or other rouses convenient effeiring thereto, in all tyme thereafter, and containeing severall other provisions, heads and articles, with warrandice frae the colledge their facts and deeds allenarly, at more length is exprest. And seeing that in the year j^m vj^c (*blank*)¹ years the said kirk and steeple thereof was so broken and bruised by a thunder bolt that the same became ruinous and thereafter fell to rubish, and that now the saids present magistrats and toune counsell of the said burgh, upon the consideration of the inccess of this burgh and inhabitants thereof, and for the better conveniencie to the colledge, and upon the colledges becoming bound and engadged for their assistance, help and encouragement, in manner as is after specified, are resolved to build a new kirk where the said old Blackfrier Kirk was of before: Therefore, on the ane part, the saids principall, professors and regents of the said colledge, with advyce and consent of the saids rector and dean of facultie thereof, and all of them with ane consent and assent, doe hereby ratifie and approve the

¹ "October 29, 1670, there was a suddane thunderclap by sevon of the morning, that fell out at Glasgow, and lighted on the Blackfrier Kirk, the like whereof was not heard of in these parts; it rent the steeple of the said

church fra top to bottom, and tirmed the sclattes off it, and broke down the gavills in the two ends of it, and fyled it, but was quenched afterwards by men." (*Law's Memorials*, p. 33.)

forsaid renunceation and disposition above narrated, in the haille heads, articles and clausis thereof, as also renunce and dispoone to and in favors of the saids provest, baillies, toune counsell and community of the said burgh, and their successors in office, heretablie and irredeemablie, also much of that yaird belonging to the colledge on the south syde of the said kirk as that there shall be fyftie elnes from the colledge yaird dykes, on the north syde of the kirk, to the kirk yaird dyke to be builded on the south syde thereof, sua as that there shall be fyftie elnes of distance betwixt the saids north and south dykes, and that for the townes conveniencie towards the enlarging of the said kirk now to be builded and kirk yaird thereof; and sicklyke the saids principall, professors and regents, with consent forsaid, doe hereby renunce and dispoone to and in favors of the saids magistrats, toune counsell and successors forsaid, all right that the said colledge hes or can pretend to the superioritie of also much of that yaird belonging to John Bowman, merchant, on the south syde of the said kirk, as the toune shall think fitt to make use of, to be taken in within the kirk yaird, for enlarging the said kirk and kirk yaird, togither also with the fewdueties or other dueties due and payable be the said John Bowman to the said colledge, proportionallie and effeiring to that part of the said yaird to be taken in be the toune as said is, and that of the terme of Whitsunday in this instant year j^m vj^c nyntie nyne years, and yearly and termely in all tyme comeing; and also the saids principall, professors and regents, with consent forsaid, doe hereby agree to and allow that the saids magistrats and toune counsell shall take downe that peice of the colledge yaird dyke, upon the north syde of the said kirk, that goes farder out southward then the rest of the colledge dyke, on the said north side, and build the same farder back towards the north, so as to be equall in line with the rest of the saids north dycks; as also they agree to and consent that that peice of the east gavill of the old church upon the colledge yaird dyke be taken downe and a new dyke putt in place thereof, agreeable to the rest of the said yaird dyke, and in a straight line therewith, and to be builded after the same manner; and lykewayes they hereby agree to and consent that the magistrats and toune counsell, and their successors in office, and the citizens of the said burgh, haveing their order and libertie, shall have full freedome and libertie to erect tombs and monuments and

affix and lay the same to any part of the yaird dycks and walls pertaining to the said colledge, and surrounding and encompassing the said kirk yairds, on all parts therof, provydeing the same be done without any damage to the saids dykes and walls, excepting allwayes the threttie tuo elnes afterspecified, appoynted for the colledge use as is aftermentioned; and the saids principall, professors and regents, with consent forsaid, obleidge them and their successors in office to warrand the saids renunceation, disposition and liberties and allowances made be them as said is, from their facts and deeds, and to extend the same in more ample forme, with all claussis needfull for the tounes security when requyred thereunto; and in lyke manner the saids principall, professors and regents, with consent forsaid, be thir presents, bind and obleidge them and their successors in office to make payment to the saids magistrats and tounne counsell and their successors in office, or to others haveing their warrand and order to receive the same, and to have the oversight of the said building, of all and haill ane just and equall sixth part of the pryce, coast and expenssis of building and perfyteing the said new kirk, lofts and seats thereof, and kirkyaird dykes, and all other things necessarie therunto, and to the compleiting thereof, provyding the said charge and coast exceed not the soume of ten thousand pounds Scotts money; and in caise it shall exceed the said soume that then and in that caise they shall pay ane eight part of what the said coast and charge shall extend to more then the said ten thousand pound; and for that effect that they shall make payment of the soume of six hundered pound when the kirk shall be door heigh, and ane other six hundred pound when the stone work shall be finished, and the soume of seven hundered merks when the kirk shall be roofed and sklaited, provydeing the said coast shall amount to the said ten thousand pound, and the haill remainder of the said coast and charge obleidged to be them as said is (in caise it shall exceed the said soume) imediatly after or at the perfyteing of the haill kirk lofts and seats therof; and it is hereby declaired that ane declaration under the hands of these appoynted or to be appoynted be the magistrats and tounne counsell for overseeing of the said work shall be sufficient to instruct what the saids coast and charges shall amount to. And, on the other part, the saids provest, baillies, dean of gild, deacon conveener, thesaurer and tounne

counsell bind and obleidge them and their successors in office to build and perfyte the said kirk betwixt and the term of Mertimes one thousand seven hundred and tuo years, and that the saids rector, dean of facultie, principall, professors and regents of the said colledge, and haill schollars and students therein, and all the members of the said colledge, shall have the most commodious place and seat in the said kirk nixt best after the counsell seat, as also the use of the kirk at the makeing of the masters and otherwayes as is above writen and contained in the said former right above narrated, and lykwayes allows and appoynts that threttie tuo elnes of length on the new church yaird, on the northeast corner thereof, being sixteen elnes southward and sixteen elnes westward frae the said corner, and fyve elnes of breadth from the dyke, shall be made use of by the colledge for a buriall place and for erecting monuments and tombs upon the wall, by the length forsaid. And farder the saids magistrats and toune counsell doe hereby ratifie and approve the forsaid former right above narrated, in sua farr as they are concerned therein, provydeing allwayes that this ratification shall not prejudge them and their successors of any priviledge conferred be the laws and acts of parliament as to their superiority of tenements and others within this burgh, formerly belonging to the Blackfrier Church, and other rights and priviledges due to them be law. As also both the saids parties doe ratifie and approve of ane contract betwixt the said burgh and colledge in relation to the said kirk, dated the sixth day of the said moneth of June j^m vj^e threttie fyve years, registrat in the books of counsell and session the eight day of July j^m vj^e threttie six years,¹ with and under the provisions forsaid. And for the more security both the saids parties are content and consents that thir presents be insert and registrat in the books of counsell and session or any others competent, that letters of horneing, on six dayes, and other executoriells needfull may pass hereon in forme as effeirs and constitutes (*blank*) their procurators, etc. In witness whereof, thir presents, with the other double hereof (writen be William Hamilton, servitour to James M'Bryd, toune clerk of Glasgow) are subscribed at place, day, moneth and year respective abovewriten, before thir witnessis respective, viz., to the subscriptions of the said principall, professors and regents, Thomas

¹ Glasgow Chart., No. CVIII., pt. ii., pp. 359-63.

Young, servitor to the said Mr. William Dunlop, Claud Hamilton, porter of the said colledge, and David Holmes, his servitor; and to the subscriptions of the said magistrats and tounne counsell, the said James M'Bryd and William Hamilton.

Will. Dunlop, prinll.	George Nisbitt	James Peadie
Jas. Wodrow, S.T.P.	John Gillchrist	James Slosse
Jo. Tran, P.P.	Thomas Hamilton	Will. Wooddrow
Jo. Law, P.P.	Robt. Dickie	G. Buchanan
Gers. Carmichaell, P.P.	Stephen Crawford	Jo. Anderson
Jo. Lowdoune, P.P.	John Robisoune	Will. Napier
Ro. St. Clair, M.P.	Geo. Robisoune	Jon. Lecky
	Thomas Pollock	Jo. Aird
Thomas Young, witnes	Francis Stowensone	Geo. Muirheid
Clawd Hamilton, witnes		Robt. Alexander
David Holms, witnes	Jas. M'Bryd, witnes	William Barklay
	Will. Hamilton, witness	

CLXXI.

CONTRACT between the Burghs of Glasgow and Dumbarton as to their rights and privileges in the river of Clyde. Edinburgh, Dumbarton, and Glasgow, 12th, 28th, and 29th June, 1700.

AT Edinburgh, Dumbartoun and Glasgow, the twelfth, twenty eight and twenty ninth dayes of June, one thousand and seven hundred years. It is appointed, contracted, and finally ended and agreed betwixt the parties following, to wit, John Anderson of Dowhill, present provest of Glasgow, Robert Rodger, Mathew Cumming and George Nisbet, present baillies of the said burgh, John Aird, younger, present dean of gild therof, John Wardrope, deacon conveener, Robert Yuill, thesaurer of the samen, with the special advice and consent of James Peadie, William Napeir, James

Sloss, William Wardrop, John Aird, elder, John Corss, Mathew Cumming, elder, George Muirhead, John Gibson, Andrew Cathcart, Gavin Wood, Robert Alexander, William Barclay, George Buchanan, Symon Tennent, Thomas Hamilton, Thomas Pollok, George Robertson, John Robertson, Steven Crauford, Francis Stevenson, Robert Dickie and Robert Scot, councillors of the said burgh, and the said members of council, for themselves, and they all with one consent and assent and as takeing burden in and upon them for the remanent burgesses, deacons of crafts and community of the said burgh of Glasgow, and the said deacons of crafts for themselves, on the one part, and Tobias Smollet, younger of Bonhill, present provost of Dumbartoun, Robert Duncanson and Robert Mushet, baillies thereof, David Craig, dean of gild, David Strachan, thesaurer of the samen burgh, with the special advice and consent of William Craig, William (*blank*), William Campbell, John Colquhoun, James Porterfield, Andrew Graham, William Lindsay, John Nasmith, John Martine, James Lindsay and David Macklow, councillors of the said burgh, and the said members of council for themselves and takeing burden in and upon them for the remanent burgesses, deacons of crafts and community of the said burgh, and the said deacons of crafts for themselves, on the other part, in manner, form and effect following, that is to say, forasmuch as the said two burghs of Glasgow and Dumbartoun, and representatives thereof, found it mutually prejudicial to others that, of a long time bygone, there has not been that correspondence keeped up betwixt them which would have tended considerably to both their advantages; and that this hath chiefly arisen from their severall pretensions to the priviledges of the river of Clide, in the prosecution wherof many differences have fallen out, and at length there was an action and cause of declarator, first raised and intended before the late commissioners for administration of justice to the people of Scotland, at the instance of John Bell, then provest of the burgh of Glasgow, [and others. Here are narrated the legal proceedings set forth in Decree printed *antea*, No. CXXXVI., pp. 60-112] in manner at length specified in the said decret, as the samen of the date at Edinburgh the eight day of February j^m vj^e threescore six years at more length bears. Notwithstanding of the which decret, there haveing severall new questions arisen betwixt the said two burghs anent the extent of their several

priviledges, which has occasioned much animosity and difference beside the charge and expences thereof; for preventing whereof in time comeing, and to the effect there may be a lasting friendship and due correspondence inviolably observed betwixt the said two burghs in all time hereafter: Therefor the said provest, baillies, dean of gild, thesaurer and toun council of the said burgh of Dumbarton, for themselves and in name and behalf of and takeing burden upon them as said is, do by these presents ratifie, approve and confirme the forsaid decret of declarator obtained at the instance of the toun of Glasgow before the lords of council and session against the toun of Dumbartoun in anno j^m vj^e and sixty six, declareing the priviledges therein decerned to belong to the said toun of Glasgow; as also the forsaid other decret of absolvitor¹ obtained at the instance of the said magistrats and toun of Glasgow against the magistrats of the toun of Dumbartoun in the year forsaid, whereby the said toun of Glasgow is assoilzied from the declarator raised against them at the instance of Dumbartoun anent certain priviledges of the river of Clide therein mentioned, in the haill heads, articles and clauses thereof; with the possession attained by the said burgh of Glasgow and their burgesses and inhabitants by vertue of the said decreets, whereby they are and have been free of the haill duties formerly acclaimed by the magistrats and burgh of Dumbartoun upon the account of their ships and other vessells loading and livering within the river of Clide; which duties and impositions are hereby discharged in all time comeing; and the said magistrats and toun council of Dumbartoun, for themselves and in name and behalf forsaid, do hereby bind and oblige them and their successors in office that they shall never stop, trouble or molest the burgesses, inhabitants and others belonging to the toun of Glasgow, in any time comeing, in the peaceable possession of the rights and priviledges decerned in favors of the said burgh of Glasgow by the forsaid decreets and sentences of declarator and absolvitor, respective, and that the said magistrats and toun council of Dumbartoun shall not move any action, plea or question against them theranent, nor against their successors in any time hereafter. And sicklyke, the said provost, baillies and council of the burgh of Dumbartoun and deacons of crafts, for themselves and in name and behalf of and takeing burden upon them as

¹ *Antea*, No. CXXXVII., pp. 112-20.

said is, haveing considered that the duties whereunto they have right of weighage, tunnage, anchorage, measureage, dock maill, cockets, and other dues whatsoever, payable to the burgh of Dumbartoun by all strangers ships unloading within the said river of Clide, hath created to the said toun of Dumbartoun a great dale of trouble and vexation, beside the expence in uplifting thereof which most ordinarily exceeded the dues themselves; as also considering that diverse and sundry debates and questions have fallen out betwixt the said two burghs anent the uplifting of the said duties, the toun of Glasgow pretending that by vertue of their decreets above mentioned, pronounced in their favors, that any of the burgesses of Glasgow haveing interest by fraught or otherwayes in these strangers ships did make the samen free of duty to the burgh of Dumbartoun; likeas the said burgh of Dumbartane, being oft times defrauded of the duties payable by strangers who had no shift nor excuse but haveing past speedily out of the river before ever the said burgh of Dumbartane was acquainted of their comeing thereto; and farder another debate has frequently happened anent the touns offers due and in use to be made by all strangers who imported goods and merchandize to the said river of Clide, whereby they stand oblidged to make the first offer of their goods and merchandize so imported by them to the said two burghs of Glasgow and Dumbartoun at such a price and rate as the said strangers offerers shall not have power or liberty to undersell the samen to others; and it haveing often happened that both the said burghs were disappointed of the benefite of the said offers by certain stratagems and devices made by the importers, as sometime by consignation of the goods imported to some of the burgesses of the said burghs, thereby simulateing to them a right whereas in effect they had none but of purpose to defraud the said burghs of their just rights, and in the mean time raiseing thereby an animosity betwixt the burghs themselves anent the benefites of the said offers whereof both were disappointed; and it being therefor agreed that not only the dues payable by the strangers ships who have no interest in the river of Clide but also the benefite and priviledge of the touns offers should in all time comeing solely appertain and belong to the said magistrats, toun council and community of the burgh of Glasgow: Therefore, and for certain other onerous causes aftermentioned, the said provest, baillies and

toun councill of the burgh of Dumbartoun, for themselves and in name and behalf of the deacons of craft and community of the samen burgh, have sold, assigned and dispooned from them and their successors in office, likeas they do by these presents sell, assigne and dispoone from them and their forsaidd successors to and in favors of the said provost, baillies, council and community of the said burgh of Glasgow, and their successors, all and haill the said duties formerly payable to the said burgh of Dumbartoun of weighage, tunnage, anchorage, measureage, dockmaill, cockets, and haill other duties whatsoever due and payable by all ships, barks, etc., whereof the freemen inhabitants of the said burgh of Dumbartoun are not owners or fraughters, and who shall happen to load or unload within the samen river of Clide in all time comeing; and sicklike all and haill the said burgh of Dumbartoun their share and proportion of any offers due and lyable to be made by strangers, not freemen inhabitants of the said burgh of Dumbartoun, who shall import any goods to the said river of Clide in time comeing; with all right, title, interest, property and possession, as well petitor as possessor, which the said magistrats, council and community of the said burgh of Dumbartoun had, has, or any wayes may have claime or pretend in and to the said duties particularly abovementioned, and that to and in favors of the said provost, baillies, toun council and community of the said burgh of Glasgow, present and to come, whom they have surrogate and hereby surrogate and substitute in their full right, title and place of the premisses, for now and ever; with full power to the said provost, baillies and toun council of Glasgow, and their successors, for themselves and in name and behalf abovementioned, to intromet with, uplift, ask, crave and receive the said duties of weighage, tunnage, anchorage, measurage, dockmaill, cockets and other dues whatsoever, as also the touns offers in so far as the samen did formerly belong to the said burgh of Dumbartoun, with the haill profitess, priviledges, emoluments, casualities and duties belonging thereto; and if need beis to convene, call, follow and pursue therefor, and to use all diligence and execution for inbringing of the samen, sicklyke and as freely in all respects as the said provost, baillies and council of the said burgh of Dumbartoun, or their predecessors, have done or might have done at any time before the makeing hereof; provideing allwayes that

thir presents do no wayes prejudge the said burgh of Dumbartoun as to the freedoms, liberties and immunities of all ships, barks, boats, etc., belonging to or fraughted by the burgesses and freemen inhabitants of the said burgh within the said river of Clide, notwithstanding of what is above dispoñed to the said burgh of Glasgow. Which ratification and confirmation of the decreets abovementioned, togither also with the right and disposition of the duties abovementioned, the said provost, baillies and council of the burgh of Dumbartoun, for themselves and takeing burden in and upon them as said is, bind and oblidge them and their successors in office to be good, valid and sufficient to the said provost, baillies, council and community of the said burgh of Glasgow, and their successors, from their own proper facts and deeds allenarly, to wit, that the said provost, baillies and council of the said burgh of Dumbartoun have not made, nor that they nor their successors in office shall not make any other right nor disposition of the premisses above dispoñed and assigned to any other person or persons in prejudice hereof. And for the said provost, baillies, toun council and community of the said burgh of Glasgow, their farder and better security anent the premisses, the said provost, baillies and toun council of the burgh of Dumbartoun, for themselves and takeing burden as said is, have made, constitute and ordained, and by thir presents make, constitute and ordain (*blank*) their very lawfull, undoubted and irrevocable procurators, actors, factors and speciall earand bearers, to the effect underwritten, giveing and committing to them or either of them their very full, free, plain power, express bidding, mandament and charge, for them and in their names and behalf, to compear before the lords commissioners of his Majesties thesaury and exchequer, and there at whatsoever time and place lawfull and convenient, with all condigne reverence and due humility as it becomes, purely and simply, by staf and bastoun, as use is, to resigne, renunce, surrender, simpliciter upgive, overgive and deliver all and hail the said duties of weighage, tunnage, anchorage, measurage, dockmaill, cocquets, and other dues whatsoever, due and payable by all strangers ships anchoring or unloading in the said river of Clide, and of the said touns offers formerly in use to be made to the said toun of Dumbartoun, in the hands of our Sovereigne Lord the Kings Majestie, immediat lawfull superior of the said toun of Dumbartoun, and in

the hands of his Majesties commissioners of exchequer haveing power to receive resignations and to grant new infeftments thereupon, and that in favors and for new infeftments of the said dues of weighage, tunnage, anchorage, measurage, dockmail, cocketts, and other dues whatsoever, due and payable by all strangers ships anchoring or unloading in the said river of Clide and that shall happen to unload within the said river in all time hereafter, as also of the touns offers that was formerly made to the toun of Dumbartoun in manner particularly abovementioned; to be made, given and granted to the said provost, baillies, dean of gild and thesaurer of the said burgh of Glasgow, for themselves and in name and behalf of the remanent toun council, deacons of crafts and community of the said burgh in such due and competent form as effeirs; acts, instruments and documents, ane or mae as need beis, in the premisses to ask, lift and raise, and generally all and sundry other things necessar and requisite thereanent to do, use and exerce, which to the office of procuratory in such cases of the law and consuetude of this realm is known to pertain, or which the said provost, baillies, dean of gild, thesaurer and toun council of the said burgh of Dumbartoun, for themselves and in name and behalf abovementioned, might do therein themselves if they were personally present; promiseing to hold firm and stable all and whatsoever things their said procuratours, or any of them, in the premisses lawfully does or leads and causes to be done. Provideing allwayes that thir presents, with the instrument of resignation and infeftment to follow hereupon, shall no wayes prejudice the freedom, liberties and immunities of all ships, barks, boats, etc., belonging or fraughted by the burgesses, inhabitants and freemen of the burgh of Dumbartoun, and their successors, present and to come, of and within the river of Clide, but that they shall enjoy the samen as freely and fully as ever they did formerly, notwithstanding of what they are hereby denuded of in favors of the burgh of Glasgow in manner abovementioned. And farder it is hereby expressly agreed betwixt the representatives of the said two burghs of Glasgow and Dumbartoun that, in all time hereafter, the vessells of whatsoever size and burden belonging to the burgh of Glasgow, Port Glasgow, and the haille burgesses and inhabitants thereof, that shall happen to come to the harbour of Dumbartoun, or any other port or harbour belonging to the said burgh, shall

have exemption from and shall not be lyable unto the payment of any duty whatsoever to the said burgh of Dumbartoun; and in likemanner that the haill vessels and boats belonging to the burgesses, inhabitants of the said burgh of Dumbarton, are exeemed from and no wayes lyable in payment of any duty whatsoever at the said burgh of Glasgow, Broomilaw, Port Glasgow, or any other port or harbour belonging to them; so that both burghs are hereby declared free at each others ports in all time hereafter; provideing allwayes, likeas it is hereby expressly provided and declared, that neither of the said two burghs, nor their burgesses and inhabitants, shall be allowed to colour the vessells belonging to unfreemen under the colour of their own in any time comeing. And in respect that the said provost, baillies, dean of gild, and thesaurer of the said burgh of Glasgow have, for and in consideration of the premisses, instantly payed to the said provost, baillies, dean of gild and thesaurer of the burgh of Dumbartoun, to be employed for the use efterspecified, all and haill the sum of four thousand and five hundred merks, good and usual Scots money, whereof they hold them well content, satisfied and payed, and discharges the samen for ever; therefor the said magistrats of the burgh of Dumbartoun do hereby bind and oblidge them and declare that the for-said sum shall be applyed by the said burgh of Dumbartoun for payment of their burghs debts *pro tanto*, to the effect it may thereby appear that the forsaid transaction is reasonable and onerous, and that the successors in office of both the said burghs may have no ground to apprehend that this present contract is proceeded upon frae any collusion of the present magistrats and councils, but upon fair and just grounds tending to the benefite and advantage of both the said burghs. And lastly, both the said magistrats and councils of the said burghs of Glasgow and Dumbartoun, respective, bind and oblidge them and their successors in office, either of them to others, to observe, keep and fulfill this present contract in the haill heads, articles and clauses abovewritten thereof *hinc inde*, and the party failzier to pay to the party observer, or willing to observe, the sum of two thousand merks good and usuall Scots money forsaid of liquidat penalty and expenses in case of failzie, by and attour performance. It is allwayes hereby declared and agried unto by both parties that neither the disposition of the duties particularly abovewritten, made to the said

toun of Glasgow, nor yet the priviledge above dispoſed to the ſaid toun of Dumbartoun of immunity and freedome at the ports belonging to Glasgow, ſhall take any effect in favors of either of the ſaid two burghs, nor they to be poſſeſſed therein, untill this preſent contract be firſt ratified either in this preſent ſeſſion or any other enſueing ſeſſion of parliament, and which ratification is to be expedie upon the ſaid toun of Glasgows proper charges and expences. And, for the mair ſecurity, both the ſaid parties are content and conſent that thir preſents be inſert and regiſtrat in the books of council and ſeſſion, or any other regiſter competent, therein to remain *ad futuram rei memoriam*; and to that effect conſtitutes (*blank*) their procuratours; *promittentes de rato, etc.* In witneſſ whereof, written by Charles Mackfarlane, ſervitor to Sir James Smollet of Bonill, both the ſaid parties have ſubſcribed thir preſents with their hands, dayes, moneth, year of God and places reſpective abovewritten, befor thir witneſſes reſpective, viz., to the ſubſcriptions of the ſaid John Anderson, provost of Glasgow, and the ſaid Tobias Smollet, provost of Dumbartoun, the ſaid twelvth day of June, the ſaid Sir James Smollet, Alexander Finlaſon, writer in Edinburgh, and the ſaid Charles Mackfarlane, writer hereof, who are alſo witneſſes to the marginal notes abovewritten; and to the ſubſcriptions of the ſaid baillies, dean of gild, theſaurer and toun council of Glasgow, the ſaid twenty ninth day of June and year forſaid, James Mackbride, toun clerk of Glasgow, and Richard Manwall and William Hamilton, writers there; and to the ſubſcriptions of the ſaid baillies, dean of gild, theſaurer and toun council of the ſaid burgh of Dumbartoun, the ſaid twenty eight of June and year forſaid, before thir witneſſes, George Maxwell, merchant, burgeſſ of the ſaid burgh, John Maxwell, brother german to the laird of Kilmahew, burgeſſ of the ſaid burgh, and Andrew Graham, inſerter of the date and witneſſes; the date and witneſſes names to the ſubſcriptions of the magiſtrats and toun council of Glasgow being filled up by the ſaid William Hamilton. *Sic ſubſcribitur*: Jo. Andersone, Tob. Smollet, Rot. Duncansone, bailie; Ro. Muſchett, baillie; Da. Craig, dean of gild; David Strachan, theſaurer; W. Craig, counſeller; Wm. Campbell, counſeller; J. Colquhoun, counſeller; James Porterfield, counſellour; Jo. Nasmith, counſellour; David M'Lew, counſeller; John Martein, counſillor; James Linſay, counſeller;

Rob. Rodger, Matthew Cuming, junior, George Nisbitt, John Aird, John Woddrope, James Peadie, Will. Napier, John Corse, James Slosse, Gawin Wood, G. Buchanan, Simon Tennent, Robert Zuill, Robert Scot, Ge. Robisoune, John Robisoun, Thomas Pollock, William Barcklay, Thomas Hamiltoun; Ja. Smollett, witnes to the two provests subscriptions; Alexr. Finlayson, witnes therto; Cha. M'Farlan, witnes thereto; Ja. M'Bryd, witnes; Rich. Manwell, witnes; Will. Hamilton, witnes; George Maxwell, witnes; John Maxwell, witnes; And. Graham, witnes.

CLXXII.

Act of Parliament ratifying Contract (No. CLXXI.) betwixt the burghs of Glasgow and Dumbartoun anent their rights and privileges in the river of Clyde. (1701, c. 27.) Edinburgh, 31 January, 1701.

OUR Sovereign Lord, with advice and consent of the estates of parliament, ratifies, approves and for his Majestie and his successors perpetually confirms an contract and agreement entered into and past betwixt the two burghs of Glasgow and Dumbartoun, whereof the tenor follows:—[Contract No. CLXXI. *antea* pp. 280-9]; togither with the ratification thereof past in the generall convention of burrows holden at Edinburgh the ninth day of July one thousand seven hundred years,¹ in all and sundry heads, points, articles, clauses, tenor, substance, effect, conditions, provisions and circumstances thereof; and his Majestie, with advice and consent of the estates of this present parliament, hereby consents to the said contract and agreement, and statutes and ordains that the said contract and infeftments, if the same shall be found necessary to follow thereupon, shall stand and subsist and be good, valid and sufficient rights to the said two burghs of Glasgow and Dumbartoun, conform to the tenor of the said contract, any acts, statutes or constitutions, made or to be made in the contrare notwithstanding, sicklyke as if the same had been done by decret and deliverance

¹ Convention Rec., IV., pp. 300, 307-13.

of parliament; wheranent, and whatever else may be objected against the premisses, his Majestie, with advice and consent forsaied, for himself and his successors, doth hereby expressly dispense for now and ever; and also declares that the same shall never be quarrelled by his Majestie nor his successors in time comeing.

CLXXIII.

EXTRACT Act of Parliament, continuing to the Town of Glasgow the Imposition (granted by No. CLXIII.) on Ale and Beer brewed and sold within the town and suburbs. Edinburgh, 21st September, 1705.

AT Edinburgh, the twenty-one day of September, one thousand seven hundred and five years. Our Sovereign Lady the Queens Majesty and the estates of parliament, taking into consideration that, notwithstanding of a former act of parliament, made and passed in favours of the town of Glasgow, upon the fifteenth of June, one thousand six hundred and ninety-three,¹ for the better payment of their debts and burdens, their Majesties, King William and Queen Mary, did thereby grant and dispone to the said town of Glasgow and community thereof the imposition of two pennies Scots upon the pint of all ale and beer to be vended and sold within the said town and liberties thereof, ordaining the same to be paid to the said town and magistrates and council thereof, during such space of years as should please their said Majesties to appoint, not exceeding the number of thirteen years after the first of November the said year, as the said act of parliament of the date foresaid more fully bears; and that in pursuance thereof the said King William, by his letter direct to the lords of privy council, upon the twenty-ninth of August, one thousand six hundred and ninety-three years,² was pleased to declare that it was his royal will and pleasure that the foresaid imposition should continue and endure to the said town the haille foresaid space of thirteen years, as if the samen had

¹ *Antea*, No. CLXIII., pp. 246-9.

² *Antea*, No. CLXIV., pp. 249-51.

been therein absolutely set down; yet, nevertheless the said thirteen years, whereof there remains only one year to run after the first of November next, neither have been nor are like to be sufficient for payment of the said towns debts and burdens and satisfying the end for which the gift thereof was granted, which happened partly through the great quantity of the debt wherein the said town stood then engaged, and partly through the payments wherewith the said gift was burdened; as also by reason of many other incidents which both diminished the said fund and the towns other publick good and augmented the towns charges and expenses, so that considerable sums were to be borrowed yearly for defraying what the common good of the town was deficient in. And her Majesty and the estates of parliament being still willing, in respect of the loyalty and good affection of the said burgh witnessed on all occasions, that the foresaid town of Glasgow be relieved and disburdened of its debts for its necessary support: Therefore her Majesty, with advice and consent of the estates of parliament, doth hereby further add, grant and dispoise to the said town of Glasgow and community thereof, and to the said magistrates and town council of the same, and their successors in office, for their use and behoove, the said imposition of two pennies Scots money, over and above the Queens annexed excise, upon the pint of all ale and beer to be either browen or inbrought, and ¹ vended, topped and sold within the said town and liberties and suburbs thereof, excepting all ale and beer that shall be browen and vended in the Gorbels, or any other lands within the towns privileges that pays excise with the shire; imposing and ordaining the same to be payed to the said town and magistrates and council thereof by the brewers, vintners, sellers or topsters of the said ale and beer during the space of sixteen years, beginning this new imposition from the ish and expiration of the said former imposition, that is from and after the first day of November, one thousand seven hundred and six, and so forth to continue during the whole years and time hereby added, and to be payed, uplifted and gathered weekly, monthly, quarterly, or otherways, as the foresaid magistrates and town council shall think fit to prescribe and order. Providing always, likeas it is hereby specially provided that, betwixt and the first day of November next, the magistrates and toun

¹ The word "and" is not in the print of 1798.

council of the said burgh of Glasgow shall be holden and obliged to make up a just and true list of the principal sums due by the said town of Glasgow preceeding the date hereof, and of the bonds granted therefor, and of the persons to whom the same is due, and that they shall deliver an subscribed double of the said list to be recorded in the books of the Merchants House of the said burgh, and another subscribed double of the said list to be recorded in the books of the Trades House, in order to the said respective houses their taking tryal of the extent, verity and justness of the saids debts in such manner and by such persons as shall be appointed by them for that effect: And that how soon any advantage shall arise to the said burgh by the above imposition now granted in their favours, that then and immediately after the expiration of each year thereof, at least betwixt and the first day of January after the said expiration, the saids magistrates and town council shall be holden and obliged to make payment and disburden the said town of the principal sums following, out of the first end of the debts contained in the above lists, viz., of the sum of ten thousand merks yearly, for the first five years of the said imposition; and of the sum of twelve thousand merks yearly for the next five years thereof, and of the sum of fourteen thousand merks yearly betwixt and the said first day of January after the expiration of each year, during the remanent years of this grant and imposition; and that the said magistrates shall be holden and obliged to instruct the said payment, and to retire and deliver bonds for the said respective sums, to be yearly payed as aforesaid, to the said two houses against the first Tuesday of January yearly, after expiration of every years collection of the said two pennies, that the said bonds may be cancelled and deleted out of the above respective lists of debts; beginning the first terms instruction of the said payment to the said houses on the first Tuesday of January, one thousand seven hundred and eight years for the year preceding November, one thousand seven hundred and seven years, and so furth to continue during the haill space of the above act. As also it is hereby statute and ordained that it shall not be lawfull for, nor in the power of the magistrates or town council of Glasgow to contract any debts, or to grant any bonds, for affecting the said burgh, without consent of the said two houses had and obtained thereto, by their act to be recorded in their respective books, and

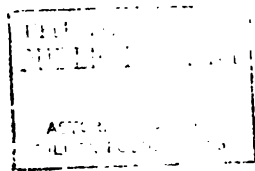
that only for the sums contained in the list of debts recorded in the registers of both houses, and that there shall be publick intimation given to the haill merchants and trades of Glasgow, whether members of the said respective houses or not, to be present at the said annual meeting, upon the said first Tuesday of January yearly, in order to their satisfaction anent the payment of the yearly sums above appointed; and that it shall be leisum and lawful to the said two houses, or any persons to be appointed by them, or any other burgess, to pursue the magistrates and town council in case of their not observing of the above conditions, who are hereby declared lyable in repetition and payment of whatever part of the above respective sums appointed to be payed yearly as aforesaid shall be unpaid by them. And nominat and appoint the duke of Hamilton, the marquis of Montrose, the earl of Glasgow, William Baillie of Lamington, Hugh Montgomery of Busbie, John Grahame of Dougalstoun, Colin Campbell of Woodside and John Walkinshaw of Burrowfield, to be overseers of the said new imposition and management thereof, three of the said overseers being always a quorum. And it is hereby declared that the said magistrates and town council shall farm and set in tack the said imposition by way of a publick roup, at sight of the above overseers, or any three of them, not exceeding the space of three years together. As also it is hereby farder declared that this imposition is granted with the burden of the payment to Mr. James Anderson, writer to her Majestys signet, of the sum of three thousand six hundred pounds Scots money, to be payed in the first year of the said imposition, for enabling him to print and carry on *An account of the ancient charters and seals of this kingdom before King James the First, according to the characters in the original writs*.¹ Extracted furth of the records of Parliament by me Sir James Murray of Philiphaugh, one of the senators of the colledge of justice, clerk to her Majestys councils, registers and rolls. (*Sic subscribitur* :) Ja. Murray, Cls. Reg.²

¹ Anderson's "Diplomata et Numismata Scotiæ," published in 1739.

² The foregoing act, passed in the third year of the reign of Queen Anne, is reproduced from a print by Sir J. H. Blair and J. Bruce, King's Printers, Edinburgh, in 1798; collated

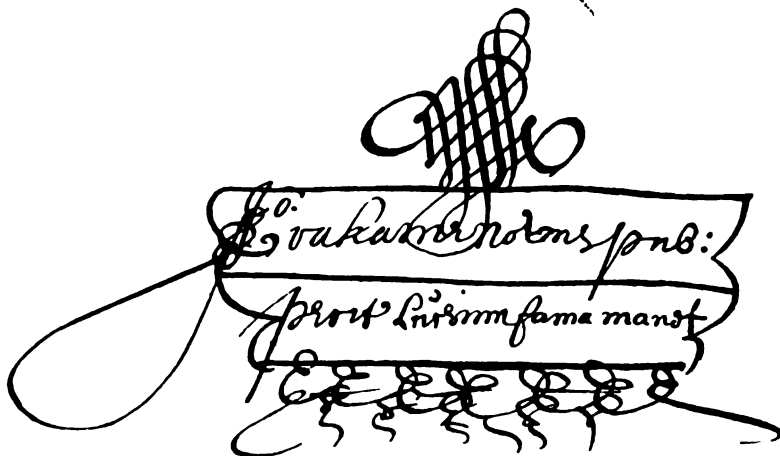
with Record edition of Acts of Parliament, vol. XI., p. 297. The imposition of two pence per pint on ale and beer was, by successive acts of parliament, continued till the year 1837.

ABSTRACT
OF
CHARTERS AND DOCUMENTS
RELATING TO
THE CITY OF GLASGOW.





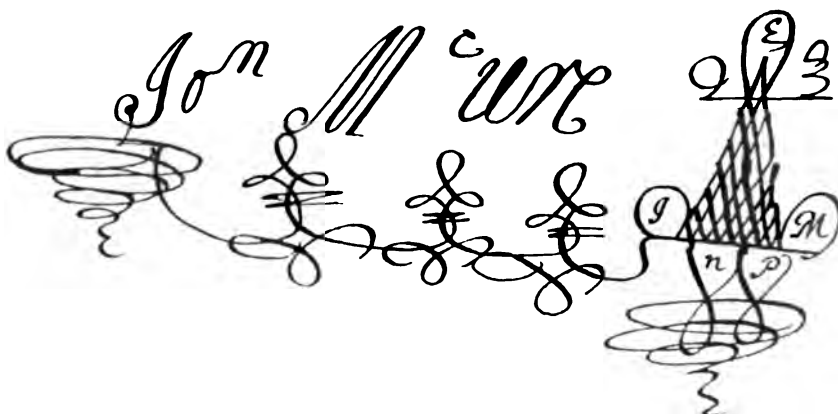
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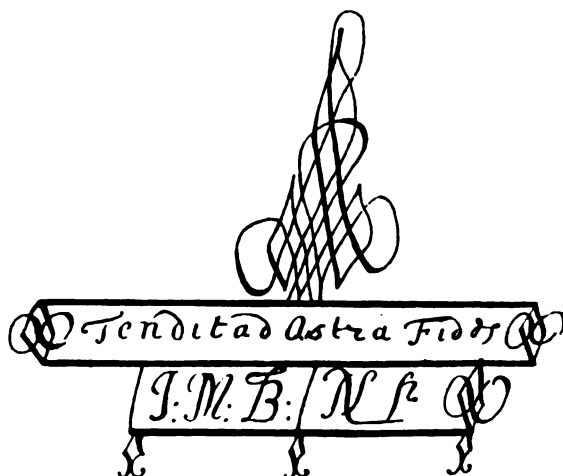
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SIGNS OF NOTARIES PUBLIC.

- (1) Mr. John Spreule, 3 June 1650. Glasgow Charters, vol. II., p. 303, No. 610.
- (2) William Yair, 4 April 1654. *Ibid.*, p. 313, No. 645.
- (3) John Graham, 28 February, 1668. *Ibid.*, p. 352, No. 763.
- (4) George Anderson, MS. Sasine to Michael M'Clintoch, 12 July 1680.
- (5) John M'Ure, 1 June 1696. Glasgow Charters, vol. II., p. 415, No. 971.
- (6) James M'Bride, 18 November 1702. *Ibid.*, p. 424, No. 1010.

ABSTRACT OF CHARTERS AND DOCUMENTS.

CHARLES II.

30 JANUARY 1649—6 FEBRUARY 1685.

(Including period of the Commonwealth, 1652-60.)

589. ACT of the ESTATES of PARLIAMENT granting relief from portions of monthly maintenance in favour of those well affected persons in the shires of Air, Renfrew, Lanark, Dumbarton, Wigton, and the Stewartry of Kirkcudbright, and burghs therein who rose in opposition to the late unlawful engagement. (1649, c. 47.) Edinburgh, 3 February 1649.

Acts of the Parliaments of Scotland, vol. vi., part ii., p. 153.

590. ACT of the ESTATES of PARLIAMENT fixing the contribution by Glasgow towards the maintenance of the army for February 1649, at 1530 merks. (1649, c. 48.) Edinburgh, 3 February 1649.

Acts of the Parliaments of Scotland, vol. vi., part ii., p. 154.

591. ACT of the ESTATES of PARLIAMENT "for putting the kingdome in a posture of defence," appointing the provost and bailies of Glasgow to be on the Committee of war for Lanarkshire. (1649, c. 111.) Edinburgh, 15 February 1649.

Acts of the Parliaments of Scotland, vol. vi., part ii., p. 189.

592. ACT of the ESTATES of PARLIAMENT fixing the contribution by Glasgow towards the maintenance of the army for the months of March, April, and May at £1836 Scots, monthly. (1649, c. 191.) Edinburgh, 7 March 1649.

Acts of the Parliaments of Scotland, vol. vi., part ii., p. 238.

593. ACT of PARLIAMENT "in favour of the vassals of Kirklands," ratifying all former Acts declaring the superiority of Kirklands to belong to the Crown, but reserving, *inter alia*, the right of the Duke of Lennox to the superiority of the barony of Glasgow, all mortifications to communities, colleges, schools, hospitals, and other pious uses, and all gifts and mortifications to royal burghs. (1649, c. 199.) Edinburgh, 8 March 1649.

Acts of the Parliaments of Scotland, vol. vi., part ii., p. 244.

594. MINUTE of the ESTATES OF PARLIAMENT remitting to the Committee on bills, a petition by the Commissioner for the burgh of Glasgow and others, for payment of 5000 merks borrowed by them from John Hamilton, apothecary in Edinburgh, for guarding the west coast, conform to order from the Convention of Estates in August, 1643, submitted to Parliament. The Committee on bills recommended the petition to the Committee of Estates. Edinburgh, 15, 16 March 1649.

Acts of the Parliaments of Scotland, vol. vi., part ii., pp. 714-724.

595. CHARTER by KING CHARLES II. to Agnes Cleland, lawful daughter of George Cleland of Glenhuiff, and John Cleland, her husband, for his interest, of a tenement of land with close and yards, over and nether, sometime called the manse of the Parson of Stobo, lying in the burgh of Glasgow on the south side of Drygait and extending to the Mallindinoir Burn. Paying to the College of Glasgow £10 yearly, (sometime owing to the chaplainry of St. Anne, in the Metropolitan Church, founded by the late Mr. Adam Colquhoun, parson of Stobo). Reserving to the King a chamber in said tenement, with a stable at the back, and liberty to walk in the "gairdens" when residing in the city. Edinburgh, 6 April 1649.

Registrum Magni Sigilli, vol. ix., p. 768, No. 2026.

596. BOND by the Provost, Bailies, and Council of the Burgh of Glasgow, whereby, after narrating previous arrangements as to stipends of the minister serving in Blackfriars Kirk and the two ministers serving in the Tron Kirk, and setting forth that it had been agreed that each of them should in future receive a stipend of £1000 Scots (£83 6s. 8d. stg.) yearly, to be paid furth of the teinds, therefore, the granters allocated and mortified to these ministers the teinds of the respective lands specified in the Bond. In consequence of this mortification, whereby the stipend of the minister of Blackfriars Kirk was sufficiently secured, it was appointed that the sum of £10,000 Scots, destined as stock for that stipend, should be treated as part of the common good, and uplifted and applied towards the price of the teinds bought by the town. Mr. Robert Ramsay, minister of the Inner High Kirk, was likewise to have £1000 yearly,

in case he should desire that stipend instead of the victual and silver stipend, manse and glebe, to which he was appointed. Glasgow, 21 April 1649.

MS. Council Record of Glasgow, 21 April 1649.

Extracts from the Records of the Burgh of Glasgow (Scottish Burgh Records Society), ii., pp. 161-4.

By act of council dated 8 September 1649 (*Ib.*, p. 179) the foregoing Bond was annulled, in so far as superseded by the allocation of that date. *Infra*, No. 603.

597. CHARTER by KING CHARLES II. to Sir Robert Douglas of Blakerstoun, knight, of the £3 land of Blythiswode in the parish and barony and regality of Glasgow; which lands were on 20 January 1643 appraised from George Elphingstoun, son and heir of the late Sir George Elphingstoun of Blythiswode, knight. Edinburgh, 18 May 1649.

Registrum Magni Sigilli, vol. ix., p. 777, No. 2053.

598. ACT of the ESTATES of PARLIAMENT ordaining the Marquis of Argyll's foot regiment, so far as not put in garrisons, to be quartered in the town and presbytery of Glasgow, except that part of Cathcart parish which is in the shire of Renfrew. (1649, c. 29.) Edinburgh, 1 June 1649.

Acts of the Parliaments of Scotland, vol. vi., part ii., p. 389.

599. ACT of the ESTATES of PARLIAMENT, in answer to a complaint by several parishes in Glasgow presbytery that they were overburdened, ordering the town of Glasgow to quarter the just number of foot soldiers of Lord Argyll's regiment, but declaring the presbytery to be free from quartering the "gills" and wives of the soldiers. (1649, c. 114.) Edinburgh, 22 June 1649.

Acts of the Parliaments of Scotland, vol. vi., part ii., p. 428.

600. ACT of the CONVENTION of ROYAL BURGHS altering the tax roll and fixing £6 10s. as the proportion payable by the burgh of Glasgow for £100 of taxation. Queensferry, 3 July 1649.

Printed Records of Convention, vol. iii., p. 332.

601. ACT of the ESTATES of PARLIAMENT fixing the contribution by Glasgow for the maintenance of the forces stationed in the district at £1170 Scots monthly. (1649, c. 296.) Edinburgh, 31 July 1649.

Acts of the Parliaments of Scotland, vol. vi., part ii., p. 507.

602. ACTS of the ESTATES of PARLIAMENT fixing the contribution by Glasgow for the maintenance of the army for July at £1530 Scots, and for August, September and October at £1170, monthly. (1649, caps. 345, 346.) Edinburgh, 6 August 1649.

Acts of the Parliaments of Scotland, vol. vi., part ii., pp. 529-30.

603. ALLOCATION and MORTIFICATION by the Provost, Bailies, and Council, narrating the King's gift of the teinds [No. 585] and the great sums paid to Lord Blantyre for getting possession thereof, and that it had been resolved to allocate the same to four of the ministers towards payment of their stipends; therefore, they allocated and mortified to (1) Mr. Patrick Gillespie, minister of the Outer High Kirk, and his successors; (2) Mr. James Durham, minister of Blackfriars Kirk, and his successors; and (3) Mr. George Young and Mr. Hew Blair, ministers of the Tron Kirk, equally between them, and their successors, the parsonage or great teinds and teind sheaves of the respective lands in the Barony parish therein mentioned, together with 24 bolls victual due from the old mill of Partick. As by a former act each minister was to receive £1000 of stipend, each allocated chalders of victual was to be reckoned of the value of £100, and any deficiency made up in money; and as the stipend of Mr. Robert Ramsay was only 5 chalders, with £200 in silver and his glebe and £80 for his manse, his stipend was augmented by £200 for putting him in an equal condition with the rest. Each of the other four ministers were also to be paid £80 yearly for their house maills, seeing they had no manses. Glasgow, 8 September 1649.

Minute of the Town Council of Glasgow, 8 September 1649.

Extracts from the Records of the Burgh of Glasgow (Scottish Burgh Records Society), ii., pp. 172-6.

See also Minutes dated 4 and 14 September 1652 (*Ibid.*, pp. 240-2; 245-6).

604. DECLARATION by "maister Johnne Dunlope of Gartinkirk, Johnne Stewart of Baschagrie, Johnne Scott, proveist of Rutherglen, James Andirsoune, bailye in Gorballis, (*blank*) Andersoune in Meiklegovane, within the regalitie of Glasgow, Walter M'Tagert, Kirktowne of Calder, John Calder in Shirvae, and Robert Ruchatt in Duntiblae mylne," who, on 6th, 7th, 8th, and 9th August 1649, "past, at the special requiest and desyre of the proveist, baillees and counsall of the brughe of Glasgow,¹ to the particular landis, rowmes and maillings efter mentionat, lyand within the perish of the Baronie Kirk of Glasgow, for taking notice and tryall of the present growing croppe therof, and accordingle did ryde through and about everie severall parcell of land of the haill lands, rowmes and maillings underwryttin; and efter inspectioun takine be ws therof and serious deliberatione had anent quhat particular quantitie of victual was growing upon the samyne," declared upon their consciences, to the best of their knowledge, there were growing on the lands the quantities of victual specified in the following abstract:—

¹ See Minute of Town Council, 4th August 1649, "anent the ryding of the teithes of the baronie perisch" (Glasg. Rec., ii., p. 170).

		Bear.	Oats.	Peas.	Wheat.
Dalmarnok,	Bolls,	96	185½	61	62
Westthorne,	"	15	30	10	
Eistthorne,	"	20½	53	21	
Wester Dalbeth,	"	9	8	8	
Dalbeathe Hanche,	"	35	41	15	
Dalbeathe Muir,	"		72		
Wester Dalbeathe Muir,	"	22½	37½	10½	
Eister Dalbeathe,	"	36	83½	38½	
Towcorae,	"	66	218	16	
Sandihillis and Glenduffhill,	"	129	314	51½	
Midle quarter of Schettilstoune,	"	112	300½	63	
West " " " " " " " " " " " "	"	110	266	44	
Nether Carntyne,	"	48	124	25	
Over Carntyne,	"	47	144	19½	
Kendihill,	"	18	123	46	
Haghill,	"	32	106	8	
Kenmuir,	"	47	115	1	
Cautatoune,	"	44	147	7	
Over Possill,	"	55½	193	15	
Eister Nether Possill,	"	[33] ¹	166	4	
Keppoch,	"	51	184	7½	
Wester Nether Possill,	"	33	169	4	
Ruchehill,	"	29	127	11	
Nether Newtoune,	"	80½	134	20½	
Over Newtoune,	"	47	92	1	
Stobcorae,	"	49	231	14	
Lambhill,	"	46	158	1½	
Garroche,	"	77	319	7	
North or Over Woodside,	"	18	60	7	
South Woodside,	"	44	133	25	
Half Merk land at the Woodheid, ²	"	10	13	2½	
Gairbraid,	"	112	210	16	
Eister Craigs,	"	84	159	16	
Wester Craigs,	"	28	70	10	
Town Mill lands,	"	15	40	2	
Meikle Kowcaddence,	"	40	96	8	
Little Kowcaddence,	"	36	10	6	
Broomehill,	"	57	170	32	
,,		1832	5102	655½	62
Chalders,		114½	318½	40½	3½

[Gross quantity of victual, 478½ chalders. Teind, 47½ chalders at £100=£4781 11s. 3d. Scots.]

Declaration subscribed at Glasgow, 23 November 1649.

Original Declaration in the Archives of the City.
Inventory of City Writs, ii., p. 133, b. 27.

¹ As the paper is worn away at this part the quantity of bear is not ascertainable, but is here put the same as Wester Nether Possill.

² "Somtyme perteaning to John Andersoune, and now to Coline Campbell."

605. ALLOCATION and MORTIFICATION by the provost, bailies, and council to the two ministers serving the cure at the New or Tron Kirk, equally betwixt them, of a proper wadset of £600 Scots (£50 stg.) of feu-duty, payable furth of the Subdean's mills and kilns lying on the lands of Westercraigs without the Drygate Port, and that in part payment of their stipends. Glasgow, 1 December 1649.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow (1696), p. 36, b. 9, No. 6.

Charters and Documents relating to the City of Glasgow, No. cxxiv., vol. ii., pp. 1-4.

Council Record of Glasgow, 1648-54.

Extracts from the Records of the Burgh of Glasgow (Scottish Burgh Records Society), vol. ii., pp. 179, 180.

606. DISPOSITION by Sir LUDOVICK STEWART of Mynto, whereby for the sum of 20,000 merks Scots (£1111 2s. 2d. stg.) he disponed to the town, for the use of the ministers of the New or Tron Kirk, the feu-duties payable under the Charter dated 5 May 1620 [No. 178], and mortified by the provost, bailies and council, under allocation and mortification, dated 1 December 1649 [No. 605]. Glasgow, 1 February 1650. Registered in the books of council and session, 21 June 1650.

Extract in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 36, b. 9, No. 7.

Charters and Documents relating to the City of Glasgow, No. cxxv., vol. ii., pp. 5-11.

Ratified by Acts of Parliament, 1661, c. 235, 20 May 1661; 1669, c. 108, 23 December, 1669.

Acts of the Parliaments of Scotland, vol. vii., pp. 220, 651.

607. DECREEE of MODIFICATION and LOCALITY by his Majesty's Commissioners of Parliament appointed for valuation of Teinds and plantation of Kirks, in the summons raised at the instance of Mr. Zacharias Boyd, minister at the Barony Kirk of Glasgow, against James, duke of Lennox, titular, Alexander lord Blantyre, tacksman of the said teinds, George Porterfield, provost, the three bailies, the dean of guild and town treasurer, Sir Robert Douglas of Blaikerstoune, Edward and Robert Hamiltounes of Silvertounehill, George Andersone of Woidsyde, Mr. Johne Andersone of Stobcroce, John Blair of that Ilk, Sir Walter Stewart of Minto, and several others, including persons residing in Sandihills, Middle-quarter, Wester-Shettlestoun, Cairnetoune, Kendehill, Dalbeth, Dalmarnoch, Newtoun, Woodside, Possell, and Gairbraid; whereby the commissioners augmented the old stipend of 6 chalders victual by 3 chalders and modified £40 for communion elements. Edinburgh, 28 February 1650.

Extract decreee in the Archives of the City.

Inventory of City Writs, II., p. 133, b. 27.

608. CHARTER by KING CHARLES II., under his Great Seal, proceeding on the resignation by Sir Walter and Sir Ludovic Stewart, to the provost, bailies, and councillors of the burgh, of the superiorities and feu-farm duties of the mills and kilns of the lands of Westercraigs, founded and built thereon, with multures and sequels, sucken, knaveship, liberties, privileges, yards, parts, pendicles and pertinents whatsoever belonging to the said mills and kilns lying near the burgh and city of Glasgow, and in the sherifdom of Lanark, for the use and support of the two ministers of the New Kirk within the burgh, as part of their stipend. To be held of the Crown in feu-farm for payment of 2s. Scots. Edinburgh, 1 March 1650.

Original in the Archives of the City.

Charters and Documents relating to the City of Glasgow, No. cxxvi., vol. ii., pp. 11-18.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 36, b. 9, No. 8.

Ratified by the Acts of Parliament, 1661, c. 235, 20 May 1661; 1669, c. 108, 23 December 1669. Acts of the Parliaments of Scotland, vol. vii., pp. 220, 651.

609. PRECEPT of SASINE thereupon, under the Great Seal, of the same date.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 36, b. 9, No. 9.

Ratified by the Acts 1661, c. 235 and 1669, c. 108, *ut supra*.

610. INSTRUMENT of SASINE following thereon, under the hand of Mr. John Spreule, town-clerk, dated 8th April, and registered in the General Register of Sasines at Edinburgh, 3 June 1650.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 37, b. 9, No. 10.

Ratified by the Acts 1661, c. 235 and 1669, c. 108, *ut supra*.

611. DISPOSITION by Sir ROBERT DOUGLAS of Blakerstoun, with consent of Dame Susanna Douglas, his spouse, to the provost, bailies, dean of guild, deacon-convener, the master of Hutchesons' Hospital, for themselves and in name of the councillors and community of the burgh of Glasgow, of one-fourth part, and of the said Hospital of two-fourth parts, and of the hospital called the Craft's Hospital of the remaining fourth part of all and whole the six pound land of old extent of Gorbals and Bridgend, with coals and coalheughs, fortalice, manor place, houses, biggings, yards, orchards, tenants, tennandries, and service of free tenants and all other parts, pendicles and pertinents what-

soever, lying within the barony and regality of Glasgow and sheriffdom of Lanark, with the heritable office of bailiary and justiciary of the said lands. Price paid for land £80,000 Scots (£6666 13s. 4d. stg.) to Sir Robert Douglas; with 2000 merks (£111 2s. 9d. stg.) "to his Ladie." 23rd February and 28th May 1650. Registered in the books of Council and Session, 7 June 1650.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 102, b. 44, No. 22.

Ratified by Act of Parliament 1661, c. 235 (20 May 1661) and 1669, c. 108. (23 December 1669.) Acts of the Parliaments of Scotland, vol. vii., pp. 222, 651.

The prior writs consist of—

- (1) Feu charter by James, archbishop of Glasgow, to George Elphinstoun of Blythswood, 13 November 1579.
- (2) Instrument of sasine thereon (Henry Gibson, notary), 28 March 1580.
- (3) Charter of confirmation by King James VI., 10 December 1579.
- (4) Transumpt of sasine in favour of Sir George Elphinstoun of Blythswood, in the £3 land of Blythswood, the £6 land of Gorbals and Bridgend, and the half of a 5 merk land in Woodside, all united in a free barony called the Barony of Blythswood (Archibald Hegate, notary), 9 February 1595. (Glasgow Protocols, No. 3176.)
- (5) Feu charter by John, archbishop of Glasgow, to Sir George Elphinstoun of said lands and constituting him heritable bailie and justiciar thereof, 25 November 1607.
- (6) Extract of instrument of sasine thereon, 18 April 1608.
- (7) Charter of confirmation by King James VI., 23 July 1611.
- (8) Disposition by Sir George Elphinstoun to Robert, viscount of Belhaven, 18 January; two charters, 29 June; and sasine dated 2 July recorded in the general register at Edinburgh, 22 August, all in the year 1634.
- (9) Charter of confirmation and novodamus by Patrick, archbishop of Glasgow, to Viscount Belhaven, 11 August 1635.
- (10) Act of curatory for George Elphinstoun, son and heir of Sir George Elphinstoun, 4 September 1634.
- (11) Renunciation of heirship by George Elphinstoun and his curator and ratification of Viscount Belhaven's rights, dated (*blank*) 1635.
- (12) Disposition and two charters by Viscount Belhaven to Robert Douglas of Belhaven, 23 September; with two sasines thereon dated 11 October, and recorded in the register of sasines for shire of Renfrew and barony of Glasgow, 1 November 1636.
- (13) Charter of confirmation by the commissioners of the Duke of Lennox to Sir Robert Douglas, 15 February; procuratory of resignation, 20 February; and sasine dated 15 March and registered 19 April 1645.
- (14) Ratification by College of Glasgow to Viscount Belhaven, of decret arbitral dated 5 July 1636, decerning the teind victual bolls of Gorbals to be 4 chalders bear and 8 bolls meal, 21 February 1637.

612. JUDICIAL RATIFICATION by the said Dame SUSANNA DOUGLAS of the said Disposition [No. 611]. Edinburgh, 28 May 1650.

Extract under the hand of Mr. Andrew Ker, town-clerk of Edinburgh, in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 102, b. 44, No. 23.

Charters and Documents relating to the City of Glasgow, No. cxxvii., vol. ii., pp. 19, 20.

613. Two CHARTERS granted by Sir ROBERT DOUGLAS and his Spouse in favour of the provost, bailies, dean of guild, deacon-convener, and the master of Hutchesons' Hospital, as in the said Disposition No. 611—one of the Charters to be holden of the granters for payment of a penny Scots yearly, and the other to be holden of the Duke of Lennox and Richmond for the yearly payment of £6 Scots, with 8 bolls of meal to the mill of Partick. Glasgow, 23 February and 28 May 1650.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 103, b. 44, No. 24.

Charters and Documents relating to the City of Glasgow, cxxviii., vol. ii., pp. 21-9.

614. Two INSTRUMENTS of SASINE following on the said Charters, under the hand of Mr. John Spreull, Notary, dated 1st June, 1650, and registered in the Register of Sasines, within the sheriffdom of Renfrew, regality of Paisley, and barony of Glasgow. 20 June 1650.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 103, b. 44, No. 25.

Ratified by Act of Parliament 1661, c. 235, 20 May 1661. Acts of the Parliaments of Scotland, vol. vii., p. 220.

615. CHARTER by SIR JAMES LEIRMONT, of Balcomie, to Sir John Scott, of Scotstarvet, Knight, Director to the Chancellary, and one of the Senators of the College of Justice, of the lands of Puckie, with the mill commonly called the Waulk Mill, mill lands, multure, sequels, houses, and pertinents, lying in the parish of St. Leonard's and sheriffdom of Fife, to be holden of the burgh of St. Andrew's, for payment of a yearly feu-duty of £25 7s. 10d. Scots. Craill, 29 October 1650.

Original in the possession of The Glasgow City Educational Endowments Board.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 88, b. 40, No. 2.

616. CHARTER by Sir JAMES LEIRMONT to Sir John Scott, of the said lands of Puckie and others, to be holden of the granter for payment of a blench duty of a penny Scots. Craill, 29 October 1650.

Original in the possession of The Glasgow City Educational Endowments Board.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 88, b. 40, No. 3.

617. INSTRUMENT of SASINE following on the said Charters, dated 29 October, 1650 [Nos. 615 and 616], under the hand of John Scott, Notary, dated 29th October, 1650, and registered in the Register of Sasines at Cupar. 31 October 1650.

Original in the possession of The Glasgow City Educational Endowments Board.
Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 88, b. 40,
No. 4.

618. ACT of PARLIAMENT remitting to the Committee for military affairs a letter from the burgh of Glasgow to the King and Parliament, dated 17 December, 1650, which had been read. Edinburgh, 19 December 1650.

Acts of the Parliaments of Scotland, vol. vi., part ii., p. 623.

619. LETTER from the DUKE OF HAMILTON to the Committee of the community of the town of Glasgow, thanking them for their expressions of loyalty to the King, and wishing them to serve him in two things which had been communicated to the bearer of the missive. Perth, 25 March 1651.

Original in the Archives of the City.
Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 11, b. 1,
No. 38.
Extracts from the Records of the Burgh of Glasgow, vol. ii., p. 200.

620. ACT of the ESTATES of PARLIAMENT ordaining a full month's maintenance to be paid by the whole shires of the kingdom to be employed for his Majesty's use, over and above all impositions imposed preceding the date of the Act. Perth, 31 March 1651.

Acts of Parliaments of Scotland, vol. vii., p. 326.
Modified by the Act of Parliament, 1661, c. 352, 12 July 1661. Acts of the Parliaments
of Scotland, vol. vii., p. 326.

621. LETTER from the DUKE OF HAMILTON to the Committee of the community of the town of Glasgow, acknowledging the receipt of £300 sterling sent to his Majesty on 15th instant. Perth, 22 April 1651.

Original in the Archives of the City.
Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 11, b. 1,
No. 38.
Extracts from the Records of the Burgh of Glasgow, vol. ii., p. 202.

622. LETTER from KING CHARLES II. to the magistrates, council, and community of the town of Glasgow, asking them to send him £500 sterling. Stirling, 9 May 1651.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 11, b. 1, No. 38. Extracts from the Records of the Burgh of Glasgow, vol. ii., pp. 204-5.

623. LETTER from KING CHARLES II. to the magistrates and community of Glasgow, acknowledging receipt of £100 sterling, sent by them to him on 18th instant. Stirling, 21 May 1651.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 11, b. 1, No. 38. Extracts from the Records of the Burgh of Glasgow, vol. ii., p. 207.

624. LETTER from the DUKE OF HAMILTON acknowledging receipt of the sum specified in his Majesty's letter of same date. Stirling, 21 May 1651.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 11, b. 1, No. 38. Extracts from the Records of the Burgh of Glasgow, vol. ii., p. 207.

625. MINUTE of the ESTATES of PARLIAMENT ordaining the magistrates and commons of Glasgow to be cited to compare before Parliament on Wednesday next, anent the question and differences between them, and injuries done by either of them to the other. Stirling, 24 May 1651.

Acts of the Parliaments of Scotland, vol. vi., part ii., p. 668.

626. MINUTE of the ESTATES of PARLIAMENT remitting to the Committee of Estates a supplication by the community and incorporation of Glasgow, with power to determine the same. Stirling, 4 June 1651.

Acts of the Parliaments of Scotland, vol. vi., part ii., p. 682.

627. ORDER by the ESTATES of PARLIAMENT that the sum due by the town of Glasgow to the garrison of Stirling be presently paid by the said town, and that the same be collected in the ordinary way. Obedience is to be given to the magistrates in collecting thereof, and the like course is appointed to be taken for the King's money. Stirling, 4 June 1651.

Acts of the Parliaments of Scotland, vol. vi., part ii., p. 682.

628. ACT of the ESTATES of PARLIAMENT ordaining a full month's maintenance to be paid by the whole shires of the kingdom, to be employed for his Majesty's use, over and above all impositions imposed previously. 5 June 1651.

Acts of the Parliaments of Scotland, vol. vii., p. 326.

Modified by the Act, 1661, c. 352, 12 July 1661. Acts of the Parliaments of Scotland, vol. vii., p. 326.

629. LETTER from KING CHARLES II. to the magistrates of the town of Glasgow, asking them to send him thirty sufficient carters and twenty workmen for the service of the train of artillery, and also eight carts with their furnishings. Royal Camp near Larbert, 19 July 1651.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 11, b. 1, No. 38.

Extracts from the Records of the Burgh of Glasgow, vol. ii., p. 209.

Facsimile in Memorial Catalogue of Old Glasgow Exhibition (1894), p. 232.

630. REASONS for the DISSENT of the Burgh of Glasgow against the union of England and Scotland, of the following tenor:—

“Wee the deputies of the burgh of Glasgow haueinge seriously pondered the tender made unto us by your honours, and how much it concernes us to be single in a matter of that importance; after some weake endeavours used by us to know the Lords mind anent the same, here most humbly begg leive to represent our dissent as beinge unsatisfied in our conscience to conceive therein, and that not from any politicke designe, nationall or personall prejudice or tenaciousness of things which wee account alterable. Wee doe not insist upon the way your honours are pleased to take though it wants not ground of stumbling to do, that in a matter concerning the whole nation, there should be no commune consultacion allowed, but theise things doe more neirly concerne our conscience, which wee humbly offer to be considered:—

“(1) Wee who have had all divine and human rights to properties and to a selfe disposing power of our owne government, and also haue had the government of our church settled, and haue found Gods sensible blessing accompanying the same; let it be considered if we can actively consent to such a tender by which all theise in our apprehension may be destroyed, and so make ourselues guiltie of all the blood and treasure has bene spent in promotinge the work of Reformacioun, if so be wee returne by our owne consent to put it without government, covenant or what has followed upon them.

“(2) Because our acceptance of the incorporacioun as it is circumstanced and holds forth in the declaracioun involves us, as wee conceive, for the approbacioun of the parliament of England's disposing upon all thats neare or deare unto us and of the grounds upon which they goe in relacion thereto, which wee cannott in our consciences approve.

“(3) Because it doth by necessary and cleir consequence establish in the Church a vast and boundles toleracion of all sorts of errour and heresies, without any effectuell remedie for suppressing the same; notwithstanding that there bee the same morall and perpetuall obligation upon us to suppress and extirpate heresie no less then profanenes: Lykeas this declaracion doe allow diverse wayes of worshipping God under the name of gospell wayes.

“(4) Our consent is sought to an incorporacion, and yet no tyme nor way propont when such a thing may be effectuell, nor any plott or draught of it holden forth, but wee engaged to approue wee know not what, as also to giue obedience to the commoun

wealth of England for the tyme whereby wee haue no accesse to desire either the privilegedges which may be supponet to come by this tender, or to haue any hand in framing the mould thereof, if it should come, but bind upp our selves from haueing any government at all, but what shall be derived to us. (Subscribed:—) Jo. Graham, Jo. Spreule." Endorsed: Glasgow Burgh Deputies Dissent, 24 February 1651-2.

Historical MSS. Commission Report, xiii., App. 1, p. 628.

The Cromwellian Union: Papers relating to the Negotiations for an incorporating Union between England and Scotland, 1651-2 (Scottish History Society, vol. 40), pp. 34, 35.

Newaletter from Dalkeith, 2 March 1652, stating that "only the Burrough of Glasgow have in writing given in their dissent to the Union." (*Ib.*, p. 85).

Declaration by burgesses and inhabitants of the burgh of Glasgow, 21 February 1652. Glasgow Records (Scottish Burgh Records Society), ii., p. 219.

631. MINUTE of the PARLIAMENT of England setting forth report by Sir HENRY VANE, Junior, of the proceedings of the Commissioners forming the Council of State in Scotland, in regard to the union between England and Scotland, and specially the dissent of the deputies of the burgh of Glasgow from the proposed union, lodged on 24 February 1651-2. Minute dated 16 March 1651-2.

Acts of the Parliament of Scotland, vol. vi., part ii., p. 772.

632. ASSENT of the Burgh of Glasgow to the incorporation of Scotland into the Commonwealth of England, of the following tenor:—

"To the right honourable the commissioners of the parliament of the Commonwealth of England for ordering and managing affaires in Scotland: The humble answer of the Commissioners of the burgh of Glasgow in name and behalfe of the said burgh.

"First, wee in name and behalfe of the said burgh doe heartily accept the tender made to us in the declaracion of the parliament of the commonwealth of England, that Scotland bee incorporated into and made one commonwealth with England, that thereby that same government that is established in England without a King or Howse of Lords, under the free estate and commonwealth of England, may be derived to the people in Scotland.

"Secondly, wee declare that wee will in the meane tyme liue peaceably under and giue obedience unto the authority of the parliament of the commonwealth of England exercised in Scotland.

"In testimony whereof, wee doe in name and behalfe of the burgh aforesaid subscribe theis presents at Dalkeith this 18th day of March 1651-2. (Subscribed:) James Pollik, Walter Neilsone." [Dated on margin 13 March 1652.]

The Cromwellian Union (Scottish History Society, vol. 40), pp. 116-7.

MS. Council Record of Glasgow, 23 March 1652.

Extracts from the Records of the Burgh of Glasgow, ii., p. 229.

633. DESIRES of the Burgh of Glasgow, addressed to the Commissioners of the Parliament of England for ordering and managing affairs in Scotland, of the following tenor:—

“The humble desires of the commissioners of the burgh of Glasgow for and on behalf of the said burgh:—

“(1) That they may have a magistracy chosen of the fittest and ablest of those who have given obedience.

“(2) That the old magistrates may be compelled to make account to the new magistrates that shall bee chosen of what moneys they have received and how they have disbursed the same, whereby the said burgh may bee the better enabled to pay theirre sess.

“(3) That some of the ministers whose mouths are open against our proceedings in this our compliaunce may bee taken a course by the magistrates that shall bee chosen, and that all compliants with the said ministers may likewise bee taken a course with.

“Your honours answer hereto wee humbly crave. [Subscribed:] James Pollik, Walter Nielsone.” [Dated on margin 13 March 1652.]

The Cromwellian Union (Scottish History Society, vol. 40), pp. 117-8.

634. WARRANT and COMMISSION by the Commissioners of the Parliament of the Commonwealth of England for ordering and managing affairs in Scotland, authorising and appointing the neighbours and inhabitants of the burgh of Glasgow to nominate and choose their magistrates and officers for the government of the burgh till farther order. Dalkeith, 18 March 1652.

MS. Council Record of Glasgow, 23 March 1652.

Extracts from the Records of the Burgh of Glasgow, ii., pp. 220-1.

635. MINUTE of the PARLIAMENT of England setting forth report by Sir HENRY VANE, Junior, from the Council of State in Scotland of the assent of the burgh of Glasgow to the union, with the desires of the burgh. Minute dated 26 March 1652.

Acts of the Parliament of Scotland, vol. vi., part ii., p. 773.

636. ORDER by the PARLIAMENT of ENGLAND that £1000 be paid out of the Treasury of the Sequestrations in Scotland for distribution among such of the poor of the city of Glasgow as have suffered by the late fire there. Westminster, 17 September 1652.

Acts of the Parliaments of Scotland, vol. vi., part ii., p. 775.

Extracts from the Records of the Burgh of Glasgow, vol. ii., p. 247.

637. MINUTE of the PARLIAMENT of England, setting forth the report by the Lord Commissioner Whitloch, on behalf of the Committee appointed by the Parliament to confer with the deputies sent from Scotland as to the union between England and Scotland, that after the deputies from Glasgow had accepted the union tendered by the Council of State for Scotland at Dalkeith, the commissioners there had ratified the privileges of Glasgow, and the Commission of the deputies had been allowed by the Commissioners for administration of justice at Edinburgh. Minute dated 29 October 1652.

Acts of the Parliaments of Scotland, vol. vi., part ii., pp. 777, 793, 794.

638. RATIFICATION by Sir JAMES LEIRMONT of Balcomie of the Charters granted by him to Sir John Scott of Scotstarvet, dated 29 October, 1650 [Nos. 615 and 616], of the lands of Puckie, &c., in Fyfe. St. Andrew's, 12 April 1653.

Original in the possession of the Glasgow City Educational Endowments Board.
Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow (1696), p. 88, b. 40, No. 5.

639. CONTRACT between the Magistrates and Council of the Burgh of Glasgow and Sir John Scott, of Scotstarvet, whereby Sir John, out of the love he had to the city, being the prime city of the West, out of which country Sir John descended, and in consideration of the present calamity of the inhabitants of the said city through fire, he mortified and disposed to the burgh the lands of Pickie and Pickiemiln, lying in the parish of St. Leonards and sheriffdom of Fyfe, with houses, biggings, and pertinents thereof, then worth three score bolls victual yearly in bear and meal, but liable for ten pounds of feu-duty, yearly, to the burgh of St. Andrew's, superiors thereof; and that for the use and behoof of six prentice boys, whereof five to be presented by Sir John, and failing him, by his heir-male, to be prentices to any honest trade or calling within the burgh of Glasgow, and the sixth to be elected by the magistrates and council of Glasgow; and the whole six to be set prentices by the magistrates to the said callings and trades during the ordinary time and custom for prentices; and their prentice fee to be ten bolls for each of them to their masters, yearly, of the quality foresaid, of the ordinary price at the rate of the market of St. Andrew's the last market day of every year preceding and the first market day of every year succeeding; and the prentices to be set prentices on the 1st of January yearly, beginning the first presentation on 1st January 1656 for crop 1655. And it was provided that at the outcoming of the prenticeships the prentices should be bound to appear in the Tolbooth of Glasgow on 1st January thereafter, and there present themselves with a trial piece of work of their trade before Sir John and his heirs or their commissioners, and in token of their gratitude to deliver the piece of work, being worth ten marks, or if more the ten marks themselves, in satisfaction thereof, or else consign the same in the hands of the Dean of Guild or Treasurer in case of absence of Sir John or his friends; and if they fail they are not to be admitted burgesses. The Town Council are to make the prentices burgesses after their prenticeships are served and said acknowledgment performed;

and if the prentices be merchant prentices they are to have the privilege of guild brethren. And the Contract further declares that Sir John and his successors will rather make election of Scots bairns within the town than of others, and also contains provision that security be given for the honesty of and clothing to strangers, if presented. Glasgow, 11 and 13 June 1653.

Original in the possession of the Glasgow City Educational Endowments Board.
Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow (1696), p. 88, b. 40, No. 6.

640. DECLARATION by Sir JOHN SCOTT of Scotstarvet, as to a head and article scored out of the Contract between him and the town of Glasgow, dated 11 and 13 June 1653 [No. 639]. Glasgow, 13 June 1653.

Original in the possession of the Glasgow City Educational Endowments Board.
Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow (1696), p. 89, b. 40, No. 7.

641. Two CHARTERS by Sir JOHN SCOTT of Scotstarvet in favour of the Provost, Bailies, and Council of Glasgow, for themselves and in name and behalf of the community thereof, of the lands of Puckie and Puckiemill, for the use specified in the Contract, dated 11 and 13 June 1653 [No. 639], one of the said Charters containing an *a me*, and the other a *de me* holding; both dated 25 June 1653.

Original in the possession of the Glasgow City Educational Endowments Board.
Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow (1696), p. 89, b. 40, No. 8.

642. WRIT granted by the COLLEGE of GLASGOW, setting forth that the sum of 3,000 merks mortified by Mr. William Struthers [No. 527], to maintain two bursars at the presentation of the Town Council of Glasgow, is not sufficient stock to maintain two bursars of theology upon the annual rent thereof, and that the annualrents of the principal sum extended to 1,000 merks before the College had obtained payment of the said principal sum, which the College had lent to the town of Glasgow; therefore the College mortified and appointed the said 1,000 merks for the better maintenance of the said two bursars, making in all 4,000 merks, and obliged themselves to apply the same for no other use but for maintaining those four bursars of theology according to the will of the said Mr. William. Dated 21 December 1653.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 92, b. 41, No. 2.
Deeds instituting bursaries, &c., in the College and University of Glasgow (Maitland Club), p. 33.
Glasgow Records (Scottish Burgh Records Society), ii., pp. 58, 195, 276, 413, 414.

643. INSTRUMENT of SASINE in favour of the Principal, Professors, and Regents of the College of Glasgow, proceeding on bond and obligation granted to them by the provost, bailies, and council of the burgh of Glasgow for 4,000 merks and annualrents thereof, on the security of "thair twa mylnes called the Subdeanes Mylnes, belonging to the said burgh, lyand nixt thairto, and the haill multers, sequellis and casualteis belonging to the samyne." Sasine given by William Yair, common clerk of the burgh of Glasgow, notary.¹ Bond dated 24 December 1653. Sasine dated 2 and registered in the General Register of Sasines at Edinburgh 6 February 1654.

Original (cut longitudinally in three places) in the Archives of the City. See No. 682.
Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 37, b. 9, No. 12.

644. CONTRACT between the Bailies and Councillors of Glasgow and John Craig, portioner of Nether Newtoun, whereby Craig feued and disponed to the Provost, Bailies, and Council of Glasgow a rood of land or thereby, part of the lands of Nether Newtoun, which rood adjoined the malt or meal mill and waulk mill, and other lands there belonging to the burgh, and was bounded by the water of Kelvin on the north. To be holden for payment of £4 Scots of yearly feu-duty. Glasgow, 28 March 1654.

Original in the Archives of the City.
Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 40, b. 13, No. 1.
Charters and Documents relating to the City of Glasgow, No. cxxix., vol. ii., pp. 30-32.

645. INSTRUMENT of SASINE, following on the Contract [No. 644]. Dated 4 April 1654, and registered in the General Register of Sasines at Edinburgh, 12 April 1654.

Original in the Archives of the City.
Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 41, b. 13, No. 2.

646. REPORT by MAJOR-GENERAL LAMBERT to the Council of State as to the subdivision of ten persons allotted for the proportion of the burghs in Scotland, among the said burghs, with the places to meet at for their respective elections. Approved by the Lord Protector. By this scheme Lanark, Glasgow, Rutherglen, Rothesay, Renfrew, Air, Irvine, and Dumbarton were conjoined to elect one representative at Glasgow. Whitehall, 2 June 1654.

Acts of the Parliaments of Scotland, vol. vi., part ii., p. 754.

¹ The notary's docquet, written in the vernacular, in conformity with the practice during the Commonwealth, is as follows:—"And I William Yair, common clerk of the said burgh of Glasgow and notary publick, admitit and receavit conform to the tenour of the act of parliament set down thairanent: Becaus whill as the haill premissis as is above writtine war spokine, agitat and done, I, with the abovenamet witnessis, was personalie present, and with all and sindrie thes

things, as is above specifeit, I did, sie, know and hard done, and did mak ane note thairof; and thairfor this present publick instrument (writtine be Alexander Pettegrew, my servand) I have causit mak and perfect; as also hes subscriyved and markit the same with my ordinarie mark of name and surname, in farder fidelitie, strenthe and testimonie of the haill premissis, as is above writtine, being requyred and desyred thairto."

647. ORDINANCE by the LORD PROTECTOR and COUNCIL for the distribution of the elections in Scotland, appointing Lanark, Glasgow, Rutherglen, Rothesay, Renfrew, Ayr, Irvine, and Dumbarton to return one member to Parliament, and the place of meeting for the election to be at Glasgow. Whitehall, 27 June 1654.

Acts of the Parliaments of Scotland, vol. vi., part ii., pp. 755, 823.

648. ORDINANCE by the LORD PROTECTOR and COUNCIL, granting the prayer of a petition of the inhabitants of Glasgow, setting forth their sad condition by reason of the late fire there, and craving abatements for the assessments imposed on them for maintenance of the army. Whitehall, 11 July 1654.

Acts of the Parliaments of Scotland, vol. vi., part ii., p. 755.
Extracts from the Records of the Burgh of Glasgow, vol. ii., p. 291.

649. Two SASINES in favour of the Burgh of Glasgow in the lands of Pickie and Pickiemill, following upon the Charters dated 25 June 1653 [No. 641], dated 17 October, and recorded in the Register of Sasines at Edinburgh, 12 December, 1654.

Original in the possession of the Glasgow City Educational Endowments Board.
Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 89, b. 40, No. 9.

650. RATIFICATION by Sir JAMES LEIRMONT, of Balcomie, of the Mortification by Sir John Scott, of Scotstarvet. Balcomie, 17 October 1654.

Original in the possession of the Glasgow City Educational Endowments Board.
Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 90, b. 40, No. 11.

651. RATIFICATION by ALEXANDER LORD BLANTYRE, brother german and heir-male of the deceased Walter lord Blantyre, who was heir-male of the deceased William lord Blantyre, their father, who was heir-male of the deceased James master of Blantyre, his brother, ratifying and approving an assignation granted by him on 21 February 1648, during his minority, in favour of the provost, bailies, and council of the city of Glasgow, of a tack [No. 489] granted on 29 December 1608 by John archbishop of Glasgow, with consent therein mentioned, to the said James master of Blantyre, of the teinds of the parsonage of Glasgow, with the teind herring and other teind fish of the water of Clyde pertaining to the vicarage thereof, for the yearly payment of 300 merks and relieving the archbishop of the reparation of the kirk pertaining to the vicarage, taxes, stents and other impositions imposed on the parsonage. But

excepting from the warrandice of said assignation the following tacks of the teinds aftermentioned, viz.:—(1) tack to Robert Hamiltoun, younger, of Silvertounhill, of the teinds of the lands of Provan; (2) tack to Sir Robert Douglas of Blakerstoun of the teinds of a merkland of Newton of Partick and of the lands of Blytheswood and Meikle Kowcaddens; (3) tack to George Anderson and James Elphinstoun of the teinds of the lands of Woodsyd; (4) tack to the laird of Blair of the teinds of the lands of Garroch; (5) and (6) tacks to Robert Fleaming and Mr. Archibald Fleaming of the teinds of those parts of the lands of Kepoch and Possill belonging to them respectively; (7) tack to George Hutcheson of the teinds of the lands of Lamhill and Garbread; (8) tack to the said George Hutcheson of the teinds of Borrowfeild; (9) tack to Mr. Archibald Fleming of the teinds of the lands of Cautstoun; (10) tack to Thomas Morieson of the teinds of the lands of Little Kowcaddens; (11) tack to Mr. James Corbet of the teinds of the lands of Towcours; and (12) tack to George Rob of the teinds of the lands of Bromhill. Cardonald, 23 January 1655.

Original Ratification in the Archives of the City.

652. ACT of the CONVENTION of BURGHS ordaining, Ayr, Irvine, Dumbarton, Renfrew, Lanark, Rothesay, and Rutherglen to refund to the burgh of Glasgow their respective proportions therein specified of the advances made by Glasgow to Mr. John Wilkie, the commissioner appointed to attend the parliament in London; the several burghs above named being conjoined with Glasgow, and made liable for the expenses of the commission to parliament under the order of the Lord Protector and his council. Edinburgh, 9 February 1655.

MS. Records of Convention.

Printed Records of Convention, vol. iii., p. 397.

653. OBLIGATION by the Principal, Professors, and Regents of the College of Glasgow, with consent of the rector and dean of faculty thereof, acknowledging receipt from the dean of guild and his council of the merchant rank of the sum of £1,000 mortified by Mr. Zacharie Boyd, minister of the Barony Kirk (conform to contract dated 8 December 1635), for the education of a student of theology in the College of Glasgow, and undertaking to apply the annualrent of the money to the purposes of the mortification. 2 March 1655.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 96, b. 41, No. 9A. Deeds instituting Bursaries, &c., in the College and University of Glasgow (Maitland Club), pp. 43-7.

Extracts from the Records of the Burgh of Glasgow, vol. ii., pp. 36-7, 305-7.

654. RETOUR of the Special Service of ESME DUKE of LENNOX and RICHMOND, as heir of James duke of Lennox and Richmond, his father, in the office of bailiary and justiciary of the barony and regality of Glasgow, the lands and barony of Glasgow, city, burgh, and regality of Glasgow, with houses and pertinents, and in certain other lands therein particularly mentioned, which belonged to the archbishop, together with the heritable title and nomination and yearly election of the provost, bailies, and other magistrates and officers of the said burgh and city, as freely as the same pertained of before to the archbishop, all united into a temporal lordship and regality, with the privilege of free chapel and chancery, to be called in all time coming the lordship of Glasgow, to be holden of the Protector in place of the late King, in feu-farm for payment of 500 merks yearly. Dated 8 August 1655.

Abridgement of Retours (1811), Lanark, No. 259.

655. CHARTER by the Commissioners constituted by the duchess of Lennox, tutrix testamentar to Esme duke of Lennox and Richmond, lord of the barony and regality of Glasgow, and so superior of the lands therein mentioned, confirming the Charter by Sir Robert and Lady Douglas [No. 613], and Sasine following thereon, for the yearly payment of £6 in money, and eight bolls of meal to the mill of Partick in feu-farm; as also of a proportional part of 2s. of augmentation of the rental of the said lands and of other lands therein specified. Glasgow, 8 September 1655.

Original Charter in the Archives of the City.

Charters and Documents relating to the City of Glasgow, No. cxxx., vol. ii., pp. 33-6.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 103, b. 44, No. 26.

Ratified by Act of Parliament, 1661, c. 235 (20 May, 1661) and 1669 (c. 108 (23 December, 1669). Acts of the Parliaments of Scotland, vol. vii., pp. 220, 651.

656. DISPOSITION by THOMAS POLLOCK, merchant, burgess of Glasgow, to the burgh of Glasgow, of a piece of vacant ground which was of old a laigh fore booth and a part of a tenement of land sometime belonging to John Wryght, lying on the east side of High Street, at the head of the Stinking Vennel, to be used in the setting down of a common well there. Glasgow, 10 November 1655.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow (1696), p. 56, b. 26, No. 8.

The prior writs consist of—

- (1) Instrument of sasine in favour of George Pollock in liferent and Jonet, his daughter, in fee, of a laigh fore booth, being part of a tenement of land of old pertaining to John Wright, 12 June 1594.
- (2) Disposition by the said Jonet to Thomas Pollock 29 June 1650.
- (3) Instrument of sasine thereon (William Yair, notary) 11 September 1654.

657. ORDER and DECLARATION by the COUNCIL of STATE for SCOTLAND, fixing the proportion payable by Glasgow of the assessment of £10,000 per month, imposed by the Lord Protector and council on the kingdom of Scotland, from 31 December 1655 till 1 July 1656, at £97 10s., and nominating commissioners for the city to put the order to execution. Edinburgh, 21 December 1655.

Acts of the Parliaments of Scotland, vol. vi., part ii., p. 837.

658. ESTIMATE of the CUSTOMS and EXCISE collected in the several ports in Scotland for the months of October, November, and December 1655, and of excise received in that time for inland salt. From this estimate it appears that in Glasgow there were collected, during these three months, of customs £114 7s. 11½d., and of excise £266 15s. 1½d. Edinburgh 12 February 1655-6.

Acts of the Parliaments of Scotland, vol. vi., part ii., p. 898.

659. AGREEMENT between the College and the town relative to the mortification by Master Thomas Hutchesone, of Lambhill, dated 13 May 1641 [No. 571], wherein it is set forth that the college had augmented the allowance for the maintenance of the Bibliothecarius, and made it worth £200 yearly, and both parties agreed that the presentation be *per vices*. But if the town mortified as much as made up the mortification to £200 yearly, they were to have the sole presentation. Glasgow, 19 April 1656.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 97, b. 41, No. 12. See Deeds instituting Bursaries, &c., in the College and University of Glasgow (Maitland Club), p. 52, Note. Also *postea* No. 676.

660. SEAL of CAUSE by the Provost, Bailies, and Council of Glasgow, whereby, on the supplication of the surgeons and barbours resident within the city narrating their constitution by a patent of King James, dated 29 November 1599, and their desire for a Seal of Cause, the following articles were ratified and approved:—(1) The craft to elect yearly at Michaelmas a visitor or deacon who should convene meetings, nominate one-half of the quartermasters, and prohibit any person from exercising these arts until he is made burgess and admitted by the calling after trial. (2) A burgess's son serving five years as apprentice and two years for meat and fee to pay 40 merks Scots for his upset, and a stranger to pay 80 merks for the poor of the calling. (3) No person to have more than one apprentice during the said seven years. (4) Any person exercising these arts without admission and license by the calling to be fined £10 Scots. (5) Four head courts to be held yearly, and absentees fined half a mark. (6) No freeman to employ an unfreeman or another's apprentice under penalty of a new upset. (7) No freeman to take any other freeman's cure off his hand until he be honestly paid for his bygone pains at the sight of the bailies, with the advice of their visitor in case the patient find himself grieved by the surgeon, under the penalty of a new upset; and the visitor and

quartermasters to have liberty to take patients from a freeman who had not been found qualified for their cure, and to put them to one more qualified. (8) None to disobey the visitor, quartermaster, or officer (who was to be the last entered freeman) under penalty of a new upset. (9) No brother within the calling to meddle with more points of surgery than those he was found qualified in on admission, under penalty of a new upset. And (10) The visitor or deacon to judge between master and apprentice at the bailie's sight, and between brother and brother of the calling in matters relating thereto, and to have power to poind absentees from courts and burials, and for non-payment of quarter accounts. Glasgow, 16 August 1656.

Original in the Archives of the Incorporation of Barboura.
Records of the Burgh of Glasgow, vol. ii., pp. 341-344.

661. DISPOSITION by JAMES LIES, merchant, burgess of Glasgow, to the burgh of Glasgow, of a void space which was (before being burnt fifty-two years since) a tenement of land containing a hall and chamber on the east side of the High Street, near the Stinking Vennel, above the well there, "now in building be the toune." This Disposition forms one of a bundle of writs specified in the inventory of 1696 as "wrytes of the well at the head of the Stinking Vennel and washing place on the south side of the said vennel and of Bogles well." Glasgow, 28 August 1656.

Original in the Archives of the City.
Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 56, b. 26, No. 4.
The prior writs consist of—

- (1) Disposition by Malcolm Alexander, tailor, to John Gillespie, tailor, of a tenement of land containing a hall and chamber, with sasine thereon, 5 July 1591.
- (2) Renunciation and disposition by John Gillespie, heir of the said John, to James Leys 9 May 1654.

662. MINUTE of the COUNCIL of STATE at Whitehall, remitting to the Committee of the Council for the affairs of Scotland a petition by Patrick Gillespie, Principal of the University of Glasgow, for consideration and report. Whitehall, 12 February 1656-7.

Acts of the Parliaments of Scotland, vol. vi., part ii., p. 762.

663. MINUTE of the COUNCIL of STATE at Whitehall, approving of a report by the Committee of the Council on Scottish affairs, on a petition of Patrick Gillespie, Principal of the University of Glasgow, and recommending the Lord Protector to issue his warrant for preparing a charter confirming to the University various privileges possessed by them under the old charters, and making various new grants to them. Whitehall, 5 March 1656-7.

Acts of the Parliaments of Scotland, vol. vi., part ii., pp. 762, 763.

663A. CONTRACT and AGREEMENT between the weavers of the Burgh of Glasgow and the weavers dwelling on the lands of Gorbals, whereby, after referring to a previous Agreement, dated 8th May, 1605, and "the act of parliament sett down in anno 1592 anent craftsmen exercising their crafts in suburbs to burrowes,"¹ and mentioning that, "be the providence of God, they doe all now leive under one heid and superiour, the provest, bailies and counsell of Glasgow, now undoubtit lafull superiouris of the saids lands of Gorballis,"² the following articles were agreed to:— (1) The liberty which the weavers of Gorbals have for exercising their calling is granted to them by the weavers of Glasgow. (2) From a leet presented by the weavers of Gorbals their oversman to be chosen by the deacon of Glasgow weavers and his masters of craft, and six assessors to be chosen from a leet of twelve. (3) No stranger weavers to settle in Gorbals without consent of the Glasgow weavers; and the dues of admission and upsets of strangers and prentices (as specified in the Contract) to be divided between the weavers of Glasgow and Gorbals, and employed towards the supply of their poor decayed brethren respectively. (4) Every weaver in Gorbals to pay 20s. Scots for each loom, to be applied for behoof of the poor decayed brethren in Glasgow. (5) Each of the Gorbals weavers to have liberty to take a prentice every fourth year, to be bound for five years, and to be furnished by his master in food during that time. (6) Journeymen in Gorbals not to be paid higher fees than those in Glasgow. (7) The weavers of Gorbals not to encroach on the liberties of those of Glasgow, and the latter to defend the former in their privileges. Glasgow, 10 April 1657.

Original in the possession of the Incorporation of Weavers of Glasgow.

Old Glasgow Weavers: being Records of the Incorporation of Weavers (1905), pp. 98-101.

Ratified by Town Council of Glasgow 11 April 1657 (Glasgow Rec., ii., p. 32).

664. CHARTER by the Magistrates and Council of the Burgh of St. Andrews, as superiors of the lands of Puckie and Puckiemill, in favour of the magistrates and council

¹ The act 5 June 1592, c. 76 (A.P.S., iii., p. 579), proceeded on the preamble that "the exercois of craftsmen, in the suburbis of the frie burrowis is nocht onlie hurtfull to all our Soverane lordis liegis for the insufficiencie of the wark, bot als ministrattis greit occasioun to prentissis and servandis in frie burrowis undewtifullie to leive thair maisteris, and to remane and abynd in the said suburbis, thairby substracting thame selfis fra the iurisdiction of the provest and ballies of the saidis burrowis; and als the frie craftsmen, resident within the saidis burrowis, ar gritlie damnifit, seing thay beir ane greit pairt of the chargis of the burgh, and the advantage of the wark that sould releif thame is drawin away to the saidis suburbis." Parliament, therefore, declared that in future there should be no exercise of crafts in suburbs adjacent to burghs and authorised the magistrates to enforce the act. In 1605 Sir George Elphinston of Blythswood,

provost of Glasgow, was propriator of Gorbals, and the agreement dated 8th May of that year bears that, out of favour to him, the websters of Glasgow allowed his tenants, the websters in Bridgend of Gorbals, to exercise their craft within the burgh of Glasgow, on payment by each webster of 8s. yearly to the deacon and masters of the Glasgow craft (Old Glasgow Weavers, pp. 95, 96). See also Seal of Cause to the Websters of Glasgow, 16 February 1605 (*Ib.*, pp. 2-4; Abstract of Charters, No. 449).

² It is also stated that in entering into this agreement the parties desire that the "old love, peace and amity that hes beine betuixt the weivers of this burghe and the weivers of the saids lands of Gorballis may be rather augmented nor diminished," and that they are "following the example of uthir weil governed partis in the lyke, as amongst the weivers of Edinburgh, Westport and Potterraw."

of the burgh of Glasgow, ratifying, *inter alia*, the mortification by Sir John Scott, of the said lands, to the magistrates and council of Glasgow, for the use specified in the Contract dated 11 and 13 June 1653 [No. 639]. St. Andrews, 22 May 1657.

Original in the possession of The Glasgow City Educational Endowments Board.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 89, b. 40, No. 10.

665. DISPOSITION and ASSIGNATION by THOMAS POLLOCK, merchant, burgess of Glasgow, and Janet Neilsone, relict and executrix of Daniel Wallace, merchant, late provost of Glasgow, with consent of the relict of John Wilson, tanner, burgess of Glasgow, in favour of the burgh of their respective rights and interests in the burnt, cast-down tenement of land at the New Kirk, or Tron Kirk, on the south side of the high street of Trongate, bounded between the lands of James Armour, merchant, on the east, the said kirk on the south, the common passage of the said kirk on the west, and the street on the north. It is stated that the tenement had been burnt in June 1652, and had since remained ruinous, and that the site had been acquired for enlargement of the kirk. Glasgow, 10 June 1657.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 50, b. 19, No. 4.

666. DISPOSITION by DAVID BISKETT, tailor, Glasgow, to the Burgh of Glasgow, of two roods of land on the east side of the Stokewellgate, and then a part of the town's waste land called Goosedubs, "boundit betwixt the landis of old belonging to umquhile William Coningham on the south, the landis of old sett in feu to umquhile James Fleming on the north, and the commoun wayes on the east and west parts;" which two roods, though feued by the town in [1589],¹ had not been built on, and the same were now reacquired for the purpose of remaining vacant. Glasgow, 22 June, 1657.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 55, b. 25, No. 5.

The prior writs consist of—

- (1) Sasine in favour of Robert Rowat, bailie, of two roods of land on the north side of the Greenhead, proceeding on a feu right granted by the town council, for 40d. of feu duty (John Rosse, notary) 27 September 1589.
- (2) Sasine in favour of Robert Watson, maltman, on the resignation of Daniel Maxwell (Henry Gibsone, notary) 3 June 1596.
- (3) Disposition by Robert Watson to James Biskett, burgess, 17 May 1597.
- (4) Service David Biskett, tailor, as heir of James Biskett, his grandfather, 12 June 1657.

667. ORDER of the LORD PROTECTOR and PARLIAMENT for an assessment of £5,000 per month from the kingdom of Scotland, from 25 March till 25 June 1657, towards maintaining the war against Spain and other affairs; and fixing the monthly proportion payable by Glasgow at £54 2s. 4d.; and nominating commissioners for the city to put the order to execution. Westminster, in parliament begun 17 September 1656.

Acts of the Parliaments of Scotland, vol. vi., part ii., pp. 849, 853.

¹ "1596" in Disposition, but 1589 seems the correct date.

668. ACT of the LORD PROTECTOR and PARLIAMENT ordering an assessment at the rate of £35,000 sterling per month, to be raised for the maintenance of the army and navy of the Commonwealth, for three years, from 24 June 1657 till 24 June 1660, and fixing the proportion thereof to be raised in Scotland at £6,000 per month, and the contribution of Glasgow at £64 18s. 9d. Westminster, in the parliament begun 17 September 1656.

Acts of the Parliaments of Scotland, vol. vi., part ii., pp. 861, 862.

669. LETTER from GENERAL MONK to the Lord Protector advising him not to interfere in the election of magistrates at Glasgow. Dalkeith, 24 September 1657.

Acts of the Parliaments of Scotland, vol. vi., part ii., p. 913.

Extracts from the Records of the Burgh of Glasgow, vol. ii., p. 379.

670. LETTER from SAMUEL DESBROWE to Mr. Secretary Thurloe, containing similar advice. Edinburgh, 10 October 1657.

Acts of the Parliaments of Scotland, vol. vi., part ii., p. 913.

Extracts from the Records of the Burgh of Glasgow, vol. ii., pp. 382, 383.

671. ACT of the CONVENTION of BURGHS, on a supplication by the Burghs of Glasgow, Dumbarton, and Renfrew, against unfree coopers in clachans and unfree places for buying of girths, staves, rungs, and other necessities, from unfree persons on the water of Clyde, and also the inequality of the measures of barrels for salting of all sorts of fishes, ordaining every burgh to report its diligence in putting into execution within its bounds the several acts of parliament against the practices complained of. Glasgow, 24 October 1657.

MS. Records of Convention.

Printed Records of Convention, vol. iii., pp. 451, 452.

672. ACT of the same CONVENTION ordaining the Commissioners of Burghs who are appointed to attend the Council of Estates anent other affairs of the burghs to supplicate the council for remeid of the abuses referred to in the above Act, and to obtain an ordinance of the council to that effect. Glasgow, 24 October 1657.

MS. Records of Convention.

Printed Records of Convention, vol. iii., p. 454.

673. SECOND CONTRACT between the Magistrates and Council of the Burgh of Glasgow and Sir John Scott of Scotstarvet, whereby both parties ratified the Contract, dated 11 and 13 June 1653 [No. 639], except in so far as modified by the provision that the number of prentices should be reduced to four yearly, whereof three to be nominated by Sir John, or his successors, and the fourth by the magistrates and council, and that

nothing should be exacted for making them burgesses; that the council should give no greater prentice fee than one hundred merks at most, and the remainder, if anything, to be applied (with the annual rent thereof) to the four prentices to be presented that year, at the termination of their prenticeship, as a small stock to them to begin upon when made burgesses. Sir John further discharged the provision in the former contract by which he permitted the prentices to be merchants, seeing that the intention of the mortification was for behoof of poor tradesmen only and not of merchants, and declared that if any of his successors should dispoise the patronage, the disposition should be null and void, and the patronage should in that event pass to the next substitute person. Glasgow, 28 April 1658.

Original in the possession of The Glasgow City Educational Endowments Board.
Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 90, b. 40, No. 12.
Glasgow Records (Scottish Burgh Records Society), ii., pp. 333-5.

674. ACT or DECREE of the PRIVY COUNCIL upon a complaint made by Glasgow against the town of Dumbarton for their coming in a hostile way armed to Newark, and entering vessels and ships belonging to Glasgow, and committing many riots, whereupon Dumbarton was fined in £500 sterling. Dated 6 May 1658.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 28, b. 5, No. 6.
See Act of Parliament, 31 January, 1701, c. 27; A. P. S., vol. x., p. 326. *Antea*, pp. 289-90.

675. ACT of the CONVENTION of BURGHS anent a complaint by Dumbarton against Glasgow, that the latter "does cellar their salt in unfree places, to their prejudice," remitting to certain commissioners of burghs "to speak with both parties before they depart from the place, and to deal to compos the business." Edinburgh, 12 July 1658.

MS. Records of Convention.
Printed Records of Convention, vol. iii., p. 472.

676. AGREEMENT between the Town and the College of Glasgow, with reference to the Agreement, dated 19 April 1656 [No. 659], explaining the words *per rices*, and agreeing that in case the person holding the presentation was removed within the four years, that the party in whose time the removal should occur, might of new present for the remaining period of the four years. Glasgow, 4 September 1658.

Original in the Archives of the City.
Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 97, b. 41, No. 12.

677. CONTRACT between the Provost, Bailies, and Council of the Burgh of Glasgow and Mr. Donald Cargill, minister at the Barony Kirk of Glasgow, whereby, on the narrative that the town council, under a contract between them and the commissioners of the late duke of Lennox, were bound to pay the stipend due to the minister serving the cure of the Barony Kirk, and so to relieve the duke and his successors thereof,

therefore, and for other good causes moving them, the town council bound themselves to pay to Mr. Donald Cargill, during his service of said cure, 10 merks Scots for each boll of eight chalders victual overhead, with 20 merks Scots additional, in full of all stipend and communion elements claimable from the town council or from the duke of Lennox. The yearly payment extended in all to 1,300 merks Scots (£72 4s. 5d. sterling). Glasgow, 20 September 1658.

678. TACK between the Provost, Magistrates, and Council of Glasgow, on the one part, and Andrew Johnstone of Lockerbie and Mr. John Johnstone, his eldest son and apparent heir, on the other part, whereby the first party, as titulars of the parsonage and vicarage teinds aftermentioned, set to the second party the parsonage and vicarage teinds of (1) £20 land of Turmuir, Manterige, Roberthill, and Tuxholm; (2) £3 land of Lockerbie; (3) 20s. land of Peitteisland; (4) 20s. land called Greinsydes; (5) £10 land called of Lochinvar *alias* Over and Nether Kirktownes; (6) 10 merk land of the Hiefeild of Bengall; (7) 20s. land in Dryholme, "belonging to George Jonsoune, brother german to the said Andrew;" (8) £4 land of Dattonheuck, Kopwood Know, and Bengall-hill; "and of sum landes in Bengaill belonging to the laird of Howmaynes or utheres his friends, and of Cuddies Croft;" all lying within the parish of Drysdail, stewartry of Annandale, and shire of Dumfries. For 29 years from Martinmas, 1657. Tack duty, 179 merks 3s. 4d. Scots (£9 19s. 1d. sterling) yearly. Glasgow, 30 September 1658.

Original in the Archives of the City.

679. ACT of CONVENTION of BURGHS, on a supplication presented by way of missive-letter by Dumbarton against Glasgow, and also by the burgh of Ayr, anent the election of their commissioner to parliament. It was alleged that, contrary to the order of such elections, Glasgow had called the voices of their whole council when they ought but to have had one voice, as other burghs who had paid their proportions for the commissioners' maintenance. The convention remitted the matter to the next convention for decision. Edinburgh, 20 January 1659.

MS. Records of Convention.

Printed Records of Convention, vol. iii., p. 478.

680. DOUBLE of a BOND granted by the Magistrates and Council of Glasgow to Sir John Gilmour, knight, advocate, mentioning that they, being debtors to Glasgow college in 4,000 merks, mortified by Mr. William Struthers [No. 642], for entertainment of two bursars of divinity, and that they, being debtors for 3,000 merks, mortified by Mr. Zachary Boyd [No. 543], for maintaining other two bursars of divinity, and that therefore they had borrowed the said two sums, being 7,000 merks in all, from Sir John Gilmour, and obliged them and their successors to him therefor, in manner specified in the said Bond. Glasgow, 2 May 1659.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 95, b. 41, No. 6.

681. CONTRACT between the Magistrates and Council of the City of Glasgow and the College of Glasgow, whereby the college granted to have borrowed from the town 7,000 merks, mortified by Mr. William Struthers [No. 642] and Mr. Zachary Boyd [No. 543], and discharged the town thereof and gave a heretable bond in favour of the four bursars appointed to the annual rent of these mortifications, without prejudice to the town's patronage of the said four bursaries. Glasgow, 7 and 9 May 1659.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 95, b. 41, No. 7.

682. RENUNCIATION and DISCHARGE by the COLLEGE of GLASGOW of an infettment in their favour in the two mills called the Subdean Mills, for their security of 4,000 merks [No. 643]. Glasgow, 13 May 1659. Registered in the books of the clerk of register at Glasgow, 1 June 1659.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 37, b. 9, No. 12.

683. ACT of the PARLIAMENT of the COMMONWEALTH ordering an assessment at the rate of £100,000 by the month, for the maintenance of the armies and navies for six months, from 25 December 1659 till 24 June 1660, fixing the proportion thereof to be raised in Scotland at £12,000 per month, and the contribution to be paid monthly by Glasgow at £129 17s. 6d., and nominating commissioners for putting the act into execution. Westminster, 26 January 1659-60.

Acts of the Parliaments of Scotland, vol. vi., part ii., pp. 879-84.

684. A WRIT "subscribed be the members of the Colledge for obtaining licience to putt out their Balconie stones att the Colledge yeatt, dated 24 Februarii 1660."

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 97, b. 41, No. 14.

685. ACT by the COLLEGE setting forth that the town had given the College £1,000 towards the putting on the roof of the College new fore buildings, as also for preventing of any controversy between the town and College, therefore the College engaged that when their turn of presenting a Bibliothecarius fell out they should not present any but a burgess's son, acknowledged to be such by an act of the Town Council under the clerk's hand. Glasgow, 15 November 1660.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 97, b. 41, No. 13.
Munimenta Alme Universitatis Glasguensis (Maitland Club), i., pp. 373-375.

686. ACT of a PARTICULAR CONVENTION of BURGHS, ordaining the Commissioners of Glasgow, St. Andrews, Stirling, and Linlithgow to advise with their respective burghs whether they would submit to the convention the questions between them for the priority in riding to parliament, or bring their other legal defences to the next convention. Edinburgh, 13 December 1660.

MS. Records of Convention.

Printed Records of Convention, vol. iii., p. 530.

687. PROTESTATION in PARLIAMENT by JOHN BELL, Commissioner for the Burgh of Glasgow, that the said burgh should not be prejudged of its precedency by the present rolls of parliament. Edinburgh, 1 January 1661.

Acts of the Parliaments of Scotland, vol. vii., p. 6, App., p. 1.

688. ACT of PARLIAMENT offering the King £40,000 sterling, yearly, for the maintenance of such forces as he might think fit to raise and maintain, or otherwise of defraying the charges of his government. It was by the act appointed that of said £40,000 sterling = £480,000 Scots, the sum of £96,000 Scots should be raised by certain duties on inland salt and the foreign commodities therein mentioned, and the remainder, being £384,000, out of bear, ale, aquavits, and strong waters, at the rate of 2 merks Scots on each boll of malt brewed and sold within the kingdom; 3s. on each pint of aquavits or strong waters, not made of malt, brewed and sold within the kingdom; 6s. on each pint of foreign aquavits or strong waters; and 12s. on each barrel of imported bear; and what this imposition should be short of the quota of excise imposed upon the several shires and burghs was to be supplied by such shires and burghs in lieu of the malt brewed in their own houses. The proportion allocated on the city of Glasgow was £1,744 4s. Scots, monthly, and for the collection of this sum the magistrates and town council were appointed commissioners of excise for the burgh. (1661, c. 128.) Edinburgh, 29 March 1661.

Acts of the Parliaments of Scotland, vol. vii., pp. 88-95.

689. PETITION to PARLIAMENT by JAMES BELL, merchant in Glasgow, proprietor of certain lands on the marches of Gorbals lands belonging to the city, where there is a coal work farmed out by the magistrates and council to one Patrick Bryce. The petitioner complained that Bryce had entered his ground and wasted his coal, and asked a visitation of the coal work and the prevention of farther inconveniences. This was agreed to by the magistrates, "bot wes be ther taksman contrair ther desyre obstinatlie refused, threatning if any would goe down, to cutt the cords . . . and, finding the petitioner could not get (throughe the vacancie of law) legall procedour against him, continowed in undermining your petitioners coal and ground sixteine monethes; and now, finding ane door of justice openned for suppressing such violent actings, hes most maliciouslie drowned the fairsaid coall works, to the utter ruine of

your petitioneris intendit work and to the great prejudice of the publict." As the witnesses for proving the case were "poor coal hewers," the petitioner craved a commission to certain individuals named to investigate and report to parliament, or to the privy council, in the event of parliament not being in session at the time. The lords of the articles recommended parliament to grant the commission sought, by minute dated 29 March 1661; and parliament approved of the recommendation, 3 April 1661.

Acts of the Parliaments of Scotland, vol. vii., App., pp. 31, 32.

690. ACT of PARLIAMENT narrating supplication by Mathew Cumeing, merchant, burgess, against John and Ninnian Anderson, merchants, who had built great houses and tenements near Glasgow Cross, and, these being "totally brunt by the late burneing ther," they had rebuilt the same, thereby expending much of their means; and the supplicant, having purchased some old walls adjacent to said tenements, intended to build up a common closs and sidewall thereto, and to obscure the whole of Andersons' lights. In the course of previous proceedings the dean of guild and his council had reported to the commissioners of parliament for bills "that the lyk practick had never fallen out befor within the said burgh as to any man to tak in ane hail calsayed crosse," that John Andersone had above 25 lights in his land nearest to the crosse, that Cumeing intended to build within five inches of said lights, and that his intended procedure could not but be prejudicial to his whole neighbours, "throw takeing in of the said calsayed crosse, in caice of sudden fyre (as formerly)." Cumming was now inhibited and discharged "to exceed the old marches in biging neirer the closs nor formerly the walls wer (without prejudice to him to bulde the same als heigh as he pleases), and that in his building heigher he doe not further cast out his bigging then it is at the bottom." And the magistrates and dean of guild were appointed to enforce the decree. (1661, c. 184.) Edinburgh, 19 April 1661.

Acts of the Parliaments of Scotland, vol. vii., p. 178.

691. PROTESTATION in PARLIAMENT by JOHN BELL, late Provost of Glasgow, and commissioner for the burgh in parliament, that the ratification by parliament during that session in favour of the burgh of Dumbarton, provost, bailies, council, and community thereof, of the charters, infestments, gifts, grants, liberties, privileges, rights, titles, and securities granted by the Crown to the said burgh, and of the acts of parliament and other rights ratifying the same, should in no wise prejudice the rights, privileges, and immunities of the burgh of Glasgow. (1661, c. 234.) Edinburgh, 20 May 1661.

Acts of the Parliaments of Scotland, vol. vii., p. 220.

692. ACT of PARLIAMENT ratifying the Charter by King Charles II., dated 16 October 1636 [No. 203], with the act of parliament, dated 17 November 1641 [No. 223], and the precept and sasine following on the said Charter [Nos. 204 and 206]; as also ratifying all contracts of alienation, dispositions, precepts, procuratories, and instruments

of resignation, charters, infeftments, and other rights and securities granted by Sir Walter Stewart of Minto, and Sir Ludovick Stewart, younger thereof, his son, to the provost, bailies, and council of the burgh of Glasgow, for the use and profit of their two ministers serving the cure at the New Kirk within the said burgh, as part of their stipends, of the superiorities and feu-farm duties of the mills and kilns of the lands of Westercraigs and others therein mentioned, with the charter by King Charles II., dated 1 March 1650 [No. 608], and precept and instrument of sasine following thereon [Nos. 609 and 610]; as also ratifying the charter by Sir Robert Douglas of Blakerstoun, dated 23 February and 28 May 1650 [No. 613], with the instrument of sasine following thereon [No. 614], charter by the commissioners of Esme, duke of Lennox and Richmond, dated 8 September 1655 [No. 655], with all and sundry other charters, rights, and securities granted to the burgh of Glasgow, provost, bailies, dean of guild, treasurer, deacon-convener, master of the hospital, council and community by any other person. The said act farther dissolved the lands of Gorbals and town of Bridgend, with the wheat mill on the Kelvin, from the shire of Clydesdale, regality of Glasgow and parish of Govan, and annexed and united the same to the city of Glasgow, to the effect only that the inhabitants might be parishioners in and with the town of Glasgow, and might repair for ordinances to the church within the city nearest to them, and in all public musterings and levies should join, levy and rendezvous with the city and its inhabitants, and bear proportionately part of all stents, taxations and impositions within the burgh. And by the said act the inhabitants of Gorbals and town of Bridgend and wheat mill were ordered to be taxed and judged by the magistrates of Glasgow, and to be subject to their jurisdiction and magistracy in the same manner as the free burgesses and inhabitants thereof; but it was provided that the said annexation and union should infer no farther city privilege to the inhabitants of Gorbals than as above specified, and should not relieve the lands of Gorbals and others from the dues and impositions payable in common by others in Lanarkshire, but that the said lands should be liable in payment of excise and other public impositions with the rest of the shire. (1661, c. 235.) Edinburgh, 20 May 1661.

Extract Act in the Archives of the City.

Acts of the Parliaments of Scotland, vol. vii., pp. 220-223.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 11, b. 1, No. 39.

Charters and Documents relating to the City of Glasgow, No. cxxxi., vol. ii., pp. 36-42.

Ratified by Act of Parliament, 1669, c. 108. 23 December, 1669. Acts of the Parliaments of Scotland, vol. vii., p. 647.

693. PROTESTATIONS in PARLIAMENT by WALTER WATSON, Provost of Dumbarton, and commissioner for the burgh in parliament; Andrew Semple, commissioner for the burgh of Renfrew in parliament, the Lord-Advocate, in name and behalf of Charles duke of Lennox, and William duke of Hamilton, that the ratification by parliament during that session in favour of Glasgow of the infeftments, gifts, grants, donations, rights, and privileges thereby ratified, should not prejudice the rights of the protestors and their respective constituents. (1661, c. 235.) Edinburgh, 20 May 1661.

Acts of the Parliaments of Scotland, vol. vii., p. 223, App., p. 73.

694. ACT of the PARLIAMENT of King Charles II., "in favours of laik patrons of provostries, prebendaries, chaplainries and altarages," ratifying the Acts 1567, c. 13 [No. 343], and 1592, c. 89 [No. 389]. (1661, c. 331.) Edinburgh, 9 July 1661.

Acts of the Parliaments of Scotland, vol. vii., p. 303.

695. ACT of the ESTATES of PARLIAMENT in favour of John, Earl of Middleton, and Sir John Smith, ordaining that the eight months' maintenance appointed by parliament in December 1650, to be raised for the months of December 1650, and January to July 1651, both inclusive, should now be levied so far as unpaid, but restricting the amount to be contributed by Glasgow to one-fourth, in respect of the losses sustained by the town and burgh in the English invasion. (1661, c. 346.) Edinburgh, 12 July 1661.

Acts of the Parliaments of Scotland, vol. vii., p. 321.

696. ACT of the ESTATES of PARLIAMENT ordaining the remainder of the two months' maintenance imposed in 1651 [Nos. 620 and 628], but which could not then be raised on account of the troubles of the time, to be uplifted now, but exempting Glasgow of three parts thereof, and declaring the town to be liable only in a fourth part thereof, in respect of the losses sustained through the "English usurpers." (1661, c. 352.) Edinburgh, 12 July 1661.

Acts of the Parliaments of Scotland, vol. vii., p. 326.

697. MINUTE by the LORDS of PRIVY COUNCIL appointing the Lord President and the Lord Register as arbiters anent a petition presented by the moderators of the University of Glasgow, desiring that Mr. Patrick Gillespie should be ordained, without further delay, to cause deliver unto them their houses and writs belonging to the college; as also to give warrant for suspending an order obtained from the parliament for the stipend of the principal till Whitsunday last, by virtue whereof he claimed above 9,000 merks. Edinburgh, 18 September 1661.

MS. Registrum Secreti Concilii, Acta, 1661-67, p. 39.

698. CONTRACT between the Commissioners of the Burgh of Glasgow on the one part and the Commissioners of the feuars and inhabitants of Gorbals and Bridgend on the other, relative to questions between the burgh and the said feuars and inhabitants anent the act of parliament 1661, c. 235 [No. 692], which united the said lands to the burgh in contravention, as the said feuars, &c., alleged, of their former rights and privileges. These questions having been referred to arbiters, it had been decided that the feuars should not question the dissolution of these lands from Clydesdale, regality of Glasgow and parish of Govan, and the union thereof to the city of Glasgow, to the

effect (1) of being parishioners in and with the city and inhabitants thereof, and (2) of joining in musters, levies, and "outreika," proportionally in the city after they should have been freed from liability to do the same in Clydesdale or Lanark. On the other hand, the commissioners of the burghs agreed that the said feuars should not be liable to stents, taxations, or impositions, or other public burdens in the burgh, until they were freed from similar burdens in Clydesdale or Lanark or any other part of the regality of Glasgow. It was further agreed that, notwithstanding the union, the feuars should be adjudged and ordered by their bailie, to be chosen by the Town Council, and that the place of his court should be fixed by the magistrates. Dated December 1661. With undated writing by the feuars acknowledging their fault in giving in a complaint to the privy council.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 106, b. 44, Nos. 40, 41.

Charters and Documents relating to the City of Glasgow, No. cxxxii., vol. ii., pp. 43-45.

699. DISPOSITION by WILLIAME ANDERSOUNE, Younger, Portioner of Newtoun, with consent of John Flemyng, younger, merchant, burgess of Glasgow, and Bessie Lawsoun, his spouse, and of Grissell Andersoun, relict of umquhile William Lausoun, merchant, burgess of Glasgow, whereby, in consideration of the price of 6,000 merks, they with joint consent sold and disposed to the provost, bailies, and council of Glasgow, "for themselves and their successors in office, provest, baillies and counsell of the said burgh, for the use and behove of the hail comunitie thair of, to remain with them in all tyme coming, but ony regres, reversioun, or ony kynd of redemption for ever, ane sext pairt of the lands of Linneinshaugh, extending to twa aikers of arrible land or therby; and siklyk all and hail twa thrid pairts of the saids lands of Linneinshaugh, extending to eight aikers of land or therby, over and above the saids twa aikers of land abowewryttin; with frie ish and entrie therto, and all pairtis, pertinentis and pendikles of the samyne; lyand all neir the said burgh of Glasgow, within the regality therof and shirrefdome of Lanerk; as the saidis lands of Linnishaughe ar presentlie possest be John Biggart." The lands, with others, having been let to a tenant, on a tack of which three years were to run, at a yearly rent of 38 bolls bear, 30 bolls, as the moiety effeiring to the lands disposed, were appointed to be paid to the town council.¹ Glasgow, 4 January, 1662.

¹ By tack dated 4th January, 1656, John Flemyng, younger, merchant, then proprietor of the lands, set to John Biggart, maltman, (1) these 10 acres of the lands of Liningshaugh, (2) 2 acres called "the cruick of the milnedame," (3) 3 roods in Burrowfeild, and (4) 2 barns "lyand outwith the Gallowgait port of Glasow in the vennell that goes doune to Cumlachie;" with "the hail wair of the fuillie, middingsted and dirt that belongs to the airis or executouris of the said umquhill Williame Lawsoun his great tenement of land

neire the crose of Glasgow on the heid of the Gallowgait." The tack was to endure for 9 years and the rent consisted of 38 bolls "sufficient ferm beire," yearly, free of teinds, "except the cruickes of the milndam lands teinds quich payes the drawine teind scheafe yeirelie."

Linningshaugh was the first of a series of purchases which were utilised in the formation of the New Green of Glasgow. See list of purchases in "Glasgow: Water Supply," &c. (1901), Appx., p. 28; Glasgow Rec., vol. ii., p. 477 *et seq.*

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 82, b. 37, No. 15. Linningshaugh was sometime possessed by the Bishops' rentallers as the following entries in the Rental Book show :—

- (1) "Hyssabal Hoge in twa akyr land of Lynnynges Hawch." 29 August 1526 (Diocesan Reg., i., p. 87).
- (2) Jhon Hoge is rentalit in the part of Lunyngis Hawcht that Jhon Hoge, his fadyr, brokis; the said Jhon and Agnes Watson, his spous, browkand for thar tym." 9 December 1532 (*Ibid.*, p. 101).
- (3) "Jhon Mortoun and Elizabeth Mortoun, barnis to Mongw Mortoun and Elizabeth Young, his spows, ar rentalit in the pece of land in Lunyngis Hauch, quhilk the said Mongw broukis now, ilk ane of tham til brwk efter uther, failyeand at the said Jhon get na barnis of his body lachfull, iiij akyr land." 12 December 1537 (*Ibid.*, p. 111).
- (4) "Peter Adam is rentalit in ane akyr of land in Lunyngis Auch, be consent of David Hoge." 21 January 1542-3 (*Ibid.*, p. 122).
- (5) "Schyr David Maine, son to Jhone Maine, is rentallit in fowr aikkaris of land lyand in Lennynngis Hawch, be deces of his fathyr, last rentellar thairrof." 24 January 1554-5 (*Ibid.*, 157).
- (6) "Is rentalit Andro Dunlop in thre aikkaris of land and ane half in Lynningis Hawcht, be vendition and ourgevin of Elazabeth Morton, rentalar, wyth consent of Robert Marchel, hyr spows, for his entres, and wyth our special licence." 23 January 1557-8 (*Ibid.*, p. 167).
- (7) "Margaret Dwnlop is rentellit in four aikeris of land in Linnaige Hawcht, vaikand be deces of Andro Dunlop, hir fader, last rentallit thairin; Cristen Cottis, hir mother, brukand it induring hir wedoheid." 2 May 1564 (*Ibid.*, p. 181).

The feudal writs prior to the lands being acquired by William Anderson consist of—

(1) 2 ACRES.

- (1) Charter by James, archbishop of Glasgow, with consent of the dean and chapter, to Andrew Lausoun and Jonet Bell, spouses. 8 June 1581.
- (2) Charter by Walter, lord feufarmer of the barony, lordship and regality of Glasgow, to Andrew Lawsoun, in liferent, and John Lawsoun, his son, heritably, 15 June 1589; with Instrument of Sasine thereon (Archibald Gibbsoun, notary). 24 November 1589.
- (3) Ratification (under act of parliament 1606, c. 2) by John, archbishop of Glasgow, to John Lawson, burgess of Glasgow. 31 October 1606.

(2) 4 ACRES.

- (4) Instrument of Sasine in favour of Jonet Dunlop, one of the daughters of the late Andrew Dunlop, citizen of Glasgow, and Archibald Gibbsoun, her eldest son, proceeding on feu charter, dated 16 February 1588-9, by Walter, lord feufarmer of the barony and lordship of Glasgow, to the said Jonet in liferent and the said Archibald, heritably, of the north half of the third part of the lands of Lunyngshauch, extending to two acres, formerly possessed by Andrew Dunlop in rental (Archibald Eglyngton, notary). Glasgow, 27 March 1589.
- (5) Contract whereby Jonet Dunlop, one of the two heirs-portioners of the late Andrew Dunlop, and Archibald Gibbsoun, her eldest son, disposed to George Lyoun, burgess of Glasgow, and Helen Lyoun, his spouse, their right to "four akeris land in Lynningshauch, either by decease of the late Andro Dunlop, rentaller therof, and Cristiane Coittis, his spouse, or by any infeftments." 1 July 1589.
- (6) Ratification (under act of parliament 1606, c. 2) by John, archbishop of Glasgow, to George Lyoun, burgess of Glasgow, dated 31 October, 1606.

- 7) Instrument of Sasine in favour of James Cors, in Over Carmyle, and Jonet Myller, his spouse (proceeding on charter of feufarm granted by George Lyoun and Helen Lyoun, spouses), in 4 acres of land in the croft called Lenische hauche extending to the third part of said lands (Archibald Heygait, notary). 22 May 1607.
 - (8) Charter of Confirmation by Patrick, archbishop of Glasgow, of charter by George Lyon and spouse to William Lawson, merchant, citizen of Glasgow. 8 April 1636.
- (3) OTHER 4 ACRES.
- (9) Charter by Walter, lord feufarmer, to Michael Mayne and Cristina Logane, his spouse, daughter of James Logane in Auldbar. 21 October 1591.
 - (10) Charter by Michael Mayne, merchant, citizen of Glasgow, with consent of Isobella Craufurd, his spouse, to John and George Mure, brothers, sailors, citizens of Glasgow, in equal divisions. 10 November 1601.
 - (11) Instrument of Sasine thereon in favour of John and George Mure (George Huchessone, notary). 10 November 1601.
 - (12) Similar Instrument of Sasine (John Craig, notary). 20 July 1604.
 - (13) Charter by King James VI. to John and George Mure. 20 April 1602.
 - (14) Letter of Division between John and George Muir, assigning to each specific portions of "fyve severall pairtis of the said lands; with the equall half of the litill peice ground callit the Inche at the Litill Green end." 23 November 1603.
 - (15) Ratification (under act of parliament 1606, c. 2) by John, archbishop of Glasgow, to George Muire. 31 October 1606.
 - (16) Disposition and two Charters by George Muir, merchant, burges of Glasgow, to Walter Miller, merchant, Glasgow, and Agnes Robessone, his spouse. Glasgow, 20 October 1610.
 - (17) Charter by George Mure, portioner of Polmadie, feufarmer of the lands after-mentioned, Walter Myllar, merchant, citizen of Glasgow, Agnes Robessone, his spouse, and James Myllar, citizen of Glasgow, his brother, to John Lawssoun, citizen of Glasgow, and Elizabeth Robessoun, his spouse. 31 December 1612.
 - (18) Instrument of Sasine thereon (George Huchessone, notary), dated 6th January, 1613.
 - (19) Precept of Clare Constat by James, archbishop of Glasgow, in favour of Mathew Mure, as eldest son and heir of the late John Mure, sailor. 22 September 1620.
 - (20) Disposition by Mathew Mure, merchant, son and heir of umquhill John Mure, skipper, burges of Glasgow, and Elizabeth Robessone, his spouse. 28 September, 1620.
- (4) PRECEDING LANDS COMBINED.
- (21) Precept of Clare Constat by the Commissioners for Esme, duke of Lennox, to Bessie Lawson, as heir of William Lawssone, her father, in *inter alia*, (1) 2 acres belonging of before to John Lawson and of old to Andrew Lawson; (2) 4 acres belonging of before in rental to Michael Main; and (3) 4 acres belonging of before to George Lyoun, extending in hail to 10 acres. Edinburgh, 24 February 1657.
 - (22) Charter by Bessie Lawssone, daughter and heir of the late William Lawssone, merchant, burges of Glasgow (for implement of contract of marriage between her and John Fleming, merchant, burges of Glasgow), to the said John Flemming. 7 December 1655.
 - (23) Instrument of Sasine in favour of William Anderssone, younger, portioner of Newtone, proceeding on letters of disposition granted by John Fleyming, 30 August 1658 (Hector Stewart, notary). 12 October 1658.

700. INSTRUMENT of SASINE in favour of the Provost, Bailies, and Council of Glasgow, proceeding on the foregoing Disposition [No. 699], dated 18 August, and recorded in the Register of Sasines of the Sheriffdom of Renfrew and regality of Glasgow, 25 August 1662.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 82, b. 37, No. 16.

701. RETOUR of the Special Service of CHARLES DUKE of LENNOX and RICHMOND, as heir male of Esme duke of Lennox and Richmond, his cousin, in the office of bailliary and justiciary of the barony and regality of Glasgow, within the bounds of the lordship and barony thereof, and in all parts of the said lordship and barony, as well within as without the burgh of Glasgow. Dated 24 April 1662.

Inquisitionum ad Capellam Domini Regis Retornatarum Abbreviatio, vol. i., Lanark, No. 82.

702. ACT of PARLIAMENT of CHARLES II., intituled "An Act for the Restitution and Re-establishment of the Ancient Government of the Church by Archbishops and Bishops." This Act refers to the suppression of bishops in 1637, and declares episcopacy to be the form of church government agreeable to the Word of God, and most suitable to monarchy, restores the bishops to parliament, and to their ecclesiastical jurisdiction and episcopal functions, renews acts in favour of episcopacy, and rescinds those hostile thereto, especially the act, 1592 c. 8 [Ratification of the libertie of the New Kirk, &c., No. 397]; restores them to their commissariat jurisdiction in terms of the act, 1609, c. 8 [No. 492]; and restores their bishops to their pulpits as possessed by them in 1637, but without right to the repetition of rents and duties, and with confirmation of entries granted by the King in the interim. (1662, c. 3.) Edinburgh, 27 May 1662.

Acts of the Parliaments of Scotland, vol. vii., p. 372.

Charters and Documents relating to the City of Glasgow, No. cxxxiii., vol. ii., pp. 46-50.

703. ACCOUNT of the Bailies of the Burgh of Glasgow, from 11 July 1661 to 1 July 1662, rendered in Exchequer. Edinburgh 1 July 1662.

Original in the Archives of the City.

Charters and Documents relating to the City of Glasgow, No. cxxxiv., vol. ii., pp. 50, 51.

704. DISPOSITION by PATRICK BRYCE, Weaver, burges of Glasgow, whereby, for obedience of an act set down by the provost, bailies and council of Glasgow on 28 June 1662, and on their upgiving him his bond and obligation therein mentioned, he sold and disposed to them the meikle house lately built by him in Muir of Gorballes, "with twa staine braissis, gavelles, purpar walles, bedis and all pertinentis thair of." Glasgow, 2 July 1662.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 106, b. 44, No. 42.

705. ACT of PARLIAMENT "anent the abatement of excise to some shires and burghs," ordaining the town of Glasgow to have abatement of £19 sterling monthly, over and above the sum of £30 sterling monthly abated to it formerly. (1662, c. 74.) Edinburgh, 9 September 1662.

Acts of the Parliaments of Scotland, vol. vii., p. 418.

706. ACT of the ESTATES of PARLIAMENT ratifying the act, 1661, c. 277, for encouraging of shipping and navigation, but dispensing in favour of the merchants of Glasgow with their trading in foreign ships for bygones. This act proceeds on a complaint by the merchants of Glasgow of the infringement by Dutch vessels of the said act anent navigation, by which they had been induced to build ten or twelve new vessels. (1663, c. 8.) Edinburgh, 8 July 1663.

Acts of the Parliaments of Scotland, vol. vii., p. 454.
Extracts from the Records of the Burgh of Glasgow, vol. iii., p. 18.

707. ACT of the ESTATES of PARLIAMENT, fixing the proportions of the excise to be paid by Glasgow for the months of November and December 1663 and January 1664, and in all time thereafter, at £1,076 4s. Scots, monthly. (1663, c. 28.) Edinburgh, 2 September 1663.

Acts of the Parliaments of Scotland, vol. vii., p. 469.

708. LETTER by KING CHARLES II. to the Privy Council desiring them to receive the archbishop of Glasgow and the earl of Argyle as members:—"CHARLES, R.: Right trustie and right welbeloved cousin and counsellour, right trusty and right welbeloved counsins and counsellours, &c. Wee grete yow weill. We being most confident of the fidelity and affection of the most reverend father in God Alexander lord archbishop of Glasgow, and of our right trustie and right welbeloved cousin Archibald earle of Argyle, have thought fitt to add them to our privy councill: These are therefore to requyre yow to admitt and receave them to our councill in the ordinary form, for which doeing this shall be your warrand. And so we bid yow heartily farewell. Given at our Court at Whitehall the day of Aprile 1664 and of our reigne the sixteenth year. Sic subscribitur: By his Majesties command [subscribed] Lauderdale." The lord archbishop of Glasgow being personallie present and having taken the oaths of allegiance and privy council, and subscribed the late declaration of parliament, was admitted to sit and act as a councillor conform to the above letter. Edinburgh, 19 April 1664.

MS. Registrum Secreti Concilii. Acta, 1661-67, p. 363.

709. "The COMPT of the RENT and COMMOUNE GOOD of the BURGH OF GLASGOW betuixt Witsunday 1663 and Witsunday 1664, with the compt how the same was waired out and impendit.

In the first, for the dewtie of the mylnes of the said burgh the said year	...	...	...	...	...	...	...	£5,100	0	0
Item, for the dewtie of the laidelles the said year	...	...	...	...	...	...	...	1,566	13	4
Item, for the dewtie of the meilmercat the same year	...	...	...	...	...	...	...	653	6	8
Item, for the dewtie of the trone the year abovewryttine ¹	...	...	...	...	...	...	...	653	6	8
Item, for the dewtie and custom of the brig the year forsaid	...	...	...	...	...	...	...	1,113	6	8
Summa	...	...	...	...	...	...	...	£9,806	13	4 ¹

DISCHARGE.

In the first, deburst to the ministers and to young men for supplying of the vacancie of the ministrie	...	...	...	...	...	...	...	£2,900	0	0
Item, deburst to the maister of the Grammer Shool and his doctoris for their fialles	...	...	...	...	...	...	...	540	0	0
Item, deburst to the thrie precentoris or reiders	...	...	...	...	...	...	...	160	0	0
Item, for making and building ane bulwark or peir at the Broomelaw,	...	...	...	...	...	...	...	2,040	0	0
Item, for mending and repairing the commounne calsayes throw the whoill toune	...	...	...	...	...	...	...	3,372	6	8
Item, for repairing of twa commounne welles within the burgh	...	...	...	...	...	...	...	800	0	0
Item, deburst in the commounne affaires and uther commounne burdings relaiting to the toune	...	...	...	...	...	...	...	1,500	0	0
Summa	...	...	...	...	...	...	...	£11,312	6	8
Summa superexpendit	...	...	...	...	...	...	...	£1,505	13	4 ¹

[Subscribed] W. YAIR.

MS. Accounts of the Common Good of Royal Burghs, preserved in the General Register House, Edinburgh.

710. DISPOSITION by ANDREW CUNINGHAM, Merchant, burgess of Glasgow, whereby, in consideration of the price of £250 Scots, he disposed to the provest, bailies and council of Glasgow, for behoof of the community, five roods of land in the croft called Kinclaith, bounded betwixt the lands which of old belonged to umquhile David Calderwood on the east, the lands of old belonging to umquhile William Gibsounne and then to the burgh of Glasgow on the west, the lands called Mylne Crookes on the north, and the lands called Peitbog on the south; to remain with the disponees "in perpetuum

¹ On account of transposition of figures the totals of the charge and the superexpenditure are erroneously stated, the correct figures being £9,086 13s. 4d. and £2,225 13s. 4d. respectively.

for the helping to mak wp ane commoune grein quhilk is intendit to be made be them in the said croft callit Kinclaith." Glasgow, 5 July 1664.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 75, b. 36, No. 46.

The prior writs consist of—

- (1) Instrument of Sasine in favour of James Stewart, merchant, on John Gibsone's resignation (William Hegait, notary). June 1588.
- (2) Transumpt of Sasine in favour of Thomas Achesone, litster, and Kathrine Haddowie, his spouse, on resignation of John Bontein, flesher. 14 February 1616.
- (3) Disposition by Thomas Aitchisone, son and heir to said Thomas, with consent of his spouse, to John Cuninghame, merchant, and spouse, and to Andrew Cuninghame, their son, in fee, dated 23 July 1628.
- (4) Instrument of Sasine thereon (John Hutchesone, notary). 12 June 1628.

711. INSTRUMENT of Sasine following on the foregoing Disposition [No. 710]. Glasgow, 29 September 1664.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 75, b. 36, No. 47.

712. DISPOSITION by ROBERT ANDERSOUNE, Merchant, burgess of Glasgow, whereby he disponed to "the provest, baillies, and counsell of the said burgh of Glasgow and their successouris in office, for the use and behove of the haill communitie thairrof . . . these twa aikers of land or thairby, with the pertinentis, lyand within the territorie of the said burgh in that pairt callit Kinclaith; boundit betwixt the crookis of Mylnedame on the north and the water of Clyd on the south." Glasgow, 6 July 1664.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 78, b. 36, No. 81.
Sasine in MS. Protocol Book of William Yair, town clerk of Glasgow, 29 September, 1664.

713. INSTRUMENT of SASINE following on the foregoing Disposition [No. 712]. Glasgow, 29 September 1664.

MS. Protocol Book of William Yair *ut supra*.

714. DISPOSITION by MR. JAMES WALLACE, Minister at Inchinan, with consent of Elisabeth Gibsone, his spouse, whereby, in consideration of the price of £900 Scots, they sold and disponed to the provost, bailies, and council of the burgh of Glasgow, for behoof of the community, "the sext pairt of the said landis of Linningshaugh, extending to twa aikers of land or thairby, with the pertinentis . . . to remaine with them to be joyned with the remanent landis of Linningshaugh, now belonging to them, heretabillie, for making of ane commoune grein there (as they intend), *ad perpetuum*." Also Charter granted with reference to the Disposition. Glasgow, 12 August 1664.

Originals in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 81, b. 37, Nos. 3, 4.

The prior writs consist of—

- (1) Charter of feufarm by James, archbishop of Glasgow, to Mr. Henry Gibsone. (*Blank*) 1581.
- (2) Charter by Walter, lord feufarmer of the barony and regality of Glasgow, to Mr. Henry Gibsone, citizen of Glasgow. 8 August 1588.
- (3) Charter by Walter, lord feufarmer (as above), to Mr. Henry Gibsone,¹ in liferent, and Mr. John Gibsone, heritably. 20 April 1589.
- (4) Instrument of Sasine thereon (Archibald Elphyingstoun, notary). 29 November 1589.
- (5) Instrument of Sasine in favour of Mr. John Gibsoun, proceeding on Charter by James VI., dated 2 January 1595 (Robert Herbertsone, notary). 22 April 1596.
- (6) Precept of Clare Constat by James, archbishop of Glasgow, in favour of Mr. Henry Gibsoun as heir of Mr. John Gibsoun, minister of the church of Eistwood. 23 May 1623.
- (7) Instrument of Sasine thereon (John Craig, notary). 29 May 1623.
- (8) Charter by the Commissioners of the duke of Lennox to Mr. James Wallace, minister at Inchenane, and Elizabeth Gibsone, his spouse. 22 June 1658.
- (9) Instrument of Sasine thereon (Robert Alexander, notary). 6 and registered 10 October 1658.

715. INSTRUMENT of SASINE following on the foregoing Charter [No. 714]. Glasgow, 29 September 1664; registered in the Register of Sasines for Renfrew, &c., 26 October 1665.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 81, b. 37, No. 5.

716. ACT of the Provost, Bailies, and Council of Glasgow, proceeding on a petition by the Incorporation of Gardeners of Glasgow, in which it was stated that the writing by which the town council gave authority for the election of a deacon or visitor of their calling had been lost in the common muir in time of pestilence, and craving renewed authority in order (1) that their calling might have a visitor or deacon according to wonted use; (2) that the deacon or visitor be empowered to meet the brethren quarterly for supply of their poor and censuring enormities; and (3) that the deacon or visitor might take notice of stealing of growing seeds, plants, herbs, flowers and trees, and report the offenders to the magistrates. After consideration, the provost, bailies and council authorised the gardeners to have an oversman, who should be chosen by the magistrates and council, without any leet, on the first council day after Martinmas, yearly; that such oversman should have power to convene his brethren for making collections for the poor and keeping order, and censuring faults, at the sight of one of the bailies, and that he (the oversman) should also have power to take notice of all stolen seeds, herbs, plants, flowers and trees, and report offenders to the magistrates, but he was not to impede persons selling herbs, seeds and fruits through the town, or to prevent burgesses and their wives, children, or relicts from keeping stands in any place for such selling. Glasgow, 17 September 1664.

Extracts from the Records of the Burgh of Glasgow, vol. iii., pp. 37, 38.

¹ See Glasg. Chart., pt. i., Abstract, p. 39, No. 413.

717. DISPOSITION by WILLIAM ANDERSOUNE, eldest, merchand, burgess of Glasgow, with consent of Mareoune Mylne, his spouse, whereby they sold and disposed to the "provest, baillies and counsell of the said burgh, and ther successors in office, for themselves and to the use, weill, and behove of the hail communitie of the samyne, *ad perpetuam remanentiam* . . . that particular piece of land or grund called the Peitbog and Dassie Grein, with all partes and pertinentis belonging therto, lyand within the territory of the samyne burgh and neir therto; boundit betwix the landis of (*blank*) on the eist, the Water of Clyd on the south, the landis called Kinclaith and withers on the north, and the lands of Linningshauch on the west partes." The Disposition narrates that the granters were vested in the property "be dispositioun made to ws therof be umquhill Thomas Mylne who was sone and air to umquhill Andrew Mylne, chirurgiane, burges of this burgh; and quhilkis landis of old wer set in few be the provest, baillies and counsell of the said burgh for the tyme to umquhill Thomas Mylne, father of the above named umquhill Andrew Mylne." Glasgow, 22 September 1664.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 80, b. 36, No. 97.
Abstracts of Protocols of the Town Clerks of Glasgow, Nos. 3276, 3280.

718. INSTRUMENT of SASINE following on the foregoing Disposition [No. 717]. Glasgow, 29 September 1664.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 80, b. 36, No. 98.

719. DISPOSITION by MARGARET LOW, lawful daughter to John Low, merchant, burges of Glasgow, whereby, in consideration of the price of 600 merks, she sold and disposed to the provost, baillies and council of Glasgow, for behoof of the whole community *ad perpetuam remanentiam*, "theis sex ruidis of land or thairby, lyand within the territorie of the said burgh, in that pairt callit Kinklaith; boundit betwixt the rod or commone way on the wast; the lands sometime pertaining to Andrew Conynghame and now to the toune of Glasgow on the east; the water of Clyd on the south and Camlachie Burne on the north pairtis." Glasgow, 23 September 1664.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 77, b. 36, No. 75.

The prior writs consist of—

- (1) Disposition by John Luggie, elder, merchant, to William Gibsone, merchant. 10 December, 1610.
- (2) Instrument of Sasine thereon (Archibald Hegait, notary), 10 December 1610.
- (3) Instrument of Sasine in favour of Margaret Low, upon a decret of apprising at her instance against Isobel and Elizabeth Gibsone, daughters of William Gibsone (William Yair, notary). 8 June 1664.

720. INSTRUMENT of SASINE following on the foregoing Disposition [No. 719]. Glasgow, 26 September 1665.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 77, b. 36, No. 76.

721. MINUTE of the LORDS of PRIVY COUNCIL setting forth that they, taking into their consideration that Mr. John Spreull, late town-clerk of Glasgow, having been cited before the commissioners for church affairs to answer for his disobedience to the laws and disaffection to the government, did, for evading of the sentence of the said judicatory, for some time withdraw himself from this country, and, having privately returned, did carry himself most suspiciously by travelling at night; for which, being apprehended and brought before the said lords, he refused to take the oath of allegiance, alleging that he had not freedom to sign the same by reason of the tie that lay upon him by the oath of the covenant; wherefore it was ordained that the said Mr. John Spreull should enact himself, under the pain of death, to remove out of the kingdom, and not to return without license; and also to find caution for £2,000 to live peaceably until his removal, and not to come within six miles of Glasgow; and the said caution being found, the keeper of the tolbooth of Edinburgh was instructed to set him at liberty till his removal betwixt and the 1st February next. Edinburgh, 18 December 1664.

MS. Registrum Secreti Concilii, Acta, 1661-67, p. 432.

722. DISPOSITION by WALTER WADDROP, Maltman, burges of Glasgow, whereby, for the price of 300 merks, he disposed to the provost, bailies, and council, for behoof of the community, "ane aiker of land or therby, with the pertinentis, lyand within the territorie of the said burgh, in that pairt called Kinclaith, boundit betwixt the lands of Williame Criage on the east, and that rig of land belonging to William Selkridge on the wast pairtis." Glasgow, 31 December 1664.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 78, b. 36, No. 83.

723. INSTRUMENT of SASINE following on No. 722. Glasgow, 1 April 1665.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 78, b. 36, No. 84.

724. DISPOSITION by Mr. WILLIAM FLEMING of Ferme, commissary of Glasgow, heir of Mr. Archibald Flemyng of Catgill, commissary of Glasgow, his father, to the provost, bailies, and council of the burgh of Glasgow, of a rig of land lying within said burgh, on the east side of the High Street, "that passeth fra the mercate croce to the Hie Kirk; boundit betwixt the yaird of old belonging to the aires of umquhile Williame Flemyng and now to the aires of umquhill Androw Dennestone on the north, that yaird now belonging to Johne Barton on the south, and the burne of Mollendinor on the east pairtis." Glasgow, 3 January 1665.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 63, b. 31, No. 2.

725. DISPOSITION by WILLIAM STEUART, younger, merchant, burges of Glasgow, and Euphame Bell, spouses, to the provost, bailies, and council of the burgh of Glasgow, of a "rige of land, with the pertinentis, lyand within the teritorie of the said burgh, in that place callit Kinkleuth; boundit betwixt the landis of umquhill Abrahame Ros on the east and the landis of umquhill William Hoomes aires on the west pairtis." Glasgow, 3 January 1665.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 74, b. 36, No. 39.

The previous writs consist of—

- (1) Charter by the Burgh of Glasgow to William Stewart, merchant, and Eupham Bell, his spouse. 21 April 1660.
- (2) Instrument of Sasine thereon (William Yair, notary). 21 May 1660.

726. INSTRUMENT of SASINE following on No. 725. Glasgow, 1 April 1665.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 74, b. 36, No. 40.

727. DISPOSITION by "JOHNE ALLANE, Maltman, burges of Glasgow, onlie lauffull sone to umquhill Johne Allane, kairter, burges therof, procreat betwixt him and umquhill Margaret Robesoune, his spous," whereby, in consideration of the price of 100 merks Scots, he sold and disposed to the provost, bailies, and council of the burgh of Glasgow, "twa buttis of land, with the pertinentis, lyand within the teritorie of the said burgh, in that pairt callit Kinklaith; boundit betwixt the lands of old belonging to umquhill Mr. Hendrie Gilsoune and now to said burgh of Glasgow on the south, the lands of old belonging to umquhill David Hall and now to Mathow Wilsoune on the north and east, and the lands of old belonging to umquhill Johne Wilsoune on the west pairtis." Glasgow, 16 March 1665.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 78, b. 36, No. 79.

Prior writ—

- Instrument of Sasine in favour of Margaret Robertsonsone, upon resignation of Margaret Wardrope, her mother (Archibald Hegait, notary). 29 May 1582. (Glasg. Prot., No. 2418.)

728. INSTRUMENT of SASINE following on No. 727. Glasgow, 1 April 1665.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 78, b. 36, No. 80.

729. DISPOSITION by JOHN MARSCHELL, Merchant and Burgess of Glasgow, to the "provest, bailies, counsell, and communitie of the forsaid burgh and their successouris, of that peice of land callit the Crookes of Mynledam, extending to half ane

aiker of land or thairby, lyand within the territorie of the said burgh, and boundit betwixt the lands of Robert McCuir on the north, Cumlachie Burne and the lands of Mylnedam on the south, uthir the said John Marschell his lands on the east, and the Commounne Loane on the wast pairts." Glasgow, 29 April 1665.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 64, b. 36, No. 4.
The prior writs consist of—

- (1) Instrument of Sasine in favour of Helen Lyon, one of the three heirs-portioners of Archibald Lyon, and of George Lyon, her husband. 11 May 1608.
- (2) Disposition by George Lyon and spouse to Mathew Marshall, merchant, and Sasine thereon. 11 May 1608.

730. INSTRUMENT of SASINE following on No. 729, in the property therein mentioned, "in name of the provest, baillies, counsell, and communitie, to remaine with them perpetually in all tyme coming as ane pairt of thair Commounne Grein and lauds." Glasgow, 15 September 1665.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 64, b. 36. No. 4.

731. ACCOUNT of the COMMON GOOD of the BURGH OF GLASGOW from Whitsunday, 1664, to Whitsunday, 1665.

" In the first, for the dewtie of the mylnes the said year	...	...	£5,300	0	0
Item, for the dewtie of the ledles the samyne year	...	...	1,266	13	4
Item, for the dewtie of the meilmercatt the year forsaid	...	...	573	6	8
Item, for the dewtie of the tron the year abovewryttin	...	...	680	0	0
Item, for the dewties and custome of the bridge the said year	...	...	1,080	0	0
Summa	...	...	£8,900	0	0

DISCHARGE.

In the first, deburst to the ministers for their steipandis the said year	£3,240	0	0
Item, to the maister of the Grammer Shool and his doctouris for their felles that year	540	0	0
Item, to the precentoris and him who keeps the musick shool	200	0	0
Item, deburst since the last compt for compleiting the new bulwark at the Broome Law and for repairing and building againe ane breach was made therin this last winter throw occasion of the extraordinarie frost	300	0	0
Item, deburst for laying some new calsayes, mending and repairing some old calsayes this last year and in framing the New Grein	1,300	0	0

Item, for beating, mending and repairing of the Hie Kirk and for dailles, leid and sklaitis therto this last year	1,300	0	0
Item, for building of four new bridges, ane at the New Grein and thrie in other adjacent pairtis about the toune	1,200	0	0
Item, for beiting and helping the commoune mylnes and ane of the commoune welles	400	0	0
Item, deburst anent the commoune effeires and other commoune burdings relating to the toune	2,000	0	0
Summa is	£10,480	0	0
Sua superexpendit	£1,580	0	0"

[Subscribed] W. YAIR.

MS. Accounts of the Common Good of Royal Burghs, preserved in the General Register House, Edinburgh.

732. DISPOSITION by MATHEW WILSONE, tanner, burges of Glasgow, with consent of Bessie Muir, his spouse, to the provost, bailies, and council of the burgh of Glasgow, of "ane half aiker of land, with the pertinents, lyand within the territorie of the said burgh, in that pairt called Kynclathe, quhairof ane pairt lyes on the north syd of the thrie butts of land aftermentioned, and is bounded betuixt the lands of old belonging to umquhill Mr. Hendrie Gibsone, therafter to Robert Andersone, and now to the provest, baillies, counsell, and communitie of the said burgh on the wast; the lands sumtymes pertaining to Walter Waddrope and now to the saids proveist, baillies, counsell, and communitie on the eist pairts; and sicklyk all and haill thes thrie buttes of land, with the pertinents, lyand also ther, and ar bounded betwixt the lands of Johne Barne on the wast, the forsaid half aiker of land on the east and northe, the lands somtyme pertaining to John Allane and now to the saids proveist, baillies, counsell, and communitie of the said burgh on the south pairts." Glasgow, 4 May 1665.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 75, b. 36, No. 53.

The prior writs consist of—

- (1) Disposition by Thomas Miln, heir served to the late Andrew Miln, chirurgian, his father, and to the late Andrew Miln, his brother, with advice of Agnes Hamiltoune, his spouse, to Edward Robiesone, merchant, and (blank) Hamiltoun, his spouse. 4 July 1650.
- (2) Disposition by Edward Robiesone and spouse to Arthur Watson, maltman, and spouse. 29 July 1656.
- (3) Instrument of Sasine thereon (William Yair, notary). 30 July 1656.
- (4) Dispositione by Arthur Watson and spouse to Mathew Wilsone, elder, tanner. 14 February 1661.
- (5) Instrument of Sasine thereon (William Yair, notary). 13 July 1661.

733. INSTRUMENT of SASINE following on No. 732. Glasgow, 15 September 1665.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 75, b. 36, No. 54.

734. TACK by the PROVOST, BAILIES, and COUNCIL of the Burgh of Glasgow to James Farie, hammerman, burgess of Glasgow, of "that kirkyaird called St. Rollocks kirkyaird, and haill grase therof, lyand within the territorie of the said burgh, outwith the Stablegreen port, neir to that place called Plummers-hall;" and that for nineteen years from Beltane, 1665. The kirkyard was not to be digged or tilled, but was to lie in grass, and the town council were to be entitled to use it as burial ground. Rent, 30s. Scots yearly. Glasgow, 3 June, 1665.

Original in the Archives of the City.

Extracts from the Records of the Burgh of Glasgow, vol. iii., p. 54.

735. DISPOSITION by JOHN BARNES, Merchant, burgess of Glasgow and sometime dean of gild, whereby, in consideration of the price of £500 Scots, he sold and disposed to the provost, bailies, and council of the burgh of Glasgow "tua aickers of land with the pertinentes, lyand within the territorie of the said burgh, discontigue, in that part called Kinclaythe, quherof ane aiker is boundit betwixt the lands of old belonging to wmqhill maister Hendrie Gibsoun, thereafter to Robert Andersoun, and now to the proveist, baillies, counsell and communitie of the samyne burgh on the eist, the lands of old belonging to wmqhill Matthew Trumbell and now to William Craig on the west; the Mildame on the north and the water of Clyde on the southe pairtes; and the wther aiker therof is boundit betwixt the lands of old belonging to wmqhill Johne Bunteine, thereafter to Andro Conyghame, and now to the forsaid proveist, baillies, counsell and communitie of the said burgh on the eist, the lands of old belonging to wmqhill Johne Woddrop and now to the saids proveist, baillies, counsell and communitie on the west partes." The lands were to remain with the provost, bailies, council, and community "in all tyme coming, as ane pairt of ther commoun greine newlie erectit be them." Glasgow, 10 June 1665.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 77, b. 36, No. 70.

The prior writs consist of—

- (1) Sasine in favour of Mr. Gilbert Simont, vicar of Dalziel, upon Thomas Gilmour's resignation (Thomas Hamiltoun, notary). 12 April 1524.
- (2) Sasine in favour of John Wilsone, upon the resignation of Mathew Wilsone, burgess (Thomas Wilson, town clerk, notary). 24 February 1568.
- (3) Charter by Mr. John Law, chaplain of the Chapel of St. Nicolas, bishop and confessor, founded in the Laigh Kirk of Glasgow, with consent of his patrons, dean and chapter of the High Church, in favour of John Wilsone (yearly feuduty, 40s.). 3 November 1568.
- (4) Disposition by John Wilsone to Archibald Wilsone, his son, and David Calderwood, his son-in-law. 18 December 1585.

- (5) Sasine in favour of David Calderwood, on resignation of Archibald and John Wilsone (Archibald Hegait, notary). 11 December 1585. (Glasg. Prot., No. 2300.)
- (6) Sasine John M'Kinnie in one acre on the resignation of David Calderwood (Mr. John Rosse, notary). 3 November 1588.
- (7) Wadset right by David Calderwood to William Gibsone of one acre. 11 March 1604.
- (8) Sasine David M'Kinnie, as heir of John M'Kinnie, his brother (Archibald Hegait, clerk). 21 November 1604.
- (9) Disposition by David M'Kinnie to John Barns. 16 August 1605.
- (10) Disposition by David Calderwood to John Barns. 12 February 1607.
- (11) Charter by the College of Glasgow to John Barns (feuduty 46s. 8d.). 31 January 1608.
- (12) Sasine thereon (Archibald Hegait, notary). 10 March 1609.
- (13) Disposition by William Gibsone (denuding himself of his Wadset). 10 November 1609.
- (14) Sasine thereon (Archibald Hegait, notary). 13 December 1609.
- (15) Sasine John Barns, younger, on his father's resignation (John Craig, notary). 29 October, registered in Register of Sasines for shire of Renfrew and barony of Glasgow, 10 November 1620.

736. INSTRUMENT of SASINE following on No. 735. Glasgow, 15 September 1665.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 77, b. 36, No. 71.

737. CHARTER granted by ALEXANDER, Archbishop of Glasgow, ratifying all charters, infeftments, precepts, sasines, confirmations, rights, titles, and securities whatsoever, granted in favour of the magistrates and council of Glasgow, or their predecessors and authors, by Walter, commendator of Blantyre, or his predecessors, or by his Majesty, by virtue of the act of annexation, and by whatsoever person, proprietors of the lands after specified, of all and whole the £6 lands of Gorbals and Bridgend, as also the twelve shilling land of Liningshaugh, which charter contains a *novo damus*, bearing the yearly duty payable for Gorbals to be £6 of money and eight bolls of meal to the mill of Partick, and for Liningshaugh £4 12s. 4d. Scots, as ancient duty, with fourteen pence halfpenny in augmentation, with the multures to the mill of Partick, and other services used and wont; and giving three suits of court at the bishop's three head courts of the barony and regality of Glasgow, and to all other courts of the same on being lawfully warned. Dated 20 June 1665.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 103, b. 44, No. 27
Charters and Documents relating to the City of Glasgow, No. cxxxv., vol. ii., pp. 52-9.

738. ACT of the CONVENTION of BURGHS, continuing till next Convention the questions between Glasgow and other burghs as to priority in riding at Parliaments. Aberdeen, 6 July 1665.

MS. Records of Convention.

Printed Records of Convention, vol. iii., p. 576.

739. DISPOSITION by WILLIAM SELKRIG, writer in Glasgow, with consent of Marion Semple, his spouse, to the "provest, baillies, and counsall of the said burghe and thair successors in office, for themselves and in name and behalfe of the haill communitie thair of," of a "rig of arrable land lyand within the territorie of Glasgow, in that croft thair of callit Kinclaith Croft; boundit betwixt the lands now perteing to William Stewart and (*blank*) Bell, his spous, on the west, the lands now perteing to Walter Waddrope on the eist, the landes callit the Burncruickes on the north, and the river of Clyd in the south pairtes." Glasgow, 24 January 1666.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 78, b. 36, No. 85.

740. INSTRUMENT OF SASINE following on No. 739 (William Yair, notary). Glasgow, 20 December 1666.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 78, b. 36, No. 86.

741. DECREE pronounced by the Lords of Council and Session in the action of Declarator first raised before the commissioners for administration of justice at the instance of the provost, bailies, dean of guild, treasurer, and deacon-convener, for themselves, and in name and on behalf of the council and community of the burgh of Glasgow, against the provost, bailies, dean of guild, treasurer, council, and community of Dumbarton, and thereafter insisted in before the Lords of Council and Session. By which decree the Lords found and declared that Dumbarton had no right to exact from the community of Glasgow, or the vessels belonging to them arriving in the river Clyde, at the ports of Poterig, Inchgrein, and Newark, any anchorage or other dues, and decerned Dumbarton to desist from troubling the community of Glasgow or the ships and vessels belonging to them in regard to such dues. Edinburgh, 8 February 1666.

Extract Decree in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 26, b. 4, No. 6. Charters and Documents relating to the City of Glasgow, No. cxxxvi., vol. ii., pp. 60-112.

Ratified by Act of Parliament, 1669, c. 108, 23 December 1669. Acts of Parliament of Scotland, vol. vii., p. 647. See also 1701, c. 27, Acts of Parliament of Scotland, vol. x., p. 322.

742. DECREE by the Lords of Council and Session, in an action of Declarator at the instance of the provost, bailies, and councillors of Dumbarton against the provost, bailies, and councillors of Glasgow, assoilzying the defenders from the whole conclusions of the action. Edinburgh, 8 February 1666.

Extract Decree in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 27, b. 4, No. 7. Charters and Documents relating to the City of Glasgow, No. cxxxvii., vol. ii., pp. 112-20.

743. RENUNCIATION by GILBERT CURRIE, gardener, burges of Glasgow, of a Tack, dated 12th March, 1642, whereby "maister Archibald Fleming of Catgill, commissar of Glasgow," set to him, for his lifetime, at a yearly rent of £18 Scots, "that yaird lyand within the burgh of Glasgow, perteing heretablie to the said Mr. Archibald, quhilk wes last possest be umquhill Walter Galbraithe, gairner, boundit betuixt the yaird of Mr. James Robertoun on the southe, the yaird of Andro Dennestoun, gairner, on the northe, that littill yaird quhilk is presentlie sett be the said Mr. Archibald to Robert Sinkler, maltman, upoun the west, and the burne called Mollendinor upoun the eist pairtes respective. . . . (Reservand nevertheles to the said Mr. Archibald and his familie passage throughe the said yaird, during the yeires of this tack, to the burne, at all tymes and occatiounes quhen they shall have to doe theratt)." By the Renunciation, in which the ground is described as "ane meikle yaird, lyand within this burgh, upoun the east syd of the hie streit therof, foiranent the said umquhill Mr. Archibald his dwelling hous ther," which had been bought by the magistrates and council "to mak ane commounne vennell therof" [No. 724], Gilbert Currie renounced his liferent tack in favour of the provost, bailies, and council, and authorised them to enter into possession of the ground and use it for their purposes. Glasgow, 24 March 1666.

Original Tack and Renunciation in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 63, b. 31, No. 3.

744. TACK by the Provost, Bailies, and Council to Robert Rae, merchant, burges of Glasgow, of "that peice of land callit the Peit Boig and Dassie Grein, lyand within the territorie of the said burgh, together with that peice ground benethe the brae, lyand betwixt the Peit Boig and the landes of Linningshaughe or dyk at the heid thair of buildit be umquhill Johnne Lawsoun; all boundit betwixt the said Robert Rae his awne landes and the landes of Provestshaughe respective on the eist, the landes of Kinclaithe on the northe, the water of Clyd on the southe, and the said landes of Linningshaugh on the wast pairtes" [see Disposition No. 717]. . . . "With this expres conditioun and provisione allwayes that it sall be leasume to the burgessis inhabitantes of this burgh, who sall tak and fish salmond be thair cobillis in the water thairabouts, to dry thair netes on the saides lands of Peitboig as they ar now and hes bein in use, they paying to the said Robert Rae or his subtenentes as they have bein in use heirtfoir to pay to Johnne Lowk, possessor of the saids landes. As also with this conditioun that it sall not be leasume to the said Robert Rae, or his foresaides, to suffer any hors or wther bestiall to pasture or feid upon the forsaid peace grounde, quhilk lyes betwixt the west end of the said Peitboig and Linningshauche, for the first seavine yeires of the said Tack." Tack for nineteen years at yearly rent of £16 Scots. Glasgow, 19 April 1666.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 80, b. 36.

Abstracts of Protocols of the Town Clerks of Glasgow, No. 873.

745. CHARTER by the Provost, Bailies, and Council of Glasgow, superiors of the land aftermentioned, whereby on the narrative that Robert Rae, merchant, burghess of Glasgow, and his authors and predecessors, had been in the peaceable possession thereof for a long time, beyond the memory of man, they, for his better security, disponed and confirmed to him a half acre of land, with the pertinents, lying within the burgh of Glasgow, in that part called Kinclaith; bounded between the lands sometime belonging to the vicars of the choir ("lie queir") of Glasgow, now to the heirs of William Hoome, on the east, the lands sometime belonging to the late Mr. Henry Gibbsone, now to William Craig, on the west, the lands called Peitboig on the south, and the lands of Mylnedame on the north. To be held of the magistrates and council in feu farm, for payment of 4d. Scots yearly, and a duplicand on the entry of each heir. Glasgow, 28 April 1666.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 71, b. 36, No. 12.

746. DISPOSITION by HENDRIE CRAIG, merchant, burghess of Glasgow, with consent of Agnes Hammiltone, his spouse, to the Provost, Bailies, and Council of the Burgh of Glasgow, for behoof of the community, of "ane aiker of land or thairby, with the pertinentes, lyand within the territorie of the said burgh, in that pairt callit Kinklaith; boundit betwixt the landes somtyme perteing to (*blank*), and now to the provest, baillies, counsell and communitie of the samyne burgh on the eist; the landes somtyme perteing to (*blank*), and now to the saides provest, baillies, counsell and communitie on the west; the landes callit the Cruikes of Mylnedame on the northe, and the water of Clyd on the south partes." Glasgow, 14 May 1666.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 79, b. 36, No. 95.

747. INSTRUMENT OF SASINE following on No. 746 (William Yair, notary). Glasgow, 20 December 1666.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 79, b. 36, No. 96.

748. ACCOUNT of the COMMON GOOD of the BURGH OF GLASGOW from Whitsunday, 1665, to Whitsunday, 1666.

"In primis, the dewtie and casualities of the mylnes the said year

extending to	£5,266	13	4
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Item, the dewtie of the laidles the said year extending to	1,433	6	8
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Item, the dewtie of the meilmercat and pekis the said year extending to	£533	6	8
Item, the dewtie and custome of the tron the said year extending to	540	0	0
Item, the dewtie and custom of the brig the said year extending to	1,053	6	8
Summa	£8,826	13	4

DISCHARGE.

In the first, deburst to the thrie ministers for their stipendis and hous maill the said year	£3,240	0	0
Item, deburst to the maister of the Gramer Shool and his twa doctouris	540	0	0
Item, to the precentouris and the maister of musick school ...	200	0	0
Item, waired and bestowed upon mending, beating and repairing of the great Metropolitan Kirk within this burgh	2,500	0	0
Item, deburst for laying of new calsayes and mending and repairing of old calsayes and upon the righting and framing the New Grein	2,000	0	0
Item, waired out upon repairing of the commounne mylnes and dames therof this last year	500	0	0
Item, deburst upon the commounne affaires of the toune and uther commounne burdings relaiting to the toune	2,000	0	0
Summa of the discharge is	£10,980	0	0
Sua superexpendit	£2,153	6	8"

[Subscribed] W. YAIR.

MS. Accounts of the Common Good of Royal Burghs, preserved in the General Register House, Edinburgh.

749. ACT by the Town Council of Glasgow, proceeding on a supplication and bill of complaint by the cordiners of Glasgow against the prejudicial manner in which the cordiners and tanners in the village of Gorbals exercised their calling, whereby it was ordained that it should not be lawful to any of the cordiners and tanners already placed in the village to keep any servant or prentice for helping forward their work, but what they did they should work with their own hands; and that no cordiner or tanner should thereafter set up house or booth for using his trade in the village without licence obtained from the town council. Glasgow, 2 June 1666.

Extracts from the Records of the Burgh of Glasgow, vol. iii., pp. 79-81.

750. DISPOSITION by ARTHOUR KIRK, merchant, burgess of Glasgow, for himself and as tutor for Arthour Kirk, son of him and Bessie Adame, his spouse, and JOHN ROBESOUNE, merchant, burgess of Glasgow, as having right flowing from the late Jonet Robesounne, daughter of him and the late Margaret Adame, his spous, which Bessie and Margaret were the two lawful daughters and heirs portioners of the late Patrick Adame, tailor, burgess of Glasgow, with consent of Jonet Watsounne, relict of Robert Watson, maltman, burgess of Glasgow, for her liferent right, in favour of the burgh of Glasgow, of that tenement of land, high and laigh, back and fore, with close, yard, and pertinents, and also a rig of land at the back thereof in Longcroft, on the north side of the Trongate, bounded betwixt the lands of old belonging to William Watsounne and now to Andrew King and the lands of the late William Wilson, respectively, on the east, the high street on the south, the Fleshmarket and rig at the back thereof, belonging to the burgh of Glasgow, whereupon the candlehouses are built, on the west, and the Grammar School Lone on the north; as also those three rigs of land in Longcroft bounded between the said rig of land at the back of the Fleshmarket on the east, the lands of the late Quintin Brok now belonging to David Scott on the west, the Grammar School Lone on the north, and the lands of (*blank*) on the south. Glasgow, 2 August 1666.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 54, b. 24, No. 1.

751. INSTRUMENT OF SASINE following on Disposition, No. 750, in favour of the burgh, under the hand of William Yair, clerk. Glasgow, 6 August 1666.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 55, b. 24, No. 2.

752. ACT of the CONVENTION of ESTATES, making a voluntary offer to the King of £72,000 monthly for the space of twelve months, over and above the former supplies of £480,000 granted to his Majesty by the late Parliament, yearly, during his lifetime, and the other supply of £133,000, yearly, granted to his Majesty by the late convention for five years, of which voluntary supply of £72,000 Glasgow was appointed to pay £780. Edinburgh, 23 January 1667.

Acts of the Parliaments of Scotland, vol. vii., p. 540.

753. FEU CONTRACT between the Provost, Bailies, and Council of the Burgh of Glasgow, on the one part, and "Maister Archibald Denneestounne, merchand, burgess of the said burgh," on the other part, narrating the purchase from Commissary Fleming of a rig of land [No. 724], "and that for the use of ane commounne vennell for the better and frie passage to the nychtbloures dwelling thairaboutes, for passing to and fra the burne for the better eas and commoditie for careing in of water at all occasiounes necessare; and seing the said rige of land is far mor larger nor will serve for that use, and that the saids magistratos and counsell hes laid af alreddie the haill breid of four

elles, throw the haill lenth of the said yaird, to be ane commounne passage for all the haill inhabitantes to and fra the said burne; and that the far most pairt of the said yaird is not yit made use of; and they being most loath that the samyne sould lay wast and sua made unproffitable to the towne:" Therefore the magistrates and council set to Archibald Dennestone, in feu farm, the said rig of land, reserving the passage of four ells in breadth next to John Bartounes yard, "and the said maister Archibald is to fence and guard himself on the north syd of the said commounne passage throw the lenth of the said haill yaird." Yearly feu-duty, £20 Scots (£1 13s. 4d. sterling). Glasgow, 16 March 1667.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 63, b. 31, No. 4.

754. ACCOUNT of the COMMON GOOD of the BURGH OF GLASGOW from Whitsunday, 1666, to Whitsunday, 1667.

"In the first, the dewtis and casualities of the mylnes of the said burgh the said year did extend to	£6,233	6	8
Item, the dewties of the laidles belonging to the said burgh the said year extending to	1,866	13	4
Item, the dewtie and custome of the meilmercat and pekis belonging to the said burgh the year forsaid extending to	566	13	4
Item, the dewties and customes of the trone of the samyne burgh the said year extending to	700	0	0
Item, the dewties and customes of the great brig of the samyne burgh the said year extending to	1,066	13	4
Summa totalis	£10,433	6	8

DISCHARGE.

In the first, deburst to the thrie ministers for their steipends and hous maill the year forsaid	£3,240	0	0
Item, deburst to the maister of the Gramer Shool and his tua underdoctouris for their fienes	540	0	0
Item, deburst to the precentors and maister of the musick shool for their fienes the said year	200	0	0
Item, deburst and waired out for beiting, mending and repairing of the great Metropolitant Kirk of the said burgh the said year and for the mans fiell who attends the samyn extending to	1,500	0	0
Item, deburst in name of fienes to their tounes commounne chyrurgian choysen for curing of poor folkes gratis, and to ane uther for cutting of poor folkes of the stone, and deburst to uthers for their fienes as commounne servands	400	0	0

Item, deburst the said year for building of new brigs about the tounne extending to	£1,200	0	0
Item, waired out this last year for repairing, helping and mending of the tounnes commounne mylnes and dames therof	450	0	0
Item, for laying of new calsayes, repairing of old calsayes and building ane dyk about the New Green	1,500	0	0
Item, deburst anent the commounne affaires and uthir commounne burdings relaiting to the tounne	2,000	0	0
Summa totalis	£11,030	0	0
Sua superexpendit	£596	13	4"

[Subscribed] W. YAIR.

MS. Accounts of the Common Good of Royal Burghs, preserved in the General Register House, Edinburgh.

755. DISPOSITION by SIR ROBERT HAMILTON of Silvertonhill, whereby, in consideration of the price of 106,000 merks (£5,888 17s. 9d. sterling), he disposed to the provost, bailies, council, and community of the burgh of Glasgow the lands of Ballanerk, *alias* Provand, extending to a £20 land of old extent, and containing the particular lands therein mentioned; with astricted multures thereof, lochs and fishings therein, all united and incorporated into a free tenandry, called the Tenandry of Provand; together with the parsonage and vicarage teinds of the lands. Glasgow, 3 September 1667. Registered in the Books of Council and Session, 31 May 1675.

Extract Disposition in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 111, b. 45, No. 31. Charters and Documents relating to the City of Glasgow, No. cxxxviii., vol. ii., pp. 120-32.

The prior writs consist of—

- (1) Gift and Provision by Pope Adrian VI. to Thomas Baillie, one of the canons of Glasgow, of the canonry and prebend of the church of Glasgow called Barlanerik, *alias* Provand (*canonicatum et de Barlanerik, alias Provand, nuncupatum prebendam ecclesie Glasguensis*), upon the resignation of William Baillie, then late canon thereof. 3 February 1522-3. (Printed in Regality Club, I., pp. 74-86.)
- (2) Regress and Retrocession by Pope Adrian to the said William Baillie of the said canonry, with the rents thereof for a pension so long as he lived. 3 February 1522-3.
- (3) Power and Warrant by Pope Adrian to the archdeacon of Caithness and the canon of Moray for entering William Baillie to the said canonry. February 1522-3.
- (4) Instrument of Institution given to William Baillie. 6 April 1523.
- (5) Presentation by Gavin Hamiltoun, dean of the Metropolitan Church of Glasgow and vicar-general of the vacant see, in favour of Mr. William Baillie of the said canonry and prebend. November 1549.
- (6) Feu Charter by Mr. William Baillie, canon of Glasgow and prebendary of Ballenrige and Provand, with consent of the dean and chapter of Glasgow, to Thomas Baillie of Ravensraig, 10 April 1562 (Reg. Mag. Sig., 1580-93, No. 2209); with Sasine thereon of same date.
- (7) Charter of Confirmation by Queen Mary to Thomas Baillie. 23 June 1565.

- (8) Charter by Thomas Baillie to William Baillie, son of the late Mr. William Baillie, prebendary, 6 December 1570; with Sasine thereon, 3 April 1571.
- (9) Charter of Confirmation by Mr. William Baillie to Thomas Baillie. 7 December 1570.
- (10) Charter of Confirmation by James, archbishop of Glasgow, confirming No. 6. 13 July 1579.
- (11) Charter of Confirmation by King James VI. to Thomas Baillie. 22 November 1592 (Reg. Mag. Sig., 1580-93, No. 2209).
- (12) Two Charters by Elizabeth Baillie, only sister and heir to the late Mr. William Baillie, eldest son of the late Mr. William Baillie of Provand, president of the College of Justice, with consent of Robert Hamiltoun of Goslington, her husband, in favour of Francis Hamiltoun, their eldest son, 31 October 1599; with Sasine thereon, 20 December 1599, registered 25 January 1600.
- (13) Charter of Confirmation by King James VI. to Francis Hamiltoun, 15 November 1599; Precept and Sasine thereon.
- (14) Disposition by Edward Hamiltoun to Sir Robert Hamiltoun, his son (therein designed Captain Robert Hamiltoun). 6 November 1646.
- (15) Charter by Oliver, Lord Protector of the Commonwealth, to Sir Robert Hamiltoun. 3 January 1654.

756. INSTRUMENT of SASINE following on No. 755 (William Yair, notary), dated 6 (registered in the general register at Edinburgh, 18) September 1667.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 111, b. 45, No. 32. MS. Protocol Book of William Yair, 1665-8, p. 182.

757. DISPOSITION by ALEXANDER HOOM, son and apparent heir of the late William Hoom, merchant, burgess of Glasgow, and sometime one of the bailies thereof, with consent of Margaret Gilhagie, his mother, for her liferent interest, to the Provost, Bailies, and Council of the Burgh of Glasgow, as representing the community, of a rood or ridge of land, with the pertinents, lying within the territory of the burgh, in that part called Kinclaithe, the most part of which lands of Kinclaithe, including the said rood, had been acquired "to be ane commoun Greine for the utilitie and proffit of the inhabitantes of the forsaid burgh." Glasgow, 30 October 1667.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 74, b. 36, No. 41.

758. ACT by the LORDS of PRIVY COUNCIL directing the following letter to the Archbishop of Glasgow:—"Most Reverend: The Council having considered the list of Papists within your dioces, returned to them by your Grace, and finding the Earle of Traquar to be one of that number, they have resolved to take speciall notice and care of his education, and in order thereto have desyred me to acquaint your Grace, the Earle of Southesk and Lord Drumlanrig, in their name (to whom letters are lykwayes sent), that it is their desyre yow may together consider the best way how he may be educat in the protestant religion, and how he shall be provyded with all necessaris for his aliment and breeding suteable to his quality; and what overtures yow shall make to that purpose the councill will be ready to approve thereof, and order that obedience be given and all thinges done accordingly." Edinburgh, 28 November 1667.

MS. Registrum Secreti Concilii, Acta 1667-73, p. 8.

759. CONTRACT of SALE and FEU between Sir Patrick Maxwell of Newark, knight, with consent of Dame Marion Campbell, his spouse, and of Sir George Maxwell, apparent of Newark, knight, his eldest son, on the one part, and the Provost, Bailies, and Council of the Burgh of Glasgow, as representing the community thereof, on the other part, whereby Sir Patrick sold to the community of Glasgow portions, extending to a merk land of old extent, of his lands of Divolsghlen, wood and wards of Newark, all lying within the barony of Finlaystoun Maxwell, parish of Kilmacolm, and shire of Renfrew; together with the harbour and station or port for anchoring vessels there, and the privilege of the whole bay from the full sea to the ground ebb, and other privileges therein mentioned. Glasgow and Newark, 4 January and 28 February 1668. Ratified by Dame Marion Campbell, lady Newark, at Newark, 28 February 1668. Registered in the Books of Council and Session, 26 October 1704.

Extract Contract in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 17, b. 3, No. 1. Charters and Documents relating to the City of Glasgow, No. cxxxix., vol. ii., pp. 132-41.

760. INSTRUMENT of SASINE following on No. 759. Dated 28 February, and registered in the Books of the Clerk Register for the shire of Renfrew and barony of Glasgow, at Glasgow, 9 April 1668.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 18, b. 3, No. 2.

761. CHARTER by KING CHARLES II., for himself and as Prince and Steward of Scotland, confirming to the Provost, Bailies, and Council of the Burgh of Glasgow, as representing the community thereof, the Contract No. 759, and the lands and privileges therein mentioned; and erecting and incorporating the lands and others into a harbour and port, to be called the Harbour and Port of the Royal Burgh of Glasgow, with the right of having a tolbooth, appointing bailies, clerks, and other officers, and of exercising the jurisdiction therein specified. Edinburgh, 20 January 1668.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 18, b. 3, No. 3. Charters and Documents relating to the City of Glasgow. No. cxi., vol. ii., pp. 142-55.

762. PRECEPT of SASINE following No. 761. Edinburgh, 20 January 1668.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 19, b. 3, No. 4.

763. INSTRUMENT of SASINE following on Nos. 761 and 762, dated 28 February, and registered in the books of the Clerk Register for the shire of Renfrew and Barony of Glasgow, 9 April 1668.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 19, b. 3, No. 5.

764. ACCOUNT of the COMMON GOOD of the BURGH OF GLASGOW from Whitsunday, 1667, to Whitsunday, 1668.

"In the first the dewties and casualities of the mylnes of the said burgh the said year did extend to	£5,333	6	8
Item, the dewtie of the laidles of the said burgh the said year did extend to	1,766	13	4
Item, the dewtie and custome of the meilmercat and pekis of the said burgh the year forsaid extending to	500	0	0
Item, the custome of the tron of the said burgh the year above-wryttin did extend to	740	6	8
Item, the dewtie and custome of the great brig of the said burgh the forsaid year did extend to	1,066	13	4
Summa totalis	£9,407	0	0

DISCHARGE.

In primis, deburst to the thrie ministers for their stipends and hous mailles	£3,240	0	0
Item, to the maister of the Grammer Shool and his tua doctouris for their fielles the said year	540	0	0
Item, deburst to the precentoris and maister of the musick school for their fielles the said year	200	0	0
Item, deburst and waired out for beiting, mending and repairing of the great metropolitank kirk of Glasgow and the mans felle who attends the samyne the said year	1,800	0	0
Item, deburst in name of fielles to the tounes commoune chyrurgian appointit for curing of poor folkes gratis and to ane uther for cutting of poor folkes of the ston and to ane uther for attending the belles and knockes and other fielles to uther commoune servandis	400	0	0
Item, deburst for beiting, mending and repairing of the tounes laigh kirk in Trongait	1,600	0	0
Item, waired out for repairing, helping and mending of the tounes commoune mylnes and dames therof the said year	500	0	0
Item, for mending the dyk of the New Green and for stobbing the water in severall places for preserving the grund, mending and repairing of the commoune calsayes and laying of some new calsayes the said year	1,000	0	0
Item, deburst anent the commoune affaires and burdings relaiting to the toun	1,500	0	0
Summa of the discharge	£10,780	0	0
Sua superexpendit	£1,373	0	0"

[Subscribed] W. YAIR.

MS. Accounts of the Common Good of Royal Burghs, preserved in the General Register House, Edinburgh.

765. ACT of the CONVENTION of BURGHS ordaining the Burgh of Renfrew to answer at next general convention the complaint of the Burgh of Glasgow against them for admitting burgesses not resident in the burgh. Edinburgh, 13 August 1668.

Printed Records of Convention, vol. iii., p. 608.

766. TACK by the PROVOST, BAILIES, and COUNCIL of the Burgh of Glasgow to Walter Woddrop, maltman, burghess of Glasgow, of "the personadge teyndis and teynd schaves of that half aicker of land lyand in New Gallowmure, within the teritorie of the said burgh," for 19 years and crops, beginning with 1668. Woddrop paid £10 Scots of "gressum entres," and undertook to pay 5s. of yearly tack duty. The tack contains a provision that "incaice it shall happine the tounes tack they have of the saidis teyndis be rescindit and anullit within the forsaid space of nynteine yeris, that then and in that caice the saidis proveist, baillyies, and counsell, and thair successouris in office, shall onlie be lyabill to pay back to the said Walter Woddrop and his forsaidis such ane proportionall pairt of the forsaid gressum entres abovementionat as shall be fund aggrieabill to the proportioun of the yeris of his tack then to rune."¹ Glasgow, 29 August 1668.

Original in the Archives of the City.

767. CONTRACT and AGREEMENT between the Hammerman in the Burgh of Glasgow and the Hammermen of Gorbals, by which the latter were prohibited from putting on any new work or taking off any old work within the town of Glasgow or furth thereof, and from mending or dressing for any person within the burgh except the same were taken out to them, under the penalty of a new upset for the use of the poor. Glasgow, 13 (ratified by the town council, 14) November 1668.

Extracts from the Records of the Burgh of Glasgow, vol. iii., p. 113.
MS. Council Records, 30 September 1693, vol. xiv., p. 105.

768. CONTRACT between the Cordiners of the Burgh of Glasgow and the Cordiners of Gorbals, whereby, *inter alia*, the latter, for the yearly payment of 18s. Scots each, had liberty to stand in the market of Glasgow, upon the market day, for their selling of their shoes and other articles. Glasgow, 18 December 1668. Ratified by town council, 23 January 1669.

Extracts from the Records of the Burgh of Glasgow, vol. iii., p. 115.

¹ On 2 November 1667, the town council, "in consideratione that the old taks of the tynda sett formerlie to the heritouris of the landis of Garn-gad, Gallowmuir, and about Skellings myre, some aikers in Borrowfield, and the Parsones land, ar expyred," called upon the heritors to take new

tacks, intimating with regard to those who failed to comply with this request that "the tynd sheaf of their land will be drawne" (Glasg. Rec., iii., p. 98). No. 766 may be taken as a specimen of the tacks granted under this arrangement.

769. INSTRUMENT of RESIGNATION of the lands of Provand and others [see No. 755], in the hands of the Commissioners of the Treasury, for new infeftment in favour of the Burgh of Glasgow. Mr. Robert Hamiltoun, notary. Edinburgh, 6 February 1669.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 111, b. 45, No. 33.

770. CHARTER by KING CHARLES II., under his great seal, confirming to the Provost, Bailies, and Community of Glasgow the lands of Ballanark or Provand [see No. 755], and incorporating the lands with the burgh: To be held of the King for the yearly payment of £95 7s. 6d. Scots in money, 32 bolls horse corn (convertible into money at 5s. for each boll), and 8 dozen poultry (convertible into money at 6d. each); together with 3 merks of old and 5s. of new augmentation, both Scots money. Edinburgh, 3 March 1669; with Precept under the quarter seal of same date.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 111, b. 45, No. 34. Charters and Documents relating to the City of Glasgow, No. cxli., vol. ii., pp. 156-68.

771. INSTRUMENT of SASINE following on No. 770 (George Andersone, notary), dated 3, and registered in the general register at Edinburgh, 15 June 1670.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 111, b. 45, No. 36.

772. ACT of the CONVENTION of BURGHS ratifying and approving a Gift *ad vitam* of the town-clerkship of Glasgow in favour of William Yair and George Andersone, dispensing with all former acts of Convention discharging burghs to give to their clerks gifts *ad vitam*, and in particular the act made in 1593 [Conv. Rec. I., p. 413], remitting to the town of Glasgow all penalties incurred under the former acts, and declaring that in future it should be lawful to any of the Royal Burghs to grant gifts *ad vitam aut culpam* to their respective clerks. Edinburgh, 10 July 1669.

Printed Records of Convention, vol. iii., p. 614.

773. ACT of the LORDS of PRIVY COUNCIL, setting forth that they "have been informed that, in the late meeting of the Archbishop and a part of the Synod of Glasgow, there was a paper agitated and passed in the name of the Archbishop and Synod, tending in its consequences to the prejudice of his Majesty's authority and peace of the government, did ordain the same to be produced before them, which having been done, they find the same to be in itself a paper of a dangerous nature, tending towards the depraving of the laws and misconstructing of his Majesty and council, and illegal and unwarrantable, and therefore ordain the same to be suppressed and no copy kept by any." Edinburgh, 16 October 1669.

MS. Registrum Secreti Concilii, Acta 1667-73, p. 273.

774. PROTEST by WILLIAM ANDERSON, commissioner to Parliament for the Burgh of Glasgow, which was placed eighth in the Roll of Burghs, "that the calling and enrolling of the town of Glasgow in this Parliament should not prejudice the town of their right of precedence before other burghs now enrolled before them." Edinburgh, 19 October 1669.

Acts of the Parliaments of Scotland, vol. vii., p. 551.

775. CHARTER of CONFIRMATION by JAMES ANDERSON, Preceptor of the Hospital of St. Nicholas, situated within the city of Glasgow, to Robert Rae, dean of guild of Glasgow, of three acres of land lying near the burgh of Glasgow, in that part called Broom Lands or Kinklaith, within the barony and regality of Glasgow and shire of Lanerk, bounded between the lands sometime belonging to the late Archibald Faulds now to the said Robert Rae on the east, the lands of Robert Campbell on the west, the river of Clyde on the south, and the lands called Mildam belonging to the heirs of the late William Moorheid on the north. To be held of the preceptor in feu farm, for payment of three bolls good and sufficient bear (*hordei*) yearly. Glasgow, 16 November 1669.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 73, b. 36, No. 29. These three acres were included in lands acquired by the city from Robert Rae in 1686. *Infra*, No. 863.

776. ACT of PARLIAMENT ratifying and approving in favour of the Provost, Bailies, and Council of the Burgh of Glasgow—(1) Charter of the lands of Balanerk or Provane, dated 3 March 1669 [No. 770]; (2) Charter of land at Newark and harbour of Port-Glasgow, dated 20 January 1668 [No. 761]; (3) Decreet of Declarator against Dumbarton, 8 February 1666 [No. 741]; (4) Charter of the Burgh of Glasgow and its privileges, dated 16 October 1636 [No. 203]; (5) Act of Parliament, dated 17 November 1641 [No. 223]; (6) Act of Parliament, 20 May 1661 [No. 692]; and (7) all other charters and writings granted by any persons to the Burgh of Glasgow. Edinburgh, 23 December 1669.

Extracts of Act in Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, pp. 12, 13, b. 1, Nos. 40, 41.

Acts of the Parliaments of Scotland (1669, c. 108), vol. vii., p. 647.

Charters and Documents relating to the City of Glasgow, No. cxlii., vol. ii., pp. 168-81.

777. PROTEST by WILLIAM ANDERSON, Commissioner for the City of Glasgow, that the "Ratification of the Rehabilitation in favours of Archibald earl of Argyll," past in Parliament this day, "sould not be prejudiciall to the Kirk and Hospital of Glasgow, in the payment of the soumes of money due to thame be this Earle of Argylls father." Edinburgh, 23 December 1669.

Acts of the Parliaments of Scotland, vol. vii., p. 584.

778. DISPOSITION by Mr. WILLIAM WILSOUNE (eldest lawful son and heir of the late William Wilsoun, maltman, burgess of Glasgow), resider in the parish of Boveva, in the county of [Londonderry], Ireland, with consent of Agnes Lowthian, his spouse, and also with consent of James Duncane, elder, merchant, burgess of said burgh, and Euphemia Young, his spouse, for their liferent right, to the provost, bailies and council of said burgh, for behoof of the community thereof, of those five roods of land, lying within said burgh, "in that pairt callit Langcroft, boundit betwixt the landis of old belonging to wmqhill Thomas Norvall and now pertaining to the aires of umquhill Robert Broome on the east, the landis of old pertaining to wmqhill Robert Watsoun, thereafter to wmqhill Patrik Adame and to the said burgh of Glasgow on the west, that lone callit the Grammer School lone on the north, and the yaird belonging to me the said Mr. William Wilsoun and utheris on the south pairtis."¹ Glasgow, 25 July 1670.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 55, b. 24, No. 3.

779. INSTRUMENT of SASINE following on No. 778 (William Yair, notary). Glasgow, 25 July 1670.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 55, b. 24, No. 4.

780. ACT of PARLIAMENT approving of the Tax Roll of Burghs as altered by the Convention of Burghs on 13 July 1670, in which Roll the proportion payable by Glasgow of every £100 imposed upon the Burghs is fixed at £12. Edinburgh, 22 August 1670.

Acts of the Parliaments of Scotland, vol. viii., p. 23.

781. ACT of the LORDS of PRIVY COUNCIL, whereby they, "understanding that the Synod of Glasgow have appointed a committee of their number to hear and take trial of such complaints as shall be given in against scandalous ministers in that diocese, have appointed the following persons to meet and act with the said committee, viz., Sir John Cochran of Ochiltree, Sir Thomas Wallace, Sir John Cunyngham, Sir John Skirper, the Provost of Glasgow, and the Provost of Ayr."

MS. Registrum Secreti Concilii, Acta 1667-73, p. 395.

¹ This deed and the disposition No. 750 are from the titles of lands in Longcroft "where the Candlerig is now," as expressed in the Inventory of 1696.

782. ACT of the LORDS of PRIVY COUNCIL, whereby they, "being informed by the Earl of Linlithgow of a meeting amongst the soldiers under command of Colonel Borthwick [with regard to arrears of pay], and that he heard there was some discourse amongst them of a paper they had signed to stand and abide by one another, and that they had correspondence with the companies at Glasgow thereanent, and that yesternight, about ten o'clock, they had sent two of their number to Glasgow, the Lords direct letters to be sent to the Duke of Hamilton, Officers of Foot Companies quartered at Glasgow and Ayr, and Magistrates of Glasgow and Ayr, to suppress any disorder or mutiny amongst the soldiers." Edinburgh, 13 November 1670.

MS. Registrum Secreti Concilii, Acta 1667-73, p. 413.

783. EXTRACT of a registered TACK "past be way of contract betwixt the Lairds of Greenock, elder and younger, on the ane pairt, and the said directouris of the Royal Fisherie Societie, on the other pairt, whereby the Lairds of Greinock settis to the fishing societie all and hail that peice of ground lyand within the town of Greinock, pertaining to them, containing fourtie two elns in length and twentie seven elns in breadth, as the samine wes then inclosed be the said societie, and that for the hail space of nyntein yearis, and eftir the expiring thair of for many nyntein years therinspecificit, and the entrie declared att Whitsunday 1670 years; with free ish and entrie thairto and to and frae the harbour and shoar syde; with power to build therupon houssis, storehoussis, &c.; and by which tack the company are to pay yearly fiftie merkis of tack-dewtie, att Mertimes yearly, and ane hundreth poundis att the entrie of ilk nyntein years, and wherby also it is agreed that in caise it should happen the herring fishing to fall within the Mules of Galloway and Kintire, or that it should happen the said fishing societie to dissolve or break up, that then in the said or either of these caises this tack should from thence-furth expire and become voyd and null; and Greinock is obleist to pay the just third pairt of the value and worth of what housses or works shall be upon the said ground, be the estimation of four honest measons and wrights, to be equallie nominate, the estimation in hail not exceeding 3000 lib. This tack is dated the seventh of February 1671 and registrat in the books of counsell and session the twentie ane day of July 1673 years."

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 31, b. 6, No. 9. See Extracts from the Records of the Burgh of Glasgow, vol. iii., pp. 327-8.

784. "Ane CONTRACT betwixt the town and John Muir, indweller in Muirbarnhouse, and Agnes Crosse, his spouse, wherby the town fewes to them and langest liver of them twa, in liferent and conjunct fie, and to their aires therinspecificit, three aikers and twelve falls of arrable land, with houssis, yairds, &c., lyand in Muir of Gorballis, for payment yearly of eighteen pounds of fewdewtie; which contains this provision that if twa years run in the third unpaid the few right to be null, by which also the said John Muir and his spouse obleissis them and theirs to give sute and presence to three

head courts, and to compear at all other courts being lawfully warned, and they are therby sucken to the milns of the Burgh, as to the haille cornes that shall grow upon the saids lands; and by this contract all coall and lymestone found within the saids lauds are reserved to the town; which contract is dated the 18 March 1671."

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 105, b. 44, No. 38.

785. DISPOSITION by "WILLIAM ANDERSOUNE, Younger, portioner of Newtoun, present proveist of Glasgow, with expres advyce and consent of Bessie Lausoune, relict of wmqhill Johne Fleming, younger, merchand, burges thairof . . . and als with expres advyce and consent of Grissall Andersoune, relict of umquhill Williame Lausoune, merchand, burges of the samyne burgh," to the Provost, Bailies, and Council of the Burgh of Glasgow, for behoof of the community thereof, of a "peice land callit the Cruikie of Mylnedam, lyand within the territorie of the said burgh, and boundit betwixt theis landis callit the Mylnedamheid of old belonging to wmqhill Thomas Mylne and now to the aires of umquhill William Moirhead on the east, Kinclaith on the south, Mylnehill and Crapnestok on the north, and the commone lone neir the landis of Linningshaugh on the wast pairtis." Glasgow, 28 October 1671.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 64, b. 33, No. 10.

The prior writs consist of—

- (1) Feu Charter by the Town of Glasgow to David Donald, merchant, Glasgow, and Catherine Biggart, his spouse, dated (*blank*) 1589.
- (2) Sasine thereon (Mr. John Ros, notary), 14 May 1589 (Glasgow Protocols, No. 3280).
- (3) Sasine, John Donald, as heir of David Donald, his father, 11 September 1604.
- (4) Sasine in favour of John Bornis on resignation of John Donald; and also Sasine to David Bornis on the resignation of John Bornis, his father, 24 April 1605.
- (5) Disposition by John Bornes, heir of his brother, the late David Bornes, to John Lawson, merchant, and Elizabeth Robesone, his spouse, 30 August 1620.

786. MISSIVE addressed by the Privy Council to "Sir Robert Fleeming of Ferme, Rector of the Colledge of Glasgow," of the following tenor:—"Sir,—The Lords of Council being informed that latlie there hes bein a certan person admitted to be a Regent in the Colledge of Glasgow, notwithstanding that at his admission he refused to take the oath of alledgeance and to doe what further was injoynd him according to law, contrar to the practise of the Colledge, yow are therefore hereby requyred to repair immediately to this place to give ane accompt of that effair, and in the meantyme yow are to intimat to the Principall and Regents of the Colledge that it is the Councillis pleasur the forsaid person forbear the exercise of his charge as Regent, and some other fitt person appoynted to supply the place in the meantyme untill the matter be taken into further consideration. This from your humble servant, *subscriptur*: ROTHES, *cancell*." Edinburgh, 8 January 1672.

MS. Registrum Secreti Concilii, Acta, vol. 1667-73, fol. 537.

787. ACT of PRIVY COUNCIL of the following tenor:—"The Lords of the Privy Council, being informed that lately there have been diverse conventicles kept within the Barony and Regality of Glasgow, as also that some outed ministers reside within the said bounds who do not frequent the ordinances in the parish kirks where they dwell, do therefore give order and commission to the Provost and Bailies of Glasgow to put the late Acts of Parliament and Council anent conventicles into execution against the contravenars thereof." Edinburgh, 22 February 1672.

MS. Registrum Secreti Concilii, Acta, vol. 1667-73, fol. 552.

788. ACT of PARLIAMENT ordaining the Magistrates of Glasgow and other burghs to give Bonds that the inhabitants within the respective Burghs should not import or reset any sort of victual from Ireland, under the penalty of £1,200 Scots. Edinburgh, 10 July 1672.

Acts of the Parliaments of Scotland (1672, c. 3), vol. viii., p. 61.

789. ACT of PARLIAMENT "concerning the Regulation of the Judicatories," whereby it was ordained that once a year, in the month of April or May, Circuit Courts should be kept, and that, *inter alia*, two of the Judges should be appointed to go and keep Courts at Glasgow; the Justice-General being always Supernumerary in any of the Courts. Edinburgh, 30 August 1672.

Acts of the Parliaments of Scotland (1672, c. 40), vol. viii., p. 88.

790. ACT of PARLIAMENT "for establishing Correction-houses for Idle Beggars and Vagabonds," ordaining, *inter alia*, the Magistrates of the Burgh of Glasgow to provide, before the term of Whitsunday 1673, a Correction-house at Glasgow for the shire of Lanark. Edinburgh, 4 September 1672.

Acts of the Parliaments of Scotland (1672, c. 42), vol. viii., p. 89.

791. ACT of PARLIAMENT ratifying in favour of James Marquis of Montrose certain contracts between him and the Commissioners of his Majesty's Exchequer, whereby there were assigned to him so much of the customs of this kingdom, and specially of the customs of Glasgow, as should satisfy him of the annual payments mentioned in the act. Edinburgh, 11 September 1672.

Acts of the Parliaments of Scotland (1672, c. 68), vol. viii., p. 114.

792. ACT of PARLIAMENT ratifying the Decree Arbitral, entitled the Letter of Guildry, Deacon Convener, and Visitor of Maltmen and Mealmen [No. 447], to the effect that the said decree should have the force and strength of an Act of Parliament. (1672, c. 129.) Edinburgh, 11 September 1672.

Acts of the Parliaments of Scotland, vol. viii., p. 186.

793. ACCOUNT of the COMMON GOOD of the BURGH of GLASGOW, from Whitsunday 1672 to Whitsunday 1673.

In the first, the dewtie and casualities of the mylnes of the said burgh, extending to	£6,000	0	0
Item, the dewtie of the laidles of the said burgh, extending to	2,333	6	8
Item, the dewtie, custome and casualitie of the tron extendis to	706	13	4
Item, the custome and dewtie of the meilmercat and pekis extendis to	540	0	0
Item, the custome and dewtie of the brig extendis to	1,066	13	4
Summa of the charge	£10,646	13	4

DISCHARGE.

In the first, deburst to the ministers of the burgh for their stipends and hous maillis	£3,240	0	0
Item, to the maister of the Grammer Schoole and doctouris therof for their fiellis	540	0	0
Item, to the precenters of the Kirkes and maisteris of the Musick Schooles for their fiellis	400	0	0
Item, waired and bestowed in mending, beating and repairing the Metropolitant Church and the mans fiell that attends the same	2,000	0	0
Item, deburst in name of fiellis to the tounes chyrurgian, appoynted for curing of poor people gratis, and to ane uther for cutting of the stone gratis, and to wtheris of fiellis who attends the knockis and belles, being the tounes commounne servantis, extending in haill to	400	0	0
Item, for repairing the tounes mylnes and mylne dames, extending to	800	0	0
Item, for making of some new calsayes and mending old calsayes	2,000	0	0
Item, deburst on the repairing of the tounes great brig sen the last accompt making	3,000	0	0
Item, deburst in defraying the tounes commone burdings the last year	1,500	0	0
Item, farder bestowed in building at Newport Glasgow this last year	3,400	0	0
Summa of the discharge is	£17,280	0	0
Sua superexpendit in	£6,633	6	8"

W. YAIR.

MS. Accounts of the Common Good of Royal Burghs, preserved in the General Register House, Edinburgh.

794. INSTRUMENT of SASINE in favour of Andrew Weallis, merchant (son of John Weallis in Gotlinpannes and Margaret Waddrop, daughter of James Waddrop, skinner, burgess of Glasgow), on the resignation of the said James Waddrop, for implement of his part of a contract of marriage between Andrew Weallis and Margaret Waddrop in one half of (1) a back tenement of land, with yard and "lymhollis, bark-hollis, steiphollis and a bark loft," lying in the Burgh of Glasgow on the east side of the street called Saltmercat, and on the north side of the close called the close of the late Mr. Henry Gibsoun, bounded between the lands of the late Ninian Andersoun, elder, on the west, the burn of Mollindinar on the east, the said close on the south, and the lands of the late Gilbert Marschell on the north; and (2) another back tenement, now ruinous, adjacent to the said other tenement, on the south side of the street called Gallowgait, at the end of William Lawsoun's close, bounded between the lands belonging formerly to Patrick Houstoun now to the heirs of William Kirk on the east, the lands of the late William Lawsoun on the north, and the said other tenement on the west. Glasgow, 13 June 1673.

Original in the Archives of the City.

795. LETTER from the Lords of the Privy Council to the King anent the disposing of a number of outed ministers to certain churches in the west, and stating that they had transmitted orders to the Duke of Hamilton, the Earls of Linlithgow, Dumfries, and Dundonald, and the President of the Session, as to church affairs within the diocese of Glasgow. Edinburgh, 25 July 1673.

MS. Registrum Secreti Concilii, Acta (General Register House, Edinburgh), 1673-8, p. 19.

796. LETTER from the Lords of the Privy Council to the Archbishop of Glasgow and the Lord President of the Session upon the same subject (disposing of outed ministers). Edinburgh, 3 September 1673.

MS. Registrum Secreti Concilii, Acta (General Register House, Edinburgh), 1673-8, p. 24.

797. ACT by the TOWN COUNCIL of Glasgow, passed on the supplication of the Deacon of the Skinners of Glasgow and the Visitor of the Skinners of Gorbals, in name of their respective callings, bearing reference to a former Contract dated 22 May 1657; by which act the Skinners of Gorbals were authorised to exact from strangers, servants, prentices and others entering and booking themselves with that craft, the like fines and dues as were in use to be paid to the Skinner trade of Glasgow, such fines and dues being always applied for behoof of the poor of the Skinners of Gorbals. Glasgow, 20 February 1674.

Extracts from the Records of the Burgh of Glasgow, vol. iii., pp. 176-7.

798. ACCOUNT of the COMMON GOOD of the BURGH of GLASGOW, from Whitsunday 1673 to Whitsunday 1674.

CHARGE.

"In the first, the dewtie and casualities of the mylnes of the said burgh extendis to	£5,733	6	8
Item, the dewtie of the laidles of the samyne burgh extendis to ...	1,966	13	4
Item, the dewtie and customes of the Tron extendis to	786	3	4
Item, the customes and dewtie of the meilmercat and pekis extendis to	600	0	0
Item, the customes and dewtie of the brig extendis to	1,140	0	0
Summa totalis is	£10,226	3	4

DISCHARGE.

In the first, deburst to the ministers of stipend	£3,240	0	0
Item, to the maisteris of the Grammar School and doctouris therof	540	0	0
Item, to the precenteris of the kirkis and maisteris of the musick schooles for their fiellis	400	0	0
Item, of fiellis to the toune chyrurgians and the attenders of the knockis and bellis	400	0	0
Item, bestowed in mending, beiting and repairing the metrapolitant church and furnishing leid therto to theik pairtis therof ...	3,600	0	0
Item, in repairing and building of the mylne and mylne dames ...	4,000	0	0
Item, in making of some new calsayes and repairing the old calsayes	600	0	0
Item, deburst on repairing of the great brig sen the last compt ...	2,000	0	0
Item, deburst in defraying the tounes commoune burdings the last year	1,900	0	0
Item, farder bestowed in building at Newport and laying of calsayes there this last year	2,600	0	0
Summa of the discharge is	£19,280	0	0
Sua superexpendit in the sowme of	£9,053	16	8"

MS. Accounts of the Common Good of Royal Burghs, preserved in the General Register House, Edinburgh.

799. LETTERS raised at the instance of Sir John Nisbet of Dirleton, knight, King's advocate, making mention that by Act of Parliament the keeping of or being present at conventicles is discharged, under the pains and penalties therein contained, by which act it is expressly provided and declared that magistrates of burghs royal are liable for every conventicle kept in their burghs to such fines as the Lords of Privy Council should think fit to impose. The magistrates of Glasgow having admitted that

diverse conventicles had been held within their burgh, the Lords of the Privy Council therefore imposed a fine of £100 sterling, conform to said Act of Parliament. Edinburgh, 9 July 1674.

MS. Registrum Secreti Concilii, Acta (General Register House, Edinburgh), 1673-8, p. 123.

800. DISPOSITION by WILLIAM ANDERSOUNE, Merchant, Provost of Glasgow, with consent of Jean McDougall, his spouse, to the Magistrates and Council of Glasgow, as representing the community thereof, of a "meikle yaird adjacent to theis landis and croftis callit the Subchanters Croft and Bell Croft, lyand within the territorie of this burgh, at the bak of the great Metrapolitan Church therof," and bounded by the Mollindinor Burn on the east; which yard was intended to be used as a washing and bleaching green. Glasgow, 16 September 1674.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 63, b. 32, No. 1. Charters and Documents relating to the City of Glasgow, No. cxliv., vol. ii., pp. 182-5.

801. INSTRUMENT of SASINE following on No. 800 (George Anderson, notary). Glasgow, 28 September 1674.

MS. Protocol Book of George Anderson, town clerk, 1673-6, p. 95.

802. ACT of the PRIVY COUNCIL of the following tenor:—"Forasmuch as the King, by a letter to the Privy Council of date 16th September instant, signified that upon the demission of Alexander, Archbishop of Glasgow, 1669, his Majesty commended to Robert, Bishop of Dunblane, the care of the diocese of Glasgow, and afterwards nominated and presented him to the Archiepiscopal See of Glasgow, upon whose demission the King thought fit to restore the said Alexander to the possession and enjoyment of the said Archbishopric of Glasgow, and desired such gift to be recorded in their books; which the said Lords accordingly ordained to be done."¹ Edinburgh, 24 September 1674.

MS. Registrum Secreti Concilii, Acta, 1673-8, p. 172.

803. ACT whereby the Lords of the Privy Council, "considering how much it may conduce to the good of the King's service and quiet of the place that men of sound principles be employed in the magistracy of Glasgow, do seriously recommend to Alexander, Archbishop of Glasgow, to take care that at the ensuing election none be elected magistrates of that burgh or have vote in the election but such as have taken or shall take the declaration conform to the Act of Parliament." Edinburgh, 10 September 1674.

MS. Registrum Secreti Concilii, Acta, 1673-8, p. 174.

¹ Archbishop Burnet was added to the Privy Council on 10th December, 1674, conform to letter from the King (MS. Registrum, 1673-8, p. 189).

804. CHARTER of CONFIRMATION by the Magistrates and Council of Glasgow to William Stirling of the lands of Balgray, part of the lands of Provan. Glasgow, 3 October 1674.

Extracts from the Records of the Burgh of Glasgow, vol. iii., p. 185.

805. ACT of the CONVENTION of BURGHS recommending that a petition given in by the Provost of Glasgow in relation to the condition of the burgh be considered at next general Convention. Edinburgh, 15 January 1675.

Printed Records of Convention, vol. iii., p. 646.

806. INSTRUMENT of SASINE in favour of the Magistrates and Council of Glasgow, for behoof of the community, in the lands called "the crookis of Mylne Dame," proceeding on Disposition by William Andersoun, dated 28th October, 1671 [No. 785]. Glasgow, 15 January 1675.

MS. Protocol Book of George Anderson, town clerk, 1673-6, p. 119.

807. "Ane TACK be way of Contract betwixt John and Sir John Shaws, elder and younger of Greinock, and the directors of the Fishing Companie therin named, wherby the saids Lairds of Greinock settis in tack to the said Fishing Companie and the saids directors, and aither of ther successors, that peice of ground upon the shoare and eist syde of that pairt of Greinock commonly called the Rue, extending in measure to ane hundreth and seventie foots square, with free ish and entrie, and that for the space of nyntein tymes nyntein years, and eftir the expiration of the samine for the space of other nyntein times nyntein years eftir the entrie, which therby began upon the second day of February 1675; with libertie to inclose or build houssis upon the said ground for makeing of herring or other fishes, accomodateing their servants, and keeping of their cask, salt and other materials, or otherwayes to be improven to the best advantage; which contains also a libertie to winn stones in any ordinary quarrie of the lands of Greinock, the Societie paying the dammage of breaking the ground and leading the stones or other wayes, and other claussis in favors of the Societie; and for which caussis the Fishing Societie are obleist to pay ane hundreth merks Scotis of tack dewtie, yearly, and two hundreth pounds att the expiration of everie nyntein year, attour the tackdewtie. Dated the eightein of March 1675."

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 30, b. 6, No. 5.

808. CHARTER of RESIGNATION and CONFIRMATION by the Magistrates and Council of Glasgow to the Incorporation of Maltmen of Glasgow of the lands of Balgray. Glasgow, 3 April 1675.

Extracts from the Records of the Burgh of Glasgow, vol. iii., p. 196.

809. INFORMATION for the Magistrates of the Royal Burghs of Glasgow, Dumbarton, and Renfrew against the lairds of Greenock and Kellie, in connection with a vessel brought by them into the Clyde loaded with staple commodities, contrary to the privileges of royal burghs, and which vessel had been seized by the magistrates of the three burghs, and, after repulse of an attack by armed men, carried to Dumbarton. July 1675.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 30, b. 6, No. 4.
Extracts from the Records of the Burgh of Glasgow, vol. iii., pp. 199-201.

810. FEU DISPOSITION by the Magistrates and Council of Glasgow to Frederick Hamilton and others of ground at the back of the Fleshmarket for building thereon a house for the making and boiling of sugar. Glasgow 27 September 1675.

Extracts from the Records of the Burgh of Glasgow, vol. iii., pp. 204-5.

811. ACT of the CONVENTION of BURGHS narrating that Glasgow and other Burghs intend to pursue a declarator of their rights before the lords of session, founded on the act of parliament 1672, c. 5 ["concerning the privileges of royal burghs"], ordaining the agent of the burghs to concur in the action, and declaring that the expenses of the plea should be on the common charges of the royal burghs. Edinburgh, 17 November 1675.

Printed Records of Convention, vol. iii., pp. 656-7.
As to Act 1672, c. 5, see Miscellany of Scottish Burgh Records Society, pp. xxvi.-xxix.

812. RATIFICATION by the Provost, Bailies, and Council of Glasgow in favour of the Incorporation of Hammermen of an Act passed by the deacon convener, conveners of crafts, and their brethren in council, on 23 November 1672, which enacts that all strangers before being admitted freemen of the craft should pay for the benefit of their poor £100 Scots of upset, and that no deacons or others should alter this Act, "ather for moyen or friendship," under penalty of paying the fine of £100 Scots. Glasgow, 22 January 1676.

Extracts from the Records of the Burgh of Glasgow, vol. iii., pp. 213-4.

813. CONTRACT between the Magistrates and Council of Glasgow and John Clark, mason, burgess of Glasgow, for building a bulwark at Port-Glasgow. Glasgow, 5 February 1676. With Obligation by Robert Boyd, mason, burgess of Glasgow, for completing the contract, John Clark having died while the work was in progress. 5 September 1676.

Originals in the Archives of the City.
Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 19, b. 3, No. 7.
Charters and Documents relating to the City of Glasgow, No. cxlv., pp. 185-8.

814. "EXTRACT REGISTRAT BOND be SIR JOHN SHAW, elder of Greinock, relative to the forsaid Contract [No. 807], wherby he obleissis him that their shall be no building betwixt the said room sett as said is and the sea. Dated the fyftein of March 1676, registrat in the Books of Councill and Session the eight day of July 1680 years."

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 30, b. 6, No. 6.

815. DISPOSITION by James Bell of Provosthaugh, Mr. Alexander Kinneir, minister at Neilston (with consent of Barbara M'Alaster, his spouse, and Margaret Gibsone, his mother-in-law), and Robert Houstoun, apothecary (with consent of Margaret Lightbodie, his spouse), to the Magistrates and Council of Glasgow, of the following subjects acquired for the formation of Bells Wynd, viz. :—"Ane foir tenement, lyand on the west syde of the High Street, belonging to the said Mr. Alexander Kinneir and his spouse, excepting therfrae ten foot or therby, laigh and high, of the said tenement, att the entrie of the closse on the south syde therof, next adjacent to the said James Bell his fore lands there, extending to ten foot in length northward from the said James his land, for enlargeing of his high chamber, and dispooned be the saids spouses to the said James. Item ane back tenement of land, high and laigh, back and foir, with cellars, stables, brewhouse, closse, yaird and pertinents, on the west syde of the High Street above the crosse, and on the north syde of the closse called Mr. Hugh Gibsones closse, and on the west syde of the said Walter M'Alasters fore tenement; which last lands above specifeit belonged to the said James Bell. Item, ane peice of the said Robert Houstoun his yaird, att the foot of James Bells yaird, and correspondent to the breadth therof westward which belonged to the said Robert Houstoun." Dated 20 and 31 May 1676.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 61, b. 29, No. 13.
The prior writs consist of—

- (1) Extract by Archibald Eglington, notary, of "Mr. Hew Gibsone his seasin of a peice of waste back land, with houssis thereon, on the west syde of the High Street" (Walter Graye, notary). 8 July 1575.
- (2) Extract of another Sasine in favour of the said Hew, his wife, and the heirs of the marriage in implement of a Marriage Contract (Archibald Heygait, notary). 21 September 1604.
- (3) Service of "maister Harie Gibsone" as heir to the said maister Hew, his father. 16 April 1644.
- (4) Decreet of Apprising "at the instance of Jonet Muir, daughter to umquhill Androw Muir, schoolmaster in Glasgow, against the said Master Hendrie, within the tolbooth of Glasgow, dated 25 July 1644, allowed be the Lords of Session the 19th of September thereftir, with the hail grounds and warrands therof whereon the same followed."
- (5) Letters att her instance against the Magistrates of this Burgh for infetting her. 1 October 1644.
- (6) Sasine in favour of Jonet Muir (Mr. Hendrie Gibsone, notary). 28 December 1644.
- (7) Disposition by Jonet Muir, with consent of Mungo Miller, her husband, to Walter M'Alaster. 24 August 1653.
- (8) Sasine in favour of Walter M'Alaster (William Yair, notary). 3 September 1653.

- (9) Decreet of Apprising at the instance of Jonet Braidwood, daughter to umquhill James Braidwood, notary, against the said Mr. Hendry Gibsone, led and deduced within the Tolbooth house of Edinburgh, 15 September 1643, allowed 3rd January 1644, with the grounds and warrands therof.
- (10) Sasine in favour of Jonet Braidwood and Robert Findlay, her husband (Mr. Henry Gibsone, notary). 22 January 1644.
- (11) Disposition by them to Walter M'Alaster. 20 February 1649.
- (12) Sasine in favour of Walter M'Alaster (Mr. John Spreull, notary). 20 February 1649.
- (13) Letters of Cognition against Christian Fordingham (relict of Mr. Hendrie Gibsone), liferentrix, and others. 1 June 1649.
- (14) The Magistrates sentence upon the cognition. 21 August 1649.
- (15) Disposition by Jonet Braidwood and spouse to Walter M'Alaster. 10 December 1649.
- (16) General Retour of Barbara M'Alaster, spouse to Mr. Alexander Kinneir, minister at Neilstoun, as daughter and heir of Walter M'Alaster. 30 March 1666.
- (17) Sasine in favour of the said Barbara (William Yair, notary). 2 April 1666.
- (18) Disposition by the spouses to Elias Paull, precentor at the kirk of Neilstoun. 2 April 1666.
- (19) Sasine in favour of Elias Paull (William Yair, notary). 3 April 1666.
- (20) Disposition by Elias Paull to Mr. Kinneir and spouse. 2 April 1666.

816. ACT by the CONVENTION of BURGHS authorising the Burgh of Glasgow to sell three portions of their common muir, including a piece called Liddellis Boag and another called Kows Lair, for improvement of their common good and relief of the poor. Edinburgh, 6 July 1676.

Printed Records of Convention, vol. iii., p. 660.

817. FEU DISPOSITION by the Provost, Bailies, and Council of the Burgh of Glasgow, as representing the community thereof, in favour of John Campbell of Woodsyd, of those lands in the Common called Moodies and Peiters Maillings, with houses, buildings, yards, mosses, muirs, and all other parts, pendicles and pertinents thereof, then occupied by Thomas Scot and Jonet Moodie, his spouse, lying within the territory of the said burgh, in the Wester Common; bounded between other parts of the said Common and the highway (*viam publicam*) leading to Garscub, respectively, on the east and north, the lands called Pirries Boig and the road leading to Somers Hill and the lands of Woodsyd, respectively, on the south and west; together with the teinds, included and never before separated therefrom: (Reserving all highways through the said lands, used and wont, and also that quarry commonly called "the tounes quarrell," with free ish and entry to dig stones there in all time coming). The precept of sasine authorises the bailie to give the feuar possession of "all and hail the said lands callit Moodies and Peitters Maillings, with houssis, biggings, yairdis, mossis, muir, meadow, and all pairtis and pertinentis therof, alsweill above the grund as beneth the samyne, with frie ish and entrie therto . . . together with the tyndis of the samyne great and small, personadge and viccaradge therof included, never of befor separat therfra: Reservand alwayes therthrow the hail commounne hiewayes, with the forsaide tounes

commounes quarrell, with frie ish and entrie therto for wining of stones therin and therfra at all occasiounes." [Price realised at roup, 2050 merks, with 10 merks of yearly feu-duty.] Glasgow, 22 August 1676.

Sasine, dated 30 September 1676, recorded in George Andersone's MS. Protocol Book, 1676-80, fol. 44.

Extracts from the Records of the Burgh of Glasgow, vol. iii., pp. 218, 224-5.

818. FEU DISPOSITION by the Provost, Bailies, and Council of the Burgh of Glasgow, as representing the community thereof, in favour of James Fairie, lately one of the bailies of Glasgow, of those lands in the Common called Cowlairs and Seggieholme, with the little hill (*monticulo*) thereof, and the west side of that hill (*montis*) called Sighthill, with free ish and entry, and the houses, buildings, mosses, muirs, and all other parts and pertinents thereof, then occupied by Alexander Jamesoune and Alexander Cowane, lying within the territory of the said burgh, and bounded between the lands of Balgray, Flemyngtoun, the highway leading to Calder, and the east side of the said hill called Sighthill, respectively, on the east, the other parts of the said Commone, with those parts thereof feued to Ninian Andersoune, respectively, on the south, the said lands of the said Ninian Andersoune, with the lands of Keppoch and Easter Possill, respectively, on the west, and the lands with part of the hill called Balgray Hill, respectively, on the north, as the marches are placed. The precept of sasine authorised the bailie to give possession of the lands; with the teinds, parsonage and vicarage "included, never of befor separat therfra. . . . Reservand allwayes furth therof the haill commoun wayes and passages throw the said lands, usit and wont." [Price realised at roup, 3000 merks, with 10 merks of yearly feu-duty.] Glasgow 22 August 1676.

Sasine, dated 30 September 1676, recorded in George Andersone's MS. Protocol Book, 1676-80, fol. 41-2.

Extracts from the Records of the Burgh of Glasgow, vol. iii., pp. 218, 224-5.

819. FEU DISPOSITION by the Provost, Bailies, and Council of the Burgh of Glasgow, as representing the community thereof, to Ninian Andersoune, merchant, burgess of Glasgow, of those lands in the Commone or that bog called the Lymnhous Boig, with those portions of land at the west and east end, and with "peices of muir" on the north and east side, lying within the territory of the said burgh, and bounded between the west "branch" of the highway leading to Calder on the east, the lands called Lymnhous, Skellings Myre, and Broomehill, till it cums to that part called the Waster Commounes, and from that with the highway leading to Nether Possill, respectively, on the south and west, and the boundary of Keppoch lands [and the lands] feued to James Fairie and the passage leading from Caldergait to the "Waster Commone"

on the north; with the teinds, great and small, parsonage and vicarage included, never before separated therefrom. [Price realised at roup, £940 Scots, with 5 merks of yearly feu-duty.] Glasgow, 22 August 1676.

Sasine, dated 30 September 1676, recorded in George Andersone's MS. Protocol Book, 1676-80, fol. 43-4.

Extract from the Records of the Burgh of Glasgow, vol. iii., pp. 214-5, 224-5.

820. DISCHARGE by the Magistrates and Council of Glasgow to Robert Sanders, stationer, of a yearly feu-duty of 13 merks payable for his tenement of land above the Cross, next to the Tolbooth. Glasgow, 9 September 1676.

Extracts from the Records of the Burgh of Glasgow, vol. iii., p. 226.

821. DECRET by the Lords of Council and Session in proceedings by the Magistrates and Council of the City of Glasgow, as representing the community thereof, against several merchants and inhabitants of Greenock, for contravention of the acts of parliament prohibiting unfreemen to traffic in certain goods and commodities; whereby it was found and declared that the Pursuers and other burghs royal within the kingdom have the only privilege of importing wine, brandy, and salt, without prejudice to the Defenders to buy these commodities from burgesses and freemen of any burgh royal, and declared the penalty in case of contravention to be confiscation of the goods which might be summarily seized. Edinburgh 7 December 1676.

Certified copy of Decreet in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 29, b. 6, No. 1. Charters and Documents relating to the City of Glasgow, No. cxlvi., vol. ii., pp. 188-204.

822. ACT of the Provost, Bailies, and Council of the Burgh of Glasgow, whereby on the supplication of the Society of Maltmen, they (1) authorised the society to exact from each stranger that enters burgh of the burgh and desires to enter freeman with the society £100 Scots for the better supply of the poor of the calling; (2) discharged the inhabitants of Gorbals to take in or brew any malt from any strangers, not indwellers or maltmen in Glasgow or feuars in Gorbals, except the same is presented to the market of Glasgow, sighted by the visitor, and the ladle dues thereon paid; and (3) discharged the collectors to allow malt belonging to any person foresaid to pass out of the mills without warrant from the visitor. Glasgow, 24 March 1677.

Extracts from the Records of the Burgh of Glasgow, vol. iii., pp. 233-4. Chronicles of the Maltmen Craft in Glasgow (1895 edition), p. 176.

823. **MISSIVE** from the Lords of the Privy Council to the Magistrates of Glasgow: "Affectionat freindes. — Albeit there be diverse lawes and acts of parliament made against the profanation of the Sabbath day, and against the persons guilty of withdrawing from the publick worship in their owne paroch churches, yet wee are informed that great multitudes of people, inhabitants of your burgh, doe in a most scandalous maner, to the great profanation of the Sabbath day and contempt of the lawes, goe furth of your burgh to conventicles and uthir disorderly meittings and desert the publick worship within the city, wee have thought fitt hereby to authorise, requyre and command yow to be carfull to prevent any such abuse and disorder in tyme comeing, and to take strict course that no persons be permitted on the Sabbath day to goe and travell without the city, and incase any person presume so to doe that yow cause taikie up a list of thair names and call and convene them befor yow as guilty of contraveening the acts of parliament made against profanation of the Lords day and withdrawing from publick ordinances, and to impose and exact from the persons guilty the fynes, paines and penalties containit in the acts of parliament. And yow are ordered to returne ane accompt of your diligence and procedour in the premisses to the counceill the second Thursday of June nixt, as yow will be answerable. Subscribitur ut sederunt:— Chancellour, St. Andrews, Glasgow, Dowglas, Wintoun, Aboyn, Elphinstoun, Rosse, Advocat, Collintoun, Glenurchy." Edinburgh, 2 May 1677.

MS. Registrum Secreti Sigilli, Acta, 1673-8, p. 437.

824. "Ane ACT of the Lords of His Majesties Thesaurie and Exchequer, wpon a supplicatione given in to them be the Toun of Glasgow, ordaining all goods and merchandize which the royall burrowes are priviledged to export and import, and which shall thereafter be exported or imported be the river of Clyde, be loaded and unloaded at Port-Glasgow and at noe other port or creek. Dated the 7th day of Julij 1677."

Inventare of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 19, b. 3, No. 6. Extracts from the Records of the Burgh of Glasgow, vol. iii., p. 239.

825. **MORTIFICATION** by Doctor Robert Leighton, late Archbishop of Glasgow, whereby he directed that, out of the rent remaining due to him of the Barony and Regality of Glasgow, for crop and year 1674, there should be paid (1) to the Magistrates and Town Council, for behoof of the College of Glasgow, £150 sterling for the yearly maintenance of a student of philosophy, in all time coming, during his four years' course in that college; (2) to the Magistrates and Town Council, for behoof of the hospital in the Burgh of Glasgow called the Hospital of Nicholas, or the Bishop's Hospital, £150 sterling for the maintenance of two poor men, yearly, in that hospital; and (3) to the College of Edinburgh, £50 sterling, to be added to £100 sterling formerly

given by the Bishop to the same college for the yearly maintenance of a student in philosophy there. Bradhurst, in Sussex, 1 August 1667.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 95, b. 41, No. 8.

Deeds instituting Bursaries, &c., in the College of Glasgow (Maitland Club), pp. 84-6, 292-5.

The Life and Letters of Robert Leighton, by Rev. D. Butler, pp. 592-4.

Extracts from the Records of the Burgh of Glasgow, vol. iii., pp. 240-1.

826. ACT of the CONVENTION of ESTATES offering to the King a supply of £1,800,000 Scots (£150,000 sterling), to be paid, in the space of five years, by the Shires and Burghs in the Kingdom, of which supply the proportion payable by Glasgow was £1,440 Scots (£120 sterling) monthly during five months in each of said years. Edinburgh, 10 July 1678.

Acts of the Parliaments of Scotland, vol. viii., p. 222.

827. DISPOSITION by JOHN BELL of Hammiltoun Ferm, provost of Glasgow, to the Magistrates and Council of the Burgh of Glasgow, for behoof of the community thereof, of the eastmost part of "ane meikle yaird, lyand within the said burgh, on the east syd of the Hie Streit therof, passand from the Mercat Cros to the Blackfrier Kirk; bounding betwixt the burne of Mollendinor on the east, the landis of William Boyd and David Cauldwall on the south, the vennell callit the Stincking Vennell on the north, and the landis now belonging to John Rankine and the successouris of umquhill Mathow Colhoun and utheris, respective, on the wast pairtis." The eastmost part conveyed by the disposition lay "northward from the lands of the said umquhill David Cauldwall . . . conforme as it is stobbed, meithed and marched northward therfra to the vennell forsaide; with frie ish and entrie therto be the said vennell." It is stated in the disposition that the ground was acquired by the town "for the use of ane washing place there." Glasgow, 12 July 1679.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 56, b. 26, No. 9.

Extracts from the Records of the Burgh of Glasgow, vol. iii., p. 268.

828. Three RECEIPTS by JOHN LOUK, Merchant in Glasgow, for the price of $3\frac{1}{2}$ acres of land "that the toun of Glasgow is buying from me," viz., £40 sterling on 8th October, 1679; £40 sterling on 17th May, 1680; and £300 Scots (£25 sterling) on 11th November 1680. On 14th August, 1682, the town authorised the treasurer to pay to John Louke, younger, £340 Scots, as the balance of the price of lands bought from him. The conveyance in favour of the town is not preserved, but there are three Sasines in favour of John Louk, viz.:—(1) Sasine, dated 5th April, 1630—"one acre of land called Blaklandis, lying within the territory of the Burgh of Glasgow in the croft called Cropnestock, bounded between the lands of Matthew Merschell on the east, the lands belonging to the heirs of the deceased (*blank*) on the south,¹ the lands of John Drew on the south,¹ and the common way on the north parts;" (2) Sasine, dated

¹ The word "south" is repeated as here printed.

1st June, 1633—"two acres of land lying within the territory of the said burgh, within that croft called Blacklandis, bounded between the lands of the deceased David Hall on the east, the lands of John Drew on the south, and the common lones (*communes lonas*) on the north and west parts;" (3) Sasine, dated 7th June, 1652—"ane ruide of land with the pertinentis, lyand within the territorie of the said burgh, in that pairt callit the Blacklandis; bounded betwixt the landis of the said George Louk on the eist and west pairtis."

Receipts and Sasines in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 67, b. 35, No. 5.
Extracts from the Records of the Burgh of Glasgow, vol. iii., p. 319.

829. Bundle of DISCHARGES granted to John Robeson, treasurer of the Burgh of Glasgow, for various payments made by him between November, 1678, and November, 1679,¹ viz. :—

- (1) John Jamesoun and John Wilsoun, "drummers to the burgh of Glasgow," £40, "for our this yeares fiell." 13 November 1678.
- (2) Colline Hammill, "jaylor in Glasgow," 40 merks Scots, "for ane yearis fiell as jaylor in the said burgh." 13 November 1678.
- (3) John M'Clane, "pyper to the toune of Glasgow," 25 merks Scots, "for my quarter of ane years fiell as toune pyper." 16 November 1678. Also similar receipts, dated 1st May and 12 July 1678 and 7 February 1679.
- (4) Issabell Cumyng, "fifty mark Scots, for hafe an years rent." 18 November 1678. Similar receipt dated 15 June 1679. (See Act of Council, 20 June 1674, authorising this payment to "mistres Cumyng, mistres of maners." Glasgow Records, iii., p. 180.)
- (5) "James Colhoune, plumber," £60 Scots, "being the Martmes selarie for keipinge the fabrike of the Highe Church." 20 November 1678. Also receipt by him, "James Colhoune, lait baillie of Glasgow," £60, "for my sallarie in taking caire of the fabrick of the Hie Kirk fra Mertimes last to Witsunday last." 7 July 1679.
- (6) Andrew Purdoun, "knokmaker," £105 Scots, "for myne halfe years fiell in keeping the knokis and bellis within the said burgh fra Lambes last to Candlmes last." 14 February 1649. Similar receipt, for half year to Lammas, dated 4 August 1679.
- (7) John Soot, £13 10s., "for ane quarter of ane yearis mentinance bestowed upon me be the said burgh and mortified be Bishop Lightoun, and that fra Halowmes last to Candlemas last." 4 February 1679. Similar receipts, for subsequent quarters, dated 4 February and 4 August 1679.
- (8) Walter Corbet, "clockmaker in Glasgow," £15 Scots, "for ane quarter of ane yearis fiell for my keeping of the tolbuith clock and chimes, and that preceeding Candlmes last." 26 February 1679. Also receipt by him, here designated "hamerman in Glasgow," for £30 Scots, "for my halfe ane yearis fiell for keeping the chymes belonging to the toune," from Candlemas to Lammas, dated 13 August 1679.
- (9) John Nisbit, "in name of the Archbishop of Glasgow, his grace," £228 9s. Scots, "in compleat payment of the teind tack dewty the sixtene merk land of Glasgow, towne myne ther, ther twelve aikers land in Kellvinhaugh, with ther fort part of the Gorballs dewty, dew be them to the said archbishop, for the cropt and year of our Lord j^m vj^c seavinty eight." 8 August 1679.

¹ All the discharges are subscribed by the granters (usually in presence of subscribing witnesses) except Nos. 7 and 13 which are notorially subscribed, as the pensioner and the surgeon could

not write. The piper (No. 3), writing his name in the varied forms of M'Lane, M'Lean, and M'Laen, has imitated printed capitals.

- (10) Robert Forrester, "reader and precentor at the Outter Hie Kirk of Glasgow," £40 Scots, "for ane yeiris fiall for service served be me as reader at the said Kirk," from April 1678 to April 1679. 30 April 1679.
- (11) John Smith, "factor to the Colledge of Glasgow," £134 14s. 8d., "for the fourth pairt of the teyndis of the Gorballis, deu be the toune to the said colledge, and for the custome of the Trone, the ground annuell of the Tolbooth, new meillmercat, manufactory, and the lands of the New Grein, and that for the crope and year" 1678. 21 May 1679.
- (12) Walter Watson, "sone to the deceast Alexander Watson, merchant, burges of Glasgow," £20 Scots, "of fiall for precenting in the Laigh Church this half year preceeding Martimas last." 23 November 1678.
- (13) Ewir M'Neill, "chyrurgian, burges of Glasgow," 50 merks Scots, "for my last halfe yeares fiell obleist be the toune to be payit to me for cutting poor people of the ston." 25 November 1678. Also similar receipt dated 27 June 1679.
- (14) Mr. George Adam, "musician in the toun of Glasgow," £120 Scots, "being my half years cellerie" to Whitsunday 1679. 28 June 1679. Also receipt by him for next half year, dated 17 November 1679.
- (15) Robert Sanders, "printer to the toune of Glasgow," £20 Scots, "for my half ane yeares fiell as printer to the said toune" to Martinmas 1678. 16 November 1678. Also receipt for next half year, dated 5 July 1679.
- (16) "Mr. Alexander George, Minister of the Gospell at the Barrony of Glasgow," £1 9s. 4d. Scots, "as the town's part and share of my Manso and Gleibe dutie, Reader and Officer their salarie," for the year to Whitsunday 1679. 15 July 1679. From the indorsation, "for Lenishaugh," it appears that the payment was made in respect of the lands of Linningshaugh, purchased for the formation of the New Green.
- (17) "Jonet Anderson, daughter to wmqhill Mr. John Anderson," £38 6s. 8d. Scots, "for ane quarter of ane years cellarie that was resting to the said Mr. Johne, as ane of the doctors in the Gramer Schole, the tyme of his decease." 9 July 1679.
- (18) David Spens, "wrytter in Rutherglen, takisman of the excyse of the parochie of Govane (Gorballs excepted)," 100 merks Scots, payable by the town to him at Whitsunday, yearly, "in supplement of the excyse of the said parische of Govane and for their (the town's) better releife theranent, conforme to my take of the said excyse and their act of counsell in my favores,¹ and that for the term of" Whitsunday 1679. 17 July 1679.
- (19) Patrick Bell, £30 Scots "for half a yeares pension" from Martinmas 1678. 25 February 1679. "This was given him befor the terme, att the provistes owne order." Also, receipt by him for "half an yeares allowance" from Whitsunday to Martinmas, 1679, dated 16 July 1679.
- (20) Dr. Matthew Brisbane, 100 merks Scots, "conforme to the Provist and Councill's act."² 4 September 1679.
- (21) Andrew Houstoune, "meilman in Glasgow," £9 7s. 6d., "for ane yearis rent of that peice grund att the foot of the New Venall, for the use of washing and bleitching, quherunto I have right be take," and that for crop and year 1678. 6 October 1678.
- (22) John Robertstone, "chirurgeon," 100 merks, "for ane yeares selarie"³ to Whitsunday 1679. 15 October 1679.
- (23) John Gibsounne, "portioner of Nether Newtounne," £40, "for ten yeares fewdewtie, at four poundis be year, for the peice grund sett in few to the toune be umquhill John Craig, lyand at the new mylne cituat on Kelvine water." 1 October 1679.
- (24) James Muircroft, £108 Scots, "for a yeares cellarie in keeping me in the Colledge as a bursarie, conforme to Bischop Lightounes mortificatioune," from Martinmas 1678 to Martinmas 1679. 9 November 1679.

¹ Glasgow Records, iii., p. 53.

² Glasgow Records, iii., p. 247.

³ Glasgow Records, iii., p. 191. Robertson was town treasurer for this year (1678-9).

830. ACT of the CONVENTION of BURGHS appointing Commissioners to meet at Glasgow on the second Tuesday of March ensuing, to settle the differences between the Town of Greenock and the Burgh of Glasgow, such differences having been submitted by the Town of Greenock to the Convention. Edinburgh, 3 December 1679.

Printed Records of Convention, vol. iv., p. 17.

831. DISPOSITION by Mr. Archibald Robertoune of Bedlay, George Robertesoune, merchant, burgess of Glasgow, Sara Bogle, relict of umquhill John Hutchesoune, tailor, burgess, for herself and as tutrix and taking burden on her for Jonet Hutchesoune, her daughter, also with consent of Sara Howstoune, relict of umquhill Edward Robesoune, merchant, burgess of Glasgow, for her liferent or other right, whereby they assigned to the Provost, Bailies, and Council of Glasgow, as representing the community thereof, certain heritable debts over a tenement of land lyand within the burgh of Glasgow, "on the wast syd of the hie streit thereof callit the Saltmercat, boundit betwixt the lands of old belonging to umquhill Archibald Miller and now to the successouris of umquhill Robert Alexander on the south, the lands or yaird of umquhill Walter Bowie now belonging to the aires of umquhill Robert Miller on the wast, the lands sometyme pertaining to umquhill George Pollok, thereafter to umquhill William Norvall, thereafter to umquhill Johne Dainziell, and now to Walter Gibsone on the north, and the hie streit on the east pairts." The granters also bound themselves to resign the tenement, "that the samyne (being for the present all ruinous and brunt by the lait accidentall fyre, in anno j^m vj^e scavintie savine yeares), may be altogether dimolished, takine doune and red, and ane hie streit or leane made therof, for frie passage from the Saltmercat to the Trongait, tending to the benefeit of the rest of the houssis thereabout, for moir easie and quick service in caice of any suddon or accidentall fyre heirafter (as God avert)." The lane formed through the ground thus acquired was called Gibson's Wynd. Glasgow, 8 January 1680.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 58, b. 27, No. 26. Extracts from the Records of the Burgh of Glasgow, vol. iii., pp. 276-7.

The prior writs consist of—

- (1) Sasine to Jonet Arthorlie, as heir to Arthur Arthorlie, and to John Maison on her resignation. 27 July 1541.
- (2) Sasine, William Hall, upon John Maison's resignation. 3 August 1541.
- (3) Sasine, William Hall, of an annualrent of 10 shilling upliftable furth of the tenement. 13 April 1542.
- (4) Sasine, John Wan of the annual rent of 10s. 13 April 1542.
- (5) Instrument of Lying. 16 April 1544.
- (6) Sasine, Archibald Hammill (William Hegait, notary). 22 January 1550. (Glasgow Protocols, No. 68).
- (7) Transumpt of Reversion, William Hall. 22 June 1550.
- (8) Sasine, Robert Watsone, annualrent of 10 merks (William Heygait, notary). 22 December 1562 (cancelled).
- (9) Sasine, James Hamiltoun, upon resignation of Mr. William Hamiltoun, rector in Camnethan. 3 July 1568.

- (10) Sasine, John Herbertsone, upon the said James Hamiltoun's resignation. 24 August 1573.
- (11) Sasine, David Hall, as heir to William Hall, his father (Hendrie Gibson, clerk). 26 May 1575. (Glasgow Protocols, No. 2179).
- (12) Sasine, David Hall, upon John Herbertsone's resignation (Hendrie Gibson, clerk). 1590.
- (13) Sasine, Thomas Broun, upon David Hall's resignation. 26 December 1597.
- (14) Sasine, David Hall, upon Thomas Broun's resignation. 26 July 1600.
- (15) Sasine, Agnes Hall, upon her father's resignation. 24 October 1604.
- (16) Disposition by Agnes Hall and Duncan Semple, her husband, to Mr. William Hall. 17 June 1611.
- (17) Sasine, Mr. William Hall, October 1613; also, Duncan Semple's Seasin, upon William Hall's resignation.
- (18) Disposition by Patrick Bell, claiming right from Duncan Semple, to Andrew Miln and his wife. 16 April 1623.
- (19) Sasine, Andrew Milne and spouse. 27 June 1623.
- (20) Sasine, Thomas Milne, as heir of Andrew Milne, his father. 26 December 1643.
- (21) Disposition by Thomas Milne and spouse to Edward Robertsone and spouse. 6 March 1644.
- (22) Sasine, Edward Robertsone and spouse. 8 March 1644.
- (23) Heretable Securitie by Edward Robertsone to Mr. Archibald Robertsoun of Bedlay, redeemable for 1000 merks. 22 November 1676.
- (24) Heretable Right by Edward Robertsone to Sarah Bogle, redeemable for 500 merks. 1675.
- (25) Disposition by the said Edward Robertsone to George Robiesone, merchant. 25 February 1678.

832. INSTRUMENT of SASINE in favour of the Magistrates and Council of Glasgow, following on No. 831 (George Anderson, notary). Glasgow, 8 March 1680.

MS. Protocol Book of George Anderson, 1676-80, p. 226.

833. DISPOSITION by WILLIAM KIRK, son and heir of the late William Kirk, merchant, burgess of Glasgow, with consent of his curators, to the Provost, Bailies, and Council of the Burgh of Glasgow, for behoof of the community thereof, of "these thrie aikers of land or therby, lyand within the territorie of the said burgh, in that pairt or croft callit Crapnestok; boundit betwixt the landis somtyme pertaining to Thomas Morsoune on the wast, the landis somtyme pertaining to umquhill Androw Spang on the east, Camlachie Burne on the south, and the commoune way on the north pairts." As written out, the Disposition contains the names of other granters, and descriptions of their lands, but it is subscribed only by William Kirk and his curators. It is stated that the magistrates and council were to take in the lands and join them "with their New Grein, and to park in the samyne with dykes, for the use of the communitie of the said burgh." Glasgow, January 1680.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 69, b. 35, No. 24. The prior writs consist of—

- (1) Assignment by John Fleming, son and heir to umquhill William Fleming, merchant, to John Fleming, notary in Langsyde, of the reversion granted by Adam Neill, cordiner. 9 Junij 1617.

- (2) Disposition by John Fleming, notary in Milnbrae, to Adam Neill. 13 March 1618.
- (3) Sasine, Adam Neill and spouse (John Thomsone, clerk). 30 August 1616.
- (4) Sasine to Bessie Muir, spouse of Mathew Wilsone, in liferent. 19 July 1661.
- (5) Sasine to George Bogle, merchant, upon the resignation of Mathew Wilsone (William Yair, clerk). 9 May 1667.
- (6) Judicial Ratification by Bessie Muir relative to Disposition by Mathew Wilsone, with consents, to William Kirk, merchant, and Jonet Sheills, his spouse, in liferent, and William Kirk, their lawful son, in fee. 1st October 1668.

834. DISPOSITION by ARTHUR TACKETS, Maltman, burgess of Glasgow, son and heir of Arthur Tackets, saddler, burgess thereof, to the Provost, Bailies, and Council of the Burgh of Glasgow, for behoof of the community, of a "piece of yaird and entrie," being part of his property, described as "ane bak tenement of land, with close, litle yaird and pertinents, with frie ish and entrie be the foir yett throw the foir tenement, lyand on the west syd of the Hie Streit thereof, a litle above the croce." It is stated in the Disposition that the magistrates and council had acquired adjoining properties [see No. 815], "and hes demolished the samyne, and now made therof ane comunone vennell or wynd, passing fra the Hie Streit to the new streit in Candlerig;" and the additional piece of ground was needed in connection with the formation of the vennell. Glasgow, 24 February 1680.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 61, b. 29, No. 22.

835. INSTRUMENT of SASINE following on No. 834 (George Anderson, notary). 25 February 1680.

MS. Protocol Book of George Anderson, 1676-80, p. 226.

836. "Ane DECREET ARBITRALL pronounced be a Committie of the Royall Burrowes, upon a submission betwixt the town and Sir John Shaw, relating to ane act of the Convention of Estates to that effect, dated the third day of October 1679, and the town of Glasgows claime against the town of Greinock and Sir John Shaw, for importing forreign commoditie, with Greinocks claime against this town; and by which decreet arbitrall the arbitrators declare the seizure of leather made be this town to be lawfullie made, it being a commoditie not allowed for Burghs of Barronies, and being found within this town; and ordains the inhabitants of Greinock to desist frae importing leather. As also in tyme coming ordains, of consent of both pairties, that Glasgow insist for no contraventions against Greinock till first they acquaint Sir John Shaw of the importers names and what importation or exportation they charge them with, that Sir John shall cause them find caution and shall be obliged to give the town satisfaction as they shall instruct, or otherways Sir John shall putt them out of the town. And the town of Glasgow shall have full power to seize upon and arreist all goods sua imported or exported, and to recover the avails therof frae the delinquents whether

arreisted or not. And in caise the goods can be apprehended within Greinock that Sir John Shaw cause make the same or avails therof furthcomeing to this town; and that all persons, inhabitors of Greinock, importers or exporters under collar of other mens names, shall be in the same condition in reference to the premises as if they themselves exported or imported." Glasgow, 19 and 20 May 1680.

Extract Decreet in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 29, b. 6, No. 2. Charters and Documents relating to the Burgh of Glasgow, No. cxlvii., vol. ii., pp. 204-13.

837. CHARTER of CONFIRMATION by Arhur, Archbishop of Glasgow, ratifying the Seal of Cause granted to the Weavers of Glasgow by the Magistrates and Council of Glasgow with consent of Gavin, Archbishop of Glasgow, dated 4 June 1528 [No. 313], and increasing the amount of the fines of old superstitiously bestowed on their blind devotions, and now to be applied to the use of the poor of the craft. Glasgow, 19 July 1681.

Original in the Archives of the Incorporation of Weavers.

Acts of the Parliaments of Scotland, vol. viii., p. 397-8.

Old Glasgow Weavers, being Records of the Incorporation of Weavers (1905), pp. 5, 6.

838. WRITING by ROBERT LEIGHTON, late Archbishop of Glasgow, bearing reference to his Mortification for Bursaries, dated 1st August, 1677 [No. 825], "wherby he signifies that in case the student should, efter his course of Philosophie, incline to study Divinity, in order to the ministrie, and if he, be the testimonie of the masters, especially of the Professor, shall be judged of very hopeful expectation for proficiencie in learning, and for his grave and pious conversation, and shall withall engage himself to attend on exercises of Divinity in the College, and be not otherwayes provided, the Doctor desires in that caise that the Councell continue the said yearly provision to the same Bursar or Bursars, successives, for twa years or three at most." London, 4 September 1681.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 96, b. 41, No. 9. Deeds instituting Bursaries, &c., in the College and University of Glasgow (Maitland Club), p. 296.

839. ACT of PARLIAMENT ratifying to Charles duke of Lennox and Richmond, *inter alia*, the offices of Bailiary and Justiciary of the Barony and Regality of Glasgow, under the Archbishop; reserving the liferent of William duke of Hamilton. Edinburgh, 6 September 1681.

Acts of the Parliaments of Scotland (1681, c. 15), vol. viii., p. 251.

840. ACT of PARLIAMENT ratifying the Seal of Cause to the Incorporation of Weavers [No. 313], and Charter of Confirmation [No. 837] (1681, c. 140). Edinburgh, 17 September 1681.

Acts of the Parliaments of Scotland, vol. viii., pp. 396-8.

Old Glasgow Weavers, being Records of the Incorporation of Weavers (1905), pp. 6-10.

841. ACT of PARLIAMENT whereby, for avoiding the hazard of fire in consequence of houses being covered with combustible matter, it was ordained that in future all houses in Glasgow and certain other burghs should be covered with lead, slate, or tile. Edinburgh, 17 September 1681.

Acts of the Parliaments of Scotland (1681, c. 97), vol. viii., p. 357.

Charters and Documents relating to the City of Glasgow, No. cxlviii., vol. ii., pp. 214-6.

842. ACT of PARLIAMENT declaring two sugar works at Glasgow to be manufactories, and ordaining them to have all the privileges of the Acts of Parliament made anent manufactories, whereby the works are free from custom, excise, or other public dues, for the space of nineteen years. Edinburgh, 17 September 1681.

Acts of the Parliaments of Scotland (1681, c. 103), vol. viii., p. 360.

Charters and Documents relating to the City of Glasgow, No. cxlix., vol. ii., pp. 214-6.

843. ACT of PARLIAMENT declaring a work set up in Glasgow by James Armour, merchant, for the making of searge and other woolen stuffs to be a manufactory, and to have all the privileges of the act of parliament made anent manufactories, whereby the work is free from custom, excise, and other public dues, for the space of nineteen years. Edinburgh, 17 September 1681.

Acts of the Parliaments of Scotland (1681, c. 104), vol. viii., p. 361.

Charters and Documents relating to the City of Glasgow, No. cli., vol. ii., pp. 216-7.

844. ACT of PARLIAMENT ratifying the Act of the Convention of Burghs, dated 6 July, 1676 [No. 816], empowering the Magistrates and Council of Glasgow to feu portions of their common muir, and also confirming the three Dispositions granted on 22 August, 1676, to (1) John Campbell of Woodside of the lands of Moodies Mailling and Peters Mailling [No. 817]; (2) James Fairie of the lands of Cowlairst, Seggieholme, and Sighthill [No. 818]; and (3) Ninian Anderson of Lymehouse boig and other pieces of ground [No. 819]. Edinburgh, 17 September 1681.

Acts of the Parliaments of Scotland (1681, c. 157), vol. viii., p. 431.

Charters and Documents relating to the City of Glasgow, No. cli., vol. ii., pp. 217-20.

845. **DISPOSITION** by JONET LYLL and CRISTINE LYLL, daughters and heirs portioners of the late Manasses Lyll, skinner, burghess of Glasgow, with consent of William Wallace, maltman, burghess of Glasgow, son-in-law of Cristine Lyll, to the Provost, Bailies, and Council of Glasgow, for behoof of the community thereof, of "twa buithes, the one laigh, the uthir heigh, under that tenement somtyme perteaning to David Landes, lyand within the said burgh, on the east syd of the Saltmercat therof; boundit betwixt the clos or passage of the said tenement on the north, the landis of wmqhill Johne Sympsoune, now belonging to (*blank*) on the south, and the hie streit on the wast pairtis." Glasgow, 23 January 1682.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 59, b. 28, No. 5.

The prior writs consist of—

- (1) Instrument of Sasine in favour of William Hutchesone, skinner, burghess of the burgh of Edinburgh (John Hutchesone, notary). 11 June 1636.
- (2) Disposition by William Hutchesone to Manasses Lyll, skinner, burghess of Glasgow (price £500 Scots). 6 March 1644.
- (3) Sasine in favour of Manasses Lyll (William Yair, notary). 2 January 1647.
- (4) Extract Commission by Christian Lyll, daughter of and one of the heirs portioners of Manasses Lyll, to William Wallace, late bailie of Glasgow, her son in law, to manage her affairs. 4th (registered in Town Court Books, 11th) February 1681.

846. **INSTRUMENT** under the hands of Robert Allane and Robert Barton, notaries public, setting forth that, in presence of witnesses, Cristine Lyll produced the Disposition No. 845, granted by her and Jonet Lyll and by William Wallace, as commissioner constituted under commission by her, dated 4th February last; and "the said William Wallace desyred ws, notaries publict, and witnesses, to tak notice and observe the frame, conditione and temper of the said Cristine Lyll, for that shoe being somtyme under a distemper was now in a cleir, dilucid intervall, and of sober temper and sound judgment; to quhich the said Cristine ansuered that shoe knew it was a dispositioun to the toune of her pairt of the said twa buithes, and did subscriyve the same, and declaired shoe was most willing to do it, but that shoe neided not to have been trubled theranent, seing shoe had alreddie subscrivit a commissioun to the said William Wallace, her sone in law, to doe that and all uthir her affaires, in quhom shoe trusted. Quhilkis we the said notars publict and witnesses hard her declare and sie her subscriyve the said dispositioun, quhilk we attest to be of treuth, upon faith and conscience." Glasgow, 23 January 1682.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 59, b. 28, No. 6.

847. **DECREET** by the LORDS of PRIVY COUNCIL in preceedings at the instance of Arthur, Archbishop of Glasgow and Chancellor of the College, against Mr. Mathew Brisbane, "pretended" rector of the College, and others, whereby it was found that the archbishop, as chancellor, had been wrongously deprived of his right to

preside in meetings of the Faculty of the College, that the defenders had engaged in disorderly proceedings, and that their election of a regent was null; and the archbishop, as chancellor, was directed to convene the faculty and arrange for a new election. Edinburgh, 16 February 1682.

"MS. Charters and Precepts, granted by the Universities, 1668-99;" preserved in the Archives of the City.
Printed in "The Scottish Antiquary" (July 1901), vol. xvi., pp. 1-10.

848. ACT of the TOWN COUNCIL of GLASGOW ordaining a right to be drawn up and subscribed by the Town in favour of Patrick Bell of a piece of ground on the water side, at the head of the New Green, "for satisfaction of the loss and damage he sustains throw the touns people fishing and taking salmond and drawing their netts ther, upon his grund of Proveisthaugh." Glasgow, 18 February 1682.

Extracts from the Records of the Burgh of Glasgow, vol. iii., p. 309.

849. FEU RIGHT by the Magistrates and Council of Glasgow to John Maxwell, wright, and Issobell Findlay, his spouse, of a piece of ground in the new vennel or wynd, called Bell's Wynd, for building a house and having a yard thereon. Glasgow, 18 March 1682.

Extracts from the Records of the Burgh of Glasgow, vol. iii., p. 310.

850. "Ane ACT of the FISHING SOCIETIE, dated the threttein day of March, 1683 years. Item, ane assignation be the members of the Fishing Societie, relative to the said tack [No. 807] and bond [No. 814] and to the roup made be the societie of the store and storehoussis of the said fisherie, and otheris therein specifeit, conforme to the contract betwixt the saids memberis on the ane pairt and John Barns, provest of Glasgow, and his cautioner, on the other pairt, dated the threttein day of March 1683 years, whereby the said John Barns gott right to the salt, trees, and otheris therin-specifeit, and contains ane obleisment to give them right to the storehouse and ground therof; and mentioning that the said John Barns, provest of Glasgow, as principall, and his cautioneris, had granted bond to Thomas Moncreife, cash keeper to the societie, for 32,300 lib. Scots, with annualrent and penaltie therein specifeit, as the pryce of the store, storehoussis and otheris roupd, and of which the said John was putt in possession; and by which assignation the said societie assigns the said John Barns to the said tack, and in and to ane other tack of ane other peice of ground sett be the said umquhill John and Sir John Shaws to the said societie, dated the [7] day of February 167[1] years [No. 783]. This assignation is dated the twentie of Aprile 1683 years."

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, pp. 30-1, b. 6, Nos. 7, 8.

Extracts from the Records of the Burgh of Glasgow, vol. iii., pp. 331-4.

851. DISPOSITION by "Thomas Knox, merchant in Belfast, within the kingdom of Ireland, eldest lawful son to Thomas Knox, merchant, burges of Glasgow in Scotland, procreat betwixt him and Bessie Spang, his spouse, with consent of his said father and mother and them for their interest," to the Provost, Bailies and Council of the City of Glasgow, for behoof of the community thereof, of their "aiker of land or thairby, with the pertinentis, lyand within the territory of the said burgh, in that place called Crapnestock; boundit betwixt the lands of umquhill John Glen on the east, the lands of umquhill William Fleyminge on the west, the burne of Camlachy on the south, and the high way on the north parts; which aiker of land was disponed to ws the saids Thomas Knox, elder, and Bessie Spang, spoussis, be leiutennent colonell Andrew Spang, brother to me the said Bessie, and is now inclosed and imparked within the New Green of the said burgh." Glasgow, 2 August 1683 and 22 August 1684.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 67, b. 35, No. 8. The prior writs consist of (1) Disposition by lievetenant collonell Andrew Spang to Bessie Spang and Thomas Knox, 28 April 1641; and (2) Sasine thereon, 12 November 1664.

852. "Ane RECEIPT and OBLEISMENT be Robert Campbell, late dean of gild, to Patrick Dundass, factor to the Fishing Societie, of the salt, casks, and others therin specifeit, to which the said John Barns had right be the said roup, dated the fourtein day of August, 1683; with ane assignation of the said recept to a blank person, and three Instruments taken be provest Barns against Robert Campbell for delyverie; all tyed up together."

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 32, b. 6, No. 13.

853. CONTRACT of AGREEMENT between the Deacon and Masters for themselves and the remanent members of the Incorporation of Wrights of Glasgow, on the one part, and the wrights in Gorbals, on the other part, whereby it was agreed (1) that no stranger wright should settle within the village of Gorbals till he paid 40 merks Scots, one half to the wrights of Glasgow and the other half to the wrights of Gorbals, in each case for the use of their poor. (2) Each prentice in Gorbals to serve five years, with one year thereafter for meat and fee; and their entry money and also the entry money of journeymen (30s. Scots) to be divided in the same way as the entry money of strangers. (3) Those who set up to work, after prenticeship, to pay ten merks for "freedom fyne;" each freeman's son in Gorbals to pay 5 merks Scots and sons in law to pay £5 Scots of upset, all to be divided as above. (4) Each Gorbals freeman or master to pay to the wrights of Glasgow 15s. Scots yearly for the use of their poor. (5) An oversman for Gorbals to be chosen by the deacon and masters of the wrights of Glasgow from a leet to be presented by the wrights of Gorbals. (6) The oversman and wrights of Glasgow to appoint a collector, and the oversman masters and collectors to make acts and statutes among themselves, and to have the other privileges therein

mentioned. Glasgow, 14 December 1683. Ratified by the Magistrates and Council of Glasgow, 26 June 1684.

Extracts from the Records of the Burgh of Glasgow, vol. iii., pp. 353-7.

854. CHARTER of CONFIRMATION by Arthur, Archbishop of Glasgow, in favour of the Maltmen calling in Glasgow, of (1) the Letter of Guildry, dated 6 February 1605 [Nos. 136, 447], in so far as concerns the said calling only; and (2) Act of the Magistrates and Council of Glasgow, dated [24] March 1677 [No. 822]. Edinburgh, 3 January 1684.

Chronicles of the Maltmen Craft in Glasgow, by Robert Douie (1879), p. 158; by Franc Gibb Dougall (1895), p. 177.

855. TACK by ARTHUR, ARCHBISHOP of GLASGOW, with consent of the Dean and Chapter of the Metropolitan Kirk, to the Provost, Bailies and Council of the City of Glasgow, for behoof of the community thereof, of the whole teinds, parsonage and vicarage of the lands of St. Enochs Croft, Broomelaw Croft, Palzeoun Croft, Ramshorn, Meadowflat, Swans Yett, Crubbs, Deanside, Provanside, Langercroft, Dowhill, Eglishames Croft, Crabnestock, Kinclaith, Hen Croft, Round Croft and Linningshaugh; with the teinds of the yards adjacent to the Burgh, which teinds the archbishop and his predecessors had been in possession and in use of drawing and leading. Tack to endure for 19 years from Candlemas 1684. Tack-duty, 1,800 merks yearly, besides [£60 of] manse rent to the parson; but the archbishop was to pay the parson's stipend. Glasgow, 22 April 1684.

Original in the Archives of the City.

Charters and Documents relating to the City of Glasgow, No. clii., vol. ii., pp. 220-4.

Extracts from the Records of the Burgh of Glasgow, vol. iii., pp. 347-51.

856. DISPOSITION by GEORGE MUIRHEAD, Merchant, burges of Glasgow, with consent of Jean Craig, his spouse, to the Provost, Bailies and Council of the Burgh of Glasgow, of "these sex rudes of land or therby, lyand within the territorie of the said burgh in that place called Mylnedamb, being a pairt of these our two aikers and ane rude of land or therby lyand there on both sydes of the burne; bounded betwixt the lands of Borrowfield on the east, the cruikes of Mylnedamb on the west, these pairts of the lands of Borrowfield, sometime belonging to the aires of umquhill Mr. Thomas Hutchisone on the north, and the lands of Kinclaith on the south pairts: Whilk sex rudes of land or therby are now imparked and taken in within the new Commone Grein of the said burgh, and surrounded and inclosed by a ston dyck; except ane little peico ground therof that is left without the dyck at the south east neuck therof, and als much as to put out a staire betuixt the dyck and the hie way." Glasgow, 22 August 1684.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 63, b. 33, No. 1.

857. DISPOSITION by WILLIAM CRAIG, Merchant in Glasgow, to the Provost, Bailies and Council of the Burgh of Glasgow, for behoof thereof, of "four aikers and half aiker of land, with the pertinentis, lyand within the territorie of the said burgh in that part called Kinclaith; boundit betwixt the lands of (*blank*) on the east and the common passages respective on the sowth and north parts; whilk four aikers and half aiker of land with the pertinentis are now imparked and taken in within the Common New Grein of the said burgh and surrounded and inclosed with a stone dyck." Glasgow, 25 August 1684.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 79, b. 36, No. 93.
The prior writs consist of—

- (1) Sasine of 4 acres to James Trumble, on resignation of John Blair of Garroch; also, Sasine to William Craig, on James Trumble's resignation (John Hutchesone, clerk). 30 September 1631.
- (2) Sasine of 2 rigs to William Craig, on resignation of Mr. Hugh Gibsone of Haghill. 21 May 1635.
- (3) Contract of Marriage between Hendrie Craig, son of William Craig and Agnes Luke, whereby William Craig disponed to them 6 acres. 18 June 1650.
- (4) Sasine thereon (John Spreull, clerk). 10 July 1650.
- (5) Disposition by Hendrie to William Craig, his son, of 4½ acres. 7 August 1655.
- (6) Sasine thereon (William Yair, clerk). 7 August 1655.

858. TACK by ARTHUR, ARCHBISHOP of GLASGOW, with consent of the Dean and Chapter of the Metropolitan Kirk, to the Provost, Bailies and Council of the Burgh of Glasgow, as representing the community thereof, of the whole teinds, parsonage and vicarage, of the Parish Kirks and Parishes of Glasgow and Barony thereof, with the whole teind herrings and other teind fish of the water of Clyde; except the teinds set by the Tack No. 855 and also excepting the teinds furth of Partick Mill and the teinds of certain lands specified in the tack belonging to the persons therein mentioned. Tack to endure for 19 years from Michaelmas 1684. Tack duty 300 merks yearly [in addition to price of 20,000 merks]; and relieving the archbishop of repair of kirks and of ministers stipends and the furnishing of communion elements; but excepting the stipend of the minister at the cathedral which the archbishop undertook to pay. Edlinburgh, 25 August 1684.

Original in the Archives of the City.

Charters and Documents relating to the City of Glasgow, No. cliii., vol. ii., pp. 224-8.
Extracts from the Records of the Burgh of Glasgow, vol. iii., pp. 347-51.

859. "TRANSLATION made be John Barns relative to the forsaid assignation [No. 850] granted to him and transferring his whole right therby to the saids twa tacks in favor of this Burgh, dated the twentie twa of September 1684."

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 31, b. 6, No. 11.

JAMES VII.

6 FEBRUARY 1685—11 APRIL 1689.

860. PROTEST in Parliament by John Johnstoun, commissioner of Glasgow, for Precedency before the four Burghs ranking immediately before that Burgh, viz., Aberdeen, Stirling, Linlithgow and St. Andrews. Edinburgh, 23 April 1685.

Acts of the Parliaments of Scotland, vol. viii., p. 455.

861. INSTRUMENT of SASINE in favor of Robert Sanders, only lawful son and heir of Robert Sanders, stationer, burgess of Glasgow, and Besse Corbett, spouses, but reserving the liferent of his father and mother, in the upper fore tenement of land, with houses and chambers belonging thereto, with two nether merchant booths under the north end thereof, and two upper booths above the same, lying within the said burgh, on the west side of the High Street thereof; bounded between the tolbooth of the said burgh on the south, the lands sometime belonging to the heirs of the late William Hooime now to John Ritchie on the north, the lands sometime belonging to John Rowat on the west, and the High Street on the east; also a tenement of land, under and above, lately built by the late John Trumble, carter (*curratorem*), burgess, with the pertinents; which was sometime a ruinous tenement of land, with three small back houses adjacent to the same; lying within the said burgh, on the west side of the High Street, leading from the Metropolitan Church to the Market Cross, bounded between the lands sometime belonging to Robert Corse and the heirs of the late Archibald Eglintoune and John Gray, respectively, on the north, and the High Street and common passage on the east, west and south parts. George Andersone, notary. Glasgow, 22 October 1685.

Original in the Archives of the City.

862. DISPOSITION by ROBERT M'CUIR, Merchant, burgess of Glasgow, with consent of John M'Cuir, his son and heir, to the Provost, Bailies and Council of the Burgh of Glasgow, of "these two aikers of arrable land or therby, with the pertinents, lyand within the territorie of the said burgh, in that part called Mylnehill, betuixt the lands of James Govane on the north, the cruikes of Mylnedamb on the south, and the comone loan on the west parts; whilks two aikers of land are now imparked and taken into the New Green of the said burgh and surrounded with ane stone dyck." Glasgow, 17 October 1685.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 65, b. 34, No. 2. The prior writ consists of a Disposition by Mr. Patrick Bell, merchant, with consent of Peter Gemmill, elder and younger, to Robert M'Cuir. 27 March 1658.

863. DISPOSITION by ROBERT RAE, Merchant in Glasgow, with consent of Archibald Rae of Tannoehsyde, his eldest lawful son, and Christian Jack, his spouse, to the Provost, Bailies and Council of the Burgh of Glasgow, for behoof of the community thereof, of "(1) fyve ruids of land or therby, with the pertinents, lyand in that pairt

called Kinclaith; boundit betuixt the lands of old pertaining to umquhill James Aldcorne on the east; (2) ane half aiker of land with the pertinents lyand lykewayes there: whilk fyve ruides and halfe ane aiker of land were conquiest be Walter Waddrop, maltman, burges of the said burgh, frae the now deceast James Wood, merchand, ther; (3) uther fyve ruides of land or therby, with the pertinents, lyand also in the foresaid pairt called Kinclaith; whilk fyve ruides of land was conquiest and acquyred by the said Walter Waddrop frae the deceast Gabriell Cunningham, merchand in the said burgh, and Jonet Cunningham his spouse; (4) that halfe aiker of land" in Kinclaith "bounded betuixt the lands sometyme pertaining to the Viccars of the Queir now to the aires of umquhill William Hume upon the east, the lands sometyme pertaining to Mr. Henrie Gibsone now to William Craig on the west, the lands cailed Peitboag on the south, and the lands of Mynedam on the north parts; (6) that aiker of land" in Kinclaith "bounded betuixt the lands of old pertaining to umquhill David Hall, and thereafter to umquhill Thomas Mylne on the east, and the lands cailed Peitboig on the south parts; (6) these three aikers of land or therby lyand near the said burgh in that part called Broomlands or Kinclaith, within the barronie and regalitie of Glasgow and sheriffdom of Lanerk; bounded betuixt the lands of old pertaining to the deceast Archibald Faulls and now to me the said Robert Rae upon the east, the lands of Robert Campbell on the west, the River of Clyd upon the south, and the lands cailed Mynedam pertaining to the aires of umquhill William Muirhead upon the north parts; (7) that rig of land lyand within the territorie of the said burgh in that pairt foresaid called Kinclaith; bounded betuixt these two aikers of land ther disponed be Robert Campbell, elder, merchand in the said burgh, and by Robert Campbell, his sone to me upon the east; the lands sometyme pertaining to John Aldcorne upon the west parts; (8) these two aikers of land lyand in that pairt foresaid called Kinclaith; bounded betuixt the lands pertaining to me upon the east, that rig of land latelie pertaining to the said Robert Campbell, elder, and now disponed be him to me upon the west, these other lands pertaining to me and William Craig respective on the north, and the Water of Clyd upon the south parts. Whilkis ruides and aikers of land above specifeit are now imparked and taken in to the New Grein of the said burgh and surrounded with ane ston dyck." Excepting from Warrandice 3 bolls bear payable yearly to St. Nicholas Hospital out of said 3 acres in Broomlands. Glasgow, 8 and 25 February 1686.

Originals in the Archives of the City.

Inventory of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 74, b. 36, No. 37. Extracts from the Records of the Burgh of Glasgow, vol. iii., p. 310.

The prior writs consist of—

5 ROODS, 1 ACRE, AND $\frac{1}{2}$ ACRE.

- (1) Disposition by James Hamilton and spouse to James Wood. 1 January 1648.
- (2) Sasine thereon. 10 January 1648.
- (3) Disposition by James Wood to Walter Woodrope. 14 March 1648.
- (4) Sasine thereon. 20 March 1648.

OTHER 5 ROODS.

- (5) Sasine to Archibald Muir as heir of John Muir; with Sasine to Gabriel Cuninghame on Archibald Muir's resignation. 26 April 1620.
- (6) Disposition by Gabriell Cunningham to Walter Woodrope and spouse. 30 May 1649.
- (7) Sasine thereon. 5 June 1649.

WHOLE OF SAID LANDS.

(8) Sasine to Walter Woodrope, on his own resignation (Mr. John Spreull, clerk) 29 January 1649.

(9) Disposition by Walter Woodrope and spouse to Robert Rae. 27 July 1674.

 $\frac{1}{2}$ ACRE IN KINCLAITH.

(10) Sasine to Archibald Woodrope. 23 June 1574. (Glasgow Protocols, No. 2062.)

(11) Disposition by James Woodrope of Daldowie to Robert Rae. 21 April 1666.

(12) Feu Charter by the Town to Robert Rae. 28 April 1666.

(13) Sasine thereon (William Yair, clerk). 20 December 1666.

1 ACRE IN KINCLAITH.

(14) Contract between Gilbert Marshall and James Tran. 4 October 1648.

(15) Sasine thereon (Mr. John Spreull, clerk). 7 October 1648.

(16) Bond by Gilbert Marshall to James Tran. 23 November 1650.

(17) Disposition by Jonet Tran and Margaret Tran, daughters and heirs of John Tran, to Robert Rae. 20 April 1664.

(18) Sasine thereon (William Yair, clerk). 9 May 1664.

3 ACRES IN KINCLAITH.

(19) Sasine to Mathew Marshall, two $\frac{1}{2}$ acres (Archibald Heighgate, clerk). 24 May 1604.

(20) Precept of Clare Constat by the Preceptor of St. Nicholas Hospital to John Marshall. 2 March 1636.

(21) Charter by James Donald to Mathew Marshall and Jonet Marshall, spouses, of 2 acres, for feuduty of 2 bolls and $\frac{1}{4}$ peck bear, yearly, 29 January 1620; with confirmation by preceptor of St. Nicholas Hospital, 9 January 1623.

(22) Sasine thereon. 29 January 1620.

(23) Precept of Clare Constat by Preceptor of said Hospital to Gilbert Marshall. 19 October 1643.

(24) Sasine thereon. 2 December 1643.

(25) Disposition by Gilbert Marshall to John Marshall. 28 October 1648.

(26) Charter by Gilbert Marshall to John Marshall, 28 October 1648; confirmed by preceptor of said hospital, 16 November 1669.

(27) Sasine thereon. 28 October 1648.

(28) Disposition by John Marshall to Robert Rae. 3 February 1664.

(29) Charter by John Marshall to Robert Rae, 3 February 1664; with confirmation by the preceptor of said hospital (yearly feuduty, 3 bolls bear). 16 November 1669.

(30) Sasine thereon. 17 February 1664.

2 ACRES IN KINCLAITH.

(31) Instrument of Sasine to Colin Campbell and Margaret Lyon, spouses (Henry Gibson, clerk). 16 December 1570.

(32) Disposition by Robert Campbell, "oy" of Colin, with consent of Robert Campbell, his father, and Margaret Stewart, his mother, to Robert Rae. 25 April 1665.

(33) Sasine thereon (William Yair, town clerk). 1 May 1665.

RIG IN KINCLAITH.

(34) Disposition by Edward Robertsons to Robert Campbell. 16 March 1653.

(35) Disposition by Robert Campbell to Robert Rae. 26 April 1665.

(36) Sasine to Robert Campbell and Robert Rae (William Yair, town clerk). 1 May 1665.

864. DISPOSITION by THOMAS CRAWFURD, elder of Crawfordsburne, merchand in Glasgow, to the Provost, Bailies and Council of the Burgh of Glasgow, of "three ruides of land, with the pertinents, lyand within the territorie of the said burgh of Glasgow, in that pairt called Crapnestock; bounded betuixt the lands of old

pertaining to umquhill William Fleining, and thereafter to umquhill Adam Wilsone, on the east, the lands of old pertaining to umquhill Robert Stewart on the west, the burne of Canilachie on the south, and the lands of Barrowfeild on the north pairts; and siklike all and haill these two aikers and ane halfe aiker of land or therby, with the pertinents, lyand also in the said croft calied Crapnestock; bounded betuixt the lands of old pertaining to umquhile Thomas Milne and now to Edward Robisone on the east, the lands of old pertaining to (*blank*) on the west, the said burne of Camlauchie on the south, and the highway on the north pairts; and in likemanner all and haill that aiker of land with the pertinents called the Breiry Aiker, lyand also within the territorie of the said burgh, neir these lands called Mylnedam head; bounded betuixt the lands of old pertaining to umquhile Thomas Milne on the east, the lands of old pertaining to umquhill John Waddrop on the west, the lands of old pertaining to umquhill Mathow Turnbull and umquhill Colin Campbell on the south, and the comunone way that leids to the said mylndam on the north pairts; whilkis three ruides, three aiker and ane half aiker of land abovewrittin are now imparked and taken in to the New Green of the said burgh and surrounded with ane stone dyck." Glasgow, 21 June 1686.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 68, b. 35, No. 17.
The prior writs consist of—

- (1) Sasine to Michael Bard, son of John Bard, and son and heir of Marion Leche; also. Sasine to Patrick Glen, merchant, burgess of Glasgow, on resignation of Michael Bard (George Brounside, notary). 3 May 1566.
 - (2) Double of preceding Sasine, certified by John Craig, notary.
 - (3) Letter of Reversion by Patrick Glen to Michael Bard. 3 May 1566.
 - (4) Assignment of Reversion by Michael Barde to his daughters, Dorothea Barde and Margaret Barde (Henry Gibsone, notary). 14 November 1576.
 - (5) Sasine to Peter Glen and Elizabeth Cochran, spouses, on resignation of James Wilson, merchant. 9 January 1581.
 - (6) Sasine to Patrick Glen and Elizabeth Cochran, on redemption of an acre from Margaret Glen, spouse of George Muir. 12 July 1589.
 - (7) Sasine of Briery acre to John Glen, as heir of Patrick Glen. 12 April 1599.
 - (8) Disposition by John Glen and Christene Gibson, spouses, to Archibald Faullis, merchant, burgess, and Jonet Glen, spouses, of the Breirie acre, "with the crop of corne presentlie growand thairin." 8 July 1602.
 - (9) Sasine thereon (Henry Gibson, notary). 22 July 1602.
 - (10) Disposition by John Glen and Christine Gibson, spouses, to Thomas Morsoun, couper, burgess, and Jonet Cochran, spouses, of an acre in Cropnests croft. 2 May 1607.
 - (11) Sasine thereon (Archibald Heygait, notary). 9 July 1607.
 - (12) Disposition by Archibald Faullis and Jonet Glen, spouses, to Thomas Morsoun, couper, and Jonet Cochran, spouses, of the Briery acre. 3 January 1616.
- 3 ROADS IN CROPNESTOCK.
- (13) Acknowledgment of redemption by George Morrison, merchant, and Jonet Yung, spouses, of redemption by Matthew Brisbane of Roseland and Christina Stewart, his spouse (Henry Gibson, notary). 30 November 1597.
 - (14) Disposition by Matthew Brisbane of Roseland, his son, and spouse, to Archibald Faullis. 30 October 1613.
 - (15) Sasine thereon (John Thomson, notary). 15 June 1614.
 - (16) Disposition by Archibald Faullis to Thomas Morsoun, couper, and Jonet Cochran, spouses. 20 February 1616.
 - (17) Sasine thereon, including Briery acre (John Thomson, notary). 24 February 1616.

BRIERY ACRE AND 3 ROODS.

- (18) Sasines to Thomas Morsoun, cooper (*victori*), and Jonet Cochran, spouses, on Nos. 12 16 (John Thomson, notary). 24 February 1616.

5 ROODS OF LAND IN CROFNESTOCK.

- (19) Sasine to Mr. James Glen, son of Patrick Glen, as heir of Patrick Glen, his brother (Archibald Heygait, notary). 9 July 1607.
 (20) Disposition by Mr. James Glen and Helen Maxwell, his spouse, to Thomas Morsoun and Jonet Cochran, spouses. 4 August 1612.
 (21) Sasine thereon (Archibald Heygait, notary). 4 August 1612.

EAST HALF OF PORTION OF LAND BEYOND GALLOWGATE BURN, BETWEEN THE LANDS OF PATRICK GLEN ON THE NORTH AND EAST.

- (22) Sasine to Patrick Glen, merchant, and Elizabeth Cochran, spouses, on resignation of John Lindsay, merchant. 13 December 1574.

RIG OF LAND CALLED THE DAILL, EXTENDING TO THE HALF OF 3 ROODS IN CROFNESTOCK.

- (23) Contract containing Disposition by John Wodrope, younger, burgess of Glasgow, to Patrick Glen. 21 May 1588.

3 ROODS, 2 ACRES, AND $\frac{1}{2}$ ACRE OF CROFNESTOCK, AND 1 ACRE CALLED BREIRIE AIKER.

- (24) Service of James Morisone, as heir of Thomas Morisone, his grandfather. 23 May 1651.
 (25) Disposition by James Morisoun, with consent of Sussana Stewart, his mother, to Mr. James Dinning, professor of phisick in Glasgow, and Jonet Morisoun, and the survivor of them. 22 April 1652.
 (26) Sasine thereon (William Yair, clerk). 24 April 1652.
 (27) General Service of James Dinning, writer, as heir of Mr. James Dinning, his father. 9 November 1677.
 (28) Sasine thereon (George Andersone, clerk). 12 January 1678.
 (29) Disposition by James Dinning, with consent of Jonet Morsoune, his mother, to Thomas Crawford of Crawfordsburn. 1 August 1677.
 (30) Sasine thereon. 16 November 1678.

865. CHARTER of CONFIRMATION by WILLIAM BRYCE, Writor, Glasgow, Preceptor of the Hospital of St. Nicholas, confirming a Disposition, dated 2nd February, 1685, by James Armour, junior, merchant in Glasgow, in favour of James Stirling, merchant, Glasgow, of a rig of land or thereby, part of three rigs of land lying at the back of two barns and a yard, outwith the West Port, in that croft called St. Tennochis Croft; which lands formerly belonged to the late James Armour, senior, merchant, and were held of the preceptor of the Hospital for payment of the feu ferm duties specified in the ancient infeftments. Glasgow, 21 June 1686.

Original in the Archives of the City.

866. INSTRUMENT of SASINE in favour of Margaret Watson, daughter of the late William Watson, tailor, burgess of Glasgow, and James Gemmill, merchant, Glasgow, her husband, proceeding on (1) Precept of Clare Constat, dated 2 September, 1686,

granted by Colin Campbell of Blythswood to Margaret Watson as heir of William Watson, her father, in $3\frac{1}{2}$ acres of land in Blythswood, lying discontinuous, viz., 1 acre called the Burn aiker (excepting 11 falls on the west side belonging to the successors of Thomas Morson); bounded between the lands called Shortholme of Blythswood on the south, the burn of Blythswood on the east, the lands belonging to the successors of Thomas Morson on the west, and the lands sometime possessed by the late Jonet Grahame on the north; also $6\frac{1}{2}$ rigs of land called Cuttrigg, bounded between the lands of Cowcadens on the north, the lands sometime possessed by the late Archibald Semple and John Potts on the east, the lands on the west possessed by Thomas Morson, and the lands possessed by Thomas Blair on the south; extending in the whole to the said $3\frac{1}{2}$ acres; lying in the barony of Blythswood, parish of Glasgow and shire of Lanerk. Feu-duty, 2 bolls oatmeal and 2 bolls bear, yearly; and (2) Contract of Marriage between the said James Gemmell and Margaret Watson, date 3 March, 1686. Glasgow, 3 (registered in the particular register of sasines kept by John M'Cuir, at Glasgow, 8) September 1686.

Original in the Archives of the City.

867. GIFT by KING JAMES VII. to the Provost, Bailies and Council of the City of Glasgow, in name of the community thereof, as compensation for losses and reward for services, of an impost of 4d. on each pint of ale and bear brewed or brought in and sold within the city and suburbs, or of 2 merks Scots on each boll of malt; also £50 Scots on each tun of Spanish wine, £50 Scots on each butt of French or Renish wine, and £50 Scots on each tun of brandy, aquavitæ or strong waters; and 20s. Scots on each barrel of mum beer sold in the city. The imposts to endure for 19 years. Whitehall, 15 January 1687.

Original in the Archives of the City.
Charters and Documents relating to the City of Glasgow, No. cliv., vol. ii., pp. 229-32.

868. ACT by the LORDS of HIS MAJESTY'S EXCHEQUER in favour of the Incorporation of Coopers of Glasgow, proceeding on the complaint by the Provost, Town Council, and Deacon Convener of the Trades of Glasgow, that the claim by the masters of the East Sugarie of Glasgow, under an Act in their favour by the said Lords, to employ a cooper in their works who was not a freeman of the incorporation of Coopers, was contrary to the fundamental laws of the kingdom, and hurtful to the said Incorporation and to the Burgh. The Act provides that the said masters should choose a cooper who was a freeman cooper, and should also employ other tradesmen only who were freemen. Edinburgh, 15 July 1687.

Original in the Archives of the Incorporation of Coopers.
Acts and Charters of the Incorporation of Coopers (1885), p. 11-15.

869. LETTER from the DUKE of HAMILTON, in name of the Lords of Privy Council, directing that, in accordance with the King's desire (as signified by his letter dated at Bath 8th September), the present Magistrates and Council should continue in office, and that no election should take place this year. Consented to by Magistrates and Council, 4 October 1687.

Extracts from the Records of the Burgh of Glasgow, vol. iii., pp. 405-6.

870. LETTER from KING JAMES VII. with reference to his letter of 8th September last [No. 869], allowing a new election of Magistrates and Council for the current year to Michaelmas 1688. Whitehall, 9 December 1687.

Extracts from the Records of the Burgh of Glasgow, vol. iii., pp. 407-8.

871. DISPOSITION by WILLIAM CHARTERS, Merchant in Glasgow, with consent of Jeane Lightbodie, widow, there, John M'Cuir, writer, there, John Govean, merchant, there, and Robert Scott, messenger, there, for their rights, and they for their own interests, to the Magistrates and Council of the Burgh of Glasgow, of "seven rudes of land, with the pertinents, lyand within the territorie of the said burgh, in that part callit Crapnestock; boundit betuixt the lands of Thomas Morson and now belonging to the Colledge of Glasgow on the east, the lands of old belonging to George Louk and the lands callit the Mylnehill on the west, the common passage on the north, and the burne of Camlauchie on the south parts; and all and haill ane aiker of land, with the pertinents, lyand within the territorie of the said burgh in that part called Kinclaith; boundit betuixt the lands of William Craig on the east, the lands of old belonging to John Hamilton of Airdrie now to Walter Waddrop on the west, the lands callit Mylnedame on the north, and the lands of old belonging to Andrew Mylne and now to the burgh of Glasgow, callit the Peittbogg on the south parts." Glasgow, 3 February 1688.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 70, b. 35, No. 29.

The prior writs consist of—

- (1) Sasine to James Chartouris, merchant, of 1 acre, on resignation of John Marshall, merchant. 8 August 1668.
- (2) Wadsett right by William Chartouris to John M'Cuir, writer, and John Govan, merchant, of 7 roods. 30 December 1686; confirmed by preceptor of St. Nicholas Hospital.
- (3) Sasine thereon. 28 February 1687.
- (4) Precept of Clare Constat by the preceptor of St. Nicholas Hospital to William Chartouris, as heir to James Chartouris, his father. 6 January 1687.

872. ACT of the CONVENTION of BURGHS, narrating a Petition by the Burgh of Glasgow, referring to their former flourishing condition, the great additions to their

burdens within the last few years, and decay in their trade and fishing. The convention appointed the commissioners of certain burghs to visit Glasgow and report to next general convention. Edinburgh, 5 July 1688.

Printed Records of the Convention of Burghs, vol. iv., pp. 77, 78.

873. ACT of the CONVENTION of BURGHS, narrating a Petition by William Anderson, son of William Anderson, late Provost of Glasgow, bearing that in 1675, there being a letter sent to the late King which gave offence at that time, his father, among some others, was fined in £6,000 and imprisoned till he paid the same. The petitioner, on the ground that the act was a public deed of the convention, craved that the loss should be taken into consideration, and the convention appointed certain of their number to inquire into the matter and report. Edinburgh, 6 July 1688.

Printed Records of the Convention, vol. iv., p. 79. *Postea*, No. 941.

See letter and proceedings in Minutes of Convention 1674-5. (*Ib.*, vol. iii., pp. 639-49).

874. LETTER from the EARL of PERTH, Lord Chancellor, to the Provost of Glasgow, accepting offer to raise ten companies for the service of the King and securing the peace of the city. Edinburgh, 12 October 1688.

Extracts from the Records of the Burgh of Glasgow, vol. iii., pp. 414-5.

875. ACT of the PRIVY COUNCIL embodying letter from the King (dated at Whitehall 12 November, 1688), in which, with reference to the suspension, on 29th August last, of the election of magistrates of Royal Burghs, the Archbishop of Glasgow was allowed to proceed with the elections of the magistrates of Glasgow and other office-bearers for the year to Michaelmas next. Edinburgh, 27 November 1688.

Extracts from the Records of the Burgh of Glasgow, vol. iii., pp. 417-8.

876. ORDER and WARRANT by the ESTATES of PARLIAMENT authorising the depute keeper of the stores to send from Stirling to Glasgow 4,000 muskets, 1,000 pikes, 100 barrels of powder, with match and bandeliers and 100 chests of ball; which arms and ammunition were to be secured in Glasgow tolbooth by the dean of guild and others who were authorised to draw together the fencible men and guard the city. Edinburgh, 22 March 1689.

Acts of the Parliaments of Scotland, vol. ix., pp. 18, 19.

877. WARRANT by the ESTATES authorising the Dean of Guild and others to draw out the fencible men in the city of Glasgow and form them into companies, and to supply them with arms and ammunition, so that they may keep watch and ward for security of the town. Edinburgh, 25 March 1689.

Acts of the Parliaments of Scotland, vol. ix., pp. 21, 22.

878. ACT of PARLIAMENT proceeding on a Petition by the Town of Glasgow bearing that, in respect of the disturbance of these bypast times, the people of Glasgow, and specially the maltmen, had refused, for 14 weeks, to pay the excise of malt, whereby the Town was unable to pay what was due to the public. The maltmen were ordained to make payment of what excise they were due themselves, and they were also to be held liable for the excise of any malt they had sold to others for 40 years past. Edinburgh, 28 March 1689.

Acts of the Parliaments of Scotland (1689, c. 13), vol. ix., p. 24.

879. PROCLAMATION by the ESTATES for calling together the Militia, horse and foot, for resisting any foreign invasion and repressing any intestine commotion, and, *inter alia*, requiring the troop in the shire of Lanark, which was under the command of Lord Carmichael, to assemble at Glasgow. Edinburgh, 30 March 1689.

Acts of the Parliaments of Scotland (1689, c. 15), vol. ix., p. 25.

880. ACT of PARLIAMENT proceeding on Petition representing the difficulties the people of Glasgow had in obtaining from Stirling the arms and ammunition referred to in the order of 22 March [No. 876], ordaining the Magistrates of Stirling to transport from that town, "by carts and horses, under sure guards, such of the arms and ammunition not yet transported," as far as Kilsyth, to be delivered there to the order of the Town of Glasgow. Edinburgh, 2 April 1689.

Acts of the Parliaments of Scotland (1689, c. 21), vol. ix., p. 32.

881. ORDER by the ESTATES of PARLIAMENT ordaining Sir Patrick Maxwell of Newwork to deliver up to Walter Gibson, provost of Glasgow, "such armes, of whatsoever kind the samen be, as were taken be the said Sir Patrick furth of the said provest Gibsone his ship in the river of Clyde," on a date which is left blank. Edinburgh, 5 April 1689.

Acts of the Parliaments of Scotland, vol. ix., p. 35.

882. ACT of PARLIAMENT ratifying the nomination made by those acting under the warrant of 25th March [No. 877] of captains and other inferior officers, and ordaining all the inhabitants to attend the musters and to watch and ward the Town. Edinburgh, 8 April 1689.

Acts of the Parliaments of Scotland, vol. ix., p. 37.

WILLIAM AND MARY.

11 APRIL 1689—28 DECEMBER 1694.

883. ACT of PARLIAMENT appointing all the Royal Burghs within the Kingdom of Scotland to elect their Magistrates and Town Councils of new, by the poll of all the qualified burghesses, in respect of the late invasions on their right of elections. Edinburgh, 18 April 1689.

Acts of the Parliaments of Scotland (1689, c. 48), vol. ix., p. 49.

884. ACT of the ESTATES renewing the former warrant for calling together, commanding and keeping in arms the fencible men in the town of Glasgow (the time formerly assigned having expired). This warrant to continue till recalled. Edinburgh, 25 April 1689.

Acts of the Parliaments of Scotland, vol. ix., p. 65.

885. ORDER by the COMMITTEE of ESTATES ordaining the "High Park of Glasgow" to be "hained and kepted untill 11th June next for the use of the troopes of horse and dragoones in his Majesties service." Edinburgh, 13 May 1689.

Acts of the Parliaments of Scotland, vol. ix., App., p. 21.

886. ACT by the COMMITTEE of ESTATES, proceeding on a Supplication presented to them "be the people of Glasgow of the Presiteriane perswasione, shewing that wheras there are a great number of poor people lately come from Ireland to Glasgow, in such a great number that the meeting houses there are not able to containe them, so that they are exceedingly crouded, to the prejudice of the people, and seing that the Churches of Glasgow have these many monethis bypast been emptie without any preaching in them, and therfor humblie craveing the said Committee would grant to the forsaied inhabitants the use of the Churches for ther exerciseing the publict worship of God;" the Committee "allowes the ministers preachers at the saids meeting houses the use of the Inner Hie and the Tron Kirk of Glasgow." Edinburgh, 13 May 1689.

Acts of the Parliaments of Scotland, vol. ix., App., p. 22.

887. ACT of PARLIAMENT referring to supplication presented by the Inhabitants of Glasgow, in which it was stated that the liberty of election granted by the late Act of Parliament [No. 883] had hitherto been impeded in Glasgow, and parliament was craved to ordain that all precepts, bonds or acts made by the present Magistrates and Council of Glasgow since the date of that act (18 April, 1689) in favour of themselves or others, except for payment of public debts, should be void and null, unless approved of by their successors. The estates of parliament complied with this desire, and ordained accordingly. Edinburgh, 24 May 1689.

Acts of the Parliaments of Scotland (1689, c. 95), vol. ix., p. 92.

888. LETTER from the KING to his PRIVY COUNCIL anent a new and free election of the magistrates and council of Glasgow, stating it to be necessary at the then juncture to elect men of known integrity and honesty, and that some day before the 10th July should be assigned for that purpose. Edinburgh, 21 June 1689.

MS. Registrum Secreti Concilii, Acta (General Register House, Edinburgh), vol. 1689, p. 72.

889. ACT of the PRIVY COUNCIL anent a Petition given in by the inhabitants of Glasgow to his grace the lord high commissioner and the lords of the Privy Council as to fixing a day before the 10th July for electing their magistrates and council; and the 2nd and 3rd July have accordingly been assigned for that purpose. Edinburgh, 24 June 1689.

MS. Registrum Secreti Concilii, Acta, vol. 1689, p. 80.

890. CHARTER of NOVODAMUS by the Provost, Bailies and Council of Glasgow, in name of the community, to John Crawford, writer, Glasgow, of the lands of Milne-toun of Provand, for payment of £20 of yearly feu-duty. Glasgow, 1 July 1689.

Extracts from the Records of the Burgh of Glasgow, vol. iii., pp. 424-5.

891. ACT of the CONVENTION of BURGHS containing a statement of those things which they desire parliament to remove as being burdensome to the trade and industry of royal burghs, and of grievances which ought to be redressed. In No. 22 it is resolved "that some redres be sought of the lait fynes imposed upon Provost Petrie of Aberdeen, Provost Anderson of Glasgow, and Provost Ainsly of Jedburgh, who suffered fyning and imprisonment as acting dewtifullie as members of the convention of borrows in 1675." Edinburgh, 15 July 1689.

Printed Records of Convention, vol. iv., p. 96.

892. ACT of PARLIAMENT abolishing Prelacy and all superiority of any office in the church in this kingdom above Presbyters, and rescinding the Acts of Parliament 1662 c. 3, 1663 c. 9, and 1681 c. 4; and declaring that parliament will settle by law that church government in this kingdom which is most agreeable to the inclinations of the people. Edinburgh, 22 July 1689.

Acts of the Parliaments of Scotland (1689, c. 4), vol. ix., p. 104.

Charters and Documents relating to the City of Glasgow, No. clvi., vol. ii., p. 234.

893. ACT of the PRIVY COUNCIL anent a Petition to his Majesty's high commissioner and lords of Privy Council by Robert Campbell, late dean of guild of Glasgow, and William Wallace, merchant, there, concerning the seizure of a ship called the "Saint Andrew," at Stockholm, by the custom-house officers there, which ship was loaded with a cargo supplied by Alexander Pittillo, factor of the said petitioners, who was resting owing to them for some other thing, their duties having been already settled. The high commissioner and lords of Privy Council ordain a letter of recommendation to be sent to the Secretary of State that he might interpose in the matter. Edinburgh, 26 July 1689.

MS. Registrum Secreti Concilii, Acta, 1689, p. 159.

894. THE LORDS of PRIVY COUNCIL ordain the Magistrates of Glasgow, with all possible diligence, to send by land from that place or Greenock to Leith four expert pilots, knowing the Islands and coasts from Orkney to the mouth of Clyde, for serving four men of war in their voyage about the north and west coasts, the captains of the same obliging themselves to restore and redeliver the said pilots at the mouth of the Clyde after completing the voyage. Edinburgh, 13 August 1689.

MS. Registrum Secreti Concilii, Acta, 1689, p. 159.

895. Anent a PETITION given in to the Lords of Privy Council by Walter Gibsone, provost of Glasgow, owner of the ship called the "Pelican," and Robert Campbell and James Hamiltone, late bailies of the said burgh, owners of the "Janet," showing that the convention or meeting of the estates, in March last, gave orders that the said two ships should be fitted and outrigged, under the command of Captains Hamiltone and Browne, for the estates service against the late King James, for cruising on the west coast of Ireland; since which the petitioners are informed that the said two ships have been taken by the enemy, and therefore claiming recompense for the same. The lords of Privy Council grant warrant and commission to the earl of Annadale, Sir James Montgomerie of Skelmorlie, and (*blank*) Shaw, younger of Greenock, to call before them such merchants, shippers and others who best know the condition and value of such ships and their furniture, and to report to the council. Edinburgh, 15 August 1689.

MS. Registrum Secreti Concilii, Acta, 1689, p. 207.

896. The LORDS of the PRIVY COUNCIL having heard a Petition given in to them by William, James and John Boigles, owners of the ship called the "Concert" of Glasgow, taken by a French man of war and retaken by one of His Majesty's ships from the enemy, they ordain a letter of recommendation to be written to the Secretary of State in favour of the Petitioners for delivering back the said ship to the true owners thereof. Edinburgh, 21 August 1689.

MS. Registrum Secreti Concilii, Acta, 1689, p. 219.

897. Anent a PETITION given in to the Lords of Privy Council by the Magistrates of the Town of Glasgow, concerning two regiments of horse being quartered upon the inhabitants of Glasgow, of which they are not in the least dissatisfied, unless it be that the town cannot by themselves, without the assistance of the country for several miles distant, provide a sufficient supply of hay and corn for so considerable a force, and the regiment in consequence have seized, at their own hand, on whatever they could take, and therefore craving the said lords to grant warrant to the Commissary-General to order necessary provisions for the said regiments; and also that the said lords should order the damage already done to be justly valued, and the same refunded. The lords of the Privy Council grant warrant for inquiry into the said matter. Edinburgh, 11 September 1689.

MS. Registrum Secreti Concilii, Acta, 1689, p. 356.

898. LETTER from KING WILLIAM III. to the Magistrates and Council of the City of Glasgow intimating that, in consideration of their zeal and affection and the particular service rendered to him by the city, his Majesty had resolved to allow the Town Council to elect their own provost, and he accordingly authorised them to elect their Provost and other Magistrates for the ensuing year. Hampton Court, 19 September 1689.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 13, b. 1, No. 42. Charters and Documents relating to the City of Glasgow, No. clvii., vol. ii., p. 235.

Extracts from the Records of the Burgh of Glasgow, vol. iii., pp. 434-5.

899. ARRANGEMENT by the LORDS of the PRIVY COUNCIL as to the landing, disembarking and different routes to be taken by the Danish force, numbering 6,000 foot, which are to be quartered as follows:—at Rutherglen, 1,000; at Govan, 1,000; at Renfrew, 1,000; at Dumbarton, 1,000; at Partick and Kilpatrick, 1,000; at Glasgow, 1,000. The day before the horse embark they are to march from Glasgow to Carsdyke and Greenock, by halves. Edinburgh, 31 October 1689.

MS. Registrum Secreti Concilii, Acta, 1689, p. 490.

900. Anent a PETITION given in to the Lords of the Privy Council by the Provost, Bailies and Council of the town of Glasgow, showing that the said burgh, eminently zealous and forward in his Majesty's service, has been of late overburdened and suffered the following losses, all by warrant or upon account of the government, viz., for the two regiments quartered upon them [see No. 897], the sum of £3,819 8s. 9d., also £2,595 and £600. The said Lords agree to allow payment after diverse heavy deductions made on the above charges. Glasgow, 13 November 1699.

MS. Registrum Secreti Concilii, Acta, 1689, p. 518.

901. The LAIRD of CARSBURNE offered £9,000 for the Excise of the shire of Lanark, the town of Glasgow excepted. John Leckie of Newlands, bailie of Glasgow, offered the former quota for the town of Glasgow, being £12,919 Scots (£1,076 11s. 8d. sterling). Edinburgh, 26 November 1689.

MS. Registrum Secreti Concilii, Acta, 1689, p. 536.

902. The LORDS of PRIVY COUNCIL grant warrant to the Commanding Officer at Glasgow for the time, with concurrence of the magistrates, to apprehend and secure such persons as they may suspect; and they recommend to Major-General M'Kay to give orders to secure Captain (*blank*) Bell, and to bring him a prisoner to Edinburgh. Glasgow, 4 December 1689.

MS. Registrum Secreti Concilii, Acta, vol. 1689-90.

903. TACK of the Inland Excise of the Shires of Stirling, Dumbarton, Ayr, Renfrew, Lanark and Bute, and town of Glasgow, to John Gibsone, one of the bailies of the burgh of Glasgow, and Thomas Peeter, treasurer of the said burgh, at the yearly rent of £65,000 Scots (£5,416 13s. 4d. sterling). Dated 21 November 1689.

MS. Registrum Secreti Concilii, Acta, vol. 1689-90.

904. CHARTER by KING WILLIAM and QUEEN MARY confirming all charters and privileges granted by their predecessors to the community of the city of Glasgow, or to the guildry, craftsmen and societies; and granting to the said City and Town Council thereof full power to nominate and elect their Provost, Bailies and other Magistrates, at the usual period, yearly, in all time coming. Kensington, 4 January 1690.

Original in the Archives of the City.
Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 13, b. 1, No. 42.
Charters and Documents relating to the City of Glasgow, No. clviii., vol. ii., pp. 236-9.

905. LETTER by the LORDS of PRIVY COUNCIL to the Magistrates of Glasgow anent the enlisting, lodging, and pay of seamen on entering his Majesty's service. Edinburgh, 10 January 1690.

MS. Registrum Secreti Concilii, Acta, vol. 1689-90.

906. Anent a PETITION to the Lords of Privy Council by John Gibsone and Thomas Peetter, two of the Magistrates of Glasgow, and principal tacksmen of the Inland Excise of the six western shires and town of Glasgow, craving payment of the price of 200 bolls meal and 100 bolls meal sent to the garrison of Inverary, amounting

to the sum of £2,011 10s. 8d. Scots (£167 12s. 6d. sterling), before paying the first quarter's Excise rent, &c. Remitted to the Lords of the Treasury. Edinburgh, 23 January 1690.

MS. Registrum Secreti Concilii, Acta, vol. 1689-90.

907. The LORDS of the PRIVY COUNCIL granted protection to John Wyllie, master of the ship "The Katherine," and his crew, in the transport of 600 bolls of wheat, ordained to be sent by the Magistrates of Glasgow to Belfast, as an Act of the Lords of Privy Council, of date 14th January last, bears. Edinburgh, 13 February 1690.

MS. Registrum Secreti Concilii, Acta, vol. 1689-90.

908. The LORDS of the PRIVY COUNCIL being informed that Colonel Derring, captain of one of their Majesties men of war, had lately taken into custody "The Jean and Katherine" of Dublin and the goods aboard the same, to be consigned in the hands and custody of Thomas Peetters and Thomas Hannay, merchants in Glasgow, the said Lords ordain the said Colonel Derring to deliver the same to the said Thomas Peetters and Thomas Hannay, upon inventory and in presence of John Andersone, provost of Glasgow, and the collector of customs. Edinburgh, 14 February 1690.

MS. Registrum Secreti Concilii, Acta, vol. 1689-90.

909. The LORDS of COUNCIL remit to the Earl of Argyle, the Lord Advocate and Sir James Montgomrie of Skelmorly, to examine Mr. Alexander Strachen, brought a prisoner from Glasgow, upon the ground of the accusation sent in against him. Edinburgh, 18 February 1690.

MS. Registrum Secreti Concilii, Acta, vol. 1689-90.

910. The LORDS of the PRIVY COUNCIL recommend John Millon to the Lords of the Treasury for taking and apprehending Mr. Thomas Gordon, lately one of the Regents of the College of Glasgow, that he should have 20 pieces for the said service. Edinburgh, 20 February 1690.

MS. Registrum Secreti Concilii, Acta, vol. 1689-90.

911. The LORDS of the PRIVY COUNCIL recommend to the Lord Ross and Sir John Maxwell of Pollock to go to Glasgow and examine the papers of Mr. Thomas Gordon, one of the Regents of the College of Glasgow, which were secured and sealed by the magistrates of the said burgh, the said Mr. Thomas being now in custody. Edinburgh, 24 February 1690.

MS. Registrum Secreti Concilii, Acta, vol. 1689-90.

912. Anent the apprehension of Gavin Littlejohn, painter in Glasgow, who, shaking off all fear of God, respect to the laws of the nation and the just obedience he ought to have had to their Majesties authority and government, did, in a most unchristian and undutiful manner, with Captain (*blank*) Bell and others, to the number 80 or 100, enter into a wicked conspiracy to have seduced some of the soldiers and to have ventured with them upon the pernicious and wicked design of firing the town of Glasgow, and destroying all therein who were enemies of the late King James. The Lords find the libel proved, and therefore ordain the said Gavin to lie in prison until a ship was ready to carry him to the plantations. Edinburgh, 24 February 1690.

MS. Registrum Secreti Concilii, Acta, vol. 1689-90.

913. The LORDS of PRIVY COUNCIL having considered a petition by John Barnes, late provost of Glasgow, and now a prisoner in the Tolbooth therof, and another petition by the magistrates of Glasgow, they ordain the magistrates to set the petitioner at liberty, he finding caution to appear before the Lords on 3rd April next to answer to the complaint of the said magistrates against him, under the penalty of £100 sterling. Edinburgh, 21 March 1690.

MS. Registrum Secreti Concilii, Acta, vol. 1689-90.

914. ACT by the LORDS of the PRIVY COUNCIL in favour of Thomas Peetters and Thomas Hanna, merchants in Glasgow [see No. 908], by which they ordain the collectors of customs to deliver up to the said Thomas Peetters and Thomas Hanna the goods which were aboard "The Jean and Katherine." Edinburgh, 24 March 1690. Petition to the Lords by Hugh Mourney, skipper of the said ship, anent the same, presented 1st April thereafter.

MS. Registrum Secreti Concilii, Acta, vol. 1689-90.

915. The LORDS of the PRIVY COUNCIL ordain the Magistrates of Glasgow, who are appointed to give credit for 6 weeks provisions to Edward Potinger, commander of the frigate "Dartmouth," for the use of the two frigates and sloop under his command, sent to cruise on their coasts, to receive bills for the value of the provisions delivered by them to the pursers of the said ships. Instructions given to call for Walter Gibsone, late provost of Glasgow, and James Gibsone, his brother, and to treat with them anent the furnishing and providing of the ship now built by them at Greenock, and hiring of her for their Majesties service. Edinburgh, 8 April 1690.

MS. Registrum Secreti Concilii, Acta, vol. 1689-90.

916. ACT of PARLIAMENT making offer to the King and Queen of a supply of £2,019,733 6s. 8d. Scots (£167,477 12s. 2d. sterling), extending in whole to 28 months

cess to be raised out of the land rent of the kingdom from the several shires and burghs; whereof the monthly share of the city of Glasgow was £1,440 Scots (£120 sterling). Edinburgh, 7 June 1690.

Acts of the Parliaments of Scotland (1690, c. 8), vol. ix., p. 135.

917. ACT of PARLIAMENT in favour of the Royal Burghs, proceeding on the narrative that the trade allowed to burghs of barony and regality had not been so cleared as to prevent the daily rise of many controversies thereupon, to the great prejudice of the trade of the kingdom; that the Royal Burghs, being one of the estates of the kingdom, and bearing a sixth of all public impositions, were obliged to watch, ward, build, and maintain prison houses, and were under several other obligations, for support of the royal government; that, in consideration of these, many repeated laws had granted them the power of trade within and without the kingdom; and that it was then fit, after full trial of all former expedients, that all controversies about trade should be clearly determined. It was, therefore, ordained (1) that the importing of all foreign commodities and merchandise, either by sea or land, should belong to the freemen inhabitants of royal burghs, excepting only cattle, horses, sheep, and other bestial, and also excepting such commodities as noblemen and barons should import for their own use, and of which no part should be imported for sale; (2) that the exporting by sea of all native commodities of the kingdom should belong to the freemen inhabitants of royal burghs, except corn, cattle, horses, sheep, metals, minerals, coal, salt, lime, and stone, without prejudice to noblemen and barons to export as much of the other native products of the kingdom, whether staple commodities or others, as might answer to the value of the commodities imported by them for their own use; as also without prejudice to all the lieges to transport by land, out of the kingdom, all the native commodities thereof. The act also declared that the inhabitants of burghs of regality and barony and others might trade in buying and selling all native commodities, and might retail all foreign commodities, provided these were bought from freemen of the royal burghs, bearing scot and lot, and that notwithstanding the act 1672, c. 5, which was thereby restricted expressly, and abrogated in so far only as was inconsistent with this act. Edinburgh, 14 June 1690.

Acts of the Parliaments of Scotland (1690, c. 15), vol. ix., pp. 152-3.

918. ACT of PARLIAMENT ratifying to the City of Glasgow the Charter dated 4 January 1690 [No. 904]. Edinburgh, 14 June 1690.

Charters and Documents relating to the City of Glasgow, No. clix., vol. ii., pp. 239-40.

Acts of the Parliaments of Scotland (1690, c. 18), vol. ix., p. 153.

919. Anent a PETITION to the Lords of Privy Council by John Barnes, late Provost of Glasgow, and now a prisoner in the Tolbooth of Edinburgh, for mal-administration of the common good of the Town of Glasgow while he was Provost

[see No. 913], and having appeared before a committee of their number, Dowhill, the present provost, produced the books proving how the common good was delapidated; as to which the said petitioner was not in a condition to make any answer, not having access to the books nor none of his papers or private accounts, by which he hoped to clear himself sufficiently; and having been in the Tolbooth for ten weeks, and being an old infirm man, he now craves for liberty. The Lords remit the matter to the committee formerly appointed. Edinburgh, 28 June 1690.

MS. Registrum Secreti Concilii, Acta, vol. 1689-90.

920. The LORDS of PRIVY COUNCIL ordain Walter and [James] Gibsone, merchants in Glasgow, or any others, owners of the "Pelican," to repair to Edinburgh, that upon application the Council may grant warrant to receive the said "Pelican" from the Admiralty of England, conform to their order and warrant thereanent; and in the meantime they stop all execution at the instance of the General Receivers against the said Walter and James for the sum of £150 sterling. Edinburgh, 5 July 1690.

MS. Registrum Secreti Concilii, Acta, vol. 1689-90.

921. DISPOSITION by JAMES STEWART, brother german to Sir Archibald Stewart of Blackhall, with consent of Jean Govean, daughter lawful to John Govean, merchant in Glasgow, his spouse, to the Provost, Bailies and Council of Glasgow, for behoof of the community thereof, of "that aiker of land, or therby, lyand within the territorie of the said burgh, in that part called the Mylnehill; boundit betuixt the lands of Thomas Muir on the south and the watter of Camlachie on the west, the lands of the deceist David Mathie on the east, and the common loan on the north parts: Whilk aiker of land is now imparked and taken in to the New Green of the said burgh and surrounded with ane stone dyke: And also all and haill ane feu-dutie of fourtie merks Scotts money yearlie to be uplifted and taken at tuo termes in the year, Whitsunday and Martinmas, be equal portions, furth of all and haill that back tenement of land, with yards and pertinents therof, pertaining heretabillie to William Drew, merchant, lyand within the territorie of the said burgh, upon the west side of the Hie Street therof passing from the Hie Kirk to the mercat croce of the samen . . . whilk tenement . . . is now demolished and casten doune and converted in a crosse or lane for decorment of the said burgh." There is excepted from warrandice a sum of 42s. Scots (3s. 6d. sterling) yearly, payable out of said acre to St. Nicholas Hospital. Glasgow, 16 July 1690.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 66, b. 34, No. 22. The prior writs of the acre in Milnhill consist of—

- (1) Feu Charter by John Mwn, preceptor of St. Nicholas Hospital, to John Johnston, burgess (yearly feu duty, 6s. Scots). 18 November 1567.
- (2) Sasine thereon (Thomas Knox, town clerk, notary). 18 November 1567.
- (3) Charter of Confirmation by King James VI. to John Johnston. 1 July 1587.
- (4) Sasine to Jonet Johnstoun, daughter and heir of John Johnstoun, and to John Drew, on her resignation. 4 October 1588.

- (5) Resignation by John Drew in hands of preceptor of St. Nicholas Hospital for new infeftment. 8 November 1609.
 - (6) Charter by preceptor, with consent of the archbishop and dean and chapter, to John Drew and spouse. 8 November 1609.
 - (7) Sasine thereon. 5 May 1610.
 - (8) Precept of Clare Constat by preceptor of St. Nicholas Hospital to William Drew, heir of John Drew. 23 July 1639.
 - (9) Sasine thereon. 24 July 1639.
 - (10) Wadset and Charter by William Drew to Merchants' Hospital. 24 July 1639.
 - (11) Sasine thereon. 24 July 1639.
 - (12) Redemption by William Drew of said Wadset. 5 October 1643.
 - (13) Disposition and Charter by William Drew to John Rodger. 20 September 1642.
 - (14) Sasine thereon, and also Sasine to James Govane on John Rodger's resignation (William Yair, notary). 14 December 1643.
 - (15) Disposition and Charter by John Rodger to James Govan. 4 December 1643.
 - (16) Charter of Confirmation by the preceptor of St. Nicholas Hospital to James Govan and others. 31 December 1657.
- The prior writs of the annualrent of 40 merks payable for property acquired for forming Bell's Wynd [Nos. 815 and 834] consist of—
- (1) Sasine, William Conynghame, son and heir of Umfred Conynghame, in an annualrent of 40 merks furth of a back tenement sometime belonging to John Drew. 30 April 1630.
 - (2) Disposition by William Conynghame to James Govan. 26 June 1637.
 - (3) Decreet by the baillies of Glasgow in claim at the instance of James Govan and Margaret Cuming, spouses, against William Drew, merchant. 10 January 1643.

922. ACT of PARLIAMENT authorising the Magistrates and Council of Glasgow, for relief of the "vast debts" contracted by their predecessors, to sell any lands, teinds, and pertinents belonging to the common good, in property or superiority (and particularly the lands of Provan lately acquired), at a just and competent price, "in case the convention of burrowes shall find a necessity for the sale." Edinburgh, 18 July 1690.

Acts of the Parliaments of Scotland (1690, c. 45), vol. ix., p. 193.
 Charters and Documents relating to the City of Glasgow, No. clx., vol. ii., pp. 240-1.

923. ACT of PARLIAMENT ordaining that all superiorities which formerly pertained to Prelates and Bishops and their chapters or deans or any other benefited persons should now pertain to their Majesties and their successors. Edinburgh, 19 July 1690.

Acts of the Parliaments of Scotland (1690, c. 59), vol. ix., p. 199.
 Charters and Documents relating to the City of Glasgow, No. clxi., vol. ii., pp. 241-3.

924. LETTER direct by the Lords of the Privy Council to the Magistrates of Glasgow, of the following tenor:—"Their Majesties high commissioner and Lords of Privy Council have thought fit, by these, to signifie to yow that they doe not only approve your meeting and keeping together in armes, for the peace and securitie of your toun and the encouragment of others to be forward in their Majesties service,

also weell as to be in a readines to goe against the rebells in the Highlands that threatned the countreyes safety: but also to tell yow how sensible they are of this seasonable and ready expresse of your affectione and dutie for their Majesties service and the preservacione of the peace of the kingdome, for which wee give yow hearty thanks, assuring yow that as the mantinance of the true protestant religione, now happiely settled in this church, and of our lawes, rights and liberties, are and wille be their Majesties cheef care, so your quiet and contented peace and prosperity, in mutual love, sobrietie, and the solid practise of true pietie, will be ever their greatest satisfactione. Signed, by warrand and in name of the Councill, by your most humble servant. *Sic subscribitur*: Craford P." Edinburgh, 2 August 1690.

MS. Registrum Secreti Concilii, Acta, vol. 1689-90.

925. Anent a PETITION given in to the Lords of Privy Council by James Gibsone, merchant in Glasgow, showing that the petitioner had freighted a ship called the "Lamb" of Glasgow to James Dunlop, one of the general receivers, for serving the public for 3 months, and that that term had nearly expired, therefore craving the lords either to discharge the said ship or to make a new agreement. Remitted to the Lords of the Treasury. Edinburgh, 6 August 1690.

MS. Registrum Secreti Concilii, Acta, vol. 1689-90.

926. Anent a PETITION to the High Commissioner and Lords of Privy Council by George Lockhart, merchant in Glasgow, for himself and co-partners, showing that in June last they imported a ship loaded with tobacco from Virginia to the port of Newwark, on the river of Clyde, and reported the same to the custom office, and paid the ordinary duty therefore; yet, notwithstanding, one Potenger, captain of the Dartmouth frigate, at his own hand, had most unwarrantably seized the said ship, and threatened to take it to England, or otherwise dispose of it. The Lords ordain the said Captain Pottinger to deliver up the said ship to John Anderson, provost, and magistrates of Glasgow. Edinburgh, 14 August 1690.

MS. Registrum Secreti Concilii, Acta, vol. 1689-90.

927. Another PETITION by JOHN BARNES, late Provost of Glasgow, anent his liberation from the Tolbooth of Edinburgh [see Nos. 913 and 919]. The Lords ordain action to be taken betwixt and the 15 September next. Edinburgh, 28 August 1690. On 18th September following the Lords of Privy Council grant warrant to the magistrates of Edinburgh and Keeper of their Tolbooth to set the said John Barnes at liberty, the magistrates of Glasgow having failed to compear against him.

MS. Registrum Secreti Concilii, Acta, vol. 1689-90.

928. LETTER of DEACONRY by the Provost, Bailies and Council of the Burgh of Glasgow ratifying rules for the government of the Incorporation of Gardeners of Glasgow, to replace a former letter of deaconry which was lost during a visitation of the plague in the year 1646. By the letter now granted the Gardeners were authorised (1) to present yearly a leet of two of their number that the town council may elect one as deacon. (2) Four or more boxmasters to be chosen by the craft yearly. (3) No one to exercise a freeman's trade unless he be a burghess and a qualified tradesman. (4) Each freeman at his entry to pay, if a prentice of a freeman's son 10 merks Scots, and if a prentice of an unfreeman's son £8 Scots; each stranger, not a prentice, 40 merks Scots. (5) Each freeman to pay to the box 3s. quarterly. (6) Insuffieint gear presented to the market to be escheat and the presenters fined, one half to the poor of the trade and the other half to the bailie. No unfreeman to present gear to the market above the value of 4s. Scots, except on fair and market days. (7) The deacon and craft to make acts in their courts for the good of the trade and poor thereof, subject to the approval of the town council. (8) If any burghess or townsman have work wherein they cannot be as well served and at as easy a rate by freemen gardeners as by others, they may employ whom they please, whether freemen or unfreemen. Glasgow, 22 November 1690.

Extracts from the Records of the Burgh of Glasgow, vol. iii., pp. 472-5.

929. ACT by the PROVOST, MAGISTRATES and TOWN COUNCIL of GLASGOW in favour of the Incorporation of Coopers, which enacts as follows:—All cooper work to be sold in the ordinary market place on the market day, after being passed as sufficient by the Deacon and some of his masters. No person to send work out of the town to be repaired. Disputes as to price between the coopers and the inhabitants to be referred to the Deacon and Masters at the sight of the Magistrates. Coopers working within the bounds of Newport Glasgow to pay to the incorporation two shillings Scots weekly for each man. Only freemen of the trade to keep shops for selling new cooper work, and the coopers of Gorbals to be prohibited from buying any water borne goods relating to the said avocation upon any part of the Clyde, except what they buy in the woods or in any other royal burgh or burgh of barony; and also from selling staves, splits, and rungs in bulk. Glasgow. 15 May 1691.

Original in the Archives of the Incorporation of Coopers.

Acts and Charters of the Incorporation of Coopers (1885), pp. 16-20.

930. FEU CHARTER by the PROVOST, BAILIES and COUNCIL of GLASGOW to John Aird, elder, and Grissel Nisbet, spouses, in liferent, and John Aird, younger, their son, in fee, of pieces of ground at the Goosedubs and Bridgegate, for payment of a yearly feu-duty of 13s. 4d. Scots. Glasgow, 15 May 1691.

Extracts from the Records of the Burgh of Glasgow, vol. iii., p. 141.

MS. Council Record of Glasgow, vol. xiii., pp. 147, 191.

931. ACT of the CONVENTION of BURGHS granting warrant to the Magistrates and Council of Glasgow to sell their lands of Provan, the proceeds to be employed for payment of their debts. Edinburgh, 10 July 1691.

Printed Records of Convention, vol. iv., pp. 136-7.

932. FEU CONTRACT whereby the Provost, Bailies and Council of the Burgh of Glasgow, as representing the community thereof, in consideration of a payment of £36 Scots and of the yearly feu-duties aftermentioned, disposed, in feu farm, to William M'Crocket, indweller in Corsehill, "these eight acres of land, with the house and yard belonging therto, possess be the said William himself, lyand in Muir of Gorbals, barony therof, and shirefdome of Lanerk, as the samen wes sett to umquhill John Paterson, weaver, and is presently possess be Robert and Thomas Uries and the said William M'Crocket himself; reservand always to the saids provest, baillies and counsell, and their successors in office, all coall and lymestone, if any beis, within the saids lands, and the hieways passing therethrow, usit and wont (the said William M'Crocket and his foresaids being always satisfied for the loss and prejudice they shall sustain throw the winning and away taking of the saids coall and lymestone)." The feuar bound himself to pay and deliver to the magistrates and council, and their successors, "seven bolls of good and sufficient ferme beer, yearly, betwixt Yuill and Candlemas, or the prices thereof, conform to the Gorbals fiar, it being always in the option of the said provost, baillies and council, and their successors in office, either to receive the saids seven bolls beer, *ipsa corpora*, or the prices thereof;" also "to give suit and presence to three head courts" to be held by the magistrates and council or their bailie "upon the ground of the lands of Gorbals or at the tower therof," besides appearing at all other courts when warned thereto, and "to grind the haill grindable corns that shall happen to grow upon the saids lands" at the mills of the Burgh of Glasgow. Glasgow, 4 October 1691. Registered in the Burgh Court Books, 7 November 1748.

Extract in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 105, b. 44, No. 39.

933. REPORT on the State and Condition of the Burgh of Glasgow, presented to the Convention of Royal Burghs by visitors appointed by the convention. Glasgow, 6 May 1692.

Printed Records of Convention, vol. iv., pp. 581-5.

Miscellany of the Scottish Burgh Records Society, pp. 71-5.

934. "INSTRUMENT under the hand of Adam Wilsone, nottar, wherby the Toun protests to be fred of the tackdewtie dew by the late tack [No. 783], in respect of the dissolution of the [Fishery] Societie, as also might have repetition for what bygain rents the town hes payed since the dissolving, dated the fourteen day of May 1692."

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 31, b. 6, No. 10.

935. PETITION given in by Sir John Shaw, younger of Greenock, as to the communication of trade to his burgh of Barony. Commissioners of certain burghs appointed to visit Greenock and report as to its trade, and in the meantime Glasgow to desist from troubling the inhabitants of that town. Dundee, 12 July 1692.

Printed Records of Convention, vol. iv., pp. 157-8.

936. "TACK be the Toune Councill to William Alexander, for 19 yeirs, of the Toune Millne lands, for 200 lib. of yeirlie rent, daited 15 September 1692."

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 37, b. 10, No. 3.

937. ACT by the Magistrates and Council of the Burgh of Glasgow ratifying the Contract and Agreement between the Weavers of the Burgh of Glasgow and the Weavers dwelling on the lands of Gorbals, dated 10 April, 1657 [No. 663A], subject to certain modifications and alterations. Glasgow, 3 October 1692.

MS. Council Records of Glasgow, vol. xiii., pp. 430-5.

Extract Act in the possession of the Incorporation of Weavers.

Old Glasgow Weavers : being Records of the Incorporation of Weavers (1905), pp. 103-6.

938. "CONTRACT and AGREEMENT betwixt Greinock and this Town concerning the extent of the ish and entrie of the inclosed square peice of ground on the eist end of the town called the Rue [No. 807], dated the nyntein day of November, 1692 yeiris."

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 32, b. 6, No. 13.

939. ACCOUNT of the Provost and Bailies of the Burgh of Glasgow, from 31 July 1691 to 31 July 1692, [in same form as account printed *antea*, pp. 50, 51]. Charge, £14 6s. 8d. in name of burgh ferm, and £10 13s. 4d. formerly payable to the archbishop of Glasgow, conform to charter by the King to the provost, bailies and council of Glasgow, 16 October 1636. Sum of the charge, £24. Of which sum £10 13s. 4d., formerly payable to the archbishop, but now paid to John Peadie, collector constituted by the lords of the treasury, for collecting the rents of the archbishopric; and £13 6s. 8d. paid to Sir Patrick Murray of Saltcoats, knight, crown receiver. Edinburgh, 6 December 1692.

Original in the Archives of the City.

940. OBLIGATION by the Merchants of Glasgow, whereby, in accordance with the laws and statutes of the kingdom, and for the advantage of the Burgh of Glasgow, they bound themselves not to load or unload any ship or vessel, or to build or repair

any ship or vessel, at any port or creek upon the river of Clyde except at Newport Glasgow, and in cases of necessity at the ports of other royal burghs on the said river. Glasgow, 13 December 1692.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 19, b. 3, No. 8. Charters and Documents relating to the City of Glasgow, No. clxii., vol. ii., pp. 243-6.

941. A PETITION having been presented to Parliament by William Anderson, son of the deceased William Anderson, sometime provost of Glasgow, claiming repayment of the sum of 6,000 merks, in which his father was fined for a letter sent by the Convention of Burghs to the King in 1674 [see No. 873], the estates ordained the magistrates of Glasgow to see and answer the petition against 12th instant, with certification that if they failed to do so parliament would proceed and determine therein.¹ Edinburgh, 4 May 1693.

Acts of the Parliaments of Scotland, vol. ix., Appendix, pp. 76, 77. See also 1690, c. 26, vol. ix., pp. 169-70.

942. ACT of PARLIAMENT remitting to the Privy Council Petition by Janet Knox, relict of the deceased Thomas Blackwell in Glasgow, in connection with which it was stated that Thomas Blackwell was imprisoned in Glasgow, in the year 1677, for frequenting conventicles, and that he and one William Stirling (who was incarcerated on the same account), having made their escape out of the Tolbooth, the Privy Council fined the then magistrates of Glasgow in 10,000 merks for suffering them to escape, reserving relief against those who escaped. Edinburgh, 9 June 1693.

Acts of the Parliaments of Scotland, vol. ix., p. 300.

943. The ACT for Communication of Trade to the Burghs of Regality and Barony having been read in Parliament, with the Contract betwixt the Burghs Royal and their Agent, ratified in the Act, there was a Protestation offered by John Anderson, commissioner for the Burgh of Glasgow, that the Act might be without prejudice of the privileges of the Burgh of Glasgow. Edinburgh, 13 June 1693.

Acts of the Parliaments of Scotland, vol. ix., p. 308; Appendix, p. 90.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 14, b. 1, No. 46.

944. ACT of PARLIAMENT whereby, referring to the great debts and burdens of the Town of Glasgow and the desirability of relieving the community thereof, in regard of their loyalty and good affection since the late happy Revolution, there was

¹ The petitioner was allowed 9,000 merks out on 15th June [No. 944], *Antea*, p. 249. of the Impost granted to the Burgh of Glasgow

granted to the magistrates and council, for behoof of the community, an imposition of two pennies Scots on each pint of all ale and beer brewed, inbrought and sold within the town and suburbs and liberty thereof, for a space not exceeding 13 years, to be fixed by the King and Queen. Edinburgh, 15 June 1693.

Acts of the Parliaments of Scotland (1693, c. 66), vol. ix., p. 328.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 13, b. 1, No. 44.

Charters and Documents relating to the City of Glasgow, No. clxiii., vol. ii., pp. 246-9.

945. LETTER from KING WILLIAM III. to the Privy Council directing the Impost on Ale and Beer granted to the City of Glasgow [No. 944] to endure for thirteen years. Camp at Lembeck, 14 (registered in the books of Privy Council, 29) August 1693.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 13, b. 1, No. 45.

Charters and Documents relating to the City of Glasgow, No. clxiv., vol. ii., pp. 249-51.

946. RATIFICATION by the Provost, Bailies and Council of Glasgow of (first) a contract between the Incorporation of Hammermen of Glasgow and the Hammermen in Gorbals, dated 13 November 1668 [No. 767], by which the latter were prohibited from putting on any new work or taking off any old work within the town of Glasgow or furth thereof, and from mending or dressing for any person within the burgh except the same were taken out to them, under the penalty of a new upsett for the use of the poor; and (second) an act of the Deacon Convener's House (on the supplication of the said incorporation, recommending the provost, bailies and council—(1) To prohibit the hammermen in Gorbals from mending any old work or bringing in any new work except what is agreed upon to be done within the village of Gorbals, and to prohibit all strangers from taking off any old work or bringing in any new work to the town except upon the ordinary market days, that the sufficiency thereof may be tried by the deacon of the said incorporation and his masters. (2) To fine all contraveners £5 Scots for each offence. (3) To empower the said deacon and his masters to seize all work brought into the burgh contrary to this act for the use of their poor. The ratification reserves the right of the burgesses and inhabitants to employ the smiths of Gorbals, or any out-town's smiths, for making what iron work they please, the said burgesses bringing in the work by themselves or their servants on any lawful day of the week. Glasgow, 30 September 1693.

MS. Council Records of Glasgow, vol. xiv., pp. 105-8.

947. RATIFICATION by the Provost, Bailies and Council of Glasgow of (first) a contract between the Incorporation of Cordiners of Glasgow and the Cordiners in Gorbals, dated 18 December 1668 [No. 768], by which the latter, in consideration of each paying 18s. Scots, yearly, of market dues, had liberty to stand in the market of Glasgow to sell their shoes and other articles on the market day only; and (second) an

act of the Deacon Convener's House (on the supplication of the said incorporation) recommending the provost, bailies and council—(1) To prohibit the cordiners in Gorbals and all other unfreemen and strangers from coming into the burgh on any day whatsoever and taking measures of any person's feet for shoes, boots, slippers, or other cordiner work; or bringing in the same to their employers, except upon the market day, that the sufficiency of the said work may be tried by the deacon of the said incorporation and his masters, conform to use and wont; (2) to fine all contraveners £5 for each offence; and (3) to empower the said deacon and his masters to seize all such work brought into the burgh, except upon the market day, for the use of their poor. The ratification reserves the right of the inhabitants to go to Gorbals to get any shoemaker work done for themselves, and to bring in the same when made upon any day of the week, except Sunday. Glasgow, 30 September 1693.

MS. Council Records of Glasgow, vol. xiv., pp. 108-11.

History of the Incorporation of Cordiners in Glasgow, by William Campbell, 1883, pp. 257-60.

948. "DECREIT obtained at the instance of the Toun of Glasgow against Sir John Shaw of Greinock, and one of the Tacksmen of the Customes, wpon a complaint made be this Toun that the said Sir John had, upon a privat applicatione, obtained ane order to remove the custome hous from Port-Glasgow to Greinok, beiring that wpon a full hearing befor the Lords of Thesaurie and Exchequer, the saids lords declaired and ordained the Customehouse in use to be kepted at Port-Glasgow to be still kepted there, notwithstanding of the transport latlie made be the customers to the toun of Greinock, and that for that effect it be brought back from Greinock and againe settled at Port-Glasgow as formerlie; and thairby recalls any warrand in the contrary as haveing bein obtained by the customers *parte inaudita et periculo impetrantis*. This decreit is dated the 2nd March, 1694. Item, twa severall Instruments taken against the Tacksmen, and ane other instrument taken against the Collector deput at Greinock, for giveing obedience to the said sentance, wpon the 7th, 8th, and 10th dayes of the said moneth and year."

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 20, b. 3, Nos. 9, 10.

949. "CONTRACT or FEWRIGHT betwixt the Toun Councill and Robert M'Neille, whairby the toun fewes to him ane peice of wast ground in Port Glasgow, joyning to the westmost gavell of the touns customehous, extending to 36 foot in front towards the sea, and 67 foot back in a straight lyne, and front and back of equall breadth, with the tynds, etc., for which he is to pay yearlie £6 18s. of fewdewtie, at Whitsonday and Mertimes proportionally, beginning the first termes payment at Whitsonday 1697, and he is to build the haill foirfront of sufficient stone work, of the height, within the tyme and under the penaltie therein specified." Dated 1 and 4 May 1694.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 21, b. 3, No. 11.

950. "Ane other CONTRACT betwixt the Towne and James Parker, of the lyke quantitie of ground, wpon the west syd of Robert McNeillie, with the tynds, etc., for which he is to pay as said is the lyke fewdewtie and to build *ut supra*" [No. 949]. Dated 1 and 3 May 1694.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 21, b. 3, No. 12.

951. DISPOSITION by NINIAN HILL of Lambhill, with consent of Mary Crawford, his spouse, whereby, in consideration of the price of 20,300 merks (£1,127 15s. 6d. sterling), they dispoed to the Provost, Bailies and Council of the Burgh of Glasgow, as representing the community thereof, the 33s. 4d. land, old extent, of Ramshorn and Meadowflat, within the parish of the Barony of Glasgow, regality thereof and shire of Lanark. Glasgow, 14 May 1694. With judicial ratification by Mary Crawford of same date. Both registered in the books of Council and Session, 15 August 1694.

Extract Disposition in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 86, b. 39A, No. 1.

Charters and Documents relating to the City of Glasgow, No. clxv., vol. ii., pp. 251-3.

The prior writs are described *antea*, pp. 255-6.

952 "CONTRACT betwixt the Toun and William Miller, smith, whereby the toun fewes to him ane peice ground lyand 64 foot from the eistmost gavell of their great lodgeing, consisting of 40 foot of front towards the shoar and 100 foot back, in a square lyne, with the tynds, etc., for which he payed 100 merk and is to pay £9 yeirlie, and to build in manner forsaide [No. 949]; and to build his smiddie wpon the most remotte back south pairt." Dated 19 May and 12 June 1694.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 21, b. 3, No. 13.

953. "CONTRACT betwixt the Toun and John Crawford, fewing to him and his wyfe, in lyferent, 40 foot in front fronting to the shoar and 100 foot back, in a square lyne, wpon the west of William Millers, for which he is to pay £9 of fewdewtie, yeirlie, and to build in manner forsaide" [No. 949]. Dated 19 May and 12 June 1694.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 21, b. 3, No. 14.

954. "CONTRACT betwixt the Toun and William Arbuckle fewing to him (*blank*) foot of front, fronteing as said is, and 120 foot back, in a square lyne, wpon the west syde of the lane; for which he is to pay £3 yeirlie of fewdewtie, whairby he hes libertie to build wpon the shoar, over against the said ground, ane quharfe, in manner and under the conditions specifeit in the contract, and to build houseing wpon the front as is therin contained." Dated 30 June 1694.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 21, b. 3, No. 15.

955. "CONTRACT betwixt the Toun and George Lyon, whairby he hes fewed to him 40 foot of front and 120 foot back, in a square lyne, adjoyning to and wpon the wast syde of William Arbuckles, with libertie of a quharfe as said is [No. 954], and the fewdewtie and building according to William Arbuckles." Dated 30 June 1694.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, pp. 21, 22, b. 3, No. 16.

956. "CONTRACT betwixt the Toun and David Renkine, whairby he hes fewed and disponed to him 48 foot of front fronting to that streit to be wpon the eist gavell of the touns lodgeing, and 40 foot back, in a square lyne eistward. This is at the back of John Crawford. He is to pay £5 8s. of fewdewtie, yeirlie, and to build on the front a sufficient house." Dated 21 July 1694.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 22, b. 3, No. 17.

957. CHARTER of RESIGNATION by King William and Queen Mary to the Provost, Bailies and Council of the Burgh of Glasgow, as representing the community thereof, of the 13s. 4d. land, old extent, of Ramshorn and Meadowflat, resigned in the granters' hands conform to the procuratory of resignation contained in the Disposition No. 951. Edinburgh, 3 August 1694.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 86, b. 39A, No. 2. Charters and Documents relating to the City of Glasgow, No. clxvi., vol. ii., pp. 259-264.

958. INSTRUMENT of SASINE following on No. 957, dated 24 April, and registered in the particular register of sasines for Renfrewshire, &c., kept by John M'Ure, at Glasgow, 27 May 1695.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 86, b. 39A, No. 3.

959. FEU CONTRACT whereby the Provost, Bailies and Council of the Burgh of Glasgow, in name of the community thereof, disponed in feu-farm to John Smith, wright in Gorballs, "ane old ruinous wastage in Gorballis, pertaining to the town of Glasgow, upon the eist syde of the said John his new house which he is presently building; which wastage and peice of ground wherupon the same is builded is threttie two foot in lenth and sevenetein foot of breadth, and is bounded as followes, viz., that peice of waste ground belonging to the town commonly called the Kirkyaird on the north, the yaird belonging to Claud Paul on the eist, the said Claud his house on the south, and the close or passage of eleven foot or therby on the west parts; lying within the village of Gorballis, barrony and regality of Gorballis and shirreffdome of Lanerk."¹

¹ The ground conveyed by this feu contract was probably part of the site of the old Leper House. See "The Barony of Gorbals" (Regality Club, vol. iv.), pp. 39, 40, and relative plan.

Price, 100 merks; feu-duty, 12d. Scots, yearly, with double on entry of each heir. "As also the said John Smith and his successors answering to three head courtis in the year, to be keeped be the saids magistratis and counsell of Glasgow, and their successouris, or their bailies in their name, within the Toure of Gorballis, or any other place upon the landis of Gorballis, and to all other courtis, they being lawfully warned therto." Glasgow, 18 August and 24 November 1694.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 107, b. 44, No. 43. MS. Council Records of Glasgow, vol. xiv., pp. 285, 290.

960. "CONTRACT betwixt the Toun and the said John Crawford, whairby he hes a few right to a peice ground joyning to the south gavell of the touns stable, 40 foot southward, and fronting eistward wpon the street to be there, and to runn back to the garden dyk 43 foot or therby square with the said front. He is to pay £4 3s. of fewdewtie, yearlie, and to build the said front in a sufficient hous." Dated 18 August and 12 September 1694.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 22, b. 3, No. 18.

WILLIAM III.

28 DECEMBER 1694—8 MARCH 1702.

961. "CONTRACT betwixt the Toun and John Miller, skipper, whairby he hes fewed to him ane peice of ground on the west syd of the touns cellars and garden dyke, containing 50 foot in front towards the sea, and 115 foot back, in a straight lyne to the garden dyke. He hes payed 100 merk and is to pay £6 yeirlie of fewdewtie, and is to build in maner theirin specifeit." Dated 23 February 1695.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 22, b. 3, No. 19.

962. "CONTRACT betwixt the Toun and Robert M'Conochie, sailler, whairby he hes fewed to him and his wyfe, in lyferent, 36 foot of breadeth and front, fronteing towards the shoar, and 60 foot of lenth backward in a straight lyne to the south, which is wpon the eist syd of the westmost lane appoynted nixt to Cowholl burn. He payes £4 of yeirlie fewdewtie." Dated 9 and 11 March 1695.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 22, b. 3, No. 20.

963. "CONTRACT betwixt the Toun and William and John Scotts, whairby they have right to 38 foot of front on the shoar and 115 foot back southward, in a straight lyne, wpon the west syd of John Miller, skipper, his hous. They pay £9 10s. of fewdewtie yeirlie." Dated 4 and 14 May 1695.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 22, b. 3, No. 21.

964. "CONTRACT betwixt the Toun and William Hamiltone, wright, whairby he hes right to 48 foot of front fronting wpon the lane betwixt George Lyon and William Millers hous and 40 foot back to that hous fewed to David Renkine, and this is at the back of William Millers peice, for which he payes yeirlie £3 8s. of fewdewtie." Dated 4 and 15 May 1695.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 22, b. 3, No. 22.

965. TACK by the Provost, Bailies and Council of the Burgh of Glasgow to John Scot, miller at the Town Mill, of "the milnership of the said miln called the Town Miln, as the samen hes bein formerly possesst be him, and that for the space of nyntein yearis" from Whitsunday, 1695. "The said John Scott heirby acknowledges that the said miln, axiltrie, wheellis, trows, milnstones, miln dam and laid, and other particulars of the said miln, are now in a good and sufficient caise and condition," and he agreed to maintain and leave them in that condition. "And sicklyke that he shall serve faithfullie and diligently as mylner in the said miln, with men and horses as use is, and in all things as becometh a faithfull and diligent milner." In the event of the miller failing in the performance of his duties, the magistrates and council had power to dispossess him and establish another in his place. Glasgow, 11 May 1695.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 37, b. 10, No. 2.

966. "CONTRACT betwixt the Toun and Henrie Copus, shipcarpenter, whairby he hes right to 80 foot of front towards the sea, and 130 foot back in a straight lyne southward, wpon the eist pairt of Robert M'Conochies. He payes £7 5s. of fewdewtie, yeirlie. He is to build a hous wpon any pairt of the ground, and to reserve unbuilt the most commodious place for a place to build ships wpon." Dated 14 and 15 May 1695.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, pp. 22, 23, b. 3, No. 23.

967. ACT of PARLIAMENT containing offer to the King of a supply of £432,000 Scots (£36,000 sterling), extending to six months cess, of which supply the proportion payable by the Burgh of Glasgow was £1,800 Scots (£150 sterling) monthly. Edinburgh, 20 June 1695.

Acts of the Parliaments of Scotland, vol. ix., p. 373.

968. ACT of PARLIAMENT ratifying the whole ancient rights, liberties and privileges of the Incorporation of the Coopers of Glasgow, and particularly an act of the lords of treasury and exchequer in their favour, dated 15th July, 1687 [No. 868], and an act of the magistrates and council of Glasgow stating the liberties and privileges of the incorporation, dated 15th May, 1691 [No. 929]; and discharging all country coopers, or others, to encroach upon the liberties of the incorporation. Edinburgh, 17 July 1695.

Acts of the Parliaments of Scotland (1695, c. 138), vol. ix., p. 516.

969. "CONTRACT between the Toune and John Marshall, meason in Newark, wherby he hes right to 35 feet of front, lyand on the south syd of the customehous leane, fronting to the said leane, and 50 feet back in a sqaire lyne. He payes £3 of feu deuty, yeirly. He is to build ane hous, and under the penulty as is specifeit in the said right." Dated 25 April and 5 June 1696.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 23, b. 3, No. 24.

970. "CONTRACT betwixt the Toune and Robert M'Neillie, wherby he hes ryght to 75 feet in front, fronting to the said lane, and 36 feet backward fra the front, and payes therfor £4 8s. of feu deuty, yearly, and he to build, &c." Dated 16 and 18 May 1696.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 23, b. 3, No. 25.

971. INSTRUMENT of SASINE in favour of Bessie Corbet, relict of the deceased Robert Sanders, printer in Glasgow, proceeding on Disposition by him dated 15 August, 1691, whereby he disposed to her "that great tenement of land, heigh and laigh, back and foir . . . on the west side of the Hie Streit that passes fra the Metropolitane Kirk to the Mercat Croce, bounded betwixt the lands sometyme belonging to the deceast John and Archibald Galbraithe on the south, the lands sometyme belonging to umquhill William Martine, thereafter to William Fergusone and now to John Wallace on the north, the lands belonging to Thomas Blair on the west, and the Hie Streit on the eist pairtes; with ane yearly fewdewtie of four pundis Scotis money and ane capon yearly to be uplifted and takine furth of that laigh buith beneth the said tenement sett in few to umquhill John Donaldsone *alias* called Cocher; and all and hail the said umquhill Robert Sanders his halfe of that great yeard called Ronalds Yeard, with houssis, biggings, yeards and pertinents thereof and casualiteis payable furth of the same." Robert Barton, notary. Glasgow, 19 May 1696. Registered by John M'Ure in the Particular Register of Sasines for Renfrewshire, etc., at Glasgow, 1 June 1696.

Original in the Archives of the City.

972. AGREEMENT between the Magistrates of Glasgow and the Feuars of Port Glasgow, whereby the magistrates were bound to obtain Port Glasgow erected into a parish and to give security for 900 merks of yearly stipend with a dwelling-house to a minister to be settled there, and to use all endeavours for calling and settling a minister; and on the other part the feuars were obliged to give security to the magistrates for relieving the town of the equal half of the yearly stipend, and for payment thereof to the minister, the feuars being allowed to put up seats in the kirk or house for public worship, and to have the rents and profits thereof, excepting what seats the magistrates should put up for their own use. 5 June 1696.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 20, b. 3.

973. "CONTRACT betwixt the Toune and Thomas Forrester of Auchinleck of 43 feet of front eastward and 67 feet of front northward, upon the back of the townes selleris. He payes £9 Scotis of feudeuty, yeirly, commensing fra Whitsunday 1698." Dated 5 June and 29 August 1696.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 23, b. 3, No. 26.

974. "CONTRACT betwixt the Toune and John Gottray, sailler in Port Glasgow, wherby he hes ryght to 40 foot of front fronting to the Broad Street and 43 feet back to the townes gardine, and payes yearly £3 ls., commensing fra Whitsunday 1698." Dated 8 June and 29 August 1696.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 23, b. 3, No. 27.

975. "CONTRACT betwixt the Toune and Duncan Henderson, gabertman, wherby he hes ryght to 30 feet of front fronting to M'Connachie's land and back to the burne, and payes £2 10s. yeirly of feudeuty, commensing fra Whitsunday 1698." Dated 18 June and 29 August 1696.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 23, b. 3, No. 28.

976. EXTRACT DECREET by the Lords and others of the Commission for Plantation of Kirks and Valuation of Teinds disjoining the town and lands of Newport Glasgow, pertaining to the Town of Glasgow, the two merk land of the Bay of Newark, and the easter and wester lands of Braeheads, Devells and Douglasshills from the Parish of Kilmacolme, and uniting and erecting them into a new parish kirk by themselves, and decerning the new kirk to be built within the town of Newport Glasgow, for the ease of all the inhabitants of the said lands. The magistrates, town council and community of Glasgow were likewise ordained to provide the minister of the new kirk with a stipend of 800 merks (£44 8s. 10d. sterling) at least. Edinburgh, 1 July 1696.

Extract Decreet in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 20, b. 3, No. 11.

977. "CONTRACT betwixt the Toune and Robert Patersone wherby he hes ryght to 36 feet of front and 60 feet back, and payes yearly £3 6s. of feudeuty, commensing fra Whitsunday 1698." Dated 29 August and 19 October 1696.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 23, b. 3, No. 29.

978. "CONTRACT betwixt the Toune and John Miller, skipper, wherby he hes ryght to 20 feet of front and 50 feet back, on the east syd of his new hous. He pays £4 10s. of yearly feudeuty, commensing fra Whitsunday 1698." Dated 29 August and 17 October 1696.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 23, b. 3, No. 30.

979. "CONTRACT betwixt the Toune and Alexander Watsons, shipcarpinter, wherby he hes ryght to 67 feet of front towards the shoare and back to the townes selleris. He payes £9 5s. of yearly feudeuty, commensing fra Whitsunday 1698." Dated 29 August and 1 October 1696.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 23, b. 3, No. 31.

980. FEU DISPOSITION by the Provost, Bailies and Council of the City of Glasgow, on behalf of the community, to the Preceptor of Hutchesones' Hospital, for behoof thereof, of the lands of Ramshorn and Meadowflat contained in the Disposition No. 951 and Charter No. 957. In this deed it is stated that the lands had been purchased under an arrangement whereby the Merchants' Hospital, Trades' Hospital, and Hutchesones' Hospital should pay the price in equal portions and obtain conveyances, burdened with a small feu-duty and conditions "for preventing the improving of the saids lands in all tyme comeing in prejudice of this burgh." Hutchesones' Hospital having acquired the interests of the other two hospitals, the lands were conveyed as above mentioned. Feu-duty payable by the Hospital to the Burgh, £4 Scots yearly, besides the feu-duty payable to the over superior. The feuars were not entitled to erect any dwellings or buildings on the lands without license of the magistrates and council, and any such erections were to be possessed "only be burgesses and freemen of the burgh of Glasgow, who shall be subject and liable to bear scott and lot and other burdens with the rest of the burgessis inhabitantis." Glasgow, 31 August 1696.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 86, b. 39, No. 10. Charters and Documents relating to the City of Glasgow, No. clxviii., pp. 267-73.

981. INSTRUMENT of SASINE thereon, dated 1 (and registered in the particular register of sasines for Renfrewshire, &c., 11) September 1696.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 86, b. 39, No. 11.

982. ACT of PARLIAMENT containing offer to the King of a supply of £1,296,000 Scots (£108,000 sterling), extending to 18 months cess, of which supply the proportion payable by Glasgow was £1,800 Scots (£150 sterling) monthly. Edinburgh, 25 September 1696.

Acts of the Parliaments of Scotland, vol. x., p. 27.

983. "CONTRACT betwixt the Toune and Patrick Houstoune, merchand, wherby he hes right to the smiddie hous and voyd ground, on the north end and back syd therof, as is extended in the ryght, for quhich he hes payed £1,000 as the roupd pryces and payes £4 of yearly feudeuty, commensing fra Whitesunday 1698." Dated 5 October 1696 and 23 June 1697.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 23, b. 3, No. 32.

984. ACT of PARLIAMENT erecting and incorporating Hugh Montgomerie and James Montgomerie, merchants, Glasgow, and such others as they should assume, being residents within the kingdom, in a lawful and free company for a sugar manufactory, to be called the New Sugar Manufactory at Glasgow, with all the privileges and immunities granted to manufactories by the laws of the kingdom, and particularly by the Acts 1661 and 1681, for erecting manufactories. These privileges to continue for 19 years. Edinburgh, 9 October 1696.

Acts of the Parliaments of Scotland (1696, c. 33), vol. x., p. 66.

985. "CONTRACT betwixt the Toune and John Camron, workman, wherby he hes ryght to 24 feet of front and back to the burne. He payes £2 2s. of yearly feudeuty, commensing fra Martimes 1696." Dated 1 and 3 April 1697.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 23, b. 3, No. 33.

986. ACT of the CONVENTION of BURGHS allowing Sir John Shaw of Greenock to attend their meetings and give information regarding the trade of burghs, recommending discreet dealing with him anent his proportion of the tax roll, and farther recommending a committee to endeavour an accommodation betwixt the Town of Glasgow and him. Perth, 13 July 1697.

Printed Records of Convention, vol. iv., p. 240.

987. OBLIGATION whereby, with reference to the Agreement No. 972, and to the expected settlement of Mr. Robert Miller as minister at Port Glasgow, for whose encouragement and for giving satisfaction to the Presbytery, the Magistrates of Glasgow

were to secure to the minister and his successors in office 100 merks, yearly, till provision should be made for a glebe, the feuars of Port Glasgow bound themselves to give sufficient security to the Magistrates of Glasgow for relieving them of the equal half of the 100 merks and for the payment thereof to the minister. 31 July 1697.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 20, b. 3

988. "CONTRACT betwixt the Toune and Donald Bready, workman, wherby he hes ryght to 37 feet of front and back to the burne, on the south of John Camron, and payes £3 8s. of yearly feudeuty." Dated 7 and 21 August 1697.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 23, b. 3, No. 34.

989. "CONTRACT betwixt the Toun and Mathew Barre, taillier, quherby he hes ryght to 40 feet of front and 60 feet back, on the north syd of M'Conochies land, and payes £3 10s. of yearly feudeuty; the feudeuty commences fra Martimes 1697." Dated 7 August and 30 September 1697.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 23, b. 3, No. 35.

990. PRECEPT of CLARE CONSTAT by John Peadie, preceptor of the Hospital of St. Nicolas, to James Stirling, merchant in Glasgow, as eldest son and heir of the late James Stirling, merchant in Glasgow, his father, in a rig of land, part of three rigs of land, lying at the back of two barns and a yard, outwith the West Port, in the croft called St. Tenuochis Croft; which piece of land formerly belonged to the late James Armour, senior, merchant in Glasgow, and is held of said Hospital for payment of the feu-duties contained in the old infeftments. Glasgow, 9 October 1697.

Original in the Archives of the City.

991. OBLIGATION by the Feuars of Port-Glasgow for payment of the stipend of the minister at Port-Glasgow, and some other incidental particulars, to James Parker, one of their number, as collector. 10 February 1698. By a subsequent Obligation, the date of which is not given, the Feuars bound themselves to Mr. Robert Miller, minister at Port-Glasgow, and his successors, for the just and equal half of the yearly stipend and provision mentioned in Nos. 972 and 987. They also granted a commission to one of their number for uplifting the rents of the kirk seats, and in case such rents should fall short of answering the above ends, the feuars obliged themselves to lay on so much as should make up the same, and to proportionate among themselves for answering the above end.

Obligations narrated in Decreet No. 1012.

992. PETITION presented to Parliament by John Gilhagie, merchant in Glasgow, "shewing that where, in the late conflagration and burning in Glasgow, in which both sides of the Saltmercat was in a flame upon an instant and totally burnt, the petitioner had then, by the burning of his houses there, his pleishing in them and his two well furnisht buiths and merchant ware in them, 20,000 merks of loss; as also, in the same year, by trade in his severall voyages and concerns in ships to the Archangell, Canaries and Madairies (which was the first undertakings to those plantations from Glasgow), and by one ship of his at the same time comeing from France with wyne here being cast away at the bay of Yochill, on the west side of Ireland, he had £500 sterling of loss; and since that time he has had of coall works near Glasgow, these some years bypast, above 20,000 merks of loss." In consequence of these losses, Gilhagie was deprived of the means of subsistence for himself and family, and he craved "protection against personall execution, it being notour that he did not squander away his means by prodigality." The estates granted protection against personal execution at the instance of creditors till next session of parliament. Edinburgh, 8 August 1698.

Acts of the Parliaments of Scotland, vol. x., p. 137.

993. MINUTE of PARLIAMENT—"Draughts of the following Acts, viz.:—Act for erecting a Rope Manufactory at Glasgow and Act for encouraging of Fishing, both read for the first time, and ordered to lie on the table." Edinburgh, 22 August 1698.

Acts of the Parliaments of Scotland, vol. x., p. 146.

994. ACT of PARLIAMENT whereby, on the narrative "that there is a manufactory set up at the Toun of Glasgow for makeing of Ropes and Cordage for the use of shipping or for other uses in the countrey, and lykewayes considering that the cordage imported from the Sound and East Seas is no wayes sufficient," it was, "for the encouragement of the said manufactory," ordained that a duty of 50s. Scots should be imposed on each hundred weight of cords and ropes imported from the Sound or East Seas for sale after 1st February next. Edinburgh, 30 August 1698.

Acts of the Parliaments of Scotland (1698, c. 13), vol. x., p. 154.

995. CONTRACT between the Provost, Bailies and Council of the Burgh of Glasgow, on behalf of the community thereof, and the Principal of the College of Glasgow, and others, moderators of the University, for the rebuilding of Blackfriars Kirk, the previous building having been destroyed in 1670. Glasgow, 6 May 1699.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 46, b. 16, No. 8. Charters and Documents relating to the City of Glasgow, No. clxx., vol. ii., pp. 274-80. Registered in the Town Court Books of Glasgow, 14 October 1790.

996. PRECEPT of CLARE CONSTAT by the Provost, Bailies and Council of Glasgow, on behalf of the community, to Claud Pawll, son of the late Claud Pawll in Gorballs, as heir of his father in "that ruinous house belonging to that hospitall called Saint Ninians Hospitall upon the south end thairroff, with the haill yeard at the back of the said hospitall and ruinouse house forsaid, and haill west ground therto belonging; with free ish and entrie therto used and wont; with the pertinents and priviledges therto belonging (the said hospitall consisting of (*blank*) foots or therby in length, with that yeard called the Kirkyeard therof being noewayes comprehended therin); which ruinows howes, haill yeard and west ground above specifeit, are bounded betuixt the lands belonging to the laird of Cathkin on the south, the great yeard which sometyne belonged to Sir Robert Douglass, now to the provest, baillies and counsell of Glasgow, one the east, the said hospitall called the Leper Hospitall and the Churchyeard therof one the north, the lands of old belonging to umquhill John Shiells and the lands of David Fergusone, respectively, on the west pairts." Yearly feu-duty, £12 Scots, a duplicate of which Claud Pawll paid on his entry as heir. Glasgow, 14 August 1699.

MS. Council Records of Glasgow, vol. xvi., pp. 180-1.

997. CONTRACT between the Provost, Bailies and Council of the Burgh of Glasgow, on behalf of the community thereof, on the one part, and the Provost, Bailies and Council of the Burgh of Dumbarton, on behalf of the community of that Burgh, on the other part, whereby, after narrating the differences which had existed between the two Burghs with regard to the privileges of the Clyde and the litigation which had ensued, and stating that terms had now been arranged for preventing disputes in future and securing lasting friendship, the parties agreed to abide by the declarators formerly pronounced [Nos. 741 and 742] and the possession following thereon, the burgesses and inhabitants of Glasgow being free from the duties formerly claimed by the magistrates of Dumbarton. The burgh of Dumbarton also assigned to the community of Glasgow the dues formerly payable to Dumbarton by ships unloading in the Clyde, with that burgh's share of any offers to be made by strangers; but reserving the freedom and liberty of all shipping belonging to the burgesses and freemen of Dumbarton. Vessels belonging to Glasgow and Port Glasgow, and whole burgesses and inhabitants thereof, coming to the harbour of Dumbarton, to be exempt from payment of any duty to that burgh; and Dumbarton to be similarly free from duty at Broomielaw, Port Glasgow or any other port belonging to Glasgow. In consideration of these concessions, Glasgow paid to Dumbarton the sum of 4,500 merks Scots (£250 sterling), to be applied towards payment of the latter burgh's debt, and it was provided that the agreement should not take effect till ratified by parliament [see No. 1007]. Edinburgh, Dumbarton and Glasgow, 12, 28, and 29 June 1700.

Acts of the Parliaments of Scotland, vol. x., pp. 322-30.

Printed Records of Convention, vol. iv., pp. 307-13.

Charters and Documents relating to the City of Glasgow, No. clxxi., vol. ii., pp. 280-9.

998. ACT of CONVENTION of BURGHS appointing the foregoing Contract [No. 997] to be recorded, along with their ratification, after the dissolving of the convention. The Contract is ratified and recorded accordingly. Edinburgh, 9 July 1700.

Printed Records of Convention, vol. iv., pp. 300, 307-13.

999. PETITION to Parliament by James Montgomery, merchant in Glasgow, "craving warrant to erect a Manufactory of Soap and Glass Works at Glasgow, with the same privileges and liberties as are granted to the Glass Works at Leith and Morisons haven, read and remitted to the Committee for trade." Edinburgh, 12 November 1700.

Acts of the Parliaments of Scotland, vol. x., p. 209.

1000. PETITION to Parliament by "Mathew and Daniel Campbells, merchants in Glasgow, craving the erecting of a Suggar Manufactory and a Manufactory for distilling of brandie and strong waters, read and remitted to the Committee for Trade." Edinburgh, 18 November 1700.

Acts of the Parliaments of Scotland, vol. x., p. 212; App., p. 52.

1001. PETITION to Parliament by "James and William Walkingshawes, and other merchants in Glasgow, for a manufactory of cordage, canvas, and other necessities for shipping, with the same privileges and liberties allowed to other manufactories, read and remitted to the Committy for Trade." Edinburgh, 23 December 1700.

Acts of the Parliaments of Scotland, vol. x., p. 231.

1002. PETITION to Parliament by "William Corsee, merchant in Glasgow, craving the erecting of a new Suggar Manufactory at Glasgow, with the same privileges and liberties that are granted to the suggar manufactory there, read and remitted to the Committie of Trade." Edinburgh, 23 December 1700.

Acts of the Parliaments of Scotland, vol. x., p. 231.

1003. ADDRESS to Parliament by the Inhabitants of the City of Glasgow, praying the Estates to make such laws as they may think fit for the security of the Protestant religion and maintaining the Presbyterian Church government, the encouragement of piety and virtue, the suppression of iniquity and vice, and to assert "our Companys right to our Collonie of Caledonia, in which so great a part of our stock is employed, and to give such incouradgment to our manufactures at home that our poor,

so very numerous, may be employed, and to discharge or discourage commerce with these nations that refuse our herrings and others, the product and manufacture of this nation, and to relieve us of unnecessary stents and taxes." The address has 474 names appended. 9 January 1701.

Acts of the Parliaments of Scotland, vol. x., App., pp. 84-6.

1004. REPRESENTATION and PETITION given in to Parliament by George Lockhart, merchant in Glasgow, and other inhabitants of that city, referring to the charter giving power to the City and Town Council to elect the provost, bailies and other office-bearers as freely as the City of Edinburgh [No. 904], and stating that, contrary to the plain meaning of the charter and act of parliament ratifying the same [No. 918], John Anderson of Dowhill and the Town Council excluded the merchants and crafts from leeting and electing the Provost and Bailies or choosing the Council, whereby the Provost and Bailies were leeted and the Council chosen by the said John Anderson and the Council of the previous year, "as if the said Council were come in place of the Archbishop." The petitioners likewise represented that they had suffered by stenting and impositions through the influence of the said John Anderson, under the name of King's Cess, considerably beyond the quota imposed upon the city by Acts of Parliament since Whitsunday 1693, amounting to £32,586 18s. 4d. Scots (£2,715 11s. 6d. sterling) more than the King's Cess. Parliament, having considered the representation and petition, remitted it to the lords of session to hear parties and to determine therein as they found just. Edinburgh, 11 January 1701.

Acts of the Parliaments of Scotland, vol. x., pp. 235-7.

1005. ACT of PARLIAMENT ratifying the Contract between the Burghs of Glasgow and Dumbarton as to their rights and privileges in the river of Clyde [No. 997]. Edinburgh, 31 January 1701.

Acts of the Parliaments of Scotland (1701, c. 27), vol. x., pp. 322-30.

QUEEN ANNE.

8 MARCH 1702—1 AUGUST 1714.

(*Embracing the Union, 16 January 1707.*)

1006. EXTRACT DECREE pronounced by John Wardrop, bailie, in claim at the instance of John M'Lea, "tobacco spinder," collector of the sums after mentioned, against Alexander M'Kinnie, and nine others, all "tobacco spinners," narrating that by agreement among the defenders and others, dated 8th December, 1699, the defenders became bound

to pay to James Scott, their collector, and his successors in office, the sum of 4s. Scots monthly, with double the amount of penalty in case of failure in regular payment; but the defenders had fallen into arrears to the extents specified in the claim made by the pursuer (the collector for the time). The pursuer having appeared by his procurator, James Alexander, writer, and the defenders having failed to appear, the bailie ordained the latter to make payment of the sums claimed, with penalties conform to the agreement. Glasgow, 31 March 1701.

Original in the Archives of the City.

1007. "CONTRACT betwixt the Toune and William Semple, indueller in Newark, wherby he hes right to a peice of ground lyand on the south syd of the Customehous Laine, consisting of 35 feet of lenth and 50 fouts backward fra the laine, and payes yeirly £3 Scots of feu deuty, commensing fra Whitsunday 1702." Dated 31 March 1701.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 23, b. 3, No. 36.

1008. ACT of the CONVENTION of BURGHS appointing a Committee to visit the Burgh of Glasgow, and to report as to its common good, trade and public works. Edinburgh, 20 July 1702.

Printed Records of Convention, vol. iv., p. 340.

1009. "CONTRACT betwixt the Toune and John Gardner, boatman in Port Glasgow, wherby he hes fewed to him a peice of ground in Port Glasgow, upon the west syd of the tounes ground there, and on the eist syd of M'Conochies Lane, consisting of 48 fouts of front towards the said lane and 36 fouts backward in a straight line, and payes yeirly £3 6s. Scots of feu deutie, commensing fra Martimes 1701." Dated 12 September 1702.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 24, b. 3, No. 37.

1010. INSTRUMENT of SASINE proceeding on Disposition, dated 24th August and 10th September, 1702, by William Woodrop, merchant, sometime bailie of Glasgow, with consent of John Spreull of Milnetoune and Daniel Campbell, merchant in Glasgow, for their interest, in favour of John Grahame of Dougalstoune of the just and equal ninth part *pro indiviso* of a tenement of land, under and above, fore and back, called the Wester Suggarie of Glasgow, with office houses, close, well, yard and whole pertinents thereto belonging, lying within the territory of the Burgh of Glasgow, on the east side of the street called New Street or Candle Street, bounded between the lands of the late Robert Marshall on the east, the street on the west and north, and the lands of Allan Dougald and (*blank*) on the south. James M'Bryd, town clerk, notary. Glasgow, 18 November 1702.

Original in the Archives of the City.

MS. Register of Sasines, &c., for the Burgh of Glasgow, book iii., fol. 80, 81.

1011. FEU CHARTER granted by the Provost, Bailies and Council of the Burgh of Glasgow, in name of the community thereof, to John Campbell of Woodsyde, in life-rent, and Colin Campbell, younger of Woodsyde, his eldest son, in fee, of 5 roods of land, or thereby, of the Common of the said Burgh of Glasgow (now included in the said John Campbell's "Park"), lying on the west side of the public road leading from the "Touns Quarrie" to the said Burgh; to be held of the Magistrates and Council, and their successors, in feu-farm for payment of 12d. Scots yearly.¹ Glasgow, 16 September 1704.

MS. Council Records, vol. xvii., pp. 172, 189.

Sasine (No. 1019) in MS. Burgh Register of Sasines, iv., pp. 166-7.

1012. DECREET obtained before the Lords of Council and Session at the instance of Mr. Robert Miller, minister at Port Glasgow, against the Feuars of Port Glasgow, for payment of 500 merks Scots, as their proportion and just and equal half of minister's stipend and provision for a glebe, to be paid by the feuars, and that yearly since 1701, inclusive, and in time coming, during the said Mr. Robert Miller his serving the cure in the said parish. [See Nos. 972, 987 and 991.] Edinburgh, 14 February 1705.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 20, b. 3.

1013. ACT of PARLIAMENT referring to the impost on ale and beer granted to the Town of Glasgow on 15 June 1693 [No. 944], which impost, expiring in 1906, is not likely to be sufficient for payment of the town's debts and burdens and satisfying the end for which it was granted; "and her Majesty and the estates of parliament being still willing, in respect of the loyalty and good affection of the said burgh witnessed on all occasions, that the foresaid town of Glasgow be relieved and disburdened of its debts for its necessary support," therefore parliament granted to the Town of Glasgow and community thereof a continuance, for the space of 16 years, of the impost of two pennies Scots upon the pint of all ale and beer brought in and sold within the town and suburbs, except such as was brewed and sold in Gorbals or other lands within the town's privileges that paid excise with the shire. Provision was made for the proceeds being applied towards payment of the town's debts, and for no debts being contracted without the consent of the Merchants House and Trades House. The impost was also burdened with a payment of £3,600 Scots for the printing and carrying on of James Anderson's work on the ancient charters and seals of the kingdom. Edinburgh, 21 September 1705.

Extract Act in the Archives of the City.

Acts of the Parliaments of Scotland (1705, c. 54), vol. xi., p. 297.

Charters and Documents relating to the City of Glasgow, No. clxxiii., pp. 290-3.

¹ This piece of land, formerly called Summerhill, was valued at £60, and that price was inserted in the accounting between the town and

the laird of Woodside, as narrated in the Town Council Minutes of 17 June and 16 September 1704.

1014. ACT of the CONVENTION of BURGHS referring to a Petition by the Burgh of Glasgow, "representing their great and insupportable burdens, and finding that the missive dues this year have risen extremely by the advance of money for outrigging the ship called the Royall William." The Convention recommended that the ease of the Burgh of Glasgow should have first place in their consideration at next general meeting. Edinburgh, 8 July 1706.

Printed Records of Convention, vol. iv., p. 392.

1015. ACT of the CONVENTION of BURGHS anent a Petition of the Burgh of Glasgow "shewing their bad circumstances, with their great loss they have laily sustained in their shiping." The Convention agreed to pay the burgh 2,000 merks Scots (£111 2s. 2d. sterling) of present supply, and to consider its position at next Convention. Edinburgh, 5 July 1707.

Printed Records of Convention, vol. iv., p. 406.

1016. ACT of PARLIAMENT settling the manner of electing the 16 Peers and 45 Commoners to represent Scotland in the Parliament of Great Britain, of which 45 representatives one was to be elected by the Burghs of Glasgow, Renfrew, Rutherglen, and Dumbarton. Edinburgh, 14 February 1707.

Acts of the Parliaments of Scotland, vol. xi., pp. 425-6.

1017. FEU CONTRACT whereby the Provost, Bailies and Council of the Burgh of Glasgow, as representing the community thereof, in consideration of £100 Scots (£8 3s. 4d. sterling) paid to them, and of the feu mailles and duties after specified, disposed in feu-farm to John Anderson and Agnes Watzone, spouses, indwellers in the Muir of Gorbals, "these four aikers and ane half of land or thereby, with the houssis, biggings, yearnds and uthers buildit thereupon, lyand in Muir of Gorbals, barrony therof, and sherriffdome of Lanerk, as the same are presently possess be the saids spoussis, and lying discontigue in the said Muir of Gorbals, and boundit as followes, viz., two aikeris therof, with the houssis and yearnds buildit thereon, boundit with ane foot rod and these lands there formerly set in tack to Robert Mitchell, and now possess be Gabriell M'Crocket, on the south, ane uther foot rod and uther lands formerly sett in tack to the said Robert Mitchell, and now also possess be the said Gabriell M'Crocket, on the north, the common hie way on the east, and the said lands presently possess be Archibald Barr, younger, on the west parts; and the uther two aikers and ane half of the saids four aikers and ane half boundit with ane foot rod and these lands possess be Andrew Park on the south, ane uther foot rod, about four foot of breadth or thereby, and these lands possess be the said Archibald Barr, younger, and the lands formerly sett in tack to the said Robert Mitchell, and now possess be the said Gabriell M'Crocket, respective, on the north, the Shiell Burn on the west and the common hie way on the

east parts. Reservand allwayes to the saids provest, baillies and counsell, and their successors in office, all coall and lymestone, if any be, within the saids lands, the saids spoussis and their forsaisd being allways satisfied for the loss and prejudice they may sustain throw the winning and away taking of the said coall and lymestone." Yearly feu-duty, £22 Scots (£1 16s. 8d. sterling). The feuars "to give suit and presence to three head courts," to be held by the magistrates and council, or their bailie, "wpon the ground of the lands of Gorballs, or at the Tower therof; as also to compear at all uther courts to be holden there;" and to pay their proportion of cess and other impositions or public burdens. The feuars also suckened and astricted themselves to the mills of the burgh of Glasgow, and became bound to "grind the haill grindable cornes that shall happen to grow upon the saids lands at the saids milnes, payand therfor the ordinary multures and uthers, conform as their own burgeses pays thereat." Glasgow, 25 July 1707.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 107, b. 44, No. 45.

1018. RENTALL of the FEWDUTIES and GROUND ANNUALS of the BURGH of GLASGOW, payable to the said Burgh.

John Watson, skipper, for his lands on the south syde of the Bridgegate, whilk formerly was James Rodgers and Andrew Nobles	£2 10 0
Peter Corbet for John Tofts lands	1 4 0
Jean Thomson, relict of John Philipshill, liferentrix for his lands	1 6 0
John Glen, merchant, for Andrew Snyps land	0 3 4
Elizabeth Birse, liferentrix, for Andrew Loves tenement	0 14 0
Robert Dreghorn, wright, for Mr. Hugh Muirs land	0 3 0
John Craig, wright, for Thomas M'Lays land	0 7 0
John Young, couper, for John Woddrops land	0 3 0
Richard Maxwell, skinner, for Andrew Todds land	1 0 0
Alexander Wotherspoon, merchant, for the liberty of a stair at the end of the Custom House	0 3 4

BRIDGEGATE, NORTH SYDE.

James Crawford, skinner, and Elspeth Brechem, his mother, for their land at the foot of the Stockwellgate	0 10 0
Malcolme Bowie, merchant, for umquhill Michael M'Allums land	0 6 8
Henry Bairds relict for James Ingrims land	0 10 0
James Robisoun, carter, for John Howies land	0 3 0
Robert Dickie, wright, for John Dickies land	0 7 6
James Leishmans land, now the heirs of John Hammill, skinner	0 6 8
William Cochrans tenement	0 2 0
John Currie, gunsmith, for one of John Uries booths	0 10 0

Andrew Barr for the other booth there	...	...	...	...	£0 10 0
Robert Scott for John Aldcorns land	...	...	...	...	0 16 0
John Mearns, skiper, for his land	...	...	...	...	0 2 0
Janet Lindsay, relict of Robert Campbell, for John Lindsays tenement	...	...	...	...	0 13 4
Item, for their yeard thair	...	...	...	...	0 8 0
Umquhill William Cunninghams tenement	...	...	...	...	1 0 0
Elizabeth Snodgrass, relict of John Houston, for Claud Snodgrass tenement	...	...	...	...	7 6 8
The merchands house for berrin John Bells land	...	...	...	...	2 0 0

NEW LAND IN GOOSE DUBBS.

James Ramsay, wright	...	...	...	...	0 6 8
George Nisbitt, glasier, his heirs	...	...	...	...	2 0 0
John M'Lachlan, merchant	...	...	...	...	0 13 4
William Stevenson, merchant	...	...	...	...	0 13 4
Peter Corbet, maltman, and Robert Corse, his son in law	...	...	...	...	1 0 0
James Robison, carter	...	...	...	...	0 6 8

SALTMERCAT, EAST SIDE.

John Glen, merchant, for his tenement	...	...	...	...	3 12 4
Agnes Craig, relict of umquhill William Craig, merchant, for her chop beneath the Trades land	...	...	...	...	4 0 0

SALTMERCAT, WEST SIDE.

Grissell Wilsons tenement, now Mr. George Crawford	0 8 0
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TRONEGATE, NORTH SIDE.

Dougalston and Andrew Cathcart for Mareon Stewarts land ¹	7 6 8
The heirs of Ninian Gilhagie for their land	...	...	...	...	0 6 0
William Anderson, merchant, for James Anderson, his father his tenement	...	...	...	...	0 6 8
John Gilhagie, meason, his tenement	...	...	...	...	0 4 0
George Bountine, pewtherer, for Robert Marshalls land, acquired from George Yeatts and David Colquhoun	...	...	...	...	0 10 0

TRONEGATE, SOUTH SIDE.

John Humes tenement near the Bell house, Christine Craig, his relict, liferentrix	...	...	...	...	2 6 8
John Glen, younger, merchant, for William Boglays land	...	...	...	...	0 2 0
John Glen, younger, merchant, for James Corse, gardener, his land	...	...	...	...	0 10 0
John Boyd, chyrurgeon, for his yeard	...	...	...	...	1 6 8
James Gilmour, flesher, <i>alias</i> Og, for his land	...	...	...	...	0 3 4

¹ This was the site of the old chapel of St. Mary. See Glasg. Prot., No. 3728.

STOCKWELL, WEST PORT AND WYND.

Robert Robison, maltman, for his steep	£0	2	0
John Wilson, maltman, for his kilne and steep	0	5	0
Item, for the stair of his house	0	6	8
William Barklay for his land in Stockwellgate	0	3	4
Margaret Glen, liferentrix, for umquhill John Dennies land ...	1	9	0
Robert Rankine, carter, for Peter Tofts land in Wester Wynd ...	0	10	4
John Gray, taylor, for his tenement there	0	10	0

GALLOWGATE, NORTH SIDE.

Umquhill John Drew and Margaret Blair his relict, liferentrix ...	0	1	6
John Wyllie, for the liberty of a stair	0	6	8
John Gairner, merchant, for his tenement	10	0	0
William Scott, merchant, for his land	0	5	0

ABOVE THE CROSS TO THE WYND HEAD, WEST SIDE.

John Smellies relict, Jean Dainziell, liferentrix	2	13	4
James Robison, elder, for his part of Mr. James Findlays land, ...	0	3	4
James Anderson, merchant, for his part of the saids land ...	0	2	6
Gallangade for his part thairof	0	2	6
James Blacks heirs for their part thairof	0	2	6
Andrew Denniestoun for his part thairof	0	2	6
David M'Rorie, taylor, for his land in Bells Wynd	0	3	4
Margaret Lorn, spouse to Patrick Maxuel, tanner, liferentrix of that land formerly James Stewart of Large, thereafter to William Watson, taylor	0	2	0
Agnes Falconer, liferentrix of James Falconers booth,	0	10	0
Robert Johnstoun in Haystoun and James Wilson, meallman, for the liberty of Robert Dobbies stair in Buns Wynd	0	13	4
John Bryce of Lumloch for his lands in Buns Wynd	3	0	0

ABOVE THE CROSS, EAST SIDE.

William Selkrig, wryter, for his tenement	8	0	0
Gavin Dunlop of Cathkine for his tenement	4	3	4
William Buchanan, merchant, for his lands	0	5	0
William Braid and Margaret Messon, liferentrix for William Stoots land	1	3	4
Robert Allan, oordaner, for Andrew Mamies land	0	6	0
Andrew Dennistoun for that ridge of land in New Vennell fewed by his father	20	0	0
James Corbet, merchand, for his house above the Grammer Schooll Wynd	15	6	8

Willam Napier, late provost, his relict, Margaret Baillie, life-rentrix, for their land above the Colledge	£6	0	0
James Elphinstoun for his lands foregainst the Colledge, now John Maxuell	1	6	8

RATTONRAW AND STABLE GREEN PORT.

Thomas Cochran, weiver, for his land ther	0	3	4
James and Alexander Kerrs for Robert Dobbies barn	0	5	8
Patrick Tennent, gardener, for Doghillock	0	10	0
David Calder and William Drews tenement	0	6	0
William Stevenson, maltman, for Susanna Watterstons barn	0	1	6
The said William for James Ballantynes half barn	0	2	6
The said William for Andrew Parks barn	0	5	0
James Miller, meallman, for John Thomsons tenement	0	6	8
The said James Miller for James Lochheids half barn	0	2	6
Robert Duncan, baxter, for William Muirheids barn	0	8	4
Mareon Tenent, relict of John Ralton, for their barn and land without the Rattonraw port	0	7	4
William Mackie for the half of John Crawford land in Rattonraw	0	2	4
Robert Allason, weiver, for a fourth part thereof	0	1	2
John Barber, weiver, for ane other fourth part thereof	0	1	2

BEYOND THE DRYGATE BURN.

The heirs of John Murdoch for umquhill John Grays barn	1	10	0
Bessie Boyd, spouse to Gavine Hepburn, baxter, liferentrix of Patrick Maxuells barn	0	6	0

FLEEMINGTOWN.

George Dainziell, wright, and others, for the lands of Fleemingtoun	25	5	4
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PROVANSYDE.

The lands of Provansyde payed formerly £5 5s. yearly, whereof Patrick Bell payes yearly for that part thereof he acquired from William Napier, late provest,	4	4	0
William Napiers heirs, now Gilbert Buchanan, merchant, for the rest of Provansyde, payes 1 li. 1 sh. yearly, but the said William Napier rests for the haill land at 5 li. 5 sh. yearly from 1667 to 1697, being 157 li. 10 sh., deducting 76 li. that was payed to Frederick Hamilton and John Peadie, collectouris that tyme; as also rests the 1 li. 1 sh. yearly since 1697, at which tyme provest Napier sold the part of the lands to Patrick Bell	1	1	0

LYMEHOUSE.

For the house and yeard and lands thereto belonging	...	...	£6 13 4
James Bell for Lymehouse boig	...	...	3 6 8

CANDLE RIGS.

Christine Craig, relict of John Hume, liferentrix, for her lands there	...	...	1 10 0
William Govane for the fewduty of 16 elnes, at 3 sh. per elne	...	...	2 8 0
Robert Leitch heirs for William Gilmours land	...	...	1 10 0
Robert Dinwiddie (<i>blank</i>).	...	...
Walter Corbets relict (<i>blank</i>).	...	...
Soapary payes of fewduty yearly	...	...	14 0 0
The Suggarie payes of fewduty yearly	...	...	11 0 0

BELLS WYND.

James Blair for his tenement ther	...	...	1 12 0
Allan Marshall, wright, his land there, 2s. for ilk elne of front.	...	...
John Maxuell, wright, for his house there, 2s. for ilk elne of frunt.	...	...
Andrew Scott, merchant, for his tenement	...	...	2 0 0

KILNES IN WESTER CRAIGS BOUGHT FROM THE LAIRD OF MYNTO.

Umquhill Walter Meassons kilne, now William Stirlings	...	...	8 0 0
John Findlays kilne	...	...	6 0 0
James Lochheids kilne and yeard	...	...	6 0 0
Mr. Robert Campbells kilne, now Alexander Colquhoun, merchant	...	...	6 0 0
Gilbert Fairies kilne, now James Uries	...	...	6 0 0
Patrick Bryces kilnes	...	...	6 0 0
William Bogle, elder, his kilne	...	...	6 0 0
Agnes Falconer, widow, liferentrix, for William Cleimies kilne	...	...	6 0 0
William Scott for James Andersons kilns (<i>blank</i>).	...	...
John Reid, maltman, for Baillie Kerrs kiln	...	...	2 0 0
William Wilson, maltman, for his kiln	...	...	6 0 0
Robert Tennents kilne	...	...	2 0 0
Walter M'Allasters kilne	...	...	2 0 0
John Raltons kilne	...	...	6 13 4
John Halls kilne	...	...	2 6 8
William Littlejohns kilne	...	...	3 0 0
George Nivens kilne	...	...	2 0 0
John Lilburns kilne	2 0 0
George Grahames kilne	2 0 0

COWLAIRS.

William Dunlop	6 13 4
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BAWGRAY.

The maltmen	£6 13 4
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HOGGINFIELD.

John Govane	4 0 0
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BALQUHAIRN.

John Spreull (*blank*).

JERMISTOUN.

Robert Dinwiddie	6 13 4
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MOODIES MEALLINE.

Woodsyde	6 13 4
More for Peters mealline	0 12 0

Followes the rentall of the feuduties of the Gorballs, payable to the Burgh of Glasgow:—

James Thomson, tanner in Glasgow	£1 6 8*
John Hamilton, maltman in Gorballs (<i>blank</i>).	
William Barklay, merchant in Glasgow, for what now belongs to him	1 0 0
George Scott, hammerman in Gorballs, for his lands acquired from William Barklay	1 0 0
John Geills, wright, for that land in which Elizabeth Murdoch was last entered	1 0 0
Thomas Gemmill, hammerman, for his brothers house nixt to John Geills	1 6 8
Item, for the tenement on other side of the street	3 6 8
Item, for a yeard in Rutherglen Loan	0 13 4
David Fergusson, maltman, for his fathers land	0 13 4
Item, for his grand uncles land	0 10 0
Item, for James Fergusson, skinner, his lands	0 15 0
William Fergusson, maltman, for his lands	1 0 0
John Scott, in Rutherglen, for Gilbert Scott his uncles land	0 13 4
Item, for the half of umquhill David Scott his fathers land	1 0 0
James Anderson, messon, his heirs, now John Anderson, wryter	4 6 8
Robert Achincloss, landlabourer, for his fathers land	2 0 0
John Bowie, weiver, for that part of James Fergussons house to which he is entered, David Fergusson having the rest therof	0 5 0

Sir William Fleeming of Ferme pays yearly 10 merks, but there is sold off ane house on the other side of the street to Robert Geills, which payes 18s. yearly, so rests to the commisser of fewduty	£5 15 4
James Anderson, wright, for the land he had by contract of marriage from George Logan	1 9 0
Item, for the land he had from John Aikman	0 10 0
Item, for the land his wife is entered to as heir to the said John Aikman, her uncle,	2 13 4
Janet Gilchrieson, spouse to John Young, litster, for her land ...	1 1 8
Alexander Pagan, for Janet and Margaret Gilchriesons land ...	1 0 0
Item, for the land he bought from David Scott	1 0 0
William Murdoch, wright,	1 17 2
William Anderson, maltman, son to Thomas Anderson, maltman (<i>blank</i>).	
Thomas Burnsyde, wright, tuo thirds of (<i>blank</i>) Shiells and (<i>blank</i>) Jameson, spoussis, lands, Alexander Pagan and Robert Wyllie are adjudgers therof	2 13 4
Mary Ewing, spouse to (<i>blank</i>) Pinkertoun for the other third of the saids lands	1 6 8
James Brysson in Hamilton, Peter Corbet has right therto ...	1 13 4
John Hodgert, elder, for (<i>blank</i>) Andersons land	0 13 4
James Brown, merchant, for his land	1 17 2
John Pollok, wright, for his tenement and yeard and piece of land in the Craft	2 15 10
George Stirling for his land	1 8 4
The heirs of James Blair, wright, for their tenement which is sold to Peter Cuming	0 13 4
Item, for a piece ground which is a yeard, extend to 8½ falls and the fourth part of a fall, and another piece ground of ane elne of breadth and 14 elne of length, acqyred by the said James from Robert Stirling, skinner	1 1 10
William Cuming, son to Allan Cuming, for his land	6 3 0
Item, for a piece land his father acqyred from John Gairdner (<i>blank</i>).	
Margaret and Janet Scotts, daughters of umquhill David Scott ...	0 16 8
Ninian Glen, weiver	1 10 0
John Aird, merchant, for umquhill Archibald Maxuells land ...	2 13 4
Mary Sanders	1 0 6
William Cuming, maltman	3 3 4
Gabriel Corbet, maltman	34 17 0
John Crawford, taylor	5 17 0
George Shanks, wright, for his own land	1 5 0
Item, for the land he acqyred from Gabriel Corbet	2 13 4

Item, for the land he acqyred from John Boyd	£1 12 2
John Baird, measson, for the land he acqyred from Peter Murdoch	2 0 0
Janet Livingston and Hellen Anderson	0 18 0
William Anderson, weiver, for Janet and Agnes Cumings land ...	1 2 0
John Anderson, wryter, for his grandfathers land	3 10 0
John Whythill for his land	0 18 8
William Robison, weiver, for the land he acqyred from Gabriel Corbet	1 0 0
Item, for his part of a house in Rutherglen Loan	0 14 8
James Finlay, weiver,	1 0 0
Thomas Waist, weiver, for his land David Fergusson has a wodsett theron (<i>blank</i>).	
Robert Urie, weiver, for William Gordons land	1 9 0
John Smith, weiver, for Janet Robisons land	1 0 0
Robert Geills for his lands	1 6 8
Robert Maxuell, hammerman, 2 merks and 2 hens for one part and 2 merks and 2 hens for another part, inde	4 0 0
Thomas Anderson, maltman, payes yearly for his haill land 32 li., but he has sold 15 roods of land to Peter Corbet, which is burdened with the haill fewduty	32 0 0
George Swan, hammerman, for his tenement	4 3 4
Item, for the land he bought from Robert Muir	0 6 8
Margaret Blair, daughter to Thomas Blair, skinner	1 0 0
Robert Shiells, cordaner, for the land he bought from Commissar Fleeming	0 18 0
The heirs of Cathkine for their lands (<i>blank</i>).	
John Gardener, merchant, for his lands (<i>blank</i>).	
John Smith, wright	1 0 0
James Smith, hammerman, for half of the Lipperhouse which belonged to Claud Paull	6 0 0
Isobel Paull for the other half of the Lipperhouse	6 0 0
George Logan, maltman, for 3 tenements	3 11 4
James Logan, hammerman, for his land	1 6 8
Mathew King, son to Mathew King	0 10 0
Mathew Watson in Moor of Gorballs	18 0 0
Gilbert M'Crocket in Moor of Gorballs payes seven bolls beir, yearly, conform to the Gorbail fiar.	

MS. Council Records, vol. xvii., pp. 441-9.

1019. INSTRUMENT of SASINE, following on Feu Charter No. 1011, in favour of John Campbell of Woodsyde, in liferent, and Colin Campbell, his eldest son, in fee, in the five roods of land described in No. 1011. Glasgow, 24 September 1707.

MS. Burgh Register of Sasines, iv., pp. 166-7.

APPENDIX.

APPENDIX.¹

I.

NOTARIAL Instrument on Sale by Sir William Wyschard, vicar of Govan, to Mr. Patrick Leiche, vicar of Dundonald, of two roods of land on the north side of Ratounraw. Glasgow, 13 April 1434.

In Dei nomine, amen. Per hoc presens publicum instrumentum cunctis pateat evidenter quod anno ab Incarnacione ejusdem millesimo cccc^{mo} xxxiiiij, mensis Aprilis die xiiij, indictione xij, pontificatus sanctissimi in Christo patris et domini nostri domini Eugenii, divina providencia, Pape iiij, anno quarto. In mei notarii publici et testium subscriptorum presentia, personaliter constitutus dominus Willelmus Wyschard, presbyter, perpetuus vicarius ecclesie de Guvane, Glasguensis diocesis, cum consensu et assensu Johannis Brown, fratris germani et heredis dicti domini Willelmi, tunc presentis et consentientis, vendidit et titulo venditionis tradidit et pro perpetuo alienavit quoddam suum tenementum, videlicet, duas rodas sive particatas terre in anteriori fronte cum orto tantummodo a parte posteriore, jacentes ex parte boriali vici Ratonum in civitate Glasguensi, inter tenementum domini Jacobi Cameron, presbyteri, ex parte occidentali, ex parte una, et tenementum Roberti de Caldewell ex parte orientali, ex parte altera, circumspecto viro magistro Patrio Leche, vicario ecclesie de Dundonald, consanguineo suo, pro viginti marois, usualis monete Scocie, soluendis dicto domino Willelmo

In the name of God, amen: Be it evidently known to all, by this present public instrument, that in the year from His Incarnation, 1434, on the 13th day of the month of April, in the 12th indiction and 4th year of the pontificate of the most holy father in Christ and our lord, lord Eugenius IV., by divine providence, Pope. In presence of me notary public and witnesses underwritten, personally appeared Sir William Wyschard, priest, perpetual vicar of the church of Guvane, in the diocese of Glasgow, and with consent and assent of John Brown, brother german and heir of the said Sir William, then present and consenting, sold and by title of sale delivered and for ever alienated a certain tenement, viz., two roods or particates of land in the fore front, with a yard only at the back part, lying on the north side of the Ratounraw, in the city of Glasgow, between the tenement of Sir James Cameron, priest, on the west, on the one part, and the tenement of Robert of Caldewell, on the east, on the other part, to a circumspcct man, master Patrick Leche, vicar of the church of Dundonald, his kinsman, for payment of 20 merks, usual money of Scotland,

¹ Unless where otherwise stated, the originals of all the documents printed in the Appendix are preserved in the Archives of the City. No. I. is now the earliest MS. in the city's collection, the two

Charters of King Robert the Bruce and Precept by King Robert III., all specified in the Inventory of Writs compiled in 1696, having at some unknown period disappeared.

Wyschard, ad terminos infrascriptos, videlicet, v marcis ad festum Pentecostes proximi posterius datis presentis instrumenti, v marcis ad festum Translationis Sancti Thome martiris proximi inde sequentis, v marcis ad festum Sancti Martini in yeme proximi inde sequentis et v marcis ad festum Pasche proximi inde sequentis; pro quibus xx marcis soluendis Robertus de Caldwell, presens tunc et consentiens, devenit plegius et debitor. Tenedum et habendum dictum tenementum, cum orto ut premittitur, dicto magistro Patricio Leche, heredibus suis et assignatis, a dicto domino Wilhelmo Wyschard, et heredibus suis, in feodo et hereditate imperpetuum. Cujus tenementi saysinam et corporalem possessionem dictus dominus Wilhelmus tradidit et tradi fecit prefato magistro Patricio per Johannem Wyschard, tunc ballivum burgi de Glasgu et civitatis supradicte. Super quibus omnibus et singulis prefatus magister Patricius Leche peciit a me, notario infrascripto, sibi fieri, publicum instrumentum. Acta fuerunt hec in ecclesia cathedrali et in dicta civitate Glasguensis, anno, mense, die, indictione et pontificatu quibus supra. Presentibus in venditione dicti tenementi: discretis viris, magistro Johanne de Hawyk, vicario de Dunlopp, bachalario in decretis; dominis Johanne de Park, vicario de Torboltown, presbytero ac publico notario, domino Jacobo Wyschard, presbytero etiam ac publico notario, et Donaldto de Dalrympill, laico dicte Glasguensis [diocesis]; presentibus in sasina, eodem die: dictis dominis Johanne de Park et Jacobo Wyschard, presbyteris et notariis publicis, Roberto de Caldwell, Ricardo et Thoma de Laudonia, laicis dicte Glasguensis diocesis; cum multis aliis testibus ad premissa vocatis specialiter et rogatis.

to the said Sir William Wyschard, at the terms underwritten, viz., 5 merks at the feast of Pentecost next after the date of the present instrument, 5 merks at the feast of the translation of St. Thomas the Martyr next thereafter, 5 merks at the feast of St. Martin in winter next thereafter, and 5 merks at the feast of Pasche next following; for which 20 merks, so payable, Robert of Caldwell, then present and consenting, became surety and debtor. To hold and to have the said tenement with yard as aforesaid to the said master Patrick Leche, his heirs and assignees, from the said Sir William Wyschard and his heirs, in fee and heritage for ever; of which tenement the said Sir William caused sasine and corporal possession to be delivered and given to the said master Patrick, by John Wyschard, then bailie of the said burgh and city of Glasgou. Upon which all and sundry the said master Patrick Leche asked from me notary public subscribing a public instrument to be made to him. These things were done in the cathedral church and in the said city of Glasgou, in the year, month, day, indiction and pontificate above written. Present at the sale of the said tenement; discreet men, master John of Hawyk, vicar of Dunlopp, bachelor in decreets; Sirs John of Park, vicar of Torboltown, priest and notary public, Sir James Wyschard, priest and notary public, and Donald of Dalrympill, laic of the said Glasgou diocese; present at the sasine on the said day: the said Sirs John of Park and James Wyschard, priests and notaries public, Robert of Caldwell, Richard and Thomas of Lothian, laics of the said Glasgou diocese; with many other witnesses to the premises specially called and required.

Cui quidem instrumento prefatus dominus [Willelmus] Wyscharde, vendens, sigillum officialatus Glasguensis apponi cum instantia procuravit, ad majorem evidenciam premissorum, coram hiis testibus, magistro Johanne de Hawyk, vicario de Dunlopp, Johanne et Archibaldo Wyschard, clericis sepe dicte Glasguensis diocesis, apud Glasgu, die xxij mensis Septembris anno suprascripto.



Et ego Johannes de Hawyk, presbyter Glasguensis diocesis, publicus auctoritate imperiali notarius, predictorum vendicionis, saysine, sigilli procuracioni, omnibusque aliis et singulis dum sic ut premititur, inter dictas partes agentur et fierent, una cum prenomatis testibus presens interfui, eaque sic fieri, vidi et audiui, ac inde presens publicum instrumentum confeci, scripsi, publicavi et in hac publicam formam redegi, signoque meo solito me subscribendo signavi rogatus, in fidem et testimonium omnium premisorum; una cum appendendo sigilli officialatus Glasguensis suprascripti.

To which instrument the said Sir [William] Wyscharde, seller, procured with instance the seal of the official of Glasgow to be appended, for the greater evidence of the premises, in presence of these witnesses, master John of Hawyk, vicar of Dunlopp, John and Archibald Wyschard, clerics of the said Glasgow diocese, at Glasgow on the 22nd day of the month of September in the said year.

And I, John of Hawyk, priest, of the diocese of Glasgow, notary public by imperial authority, was present with the foresaid witnesses while the foresaid sale, sasine, procuring of seal, and all and sundry other things were transacted and done between the said parties, as before mentioned, and the same so done I saw and heard, and thereupon I have made, written, published, and reduced into this public form the present public instrument, and have signed it, subscribing with my usual sign required in faith and testimony of all the premises, together with the appending of the foresaid seal of the official of Glasgow. (Seal wanting.)

II.

DISPOSITION by John Anderson to Davy Purdie of an annalrent of 9s., payable furth of a tenement in Linlithgow. Glasgow, 24 August 1445.

Be it kend til al men be thir present letteres, me, John Anderson, the son and ayr of quhilum William Anderson of Kynnele, til have sald and analyit til my luvit and speciale frende Davy Purdy, burges of Lithqw, ane annuale rent of nyne schilingis furth passand of the tenement of Robert Alane, lyand in the said burgh, on the south part of the Kingis strete, betwene the land of sumtyme John Peticrew on the est part, on the ta part, and the land of sumtyme John Williameson of the Burn on the west part, on the tother part, for a certane sowm of silvyr to me beforehand thankfulli payit be the said Davy and in myne use turnit, in tyme of my grete necessite; of the quhilk sowm I hald me wele content and fulleli assithit and the forsaid Davy Purdy, his ayris, executouris and assignes, his landis, rentis and possessionis, and al his gudis, moble and unmoble, and al that til hym pertenyis or may pertene, I quiteclame for evirmare, be thir present letteres. To be haldyn and had the said annuale rent of nyne schilingis, yherli, to be tane at twa custumable termes of the yher, to the said Davy, his ayris and his assignes, fra me and myne ayris, of our lord the King in cheif, in fee and heritage for evirmare, withoutyn ony impediment or revocation. The quhilk annuale rent I and myne ayris eal warant and defend againe al dedeli to the said Davy, his ayris and his assignes for evirmare be thir present letteres. In witnes of the quhilk, because I had na sele of myne awn, I have procurit with instance the secrete sele of the burgh of Lithqw to be toput, the xxiiij day of August the yher of our Lorde j^m cccc fourti and fyve yheris. Witnes: Androu Coupar, that tyme baleyhe of the said burgh, John of Liston, William of Borge, Thom Smyth, Thom Lokhart, Wil Snel and James of Foulis, clerk, with other sindry.¹ (Seal wanting.)

¹ On 29th January, 1472-3, James Douglas of Auchincassil founded a chaplainry, at the altar of St. Cuthbert, within Glasgow Cathedral, endowing it with annualrents payable furth of tenements situated in the city of Glasgow and burgh of Linlithgow. The annualrent constituted by the foregoing disposition appears to have been part of these endowments, an account

of some of which will be found in "The Scottish Antiquary," vol. xvii., pp. 112-20. See also Glasgow Charters, part i., Abstract, p. 7, No. 286. After the death of the founder the presentation of a chaplain was to belong to the provost, bailies, and community of Glasgow, and this accounts for the disposition being preserved in the city's archives.

III.

GRANT by David of Cadezou, Precentor of the Church of Glasgow, to the Prior and Convent of the Friars Preachers of Glasgow, for the celebration of masses at the altar of Our Lady and other religious services. Glasgow, 1 May 1454.

In Dei nomine ac gloriosissime Virginis Dei genitricis Marie, Amen. Ad perpetuam rei memoriam, noverint universi Christi fideles quod venerabilis vir magister David de Cadezou, precentor ecclesie Glasguensis, ob devocionem contemplacionem, honorem et reverenciam dicte gloriosissime Dei genitricis Marie, necnon pietate pensata pauperum fratrum ordinis. Predicatorum civitatis Glasguensis, in puram et libram elimosinam, ac intuitu caritatis ut cultus divinus efficacius augeatur, dedit, legavit, concessit, et pro perpetuo assignavit fratri Johanni Govane, priori dicte domus Glasguensis ac ejusdem conventui et successoribus suis investituram sasinam et corporalem possessionem tradidit et tradi fecit, ut moris est, per Johannem de Hawyk, tunc ballivum dicti burgi et civitatis Glasguensis, quorumdem annuorum reddituum et censuum duodecim marcarum de diversis terris et tenementis infra dictum burgum jacentibus,¹ annuatim et imperpetuum ac futuris temporibus, per dictos priorem et conventum qui pro tempore fuerint levandarum et percipiendarum et ad communem usum ac eorum pictanciam susten-

In the name of God and of the most glorious Virgin Mary the Mother of God, amen. For perpetual memorial of the fact, be it known to all the faithful in Christ that a venerable man master David of Cadeyou, precentor of the church of Glasgow, for devout contemplation, honour and reverence of the said most glorious Mary, mother of God, and also considering the devotion of the poor brethren of the order of preachers of the city of Glasgow, in pure and free alms, and moved of charity, that divine worship may be effectually increased, has given, bequeathed, granted and for ever assigned to friar John Govane, prior of the said house of Glasgow and convent thereof, and their successors, and has given and has caused to be delivered, as the manner is, by John of Hawyk, then bailie of the said burgh and city of Glasgow, investiture, sasine and corporal possession of certain annual rents and duties of twelve merks to be uplifted and received by the said prior and convent, for the time being, from sundry lands and tenements lying within the said burgh, yearly and constantly in all time coming, and

¹ The charter conveying these annualrents, in all, is printed in "Munimenta Fratrum Predicatorum de Glasgu" (Maitland Club), pp. 173-6. 8d. to £1 4s., and amounting to 12 merks yearly

tacionem dicteque ecclesie et loci reparacionem ac reformationem distribuendarum. Insuper, pia recompensacione perpensa et rememorata prefati prior et conventus qui pro tempore fuerint unam missam cotidianam que dicitur missa nostre domine ad altare ejusdem in dicta ecclesia fratrum fundatum et scituatum, hora consueta, videlicet, septima hora ante meridiem vel eocirca, et in qua solet missa nostre domine celebrare per unum fratrem dicti conventus celebrabunt seu celebrari facient et omnia necessaria seu requisita ad dictam missam sic celebrandam submissa voce tamen preparabunt ac ministrabunt; et ante dicte misse inceptiorem magnam campanam dicte ecclesie per tres ictus trina vice pulsabunt et post offeratorium celebrans dicet de profundis cum precibus et oracionibus consuets pro anima dicti magistri David, parentum suorum amicorum et benefactorum vivorum ac mortuorum, et pro animabus omnium fidelium defunctorum, et specialiter pro animabus omnium in hoc sacro loco quiescentium. Item, quolibet die Saboti immediate post vespervas et sine intervallo predicti prior et conventus convenient coram ymagine dicte Virginis Marie ad illud idem altare candela ceria illuminata genibus flexis cantabunt antiphonam, scilicet, salve regina cum tribus versibus et oracione consuets similiter ante hujusmodi salutacionis inceptiorem dictam magnam campanam ter trina vice pulsabunt et vocabitur campana de salve. Ulterius, in die obitus dicti magistri David, semel in anno et annuatim, antedicti prior et

that for their common use and sustenance and to be applied for repair and reformation of the church and place. Moreover, in devout recompense, considered and remembered, the foresaid prior and convent for the time being shall celebrate or cause to be celebrated a daily mass, which mass is to be said at the altar of Our Lady founded and situated in the said church of the Friars, at the accustomed hour, viz., the seventh hour before noon or thereabout, and in which the mass of Our Lady is wont to be celebrated by one brother of the said convent, and they shall prepare and furnish all things necessary and requisite for the said mass to be celebrated, however, in a low voice; and before the beginning of the said mass they shall toll the great bell of the said church by three strokes for the third time; and after celebrating the offertory shall say the *de profundis* with prayers and the accustomed orisons for the soul of the said master David, of his parents, friends and benefactors, living and dead, and for the souls of all the faithful dead, and specially for the souls of all reposing in this sacred place. Also, on each Saturday, immediately after vespers, and without an interval, the foresaid prior and convent shall assemble, on bended knees, before the image of the said Virgin Mary, at that same altar, lighted with a wax candle, and shall sing the antiphony, that is to say, Salve Regina, with three verses and orison accustomed; likewise, before the beginning of the said salutation they shall, by three strokes for the third time, toll the said great bell, and it shall be called the bell of Salve. Moreover, on the day of the obit of the said master David, once in the year and yearly, the foresaid prior and convent

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SEALS OF (1) DAVID RAITE, VICAR-GENERAL OF THE FRIARS PREACHERS OF SCOTLAND :
AND (2) THE FRIARS PREACHERS OF GLASGOW.

(Appended to Deed dated 1st May, 1454. Glasgow Charters, vol. II., p. 443).

conventus cantabunt placebo et dirige et cetera cum nonem lectionibus in choro et in crastinum cantabunt missam cum nota de requiem pro anima predicti magistri David et parentum suorum ut supra, et companam Sancti Kentigerni, si commode haberi poterit, sin autem aliam facient, pulsari per villam et civitatem Glasguensem ut pro anima ipsius David et parentum suorum devotius adoretur. Ad que omnia et singula premissa, sic ut premittitur firmitur et fideliter observanda, confirmanda, corroboranda et perimplemenda suprascripti prior et conventus pro se et successoribus suis fidem dederunt ac promiserunt virtute professionis et vigore religionis, et ad majorem hujus rei signum et securitatem, sigillum venerabilis ac religiosi viri fratris David Raite,¹ vicarii generalis dicti ordinis fratrum predicatorum nacionis Scoocie, unacum sigillo commune predicti conventus,² presentibus sunt appensa; et ulterius ut prepositus et ballivi dicti burghi et civitatis Glasguensis qui pro tempore fuerint videant, sciant et intelligant quod omnia et singula sic ut premittitur suprascripta adimpleantur et fiant,

shall sing *Placebo* and *Dirige* and the rest, with the nine lessons, in the choir, and on the morrow shall sing a mass with note *de requiem* for the soul of the foresaid master David and his parents as above; and they shall cause the bell of St. Kentigern, if it can conveniently be had, but if not another, to be tolled through the town and city of Glasgow, that (what is done) for the soul of the said David and his parents may be more devoutly honoured. For which all and sundry the premises, to be thus as aforesaid firmly and faithfully observed, confirmed, corroborated and implemented, the abovescribed prior and convent, for themselves and their successors, have given and promised faith, by virtue of the profession and power of religion; and for the greater token and security, the seal of a venerable and religious man, friar David Raite, vicar general of the said order of Friars Preachers of the nation of Scotland, together with the common seal of the foresaid convent, are appended to these presents; and moreover, that the provost and bailies of the said burgh and city of Glasgow who shall be for the time may see, know and understand that all and sundry as is abovescribed may be fulfilled and done, the said prior and convent have instantly procured the

¹ Raite's seal is thus described:—Within a canopied niche a full length figure of St. Andrew holding upon the dexter side his cross, which has a star between the upper extremities. Beneath the cross is a friar kneeling towards the saint. The background underneath and at sides of the niche is decorated with foliage and flowers. Legend: S. VICARII FRATRVM. ORDINIS. PREDICATORVM. SCOCL.—Seal of the Vicar of the Order of the Friars Preachers of Scotland.

² The seal of the Friars is thus described:—Within a canopied niche a representation of the

coronation of the Virgin. The Father seated on the sinister with arched crown and nimbus, his right hand holding up the chrisam, the Virgin seated on the dexter with open crown and nimbus. Above is what is supposed to be the dove. Legend: S. CME. FRATRVM. PREDICATORVM. GLASG.—Common seal of the Friars Preachers of Glasgow.

These descriptions have been kindly supplied by Mr. William R. Macdonald, author of "Scottish Armorial Seals."

sepedicti prior et conventus sigillum commune dicti burgi et civitatis cum instancia presentibus apponi procurarunt, primo die mensis Maii anno Domini millesimo quadringentesimo quinquegesimo quarto, coram hiis testibus, Georgeo de Murhous, Petro de Pollok, Willelmo de Ottirburn, Henrico filio Michalis, notario publico ac scriba curie, David Hyne, Johanne de Schaw et Johanne Mason, burgensibus dicti burgi Glasguensis, cum diversis aliis.

common seal of the said burgh and city to be appended to these presents, on the first day of the month of May, in the year of our Lord one thousand four hundred and fifty four, in presence of these witnesses: George of Murhous, Peter of Pollok, William of Ottirburn, Henry Michaelson, notary public and clerk of court, David Hyne, John of Schaw and John Mason, burgesses of the said burgh of Glasgow; with sundry others.

IV.

NOTARIAL Instrument on Sale by John Bollok and others to Patrick Leyche, of an annualrent of 3s. furth of a tenement on the south side of Ratounraw. Glasgow, 10 January 1454-5.

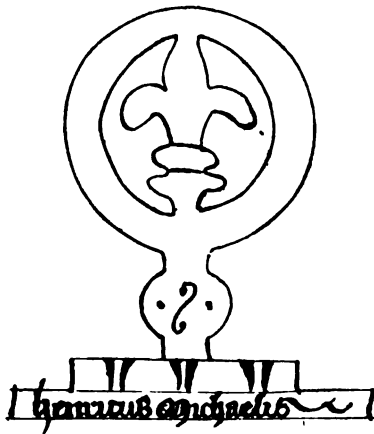
In Dei nomine, Amen. Per hoc presens publicum instrumentum cunctis pateat evidenter quod anno Incarnacione ejusdem millesimo quadringentesimo quinquagesimo quarto mensis Januarii die x, pontificatus sanctissimi in Christo patris ac domini nostri Nicholai, divina providentia, Pape, V, anno viij^{to}, indictone vero tertia. In mei notarii publici et testium subscriptorum presencia, personaliter constituti Johannes Bollok, Mariota Heldan, sponsa ejusdam, et Adam, filius et heres dictorum Johannes et Mariote, unanimi consensu et assensu, vendiderunt et titulo vendicionis a se et suis heredibus pro perpetuo alienaverunt, magne discretionis viro, magistro Patricio Leyche,

In the name of God, Amen. By this present public instrument be it evidently known to all that in the year of His Incarnation, 1454, on the 10th day of January, in the 8th year of the pontificate of the most holy father in Christ and our lord Nicholas V., by divine providence Pope, in the third indiction. In presence of me, notary public, and witnesses underwritten, personally appeared John Bollok, Marion Heldan, his spouse, and Adam, son and heir of the said John and Marion, and with unanimous consent and assent sold, and by title of sale conveyed from them and their heirs for ever to a man of great discretion, master Patrick Leyche, chancellor of the

cancellario ecclesie Glasguensis, tres solidos annui redditus de uno tenemento cum pertinentiis, jacente ex parte australi vici de le Ratownraw, inter terram Roberti Hugonis ex parte occidentali, ex parte una, et terram vulgariter nuncupatum le *Munkyshous* ex parte orientali, partibus ab altera, pro tribus marcis usualis monete regni Soccio predictis Johanni, Mariote et Ade prenomminatis ut asseruerunt plenarie persolutis; quas tres marcas predicti Johannes, Mariota et Adam fatebantur se recepisse et in usus suos convertisse et predictum magistrum Patricium et omnes suos quietum clamaverunt imperpetuum de eisdem. Tenendos et habendos dictos tres solidos predicto magistro Patricio, heredibus suis et suis assignatis a dictis Johanne, Mariota et Adam, heredibus suis et assignatis, in feodo et hereditate imperpetuum, cum omnibus libertatibus, commoditatibus et aysiametis ac suis justis pertinentiis quibuscunque, sicut dicti Johannes, Mariota et Adam dictos tres solidos cum pertinentiis, liberius, quocius et honorificentius tenuerunt seu possiderunt. Insuper predicti Johannes, Mariota et Adam omni jure et clameo dictorum tres solidorum renunciaverunt, cum pertinentiis, et ea predicto magistro Patricio pro imperpetuo assignaverunt Quorum tres solidorum predicti Johannes, Mariota et Adam sasinam et corporalem possessionem predicto magistro Patricio per Johannem M'Mulan, ballivum, tradidit, et tradi fecerunt per denarium in manu, ut moris est burgorum. Super quibus omnibus et singulis prefatus magister Patricius a me, notario publico infrascripto, sibi fieri peccit publicum instrumentum. Quodquidem instrumentum dicti vendentes concesserunt et

church of Glasgow, three shillings of annual rent payable furth of a tenement, with the pertinents, lying on the south side of the street of Ratownraw, between the land of Robert Huchison on the west, on the one side, and the land commonly called the Munkyshous on the east side, on the other side; for three marks usual money of the kingdom of Scotland paid to the foresaid John, Marion and Adam, as they fully asserted; which three marks the foresaid John, Marion and Adam acknowledged them to have received and converted to their own uses, and quitclaimed the foresaid master Patrick and all his thereof for ever. To have and hold the said three shillings to the foresaid master Patrick, his heirs and assignees, from the said John, Marion and Adam, their heirs and assignees, in fee and heritage for ever, with all liberties, commodities and easements and their just pertinents whatsoever, as the said John, Marion and Adam most freely, quietly and honourably held or possessed the said three shillings with the pertinents. Moreover, the foresaid John, Marion and Adam renounced all right and claim to the said three shillings, with the pertinents, and assigned the same to the foresaid master Patrick for ever. Of which three shillings the foresaid John, Marion and Adam delivered and caused to be delivered to the foresaid master Patrick, by John M' Mulan, bailie, sasine and corporal possession, by a penny in hand as the manner is of burghs. Upon which, all and sundry, the foresaid master Patrick asked from me, notary public underwritten, a public instrument to be made to him. Which

voluerunt vim carte venditionis in omnibus punctis et articulis suis obtinere. Acta sunt hec super solum dicti tenementi, anno, mense, die, pontificatu et indicatione quibus supra. Presentibus: Johanne de Hall, Thoma de Carruderis, Andrea Kyrkland, Thoma Blak, Roberto Mousfald, Johanne Makky, domino Roberto Leis, capellano, Johanne Rede, Alexandro famulo predicti magistri Patricii et Roberto Fausyde, sergiando, cum multis aliis testibus ad omnia premissa vocatis specialiter et rogatis.



Et ego Henricus Michaelis, clericus Glasguensis diocesis, publicus autoritate imperiali notarius; predictis omnibus et singulis dum sic ut premititur agerentur, dicerentur et fierent, unacum prenominationis testibus presens interfui, eaque sic fieri, vidi et audiui, ac inde presens publicum instrumentum confeci, scripsi, publicavi, et in hanc publicam formam redegi, signoque meo solito me subscribendo, signavi, rogatus et requisitus in fidem et testimonium omnium premissorum.

instrument the said sellers granted and willed to have the force of a charter and sale in all its points and articles. These things were done upon the ground of the said tenement, in the year, month, day, pontificate and indiction above mentioned. Present: John of Hall, Thomas of Carruderis, Andrew Kyrkland, Thomas Blak, Robert Mousfald, John Makky, Sir Robert Leis, chaplain, John Rede, Alexander, servant of the foresaid master Patrick, and Robert Fausyde, serjeant, with many other witnesses to the premises specially called and required.

And I, Henry Michaelson, clerk of the diocese of Glasgow, notary public by imperial authority, was present, with the forenamed witnesses, while all and sundry the foresaid things were transacted, said and done as aforesaid; and I saw and heard the same so done and thereupon have made, written, published and in this public form reduced the present public instrument, and have signed the same, subscribing with my usual sign, specially asked and required, in faith and testimony of all the premises.

V.

FOUNDATION by Mr. Patrick Leiche, Chancellor of the Cathedral Church of Glasgow, of the Chaplainry of St. Machan in the cathedral; and endowment of the same with certain tenements and annualrents. Glasgow, 6 March 1458-9.

Universis Christi fidelibus, tam presentibus quam futuris, hoc presens scriptum inspecturis; Patricius Leiche, cancellarius ecclesie cathedralis Glasguensis, salutem in salutis Auctore: Noverit universitas vestra me spiritu fervide devocionis in hac parte adductum, consensu, auctoritate ac confirmatione reverendi in Christo patris et domini mei domini Andree Dei et apostolice sedis gracia, episcopi Glasguensis, ac etiam venerabilium virorum Thome Waus, decani, et capituli ejusdem, ad id prius litteris unam novam capellaniam cum capellano ejusdem perpetuo infra ecclesiam cathedralem Glasguensem in navi sive deambulatorio ejusdem, ex parte boriali, ad altare Sancti Machani,¹ ad tertiam columpnam a solio crucifixi situm situatis, fundatum seu dedicatum, et jam nunc per me sectis et politis lapidibus constructum, in laudem, gloriam et honorem Omnipotentis Dei, Patris et Filii et Spiritus Sancti, glorioseque Virginis Marie, Sanctorum Kentigerni et Machani, confessorum, honorem omniumque sanctorum et supernorum civium veneracionem, ob divini cultus augmentum, ad [salutem] anime mee,

To all the faithful in Christ, as well present as future, who shall see this present writing, Patrick Leiche, chancellor of the cathedral church of Glasgow, greeting in the Author of Salvation. Know ye all that I, led to that effect by the spirit of fervent devotion, did by former letters, with consent, authority and confirmation of the reverend father in Christ and my lord, lord Andrew, by the grace of God and the apostolic see, bishop of Glasgow, and also of venerable men, Thomas Waus, dean, and the chapter of said church, found or dedicate a new chaplainry, with a perpetual chaplain thereof, within the cathedral church of Glasgow, in the nave or aisle thereof, on the north side, at the altar of St. Machan, situated at the third pillar from the Rood loft, now built by me with hewn and polished stones, and endowed with the revenues and rents afterwritten, in praise, glory and honour of Almighty God, Father, Son and Holy Spirit, and of the glorious Virgin Mary, Saints Kentigern and Machan, confessors, and in honour and veneration of all the saints and heavenly citizens, for increase of divine worship, for the

¹ St. Machan, a ninth century bishop and confessor in Scotland, is said to have been buried at Campsie, the church of which was dedicated to

his memory. Campsie was the chancellor's prebend, and it was accordingly possessed by Patrick Leiche at the time he founded this chaplainry.

animeque prefati reverendi in Christo patris, Andree domini mei episcopi Glasguensis, et pro ejus felici statu et prosperitate votiva, animarum antecessorum et successorum meorum, cancellariorum Glasguensium, parentumque et benefactorum meorum, pro animabus in vita vel in morte preces effundere teneor et deprecari astringor, omniumque fidelium defunctorum salutarem memoriam indies inibi soll[emnizari] perpetuis futuris temporibus, faciendam, censibus et redditibus infrascriptis per me dotatam; de novo fundasse, constituisse et confirmasse, ac fundari, creari, eregi et ordinari, fecisse et procurasse, sub modis et forma infrascriptis, ejusdem capellanie et ipsius ydonei capellani, ibidem perpetuis futuris temporibus divina celebraturi, reparacionem et honestam et sufficientem sustentacionem, ista tenementa, terras et annuos redditus que michi ex puro meo conquestu et non alias [pertin]uerunt, habeo, possideo et acquisivi, dedi et concessi et in puram elemosinam sicut aliqua elemosina infra regnum Scocie liberius datur et conceditur, donavi et assignavi ac a me et heredibus meis, cum omnibus et singulis suis pertinentibus et commoditatibus, mortua manu tradidi et imperpetuum erogavi; quorum reddituum et tenementorum ut vulgo censentur nomina subsequuntur, prout in publico instrumento donacionis hujusmodi plenius continentur:—In primis, unum tenementum meum infra burgum et civitatem Glasguensem ex parte occidentali vie regie extendentis ab ecclesia usque ad crucem fori, jacens inter tenementum domini Roberti Baxter et terram sive tenementum Johannis Cowl. Item, quatuor solidos annui redditus de tenemento

weal of my soul and of the soul of the foresaid reverend father in Christ, my lord Andrew, bishop of Glasgow, and for his happy state and devout prosperity, for the weal of the souls of my predecessors and successors, chancellors of Glasgow, and of my parents and benefactors, for whose souls, in life or in death, I am bound and obliged to offer prayers and supplications, and to solemnize daily there the worthy memory of all the fathful dead, in all time coming; and I have of new founded, constituted, and confirmed, and have caused and procured to be founded, created, erected and set in order, in the manner and form underwritten, for the repair and honest and sufficient maintenance of the said chaplainry and the maintenance of a fit chaplain to celebrate divine service there in all time coming, those tenements, lands and annual rents which by my pure purchase, and not otherwise, I have, possess and have acquired, and have given and granted, and in pure alms, as any other alms within the kingdom of Scotland is most freely given and granted, have bestowed and assigned, and from me and my heirs, have, in mortmain, delivered and forever bestowed, with all and sundry their pertinents and commodities; of which rents and tenements, as publicly known, the names follow, as in the public instrument of the same is more fully contained:—In the first, my tenement within the burgh and city of Glasgow on the west side of the High Street, extending from the church to the market cross, lying between the tenement of Sir Robert Baxter and the land or tenement of John Cowl. Also four shillings annual-

Georgii Myrk, jacente ex parte occidentali vie antedicta. Item, unum tenementum ex parte orientali dicte vie, jacens inter tenementum Johannis Mure et tenementum Johannis Carnys. Item, unum tenementum sive duo tenementa contigue jacentia in prefata via regia, ex parte occidentali ejusdem, inter tenementum Ilisabeth de Dowglas et tenementum Nicholai Clerk ex parte australi. Item, tres solidos annui redditus de uno tenemento jacente in vico Ratonum, ex parte australi ejusdem, inter tenementum vulgariter dictum le Monkhous et tenementum Roberti Hugonis. Item, unum tenementum jacens in dicto vico vulgariter nuncupatum Ratonraw, ex parte boriali ejusdem, inter tenementum magistri David de Cadzow et tenementum magistri David Narne ex parte orientali, in feodo usufructuum sine aliquo retinemento in perpetuum. Cujus quidem capellani post obitum meum duntaxat ad communitatem et ballivos dicte civitatis et burghi Glasguensis omnino presentacio spectabit, et institutio sive admissio ad prelibatum dominum reverendum in Christo patrem et suos successores episcopos Glasguenses qui pro tempore fuerint perpetuis futuris temporibus pertinebit. Qui vero ballivi et communitas supradicti unum sufficientem et ydoneum capellanum, burgensis dicti burghi filium alumpnum et civem dicte civitatis Glasguensis michi potius attingentem et genere propinquiorem et presertim alterum de nepotibus meis, filliis Roberti fratris mei, nunc quidem mecum scholaribus junioribus, cum ad sacerdotium promoti fuerint si hujusmodi ydoneus reperiri possit, sin autem alium ydoneum capellanum infra unum mensem a tempore debite vacationis predicte capellanie prelibato reverendo in Christo patri et ejus successoribus episcopis Glasguensibus admittendum presentare teneantur; qui capellanus sic presentatus per assignationem libri seu super-

rent furth of the tenement of George Myrk, lying on the west side of the foresaid street. Also, a tenement on the east side of the said street, lying between the tenement of John Mure and the tenement of John Carnys. Also, a tenement or two tenements lying contiguous in the foresaid High Street, on the west side thereof, between the tenement of Ilisabeth of Douglas and the tenement of Nicholas Clerk on the south side. Also, three shillings of annualrent furth of a tenement lying in the Ratonraw on the south side thereof, between the tenement commonly called the Monkhous and the tenement of Robert Hutchison. Also a tenement lying in the said street commonly called Ratonraw, on the north side thereof, between the tenement of Mr. David of Cadzow and the tenement of Mr. David Narne on the east; all in fee of the usufruct without any reservation for ever. Of which chaplain after my death only, the presentation shall wholly belong to the community and bailies of the said city and burgh of Glasgow, and the institution or admission shall belong to the foresaid reverend father in Christ, and his successors, bishops of Glasgow, for the time being, and that in all time coming. Which above mentioned bailies and community, shall be bound to present, to be admitted by the said reverend father in Christ, and his successors, bishops of Glasgow, a sufficient and fit chaplain, son of a burgess of said burgh, and a student and citizen of

plicii vel alias prout utilius visum fuerit auctoritate dicti reverendi in Christo patris episcopi Glasguensis et successorum suorum qui pro tempore fuerint sibi factam admittatur, et sic in ipsa capellania per huiusmodi presentationem instituatur; retenta tamen michi presentatione et institutione huiusmodi capellani dum vixero in humanis. Qui vero capellanus ad presentationem huiusmodi sic institutus in civitate Glasguensi personaliter resideat et indices pro anima mea animabusque prefati reverendi in Christo patris domini mei episcopi Glasguensis, successorum ac antecessorum meorum, cancellariorum Glasguensium, patrisque ac matris mee, benefactorum meorum et omnium fidelium defunctorum ut prescribitur in missarum misteriis et necessariis congruentibus dictam capellaniam et officium huiusmodi deserviri faciet sagaciter et devote et per se cum dispositus fuerit ad dictum altare indices celebrabit et piam commemorationem ut predicatur ibidem faciet. Que capellania si se sine licencia decani et capituli Glasguensis predicti, petita et obtenta, capellanus huiusmodi a predicta civitate Glasguensi absentaverit et moram inibi sive residenciam facere non curaverit se aliud beneficium sive officium curatum vel non curatum qualecunque adeptus fuerit statim per huiusmodi suam absenciam seu huiusmodi alterius beneficii sive officii pacificam possessionem censeatur ex tunc ipso facto vacari et de novo unius alius capellanus ydoneus ut predicatur ad presentationem dictorum ballivi et communitatis per episcopum Glasguensem qui pro tempore fuerit admittatur et instituatur, qui huiusmodi officium sibi creditum solerti cura sataget perimplere. Ceterum si huiusmodi officium capellanie per ipsius capellani absenciam, insufficientiam, negligentiam seu desideam, in aliquo negligatur,

the said city of Glasgow, nearly related by kindred to me, and especially one of my nephews, sons of my brother Robert, at present young scholars with me, when they shall be promoted to the priesthood, if found fit for such, but if not then another fit chaplain within one month from the time of the due vacating of the foresaid chaplainry: which chaplain so presented shall be admitted by assignment of a book or surplice, or in another manner as may seem more convenient, by authority of the said reverend father in Christ, bishop of Glasgow, and his successors for the time being, and so shall be instituted in the said chaplainry by the said presentation. Reserving nevertheless to me the presentation and institution of the said chaplainry while I survive in the body. Which chaplain, to the said presentation so instituted, shall personally reside in the city of Glasgow, and shall, for my soul and the souls of the foresaid reverend father in Christ, my lord bishop of Glasgow, of my successors and predecessors, chancellors of Glasgow, and of my father and mother, and of my benefactors and of all the faithful dead, as before written, in the mysteries of the mass and the becoming requisites, shall cause the said chaplainry and the office thereof to be wisely and devoutly served, and by himself when he shall be disposed shall celebrate daily at the said altar, and shall make pious commemoration there as aforesaid. Which chaplainry,

ad hoc cancellarius Glasgensis qui pro tempore fuerit et predicti ballivi et communitas in quibus gero fiduciam specialem divine caritatis intuitu sollicite attendant ad altare procurent et post lapsum unius duntaxat mensis si hujusmodi capellania seu proprio sit capellano destituta et debitis frauderetur obsequiis ex tunc hujusmodi capellania vacari censeatur et alius capellanus ydoneus per dictos ballivos et communitatem presentetur et per episcopum Glasguensem pro tempore existentem in ipsa capellania instituat. Qui fructus, redditus et proventus ipsius capellanie integraliter ad suam honestam sustentationem et dicti altaris reparationem habebit levabit et percipiet quolibet alio propter suam insufficientiam vite immundiciam seu negligentiam aut absentiam prius penitus amoto non obstante quacunq; licencia dictorum decani et capituli, que licencia post lapsum unius mensis nullius sit roboris vel momenti. Qui capellanus omnibus diebus Dominicis et festis duplicibus, majoribus processionibus magne misse et vesperis hujusmodi in habitu decenti unacum vicariis chori in ecclesia cathedrali Glasguensi ministrantibus intersit. In cujus capellanie sive officii fundacionis, confirmacionis et reddituum hujusmodi mee donacionis et concessionis, fidem, testimonium, firmitatem et

if the chaplain thereof shall, without licence of the said dean and chapter of Glasgow asked and obtained, absent himself from the foresaid city of Glasgow, and shall not take care to make his dwelling there, or shall have obtained another benefice or office whatever, whether with or without a cure, shall forthwith be deemed to be vacated by such absence or the peaceable possession of such other benefice or office, and, of new, another fit chaplain as aforesaid shall, on the presentation of the said bailies and community, be admitted and instituted by the bishop of Glasgow for the time, and the new chaplain shall with earnest zeal labour to fulfill such office. But if such office of chaplainry, by the absence, insufficiency, negligence or idleness of said chaplain be neglected in any respect, the chancellor of Glasgow for the time, and the foresaid bailies and community in whom I place special faith, by virtue of the love of God, shall anxiously attend and take charge of the said altar, and, after the lapse of one month only, if such chaplainry shall be destitute of its own chaplain, such chaplainry shall thenceforth be deemed to be vacant, and another fit chaplain shall be presented by the said bailies and community and instituted in the said chaplainry by the bishop of Glasgow for the time being. Which chaplain shall have, raise and take the fruits, rents and profits of the said chaplainry wholly for his honest maintenance and repair of the said altar, any other being previously removed on account of his insufficiency of life, impurity or negligence or absence, notwithstanding any licence of the said dean and chapter, which licence after the lapse of one month shall not be of any strength or effect. Which chaplain, on all Lord's days and double feasts, great processions of high mass and the vespers thereof shall be present in decent habit, along with the vicars of the choir, ministering in the cathedral church of Glasgow. In faith, testimony, security and approval of the foundation of such chaplainry or office and of my confirmation, gift and grant of the rents of the same, the foresaid reverend father in Christ and the foresaid

approbationem, prefatus reverendus in Christo pater et capitulum Glasguense predictum sua sigilla autentica suam auctoritatem et confirmationem interponendo per me cum instancia procurata huic presenti scripto pro perpetuo duraturo apponi jusserunt. Apud Glasgw, die vj^{ta} mensis Martii, anno Domini millesimo quadringentesimo quinquagesimo octavo.

chapter of Glasgow, for interponing their authority and confirmation at my instance procured, have commanded their authentic seal to be appended to this present writing for ever to endure. At Glasgow the sixth day of March, in the year of our Lord one thousand four hundred and fifty eight.

CONFIRMATION by Bishop Muirhead of the foregoing Foundation.¹
Glasgow, 6 March 1458-9.

[Noveritis] universi et singuli, nos Andream, Dei et apostolice sedis gracia, episcopum Glasguensem sincere devocionis effectum, suplicibusque precibus venerabilis viri magistri Patricii Leich, cancellarii ecclesie nostre cathedralis Glasguensis in hac parte . . . perpetuam capellaniam suis modis et forma prout in retroscriptis litteris quibus hec presentes nostre annectuntur continetur, ad altare Sancti Machani infra nostram ecclesiam perpetuis futuris temporibus . . . prefatum magistrum Patricium de novo jam fundatis, cum consensu decani et capituli nostri diligenti tr . . . super hoc prius habito ad divini cultus augmentum perpetuamque animarum fidelium salutem et memo . . . concessionem et donacionem terrarum, tenementorum

Know all and sundry that we, Andrew, by the grace of God and the holy see, bishop of Glasgow, moved of sincere devotion and by the supplications and prayers of a venerable man, Mr. Patrick Leich, chancellor of the cathedral of Glasgow, on that behalf, have approved, confirmed and mortified a perpetual chaplainry, in the manner and form as is contained in the within written letters to which these our presents are annexed, and that at the altar of St. Machan within our church, in all time coming, founded of new [. . .] by the foresaid Mr. Patrick, with consent of our dean and chapter for increase of divine worship and perpetual weal of the souls of the faithful and the memory of [. . . and] the gift and grant of the lands, tenements and rents

¹ The pieces of parchment on which the Foundation and Confirmation are written are fastened together by parchment stripes. In each document, but specially in the Confirmation, some words are lost in consequence of the frayed condition of the material.

et reddituum per prefatum magistrum Patricium dicte capellanie et capellano ejusdem perpetuo, instituto et instituendo, datis, donatis, concessis et manu-mortua . . . suis modis, forma et reservationibus ut retroscribitur in presentibus annexis, approbasse, confirmasse et mortificasse. Quam capellaniam cum suo capellano perpetuo ac singulis suis pertinentiis, redditibus et proventibus pro nobis et successoribus nostris tenore presentium approbamus, confirmamus et ratificamus ac pro perpetuo mortificamus. Salvis tamen nobis et successoribus nostris dictorum terrarum et tene-mentorum firma burgalis debitis et consuetis, et hujusmodi capellani obedientia, juris-dictione, correctione, cohortione et institutione. In cujus rei testimonium sigillum nostrum rotundum et autenticum unacum sigillo capituli nostri antedicti, presentibus sibi filo connexis et continue affixis, apponi jussimus, et hujusmodi presentis fecimus com-muniri. Apud Glasgw, die vj mensis Martii anno Domini millesimo quadringentesimo quinquagesimo octavo, et consecrationis nostre tertio.

given, granted and in mortmain [bestowed] by the foresaid master Patrick to the said chaplainry and chaplain thereof, appointed and to be appointed in manner and form, and with the reservations as within written, in the annexed presents. Which chaplainry, with its perpetual chaplain, and its sundry pertinents, rents and profits, for us and our successors, by the tenor of these presents, we approve, confirm and ratify and for ever mortify. Saving nevertheless to us and our successors, the burgh farms, owing and accustomed, of the said lands and tenements, and the obedience, jurisdiction, correction, exhortation, and institution of the said chaplain. In testimony whereof and in fortifi-cation of these presents we have commanded our round and authentic seal, together with the seal of our foresaid chapter to be appended to the said presents, connected and remaining affixed by a band. At Glasgow, the sixth day of March, in the year of our Lord one thousand four hundred and fifty eight, and of our consecration the third year.

VI.

INDENTURE between the Provost, Bailies, and Community of the Burgh of Glasgow and the Prior and Friars Preachers of Glasgow, as to setting in feu-farm certain roods in the High Street belonging to the Friars. Glasgow, 12 June 1467.

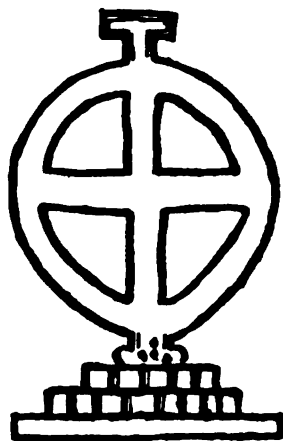
In Dei nomine, Amen. Per hoc presens publicum instrumentum cunctis pateat euidenter quod anno ab Incarnatione Domini millesimo quadregentesimo sexagesimo septimo, mensis Junii die duodecimo, indictione decima quinta, pontificatus sanctissimi in Christo patris ac domini nostri domini Pauli diuina prouidentia Pape secundi anno tertio. In presentia venerabilium necnon nobilium virorum in pretorio Glasguensi personaliter existentium meique notarii publici ac testium subscriptorum presentia, fuit finaliter concordatum inter prepositum, ballivos et communitatem burghi et civitatis de Glasgw, ex parte una, et priorem ac Fratres Predicatores loci conventualis civitatis predictæ, ex parte altera, sub hac forma sequenti, scilicet, dictus prior et conuentus loci predicti dederunt plenarium consensum et assensum assedandi ad feodi firmam certas rodas contigue iacentes in communi via in magno vico ad parietem ipsorum fratrum, inter introitum dicti loci ab austro usque ad clausuram cimiterij prefati loci ex parte boriali, pro certo annuo reddito annuatim soluendo secundum estimacionem et discretionem communitatis predicti burghi et ciuitatis necnon prioris et sui consilii, ad sustentacionem dicti loci et conuentus eiusdem et diuini seruicii in eodem, pro proquidem

In the name of God, Amen. By this present public instrument be it evidently known to all that on the twelfth day of June, in the year of the incarnation of our Lord one thousand four hundred and sixty-seven, in the fifteenth indiction, and the third year of the pontificate of the most holy father in Christ our lord, Paul the Second, by divine providence Pope. In presence of venerable and noble men, personally present in the tolbooth of Glasgow, and in presence of me, notary public, and the witnesses underwritten, it was finally agreed between the provost, bailies, and community of the burgh and city of Glasgow, on the one part, and the Prior and Friars Preachers of the Convent of the foresaid city, on the other part, in manner following, that is to say the said prior and convent of the foresaid place have given full consent and assent to the setting in feu farm of certain roods lying contiguous in the highway, in the great street, at the wall of the said friars, between the entry of the said place from the south to the enclosure of the cemetery thereof on the north; for a certain annual rent to be paid yearly, according to the estimation and discretion of the community of the foresaid burgh and city and of the prior and his council, towards the maintenance of the said place and convent thereof. For which annual rent, according to the value thereof,

annuo redditu secundum valorem eiusdem dictus prior et conuentus et sui successores qui pro tempore fuerint annuatim celebrabunt orabunt et facient exequies et alia diuina seruicia sine suffragia pro domino nostro episcopo Glasguensi et suis successoribus, necnon pro communitate dicte ciuitatis futuris temporibus quibuscunque, secundum consilium et placabile desiderium dicti domini nostri episcopi Glasguensis et communitatis prefate ciuitatis et burghi de Glasgw, que condicio fuit facta in presentia Magistri Roberti de Hammiltoun, tunc temporis cancellarij ac camerarii domini episcopi eiusdem, cui condicioni dictus camerarius firmiter fatebatur predictum dominum episcopum dedisse suum expressum consensum et assensum. Super quibus omnibus et singulis Johannes Stewart, prepositus, et balliui dicte ciuitatis, ac etiam religiosus vir Johannes Mure, prior tunc temporis loci conuentualis fratrum predicatorum predictorum de Glasgw, petierunt sibi fieri publicum instrumentum, sub modo endenture, cui instrumento remanenti cum dictis proposito, balliuis et communitate dicte ciuitatis Glasguensis sigillum commune conuentus dictorum fratrum predicatorum pro perpetuo remansuro est appensum, ac etiam instrumento remanenti cum priore et conuentu ejusdem et eorum successoribus qui pro tempore fuerint, sigillum commune dicte ciuitatis Glasguensis pro perpetuo remansuro est appensum. Acta fuerunt hec in dicta ciuitate Glasguensi anno, mense, die, indictione, pontificatu et loco quibus supra. Presentibus ibidem, venerabilibus et nobilibus ac prouidis siue discretis viris, Magistro Roberto de Hammiltoun, cancellario Glasguensi, ac camerario eiusdem, Alexandro Stewart de Galstoun,

the said prior and convent, and their successors for the time being, shall yearly celebrate, pray, and perform exequies, and other diuine services or suffrages for our lord the bishop of Glasgow and his successors; also for the community of the said city in all time coming, according to the advice and pleasure of our said lord bishop of Glasgow and community of the foresaid city and burgh of Glasgow; which condition was made in presence of master Robert of Hammiltoun, then chancellor and chamberlain of the said lord bishop; to which condition the said chamberlain distinctly acknowledged that the foresaid lord bishop had given his express consent and assent. Upon which, all and sundry John Stewart, provost, and the bailies of the said city, and also a religious man John Mure, then prior of the foresaid Friars Preachers of Glasgow, asked a public instrument to be made to them in form of Indenture, to which instrument remaining with the said provost, bailies and community of the said city of Glasgow, the common seal of the convent of the said Friars Preachers is affixed to remain for ever; and to the instrument remaining with the said prior and convent and their successors for the time being the common seal of the said city of Glasgow is affixed to remain for ever. These things were done in the said city of Glasgow in the year, month, day, indiction, pontificate, and place above written. Present there: the venerable and noble and prudent and discreet men, master Robert of Hammiltoun, chancellor of Glasgow and

Johanne Stewart, preposito predicto, Johanne Schaw, ballivo, Jacobo Stewart, Johanne Armulan, Johanne Oliphant, Willelmo Dicsoun, Archibaldo Wetsc[ha]w, Roberto Hynde, Georgeo Hynde, Roberto Brouster, Johanne Wisschart, Willelmo Jacsoun, sergiando, et domino David Rede, notario publico, cum multis aliis burgensibus et civibus de Glasgw. testibus ad premissa vocatis specialiter et rogatis.



Et ego Johannes Michaelis, presbiter, Glasguensis diocesis, publicus autoritatibus imperiali et regali notarius, premissis, quia omnibus et singulis dum sic ut premitittur agerentur, dicarentur et fierent, unacum pre-nominatis testibus presens interfui, eaque sic fieri, vidi, scivi et audivi, ac in notam sumpsi, ex qua hoc presens publicum instrumentum alterius manu scriptum confeci publicaui et in hano publicam formam relegi, signoque nomine meis solitis et consuets me subscribendo signavi, rogatus et requisitus, in fidem et testimonium veritatis omnium premissorum.

chamberlain thereof, Alexander Stewart of Galstoun, John Stewart, provost foresaid, John Schaw, bailie, James Stewart, John Armulan, John Oliphant, William Dicsoun, Archibald Wetschaw, Robert Hynde, George Hynde, Robert Brouster, John Wisschart, William Jacsoun, sergeand, and Sir David Rede, notary public, with many other burgesses and citizens of Glasgow, witnesses to the premises specially called and required.

And I, John Michaelson, priest, of the diocese of Glasgow, notary public, by imperial and royal authority, was personally present, together with the witnesses before named, in all and sundry the premises, whilst these things were being transacted, said, and done, as is above set forth; and I saw, knew, and heard them so done, and took a note thereupon, from which I have made, published, and reduced into this public form, this present public instrument, written by the hand of another, and have signed it, subscribing my usual and customary sign and name, in faith and testimony of the truth of the whole premises as asked and required.

VII.

INSTRUMENT on Sale by Friar Patrick of Govane, Prior of the Friars Preachers of Glasgow, to Patrick Hynd, burgess of Linlithgow and Glasgow, of an annualrent of four merks payable furth of a tenement in Gallowgate, Glasgow. Glasgow, 13 May 1472.

In Dei nomine, Amen. Per hoc presens publicum instrumentum cunctis pateat evidenter quod anno ab Incarnacione Domini millesimo cccc^{mo} septuagesimo secundo mensis vero Maij die decima tertia, indictione quinta, pontificatus sanctissimi in Christo patris ac domini nostri domini Sexti divina providentia, Pape, quarti, anno primo. In mei notarii publici et testium subscriptorum presentia, personaliter constitutus religiosus vir frater Patricius de Guvane, prior tunc temporis loci et conventus Fratrum Predicatorum de Glasgu, cum pleno consensu et assensu fratris Johannis Mure, tunc temporis vicarii generalis ordinis Fratrum Predicatorum, necnon aliorum fratrum de dicto conventu, matura deliberacione prehabita utilitate ipsorum prius pensata, vendidit, necnon pro perpetuo a se suo conventu et eorum successoribus alienavit quatuor marcas annui redditus, usualis monete regni Scocie, de tenemento, cum pertinentiis, Johannis Hynd, jacente infra civitatem Glasguensem, in vico Furcarum ex parte australi ejusdem, inter tenementa Thome de Minteth ex parte orientali, ex parte una, et Hugonis Red ex parte occidentali ex parte altera, provido viro Patricio Hynd, burgensi de Lithquhw et Glasgu, pro quadam certa summa pecunie monete Scocie honorabili viro Matheo Steuart, domino de Castelmilk, de expresso mandato et consensu predictorum

. . . In presence of me notary public, and of the witnesses underwritten, personally appeared a religious man, Patrick of Guvan, then prior of the place and convent of the Friars Preachers of Glasgow, with full consent and assent of Friar John Mure, then vicar general of the order of Friars Preachers, and of the other friars of the said convent, their profit being previously considered with mature deliberation, for a certain sum of Scots money faithfully and fully paid to an honourable man, Mathew Steuart, laird of Castelmilk, by express authority and consent of the said Friars Preachers, as they firmly asserted, sold, and for ever, from them and their successors conveyed to a provident man, Patrick Hynd, burgess of Linlithgow and Glasgow, four merks of annualrent, usual money of the kingdome of Scotland, payable furth of a tenement with the pertinents, belonging to John Hynd, lying within the city of Glasgow, in the Gallowgait, on the south side thereof, between the tenements of Thomas of Minteth on the east, on the one side, and of Hugh Red on the west, on the other side; which sum the said Mathew Steuart acknowledged to have received and to have applied

Fratrum Predicatorum, ut firmiter asserverunt, fideliter et plenarie persoluta; quam quidem summam dictus Matheus Steuart fatebatur se recepiisse et in usum suum convertisse et dictum Patricium Hynd et omnes suos pro se et heredibus suis quietumclamavit imperpetuum de eadem. Tendendum et habendum dictum annuum redditum quatuor mercarum de dicto tenemento, cum pertinentiis, Johannis Hynd, ad duos anni terminos consuetos annuatim, silicet, festa Pentecostes et Sancti Martini in yeme, per equales portiones, dicto Patricio Hynd, et suis assignatis, a dicto priore et conventu suo ac eorum successoribus, in feodo et hereditate imperpetuum, adeo libere, quiete, plenarie, integre, honorifice, bene et in pace, sicut dictus prior et conventus vel aliquis predecessorum suorum prefatas quatuor marcas annui redditus liberius, quietius, melius et honorificentius tenuerunt seu possederunt. Insuper vero dictus Matheus Steuart, cum consensu Willelmi Steuart, filij et apparentis heredis sui, fuit obligatus dicto priori et suo conventui fideliter, sine fraude vel dolo, pro suprascripta summa per ipsum recepta a dicto Patricio Hind, de mandato expresso dictorum Fratrum Predicatorum ad deliberandum per saisanam hereditariam eisdem et suis successoribus quatuor mercas et duos solidos annui redditus, annuatim, de terris suis de Castelton, jacentibus infra baroniam de Curmanok et vicecomitatum de Lanark.¹ Cujus annui redditus quatuor mercarum

to his own use, and for himself and his heirs discharged the said Patrick Hynd, and all his, of the same for ever. To hold and have the said annualrent of four merks of the said tenement of John Hynd, with the pertinents, yearly, at two terms in the year, viz., the feasts of Whitsunday and Martinmas in winter by equal portions, to the said Patrick Hynd and his assignees, from the said prior and his convent and their successors, in fee and heritage for ever, as freely, quietly, fully, wholly, honourably, well and in peace, as the said prior and convent, or any of their predecessors most freely, quietly, well and honourably held or possessed the foresaid four merks of annualrent. Moreover the said Mathew Steuart, with consent of William Steuart, his son and apparent heir, was bound to the said prior and his convent faithfully, without fraud or guile, for the said sum received by him from the said Patrick Hind, by express authority of the said Friars Preachers, for delivery by heritable sasine to them and their successors of four merks and two shillings of annualrent, yearly, furth of his lands of Castelton, lying within the barony of Curmanok and shire of Lanark. Of which annualrent of four

¹ In the following year (8th June, 1473) the prior and convent, in consideration of another annualrent, undertook to celebrate mass "for the sawll of Mathow Stewart, larde of Castelmilk, and for the sawlis of his moder and barnis that thar banis restis in our place." Ten merks

were to be paid for the "sayinge of the said mes," and if the amount were doubled, it was to be "changit fra a saide mess till a songyn mess witht noyt." (Munimenta Fratrum Predicatorum de Glasgu, p. 186.)

de tenemento predicto Johannis Hind, cum pertinentiis, dictus Patricius de Guvan, prior antedictus, tradidit saisinam hereditariam et corporalem possessionem prefato Patricio Hind, et suis assignatis, per le heep et stapill et denarium in manu, ut moris est burgorum in consimilibus, per Thomam de Minteth, tunc temporis unum ballivorum civitatis Glasguensis predicti. Acetiam ipse prior et conventus pro se et suis successoribus, omni jure, clameo et interesse suprascripti annui redditus quatuor mercarum renunciaverunt et ea dicto Patricio Hind et suis assignatis imperpetuum assignaverunt. Super quibus, omnibus et singulis, dictus Patricius Hynd peciit a me notari publico subscripto sibi fieri publicum instrumentum ac publica instrumenta, unum vel plura, cui instrumento dictus prior et conventus pro majore securitate premissorum suum commune concesserunt appenderi sigillum. Et similiter Willelmus Steuart, filius et apparens heres dicti Mathei, procuravit cum instancia sigillum honorabilis viri Johannis Steuart, prepositi de Glasgu, dicto instrumento pro majore securitate premissorum apponi sive appendi. Acta erant hec infra civitatem Glasguensem anno, mense, die, indictione et pontificatu suprascriptis; presentibus ibidem: honorabilibus, providis et circumspcctis viris Matheo Steuart, domino de Castelmilk, Willelmo Steuart, filio et apparente herede ipsius Mathei, Johanne Steuart, in artibus magistro, Alano Steuart, filio ejusdem Mathei, Andrea Steuart, scutifero, fratre Johanne Mure, vicario generali ordinis Fratrum Predicatorum, Georgeo Hind, Johanne Hind, Johanne Olifant, Thoma

merks furth of the tenement of the foresaid John Hind, with the pertinents, the said Patrick of Guvan, prior foresaid, delivered, by Thomas of Minteth, then one of the bailies of the foresaid city of Glasgow, heritable sasine and corporal possession to the foresaid Patrick Hind and his assignees, by heep and stapill and a penny in hand, as is the manner of burghs in similar cases. Also the said prior and convent, for themselves and their successors, renounced all right, claim and interest of the said annualrent of four merks, and assigned the same to the said Patrick Hynd and his assignees for ever. Upon which, all and sundry, the said Patrick Hynd asked from me, notary publico subscribing, a public instrument and instruments, one and more to be made to him; to which instrument the said prior, for greater security of the premises, granted his common seal to be affixed. And likewise William Steuart, son and apparent heir of the said Mathew, procured with instance the seal of an honourable man, John Steuart, provost of Glasgow, to be appended or affixed to the said instrument for the greater security of the premises. These things were done within the city of Glasgow, in the year, month, day, indiction and pontificate above written; present there: honourable, provident and circumspcct men, Mathew Steuart, laird of Castelmilk, William Steuart, son and apparent heir of the said Mathew, John Steuart, master in arts, Alan Steuart, son of the said Mathew, Andrew Steuart, esquire, friar John Mure, vicar general of the order of Friars Preachers, George Hind, John Hind, John Olifant, Thomas Hoige, David

Hoige, David Letherik, Thoma Litill, Roberto Burele et Johanne Nicholai, cum multis aliis civibus de Glasgu, testibus ad premissa vocatis specialiter et rogatis.

Et ego Johannes Michaelis, presbiter Glasguensis diocesis, publicus auctoritatibus imperiali et regali notarius, premissis omnibus et singulis dum sic ut premittitur agerentur, dicerentur et fierent, unacum prenomminatis testibus presens interfui, eaque sic fieri, vidi, scivi et audiui, ac in notam sumpsi, ex qua hoc presens publicum instrumentum, manu mea propria scriptum, confeci, publicavi et in hanc publicam formam redegi, signoque nomine meis solitis et consuetis me subscribendo signavi, rogatus et requisitus, in fidem et testimonium omnium et singulorum premissorum.

Letherik, Thomas Litill, Robert Burele and John Nicholson, with many other citizens of Glasgow, witnesses to the premises, specially called and required.

And I, John Michaelson, priest of the diocese of Glasgow, notary public by imperial and royal authority, was personally present, together with the witnesses before named, in all and sundry the premises, whilst these things were being transacted, said, and done, as is above set forth; and I saw, knew, and heard them so done, and took a note thereupon, from which I have made, published, and reduced into this public form, this present public instrument, written by my own hand, and have signed it, subscribing with my usual and customary sign and name, in faith and testimony of all and sundry the premises as asked and required.

VIII.

NOTARIAL Instrument on Sale by George Hynd, citizen of Glasgow, to James Douglas of Achincaschill of annual rents payable furth of properties in Glasgow.¹ Glasgow, 16 October 1472.

In Dei nomine, Amen. Per hoc presens publicum instrumentum cunctis pateat evidenter quod anno ab Incarnatione Domini millesimo quadringentesimo septuagesimo secundo, mensis Octobris die vero decimo sexto, indictione sexta, pontificatusque sanctissimi in Christo patris et domini nostri domini Sexti, divina providencia, Pape, quarti, anno secundo. In nostrum notariorum publicorum et testium subscriptorum presentia, personaliter constitutus providus vir, Georgius Hynd, civis Glasguensis, cum consensu et assensu Margrete, sponse sue, vendidit ac titulo vendicionis tradidit, necnon pro perpetuo a se et heredibus alienavit viginti solidorum, usualis monete regni Scocie, annui redditus de et super tenementis, suis cum pertinentiis, jacentibus in civitate Glasguensi, prope crucem fori, inter pretorium de Glasgu ex parte australi, ex parte una, et tenementum Thome Hogis ex parte boriali, ex parte altera; unacum aliis viginti solidis annui redditus, usualis monete Scocie, de tribus rodīs cum dimedia, et suis pertinentiis, jacentibus infra dictam civitatem in vico Sancte Teneu, ex parte australi ejusdem, inter horreum quondam Johannis Ros ex parte orientali, ex parte una, et terras Hugonis de Houstoun ex parte occidentali, ex parte altera; que quidem tres rode cum dimedia in suo orto sive cauda extendunt versus austrum ad cepem magni orti dicti quondam Johannis Ros; ac etiam dictus Georgius Hynde, cum consensu ut premititur

. . . In presence of us notaries public and the witnesses subscribing, personally appeared an honourable man George Hynd, citizen of Glasgow, and with consent and assent of Margaret, his spouse, sold, and by title of sale delivered, and also for ever from him and his heirs alienated to a noble man, James of Dowglas of Achincaschill, twenty shillings, usual money of Scotland, of annualrent furth of and upon tenements, with their pertinents, lying in the city of Glasgow, near the market cross, between the tolbooth of Glasgow on the south, on the one side, and the tenement of Thomas Hog on the north, on the other side; together with other twenty shillings of annualrent, usual money of Scotland, furth of three and a half roods, and their pertinents, lying within the said city, in the street of St. Teneu, on the south side thereof, between the barn of the late John Ros on the east side, on the one side, and the lands of Hugh of Houstoun on the west, on the other side; which three and a half roods in his yard or tail extend on the south to the hedge of the great yard of the said late John Ros;

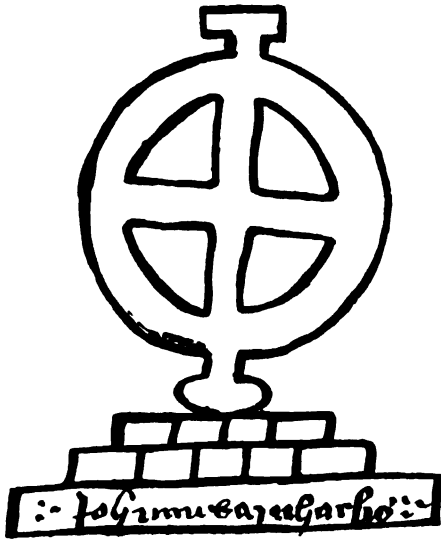
¹ These annualrents formed part of the footnote on p. 440.
endowments of the chaplainry referred to in the

Margrete, sponse sue, obligavit et annexuit, pro solutione dictorum annuorum reddituum quadranginta solidorum, unacum tenementis suis suprascriptis, indifferenter, conjunctim et divisim, duas rodas sive particatas terre jacentes in dicto vico Sancte Teneu in Longa Crofta, ex parte boriali ejusdem, inter terras David Sper ex parte occidentali, ex parte una, et terras Willelmi Scot ex parte orientali, ex parte altera; necnon duas rodas sive particatas terre jacentes in dicto vico Sancte Teneu, ex parte australi ejusdem, inter terras dicti David Sper ex parte orientali, ex parte una, et terras Johannis Wan ex parte occidentali, ex parte altera; et simili modo unam rodam sive particatam terre jacentem in dicto vico Sancte Teneu, ex parte australi ejusdem, inter terras domini Johannis Glubar ex parte orientali, ex parte una, et terras Johannis Gillmor ex parte occidentali, ex parte altera, nobili viro Jacobo de Dowglas de Achincaschill; pro quadraginta libris, usualis monete regni Scocie, dicto Georgio Hynde, ut asservit, per dictum Jacobum de Douglas fideliter et plenarie persolutis; quam summam quadraginta librarum idem Georgius fatabatur se recepisse et in usus suos convertisse, et predictum Jacobum de Dowglas et omnes suos quietum clamavit imperpetuum de eadem. Tenendos et habendos dictos quadraginta solidos annui redditus, annuatim, de suprascriptis tenementis et rodis cum suis pertinentiis, conjunctim et divisim, prefato Jacobo de Douglas et suis assignatis a predicto Georgio Hynde, heredibus suis et assignatis, in feodo et hereditate imperpetuum, ad duos anni terminos consuetos, videlicet, festa Pentecostes

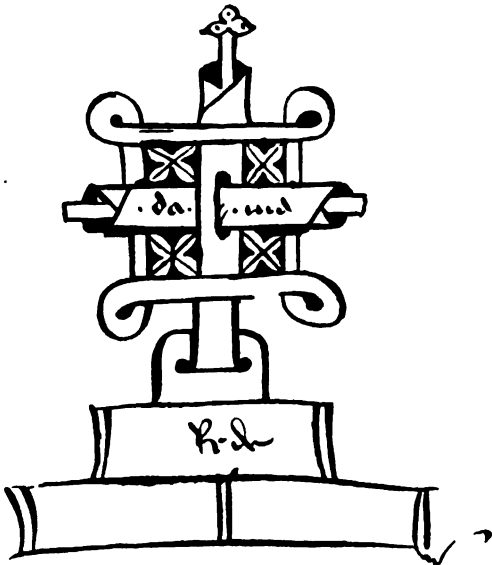
and likewise the said George Hynde, with consent as aforesaid of the said Margaret, his spouse, bound and annexed, for payment of the said forty shillings of annualrent, together with his said tenements, indifferently, conjunctly and severally, two roods or particates of land lying in the said street of St. Teneu, on the north side thereof, in Long Croft, between the lands of David Sper on the west, on the one side, and the lands of William Scot, on the east, on the other side; also two roods or particates of land lying in the said street of St. Teneu, on the south side thereof, between the lands of the said David Sper on the east, on the one side, and the lands of John Wan on the west, on the other side; and that for forty pounds, usual money of Scotland, faithfully and fully paid by the said James of Douglas to the said George Hynde, as he asserted; which sum of forty pounds the said George acknowledged to have received and applied to his uses, and he discharged the foresaid James of Douglas, and all his, of the same for ever. To hold and have the said forty shillings of annualrent, furth of the aboveswritten tenements and roods, with their pertinents, conjunctly and severally, to the foresaid James of Douglas and his assignees from the foresaid George Hynde, his heirs and assignees, in fee and heritage for ever, at the two following terms in the year, viz., the feasts of Whitsunday and Martinmas in winter, by equal portions, as freely, quietly, fully, honourably, wholly, well and in peace as the said George Hynde, or any of his predecessors, most freely, quietly, well and honourably held or possessed

et Sancti Martini in yeme, per equales portiones, adeo libere, quiete, plenarie, honorifice, integre, bene et in pace, sicut dictus Georgius Hynde vel predecessorum suorum aliquis, liberius, quietius, melius et honorificentius tenuit seu possedit. Cujus quidem annui redditus quadraginta solidorum de suprascriptis tenementis et rodīs, saysinam hereditariam et corporalem hujusmodi possessionem dictus Georgius Hynde tradidit et tradi fecit prefato Jacobo de Douglas per Johannem Steuart, prepositum dicte civitatis Glasguensis, per le hespe et stapyl vulgariter nuncupatum, ut moris est in burgo, cum denario in manu. Super quibus omnibus et singulis idem Jacobus de Dowglas sibi fieri petiit, a nobis notariis publicis, unum seu plura publicum seu publica instrumentum seu instrumenta; que quidem instrumenti predictus Georgius Hynde, vendens, voluit et concessit vim carte vendicionis et alienationis in omnibus suis punctis et articulis obtinere. Quibus etiam instrumentis, ad majorem securitatem premissorum, dictus Georgius Hynde sigillum commune dicte civitatis cum instantia apponi procuravit. Insuper vero dicta Margreta, sponsa ejusdem Georgii Hynde, tactis sacrosanctis Dei scripturis, corporale prestitit juramentis quod contra dictas venditionem et alienationem dictorum quadraginta solidorum annui redditus per se vel aliquem alium nomine quibuscunque nec contradicentur, verbo vel facto, publice vel occulte, directe vel indirecte quovis quesito colore. Acta erant hec super solum dictorum tenementorum et terrarum, anno, mense, die, indictione et pontificatu quibus supra. Presentibus ibidem: venerabilis et circumspectis viris, Willelmo de Murhede de Lachope, Georgio Hugonis, Jacobo Steuart, ballivis, Willelmo Steuart, Johanne Hynde, Johanne Oliphant, domino Thoma M'Gube, presbytero, Johanne Robertson, Johanne Hannay, Archibaldo de Pollok, Johanne Wan et Thoma Lufe, testibus ad premissa vocatis specialiter et rogatis.

the same. Of which annualrent of forty shillings furth of the abovewritten tenements and rooda, the said George Hynde delivered and caused to be delivered to the foresaid James of Douglas heritable sasine and corporal possession by John Stewart, provost of the said city of Glasgow, by hesp and staple, as the manner is in burgh, with a penny in hand. Upon which all and sundry the said James of Dowglas asked from us, notaries public, one or more public instrument or instruments to be made to him; which instruments the foresaid George Hynde, seller, willed and granted to have the strength of a charter of sale and alienation in all their points and articles. To which instruments also, for greater security of the premises, the said George Hynde procured with instance the common seal of the said city to be affixed. Moreover, the said Margaret, spouse of the said George Hynde, touching the holy Scriptures of God, took her bodily oath that against the said sale and alienation of the said forty shillings of annualrent nothing shall be gainsaid by her or any one whomsoever in her name, by word or deed, publicly or privately, directly or indirectly, on any pretence whatever. These things were done upon the ground of the said tenements and lands in the year, month, day, indiction and pontificate above mentioned. Witnesses: . . .



Et ego Johannes Michaelis, presbyter Glasguensis diocesis, autoritatibus imperiali et regali, publicus notarius, dictis venditioni et alienationi suprascriptorum annuorum reddituum quadraginta solidorum et saisine traditioni eorundem, premissisque omnibus et singulis dum sic ut premittitur audientur, dicerentur et fierent, unacum notario publico subscripto et prenominationis testibus presens interfui, eaque sic fieri, scivi et audiui ac in notam sumpsi, ex qua hujusmodi presens publicum instrumentum, manu alterius notarii subscripti fideliter scriptum, confeci, publicavi et in hanc publicam formam redegi, unacum procuratore et appensione sigilli communis, signoque nomine meis solitis et consuetis me subscribendo signavi, rogatus et requisitus, in fidem et testimonium omnium et singulorum premissorum.



Et ego David Rede, presbyter Glasguensis diocesis, publicus autoritatibus imperiali et regali notarius, dictis venditioni et alienationi suprascriptorum annuorum reddituum xl^a solidorum et saysine traditioni eorundem, premissisque omnibus et singulis dum sic ut premittitur, agerentur, dicerentur et fierent, unacum notario publico suprascripto et prenominationis testibus presens interfui, eaque sic fieri, vidi, scivi et audiui, ac in notam sumpsi, ex qua hoc presens publicum instrumentum, manu mea propria scriptum, confeci, publicavi et in hanc publicam formam redegi, unacum appensione sigilli communis signoque et nomine meis solitis et consuetis, me subscribendo signavi, rogatus et requisitus, in fidem et testimonium omnium et singulorum premissorum.

And I, John Michaelson, priest, of the diocese of Glasgow, notary public by imperial and royal authority, was present, with the notary public subscribing and the forenamed witnesses, at the said sale and alienation of the abovementioned annualrents of forty shillings and delivery of sasine thereof, while so heard, said and done as aforesaid; and the same so done, I have known and heard and have taken a note thereof from which I have made, published and reduced in this public form the present public instrument, faithfully written with the hand of the other notary subscribing, together with the procuring and affixing of the common seal, and I have signed the same, subscribing with my usual sign and name, in faith and testimony of all and sundry the premises.

And I, David Rede, priest, of the diocese of Glasgow, notary public by imperial and royal authority, was present with the notary public abovementioned and the witnesses before named at the said sale and alienation of the abovementioned annualrents of forty shillings and delivery of sasine thereof, while all and sundry the premises as aforesaid were transacted, said and done; and the same so done, I saw, knew and heard and took a note thereof, from which I have made, published and reduced in this public form this present public instrument, written with my own hand, together with the affixing of the common seal, and I have signed the same, subscribing with my usual sign and name, asked and required in faith and testimony of all and sundry the premises.

IX.

NOTARIAL Instrument on the appointment of a Procurator to receive Sasine of an annualrent of 20s. on behalf of the Leper Hospital near the bridge of Glasgow. Glasgow, 30 June 1485.

In Dei nomine, Amen. Per hoc presens publicum instrumentum cunotis pateat evidenter quod anno ab Incarnacionem Domini m^o cccc^{ma} octuagesimo quinto, mensis

. . . In presence of me, notary public, and witnesses subscribing, personally appeared and harmoniously assembled together all the men and women Lepers, staying

vero Junij die ultimo, indictione tertia, pontificatus sanctissimi in Christo patris ac domini nostri domini Innocentii, divina providencia, Pape, octavi, anno primo. In mei notarii publici et testium subscriptorum presencia, personaliter constituti et insimul unanimiter congregati omnes viri et mulieres Leprosi manentes et inhabitantes in Hospitali prope pontem Glasguensem, suis commodis et utilitatibus primitus pensatis suis, meris et spontaneis voluntatibus, omnibus melioribus via, modo, jure et forma quibus melius potuerunt et debuerunt, fecerunt, constituerunt, creaverunt et ordinauerunt Johannem Elphynstoun, burgensem et civem Glasguensem, eorum procuratorem, actorem, factorem et nuncium specialem; dando et concedendo ipsi constituentes prefato Johanni eorum procuratori eorum plenariam potestatem et mandatum speciale, per se et eorum nomine, ad capiendum et recipiendum statum hereditarium, sasinam, necnon actualem, corporalem et pacificam possessionem viginti solidorum de tenemento Georgij Hugonis, jacente in civitate Glasguensi, ex parte occidentali magni vici extendentis ab ecclesia cathedrali usque ad crucem fori ejusdem, inter terras sive tenementa Patricii Swan ex parte australi, ab una, et terras sive tenementa magistri Scole Gramaticalis ex parte boriali, partibus ab altera; ac etiam omnia alia et singula faciendi, exercendi [et] gerendi que in premissis necessaria fuerint seu etiam opportuna que ipsi constituentes facerent seu facere possint si circa premissa presentes personaliter interessent. Insuper promiserunt dicti constituentes mihi notario, stipulanti et inquirenti, se, ratum, gratum, firmum atque stabile, habendum et habiturum, totum id et quicquid per predictum procuratorem eorum in premissis eorum nomine actum, factum, gestum fuit seu

and dwelling in the Hospital near the bridge of Glasgow, their profit and advantage first considered, with their full and free wills, all in the best way, manner, right and form which they might and ought, have made, constituted, created and ordained John Elphynstoun, burgess and citizen of Glasgow, their procurator, actor, factor and special messenger, giving and granting, the said constituents, to the said John, their procurator, their full power and special authority, by himself and in their name, to take and receive heritable state, sasine, and actual, corporal and peaceable possession of twenty shillings furth of the tenement of George Huchison, lying in the city of Glasgow, on the west side of the great street extending from the cathedral church to the market cross thereof, between the lands or tenements of Patrick Swan on the south, on the one side, and the lands or tenements of the master of the Grammar School on the north, on the other side; and also all and sundry other things to cause, exercise and do which in the premises shall be necessary or opportune, and which the said constituents might do or cause to be done in the premises if personally present. Moreover, the said constituents promised to me, notary, asking and inquiring, to have and hold ratified, satisfied, firm and stable, all and whatever by their foresaid procurator was transacted, made

X.

INSTRUMENT on Gift by Thomas Hutchonson for behoof of the poor
Lepers dwelling in the Hospital near the bridge of Glasgow.
Glasgow, 1 July 1485.

In Dei nomine, Amen. Per hoc presens publicum instrumentum cunctis pateat evidenter quod anno ab Incarnatione Domini millesimo quadringentesimo octuagesimo quinto, mensis vero Julii die primo, indictione tertia, pontificatus sanctissimi in Christo patris ac domini nostri domini Innocentii, divina providentia, Pape, octavi, anno primo. In mei notarii publici et testium subscriptorum presentia, personaliter constitutus probus et honestus vir, Thomas Huchonson, burgensis et civis civitatis Glasguensis, filius et heres Georgii Hugonis, cum consensu ipsius Georgii, sui patris, et ex ejus speciali et expresso mandato, libere dedit, donavit et gratanter concessit, et pro perpetuo a se et heredibus suis dari et donari ordinavit viginti solidos annui redditus de tenemento suo jacente in civitate Glasguensi, ex parte occidentali magni vici extendentis ab ecclesia cathedrali antedictae civitatis usque ad crucem fori ejusdem, inter terras sive tenementa Patricii Swane ex parte australi, ab una, et terras sive tenementa magistri Scole Gramaticalis ex parte boriali, partibus ab altera, egentibus pauperibus et personis leprosis tam viris quam feminis manentibus et inhabitantibus Hospitale prope pontem Glasguensem, pro pura elemosina ad orandum, flagitandum et deprecandum, annuatim et quotidie in eorum precibus, et omnibus pro animabus ipsius Georgii Hugonis, sue uxoris, suarumque prolium, necnon et pro animabus omnium suorum parentum et omnium fidelium

. . . In presence of me, notary public, and of the witnesses underwritten, personally appeared a good and honest man, Thomas Huchonson, burgess and citizen of the city of Glasgow, son and heir of George Huchonson, with consent of the said George, his father, and by his special and express authority, freely gave, bestowed and willingly granted, and for ever, from him and his heirs gave and ordained to be given to the needy poor and leprous persons, as well men as women, staying and dwelling in the Hospital near the bridge of Glasgow, in pure amls, for pleading, earnestly supplicating and petitioning yearly and daily in their prayers, all for the souls of the said George Huchonson, his wife, and their children, and also for the souls of all their parents and all the faithful dead, twenty shillings of annualrent furth of his tenement, lying in the city of Glasgow, on the west side of the great street extending from the cathedral church of the foresaid city to the market cross thereof, between the lands or tenements of Patrick Swan on the south, on one side, and the lands or tenements of

defunctorum. Tenendos et habendos dictos viginti solidos annui redditus, usualis monete regni Scoocie, de dicto tenemento, cum suis pertinentiis, prefatis pauperibus Leprosis egentibus personis et suis assignatis, a dicto Thoma, suis heredibus et assignatis, ad duos anni terminos consuetos, videlicet, festa Pentecostes et Sancti Martini in yeme, per equales portiones, in feodo et hereditate annuatim in perpetuum, adeo libere, bene et in pace, sicut ipse Thomas vel aliquis suorum predecessorum tenuit seu possedit dictas terras sive tenementum. Et casu quod dicte terre dicti tenementi pro dicto annuo redditu non sunt distringebles semel in anno, ipsi Georgius et Thomas, ejus filius, per se et eorum heredibus et assignatis astrinxerunt et obligaverunt unum aliud tenementum jacens in prefata civitate Glasguensi in magno vico, inter terras sive tenementa Johannis Petcarne ex parte australi, ab una, et terras sive tenementa Willelmi Kyrkland ex parte boreali, partibus ab altera; necnon omnes et singulas suas terras campestris ad solucionem predicti annui redditus. Cujusquidem annui redditus viginti solidorum dictus Thomas Huchisone, ex principali mandato sui patris Georgii Hugonis, Johanni Elphynstone, procuratori et speciali nuncio, constituto et ordinato per prefatos pauperes et agentes leprosos, ut michi notario luculenter per legitima documenta constabat, statum hereditarium sasinam, necnon corporalem, actualem et realem possessionem hujusmodi, per Johannem Burell, tunc temporis unum ballivorum sepedicte civitatis, per le hesp et stapill necnon et denarium in manu, ut moris est burgorum in consimilibus, tradidit et

the master of the Grammar School on the north, on the other side. To hold and have the said twenty shillings of annualrent, usual money of the kingdom of Scotland, furth of the said tenement, with its pertinents, to the said poor Lepers, needy persons, and their assignees, from the said Thomas, his heirs and assignees, at the two usual terms in the year, viz., the feasts of Whitsunday and Martinmas in winter, by equal portions, in fee and heritage, yearly, for ever, as freely, well and in peace as the said Thomas or any of his predecessors held or might have held the said lands or tenement. And in case the said lands of the said tenement are not in one year distrainable for the said annualrent, the said George and Thomas, his son, by themselves and their heirs and assignees, have bound and obliged another tenement lying in the foresaid city of Glasgow, in the High Street, between the lands or tenements of John Petcarne on the south, on the one side, and the lands or tenements of William Kyrkland on the north, on the other side, and all and sundry their open lands, for payment of the foresaid annualrent. Of which annualrent of twenty shillings the said Thomas Huchisone, by the principal authority of his father, George Huchisone, delivered and caused to be delivered by John Burell, then one of the bailies of the said city, to John Elphynstone, procurator and special messenger, constituted and ordained by the foresaid poor and needy lepers, as to me, notary, clearly appeared by legal documents, heritable state, sasine, and corporal, actual and real possession of the same, by hesp and staple and also a penny in hand, as is the manner of burghs in similar cases. Upon which, all and

tradi fecit. Super quibus omnibus et singulis prefatus Johannes Elphynstoun, procurator dictorum leprosorum, procuratorio nomine, a me notario publico subscripto sibi fieri petiit, unum vel plura publicum seu publica instrumentum seu instrumenta. Acta fuerunt hec infra dictam civitatem Glasguensem super solum predicti tenementi, anno, mense, die, indictione et pontificatu quibus supra. Presentibus ibidem: probis et honestis personis, domino Alexandro Clugstone, Thoma Bartholomei, Johanne Hall, Patricio Swan, Roberto Guvane, Johanne Quhyt et domino Johanne Rankyne, capellano, testibus ad premissa vocatis specialiter et rogatis.

Et ego Georgius Lorn, presbyter Glasguensis diocesis, publicus autoritate imperiali notarius, premissis omnibus et singulis dum sic ut premititur agerentur, dicerentur et fierent, una cum prenomminatis testibus presens interfui, eaque omnia et singula sic fieri, vidi, scivi et audiui ac in notam sumpsi, ex qua hoc presens publicum instrumentum, alterius manu scriptum, confeci, publicavi et in hanc publicam formam redegi, signoque nomine meis solitis et consuetis me subscribendo signavi rogatus et requisitus, in fidem et testimonium et singulorum premissorum.

sundry, the foresaid John Elphynstoun, procurator of the said lepers, in his procuratory name, asked from me notary public subscribing, one or more public instrument or instruments. These things were done within the said city of Glasgow, upon the ground of the foresaid tenement, in the year, month, day, indiction and pontificate above mentioned. Witnesses: good and honest persons, Sir Alexander Clugstone, Thomas Bartholomew, John Hall, Patrick Swan, Robert Guvane, John Quhyt, and Sir John Rankyne, chaplain, witnesses to the premises specially called and required.

And I, George Lorn, priest of the diocese of Glasgow, notary public by imperial authority, was present with the before-named witnesses, while all and sundry the premises were transacted, said and done, and the same, all and sundry, so done, I saw, knew and heard and took a note thereof, from which I have made, published and reduced in this public form this present public instrument, written by the hand of another, and I have signed the same, subscribing with my usual sign and name, asked and required, in faith and testimony of the truth of all and sundry the premises.

Item, insuper, pro majore premissorum securitate, adhibenda in futurum, prefatus Johannes Elphinstoun, procurator et eo nomine leprosorum procuravit cum instantia commune sigillum ville appendendi fore huic presenti instrumento a ballivis, qui ballivi grantanter concesserunt pro tempore in pretorio Glasguensi, coram hiis testibus: Johanne Schaw, Andrea Otterburn, Archibaldo Herbertson, Henrico Burel, cum diversis aliis.

Moreover, for the greater security of the premises, to be used in future, the foresaid John Elphinstoun, procurator, and to that end in name of the Lepers, procured with instance from the bailies the common seal of the town to be affixed to this present instrument, which the bailies for the time willingly granted, in the tolbooth of Glasgow, in presence of these witnesses: John Shaw, Andrew Otterburn, Archibald Herbertsoun, Henry Burell, with sundry others.

XI.

INSTRUMENT on Gift by Robert Adamson to the Lepers in the Hospital near the bridge of Glasgow, and the newly built Chapel of St. Ninian, of an annualrent of 12d., payable furth of a tenement in the Walkergait. Glasgow, 16 August 1491.

In Dei nomine, Amen. Per hoc presens publicum instrumentum cunctis pateat evidenter et sic notum quod anno Incarnationis Dominice m^o cccc^o nonagesimo primo mensis Augusti die vero decimo sexto, indictione nona, pontificatus sanctissimi in Christo patris et domini nostri domini Innocentii, divina providentia, Pape, octavi, anno septimo. In mei notarii publici et testium subscriptorum presentia, personaliter constitutus probus vir, Robertus Adamson, burgensis civitatis Glasguensis, motus zelo caritatis, pure et simpliciter, dedit et libere donavit, pro salute anime ipsius, necnon et pro salute omnium

. . . In presence of me, notary public, and of the witnesses underwritten, personally appeared a good man, Robert Adamson, burgess of the city of Glasgow, moved with the zeal of charity, and for the weal of his soul, and also for the weal

fideliū defunctorū, duodecim denarios annui redditus de suo tenemento, jacente in civitate Glasguensi, in vico Fullonum, extendente a cruce forali Glasguensi usque portam communem finis ville ex parte orientali magni vici, inter terras sive tenementa Nycholaij Rait ex parte australi, ab una, et terras sive tenementa Johannis Nycholaij ex parte boreali, partibus ab altera, viris et feminis Leprosis manentibus et degentibus in Hospitali juxta pontem Glasguensem et capellam Sancti Niniani noviter edificatam. Et dictum annum redditum duodecim denariorum dictus Robertus Adamson, pure et simpliciter, resignavit in manibus honorabilis viri Thome Law, unius ballivorum civitatis Glasguensis pro tempore; quaquidem resignatione sic debite facta et admissa, idem ballivus incontinente, ex speciali mandato ipsius Roberti Adamson, ibidem presentis, mandantis et ordinantis, statum hereditarium, sasinam, necnon actualem, corporalem et realem possessionem dicti annui redditus, per terre et lapidis traditionem ut moris est burgorum in consimilibus, realiter et cum effectu, Jacobo Widderspon, burgensi Glasguensi, procuratori dictorum leprosorū, tradidit et assignavit, fore solvendi annuatim ad duos conseutos anni terminos, videlicet, festa Pentecostes et Sancti Martini in yeme, per equales portiones, semper procuratori qui pro tempore fuerit dictorum virorum leprosorū. Super quibus omnibus et singulis prefatus Jacobus Widderspon, procurator, et eo nomine dictorum virorum leprosorū et mulierum, petiit a me notario publico subscripto sibi et eiis fieri, unum seu plura publicum seu publica instrumentum et instrumenta. Acta

of all the faithful dead, purely and simply gave and freely bestowed to the men and women Lepers staying and dwelling in the Hospital adjoining the bridge of Glasgow and the chapel of St. Ninian newly built, twelve pennies of annualrent furth of his tenement, lying in the city of Glasgow, in the Walkergait, extending from the market cross of Glasgow to the common port at the end of the town, on the east side of the high street, between the lands or tenements of Nycholas Rait on the south, on the one side, and the lands or tenements of John Nycholas on the north, on the other side. And the said Robert Adamson, purely and simply, resigned the said annualrent of twelve pennies in the hands of an honourable man, Thomas Law, one of the bailies of the city of Glasgow for the time; which resignation so duly made and admitted, the said bailie forthwith, by special authority of the said Robert Adamson, there present, authorising and ordaining, delivered and assigned, really and with effect, to James Widderspon, burgess of Glasgow, procurator of the said lepers, heritable state, sasine and actual, corporal and real possession of the said annualrent, by delivery of earth and stone, as is the manner of burghs in similar cases, to be paid yearly at the two usual terms in the year, viz., Whitsunday and Martinmas in winter, by equal portions, always to the procurator of the said men lepers who shall be for the time. Upon which, all and sundry, the foresaid James Widderspon, procurator and in name of the said men and women lepers, asked from me notary public subscribing one or more public instrument or instruments to be made to him and them. These things were done upon the

fu~~er~~unt hec super solum dicti tenementi infra civitatem Glasguensem, anno, mense, die, indictione et pontificatu quibus supra. Presentibus ibidem: probis et honestis personis, Roberto Brady, Johanne Cunyngham, Patricio Crag, Willelmo Hay et Thoma Brady, testibus ad premissa vocatis specialiter et rogatis.

Et ego Georgius Lorn, presbyter Glasguensis diocesis, publicus autoritate imperiali notarius, premissis omnibus et singulis dum sic ut pre-mittitur agerentur, dicerentur et fierent, una cum prenomi~~n~~atis testibus presens interfui, eaque sic fieri, vidi, scivi et audivi ac in notam sumps~~i~~, ex qua hoc presens publicum instrumentum, manu alterius scriptum, confeci, publicavi et in hanc publicam formam instrumentalem rede~~gi~~, signoque nomine meis solitis et consuetis me subscribendo signavi, rogatus et requisitus, in fidem et testimonium veritatis omnium et singulorum premissorum.

ground of the said tenement within the city of Glasgow, in the year, month, day, indiction and pontificate above mentioned. Present there: good and honest persons, Robert Brady, John Cunyngham, Patrick Crag, William Hay and Thomas Brady, witnesses to the premises specially called and required.

And I, George Lorn, priest of the diocese of Glasgow, notary public by imperial authority, was present with the before-named witnesses, while all and sundry the premises were transacted, said and done, and the same so done I saw, knew and heard and took a note thereof, from which I have made, published and reduced in this public form this present public instrument, written by the hand of another, and I have signed the same subscribing with usual sign and name, asked and required, in faith and testimony of the truth of all and sundry the premises.

XII.

NOTARIAL Instrument on Resignation by Agnes Parchar to Robert Watson of a tenement on the east side of the High Street of Glasgow. Glasgow, 11th October 1491.

In Dei nomine, Amen. Per hoc presens publicum instrumentum cunctis pateat evidenter et sic notum quod anno Incarnacionis Dominice millesimo quadringentesimo nonagesimo primo, mensis Octobris die vero undecimo indictione decima pontificatusque sanctissimi in Christo patris et domini nostri domini Innocentii, divina providentia, Pape octavi anno octavo. In mei notarii publici et testium subscriptorum presentia personaliter constituta provida puella Agneta Parchar, filia quondam Walteri Parchar, civis Glasguensis, unum tenementum, cum orto, jacentem in magno vico extendente ab ecclesia cathedrali Glasguensi ad crucem fori ejusdem ex orientali domus quondam Thome Bertholomei ad Malyndinor inter terras sive tenementa providi viri Roberti Mortene ex boriali ex una et Stephani Schelis ex australi partibus ab altera, in manibus honorabilis viri Johannis Schaw, tunc unius ballivorum civitatis Glasguensis, pure et simpliciter, resignavit. Qua resignatione sic facta et admissa dictus Johannes, ballivus, statum hereditariam, saysinam et corporalem possessionem dictorum tenementi et orti, cum pertinentiis, provide viro Roberto Watsone, mercatori, affidato dicte Agnete et futuro sponso, causa dotis et catalli, et dicte Agnete et eorum alteri [diutius viventi] hereditibus suis, per terre et lapidis traditionem ut moris est burgorum tradidit et deliberavit in feodo et hereditate inperpetuum. Quibus forte deficientibus hereditibus dicte Agnete

. . . In presence of me, notary public, and of the witnesses underwritten, personally appeared a provident young woman, Agnes Parchar, daughter of the late Walter Parchar, citizen of Glasgow, and purely and simply resigned in the hands of an honourable man, John Schaw, then one of the bailies of the city of Glasgow, a tenement, with a yard, lying in the high street extending from the cathedral church of Glasgow to the market cross thereof, on the east side of the house of the late Thomas Bertholomew on the Malyndoner, between the lands or tenements of a provident man, Robert Mortene, on the north, on the one side, and of Stephen Schelis on the south, on the other side. Which resignation so made and admitted, the said John, bailie, delivered and gave to a provident man, Robert Watsone, merchant, affianced and future spouse of the said Agnes, on account of dowry and chattels, and to the said Agnes and longer liver of them and their heirs, heritable state, sasine and corporal possession of the said tenement and yard, with the pertinents, in fee and heritage for ever, by delivery of earth and stone, as is the manner of burghs. Which heirs of the said

cum ipso Roberto, sponso suo futuro, dictum tenementum et ortus cum pertinentiis veris, legitimis et propinquoibus heredibus dicti quondam Walteri Parchar, patris sui, libere redebunt et pertinebunt. Reservandum tamen liberum tenementum dictorum tenementi et orti cum pertinentiis suis Katerine Parchar, matri dicte Agnetis, pro toto tempore vite sue absque molestatione quacunque. Super quibus omnibus et singulis dictus Robertus Watsone a me notario publico subscripto sibi fieri peccit unum seu plura publicum seu publica instrumentum seu instrumenta. Acta fuerunt hec super solum dicti tenementi, sub anno, mense, die, indictione et pontificatu [supra]scriptis. Presentibus ibidem: honorabilibus et providis viris, Andrea Otterburn, preposito,¹ Willelmo Conighame, Johanne Lecht, Johanne Craufurd, Willelmo Craganis et Thome Schaw, burgensibus Glasguensibus, cum multis aliis testibus ad premissa vocatis specialiter et rogatis, etc.

Et ego Thomas Hugonis, clericus, Glasguensis diocesis, publicus autoritate regali notarius; quia premissis omnibus et singulis dum sic ut premittitur agerentur, dicerentur et fierent, una cum prenomminatis

Agnes with the said Robert, her future spouse, by chance failing, the said tenement and yard with the pertinents shall freely return and belong to the true, lawful and nearest heirs of the said late Walter Parchar, her father. Reserving nevertheless the liferent of the said tenement and yard, with their pertinents, to Katerine Parchar, mother of the said Agnes, for the whole term of her life without any hindrance whatever. Upon which, all and sundry, the said Robert Watsone asked from me, notary public subscribing, one or more public instrument or instruments to be made to him. These things were done upon the ground of the said tenement, in the year, month, day, indiction and pontificate above written. Present there: honourable and provident men, Andrew Otterburn, provost, William Conighame, John Lecht, John Craufurd, William Craganis and Thomas Schaw, burgesses of Glasgow, with many other witnesses to the premises.

And I, Thomas Huchison, clerk of the diocese of Glasgow, notary public by royal authority, because I was present with the before-named witnesses while all and sundry the premises were so transacted, said

¹ The name of Andrew Otterburn falls to be added to the List of Provosts given in Glasgow Charters, part I., p. dcccxxiii. He was a baillie of the city in 1485 (Registrum Mag. Sig., vol. ii., No. 1644), and probably held the provostship on 17th January, 1491-2, when King James IV., by a letter, which unfortunately has not been

preserved, authorised "the proveist and baillies to use and occupy their friedom as they did of befor" (Glasg. Charters, part ii., p. 88).

The following may also be added to the list of Provosts:—1523-4. George Colquhoun, provost. Historical MSS. Commission: David Milne-Home (1902), p. 34.

testibus presens interfui, eaque sic fieri, vidi, scivi et audiui, ac in notam cepi ex qua hoc presens publicum instrumentum, manu alterius le fideliter scriptum, confeci, publicavi in hanc publicam formam instrumentalem redegei, signoque et nomine meis solitis et consuetis hic me subscribendo signavi, in fidem, robur [et] testimonium veritatis omnium et singulorum premissorum rogatus et requisitus.

Hic est vera copia predicti instrumenti, collationata per me Thomam Hugonis, notario publico ac notario in dicto instrumento, principali nominatim concordans in omnibus. Teste meo subscriptione, signoque et nomine meis solitis et consuetis hic me subscribendo signavi, in fidem et robur veritatis dicte collatione rogatus et requisitus.



and done, as aforesaid, and the same so done I saw, knew and heard and took a note thereof, from which I have made, published and reduced into this present instrumental form this present public instrument, faithfully written by the hand of another, and I have signed, subscribing here with my usual and accustomed sign and name, in faith, strength and testimony of the truth of all and sundry the premises, asked and required.

This is a true copy of the foresaid instrument, collated by me, Thomas Huchison, notary public and notary in the said instrument, expressly agreeing with the principal in everything. Witness my subscription, and I have signed, subscribing here with my usual and accustomed sign and name, in faith and confirmation of the truth of the said collation, asked and required.

XIII.

INSTRUMENT on Resignation by Nigel M'Carmy and spouse to Nicholas Rankyn and spouse of one rood of land on the west side of Stockwellgait. Glasgow, 15 March 1500.

In Dei nomine, Amen. Per hoc presens publicum instrumentum cunctis pateat evidenter et sic notum quod anno Incarnationis Domini millesimo quingentesimo mensis vero Marcii die decima quinta, indictione quarta, pontificatus sanctissimi in Christo patris et domini nostri domini Alexandri, divina providencia, Pape, sexti, anno nono. In mei notarii publici et testium subscriptorum presencia, personaliter constitutus Nicholaius Rankin et Margreta Bogyll, unanimo consensu, assedaverunt et ad feodi firmam dimiserunt, et pro perpetuo a se et heredibus suis quibuscunque unam rodam sive particatam terre, jacentem in vico communi de Stokwell ex parte occidentali, inter terras sive tenementa Ade Hall de Fulbar ex parte boriali [ab una] et terras sive tenementa Sancti Tenew ex parte australi, partibus ab altera, providi viro Nigello M'Carmy et Agneti Sclater, sue uxori, et eorum heredibus et assignatis, pro octo solidorum usualis monete annui redditus annuatim solvendis dictis Nicholais et Margrete, suis heredibus et assignatis, ad duos consuetos anni terminos, videlicet, festa Pentecostes et Sancti Martini in yeme, per equales portiones. Quamquidem rodam sive particatam terre prefati Nicholaius et Margreta, pure et simpliciter, in manibus honorabilis viri, Thome Hugonis, unius ballivorum civitatis Glasguensis pro tempore, resignaverunt; quamquidem resignacionem sic debite facta et admissa, idem ballivus, incontinente, statum hereditarium, sasinam, necnon actualement, corporalem et realem possessionem dicte rode

. . . In presence of me, notary public, and of the witnesses underwritten, personally appeared Nicholas Rankin and Margaret Bogyll, and with unanimous consent assigned and in feu farm for ever disposed, from them and their heirs whomsoever, to a provident man, Nigel M'Carmy, and Agnes Sclater, his wife, and their heirs and assignees, a rood or particate of land, lying in the common street of Stokwell, on the west side, between the lands or tenements of Adam Hall of Fulbar, on the north, on the one side, and the lands or tenements of St. Tenew, on the south, on the other side; for payment to the said Nicholas and Margaret, their heirs and assignees, of eight shillings, usual money, of annualrent, yearly, at the two usual terms in the year, viz., the feasts of Whitsunday and Martinmas in winter, by equal portions. Which rood or particate of land the foresaid Nicholas and Margaret, purely and simply, resigned in the hands of an honourable man, Thomas Huchison, one of the bailies of the city of Glasgow for the time; which resignation so duly made and admitted, the said bailie forthwith delivered and gave heritable state, sasine and actual, corporal and real possession of the

sive particate terre, cum suis pertinentiis, ut jacet in longitudine et latitudine, per terre et lapidis traditionem ut solent in consimilibus, realiter et cum effectu prefatis Nigello et Agneti, sue sponse, eorumque alteri diutius viventi heredibus suis et assignatis tradidit et deliberavit imperpetuum, adeo libere et bene sicut ipsi Nicholaius et Margreta habuerunt seu possiderunt. Super quibus omnibus et singulis prefatus Nigellus et Agnetis, a me notario publico subscripto, sibi fieri petiit unum et plura instrumentum et instrumenta. Acta erant hec super solum dicte terre, hora secunda post merediem, sub anno, mense, die, indictione et pontificatu quibus supra. Presentibus ibidem: discretis viris, Thoma Hugonis, Willelmo Bogil, Johanne Rankin, Jacobo Kendischyd, Johanne Kendischyd, Martino Hog et Johanne Henry cum diversis aliis testibus ad premissis vocatis pariter et rogatis.



Et ego Willelmus Blak, artium magister, presbyter Glasguensis diocesis, publicus autoritatibus apostolica et imperiali notarius, quia premissis omnibus et singulis dum sic ut premittitur agerentur, dicerentur et fierent, una cum pre-nominatis testibus presens personaliter interfui, eaque omnia et singula sic fieri, vidi, scivi et audivi, ac in notam sumpsi ex qua hoo presens publicum instrumentum, mea manu fideliter scriptum, exinde confeci et in hanc publicam formam redegi, signoque et nomine meis solitis et consuetis me subscribendo signavi in fidem omnium et singulorum premissorum rogatus et requisitus.

said rood or particate of land, with its pertinents, as it lies in length and breadth, by delivery of earth and stone, as usual in similar cases, really and with effect to the fore-said Nigel and Agnes, his spouse, and the longer liver of them, their heirs and assignees, for ever, as freely and well as the said Nicholas and Margaret had or possessed the same. Upon which, all and sundry, the foresaid Nigel and Agnes asked from me, notary public subscribing, one and more instrument and instruments to be made to them. These things were done upon the ground of the said land, at the second hour after noon, in the year, month, day, indiction and pontificate above mentioned. Present there: discreet men, Thomas Huchison, William Bogil, John Rankin, James Kendischyd, John Kendischyd, Martin Hog, and John Henry, with sundry others, witnesses to the premises called and likewise required.

And I, William Blak, master of arts, priest of the diocese of Glasgow, notary public by apostolic and imperial authority, because I was personally present, with the before-named witnesses, while all and sundry the premises were so transacted, said and done as aforesaid, and the same, all and sundry so done I saw, knew and heard, and took a note thereof, from which I have made and in this public form reduced this present public instrument, and I have signed the same, subscribing with my usual and accustomed name and sign, in faith of all and sundry the premises, asked and required.

XIV.

INSTRUMENT on Resignation by Mr. Thomas Muirhead, rector of Stobo and canon of Glasgow, of a tenement on the north side of Bridge-gate, for endowment of a chaplainry founded by him. Glasgow, 10 October 1508.

In Dei nomine, Amen. Per hoc presens publicum instrumentum cunctis pateat evidenter et sic notum quod anno Incarnationis Dominice millesimo quingentesimo octavo, mensis Octobris die vero decimo, indictione duodecima, pontificatus sanctissimi in Christo patris et domini nostri domini Julii divina providentia, Pape secundi, anno quinto. In mei notarii publici et testium subscriptorum presentia, personaliter constitutus venerabilis et egregius vir magister Thomas Muirheid, rector de Stobo ac canonicus Glasguensis, comparuit in pretorio Glasguensi, coram honorabili viro domino Johanne Steward de Mynto, milite, prepositoque ville et civitatis Glasguensis, et David Lyndesay, uno ballivorum ejusdem, ac ceteris civibus et burgensibus dicte civitatis, in capitali curia communiter tenta copiose congregatis; et ibidem omnes et singulas suas

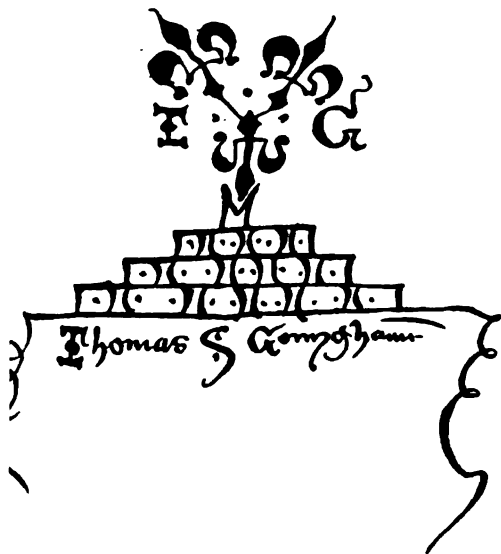
. . . In presence of me, notary public, and of the witnesses underwritten, personally appeared, in the tolbooth of Glasgow, a venerable and worthy man, master Thomas Muirheid, rector of Stobo and canon of Glasgow, in presence of an honourable man, Sir John Steward of Mynto, knight, and provost of the town and city of Glasgow, and of David Lyndesay, one of the bailies thereof, and other citizens and burgesses of the said city, assembled in large number in the head court held in common; and there, purely and simply, from him and his heirs and assignees whomsoever, resigned

terras per eum edificatas de novo, jacentes in communi vico regio tendente a cruce forali ad pontem Glasguensem, apud inferiorem portam ejusdem, inter terras sive tenementa quondam David Camron et nunc ipsius magistri Thome ex boriali, ab una, et communem viam que ducit a dicta porta ad pontem Glasguensem ex australi, et inter dictam portam inferiorem ex parte orientali contigue adjacentem in fronte, ac terras sive tenementa quondam Roberti Dunslesoun et nunc suorum heredis ex occidentali, partibus ab altera; et ibidem omne jus suum, proprietatem et possessionem, hujusmodi suarum terrarum, ex conquestu emptarum, continentem unam capellaniam per ipsum magistrum Thomam fundantem,¹ pureque et simpliciter a se et heredibus suis et assignatis quibuscunque resignavit, ac eandem capellaniam dedit et donavit dictis preposito, ballivis et communitati dicte ville Glasguensis, tanquam veris et indubitatis patronis ejusdem capellanie, et eorum successoribus, preposito, ballivis et communitati predictae ville pro perpetuo. Reservando tamen donatione hujusmodi capellanie sibi magistro Thome pro toto tempore sue vite duntaxat. Super quibus, omnibus et singulis, dictus magister Thomas petiit a me notario publico subscripto sibi fieri unum et plura publicum et publica instrumentum et instrumenta. Acta erant hec in pretorio Glasguensi, horam circa undecimam ante meridiem, sub anno, mense, die, indictione et pontificatu quibus supra. Presentibus ibidem: venerabilibus et egregiis viris, magistris et dominis David Conyghame, canonico et officiali Glasguensi generali, Ade Colquhoun, rectore de Guvane, Andrea Merschell,

all and sundry his lands built by him of new, lying in the common highway leading from the market cross to the bridge of Glasgow, at the Nether Port thereof, between the lands or tenements sometime of David Camron and now of the said Mr. Thomas on the north, on the one side, and the common street which leads from the said port to the bridge of Glasgow on the south, and between the said Nether Port on the east, contiguously adjacent in front, and the lands or tenements sometime of Robert Dunslesoun, and now of his heirs, on the east, on the other side, and all his right, property and possession of the said lands, bought by conquest, containing a chaplainry founded by the said master Thomas, and gave and bestowed the said chaplainry to the said provost, bailies and community of the said town of Glasgow, as true and undoubted patrons thereof, and their successors, provost, bailies and community of the foresaid town for ever. Reserving nevertheless the gift of the said chaplainry to the said master Thomas for the whole term of his life only. Upon which, all and sundry, the said master Thomas asked from me, notary public subscribing, one and more public instrument and instruments to be made to him. These things were done in the tolbooth of Glasgow, about the eleventh hour forenoon, in the year, month, day, indiction and pontificate above mentioned. Present there: venerable and worthy men, masters and sirs, David Conyghame, canon and official general of Glasgow, Adam Colquhoun, rector of Guvane,

¹ This chaplainry was founded in the new church of St. Roche, as set forth in Notarial Instrument printed in Glasgow Charters, No. XLII., part ii., pp. 97-9.

canonicis Glasguensibus, Johanne Rankyne, rectore de Hutoun,¹ Andrea Byrkmyre, vicario de Inchynnane, Johanne Schaw, Archibaldo Watsoun, Roberto Laithame et Willelmo Smyth, cum multis aliis, testibus ad premissa vocatis pariter et requisitis.



Et ego Thomas Conynghame, presbyter Glasguensis diocesis, sacris autoritatibus apostolica, imperiali et regali, notarius publicus; quia premissis omnibus et singulis dum sic ut premittitur agerentur, dicerentur et fierent, unacum prenominationis testibus presens personaliter interfui, eaque omnia et singula sic fieri, vidi, scivi et audivi, ac in notam cepi, ex qua hoc presens publicum instrumentum, manu propria scriptum, confeci, publicavi et in hanc publicam formam instrumentalem redegi, signoque et nomine meis solitis et consuetis signavi et subscripsi, in fidem, robur et testimonium omnium et singulorum premissorum rogatus et requisitus.

Andrew Merschell, canons of Glasgow, John Rankyne, rector of Hutoun, Andrew Byrkmyre, vicar of Inchynnane, John Schaw, Archibald Watsoun, Robert Laithame and William Smyth, with many others, witnesses to the premises called and likewise required.

And I, Thomas Conynghame, priest, of the diocese of Glasgow, notary public by holy apostolic, imperial and royal authority, because I was personally present, with the before-named witnesses, while all and sundry the premises were so transacted, said and done, and the same, all and sundry, so done I saw, knew and heard, and took a note thereof, from which I have made, published and reduced in this public instrumental form this present public instrument, and I have signed and subscribed with my usual and accustomed name and sign, in faith, confirmation and testimony of all and sundry the premises, asked and required.

¹ The parsonage of Hutton, in Dumfriesshire, was at one time transferred to Jedburgh Abbey, but on a settlement of questions between the abbot and the bishop of Glasgow in 1220, it was arranged that the church of "Hotton" should thereafter be a prebend of the church of Glasgow.

In 1258 Bishop William gave the "church of Hottun, with its pertinents," to the chapter of Glasgow. (Reg Glasg. Episc., Nos. 78-83, 114, 206. See also Chalmers' Caledonia, vol. iii., p. 185.)

XV.

NOTARIAL Instrument on Sale by Agnes Portar, spouse of the late Robert Hall, to Patrick Lappy and Jonet Burell, spouses, of a Tenement in High Street. Glasgow, 9 January 1512.

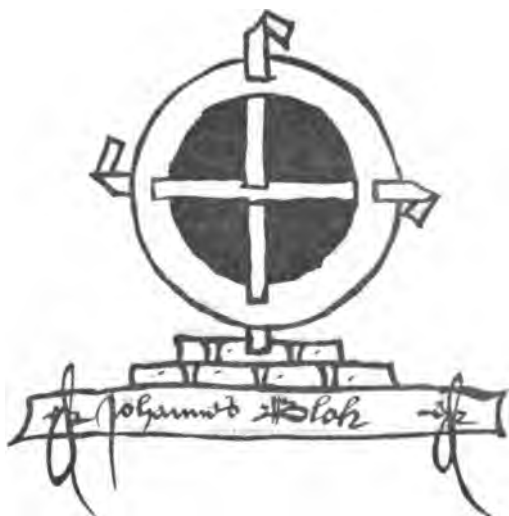
In Dei nomine, Amen. Per hoc presens publicum instrumentum cunctis pateat evidenter et sic notum quod, anno Domini millesimo quingentesimo duodecimo, die vero nono mensis Januarii, indictione prima, pontificatusque sanctissimi in Christo patris et domini nostri domini Julii, divina providentia, Pape secundi, anno decimo. In mei notarii publici et testium infrascriptorum presencia, personaliter constituta honesta mulier, Agnes Portar, sponsa quondam Roberti Hall, vendidit ac titulo vendicionis, a se suisque heredibus et assignatis, pure et simpliciter, alienavit, surssium reddidit et resignavit totam et integram equalem orientalem dimeditatem unius tenementi, necnon unam portionem orti ejusdem contigue eidem adjacentem, cum suis pertinentiis, jacentium in civitate Glasguensi [in vico] tendente ab ecclesia Fratrum Predicatorum dicte civitatis ad crucem foralem ejusdem, ex orientali parte communis vici, inter terras Patricii Lappy ex occidentali, ab una, et portionem dicti orti ipsius Patricii ex orientali partibus, prefato Patricio Lappy et Jonete Burell, sue sponse, et eorum alteri divitiis viventi, eorumque heredibus et assignatis, pro certa summa pecunie sibi Agneti per ipsum Patricium et suam sponsam premanibus totaliter deliberata et persoluta in pecunia numerata; de quaquidem summa dicta Agnes, pro se suisque heredibus, executoribus et

. . . In presence of me, notary public, and of the witnesses underwritten, personally appeared an honest woman, Agnes Portar, spouse of the late Robert Hall, and sold and by title of sale, from her and her heirs and assignees, purely and simply, alienated, surrendered and resigned to Patrick Lappy and Jonet Burell, his spouse, and the longer liver of them, and to their heirs and assignees all and whole the equal east half of a tenement, also a portion of the yard thereof contiguously adjacent thereto, with its pertinents, lying in the city of Glasgow in the street leading from the church of the Friars Preachers of the said city to the market cross thereof, on the east side of the common street, between the lands of Patrick Lappy on the west, on the one side, and the said Patrick's portion of the said yard on the east side; and that for a certain sum in counted money, wholly delivered and paid before hand by the said Patrick and his spouse to the said Agnes; of which sum, in counted money, the said Agnes, for herself and her heirs, executors and assignees, quitclaimed and by these presents for ever discharged

assignatis, prefatum Patricium et Jonetam, suam sponsam, suosque heredes, executores et assignatos, de hujusmodi summa in pecunia numerata, quietum et quietos clamavit et de eadem imperpetuum exoneravit per presentes, et, exceptionem pecunie non numerate, pro perpetuo inde renunciavit; pretextu quorum dicta Agnes a se suisque heredibus et assignatis totam et integram equalem orientalem dimediam partem dicti tenementi, necnon dictam portionem orti contigue adjacentem, in manibus honorabilis viri magistri Johannis Murreye, ballivi dicti civitatis, per terre et lapidis traditionem, pure et simpliciter resignavit, ac pro perpetuo dimisit; qua resignatione sic facta, idem ballivus sibi Patricio Lappy et Jonete Burell, sue sponse, et eorum alteri diutius viventi, eorumque heredibus et assignatis, de hujusmodi totali et integrali orientali dimiditate equalis dimidie partis dicti tenementi, unacum dicta portione orti cum suis pertinentiis, in conjunctam infeodationem, dedit et deliberavit statum et saisynam hereditarios, ac eundem Patricium et Jonetam, conjuges, in actualem, realem et corporalem possessionem equalis dimediati predicti tenementi et portione orti ejusdem, ut supra, per hujusmodi terre et lapidis redeliberationem hereditarie investivit et pro perpetuo induxit. Super quibus, omnibus et singulis, prefatus Patricius a me, notario publico subscripto, sibi fieri petiit unum et plura publicum et publica instrumentum et instrumenta. Acta erant hec supra solum dicti dimediati horam circa x^a ante meridiem, anno, die, mense, indictione et pontificatu quibus supra. Presentibus ibidem: discretis viris, Archibaldo Herbertsoun, Georgio Burell, Thoma Andersoun, Willelmo Robisoun et

the foresaid Patrick and Jonet, his spouse, and their heirs, executors and assignees; and thenceforth renounced the exception of not counted money for ever; by reason whereof the said Agnes, by delivery of earth and stone, purely and simply resigned, and for ever demitted, from her and her heirs and assignees, all and whole the equal half part of the said tenement, and the said portion of yard lying contiguous, in the hands of an honourable man master John Murreye, bailie of the said city, by delivery of earth and stone; which resignation so made, the said bailie gave and delivered to the said Patrick Lappy and Jonet Burell, his spouse, and the longer liver of them, and their heirs and assignees, state and heritable sasine of all and whole the said east half, the equal half part of the said tenement, together with the said portion of yard, with their pertinents, in conjunct infeftment, and by redelivery of the said earth and stone invested and did for ever infeft the said Patrick and Jonet, spouses, in the actual, real and corporal possession of the equal half of the foresaid tenement and portion of yard thereof as above. Upon which, all and sundry the foresaid Patrick from me, notary public subscribing, asked to be made to him one and more public instrument and instruments. These things were done, upon the ground of the said half, about the tenth hour forenoon, in the year, day, month, indiction and pontificate as above. Present there: discreet men: Archibald Herbertsoun, George Burell, Thomas Andersoun, William Robisoun

Willelmo Yardis, cliente, burgensibus dicte civitatis, testibus ad premissa, audienda, vocatis pariterque et rogatis.



Et ego Johannes Blak, clericus, Glasguensis diocesis, publicus autoribus apostolica et imperiali notarius, premissis, omnibus et singulis, dum sic ut premittitur agerentur, dicerentur et fierent, unacum prenominationis testibus personaliter interfui eaque sic fieri, vidi, scivi et audiui, ac in notam cepi, ex qua hoc presens publicum instrumentum, manu propria scriptum, signoque et nomine meis solitis et consuetis signavi et subscripsi, in fidem, robour et testimonium veritatis, omnium et singulorum premissorum, rogatus et cum instancia requisitus.

and William Yardis, client, burgesses of the said city, witnesses called and likewise required to hear the premises.

And I, John Blak, clerk of the diocese of Glasgow, notary public by apostolic and imperial authority, was personally present with the before named witnesses while all and sundry the premises were so transacted, said and done as aforesaid, and the same so done I saw, knew and heard, and took a note thereof from which this present public instrument, written with my own hand, I have signed and subscribed with my usual and accustomed sign and name, in faith, strength and testimony of the truth of all and sundry the premises, asked and with instance required.

XVI.

NOTARIAL Instrument on Ratification by John Scot of Foundation by John Schaw of a Chaplainry at the altar of St. Christopher in Glasgow Cathedral. Glasgow. 31 May 1514.

In Dei nomine, Amen. Per hoc presens publicum instrumentum cunctis pateat evidenter quod, anno Domini millesimo quingentesimo decimo quarto, die vero ultimo mensis Maij, indictione secunda, pontificatusque sanctissimi in Christo patris et domini nostri domini Leonis, divina providentia, Pape decimi, anno secundo. In mei notarii publici et testium infrascriptorum presentia, coram honorabilibus viris Thoma Raw et Willelmo Baxtar, ballivis burgi et civitatis Glasguensis, in domo pretoria ejusdem ad jura reddenda et causas audiendas pro tribunali unacum certis aliis dicti burgi burgensibus in magno numero et copiosa multitudine tunc congregatis atque majorem partem dicti burgi communitatem facientibus et representantibus inibi considerantibus, comparuit Johannes Scot, nepos et apparens heres honorabilis viri, Johannis Schaw, prepositi deputati dicti burgi, non vi, metu, dolo, fraude seu quovis sinistra machinatione, ut dixit, ductus, pulsus aut circumventus, sed sponte, gratis, libere et ex ejus certa scientia, et non per aliquem juris aut facti errorem, omnibus illis melioribus modo, via, jure, forma, causa et effectu, quibus potuit et debuit eique licuit et licet, pro se et suis hereditibus imperpetuum autorizavit, laudavit, approbavit, ratificavit et irrevocabiliter confirmavit fundacionem et donacionem cujusdam capellanie perpetue, tunc fundate per dictum Johannem Schaw in et ad altare Sancti Christoferi infra ecclesiam metropolitaneam Glasguensem situm, atque dotate per eundem Johannem Schaw, de certis terris,

. . . . In presence of me, notary public subscribing, before honourable men Thomas Raw and William Baxtar, bailies of the burgh and city of Glasgow, sitting in judgment in the court house thereof for administering laws and hearing causes, together with certain other burgesses of the said burgh, then assembled in a great number and overflowing multitude, making and representing the greater part of the community of the said burgh there deliberating, compeared John Scot, nephew and apparent heir of an honourable man John Schaw, provost depute of the said burgh, not led by force, driven or circumvented by fear, guile, fraud or any evil device as he said, but voluntarily, willingly, freely and of his own certain knowledge, and not by any error of law or fact, all in the surest manner, way, right, form, cause and effect which was lawful or competent to him, for himself and his heirs, for ever authorised, commended, approved, ratified and irrevocably confirmed the foundation and donation of a certain perpetual chaplainry then founded by the said John Schaw in and at the altar of St. Christopher, situated within the metropolitan church of Glasgow and endowed

tenementis et annuis redditibus infra dictum burgum et territorium ejusdem consistentibus et in literis fundacionis dicte capellanie ad longum comprehensis;¹ necnon et annexationem et incorporationem terrarum, tenementorum et annuorum reddituum, omnium et singulorum hujusmodi eidem capellanie perpetue et in dotem ejusdem per dictum Johannem Schaw cum consensibus eorum quorum precipue tunc intererat factas et celebratas; insuper predictae capellanie perpetue patronos per dictum Johannem Schaw, specialiter constitutos, ac omnia alia et singula in eisdem literis foundationis descripta et contenta; et preterea presentationem sive donationem de dicta capellania perpetua de novo ut premittitur erecta et fundata, tunc presentialiter factam discreto viro Jacobo Schaw, filio naturali dicti Johannis Schaw, fundatoris hujusmodi capellanie, per dictos ballivos et communitatem tanquam dicte capellanie patronos constitutos. Que omnia et singula premissa dictus Johannes Scot, pro se et suis, prefatis viribus perpetuo subsistere, plenarieque firmitatis robur obtinere voluit et vult per presentes; et nichilominus ad premissorum tuitionem cautelam eorumque potioris roboris firmitatem, idem Johannes Scot in eodem judicio adhuc constitutus, sponte et efficaciter obligando se et suos prefatos pactum fecit expressum, necnon solemniter interveniente stipulatione juramenti dicti Johannis Scot fide media juravit quod contra premissa, omnia et singula, per se aut suos, in judicio vel extra illud, palam vel occulte, directe vel indirecte, quovis

by the said John Schaw with certain lands, tenements and annualrents within the said burgh and territory thereof, consisting and comprehended *ad longum* in the letters of foundation of the said chaplainry; and also the annexation and incorporation of the lands, tenements and annualrents, all and sundry, of the said perpetual chaplainry and the gift thereof made and celebrated by the said John Shaw with the consent of those having special interest at that time; also the patrons of the foresaid perpetual chaplainry, specially constituted by the said John Schaw, and all other and sundry things described and contained in the said letters of foundation; and likewise the presentation or gift of the said perpetual chaplainry, of new erected and founded as aforesaid, then immediately made by the said bailies and community, as constituted patrons of the said chaplainry, to a discreet man James Schaw, natural son of the said John Schaw, founder of the said chaplainry. Which premises, all and sundry, the said John Scot, for himself and his, by these presents, willed and wills to subsist for ever with the foresaid powers and to have full and firm strength; and nevertheless for more sure defence of the premises and the ensuring of greater strength, the said John Scot, still remaining in the said court, has voluntarily and effectually made express covenant, binding himself and his foresaids, and also swore, by the interposed stipulation of his solemn oath, pledging his faith that he would never come against the premises, all and sundry, by himself or his, in judgment or outwith the same, openly or covertly, directly or

¹ The letters of foundation are printed in *Glasgow Charters*, No. XLIV., part II., pp. 101-5.

ad hoc quesito colore vel ingenio nunquam deveniret imposterium seu ea revocaret vel revocari procuraverit; casu quo terre, tenementa et annui redditus in eisdem foundationis literis contenta sibi jure hereditario vel alios quovismodo spectent aut spectare deberent sub penis canonice apostolice perjurii infamie et inhabilitatis perpetuo. De et super quibus omnibus et singulis premissis venerabilis vir, magister Willelmus Blak, vicarius de Tynwald, procurator in hac parte dicti Jacobi Schaw, nomine et ex parte ejusdem, a me notario publico subscripto, sibi fieri petiit instrumentum et instrumenta. Acta erant hec in predicto pretorio, anno, die, mense, indictione et pontificatu prenotatis. Presentibus ibidem: discretis viris Alexandro Hommyll, thesaurario dicti burghi pro tempore, Thoma Hugonis, etiam notarius in premissis, magistro David Brus, notario publico, David Knox, Archibaldo Herbertsoun, Johanne Smyth, Georgio Burell, Johanne Curry, Edwardo Scot, Willelmo Robisoun, Roberto Allane, Niniano Merschell, Willelmo Layng, Gilberto Sellar, Alexandro Andree, Patricio Robisoun, cum diversis aliis, testibus ad premissa audienda, vocatis pariterque et rogatis.

Et ego Johannes Blak, clericus Glasguensis diocesis, artium magister, publicus autoritatibus apostolica et imperiali notarius, premissis, omnibus et singulis, dum sic ut premittitur agerentur, dicerentur et fierent, unacum prenominatis testibus personaliter interfui, eaque, omnia et singula, sic fieri, vidi, scivi et audivi, ac in notam cepi, ex

indirectly, seeking for this by any pretence or ingenuity, or hereafter revoke or procure the same to be revoked; in which case the lands, tenements and annualrents contained in the said letters of foundation, belonging or which might belong to him by heritable right or otherwise, shall be perpetually under the canonical and apostolic pains of perjury, infamy and disability. Of and upon which premises, all and sundry, a venerable man, master William Blak, vicar of Tynwald, procurator in that behalf of the said James Schaw, in name and on his behalf, asked from me, notary public, an instrument and instruments to be made to him. These things were done in the foresaid court, in the year, day, month, indiction and pontificate before noted. Present there: discreet men, Alexander Hommyll, treasurer of the said burgh for the time, Thomas Hutchison, also notary in the premises, master David Brus, notary public [and others above named], with sundry others, witnesses called and likewise required to hear the premises.

And I, John Black, clerk, of the diocese of Glasgow, master of arts, notary public by apostolic and imperial authority, was personally present with the before named witnesses, while all and sundry the premises were so transacted, said and done as aforesaid, and the same, all and sundry so done, I saw, knew and heard, and took a note thereof from which I have signed and subscribed this present

qua hoc presens publicum instrumentum, manu propria scriptum, signoque et nomine meis solitis et consuetis hic me subscribendo signavi et subscripsi, in fidem robour et testimonium omnium et singulorum premissorum, rogatus et requisitus.

public instrument, written with my own hand, here subscribing with my usual and accustomed sign and name, in faith, strength and testimony of all and sundry the premises, asked and required.

XVII.

NOTARIAL Instrument as to Boundaries of Tenements in High Street belonging to Patrick Dunlop, *alias* Loppy, and Kentigern Mortoun, respectively. Glasgow, 7 June 1515.

In Dei nomine, Amen. Per hoc presens publicum instrumentum cunctis pateat evidenter quod, anno Domini millesimo quingentesimo decimo quinto, die vero septimo mensis Junii, indictione tertia, pontificatusque sanctissimi in Christo patris et domini nostri domini Leonis, divina providentia, Pape decimo anno tercio. In mei notarii publici et testium infrascriptorum presencia, personaliter constitutus discretus vir, Patricius Dunlop alias Loppy, burgensis civitatis Glasguensis, induxit cum instancia debita, omnes et singulos limitatores dicti civitatis, per inquisitionem condignam, infra dictam civitatem electos et approbatos ad limitandum et mensurandum omnes et singulas terras quascunque et qualescunque debitables seu placitabiles inter quoscunque con-burgenses seu commorantes infra dictum burgum; qui limitatores predicti, unanimo consensu, postquam examinauerunt et conceperunt fundum inter dictum Patricium et

. . . In presence of me, notary public, and of the witnesses underwritten, personally appeared a discreet man, Patrick Dunlop, *alias* Loppy, burgess of the city of Glasgow, with due urgency approached all and sundry the liners of the said city, elected and approved within the said city for lining and measuring, by suitable inquisition, all and sundry lands wheresoever and whatsoever to be settled and determined between whomsoever co-burgesses or inhabitants within the said burgh; which foresaid liners, with unanimous consent, after they examined and comprehended, by their right lines maturely made thereon, the ground between the said Patrick and Kentigern Mortoun,

Kentigernum Mortoune, suum proximum et vicinum ex parte posteriori tenementorum dicti Patricii et Kentigerni, jacentium in dicta civitate, in magno vico ejusdem, tendente ab ecclesia Fratrum Predicatorum dicti civitatis ad crucem foralem ejusdem, ex orientali parte, inter terras Mathei Petigrew ex boriali parte, ab una, et terras quondam Johannis Schelis ex australi, ab altera partibus, per suas rectas liniationes mature desuper factas, in presenciis honorabilium virorum, Georgii Colquhone, prepositi deputati dicti civitatis, Thome Hugonis et Archiebaldi Herbertsoun, ballivorum ejusdem, cum aliis civibus, in magna et copiosa multitudine et numero, in pretorio ejusdem congregatis, declaraverunt et sententialiter ordinaverunt dictum Kentigernum, videlicet, to put up ane hewyn spowt of stayne in the est part of the said Mowngous bak wall the lyntht of the samyn, at the consideratioun of ane honorable man, Thomas Law, and the masonys bigarris of the said wall, to kep the said Mowngous drop of the said Patrikis tenement and skathyne of it in tymis cumyng; necnon dictum Kentigernum, pro se suisque heredibus et assignatis observari et indempnes conservari dictum Patricium et suum tenementum posterius ab aqueductu lapideo et stillicidiis quibuscunque in posterum contingentibus seu cadentibus de suo tenemento posteriori perpetuus futuris temporibus similiter decreverunt. Et si contingat dictum Patricium dampnificari in suo fundo sive tenemento aliquo tempore futuro per dictum Kentigernum, suos heredes vel assignatos, penes aqueductum aut quascunque stillationes seu emundationes aquarum, culpa hujusmodi Kentigerni, suorum heredum ve assignatorum, prefatos judices limitatores decreverunt et ordinaverunt omnia et singula dampna, quibuscunque temporibus futuris, ex premissis

his neighbour, on the back part of the tenements of the said Patrick and Kentigern, lying in the said city, in the High Street thereof, leading from the church of the Friars Preachers of the said city to the market cross thereof, on the east side, between the lands of Mathew Petigrew on the north, on the one side, and the lands of John Schelis on the south, on the other side, in presence of honourable men, George Colquhone, provost depute of the said city, Thomas Hughes and Archibald Herbertsoun, bailies thereof, with other citizens in a great and overflowing multitude and number, assembled in the tolbooth thereof, declared and by way of sentence ordained the said Kentigern to put up ane hewyn spowt [etc., as above]; and likewise decerned the said Kentigern, for himself and his heirs and assignees, to keep and preserve, skaithless, the said Patrick and his back tenement from the stone water spout and any rain drop at the back touching or falling from his back tenement in all time coming. And if it happen the said Patrick to be in any time coming injured in his ground or tenement by the said Kentigern, his heirs or assignees in connection with the spout, or any gutters or washings of water, through the fault of the said Kentigern, his heirs or assignees, the foresaid liners decerned and ordained all and sundry damages on the premises, sustained, suffered, or happening in any time coming, to be paid and refunded to the foresaid Patrick, his heirs and assignees,

sustenta, passa seu contigencia, prefato Patricio, suis heredibus et assignatis ad estimationem fidedignorum, persolvi et refundi. Super quibus, omnibus et singulis, prefatus Patricius a me notario publico subscripto sibi fieri peciit unum et plura publicum et publica instrumentum et instrumenta. Acta erant hec in locis suprascriptis, horam circa decimam ante meridiem, anno, die, mense, indictione et pontificatu prenotatis. Presentibus ibidem: venerabilibus et discretis viris, magistro Rolando Blacader et domino Roberto Clerk, canonicis ecclesie metropolitane dicte civitatis, David Knox, Johanne Curry, Matheo Petigrew, Georgio Burell, prefato Thoma Law, Alexandro Andree, Johanne MacCown, burgensibus, dominis Ricardo Otterburn, Willelmo Burell et Archibaldo Dwn, capellanis, et multis aliis, etc.

Et ego Johannes Blak, clericus Glasguensis diocesis, artium magister, publicus autoritatibus apostolica et imperiali notarius, premissis, omnibus et singulis, dum sic ut premittitur agerentur, dicerentur et fierent, unacum prenominationis testibus personaliter interfui, eaque, sic fieri, vidi, scivi et audivi, ac in notam cepi, ex qua hoc presens publicum instrumentum, manu propria scriptum, signoque et nomine meis solitis et consuetis hic me subscribendo signavi et subscripsi, in fidem et robour omnium et singulorum premissorum, rogatus et cum instancia requisitus.

at the valuation of worthy men. Upon which, all and sundry, the foresaid Patrick asked from me, notary public subscribing, one and more public instrument and instruments to be made to him. These things were done in the places abovementioned, about the tenth hour before noon, in the year, day, month, indiction and pontificate before noted. Present there: venerable and discreet men, master Roland Blacader and Sir Robert Clerk, canons of the metropolitan church of the said city, David Knox, John Curry, Mathew Petigrew, George Burell, the foresaid Thomas Law, Alexander Andrew, John MacCown, burgesses, Sirs Richard Otterburn, William Burell and Archibald Dwn, chaplains, and many others.

And I, John Black, clerk of the diocese of Glasgow, master of arts, notary public by apostolic and imperial authority, was personally present with the before named witnesses, while all and sundry the premises were so transacted, said and done as aforesaid, and the same so done I saw, knew and heard, and took a note thereof, from which I have signed and subscribed this present public instrument, written with my own hand, here subscribing with my usual and accustomed sign and name, in faith and strength of all and sundry the premises, asked and with instance required.

XVIII.

NOTARIAL Instrument on Gift by Robert Adamson to the Leper Hospital of an Annualrent of 2s. payable furth of a Tenement on the east side of Saltmarket. Glasgow, 9 September 1522.

In nomine Domini, Amen. Noverint universi et singuli presentis publici instrumenti scriptionem inspecturi quod, anno Dominice Incarnationis millesimo quingentesimo vicesimo secundo, die vero mensis Septembris nono, indictione undecima, pontificatusque sanctissimi in Christo patris et domini nostri domini Adriani, divina providencia, Pape, sexti, anno primo. In mei notarii publici et testium subscriptorum presentia, personaliter accessit honestus vir Robertus Adamsoun, burgensis Glasguensis, ad quoddam suum tenementum, jacens in civitate Glasguensi in publica via tendente a cruce forali usque portam australem ex parte orientali ejusdem, inter tenementum quondam Roberti Alane ex boriali, ab una, et tenementum Roberti Cunyghame ex australi, partibus ab altera; et ibidem prefatus Robertus, zelo Dei Omnipotentis, gloriose Virginis Marie totiusque curie celestis; et pro salute anime sue animarumque prolium, parentum, benefactorum et consanguineorum suorum, in augmentationem sustentationis Leprosorum in fine australi pontis Glasguensis degentium et commorantium, duos solidos annui redditus annuatim et pro perpetuo de totali et integri dicto suo tenemento per prefatos

In the name of the Lord, Amen. Be it known to all and sundry who shall see the writing of the present public instrument that in the year of the Incarnation of our Lord one thousand five hundred and twenty two, on the ninth day of the month of September, the eleventh indiction and first year of the pontificate of the most holy father in Christ and our lord, lord Adrian the sixth, by divine providence, Pope. In presence of me, notary public, and witnesses underwritten, personally appeared an honest man, Robert Adamsoun, burgess of Glasgow, at his tenement, lying in the city of Glasgow, in the public street leading from the market cross to the South Port, on the east side thereof, between the tenement of the late Robert Alan, on the one side, and the tenement of Robert Cunyghame on the south, on the other side; and there the foresaid Robert, in zeal for Almighty God, the glorious Virgin Mary, and the whole celestial court, for the weal of his soul and of the souls of his children, parents, benefactors and kinsmen, in augmentation of the sustentation of the Lepers living and dwelling at the south end of the bridge of Glasgow, purely and simply resigned from him, his heirs and assignees, in the hands of a provident man, Alexander Hommyll, one of the bailies of the said city, by hesp and staple, in pure and perpetual alms, two shillings of annualrent, yearly and for ever, furth of all and whole his said tenement, to

Leprosos qui pro tempore fuerint, levandos ad duos anni terminos consuetos, videlicet, Penthecostes et Sancti Martini in hieme, per equales portiones, a se, heredibus suis et assignatis, in manibus providi viri, Alexandri Hommyll, unius ballivorum dicte civitatis, per le hesp et staple, in puram et perpetuam elimosinam, pure et simpliciter, resignavit. Qua resignatione sic facta, idem ballivus statum et saisinam, necnon realem, actualem et corporalem possessionem dictorum duorum solidorum annui redditus de dicto tenemento ut premittitur, levandorum et percipiendum discreto viro, Alano Pollok, ballivo, dictorum leprosororum procuratorio nomine eorundem eorumque successoribus leprosis in dicto loco degentibus similiter per le hesp et staple ac denarii in manu impositionem ut moris est, tradidit, donavit et deliberavit. Super quibus, omnibus et singulis, prefatus Alanus, procuratorio nomine ut supra, a me notario publico subscripto sibi fieri instanter peciit publicum seu publica instrumentum seu instrumenta. Acta erant hec super solum dicti tenementi, horam circiter secundam post meridiem, anno, die, mense, indictione et pontificatu prescriptis. Presentibus ibidem: discretis viris Georgio Robisoun, Johanne Knox, Johanne Downe, burgensibus dicte civitatis, et Johanne Bargille, seriando, testibus ad premissa vocatis pariter et rogatis.

Et ego Nicholaus Withirspuyn, artium magister, clericusque Glasguensis diocesis, publicus apostolica et regali autoritatibus notarius, quia premissis, omnibus et singulis, dum sic ut premittitur agerentur, dicerentur et fierent, unacum prenomminatis testibus presens personaliter

be uplifted by the foresaid Lepers who shall be for the time, at the two usual terms in the year, viz., Whitsunday and Martinmas in winter, by equal portions. Which resignation so made the said bailie, likewise by hesp and staple and the placing of a penny in hand as the manner is, gave and delivered state and sasine, also real, actual and corporal possession of the said two shillings of annualrent, to be uplifted and paid furth of the said tenement as aforesaid, to a discreet man, Allan Pollok, bailie, procurator of the said Lepers, in name of them and their successors, lepers living in the said place. Upon which, all and sundry, the foresaid bailie, procurator in name as aforesaid, from me, notary public, subscribing, instantly asked a public instrument or instruments to be made to him. These things were done upon the ground of the said tenement, about the second hour afternoon, in the year, day, month, indiction and pontificate foresaid. Present there: discreet men, George Robisoun, John Knox, John Downe, burgesses of the said city, and John Bargille, serjeant, witnesses to the premises, likewise called and required.

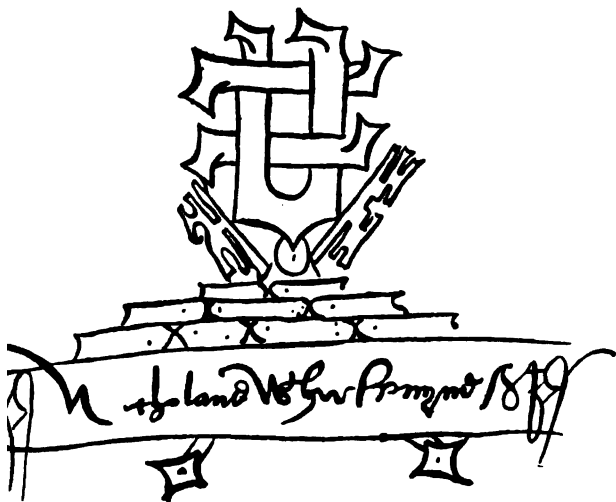
And I, Nicholas Withirspuyn, master of arts, and clerk of the diocese of Glasgow, notary public by apostolic and royal authority, was

Leprosos qui pro tempore fuerint, levandos ad duos anni terminos consuetos, videlicet, Penthecostes et Sancti Martini in hieme, per equales portiones, a se, heredibus suis et assignatis, in manibus providi viri, Alexandri Hommyll, unius ballivorum dicte civitatis, per le hesp et staple, in puram et perpetuam elimosinam, pure et simpliciter, resignavit. Qua resignatione sic facta, idem ballivus statum et saisinam, necnon realem, actualem et corporalem possessionem dictorum duorum solidorum annui redditus de dicto tenemento ut premittitur, levandorum et percipiendum discreto viro, Alano Pollok, ballivo, dictorum leprosorum procuratorio nomine eorundem eorumque successoribus leprosis in dicto loco degentibus similiter per le hesp et staple ac denarii in manu impositionem ut moris est, tradidit, donavit et deliberavit. Super quibus, omnibus et singulis, prefatus Alanus, procuratorio nomine ut supra, a me notario publico subscripto sibi fieri instanter peccit publicum seu publica instrumentum seu instrumenta. Acta erant hec super solum dicti tenementi, horam circiter secundam post meridiem, anno, die, mense, indictione et pontificatu prescriptis. Presentibus ibidem: discretis viris Georgio Robisoun, Johanne Knox, Johanne Downe, burgensibus dicte civitatis, et Johanne Bargille, seriando, testibus ad premissa vocatis pariter et rogatis.

Et ego Nicholaus Withirspuyn, artium magister, clericusque Glasguensis diocesis, publicus apostolica et regali autoritatibus notarius, quia premissis, omnibus et singulis, dum sic ut premittitur agerentur, dicerentur et fierent, unacum prenomminatis testibus presens personaliter

be uplifted by the foresaid Lepers who shall be for the time, at the two usual terms in the year, viz., Whitsunday and Martinmas in winter, by equal portions. Which resignation so made the said bailie, likewise by hesp and staple and the placing of a penny in hand as the manner is, gave and delivered state and sasine, also real, actual and corporal possession of the said two shillings of annualrent, to be uplifted and paid furth of the said tenement as aforesaid, to a discreet man, Allan Pollok, bailie, procurator of the said Lepers, in name of them and their successors, lepers living in the said place. Upon which, all and sundry, the foresaid bailie, procurator in name as aforesaid, from me, notary public, subscribing, instantly asked a public instrument or instruments to be made to him. These things were done upon the ground of the said tenement, about the second hour afternoon, in the year, day, month, indiction and pontificate foresaid. Present there: discreet men, George Robisoun, John Knox, John Downe, burgesses of the said city, and John Bargille, serjeant, witnesses to the premises, likewise called and required.

And I, Nicholas Withirspuyn, master of arts, and clerk of the diocese of Glasgow, notary public by apostolic and royal authority, was



interfui, eaque, omnia et singula, premissa sic fieri, vidi, scivi et audiui, ac in notam cepi, eapropter hoc presens publicum instrumentum, manu mea propria fideliter scriptum, exinde confeci et in hanc publicam formam redegi, signoque et nomine meis solitis et consuetis signavi et publicavi, in fidem et testimonium omnium et singulorum premissorum, rogatus et requisitus.

personally present with the witnesses before named while the premises, all and sundry, were so transacted, said and done as aforesaid, and the said premises so done I saw, knew and heard, and took a note thereof from which I have made and in this public form reduced this present public instrument, faithfully written with my own hand, and, with my usual and accustomed sign and name, have signed and published the same, in faith and testimony of all and sundry the premises, asked and required.

XIX.

NOTARIAL Instrument on Consent by Gavin, archbishop of Glasgow, with approval of the Dean and Chapter, to Mr. James Houston, vicar of Eastwood, founding the Church of St. Mary and St. Anne in Glasgow.¹ Glasgow, 29 April 1525.

In Dei nomine, Amen. Per hoo presens publicum instrumentum cunctis pateat evidenter quod, anno ab eius Incarnatione salutifera millesimo quingentesimo vigesimo quinto, die Sabbati mensis vero Aprilis penultima, indictione tertia decima, pontificatusque sanctissimi in Christo, patris ac domini nostri domini Clementis, divina providencia, Pape septimi, anno secundo. In mei notarii publici et testium infrascriptorum, ad hec vocatorum specialiter et rogatorum presentia, personaliter constitutus et pro tribunali sedens reverendissimus in Christo pater ac dominus Gavinus, miseracione divina, Glasguensis archiepiscopus, in loco capituli solito ecclesie sue metropolitane Glasguensis, unacum venerabili et egregio viro magistro Roberto Forman, decano, certisque canonicis aliis de capitulo dicte ecclesie consessoribus suis, post sonum campanelle pulsate, ut est moris, capitulariter congregatis, atque ipsius ecclesie capitulum

In the name of God, Amen. By this present public Instrument be it clearly known to all that in the one thousand five hundred and twenty fifth year from His savoring Incarnation, on Saturday the twenty ninth day of April, in the thirteenth Indiction, in the second year of the pontificate of the most holy father in Christ and our lord, lord Clement the seventh, by divine providence, Pope. In presence of me, notary public, and of the witnesses underwritten, for this purpose specially called and required, personally appeared, sitting in judgment, a most reverend father in Christ, Gavin, by divine mercy, archbishop of Glasgow, in the usual place of the chapter of his metropolitan church of Glasgow, together with a venerable and worthy man, master Robert Forman, dean, and certain other canons of the chapter of the said church, his colleagues, after the sound of the bell, tolled as the manner is, chapterly assembled, and making

¹ This Notarial Instrument is not included in the printed Register of the Collegiate Church ("Liber Collegii Nostre Domine") issued by the Maitland Club in 1549, but is noticed in the Abstract appended to the volume of Glasgow

Charters (part II., p. 440, No. 47) published in 1894. At that time the original was missing, but it has since been found, and the document is here printed in full.

plenum et universum tunc et pro tempore, facientibus et representantibus, accepto per eum quod circumspetus vir magister Jacobus Howstoun, vicarius perpetuus ecclesie parochialis de Estwod sue Glasguensis diocesis, zelo devocionis accensus ad laudem et honorem omnipotentis Dei et gloriose Virginis Marie ac beate Anne matrone matris ejus, atque in divini cultus augmentum, quandam ecclesiam dive Virginis Marie de Laureto simul et beate Anne matrone matris ejus vocabulum et innotationem perpetuo gesturam et habituram infra civitatem Glasguensem, ad partem australem vici Sancte Tenew dicte civitatis in et super terris propriis et possessionibus ipsiusmet magistri Jacobi ibidem constitutis deque sumptibus suis et expensis, de novo fundare, erigere, construere et edificare, sive jactis modo fundamentis ejus ex parte aliqua forte inceptam et extructam consummare et perficere illamque ampliare ac etiam dotare Domino coadunante proposuit et proponat. Pium per profecto et laudabile propositum ipsius magistri Jacobi in hac parte plurimum in domino commendans et quod nove ipsius ecclesie fundamenta eo reverendissimo adhuc inconsulto jacta sunt et ecclesia ipsa ex parte aliqua jam incepta et extructa existit ratum habens et autoritate sua ordinaria per omnia approbans ad fundandam, erigendam, extruendam et edificandam novam ecclesiam eandem sive quatenus ex parte aliqua jam inceptam, extructam et edificatam, consummandum et absolvendum, et eam si opus fuerit ampliandum, ac divina inibi officia celebrari faciendum et perpetuo celebrandum; dummodo prelibatus magister Jacobus novam ecclesiam eandem de tantis dotet redditibus unde divinus cultus congrue sustentari ac

and representing, then and for the time, the full and complete chapter of the said church, it being understood by him that a circumspet man, master James Howstoun, perpetual vicar of the parish church of Estwod, of his diocese of Glasgow, moved by the zeal of devotion for the praise and honour of Almighty God and of the glorious Virgin Mary and of St. Anne, matron, her mother, and for increase of divine worship, proposed of new to found, erect, construct and build, or to complete and perfect on the foundations lately laid, or by chance on any part begun and built, a certain church, about to bear and have for ever the name and title of the holy Virgin Mary of Laureto and likewise of her mother St. Anne, matron, within the city of Glasgow, on the south side of the street of St. Tenew of the said city, in and upon the proper lands and possessions of the said Mr. James, acquired on his own charges and expenses, and also proposed, with God's help, to enlarge the church and endow it. Approving greatly in the Lord the pious and laudable purpose of the said Mr. James, in this part, and in respect that the foundations of the said new church were laid so far, the said most reverend as yet not consulted, and the church itself in some part now stands begun and constructing, being allowed and by his ordinary authority approved in all things, for founding, erecting, constructing and building the said new church, or to complete and discharge the same so far as in any part begun, constructed and built, and if need be to amplify

perpetuo vigore valeat in eadem, atque illam alias decenter adornare et juxta solitum instruere et apparare faciat, sepedicto magistro Jacobo presenti et instanti omnimodam libertatem, licenciam et facultatem specialem per se et successores suos, Glasguenses archiepiscopos, de consensibus et assensibus decani et capituli predictorum, ad id unanimiter et expresse prestitis et accedentibus, dedit in Domino et impertitus est prout datur et impertitur per presentes. De et super quibus, omnibus et singulis sic premissis peciit sepefatus magister Jacobus a me, notario publico subscripto, sibi fieri et tradi publicum instrumentum, unum et plura, sigillis tam rotundo reverendissimi patris quam communi decani et capituli predictorum, eadem instante et procurante dicto magistro Jacobo decreta atque concessa presentibus appendi jubentium et facientium ad potioem cautelam, impendenda sigillata et roborata.¹ Acta fuerunt hec in loco capituli supramentionato, hora decima ante meridiem vel circa, sub anno, mense, die, indictione et pontificatu de quibus supra. Presentibus ibidem: venerabilibus et circumspectis viris, magistris et dominis, Thoma Fowlis, Roberto Cochquheren et Jacobo

the same; and to cause the divine offices to be celebrated therein, and to be for ever celebrated, provided the said Mr. James endow the said new church with so great revenues, whence divine worship may be fittingly and for ever made to flourish therein; and otherwise decently to adorn the same and fit up and furnish it as is usual, and every liberty, licence and special faculty is, by him and his successors, archbishops of Glasgow, of consent and assent of the dean and chapter foresaid, to that effect unanimously and expressly granted and conceded, given and imparted, in the Lord, as is given and imparted by these presents to the said master James, present and attending. Of and upon which, all and sundry as aforesaid, the said master James asked from me, notary public subscribing, a public instrument, one and more, to be made and delivered to him, with the seals, as well the round seal of the most reverend father as the common seal of the foresaid dean and chapter, and the same instantly procured to the said master James, decreed and granted, to be appended to these presents, commanding and causing the same, for greater security, to be affixed, sealed and confirmed. These things were done in the chapter place above mentioned, at the hour of ten or thereby, forenoon, in the year, month, day, indiction and pontificate as above. Present there: venerable and circumspect men and sirs, Thomas Fowlis,

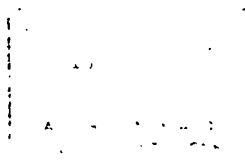
¹ The archbishop's seal remains attached to the document. An illustration of the seal is here given, and it is thus described—"Under a canopy, supported by columns, and having tabernacle work at sides, a figure of St. Kentigern in episcopal robes, with mitre and nimbus, holding in his right hand a ringed salmon erect, and in his left a crozier, diagonally in front of him. Foliage

at sides. Beneath, under an arch, a shield, with archiepiscopal cross behind it, bearing arms—Three cushions lozengeways within a royal treasure. Legend—SIGILLVM GAVINI ARCHIEPI GLASGVENSIS." Diameter, 2½ in. MS. description by Mr. William R. Macdonald. See also Laing's Scottish Seals, I., No. 1027.



SEAL OF GAVIN DUNBAR, ARCHBISHOP OF GLASGOW.

(Appended to *Notarial Instrument* dated 29 April, 1525.
Glasgow Charters, vol. II., p. 496).



Schoriswod, notariis publicis et presbiteris, testibus ad premissa vocatis, habitis specialiter atque rogatis.

Et quia ego Cuthbertus Simonia, publicus sacra apostolica et regali autoritatibus sed et decani et capituli predictorum notarius et scriba juratus clericus dicte Glasguensis diocesis,

premissis omnibus et singulis dum sic ut premittitur dicerentur, agerentur, et fierent, unacum prenomatis testibus presens personaliter interfui, eaque sio fieri et dici vidi et audivi ac in notam sumpsi. Ideo ergo hoc presens publicum lucide instrumentum, de me ipsius manu fideliter scriptum, de mandato dicti reverendissimi patris exinde confeci, subscripsi, publicavi et in hanc publicam formam redegi, meque subscribendo signo meo publico ac fieri

solito unacum sigillorum tam rotundi reverendissimi patris quam communis decani et capituli predictorum appensione signavi in fidem, robur et testimonium premiasorum omnium, rogatus et requisitus.

Robert Cochquheren, and James Schoriswod, notaries public and priests, witnesses to the premises, specially called, had and required.

And because I, Cuthbert Simson, notary public by sacred apostolic and royal authority, and also clerk of the foresaid dean and chapter, and sworn clerk of the said diocese of Glasgow, was personally present with the said witnesses while all and sundry the foresaid things were said, transacted and done as aforesaid, and the same so done and said I saw and heard and took a note of the same; therefore this present public instrument, faithfully written with my own hand, I have made clearly and have reduced, subscribed and published the same in this public form and I have signed the same, subscribing with my public and usual sign, together with the appending of the seals, as well the round seal of the most reverend father as the common seal of the foresaid dean and chapter, in faith, strength and testimony of all the premises, asked and required.

XX.

NOTARIAL Instrument on Resignation by Euphemia Sclater, spouse of Nigel M'Carmyk, in favour of Christian M'Cormycht, her daughter, and by the latter to her affianced spouse, of a Tenement in Stockwell. Glasgow, 24 November 1525.

In Dei nomine, Amen. Per hoc presens publicum instrumentum cunctis pateat evidenter quod, anno Domini millesimo quingentesimo vicesimo quinto, die vero vicesimo quarto mensis Novembris, indictione decima quarta, pontificatusque sanctissimi in Christo patris et domini nostri domini Clementis, divina providentia, Pape septimi, anno secundo. In mei notarii publici et testium infrascriptorum presentia, personaliter constituta discreta mulier Euphemea Solatar, sponse quondam Nigelli M'Carmyk, burgensis Glasguensis, suam conjunctam infeodationem, unius tenementi cum pertinentiis, jacentis infra territorium Glasguensem in le Stokwell, inter terras quondam domini de Fowilbar ex boriali et terras Roberti Browin ex australi, partibus ab altera, a se et suis assignatis in manibus honorabilis viri David Lyndesaie, ballivi civitatis Glasguensis, per deliberationem unius denarii in manibus ejusdem, pure et simpliciter resignavit, ac pro perpetuo dimisit in favorem Cristine M'Carmycht, sue filie, suorum heredium et assignatorum quorumcunque. Eapropter dictus ballivus sibi dicte Cristine de hujusmodi tenemento, cum pertinentiis, tam de feodo quam de libero tenemento ejusdem, dedit et deliberavit statum et sasinam hereditarios per terre et lapidis traditionem pro perpetuo, tanquam propinquiore et legitime heredi ipsius quondam Nigelli ultime

. . . In presence of me, notary public, and of the witnesses underwritten, personally appeared a discreet woman, Euphemia Sclater, spouse of the late Nigel M'Carmyk, burgess of Glasgow, and purely and simply resigned in the hands of an honourable man, David Lyndesay, bailie of the city of Glasgow, by delivery of a penny in his hands, and for ever demised, from her and her assignees, in favour of Cristina M'Carmycht, her daughter, her heirs and assignees whomsoever, her conjunct infeftment of a tenement with the pertinents lying within the territory of Glasgow, in the Stokwell, between the lands of the late laird of Fowilbar on the north, on the one side, and the lands of Robert Brown on the south, on the other side. Therefore the said bailie, by delivery of earth and stone, gave and delivered to the said Cristina heritable state and sasine of the said tenement with the pertinents, as well of the fee as the liferent thereof, for ever, as nearest and lawful heir of the said late Nigel, last deceasing in

decedenti in statu et saisina predicti tenementi cum pertinentiis, prout in plana curia burgi et civitatis Glasguensis inventum fuit, heredibusque et assignatis dicte Cristine hereditarie investivit et pro perpetuo induxit. Preterea dicta Cristina, a se suisque heredibus et assignatis, predictum tenementum, cum pertinentiis, in manibus predicti David Lyndesaie, ballivi, per terre et lapidis traditionem, pure et simpliciter, resignavit ac pro perpetuo dimisit, in sua virginitate, prout apparuit, in favorem discreti viri Archibaldi Maklasell, nomine dotis propter nuptias et matrimonium contrahendo inter ipsum Archibaldum et dictam Cristinam in facie ecclesie. Qua resignatione sic facta idem ballivus sibi Archibaldo et dicte Cristine, sue affidate pro tempore, de hujusmodi totali tenemento, cum pertinentiis, et suis heredibus infra eosdem legitime procreandis, quibus vero forte deficientibus heredibus propinquioribus et legitimis Archibaldi nomine dotis de hujusmodi prescripto tenemento, cum pertinentiis, per hujusmodi terre et lapidis deliberationem dedit et deliberavit statum et sasinam hereditarios pro perpetuo. Super quibus premissis dictus Archibaldus, pro se et suis, a me notario publico subscripto, sibi fieri petiit unum et plura publicum et publica instrumentum et instrumenta. Acta erant hec super solum dicti tenementi circa decimam horam ante meridiem, anno, die, mense, indictione et pontificatu prenotatis. Presentibus ibidem: discretis viris, Alexandro Hommyll, burgense dicti burgi, domino Willelmo Flemyng, capellano, Jacobo Alexander et Andrea Flemyng, sergeando, cum diversis aliis, testibus ad premissa, audienda, vocatis pariterque et rogatis.

Et ego Martinus Hommyll, artium magister, presbiter Glasguensis diocesis, sacra autoritate apostolica, publicus notarius; quia premissis, omnibus et singulis, dum sic ut premittitur agerentur et dicerentur, unacum prenominatis testibus presens personaliter interfui, eaque omnia et singula sic fieri, vidi, scivi et audiui, ex qua hoc presens publicum instrumentum, manu alterius fideliter scriptum, confeci, signoque et nomine meis solitis et consuetis hic me subscribendo signavi, in fidem et testimonium omnium et singulorum premisorum, rogatus et requisitus.

state and sasine of the foresaid tenement with the pertinents, as was found in full court of the burgh and city of Glasgow, and heritably invested and for ever did infeft the heirs and assignees of the said Christina. Moreover the said Christina, by delivery of earth and stone, in the hands of the foresaid David Lyndesay, bailie, purely and simply resigned, and in her virginity, as appeared, from herself and her heirs and assignees, for ever demised the foresaid tenement with the pertinents in favour of a discreet man, Archibald Maklasell, in name of dowry on account of the nuptials and marriage contracted between the said Archibald and her in face of the church. Which resignation so made the said bailie, by delivery of the said earth and stone, gave and delivered heritable state and sasine of the said whole tenement, with the pertinents, for ever, to the said Archibald and the said Cristina, his betrothed for the time, and to the heirs procreated between them, whom by chance failing to the nearest and lawful heirs of the said Archibald, in name of dowry of the said tenement before written. Upon which premises the said Archibald, for him and his, asked from me, notary public subscribing, one and more public instrument and instruments to be made to him. These things were done upon the ground of the said tenement, about the tenth hour fore noon, in the year, day, month, indiction and pontificate above mentioned. Present there: discreet men, Alexander Homyll, burghess of the said burgh, Sir William Flemyng, chaplain, James Alexander and Andrew Flemyng, sergeant, with sundry others, witnesses called and likewise required to hear the premises.

And I, Martin Hommyll, master of arts, priest of the diocese of Glasgow, notary public by holy apostolic authority; because I was personally present with the forenamed witnesses while all and sundry the premises were transacted and said as aforesaid, and the same, all and sundry so done, I saw, knew and heard, from which I have made this present public instrument, faithfully written with the hand of another, and I have signed, here subscribing with my usual sign and name, in faith and testimony of all and sundry the premises, asked and required.

XXI.

INSTRUMENT of Sasine in favour of Sir Thomas Flemyng, vicar pensioner of Glasgow in the Burgh, and his successors, in a Tenement and Orchard in the Stabyll Greyne, containing Foundation by Sir Mark Jameson of certain masses and religious services.¹ Glasgow, 5 November 1539.

In Dei nomine, Amen. Per hoc presens publicum instrumentum cunctis pateat evidenter et sic notum quod, anno Dominice Incarnationis millesimo quingentesimo trigesimo nono mensis Novembris die vero quinta, indictione decima tertia, pontificatusque sanctissimi in Christo patris et domini nostri domini Pauli, divina providentia, Pape tertii, anno sexto. In nostrum notariorum publicorum et testium subscriptorum presentia, personaliter constitutus discretus vir dominus Andreas Crystesoun, capellanus, existens in statu et sasina feodi unius tenementi cum horto et pertinentiis, jacentis infra civitatem Glasguensem in le *Stabyll Greyne* tendente a publica via in summitate dicte civitatis ad duas cruces, vulgo nuncupatas le *Twa Crocis* ex orientali parte communis vici ejusdem civitatis, inter terras sive tenementa palacii reverendissimi patris archiepiscopi Glasguensis ex australi, hortos vicariorum Glasguensium ex orientali et boriali, et commune vicum ex occidentali partibus, nomine ecclesie et beate Marie Virginis in bassa ecclesia metropolitana Glasguensi, prout nobis notariis publicis luculenter constabat et

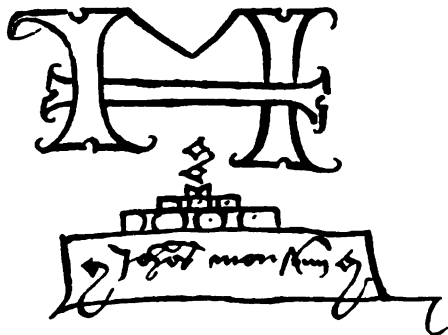
. . . In presence of us, notaries public and witnesses underwritten, personally appeared a discreet man, Sir Andrew Crystesoun, chaplain, vested in name of the church and of the blessed Virgin Mary in the crypt of the metropolitan church of Glasgow, in state and sasine of the fee of a tenement, with yard and pertinents, lying within the city of Glasgow, in the Stabyll Greyne, leading from the public way at the head of the said city to the two crosses, commonly called the *Twa Crocis*, on the east side of the common street of the said city, between the lands or tenements of the palace of the most reverend father the archbishop of Glasgow on the south, the yards of the vicars of the choir of Glasgow on the east and north, and the common street on the west parts, as to us notaries public clearly appeared and appears, and he came to the said

¹ This instrument was one of the "evidentis" council on 18th July, 1590 (Glas. Rec., I., p. 155). delivered by Sir Mark Jameson to the town It is preserved in duplicate.

constat, accessit ad id tenementum jacens ut predictum, et ibidem cum expressis consensu et assensu domini Marci Jamesoun, usufructuarij dicti tenementi et horti, cum pertinentiis, statum et saisinam feodi dictorum tenementi, cum horto et pertinentiis in manibus Georgii Elphynstoun, unius ballivorum civitatis Glasguensis, nomine ecclesie et beate Marie Virginis ut predictae, per terre et lapidis traditionem, et pro perimptione, observatione et satisfactione premissorum subsequentium, prout in vulgare sequuntur, cessit, resignavit, extradonavit pariterque pro perpetuo dimisit in favorem domini Thome Flemyng, vicarii pensionarii Glasguensis in burgo et suorum successorum, vicariorum pensionariorum de Glasgw in burgo, personaliter comparentis et acceptantis, pro se et dictis suis successoribus, ad perimplendum, observandum et satisfaciendum perimplerique observari et satisfacti causandum subscripta in vulgari subsequentia perimpleri et observari debere, secundum tenorem et formam cedula vulgaris subscripte, confecte per dictum dominum Marcum Jamesoun, usufructuarium dictorum tenementi et horti cum pertinentiis, ac summas in eadem contentas persolvere de fructibus firmis et proficuis dicti tenementi et horti, cum pertinentiis, interesse habentibus annuatim et terminatim, ut in dicta cedula vulgari inseritur cavetur. Quibus sio factis, et pro observatione perimptione et satisfactione premissorum subsequentium in vulgari fiendis per ipsum dictum Thomam et suos successores, vicarios pensionarios, modo et forma ut predictis, idem ballivus de voluntate prefati domini Andree et ipsius domini Marci,

tenement, lying as aforesaid, and there, in name of the church and of the blessed Virgin Mary as aforesaid, with express consent and assent of Sir Mark Jamesoun, liferenter of the said tenement and yard, with the pertinents, resigned, overgave, and likewise for ever upgave and demitted state and sasine of the fee of the said tenement, with yard and pertinents, in the hands of George Elphynstoun, one of the bailies of the city of Glasgow, by delivery of earth and stone; and that for implement, observance and satisfaction of the premises aftermentioned, as follows in the common language, in favour of Sir Thomas Flemyng, vicar pensioner of Glasgow in the burgh; personally appearing and consenting for him and his said successors, to implement, observe and satisfy, and cause to implement, observe and satisfy, the underwritten things following in the common language, to be duly implemented and observed, according to the tenor and form of the common schedule underwritten, appointed by the said Sir Mark Jameson, liferenter of the said tenement and yard, with the pertinents; and the sums therein contained to be paid furth of the fruits, ferms, and profits of the said tenement and yard, with the pertinents, by those having interest yearly and termly, as in the said common schedule is provided. Which things so done, and by observance, implement and satisfaction of the premises following, in the common language, performed by the said Sir Thomas and his successors, vicars pensioners, in manner and form as aforesaid, the said bailie at the will of the said Sir Andrew and Sir Mark, and by virtue of his

et ex sui officii debito, statum et saisinam necnon realem actualem et corporalem possessionem dictorum tenementi et horti cum pertinentiis nomine ecclesie, et pro observatione, perimptione et satisfactione subscriptorum in vulgari specificatorum sibi domino Thome vicario pensionario de Glasgw in burgo, per terre et lapidis traditionem, tradidit, dedit, et deliberavit pariterque et eundem pro perpetuo investivit. Reservando tamen liberum tenementum et usum fructuum dictorum tenementi et horti, cum pertinentiis, sibi domino Marco pro toto tempore vite sue duntaxit. Sequitur tenor dicte cedulae vulgaris:—Memorandum.—I, Sir Marc Jamesoun (etc., as in Glasgow Protocols, No. 1318, vol. iv., pp. 117-20). Super quibus, omnibus et singulis, premissis petierunt prefati domini Thomas et Marcus hinc inde a nobis notariis publicis subscriptis instrumentum et instrumenta publicum et publica ipsis fieri. Acta erant hec super solum dicti tenementi, circa horam novenam ante meridiem, sub anno, die, mense, indictione et pontificatu quibus supra. Presentibus ibidem: providis viris dominis Roberto Salmond, David Kyrkland, Johanne Keyne, Willelmo Wylkyne, presbyteris, Willelmo Donaldsoun, Roberto Burne et Alexandro Sanquhyr, laicis, testibus ad premissa, vocatis pariter et rogatis.



Et ego Johannes Morisoun, presbyter Glasguensis diocesis, publicus sacra auctoritate apostolica notarius, quia premissa, omnibus et singulis, dum sic ut premittitur dicebantur, agerentur et fierent, unacum pre-nominatis testibus presens personaliter interfui, as cum domino connotario subscripto, eaque omnia et singula suprascripta sio fieri, scivi, vidi et audiui ac inde notam cepi ex qua hoc presens publicum instrumentum, aliena manu fideliter scriptum, exinde confeci et in hanc publicam formam redege signoque nomine cognomine et subscriptione meis solitis et consuetis signavi et subscripsi, rogatus et requisitus, in fidem, robur et testimonium veritatis omnium et singulorum premissorum.



Michael Hugonis

Et ego Michael Hugonis, artium magister, Glasguensis diocesis, sacra auctoritate apostolica notarius, quia premissis, omnibus et singulis, dum sic ut premittitur agerentur, dicerentur et fierent, unacum domino connotario suprascripto et prenominationis testibus, presens personaliter interfui, eaque sic fieri, vidi, scivi et audiui, ac in notam cepi ex qua hoc presens publicum instrumentum, manu aliena fideliter scriptum, exinde confeci et in hanc publicam instrumenti formam redegei signoque meis solitis et consuetis signavi, in fidem et testimonium omnium et singulorum premissorum rogatus et requisitus.

office, by delivery of earth and stone, surrendered; gave and delivered to the said Sir Thomas, vicar pensioner of Glasgow in the burgh, state and sasine, also real, actual and corporal possession of the said tenement and yard, with the pertinents, and also gave investiture to him for ever in name of the church, and for observance, implement and satisfaction of the things in the common language underwritten. Reserving, nevertheless, the frank tenement and liferent of the said tenement and yard, with the pertinents, to the said Sir Mark for his whole lifetime alienably. Follows the tenor of the said schedule in the common language:—Memorandum.—I, Sir Mark Jamesoun [etc., as in Glasgow Protocols, No. 1318. The vicar pensioner was ordained to pay yearly (1) to "the maister of the sang scuill of the metropolitane kyrk," 40 s. for the religious services there specified; (2) various sums for masses to be said by the vicars of the choir and others; (3) 4 d. for the ringing of St. Mungo's bell; (4) 4 d. to each of 24 poor householders; (5) 10 s. for upkeep of houses and tenements; and (6) various other sums to be laid out in the way prescribed]. Upon which, all and sundry the premises, the said Sirs Thomas and Mark on either side, asked from us notaries public underwritten a public instrument or instruments to be made to them. These things were done upon the ground of the said tenement, about the ninth hour, fore noon, in the year and on the day, month, indiction and pontificate above mentioned. Present there: provident men, Sirs Robert Samond [and others as above], witnesses to the premises called and required.

And I, John Morisoun [etc., as in Glasgow Protocols *ut supra*].

XXII.

DECREET by George Elphinstoun and others, Judges and Liners in a question between two proprietors. Glasgow, 20 July 1543.

We, George Elphinstoun, maister Jhoun Hall, Andro Mure, Jhoun Wan, Patrik Androsoun, David Knox, Patrik Millar and Richard Allane, juges and lyniatoures, equalie chosing betuix maister Marcus Dowglas and Andro Dunlop, anentis ane bakhous and gallery of the said maister Marcus and ane bakgavill of the said Andro: We the foirsaid juges seand and consyderand the said bakhous and gallery of the said maister Marcus and ane bakgavill of the said Andro, and the saidis maister Marcus and Andro ar oblest, be the ostentioun of thair handis befor the baillie, Michael Lyndsaye, to stand at oure deliverance; quhilk juges and lyniatoures deliveris and ordanis the said Andro to put wp ane sufficient spowit of leid betuix Androis bakgavill and maister Marcus hous and gallery syde, of the said Androis expens; and the said maister Marcus sall geve in to help the said Andro ane mark of money, quhilk mark of money the said maister Marcus sall allow in his annuall to cum; and the said maister Marcus Dowglas and his successouris to uphold the said spowit in tymes to cum, and the said Andro, his aires and assignais to be skaythles thair of. In witnes of the quhilk we the foirsaid juges hes subscrivit this decreite with our hand, at Glasgu, the xx day of Julij, anno Domini millesimo quingentesimo quadragesimo tertio, befor thir witnes: Archibald Robesoun, William Ralstoun and maister Michael Huchesoun, notar.

Ita est, MICHAEL HUGONIS, notarius publicus in premissis requisitus, teste mea subscriptione manuali propria.

the foresaid Marion protested that the said pretended state and sasine of the said tenement, with the pertinents granted, as alleged, to the foresaid William Hegait shall not be in prejudice of the said Marion but that she may have full right and interest to intromit with and dispone upon the said tenement, with its pertinents, for the whole of her lifetime, and that conform to the tenor of an instrument of the said Marion, given by the said John Hegait, her spouse. Upon which, all and sundry the premises, the said Marion asked from me, notary public subscribing, one or more public instrument or instruments to be made to her. These things were done upon the ground of the said lands, about the tenth hour forenoon, in the year, day, month, indiction, and pontificate above mentioned. Present there: John Hornar, Thomas Mertyne, John Millar and John Wallace, witnesses to the premises called and required.

And I, David M'Kown, priest of the diocese of Glasgow, notary public by sacred apostolic authority, because I was personally present with the forenamed witnesses while all and sundry the premises were transacted, said and done, and the same so said and done, I saw, knew and heard, and took a note thereof, therefore I have made, subscribed and reduced, in this public form of instrument, this present public instrument, faithfully written with my own hand, and I have signed the same, with my public and usual sign, done in faith, strength and testimony of all and sundry the premises, asked and required.

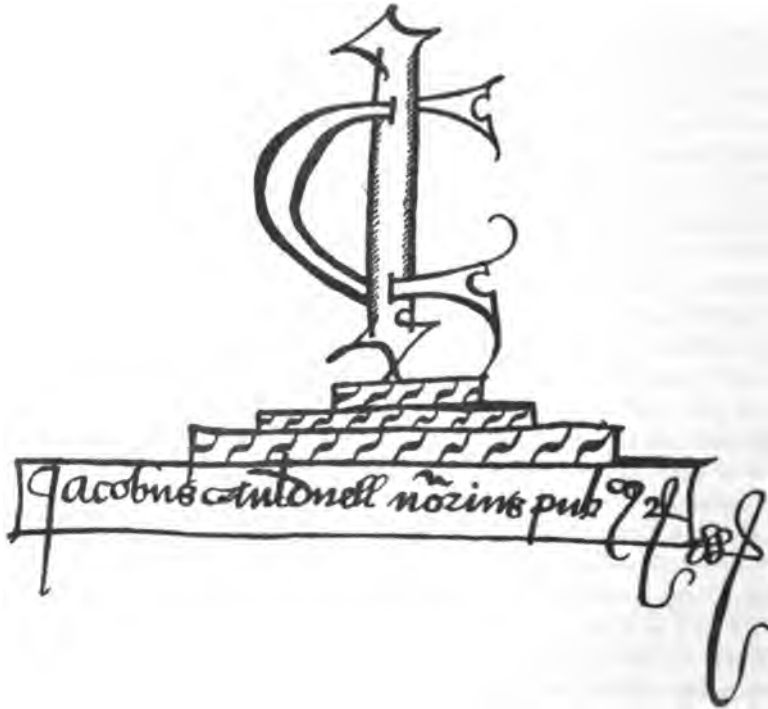
XXIV.

NOTARIAL Instrument on Assigation by Andrew Campbell and Marion Gayne, spouses, to John Wallace of the Rental Right of the lands of Meikle Cowcaddens. Glasgow, 27 August 1545.

In Dei nomine, Amen. Per hoc presens publicum instrumentum cunctis pateat evidenter et sic notum quod anno Incarnationis Dominice millesimo quingentesimo

quadragesimo quinto die vero mensis Augusti xxvij^a, indictione tertia, pontificatusque sanctissimi in Christo patris et domini nostri domini Pauli, divina providentia, Pape tercii, anno xj. In mei notarii publici et testium subscriptorum presentia personaliter, appunctuatum, contractum et finaliter concordatum, inter alia, erat inter personas et partes subsequentes, prout sequitur in vulgari:—At Glasgw, the xxvij day of August, the yere of God ane thousand five hundreth fourtty five yeris. It is appunctuat, contrakit, agreit and finalie endit betuix ane honorable man, Andro Campbell, burges of Glasgw, and Marion Gayne, his spouse, on the ta part, Jhone Wallace, burges of Glasgw, on the tother part, in maner, form and effect as eftir followis, that is to say, the said Jhone Wallace hes mayd and be the tenour heirop makis the saidis Andro and Marion, his spouse, his varray lawfull cessionaris, donatouris and assignais, irrevocable, to redeme and lowse the malyng and land of the Mekle Cowcaldanys and the said Jhone kyndnes thairof, extending to xij s. iiij d. land of my lord of Glasgw land, liand within the barony thairof. Of the quhilk xij s. iiij d. land the said Jhone Walles analit and wodset his kyndnes to Jhone Jhonsone in Stokwell, upone the sowme of fowrty pundis of mony. And the said Jhone Walles is content that the said Andro and his spouse foirsaid be rentalit in the said malyng, and to occupy, mannyr, bruik and jois the said xij s. iiij d. land and be put in my lord of Glasgw rentail thairof, and the said Jhone Wallace sall compeir befor my lord of Glasgw and consent to the saidis Andro and Marion renting; the said Andro payand my lord of Glasgw his dewiteis and fermes auchand to him allanerlie; gevand, granttand and committand to the saidis Andro and his spouse, my donatoures, cessionares and assignais all my rycht, titill, claym, propirte and possessioun that I the said Jhone hes, had, or mycht have in and to my said favouris and kyndnes and rycht of the said xij s. iiij d. land of Mekle Cowcaldanys, wyth full power to the saidis Andro and his spouse to occupy, mannyr and jois the said kyndnes, favoures and benevolence of the said land, and convert the sammyng to thair awin utilite and profiet eftir thair renting in the said land wyth all uther necessar and neidfull clausis, in the maist sickirast form. Haldand and for to hald ferm and stable all and syndry my said cessionaris and assignais ledis to be doyne in thir premissis, under the payne of perjure and all my gudis movable and immovable present and for to cum. And for mair verificacioun and keeping heirop I haif gevin my bodely aitht, the haly evangelist twichit. Super quibus omnibus et singulis prefatus Andreas Campbell, pro se et dicta sua sponsa, a me notario publico subscripto [sibi fieri] et darj petiit unum et plura publicum et publica instrumentum et instrumenta. Acta erant hec in domo habitacionis predicti Andree horam circiter primam post meridiem. Presentibus ibidem: Roberto Cochrane et Petro Bar, burgensibus Glasguensi, testibus ad premissa vocatis pariter et rogatis.

Et ego vero Jacobus Cauldwell, presbyter Glasguensis diocesis, sacra apostolica et imperiali autoritatibus notarius publicus, quia premissis, omnibus et singulis, dum sic ut premittitur, agerentur, dicerentur et fierent, unacum prenominationis testibus presens personaliter interfui, eaque omnia et singula suprascripti fieri, vidi, scivi et audiui, ac in notam cepi, ex qua hoc presens publicum instrumentum, manu mea fideliter scriptum, exinde confeci, et in hanc publicam formam redegi, signoque et nomine meis solitis et consuetis signavi, in fidem et testimonium omnium et singulorum premissorum, rogatus et requisitus.



XXV.

TACK by Gavin, archbishop of Glasgow, with consent of the Dean and Chapter, to Henry Crawford, parish clerk of Cadder, of the Customs of the City of Glasgow. Glasgow, 16 April 1547.

Be it kend till all men, be thir present letteres, ws, Gavin, be the mercy of God, archbishop of Glasgw, and commendatour of the abbasye of Inchehafrray, with avise and consent of oure Dene and Chepture of oure metropolitane kirk of Glasgw, chepturlic gaderit and maturlic avisit tharewith, the utilitie and proffett of ws and oure forsaid kirk forene and considderit, and for divers considerationis movand ws thareto, to haif sett and for male lattin, and be thir presentis letteres settis and for male lattis to oure lovit, aukd and familiar servitour, Henry Crawford, parochie clerk of Cadder, and to his assignais and factouris, ane or maa, thai beand of na hiear degre, auctorite or condition, na the sade Henry, for trew and thankfull service done be him to ws in tymes bigane, all and hale oure Custwmis of oure ciete and burgh of Glasgw, with mettage and weyage and all uther commoditeis pertenant thareto;¹ quhilk cwstumis the sade Henry broukis presentlie and is in possessioun thareof thir divers yeris bigane; for all the space, yeris and termes of nynetene yeris nixt and immediatlie followand the feste of Witsunday, in the yere of God ane thowsand five hundreth and fourty sax yeris, quhilk feste of Witsunday is and wes the entres of the sade Henry and his forsaidis thareto; and frathinfurth to indure for all the space, yeris and termes of the sade nynetene yeris, and aye and quhill the samyne be completlie rwn furth. To be haldin and to be had, all and hale the sadis cwstumis, with mettage, weyage, and all and syndry utheris proffiteis, commoditeis and pertinentis pertenant thareto, or that rychtuilie may pertene, as the sade Henry and his factouris hes broukit the samyne in tymes bigane, to the sade Henry and his assignais and factouris forsaidis, of ws and oure successouris, archbischoppis of Glasgw for the tyme: Payand tharfore, yerlie, the said Henry and his forsaidis, for the sadis cwstwmis with thare pertinentis, as he hes broukit the samyne in tyme bigane, the sowme of twenty four libris, gude and usuale

¹ The customs here referred to were those of the Tron, granted to Robert, bishop of Glasgow, and his successors, by King James IV., in 1489-90 (Glasgow Charters, No. XXXVII., pt. ii., pp. 83-4). In 1581 archbishop Boyd mortified the customs to the college (*Ibid.*, No. LXXII., pp.

189-91); and in 1613-5 the town council acquired them from the then archbishop and the college, in consideration of a price of 4,500 merks and a yearly feuduty of 100 merks Scots, or in sterling money, £250 and £5 11s. 1d. respectively (*Ibid.*, Nos. XCV.-VII., pp. 291-9).

money, at twa termes in the yere, Witsonday and Mertymes in wynter, be equale portionis, alanerlie, siolik as hes bene payt of the samyne cwstwmis be ws and our predecessouris in tymes bigane, that is to say twenty libris thairof to the regentis of the Universite and Petegoik of oure ciete forsaid, and four libris to the chaplanis of the altaris of Nominis Jesu and our Lady of Piete, fundit be umquhile of gude memorie, Robert, archbischop of Glasgw, for thare service done to ws and attendance apone ws in oure saide kirk. And we forsuth, the sade Gavine, archbischop of Glasgw, eto., with consent and assente of oure sade chepture, the tak and assedatioun of the sadis cwstwmis, with thare commoditeis and pertinentis quhatsumevir pertenant thareto, for all the space, yeris and termes of the sadis nyntene yeris, and aye and quhile the samyne be completlie furth rwn, to the sade Henry, his assignais and factouris forsadis, thaj payand the sade twenty four libris as said is alanerlie, at the termes abwne exprimit, for ws and our successouris sall warrand, acquiet and aganis all deidlie defend, as law will, butt fraud and gyle. In witnes of the quhilk thing, to thir present letteres of assedatioun, subscrivit with oure hand, oure round sele, togidder with the commoun sele of oure chepture, in takyne of thare consent and assent thareto, ar hwng and appendit. At oure ciete of Glasgw, the saxtene day of Apryle the yere of God ane thowsand five hundreth and fourtj sevin yeris. (Subscribed:) G. Glasg., archieps. Et ego, Cuthbertus Simonis, decani et capituli predictorum notarius, ex eorum mandato, hic me subscripsi, manu propria, in fidem. (Seals wanting.)

XXVI.

RENTAL Right by James, archbishop of Glasgow, to Archibald Lyon, of the Walk Mill on the River Kelvin, with liberty to change it into a Wheat Mill. Glasgow, 10 August 1554.

We, James, be the mercie of God grantis ws to have rentallit and in our rentall ressaveit, and be thir presentis rentallis, and in our rentall ressaveis our lovit, Archinbalde Lyoune, in our Walk Mylne lyand in Newtoun and standand upone the wattir of Kelvyng, quhilk wmqhill Donalde Lyoune, his fader, brwkit of befor :¹ Gifand,

¹ A.D. 1517. "Donald Lyon rentallit in the (Rental Book in Diocesan Reg., I., p. 75). new walkmyll off Partik in the new towne"

grantand and committand, to the saidis Archinbalde, fredome licence and powar to the saidis Archinbalde to altir and change the saidis Walk Mylne in ane Quheitt Mylne, and thairat to grinde at all tymeis quhatsumevir maner of corneis, as use is of ony mylnes, without prejudice of the sukin thirlit to oure mylne of Partik, wnder the pane of foirfaltour of this oure rentall. And attour the saidis Archinbalde salbe wod fre and querell fre to the bigging inlaying of the saidis mylne and hir dame and uphalding thairof in tyme cummyng. The saidis Archinbald gryndeand to ws the quheit quhilk we spende in oure awne hows [swa the samyn exceid nocht twenty bollis mwtir fre]¹ and payand ws and our chalmyrlaneis and our successouris four merkis money at Witsonday and Mertymes allanerlie. In witnes of the quhilk we have subscribeit this our rentall with oure hande, at Glasgw, the tent day of August the yeir of God j^m v^e and liiiij yeiris.

JAMES, Arch. of Glasgo.

XXVII.

CHARTER by Sir Christopher Knox, chaplain and prebendary of the prebend and chaplainry of the blessed Virgin Mary, situated within the New Collegiate Church of Glasgow, to George Herbertson and Marion Muir, spouses, of a ruinous tenement called "the Chapel," on the north side of the street of St. Tenew. Glasgow, 10 February 1555-6.

Omnibus hanc cartam visuris, lecturis pariter et audituris: Dominus Christophorus Knox, capellanus ac prebendarius prebende et capellanie beate Marie Virginis, situate infra Ecclesiam Collegiatam Novam civitatis Glasguensis, fundatam per quondam venerabilem virum, magistrum Jacobum Houstoun, ecclesie metropolitane Glasguensis

To all who shall see, read and hear this charter: Sir Christopher Knox, chaplain and prebendary of the prebend and chaplainry of the blessed Virgin Mary, situated within the New Collegiate Church of the city of Glasgow, founded by the late venerable man, master James Houstoun, subdean of the metropolitan church of Glasgow, greeting

¹ The pen has been drawn through the words printed within square brackets.

subdecanum, salutem in Domino sempiternam. Noveritis me, cum consensu et assensu venerabilis et egregii viri magistri Archibaldi Craufurd, canonici ecclesie metropolitane Glasguensis ac dicte ecclesie collegiate prepositi, necnon et prebendariorum dicte ecclesie collegiate, in eorum domo capitulari consueta capitulariter congregatorum, ac etiam cum expressis consensu et assensu honorabilium virorum, Davidis Lyoun et Michaelis Lyndsaye, ballivorum, necnon et consulum dicte civitatis, patronorum dicte ecclesie collegiate, ac etiam cum expressis consensu, assensu, licentia, approbatione, ratificatione et confirmatione reverendissimi in Christo patris et domini Jacobi, miseratione divina, Glasguensis archiepiscopi; in evidentem utilitatem ejusdem ecclesie collegiate dicte capellanie et successorum meorum primitus previsam et pensatam, concessisse, locasse et ad feudifirmam seu emphyteusim dimisisse, arrendasse et assedasse, necnon per presentes concedere, locare et ad feudifirmam seu emphyteusim dimittere, arrendare et assedare, et hac presenti carta confirmare Georgio Herbertsoun et Margrete Mwir, conjugibus, et eorum alteri diutius viventi, in conjuncta infeodatione, et heredibus inter eosdem legitime procreatis seu procreandis, quibus deficientibus veris, legitimis et propinquiorebus heredibus ipsius Georgii quibuscunque, totum et integrum unum tenementum jacens in via Sancte Tenew, ex parte boreali vie ejusdem, inter pretorium civitatis Glasguensis ex orientali, tenementum quondam David Pollok et nunc Davidis Lyndsaye ex occidentali, tenementum Jacobi Inschaw et Johannis Drippis ex boreali et publicam viam dicte civitatis ex australi partibus; quodquidem tenementum alias

in the Lord everlasting. Know ye that I, with consent and assent of the venerable and worthy man, master Archibald Craufurd, canon of the metropolitan church of Glasgow and provost of the said collegiate church, and also of the prebendaries of the said collegiate church, chapterly assembled in their ordinary chapter house, and also with express consent and assent of honourable men, David Lyoun and Michael Lyndsay, bailies, and of the council of the said city, patrons of the said collegiate church, and likewise with the express consent, assent, licence, approbation, ratification and confirmation of the most reverend father in Christ and lord, James by divine mercy archbishop of Glasgow; for the evident advantage of the said chaplainry of the said collegiate church, and of my successors, first foreseen and considered, have granted, let, and in feufarm or fee demised, leased and set, and by these presents grant, let, and in feufarm or fee demit, lease and set, and by this present charter confirm to George Herbertsoun and Margaret Muir, spouses, and the longer liver of them, in conjunct infeftment, and the heirs lawfully procreated or to be procreated between them, whom failing to the true, lawful and nearest heirs of the said George, whomsoever, all and whole a tenement lying in the street of St. Tenew, on the north side thereof, between the tolbooth of the city of Glasgow, on the east, the tenement sometime of David Pollok and now of David Lyndsay on the west, the tenement of James Inschaw and John Drippis on the north, and the public street of the said city on the south parts, which tenement is

vocatam *the Chapell* de presenti extat et est ruinosum et summam passurum ruinam nisi presenti remedio desuper fuisset provisum.¹ Tenendum et habendum totum et integrum predictum tenementum, cum suis pertinentiis ut predicatur, prefatis Georgio et Margrete, conjugibus, et eorum alteri diutius viventi, in conjuncta infeodatione et heredibus inter eosdem legitime procreatis seu procreandis, quibus deficientibus veris, legitimis et propinquiorebus heredibus ipsius Georgii quibuscunque, de me et successoribus meis capellanis dicte capellanie et prebende in feodo et ad feudifirmam et emphiotesim hereditarie imperpetuum, prout jacet in longitudine et latitudine, cum omnibus et singulis suis libertatibus, commoditatibus, asiamentis et justis suis pertinentiis, et adeo libere, quiete, plenarie, integre, honorifice, bene et in pace, in omnibus et per omnia, sicut aliquod tenementum intra regnum Scocie per aliquem seu aliquos alicui ad feudifirmam et emphiotesim concessum et dimissum liberius et quietius tenetur et possidetur seu teneri et possideri poterit quomodolibet in futurum. Reddendo et solvendo inde annuatim, prefati Georgius et Margreta et eorum heredes antedicti, mihi

otherwise called the Chapell and is at present standing ruinous and is about to come to utter ruin unless immediate provision should be made for repair thereof. To hold and have all and whole the foresaid tenement, with its pertinents as aforesaid, to the foresaid George and Margaret, spouses, and the longer liver of them, in conjunct infestment, and the heirs lawfully procreated or to be procreated between them, whom failing the true, lawful and nearest heirs of the said George whomesoever, of me and my successors, chaplains of the said chaplainry and prebend, in fee and feufarm and heritable fee for ever, as it lies in length and breadth, with all and sundry its liberties, commodities, easements, and just pertinents, and as freely, quietly, fully, wholly, honourably, well and in peace, in all and by all, as any tenement within the kingdom of Scotland, granted and demised by any person or persons to another in feufarm and fee, is most freely and quietly held and possessed or can be held and possessed howsoever in future. Giving and paying therefor, yearly, the foresaid George and Margaret and their foresaid

¹ This chapel, further particulars of which will be found in Glasgow Charters, pt. ii., p. 20, and Glasgow Protocols, Nos. 1051, 2706, and 3728, is noticed in record as early as the year 1293, but little is known of its constitution or history. A reference to its chaplain is contained in the Calendar of Papal Registers (i., p. 566) under the date 1384, it being there stated that Walter Wan, of the diocese of Glasgow, petitioned for a benefice in

the gift of the abbot and convent of Kilwinning, notwithstanding that he had the Chapel of St. Mary in Glasgow. Among the founder's endowments of the prebend of St. Mary in the *new* collegiate church the chapel is described as a tenement (*Liber Collegii Nostre Domine*, p. 26). The feuduty of 11 merks (= £7 6s. 8d.) Scots, stipulated for in the charter here printed, appears in the city's rentals printed in Glasgow Records, iii., p. 538, and *antea*, p. 428.

domino Christophoro, capellano predicto et successoribus meis, prebendariis et capellanis dicte capellanie et prebende beate Marie, undecim mercas annui redditus, monete usualis regni Scocie, ad duos anni terminos consuetos festa, viz., Pentecostes et Sancti Martini in hieme, per equales portiones, nomine feodifirme tantummodo pro omni alio onere, exactione, questione, demanda seu servicio seculari que de predicto tenemento cum suis pertinentiis per quoscunque juste exigi poterunt quomodolibet vel requiri. Et nos vero dominus Christophorus, prebendarius antedictus, prepositus et prebendarii subscripti et nostri successores, predictum tenementum cum suis pertinentiis ut predictur prefatis Georgio et Margrete et eorum heredibus prescriptis, in omnibus et per omnia forma pariter et effectum ut premissum est, contra omnes mortales warrantizabimus, acquietabimus et presentis carte nostre tenore imperpetuum defendemus. In cujus rei testimonium, sigillum commune dicte ecclesie collegiate, unacum sigillo communi dicte civitatis Glasguensis ¹ et sigillo prefati reverendissimi patris Jacobi Glasguensis, archiepiscopi, et subscriptionibus manualibus mei domini Christophori necnon et prepositi ac aliorum prebendariorum dicte ecclesie collegiate, est appensum. Apud civitatem Glasguensem, die decimo mensis Februarii anno Domini millesimo quingentesimo quinquagesimo quinto, coram hiis testibus: Johanne Sellar, Archibaldo Herbertsoun et domino David M'Keuin. (Subscribed:) Archibaldus Craufurd, prepositus, manu propria, st. Ita

heirs, to me Sir Christopher, chaplain foresaid and my successors, prebendaries and chaplains of the said chaplainry and prebend of St. Mary, an annualrent of eleven merks, usual money of the kingdom of Scotland, at the two usual terms in the year, to wit, the feasts of Whitsunday and Martinmas in winter, by equal portions, in name of feufarm, only, for all other burden, exaction, demand or secular service, which can in any way be justly exacted or required by any persons furth of the foresaid tenement with its pertinents. And, moreover, we, Sir Christopher, prebendary foresaid, the provost and prebendaries subscribing, and our successors, shall warrant, acquit and by the tenor of our present charter for ever defend the foresaid tenement, with its pertinents as aforesaid, to the foresaid George and Margaret and their foresaid heirs, in all and by all, in form and effect as aforesaid, against all mortals. In testimony whereof the common seal of the said collegiate church, together with the common seal of the said city of Glasgow and the seal of the foresaid most reverend father, James archbishop of Glasgow, and the subscriptions manual of me Sir Christopher and of the provost and other prebendaries of the said collegiate church, is appended.

¹ An illustration of these two seals (that of the archbishop having disappeared) is here given. Mr. W. R. Macdonald thus describes the church seal:—Within a niche a figure of the Virgin, with nimbus, seated, holding the Child on her

right arm. Beneath is mason work, with a shield in front of it (arms now defaced). Legend: S · CAPITVLI · ECCLESIE · COLLEGIATE · CIVITATIS · GLA. Oval, 2½ + 1½ inches.

est, dns. Christophorus Knox, prebendarius antedictus, manu propria. Ita est, dns. Johannes Hammilton, archipresbiter, manu propria. Ita est, dns. Willelmus Harbartson, unus prebendariorum, teste manu propria. Ita est, dns. Georgius Maxuell, manu propria. Ita est, dns. Robertus Watson, manu propria. Ita est, dns. Patricius Salmond, unus prebendariorum, manu propria. Ita est, magister Willelmus Wyzet, unus prebendariorum, manu propria st. Ita est, dns. David M'Keune, notarius publicus ac scriba capituli dictorum prebendariorum de eorum mandatis, teste manu propria. Ard. Blakborne, with my hand twechand the pen. Jhone Paterson, dekyne, with my hand at the pen, led be Sir David M'Kewin, notar. Mechall Lyndsay, balze, with my hand. David Lyown, bailze, with my hand. Jhone Mure, with my hand. Andro Dunlop, with my hand. Jhone Rob, with my hand at the pen. Jhone Arbukill, with my hand at the pen, led be John Muir, notar. I, maister David Wylson, wyth my hand. Jhone Wilsone, with my hand. Wellem Donaldsoun, with my hand. Patrick Pudzane, with my hand. Jhone Sellar, dekyne, with my hand. David Barten, dekyne, with my hand twechand the pen. William Forrest, dekyn, wyth my hand twechand the pen. Jhon Louson, wyth my hand twechand the pen. Robart Archun, wyth my hand at the pen. Andro Pacok with my hand. Apud Edinburgh, decimo octavo Februarii anno Domini j^m v^e octuagesimo tertio. Producta coram dominis commissariis. (Subscribed :) P. Hewatt.

XXVIII.

CHARTER by Sir Thomas Flemyng, vicar pensioner of the Metropolitan Church, with consents, to David Rollok of Kyncladie and others of properties lying at the Stabill Grene. Glasgow, 9 September 1556.

Omnibus hanc cartam visuris vel audituris: Dominus Thomas Flemyng, vicarius pensionarius ecclesie metropolitane Glasguensis infra burgum sive civitatem ejusdem, salutem in Domino sempiternam. Noveritis me prefate mee vicarie pensionarie meique et successorum meorum vicariorum pensionariorum ecclesie Glasguensis infra burgum

To all who shall see or hear this charter; Sir Thomas Flemyng, vicar pensioner of the metropolitan church of Glasgow, within the burgh or city thereof, greeting in the Lord everlasting. Know ye that I, considering and foreseeing the evident advantage of me the foresaid vicar pensioner and of my successors, vicars pensioners of the church

ejusdem pro tempore, evidenti utilitate pensata et previsa, cum consensu et assensu reverendissimi in Christo patris et domini Jacobi, miseratione divina, Glasguensis archiepiscopi, ac etiam discreti viri domini Marci Jamesone, vicarii chori ecclesie Glasguensis, ac tenementorum et pomerii, parvo orto infrascripto, pro toto tempore vite sue domini liberetenementi, assedasse, arrendasse, locasse et ad feudifirmam perpetuam dimisisse tituloque locationis perpetue dedisse, concessisse et hac presenti carta mea confirmasse, necnon tenore presentium dare, concedere, assedare, arrendare, locare et ad feudifirmam seu emphyteosim perpetuam a me et successoribus meis dimittere tituloque locationis perpetue confirmare circumspecto viro magistro Davidi Rollok de Kyncladie et Mariote Levingstone, sue sponse, et eorum alteri diutius viventi, in conjuncta infeodatione, et Roberto Rollok, eorum filio legitimo, et heredibus suis quibuscunque, quibus deficientibus Thome Rollok, fratri germano dicti Roberti, et heredibus suis quibuscunque; quibus omnibus deficientibus legitimis et propinquioribus heredibus dicti magistri Davidis quibuscunque, unum pomerium ac diversa tenementa invicem contigue jacentia, cum parvo horto et pertinentiis infra territorium Glasguensem, in lie Stabill Grene, in triangulo situata, tendente a publica via in summitate diete civitatis ad duas cruces vulgo nuncupatas lie *Tuay Croces*, ex orientali parte communis vici ejusdem civitatis Glasguensis, inter terras sive tenementa et ortos palatii reverendissimi archiepiscopi Glasguensis ex australi, ortos vicariorum chori Glasguensis ex orientali et boreali et communem vicum ex occidentali partibus. Tenenda et habenda

of Glasgow, within the burgh thereof for the time, with consent and assent of the most reverend father in Christ and lord, James, by divine mercy, archbishop of Glasgow, and also of a discreet man, Sir Mark Jamesone, vicar of the choir of the church of Glasgow, and liferenter, for the whole time of his life, of the tenements and orchard, with the small yard underwritten, have set, leased, let and in feufarm for ever demised, and by title of lease for ever given, granted, and by this my present charter confirmed, and likewise by the tenor of these presents give, grant, set, let, lease and in feufarm or fee for ever, from me and my successors, demit and by title of lease for ever confirm to a circumspect man, master David Rollok of Kyncladie and Marion Levingstone, his spouse, and the longer liver of them, in conjunct infeftment, and to Robert Pollok, their lawful son, and his heirs whomsoever, whom failing to Thomas Rollok, brother german of the said Robert, and his heirs whomsoever, whom all failing to the lawful and nearest heirs of the said master David whomsoever, an orchard and sundry tenements lying contiguous, with a small yard and pertinents, lying within the territory of Glasgow, in the Stabill Grene, situated in the triangle leading from the public street at the head of the said city to the two crosses, commonly called the *Tuay Croces*, on the east side of the common street of the said city of Glasgow, between the lands or tenements and yards of the Palace of the most reverend archbishop of Glasgow on the south, the yards of the vicars of the choir of Glasgow on the east and north, and the common street

ac possidenda prefata tenementa, cum pomerio ac horto et suis pertinentiis, prefatis magistro Davidi Rollok de Kyncladie et Mariote Levyngstoun, sue sponse, ac eorum alteri diutius viventi, in conjuncta infeodatione, et Roberto Rollok, eorum filio legitimo, et heredibus suis quibuscunque, quibus deficientibus Thome Rollok, dicti Roberti Rollok fratri germano, et heredibus suis quibuscunque, quibus omnibus deficientibus legitimis et propinquioribus heredibus dicti magistri Davidis quibuscunque, de me et successoribus meis, vicariis pensionariis civitatis Glasguensis infra burgum sive civitatem ejusdem pro tempore existentibus, in feudifirma emphyteosi et hereditate imperpetuum, per omnes rectas metas suas antiquas et divisas, prout jacent in longitudine et latitudine, cum libero introitu et exitu, ac cum universis et singulis aliis libertatibus, commoditatibus, adherentiis ac justis suis pertinentiis quibuscunque. Reddendo inde annuatim, dicti magister David et Mariota Levyngstone, et eorum heredes prescripti, mihi et successoribus meis vicariis pensionariis civitatis Glasguensis pro tempore, summam quinque librarum usualis monete regni Scotie, ad duos anni terminos consuetos festa, videlicet Penthecostes et Sancti Martini in hieme, per equales portiones, per me et dictos meos successores, vicarios pensionarios dicte civitatis pro tempore, distribuendam secundum tenorem cujusdam foundationis, facte per suprascriptum dominum Marcum Jamesoun, ac mihi et successoribus meis prescriptis pro nostris laboribus et ad orandum pro anima quondam Joannis Paniter summam quadraginta duorum solidorum et decem denariorum; ac rectori de Glasgu Primo pro tempore summam octo solidorum dicte monete annuatim pro firma eorundem; ac etiam regentibus sive magistris pedagogii

on the west parts. To hold and have and possess the foresaid tenements, with orchard and yard and their pertinents, to the foresaid master David Rollok of Kyncladie and Marion Levyngstoun, his spouse [etc., as above], of me and my successors, vicars pensioners of the city of Glasgow, within the burgh or city thereof, for the time being, in feufarm, fee and heritage for ever, by all their right ancient meiths and marches, as they lie in length and breadth, with free ingress and egress, and with all and sundry other liberties, commodities, pendicles and their just pertinents whatsoever. Paying therefor yearly the said master David and Marion Levyngstone and their foresaid heirs, to me and my heirs and successors, vicars pensioners of the city of Glasgow for the time, the sum of five pounds usual money of Scotland, at the two usual terms in the year, to wit, the feasts of Whitsunday and Martinmas in winter, by equal portions, to be distributed by me and my said successors, vicars pensioners of the said city for the time, conform to the tenor of the said foundation made by the abovementioned Sir Mark Jamesoun, and to me and my foresaid successors for our labours and our prayers for the soul of the late John Paniter the sum of 42 s. 10 d.; and to the rector of Glasgow *Primo* for the time the sum of 8 s. yearly of the said money for the farm thereof; and also to the regents or masters of the Pedagogy of Glasgow the sum of 5 s. yearly; and

Glasguensis annuatim summam quinque solidorum; ac etiam pauperibus hospitalis Sancti Nicholai dicte civitatis Glasguensis summam quatuor solidorum et duorum denariorum annuorum reddituum annuatim ad prescriptos terminos per equales portiones; extendentem in toto ad summam octo librarum dicte monete. Insuper heredes dicti magistri Davidis duplicabunt dictam summam quadraginta duorum solidorum et decem denariorum in introitu cujuslibet eorundem ad prescripta tenementa, pomerium et parvum ortum cum pertinentiis, mihi et successoribus meis persolendam tantum pro omni alio onere, exactione, questione seu demanda que de predictis tenementis, pomerio et horto cum pertinentiis per quoscunque juste exigi poterunt quomodolibet vel requiri. Reservando tamen dicto domino Marco, pro toto tempore vite sue, liberum tenementum et vitalem redditum dictorum tenementorum, pomerii et horti cum suis pertinentiis. Et ego vero dictus dominus Thomas Flemyng, vicarius pensionarius antedictus et successores mei vicarii pensionarii civitatis Glasguensis pro tempore, prescripta tenementa, cum pomerio, horto et suis pertinentiis, prefatis magistro David Rollok et Mariote Levyingstoun, conjugibus, et eorum alteri diutius viventi in conjuncta infeodacione, et eorum heredibus prescriptis, in omnibus et per omnia forma pariter et effectu ut premissum est, contra omnes mortales warantizabimus, acquietabimus et imperpetuum defendemus. Quare dilectis meis Michaeli Lyndesay, ballivo Glasguensi, et Jacobo Merschiall et eorum alteri, conjunctim et divisim, ballivis meis in hac parte, specialiter constitutis, salutem, vobis precipimus et mandamus quatenus visis presentibus, indilate

also to the poor of the Hospital of St. Nicholas of the said city of Glasgow the sum of 4 s. 2 d. of annualrent, yearly, at the foresaid terms by equal portions; extending in the whole to the sum of £8 of the said money. Moreover, the heirs of the said master David shall double the said sum of 42 s. 10 d., to be paid to me and my successors, on the entry of each of them to the foresaid tenements, orchard and small yard, with the pertinents, only, for all other burden, exaction, question or demand which can in any way be justly exacted or required by any persons furth of the foresaid tenements, orchard and yard, with the pertinents. Reserving nevertheless to the said Sir Mark, for the whole time of his life, the franktenement and liferent of the said tenements, orchard and yard, with their pertinents. And, moreover, I, the said Sir Thomas Flemyng, vicar pensioner foresaid, and my successors, vicars pensioners of the city of Glasgow for the time, shall warrant, acquit and for ever defend the foresaid tenements, with orchard, yard and their pertinents, to the foresaid master David Rollok, and Marion Levyingstoun, spouses, and the longer liver of them, in conjunct infeftment, and their foresaid heirs, in all and by all, in form and effect as aforesaid, against all mortals. Wherefore to my lovites, Michael Lyndesay, bailie of Glasgow, and to James Mershall and any other of them, conjunctly and severally, my bailies in that part, specially constituted, I charge and command you that, on sight of these presents, with-

dictis magistro Davidi Rollok et Mariote, sue sponse, vel suo certo actornato aut suis certi actornatis, latori seu latoribus presentium, statum, saisinam et possessionem hereditariam, necnon realem, actualement et corporalem possessionem dictorum tenementorum, pomerii et horti, cum pertinentiis, juste haberi faciat et deliberetis, secundum tenorem prescripte carte mee; et hoc nullo modo omittatis; salvo jure cujuslibet. In cujus rei testimonium, sigillum meum proprium unacum mea subscriptione manuali, ac sigilla dictorum reverendissimi patris Jacobi, archiepiscopi Glasguensis, et domini Marci Jamesone, in signum expressorum eorum consensus et assensus ad premissa, unacum subscriptione dicti domini Marci, presentibus sunt appensa. Apud civitatem Glasguensem, die nona mensis Septembris anno Domini millesimo quingentesimo quinquagesimo sexto, coram his testibus: domino Thoma Knox, notario publico, domino Willelmo Wilkyn, ac dominis David Kirkland et Joanne Withirspowne, vicario chori Glasguensis, et diversis aliis.

Hec est vera copia principalis carte, copiate per me Thomam Knox, notarium publicum, et cum suo originali collacionata et in omnibus concordans, teste manu propria scripta.

Ita est. Thomas Knox, notarius publicus, manu propria scripsit.

Ita est. Robertus Cunninghame, connotarius in premissis, manu sua.

Ita est. Robertus Herbertsoun, notarius publicus ac scriba curie commissariatus Glasguensis, in premissis requisitus, manu sua scripsit.

David Rollok, manu sua, cum sigillo appenso.¹

out delay, you justly deliver and cause to be had to the said master David Rollok and Marion, his spouse, or their certain attorney or attorneys, bearer or bearers of these presents, state, sasine and heritable possession, also real, actual and corporal possession of the said tenements, orchard and yard, with the pertinents, conform to the tenor of my foresaid charter; and this in no way ye omit; saving the right of every one. In testimony whereof, my own seal, together with my subscription manual, and the seals of the said most reverend father, James archbishop of Glasgow, and of Sir Mark Jameson, in token of their express consent and assent to the premises, together with the subscription of the said Sir Mark, are appended to these presents. At the city of Glasgow on the 9th day of September, in the year of our Lord 1556, before these witnesses: Sir Thomas Knox, notary public, Sir William Wilkyn, and Sirs David Kirkland and John Withirspowne, vicar of the choir of Glasgow, and sundry others.

This is a true copy of the principal charter, copied by me Thomas Knox, notary public, and collated with the original and agreeing in all things.

So it is. Thomas Knox, notary public, written with his own hand [etc., as above].

¹ The seal is in perfect condition, and is thus described by Mr. W. R. Macdonald:—On a chevron, between three boar heads erased and contourné, a star. Legend: S. M. DAVEDIS ROLLOK. Diameter, 1 $\frac{1}{8}$ in.

XXIX.

CHARTER by the Dean and Chapter of the Metropolitan Church of Glasgow, with consents, to Mr. William Baillie, canon of Glasgow, and one of the Lords of Council, of the Channon lands in the parishes of Largs and Dalry. Glasgow, 16 October 1565.

Omnibus hanc cartam visuris vel auditoris: Decanus seu Presidens infrascriptus capituli Ecclesie Metropolitane Glasguensis ac capitulum ejusdem fratresque capitulares ejusdem, capitulum ipsum plenum et perfectum et representantes, salutem in Domino sempiternam. Ex utriusque juris sanctione et serenissimorum Scotie Principum statutis in reipublice et regni commodum editis cautum existit, terras, possessiones, tam ecclesiasticas quam seculares earundem in feodifirmam seu emphiteosim hereditarie concedendas et locandas per prudentum virorum curam, sedulitatem et laborem collocentur meliorentur et ad uberiores fertilitatis fructum producantur et redigantur. Noveritis igitur nos unanimi consensu et assensu ad hoc capitulariter congregatos, diligentibus tractatibus et maturis deliberationibus prehabitis, in evidentem utilitatem dicti nostri capituli et communiarum ejusdem et augmentationem rentalis dicti capituli, necnon pro summa mille mercarum, usualia monete regni Scotie, in pecunia numerata nobis et nostro capitulo per charissimum confratrem nostrum capitularem magistrum Willelmum Baillie, nostrum concanonicum ac unum dominorum serenissime domine nostre Regine consiliique ejusdem dominum consiliarium, in urgente nostra necessitate

To all who shall see or hear this charter: The undersigned Dean or President of the Chapter of the Metropolitan Church of Glasgow, and the Chapter thereof, and the brethren capitulars, representing the full and complete chapter itself, greeting in the Lord everlasting. By the sanction of both [canon and civil] law, and the statutes of the most serene Princes of Scotland, enacted for the weal of the commonwealth and kingdom, provision is made for granting and setting the lands and possessions thereof, as well ecclesiastical as secular, in feufarm or fee, heretably, so that by the prudent care, diligence and labour of men, they may be better set and improved and brought to a greater degree of fertility. Know ye, therefore, that we, with unanimous consent and assent, for this purpose chapterly assembled, after diligent discussion and mature deliberation had for the evident advantage of our said chapter and the commons thereof, and augmentation of the rental of the said chapter, and also for the sum of one thousand merks of the usual money of the realm of Scotland, appointed and paid to us and our chapter, in our urgent necessity, for the relief and support of us and our brethren in this troublous time, by our dearest brother capitular, master William Baillie, our fellow canon, and one of the lords of council of our most serene Lady the Queen, and chief

hoc tempore procelloso pro nostro et confratrum nostrorum sublevamine et supportatione prestituta ac persoluta, ac pro rentilatione, introitu ac gressuma tenendorum earundem terrarum; de quaquidem summa pecunie tenemus nos bene contentos, placatos et integre persolutos et eundem magistrum Willelmum, heredes suos, executores et assignatos de eadem, pro nobis et successoribus nostris, tenore presentis carte nostre, exoneramus imperpetuum, ac pro nonnullis aliis gratitudinibus, auxiliis et benemeritis nobis multipliciter impensis et tuitione et defensione manu tentione libertatis privilegiorum dicti nostri capituli pro qua pollicia in regno Scotie habentibus, dedisse et concessisse, assedasse, arrendasse, locasse et ad feodifirmam seu emphiteosim perpetuam, hereditarie, a nobis et successoribus nostris dimississe, et hac presenti cartra nostra confirmasse; necnon dare, concedere, assedare, arrendare, locare et ad feodifirmam seu emphiteosim hereditarie dimittere, et hac presenti carta nostra confirmare predicto honesto et egregio viro magistro Willelmo Baillie, heredibus suis et assignatis quibuscunque, totas et integras terras nostras canonicales subscriptas, videlicet, totas et integras terras nostras vocatas Baillie Landis, Harplais, Ryleis, Kilburne, Tuirgyle, Howrat, Ryisdalmure; extendentes ad quadraginta marcatas terrarum nostrarum canonicalium, vulgariter nuncupatas *oure fourtie markland*, callit the Channonland, antiqui extentus, cum pertinentiis, ac molendinis et multuris earundem si qua habent, respective; jacentas

of her counsellors, and for the rentalling, entry and grassum of the tenants of the said lands; of which sum of money we hold us well content, satisfied and wholly paid, and we, for us and our successors, by the tenor of our present charter, discharge the said master William, his heirs, executors and assignees thereof, for ever, and for certain other favours, aids and benefits, many times rendered to us, and for the protection, maintenance and defence of the liberty of the privileges of our said chapter, for the advancement of policy within the realm of Scotland, have given and granted, set, leased, let, and in feu farm or perpetual fee, heretably, from us and our successors, demitted and by this our present charter confirmed, and we also give, grant, set, lease, let and in feufarm or fee, heritably, demit, and by this our present charter confirm, to the foresaid honest and worthy man, Mr. William Baillie, his heirs and assignees, whomsoever, all and whole our Canon lands underwritten, to wit, all and whole our lands called Baillie Lands, Harplais, Ryleis, Kilburne, Tuirgyle, Howrat, Ryisdalmure; extending to a forty merk land of our canon lands, commonly called "*oure fourtie markland callit the Channonland*" of old extent, with the pertinents, and the mills and multures thereof, if they any have, respectively; lying in the parishes of Largis and Dalry, bailiary of Cunynghame, and within the shire of Ayr; together with six thousand red herrings and one fed ox; with fourty merks to be paid every third year for grassum of the said lands, respectively, with the pertinents; extending in the whole, taken together, to the foresaid forty merk land of old extent, with their sundry pertinents, lying respectively,

in parochiis de Largis et Dalry, baliatu de Cunynghame et infra vicecomitatum de Air; unacum sex millibus halecum rubearum et uno bove altile lie *fed ox* nuncupato; cum quadraginta marcis singulis tribus annis pro gressuma dictarum terrarum respective soluendis pertinentiis; extendentes in integro simul computatis ad predictas quadraginta marcatas terrarum antiqui extentus, cum singulis pertinentiis, jacentes respective ut prescribitur in parochiis predictis de Largis et Dalry, balliatu de Cunynghame et infra vicecomitatum de Air, ac extendentem in nostro antiquo rentali in firmis gressumis in simul computatis ad summam quadraginta marcarum monete regni Scotie, et ad dicta sex millia halecum rubearum, vulgo *sax thousand reid herring*, et unum bovem altilem annuatim, vulgo lie *ane fed ox*; necnon ad quadraginta marcas, singulis tribus annis pro gressuma dictarum terrarum respective solvendas. Tenendas et habendas, totas et integras supramentionatas terras, extendentes ad quadraginta marcatas terrarum antiqui extentus, cum singulis suis pertinentiis et pendiculis ut prescribitur, prescripto honorabili viro, confratri nostro magistro Willelmo Baillie, heredibus suis et assignatis, de nobis et successoribus nostris, decano, presidenti et capitulo ac fratribus capitularibus nostrisque successoribus pro tempore existentibus, in feodifirmam hereditarie existentibus in perpetuum, per omnes rectas metas suas antiquas et divisas, prout jacent in longitudine et latitudine, in domibus, edificiis, boscis, planis, moris, maresiis, viis, semitiis, aquis, stagnis, rivolis, pratis, pascuis et pasturis, molendinis, multuris et eorum sequelis, aucupationibus, venationibus, piscationibus, petariis, turbariis, carbonibus, carbonariis, cuniculis, cuniculariis, columbis, columbariis, fabrilibus, brasiniis, brueriis et genestis, silvis, nemoribus et virgultis, lignis, tignis, lapicidiis, lapide et calce; cum curiis et

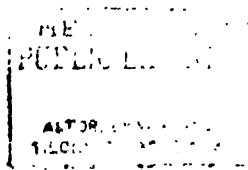
as aforesaid, in the foresaid parishes of Largs and Dalry, bailiary of Cunynghame, and within the shire of Ayr, and extending in our old rental in farms, grassums, taken together, to the sum of fourty merks money of the kingdom of Scotland, and to the said 6,000 red herrings and one fed ox yearly; also to forty merks every third year, to be paid for grassum of the said respective lands. To hold and have all and whole the above-mentioned lands, extending to a forty merk land of old extent, with their pertinents and pendicles, as before written, to the before-written honourable man, our fellow brother, Mr. William Baillie, his heirs and assignees, of us and our successors, dean or president and chapter, and brethren capitulars, and our successors for the time being, in feufarm, heritably, for ever, by all their old right meiths and marches, as they lie in length and breadth, in houses, buildings, woods, plains, muirs, marches, ways, passages, waters, pools, rivers, meadows, grazings and pasturages, mills, multures and their sequels, fowlings, huntings, fishings, peateries, turf bogs, coals, coal heughas, rabbits, rabbit warrens, doves, dovecots, smithies, breweries, broom and heath, woods, groves and thickets, timber, building material, quarries, stone and lime; with courts and

earum exitibus, herezeldis, bludwittis et mulierum merchetis, cum communi pastura, libero introitu et exitu, ac cum omnibus aliis et singulis libertatibus, commoditatibus, proficuis, asiamentis ac justis suis pertinentiis quibuscunque, tam non nominatis quam nominatis, tam subtus terra quam supra terram, procul et prope, ad prenominate terras, cum prato, molendino, terris molendinariis, astrictis multuris, sequelis, silva, lacubus, piscatione et aliis singulis suis pertinentiis spectantibus seu juste spectare valentibus quomodolibet in futurum, libere, quiete, plenarie, integre, honorifice, bene et in pace, sine aliquo impedimento, revocatione, contradictione aut obstaculo quocunque. Reddendo inde annuatim, prefatus magister Willelmus, heredes sui et assignati prescripti, nobis et successoribus nostris, decano, presidenti, capitulo et fratribus capitularibus nostrisque successoribus, summam quadraginta marcarum monete predictæ regni Scotie, tanquam firmam antiquam et gressumas earundem in simul computatas ante presentem infeodationem pro singulis terris suprascriptis prius nobis et successoribus nostris solui solitam et consuetam; necnon summam tresdecem solidorum et quatuor denariorum monete in augmentationem dicti nostri rentalis; ac pro predictis sex millibus hælécum duodecem marcas monete; ac pro predicto bove sex marcas monete, annuatim, extendentem in integro ad summam quinquaginta novem marcarum monete; necnon summam quadraginta marcarum singulis tribus annis pro gressuma dictarum terrarum respective solvendam; ad duos anni terminos festa, videlicet, Penthecostes et Sancti Martini in hieme, per equales portiones, nomine feodifirme tantum pro omni alio onere, exactione,

their issues, herezelds, bloodwites and merchets of women, with common pasture, free ingress and egress, and with all other and sundry liberties, commodities, profits, easements and their just pertinents whatsoever, as well not named as named, as well under the earth as above the earth, far and near, belonging or that justly might in future belong to the foresaid lands, with meadow, mill, mill lands, astricted multures, sequels, wood, lakes, fishing, and sundry other their pertinents, freely, quietly, fully, wholly, honourably, well and in peace, without any impediment, revocation, contradiction or obstacle whatever. Paying therefor, yearly, the foresaid Mr. William, his foresaid heirs and assignees, to us and our successors, dean or president, chapter and brethren captulars and our successors, the sum of forty merks, money foresaid of the kingdom of Scotland, as the old ferm and grassums thereof, taken together, before the present infeftment, for the several lands abovewritten, formerly accustomed to be paid to us and our successors; also the sum of thirteen shillings and four pence of money in augmentation of our said rental; and for the foresaid 6,000 herrings twelve merks of money, and for the foresaid ox six merks of money, yearly, extending in the whole to the sum of fifty-nine merks of money; also the sum of forty merks, to be paid every third year, for the grassum of the said lands, respectively; at two terms in the year, to wit, the feasts of Whitsunday and Martinmas in winter, by equal portions, in name of feufarm, only, for all

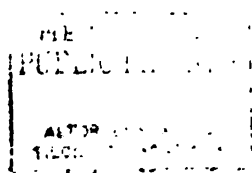
questione, demanda seu servicio seculari que de predictis terris cum pertinentiis per quoscunque juste exigi poterint quomodolibet vel requiri, bene et in pace et adeo libere in omnibus et per omnia sicut aliquae terre alicui per aliquem et aliquos infra regnum Scotie dantur et conceduntur; necnon heredes dicti magistri Willelmi et assignati duplicabunt feodifirmam antedictam in primo anno eorum introitus ad predictas terras cum pertinentiis. Et nos vero predicti decanus, presidens ac capitulum, successoresque nostri, totas et integras supraspecificatas terras, extendentes ad quadraginta marcatas terrarum antiqui extentus, cum halcibus et bove predictis, cum suis pertinentiis, jacentes ut prescribitur, memorato magistro Willelmo, heredibus suis et assignatis, adeo libere, in omnibus et per omnia, forma pariter et effectu ut premissum est, contra omnes mortales warrantizabimus, acquietabimus et in perpetuum defendemus. Ac ordinamus et decernimus propterea volumusque pro nobis et successoribus nostris in futurum quod unica sasina sit capienda per prefatum magistrum Willelmum et suos prescriptos perpetuis temporibus apud Howrat in Dalry que erit valida et sufficiens pro omnibus singulis terris suprascriptis, non obstante quod eodem terre jacent discontigue in diversis locis et parochiis. Insuper dilectis nostris Johanni Baillie in Myltoun of Provand (*blank*) et vestrum quilibet, conjunctim et divisim, ballivis nostris in hac parte specialiter constitutis, salutem, vobis et cuilibet vestrum, conjunctim et divisim, precipimus et mandamus quatenus visis presentibus postmodum indilate statum et sasinam hereditariam, necnon realem, actualem et corporalem possessionem omnium et singularum

other burden, exaction, question, demand, or secular service, which can in any way be justly exacted or required by any persons furth of the foresaid lands, with the pertinents, well and in peace, and as freely in all and by all as any lands within the kingdom of Scotland are given and granted by any person and persons to any one; also the heirs and assignees of the said master William shall double the foresaid feufarm in the first year of their entry to the foresaid lands, with the pertinents. And, moreover, we, the foresaid dean or president and chapter, and our successors, shall warrant, acquit and for ever defend all and whole the lands above specified, extending to a forty merk land of old extent, with herrings and ox foresaid, with their pertinents, lying as before written, to the said master William, his heirs and assignees, as freely, in all and by all, in the like form and effect as is aforesaid, against all mortals. And farther we ordain and decern, and, for us and our successors in time coming, will that one sasine may be taken by the foresaid master William and his foresaids, in all times, at Howrat in Dalry, which shall be valid and sufficient for all the several lands above written, notwithstanding that the said lands lie discontiguous in sundry places and parishes. Moreover, to our lovites, John Baillie in Myltoun of Provand (*blank*) and each of you, jointly and severally, our bailies in that part specially constituted, greeting, we charge and command you and each of you, conjunctly and severally, that, after seeing these presents, ye, without delay, justly deliver and cause to be had, state and heritable



questione, demanda seu servicio seculari que de predictis terris cum pertinentiis per quoscunque juste exigi poterint quomodolibet vel requiri, bene et in pace et adeo libere in omnibus et per omnia sicut aliquæ terre alicui per aliquem et aliquos infra regnum Scotie dantur et conceduntur; necnon heredes dicti magistri Willelmi et assignati duplicabunt feodifirmam antedictam in primo anno eorum introitus ad predictas terras cum pertinentiis. Et nos vero predicti decanus, presidens ac capitulum, successoresque nostri, totas et integras supraspecificatas terras, extendentes ad quadraginta marcas terrarum antiqui extentus, cum halcibus et bove predictis, cum suis pertinentiis, jacentes ut prescribitur, memorato magistro Willelmo, heredibus suis et assignatis, adeo libere, in omnibus et per omnia, forma pariter et effectu ut premissum est, contra omnes mortales warrantizabimus, acquietabimus et in perpetuum defendemus. Ac ordinamus et decernimus propterea volumusque pro nobis et successoribus nostris in futurum quod unica sasina sit capienda per prefatum magistrum Willelmum et suos prescriptos perpetuis temporibus apud Howrat in Dalry que erit valida et sufficiens pro omnibus singulis terris suprascriptis, non obstante quod eodem terre jacent discontigue in diversis locis et parochiis. Insuper dilectis nostris Johanni Baillie in Myltoun of Provand (*blank*) et vestrum quilibet, conjunctim et divisim, ballivis nostris in hac parte specialiter constitutis, salutem, vobis et cuilibet vestrum, conjunctim et divisim, precipimus et mandamus quatenus visis presentibus postmodum indilate statum et sasinam hereditariam, necnon realem, actualem et corporalem possessionem omnium et singularum

other burden, exaction, question, demand, or secular service, which can in any way be justly exacted or required by any persons furth of the foresaid lands, with the pertinents, well and in peace, and as freely in all and by all as any lands within the kingdom of Scotland are given and granted by any person and persons to any one; also the heirs and assignees of the said master William shall double the foresaid feufarm in the first year of their entry to the foresaid lands, with the pertinents. And, moreover, we, the foresaid dean or president and chapter, and our successors, shall warrant, acquit and for ever defend all and whole the lands above specified, extending to a forty merk land of old extent, with herrings and ox foresaid, with their pertinents, lying as before written, to the said master William, his heirs and assignees, as freely, in all and by all, in the like form and effect as is aforesaid, against all mortals. And farther we ordain and decern, and, for us and our successors in time coming, will that one sasine may be taken by the foresaid master William and his foresaids, in all times, at Howrat in Dalry, which shall be valid and sufficient for all the several lands above written, notwithstanding that the said lands lie discontiguous in sundry places and parishes. Moreover, to our lovites, John Baillie in Myltoun of Provand (*blank*) and each of you, jointly and severally, our bailies in that part specially constituted, greeting, we charge and command you and each of you, conjunctly and severally, that, after seeing these presents, ye, without delay, justly deliver and cause to be had, state and heritable





SEAL OF THE CHAPTER OF GLASGOW.

(Appended to Charter dated 16th October, 1565. Glasgow Charters, vol. II., p. 537. Here enlarged by $\frac{1}{2}$ inch in diameter).

prescriptarum terrarumstrarum canonicalium, extendentium ad predictas quadraginta marcatas terrarum antiqui extentus ut prescribitur, cum pertinentiis, memorato magistro Willelmo, suis heredibus et assignatis, vel suo certo actornato, latori presentium, juste deliberetis et habere faciatis, juxta vim, formam, tenorem et contentiam supra inserte nostre carte sibi desuper confecte; et hoc nullo modo omittatis ad quod faciendum vobis et vestrum cuilibet, conjunctim et divisim, ballivis nostris in hac parte predictis, nostram plenariam et irrevocabilem tenore presentium, committimus potestatem ac facultatem specialem. In cujus rei testimonium, huic presenti carte nostre manibus nostris subscriptis, sigillum nostrum est appensum.¹ Apud Glasgow, decimo sexto die mensis Octobris, anno Domini millesimo quingentesimo sexagesimo quinto. (Subscribed :) Mr. A. Douglas, rector a Douglas. Jacobus, epus. Lismoren, ac subdecanus Glasguen. Johannes Colquhone, rector de Stobo. Willelmus Hammyltoune, de Cambuslayng. Johannes Hammyltoun, succentor. Johannes Layng, rector, Lus. Jacobus Cheiseholme, rector a Tarbolton. Jacobus Thornton, rector de Anorum. David Stewart, persone of Erskyne. Robertus, archidiaconatus Tevidale. M. I. Wardlau, a Moffet. Guilielmus Erskyne, cancellarius Glasguen. Wyll^{ms}, prebendarius de Aldroxbr^{ch}. Robertus Creichtoun, a Sanquhar, prebendarius. Maister George Hay, of Eddilstoun. Wellem Grahme, person of Kylern. M. Jacobus Kennedy, rector de Carstaris. Apud Edinburgh, primo Aprilis, anno Domini j^m v^o sexagesimo sexto. Productum coram dominis commissariis. (Subscribed :) Hewatt. (Indorsation :) Apud Edinburgh, 29 December 1598.

sasine, also real, actual and corporal possession of all and sundry our foresaid canon lands, extending to the foresaid forty merk land of old extent as before written, with the pertinents, to the said master William, his heirs and assignees, or to his certain attorney, bearer of these presents, conform to the force, form, tenor and contents of our charter made to him thereon, above written, and this in no way ye omit; for the doing of which to you and each of you, conjunctly and severally, our bailies in that part foresaid, we commit our full and irrevocable power and special faculty by the tenor of these presents. In testimony whereof, to this our present charter, subscribed with our hands, our seal is appended. At Glasgow, the 16th day of the month of October,

¹ The seal, of which an illustration is here given, is thus described by Mr. W. R. Macdonald:—The full length figure of St. Kentigern in episcopal vestments with mitre, right hand raised in benediction, left holding a crozier obliquely in front of him. On his dexter a ringed

salmon hauriant, on his sinister a bird perched on a bell, foliage on background. Legend, on a double escroll: S · CAPITVLI · GLASGVEN · AD · CAVSAS. Diameter, 1 $\frac{1}{4}$ inch. See also Laing's Scottish Seals, I., 1027, pl. xxi, fig. 9.

Producit and the minut heirof extractit and rentallit, according to the act and proclamation maid thairanent. (Subscribed:) . . . Young.

in the year of our lord 1565. (Subscribed as above.) At Edinburgh, 1st April, 1566. Produced in presence of the lords commissioners.

[By the act of parliament passed on 29th July, 1587, annexing temporalities of benefices to the Crown, the rents payable for the canon lands under the foregoing charter were transferred to the Crown. In the "Rental of Temporalities," compiled about that time, and still preserved in the General Register House, Edinburgh, the following entry occurs:—

"COUNTY OF Ayr.—Item, the comptar charges him . . . with the few deutie of the Channon landis underwritin, viz., of all and hail the landis callit the Baillie landis, Harplais, Ryleyis, Kilburne, Tourgill, Howrat, Rysdaill mure, extending to xl merk land callit the Channon landis, of auld extent, with the pertinentis, and myln, gif onie be, lyand in the parochinis of Largis and Dalry, bailliarie of Cunynghame and sherefdome foirsaid, set in few to Mr. Williame Baillie, extending yeirlie in mail to xxvj li. xij s. iiij d., augmentatioun xij s. iiij d.; for vj^m hering, viij li.; for ane ox, iiij li. Inde, the yeir, comptit xxxix li. vj s. viij d. For yeirlie gersum, viij li. vj s. viij d."]

XXX.

CHARTER by the Provost and Prebendaries of the New Collegiate Church of St. Mary to John Stewart of Bowhous and Elizabeth Montgomerie, his spouse, of a waste tenement adjoining the cemetery of said church. Glasgow, 7th April 1566.

Omnibus hanc cartam visuris vel audituris: Archibaldus Craufurd, ecclesie metropolitane Glasguensis canonicus, ac nove ecclesie collegiate beate Marie Virginis civitatis Glasguensis prepositus ac prebendarii ejusdem, salutem in Domino sempiternam.

To all who shall see or hear this charter: Archibald, canon of the metropolitan church of Glasgow and provost of the new collegiate church of the blessed Virgin Mary of the city of Glasgow, and the prebendaries thereof, greeting in the Lord everlasting.

Noveritis nos cum consensu et assensu dominorum prepositi, ballivorum, senatorum et consulum dicte civitatis Glasguensis patronorum dicte collegiate ecclesie, utilitate et commodo ejusdem undique previsis et pensatis, dedisse, concessisse, assedasse, arrendasse, locasse, et ad feudifirmam seu emphiteosim hereditarie dimisisse et hac presenti carta nostra confirmasse, necnon tenore presentium dare, concedere, assedare, arrendare, locare, et ad feudifirmam seu emphiteosim hereditarie dimittere, et hac presenti carta nostra confirmare dilectis nostris Joanni Steuard de Bouhous et Elizabeth Montgomerie, sue sponse, et eorum heredibus et assignatis, quoddam vastum tenementum anterius in anteriori parte edificari inceptum, jacentem in via Sancte Teneu prope dictam ecclesiam collegiatam, inter tenementum quondam Petri Adam, ex orientali, cimiterium dicte ecclesie ex occidentali, parietem borealem chori dicte ecclesie ex australi et publicam viam regiam ex boreali partibus. Tenendum, habendum et possidendum, totum et integrum dictum vastum, usque ad cimiterium dicte ecclesie, prefatis Joanni Steuard de Bowhous et Elizabeth Montgomerie, conjugibus, et eorum heredibus et assignatis, de nobis et successoribus nostris, prepositis et prebendariis dicte ecclesie collegiate, in feudifirma, emphiteosi et hereditate imperpetuum, prout jacet in longitudine et latitudine, cum omnibus et singulis suis libertatibus, commoditatibus, proficuis, asiamentis ac justis suis pertinentiis quibuscunque ad dictum vastum cum pertinentiis spectantibus seu juste spectare valentibus quomodolibet in futurum, libere, quiete, plenarie, integre, honorifice, bene et in pace, sine aliquo impedimento, revocatione, contradictione aut

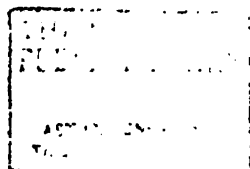
Know ye that we, with consent and assent of the lords the provost, bailies, senators and council of the said city of Glasgow, patrons of the said collegiate church, the advantage and profit thereof in all respects foreseen and considered, have given, granted, set, leased, let and in feufarm or fee heritably demitted, and by this our present charter confirmed, also, by the tenor of these presents, give, grant, set, lease, let, and in feufarm or fee heritably demit, and by this our present charter confirm to our lovite John Steuard of Bouhous and Elizabeth Montgomerie, his spouse, and their heirs and assignees, a waste fore tenement, begun to be built in the back part, lying in the street of St. Teneu, beside the said collegiate church, between the tenement of the late Peter Adam on the east, the cemetery of the said church on the west, the north wall of the choir of the said church on the south, and the public street on the north. To hold, have and possess all and whole the said waste, as far as the cemetery of the said church, to the foresaid John Steuard of Bowhous and Elizabeth Montgomerie, spouses, and their heirs and assignees, of us and our successors, provosts and prebendaries of the said collegiate church, in feufarm, fee and heritage for ever, as it lies in length and breadth, with all and sundry its liberties, commodities, profits, easements, and its just pertinents whatsoever, belonging or which may justly belong in future to the said waste, with the pertinents, freely, quietly, fully, wholly, honourably, well and in peace, without any impediment, revocation, contradiction or obstacle what-

obstaculo aliquali. Reddendo inde, annuatim, dicti Joannes et Elizabeth, conjuges, et eorum heredes et assignati, nobis et successoribus nostris, preposito et prebendariis dicte ecclesie collegiate pro tempore existentibus, summam decem solidorum usualis monete regni Scocie, ad duos anni terminos consuetos festa, videlicet, Penthecostes et Sancti Martini in hieme, per equales portiones, nomine feudifirme tantum pro omni alio onere, exactione, questione, demanda seu servitio seculari que de dicto vasto, cum suis pertinentiis, per quoscunque juste exigi poterunt quomodolibet vel requiri. Ita tamen quod dicti Joannes et Elizabeth, conjuges, et assignati poterint edificare et levare dictum suum tenementum supra vestiarius sive vestibulum dicte ecclesie, ita tamen quod non sit prejudicium dicto vestibulo et ecclesie sed quod dictum vestiarius spectabit nobis et successoribus nostris pro necessariis dicte ecclesie in eodem repondendis et conservandis et pro nostro capitulo in eodem ebdomadatim tenendis.¹ Quocirca dilectis nostris Georgio Harbertsowne (*blank*), ballivis nostris in hac parte, conjunctim et divisim, specialiter constitutis, salutem, vobis et vestrum cuilibet, ballivis nostris antedictis, precipimus et mandamus quatenus visis presentibus indilate statum et saisinam hereditarios, necnon realem, actualem et corporalem possessionem dicti vasti cum pertinentiis prefatis Joanni

ever. Paying therefor, yearly, the said John and Elizabeth, spouses, and their heirs and assignees, to us and our successors, provost and prebendaries of the said collegiate church for the time being, the sum of ten shillings usual money of the kingdom of Scotland, at two terms in the year, to wit, the feasts of Whitsunday and Martinmas in winter, by equal portions, in name of feufarm, only, for all other burden, exaction, question, demand or secular service which can in any way be justly exacted or required, by any persons, furth of the said waste, with its pertinents. Provided that the said Jonet and Elizabeth, spouses, and their assignees may build and raise their said tenement upon the vestry or vestibule of the said church, in such way that it may not be prejudicial to the said vestibule and church, but that the said vestry shall belong to us and our successors, for the necessary things of the said church to be put and preserved therein, and for our chapter to be held there weekly. Wherefore to our lovites, George Harbertsowne (*blank*), our bailies in that part, conjunctly and severally, specially constituted, greeting, to you and each of you, our bailies foresaid, we commend and charge that, on seeing these presents, you, without delay, deliver and justly cause to be given heritable state and sasine, also real, actual and corporal possession of the said waste,

¹ The Collegiate Church, its site and cemetery, were included among the church properties conveyed to the community of Glasgow by Queen Mary's charter, dated 16th March, 1566-7 (Glasg. Charters, vol. I., pt. ii., p. 131). On 2nd August, 1570, the magistrates and council sold to James Fleming, burgess of Glasgow, the church, which

was then described as dismantled and ruinous, with the cemetery and walls surrounding the same (*Ibid.*, p. 140). So far, therefore, as may be gathered from the charters, it would appear that the church building had suffered considerably between 1566 and 1570.





(1) SEAL OF THE CHAPTER OF THE COLLEGIATE CHURCH OF ST. MARY ; AND (2) COMMON SEAL OF THE CITY OF GLASGOW.

(Appended to Charter, 7th April, 1566. *Glasgow Charters*, vol. II., p. 551.)

et Elizabeth, vel eorum certis actornatis, latoribus presentium, secundum tenorem presentis carte nostre deliberetis et juste haberi faciatis sine dilatione, et hoc nullo modo omittatis, ad quod faciendum vobis et vestrum cuilibet, ballivis nostris antedictis, nostram plenariam et irrevocabilem tenore presentium committimus potestatem. Et nos vero prefatus Archibaldus, prepositus, et prebendarii dicte ecclesie collegiate totum et integrum prescriptum vastum, cum pertinentiis, prefatis Joanni et Elizabeth, conjugibus, et eorum heredibus et assignatis, pro nobis et successoribus nostris, in omnibus et per omnia, forma pariter et effectu, ut premissum est, contra omnes mortales warantizabimus, acquietabimus et imperpetuum defendemus. In cujus rei testimonium presentibus manibus nostris subscriptis sigillum nostrum commune dicte ecclesie collegiate, necnon sigillum commune dicte civitatis Glasguensis sunt appensa. Apud civitatem Glasguensem die septimo mensis Aprilis anno Domini millesimo quingentesimo sexagesimo sexto, coram his testibus: domino Roberto Watstone, domino Thoma Knox, notario publico, Alexandro Steuard et Georgio Steuard, cum multis aliis. [Subscribed:] Archi. Craufurd, prepositus, manu propria, s^t Dns. Johannes Hammiltoun, archipresbiter dicte ecclesie, manu propria s^t Dns. Robertus Watstone, manu propria, s^t Dns. Alex^r Bel, manu propria s^t Dns. Will^m Harbartson, manu propria. Johne Steward of Mynto, kny^t George Herbertson. Matthew Hareot, bailze. Maister Adam Wallace. Ar^d Lyoun. Jhone Wilsone. Master David Wilsoun. Ita est Henricus Gibson, notarius, de mandatis Davidis Lyndsaye et Roberti Callander, nescentium scribere, manu propria s^t

with the pertinents, to the foresaid John and Elizabeth, or their certain attorneys, bearers of these presents, conform to the tenor of our present charter, and this in no way ye omit; for the doing of which we, by the tenor of these presents, commit to you and each of you, our bailies foresaid, our full and irrevocable power. And farther we, the foresaid Archibald, provost, and the prebendaries of the said collegiate church, for us and our successors, shall warrant, acquit and for ever defend all and whole the foresaid waste, with the pertinents, to the foresaid John and Elizabeth, spouses, and their heirs and assignees, in all and by all, in the like form and effect as is abovementioned, against all mortals. In testimony whereof, to these presents, subscribed with our hands, our common seal of the said collegiate church, and also the common seal of the said city of Glasgow, are appended. At the city of Glasgow, the 7th day of the month of April, in the year of our Lord, 1566, in presence of these witnesses: Sir Robert Watstone, Sir Thomas Knox, notary public, Alexander Steuard, and George Steuard, with many others. (Subscribed as above.)

XXXI.

NOTARIAL Instrument on Gift by Sir Mark Jamesoun, vicar of Kilspindy, to the poor Lepers in the Hospital on the south side of the bridge, of an annualrent of 6s. furth of a tenement in Bridgegait. Glasgow, 11th March 1566-7.

In Dei nomine, Amen. Per hoc presens publicum instrumentum cunctis pateat evidenter, et sic notum, quod anno Incarnationis Dominice millesimo quingentesimo sexagesimo, die vero undecimo mēsis Martii, indictione decima, pontificatus sanctissimi in Christo patris et domini nostri domini Pii, divina providencia, Pape quinti, anno primo. In mei notarii publici et testium subscriptorum presentia, personaliter constitutus, circumspectus vir, dominus Marcus Jamesone, vicarius de Kilspyndie, existens in statu et saisina unius annuireditus sex solidorum usualis monete regni Scotie annuatim levandi et percipiendi de totali et integro uno tenemento terre, jacente infra civitatem Glasguensem, in via qua itur a porta australi ad pontem Clude, ex boreali parte ejusdem vie, inter terras quondam Joannis Mayn ex occidentali, et terras communitalis Glasguensis ex orientali parte, nunc spectante Niniano Schyre, burgensi dicte civitatis Glasguensis; ex certis causis rationabilibus, ut asservit, animum suum moventibus, accessit personaliter ad dictum tenementum, et ibidem dictum annum redditum sex solidorum monete annuatim levandum de eodem tenemento, pure et simpliciter, a se suis heredibus et assignatis resignavit et dimisit, in manibus discreti viri Mathei Heriot, alterius ballivorum dicte civitatis Glasguensis, in favorem pauperum Leprosorum

. . . In presence of me, notary public, and of the witnesses underwritten, personally appeared a circumpect man, Sir Mark Jamesone, vicar of Kilspyndy, vested in state and sasine of an annualrent of six shillings of the usual money of the kingdom of Scotland, yearly, upliftable and payable furth of all and whole a tenement of land, lying within the city of Glasgow, in the street which leads from the South Port to the bridge of Clyde, on the north side of the said street, between the lands of the late John Mayn on the west and the lands of the community of Glasgow on the east side, now belonging to Ninian Schyre, burgess of the said city of Glasgow; and for certain reasonable causes moving his mind, as he alleged, came personally to the said tenement and there, purely and simply, from him and his heirs and assignees, resigned and demitted the said annualrent of six shillings, yearly, upliftable furth of the said tenement, in the hands of a discreet man, Mathew Heriot, one of the bailies of the said city of Glasgow, in favour of the poor Lepers living on the south side of the said bridge of

degentium ex parte australi dicti pontis Clude. Qua resignatione sic facta et per dictum ballivum debite admissa, idem ballivus, virtute et vigore sui officii ballivatus, et de speciali mandato dicti domini Marci Jamesone, resignantis, statum et saisinam hereditarios, necnon realem, actualem possessionemque corporalem dicti annuiredditus sex solidorum, annuatim, levandi de prescripto tenemento, Allano Smyth, pauperi leproso dicte civitatis Glasguensis, nomine aliorum pauperum ac procuratori eorundem ac eorum successorum ibidem pro tempore degentium, per lie hesp et stapill dicti tenementi tradicionem, dedit, tradidit pariter et deliberavit, ad effectum ut dicti pauperes dietim orent pro ipso domino Marco et animabus quondam Joannis Paniter et omnium fidelium defunctorum. Salvo tamen jure cujuslibet. Super quibus, omnibus et singulis, dictus Allanus Smyth, procurator et ex nomine aliorum pauperum dicti loci, a me notario publico subscripto sibi fieri petiit et requisivit unum vel plura publicum seu publica instrumentum et instrumenta. Acta erant hec super fundum dicti tenementi hora secunda post meridiem vel ea circa, sub anno, die, mense, indictione et pontificatu quibus supra. Presentibus ibidem: circumspectis [viris], Jacobo Flemmyng, Jacobo Wilsone, Niniano Schyre, burgensibus dicti civitatis Glasguensis, Joanne Bradwod et Patricio Makfynny, laico, cum diversis aliis.

Et ego Thomas Knox, clericus Glasguensis civitatis, publicus sacra auctoritate apostolica notarius; quia premissis et singulis dum sio ut premittitur agerentur, dicerentur et fierent, unacum pre-nominatis testibus presens personaliter interfui; eaque, omnia et singula, dum sio ut premittitur agerentur sic fieri, vidi, sciri et audivi, ac in notam cepi, ex qua hoc presens publicum instrumentum, manu mea propria scriptum, exinde confeci, subscripsi et publicavi, signoque et nomine meis

solitis et consuetis signavi, rogatus et requisitus, in fidem et testimonium veritatis omnium et singulorum premissorum.

Clyde. Which resignation so made and by the said bailie duly admitted, the said bailie, by virtue and strength of his office of bailiary, and by the special authority of the said Sir Mark Jamesone, resigned, gave, handed and delivered heritable state and sasine,

and also real, actual, and corporal possession of the said annualrent of six shillings, yearly, upliftable furth of the foresaid tenement, and that by delivery of hesp and staple of the said tenement to Allan Smyth, poor Leper, of the said city of Glasgow, in name of the other poor, and to the procurator of them and their successors dwelling there for the time, to the effect that the said poor shall daily pray for the said Sir Mark and for the souls of the late John Paniter and of all the faithful dead. Saving nevertheless the right of every one. Upon which, all and sundry, the said Allan Smyth, procurator and in name of the said poor of the said place, asked and required from me, notary public subscribing, one or more public instrument or instruments to be made to him. These things were done upon the ground of the said tenement at the second hour afternoon, or thereby, in the year, day, month, indiction and pontificate above mentioned. Present there circumspect men (as above).

And I, Thomas Knox, clerk of the city of Glasgow, notary public by sacred apostolic authority; because I was personally present with the before-named witnesses while all and sundry the premises were transacted, said and done as aforesaid; and the same, all and sundry, while so transacted and done as aforesaid, I saw, knew and heard, and took a note thereof, from which I have made, subscribed and published this present public instrument, and have signed it with my usual and accustomed sign and name, being asked and required, in faith and testimony of the truth of all and sundry the premises.

XXXII.

LETTERS by Sir Mark Jamesoun, vicar of the parish church of Kilspindy, as testamentary executor of John Paniter, preceptor of the Song School of the Metropolitan Church of Glasgow, assigning certain annualrents to the Poor of the Hospital of St. Nicholas, and to the poor Lepers. Glasgow, 26 March 1567; approved by Mr. Robert Rollok, 4 September 1581; registered in Presbytery books, 31 March 1590.

Universis et singulis sancte matris ecclesie filiis ad quorum noticias presentes litere pervenerint: Dominus Marcus Jamesoun, vicarius ecclesie parochialis de Kilspindie,

To all and sundry the sons of holy mother church to whose notice the present letters shall come: Sir Mark Jamesoun, vicar of the parish church of Kilspindie, in the

Sanctiandree diocesis, ac executor testamentarius quondam bone memorie Joannis Paniter, preceptoris scole cantacionis ecclesie Metropolitane Glasguensis, salutem in omnium Salvatore. Noveritis quod dictus quondam Joannes Paniter, condendo suum testamentum mihi in preceptis dedit quatenus conficerem quandam fundacionem super fructibus et proventibus unius pomerii et diversorum tenementorum per ipsum Joannem, dum in humanis agebat, suis propriis rebus et bonis conquestorum, jacentium infra territorium Glasguensem in lie Stabill Grene, in triangulo situatorum tendente a publica via in summitate dicte civitatis ad duas cruces, vulgo nuncupatas lie *Tuay Crocis*, ex orientali parte communis vici ejusdem civitatis Glasguensis, inter terras sive tenementa et ortos palatii reverendissimi domini archiepiscopi Glasguensis ex australi, ortos vicariorum chori Glasguensis ex orientali et boreali et communem vicum ex occidentali partibus; ad dietim cantandum *ane gloriosa* tempore completorii in inferiori ecclesia Glasguense in insula Dive Virginis Marie infra eandem, et ad orandum pro anima sua ac animabus quondam domini Alexandri Paniter, vicarii de Castelstaris, et suorum consanguineorum et benefactorum ac omnium fidelium defunctorum. Quam fundacionem perfeci et cosummavi et ad perfectionem deduxi, ut in ipsa fundacione latius cavetur;¹ et nunc animo revolvens et perpendens ecclesias, monasteria et capellas hujus regni Scocie hoc turbulento tempore everasas et destructas et missarum ac divinorum celebratione destitutas ac fundaciones in eisdem factas in

diocese of St. Andrews, and testamentary executor of the late John Paniter, of good memory, preceptor of the Song School of the metropolitan church of Glasgow, greeting in the Saviour of all. Know ye that the said late John Paniter, in making his testament, gave command to me that I should establish a foundation upon the fruits and profits of an orchard and sundry tenements purchased by the said John, while acting in the body, with his own moneys and goods, lying within the territory of Glasgow in the Stabill Grene, situated in the triangle leading from the public street at the head of the said city to the two crosses, commonly called the Tuay Croces, on the east side of the common street of the said city of Glasgow, between the lands or tenements and the yards of the palace of the most reverend lord archbishop of Glasgow on the south, the yards of the vicars of the choir of Glasgow on the east and north, and the common street on the west; for the daily singing of a gloriosa in time of compline, in the lower church of Glasgow, in the aisle of St. Mary the Virgin within the same, and for prayer for his soul and the souls of the late Sir Alexander Paniter, vicar of Carstairs, and of his kinsmen and benefactors and of all the faithful dead. Which foundation I accomplished and completed and brought to perfection, as in the foundation is more fully provided; and now calling to mind and considering that the churches, monasteries and chapels of this kingdom of Scotland, in this turbulent time, are overturned and destroyed, and destitute in the celebration of masses and divine services, and apparently

¹ See Instrument of Sasine, *antea*, pp. 501-4; also, Glasg. Protocols, No. 1318.

proximo ut apparet perituras, et fructus ex dictis fundacionibus annuatim proveniendos in alios prophanos usus convertendos. Quapropter premissis consideratis et suadentibus animumque nostrum movendis et mutandis pro relevamine conscientie mee et ne anime suprascriptarum personarum suffragiis et orationibus in dicta fundacione mentionatis quoquo modo defraudentur, et ut ultima voluntas dicti quondam Joannis Paniter in omnibus inquantum possit fieri perimpleatur, dedi, concessi et in puram ac perpetuam elemosinam assignavi, prout tenore presentium do, concedo et in puram ac perpetuam elemosinam assigno pauperibus anterioris domus hospitalis Sancti Nicholai civitatis Glasguensis tres libras usualis monete regni Scotie, ac pauperibus posterioris domus dicti hospitalis viginti solidos; necnon pauperibus leprosis degentibus ex australi parte pontis dicte civitatis Glasguensis viginti solidos dicte monete, annuatim, per ipsos et eorum collectores et procuratores, levandos ad duos anni terminos consuetos festa, videlicet, Penthecostes et Sancti Martini in hieme, per equales portiones, de dictis pomerio et tenementis, nunc in feudifirmam locatis et dimissis honorabili viro, magistro Davidi Rollok de Kyncladie et Mariote Levingstoun, sue sponse, et eorum prolibus, in carta feudifirme ipsis facta mentionatis, et hoc etiam interveniente consensu ipsius magistri Davidis; quem annum redditum ut predicatur, extendentem ad quinque libras monete, annuatim, obligat se suosque heredes et assignatos, possessores et dominos hujusmodi tenementorum et pomerii quoscunque, persolvere dictis pauperibus supramentionatis, ad terminos

the foundations therein made are nearly ready to perish, and the fruits yearly coming from said foundations are converted to profane uses. Wherefore, on reasoning and considering the premises, and inclining and changing [my] mind, for relief of my conscience, lest the souls of the abovementioned persons should in anywise be defrauded in the suffrages and prayers mentioned in the said foundation, and that the last will of the said John Paniter, in so far as can be done, may be implemented, I have given, granted, and in pure and perpetual alms assigned, as by the tenor of these presents I give, grant, and in pure and perpetual alms assign to the poor of the fore house of the hospital of St. Nicholas of the city of Glasgow three pounds of the usual money of the kingdom of Scotland, and to the poor of the back house of the said hospital twenty shillings; also to the poor Lepers living on the south side of the bridge of the said city of Glasgow twenty shillings of said money, yearly, by themselves and their collectors and procurators to be uplifted at two terms in the year, to wit, Whitsunday and Martinmas in winter, by equal portions, furth of the said orchard and tenements, now let and demitted in feufarm to an honourable man, Mr. David Rollok of Kyncladie, and Marion Levingstoun, his spouse, and their children, mentioned in the charter of feufarm made to them; and this also by the intervening consent of the said Mr. David, which annualrent as aforesaid, extending to five pounds of money, yearly, he bound himself and his heirs and assignees, possessors and owners of the said tenements and orchard whomsoever, to pay to the said poor above mentioned, at the foresaid terms, conform

predictos, secundum tenorem sue carte feudifirme. Proviso tamen quod si ecclesia Scoticana in pristinum devenerit statum et missarum solemnita et divina suffragia more solito, et antiquo in eadem celebrabuntur, quod presens datio, concessio et assignatio dicti annuireditus quinque librarum monete prefate de prescriptis pomerio et tenementis dictis pauperibus et leprosis factis sint nulle, casse et in se invalide et fundacio prius facto de mandato dicti olim Joannis Paniter suum, in omnibus sortiatur effectum et debite adimpleatur et quod hec presens fundatio non derogat primeve fundacioni mee, in aliquo ipso casu prius mentionato accedendo. Item, volo et ordino quod casu quo ecclesia Scoticana in pristinum non devenerit statum et divina in eadem celebrata non fuerint, quod predicti pauperes et leprosi orent pro anima mea et animabus suprascriptis quandocunque orant pro eorum fundatoribus et benefactoribus pro dicto annuo redditu quinque librarum eis annuatim ut premittitur solvendo. Reservato tamen mihi in vitali redditu pro toto tempore vite mee dicto annuo redditu quinque librarum monete prefate. Quare humiliter exoro et in visceribus Jhesu Christi charitatis intuitu humiliter et obnixe deprecor reverendissimum dominum archiepiscopum Glasguensem, ac capitulum ejusdem, necnon dominos prepositum, ballivos et consules ac senatores dicte civitatis Glasguensis, ut participes existant precum, oracionum et suffragiorum dictorum pauperum quatenus diligenter attendant quod presens mea fundacio, dacionis, concessionis et assignationis predicti annuireditus quinque librarum dictis pauperibus

to the tenor of his charter of feufarm. Providing, nevertheless, that if the Scottish church shall come to its former state, and the solemnization of masses and divine suffrages in manner used of old shall be celebrated therein, that the present gift, grant and assignation of the said annualrent of five pounds money foresaid, furth of the beforewritten orchard and tenements, made to the said poor and lepers, shall be null, cancelled and void in itself, and the foundation formerly made by authority of the said late John Paniter himself shall in all things receive effect and be duly implemented, and that this present foundation in any case before mentioned shall not derogate from my first foundation. Also, I will and ordain that in case the Scottish Church shall not come to its former state and divine worship shall not be celebrated therein, that the foresaid poor and lepers shall pray for my soul and the souls abovementioned whensoever they pray for their founders and benefactors, for the said annualrent of five pounds paid to them yearly as aforesaid. Reserving nevertheless to me in liferent the said annualrent of five pounds of the foresaid money, for the whole term of my life. Wherefore I humbly exhort, and in the bowels of Jesus Christ, moved of charity, humbly and earnestly supplicate the most reverend lord archbishop of Glasgow, and chapter thereof, also the lords provost, bailies and councillors and senators of the said city of Glasgow, as being partakers of the prayers, supplications and suffrages of the said poor, they diligently take heed that my present foundation of gift, grant and assignation of the foresaid annualrent of five pounds, made to the said poor and lepers, conform to the

et leprosis facta secundum tenorem ejusdem in omnibus suis punctis debite observetur, et quod dicta summa quinque librarum casu quod ecclesia Scoticana in pristinum statum ut prefertur non pervenerit solvatur annuatim et terminatim. In cujus rei testimonium sigillum meum proprium, unacum subscriptione mea manuali ac sigillo et subscriptione manuali dicti magistri Davidis, in signum expressum sui consensus et assensus ad premissa, est appensum. Apud civitatem Glaguensem, die vigesimo sexto mensis Martii anno Domini millesimo quingentesimo sexagesimo septimo, coram his testibus: dominis Roberto Cunynghame et Thoma Knox, testibus ac notariis publicis, ac Hugone Eilstoun, laico. (Subscribed:) Marcus Jamesone, manu sua. David Rollok, manu sua. Ita est. Thomas Knox, notarius publicus ac testis, in fidem premissorum requisitus manu propria scripsit. Robertus Cunynghame, notarius publicus ac testis in fidem premissorum requisitus manu sua. Ita est. Robertus Herbertsoun, notarius publicus et scriba curie commissariatus Glasguensis, approbo premissis, teste manu propria.

tenor thereof in all its points, shall be duly observed, and that the said sum of five pounds, in case the Scottish church shall not come to its former state, as aforesaid, is paid yearly and termly. In testimony whereof, my own seal, together with my subscription manual and the seal and subscription manual of the said master David, in express token of his consent and assent, is appended to the premises. At the city of Glasgow, on the 26th day of the month of March, in the year of our Lord, 1567, in presence of these witnesses: Sir Robert Cunynghame and Thomas Knox, witnesses and notaries public, and Hugh Eilston, layman. (Subscribed as above.)

At Glasgw, the ferd day of September the yeir of God j^m v^e fourschoir ane yeiris, I, maister Robert Rollok, being ceasit and infett in the yerd and tenement abone mentionat, be umquhyll Mr. David Rollok, my father, ratefeis and appreis this present fundatioun in all sortis, lyk as my said wmquhyll father hes done befoire, wndir his subscripcioun manuall, and bindis and obliissis me, my airis or successoris to the said yaird and tenement to keip and observe the said fundatioun in all pointis thairof, efter the forme and tenour of the samyn. Subscryvit with my hand, day, yeir and plas foirsaid. (Subscribed:) Maister Robert Rollok, with my hand.

Ultimo Martii, anno Domini millesimo quingentesimo nonagassimo. The quhilk day, anent the supplicatioun gevin in be Mark Jamesone, before the presbiterie, makand mentioun that he, upone godlie intentioun respecting the letter will of umquhill Jhone Paniter, his mother brother, be quome he obtenit sesing and infettment of the houssis and ortehyarde besyde the Stabilgreine and castell of Glasgou, upone promise and conditioun of the fundatioun and erectioun of yeirle dewte thairof to be gevin furthe to

the kirk or sum uther godlie purpose; thairfore had foundit and dottit ane yeirlie annuell of fyve lib. moneye furth of the said manse and yarges, besyde all annuellis of auld usit to be payit furthe thair of, to be payit at Witsondaye and Mertimes be equall portionis in this maner, to wit, thre lib. yeirlie to the foir almousous callit St. Nicolas Hospitall, tuentie s. to the foure puir men of the bak almousous pertening to the toun of Glasgw, and tuentie s. to the puir lipper folkis of the hospitall at the southe end of the brig of Glasgw; as his sesing, nocht onlie gevin to him with conditioun foirsaid, bot also his rycht maid to thame agane thairupone, at mair lenthe in the self proporttis. And to the effect that the evidents maid to the said puir folkis may remaine *ad perpetuam rei memoriam*, and thai nocht defraudit be the tinsel thair of or uther casuall chance, thairfore desyrit the presbiterie of Glasgw to cause thair clerk of court to registrat the same in thair buikis, that the saming may be patent and maid mair manifest and knawin in all tymes cuming, and that thai wald interpone thair autoritie, assistance and maintenance in the said godlie intentioun; quhilk the moderatour and the haill presbiterie for the maist part being convenit thocht verie godlie and reasonabill, and thairfore ressavit the saidis evidenttis, delyverit the same haill in the self to thair clerk of court, and ordenit him to register the same in thair buikis to remaine *ad perpetuam rei memoriam*, and to be patent to the puir, according to the mynd of the said Sir Mark fundatioun, and authorizet the same in all pointis; of the quhilkis evidenttis the haill effect and tenour followis in thir wordis. Extractit furthe of the buikis of the presbiterie of Glasgw be me Mr. Jhonne Allansone underwrittin, noter publict and clerk thairto, witnessing my signe and subscription manuall. (Subscribed:) Ita est. Joannes Allansone, notarius publicus ac clericus ministrorum prophecie Glasguensis, in extrahendis premissis, requisitus testante manu. Mr. David Wemes. Mr. Thos. Jak. Mr. Patrik Scharp. Mr. J. Couper. Mr. A. Hay. Mr. Jhonn Howesoun.

XXXIII.

OBLIGATION by Mr. David Rollok of Kyncladie to Sir Mark Jamesoun, vicar of Kilspindy, for payment of an annualrent of £5 furth of an Orchard and Tenements in Stable Green. Glasgow, 28 March 1567. Registered in the Presbytery Books of Glasgow, 9 March 1590.

Be it kend till all men be thir present letteres, me maister David Rollok of Kyncladie to be bundin and oblist, and be the tenore heirop bindis and oblissis me my airis and assignais, possessouris of ane orchart and certane tenementis pertenyng to me in few and heritage, liand outwith the North Port of the cietie of Glasgu, in the Stabill Grene, havand the yard and palece of the archibischop of Glasgu on the south part, the commone streit on the west, and the yardis of the vicaris of the queir of Glasgu on the eist and north partis, to ane discrete man Sir Maro Jamesone, vicare of Kilspyndie, fundatour of ane fundatione maid be him, at the command of umquhile Johne Paniter, soulemaister of the Sangscule of the kirk of Glasgw, to content and pay ane annuall rentt of five pundis gude and usuale money of Scotland, yerelie, of the said orchart and tenementis contenit in my chartour of few ferme of the sammyn to the pure men of the hospitale of Sanct Nicholais of the cietie of Glasgw, and to the lipper men of the said towne duelland at the south part of the brig thairof; that is to say thre pundis money foirsaid to the pure men of the foir hous of the said hospitale, twentie schillingis to the pure men of the bakhouse of the said hospitale, and twentie schillingis to the saidis lippermen, at the termis contenit in my said chartour. And that in cais the Kirk of Scotland be nocht restorit to the libertie and privilegeis that it had afore. And for observing, keping, and fulfilling of all and syndrie thir premissis, I bynd and oblissis me, my airis and assignais, possessouris of the saidis orchart and tenementis for the tyme, and is contentit that this present obligatione be extendit in the maist ampill and sikkir forme and stile of obligatione that can be devisit, to the effect foresaid, fraude and gyle secludit and away putt; and consentis that this present obligatione be inserit and registrate in the bukis of the lordis of oure Soverane Ladeis counsale, or in the commisaris bukis of Glasgw, and to haif the strenth of thare decrete, and executorialles of hornyng or poynding to pas tharapone gif neid beis; and tharfore makis, constitutis and ordanis my lovitt, Schir Robert Cunynghame my procuratour to consent in my name to the insering and regestring of this my obligatione in the saidis bukis. In

witnes heirof I haif subscrivit this my said obligatioun, and hanging my propir seill thareto, at Glasgw the twentie aucht day of Marche, the yere of God ane thousand five hundreth threscore sevin yeris, befor thir witnes: Schiris Robert Cunynghame and Thomas Knox, notaris publikkis, and Hew Eilsone, etc. The hale soume abonewrittin quhilk suld be distribute to the said hospitale, foirhous and bakhous, and to the saidis lippermen, extendis to five lib. in the hale, etc.; and that gif I and myne airis be nocht constrenyeit to pay the said soume conforme to the first fundatioun that the said Sir Mark Jamesoun maid thareof. [Subscribed:—] David Rollok, with my hand. Robertus Cunynghame, notarius publicus, testis in premissis, manu sua. Ita est. Thomas Knox, notarius publicus in premissis requisitus, manu propria ss^t

I, Mr. Robert Rollok, feyer of the orchart and tenementis abon specifeit, bindis and obliasis me and my airis to keip and fulfill all and sundrye the contentis in this present obligatioun. Subscrivit with my hand, 10 Octobris anno Domini 1580. [Subscribed:—] Mr. Robert Rollok.

[Indorsations:—] Ultimo Martii, anno Domini millesimo quingentesimo sexagesimo septimo. Comperit Sir Robert Conynghame, procuratour, within constitut, and consentit to registring of this obligatioun within specifeit, and decreit to pas thareupon. [Subscribed:] Mr. Robert Herbertsoun.

Nono Martii anno Domini millesimo quingentesimo monagesimo. Quhilk day and yeir this obligatioun retrowrittin is registrat in the buikis of the presbiterie of Glasgw, be me, Mr. Johne Allansone, notar publict and clerk thareto underwrittin, at the command of the moderatour and brethrene of the said presbiterie, according to the tenour of thair act grantit thareupone. [Subscribed:] Mr. James Allansone, notarius publicus, testante manu.

XXXIV.

CHARTER by Mr. William Baillie of Provand to Robert lord Boyd, and spouse, of the Channon lands of Glasgow. Edinburgh, 10 November 1567.

Omnibus hanc cartam visuris vel audituris: magister Willelmus Baillie de Provand, presidens collegii justicie regni Sootie feudifirmarius hereditarius terrarum subscrip-

To all who shall see or hear this charter: Master William Baillie of Provand, president of the College of Justice of the kingdom of Scotland, heritable feufarmer of

tarum, salutem in Domino sempiternam. Noveritis me, pro impletione et observatione cujusdam contractus, juncti et confecti inter me, ab una, ac nobilem et potentem dominum, Robertum dominum Boyde, ab altera partibus, actitati et registratri in libris dominorum consilii ac vim decreti eorum habentis, de data apud Edinburgh vigesimo secundo die mensis Octobris anno Domini millesimo quingentesimo sexagesimo septimo; ac pro quadam certa pecunie summa in dicto contractu specificata et mihi persoluta ac deliberata, prout in eodem contractu latius continetur, vendidisse ac titulo pure venditionis alienasse ac hac presenti charta mea confirmasse, necnon tenore presentium vendere, alienare et hac presenti charta mea confirmare prefato nobili domino Roberto domino Boyd et domine Margarete Culquhoun, ejus sponse, eorumque alteri diutius viventi, in conjuncta infeodatione et heredibus inter ipsos legitime procreatis seu procreandis, quibus deficientibus heredibus dicti nobilis domini quibuscunque, omnes et singulas terras canonicas de Glasgw subscriptas, videlicet, totas et integras terras vocatas Baillie Landis, Harplais, Ryleis, Kilburne, Tuirgyle, Howrat, Ryisdalmuire, extendentes ad quadraginta mercarum antiqui extentus vulgo nuncupatarum, *the forty merk land of auld extent of the Channonland*, cum earum pertinentiis, molendinis et multuris, si qui forsan habent, jacentes in parochia de Largis et Dalry, balliata de Cwnynghame et vicecomitatum de Air, unacum sex milibus halecum rubearum, uno bove altili, lie *fed ox*, et quadraginta mercis singulis tribus annis pro grossuma terrarum antedictarum respective; extendentes in integro simul computatis ad predictis quadra-

the lands underwritten, greeting in the Lord everlasting. Know ye that I, for implement and observance of a contract [entered into] and made between me, on the one part, and a noble and potent lord, Robert lord Boyde, on the other part, acted and registered in the books of the lords of council, and having the strength of their decreet, of the date at Edinburgh the 22nd day of the month of October, in the year of our Lord, 1567; and for a certain sum of money specified in the said contract and paid and delivered to me, as in the said contract is more fully contained, have sold, and by title of pure sale have disposed, and by this my present charter confirmed, and by the tenor of these presents sell, dispoone, and by this my present charter confirm to the foresaid noble lord, Robert lord Boyd and lady Margaret Colquhoun, his spouse, and the longer liver of them, in conjunct infeftment, and to the heirs procreated or to be procreated between them, whom failing to the heirs of the said noble lord whomsoever, all and sundry the Canon lands of Glasgow, underwritten, to wit, all and whole the lands called Baillie Lands, Harplais, Ryleis, Kilburne, Tuirgyle, Howrat, Ryisdalmuire, extending to a forty merk land of old extent, commonly called "the forty merk land of auld extent of the Channonland," with their pertinents, mills and multures, if by chance they have any, lying in the parishes of Largs and Dalry, bailiary of Cwnynghame and shire of Ayr, together with six thousand of red herrings, one fed ox, and forty merks every third year for grassum of the foresaid lands respectively; extending

ginta mercatas terrarum antiqui extentus cum singulis suis pertinentiis ut premittitur jacentibus. Tenendas et habendas¹ . . . prefato nobili domino Roberto domino Boyd et domine Margarete Culquhoun, ejus sponse, eorumque alteri diutius viventi in conjuncta infeodatione et heredibus inter ipsos legitime procreatis seu procreandis, quibus deficientibus heredibus dicti nobilis domini quibuscunque, de me et heredibus meis in feodo et hereditate imperpetuum, per omnes rectas metas suas antiquas.¹ . . . Reddendo inde annuatim dicti nobilis dominus et domina Margareta Culquhoun, ejus sponsa, eorumque alteri diutius vivens et heredes sui prescripti mihi et heredibus meis unum denarium usualis monete regni Scotie super solum dictarum terrarum in festo Pentecostes nomine albe firme si petatur, unacum firmis feudifirmariis dictarum terrarum cum pertinentiis, extendentibus annuatim ad summam quinquaginta novem mercarum monete predictæ tam pro dictis terris quam sex millibus hælcum et bovi altili prescriptis; necnon summam quadraginta mercarum ejusdem monete singulis tribus annis pro gressumis terrarum predictarum, secundum tenorem dicti contractus et mei principalis infeofamenti feudifirme earundem tantum pro omni alio onere, exactione, questione, demanda seu servicio seculari que de predictis terris cum pertinentiis per quoscunque juste exigi poterint quomodolibet vel requiri. Et ego vero dictus magister Willelmus Baillie de Provand et heredes mei omnes et singulas prefatas terras canonicales de Glasgw suprascriptas extendentes ad quadraginta mercatas terrarum antiqui extentus cum singulis suis pendiculis et pertinentiis ut prescribitur

in the whole, taken together to the foresaid forty merk land of old extent, with their sundry pertinents, lying as aforesaid. . . . Paying therefor yearly, the said noble lord and lady Margaret Culquhoun, his spouse, and the longer liver of them, and their foresaid heirs, to me and my heirs, one penny of the usual money of the kingdom of Scotland, upon the ground of the said lands, at the feast of Whitsunday, in name of blench farm, if asked, together with the feufarms of the said lands, with the pertinents, extending yearly to the sum of fifty-nine merks of the foresaid money, as well for the said lands as for the foresaid 6,000 herrings and fed ox; also the sum of forty merks of the said money every third year for grassums of the foresaid lands, conform to the tenor of the said contract and of my principal infeftment of feufarm thereof, only, for all other burden, exaction, question, demand or secular service which can in any way be justly exacted or required by any persons furth of the foresaid lands, with the pertinents. And farther I, the said master William Baillie of Provand, and my heirs, shall warrant, acquit and for ever defend all and sundry the foresaid Canon lands of Glasgow abovewritten, extending to a forty merk land of old extent, with the sundry

¹ The omitted portions are similar to what charter to William Baillie, No. XXIX., *antea*, is printed in the corresponding clause of the pp. 524-5.

antedictis nobili domino Roberto domino Boyd et domine Margarete ejus sponse eorumque alteri diutius viventi in conjuncta infeodatione et heredibus suis predictis adeo libere et quiete in omnibus et per omnia, forma pariter et effectum ut premissum est, in quantum concernet nostrum factum tantum, secundum tenorem dicti contractus, warrantizabimus, acquietabimus et imperpetuum defendemus. Insuper volo quod unica sasina nunc per dictum dominum et ejus sponsam ac in futurum per eorum heredes apud Howrat in Dalry capienda erit sufficiens pro omnibus terris et reliquis predictis. Ideo vobis Johanne Boyd, in Gowandlie (*blank*), ballivis meis in hac parte specialiter constitutis, salutem, precipio quatenus indilate statum, sasina, necnon realem, actualem et corporalem possessionem omnium et singulorum prescriptorum terrarum canonicalium extendentium ad predictas quadraginta mercatas terrarum antiqui extentus ut prescribitur, cum pertinentiis, prefatis nobili et potenti domino Roberto domino Boyd et domine Margarete Culquhoun, ejus sponse, ac eorum alteri diutius viventi, in conjuncta infeodatione, vel suis certis actornatis latoribus presentium, per terre et lapidis fundi donationem, ut moris est, tradatis et deliberetis, secundum tenorem presentis mee charte; et hoc nullo modo omittatis; ad quod faciendum vobis et vestrum cuilibet, conjunctim et divisim, ballivis meis in hac parte antedictis, meam plenariam et irrevocabilem presentium tenore committo potestatem. In cujus rei testimonium huic presenti charte mee preceptum sasine in se continenti manu mea subscripta sigillum meum proprium est appensum, apud Edinburgh, decimo die mensis Novembris anno

pendicles and pertinents, as before written, to the foresaid noble lord, Robert lord Boyd and lady Margaret, his spouse, and the longer liver of them, in conjunct infeftment, and their foresaid heirs, as freely and quietly, in all and by all, in the like form and effect as is aforesaid in so far as concerns our deed only, conform to the tenor of the said contract. Moreover, I will that one sasine, taken now by the said lord and his spouse, and in future by their heirs, at Howrat in Dalry, shall be sufficient for all the lands and others foresaid. Therefore to you, John Boyd, in Gowandlie (*blank*), my bailies in that part specially constituted, greeting, I charge that without delay ye give and deliver to the foresaid potent and noble lord, Robert lord Boyd and lady Margaret Culquhoun, his spouse, and longer liver of them, in conjunct infeftment, or to their certain attorneys, bearers of these presents, state, sasine, and also real, actual and corporal possession of all and sundry the foresaid canon lands, extending to the foresaid forty merks of lands of old extent, as before written, with the pertinents, by delivery of earth and stone of the ground as the manner is, and this in no way ye omit; for the doing of which to you and each of you, jointly and severally, my foresaid bailies in that part, I commit my full and irrevocable power by the tenor of these presents. In testimony whereof to this my present charter, containing in itself precept of sasine, subscribed with my hand, my own seal is appended, at Edinburgh, the 10th day of the month of November, in the year of our Lord, 1567, in presence of these witnesses:

Domini millesimo quingentesimo sexagesimo septimo, coram his testibus: Roberto Baillie, meo servo, Jacobo Boyd, filio et heredi apparenti Thome Boyd in Kippis, et Joanne Hendersoune, servo Jacobi Harlaw, scribe, cum diversis aliis. [Subscribed:] Williame Bailze off Provand. [Seal appended.]

Robert Baillie, my servant, James Boyd, son and apparent heir of Thomas Boyd in Kippis, and John Hendersoun, servant of James Harlaw, writer, with sundry others.

XXXV.

DISCHARGE by Mr. William Baillie, lord Provand, president of the College of Justice, to Robert lord Boyd, and his spouse, of 1100 merks, being price of the Channon lands of Glasgow. Edinburgh, 10 November 1567.

I, maister Williame Baillie, lord Provand, president of the College of Justice, be the tennour heirop, grantis me to have ressavd fra ane nobill and potent lord Robert lord Boyd, the sowme of ellevin hundreth merkis, usuale money of this realme, in compleit payment for alienatioun and selling maid be me to him and Margaret Culquhoun, his spous, in conjunct fie, and to the airis lauchfullie gottin or to be gottin betuix thame, quhilkis failzeing the saidis lordis airis quhatsumever, conforme to ane contract maid betuix ws thairupoun, off all and syndrie the Channone landis of Glasgw, extending to fourty merk land of auld extent, with the pertinentis, liand within the parochinis of Largis and Dalry, baillierie of Cwninghame and sherefdome of Air; as the said contract of the dait the xxij day of October, the year of God j^m v^e lxvij yeiris mair fullilie proportis; and thairfoir I quytclame and discharge the said noble lord, Margaret, his spous, thair airis, executouris and assignais, of the foirsaid sowme of eleven hundreth markis as for compleit payment for the foirsaid alienatioun, for me, my airis, executouris and assignais for evir. And, forder, I be thir presentis grant the foirsaid contract, safer as concernis the payment of the foirsaid sowme fulfillit to me in all pointis, efter the forme and tennour thairof; and thairfoir I discharge the said lord, his spous, thair airis and assignais of the samin for evir, be thir presentis, subscrivit with my hand, at Edinburgh, the tent day of November, the yeir of God j^m v^e lxvij yeiris, befoir thir witnessis: Robert Baillie, my servand, James, sone and apperand air to Thomas Boyd in Kippis, and Johnne Hendersoun, servand to James Harlaw, writer, with utheris divers. (Subscribed) Williame Bailze off Provand.

XXXVI.

CONTRACT between the Town of Glasgow and Sir Robert Watsone, prebendary of the prebends of St. Andrew, St. Martin and Duorum Puerorum, in the New College Kirk of Glasgow. Glasgow, 26 April 1569.

Be it kend till all men be thir present letteres, me, Sir Robert Watsone, prebendare of the prebendis callit Sanct Andro, Sanct Martyne et Duorum Puerorum, fundate sumtyme in the New College Kirk of Glasgw, be umquhile maister James Houstowne, subdene of Glasgw, and als be umquhile Sir Martyne Reid, to have sett and in assedatioun lattin, and be thir presentis settis and in assedatioun lattis to the honorable persones underwrittin, that is to say, Johne Steward of Mynto, knycht, provest of the towne of Glasgw, maister Adam Wallace and Richart Rois, bailyeis, James Flemyng, thesaurare, and the counsale of the said towne and thair successouris, provest, bailyeis, thesaurar and counsall for the tyme, all and hail my saidis prebendis abone specifeit, with all and sindre malis, deweteis and emolimentis therof quhatsumever, with my part of the commownes, with all uther proffittis pertenyng or that justlie may pertene to my saidis prebendis and part of commownes; exceptand and reservand to my self my chalmer and my yard usit and wont be me in tymes bygane, for all the dayis and termes of thre yeiris nixt and immediatlíe following the feist and terme of Witsounday in the yeir of God j^m v^e lxix yeiris; quhilk terme salbe and begyn the saidis provestis, bailyeis and thair foirsaidis entres in and to the saidis prebendis; and frathynfurtht to be bruikit, josit, occupyit and possest be thame for the said space of thre yeiris, and after the ische of the saidis thre yeiris for utheris thre yeiris, and frathynfurtht fra thre yeiris in thre yeiris induryng all the dayis of my lyf tyme. For the quhilk tak and assedatioun the saidis provestis, bailyeis, thesaurare and counsale of the said towne bindis and obliissis thame and thair successouris, conjunctlie and severalie, to content and pay to the said Sir Robert the sowme of twenty sax pundis usuale money of this realme, at twa termes in the yeir, Witsounday and Martymes, be equale portiones, fre in the towne of Glasgw, begynnand the first terme of payment therof at the said feist of Witsounday in the yeir of God j^m v^e thre scoir nyne yeiris, and swa furth yeirlie the said sowme of xxvj lib. money, at the termes foirsaid, induryng all the dayis of my lyf tyme. And ferdare the saidis provest, bailyeis, thesaurar and counsale bindis and obliissis thame and thair successouris to warrand, releif and keip skaythles me the said

Sir Robert of all thriddis to be payit furth of the saidis prebendis yeirlie, in ony tyme to cum, at our Soverane handis and all utheris haifand entres therto; and gife neid beis sall obtene dischargeis yeirlie therof to me the said Sir Robert, swa that I may yeirlie ressave the said sowme of xxvj lib. money fairsaid free, at the termes fairsaid, but payment of ony thrid as said is. Quhilk tak and assedatioun of the saidis twa prebendis and the thrid prebend callit Duorum Puerorum, with my part of the saidis communes, extending to the rentale and profitis therof, conforme to the rentale subscrivit with my hand, I the said Sir Robert sall warrand to the saidis provest, bailyeis, thesaurar and counsale induring my lyftyme, but fraude or gyle. And in cais the saidis bailyeis and counsale, present or tocum, gevis ane compeditour to me the said Sir Robert, be geving thair presentatioun to ony persone or persones of the saidis prebendis or utheris wayis trublis or molestis or fortefeis ony utheris trublaris or molestaris of the said Sir Robert in peceable bruiking of the saidis prebendis, or ony of thame, in that cais the said Sir Robert sall not be oblist in ony part of this fairsaid assedatioun to observe or keip. And for soun payment of the said sowme of xxvj lib. money fairsaid the saidis provest, bailyeis, thesaurar and counsale ar content that this present tak and assedatioun be inserit and registrat in the buikis of our Soverane lordis counsale and the lordis decreit and autorite to be interponit thairto, haifand the stryntht of ane act; and siclyk in the commissaris buikis of Glasgow gife neid beis, and the saidis commissaris decreit and autorite be interponit thairto that letteres executorialis of poynding and hornyng may pas thairupone in forme as efferis, and to that effect the saidis provest, bailyeis, thesaurar and counsale makis, constitutis and creatis honorable men maister Richart Strang and maister Thomas Westoun, and ilkane of thame, conjunctlie and severalie thair veray lauchfull and indowtit procuratouris to compeir for thame befor the saidis lordis and commissar, and thair to consent to the regestring of this present act and assedatioun in maner abone specifeit; ratum, gratum, etc. In witnes of the quhilk thing we the saidis provest, bailyeis, thesaurar and counsale hes subscrivit thir presentis be maister Henrie Gibsone, thair court clerk and notare publict, and I the said Sir Robert with my hand, at Glasgw, the xxvj day of Aprile, the yeir of God j^m v^o lxxix yeiris. (Subscribed:) I, Sir Robert Watson, prebendar fairsaid, with my hand.

XXXVII.

DECREE by the Bailie of the Barony and Regality of Glasgow against the Baxters of Glasgow, as to the dam to their Mill on the River Kelvin. Glasgow, 16 November 1569.

The court of the baronie and regalite of Glasgw, haldin in the Tolbuyth of the samyn, be ane honorable man Johne Steward of Mynto, knycht, baillie depute of the saidis baronie and regalite, the xvj daye of November, the yeur of God j^m v^e threscoir nyne yeuris, the sutis callit, the court confermit; dempetare, Johne Reid. The quhilk daye, anent the bill and supplicatioun gevin in be Archinbald Lyone, burges of Glasgw, aganis Johne Auldoorne, James Craig, Cuthbert, Herbertsone, Robert Young, George Young, and the remanent baxteris of the citie of Glasgw, makand mentioun that quhair the saidis persounes and remanent baxtaris, be the bigging wp of ane dam to thair mylne newlie biggit be thame upone the wattir of Kelvyne, beneth the said Archibaldis mylne, hes causit the said Archibaldis mylne to be in bakwattir, stoppand the passage of the wattir fra the said Archibaldis mylne, thairthrocht havelie damnifeand the said Archibald in his proffitt that he micht have had of his awne mylne, in cais his said mylne had nocht bene stoppit be bak wattir, albeit he at the first ganging of the said baxteris mylne maid interruptione thairto before notare and witnes, potestand for coist, skayth and dampnage in cais of ony truble that mycht cum to his mylne thairthroucht; desyring thairfore the saidis persounes, baxteris abonewrittin, to be decernit in the wrang for the premissis, and to decist and ceis fra stopping of the said passage of wattir in tymes cuming and to mak sufficient amendis thairfore; as at mair lenthth is contenit in the complaynt gevin in thairupone. The saidis parteis, baitht personalie present, the said baxteris abonewrittin denyit the said bill; quhilk being admittit to probatioun, the said baillie of baronie, resaveand the depositions of famous witnes suorne and admittit and als accompaneit with certane suorne men of the baronie admittit thairto, haifand inspectioun of the said dam, be consent and in presens of baith the saidis parteis, the allegationes of baith the saidis parteis hard, sene and considerit, and being thairwith ryplie avisit, in the terme assignit to pronounce decrete in the said mater, decernit and fand the saidis baxtaris in the wrang for the stoppyng of the fre passage of the wattir fra the said Archibaldis mylne, be the bigging wp of thair dam, quhilk be the heychtnes thair of causis the wattir to redound bak agane to his saidis mylnes hurt and skaitht. And ordanis the said baxteris dam to be alterit and tane doun, swa that the said Archibaldis mylne may have fre passage of wattir,

lik as he had of befoir, and his fader befoir him, but stop or truble in all tymes cuming. And that be ressoun the said Archibaldis bill being admittit to his probatioun wes provin baith be witnes and inspectioun as said is sufficientlie, as wes cleirlye understand to the said baillie, quha ordanit executoriales to pas thairupone in forme as efferis, etc. *Extractum de libro actorum curie baronie Glasguensis, per me Henricum Gibsone, notarium publicum, testantibus meis signo et subscriptione manualibus, etc.* (Subscribed :) *Henricus Gibsoun, est.*

XXXVIII.

CHARTER by Mr. Thomas Archibald, rector of Cardross, to George Huchessoune, son of Thomas Huchessoune, burgess of Glasgow, of the site of the Manse of Cardross, on the north side of Drygait.¹ Glasgow, 6 April 1575.

Omnibus hanc cartam visuris vel auditoris: Magister Thomas Archibalde, rector de Cardros ac insignis ecclesiæ metropolitane Glesguensis canonicus, salutem in Eo qui est omnium vera salus. Dum veterum hujus regni Principum, acta et leges et statuta, perpenderem quibus, omnes et singulas terras, tam prælatorum, baronum, procerum quam aliorum quorumcumque terras hereditarie possidentum ad feudifirmam seu emphiteosim assedandas fore decreverunt, et quod inde plurima commoda terrarum domino ac etiam colono cum non minima regni politia inde provenire, prout agrorum

To all who shall see or hear this charter: Master Thomas Archibald, rector of Cardros and dignified canon of the Metropolitan Church of Glasgow, greeting in Him who is the true safety of all: Having regard to the acts, laws, and statutes of the former Princes of this kingdom whereby they decreed that all and sundry lands, as well of prelates, barons and noblemen, as of others possessing lands heritably, should be set in feufarm or fee, and that thence very many benefits arise to the lord and also to the farmer, with not a little for the policy of the kingdom; likeas improvements of barren

¹ Printed from original Charter lent by Mr. Ludovic M'Lellan Mann for exhibition in the People's Palace, Glasgow Green. The Charter was confirmed by King James VI. on 16th March, 1576-7. (Reg. Mag. Sig., IV., No. 2664.)

sterilum meliorationes edificiorum per urbes constructiones eo ducebar ut peciam unam terræ vastæ mihi ratione dictæ meæ rectoriæ spectantem, jacentem infra territorium civitatis Glasguensis ad annuam feodifirmam locarem. Noveritis igitur me, cum expresso consensu pariter et assensu decani præcidentis ac canonicorum dictæ ecclesiæ ac capituli ejusdem, simul congregati in unum, assedasse, arrendasse, locasse et ad feodifirmam seu emphiteosim pro perpetuo dimisisse, et hac presenti carta mea confirmasse, necnon assedare, arrendare, locare et ad feodifirmam seu emphiteosim pro perpetuo dimittere et hac præsentis carta mea confirmare dilecto meo Georgio Huchessoune, filio Thomæ Huchessoune, burgensis burghi de Glasgw, et hæredibus suis et assignatis, totam et integram illam meam peciam terræ vastæ minime unquam edificatæ, cum horto ac singulis suis pertinentiis mihi ratione dictæ meæ rectoriæ pertinentem, jacentem infra territorium civitatis Glasguensis, inter terras sive tenementum quondam Willelmi Striviling ex parte occidentali, terras sive mansum prebende seu rectorie de Erskirk ex parte orientali, communem viam regiam ex parte australi et torrentem de Malindinor ex parte boreali. Quæquidem pecia terræ vastæ mihi et prædecessoribus meis summam decem solidorum monete annuatim dedit et persolvebat nec quicquid aliud ultra. Tenendam et habendam totam et integram præfatam peciam terræ vastæ cum horto et singulis suis pertinentiis dicto Georgio Huchessoune, heredibus suis et assignatis, de me successoribus meis, rectoribus de Cardros, in feodifirma et hereditate in perpetuum, prout jacet in longitudine et latitudine, cum lignis, tignis, lapide et calce, muris, lapidibus,

fields arise by the construction of buildings in towns; to that end I was induced to set for annual feufarm a piece of waste land belonging to me on account of my rectory, lying within the city of Glasgow: Know ye, therefore, that I, with the express consent and assent of the dean [or] president and canons of the said church and chapter thereof, together assembled, have set, leased, let and in feufarm or fee for ever demitted, and by this my present charter confirmed, and do set, lease, let and in feufarm or fee for ever demit, and by this my present charter confirm to my lovite, George Huchessoune, son of Thomas Huchessoune, burgess of the burgh of Glasgow, and his heirs and assignees, all and whole my piece of waste land, little built at any time, with a yard and sundry pertinents, belonging to me, on account of my said rectory, lying within the territory of the city of Glasgow, between the lands or tenement of the late William Striviling on the west side, the lands or manse of the prebend or rectory of Ashkirk on the east side, the common street on the south side, and the burn of Malindinor on the north side. Which piece of waste land gave and paid to me and my predecessors the sum of ten shillings money yearly, and nothing more. To hold and have all and whole the foresaid piece of waste land, with yard and sundry pertinents, to the said George Huchessoune, his heirs and assignees, of me and my successors, rectors of Cardros, in feufarm and heritage for ever, as it lies in length and breadth, with timber, building material, stone and lime, walls, stones, gables, liberties, and other and sundry per-

gaballarum, libertatibus ac aliis et singulis suis pertinentiis; ac cum libero introitu et exitu; ac cum omnibus aliis et singulis libertatibus, commoditatibus, proficiis, esiammentis ac justis suis pertinentiis quibuscumque, tam non nominatis quam nominatis, tam sub terra quam supra terram, procul et prope, ad præfatam peciam terræ vastæ cum horto spectantibus seu justæ spectare valentibus quomodolibet in futurum, libere, quiete, plenarie, integre, honorifice, bene et in pace, sine aliquo retinemento, revocatione aut contradictione quacumque. Reddendo inde annuatim dictus Georgius Huchessoune, et heredes sui, mihi et successoribus dicte rectorie de Cardros rectoribus, summam decem solidorum tanquam firmam annuatim ante hanc meam infeodationem solui solitam et consuetam, necnon summam trium solidorum et quatuor denariorum in augmentationem mei rentalis plusquam unquam dicta pecia terræ mihi aut predecessoribus meis dedit aut persolvebat, extendentem in integro ad summam tredecim solidorum et quatuor denariorum monetæ, ad duos anni terminos consuetos festa, viz., Pentecostes et Sancti Martini in hyeme, per æquales portiones, nomine annualis redditus feudifirme, una cum hospitalite reservata mihi et successoribus meis in eodem maneo dum nos in civitate Glasguense contigerit remanere tantum pro omni alio onere annuali, et duplicando dictam feudifirmam primo anno introitus cujuslibet heredis prout usus est feudifirme pro omni alio onere, exactione, questione, demanda seu servitio seculari quæ de prædicta pecia terræ vastæ cum horto per quoscumque juste exigi poterit quomodolibet vel requiri. Et ego præfatus Magister Thomas Archibald et successores mei, rectores dicte ecclesie

tinents; and with free ingress and egress; and with other and sundry liberties, commodities, profits, easements and just pertinents whatsoever, as well not named as named, as well under the earth as above the earth, far and near, belonging or that might justly belong howsoever in future to the foresaid piece of waste land, freely, quietly, fully, wholly, honourably, well and in peace, without any reservation, revocation or contradiction whatever. Paying therefor, yearly, the said George Huchessoune, and his heirs, to me and my successors, rectors of the said rectory of Cardross, the sum of ten shillings as the yearly farm used and wont to be paid before this my infeftment, and the sum of three shillings and four pence in augmentation of my rental, more than ever the said piece of land gave or paid to me or my predecessors, extending in whole to the sum of thirteen shillings and four pence of money at the two accustomed terms in the year, to wit, Whitsunday and Martinmas in winter, by equal portions, in name of annual feufarm; together with hospitality reserved to me and my successors in the said manse while we happen to dwell in Glasgow, only, for all other annual burden, and doubling the said feufarm in the first year of the entry of each heir, as the use is of feufarm, for all other burden, exaction, question, demand or secular service, which can in any way be justly asked or required by any persons furth of the foresaid piece of waste land. And I, the foresaid master Thomas Archibald, and my successors, rectors

de Cardros, totam et integram prefatam peciam terræ vastæ, cum horto et singulis pertinentiis, memorato Georgio Huchessoune et heredibus suis, in omnibus et per omnia, forma pariter et effectu ut premissum est contra omnes mortales warantizabimus, acquietabimus et in perpetuum defendemus. Quocirca dilectis meis Archibaldo Herbertsoun ballivus in hac parte, (*blank*) et eorum quilibet, conjunctim et divisim, ballivis meis in hac parte specialiter constitutis salutem, vobis et vestrum cuilibet, conjunctim et divisim, stricte precipio et firmiter mando quatenus visis presentibus indelate statum et sasinam hereditariam pariter et possessionem corporalem actuaalem et realeam totius et integræ prefatæ peciæ terræ vaste et singulis suis pertinentiis, cum horto, præfatis Georgio Huchessoune, heredibus suis et assignatis, hereditarie, per terræ et lapidis fundi deliberationem ut moris est, vel suo certo actornato, latori præsentium, juxta et secundum vim, formam et effectum suprascripte carte mee juste deliberetis et haberi faciatis et sine delatione, et hoc nullo modo omittatis; ad quod faciendum vobis et vestrum cuilibet, conjunctim et divisim, ballivis meis antedictis meam plenariam et irrevocabilem tenore presentium committo potestatem. In cujus rei testimonium presentibus manu mea subscriptis, ac per decanum et canonicos dicti capituli, sigillum meum ac sigillum commune prefati capituli, in signum canonicorum ejusdem consensus et [assensus] ad premissa, presentibus sunt appensa. Apud Glasgw, sexto die mensis Aprilis, anno Domini millesimo quingentesimo septuagesimo quinto, coram his testibus:

of the said church of Cardross, shall warrant, acquit and for ever defend all and whole the foresaid piece of waste land, with the yard and sundry pertinents, to the said George Huchessone and his heirs, in all and by all, in the like form and effect as is aforesaid, against all mortals. Wherefore to my lovite, Archibald Herbertsoun, bailie in that part, (*blank*) and each of them, conjunctly and severally, my bailies in that part specially constituted, greeting, I strictly charge and firmly command you and each of you, conjunctly and severally, that, on seeing these presents, you forthwith justly deliver and cause to be had heritable state and sasine, and likewise actual and real corporal possession, of all and whole the foresaid piece of waste land and its sundry pertinents, with the yard, by delivery of earth and stone of the ground, as the manner is, to the foresaid George Huchessoune, his heirs and assignees, heritably, or his certain attorney, bearer of these presents, according and conform to the force, form and effect of my abovewritten charter, and this in no way ye omit; for the doing of which I commit to you and each of you, conjunctly and severally, my bailies foresaid, my full and irrevocable power, by the tenor of these presents. In testimony whereof to these presents, subscribed with my hand and by the dean and canons of the said chapter, my seal and the common seal of the foresaid chapter, in token of the consent and assent of the said canons to the premises, are appended. At Glasgou, on the 6th day of the month of April, in the year of our Lord 1575, in presence of these witnesses: George

Georgio Herbertsoune, Joanne Clune, domino Willelmo Herbertsoune et Joanne Pakkok. [Subscribed:] Thomas Archibald, persoun of Cardros. Mr. J. Betoune, rector a Roxbrocht, ad id. Wellem Grahme, person of Kylern. Mr. Patrik Scharp, Govane. Mr. Stevin Wilson, person off Moffat. Mr. Joannes Colvill, precentor, Glasguen. Ro. Herbertson, ab Air, rector. Johnne Lyndsay, persoune of Carstaris, Johnne Lourence, persoune of Douglas. J. Balfour, decanus, Glasguen. Mr. Andro Hay, Renfrew. Maist. William Chernisyd, person of Lus. Jacobus Hill, rector de Arskyne. Jacobus Hammylton, subden, Glasgow. Mr. Archibaldus Douglas, archidiaconus, Glasguen. Mr. A. Douglas, rector a Glasgow. Gulielmus Bailze, a Provand. John Stewart, persoun off Kirkmaho. Levyngstoun, thesaurarius, Glasg. Mr. G. Hay, Eddilstoun. Mr. W. Hamyltoun, persoun of Cumnok.

Herbertsoune, John Clune, Sir William Herbertsoune and John Pakkok. (Subscribed as above. Part of the chapter seal remains; the other seal has disappeared.)

XXXIX.

CONTRACT between the Provost, Bailies, and Council, as representing the Community of Glasgow, on the one part, and Archibald Lyon, burgess of Glasgow, on the other part, whereby the community acquired the Mill on Kelvin in rental and Archibald Lyon acquired the Town Mill in mortgage. Glasgow, 14 May 1577. Registered in the Books of Council and Session, 22 January 1577-8.¹

At Glasgow the xiiij day of Maij the yeir of God j^m v^e lxxvij yeiris. It is appointit, aggreit and finalie endit betuix thir parteis underwritin, thay ar to say, ane noble and potent lord, Robert lord Boyd, provest of the burght and citie of Glasgow, George Elphinstoun and Johnne Wilson, baillies thairof, and counsall of the samin, for thame selffis and [in] name and behaulf of the hail communitie of the said citie and thair successouris, on that ane pairt, and Archibald Lyoun, burges of Glasgow, on that uther

¹ The contract is printed from an extract Jacobum Makgill de Rankeilour Nether, clericum rotulorum, registri ac consilij S.D.N. Regis.

pairt, in maner, forme and effect as efter followis, that is to say: Forsaimekill as the said Archibald Lyoun being rentellar of all and haill ane mylne situat on the watter of Kelvyng, with houssis, yairdis and roumes pertening thairto, lyand within the barony of Glasgow, hes sauld, annaleit, disponit, transferrit, overgiven and renuncit, as be the tennour heirof, fra him, his airis and assignais simpliciter, but ony reversioun, sellis, annaleis, disponis, overgevis and renuncis to the saidis provest, baillies, counsall and communitie of Glasgow, and thair successouris forsaid, his rental and all his richt, title of richt, entres, clame, propertie and possessioun, with gudewill, favour, kyndnes and benevolence that he had, hes, or ony wyis may have or clame in and to the said mylne, with houssis, yairdis, dam, rowmes, and all privileges of wod, watter, fewell, dam, with all and sindrie utheris pertinentis belangand and pertenant thairto, and with fre passage and entrie to the samin usit and wont. And obleissis him to warrand his said disposition for his awin deid, unhurt or disponit be him to ony uther persone or personis, in all tymes bygane and to cum. And als the said Archibald, be the tennour heirof, consentis and gevis his expres consent and assent to the renting of the said provest, baillies, counsall and communitie, and thair successouris in the said mylne, with privilege and pertinentis thair of abonewrittyn, be my lord archebischop of Glasgow, his chalmerlanis, or utheris haveand power to resave and mak rentales thair of, or to the obtaining of the few of the samin as thay sall pleis and may best; and willis that the production of this present contract salbe sufficient for his consent geving thairto, and gif neid be sall compeir in proper persoun befor the said archebischop, or utheris abonewrittyn, and thair give his consent to the samin inlykwis.¹ And als instantlie the said Archibald hes deliverit to the saidis provest, baillies and counsall the said rentale maid to him of the said myln, with all uther writtis, richtis and evidentis that he hes concerning the samin, to be usit be thame in all tymes cuming as thair awin proper evidentis. And attour the said Archibald obleissis him to big, repair and mend the said myln, myln dam, stanes and houssis thair of and mak thame gude and sufficient be the sicht of the saidis provest and baillies with all diligence, and to mak red and void the said myln, houssis and pertinentis, of him and all utheris, his factouris and fermoraris, and to enter the saidis provest, baillies, counsall and communitie, thair fermoraris and factouris to the peciable possessioun of the said myln, houssis, yairdis and all pertinentis thair of usit and wont, at Witsonday nixtocum efter the day and dait heirof, swa that the saidis provest, baillies, counsall and communitie and thair successouris in all tymes cuming, be thameselfis or thair firmoraris, may use, ocupie and intromett with the saidis myln, houssis, yairdis and pertinentis as thair awin kyndlie

¹ See Glasg. Charters, vol. I., pt. ii., pp. 452-3, Nos. 96, 97, 98, 102; Glasg. Protocols, No. 3266.

rowme, lyk as the said Archibald, his airis or assignais did, nicht have done, or may do, and that at thair plesour in all tymes cuming. For the quhilk caussis abone-writtin the saidis provest, baillies and counsall obleissis thame and thair successouris to infest deulie, be charter ¹ and seasing, *titulo oneroso*, with all claussis of warrandice neidfull, the said Archibald, his airis and assignais, in all and hail thair commoun toun myln, with myln landis and multuris, with thair pertinentis, lyand within the territorie of Glasgow, in dew and competent forme of infestment as effeiris, and to warrand the samin to the said Archibald and his foirsaidis ay and quhill the lauchful redemptioun of the samin as is efter specifeit; off the quhilkis commoun myln of the toun, with myln landis, multuris thairrof, with thair pertinentis, the said Archibald, for himself and his foirsaidis, sall mak, subscribe and deliver ane sufficient letter of tak to the saidis provest, baillies, counsalle, communitie, and thair successouris, in dew and competent forme lyk as the said Archibald, be the tennour heirof, for him and his foirsaidis, settis in tak the said toun myln, myln landis and multuris, with thair pertinentis to the saidis provest, baillies, counsall and thair successouris, during all the dayes of the said Archibaldis lifytyme and further yeirlye thairefter ay and quhill the lauchful redemptioun thairrof fra his airis or assignais efter his deceis as is efterspecifeit; for the quhilk tak the saidis provest, baillies and counsall and thesaurer of the said citie, present and to cum for the tyme, to pay and thankfullie deliver to the said Archibald, obleissis thame and thair successouris to pay and thankfullie deliver to the said Archibald Lyoun, yeirlye and ilk yeir during his lifytyme, threttie bollis of ungrund malt and twentie bollis ait meill, gude and sufficient stuff, with cheriteis and mesour of the said citie at thir termes following, viz., Mertimes in winter and Witsunday, be equall portiounis, beginnand the first payment thairrof at Mertimes nixtocum and sua furth yeirlye and termlye induring the said Archibaldis lyiftyme, and eftir his deceis to content and pay to his airis or assignais the sowm of ane hundreth merkis yeirlye at Witsunday and Mertymes, be equall portionis ay and quhill the lauchful redemptioun of the samin fra the said Archibaldis aris or assignais, be payment of the sowm of ane thousand markis money, at twa severale termes underspecifeit, for the quhilk redemptioun of the said commoun toun mlyn, myln landis and [multuris] thairrof with thair pertinentis, oblissis him, his aris and assignais to mak, seill, subscribe and deliver to the saidis provest, baillies, counsalle and commonitie and thair successouris tua severale reversionis, everie ane of thame contenand the sowm of fyve hundreth markis money, in this maner, quhat tyme or how sone eftir the said Archibaldis deceis it salhappin the saidis provest, baillies, counsalle and thair successouris or thesauraris in thair names

¹ See Abstract of Charter, *infra*, p. 609, No. 19.

upoun ane day betuix the sone rysing and doun passing therof, within the Hie Kirk of Glasgow to content and pay to the said Archibald, his aris or assignais, the sowm of fyve hundreth merkis money, as being the half of the said sowm of ane thousand markis money, that eftir the payment of fyve hundreth markis money the said Archibaldis aris and assignais sall renunce and resigne the equale half of the saidis toun myln, myln landis and multuris thairof, with the half of the proffett and yerlie dewitie contenit in the said tak abonewrittin; and als howsone inlykemaner thai content and pay and lay doun the sowm of uthir fyve hundreth markis in compleit payment of the said thousand markis money the said Archibaldis aris and assignais sall renunce and resigne thair said haill infetment and rycht of the said toun myln, myln landis and multuris thairof in ampill form of renunciation usit in reversionis, thay being warnit upoun xl dayis warning respective of befor as use is; and in cais of absence or refusing to ressave the said sowmes as said is, the samin to be consignit in responsale mennis handis to the utilitie of the said Archibaldis aris or assignais in commoun formes of reversionis. Providing alwais that it sall not be lesun to the saidis provest, baillies, counsalle, thesaurar, nor thair successouris to use the saidis reversionis, nor to redeme the said toun myln, myln landis and multuris thairof to be suspendit thairfra during all the dayis of the said Archibaldis lyfityme. And als the saidis partiis ar content to renew and reform the contract abonewrittin and mak the samin in maist ampill form be sycht and advis of men of law als oft as neid beis, kepand the effect and substance abonewrittin. And siclyke athir of the saidis partiis ar content and consentis that this present contract be insert and registrat in the buikis of oure Soverane lordis counsalle or commissaris buikis of Glasgow, alternativie in baith or ane, to haif the strenth of decretis of the lordis and commissar respective thair auctoriteis to be interponit thairto, sua that executoriallis of poinding or horning, the ane not prejugand the uthir, may pas thairupoun in form as efferis; and to that effect thai haif maid, constitut and ordanit honorable men and thair weilbelovittis maisteris Alexander Lyon, Alexander Mauchane, thair procuraturis, conjunctlie and severallie, to compeir befor the saidis lordis and commissaris or ather of thame, and thair to consent to the registratioun of thir presentis alternative and thair auctoritie to be interponit thairto that the samin may haif the strenth of thair decretis respective, sua that executorialis forsaidis may pas thairupoun in form as efferis; and promittit *de rato*. In witnes heirop, bayth the saidis pairtiis hes subscrivit this present contract as eftir followis, at day, yeir and place forsaidis, befor thir witnessis: Thomas maister Boyd, James Andersoun, Johne Stobo, Johne Watsoun and Robert Lettrik, officeris, and James Wodrop, with utheris divers.. *Sic subscribitur*: Robert lord Boyd, provest, George Elphinstoun, baillie, John Wilsoun, baillie, William Cunighame, maister Adam Wallace, Archibald Lyoun, with my hand,

James Flemyng, George Harbartsoun, Robert Rowat, I. P. L., Robert Adam, Matho Wilsoun. Ita est. Henricus Gibsoun, notarius, de mandato Davidis Lindesay de Kyttskyde, Andree Baillie, Roberti Mur, Johannis Lindesay, Georgii Burrell, Joannis Gilmur et Joannis Clerk, consulum dicte civitatis, nescientium scribere, manu propria.

XL.

RENUNCIATION by Robert Hutcheson, merchant, and his spouse, of their right to a Tenement at the back of the Grammar School. Glasgow, 24 June 1577.

We, Robert Hutchesoun, merchand, burges of Glasgw, and Katherene Allansoun, spoussis, for us, oure airis, executors and assignis, renuncis oure sesing and all ryght, titill of rycht, clame, entres and possessioun, witht favour, kyndnes and benevolence that we haid, hes, or ony wyse maye haif or clame in and to ane bak tenement or hous, witht litill peice yarde adjacent thairto, sumtyme occupeit be ws and oure subtenentis, quhilk is ane pairte of the tenement pertenyng to the Grammar Scull,¹ liand betuix the Grammar Scull on the eist and ane halthorne hege on the west, to the effect that the samyn in all tymes coming maye be adjunit to the said Grammar Scule of Glasgw and agment the rowme thairof, and to be possesset be the maister and barnes, to learne thairin for ewir, but ony clame or persut of ws or oure foirsaidis; and als we oblissis ws and oure foirsaidis nocht to remove Marioun Spang, present possessour of the foir tenement and bak yarde pertenyng to the said Grammar Scule during hir lyfytyme, nochtwithstanding the tak maid to ws thairupone, bot to suffir hir to bruik the samyn for the yeirlye payment of thre pundis, conforme to use and wont. Quhilkis premissis we obliss ws and oure foirsaidis to performe and do at the instance of the provest, baillies and counsale of Glasgw, and maister of the Grammare Scule thairof, becaus thai haif maid to ws ane nyntene yeir tak of the saidis foir tenement and bak yairde in competent forme as efferis. In witnes heiroy, becaus we culd nocht writ oure selfis, we haif causit the notare underwrittin to subscriye thir presentis at oure comandis, at Glasgw, the xxiiij daye of Junij the yeir of God j^m v^e thre scoir sewintene

¹ The tenement here referred to appears to have been that which was gifted to the master of the Grammar School by Simon Dalgleish, pre-

centor and official of Glasgow, on 20th January, 1460-1. See Glasg. Charters, vol. I., pt. ii., p. 436, No. 28.

yeris, befoir thir witnessis, Mr. Henrie Gibsoun, court clerk of the burgh of Glasgw, James Gibsoun, redar at Mekle Govane, Robert Flemyng, merchand, and Thomas Huchesoun, baxstar, burgessis of Glasgw, and John Stevin, merchand, burges thair. We, Robert Huchesoun and Katharine Allanesoun, with our handis at the pen, led be the notar underwriting, etc. Ita est. David Wylie, notarius publicus in premissis, sua manu teste. John Stevin, witnes.

XLI.

EXTRACT from the Act Book of the Barony Court of Glasgow as to Henry Gibsoun's portion of the lands of Lwnyngishauch. Glasgow, 20 November 1577.

The court of the baronie and regalitie of Glasgw haldin in the Castell and Paleis thair of be ane nobill and potent lorde, Robert lorde Boyde, baillie principall of the said baronie, Thomas Craufurde of Jordanhill and George Elphinstoun, his deputtis, the xx daye of November the yeir of God j^m v^o lxxvij yeris. The sutis callit, the court confermit; dempstare, Johnne Andro. The quhilk daye, the allegationes of party being harde, the baillie principall foirsaid and his deputtis decernit maister Henry Gibsoun as rentaler of the saxt parte of Lwnyngis [haucht], extending to tu[elf] aker of land, quhairof David Mayne, Cristiane [Cottis, Andro Dunlop] and Marioun Ros hes the rest, to have breid and ourlair, daill and divisoun, conforme to the use of the baronie, and ordanis to that effect the sworne men of the warde, witht ane mettare, to pas and performe the samyn incontinent. Extractum de libro actorum curie baronie Glasguensis. [Subscribed:] George Elphynstoun.

XLII.

CONTRACT among the Rentallers, Widows, Tenants, and Occupiers of the lands of Lunyngishauch. Glasgow, 8 March 1577-8.

It is aggreit betuix and amang the rentalaris, wedowis, tenentis and occupiaris of the landis of Lunyngis haucht, subscryvaris underwrittin, that forsamekill as maister Henry Gibsoun, ane thair of, hes obtenit breid and ourlair, daill and divisoun of his

pairt thairof, stobbit and merchit be the suorne men of the baronie according to his rentall, yit he at the desyre and requeist of his remanent nyctbouris thairof, contractaris, is content to hald him witht and only occupie samekill thairof in this yeir approcheing and crop of the lx aughtene yeir only as he occupeit the yeir preceding, upone the conditioun and promeis following, to wit, that all the saidis haill rentalaris, wedowis and occupiaris of the said Lunyngis haucht ar content and consentis for all thair weillis that the said Lunyngis hawcht, betuix the loyne on the northt and Clyd on the southt, be delt and devydit in aikeris that thai maye be teillit and extend fra the northt to the southt, quhair of befoir thai yede fra the eist to the west, sua that ilk ane of the rentalaris or wedowis maye have and gett thair parte, offering to thair rentall, be outt or casting of cavillis, as it salhappin to fall and be devydit be sycht of the suorne men of the warde and ane mettar. Quhilk thai obleis thame to caus be done on the expensis ilkan effering to the quantitie of thair lande, betuix and Mertimes nirtocum at the fardest, or sa sone as the nirt crop salhappin to be innit of the grund; and that ilk aiker thairof be stobbit and marchit be the self, sua that than ilkan of thame may have, knaw, and lawbour samekill as sall fall to thame be cavill. And gif ony of thame happenis to repyne and nocht consent to the premissis and divisoun to be maid as said is, or to paye thair parte of the expensis to be maid thairupoun, thay sall incur coist, skaitht and dampnage that the remanent keiparis may sustene thairthrow, and by that to paye all the expensis to be maid thairupone. And that the samyn, nor yit thir presentis sall nocht hurt bot thay may persew thair awin rycht, and hes gevin thair aithtis nocht to contravene this present appoyntment, under the pane of infamie. And attour Sir David Mayne, ane of the rentalares thairof, obliasis him to caus the said maister Henry be payit of the malle and dewitie of the peice land occupeit be Johne Patersoun of the saidis yeir and crope of threscoir aughtene nirt, at the termes usit and wont, but fraud or gile. In witnes heirof thai have subscriyvit thir presentis as followis, at Glasgw, the aucht daye of Marche, the yeir of God j^m v^o lx sevintene yeris, befoir thir witnessis: James Mayn, Archibald Andersoun, James Woddrop. [Subscribed:] Sir David Mayne, with my hand. James Lyoune, for me and Maryoun Ros, my spous, with my hand. Maister Henry Gibson, ss^t. [Indorsation:] xxiiij Octobris 1578. Comperit Sir David and wes content to abyde at the contract within writtin, in all poyntis; and thairfor the baillie ordanis it to be fulfillit, or ellis breid and ourlair, conforme to the use of the baronie gif the rest disassentis. [Subscribed:] Mynto, youngar.

XLIII.

DECREET of Division pronounced by the sworn men of Partick Ward as to the lands of Lwnyngishauch. Glasgow, 19 and 20 November 1578, and 28 January 1578-9.

We, Johne Andersone in Walkmylne, Johne Huchesone in Garbraid, Patrik Matho in Balschagry, and Robert Cors in Partik, suorne men of Partik Warde, within the baronie of Glasgw. At the command of ane honorabill man, Matho Steward of Mynto, youngare, ane of the baillies of the baronie of Glasgw, be his hand writt, past to sicht and decyde the complaynt of nychtbourheid maid be maister Henry Gibsoun aganis Sir David Mayne, Cristene Cottis, relict of umquhill Andro Dunlop, Marione Ros, and James Lyounne, hir spous, rentalaris and wedois of the landis of Lwnyngishaucht, be the quhilk the said maister Henry desyrit breid and ourlair, daill and divisoun, of samekle thairof as pertenis to the saxt pairt of the samyne, conforme to his rentall and the use of the barony; and we, at the said maister Henryis requeist and the baillies ordinans, first inquyrit at the said haill persones gif thai wald be content that the landis wer stobbit in aikeris, south and north, quhilk wer befoir fra east to west, and ilkane of tham to tak thair cavill as thai fell, conform to the last appointment maid betuix tham; quhilkis all wer content except the said Crestene Cottis, quha had the thrid pairt thairof this year guddit, quha wald nocht aggrie thairto nor yet subscrivit the said appointment. Thairfor we, at the said maister Henryis sute, desyring breid and ourlair, first causit mesour the haill haucht and landis thairof and als every anes pairt of the samen be the self, be Thomas Clidisdale, in our and the said pairteis presence, and be the samyn mesoring fand every ane of the said persones, except the said maister Henry, to have thair awin pairtis, conforme to thair rentall, and mair, and fand the said maister Henry to want of his saxt pairt thairof, quhilk suld be twa aikeris, as the rest, extending to half ane aiker xij faw les; and thairfore, conforme to the use of the said baronie, we mesourit and laid of to the said maister Henryis pairt the said half ane aiker xij faw les land that he wantit viz., the maist pairt of the samyn at his south side, nerrest the landis occupeit be the said Marioun, and the rest thairof at the watter-syde; quhilk extendit, bayth of gude and evill, as the rest of the nychtbouris hes. And we merchit, stobbit and sett and imputt merche stanes thairinto, and siclik merchit and stobbit the remanent nychtbouris landis thairof, input stanes thairintill and maid every ane alyk, conforme to thair rentales, conforme to our consciens, and according to the use of the baronie. And ordanis the saidis rentalleris and wedois

and tennentis to desist and ceis fra trubling of the said maister Henry and his in the bruiking of the said pairt stobbit to him bot to suffer him peceablie to occupie and jois the samyn for his pairt of the saidis landis, accordyng to his rentall, in all tymes cuming. And siclik ordanis the expens maid on ws and the mettaris, with the mair of fee this yeir, being twa dayis thairon, extending to xlvij s. money, to be payit be the saidis persones, offering to the rate of thair land. And als we testife that the said maister Henry, the yeir preceding quhen it wes stobbit, maid alsmeikle expens thair-upon, quhilk we ordane to be payit be tham lykwys to him as said is. And this last sichting, mesoryng and stobbing we did on the grund of the said landis the xix and xx dayis of November, the yeir of God j^m v^o lxxviij yeiris. In witnes heirop we have subscrivit this our decrete as followis, and als the said Thomas, mettar, the xxviij day of Januar, the yeir of God foirsaid, befor thir witnes, James Mungumry, Barthilmo Mungumry and Walter Gray, notar, with wtheris divers. [Subscribed:] I, Johne Andersone, with my hand. I, Thomas Clidisdall as witnes and mettar. Ita est. Walterus Gray, notarius publicus in premissis per dictos Johannem Huchesoun et Patricium Mathow, requisitus, manibus suis calamum tangentibus, teste manu propria. [Indorsed thus:—] xx Martii, 1578. The baillie, the allegationes of party being harde and be declaratioun of the inqueist, interponis his auctorite to the decreit within writtin, and ordanis the samyn to be fullit in all poyntis conforme thairto. [Subscribed:] Mynto, younger.

XLIV.

NOTARIAL Instrument on Grant by Sir Mark Jamesoun, vicar of Kilspindy, to the Master of the Almshouse and the Court Clerk of Glasgow of an Annualrent of 14s. for collecting and distributing certain endowments. Glasgow, 28 February 1581-2.

In Dei nomine, Amen. Per hoc presens publicum instrumentum cunctis pateat evidenter et sic notum quod anno Incarnationis Dominice, millesimo quingentesimo octuagesimo primo die vero mensis Februarii ultimo. The quhilk daye, in presens of me notar and witnes underwrittin, personalie constitut Mark Jamesoun, vicar of Kilspindy, quha declarat that he, followand the gud will and mynd of umquhile his

mother brother, John Panter, sumtyme maister of the sang schule and organist in the queir of Glasgw, hes dotit, gevin and foundit five poundis money of annuelrent, yeirlie, to be uptane in tymes cumyng furth of his place and orchart, liand outwitht the Stabil-greyne Port, within the territorie of Glasgw, quhilk is sett in fewferme to maister David Rollok of Powhous, Marioun Levingstoune, his spous, and maister Robert Rollok, thair sone, in heritage, as the few chartour thairof and the foundatioun in the self proportis. Quhilk five pundis money is to be gevin and distributit in all tymes cumyng as followis, that is to saye thrie pundes money thairof to the tuelf pwir men in the foir almoushouses of Glasgw, foundit be umquhile bischop Andro Mwirheid, bischop of Glasgw, twenty schillingis to the four pwir men in the bakhous of the said almoushouses,¹ and twenty schilling to the lipper folk beyond the brig; as the said fundatioun and evidentis maid thairupoun (quhilk ar putt for swir keiping in the commowne kist of the towne of Glasgw) at mair lenth proportis. And to the effect that the said five pundis money suld yeirlie be uptane and upliftit furth of the said place and distributit to the pwir, as said is, the said Mark, haveand confidence that the maister of the said almoushouse and the court clerk of the towne of Glasgw suld be men of honestie and gud conscience, thairfoir hes maid and creat thame to be collectouris and uptakeris of the said five pundis money yeirlie and to distribute the samyn in maner foirsaid, quhais conscience he burdennis as thai will ansuer to God gif thai be negligent in doing thairof. Quhilkis maister of the said hospitale and towne clerk of Glasgw heirefter specifeit being personalie present acceptit the said office upone thame and band and obleist thame and thair successouris faithfullie thairto. And for thair labouris and travellis hes appoyntit to thame fourtene schillingis money yeirlie, viz., to ilk ane of thame sevin schillingis; quhilk fourtene schillingis of annuelrent the said Mark coft fra Hector Stewart, baillie of Glasgw, and Alisoun Hall, his spous, yeirlie to be uptane of ane borne pertenyng to Johne Woddrop, burges of Glasgw, now presentlie occupeit be him, liand in Sanct Teneuis gate, on the north side thairof, betuix the borne of umquhile Williame Marxuell on the west, the borne of umquhile Patrik Andersone, merchant, on the eist, the Lang Croft landes on the north and the commoun streit on the south partis; and that for ane certane sounge of money actualie payit and delyverit be the said Mark to the said Hectour and Alisone; off the quhilk thai held thame wele contentit, assythit and payit,

¹ The back almahouse was deserted in or before 1600, and on 23rd August of that year the town council "ordanit the haill stanes of the rwinus deokayit fallin doune bak almoushouses pertenyng to the towne" to be given for rebuilding the Grammar School and other purposes, the

vacant ground being assigned to the four men formerly dwelling in the house (Glasg. Records, I., p. 210). On 21st December, 1611, the town council directed the revenues to be divided equally between the Merchants' and Crafts' hospitals (*Ibid.*, p. 325).

and thairof exonerit and dischargit the said Mark for now and ever; and thairfor the said Hectour and Alisone, beyng in state and seasing of the said annuelrent of fourtene schillingis money, the said Hectour and Alisone, with ane consent, resignit and simpliciter dimittit the said fourtene schillingis of annuelrent, yeirlie, to be uptane of the said borne, liand as said is, in the handes of Robert Stewart, ane of the baillies of Glasgw for the tyme, in favouris of Bartilmo Symson, maister of the said almoushouse, and Mr. Henry Gibsone, court clerk of the towne of Glasgw for the tyme, and thair successouris, be delyverance of heep and staple, as use is; quhilk resignatioun being maid be the said Hectour and Alisone, as said is, the said Robert Stewart, baillie foirsaid, gave heretable state and seasing, and als actuall, reall and corporall possessioun of the said fourtene schillingis annuelrent, yeirlie, to be upliftit furth of the said borne, as said is, viz., seven schillingis thairof to the said Bartilmo, and his successouris, maisteris of the said hospitale, and sevin schillingis to the said Mr. Henry and his successouris, court clerkis of the towne of Glasgw, be delyverance of heep and staple of the said borne. Super quibus premissis dicti Bartholomeus, magister Henricus et Marcus, hinc inde et respective, a me notario publico subscripto, ipsis fieri et cuilibet eorum petierunt et petiit instrumentum unum et plura. Acta erant hec super solum dicti horrei, horam circiter tertiam pomeridianam vel eo circa, sub anno, die et mense quibus supra. Presentibus ibidem: Macolmo Stewart, Thoma Gilcresoun, civibus Glasguensibus, Gavino Litaljohnne, servitori dicti Marci, Johanne Pawtoun, et Roberto Lettrik, officiariis, testibus ad premissa, vocatis et requisitis.



Et ego vero Archibaldus Eglyngtoun, clericus Glasguensis civitatis, autoritate regali, notarius publicus, ac per dominos consilii, secundum tenorem acti parliamenti, admissus; quia premissis, omnibus et singulis dum sic ut premittitur dicerentur, agerentur et fierent, unacum pre-nominatis testibus presens per-

sonaliter interfui; eaque omnia et singula sic fieri et dicti, vidi, scivi, audiui ac in notam cepi; ideoque hoc presens publicum instrumentum, manu mea propria fideliter scriptum, exinde confeci, signavi et subscripsi, in fidem et testimonium veritatis omnium et singulorum premissorum, rogatus et requisitus.

[The foregoing was one of the documents which Sir Mark Jamesoun, on 18th July, 1590, "delyverit in ane litill box, to be keipit in the commoun kist." It is written on one side of a large piece of parchment, and on the other side are the "sex instrumentis of seasingis, all in ane parcheament skyn," containing an endowment of 41 s. yearly to the Leper Hospital, and delivered by Sir Mark at the same time (see Glasg. Rec., vol. i., pp. 155-6). These six instruments (1566-79) are as follow:—

(1) Copy of the Instrument of Sasine, endowing the Leper Hospital with an annual-rent of 6 s., dated 11th March, 1566-7 (printed *antea*, pp. 532-4). The copy is authenticated by Robert Herbertsoun and Henry Gibbsoun, notaries public.

(2) Notarial Instrument, dated 20th May, 1572. Andrew Burrell, burgess and citizen of Glasgow, sold to Sir Mark Jamesone, vicar of Kilspindie, an annualrent of 6 s. payable furth of a tenement, fore and back, and a rig of land adjacent thereto, sometime belonging to George Park and now to George Smyth, lying in the burgh of Rutherglen, in the Northgait (*vico boreali*) thereof; between the common vennel on the west and the lands of Allan Fary on the east. Thereafter Sir Mark resigned the annualrent in favour of the poor of the hospital situated at the south end of Glasgow bridge (*pauperum domus hospitalis propius australem finem pontis Glasguensis situati*), in perpetual alms. Sasine given by Macolm Pynkartoun, one of the bailies of Rutherglen, to Thomas Johnsoun, one of the said poor, for himself and in name of the others. Witnesses: John Cors, Thomas Flemyng, burgess of Rutherglen, and Gavine Lilitjohne. Robert Cunynghame, priest of the diocese of Glasgow, notary public by holy apostolic authority and admitted by the lords of council.



(3) Notarial Instrument, dated 1st May, 1572. Andrew Burrell, citizen of Glasgow, for securing prompt payment of the annualrent contained in No. (2), resigned in favour of the poor lepers and their successors, in warrandice, his houses, lands and orchard,

lying on the south side of the burn of Malyndoner, between the said burn and the lands of Alexander Legate. Sasine given by James Flemyng, bailie, to Sir Mark Jamesoun, in name of the said poor in warrandice as aforesaid. Witnesses: Andrew Dalzel, John Andersoun and Gavin Litaljhone. Robert Cunynghame, notary.

(4) Notarial Instrument, endowing the Leper Hospital with an annualrent of 10 s., dated 26th August, 1572. See Abstract printed in Glasgow Protocols, No. 1876; also *postea*, p. 609, No. 14.

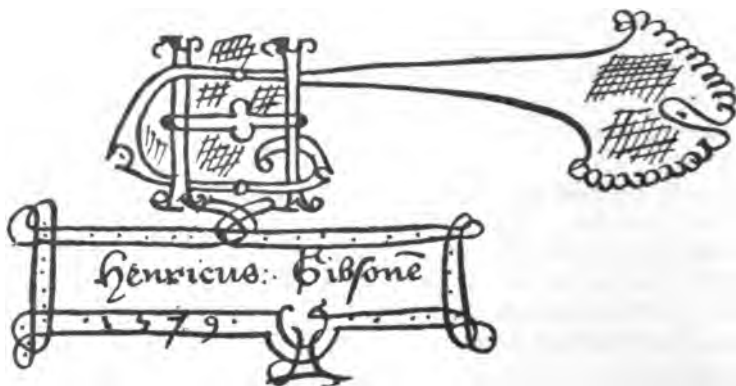
(5) Notarial Instrument, endowing the Leper Hospital with an annualrent of 8 s., dated 18th July, 1576. See Abstract printed in Glasgow Protocols, No. 2310; also *postea*, p. 609, No. 16.

(6) Notarial Instrument, dated 30th May, 1579. Alisone Blakburne, daughter of the late Archibald Blakburne, and spouse of William Smyth, citizen of Glasgow, in consideration of a sum of money paid to them by Sir Mark Jamesoun, vicar of Kilspindie, and in name of the poor aftermentioned, and in alms, resigned in favour of the poor lepers dwelling in the hospital, situated on the south side of the bridge of Clyde, an annualrent of 11 s. Scots payable furth of a tenement belonging to John Brwme, flesher, lying in the city of Glasgow, on the north side of the Troyngate, between the lands of Nicholas Andro on the east and the lands of the late Eduard Loutheane on the west. Sasine given by David Lyndsaye, bailie, to Andrew Browne, one of the lepers of the said hospital, in name and on behalf of the poor lepers. Witnesses: John Brwme, James Lennox and John Wallace, citizens.

The following docquet is appended to No. (6), similar docquets being appended to Nos. (4) and (5):—]

Et ego vero Henricus Gibsoun, artium magister, clericus civitatis Glasguensis, auctoritate apostolica, notarius publicus, act per dominos consilij, juxta tenorem acti parliamenti admissus; quia premissis omnibus et singulis dum sio ut premittitur dicerentur, agerentur, et fierent, unacum prenominatibus testibus presens personaliter interfui, eaque omnia et singula premissa sic fieri, vidi, scivi et audiui, ac in notam cepi, ex qua hoc presens publicum instrumentum, manu alterius me aliis occupato negotiis fideliter scriptum, exinde confeci publicavi et subscripsi signoque, nomine et cognomine meis solitis et consuetis

signavi, in fidem, robur et testimonium veritatis omnium et singulorum premissorum rogatus et requisitus.



And truly I, Henry Gibsoun, master of arts, clerk of the city of Glasgow, notary public by apostolic authority, and admitted by the lords of council conform to the tenor of an act of parliament; because I was personally present with the before-named witnesses while all and sundry the premises were said, transacted and done as is before mentioned; and the said premises, all and sundry, so done I saw, knew and heard, and I took a note thereof, from which I have made, published and subscribed this present public instrument, faithfully written by the hand of another, I being occupied with other affairs, and I have signed the same with my usual and accustomed sign, name and surname, in faith, strength and testimony of the truth of all and sundry the premisses, being asked and required.

XLV.

SUPPLICATION by Mr. Henry Gibsoun, on behalf of himself and the other feuars of Lwningishauch, as to altered course of Malyndoner Burn; with deliverances by the Provost and Bailies thereon; and Decree by the Liners of the Town and the sworn men of Partick Ward.¹ Glasgow, 10 and 16 April 1596.

(1) SUPPLICATION.

My lord prouest, baillies, etc. Unto your lordshippis humlie menis and complenis I maister Henry Gibsoun, for myself and in name of the remanent fewaris of Lwningishaucht upoun Jonet Blair relict of umquhill Johne Muir in Briggate, Johne Riche, cowper, Patrik Snodgers, Cristine Fultoun, James Tailyeour alias Dunlop, elder, that quhair I have pertening to me the saxt pairt of Lwnyngishawcht, nixt adjacent to the burn of Malyndoner, quhilk be inundatioun of spaittis hes tane fra my land ane greit quantitie. And the saidis persones on the uther syd of the burn thir divers yeiris bigane hes appropriat ane grit quantite of my land to thair yairdis, and namelie the saidis Jonet Blair and Johne Riche and Patrik Snodgers and Cristene Fulton this yeir of new by the boundis of thair yairdis hes holkit my land and tane, maid up greit fowseis heychtand the samyn to my and my nyctbouris greit danger and takin our land to tham as may be sene. Desyring your lordshippis to decerne tham in the wrang thairfoir and to decist fra the samyn. And that your lordshippis lynieris with the suorn men of the waird quhair our land lyis concour sicht visie and decyd this our complaint of nyctbourheid conform to auld use and justice: And your lordshippis ansuer, etc.

(2) DELIVERANCE BY PROVOST AND BAILIES.

Die xvj^{to} Aprilis, 1596. The quhilk daye, the provest and baillies, efter warnyng maid to the parteis defenderis within writtin, ordanit certane lynieris of the towne to concour with the sworne men of the warde of the baronie, and to visie, sicht and decyde upoun the complaynt within specifeit, and to sett down and put in forme thair decreit thairanent within xv dayis nixt; and in the meanetym ordanis the officeris to mak fensis that na forther salbe maid at the end of the yairdis, in forme of law. (Subscribed:) Mynto, k^t.

¹ See also Glasgow Protocols, No. 1654.

(3) DECREE BY THE LINERS OF THE TOWN AND SWORN MEN OF THE WARD.

At Glasgw, the tent¹ daye off Apryll, the yeir of God j^m v^c four scoir saxtein yeiris. Forsamekill as the complaynt of nychtbourheid contenit in the supplicatioune gevin in befor the provest and bailleis of Glasgw be maister Henry Gibsone againis Jonet Blair, relict of umquhill Johnne Muir in Briggate, John Richie, cowper, Cristiane Fultoune, relict of umquhill Williame Howe, Margaret Carnis, relict of umquhill Williame M'Littister, Patrik Snodgers, fischer, and thair uther nychtbouris, bering in effect that quhair the said Mr. Henry having twa aikeris land in Lwningshaucht nixt adjacent to the burne of Malyndonar, and the saidis persones and thair nychtbouris hes tenementis and yairdes on the uther syde of the burne; quhilk burne hes waschin awaye ane greit parte of the said Mr. Henrys land and cuttit the same, settand oure ane greit quantitie thair of to the syde quhar the saidis persones yarde wer; quhilk peices of ground of his land the saidis persones hes appropriatt to thameselfis and thair yarde, dyikit, sawin and lawbourit the same, and speciallie this instant moneth the said Jonett Blair hes maid wpe ane greit peice yarde and holkit wpe his land to performe the same, sawin hemp and utheris seidis thairon sett plaintis; lyik as the saidis Johnne Richie, Cristiane Fultoune, Patrik Snodgers, and utheris abonewrittin, hes dyikit in, sawin and laboring the partis thair of at thair yarde endis, purposeand to seclude the same fra him and to appropriat the same to thame and thair yarde, maist wrangualie; desyryng thame to be decernit in the wrang thairfore, and to lay of the same agane to him, decist and ceis thairfra, and to suffer him bruik and jois the same as ane parte of his saidis landis perteing to him heretable; as the bill at meir lenth beris. Quhilk be reasoune the same complaynt wes betuix tenentis of the barony and burght of Glasgw, the said bill wes referrit to certane lyners of the towne and certane of the sworne men of Partik warde, to be sichtit and decydit be thame as direct thairto be the provest and bailleis foirsaid. We the lyners of the towne and sworne men of the said warde, subscryveares onderwrittin, efter sighting and viseing of the saidis landis perteing to the said Mr. Henry and peceis thair of taine and waschin awaye be the said burne, and the same tane in be the saidis persones to thair yarde endis and maid new yarde thair of, sawin hemp, sett caill and uther plantis, and fand the same new dyikit in and maid outwith the stobbis quher the same wes stobbit, and specialle the saidis Jonet Blair, Johnne Richie, Cristian Fultoune and Patrik Snodgers, by and outwith the stobbis of auld sett betuix thame: Thairfor fand thame in the wrang for doing thair of; and decernit and ordanit the same peices land, and taine in be thame to thair yarde endis, to apperteyn to the

¹ This date, which had originally been left blank, is six days before the date of the deliver-

ance authorising the liners to meet with the sworn men. One of the dates seems to be wrong.

said Mr. Henry and his saidis landis, and thame to decist and ceis fra dyiking in, useing or labouring of the same, and to tak doune thair dykis maid for taking in thair of; and the said Jonet Blair to full upe the hoill maid be hir, and thame all to leiff of the peices outwith the stobbis taine in be thame as said is and to suffer the said Mr. Henry, be himself, and utheris in his name, to peceablie occupy the same and intromett thairwith as with his awin proper, in all tymes cumyng. Requiesting the provest and bailleis foirsaid to interpone thair autorite heirto for fulfilling and executioun thair of as efferis. In witnes heirop we have subscriyvit thir presentis as followis:—David Hall. John Scott. Ar^d. Faullis. Matthrow Trumble. James Braiduid. Ita est. Robertus Harbertsone, notarius in premissis requisitus de mandatis Richart Woddrope in Dal-marnock et Joannis Huichesone in [Gar]braid, scribere nescentium, manibus suis ad hoc calumum tangentibus, manu propria scripsit. (At the burgh court held on 27 July, 1596, the bailies interponed their authority to the foregoing decree, “and ordanit thair officeris to pas and put the same to executioun.”)

XLVI.

DECREE by the Liners of the Town of Glasgow as to Properties adjoining the New Kirk. Glasgow, 31st August 1596.

Die ultimo mensis Augusti, 1596.

The quhilk daye, anent the complaynt maid be Archibald Eglington aganes Johne Ros in Troyngate befor the baillies of Glasgu, makand mentione that quhair he hes ane tenement pertenyng to him heritable besid and nixt to the said Johnes tenement, and of auld the drop that fell af the said Archibaldis tenement, as also the tofallis of the New Kirk, past awaye eistwart; and throw the said Johnes downetaking of ane wall that wes biggit betuix the west nuik of his back tenement and the foirhous, he and his tenentis appropriatis to thame the rounge betuix the kirk gavill and tofallis and his back aidwall gadderis myddinges of fulze thairon, and maks ane commone jaxis thair of, dammys the watergate and cawsis the same cum throu the tofallis and

the said Archibaldis foir hous, to his havie damage and skayth, as at mair lenth wes contenit in the bill gevin in thairupone; quhilk being callit in court, upone the xxiiiij daye of August instant, the decisioun of the saidis complaynt wes referrit to ws, lyners of the toun, undersubscriveris, conforme to the quhilk directioun we past to the grund of the saides landes in presens of Williame Conynghame, baillie, and efter we had sichtit the same and had tane mature deliberatione, we fand that the said Johne had gadderit myddinges of fulze betuix the kirk gavill and tofallis thairof, and the said Johne his back sidwall, quhilk dammys the watergate and cawsit the same hurt baith to the said Archibaldis tenement and the tofallis of the kirk; and thairfoir we ordane the said Johne Ros, with all diligence, to remove his myddinges, clenge the said rowme, and hald it clengit of him and his tenentis in tyme cumyng, as nawayes belanging to him bot to the kirk and tofallis thairof, that the watter may pas that waye as it wes wont, except onelie ane passage to ane dur to cleinge his jaxis quhen neid beis, and to that effect we ordane the said Johne Ros to big up and hald up ane sufficient dur, lockit and bandit, betuix the west part of the north gavill of his back tenement and the foir hous direct northwart, and not to be oppinnit bot at sick tymes as neid requyris for clengeing of his jax of his back tenement allanerlie. And this our decreete of lyming we report to the said bailleis, desyrand thame to interpone thair auctoritie heirto, that executione may pas thairupone. In witnes quhairof, we the saidis lyners hes subscrivit thir presentis with our handis, daye, yeir and moneth foirsaid:—David Hall. Mathow Trumbill. Johne Scott. Archibald Faullis.

XLVII.

RENTAL of Lands in Garngadhill, etc.; and Act of the Magistrates and Council of Glasgow thereanent.¹ Glasgow, 3 December 1600.

The rentall of the landis of Garnegadhill, Skellingsmyr, and utheris, of the swmes debursit to the reparatiounes of the Grammer Schole for the superplus of thair landis

¹ Printed from Burgh Court Book and Council Record, 1598-1601.

tane in of the commountie mair nor thair boundis excedit; set doune be the provest, bailleis and counsale, conforme to the ordinance onderwrittin.

NORTH SYDE OF GARNEGADHILL.

William Neilson, thre half aikers xxx s.
 Charlis, half ane aiker ... xvi s.
 Effie Kinkaid, ane aiker ... xvij s.
 Thomas Snype, half ane aiker ... xvi s.
 William Andersone, half ane aiker xvij s.
 John Watstone, half ane aiker ... xvij s.
 William Hervy, thre half aikers xvi s. 8 d.
 John Drew, thre half aikeris ... xxx s.
 Mathow Watstone, half aiker ... xvi s.
 William Andersone, half ane aiker xvi s.
 Mathow Watstone, half ane aiker ... xvi s.
 John Watstone, half ane aiker ... xvi s.
 William Neilson, half ane aiker ... xvi s.
 John Drew, thrie half aikers ... xxx s.
 John Cochren, thre half aikeris ... xxx s.
 Thomas Snype, half ane aiker ... xvi s.
 Marioun Neilson, iij half aikeris ... xl s.
 John Boyill, ane aiker ... xvi s.
 William Neilson, half ane aiker ... xvi s.
 Johne Young, tua aikeris ... l s.
 Robert Craufurde, half ane aiker ... xvi s.
 William Leyis, half ane aiker ... xvi s.
 William Quhitlaw, ane aiker ... xl s.
 Robert Glen, baxter, half aiker ... xvi s.
 James Hall, half aiker ... xvi s.
 John Galbrayth, iij half aikeris ... v li.
 Thomas Park, half ane aiker xxxij s.

Summa ... xxxv li vj s. 8 d.

SOUTHE SYDE OF GARNEGADHILL.

John Galbrayth, half ane aiker ... iij li.
 Thomas Park, thrie half aikeris ... v li.
 John Drew, half ane aiker ... xl s.
 Robert Cors, ane aiker ... iij li.
 Robert Cors and Andro Blackwod,
 ane aiker ... l s.
 William Wattersone, half aiker ... xvi s.
 James King, iij half aikers ... xxx s.
 James Hall, tua aikers and ane half v li.
 William Neilson, tua aikers and ane
 half ... iij lib.
 Thomas Park, half ane aiker ... xvi s.
 Charlis Wilson, half ane aiker ... xvi s.
 William Neilson, ane aiker ... xx s.
 Archibald Faullis, ane aiker ... xx s.
 Andro Blakwod and James King,
 ane aiker ... xx s.
 Robert Cors, half ane aiker ... xvj s.
 Jonet Wyle, half ane aiker ... xvj s.
 John Young, ane aiker ... xx s.
 John Bogle, half ane aiker ... xvj s.
 Mr. Johne Blakburne, half ane aiker xvj s.
 Johnne Young, half ane aiker ... xvj s.

Summa totalis ... xxxvij li viij s.

Item, Johnne Liddell and his sone, for the superplus of his thre aikers that
 was James Andersone, towne mylne ... xv li.
 Item, Conall Strutheris, for the superplus of his sax ruid land at the futt of
 Garnegadhill ... xxiiij li.

- Item, Jonet Wyle and Robert Cameroune, hir sone, for the super-
 plus of thair half aiker or thairby at the west syde of Garne-
 gadhill futt nerrest the commontie xxiiij li.
 Item, Thomas Blakwod for the superplus of the landis that was
 Michaell Litoljohnes nerrest the Freir Medow xxvi li xiiij s. viij d.

The quhilk daye, forsameikill as the provest, bailleis and counsale, having mony and sundry yeris bypast, be thame selff and the lymeris of the towne, sichtit and viseit the loynes of the Garnegadhill, and utheris, quhilkis at the first setting furthe was appointit to be xxx ellis breid, and fand the same to be tane in and diminisit be the occupeyares, possessouris and heritouris thair of; for the quhilk the saidis occupeyares and heritouris hes bein in convict in the wrang and unlawitt divers yeris, and the same unlawis ordanit to be applyit to the biggin and reparing of the Grammer Schole of the towne, and to be collectit to that effect be John Richie, cowper; and seying the saidis possessouris and heritouris of the same, for evading of all trouble or molestatioun to be suittit or done to thame or thair successouris in peceabill bruiking thair of in tymes cumyng, be the provest, bailleis and counsale of the towne, or thair successouris, thei be mutuall agreance hes condescendit in this maner, that the saidis provest, bailleis and counsall, onderstandand that it is not necesser that the breid of the loyne of Garnegadhill be sa meikill as xxx ellis, as wes first appoyntit, bot that it salbe only xij ellis breid in tyme cumyng, quhilk wilbe sufficient for that passage, as thai have mercheit, stobbit and sett stanes to that effect; and that the landis occupeit and pertenyng to John Liddell and Robert Liddell, his sone, quhilk of befor pertenit to umquhill James Andersone in Towne Mylne, and the landis occupeit and pertenyng to Conall Strutheris; and als the peice land occupeit and pertenyng to Robert Cameroune and Jonet Wyle, quhilk of auld pertenit to umquhill David Wyle, and the peice land occupeit be Thomas Blakwod, and of befor pertenyng to Michaell Lyitljohne, and sett in few to him be the said Michaell, quhilk lyis besyde the Freir Medow, having tane in ane peice of the commontie, or at the leist having mair boundis nor thair infetmentis buir, eftir the metting and missouring thair of, and that thai have payit sic sowmes particularle for the same to the use fairsaid: Thairfor the saidis provest, bailleis and counsall, for thame and thair successouris, ar content and consentis that the heritouris and possessouris of the saidis landis of Garnegaid, on bothe the sydes, stretche furth thair landis, ather haill aikers or half aikeris, as thai have, to the said mercheis sett for making and keiping it xij ellis braid foranent the same, use, labour and occupy the same in tyme cumyng; lykas the fairsaidis persones, heritouris and occupeyaris of thair partis and peices of landis, use the same with the rest of thair landis as thair

awin proper heritage in all tymes cumyng, bot ony further suitting, persewing, calling or trubling of thame and thair successouris thairfor for ever; renunceand all actiounes or pley be law or by law that the saidis provest, bailleis and counsall, or thair successouris in thair rowmes, maye have or move againes the saidis heritouris and occupyaris of the saidis landis onywyise for the same at ony tyme heireftir. And gif neid be that ony heritour requiris seasing of thair pairt thair of thair sall ane baillie pas at thair desyre and geve thame seasing of the same, as salbe requirit, to the quhilk the saidis provest, bailleis and counsall gevis commande thairto; for the quhilkis premissis the saidis heritouris, occupeyares and possessouris, ilk ane for thair awin partis, hes payit to the said John Richie, collectour, the soumes of money appointit and sett doune upon thame be the saidis provest, bailleis and counsall, to be bestowit as said is, conforme to the roll maid and gevin to that effect; and ordanes the heritouris of the lands to paye the soumes appointit for the heritabill rycht thair of only, by the unlawis, and the saidis heritouris to allow the samen in thair fermes for thair releiff, as the sammin roll of the saidis soumes, contenit in roll writtin on the bak of thir presentis, beirs.

XLVIII.

LETTER from the Provost, Bailies and Council of Glasgow to King James VI. asking help to prevent the decay of the Metropolitan Kirk, Bridge and River. Glasgow 11 November 1609.¹

Most gracious Soveran: It may pleis your most sacred Majestie,—Wee, your hienes subjects, upone regard we haif nocht onlie to our selfis, bot cheiflie to your Majesteis honour and renown, quhilk nocht onlie is famous by your hienes singular virtewis in mynde and actioun, bot lykewyse by the monumentis of your hienes realme within burrowis, amangis quhilkis our Metropolitan Kirk, brig and river, is nocht estemit the smallest, sa manifest and knawin to strangeouris and forein nationis, quha heirtofoir hes vewit and sein the same, ar compellit to direct this beirar, our ordiner pastour,² our commissioner to deploir and lament the apperand decay and rueyn thair of, with maist submiss humill hartis and myndis to craif your Majesteis help and supplie thairto,

¹ The letter is preserved among the Balfour of Denmilne MSS., in the Advocates' Library, Edinburgh. 3311, vol. III., No. 33.

² "Maister Robert Scot, ordiner minister of this town," was the commissioner (See Glasgow Records, I., p. 308).

without the quhilk (to our grit greif) thais honourabill monumentis and werkis of this your hienes auncient kingdome will decay, as this our commissioner will mak mair manifest and knawin to your Majestie. Maist humelie will then intreit your hienes to pietie the decay of sik magnifique ornamentis, and for help thair of to grant us your hienes supplie be sik meanis as your Majestie sall think maist readie and convenient; by doing quhair of wee ar assurit your hienes sall first honour God, quhairupone will follow your Majesteis honour and prais, and we enforcit to incres our daylie prayer for your hienes blissit estait heir and eternallie. Leifing farder to our commissioner, with humill hartis kissing your Majesteis handis, and praying God for your hienes lang and prosperous regne with incres of mony kingdomes, wee commit your Majestie to His blissit protection. Your Majesties maist humill subjectis, the provest and bailleis and counsell of Glasgu, be thair commoun clerk. (Sealed and subscribed:) A. Heygait. Glasgu the xi of November, 1609. (Addressed:) To His most excellent Majestie.

XLIX.

AGREEMENT between William Sommer, merchant, and Mr. Hew Eglyntoun, as to their Tenements in Trongait. Glasgow, 28 July 1613.

Apud Glasgow die vigesimo octavo mensis Julij anno Domini 1613. The quhilk day, Williame Sommer, merchand, burges of Glasgow, on the ane pairt, and Mr. Hew Eglyntoun, on the uthir pairt, mutuallie aggreis on this maner concerning the said Mr. Hew his gavill of his tenement in Tronegait, nixt adjacent to the said William his tenement thair, the said Mr. Hew grantis licens to the said William to draw the paittis of his gavill, rais and big the same to sic heicht as he pleissis, and to raggall his sclait ruif thairintill, provyding the said William mak the twa chymnayis in his said gavill sufficientlie raisit and buskit abone with sufficient work and paittit according as thai ar presentlie situat for passage of the reik, and to mak his tenement in als gud estait in thak and rigging as the said William sall demoleis the samyn. And the said William to clame na farder privilege in the said gavill in na tyme cuming forder nor present privilege grantit to him be the said Mr. Hew. And that the stane stair extending to the said Mr. Hewis tenement be nawayes hurt nor alterit in tyme cuming, nor na privilege thair of, bot that the same may remane as it presentlie is biggit without onie

alteratioun. And for this caus the said William hes presentlie payit to the said Mr. Hew auchtein pundis money. And this present appoyntment the said William Sommer and Mr. Hew, be thir presentis, for thame, thair airis and successouris to the saidis tenementis, bindis and obleissis thame to observe, fulfill and keip to utheris in all thingis as is abonewrittin, but brek or violatioun, for ever. And thir presentis to be registrat in the buikis of the dein of gild his court of the said burgh, thairin to remane *ad perpetuam rei memoriam*; and to that effect constitutis (*blank*) thair procuratouris. In witnes quhairof this present, writtin be John Craig, notar in Glasgow, the saidis parties hes subscriyvit as followis, at day, yeir and place fairsaid, befor thir witnesses: James Bell, dein of gild, Archibald Faullis, Michael Broun, Mathow Sympsoun, merchandis, burgessis of Glasgow, and the said John Craig, notar. (Here follow signatures.)

L.

CERTIFICATE by the Provost, Bailies and Council of the Burgh of Linlithgow as to delivery of the FirLOT and other measures to the Burgh of Glasgow. Linlithgow, 12 August 1618.

We, the provest, baillies and counsell of the Burgh of Linlythgw, in quhaes custodie the measoure of the FirLOT was committit of auld, and being ordaineit be his Hienes lait act of parliament, maid wpoun the aucht day of Junij, 1617,¹ to give furth to the borrowes of his Majesties kingdome, and all wtheris his Majesties liegis, the said measoure of the firLOT as we sould be requyrit, of the forme and quantitie following, conforme to the said act of parliament, testifies be thir presenttis that we have givin furth to the burgh of Glasgow twa measoures of the said firLOT, keipand the measoure of wydnes, braidnes and thicknes of the stop, conforme to the said act of parliament in all pointis; ane thairof, quhilk is the auld straik firLOT for metting of quheit, ry, beanes, peas, meill, quhyt salt, and such wther stuff and victuall as, befor this tyme, hes bein in use to be measoureit be straik met within this kingdome, containing in wydnes and braidnes, under and above, evin owir within the buirdis, nynteine inches ane saxt pairt of ane inch, and in deipnes seven inches and the thrid pairt of ane inch, and the stop

¹ See Acts of Parliament, vol., IV., pp., 586-9.

thairof conteining ane inch in thicknes; with peck, half peck and fourt pairt peck effeirand thairto, the bottome quhairof croceit with iron naillit to the same and to the ring of the said firlof; and the edge of the bottome entiring within the laiging is pairit outwith towardis the nethir syde, and is maid inwith plaine and just reulricht; the mouth quhairof is ringit about with ane girth of iron, inwith and outwith; and heaveing ane croce iron bar passing ower frome the ane syde to the wther, thriesquairit, the edge down and a plaine syde wp, quhilk gangis reulricht with the edge of the said firlof, and evirie squair thairof is ane just inch in braid, and conteining ane iron prick ane inch in roundnes, with ane shoulder wnder and abone, rysing wp richt out of the middis of the bottome of the said firlof and passing throw the middis of the said ower croce bar, rooveit baith wnder and abone, the ring straik of the quhilk firlof passis from the ane end of the said ower iron bar to the wther; and quhilk firlof conteines within it twentie ane pyntis and ane mutchkin of just Stirling jug and measoure, and is brint and seillit as followes, viz., with the mark of four crounes wpoun baith the sydes of the bottome thairof, with fyve impressiounes of the letter L wpoun the lippis thairof; togidder with ane peck conteining ane half peck on the bottome thairof, and ane fourt pairt peck effeirand thairto, markit as followes, viz., the peck is markit with the croun twys on the bottome and with the letter L four tymes on the lippis; and the half peck is markit lykwayes anes with the croun on the bottome, and with the letter L thrys on the lippis. And the said fourt pairt is markit anes with the croun on the bottome and with the lettir L thrys on the lippis thairof, and the bottome thairof is lykwayes markit with the lettir L twys on the lippis. And the wther of the saidis firloftis, quhilk is ane new firlof for metting of malt, beir and aittis, by straik, in all tyme cuming, conteineing threttie ane pyntis of just Stirling jug and measoure, and in wydnes and braidnes equall and conforme to the former firlof, and in deipnes ten inches and ane half inch, with peck, half peck and fourt pairt peck conforme, in proportioun to the same last firlof. Quhilk new firlof is aggrieabill in forme in all wther respectis with the said auld straik firlof abonewrittin, heaveing ane iron girth moir in the middis thairof, outwith, and markit with the impressioun of the lettir H in four pairtis, on the outmost sydis thairof; and the peck heaveand the impressioun of the said lettir H on thrie sundrie pairtis on the outmost sydis thairof; and the said fourt pairt heaveand the impressioun of the samin lettir H on twa sundrie pairtis on the outmost sydis thairof. In witnes quhairof we heave subscriyvit thir presenttis with our hand as followes, at Linlythgw, the twelff day of August the yeir of God j^m vj^e and aughteine yeires. (Subscribed:) Andro Mylne, provest. Thomas Eduard, bailzie. James Glen, baillie. Robert Mairtene, baillie. Ro. Ker, clericus burgi de Linlithqw de mandato consulis ejusdem, premissa asserit. Ro. Ker, cls. ass^t.

LI.

ACCOUNTS of the Common Good of the Burgh of Glasgow,
for the years 1621, 1627, and 1633.¹

(1) THE COMPT of the Rentis of the Commoun Guidis of Glasgow, the yeir of
God j^m vj^e twentie ane yeires.

In the first, the dewtie of the mylnis	...	...	...	ij ^m vj ^e lxxij li.
The dewteis of the brig	...	...	...	ij ^e li.
The dewteis of the trone	...	...	...	iiij ^e lxxiiij li. vj s. viij d.
The mail of the new revin out landis	...	...	...	iiij ^e li.
The dewtie of the flesche mercat	...	...	...	ij ^e li.
Summa	...	...	...	iiij ^m ix ^e xxxvi li. vj s. viij d.

DISCHARGE.

In the first, for the repairing of the hie kirk and bigging of calsayis	...	...	...	ij ^m li.
Item, for the ministers and redaris stipendis	...	...	...	j ^m lxvi li. xiiij s. iiij d.
Item, to the laird of Mynto for his few dewtie of the mylne	...	...	...	vj ^e li.
Item, to Sir George Elphinstoun for the dewtie of the wind myll	...	...	...	j ^e xiiij li. vj s. viij d.
Item, for few dewtie to the college for the trone	...	...	...	lxvi li. xiiij s. iiij d.
Item, for repairing of the mylnis and uther commoun chairges and effairis of the toun	...	...	...	j ^m iiij ^e li.
Summa	...	...	...	v ^m ij ^e xlvj li. xiiij s. iiij d.

(Subscribed) J. THOMSONE, cls. Glasguae.

¹ These accounts have been printed from Burghs, preserved in the General Register House,
MS. Accounts of the Common Good of Royal Edinburgh.

(2) THE COMPT of the Rent and Commoun Guid of Glasgow, the yeir of God
j^m vj^e twentie sevin yeiris.

In the first, the dewteis of the mylnis	...	...	...	...	iiij ^m li.
Item, the dewteis of the ladill	...	...	...	...	viiij ^e li.
Item, the dewteis of the trone	...	...	...	...	iiij ^e li.
Item, the dewteis of the brig ...	...	...	...	j ^e xxxiiij li. vj s. viij d.	
Item, the maill of the fleshe mercat	...	...	...	j ^e xxxiiij li. vj s. viij d.	
Item, the maillis of the killis	...	...	...	...	j ^e li.
Item, the maill of the new out revin land	...	...	...	...	iiij ^e li.
Summa	...	...	...	v ^m vij ^e lxxvj li. xiiij s. iiij d.	

DISCHARGE.

In the first, bestowit upoun the biging of the tolbuthe of the said brughe the said yeire	...	...	...	...	viiij ^m li.
Item, for repairing the heiche kirk, the brige and biging of calsayis...	...	...	...	...j ^m iiij ^e xxxiiij li. vj s. viij d.	
Item, for the ministeris and reideris stipends	...	...	...	...j ^m iiij ^e xxxiiij li. vj s. viij d.	
Item, to Sir George Elphingstoun for the dewtie of the wynd mylne	...	...	...	...	j ^e xiiij li. vj s. viij d.
Item, of few dewtie to the college for the trone	...	...	...	...	lxxvj li. xiiij s. iiij d.
Item, bestowit upoun the commoun chairgis and effairis of the towne	...	...	...	...	vj ^e li.
Summa	...	...	...	...xj ^m iiiij ^e xlvj li. xiiij s. iiij d.	
Supra expendit	...	...	...	...	v ^m vij ^e lxxx li.

(Subscribed) Mr. Jo. HUTCHESOUN, clk.

(3) THE COMPT of the Rent and Common Gude of the Brugh of Glasgow,
the cropt and yeire of God 1633 yeiris.

In the first, the dewties of the mylnes	£4,000	0	0
Item, the dewties of the ladilles	1,300	0	0
Item, the dewties of the trone	400	0	0
Item, the dewties of the bridge	400	0	0
Item, the maill of the fleschemarkett	166	13	4
Item, the mailles of the killes	100	0	0
Summa	£6,366	13	4

DISCHARGE.

In the first, the ministeris and reideris stipends	£1,333	6	8
Item, to Sir George Elphingstoune for the suckine of his lands of Gorballis and Bridgend	200	0	0
Item, to the colledge for the dewtie of the trone	66	13	4
Item, wairit and bestowit upon the helping of the bridge and water	800	0	0
Item, wairit wpon the common casseyis	600	0	0
Item, wairit wpon the beiting and helping of the hie church and tolbuthe	1,000	0	0
Item, wairit wpon the repairing of the mylnes and uther common chargis and affaires of the toune	2,000	0	0
Item, givine to the building and repairing of the warke of the colledge	666	13	4
Summa	£6,666	13	4
Sua super expedit	£300	0	0

J. HUTCHESOUN, clr.

LII.

- (1) THE JUST COMPT off Guidis and Marchanders transportit furchte off Clyd and entered at Glasgow, fra the first off November 1626 till the first off November 1627.¹

Entered wpone the first November 1626, the Gift of
God off Glasgow, (Mr.) Andro Knox.

Custom.	Marchandis.								
£6 0 0	Hary Glen, herryng,	...	...	...	...	...	...	...	5 last
2 8 0	Jhone Hamiltone, herryng	...	...	...	...	...	...	...	2 last
6 0 0	Williame Hill, herryng	...	...	...	...	...	...	...	5 last

Entered till Irland, the Marrie off Grinok, (Mr.) Jhone
Demie, in November 1626.

1 4 0	Collis	...	...	...	...	...	...	...	6 tune
5 0 0	Andro Wallace, mader 100, off small warl. warryng 100 lb.								

Entered till Irland, the Williame off Ranfrow, (Mr.)
Andro Cochrane.

1 8 0	Collis	...	...	...	...	...	...	...	7 tune
2 12 0	Curbethe Robeissone, lining clathe 100 ellis, hoppis 100.								
1 7 0	Archbald Fallis, salt 3 bollis, mader 200.								

Entered in Desember 1626, the Gift of God off Grinok,
(Mr.) Stewne Moreissone.

6 0 0	George Porterfeild, lining cloithe	...	...	...	...	...	...	...	300 ellis
2 10 0	Jhone Wilsone, lining cloithe 100 ellis, warryng 10 lb.								

Entered the Gift off God off Ranfrow, (Mr.) Robert
Robeissone.

2 0 0	Collis	...	...	...	...	...	...	...	10 tune in Desember
2 0 0	Richart Allane, dry feiche	...	...	...	...	...	...	...	24 dussone

Entered, the 6 Januer 1627, till Irland, Johnne Smythis
boitt off Glasgow.

1 12 0	Collis	8 tune
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¹ The accounts here printed (1) and (2) have
been taken from MS. preserved in the General

Register House, Edinburgh; transcribed by Rev.
Walter MacLeod, Edinburgh.

Entered in Januar, till Irland, the Jhone off Glasgow.

Custom.	Marchandis.	
£0 16 0	Mr. Patreik Hustoune, collis	4 tune
3 6 8	Jhone Bogyll, mader 100, alne 100, annetis 20 lb. wecht, granis 30 lb. wecht, cramerie 4 lb., warryng.	
3 0 0	James Cumyng, mader 100, granis 20 lb. wecht, kairdis, i dusane, warryng	20 lb.

Entered, the 11 Februar 1627, till Ingland, the Geillis off Glasgow, (Mr. and Marchand) Jhone Sempstone.

6 0 0	Herryng	5 last
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Entered in Februuer, till Irland, the Gift off God of Ranfrew, (Mr.) Williame Oglothe.

10 12 0	James Donnald, lining cloithe 500 ellis, mader 100, cramebye	4 peice
2 8 0	Archbald Hall, mader 300, alne 100.	
9 16 0	Jhone Donnald, lining cloithe 400 ellis, slyrris land 9 peicce.	
3 18 0	Jhone Maissone, slyrris land 12 peicce, warryng, 30 lb.	
9 18 0	Williame Cunyghame, lining cloithe 300 ellis, slyrris land 12 peice, warryng 30 lb.	

Entered, the 5 Marcht 1627, till Irland, the Gift off God off Kilpatreikis, (Mr.) Jhone Quhyt.

1 8 0	Collis	7 tune
4 4 0	Niniane Andersone, lining cloithe 100 ellis, slyrris land 6 peice, warryng 20 lb.	
10 4 0	James Padie, lining cloithe 300 ellis, mader 200, warryng 60 lb.	
6 16 0	Jhone Bygger, lining cloithe 300 ellis, warryng 16 lb.	
10 0 0	Walter Brok, lining cloithe 400 ellis, warryng 40 lb.	
6 0 0	James Pollok, lining cloithe	300 ellis

Entered in Marcht 1627, the Williame off Ranfrow, (Mr.) Robert Robeissone.

0 4 0	Salt	4 bollis
4 4 8	Patreik Forschycht, salt 6 bollis, pottis 2 dosane, warryng 40 lb., mader 100.	
0 18 8	Littill Niniane Andersone, irne 10 staine, mader 100.	
1 14 0	Williame Craig, mader 100, alne 100, warryng 12 lb.	

Entered in Apryll 1627, the Jhone off Grinok, (Mr.) Williame Calbairthe.

11 10 0	Quenteine Brok, lining cloithe 500 ellis, alne 100, warryng 20 lb.	
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Entered, the 15 July 1627, Andro Cochrains boitt off
Ranfrew.

Custom.	Marchandis.	
£1 12 0	Collis	... .. 8 tune

Entered in July, the Ketheyng off Waschford, (Mr.)
Symone Quhyt.

2 8 0	Collis 12 tune
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Entered, the 24 Agust, the Marrane off Gurok, (Mr.)
Jhone Dennie.

0 16 0	Collis 4 tune
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4 0 0	Jhone Lowiff, mader 100, new leitt 100, panis 60 lb. wecht, alne 200, annettis 100, succer 20 lb. wecht, soip 3 firrykins.
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7 5 0	Patreik Lymburner, soip 2 barrelis, annettis 60 lb. wecht, granis 40 lb., mader 100, alne 200, new leithe 100, salt 15 bollis, lining cloithe 60 ellis.
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4 0 0	Curbert Robeissone, mader 100, alne 100, granis 2 staine, panis 60 lb. wecht, annettis 20 lb. wecht, gynger 24 lb. wecht, salt 7 bollis, soip 1 barrel.
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3 0 0	James Cuyngthane, soip half lb., steiffng 48 lb. wecht, salt 2 bollis, succer 8 lb.
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4 14 0	Jhone Wilsone, salt 13 bollis, gray claithe 60 ellis, soipe 1 firrykyn, lining cloithe 100 ellis.
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3 10 0	Jhone Patersone, salt 3 bollis, lining cloithe 60 ellis, pepper 16 lb. wecht, succer 20 lb. wecht, geirdillis 6, soipe 1 barrel.
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4 0 0	Patreik Forschyt, salt 9 bollis, alne 200, currents 200, succer 20 lb. wecht.
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Entered, ye 16 September 1627, the Blissing off
Ranfrew, (Mr.) Adam Knox.

3 14 0	Elyear Hammiltone, salt 5 bollis, alme 300, irne 40 staine.
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4 0 0	Curbert Robeissoune, alne half hundrethe, succer, 20 lb. wecht, panis 30 lb. wecht, mader 100.
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£189 18 0

JAMES INGLIS.

At Halyrudehous, the ffyftene day of November j^m vj^e
twentie sevin yeeres.

Produceit be the comptar quho maid faith that this is ane trew and just compt, and nothing omittit quhairby his Majestie may be defraudit of his dew custome and bullioun.

W. STRANG.

The compt of the merchandice and goods transported furth of the realme, at the Ryver of Clyde, betwex November 1626 to November 1627, as is conteind in the fyve pages of this sub-scryvit compt presented in chekker, extendis to sevintein last herring, threescoir sex twnis coillis, auchtteen hundreth pundis wecht of mader, three thousand aucht hundreth threescoir elnis lyning and gray clothe, threescoir sewin bollis salte, tweinttie four dussone drye fische, ane hundreth pundis wecht of houppes, fourttein hundreth threescoir pundis wecht of alloun, twa hundreth pund wecht annett seidis, grainis ane hundreth tweinttie twa pundis wecht, foure peice of camridge, kairdis ane dussane, threttie nyne peice slyrisland, twa dussone iron poittis, fyftie stanes of iron, twa hundreth pundis wecht new leitt, ane hundreth fyftie pundis wecht panis, fourescoir aucht pund wecht sugger, fyve barrells and ane half barrell soape, tweinttie four pundis ginger, fourttie aucht pundis wecht stiffinge, sextein pund wecht of pepper, sex girdillis, twa hundreth pund wecht of currantis, and small warringe four hundreth twa pundis. The bullioun that is dewe to be payeit for the saidis wairis, conforme to the act of Parliament and A. B. C. sett down thairanent, quhairwith the master counzeour is to be chairgit in his comptis, extendis to sewin pundis sex wneces twa deineris bullioun of twelf deineris fyne.

GEORGE FOULIS, yo :

I haive ressaivit the bulioun contenit in this compt, and am content and consentis thir presentis be inrolled in the Rolls of his Majesties Exchekker.

GEORGE FOULIS.

(2) THE JUST COMPT off the Guidis inbroch into the River off Clyd, sence the first off November 1626 till November 1627.

Entered frome Irland, the Gift off God off Ranfrew,
wpone the 10 November 1626.

Custom.	Marchandis.							
£2 0 0	James Cunyngskin, 100 salt hydys	...	...	...	...	...	...	12
15 0 0	Patreik Lymburner, salt hydys	...	...	...	...	...	...	10 daker
18 0 0	Jhone Wilsone, salt hydys...	...	...	...	...	...	...	12 daker

Entered in December 1626, the Jhone off Dumbartene,
(Mr.) Pitter Donnald.

15 0 0	Robert Hogzaird, salt hydys	...	...	...	...	...	...	10 daker
21 0 0	Richart Allane, salt hydys	...	...	...	...	...	...	14 daker
4 16 0	Patreik Forschycht, beiff	...	...	...	...	...	...	8 hoggittis

Entered in December 1627, Andro Wilsonis boitt off
Ranfrow.

4 0 0	Barrell stappis	4000
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Entered the first Januer 1627, Andro Cochrans boitt
off Ranfrow.

3 12 0	Archbald Fallis, beiff	6 hoggittis
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Entered, the 18 Februer 1627, fra Irland, the Gift off
God off Ranfrew, (Mr.) Robert Robeissone.

24 0 0	Andro Purdom, salt hydys	...	...	...	...	...	...	16 daker
Nothing payeit.	The Lady Abercrone compt, 10 hogitt salmont, beiff 3 hoggitts.							

Entered frome Franche, the Pitter off Glasgow, in
Februar 1627, (Mr.) Hendry Sympsone.

16 0 0	Salt	xij ^{ss} bolliis
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Entered, the Guid Fortoune, (Mr.) Robert Jenyassome.

1 10 0	Rims	3000
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Entered in Apryll 1627, frome Rochell, the Palme off
Horne, (Mr.) Symone Davidstone.

70 0 0	Johne Scheillis, salt	700 lb.
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Entered in Apryll, the Gift off God off Ranfrew, (Mr.)
Jhone Smeytht.

Custom.	Marchandia.		
£1 10 0	Rims	... ..	3000

Entered frome Irland, the Grace of God off Grinok,
(Mr.) Jhone Tailyour.

7 0 0 Williame Gybsone, beiff 10 hoggitts, rims 2000.

Entered frome Irland, the boitt off Ranfrow, (Mr.)
Jhone Cochrane.

3 10 0	Alexander Grahame, calf skins 100, hydys 2 daker.	
9 0 0	Hectour M'Mathe, beiff	15 hoggitts
0 9 0	Georg Luik, lambskins 100, meill 2 hoggitts.	

Entered in Maij 1627, the Marry off Glasgow, (Mr.)
Jhone Dennie.

2 0 0	Barrell stappis	2000
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Entered, the Williame off Ranfrew, (Mr.) Andro
Cochrane.

10 0 0	Barrell stappis	5000
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Entered in Maij 1627, the Crab off Horne, (Mr.) Jacob
Teynsone.

60 0 0	Patreik Bell, dailis	6000
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Entered in May, the Gift off God off Ranfrew, (Mr.)
Jhone Wardane.

1 0 0	Rims	2000
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Entered, the Hoipweill off Gurok, (Mr.) Jhone Hendry.

3 0 0 Barrell stappis 2000, rims 1000.

Entered, frome Irland, in May 1627, Paul Hutters
boitt.

4 10 0	Patreik Forschicht, salt hydys	3 daker
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Entered, the first June 1627, the Water Dog off
Easteld in Holland, (Mr.) Joane Edsone.

40 0 0	Jacob Abettis, dailis	4000
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		Entered in June 1627, the Blissing off Ranfrow, (Mr.) Adame Knox.								
Custom.		Marchandis.								
£3	0	0	Barrell stappis	...	...	...	...	...	...	3000
		Entered, 10 June, the Patreik off Vachford, (Mr.) and marchand, Materne Symone, Irland.								
6	0	0	Bondis 300, stappis 3000.							
		Entered, the Katrene off Vachford, (Mr.) and marchand, Williame Quhyt.								
4	0	0	Barrell stappis	...	...	...	...	...	...	4000
		Entered be Williame Ferryieris into ane Clare boitt off Cossyd.								
9	0	0	Tanned hydis	...	...	...	...	...	...	5 daker
		Entered, the first July 1627, from Ingland, the Gift of God off Glasgow, (Mr.) Andro Knox with ballest.								
12	0	0	Hary Glen, saip	...	...	...	...	...	...	18 barrells
		Entered, the Marrane off the Lairgis, in July, (Mr.) Patreik Boyd.								
22	12	0	Richart Allane, stappis 1000, tannied hydis 12 daker.							
		Entered, the Robert off Gurok, (Mr.) Robert Lyon.								
4	0	0	George Muire, scrawis 3 last, rimis 1600.							
		Entered in July 1627, the Guid Fortone off Glasgow, (Mr.) Jhone Andersone.								
2	0	0	Rimis,	...	...	...	...	...	...	4000
		Entered in July 1627, the Guid Hoip off Ranfrow, (Mr.) Williame Ogloche.								
20	10	0	Niniane Andersone, tannd hydis 10 daker, daillis 200, barrell stappis 500.							
		Entered in July, be James Padie, into ane boit off the Lairgis, (Mr.) Jhone Barlay.								
20	0	0	Lambskins 2500, scheip skins 500, tanned hydis 2 daker, irne 1 tune, toddis 20.							

Entered frome Rochell, the Palme off Horne, (Mr.)

Symone Davidsons, the 10 August 1627.

Custom.		Marchandis.							
£70	0	0	Williame Hill, salt	...	...	...	...	...	700 lb.

Entered in Agust 1627, the Walter Doge in Holland,

(Mr.) Jeane Eidsone.

40	0	0	Patreik Bell, daillis	4000
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Entered, the 6 September 1627, the Neythgaill off .

Bailfaist, (Marchand and Mr.) Jhone Hadok.

64	0	0	Irne	16 tune
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£613	19	0							

(3) OUTWARD, BE LAND, TILL INGLAND.

Custom.									
£10	0	0	Entered, the 6 November 1626, Malcolme Flemyng	v ^e ellis lining	
10	0	0	The 20 November, Williame Stewart	...	...	...	...	v ^e ellis lining	
20	0	0	The said day, Archbald Watsone...	...	...	...	...	ij pak cloithe and yairne	
8	0	0	The said day, Robert Mak	...	...	...	...	j pak yairne	
8	0	0	Robert Miller, in November	...	...	...	...	j pak yairne	
8	0	0	Arthour Luggy, in November	...	...	...	...	j pak yairne	
8	0	0	Thomas Allane, in November	...	...	...	...	j pak yairne	
8	0	0	James Sempyll, in November	...	...	...	...	j pak yairne	
20	0	0	Jhone Merchell, in November	...	...	...	...	ij pakis lining and yairne	
10	0	0	Jhone Cuying, fercist, Januer 1627	...	...	...	...	v ^e ellis lining	
20	0	0	Thomas Norvald, in Januer	...	...	...	...	ij pakis lining and yairne	
12	0	0	Thomas Widdrow, in Janer	...	...	...	...	j pak lining cloithe	
10	0	0	James Rosse, in Januer	...	...	...	...	v ^e ellis lining	
18	0	0	Thomas Norvald, in Janer	...	...	...	...	v ^e ellis lining with j pak yairne	
8	0	0	Jhone Lynburner, in Janer	...	...	...	...	j pak yairne	
8	0	0	Jhone Edame, in Februer	...	...	...	...	iiij ^e ellis lining	
12	0	0	Pitter Tailyour, 26 Februer	...	...	...	...	j pak lining	
12	0	0	Andro Clark, 7 Marche 1627	...	...	...	...	j pak lining	
12	0	0	Andro Miller, in Marcht	...	...	...	...	j pak lining	
20	0	0	James Wood, the first Apryll 1627	...	...	...	...	ij pakis lining and yairne	
8	0	0	James Pollok, in Apryll 1627	...	...	...	...	iiij ^e ellis lining	
6	0	0	Williame M'Kyldanie, 4 Apryll	...	...	...	...	iiij ^e ellis lining	
10	0	0	Jhone Merchell, elder, 7 Apryll	...	...	...	...	j pak lining and yairne	

Custom.									
£10	0	0	Thomas Norvald, the 15 Apryll ...	...	...	j	pak	lining	and yairne
10	0	0	Williame Norvald, in Apryll ...	...	...	j	pak	lining	and yairne
6	0	0	Malcolme Drew, in Apryll ...	...	...	...	...	iiij ^e	ellis lining
12	0	0	Pitter Tailyour, 18 Apryll ...	...	...	...	...	j	pak lining
12	0	0	Jhone Cuyng, in Apryll ...	...	...	...	...	j	pak lining
10	0	0	Jhone Merchell, in Apryll ...	...	...	...	...	v ^e	ellis lining
12	0	0	Niniane Kemkaid, 26 May 1627 ...	...	...	...	...	j	pak lining
12	0	0	Robert Allane, in May ...	...	...	...	...	j	pak lining
20	0	0	Jhone Ronnald, in May ...	...	...	ij	pakis	cloth	and yairne
12	0	0	James Wood, in May 1627 ...	...	...	...	...	j	pak lining
16	0	0	Jhone Norvald, first June ...	...	...	iiij ^e	ellis	lining	and j pak yairne
8	0	0	Jhone Campbell, 4 June ...	...	...	...	...	iiij ^e	ellis lining
8	0	0	Williame Stewart, in June ...	...	...	...	...	iiij ^e	ellis lining
12	0	0	Jhone Wr, in June ...	...	...	...	...	j	pak lining claithe
20	0	0	Jhone Herbersone, in June ...	...	...	ij	pakis	cloithe	and yairne
12	0	0	Thomas Woddrow, in June ...	...	...	...	...	j	pak lining
12	0	0	James Gray, in June ...	...	...	...	...	j	pak lining
12	0	0	Andro Miller, in June ...	...	...	...	...	j	pak lining
20	0	0	Williame Stewart, in June ...	...	...	ij	pakis	cloithe	and yairne
8	0	0	Mathow Pak, in June ...	...	...	...	...	j	pak yairne
8	0	0	Arthour Luggy ...	...	...	...	...	j	pak yairne
24	0	0	Jhone Gylmour, in June ...	...	...	...	...	ij	pakis lining
12	0	0	Andro Clark ...	...	...	...	...	j	pak lining
20	0	0	Hendry Locheid ...	...	...	ij	pakis	yairne	and cloithe
8	0	0	Entered, 15 July 1627, Jhone Lymburner ...	...	...	...	...	j	pak yairne
12	0	0	Jhone Brone, in July ...	...	...	...	...	j	pak lining
12	0	0	Jhone Tyulyair, j July ...	...	...	...	...	j	pak lining
10	0	0	James Wood, in July ...	...	...	...	...	v ^e	ellis lining
18	0	0	Jhone Ronnald ...	...	...	v ^e	ellis	lining	and j pak yairn
20	0	0	Jhone Merchell ...	...	...	ij	pakis	cloithe	and yairne
12	0	0	Thomas Allane ...	...	...	...	...	j	pakis lining
20	0	0	Thomas Norvald, in July ...	...	...	ij	pakis	cloth	and yairne
24	0	0	Williame Norvald, in July ...	...	...	...	...	ij	pakis lining
12	0	0	Robert Allane, ...	...	...	...	...	j	pak lining
12	0	0	Niniane Kemkaid, ...	...	...	...	...	j	pak lining
6	0	0	Macolme Drew, in July ...	...	...	...	...	iiij ^e	ellis lining

Custom.									
£12	0	0	Thomas Brone	...	...	...	...	...	j pak lining
12	0	0	Williame Keing	...	...	...	...	...	j pak lining
20	0	0	James Rosse, in July	...	...	...	...	...	ij pak cloithe and yairne
12	0	0	Geoge Allane, in July	...	...	...	...	...	j pak lining
12	0	0	Jhone Adame, in July	...	...	...	...	...	j pak lining
6	0	0	Williame Stirling	...	...	...	...	...	iiij ^o ellis lining
12	0	0	Andro Campbell	...	...	...	...	...	j pak lining
12	0	0	Andro Miller, in July	...	...	...	...	...	j pak lining
24	0	0	Jhone Cuyig	...	...	...	...	...	ij pakis lining
20	0	0	James Kemkaid	...	...	...	...	...	ij pakis cloithe and yairne
8	0	0	Robert Ballay	...	...	...	...	...	iiij ^o ellis lining
10	0	0	James Gray	...	...	...	...	...	v ^o ellis lining
16	0	0	Gabriell Wallace, first Agust 1627	...	...	...	...	...	iiij ^o ellis j pak yairne
20	0	0	Hendry Lochheid, in Agust	...	...	...	...	...	ij pakis cloithe and yairne
12	0	0	Jhone Ballantyne, in Agust	...	...	...	...	...	j pak lining
16	0	0	Hew Jack, in Agust	...	...	...	...	...	iiij ^o ellis with j pak yairne
12	0	0	Macolme Flem yng. in Agust	...	...	...	...	...	j pak lining
22	0	0	Jhone Robeissone, in Agust	...	...	...	...	...	v ^o ellis j pak lining
16	0	0	Jhone Norvald	...	...	...	...	...	viiij ^o ellis lining
20	0	0	Jhone Wre...	...	...	...	...	...	ij pakis lining and yairne
20	0	0	James Rosse, in Agust	...	...	...	...	...	ij pakis lining and yairne
12	0	0	Walter Stirling	...	...	...	...	...	j pak lining cloithe
20	0	0	Jhone Gylhagie	...	...	...	...	...	xv ^o currattis and j pak lining
12	0	0	Archbald Watstone	...	...	...	...	...	j pak lining cloithe
12	0	0	Robert Mak	...	...	...	...	...	j pak lining
12	0	0	Jhone Wre, in Paslay	...	...	...	...	...	j pak lining cloith
20	0	0	Thomas Allane	...	...	...	...	...	ij pakis off lining and yairne
24	0	0	James Wood, the 30 Agust	...	...	...	...	...	ij pakis lining
20	0	0	Williame Craige	...	...	...	...	...	ij pak lining and yairne
12	0	0	Robert Rosse, 7 September 1627...	...	...	...	...	...	j pak lining
24	0	0	Jhone Merchell	...	...	...	...	...	ij pakis lining
22	0	0	Arthour Luggy	...	...	...	...	...	j pak lining with v ^o ell lining
12	0	0	Robert Allane	...	...	...	...	...	j pak lining cloith
20	0	0	James Lochheid	...	...	...	...	...	ij pakis lining and yairne
8	0	0	Andro Miller	...	...	...	...	...	iiij ^o ellis lining
20	0	0	Thomas Norvald	...	...	...	...	...	ij pakis lining and yairne

Custom.				
£20	0	0	Niniane Patersone, 15 September 1627	... ij pakis lining and yairne
8	0	0	Niniane Andersone	... iiij ^c ellis lining
20	0	0	James Sempyll	... iiij ^c with j pak lining
16	0	0	Jhone Gylmour	... iiij ^c with ane pak yairne
8	0	0	Williame Rodger	... j pak yairne
8	0	0	Jhone Cuyng	... j pak yairne
16	0	0	Jhone Lymburner	... iiij ^c ellis and pak yairne
20	0	0	Williame Stewart	ij pakis cloithe and yairne
24	0	0	James Rosse, 18 September 1627	... ij pakis lining
24	0	0	Jhone Gylhagie, in Sept.	... ij pakis lining
24	0	0	Jhone Adame, in Sept.	... ij pak lining
12	0	0	Hendry Craford	... j pak lining
24	0	0	Jhone Brone	... ij pakis lining
18	0	0	Andro Campbell, 27 Sept.	v ^c ellis with j pak yairne
12	0	0	Hendrie Locchheid	... j pak lining
12	0	0	7 October, Gabreill Wallace	... j pak lining
20	0	0	James Clark	... ij pak lining and yairne
8	0	0	Macolme Drew	... iiij ^c ellis lining
12	0	0	Jhone Wre, 12 October	... j pak lining
18	0	0	Williame Achkinlaik	j pak and iij ^c ellis lining
24	0	0	Robert Allane	... ij pakis lining
24	0	0	Jhone Robeissone	... ij pakis lining
24	0	0	Rid Williame Stewart	... ij pakis lining
12	0	0	Williame Stirling	... j pak lining
24	0	0	James Ross...	... ij pakis lining
12	0	0	Andro Crak	... j pak lining

£1,748 0 0

(4) INWARD FROM ENGLAND.

£6	0	0	Entered the 18 November 1626, Jhone Robeissone, huiks and schyris	... iiij pakis
3	0	0	The 19 November, Robert Baylay	... j pak hard ware
6	0	0	The 5 Januer 1627, Williame Stewart,	... ij pakis hard ware
8	0	0	Jhone Wre, Manchester warre	... ij pakis
4	0	0	Jhone Cuyng, Manchester warre	... j pak
6	0	0	Thomas Allane, 5 Februar, hard warre	... j pak

Custom.									
£6	0	0	Thomas Widdrow, 22 Februar, hard warre	...	...	...	...	ij	pakis
13	6	8	Jhone Merchell, last Februar	...	...	...	...	ij	pakis cloithe
9	0	0	The 7 Marcht Robeissone, hard warre	...	...	...	...	iiij	pakis
3	0	0	Jhone Sempyll, in Marche, hard warre	...	...	...	...	j	pak
3	0	0	James Kinkaid, hard warre	...	...	...	...	j	pak
7	0	0	Williame Rodger, in Marcht, hard warre and Manchester warre	...	...	...	...	ij	pakis
3	0	0	Thomas Allane, the 2 May 1627, hard warre	...	...	...	...	j	pak
6	0	0	James Rosse, in hard warre	...	...	...	...	ij	pakis
9	0	0	Blak Williame Stewart, hard warre	...	...	...	...	iiij	pakis
6	13	4	Jhone Symone, in Jully	...	...	...	...	j	pak cloithe
8	0	0	The 10 October, Jhone Merchell, Manchester warre	...	...	...	...	ij	pakis
4	0	0	Thomas Allane, in October, Manchester warre	...	...	...	...	j	pak
3	0	0	Hendrie Craford, hard warre	...	...	...	...	j	pak
8	0	0	Jhone Gylmour, Manchester warre	...	...	...	...	ij	pakis
7	0	0	Williame Rodger, off hard warre and Manchester warre	...	...	...	...	ij	pakis
6	13	4	James Sempyll, cloith	...	...	...	...	j	pak
6	0	0	Robert Miller, 17 October, hard warre	...	...	...	...	ij	pakis
£141 13 4			[Total amount of Custom, ... £2,693 10 4]						

LIII.

SIGNATURE for Charter by King Charles I. confirming all charters, rights, and privileges to the Burgh of Glasgow.¹ Newmercat, 16 October 1636.

CHARLES, R.

Oure Soverane Lord, now lang eftir his lafull and perfyte aige and all his hienes revocatiounes, alsweill generall as speciall, being informed of the ancient erectioun of his Majesties brught of Glasgow, be his hienes maist noble progenitouris, of worthie

¹ A facsimile of the beginning and end of this "Signature" is given in "The Memorial Catalogue of the Old Glasgow Exhibition, 1894," p.

234. The Charter following on the Signature is printed in Glasgow Charters, vol. I., pt. ii., pp. 375-95.

memorie, in ane frie brugh royall, and of the great antiquitie thairof, and that be the vertew and industrie of the samyn, in the forrane tred and navigatioun of the merchandis, burgessis and friemen thairof, his Majesties rent is augmentit, the cuntrey and that pairt of the kingdome inritchit and brought to great civilitie, and that the said brugh in all the commoun chairges of this realme, sik as taxatiounes, impositiounes and exactiones, beiris no small pairt of the burdingis laid upone the burrowis, and now presently is, and hes bene thir many aiges bypast, the principall and maist worthie brugh situat in the west pairtis of this realme, maist able to decore and sett furth the estait thairof. Wnderstanding also that the provest, baillies, counsall and communitie of the said brught of Glasgow hes interprysit and advanceit many nottable warkis, and hes debursit great chairges and expenssis thir many yeiris bypast in making of the river of Clyde, quherupone the said brught and citie of Gasgow is situat and foundit, poirtable for schippis, bottis, barkis and utheris vesellis, for importing and expoirting of forrane and hameward commodities, to the great confort of his Majesties leidges duelland and repairand in the boundis and sherrefdomes nixt adjacent thairto, and for advancement and incres of policie of the commoun weill of this his Hienes kingdome of Scotland, and in beitting, repairing and uphalding of the brig of Glasgow over the said river, quhilk is ane profitable meanis for interteinment of commerce, as lykwayes of the great cair and chairges sustenit be thame in provyding of ane minister to that kirk within the said brught of Glasgow callit the Blakfrier Kirk, and of thair provision for repairing and inlairging of the same and provyding the minister serving the cure thairat with ane constant locall stipend. And siclyke, calling to mynd quhat great and sumptuous chairges, cair and expenssis, they haif bene at laitlie in building of ane tolbuith for administratioun of justice, and uther effairis tending to the advancement of the commoun weill and decoratioun of the said kingdome, and in bigging and repairing of that uther kirk callit the New Kirk of Glasgow, situat in the Tronegait thairof, with ane steiple ansuerable thairto, and in the repairing and inlairging of thair hiewayes, strettis and calseyis, and in bigging and repairing of sindrie briggis over thair riveris and watteris, in sindry pairtis quhair strangeris may have commodious travelling to and fra his Majesties kingdome of Yreland and uther pairtis within the kingdome of Scotland, not onlie to the confort and proffeit of the leidges of all soirtis of these his Majesties kingdomes bot lykwayes to the great confort of all strangeris or forraneris resoirting in these pairtis, and lykwayes in building fair and lairge hallis and mercat places for ressaveing and selling of victuall and uther viverie cuming to thair mercattis, and erecting and building of ane fair and ample Correctioun Hous for suppressing of vagaboundis and putting of orphanes and ydle people to wark; as als of the great chairges alreddie bestowit be thame in repairing and upholding of the great Metro-

politane Kirk of that citie. And his Majestie being myndfull of these thair pious and commendable warkis, tending to the commoun weill of his Hienes kingdome and to give thame occasioun to continew in prosecuting of thair guid intentiones; as als for the guid, trew and thankfull service done to his Majestie and his maist noble progenitouris be the proveist, baillies, counsall and communitie of the said brught and citie of Glasgow, and thair predicessouris, in tyme bypast: Thairfoir his Majestie, with speciall advyse and consent of his Hienes richt traist cowsignne and counsallour, Johne erle of Traquair, lord Lyntoun and Cabertoun, etc., I. heich thesaurer, comptroller and collectour generall, and thesaurer of his Majesties new augmentatiounes within this his Hienes kingdome of Scotland, and of the remanent lordis of his Majesties exchequer of the samyn kingdome, his Hienes commissioneris, ordanes ane chartour to be maid under his Majesties great seall, in dew forme, ratifeand, approveand, and for his Hienes and his successouris perpetually confermand all and sundry chartouris, infetments, preceptis, instrumentis of seasing, confirmatiounes, actis, sentencis, decreittis, giftis, donatiounes, mortificatiounes, richtis of patronage, and uther richtis, tytillis, evidentis and securities, liberties, commodities and priviledgis thairin conteinit, off quhatsumevir nature, kynd and qualitie the samyn be maid and grantit, in favoris of the said brught and citie of Glasgow, proveist, baillies, counsall and communitie thairof, and thair successouris, be his Majestie, or be ony utheris his maist noble progenitouris, kingis, queenes, princes or stewartis of Scotland, thair regentis and governouris for the tyme, or be the lordis of sessioun, togidder with all actis of burrowis, and utheris richtis, liberties and possessiounes, bruikit be the said brugh and citie of Glasgow in ony tyme bygane, and to the kirkis, colledgis, ministrie and hospitallis within the samyn, off quhatsumevir forme, tennour or contentis the samyn be; and in speciall (but prejudice of the generalitie foirsaid) ane chartour, gift and donatioun grantit be his Hienes maist noble progenitour, Alexander King of Scottis off and concerning the liberties and priviledgis of the said brught, burgessis and inhabitantis thairof, off the daitt att Maidin Castell the aughtine day of Junii and twenty sext yeir of his rignne. Item, ane uther chartour grantit be King Robert, his Majesties maist noble predicessour, confermand the foirsaid chartour, under the great seall, daittit the fyftene day of November and twenty thrid yeir of his regne. Item, ane uther chartour grantit be King Robert confermand the foirsaid chartour and grantand certane new liberties thairto, daittit at Scoone the twenty aucht day of Julij in the aughtene yeir of his rignne. Item, ane uther chartour grantit be Marie, Queen of Scottis, his Majesties darrest guiddame, to and in favouris of the proveist, baillies, counsall and communitie of the said brught of Glasgow, of certane landis, tenementis, kirkis, chappelles, chaplanries, prebendaries, altaragis, and utheris mentionat thairintill, daittit the

sevintene day of Marche, the yeir of God j^m v^o thriescoir sex yeiris. Item, ane uther chartour grantit be his Majesties darrest father, of eternall memorie, under his great seall, ratifeand the formar giftis, donatiounes, priviledgis and utheris maid in favouris of the saidis proveist, baillies, counsall and communitie, daittit at Roystoun the aucht day of Appryll j^m vj^o ellevin yeiris. Item, ane decreit of parliament, pronouncit in favouris of the said brught of Glasgow, daittit the tuentie nynt day of November j^m four hundreth thrie scoir nyne yeiris, anent thair libertie in Clyde. Item, his Majesties ratificatioun of the said decreit, daittit the first day of December j^m four hundreth thrie scoir nynetene yeiris. Item, ane act of secreit counsall in favouris of the said brugh concerning thair liberties, daittit the tent day of September the year of God j^m vj^o yeiris. Item, ane act of interloquitour of the lordis of sessioun, gevin in thair favouris, contrair the toune of Dumbartane, upone the twenty fyft day of Julij j^m vj^o and ellevin yeiris. Item, ane decreit of the lordis of counsall and sessioun gevin in favouris of the said brughe upone the fourt day of Junij j^m vj^o thrie scoir fyftene yeiris, anent ane laidill full of all soirtis of cornes sauld in thair mercatt. Item, ane chartour grantit be his Majesties umquhill father to the said brugh, proveist, baillies, counsall and communitie thairof, off all and hail the tenementis, alsweill biggit as waist, yairdis, barnes and barneyairdis, lyand outwith the Rattounraw poirt of the said brught, aucht aikeris of land or thairby lyand in Deansyde and of certane aikeris of land lyand in Crubbis, Provanesyde, and at the bak of the saidis barnes, daittit the (*blank*) day of (*blank*) j^m vj^o (*blank*) yearis.¹ Item, ane gift grantit be his Majestie, under his great seall, to the said brught and citie of Glasgow, proveist, baillies, counsall and communitie thairof, off that kirk callit the Blakfrier Kirk, situat neir to the Colledge of Glasgow, and of the richt of patronage thairof, quhilk gift is daittit at Oatlandis, the first day of Julij j^m vj^o threittie sex yeiris. And in lykmaner the libertie, use and possessioun, quhairin the said brught and magistratis thairof hes bene at ony tyme heirtfoir, in suckning, thirling and astricting of the burgessis and inhabitantis thairof to thair mylnes perteneng to thame, ather in proppertie, tennandrie, tak or assedatioun, and paying of multour, knaveschip, and uther deutes thairat in ony tyme bygane. As also the libertie, use and possessioun quhairin the said brught of Glasgow and magestratis thairof hes bene in electing of ane wattir baillie within the said river of Clyde, quhair the sea ebbis and flowis and within the hail boundis thairof fra beneath the Brig of Glasgow to the Clochstane, and in taking ordour with all wrangis and enormeties done and committit upone the said river within the boundis fairsaidis: In all and sindrie heidis, articles, claussis, conditiounes and circumstances thairof quhatsumevir. And our said

¹ Charter dated 21 December 1613 (Glasg. Charters, vol. I., pt. ii., pp. 284-91).

Soverane lord willis and grantis that this present confirmatioun is and sall be in all tyme cumming als guid, valeid and sufficient in the self, in all respectis, to the said brught and citie of Glasgow, proveist, baillies, counsall, burgessis, and communitie of the samyn, and thair successouris, as gif all and sindrie the foirsaidis chartouris, infetmentis, confirmatiounes, actis, sentencis, decreittis, giftis, donatiounes, mortificatiounes, richtis of patronages, and utheris specially and generally above mentionat, war at length, word be word, ingrost and insert heirintill; quhairanent our said Soverane Lord, for his Hienes and his successouris, hes dispensit, and be thir presentis dispensis for evir. Attoure our said Soueraine Lord, in farder corroboratioun thairof, hes of new, with advyse and consent foirsaid, for the guid, trew and thankfull service done to his Majestie, and his maist noble progenitouris, be the proveist, baillies, counsall and communitie of the said brught and citie of Glasgow, and thair predicessouris, and to give thame the better occasioun to continew in thair said service, gevin, grantit and disponit, and be the tennour heirof gevis, grantis and dispones to the proveist, baillies, counsall and communitie of the said brugh and citie of Glasgow, and to thair successouris for evir, all and hail the said brught and citie of Glasgow, with all and sindry landis, houssis, biggingis, tenementis, yairdis, orcheardis, kirkis, patronages, kirkyairdis, chappellis, chappanries, teyndis, wallis, poirtis, strettis, passages, calseyis, aikeris, ruidis, lochis, burnes, toftis, croftis, outfield, infield territorie and commountie thairof, mylne, mylnelandis, multouris, suckin, thirlage, dames, inlares, laides, wattergangis, braces, craiges, salmound fisching and uther fishingis within the watter and river of Clyde, hospitallis, correctioun-houssis, mossis, mures [marshes], grenes, commounties, lones, briggis, collis, colhewchis, quarrellis, lyme, lymestane, annuelis, annuelrentis, few deuties, mansiounes, fruittis, proffetit, emolumentis, foundatiounes, donatiounes, presentatiounes, mortificatiounes, almes, daillsilver, obijttis, with all uther privilegis and immunities quhatsumevir, als weill ecclesiastik as secular, belonging thairto, lyand within the said brught, friedome, territorie and jurisdiction of the samyn; and with the libertie of the river of Clyde, on baith sydes, frome the brig of Glasgow to the Clochstane, as also with the libertie and friedome of the raidis of Inchgrene, Newark, Pot of the Rig, or ony uther raid within the said river of Clyde betuix the brig of Glasgow and the Clochstane foirsaid, for lossing and laidning of merchandice and guidis belanging to the said brught, burgessis and inhabitantis of the said brught, alsweill expoitit as impoitit be thame selfis in schippis and uther vessellis of this kingdome as impoitit and exportit in schippis belanging to forraneris and strangeris. And of new (but prejudice of thair former rychtis), erectis and incorporatis the said brught in ane frie brugh royall, with all and sindry liberties, priviledgis, immunities and jurisdictiones quhilk be the lawis and consuetude of this realme hes pertenit, pertenis, or richteouslie may pertene to ane

frie brugh royall, and with special power and libertie to the proveist, baillies, counsall and communitie, burgessis and friemen of the said brught and thair successouris for evir (and na utheris not being friemen and burgessis of the said brught) to haif, haunt, use and exerce the tred and traffique of merchandice, buy, blok, top and sell all soirt of wairis, baith cuntrey and forrane wairis, and that within the haill boundis of the said brught of Glasgow and barrony of Glasgow, haill liberties and privedgis thairrof. And to bruik, joyse and posses, within the said brught and boundis foirsaidis, for evir, ane merchand gildrie, with gild courtis, counsall, memberis and jurisdiction perteneing thairto, liberties and privedgis of the samyn, siclyke and also frielie in all respectis as is grantit be his Hienes, or his predicessouris, to the said brught and citie of befoir, or to any uther frie brught royall within this realme, and als frielie as the saidis proveist, baillies, thair deane of gild and counsall, or ony of thame or thair predicessouris, hes had, usit and execute the said office, brught, liberties and jurisdiction thairrof, merchandice and gildrie foirsaid, heirtfoir, and with all liberties, privelegis and friedomes quhilkis of the lawis of this realme hes appertenit and apperteins. As als to haif, hald, bruik and joyse and exerce, oukklie, within the said brught, ilk Monnounday, Wedinsday and Fryday, or ony uther thrie dayes in the oulk, as the proveist, baillies and counsall of the samyn brught, with commoun consent and publict intimatioun, sall pleis appoint, thair oppin and publict mercat dayes, togidder with four frie fairis, four tymes in the yeir, to witt, the first fair on the threttene day of Jannar callit the twenty day of Yule, the second fair to be yeirle on Skyre Thursday, the thrid fair upone Witsoun Monnounday yeirle, and the fourt fair to begin yeirle upone the sevint day of Julij, and to hald and continew for the space of aucht dayes thaireftir, according to use and wont. Togidder with the baillie gluiffis, tollis, customes, and all uther feyis, casualities, privelegis, friedomes and deutes quhilkis to the saidis faires and mercattis, or to ony uther faires and mercattis of this realme, of the law and consuetude of the same is knawin to pertene, siclyke and also frielie as they or thair predicessouris hes bruikit and posses the samyn at ony tyme heirtfoir. And farder his Majestie, with consent foirsaid, creattis, makis and constitutis the present proveist and baillies of the said brught, and thair successouris, to be justices of peace within the samyn brugh, haill territorie and liberties thairrof, and within the saidis poirtis of Inchgrene, Newark, and Pott of the Rig. Lykeas, his hienes gives, grantis and dispones to the said brught of Glasgow, and to the proveist, baillies, counsall and communitie thairrof, for evir, the Correctionoun Houss laitlie erectit be thame within the samyn, with all liberties, privelegis and immunities belanging thairto, with power to thame to hald, use and exerce the samyn, siclyke and in the samyn maner as the brught of Edinbrught, or ony uther brught within this kingdome, hes usit or sall use and exerce the lyke in

tyme cumming. Togidder also with that lipper hous callit St. Ninians hospitall with the yairdis and pertinentis thairrof, foundit upone the south syde of the said river of Clyde, neir to the said brig of Glasgow, with all rentis, tey[ndis and] deutes belanging thairto; with power to thame and thair successouris to intromit with and uplift the rentis, teyndis and deutes of the said hospitall for intertenymnt of the seik puir people within the samyn. Togidder lykwayes with all and sindry the pittie customes of quhatsumevir guidis comming or going furth at the pointis of the said brught, and cumming and ganging be the great brig of [the] samyn, and cummand fra the mercattis thairrof, with the deutes and customes of the trone of Glasgow and of the meill mercat, beir mercat, salt mercat, flesch mercat, hors mercat, cloath mercat, and all uther mercattis within the said brught, with the customes and deutes of the said great brig and grene, and all uther deutes and exactiounes quhairof thai and thair predecessouris ar and hes bene in possessioun, or quhilk sall be imposit be consent of the counsall and communitie of the said brught. And als his Majestie, with consent abone specifeit, gevis full power to the said proveist, baillies and counsall, and to thair successouris, off new to thirle and astrict the haill inhabitantis of the said brugh to the mylnes pertaining to thame in heretage or tak, according as they haif bene in use to do in tyme bygane, with power to thame to uplift the multouris, suckin and sequellis of the saidis mylnes; as also the lyke customes at all the pointis of the said brught, the tyme of the saidis faires and mercattis, as they haif bene in use to exact at the point of the great brig of the said brught; with power also to the saidis magistratis of Glasgow and thair successouris to elect, yeirlie, ane wattir baillie for taking ordour with the wrangis and enormities to be committit upone the said river within the boundis abone specifeit. Reserving alwayes to his Majesties darrest cowsignne, James duke of Lennox, and his successouris, thair baillies and deputtis, thair liberties and priviledges during the haill tyme of the last fair callit the fair of Glasgow, siclyke, als frielie and in the samyn maner as they haif bene in use and custome of befor; commanding and chairging that na maner of persones, ather regaltie or royaltie, quhilkis ar not burgessis and friemen of the said brught, tak upone hand to usurpe, exerce and occupy, within the friedome of the said brught and barrony of Glasgow, the tred and traffik of merchandice, ather cuntrey or forrane, under the payne of imprissounment of thair persones and escheiting of thair guidis and merchandice quhairevir the samyn may be apprehendit. Mairover, our said Soverane Lord, with advyse and consent foirsaid, gevis and grantis full power, commissioun and autoritie to the proveist, baillies and counsall of the said brught, and thair successouris, to mak and set down actis, statutis and ordinances for the commoun weill and proffeit of the said brught and mantaining of thair liberties and priviledges thairrof, being allwayes aggrieable and not contrair to the lawis and actis of parliament

of this kingdome, to be observit and keepit be the burgessis and inhabitantis of the said brught and all uther persones resoirting and [trafficking] thairto, under sik paynes as they sall think expedient; with power to thame to put to execution within the territory of the said brught, and within the boundis of their liberties and friedome, the saidis actis and ordinances, with all actis of parliament, generall or secreit counsall, constitutiones of burrowis, and all uther actis, decreittis and sentencis gevin or to be gevin, maid and establischt, in favouris of the saidis liberties (and that in sua far as the samyn ar competent to thame be the lawis and actis of parliament of this kingdome). And for the better executioun thairto to sitt, judge and decerne thairintill, makand, creattand and ordinand thame and their successouris judges competent in that pairt, throw all the boundis foirsaidis, with full power to thame to call, persew, arreist, waird and imprissoun the persones contravenaris of the saidis priviledgis, actis, constitutiones and sentencis abone specifeit, and to intromet with their guidis and escheitt the samyn, the ane half to his Majesties use, and the uther half to the pious useis of the said brught to apply, according to the actis and statutis of parliament maid thairupone. Lykeas our said Soverane Lord, with advyse and consent foirsaid, hes gevin and grantit, and be thir presentis gevis and grantis full power, libertie and priviledge to the said brught of Glasgow, burgessis and inhabitantis thairto, to tred, traffik, buy, sell and mak merchandice, within all the pairtis of the said watter and river of Clyde, with strangeris or ony uther persone or persones cuming and repairing within the samyn; as als to build harberies, poirtis and heavenis, bulwarkis and gittieheidis, for making of the said river mair navigabill within the hail boundis of the said river of Clyde, fra the said brig of Glasgow to the Clochstane, and for ressaveing of their shippis, barkis and boittis within ony pairt of the boundis foirsaidis of the said river sua far as the spring tyde flowis; and to tak stanes and sand within ony pairt of the said river, sua far as the spring tyde flowis, to build bulwarkis, heavenis, harberies, poirtis and gittieheidis, and to beitt and repair the samyn and to ballast their schippis barkis and utheris vessellis, and to exact, intromet with and uplift the anchorage, schoir siluer, and uther duties, of all merchandice, boittis, barkis and uther vessellis arryveand at the Brwmelaw of Glasgow, or ony uther poirt within the said river of Clyde, according to use and wont. And forsamekle as it is nottourlie knawn to the lordis of his Majesties counsall and exchequer that the proveist, baillies and counsall of the said brught, hes not onlie buildit and inlairgit the said kirk callit the New Kirk of Glasgow, bot lykwayes hes provydit the samyn with ane minister, to quhome thai pay yeirlye ane sufficient stipend for his service of the cure thairat; and his Majestie having regaird to thair zeall and pietie in that behalff thairfoir his Majestie, with advyse and consent foirsaid, hes maid and constitute, and be thir presentis makis and constitutes the proveist, baillies, counsall

and communitie of the said brught, and thair successouris for evir, undouttit and irrevocable heretable patrones of the said kirk callit the New Kirk, situat in the Tronegait of the said brught, with full power to thame and their successouris to present apt and qualifeit persones to the archbischope of Glasgow now present, and that sall happin to be for the tyme, for serving the cure at the said kirk, als oft and sua oft as the samyn sall vaik be deceis, dimissioun, deprivation, inhabilitie or utherwayes, and all and sindry uther thinges to do, exerce and use thairanent that to the advocatioun, donatioun and richt of patronage concernis and apperteanis. Attoure our said Soverane Lord hes, of certane knowledge and propper motive, with consent foirsaid, unitt, annexat and incorporat, and be thir presentis uneittis, annexis and incorporatis the said brught and citie of Glasgow, with the haill landis, tenementis, territories, communities, infeild, outfeild, poirtis, heavenis, mercattis, fairis, mylnes, multouris, thirlage, kirkis, patronages, customes, hospitallis, Correctioun houss, and utheris particularlie and generallie abone specifeit, in ane haill, frie brught royall, and willis and grantis that ane seasing to be takin be the proveist or ony ane of the baillies of the said brught, at the Mercat Croce thairof or tolbuith of the samyn, sall be ane sufficient and perpetuall seasing to thame and thair successouris, counsall and communitie thairof, without renewing of the said seasing, and that notwithstanding that ony of the particularis foirsaidis lyes discontigue thairfra. To be haldin and to be had all and haill the said brught and citie of Glasgow, comprehending the haill landis, tenementis, territories, kirkis, chappellis, patronages, communities, poirtis, heavenis, mercattis, fairis, mylnes, multouris, suckin, customes, hospitallis, correctioun houssis, and utheris particularly and generally above mentionat, to the saidis proveist, baillies, deane of gild, thesaurer, counsall, burgessis and communitie of the said brught of Glasgow, and thair successouris, off our said Soverane Lord and his Hienes successouris in frie burgage for evir, be all richtis merches and devyses as the samyn lyes in lenth and breid in houssis, biggings, yairdis, stankis, mylnes, multouris, etc., woodis, fischingis, etc., with court, plent, herezeld, bluidweit, amerciament and escheitis of the saidis courtis, etc., and with fork, fos, sok, sak, thole, thame, vert, wrak, wair, vennysons, infang theif, outfang theif, pitt and gallous. Giveand thairfoir, yeirlie, the saidis proveist, baillies, counsall, deane of gild, burgessis, communitie and inhabitantis of the said brught and citie of Glasgow, and thair successouris, to our said Soverane Lord, and his Hienes successouris, the soume of twentie merkis usuall money of this realme of Scotland, at the feistis of Witsounday and Martymes, in winter, be equall portiounes, in name of burrow maill, with service of brugh usit and wont allanerlie; as als payand, yeirlie, to ane richt reverend father in God, Patrik archbischope of Glasgow, and his successouris, the soume of sextene merkis usuall money of this realme of

Scotland, to the payment quhairof the said brught of Glasgow is bund be thair priour chartour. And finallie it is heirby declairit and expreslie provydit that thair presentia, nor nathing to follow thairupone, sall be onywayes hurtfull or prejudiciall to the said James duke of Lennox, his aires or successouris, thair baillies or deputtis anent quhatsumevir liberties and priviledgis dew to thame within the said brught and regaltie of Glasgow, quhairof thai and thair predicessouris hes bene in use and possessioun in ony tyme bygane. And that preceptis be direct ordourlie heirupone as effeiris. Gevin at Newmercat, the sextene day of October the yeir of God j^m vj^e threttie sex yeiris. Compositioun ane hundreth poundis. [Subscribed:] Traquaire, the^r; Da., Edenb.; Ro. Spotswood, J. Haye, Sir Thomas Hope, Jo. Hamiltoun, J. Balcomye, Cranstounriddell, Ja. Carmichaell, J. Craighall, Sir A. Strachan, Sir J. Lockharte.

Pleise your sacred Majestie,—

These containe ane ratificatioun to the burgh of Glasgow of all the infettments granted be your Majesties predicessouris in favouris of the said burgh, since the dayes of King Alexander, and of all richtis and priviledges quhairof they have beine in possessioun past memory of man, with ane new gift of the said brught [and] haill lands pertaining thairto, with mylns, multures, patronages of kirks and salmond fischings within the river Clyd, at both the ports and heavens of Inchgrene, Newark and Pott of the Rig, and power to erect harberies within any pairt of thair bounds from the brig of Glasgow to the Clochatane, with thair ordinar mercatts and fairs, and disponing to thame all pittie customes of all guids cumand in at thair ports, and power to thame to astrict the inhabitants of thair brugh to thair mylnes, and to elect ane watter baillie yeirlie, with power to mak actis and statutis not repugnant to the lawis of the kingdome and putt the lawis to executioun, conforme thairto, and creating thame justices of peace within thameselfs, and als disponing to thame the patronage of the New Kirk of Glasgow laillie biggit and erected be thame, and to quhilk they have provyded ane constant maintenance for the minister serving the cuir; creating all in ane brugh to be halden of your Majestie in frie burgage, for payment of twentie marks yeirlie of borrow maill to your Majestie, mair nor ever wes payed of befor, and containing ane expres declaratioun that nothing thairincontained sall prejudge your Majesties ryght trusty cousing James duik of Lennox, his aires or successouris, baillies or deputtis, of thair priviledges and liberties within the said toun. [Subscribed:] Sir Thomas Hope.

LIV.

LETTER from King Charles I. to the Magistrates of Glasgow.¹ Oxford,
21 April 1643.

Trusty and well beloved, we greet you well: Since nothing on earth can be more dear to us than the preservation of the affection of our people, and amongst them none more than these of our native kingdom; which as the long and uninterrupted government of us and our predecessors over them, doth give us just reason in a more near and special manner to challenge from them; so may they justly expect a particular kindness from us in every thing which may contribute to their happiness; but knowing what industry is used, by scattering seditious pamphlets, and employing private agents and instruments, to give bad impressions of us and our proceedings, and, under pretence of a danger to religion and government, to corrupt the fidelity and affections, and to engage them in an unjust quarrel against us their King; we cannot therefore but endeavour to remove these jealousies, and secure their fears, from all possibility of hazard to either of these from us. We have therefore thought fit to require you to call together your fellow-burgesses, and all such others as have any dependence upon you, and, in our name, to show them our willingness to give all the assurances they can desire, or we possibly grant (if more can be given than already is), in preserving inviolably all these graces and favours which we have of late granted to that our kingdom; and that we do faithfully promise we will never rule to the contrary of any thing there established, either in the ecclesiastical or civil government; but that we will inviolably keep the same according to the laws of that our kingdom; and we do wish God so to bless our proceedings and posterity, as we do really make good and perform this promise. We hope this will give so full satisfaction to all that shall hear this our solemn protestation, that no such persons as study division, or go about to weaken the confidence betwixt us and our people, and justly deserve the name and punishment of incendiaries, shall be *screened* from the hands of justice, and all such others as shall endeavour peace and unity, and obedience to us and our laws, may expect that protection and increase of favours from us which their fidelity deserves. So, expecting your care hereof, we bid you heartily farewell. From our Court at Oxford. April 21st, 1643.

¹ Printed from "Memorials and Letters relating to the History of Britain in the reign of Charles I." Published from the Originals. Glasgow: Printed by Robert and Andrew Foulis, Printers to the University. MDCCLXVI. By

David Dalrymple (Lord Hailes). pp. 140-1. The letter is probably that which was produced to the Town Council on 27th May, 1643 (Glasgow Records, ii., p. 58).

LV.

ABSTRACTS OF VARIOUS WRITS, 1455-1648.

1. Notarial Instrument, dated 9 September 1455. For the obit of a worthy man, master David of Cadioche, precentor of Glasgow, it was agreed between the Prior and Convent of the Friars Preachers of Glasgw and him, that in each year, in time coming, during the feast of the Nativity of the blessed Virgin Mary, before the second vespers, the said prior and convent should sing Placebo and Dirige, with the nine lessons, as the custom was, and on the morrow should celebrate the mass of commemoration of souls, with note, for the soul of the said Mr. David, and for the souls of his parents and of all the faithful dead laid to rest in the said church or its cemetery. And each brother priest personally there should have twelve pennies, and the convent, in addition to the pittance, should have for supper, after the obit, a flagon of beer and six penny-worth of wheat bread. Moreover, on the morrow, before mass, the said convent, daily celebrating a mass with low voice for the soul of the said master David, should have four marks yearly. Also the said prior and convent for the time should every Saturday prepare a wax torch for the "*Salve*," before the blessed Virgin Mary, according to the form of the foundation of the said chaplainry, with sundry other things therein contained; for which wax torch the said prior and convent should have, and they received, state and sasine of 6 s. 8 d. in annualrents. Done in the place of the said Friars. Witnesses: Master William Sympyll, canon of Glasgow, Sirs John of Restown, vicar of Kylbryde and notary, Nicholas of Hall, chaplain, David Hyne and John Sympyll. Henry Michaelson, clerk of the diocese of Glasgow, notary public.

The Instrument of which the above is an abstract is of the following tenor:—

In Dei nomine, Amen. Per hoc presens publicum instrumentum cunctis pateat evidenter quod anno ab Incarnacione ejusdem millesimo quadringentesimo quinquagesimo quinto, mensis Septembris die nona pontificatus sanctissimi in Christo patris ac domini nostri domini Kalixti, divina providencia, Pape tercii, anno primo, indictione vero tercia. In mei notarii publici et testium subscriptorum presencia. Pro obitu magni discrecionis viri, magistri David de Cadioche, precentoris Glasguensis appunctuatum et concordatum fuit inter Priorem et Conventum Fratrum Predicatorum de Glasgw, ex una, et dictum magistrum David, partibus ab altera, in modo et forma sequentibus, videlicet, quod quolibet anno temporibus futuris duraturis, in festo Nativitatis Beate Marie Virginis, ante secundas Vesperas, dicti prior et conventus cantabunt *Placebo* et *Dirige* cum

novem lectionibus, ut moris est, et in crastino missam de commemoratione animarum cum nota celebrabunt pro anima ipsius magistri David, parentum suorum et animabus omnium fidelium defunctorum in dicta ecclesia vel cimiterio quiescentium. Et quilibet frater presbiter personaliter ibidem existens habebit duodecem denarios, et conventus in augmentum petencie ad cenam post obitum habebit lagenam servicie et sex denarios panis frumenti. Et in crastinum prius missam tamen insuper dictus conventus cotidie celebrans unam missam submissa voce pro anima ipsius magistri David habebit quatuor marcas annuatim. Item, dictus prior et conventus qui pro tempore fuerint sustentabunt et preparabunt unam torchiam ceream ad *Salve* quolibet die Sabbati coram beata Maria Virgine, secundum formam fundacionis dicte capellanie cum aliis diversis in dicta fundacione contentis; pro quo torchio cere dictus prior et conventus habent et statum et sasinam acceperunt de sex solidis et octo denariis in annuis redditibus. Super quibus omnibus et singulis prefatus magister David a me notario publico infrascripto sibi fieri peciit publicum instrumentum. Acta sunt hec in loco dictorum Fratrum, anno, mense, die, pontificatu et indictione quibus supra. Presentibus ibidem: venerabili viro, magistro Wyllermo Sympyll, canonico Glasguense, dominis Johanne de Restown, vicario de Kylbryde et notario, Nicholayo de Hall, capellano, David Hyne et Johanne Sympyll, cum multis aliis testibus ad omnia premissa vocatis specialiter et rogatis. Et ego Henricus Michaelis (etc.; docquet and sign same as *antea*, p. 446).

2. Notarial Instrument, dated 17 August 1470. Luke Dun, citizen of Glasgow, for the sum of £20 10s. Scots, sold to Alexander Lyndsay, laird of Dunrod, a tenement, with the pertinents, lying in the city of Glasgow, in the street extending from the cathedral church to the market cross, on the west side thereof, between the tenement of John Spens on the south and of the late John Horn on the north. To be held for payment of the annual fermes used and wont. Sasine given by James Stewart, bailie, to Andrew Lyndsay, son of Alexander, as authorised by him, reserving the liferent to the father. Alexander Lyndsay asked an instrument from the notary, with the common seal of the city appended, for greater security. Done in the city of Glasgow, in presence of John Stewart, provost of Glasgow, Alexander of Lecprevek of that Ilk, David Lindsay, Robert Lindsay, Alexander Lindsay, Lyon Lindsay, Stephen Craw, Philip of Grame, esquires, George Hynde, John Hynde, Archibald Wichschaw, John Olifante, Thomas of Bargille and James Litster, sergeant, "with many other" citizens of Glasgow. John Michael, priest, of the diocese of Glasgow, notary public. (Seal wanting.)

The Instrument of which the foregoing is an abstract is as follows:—

In Dei nomine, Amen. Per hoc presens publicum instrumentum cunctis pateat evidenter quod, anno ab incarnatione Domini millesimo quadringentesimo septuagesimo

mensis Augusti die vero decimo septimo, indictione tercia, pontificatus sanctissimi in Christo patris ac domini nostri domini Pauli, divina providencia, Pape secundi, anno sexto. In mei notarii publici et testium subscriptorum presencia, personaliter constitutus Lucas Dun, civis de Glasgw, vendidit ac titulo vendicionis tradidit, necnon pro perpetuo a se et suis heredibus alienavit unum tenementum suum, cum omnibus pertinentiis, jacens in civitate Glasguense, in vico extendente ab ecclesia cathedrali usque ad crucem fori, ex parte occidentali ejusdem, inter tenementa Johannis Spens, ex parte australi, et quondam Johannis Horn, ex parte boreali, honorabili viro Alexandro Lyndsay domino de Dunrod, pro xx⁴ libris et x s., usualis monete regni Scocie, dicto Luce per dictum Alexandrum fideliter et plenarie persolutis; quamquidem summam dictus Lucas Dun fatebatur se recepisse in usum suum convertisse et dictum Alexandrum Lindsay et omnes suos quietumclamavit imperpetuum de eadem. Tenendum et habendum predictum tenementum, cum omnibus commoditatibus, asiamentis et pertinentiis suis, tam non nominatis quam nominatis, ad dictum tenementum spectantem, seu juste spectare valentibus quomodolibet in futurum, dicto Alexandro Lindsay, heredibus suis et suis assignatis, a dicto Luca Dun, heredibus suis et suis assignatis, in feodo et hereditate imperpetuum, adeo libere, quiete, plenarie, integre, honorifice, bene et in pace, sicut dictus Lucas vel aliquis predecessorum suorum liberius quicquid, melius et honorificentius tenuit seu possedit. Reddendo inde annuatim dictus Alexander Lindsay, heredes sui et sui assignati de dicto tenemento, cum pertinentiis, firmas annuas prius debitas et consuetas. Cujus tenementi, cum pertinentiis, statum, feodi saisinam, hereditariam et corporalem possessionem, dictus Lucas Dun tradidit et tradi fecit de mandato expresso dicti Alexandri Lindsay, Andree Lindsay, filio suo, per Jacobum Stewart, tunc temporis unum ballivorum civitatis predictae, per terram et lapidem, ut moris est burgorum in consimilibus; reservando dicto Alexandro Lindsay domino de Dunrode liberum tenementum et usum fructuum dicti tenementi, cum pertinentiis pro toto tempore vite sue. Super quibus omnibus et singulis dictus Alexander Lindsay, peciit a me notario publico subscripto sibi fieri publicum instrumentum. Cui instrumento sigillum commune dicte civitatis pro majore securitate premissorum dictus Alexander Lindsay apponi cum instantia procuravit. Acta erant hec in dicta civitate Glasguense, anno mense, die, indictione et pontificatu quibus supra. Presentibus ibidem: honorabilibus et providis viris Johanne Stewart, preposito Glasguense, Alexandro de Lecprevek de eodem, David Lindsay, Roberto Lindsay, Alexandro Lindsay, Leone Lindsay, Stephano Craw, Plippo de Grame, scutiferis, Georgio Hynde, Johanne Hynde, Archibaldo Wickschaw, Johanne Olifante, Thoma de Bargilli et Jacobo Litster, seriando, cum multis aliis civibus de Glasgw, testibus ad premissa vocatis specialiter et rogatis. Et ego Johannes Michaelis, (etc., as printed *antea*, p. 456, with the addition of the words "et singulorum" before the last word "premissorum").

3. The following writs connected with the foundation by James Douglas of Auchincassil of a chaplainry at the altar of St. Cuthbert, within Glasgow Cathedral, on 29 January 1472-3, referred to in footnote, *antea*, p. 440. The writs are more fully described in "The Scottish Antiquary," vol. xvii., pp. 112-20:—

- (1) Notarial Instrument, dated 25 February 1444. Sasine given by Walter of Hamilton and his spouse to Simon Robertson and William of Saltoun of certain annualrents payable furth of property in Linlithgow.
- (2) Charter by Patrick of Louthyan to John of Carnis of property in the Burgh of Linlithgow, 26 August 1445.
- (3) Charter by Henry Ka to Patrick Hyne of an annualrent of 15 s. payable furth of a property in Linlithgow, 7 April 1472.
- (4) Charter by Thomas Lokhart to James of Douglas of Achincassill of an annualrent of 10 s. payable furth of a property in Linlithgow, 31 August 1472.
- (5) Instrument of Sasine thereon, of same date.
- (6) Charter by Patrick Hyne to James of Douglas of Achincassill of several annualrents payable furth of properties in Glasgow and Linlithgow, 31 August 1472.
- (7) Charter by Alexander Carnys to James of Douglas of Achincassill of an annualrent of 20 s. payable furth of property in Linlithgow, 20 October 1472.
- (8) Instrument of Sasine thereon, of same date.
- (9) Charter by David Kerse to James of Douglas of Achincassill of an annualrent of 6 s. 8 d. payable furth of property in Linlithgow, 9 December 1472.
- (10) Instrument of Sasine thereon, of same date.
- (11) Notarial Instrument, printed *antea*, pp. 461-5.

4. Acknowledgment, dated 11 July 1539. Hew Clerk, son and heir of Robert Clerk, acknowledged the receipt from William Lang, burges of Glasgow, of the yearly maill of a tenement in the burgh, and also of the entry money for a feu thereof. Writ printed in Glasgow Protocols, No. 1319.

5. Notarial Instrument, dated 25 May 1546. John Cameroun, procurator and in name of William Burrell, chaplain, resigned in favour of Andrew Burrell, son (*filius legitimus et naturalis*) of William Burrell, burges of Glasgow, in the hands of David Craufurd, younger laird of Ferme, an annualrent of 6 s. payable furth of (1) a tenement

belonging to George Park, lying in the burgh of Rutherglen, in the North-gait (*vico boriali*) thereof, between the common vennel on the west and the lands of Alan Fary on the east, and (2) a rig of land adjacent thereto. Sasine given by David Craufurd, younger laird of Ferme, as bailie. Nicholas Witherspoun, notary public.

6. Charter, dated 12 September 1554. William Striviling of Keir, lord of the lands of Lettir and Bochquharrage, confirmed to John Stirling, son and heir of the late Robert Striviling of Lettir, and his heirs male, the £10 land of Lettir, with the pertinents, and also the £5 land of Bochquharrage, with the pertinents, within the shire of Striviling; and that in excambion for the lands of Blairerne and Kyrkmychaell. Subscribed at Cadder in presence of Mr. Robert Herbertsoun, William Hegait, John Benyng, Walter Duncan, and John Levingstoun.

7. Notarial Instrument, dated 30 April 1557. Alexander Dicke and Jonet Carnys, spouses, sold to Ninian Syare, burgess of Glasgow, an annualrent of 8 s. payable furth of a tenement, with yard and pertinents, lying in the city of Glasgow, on the south side of the street leading from the Market Cross and the Nether Port to the great bridge over the Clyde, between the lands or tenements of Robert Scherar on the east, of Robert Mure on the west, the street on the north, and the burn of Malyndonar on the south. Sasine given by John Mure, bailie. Ratified by the wife in absence of her husband. Henry Gibsone, master of arts, clerk of the city of Glasgow, notary public. See Glasgow Protocols, Nos. 1339, 2310.

8. Notarial Instrument, dated 16 February 1568-9. David Anderson, after being served heir to Robert Anderson, his father, in an annualrent of 10 s. Scots, payable furth of a tenement on the south side of Trongate, sold the annualrent to James Anderson, his brother german. Glasgow Protocols, No. 1616.

9. Notarial Instrument, dated 11 January 1569-70. John Steward of Bowhous and Besse Mungumry, spouses, sold to John Wilsone, merchant, citizen of Glasgow, and Jonet Auld, spouses, a fore waste tenement of land, lying in Troyngate, near the new collegiate church of the blessed Mary, between the lands of the late Peter Adame on the east, the cemetery of the said church on the west, the north wall of the said church on the south, and the public street on the north. Sasine given by Mathew Heriot, bailie. Henry Gibsone, notary public. See Glasgow Protocols, No. 3335; also *antea*, Appx. No. XXX., p. 528.

10. Notarial Instrument, dated 25 October 1570. John Wilson, bailie, at the request of Sir Bartholomew Symson, preceptor of the preceptory or hospital of St. Nicholas of

the city of Glasgow and chapel thereof, gave sasine to John Nicol, burgess of Glasgow, and Marion Muirheid, spouses, of two ruinous tenements, lying contiguous, with yard at the back thereof, in the street called Drigait, between the lands of the new hospital, outwith the North Port of the city of Glasgow, founded by the late master Rolland Blacader, subdean of Glasgow, said lands being occupied by Jonet Relik, on the west, the lands of Thomas Drew on the east, the burn Malyndonar on the north, and the public street on the south; all conform to a charter of feu-farm, and for payment to the said Sir Bartholomew, preceptor and chaplain, and his successors, of £3 Scots yearly. Thomas Knox, notary public.

11. Obligation, dated 7 January 1571-2. John Steward of Bowhous, referring to the sale by him to John Wilsone, merchant, burgess, and Jonet Auld, spouses, of "ane pece waist foir land, new biggit be the saidis Johnne and his spous, liand in the Troyn-gate of Glasgw, beside the New Kirk, betuix the new kirk yard on the west and umquhill Petir Adame on the eist" (*supra*, No. 9), bound himself to warrant the "foirsaid foir tenement of new biggit be the said Johnne," to be peaceably occupied by him in all time coming. Subscribed in presence of William Maxuell and John Wylie, merchants.

12. Transumpt of a Notarial Instrument, dated 26 February 1571-2. John Colquhoun of Kilmardynie, procurator and in name of Archibald Blakburne, burgess of Glasgow, resigned in favour of Elesone Blakburne—(1) A rig of land lying within the territory of the city of Glasgow, in the croft called Sanct Tennes Croft, between the lands of the late John Wan on the east and the lands of the late Quintigern Hawstoun on the west; (2) an annualrent of 4 s. payable furth of a fore tenement then belonging to Sir George Brounsyd, lying in the street of St. Tenu, between the lands of Symon Neilson on the east and other lands on the west; (3) a rood of land lying in Broomelaw, between the lands of David Lindesay on the east and the lands of the collegiate church of the blessed Virgin Mary on the west; (4) an annualrent of 40 s. furth of a tenement, fore and back, with the pertinents, belonging to Robert Erskin, lying on the north side of the street of St. Tenu; (5) an annualrent of 12 d. furth of a tenement belonging to Alexander Legait, lying beyond the burn of Malyndinor; (6) an annualrent of 10 s. furth of a tenement of John Stewart, Bowhous, lying on the east side of the street leading from the Market Cross to the South Port, between the lands of the late Mr. David Gibsoun on the south and the lands of Robert Rankyne on the north; and (7) an annualrent of 11 s. furth of a tenement belonging to John Broune, flesher, lying in Trongait, between the lands of Nicholas Andro on the east and the lands of Eduard Lowthiane on the west. Sasine given by John Wilsoun, bailie.

Witnesses: James Wilsoun, merchant, burgess of Glasgow, John Morisoun, John Fowlare, Robert Lettrik and Michael Barde, notary public. Transumpt made by Archibald Betoune, precentor of the church of Aberdeen and Judge and Commissary of the Commissariat of Glasgow, within the metropolitan church of Glasgow, in the consistory place thereof, on 16 July 1579; and certified by Robert Herbertsoun, master of arts, clerk of the city of Glasgow, notary public by royal authority, and clerk and tabellion of the consistory court of Glasgow. Seal of office of the commissariat appended.



13. Notarial Instrument, dated 21 July 1572. Archibald Wilsone, son and heir of Mr. David Wilsone, burgess, at the request of his father and Elizabeth Maxwell, his mother, renounced in favour of Stephen Wilsoun, his brother german, all right of property which he had to two acres of open land in Lyningshauch, lying between the lands of Richard Ros on the south, the burn of Malyndonar on the west, and the "commone loyn" on the north and east. Witnesses: Mr. Robert Maxwell, vicar of Killellane, and others. Thomas Knox, notary public.

14. Notarial Instrument, dated 26 August 1572. James Andersone sold to Sir Mark Jamesone, vicar of Kilspindie, and he resigned in favour of the poor lepers dwelling in the hospital at the south end of Glasgow bridge, an annualrent payable furth of a teneement on the south side of Trovgate. See Abstract in Glasgow Protocols, No. 1576; also *antea*, Appx. No. (4), p. 565.

15. Contract (in duplicate), dated 3 March 1572-3. Mr. David Wilsoun, burges of Glasgow ("rentaller of twa akeris land or thairby in Lwnyngis haucht"), Elizabeth Martell, his spouse, Steyn Wilsoun, their son (possessor of the two acres, by transfer from his father), and Sibell Craig, spouses, on the one part, transferred to Mr. Henry Gibsoun and Jonet Dunlop, spouses, on the other part, "the foirsaid twa akeris land, with all reycht, title of reycht, properte, favour, kyndnes and possession" that they had thereto, and that for the sum of £100 Scots, consenting "to the rentalling of the said Mr. Henrie in the samyng at my lord of Glasgows or ony utheris havand power to ressave rentallis within the barony of Glasgow." Lands to be redeemable on repayment of the £100 "in the Hie Kirk of Glasgw, betuix the sone rysing and ganging to of that ilk."

16. Discharge, dated 23 October 1574. Steven Wilsoun (son of Mr. David Wilsoun) and Sibell Craig, spouses, renounced the right of reversion of "the saxt pairt of the landis of Lwnyngis haucht," contained in No. 15.

17. Notarial Instrument, dated 10 July 1576. John Wilson, merchant, resigned in favour of Jonet Wallace, his spouse, the liferent of a booth and shop on the south side of Troynygait. Abstract in Glasgow Protocols, No. 2307.

18. Notarial Instrument, dated 18 July 1576. Ninian Syare, fisher, citizen, and Marion Miller, spouses, in consideration of money paid to them by Sir Mark Jamesoun, vicar of Kilspyndy, sold to the poor lepers dwelling in the hospital on the south side of Glasgow bridge the annualrent of 8 s. mentioned in No. (5) (*antea*, p. 565). Abstract in Glasgow Protocols, No. 2310.

19. Charter, dated 18 May 1577. Robert lord Boyde, provost of the burgh and city of Glasgow, George Elphinstone and John Wilsone, bailies, and the council and whole community thereof, for implement of their part of a contract (*antea*, No. XXXIX., p. 553), conveyed to Archibald Lyoun their common mills and mill lands, with the multures thereof lying within the territory of the city, in the parish and barony of

Glasgow;¹ to be held of the granters for payment of a penny Scots, yearly, if asked only. Subscribed and sealed with the common seal of the city, within the tolbooth, in presence of these witnesses: [Thomas] master of Boyde, James Andersone, John Stobo, John Watson, Robert Lettrik, officers, and James Woddrop. Seal wanting and charter cancelled by being cut in several places. The subscribers are: Boyd, provest; George Elphynstoun, baillie; Jhone Wilsone, baillie; William Cunnyngnam, James Flemyng, Mr. Adam Wallace, Robert Rowat, Robert Adam, I. P. L., Mathow Willsoun, George Herbertsoun; Henry Gibsoun, notary public by authority of David Lyndesaye, senior, of Kittokside; Andrew Bailze, Robert Mure, John Lyndesaye, George Burell, John Gilmour and John Clerk, councillors, unable to write.

20. Notarial Instrument, dated 30 July 1577. John Wilsoun, bailie, gave sasine to Andrew Rob, son and heir of the late John Rob, merchant, his father, of a ruinous and fallen-down barn, with yard adjacent, and the pertinents, lying on the south side of the street of St. Tenu, between the lands of David Lyndsay on the east, the lands of the late William Eglyntoun on the west, Mutland Croft on the south, and the street on the east. Andrew Rob thereupon sold the property to William Glen, baker, citizen of Glasgow, and he resold the same to Charles Pollok, merchant, citizen. Henry Gibsoun, notary public.

21. Notarial Instrument, dated 7 January 1579. Walter Crauforde, son of David Craufurd of Ferme, produced to George Elphinstoun, one of the bailies of Glasgow, a precept of sasine whereby King James VI. charged the provost and bailies of Glasgow, or either of them, to give him sasine of (1) the long house (*longam domum*) or tenement, with a kiln and barn, lying between the lands called Burrofeild on the east, the common highway on the north, the Round Croft on the west, and the lands of Burrofeild on the south; and (2) a tenement of land, with the pertinents, lying in the city of Glasgow, in the Troyngate thereof, between the lands of David Lyndsaye on the west, the tolbooth of the said city on the east, the street on the south, and other lands on the north, reserving a hall and chamber, with an upper chamber, in a part of the said tenement belonging to John Andro, writer. Which properties belonged to the late Gilbert Herbertson, natural son (*bastardi filio naturali*) of the late George Herbertson, burgess of Glasgow, and fell to the Crown in the absence of lawful heirs. Precept dated at Stirling Castle, 13 June 1579. [See Charter under the great seal, Reg. Mag. Sig. IV., No. 2873.] Sasine given in terms of the precept.

¹ The conveyance was only in wadset, or security, as explained by the contract. It was still in force in 1585, as shown by Glasgow Protocols, No. 2701.

22. Notarial Instrument, dated 11 April 1580. Walter Craufurde, son of David Craufurd of Ferme, sold to George Herbertsoun, citizen of Glasgow, and Margaret Mure, spouses, the property mentioned in No. 21, here described as (1) a long house or tenement, with kiln and barn, lying within the territory and burgh of the city of Glasgow, between the lands of Burrofeld on the east, the common highway on the north, the lands called Rowndcroft on the west, and the lands of Burrofeld on the south; and (2) a great tenement lying between the tolbooth (*pretorium*) of the city on the east, the street on the south, and the lands of Robert Rowat and John Drrippis on the north; reserving a hall and chamber, with an upper chamber, belonging to John Andrew, writer. Sasine given by George Elphinstone, bailie. Henry Gibsoun, master of arts, clerk of the city of Glasgow, notary public.

23. Notarial Instrument, dated 2 May 1580. John Grahame, citizen of Glasgow, as procurator for Adam Hall of Fulbar, resigned in favour Hector Steward, citizen of Glasgow, and Alisone Hall, spouses, an annualrent of 14 s. payable furth of a barn, with the pertinents, belonging to John Woddrop, merchant and citizen, lying within the territory of the burgh and city of Glasgow, on the north side of the street of St. Teneu, between the lands of the late Patrick Andersoun on the east, the lands of the late William Maxuell on the west, the Long Croft on the north, and the street on the south. Sasine given by William Conyghame, bailie. Witnesses: John Steward of Bowhous and others. Henry Gibsoun, notary public. As to destination of this annualrent, see *infra* No. 25 and *supra* No. XLIV., pp. 562-3.

24. Charter, dated 30 March 1581. James Boyd, archbishop of Glasgow, granted to Mr. Henry Gibsone, citizen of Glasgow (1) a 10 s. 10 d. land of old extent in Possil; (2) a 6 s. 3 d. land of old extent in the town of Meikle Govan, in Dumbrek Quarter; (3) one-sixth part of the lands called Lwnyngshauche, extending to two acres of land or thereby, with the pertinents; all lying in the barony and regality of Glasgow, and formerly belonging to Mr. Henry in rental. To be held in future of the archbishop and his successors in feu-farm for payment—(1) for the lands in Possil, 9 s. 1 d. in money, 2 firlots of barley (*brasei moliti*), 2 firlots of horse corn, 1½ capon and 2 poultry; (2) for lands in Meikle Govan, 3s. 3d. in money, 1 firlot of bear, 1 firlot of horse corn, 3 parts of a capon and 1 poultry, also the accustomed multures to the mill of Partick; (3) for the lands in Lwnyngshaucht, 16 s. in money, with 2½ d. of augmentation. Subscribed by the archbishop and sealed with his round seal; also sealed with the seal for causes of the chapter of Glasgow, in absence of their common seal, and subscribed by the dean and chapter, in token of their consent and assent to the premises; all in

presence of the archbishop's servitors, Fergus Kennedy, John Matthie and John Anderson, chamberlain. The archbishop's seal is preserved, but the other has disappeared. The subscribers are:—Ja., Glasgw. J. Balfour, decanus, Glasguen. Andro Hay, Renfrew. Archi^{dca} Craufurd, ab Eglisheim, rector. Mr. David Wemys, person of Glasgw. Thomas Archibald de Cardros. Mr. Johannes Howysoune, rector de Cambuslang. Mr. William Chirnsyd, person of Lus. A certificate subscribed "Hewatt" shows that the charter was produced to the lords commissioners at Edinburgh on 26 November 1583.

25. Notarial Instrument, dated 28 February 1581-2. This is a duplicate of the Notarial Instrument by Archibald Eglintoun, printed *antea*, No. XLIV., pp. 561-3.

26. Letters of Reversion, dated 15 June 1583. Walter Bowe, merchant, burgess, and Jonet Wynnyng, spouses, acknowledged that the transfer to them by John Wilsoun, merchant, of "his tenement, bak and foir, heycht and laicht, liand on the south side of the Troyngate, betuix the landis of umquhill Richart Ros on the eist, the new kirk yarde on the west, and the hie streit on the north," was under reversion, and bound themselves to re-convey the property on receiving payment of 100 merks. Subscribed by Henry Gibbsoun, notary public for the granters, as they could not write. See No. 28.

27. Crown Charter, dated 4 March 1583-4. King James VI. confirmed the following charters:—

- (1) Charter, dated 10 February 1555-6, by Christopher Knox to George Harbertsoun and Margaret Mure, spouses, printed *antea*, Appx. No. XXVII., pp. 513-7.
- (2) Charter, dated 5 June 1560, by Mr. Archibald Crawford, rector of Eglisheim and provost of the collegiate church of St. Mary, situated within the walls of the city of Glasgow, with consent of the prebendaries of the said church, of the magistrates and council, patrons thereof, and of James archbishop of Glasgow, granting in feufarm to the said George Harbertsoun and spouse, two acres of arable and open land occupied by them, lying in the territory of Glasgow, in the croft called the Croft of St. Anne, between the lands of the Subdean of Glasgow on the north, the common mure of Glasgow on the south, the lands occupied by John Campbell and Marion Gayne, spouses, on the east, and the lands occupied by James Campbell and Sibill Liddell, spouses, on the west. Feu-duty, 26 s. 8 d., with 3 s. 4 d. of augmentation.

- (3) Charter, dated 5 August 1564, by Sir John Law, chaplain of the perpetual chaplainry of St. Nicholas in the lower church (founded by the late Sir John Smyth), with consent of the dean and chapter of Glasgow, patrons of said chaplainry, granting in feufarm to the said George Harbertsoun and spouse, one acre of open land lying in the Dowhill, near the city of Glasgow, between the lands of John Harbertsoun on the east, the cemetery of the chapel of St. Quintigern on the south, and the lands of the poor of the hospital of St. Nicholas of the city of Glasgow on the west and north. Feu-duty, 2 merks yearly.
- (4) Charter, dated 26 March 1566, by William Harbertsoun, prebendary of St. Kentigern, in the said collegiate church, with consent of the provost and prebendaries thereof and of the magistrates and council, patrons, granting in feufarm to the said George Harbertsoun and spouse the tenement belonging to the prebendary in connection with his prebend, then occupied by James Rankin, David Lyoun, Nichol Herbertsoun, Cristina Coittis, William Bowe and others, lying in the front of the west side of the street of the said city, at the market cross, between the tolbooth of the said city on the south and the tenement and lands of the late Edward Scott and John Wan on the north. Feu-duty, 18 merks, and an annualrent of 7 merks, with 3 s. 4 d. of augmentation. In warrandice of the annualrent George pledged his tenement, with yard and pertinents, lying on the east side of the street leading to the market cross, between the tenements of John Gibbsoun on the south, of Mr. David Wilsoun on the north, the burn of Malindinor on the east, and the street on the west. The charters confirmed are engrossed in the Crown charter. (See also Reg. Mag., Sig. V., No. 680.)

28. Notarial Instrument, dated 16 July 1585. Robert Rowat, bailie, gave sasine to William Wilsoun, as heir of John Wilsoun, his father, in a fore tenement of land, newly built by the latter, with free ingress and egress by the fore door, lying on the south side of the Trongait, near the collegiate church of the blessed Virgin Mary, between the lands of the late Peter Adam on the east, the cemetery of the said church on the west and south, and the street on the north. Archibald Hegait, notary public. See Glasgow Protocols, No. 2748.

29. Notarial Instrument, dated 10 November 1585. Property mentioned in No. 26 redeemed. Abstract of instrument printed in Glasgow Protocols, No. 2788.

30. Extract from the Books of Council and Session of two Contracts, dated 4 and 24 June 1588, respectively. The first was between Margret Mure, relict of umquhile George Herbertsone, burgess of Glasgow, and Sir William Herbertsone, his brother and heir of conquest, on the one part, and George Hutchesone, eldest son of Thomas Hutchesone of Lambhill, on the other part. On behalf George Hutchesone, his father had, at desire of the first party, paid 300 merks "to Archibald Eglington, for redemption and outquytting fra him of thair mekle tenement of land in Tronegait of Glasgow, on the northe side thair of, betuixt the tolbuitht on the eist and the landis of umquhile David Lindsay on the west pairtis; wodset be the saidis umquhile George and Margaret to the said Archibald. . . . And becaus the said Archibald refusit to receive the said soume the samin was dewlie consignit in the handes of maister Thomas Archibald, persone of Cardros, to be furthcumand to the said Archibald and utheris haveand entres." For security of George certain proceedings were to be taken with the view of his being vested in the property till redemption thereof. By the second contract, which was between Sir William Herbertsone and George Hutchesone, the former conveyed to the latter his right of reversion under the first contract.

31. Notarial Instrument, dated 22 June 1588. Archibald Eglyntoun, notary public, acknowledged the redemption of the property mentioned in No. 30, and resigned the same in favour of Margaret Mure, relict of the late George Harbertsone, and Sir William Harbertsone, chaplain of the new collegiate church of Glasgow, and they sold it to George Huchesone, to whom Robert Rowat, bailie, gave sasine. Mr. John Allansone, notary public.

32. Charter, dated 18 and 22 November 1588. Sir William Harbertsone, prebendary of the prebend of St. Anne, founded within the church of Paisley, with consent of Walter, commendator of Blantyre, heritable proprietor of the lands of Cardonnald, and patron of the said prebend, granted, in feufarm, to George Huchesone, writer, the yard called *Ronnaldis Yard* and the small house built thereon called the *ludge*, with the pertinents, then occupied by William Hervie, lying within the territory of the city of Glasgow, between the yard of the late Archibald Lyoun on the east, the yard of William Wylie, writer, on the south, the lands of the laird of Coleintoun, called Ramshorne, on the west, and the lands of the croft called Deynside on the north. To be held of the said prebendary for payment of the feu-duty of 26 s. 8 d. Scots yearly. Subscribed and sealed at Edinburgh and Blantyre Craig, respectively, in presence of Alexander Gray and William Lawder, servitors of Mr. George Abercrommy, writer; and Alexander Craufurd, Alexander Stewart and Robert Makewin, servitors of the said

commendator. (Seals wanting.) Confirmed by King James VI., 1 January 1589-90. (Reg. Mag., Sig. V., No. 1718. Glasgow Charters, pt. i., Abstract No. 387, p. 33.)

33. Notarial Instrument, dated 13 November 1593. Helen Wilsoun, daughter of David Wilsoun, resigned to Archibald Eglintoun, notary, a tenement on the south side of Trongate, between the lands of John Ros on the east and the cemetery of the new church on the west. Abstract in Glasgow Protocols, No. 3731.

34. Contract, dated 9 February 1593-4. William Dumbair of Blantyre, Archibald Gibsoun, the executors of the late Archibald Lyoun, and the heirs of the late Andrew Dunlop and Cristina Coitis, spouses, agreed to implement a decret arbitral with regard to annualrents payable furth of part of the lands of Blantyre.

35. Crown Precept of Sasine, dated 2 March 1593-4. King James VI. charged the provost and bailies of Glasgow to give to George Huchessoun, writer (already vested in the property aftermentioned), sasine *de novo* of a tenement of land, with the pertinents, lying in the Tronegait, between the lands sometime belonging to the late David Lindsay on the west, the tolbooth of the said city on the east, the street on the south, and the lands sometime belonging to the heirs of the late James Inschaw and John Drippis on the north; which tenement sometime belonged to the late Gilbert Herbertsoun, natural son of the late George Harbertsone, citizen, and had fallen to the Crown by the law relating to bastardy. Given under the great seal at Stirling. (Small portion of seal remaining.)

36. Precept of Sasine on Crown Charter, dated 23 March 1593-4. King James VI. charged the provost and bailies of the city of Glasgow to give to Archibald Eglintoun, notary public in Glasgow, sasine of a tenement, fore and back, under and above, with the pertinents, lying within the city of Glasgow, on the south side of the street called the Tronegait, between the lands of John Ros on the east, the cemetery of the New Church on the west, and the street on the north; which tenement, with the pertinents, formerly belonged to the provost and prebendaries of the New Church, as part of the patrimony and property thereof, and fell to the Crown by virtue of the act of annexation of church benefices. Given under the testimony of the great seal at Edinburgh. (Small portion of seal remaining.) Sasine was given in terms of the precept on 25 September 1594. (See Glasgow Protocols, No. 3335.)

37. Crown Charter, dated 28 March 1594. King James VI. granted to Archibald Eglintoun, notary public in Glasgow, the tenement described in No. 36. Feu-duty, 10 s. Scots, payable to the Crown.

38. Notarial Instrument, dated 9 September 1594. James Stewart, bailie, gave to George Hutchesoun, writer, sasine in terms of the precept No. 35. Henry Gibsone, notary public.

39. Notarial Instrument, dated 25 September 1594. Sasine given to Archibald Eglington, notary, in terms of the Crown Precept, No. 36. Abstract of Instrument in Glasgow Protocols, No. 3335. See also No. 3731.

40. Feu Charter, dated 9 December 1594. Thomas Marjoribanks of Ratho feued to William Sempill the 33 s. 4 d. land, old extent, of the Schelis of Crossaguell, in the barony or lordship of Glassfurd and shire of Lanark. Feu-duty, 10½ merks.

41. Notarial Instrument, dated 3 June 1595. The provost, bailies and council of Glasgow conveyed to Andrew Kilpatrick, weaver, one of the yards which had belonged to the prebendaries of the New Kirk on the south side of Trongate and west side of the alley. See Abstract in Glasgow Protocols, No. 3732.

42. Notarial Instrument, dated 26 May 1599. Andrew Spang redeemed a great tenement on the west side of High Street. See Abstract in Glasgow Protocols, No. 3558.

43. Notarial Instrument, dated 26 June 1599. Thomas Luggy and Margaret Spreull, his future spouse, acquired an annualrent payable furth of a tenement on the south side of Trongate and two booths on the west side of High Street. See Abstract in Glasgow Protocols, No. 3566.


44. Tack by John, archbishop of Glasgow, to James, master of Blantyre, of the teinds of the parsonage and vicarage of Glasgow, dated 29 December 1608 and (*blank*) 1609. See Glasgow Charters, pt. i., Abstract, p. 62, No. 489. Tack sealed and subscribed by the archbishop and the dean and chapter. Archbishop's seal remaining; the other has disappeared. Subscribed thus:—Glasgow. Mr. Patrik Walkinschaw, subdene. Mr. David Sharpe, Kilbride. Mr. W. Birsbane, Erskyne. Andro Boyd, Elglishane. Mr. James Gillespie, Killern. Mr. Johne Blakburne, Cardross. Mr. Robert Ranken, persoun of Sanquher. Mr. George Cleland, subchantour of Glasgow. Mr. James Stewart, Campsie. J. Bannatyne, Carnwaithe. Claud loird off Paslie. Mr. J. Hay, Renfrow. Mr. Patrik Sharp, Govan. Johne Lyndesaye, persone of Carataris. Mr. R. Wilkine, Douglas. Mr. James Hammiltoun, dein. Mr. J. Campbell, persone, Luss. (Also subscribed by witnesses.)

45. Notarial Instrument, dated 14 April 1610. Andrew Spang, merchant, burges of Glasgow, and Marion Buquhannan, spouses, resigned in favour of Robert Rowat and

Cristina Levinstoun, spouses, a great fore tenement, with ruinous waste adjoining thereto, on the south side of a back close, with great yard or orchard at the end of the close, lying on the west side of the High Street and east side of the lands of Langcroft; said tenement and waste lying between the lands of John Scot on the south and the tenement and lands sometime of John Fleming and now of James Fleming on the north. Sasine given by Mathew Trumble, bailie. Archibald Heygait, notary public.

46. Notarial Instrument, dated 26 November 1611. Elizabeth Richie, daughter and heir of the late Adam Richie, with consent of Margaret Spreull, her mother, resigned in favour of John Louk, maltman, a barn, with yard and pertinents, on the east side of Malindinor burn, between the lands of James Craig on the north, the lands of the late James Ranking on the south, and the lands of the late Thomas Heriot on the east. Sasine given by James Braidwoid, bailie. Archibald Heygait, notary public.

47. Cognition and Sasine, dated 21 November 1614. James Braidwoode, bailie, gave to Mr. Hugh Eglington, as heir of the late Archibald Eglington, his father, sasine of (1) a fore tenement lying on the south side of Trongait, between the New Church and cemetery thereof on the south and west, and the lands of William Symmer on the east; and (2) a yard, sometime belonging to Sir Martin Reid, at the end of the wynd called the New Wynd, between the yard of James Braidwoode on the south, the yard of James Lyoun on the north, and the lands sometime of the said Sir Martin, then of the said Mr. Hugh, on the west. Mr. Hugh thereupon resigned the properties in favour of himself and his future spouse, Jonet Maxwell, daughter of George Maxwell of Auldhouse, minister of Mernis. John Thomesone, common clerk of Glasgow, notary public.


Ita servata fides
Joannes Thomesone
Notarius publicus

48. Feu Charter, dated 22 June 1615. James Hammiltoun, provost, the bailies and council of the burgh and city of Glasgow, for a certain sum of money paid to them, disponded to Walter Dowglas, maltman, burgess of Glasgow, and Jonet Montgomerie, his spouse, a yard, with the pertinents, lying at the back of the new church, called "the New Kirk allayis," between the yard sometime occupied by William Spang on the south, the yards of William Robisoun, James Tailyour, Archibald Faulles and William Kersuell on the north, the lands of Mutland Croft on the west, and the common passage or alley on the east. Feu-duty, 13 s. 4 d. Scots, yearly. Subscribed by the granters and the common seal of the city (nearly entire) appended.

49. Notarial Instrument, dated 2 January 1618. By virtue of a charter and precept granted by James Hamiltoune of Aikinheid, sasine given to William Pollok, in Cam-lachie, and Isabella Blair, spouses, in a built lodging (*hospitio*) and waste, with houses, close, well and yard thereof, lying between the houses or manses and yards of the vicars of the choir of the Metropolitan Church of Glasgow on the west and north; the lodging and yards sometime belonging to the chancellor of the said church on the east, and the cemetery on the south. Gilbert Merschell, notary public.



50. Power of Attorney, dated 23 January 1619. John Gibsoun, merchant, burgess of Glasgow, authorised his brother, Patrik Gibsoun, merchant, burgess of Edinburgh, or his spouse, to act for him in the claim therein mentioned.

51. Notarial Instrument, dated 28 September 1620. In terms of precept of clare constat granted by James archbishop of Glasgow (*antea*, p. 331, No. 19), sasine given to Mathew Mure, as heir of his father, John Mure, sailor, of two acres of the lands of Lyingishauch. Feu-duty, 12 s. 1 d. Scots. George Huchesone, notary public.

52. Notarial Instrument, dated 23 December 1622. John M'Michaell, skinner, and Jonet Wilsoun, spouses, resigned in favour of John Campbell, notary, a back tenement of land lying in the close called Sir Martin Reid's close, between the lands of George Lyoun on the east, the lands of John Lawsone on the west, the common close on the north, and the lands of the late Mr. Henry Gibsoun on the south; but under reversion for the sum of £110. Sasine given by John Rowat, bailie. John Thomesone, common clerk of the city of Glasgow, notary.

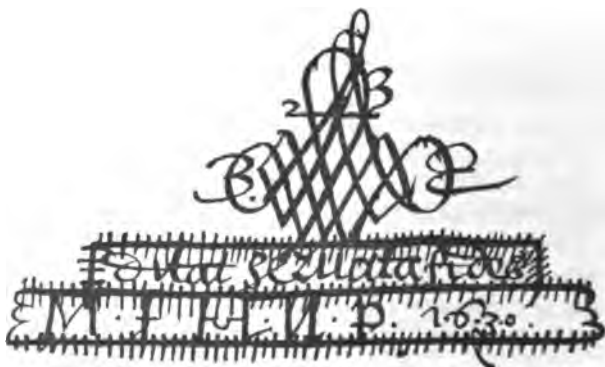
53. Receipt by Town's Advocates, dated 25 January 1624 :—" We, advocattis undersubcryvand, procuraturis for the guid toun of Glasgow, grant ws to haif resavit fra Johnne Nicoll, wrytar, in name and behalf of the guid toun of Glasgow, ilk ane of ws, the sowme of ten pundis money and twa half barrellis hering for our pensiounes, the yeir of God j^m vj^e twenty four yeiris. Subscrivit with our handis, at Edinburgh, the twenty fyft day of Januar j^m vj^e twentie four yeiris. (Subscribed :) Mr. W. Aytoune. Adam Cwnynghame. Thomas Nicolson. Lykewyse I, undersubcryvand, grant me to haif resavit my pensioun of ten pundis and half barrell hering the said yeir. (Subscribed :) Jo. Nicoll." (See also Glasg. Chart., pt. i., p. cccxliv.)

54. Extract Assignment by James Baillie of Park to Thomas Baillie of an obligation by Francis Hammiltoun of Silvertounhill and others for 1,100 marks, dated 11 June 1624, and registered in the books of council and session, 20 June 1625.

55. Copy Presentation, dated 2 Februar^y 1625, in the following terms :—" Be it kend till all men be thir present letteres, ws James archibischop of Glasgow, forsameikle as we understand that Mr. Zacharias Boyd is found capabill to sserve as ane minister within the kirk of God in tyme cuming, we have receavit, plaicit and admittit him to sserve as minister in the Barronie Kirk of Glasgow, during all the dayes of his lyftyme; quhilk plaice of the office of ministrie of the said paroche kirk and admiassioun of ane qualefeid minister to sserve the cuir thair of as minister thairat, vaikit in our handis, be

the full consent of umquhile Mr. John Blakburne, who had of yeirlie stipend for his service as minister thairat all and haill sex chalderis victuall, viz., thrie chalderis malt, thrie chalderis meill, payit unto him out of the archibischoprik of Glasgow, be the chalmerlane. And to the effect the said Mr. Zacharias may be thankfullie ansuerit and payit of the saidis sex chalderis victuall, half meill, half malt, or of the pryce thair of, for his service, thairfoir I, James archbishop of Glasgow, with consent of deane and chaptour of the cathedrall kirk of Glasgow, obleissis me and [my] successouris to pay be our chalmerlane the foirsaid stipend . . . to the said Mr. Zacharias Boyd, or ony uther in his name, according to the tyme of his remaining in service at the said kirk. This our presentatioun we bind and obleis us and our successouris to warrand to the said Mr. Zacharias." (Here follow consent to registration, testing clause and signatures of the archbishop and members of the chapter.) Registered in the books of council and session for preservation, 21 March 1636.

56. Notarial Instrument, dated 7 December 1630. Mr. Henry Gibsone, writer in Edinburgh, resigned in favour of Ninian Andersone, tanner, and Anabella Gibsone, spouses, a back house, with entry by the fore gate, lying on the east side of Saltmercat, on the north side of the close called Mr. Henry Gibsone's close, between the lands of Ninian Andersone, tanner, on the east, the lands of Niniane Andersone, merchant, on the west, the passage of the said close on the south, and the lands of George Lyoun and others on the north; parts of a great tenement, back and fore, which belonged to Mr. Henry Gibsone. Sasine given by William Stirling, bailie. Mr. John Hutchesoun, notary public.



57. Disposition, dated 2 April 1635. Mr. Hew Eglingtoun, minister of Dunlop, with consent of Mr. Archibald Eglingtoun, eldest son of him and Jonet Maxwell, his first spouse, disponed to John Wilsone, cordiner, burgess of Glasgow, and Isobell Myller, spouses, the fore tenement of land on the south side of Trongate, "betuix the New Kirk and Kirkyard of the samen on the southe and west parts repective" and the lands of the late William Somer on the east. See No. 47.

58. Discharge, dated 30 May 1635. In consideration of money paid by John Wilsone, Jonet Fleming (relict of William Muire, merchant) and Robert Paterson, spouses, discharged 670 merks borrowed by Mr. Hew Eglingtoun in 1633 on security of the property conveyed by Disposition No. 57, described as a tenement and pertinents "narrest the eistmost yett of the New Kirk of Glasgow, on the south syd of the Tron-gait thair of."

59. Extract Decree, dated 21 March 1637. It is narrated that the provost and bailies of Glasgow, for themselves and in name and behalf of the council and community, had raised letters before the lords of council mentioning that they were charged to make payment to Walter, bishop of Brechin, as Subdean of Glasgow, for his relief, of £16 18 s. 2 d. "for the taxt of the landis of Provansyde, Deanesyde and Crubbis, with the housis, biggingis and yairdis belonging thairto and thair pertinentis, for the thrid termes payment of the taxatioun grantit in June, 1633, under the paine of horning." The complainers represented (1) that neither the burgh nor inhabitants had ever been subject to taxation for these lands, nor yet to relieve the subdeanery thereof, "bot only to pay the ordinary taxatioun imposit upon the said burgh." (2) Though it was alleged that they were infeft in part of the subdeanery lands,¹ yet it was true that they "do nowayes posses the saids landis, bot be the contrair the samen ar presentlie, and hes thir many yeares bypast bene possest and occupyet be George Hutchesoun of Lambhill, maister Harie Gibsone, John Sprewll of Castelhill, Robert Blair in Glasgow, Johne M'Chan, maltman, thair, Johne Sym, taylour, thair, James Mader, thair, George Herbertsoun, thair, Thomas Cloggie, thair, Mathow Merahell, thair, Gilbert Merahell, thair," and sundry other persons whose names were to be given in roll, "and thair prediceassours and awthores, takin be thame of his Majesties umquhile father, lang befor the saids toun of Glasgows infeftment." (3) They had not been called at the setting down of the tax roll. (4) Even if the lands were liable for the taxation, yet the subdeanery being taxed in the whole to the sum of £138 6 s. 8 d., "imposit upon

¹ This refers to the grant by King James VI. of the burgh of Glasgow on 21st December, 1613 to the provost, bailies, council, and community (Glasg. Charters, part ii., pp. 284-91).

the hail benefice," the town's part would not extend to the thirtieth part thereof, in respect there were other lands held of the subdeanery, including "the landis of Eister¹ and Wester Cragis," which should bear a proportional part of the taxation. On 22 December, 1636, the lords ordained the names of the men, "quhom the toun of Glasgow wald designe to be vassells to the said subdeane," to be added to the stent roll, and this was done; but the subdean delayed charging them, and allowed the suspension against the complainers to lie over undiscussed. The complainers therefore consigned in court, £16 18 s. 2 d., and the lords suspended the subdean's charge and ordained that money to be paid to him, deducting the proportional part applicable to the lands of Mr. Harie Gibsone, held of the subdean. This proportional part was to be given up to the complainers, who were likewise authorised to charge the other heritors of the lands "for releiff of the saide provest and baillies *pro rato*."

60. Disposition, dated 31 January 1639. Marion Will, relict of George Loudoun, burgess of Renfrew, disposed to her mother, Jonet Hutchisone, her half of a tenement of land, with close, yard and pertinents, lying on the north side of Bridgegait, between the lands of Thomas Fischar on the east, the lands of Robert Corbett on the west, the lands of Andro Haddowie on the north, and the lands of Thomas Hutchesone on the south.

61. Ratification, dated 21 May 1642. Jonet, Elizabeth and Helen Huchesounes, sisters german and heirs portioners of Mr. Thomas Huchesoune of Lambhill, ratified a Disposition by their said brother to John Herbertsounes, younger, merchant, burgess of Glasgow, of a tenement of land on the north side of Trongait, bounded by the Tolbuithe on the east, with the instrument of sasine following thereon.

62. Transumpt from the protocol book of Mr. Henry Gibsone, sometime common clerk of Glasgow, afterwards writer in Edinburgh, of a sasine dated 17 August 1642. Jonet Hutchesoune, relict of Mathew Will, merchant, burgess of Glasgow, resigned in favour of Thomas Hutchesone, junior, a tenement of land, with close, yard and pertinents, lying on the north side of Bridgegait, between the lands then belonging to Mr. Archibald Lorne on the east, the lands then belonging to Thomas Hutchesone, dyer, burgess, on the south, the lands of the late Robert Corbet on the west, and the lands of Andrew Haddowie on the north. Sasine given by Manassis Lylle, bailie. Transumpt made in the burgh court of Glasgow, 16 November 1647, and certified by William Yair, notary public and common clerk of the burgh.

¹ Easter Craigs belonged to the treasurer, not to the subdean.

63. Decree by the Dean of Guild Court of Glasgow, dated 9 May 1644. John Wilsone, younger, cordiner, represented that he owned a tenement "upon the south syd of the Trongait, neir the New Kirk, and the gavels of the samein belongs to himselff totallie," and that James Armour, owner of a tenement adjoining the east gavel, intended to build "ane bresse or vent nerest the said compleiners gavell, and for effectuating therof to have slapit and holt the samein and to have fixt his timber in the said gavell; yet in respect it was fund be the said compleiners writs that the said gavell was haillalie his owne, notwithstanding the said defendars sclaitis of his tenement forsaid was raght thairin, the said James was ordanit to lay his said bresse or vent to the said compleinars gavell and not to slap or holl the samein or fixe his timber therin. And quheras the said James ought to have caried the head of his said vent towards the said compleinars gavell evin up, and not to hav troubled the said compleinars vent thairby, yet he hes caused fix ane squeye board in the busking of his new vent nerest the said compleinars gavell and vent, quhilk causis the drop to fall within the said compleinars vent and is liklie therby to mak the samein unprofitable to him. Lykas the said compleinars authours and predicesours of his saids lands obteneit decret againes the authours and predicesours of the said James Armour his lands, quherby they wer decernit and ordanit to keip the said compleinars lands harmeles and skaithles of any standing water betuixt the sydwall of the said compleinars lands and the sydwall of the said New Kirk, as also decernit them to keip the syd wall of the said New Kirk and toofals therof harmles and skaithles of the said standing water, and laying of any foulzie betuixt the said compleinars lands, sydwallis and toofals of the said kirk." After visitation of the premises, the dean of guild and his brethren ordained Armour to remove the squey board and to conform to the former decret.¹

64. Decree by the Dean of Guild Court, dated 21 November 1644. This proceeded on a complaint by John Wilsone relative to the same properties as in the preceding decree, No. 63. By a former agreement between Mr. Hew Eglington, then proprietor of the tenement belonging to John Wilsone, and William Somer, then proprietor of the tenement belonging to James Armour, "it was concordit and agreit that the staine stair and entrie to the said compleiners tenement sould nawayes be hurt nor alterit nor na privileged thairof impeidit"² Yet "trew it is now that the said James Armour himself and his tennentis of that foir buithe of his said tenement, narrest the compleiners staine stair, does at all tymes and occatiounes impeid the passage of the samyne be laying doune of great packis of wooll and setting of tubs, barrells, hogsheds and wthers of

¹ *Antea*, No. XLVI., pp. 569-70.

² *Antea*, No. XLIX., pp. 574-5.

that kynd in the way leiding thairto, swa that thair is na kynd of passage to and fra the said tenement be the said stair; bot sometyme the compleiners bairnes ar forced to lowp over at the midst of the said stair, to thair great hazard and danger; quhilk all tendes to the said compleiners great hurt, detriment and skaithes." Decree was given for free entry being preserved according to the agreement.

65. Decree by the Dean of Guild Court, dated 31 May 1645. John Wilson complained against James Armour with reference to their tenements mentioned in the two preceding decrees (Nos. 63 and 64), "that, benethe the heiche pairt of the said compleinar's tenement, he hes ane laighe foir buithe for selling of his wooll and wther commodities, in the quhilk buithe thair comes and is standing ane great quantitie of water ane fuit deip throw the said James his default, as may now be seen, swa that thairby the said compleinar can nather lay or put any wooll or wther commodities thairin; and thairby the samyne is maid to him, throw the said James his default as said is, altogidder unprofitable." Armour was ordained to remove the water standing in Wilson's booth, and to endeavour to keep it skaithless thereafter.

66. Decree by the Court of Session, dated 31 July 1647. James Armour raised letters of suspension and reduction of the decreet pronounced by the dean of guild court on 9 May 1644 (No. 63). The lords commissioned Mr. James Robertsons, advocate, admiral depute, to pass to the ground, and examine and report regarding the desired suspension.

67. Agreement, &c., dated 3-16 February 1648. James duke of Hamilton, tacksman of the teinds, parsonage and vicarage, of the parish kirk and parish of Cambusnethan, on the one part, and Mr. James Hamilton, minister at that kirk, on the other part, considering that the stipend of the minister is only four chalders oatmeal, with 246 merks money, it was agreed that it should be augmented by 300 merks. The presbytery of Hamilton approved of the augmentation, and the lords of the Commission for surrenders and teinds prorogated the Duke's Tack "for thrie lyferents and four nynteine yeiris."

LVI.

RENTALS of the Leper Hospital and St. Nicholas Hospital.

(1) RENTALL of the Lipper folkis at the Brigend.¹

In the furst, furth of Niniane Syaris tenement in Briggait, betuix the landis of Andro Campbell on the west and the landis of Johnne Robesone on the eist, yeirlie	... ..	vj s.
Item, furth of umquhile Robert Gilmouris tenement in the Briggait, betuix the landis of James Flemyng on the west and the landis of John Chalmeris on the eist, yeirlie	... ..	x s.
Item, furth of James Braidwodis tenement, betuix Michael Lindsay and William Andersoun, yeirlie	... ..	xx s.
Item, furth of ane bak tenement of umquhile Nicol Snodgers now to Alexander Scot, pewittrar, in James Richies clos, yeirlie	... ..	vj s.
Item, furth of umquhile Mr. Henrie Gibsones tenement in Tronegait, quhilk is new, ² yeirlie,	... ..	xx s.
Item, furth of John Machanis tenement, now Robert Stewartis, besyde the Grammer Schole, yeirlie	... ..	xviiij s.
Item, furth of the abacie of Paisley, yeirlie	... ..	vj bollis meill
Item, be the Bischop of Glasgow yeirlie	... ..	ij bollis meill
Item, furth of the Mernis pertening to my lord Maxwell yeirlie	... ..	ij bollis meill
Item, of the vicaris of the queiris annuell now in the Colledges handis, payit be thair collectour yeirlie	... ..	x s.
Item, foundit to thame be Sir Mark Jamesone furth of umquhile John Brwmes land in Tronegait, yeirlie	... ..	xj s.
Item, furth of William ³ Barris tenement in Brigait, yeirlie	... ..	viiij s.

¹ This rental appears to be in the hand-writing of John Ros, who was town-clerk of Glasgow between 1588 and 1590 (Glasgow Protocols, vol. X., pp. viii., ix.). An earlier rental, containing the same items, with a few verbal variations is subscribed by Henry Gibsoun, who held the office of town-clerk both before 1588 and after 1590, and bears to be extracted from the

books of the city,—“extractum de libris civitatis Glasguensis.” Another rental is printed in Glasgow Records, vol. II., p. 293.

² In the rental subscribed by Henry Gibsoun this entry runs thus:—“Item, of Mr. Henry Gibsones new biggit tenement in Trongat, xx s.”

³ In Gibsoun's rental the name is Patrik.

Item, furth of the tenement in Tronegait pertaining to Archibald Sellar, elder,									
yeirlie	...	...	...	...	...	...	...	...	x s.
Item, furth of Mathow Boydis tenement adjacent, yeirlie									
	...	...	...	...	...	...	...	...	x s.
Item, furth of umquhile Williame Leyis foir hous of Archibald Heygaitis tene-									
ment, yeirlie	...	...	...	...	...	...	xx s.	and j laid	collis
							Summa of silver	...	vij li. ix s.
							of meill	...	x bollis
							of collis	...	j laid

(2) THE SILVER RENT of St. Nicolas as it was usuallie taken up at the Martinmass.¹

The Earl of Queensberry for the kirk of Glencairn	...	...	...	...	£20	0	0
Mr. Androw Rowat for the kirk of Cummertrees	...	...	...	...	20	0	0
The Duke of Hamilton for the kirk of Cambuslang	...	...	...	...	3	6	8
John Robertson for the Round Croft	...	...	...	...	4	0	0
George Louke, elder, merchant for the Golden acre	...	...	...	...	2	0	0
Mr. John Robertson for the Deanside yard and house	...	...	...	...	3	6	8
Barbara Montgomerie relict of William Wardrop for his dwelling house in							
Trongate	...	...	...	...	0	3	0
Geills Stewart relict of umquhill Henry Litstar for her lands in Saltmarket	...	...	...	...	0	6	0
John Barns merchant for his lands in the New Wynd yearly	...	...	...	...	1	1	0
Robert Campbell for an aiker of land at the end of his yeard or thereby	...	...	...	...	5	0	0
James Gordon for his land in (<i>blank</i>)	...	...	...	...	2	2	0
William Cunynghame elder for his lands in the Gallowgate	...	...	...	...	3	0	0
The heirs of umquhill David Muir for their land in Bridgegate	...	...	...	...	1	0	0
John Love's land at the port	...	...	...	...	0	2	0

¹ St. Nicholas Hospital was founded by Bishop Muirhead about the middle of the 15th century, and was managed by him and his successors in the bishopric till the abolition of episcopacy in 1689. Between 1689 and 1713 the Barons of Exchequer administered the funds. About the latter date the Magistrates of Glasgow applied to the Court of Exchequer to have the charge, and in 1716 the court acceded to the request, and authorised the magistrates to attend to the hospital's affairs till further orders should be given. Subsequent to 1716 the magistrates

have accordingly administered the funds through a *magister* nominated by them, such *magister*, since 1844, being the Lord Provost for the time being.

The MS. of the rental here printed bears no date, but appears to have been copied in the 18th century from an older rental compiled (with the exception of a few added entries) in 1625. The latter date is indicated by the values of the virtual rents being set down at the prices of that year.

James Bell elder his land in Saltmarket	...	...	...	...	...	3	0	0
Mr. Thomas Smeiton for his land above the Gray friars port	...	...	...	...	...	0	10	0
William Falconar (<i>blank</i>) wright for his land above that port	...	...	...	...	...	0	0	30
Relict of umquhill William Drummond, smith, for her land	...	...	...	...	...	3	3	4
Relict of umquhill James Mitchell for her land above the Grayfriars port	...	...	...	...	...	0	5	0
Laird of Bargary for his land at the Wynehead	...	...	...	...	...	3	6	8
Archibald Louke traveller for his land beyond the Gallowgate burn	...	...	...	...	...	0	2	0
James Pollock merchant for his land above the Cross	...	...	...	...	...	2	0	0
Quintin Rankine for the parson of Renfrew's manse	...	...	...	...	...	4	13	4
Thomas Norvale for his land above the Cross	...	...	...	...	...	3	12	0
John Nisbit younger for his lands in (<i>blank</i>) and his house alongst the Gallowgate burn	...	...	...	...	...	2	17	0
William Buchanan for his land at the Wyne head	...	...	...	...	...	1	13	4
James Elphinstone for his land foreagainst the Colledge	...	...	...	...	...	0	13	0
Mr. Archibald Fleming for his land at the Gray friars port	...	...	...	...	...	9	6	8
David Wardane for his land at the Wyne head	...	...	...	...	...	1	11	0
James Inglis elder for his dwelling house	...	...	...	...	...	0	2	0
Marrone Wishart relict of umquhill James Gray for her lands in the Gallowgate	...	...	...	...	...	1	0	0
Mr. Robert Govan's lands at the Wynehead	...	...	...	...	...	2	13	4
William Niveson for his dwelling house	...	...	...	...	...	0	10	0
(in later write "now belonging to Baillie Stirling")								
James Fawles for ane barne in Stockwalle	...	...	...	...	...	0	14	0
John Clydesdale for his dwelling house	...	...	...	...	...	3	6	8
William Marshall for the cathpell [cachpell]	...	...	...	...	...	2	0	0
John Low his land	...	...	...	...	...	0	10	0
John Hamilton of Airdrie for his land	...	...	...	...	...	2	0	0
John Allason weaver for his land in Ratoneraw	...	...	...	...	...	0	8	0
(new write "now Gavin Steen")								
The Colledge of Glasgow for Govanes manse	...	...	...	...	...	7	0	0
John Weir maltman for his land in (<i>blank</i>)	...	...	...	...	...	3	3	4
Mr. Hary Gibesone for his land in Saltmarket	...	...	...	...	...	1	6	8
Cuthbert Robiesone for his land in Saltmarket	...	...	...	...	...	0	2	0
Mr. Hugh Blair for his wyfes land in Broomielaw	...	...	...	...	...	1	17	0
John Boyd mason for his land in Bridegate	...	...	...	...	...	1	0	0
(new write "now Mrs. Gaimble")								

John Dining for his land in Tronegate	...	...	...	...	...	0	1	6
Patrick Connell for his lands in Saltmarket	...	...	...	...	...	0	2	0
John Marshall merchant for his lands in Croptenestock	...	...	...	...	...	3	0	8
Relict of James Reid in (<i>blank</i>)	...	...	...	...	...	0	5	0
James Elphinstoune of Woodside for his lands without the port at the back of the Castle	...	...	...	...	...	6	13	4
James Glen barter for his land in (<i>blank</i>)	...	...	...	...	...	0	12	0
Mrs. of umquhill George Muir of Polmadie for their land in Saltmarket gait	...	...	...	...	...	0	2	0
Hew (<i>blank</i>) for his lands in Trongait	...	...	...	...	...	0	13	0
Summa	...	...	...	...	...	[141	5	8]

Lindsays lands—

Hendrie Glen 3 ruid	...	...	...	...	...	0	3	0
John Jamieson 3 ellnes...	...	...	...	...	...	0	1	4
Mrs. of umquhill John Ross 2 ruid and half ruid	...	...	...	...	...	0	2	6
Walter Dowglas 4 ruid	...	...	...	...	...	0	4	0
Constantine Millar 2 ruid	...	...	...	...	...	0	2	0
Mrs. of umquhill John Monteith 2 ruid	...	...	...	...	...	0	2	0
Robert Campbell 3 ruid	...	...	...	...	...	0	3	0
James Simpson in Greenock 2 ruid and half	...	...	...	...	...	0	2	0
Andrew Cunynghame 4 ellnes	...	...	...	...	...	0	0	8
William Coatts 3 ruid and ane half	...	...	...	...	...	0	3	6
John Biskat tailor 1 ruid and half	...	...	...	...	...	0	1	6
John Barns 4 ruid	...	...	...	...	...	0	4	0
Margaret Wilson 3 ruid	...	...	...	...	...	0	3	0
Patrick Bryce weaver 3 ruid and half ruid	...	...	...	...	...	0	3	0
James Hamiltoune at the Port 3 ruid	...	...	...	...	...	0	3	0
Gabriel Cochrane skinner 3 rude	...	...	...	...	...	0	3	0
(new write "now David Wilsone")								
John Pollock skinner 4 elne	...	...	...	...	...	0	0	8
(<i>blank</i>) Anderson 1 ruid	...	...	...	...	...	0	1	0
Mr. Walter Bowie 2 ruid	...	...	...	...	...	0	2	0
William Lawson's heirs 2 ruid	...	...	...	...	...	0	2	0
Hendrie Simpson sailor 2 ruid and half	...	...	...	...	...	0	2	6
Andrew Fawlis 1 rude and half	...	...	...	...	...	0	1	6

James Flemings heirs 3 ruid	0	3	0
William Selkirk 1 ruid and half	0	1	6
William Govane 2 ruid	0	2	0
John Baird 2 ruid	0	2	0
Alexander Lindsay 2 ruid	0	2	0
Patrick Forsyth 1 ruid	0	1	0
Summa	[3	2	8]

Sum of preceding pages said to be £144 14s. 10d.

VICTUAL RENT, yearlie, 12 bolls 2 firlots 3 pecks, whereof ar 9 bolls 2 firlots 2 pecks
3 fourt parts pecke of bear, with 3 bolls and ane fourth part peck of meill,
payed about Candlemass.

Price thereof was in anno 1625 years:—

The boll beir £4 13s. 4d., and likeways the meil.

William Wardrop 6 pecks beir	£2	5	6
Thomas Morison half boll beir	2	16	4
(new write "in the green paid by the town")			
Mathew Marshall 3 bolls 3 fourth parts peck beir	15	5	4
John Simson and James Armour 2 bolls half peck beir	11	9	6
James Mudy 5 pecks of beir with 4 d. of augmentation	2	1	2
Mr. William Stewart 1 firLOT half peck of beir	1	12	0
Helena Hutcheson and Paitrick Lymeburner 1 peck beir and 12 d. of augmentation	0	8	6
Archibald Fawlis 3 bolls bear	17	0	0
William Norvale 3 bolls fourth part peck of meal	17	1	6
Andrew Mudy 1 peck beir with 26 d. of augmentation	0	7	2
Summa	[70	7	0]

(In write obviously different and apparently later than the former):—

	Bolls.	fir.	pkts.
John Grahame now the towne of Glasgow	0	2	0
Thomas Crawford also the towne	0	2	0
James „ and John	2	1	1

								Bolls. fr. pha.
Robert Stewart ...	...	...	...	...	...	...	...	0 1 0
John Anderson, Dowhill...	...	...	...	...	...	...	...	3 0 0
Walter Brocke ...	...	...	...	...	...	...	...	0 0 1
Donald M'Gilchrist ...	...	...	...	...	...	...	...	0 1 0
Bailzie Rae ...	...	...	...	...	...	...	...	3 0 0
The town of Glasgow ...	...	...	...	...	...	...	...	3 0 0
								<hr/> 12 3 2 <hr/>

LVII.

List of Archbishops of Glasgow, from Restoration till Abolition of
Episcopacy, 1661-89.

1661-3	Andrew Fairfoul.	<i>Fasti Ecclesiae Scoticanæ</i> , vol. II., p. 378
1663-71	Alexander Burnet.	<i>Ibid.</i> , p. 379.
1671-4	Robert Leighton.	<i>Ibid.</i>
1674-9	Alexander Burnet.	<i>Ibid.</i> , p. 380.
1679-84	Arthur Ross.	<i>Ibid.</i>
1684-7	Alexander Cairncross.	<i>Ibid.</i>
1687-9	John Paterson.	<i>Ibid.</i>

LVIII.

List of Ministers in Glasgow, from 1649 till 1707.¹

INNER HIGH CHURCH.

1649 (<i>continued</i>)-51	Robert Ramsay, A.M.
1651-8	James Durham, A.M.
1659-62	Ralph Rodger, A.M.
1664-75	Arthur Ross, A.M.
1682-4	Richard Waddell, A.M.
1685-9	Archibald Inglis, A.M.
1687-9	Ralph Rodger, A. M.
1690-07 (<i>et seq.</i>)	James Brown.

COLLEGIATE CHARGE.

1649 (<i>continued</i>)-51	Patrick Gillespie, A.M.
1655-62	John Carstairs, A.M.
1693-1700	John Gray (translated to Wynd Church.)

TRON CHURCH.

1649 (<i>continued</i>)-63	Hew Blair, A.M.
1690-1701	Neill Gillies, A.M.
1702-7 (<i>et seq.</i>)	James Clark, A.M.

COLLEGIATE CHARGE.

1648 (<i>continued</i>)-59	George Young, A.M.
1701-6	Alexander Wodrow
1707 (<i>et seq.</i>)	Alexander Main.

BLACKFRIARS OR COLLEGE CHURCH.

1698	Robert Craighead, A.M.
1701-4	David Brown.
1705-7 (<i>et seq.</i>)	John M'Bride, A.M.

¹ Fuller particulars regarding the ministers and the periods of their ministry will be found in Rev. Hew Scott's "*Fasti Ecclesie Scoticane*."

OUTER HIGH CHURCH.

1689-91	James Woddrow, A.M.
1691-1707 (<i>et seq.</i>)	Alexander Hastie, A.M.

COLLEGIATE CHARGE.

1650 (<i>continued</i>)-5	John Carstairs (translated to Inner High Church).
1653-6	Andrew Gray, A.M.
1656-61	Robert M'Quard, A.M.

THE WYND CHURCH.

1696-9	John Christie, A.M.
1700 (<i>et seq.</i>)	John Gray, A.M.

MINISTERS WHOSE CHARGES HAVE NOT BEEN DISCOVERED.

1663-71	John Bowie, A.M.
1663-4	John Glendie, A.M. ¹
1664-89	Alexander Milne.
1665-80	William Stirling, A.M.
1672-84	John Gray, A.M.
1680-5	Adam Gordon.
1681-9	Alexander Kinneir.
1685-9	John Sage, A.M.
1688-9	Robert Knox, A.M.
1688	Robert Ross.
1687-90	Robert Landes.
1688-90	James Brown (translated to Inner High Church).
1688-9	James Woddrow (translated to Outer High Church).
1689-90	Robert Craighead, A.M.
1689-93	Thomas Kennedy, A.M.

THE BARONY CHURCH.

1649- (<i>continued</i>)-53	Zachary Boyd, A.M.
1655-62	Donald Cargill.
1662-74	David Liddell, A.M.
1675-89	Alexander George, A.M.
1691-6	Robert Langlands.
1699-1707 (<i>et seq.</i>)	James Stirling.

¹ Or "Glandie." This name is sometimes Records, vol. III.
erroneously printed "Claudie" in Glasgow

LIX.

LIST of the Provosts of Glasgow, from 1649 till 1707.

1649-50	George Porterfield.	...	...	Glasgow Records, II., p. 176
1650-51	John Grahame.	...	...	<i>Ibid.</i> , p. 194
1651-52	George Porterfield.	...	...	<i>Ibid.</i> , p. 213
1652	Daniel Wallace, ¹	...	...	<i>Ibid.</i> , p. 221
1652-53	Daniel Wallace,	...	...	<i>Ibid.</i> , p. 247
1655	George Porterfield. ²	...	...	... Glasg. Chart., II., p. 33
1655-6	John Andersone,	...	...	Glasgow Records, II., p. 319
1657-8	John Andersone, ³	...	...	<i>Ibid.</i> , pp. 381-393
1659-60	John Bell,	...	...	<i>Ibid.</i> , p. 428
1660-1	Colin Campbell,	...	...	<i>Ibid.</i> , p. 452
1661-2	Colin Campbell,	...	...	<i>Ibid.</i> , p. 469
1662-3	John Bell,	...	...	<i>Ibid.</i> , p. 493
1663-4	John Bell,	...	...	... <i>Ibid.</i> , III., p. 17
1664-5	William Andersoune,	...	...	<i>Ibid.</i> , p. 41
1665-6	William Andersoune,	...	...	<i>Ibid.</i> , p. 62
1666-7	William Andersoune,	...	...	<i>Ibid.</i> , p. 88
1667-8	John Andersoune,	...	...	<i>Ibid.</i> , p. 97
1668-9	William Andersoune,	...	...	<i>Ibid.</i> , p. 111
1669-70	James Campbell,	...	...	<i>Ibid.</i> , p. 123
1670-1	William Andersoune,	...	...	<i>Ibid.</i> , p. 143
1671-2	William Andersoune,	...	...	<i>Ibid.</i> , p. 156
1672-3	William Andersoune,	...	...	<i>Ibid.</i> , p. 163
1673-4	William Andersoune,	...	...	<i>Ibid.</i> , p. 171
1674-5	John Bell,	...	...	<i>Ibid.</i> , p. 186
1675-6	John Bell,	...	...	<i>Ibid.</i> , p. 208
1676-7	James Campbell,	...	...	<i>Ibid.</i> , p. 226
1677-8	James Campbell,	...	...	<i>Ibid.</i> , p. 242
1678-9	John Bell,	...	...	<i>Ibid.</i> , p. 257

¹ Elected by the inhabitants convened in the Tolbooth on 23rd March, by warrant of the Commissioners of the Parliament of the Commonwealth of England.

² No election is recorded in 1653 or 1654.

³ At the desire of the Lord Protector the October election was deferred. The election took place on 2nd March, 1653, in obedience to an act of the Council of State.

1679-80	John Bell,	<i>Ibid.</i> , p. 276
1680-1	John Bell,	<i>Ibid.</i> , p. 286
1681-2	John Bell,	<i>Ibid.</i> , p. 304
1682-3	John Barnes,	<i>Ibid.</i> , p. 322
1683-4	John Barnes,	<i>Ibid.</i> , p. 341
1684-5	John Johnston of Clachrie,	<i>Ibid.</i> , p. 368
1685-6	John Johnston of Clachrie,	<i>Ibid.</i> , p. 378
1686	John Barnes, ¹	<i>Ibid.</i> , p. 386
1686-7	John Barnes, ²	<i>Ibid.</i> , p. 391
1687-8	John Barnes, ²	<i>Ibid.</i> , pp. 405-6
1688	Walter Gibsone, ³	<i>Ibid.</i> , pp. 407
1688-9	Walter Gibsone, ⁴	<i>Ibid.</i> , pp. 413-4
1689-90	John Anderson of Dowhill, ⁵	<i>Ibid.</i> , pp. 433-4
1690-1	John Anderson,	<i>Ibid.</i> , p. 463
1691-2	James Peadie, ... MS. Council Records, XIII.,	p. 278
1692-3	James Peadie,	<i>Ibid.</i> , p. 440
1693-4	William Napier,	<i>Ibid.</i> , XIV., p. 112
1694-5	William Napier,	<i>Ibid.</i> , p. 317
1695-6	John Andersone,	<i>Ibid.</i> , XV., p. 53
1696-7	John Andersone,	<i>Ibid.</i> , p. 175
1697-8	James Peadie,	<i>Ibid.</i> , p. 346
1698-9	James Peadie,	<i>Ibid.</i> , XVI., p. 63
1699-1700	John Andersone,	<i>Ibid.</i> , p. 189
1700-1	John Andersone,	<i>Ibid.</i> , p. 259
1701-2	Hugh Montgomery,	<i>Ibid.</i> , p. 325
1702-3	Hugh Montgomery,	<i>Ibid.</i> , XVII., p. 13
1703-4	John Anderson,	<i>Ibid.</i> , p. 55
1704-5	John Anderson,	<i>Ibid.</i> , p. 197
1705-6	John Aird, younger,	<i>Ibid.</i> , p. 289
1706-7	John Aird, younger,	<i>Ibid.</i> , p. 374
1707-8	Robert Rodger,	<i>Ibid.</i> , p. 460

¹ Johnston was deposed by the privy council and Barnes put in his place as set forth in town council minute, dated 26th June, 1686.

² October elections in 1686 and 1687 suspended by the King and existing magistrates continued by privy council.

³ Appointed on 3rd January, 1688, under election sanctioned by the King.

⁴ October elections suspended and existing magistrates continued by order of the King.

⁵ From this time the provost was elected by the town council.

ADDITIONS TO LISTS OF PROVOSTS, PRINTED IN GLASGOW CHARTERS,
VOL. I., PART I., P. DCXXXIII.

1491-2	Andrew Otterburn, ...	Glasgow Charters, vol. II., p. 475
1523-4	George Colquhoun, ...	... <i>Ibid.</i> , footnote.

INDEX.

I.—INDEX OF PERSONS.

- Abercromby Abercromby, Mr. George, writer, 614.
 Abercroue, the lady, 584.
 Abettis, Jacob, 553.
 Achesone, Andrew, Thomas, 335, 336, 337.
 Achincloss, Robert, 431, 432.
 Achinkilark, William, 541.
 Adam, Bessie, 348.
 — George, 224, 228; Mr. George, musician, 374.
 — John, 589, 591.
 — Margaret, 348.
 — Patrick, 357; tailor, 348.
 — Peter, 330, 529, 606-7, 613.
 — Robert, 557, 610.
 Adamson, Robert, burgess, 471, 491.
 Adrian VI., Pope, 350, 491.
 Aikman, John, 435.
 — Thomas, 264.
 Ainsly, provost, Jedburgh, 395.
 Aird, John, 245, 281, 405; bailie, 252, 259, 280;
 provost, 634; merchant, 435; dean of guild,
 267, 280.
 Aiton (Aytoune), Sir Andrew of Kinglassie,
 60, 113.
 — Mr. W., 619.
 Aldcorne (Auldcornel), James, 386.
 — John, 386, 428, 548.
 Alexander II., King, 62, 70, 71, 83, 89, 95-104,
 113, 593.
 — III., — 62.
 — James, 500; writer, 424.
 — Malcolm, tailor, 318.
 — Robert, 246, 290-1, 375; notary, 81, 336;
 writer, Paisley, 140-1.
 — William, 407.
 Allan (Allane), George, 589.
 — John, 341; carter, 339; maltman, 339.
 — Richard, 505, 580, 584, 586.
 — Robert, 4, 8, 140, 380, 440, 491, 588-90;
 cordiner, 429; notary, 185, 204; writer, 187.
 — Thomas, 4, 8, 113, 587-90, 591.
 Allison (Allansoun), Catherine, 557.
 — James, in Greenock, 191.
 — John, weaver, 627; in Greenock, 188, 191,
 207; Mr. John, notary, 539, 541, 614.
 Allison, Allan, Robert, weaver, 430.
 Anderson, Andrew, 628; in Melkie Govan,
 30.
 — Andrew, 339.
 — David, 66.
 — George, 132, 245, 333, 369-70; notary, 333,
 364, 576-7, 585, 589; town clerk, 183, 223, 228,
 364-5; of Warristie, 362, 315.
 — George, 529, 539.
 — Helen, 434.
 — J., 245.
 — James, 425, 428, 431, 571, 572, 606, 609,
 610; bailie in Gorbals, 300; mason, 432;
 merchant, 224, 429; officer, 536; preceptor of
 St. Nicholas Hospital, 356; of Stobercross,
 131; writer, 433; Mr. James, writer to the
 signet, 293.
 — John, 32, 113, 140, 280, 301, 408, 440, 561,
 565, 586, 612; bailie, 30, 32, 121, 221, 225;
 provost, 280, 288, 395, 399, 404, 633-4; of
 Dowhill, 113, 118, 133, 140, 141, 143, 170,
 267, 423, 630; merchant, 326; of Milton,
 224; in Muir of Gorbals, 426; in Walkmill,
 560; writer, 432, 434; younger of Dowhill,
 188; Mr. John, doctor in grammar school,
 374; of Stobercross, 302.
 — Janet, 374.
 — Ninian, 4, 8, 113, 362, 369, 379, 581, 586,
 590; bailie, 185; merchant, 219, 326, 620;
 tanner, 620.
 — Patrick, 505, 611; merchant, 562.
 — Robert, 113, 341, 342, 606; merchant, 335.
 — Thomas, 43, 45, 483; maltman, 433, 434.
 — William, 330, 365, 392, 408, 571; commis-
 sioner to Parliament, 356; of Kynnele, 440;
 maltman, 433; merchant, 337, 428; provost,
 55, 121, 157, 226, 249, 364, 392, 395, 408,
 633; weaver, 434; portioner of Newton, 182,
 329, 331, 359.
 Andrew (Andro), Alexander, burgess, 490.
 — John, 558; writer, 610, 611.
 — Nicholas, 565, 607.
 Annandale, earl of, 396.
 Anne, Queen, 423.
 Arbuckle (Arbuckill), John, 506, 517.

- Arbuckle (Arbuckill), William, 246, 411.
 Archibald, Mr. Thomas, rector of Cardross, 549, 553, 612, 614.
 Archun, Robert, 517.
 Argyll, earl of, 333, 335, 356, 399; marquis of, 11, 229, 299.
 Armour, James, 4, 8, 216, 389, 623, 624, 629; merchant, 320, 379, 419.
 Armulan, John, 456.
 Arthorlie, Arthur, 375.
 — Jonet, 375.
 Auld, Jonet, 606, 607.

 Bailie (Bailzie), Andrew, 557, 610.
 — Elizabeth, 351.
 — James, of Park, 619.
 — John, in Milton of Provan, 526.
 — Margaret, 430.
 — Robert, 545, 589, 590.
 — Thomas, 351, 619; of Ravensoraig, 350; canon of Glasgow, 350.
 — William, 351; of Lamington, 293; Mr. William, 351, 528; canon of Glasgow, &c., 350, 522; prebendary, 351; of Provand, 553; president of the College of Justice, 351, 541, 545.
 Baird (Barde), Dorathea, 388.
 — Henry, 427.
 — John, 388, 629; mason, 434; Sir John, of Newbythe, 60, 113.
 — Margaret, 388.
 — Michael, 388.
 — Simon, 245.
 Balcomye, J., 600.
 Baldus, lawyer, 107.
 Balfour, J., deacon, 553, 611.
 Ballantyne, James, 430.
 — John, 589.
 — William, 430.
 Bannatyne, J., in Carnwath, 616.
 Bar (Barre), Andrew, 428.
 — Archibald, 426.
 — Mathew, tailor, 419.
 — Peter, Burgess, 509.
 — William, 625.
 Barber, John, weaver, 430.
 Barclay, Mr. Robert, 79.
 — William, 246, 273, 280-1, 429; merchant, 432.
 Bargary, laird of, 627.
 Bargille, John, sergeant, 492.
 — Thomas of, 603.
 Barlay, John, 586.
 Barnes, J., 61, 113, 342, 343, 382, 384, 626, 628; dean of guild, 175; merchant, 342-3; provost, 221, 225, 381, 382, 400, 401, 404, 634.

 Bartholomew, Thomas, 470, 474.
 Barton, David, deacon, 517.
 — John, 338, 349.
 — Robert, notary, 380, 415.
 Baxter (Baxtar), Sir Robert, 448.
 — William, 246; bailie, 485.
 Belhaven (Balheavine), John, lord, 238.
 — Robert, viscount, 36, 304.
 Bell, 344; captain, 398.
 — Euphame, 339.
 — James, 32, 367, 431, 627; dean of guild, 575; merchant, 325; of Provosthaugh, 367.
 — John, 43, 45, 61, 113, 428; commissioner for the Burgh, 325; provost, 60, 175, 185-7, 188, 205, 220, 281, 326, 372, 633-4.
 — Jonet, 330.
 — Patrick, 374, 376, 381, 430, 585, 587.
 — Mr. Patrick, merchant, 385.
 Bellenden of Broughton, William lord, 142, 156.
 Benyng, John, 606.
 Betoune, Archibald, precentor of the Church of Aberdeen, 608.
 — James, archbishop, 512, 514, 518.
 — Mr. J., rector of Roxburgh, 553.
 Biggart, Catherine, 359.
 — John, 329.
 Bigger (Bygger), John, 581.
 Birkmyre, Andrew, vicar of Inchinnan, 481.
 Birse, Elizabeth, 427.
 Bishop, James, officer, 32.
 Biskat (Biskett), David, tailor, 320.
 — John, tailor, 628.
 Blacader, Robert, bishop, 511-2.
 — Mr. Roland, canon of Metropolitan Church, 490; subdean, 607.
 Black (Blak), James, 429.
 — John, notary, 484, 487, 490.
 — Thomas, 446.
 — Mr. William, notary, 479; vicar of Tynwald, 487.
 Blackwell, Thomas, 408.
 Blackwood, Andrew, 571.
 — Thomas, 572.
 Blair, Mr. Hew, minister, 300, 631.
 — Isabella, 618.
 — James, 246, 431; wright, 433.
 — John, agent for the Kirk, 264; of Garroch, 384; of that ilk, 302.
 — Jonet, 567-9.
 — Sir J. H., King's printer, 249, 293.
 — laird of, 315.
 — Margaret, 429, 434.
 — Robert, 621.
 — Thomas, 390, 415; skinner, 434.
 Blakburne, Alisone, 565, 607.

- Blakburne, Archibald, 517, 565, 607.
 — Mr. John in Cardross, 571, 616, 620.
 Blakhall, Sir A. S., 36.
 Blantyre, Alexander, lord, 314; tacksman of the teinds, 302.
 — James, master of, 314, 616.
 — lord, 300.
 — Walter, commendator of, 52, 343; lord, 314.
 — William, lord, 314.
 Boglay, William, 428.
 Bogle (Bogil), George, 245; merchant, 377.
 — James, 245, 396; merchant, 271.
 — John, 246, 396, 571, 581.
 — Margaret, 477.
 — Robert, 245-6.
 — Sarah, 375, 376.
 — Thomas, 140.
 — William, 246, 396, 431, 478.
 Bollock, Adam, 444.
 — John, 444.
 Borge, William of, 440.
 Bornia, David, 359.
 — John, 359.
 Borthwick, colonel, 358.
 Bowe, Walter, merchant, 612.
 — William, 613.
 Bowie, John, minister, 632; weaver, 432.
 — Malcolm, merchant, 427.
 — Walter, 375, 628.
 Bowman, John, merchant, 277.
 Boyd, Andro, Elgishane, 616.
 — Bessie, 430.
 — James, 224, 545; archbishop, 304, 330, 336, 351, 511, 611-2.
 — John, 434; Mathew, 626.
 — Patrick, 586; in Gowandlie, 544; surgeon, 428.
 — Robert, 4, 8, 187, 188, 246; lord provost, 544-5, 553, 558, 609; mason, 366.
 — Thomas, in Kippis, 545; master of, 556, 610.
 — William, 372.
 — Mr. Zacharias, minister, 302, 315, 323, 324, 619, 632.
 Boyle (Boyill), James, 113.
 — John, 113, 571.
 — Robert, 113.
 Braid, William, 429.
 Braidie (Bready), Donald, workman, 419.
 — Robert, 473.
 — Thomas, 473.
 — William, 66, 119.
 Braidwood, James, 569, 625; bailie, 617; notary, 368.
 — Jonet, 368.
 Breadalbine, John, earl of, 259.
 Brechein, Elspeth, 427.
 Brechin, Walter bishop of, subdean of Glasgow, 621.
 Brisbane (Birsbane), Matthew, of Roseland, 388;
 — Dr. Mathews, 374; Mr. Matthew, 380.
 — Mr. W., parson of Erskine, 616
 Brok (Brocke), Quintin, 348, 581.
 — Walter, 581, 630.
 Broom (Brwme), George, 32.
 — John, 625; flesher, 565.
 — Robert, 357.
 Brounside, George, notary, 388.
 — Sir George, 607.
 Brouster, Robert, 456.
 Brown (Broune), captain, 396.
 — Andrew, 563.
 — Mr. David, minister, 264, 631.
 — James, minister, 631-2; merchant, 433.
 — John, 113, 437, 588, 590; flesher, 607.
 — Robert, 498.
 — Thomas, 4, 8, 376, 589.
 — Michael, merchant, 575.
 Brown, William, writer in Edinburgh, 188, 193.
 Brownlie, James, 185.
 — John, 246.
 Bruce, King Robert the, 437.
 Bruce (Brus), David, notary, 487.
 — J., 249, 293.
 Bryce, John, in Greenock, 188, 191; of Lumloch, 429.
 — Patrick, 8, 325, 431, 628; deacon convener, 183; weaver, 332.
 — Walter, 8.
 — William, writer, 389.
 Bryson (Bryssounel), James, in Hamilton, 433.
 — John, 246; treasurer, 183.
 Buchanan (Buquhannan), Andrew, officer, 185.
 — George, 281; bailie, 267, 274.
 — Gilbert, merchant, 430.
 — Marion, 616.
 — William, 627; merchant, 429.
 Bullo, Mr. W., parson of Stobo, 228.
 Buntin (Bountine), George, peuterer, 428.
 — John, 342; flesher, 335.
 Burghlie, Robert lord of, 11; master of, 238.
 Burrell (Burele), Andrew, 564, 605.
 — George, 557, 610; burgess, 483, 490.
 — Henry, 471.
 — John, bailie, 469.
 — Jonet, 482.
 — Robert, 460.
 — William, burgess, 605; chaplain, 605; Sir William, chaplain, 490.
 Burne, Sir Robert, laic, 503.

- Burnet, Alexander, advocate, 29; archbishop, 52, 59, 218, 333, 343, 364, 630.
 — Mr. Andrew, writer, Edinburgh, 59, 132.
 — Gavin, writer, Edinburgh, 36.
 — Sir Thomas, of Leyes, 238.
 Burnsyde, Thomas, wright, 433.
 Butler, Rev. D., 372.
- Cadezou (Cadioche), David of, precentor, 441, 449, 602.
 Cairncross, Alexander, archbishop, 630.
 Caithness, archdeacon of, 350.
 Calder, David, 430.
 — John, in Shirvae, 300.
 — Thomas, 245.
 Calderwood, David, 334, 342, 343.
 Caldwell (Cauldwell), David, 372.
 — James, priest and notary, 510.
 — John, 113; bailie, 113, 140, 143, 170; dean of guild, 183.
 — Robert of, 437.
 Callendar, David, notary public, 262.
 Cameron (Camron), David, 480.
 — Sir James, priest, 437.
 — John, 605; workman, 418, 419.
 — Robert, 572.
 Campbell, Andrew, 587, 590, 625; burgess, 509.
 — Archibald, 246.
 — Colin, 32, 301, 387-8, 434; of Blythswood, 113, 226, 390; of Woodside, 293, 425; provost, 633-4.
 — Cuthbert, 8.
 — Daniel, merchant, 422, 424.
 — Sir Duncan, of Auchinbreck, 238.
 — Sir Hugh, of Cessnock, 18.
 — J., 32; Mr. J., parson of Lus, 616.
 — James, 43, 45, 61, 113, 246, 612; bailie, 175; dean of guild, 60; provost, 633; notary, 14.
 — John, 51, 588, 612; notary, 619; of Woodside, 218, 368, 379, 425, 434; of Fordun, 51.
 — Marion, 133, 138-41, 143, 170, 352.
 — Matthew, merchant, 422.
 — Robert, 246, 356, 382, 386, 428, 626, 628; bailie, 185, 187, 387, 396; dean of guild, 382, 396; merchant, 386; Mr. Robert, 431.
 — Thomas, 4, 8.
 — William, 410; councillor of Dumbarton, 281.
 Cargill, Mr. Donald, minister, 322, 632.
 Carlisle (Cairlile), Alexander, 246.
 Carmichael, Sir Daniel, 11.
 — Mr. Gershom, regent of the college, 274.
 — James, 600.
 — lord, 393.
 Carnys, Alexander 605.
 — John, 449, 605.
- Carnys, Jonet, 606.
 — Margaret, 568.
 Carruderis, Thomas of, 446.
 Carsburn, laird of, 398.
 Carstairs, John, minister, 631-2.
 Carewell (Kerswell), William, 618.
 Cassilla, John, earl of, 259.
 Cathcart, Andrew, 281, 428.
 Chalmers, John, 625.
 Chapman, James, merchant, 210.
 Charles I., King, 189, 206, 601.
 — II., 11, 142, 156, 232, 234, 297, 298, 326, 328, 333, 352, 355.
 Charters (Chartouris), James, 391.
 — William, merchant, 391.
 Chernisyd, Mr. William, parson of Luss, 553, 612.
 Chisholm (Cheiseholme), James, rector of Tarbolton, 527.
 — John, parson of Lillisleife, 224, 228.
 Christie, John, minister, 632.
 Clark (Clerk), Andrew, 587-8, 590.
 — Hew, 605.
 — James, 590; minister, 631.
 — John, 610; mason, 185-7, 366.
 — Nicholas, 449.
 — Patrick, 140-1.
 — Robert, 187, 605; Sir Robert, canon, 490.
 Cleimies, William, 431.
 Cleland, Agnes, 298.
 — George, of Glenhuif, 298; Mr. George, subchanter, 616.
 — John, 298, 557.
 Clement VII., Pope, 494.
 Cloggie, Thomas, 621.
 Clugstone, Sir Alexander, 470.
 Clune, John, 553.
 Clydesdale (Clidadaill), John, 627.
 — Thomas, 560.
 — William, surgeon, 126.
 Coats (Cottis), Cristen, 330, 558, 560, 613, 615.
 — William, 628.
 Cochrane (Cochquheren), Andrew, 580, 582, 584-5.
 — Elizabeth, 388-9.
 — Gabriel, skinner, 628.
 — John, 571, 585; Sir John of Ochiltree, 357.
 — Jonet, 388-9.
 — M., 246.
 — Robert, burgess, 509; notary, 497.
 — Thomas, weaver, 430.
 — William, 427; William, lord, 33, 36, 40, 142, 156.
 Cockburn, Adam of Ormestone, 264.
 Colquhoun (Colhoun), Adam, parson of Stobo, 298; rector of Govan, 490.

Colquhoun (Colhoun), Alexander, merchant, 431.
 — David, 428.
 — George, provost, 475, 635; provost depute, 489.
 — J., 32, 258; James, 61; bailie, 175, 188, 373; plumber, 373; treasurer, 60.
 — Joan, 226.
 — John, councillor of Dumbarton, 281; rector of Stobo, 527; of Kilmardynie, 607.
 — lady Margaret, 542, 545.
 — Matthew, 372.
 Colvill, Mr. John, precentor, 553.
 Connell, Patrick, 628.
 Copus, Henrie, ship carpenter, 414.
 Corbet, Bessie, 385, 415.
 — Gabriell, 434; maltman, 433.
 — James, 246; merchant, 429, Mr. James, 315.
 — Peter, 273, 427, 433-4; maltman, 428.
 — Robert, 622.
 — Walter, 224, 431; clockmaker, 373.
 — William, 43, 45.
 Coupur, Andrew, bailie of Linlithgow, 440.
 — Mr. J., 539.
 Courtney, Mr. T., 59.
 Cowane, Alexander, 369.
 Cowl, John, 448.
 Craganis, William, burgess, 475.
 Craig (Crag), 89, 100, 109; Agnes, 428.
 — Christine, 428, 431.
 — David, dean of guild of Dumbarton, 281.
 — Henry, 384.
 — James, 548, 617; Mr. James of Killearn, 224.
 — Jean, 383.
 — John, 30, 31, 32, 374; notary, 331, 336, 343, 388, 575; portioner of Nether Newton, 313; wright, 427.
 — Patrick, 473.
 — Sibell, 609.
 — Mr. Thomas, 106.
 — William, 61, 246, 338, 342, 346, 384, 386, 391, 581, 589; councillor of Dumbarton, 281; merchant, 384, 428.
 Craighall, J., 600.
 Craighead, Robert, minister, 631-2.
 Craw, Stephen, 603.
 Crawford (Craufurd), Alexander, 614.
 — Archibald, merchant, Greenock, 207; rector, 612; Mr. Archibald, canon of the Metropolitan Church, 514.
 — Cristiane, 5.
 — David, of Ferme, 605-6, 610, 611.
 — George, skipper in Greenock, 207; Mr. George, 428.
 — Henry, 590, 591; parish clerk of Cadder, 511.

Crawford (Craufurd), Isabella, 331.
 — J., 224.
 — James, 245, 629; merchant in Greenock, 207; skinner, 427.
 — John, 411, 413, 430, 629; burgess, 475; of Milton, 258; tailor, 433; writer, 226, 395.
 — Marie, 252, 260, 411.
 — Robert, 571.
 — Stephen, 273, 280, 281.
 — Thomas, 629; elder of Crawfordsburn, 387, 389; in Greenock, 207; of Jordanhill, 558.
 — Walter, 610, 611.
 Crichton (Crightoun), James, 59; Mr. James of Kilbryde, 228.
 — Robert, in Sanquhar, 527.
 Cross (Corse), Agnes, 358.
 — James, gardener, 423; in Over Carmyle, 331.
 — John, 214, 245, 281, 564; bailie, 267; dean of guild, 252, 259.
 — Robert, 245, 385, 428, 571; in Partick, 560; treasurer, 185, 187.
 — William, 245; merchant, 422.
 Crytesoun, Sir Andrew, chaplain, 501.
 Cumming, Agnes, 434.
 — Allan, 43, 433.
 — Isabella, 373.
 — James, 245, 581.
 — Janet, 434.
 — Margaret, 403.
 — Matthew, 281; bailie, 280; junior, 246, 268, 289; merchant, 326.
 — Mrs., mistress of manners, 373.
 — Peter, 433.
 — Robert, 8.
 — W., 32; William, 433; maltman, 433.
 Cunningham (Cunynghame), Adam, 619.
 — Andrew, 113, 335, 337, 342, 628; merchant, 334.
 — David, of Cambuslang, 59; canon and official general of Glasgow, 480; Mr., 224, 228; Sir David, of Robertland, 255.
 — Frederick, 255.
 — Gabriell, 8; merchant, 386.
 — James, 141, 582.
 — John, 473; bailie of Dumbarton, 60, 61, 65, 118, 141, 175; merchant, 335; Mr. John, 66, 69, 118; Sir John, 193, 357.
 — Jonet, 386.
 — Robert, 491; notary, 564, 565; Sir Robert, 538, 540.
 — Thomas, notary, 481.
 — Umfred, 403.
 — William, 113, 320, 403, 428, 475, 556, 581, 610, 626; bailie, 570, 611; provost of Ayr, 79, 205, 213; Mr. William, 186.

- Cunyngskyn, James, 584.
 Currie (Curry), Gilbert, gardener, 345.
 — John, burgess, 490.
 Cuying, John, 587, 588-9, 590.
- Dainziell, George, 430.
 — Jean, 429.
 — John, 375.
- Dalrymple, Donald of, 438.
 — Sir James, of Stair, 60, 81, 82, 113.
 — Sir John, 193.
 — David (Lord Hailes), 601.
- Dalgleish, Simon, precentor, 557.
 Dalzel, Andrew, 565.
 Davidson, James, 140.
 — Thomas, 113.
 — Mr. Symone, 584, 587.
- Dearnlie and March, earl of, 33, 41.
 Denmark, King of, 88.
 Dennie (Demie), John, 429, 580, 582, 585.
 Denniston, Mr. A., 59.
 — Andrew, 338, 429; gardener, 345.
 — Mr. Archibald, merchant, 348.
- Derring, colonel, captain of warship, 399.
 Desbrowe, Samuel, 321.
 Dicke, Alexander, 606.
 Dickie, John, 427.
 — Robert, 273, 280; councillor, 281; wright, 427.
- Dickson, Mr. George, advocate, 133, 139.
 — Mr. John, 264.
 — William, 456.
- Dinning (Dining), James, 389; writer, 389.
 — Mr. James, 389; professor of physic, 389.
 — John, 628.
- Dinwiddie, Lawrence, 246.
 — Robert, 246, 431, 432.
- Dobbie, Robert, 429, 430.
 Donald, David, merchant, 359.
 — James, 387, 581.
 — John, 359, 581.
 — Peter, 584.
- Donaldson, John *alias* called Cocher, 415.
 — Sir William, laic, 503; William, 517.
- Dougald, Allan, 424.
 Douglas, Alexander, 45; Mr. A., rector of Douglas, 527.
 — Elisabeth of, 449.
 — James, of Auchincassil, 440, 461, 605.
 — lady, 316.
 — Mr. Archibald, archdeacon, 553.
 — Mr. Marcus, 505.
 — Robert, viscount of Belhaven, 304.
 — Sir Robert, 19, 20, 21, 29, 33, 34, 40, 45, 179, 304, 305, 316, 421; of Blakerston, 299, 302, 303, 315, 327.
- Douglas, Susanna, 19, 21, 29, 33, 40, 179, 303, 304.
 — Walter, 618, 628.
- Downe, John, burgess, 492.
 Dreghorn, Robert, wright, 427.
 Drew, John, 372, 402, 403, 429, 571.
 — Malcolm, 588, 590.
 — Thomas, 607.
 — William, 403, 430; merchant, 402, 403.
- Drippiis, John, 514, 611, 615.
 Drumlanrig, James, earl of, 259; lord, 351.
 Drummond, William, 627.
- Dumfries, earl of, 362.
 Dunbar, Gavin, archbishop, 378, 494, 511.
 — William, of Blantyre, 615.
- Dunblane, Robert, bishop of, 364.
 Duncan, James, elder, merchant, 357.
 — Robert, baker, 430.
 — Walter, 606.
- Duncanson, Robert, bailie of Dumbarton, 281.
 Dundas, Patrick, 382.
- Dundonald, earl of, 362.
 Dunlop (Dunlope), Andrew, 330, 505, 517, 558, 560, 615.
 — Gavin, of Cathkin, 429.
 — James, 404; *alias* Taylor, elder, 567.
 — Jonet, 330, 609.
 — Mr. J., 32.
 — Mr. John, of Gartinkirk, 300.
 — Margaret, 330.
 — Patrick, *alias* Lopyy, burgess, 488.
 — William, 246, 431; bailie, 3, 4, 8, 19, 21, 22, 28, 33; Mr. William, principal of the College, 274.
- Dunn (Dwn), Sir Archibald, chaplain, 490.
 — Luke, 603.
- Dunsleson, Robert, 480.
 Durham, Mr. James, minister, 300, 631.
- Edame, John, 587.
 Edinburgh, David, bishop of, 600.
- Edmondston, John, 246.
 Edward, Thomas, bailie in Linlithgow, 576.
- Eglintoun, Alexander, 140.
 — Alexander, earl of, 11.
 — Archibald, 385, 569, 612, 614, 617; notary, 330, 367, 563, 615, 616.
 — Mr. Archibald, 621.
 — Mr. Hew, 574, 617, 621, 623; minister of Dunlop, 621.
 — William, 610.
- Eidsone, John, 585, 587.
 Eilston, Hugh, layman, 538.
- Elphinston (Elphingstoune), Archibald, notary, 336.

Elphinston (Elphingstone), George, 299, 505 ;
 bailie, 502, 553, 558, 609, 611 ; of Blythwood,
 299, 304.
 — Sir George, 577-9 ; of Blythwood, 299,
 304, 319.
 — James, 8, 315, 430, 627 ; of Woodside, 628.
 — John, burgess, 466, 469.
 Erskine, Robert, 607.
 — William, 527.
 Eugenius IV., Pope, 437.
 Ewing, Mary, 433.
 — Patrick, 61.
 Fairfoul, Andrew, archbishop, 51, 630.
 Fairie (Fary), Allan, 564, 606.
 — Gilbert, 431.
 — James, 379 ; bailie, 157, 219, 369 ; deacon
 convener, 185 ; hammerman, 342.
 Falconer (Falconar), Mr. David, 66, 119.
 — Agnes, 429, 431.
 — James, 429.
 — William, 627.
 Faulds (Faullis, Fallis), Archibald, 356, 386, 569,
 570, 571, 580, 584, 618, 629 ; merchant, 388, 575.
 — Andrew, 628.
 Fausyde, Robert, sergeant, 446.
 Ferguson, David, 421, 432, 434 ; maltman, 432.
 — James, 432, 627 ; skinner, 432.
 — William, 415 ; maltman, 432.
 Ferryieris, William, 586.
 Finlay, Isobell, 381.
 — James, weaver, 434.
 — Mr. James, 429.
 — John, 431.
 — Robert, 4, 368.
 — Finlayson, Alexander, writer in Edin-
 burgh, 288.
 Finnyson (Fynnyson), Robert, treasurer, 221,
 225.
 Fisher (Fischar), Thomas, 622.
 Fleming (Flemyng), Andrew, sergeant, 500.
 — Mr. Archibald, 315, 626 ; of Catgill, com-
 missary of Glasgow, 338, 345, 348, 434.
 — James, 320, 530, 557, 610, 617, 625, 629 ;
 bailie, 565 ; treasurer, 546.
 — John, 376, 617 ; of Coutstoun, 185, 226 ;
 dean of guild, 221, 225 ; merchant, 329, 331,
 359 ; notary, 376-7.
 — Jonet, 621.
 — Malcom, 587, 589.
 — Robert, 315 ; merchant, 558.
 — Sir Robert, of Ferme, rector of the College
 of Glasgow, 359.
 — Sir Thomas, vicar pensioner of Glasgow,
 501, 517.

Fleming (Flemyng), Thomas, burgess of Ruther-
 glen, 564.
 — William, 338, 382, 388 ; merchant, 376 ;
 Mr. William, of Ferme, 226, 338, 388, 433 ;
 chaplain, 500.
 Fletcher, Sir John, advocate, 43.
 Fordingham, Christian, 368.
 Forester, James, of Auchinleck, 265.
 — Robert, reader and precentor, Outer High
 Church, 374.
 — Thomas, of Auchinleck, 416.
 Fork, Mr. Hugh, 255.
 Forman, Mr. Robert, dean of the Metropolitan
 Church, 494.
 Forrest, Mr. Alexander, schoolmaster, 32.
 — William, deacon, 517.
 Forsyth (Forschycht), Patrick, 581, 582, 584,
 585, 629.
 Foullis (Fowlis), James of, clerk, 440.
 — Sir James of Collington, 60, 113.
 — Thomas, notary and priest, 496.
 — George, 583.
 — Robert and Andrew, printers, 601.
 Fowlbar, laird of, 498.
 Fowlare, John, 608.
 France, King of, 88, 110.
 Fultoun, Cristine, 567, 568.
 Gaimble, Mrs., 627.
 Gairner (Gairdner, Garner), John, 224, 433 ;
 merchant, 429, 434 ; boatman in Port-Glasgow,
 424.
 Galbraith, Archibald, 415.
 — John, 415, 571.
 — Patrick, skipper, Greenock, 188, 191.
 — Walter, gardener, 345.
 — William, 581.
 Gallangade, 429.
 Garven, John, in Greenock, 188, 191.
 Gayne, Marion, 509, 612.
 Geill, John, wright, 432.
 — Robert, 433, 434.
 Gemmill, James, 246 ; merchant, 389.
 — Peter, 113, 140, 385 ; bailie, 157.
 — Thomas, hammerman, 432.
 George, Mr. Alexander, minister, 374, 632.
 Gibson (Gibsoun), Al., 204.
 — Anabella, 620.
 — Archibald, 330, 615 ; notary, 330.
 — Christina, 388.
 — Mr. David, 607.
 — Elizabeth, 335, 336, 337.
 — Henry, 7 ; clerk, 376, 387 ; notary, 304,
 320, 388, 557, 564, 610, 612, 616.

- Gibson (Gibsoun), Mr. Henry, 336, 339, 341, 342, 346, 362, 367, 368, 386, 558-60, 567-9, 609, 619, 620; court or town clerk, 558, 563, 606, 611, 625; notary, 367, 368, 547, 549, 566, 606.
 — Mr. Hugh, 367; of Haghill, 384.
 — Isobel, 337.
 — James, 400, 558; merchant, 402, 404.
 — John, 246, 281, 335, 613; bailie, 398; merchant, 619; portioner, 374; Mr. John, minister of Eistwood, 336.
 — Margaret, 367.
 — Patriok, merchant, burgess of Edinburgh, 619.
 — Robert, 246.
 — Thomas, 342; Mr. Thomas, 249.
 — Walter, 375; merchant, 402; provost, 393, 396, 400, 634.
 — William, 334, 343, 585; merchant, 337.
 Gilchrieson (Gilcresoun), Janet, 433.
 — Margaret, 433.
 — Thomas, 563.
 Gilchrist, John, 246, 273, 280.
 — Thomas, 246.
 Gilhagie, John, 589, 590; mason, 428; merchant, 420.
 — Margaret, 351.
 — Ninian, 246, 428; bailie, 3, 4, 8, 19, 21, 22, 28, 33.
 Gillan, James, treasurer, 224.
 Gillespie, James, of Tarbolton, 224, 228; Mr. James, in Killearn, 616.
 — John, 318; tailor, 318.
 — Mr. Patrick, minister, 300, 631; principal of University, 318, 328.
 Gillies, Neill, minister, 631.
 Gilmour, James, flesher, 428.
 — John, 557, 588, 590, 591, 610.
 — Sir John, advocate, 323; of Craigmiller, 60, 112.
 — Robert, 625.
 — William, 431.
 Glasgow, earl of, 293.
 Glen, Henry, 580, 586, 628.
 — James, baxter, 628; bailie of Linlithgow, 576; Mr. James, 389.
 — John, 382, 388; merchant, 427-8.
 — Jonet, 388.
 — Margaret, 388, 429.
 — Ninian, weaver, 433.
 — Patrick, 389; merchant, 388-9.
 — Peter, 388.
 — Robert, baker, 571.
 — William, baker, 610.
 Glencairn, John, earl of, 264.
 — William, earl of, 44, 79.
 Glendie, John, minister, 632.
 Gordon, Adam, 632.
 — Mr. H., parson of Cardross, 224.
 — James, 626.
 — Mr. Thomas, late regent of the College, 399.
 — William, 434.
 Gottray, John, sailor in Port-Glasgow, 416.
 Govan (Goveane, Guvane), Alexander, 224.
 — Donald, 246.
 — James, 32, 385, 403.
 — Jean, 402.
 — John, 432; prior of the Friars Preachers, 441; merchant, 391, 402.
 — Patrick, prior of Friars Preachers, 457.
 — Robert, 183, 470; Mr. Robert, 627.
 — William, 431, 629.
 Grahame, Alexander, 585.
 — Andrew, councillor of Dumbarton, 281.
 — Mr. Archibald, 113.
 — George, 431; bailie, 221, 225.
 — John, 113, 118, 132, 309, 611, 629; dean of guild, 3, 4, 8, 19, 21, 22, 28, 33; provost, 633; notary, 141, 205; writer, 140, 187; of Dougalston, 293, 424.
 — Jonet, 390.
 — Philip of, 603.
 — William, parson of Killearn, 527, 553.
 Gray, Alexander, 614.
 — Andrew, minister, 632.
 — George, 506.
 — James, 588-9, 627.
 — John, 385, 430; minister, 631-2; tailor, 429.
 — Walter, notary, 367, 561.
 — William, 140.
 Gregorie, Mr. A., parson of Ayr, 224, 228.
 Grocius, 111.
 Gullane, James, treasurer, 228.
 Haddowie, Andrew, 622.
 — Kathrine, 335.
 Hadok, John, 587.
 Hailes, lord, 601.
 Haliburton, John, of Roxburgh, 59.
 Halkerton, Alexander, lord, 60, 112.
 Hall, Adam, of Fulbar, 477, 611.
 — Agnes, 376.
 — Alisoun, 562, 611.
 — Archibald, 581.
 — David, 339, 373, 376, 386, 569-70.
 — James, 571.
 — J., 32, 246; John, 113, 183, 431, 446, 470; Mr. John, 505.
 — Sir Nicholas of, chaplain, 602.
 — Robert, 482.
 — William, 375, 376; Mr. William, 376.

- Hamilton (Hammylton), 341.
 — Agnes, 341, 346.
 — Captain, 396.
 — Claud, 280.
 — Duke of, 18, 293, 306-7, 327, 358, 362, 378, 624, 626.
 — Edward, 351; of Silvertonhill, 126, 302.
 — Elyear, 582.
 — Francis, 351; of Silvertonhill, 619.
 — Frederick, 60, 113, 214, 366, 430; dean of guild, 185, 187-8.
 — Gavin, dean of the Metropolitan Church, 350; of Raploch, 132.
 — J., 32; James, 8, 19, 21-2, 28, 32-3, 113, 375-6, 386, 628; of Aikinhed, 618; bailie, 396; dean of guild, 30; merchant, 228; provost, 618; of Milton, 126; Sir James, of Orbiston, 79; subdean, 553; Mr. James, dean, 616; minister, Cumbusnethan, 624.
 — Jean, 126.
 — John, 517, 527, 580, 600; of Airdrie, 391, 627; apothecary in Edinburgh, 298; of Bardowie, 29; younger of Bardowie, 29; maltman in Gorbals, 432.
 — Robert, 8, 32; of Silvertonhill, 302, 315.
 — Mr. Robert, chancellor and bishop's chamberlain, 455; notary, 355; writer to the signet, 132; Sir Robert, captain, 351; of Goslington, 126, 351; of Silvertonhill, 120-2, 126-7, 131-2, 158-60, 169, 350.
 — Thomas, 280, 281; dean of Glasgow, 224, 228; notary, 342; treasurer, 274.
 — Walter of, 605.
 — William, 273, 279; of Cambuslang, 527; wright, 414; writer, 288; Mr. William, advocate, 193; rector in Camnethan, 375; Mr. W., parson of Cumnock, 553.
 Hammill, Archibald, 375.
 — Colin, jailor, 373.
 — John, skinner, 427.
 Hannay, Thomas, merchant, 399, 400.
 Harlaw, James, writer, 545.
 Harper, Mr. John, 66, 119, 132.
 Hastie, Alexander, minister, 632.
 Hawick (Hawyk), Mr. John of, vicar of Dunlop, 438.
 — John of, bailie, 441; notary public, 439.
 Hay (Haye), Mr. A., 539; Mr. Andrew, 11; parson of Renfrew, 553, 612.
 — Mr. George, parson of Eddilstone, 527, 553.
 — Mr. J., archdeacon of Glasgow, 224, 228; in Renfrew, 616; J., 600.
 — John, of Park, 238; parson of Peebles, 59.
 — William, 473.
 Hegate (Heygait), Archibald, 574, 626; notary, 304, 331, 337, 339, 343, 367, 387, 388, 389, 613, 617.
 — John, burgess, 506.
 — William, 506, 606; notary, 335, 375.
 Helden, Marion, 444.
 Henderson, Duncan, gabertman, 416.
 — George, 246.
 — John, 545.
 — William, bailie, 506.
 Hendry (Henrie), James, 134, 144, 171.
 — John, 478, 585.
 Hepburn, Gavin, baker, 430.
 Herbertson (Harbartson), Archibald, 471, 483; bailie, 489, 552.
 — Cuthbert, 548.
 — George, 514, 530, 557, 610, 611, 612, 613, 614, 615, 621.
 — Gilbert, 610, 615.
 — John, 246, 376, 588, 613; bailie, 55; elder, 32; younger, merchant, 622.
 — Nichol, 613.
 — Robert, notary, 336, 564, 569; rector of Ayr, 553; Mr. Robert, 541, 606; town clerk, 608.
 — William, 517, 553, 613; Sir William, 614.
 Heriot, James, 224, 228.
 — Mathew, bailie, 532, 606.
 — Thomas, 617.
 Hervy (Hervie), William, 571, 614.
 Hewatt, 527, 612; P., 517.
 Hill, James, rector of Arskyne, 553; Greenock, 207.
 — Ninian, 226, 255; Mr. Ninian, 255; of Lambhill, 251, 260, 267, 411.
 — William, 580, 587.
 Hodgert, John, elder, 433.
 Hog (Hoge), David, 330.
 — Isabel (Hyssabal), 330.
 — John, 330.
 — Martin, 471.
 — Sir Roger, 193.
 — Thomas, 459, 461.
 Hoggisyard, Robert, 8, 584.
 Holmes, David, 280.
 Home (Hoome), Alexander, 351.
 — Sir John, of Renton, 60, 112, 155, 168.
 — William, 339, 346, 385; bailie, 3, 4, 8, 19, 21, 22, 28, 33; merchant, 351.
 Hommyll, Alexander, bailie, 491; burgess, 500; treasurer, 487.
 — Martin, notary, 500.
 Hope, Sir Thomas, 600.
 Horn, John, 603.
 Hornar, John, 508.

Houston (Houstoun, Hawstoun), Andrew, meal-
man, 374.
— Mr. James, subdean, 513, 546, vicar of
Eastwood, 494.
— John, 428, 461.
— Patrick, 246, 362, 581; merchant, 418;
Mr. Patrick, 581.
— Quintigern, 607.
— Robert, apothecary, 367.
— Sarah, 375.
Howe, William, 568.
Howesoun, Mr. John, 539; rector of Cambus-
lang, 612.
Howie, John, 427.
Hughes, Thomas, bailie, 489.
Hume, James, 428.
— John, 431.
— William, 386.
Hutcheson (Huchison), Elizabeth, 255, 622.
— George, 466, 468, 550, 614; of Lambhill,
255, 268, 621; notary, 331, 619; writer,
615-6.
— Helen, 255, 622, 629.
— Janet (Jonet), 255, 375, 622.
— John, tailor, 375; in Garbraid, 560, 569;
Mr. John, notary, 335, 380, 384, 578, 620.
— Mr. Michael, notary, 504.
— Robert, 445, 449; merchant, 587.
— Thomas, 477, 622; baker, 558; bailie, 477;
dyer, 622; burgess, 468, 550; notary, 475,
487; of Lambhill, 614; Mr. Thomas, 383;
of Lambhill, 268, 317, 622.
— William, skinner, 380.
Hunter, John, in Greenock, 188, 191, 207.
— William, in Gourrock, 189; in Greenock,
191.
Hutters, Paull, 585.
Hynde (Hind, Hyne), David, 602; burgess, 444.
— George, 456, 459, 603; citizen, 461.
— John, 457, 603.
— Margaret, 461.
— Patrick, 605; burgess of Linlithgow and
Glasgow, 457.
— Robert, 456.
Ingles, A., 239.
— Mr. Alexander, of Douglas, 59; parson of
Ashkirk, 224.
— Archibald, minister, 631.
— James, 582, 627.
— Robert, jr., 59.
— Thomas, treasurer, 3, 4, 8.
Ingrim, James, 427.
Inschaw, James, 514, 615.
Irving, Alexander, of Mountbodo, 226.

Jack (Jak), Christian, 385.
— Hew, 589.
— Mr. Thomas, 539.
Jackson (Jacoun), William, sergeant, 456.
James I., King, 96.
— IV., King, 475, 511.
— V., King, 198, 202-3, 293, 317.
— VI., King, 47, 63, 64, 96, 103, 114, 189,
205, 206, 304, 331, 336, 351, 402, 549, 610,
612, 615, 621.
— VII., King, 229, 385, 390, 391, 395.
Jamesone, 433; Alexander, 369.
— John, 628; drummer, 373.
— Sir Mark, 501-4, 518, 564, 565, 625; vicar
of Kilspindry, 532, 534, 540, 561, 565, 609.
Jenysosome, Mr. Robert, 584.
Joceline (Josleine), bishop of Glasgow, 71.
Johnns, John, 256; procurator fiscal, 224.
Johnstone (Johnsone), Andrew, of Lockerbie,
323.
— Sir Archibald, of Warrieston, 18.
— George, 323.
— James, 245; in Greenock, 188, 191, 207.
— John, 8, 385, 402; bailie, 188; of Clachrie,
provost, 634; in Stockwell, 509; Mr. John, 323.
— Jonet, 402.
— Peter, 4, 8.
— Robert, in Haystoun, 429.
— Thomas, 564.
Ka., Henry, 605.
Keith, Robert, 171.
Keith and Altrie, lord of. See "Marshall."
Kendischyd, James, 478.
— John, 478.
Kennedy, Fergus, 612.
— Mr. James, rector of Carstairs, 527.
— lord John, earl of Cassillis, 11.
— Thomas, minister, 632.
Kentigern, Saint, 447, 496.
Kerr (Ker), Alexander, 430.
— Mr. Andrew, 20; town clerk of Edin-
burgh, 304.
— Bailie, 431.
— Sir Charles, director of chancery, 264.
— James, 430; treasurer, 133, 140, 143, 171.
— John, bailie, 55, 133, 140, 143, 170; parson
of Roxburgh, 228.
— Robert, 246; burgh clerk of Linlithgow, 576.
— Sir William, 239; of Haddin, 155, 168.
Kerse, David, 605.
Keyne, Sir John, priest, 503.
Kilpatrick, Andrew, weaver, 616.
Kincardine, Alexander, earl of, 156.
King, Andrew, 348.

- King, James, 571.
 — Mathew, 434.
 — William, 589.
 Kinkaid (Kemkaid), Effie, 571.
 — Mr. Frances, 183.
 — James, 589, 591.
 — Ninian, 588.
 Kinneir, Mr. Alexander, minister of Neilston, 367, 368; minister of Glasgow, 632.
 Kirk, Arthur, merchant, 348.
 — William, 362, 376; merchant, 376, 377.
 Kirkland (Kyrkland), Andrew, 446.
 — John, in Cardowan, 128.
 — William, 469.
 — Sir David, 521; presbyter, 503.
 Kirkwood, William, in Greenock, 188, 191.
 Knox, Mr. Adam, 582, 586.
 — Mr. Andrew, 580, 586.
 — Christopher, 612; Sir Christopher, chaplain and prebendary, 513.
 — David, 505; burgess, 490.
 — Janet, 408.
 — John, burgess, 492.
 — Robert, minister, 632.
 — Thomas, merchant in Glasgow, 382; in Belfast, 382; notary, 607, 608; town clerk, 402, 534, 538; Sir Thomas, notary, 521, 531, 541.
 — William, 246.
 Kyle, Mr. William, 141.
- Ladley, David, 246.
 Laithame, Robert, 481.
 Lambert, major-general, 313.
 Landes (Landis), David, 380.
 — Robert, 11; minister, 632.
 Lang (Layng), John, 467.
 — William, burgess, 605.
 Langlands, Robert, minister, 632.
 Lappy, Patrick, 482.
 Lauderdale, 333; John, earl of, 142, 156.
 Law, James, treasurer, 59; archbishop, 126, 331, 619.
 — Mr. John, chaplain, 342; Sir John, chaplain, 613; regent of the College, 274.
 — Robert, 126.
 — Thomas, bailie, 472; burgess, 490; Mr. Thomas, minister of Inohinnan, 126.
 Lawder, William, 614.
 Lawson (Lawsonne), Andrew, 330-1.
 — Bessie, 329, 331, 359.
 — John, 330-1, 345, 359, 619.
 — William, 331, 359, 362, 628; merchant, 329, 331.
- Leckie, John, 245; bailie, 252, 259, 280, 398.
 — Marion, 388.
 Leckprevek, Alexander, of that ilk, 603.
 Legate, Alexander, 565, 607.
 Leighton, Robert, archbishop, 371, 373-4, 378, 630.
 Leirmont of Balcomie, Sir James, 305, 311, 314.
 Leis (Leyis), James, 318.
 — Sir Robert, chaplain, 446.
 — William, 571, 626.
 Leishman, James, 427.
 Leitch, Mr. Patrick, vicar of Dundonald, 437; chancellor of the Cathedral, 444, 447, 452.
 — Robert, 134, 144, 171, 431, 450.
 Lennox, James, 565.
 Lennox and Richmond, Duke of, 298, 304-5, 336; Charles, 327, 332, 378; Eme, 34, 36, 40, 41, 316, 327, 331-2; James, 24, 34, 41, 255, 302, 316, 322, 573; John, 33, 34, 179; Marie, duchess of, 33, 40, 41, 316.
 Lettrik (Letherik), David, 460.
 — Robert, 608; officer, 556, 563, 610.
 Liddell, David, minister, 632.
 — John, 571-2.
 — Robert, 572.
 — Sibill, 612.
 Lightbody, Jean, 391.
 — Margaret, 367.
 — William, deacon convener, 3, 8, 19, 21, 22, 28, 33; Mr. William, 29.
 Lilburn, John, 431.
 Lindsay, Alexander, 629; laird of Dunrod, 603.
 — Andrew, 603.
 — David, 514, 603, 607, 614-5; bailie, 479, 498, 565; of Kyttokayde, 557, 610.
 — James, councillor of Dumbarton, 281.
 — Janet, 428.
 — John, 428, 557, 610; merchant, 389; parson of Carstairs, 553, 616.
 — Lyon, 603.
 — Michael, 625; bailie, 505, 514, 520.
 — Patrick, archbishop, 304, 331, 599.
 — Robert, 603.
 — William, councillor of Dumbarton, 281.
 Linlithgow, earl of, 259, 358, 362.
 Liston, Gabriel, 224.
 — John of, 440.
 Litill, Thomas, 460.
 Litstar, Henry, 626.
 — James, sergeant, 603.
 Littlejohn, Gavin, 563-5; painter, 400.
 — Michael, 572.
 — William, 431.
 Livingstone (Levingstone), treasurer, 553.
 — Cristina, 617.

- Lecht, John, burgess, 475.
 — Janet, 434.
 — John, 606.
 — Marion, 518, 536, 562.
 Lochhead, Henry, 588-90.
 — James, 430-1, 589.
 Lochart (Lokart), 600.
 — George, 245; merchant, 404; Sir George, 66, 70, 77, 81, 82, 119, 193.
 — Sir James, of Lee, 60, 113.
 — Sir John, of Castlehill, 60, 113.
 — Robert, bailie, 19.
 — Thomas, 440, 605.
 Logan, Christina, 331.
 — George, 433; maltman, 434.
 — James, in Auldbar, 331; hammerman, 434.
 Loppay *alias* Dunlop, Patrick, burgess, 488.
 Lorn (Lorne), Mr. Archibald, 622.
 — George, notary, 467, 470, 473.
 — Margaret, 429.
 Luke (Louk), Agnes, 384.
 — Archibald, 627.
 — George, 373, 391, 585; merchant, 626.
 — John, 246, 345; maltman, 617; merchant, 372.
 Louson, John, 517.
 Love (Lowiff), Andrew, 427.
 — John, 582, 626.
 Low, John, 627; merchant, 337.
 — Margaret, 337.
 Lowdown, George, burgess of Renfrew, 622.
 — John, earl of, 11, 18.
 — Mr. John, regent of College, 275.
 Lowrence (Lourance), John, parson of Douglas, 553.
 Lowtheane (Louthyan), Agnes, 357.
 — Edward, 565, 607.
 — Patrick of, 605.
 — Richard of, 438.
 — Thomas of, 438.
 — William, earl of, 18.
 Luggie, Arthur, 587-9.
 — John, merchant, 337.
 — Thomas, 616.
 Lyill (Lyle), Cristian, 380.
 — Jonet, 380.
 — Manasses, 140; bailie, 622; deacon con-
 vener, 30, 32, 60, 157; skinner, 380.
 Lymburner, John, 587-8, 590.
 — Patrick, 582, 584, 629.
 Lyon (Lyounne), Mr. Alexander, 556.
 — Archibald, 30, 340, 512, 548, 553, 556, 609,
 614, 615.
 — David, 613; bailie, 514.
 — Donald, 512.
 Lyon (Lyounne), G., 246; George, 330, 331, 340,
 412, 414, 619, 620.
 — Helen, 330, 331, 340.
 — James, 559, 560, 617.
 — Margaret, 387.
 — Robert, 586.
 M'Alaster, Barbara, 367-8.
 — Walter, 367-8, 431.
 M'Alpie, Mr. Donald, bailie of Dumbarton, 60,
 61, 65.
 M'Aulay (M'Aula), John, 61.
 — Walter, 8.
 M'Bryde (M'Braid), James, depute town-clerk,
 257; town-clerk, 272, 279, 288, 424.
 — John, minister, 631.
 M'Callum (M'Allum), Michael, 427.
 M'Capie, Mr. David, bailie of Dumbarton, 175.
 M'Carry, Nigel, 477.
 M'Chan, John, maltman, 621.
 M'Connochie, Robert, 414; sailor, 413.
 M'Cowm, John, burgess, 490.
 M'Crocket, Gabriell, 426.
 — Gilbert, in Muir of Gorbals, 434.
 — William, in Corsehill, 406.
 M'Cuir (M'Ure), John, 224, 228, 385; keeper
 of register, 271, 390, 412, 415; writer, 391.
 — Robert, 340; merchant, 385.
 M'Cullas, Colin, 113.
 M'Donald, William R., 443, 496, 516, 521, 527.
 M'Dougall, Jean, 182, 185, 364.
 M'Farlane, Andrew, 133, 144, 171.
 — Charles, 288.
 M'Gie, Mr. David, bailie of Dumbarton, 175.
 M'Gilchrist, Donald, 630.
 M'Kay (Makky), John, 446.
 — major-general, 398.
 M'Kean, James, 61.
 M'Kell, Mr. Matthew, advocate, 132, 139.
 M'Kenzie, Mr. George, 66, 69, 118; Sir George,
 193.
 — Mr. Roderick, 193.
 M'Kewin (M'Kown), David, notary, 508, 516.
 — Robert, 614.
 M'Kie (Mackie), William, 430; treasurer, 61.
 M'Kinnie, Alexander, 113; tobacco spinder, 423.
 — David, 343.
 — John, 343.
 M'Kyldanie, William, 587.
 M'Lachlan, John, merchant, 428.
 M'Lay (M'Lea), John, tobacco spinder, 423.
 — Thomas, 427.
 M'Lean (M'Clane), John, town's piper, 373.
 M'Leod, Walter, 580.
 M'Littater, William, 568.

M'Low (Macklow), David, councillor of Dumbarton, 281.
 M'Mathe, Hector, 585.
 M'Michael, John, skinner, 619.
 M'Mulan, John, bailie, 445.
 M'Nee, Robert, 113.
 M'Neill, Evis, surgeon, 374.
 M'Neillie, Robert, 410-1, 415.
 M'Quaird, Robert, minister, 632.
 M'Rorie, David, tailor, 429.
 M'Tagert, Walter, Kirkstoun of Calder, 300.
 Machan, John, 625.
 Mader, James, 621.
 Magormen, John, 245.
 Main (Mayne), Alexander, minister, 631.
 — David, 558; Sir David, 330, 559, 560.
 — James, 559.
 — John, 330, 532.
 — Michael, 331; merchant, 331.
 Mak, Robert, 4, 8, 587, 589.
 Maklasell, Archibald, 500.
 Mamie, Andrew, 429.
 Mann, Ludovic M'Lellan, 549.
 Manwell, Richard, 224; writer, 288.
 Marjoribanks, Thomas, of Ratho, 616.
 Marshall (Merschell), Allan, wright, 431.
 — Andrew, canon of Glasgow, 481.
 — Gilbert, 362, 387, 621; clerk of regality, 11; notary, 618.
 — James, 520.
 — John, 387, 587, 588, 589, 591, 628; mason in Newark, 415; merchant, 339, 391; writer to the signet, 228.
 — Jonet, 387.
 — Marcus, 140.
 — Matthew, 372, 387, 621, 629; merchant, 340.
 — Robert, 330, 424, 428.
 — William, 246, 627.
 — — earl of, lord Keith and Altrie, etc., 18, 155, 167.
 Martin (Mertyne), John, councillor of Dumbarton, 281.
 — Robert, bailie of Linlithgow, 576.
 — Thomas, 508.
 — William, 415.
 Mary, Queen, 198, 203, 236, 259, 290, 350, 394, 398, 412, 593.
 Mason (Maison), John, 375, 581; burgess, 444.
 — Walter, 431.
 Mathie, David, 402.
 — John, 612.
 Matho, Patrick, in Balschagry, 560.
 Mauchane, Mr. Alexander, 556.
 Maxwell, Archibald, 433.
 — Daniel, 320.

Maxwell, Elizabeth, 608, 609.
 — George, 517; merchant, Dumbarton, 288; minister of Mearns, 617; Sir George of Nether Polok, 33, 36, 40, 79; of Newark, 132-3, 137, 139-41, 143, 170, 352.
 — Helen, 389.
 — Mr. Hugh, 45.
 — James, 245.
 — John, 238, 430; wright, 331, 431; Sir John of Nether Pollok, lord justice clerk, 275; of Pollok, 399.
 — Jonet, 617, 621.
 — Patrick, 430; tanner, 429; Sir Patrick of Newark, 132-41, 143-8, 170-3, 352, 393.
 — Richard, skinner, 427.
 — Robert, hammerman, 434; writer, Edinburgh, 59; Mr. Robert, vicar of Killelone, 608.
 — Thomas, 246.
 — William, 562, 611; merchant, 607; Mr. William, 66, 69, 118.
 Mearns, John, skipper, 428.
 Meikell, Allan, 224.
 Melvill, 235.
 Messon, Margaret, 429.
 Michaelson, Henry, notary, 444, 446, 602.
 — John, notary, 456, 460, 465, 603.
 Middleton, John, earl of, 328.
 Miller (Millar, Myller), Andrew, 587, 588-9.
 — Archibald, 375.
 — Constantine, 628.
 — Isobell, 621.
 — James, citizen, 331; mealman, 430.
 — John, 113, 508; deacon convener, 121, 133, 140, 143, 171; skipper, 413, 414, 417.
 — Jonet, 331.
 — Marion, 609.
 — Mungo, 367.
 — Patrick, 505.
 — Robert, 375, 587, 591.
 — Mr. Robert, minister at Port-Glasgow, 418, 419, 425.
 — Walter, merchant, 331.
 — William, 414; smith, 411.
 Millon, John, 399.
 Milne. See "Mylne."
 Milne-Home, David, 475.
 Mitchell, James, 627.
 — Robert, 426.
 Moncrieff, David, clerk of secret council, 251.
 — Thomas, 381.
 Monk, General, 321.
 Monnypennie, Mr. William, advocate, 193.
 Monteith (Minteth), John, 628.
 — Thomas of, 457.
 Montgomerie (Mungumry), Barbara, 626.

- Montgomerie (Mungumry), Barthilmo, 561.
 — Bessie, or Elizabeth, 529, 606.
 — Hugh, 273; of Busby, 293; merchant, 418; provost, 634; Mr Hugh, sheriff depute of Renfrew, 141.
 — J., 246; James, 273, 561; merchant, 418, 422; Sir James, of Skelmorlie, 396, 399.
 — Jonet, 618.
 — Lord, 11.
 — Marion, 506.
 Montrose, marquis of, 293; James, marquis of, 360.
 Moodie, Jonet, 368.
 Morrison (Morisoune, Morsoune), George, merchant, 388.
 — James, 389; skipper in Greenock, 188, 191.
 — John, 608; notary, 503.
 — Jonet, 389.
 — Mr. Stevine, 580.
 — Thomas, 315, 376, 389, 390, 391, 629; cooper, 388, 389.
 Morton (Mortene), Elizabeth, 330.
 — John, 330.
 — Kentigern (Mungo), 330, 488.
 — Robert, 474.
 Mournay, Hugh, skipper, 400.
 Mousfald, Robert, 446.
 Mudie (Mudy), Andrew, 60, 629.
 — James, 629; notary, 36.
 Muir (Muir, Mure, Mur), Andrew, 505; school-master, 367.
 — Archibald, 386.
 — Bessie, 341, 377.
 — David, 626.
 — George, 388, 586; merchant, 331; sailor, 331; of Polmadie, 331, 628.
 — Mr. Hugh, 427.
 — James, 223.
 — John, 386, 449, 517; bailie, 606; in Bridgegate, 567, 568; prior of the Friars Preachers of Glasgow, 455; vicar general of the order of Friars Preachers, 457; Muirbarnhouse, 358; notary, 517; sailor, 332, 619.
 — Jonet, 367.
 — Margaret, 514, 611, 612, 614.
 — Matthew, 331, 619; merchant, 331.
 — Robert, 434, 557, 606, 610.
 — Thomas, 402.
 — William; merchant, 621.
 Muircroft, James, 374.
 Muirhead, Andrew, bishop, 447, 452, 562, 626.
 — George, 246, 280-1; merchant, 383; treasurer, 267.
 — Marion, 607.
 — Mr. Thomas, rector of Stobo, 479.
 Muirhead, William, 356, 359, 386, 430.
 Murdoch, Elizabeth, 432.
 — John, 430.
 — Peter, 434.
 — William, wright, 433.
 Murhous, George of, 444.
 Murray (Murreye), Sir James, of Philiphaugh, 293.
 — John, bailie, 483.
 — Sir Patrick, of Saltcoats, 407.
 — Sir Robert, 142, 156.
 Murthland, Archibald, 257, 272.
 Mushet, Robert, bailie of Dumbarton, 281.
 Mwn, James, 61.
 — John, preceptor of St. Nicholas Hospital, 402.
 Mylne (Myllne, Miln), Alexander, minister, 632; provost of Linlithgow, 205, 213.
 — Andrew, 376, 391; provost of Linlithgow, 576; surgeon, 337, 341.
 — George, chancellor of the Cathedral, 224, 228.
 — Marion (Mareoune), 337.
 — Patrick, 226.
 — Thomas, 337, 341, 359, 376, 386, 388.
 Myrk, George, 449.
 Nairn (Narne), Mr. David, 449.
 — Sir Robert of Strathord, 60, 113.
 Napier (Naper), John, 246; of Kilmahew, 79.
 — William, 245, 273, 280; provost, 252, 259, 430, 634.
 Nasmyth, John, councillor of Dumbarton, 281.
 Neill, Adam, 377; oordiner, 376.
 — Robert, 29.
 Neilson, Charles, 571.
 — Janet, 320.
 — Marion, 571.
 — Symon, 607.
 — Walter, 126, 309, 310; bailie, 30, 32; deacon-convener, 60.
 — William, 571.
 Nevoy, Sir David, of that Ilk, 60, 113.
 Nicholas, John, 472.
 Nicholas, V., Pope, 444.
 Nicholson, John, 480, 472.
 — Thomas, 619.
 Nicol, John, 607; writer, 619.
 Nimmo, Mr. S., parson of Cumnock, 224, 228.
 Nisbet, Albert, 36.
 — George, 246; bailie, 252, 259, 280; deacon-convener, 267, 280; glazier, 428.
 — Grissel, 405.
 — Hugh, 113; bailie, 183.
 — John, 373, 627; Sir John of Dirleton, 60, 112, 188, 192, 363.

Niven, George, 431.
 Niveson, William, 627.
 Noble, Andrew, 427.
 Norvall (Norvell, Norvald), Mr. George, 66, 119.
 — John, 588-9.
 — Thomas, 357, 587, 588-9, 627.
 — William, 375, 588, 629.
 Og (*alias* Gilmour), James, flesher, 428.
 Oglothe, William, 581, 586.
 Oliphant (Olifante), John, 456, 459, 603.
 — Mr. William, advocate, 5, 10.
 Oliver, lord protector of the Commonwealth, 351.
 Otterburn, Andrew, 471; provost, 475, 635.
 — Sir Richard, chaplain, 490.
 — William of, 444.
 Pagan, Alexander, 433.
 Pak, Mathew, 588.
 Paniter, Sir Alexander, vicar of Carstairs, 535.
 — John, 519, 534, 535, 540, 562.
 Parchar, Agnes, 474.
 — Katherine, 475.
 — Walter, citizen, 474.
 Park, Andrew, 430.
 — George, 564, 606.
 — Sir John of, vicar of Tarbolton, priest and notary public, 438.
 — Patrick, 32.
 — Thomas, 571.
 — William, 430.
 Parker, James, 411; collector in Port-Glasgow, 419.
 Paterson, John, 559, 582; archbishop, 630; deacon, 517; weaver, 406.
 — Ninian, 590.
 — Robert, 417, 621.
 Paton (Pawtoun), John, 563.
 Paul II., Pope, 454.
 Paul, Claud, 412, 421, 434; in Gorbals, 421.
 — Elias, precentor of the kirk at Neilston, 368.
 — Isobel, 434.
 — John, 133, 144, 171.
 Peacock (Pacok, Pakkok), Andrew, 517; Mr. A., parson of Morbattie, 228.
 — John, 553.
 Peadie (Padie), James, 245, 273, 280, 581, 586; of Ruchill, provost, 274, 634.
 — John, 246; collector, 407, 430; preceptor of St. Nicholas Hospital, 419.
 Peetters, Thomas, merchant, 399.
 Perth, earl of, 392.
 Peter (Peeter), Thomas, 245; treasurer, 398.
 Petrie, provost of Aberdeen, 395.

Pettigrew (Peticirow), Alexander, 4, 10, 11, 32, 313.
 — John, 246, 440.
 — Mathew, 439.
 Philipshill, John, 427.
 Pinkerton (Pynkartoun), Malcolm, 433; bailie of Rutherglen, 564.
 Pitcairn (Petoarne), John, 469.
 Pittillo, Alexander, 396.
 Pollock (Pollok), Allan, bailie, procurator of the lepers, 492.
 — Charles, merchant, 610.
 — David, 514.
 — George, 316, 375.
 — James, 113, 309, 310, 581, 587, 627; bailie, 30, 32, 55, 133, 140, 143, 170.
 — John, skinner, 628; wright, 433.
 — Janet, 316.
 — Peter, of, 444.
 — Thomas, 273, 280, 281, 316; merchant, 316, 320.
 — William, in Camlachie, 618.
 Portar, Agnes, 482.
 Porterfield, Gabriel, 61.
 — George, 580; provost, 3, 4, 8, 19, 20, 21, 22, 28, 33, 302, 633.
 — James, councillor of Dumbarton, 281.
 Potinger, Edward, commander of the frigate "Dartmouth," 400, 404.
 Potts, John, 390.
 Powart, Hugh, 113.
 Primrose (Prymerose), 167, 181; Sir Archibald, of Chester, 42, 60, 112, 120, 155.
 Pudzane, Patrick, 517.
 Purdom (Purdone), Andrew, 584; clockmaker, 224, 373.
 — Daniel, 140.
 Purdy, Davy, Burgess of Linlithgow, 440.
 Purveyance, John, 113.
 Queensberry, earl of, 626.
 Rae, Archibald, of Tannochside, 385.
 — bailie, 630.
 — James, 60.
 — Robert, 387; bailie, 61, 121, 140, 175; dean of guild, 157, 356; merchant, 345, 346, 385.
 Raite (Rait), David, vicar-general of Friars Preachers, 443.
 — Nicholas, 472.
 Raith, Alexander, lord, 259.
 Ralston, William, 506.
 Ralton, John, 430, 431.
 Ramsay, James, wright, 428.

- Ramsay, Mr. J., dean of Glasgow, 59.
 — Mr. Robert, 300; minister, 631.
 Rankine (Rankin), Alexander, 134, 144, 171.
 — David, 412, 414.
 — James, 613, 617; in Greenock, 207-12.
 — John, 372, 478; rector of Hutoun, 481;
 Sir John, chaplain, 470.
 — Nicholas, 477.
 — Quintin, 627.
 — Robert, 607; carter, 429; Mr. Robert,
 parson of Sanquhar, 616.
 — Thomas, in Greenock, 207-12.
 Raw, Thomas, bailie, 485.
 Reid (Rede), David, notary, 465; Sir David,
 notary, 456.
 — Hugh, 457.
 — James, 628.
 — John, 548; maltman, 431.
 — Sir Martyn, 546, 617, 619.
 — Robert, 113.
 Relik, Jonet, 607.
 Restown, Sir John of, notary, 602.
 Richmond, John, schoolmaster, Greenock, 207.
 Riddell, James, 181.
 Ritchie (Riche), Adam, 32, 617.
 — Elizabeth, 617.
 — James, 625.
 — Jo., 246; John, 385; collector, 573;
 cooper, 567-8, 572.
 Robb, Andrew, 610.
 — Mr. D., parson of Erskine, 224.
 — George, 315.
 — James, 246; Mr. James, advocate, 624.
 — John, 517, 610.
 Robert I., King, 62, 71, 437, 593.
 — III., —, 437.
 Robertson, Mr. Archibald of Bedlay, 375-6.
 — Mr. James, 348.
 Robertson, Agnes, 331.
 — Edward, 376, 387; merchant, 341.
 — Elizabeth, 331.
 — George, councillor, 281; merchant, 375.
 — John, 626; councillor, 281; surgeon,
 374.
 — Margaret, 339.
 — Robert, 187; writer, 258.
 — Simon, 605.
 — William, 132.
 Robison (Robisoune), Archibald, 505.
 — Cuthbert (Curbeth), 580, 582, 627.
 — Edward, 388; merchant, 375.
 — Elizabeth, 359.
 — George, 273, 280; burgess, 492; merchant,
 376.
 — James, 224, 429; carter, 427-8.
 Robison (Robisoune), John, 245, 273, 280, 589-
 90; merchant, 348; treasurer, 373.
 — Jonet, 348, 434.
 — Robert, maltman, 429; Mr. Robert, 580-1,
 584.
 — William, 483, 618; weaver, 434.
 Rodger, James, 427.
 — John, 403.
 — Mr. Ralph, minister, 631.
 — Robert, 246; bailie, 267, 280; provost,
 634; dean of guild, 274; treasurer, 252, 260.
 — William, 590-1.
 Rollok, Mr. David, of Kynoladie, 518, 536, 540;
 of Powhouse, 562.
 — Robert, 518; Mr. Robert, 538, 541, 562.
 — Thomas, 518.
 Ronald, Dun., 239, 264.
 — John, 588.
 Ross (Rose, Rois), Abraham, 339.
 — Alexander, subdean, 224, 228.
 — Arthur, minister, 631; archbishop, 220,
 224, 255, 378, 380, 383-4, 630.
 — James, 587, 589-91.
 — John, 461, 569, 615, 628; notary, 320, 343,
 359; town clerk, 625; Mr. J., rector of Glas-
 gow, 59; Mr. J., parson of Renfrew, 224,
 228.
 — Lord, 399.
 — Richard, 608, 612; bailie, 546.
 — Robert, 589; minister, 632.
 Rothes, John, earl of, 142, 156, 359.
 Rowand, James, in Greenock, 188, 191, 207.
 — John, of Baidland, 207; in Greenock, 188,
 191.
 Rowat, Mr. Andrew, 626.
 — John, 385; bailie, 619.
 — Robert, 557, 610, 611, 616; bailie, 320,
 613, 614.
 Ruchatt, Robert, in Duntiblae Mill, 300.
 Russell, Robert, provost of Stirling, 205, 213.
 Sage, John, minister, 632.
 Salmond, Patrick, 517.
 — Sir Robert, presbyter, 503.
 Saltoun, William of, 605.
 Sanders, Mary, 433.
 — Robert, 385; printer, 415; stationer, 370,
 385; town's printer, 374.
 Sanquhyr, Sir Alexander, 503.
 Scharp, Mr. Patrick, 539, 553.
 Schaw, James, 486.
 — John, 481; burgess, 444; bailie, 456, 474;
 provost depute, 485.
 — Thomas, burgess, 475.
 Scherar, Robert, 606.

- Schoriswod, James, notary, 497.
 Sclater, Agnes, 477.
 — Euphemia, 498.
 Scott, Alexander, peuterer, 625.
 — Andrew, merchant, 431.
 — David, 43, 45, 348, 432-3.
 — George, hammerman in Gorbals, 432.
 — Gilbert, 432.
 — Hugh, skipper in Greenock, 207.
 — James, collector, 424.
 — Janet, 433.
 — John, 373, 414, 485, 569-70, 617; miller, 414; notary, 306; in Rutherglen, 432; provost of Rutherglen, 300.
 — Sir John of Scotstarbet, 18, 306, 311-2, 314, 320-1.
 — Margaret, 433.
 — Robert, 140, 428; councillor, 281; treasurer, 121; messenger, 391; Mr. Robert, minister, 573.
 — Thomas, 4, 8, 368; treasurer, 157.
 — William, 414, 431, 462; merchant, 429.
 Scougall, Sir John, of Whytkirk, 60, 113.
 Selkirk, Charles, earl of, 249.
 Selkrig, Mr. Robert, notary, 204, 228.
 — Jo., 246.
 — William, 338, 629; writer, 344, 429.
 Sellar, Archibald, 626.
 — John, 516; deacon, 517.
 Semple (Sympyll), Andrew, of Renfrew, 327.
 — Archibald, 390.
 — Duncan, 376.
 — James, 587, 590-1.
 — John, 591; canon, 602; provost of Dumbarton, 78, 79, 87, 105.
 — Marion, 344.
 — William, 616; in Newark, 424; Mr. William, canon, 602.
 Shanks, George, wright, 433.
 Sharpe, Mr. David, Kilbride, 616.
 — Mr. Patrick, Govan, 616.
 Shaw, John, 471; of Greenock, 365, 396, 407; Sir John, of Greenock, 205, 209-10, 365, 367, 377, 381, 410, 418.
 Shiells (Schelis), 433.
 — Archibald, treasurer, 188.
 — John, 421, 489, 584.
 — Janet, 377.
 — Robert, cordiner, 434.
 — Stephen, 474.
 Simont, Mr. Gilbert, vicar of Dalziel, 342.
 Simpson (Symson), Sir Bartholomew, preceptor of St. Nicholas Hospital, 563, 606.
 — Cuthbert, notary public, 497, 512.
 — Henry, 628; Mr. Henry, 584.
 Simpson (Symson), James, in Greenock, 628.
 — John, 246, 380, 628-9; Mr. John, merchant, 581.
 — Mr. Patrick, minister at Renfrew, 275.
 — Sir Robert, advocate, 193.
 Sinclair, Robert, maltman, 345; Mr. Robert, 43, 45, 118; Sir Robert, 66, 69, 107, 193; Dr. Robert, professor of mathematics, 275.
 Sixtinus (Sextinius), lawyer, 101, 108.
 Skimming, J., 224.
 Skirper, Sir John, 357.
 Slosse, James, 245, 273, 281; bailie, 274.
 Smellie, Alexander, writer, 257.
 — John, 429.
 Smeiton, 627.
 Smollet (Smallat), Sir James, of Bonill, 288.
 — John, dean of guild, Dumbarton, 60, 61, 65, 175.
 — Tobias, younger of Bonhill, provost of Dumbarton, 281.
 Smith (Smyth), Allan, 534.
 — George, 564.
 — James, hammerman, 434.
 — John, 59, 245, 580, 585; factor to the College, 374; weaver, 434; wright, 434; in Gorbals, 412; Sir John, 328, 613.
 — Thomas, 440; parson of Eddleston, 228.
 — William, 246, 481, 565.
 Snel, William, 440.
 Snodgers, Claud, 428.
 — Elizabeth, 428.
 — Nicol, 625.
 — Patrik, 567; fisher, 568.
 Snyp (Snype), Andrew, 427.
 — Thomas, 571.
 Sommer (Symmer), William, 617, 621, 623; merchant, 574.
 Southesk, earl of, 351.
 Spang, Andrew, 376, 616; lieutenant colonel, 382; merchant, 616.
 — Bessie, 382.
 — Marion, 557.
 — William, 618.
 Spens, David, writer in Rutherglen, 374.
 — John, 603.
 Sper, David, 462.
 Spotiswood (Spotswood), John, archbishop, 71, 304, 314, 330-1, 616.
 — Ro., 600.
 Sprule (Spreule, Sprewell), John, 432; of Castlehill, 621; of Milnetoun, 424; Mr. John, 309; clerk, 384, 387; notary, 29, 36, 126, 305, 368; town clerk, 4, 11, 303, 338.
 — Margaret, 616, 617.
 Stark, John, of Auchinwoll, 255.

Stevenson (Stouenson), Francis, councillor, 273, 280-1.
 — Ja., 251.
 — William, maltman, 430; merchant, 428.
 Stevin (Steen), Gavin, 627.
 — John, merchant, 558.
 Stewart (Stuart, Steuard), Allan, 459.
 — Alexander, 531, 614; of Galston, 456.
 — Andrew, 459.
 — Sir Archibald, of Blackhall, 33, 40, 402.
 — Sir Charles, of Pettindreich, 239.
 — Christina, 388.
 — David, parson of Erskine, 527.
 — Geills, 626.
 — George, 531.
 — Hector, citizen. 611; bailie, 562; notary, 331.
 — James, 8, 402, 456; bailie, 603, 616; merchant, 335; of Largs, 429.
 — Mr. James, in Campsie, 616.
 — John, 33; of Barchagrie, 300; of Bowhouse, 529, 606, 607, 611; Sir John, of Minto, 543; provost, 455, 459, 463, 603; of Rosland, 26, 30; of Rothessay, 35, 36; parson of Kirkmahoe, 553; Mr. John, 193, 459.
 — Sir Ludovick, of Minto, 5, 11, 13, 14, 39, 178, 302-3, 327.
 — Malcolm, 563.
 — Margaret, 387.
 — Marion, 428.
 — Mathew, laird of Castlemilk, 457; Minto, 560; Sir Mathew, of Minto, 5, 6, 7.
 — Robert, 388, 625, 630; bailie, 563; Mr. Robert, 30.
 — Susanna, 389.
 — Walter, 30; Sir Walter, of Minto, 5-9, 11-14, 39, 178, 302-3, 327; lord feu farmer, 330-1, 336.
 — William, 344, 458, 587, 588, 590, 629; merchant, 339; black William, 591; red William, 590.
 Stirling (Striviling), bailie, 627; Sir Archibald, of Carden, 60, 81, 82, 113.
 — George, 433.
 — J., merchant, 246.
 — James, 433; merchant, 389, 419; minister, 632.
 — John, 224, 606.
 — Robert, 224; skinner, 433; of Lettir, 606.
 — Walter, 589.
 — William, 365, 408, 431, 550, 589, 590; bailie, 620; of Keir, 606; minister, 632; Mr. W., parson of Ancrum, 228.
 Stobo, John, officer, 556, 610.
 Stoot, William, 429.

Strachan, 600; Mr. Alexander, 399.
 — David, treasurer, Dumbarton, 281.
 Strang, Dr. John, principal of the College, 275.
 — Mr. Richard, 547.
 — W., 583.
 Struthers, Conall, 571, 572; Mr. William, 312, 323, 324.
 Sutherland, John, earl of, 18.
 Swan, George, hammerman, 434.
 — Patrick, 466, 470.
 Syare (Schyre), Ninian, 532, 606, 609, 625.
 Sym, John, tailor, 621.
 Symone, John, 591; Materne, 586.
 Tacket (Tackets), Arthur, 32; maltman, 377; saddler, 377.
 Tarbet, George, viscount, 264.
 Tarbolton, lord, 33.
 Taylor (Tailzour, Tyulyair), Alexander, in Greenock, 189, 191, 207.
 — James, 618; alias, Dunlop, 567; merchant, Greenock, 188, 191, 207.
 — John, 585, 588; in Greenock, 188, 191, 207.
 — Peter, 587, 588.
 Telfer (Telefeire), Alexander, 224.
 Tennent, Marion, 430.
 — Patrick, gardener, 430.
 — Robert, 431.
 — Simon, 246, 273, 281; deacon-convenor, 252, 259.
 Teynssone, Jacob, 585.
 Thom, Alexander, 224.
 — James, 61.
 Thomson (Thomsoune), George, 43, 45.
 — James, tanner, 432.
 — Ja., 51.
 — Jean, 427.
 — John, 430; clerk, 377, 577; notary, 388, 389, 617, 619.
 Thornton, James, rector of Ancrum, 527.
 Thurloe, Mr., secretary, 321.
 Todd, Andrew, 427.
 Toft, John, 427.
 — Peter, 429.
 Tran (Trane), James, 32, 387.
 — John, 387; Mr. John, regent of the College, 274.
 — Janet, 387.
 — Margaret, 387.
 Trane, James, 32.
 Traquhair, earl of, 351; John, earl of, 33, 36, 40, 41, 593.
 Trotter, Mr. Robert, 66, 119.
 Trumbell (Trumble), James, 384.
 — John, carter, 385.

- Trumbell (Trumble), Matthew, 342, 388, 569, 570.
Tweeddale, John, earl of, 142, 156, 259.
- Ure (Wr, Wre), John, 588-90.
Urie (Wrie), James, 431.
— John, 427; in Gourrock, 191; in Greenock, 189, 191, 207.
— Robert, 406, 434.
— Thomas, 406.
- Vane, Sir Henry, 309, 310.
Veatch, Mr. Robert, advocate, 257.
- Waddell, Mr. Richard, minister, 224, 227, 631.
Waist, Thomas, weaver, 434.
Walkinchaw, James, merchant, 422.
— John, 113; bailie, 157, 183; dean of guild, 121, 133, 140, 143, 170; of Borrowfield, 226, 293.
— Mr. Patrick, subdean, 616.
— William, merchant, 422.
- Wallace, Mr. Adam, bailie, 546, 556, 610.
— Andrew, 580.
— Daniel, merchant, 320; provost, 633.
— Gabriell, 589-90.
— Mr. James, minister at Inchinnan, 335-6.
— John, 246, 415, 508, 565; bailie, 185, 187; burgess, 509; deacon convener, 221, 225.
— Jonet, 609.
— Sir Thomas 66, 69, 88, 107, 118, 357.
— William, 140, 245-6; bailie, 380; maltman, 380; merchant, 396.
- Wan, John, 375, 462, 505, 607, 613.
— Walter, 515.
- Wardan (Wardane), David, 627.
— Hew, merchant, Greenock, 207; skipper in Greenock, 207.
— John, 585.
— Robert, in Greenock, 189, 191, 207.
- Wardlaw, Mr. J., parson of Moffat, 527.
- Watson, Agnes, 330; in Muir of Gorbals, 426.
— Alexander, merchant, 374; ship carpenter, 417.
— Archibald, 481, 587-9.
— Arthur, maltman, 341.
— James, 113.
— John, 140, 571; officer, 556, 610; skipper, 427.
— Jonet, 348.
— Margaret, 389.
— Mathew, 571; in Muir of Gorbals, 434.
— Robert, 357, 375, 517; maltman, 320, 348; merchant, 474; bailie of Dumbarton, 61, 175; Mr. R., parson of Cardross, 59; Sir Robert, 531, 546.
- Watson, Walter, 374; provost of Dumbarton, 60, 61, 65, 175, 327.
— William, 348; tailor, 389, 429.
- Watterston, Susanna, 430.
— William, 571.
- Waus, Thomas, dean of the Cathedral, 447.
- Weallis, Andrew, merchant, 362.
— John, in Gottenpannes, 362.
- Weir, John, maltman, 627.
— Thomas, 246.
- Wedderburn, Sir Peter, 66, 69, 82, 87-8, 107, 118.
- Wemes, Mr. David, minister, 539, 612.
- Westoun, Mr. Thomas, 547.
- Wetschaw (Wichschaw), Archibald, 456, 603.
- White (Quhyt), John, 470, 581.
— Mr. Symone, 582.
— William, 586.
- Whitehill (Whythill), John, 434.
- Whitelaw (Quhitlaw), William, 571.
- Widdrow, Thomas, 587, 591.
- Wilkie (Wilkine), Mr. John, 45, 315.
— Mr. R., in Douglas, 616.
— William, commissioner for Lanark, 205, 213.
- Will, Marion, 622.
— Mathew, 622.
- William, bishop (1258), 481.
- William the Lion, King, 62, 69, 70, 71, 89, 96.
— III., — 235-6, 249, 259, 290, 394, 397-8, 409, 412-3.
- Williamson, John, of the Burn, 440.
— Patrick, 61.
- Wilson (Wylson), Adam, 388; notary, 406.
— Andrew, 584.
— Archibald, 342, 608.
— Charles, 571.
— David 615; Mr. David, 517, 608-9, 613.
— Grizell, 428.
— Helen, 615.
— James, 113; mealman, 429; merchant, 388, 608.
— John, 273, 339, 342, 517, 580, 582, 584, 613, 621, 623-4; bailie, 553, 606-7; cordiner, 621, 623; drummer, 373; maltman, 429; merchant, 606-7, 609, 611; tanner, 320.
— Jonet, 619.
— Margaret, 628.
— Mathew, 339, 342, 377, 557, 610; tanner, 341.
— Robert, 8.
— Mr. Stevin, parson of Moffat, 553; Stephen, 608-9.
— Thomas, town clerk, notary, 342.
— Walter, 113.
— William, 32, 348, 613; maltman, 357, 431; Mr. William, 357.

- Winning (Wynnyng), Jonet, 612.
 Withirspuynne (Widderspon), Alexander, 224;
 merchant, 427.
 — James, burgess, 472.
 — Sir John, vicar of the choir, 521.
 — Nicholas, notary, 492, 606.
 Woddrop, James, 556, 559, 610; of Daldowie,
 387; skinner, 362.
 — John, 245, 289, 342, 388, 427, 562; bailie,
 423; deacon-convener, 274; merchant, 611;
 younger, 389.
 — Margaret, 339, 362.
 — Richard, in Dalmarnock, 569.
 — Walter, 341, 344, 386, 387, 391; maltman,
 338, 354, 386.
 — William, 246, 280, 626, 629; bailie, 274,
 424; merchant, 424.
 Woddrow, Alexander, minister, 631.
 — Mr. James, professor of theology, 274;
 minister, 632.
 — Thomas, 538.
 Wood, Gavin, 245, 281.
 — James, 386, 587, 588-9; merchant, 386.
 Wright, Mr. E., Govan, 59.
 — Mr. Edward, advocate, 193.
 — John, 316.
 Wylkyne (Wilkyn), Sir William, 521; pres-
 byter, 503.
 Wyllie (Wyle), David, 572; notary, 558.
 — John, 429; ship master, 399; merchant, 607.
 — Wyllie (Wyle), Jonet, 571, 572.
 — Robert, 433.
 — William, writer, 614.
 Wyschard (Wishart), Archibald, 439.
 — Sir James, notary public, 438.
 — John, 456; bailie, 438.
 — Marion, 627.
 — Sir William, vicar of Govan, 437.
 Wynzet, Mr. William, 517.
 Yair, William, notary, 4, 32, 316, 337, 339, 341,
 344, 346, 347, 351, 355, 357, 367, 368, 377,
 380, 384, 387, 389, 403, 622; town clerk, 132,
 140, 313, 335, 348.
 Yardis, William, client, 484.
 Yeaman, William, advocate, 120, 131.
 Yeatts, George, 428.
 Young, 528.
 — Elizabeth, 330.
 — Euphemia, 357.
 — George, 548; Mr. George, minister, 300,
 631.
 — John, 571; cooper, 427; litster, 433;
 writer, Edinburgh, 50.
 — Jonet, 388.
 — Robert, 548.
 — Thomas, 280.
 Yuill (Zuill), Alexander, 224.
 — Robert, treasurer, 280.

II.—INDEX OF PLACES AND SUBJECTS.

- Aberdeen, commissioner of, 205; houses in, 214.
 Accounts rendered in exchequer, 50, 51, 332, 497.
 Advocates, town's. pensions to, 619.
 Agent, town's, pensions to, 619.
 Ale, impost on, 229-32. See "Imposta."
 Alley at New or Tron Kirk, 616, 618.
 Almshouse, back, poor of, 539-41, 562.
 Altarages, patrons of, 328.
 Annandale, 323.
 Aquavite, impost on, 231, 390.
 Archangell, voyages to, 420.
 Archbishop and synod, paper passed by, sup-
 pressed, 355. See "Synod."
 Archbishopric, rents of, collected by crown,
 407.
 Archbishops and bishops, government of, re-
 stored, 46-50, 332; abolished, 234, 241-3, 395;
 archbishops admitted to privy council, 333,
 364; letter to archbishop as to education in
 protestant religion, 351; demission of one
 archbishop and presentation of another, 364;
 archbishop as chancellor of college, 380-1;
 list of, 630.
 Argyll, traffic to, 62, 69.
 — marquis of, loans to, 229, 356.
 Arms and ammunition for Glasgow, 392-3.

- Army, contributions to, 229; monthly maintenance of, 297, 299, 300, 306-7, 328 (see "Assessment"); money and supplies sent to King Charles II., 306-8.
- Ashkirk, prebendal manse of, 550.
- Assessment, monthly, imposed by Lord Protector, 317, 320-1, 324. See "Excise"; "Monthly supply."
- Ayr, burgh of, 61, 313-5, 323; commissioner of, 205. — shire of, 297, 523, 542-5; excise of, 398.
- Backhouse and gallery, decree of liners as to, 505.
- Bailies. See "Magistrates."
- Baillie lands, 523-8, 542-5.
- Balgray, 121, 123-5, 157, 169, 365, 369, 432. — hill, 369.
- Ballanerk, *alias* Provand. See "Provan."
- Ballarnock, 121, 123-5, 126, 157, 169.
- Barbers. See "Surgeons and barbers."
- Barons, privilege of, 190, 401.
- Barony Parish, 268, 300.
- Barony and Regality. See "Glasgow."
- Barrowfield (Borrowfield), 221, 226, 315, 329, 354, 383, 388, 610-1.
- Beer, impost on, 229-32. See "Imposts."
- Belfast, wheat sent to, 399; ship of, 557.
- Bell Croft, 183, 364.
- Bells and clocks, 353, 361, 363; keeper of, 373.
- Bell's Wynd, 367, 377, 381, 431.
- Benefices, patrons of church, 328.
- Bengall, Hiefield of, 323.
- Bengallhill, 323.
- Bent, houses not to be thatched with, 214.
- Bibliothecarius, agreements with college as to, 317, 322.
- Bishops. See "Archbishops."
- Blackhouse Nook, 145, 151, 173.
- Blairerne, 606.
- Blairlume, 121-4, 157, 169.
- Blaklandis in Cropnestock, 372-3.
- Blantyre, lands of, 615.
- Craig, 614.
- Blochairn (Blairquhairn), 121, 123-5, 157, 169, 432.
- Blythawood, 226, 299, 315, 389; barony of, 390.
- Bochquharrage, land of, 606.
- Borrowatouness, 94.
- Braeheads, Newark, 265, 416.
- Brandy, traffic in, 191; impost on, 231, 390; distilling of, 422.
- Bridgegate, 405, 427-8, 479-80, 506-7, 532-4, 606, 622.
- Bridge of Glasgow, 101, 480; stone, 506; repairing, 361, 363; letter to King as to repair of, 573-4; custom of, 334. See "Common good."
- Bridges, building and repairing, 341, 350.
- Briery Acre, 388-9.
- Brigend. See "Gorbals."
- Broomhill, 301, 315.
- Broomielaw, bulwark or pier at, 334, 341, Dumbarton free from duty at, 421.
- Broomielaw Croft, 221, 383.
- Broomlands of Kinclaith, 356, 386.
- Building material, 214.
- Burieux, 110.
- Burgh acres, teinds of, 221.
- Burghs royal, privileges of burgesses of, 189-90, 205-7, 366 (see "Greenock"), 401; elections of town councils in, 233.
- Burghs of barony and regality, privileges of, 190 see "Greenock"), 400, 407-8.
- Burn Aiker, Blythawood, 390.
- Burncruckies. See "Mili dam."
- Burial ground, St. Rollocks kirkyaird reserved for, 342.
- Bursaries (William Struthers), 312, 323-4; (Zacharie Boyd) 315, 323-4; (Archbishop Leighton) 371, 374, 378.
- Bute, excise of shire of, 398.
- Cadder (Calder), highway to, 369.
- Caledonia, colony of, 422.
- Cambusnethan, teinds of, 624.
- Camlachie (Cumlachie), 226, 329.
- Burn, 337, 340, 376, 382, 388, 391, 402.
- Campsie, 447.
- Canaries, voyages to, 420.
- Candle houses, 348.
- Candlerigs, 348, 357, 377, 424, 431.
- Canongate, houses in, 214.
- Canon lands (Channonland), in parishes of Largs and Dalry, 522-8, 541-5.
- Cautyre (Kintyre), Mull of, 358.
- Cardonald, 315, 614.
- Cardowane, 121, 123-5, 157, 169.
- Cardross, prebendal manse of, 549-53.
- Carntyne, nether and over, 301-2.
- Carscleuch. See "Garsheuch."
- Carsdyke, 397.
- Cuthcart, parish of, 299.
- Causeways, repairing, 334. See "Common Good."
- Canstounne. See "Contstounne."
- Cemetery at Metropolitan Church, 618.
- New Kirk. See "St. Mary."
- Cess, 400-1. See "Assessment"; "Monthly supply."
- Chancellor of College, 380-1.
- of Cathedral, lands of, 618.
- Chaplainries, patrons of, 328.

- Chapter of Glasgow, charter by dean and, of their canon lands, 522-8.
- Charters, rights and privileges confirmed, 36-42, 326-7, 236-9; ratified by parliament, 239-40, 356.
- Church—
- Barony, 223; manse and glebe duty, reader and officer of, 374; presentation to minister of, 619-20.
 - Blackfriars, contract for rebuilding, 274-80, 420; providing minister to, 592; patronage of, 594.
 - Metropolitan, repairing, 341, 347, 349, 353, 361, 363, 579, 592-3; care of fabric of, 373; letter to King as to repair of, 573-4; ground at back of, purchased, 182-5, 364; use of, for preaching, 394.
 - Outer High, reader and precentor in, 374.
 - Port-Glasgow. See "Port-Glasgow."
 - St. David's or Ramshorn, 269.
 - Tron, endowments of, 1-18, 39, 178; patronage of, 38, 598-9; repair of, 353, 592; tenements at, 320 (see "St. Mary"); precentor of, 374; use of for preaching, 394.
- Church government, 46-50, 234, 395; petition for maintaining presbyterian, 422; churches overturned at Reformation, 535-8.
- Clochstane, 63, 101, 594-5.
- Clocks and bells, 353, 361, 363; keeper of, 373.
- Clyde, river of, 221, 321, 335, 337, 342, 345, 386-9, 559; letter to King as to decay of, 573-4; privileges in, and decrees thereanent, 60-120; ratification by parliament, 175-7; signature for confirmation of privileges, 592-600; water bailie of, 594.
- Clydesdale, shire of, 42, 44. See "Lanark."
- Coal works at Gorbals, 325-6; near Glasgow, 420.
- College or Pedagogy, annualrents to, 498, 519; agreements with, as to bibliothecarius, 317, 322, 324; building of, 324; balcony stones at gate of, 324; regent of, refusing oath of allegiance, 359; teinds, custom, and annals payable to, 374; archbishop to preside in meetings of faculty, 381; lands belonging to, 391; apprehending a regent of, 399; customs of tron given to, 511-2, 578; building and repair of, 579. See "Bursaries"; "University."
- Common good, exhaustion of, 239; authority to sell part of, 240-1, 403 (see "Lands"); accounts of, 334, 340-1, 346-7, 349-50, 353, 361, 363, 577-9 (see also "Lands"); maladministration of, 401-2.
- Commonwealth of England, dissent to incorporation of Scotland with, 308-9; assent, 309-11; representatives to, 313-5, 323.
- Contstounne (Contstounne), 226, 301, 315.
- Convention of burghs, petition to, 365; consent by, to action, 366 (see "Greenock"); award by, as to differences with Greenock, 204-13, 375, 377-8; authority by, to feu lands, 218, 368, 379; certain burghs to visit Glasgow, 392, 424; fining members of, 392, 395, 408; missive dues of, 426; contribution by, to Glasgow, 426.
- Conventicles, acts anent, 360, 362-4, 371, 408.
- Coopers, against unfree, 321, 390; act in favour of, 405; ratification to, 415.
- Copper, traffic in, 191.
- Cordiners and tanners, 347, 354, 409-10.
- Correction houses, 360, 592, 596.
- Councillors. See "Magistrates and Council."
- Court clerk, annualrent to, 561-3.
- Courts, circuit, 360.
- Covenanters: John Spreule, late town clerk, banished, 338. See "Conventicles."
- Cowcadianes, Little, 301, 315.
- Meikle, 35, 226, 301, 315, 390.
 - rental right of, 508-10.
- Cowlairs (Kows Lair), sale of, 219, 368-9, 379; rental of, 431.
- Crafts, agreement of, with merchants, ratified, 181-2.
- Crafts' Hospital, share of Gorbals lands acquired, 19-29, 33-42; ratified by parliament, 179-80. See also "Hospital."
- Craigend, 121, 123-5, 157, 169.
- Craigs, Easter, 301, 622; multures of, 6.
- Wester, 301, 622; mills on lands of, 5-18, 39, 302-3, 431.
- Crannogs, 102.
- Cropnestock (Crabnestock), 221, 359; purchases of, 372-3, 376, 382, 383, 387-9, 391.
- Cross, Glasgow, 326, 329, 370, 429.
- Crossaguell in Glassford barony, 616.
- Crubbs, 221, 383, 594, 621.
- Cuddies Croft, 323.
- Cunningham, bailiary of, 523, 542-5.
- Cunschlie, Easter and Wester, 121, 123-5, 157, 169.
- Custom-house brought back from Greenock to Port-Glasgow, 410.
- Customs and excise, collection of, 317, 360; petty, 597. See "Excise"; "Tron."
- Dail, rig of land called the, 389.
- Dalbeth, Easter and Wester, haugh and muir, 301-2.
- Dalkeith, 309.
- Dalmarnock, 301-2.
- Dalry, parish of, 523, 542-5.
- Danish force, routes taken by, 397.

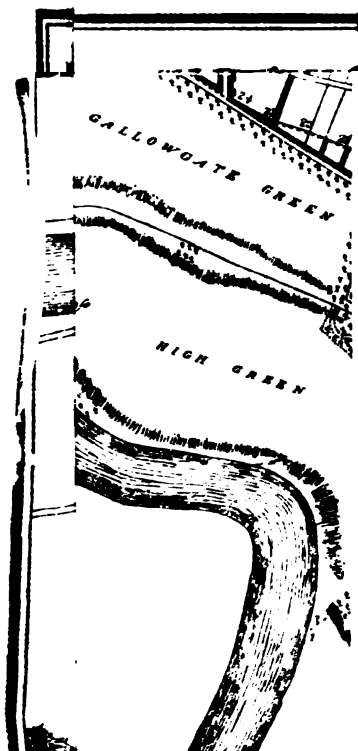
- Dassie Green, 337, 345.
 Dattonheuck, 323.
 Deanside, 221, 383, 594, 614, 621.
 Debts of town, 230, 240-1, 246-7, 292-3, 403, 408-9, 425.
 Diplomata et Numismata Scotiæ, printing of, 293, 425.
 Dish, annulling sasine by breaking, 506-7.
 Distilling of brandy and strong waters, 422.
 Divolsghen at Newark, 133, 416. See "Newark."
 — burn, 265.
 Douglass, Newark, 265, 416.
 Dowhill, 221, 383, 613.
 Drummers, town, 373.
 Dryfesdal (Drysdail). teinds of, 323.
 Drygait, 298, 430, 550-2, 606-7.
 — burn, 430.
 — port, mills outwith, 1, 302, 431.
 Dryholme, 323.
 Dumbarton, 313-5, 323, 397, 426; declarator against, 60-112, 344; against Glasgow, 112-20, 344; decreets ratified by parliament, 175-6, 356; contract as to rights and privileges of Glasgow and, respectively, 280-9, 429; contract ratified by convention and parliament, 289-90, 422-3; complaints by and against, 322; protest against ratification to, 326; protest by, against Glasgow's ratification, 327; co-operation with, against Greenock, 366; ship of, 584; interlocutor against, 594.
 — castle of, 87.
 — shire of, 297; excise of, 398.
 Dumbreck Quarter, 611.
 Dumfries, burgh of, 61, 323.
 Dundee, 93; houses in, 214.
 Dutch vessels, 333.
 Dysart, burgh of, 90.

 East-thorn, 301.
 Edinburgh, 5, 18, 29, 43, 50, 59, 60, 102, 112, 120, 155, 168, 232, 239, 264, 544-5; fleshers of, 110; weavers of, 319; act book of burgh court, 20; commissioner of, 205; houses in, 214; elections in Glasgow as free as in, 240; archbishop Leighton's gifts to college of, 371-2; tolbooth of, 401.
 Elections. See "Magistrates and Council."
 Eglisshames Croft, 221, 383.
 Eli, burgh of, 90.
 Elsinore (Elshinore), 83.
 England (see "Commonwealth"), threat to take ship to, 404; exports to, 587-90; imports from, 590-1.
 English invasion, losses during, 328.

 Episcopacy, restoration of, 46-50, 332; abolition of, 234.
 Exchequer, accounts rendered in, 50, 51, 332.
 Excise duties payable to crown, 247, 325; abatement of, 333; excise of Govan parish, 374; monthly, 333; refusal to pay, 393; tack of excise of Glasgow, 398-9. See "Customs and Excise," "Army," "Assessments."
 Exports, 190, 401, 422-3; account of, by Clyde, 580-5; by land, 587-90.

 Fairs, free, privilege of having, 596.
 Feuduties and ground annuals, 427-34.
 Fife, shire of, 305.
 Finlayston Maxwell, barony of, 145, 172, 352.
 Fires, precautions against and losses through, 229, 310, 314, 326, 375, 379, 420; conspiracy to fire town, 400.
 Firiot measures, delivery of, 575-6.
 Fishing Company or Society, tack to, 358, 365, 367, 381-2, 384; dissolution of, 406.
 Fishings, 229, 243, 321, 384; decay of, 392; encouragement of, 420.
 Flemington, 369, 430.
 Fleshmarket, 348, 366, 577-9.
 Foreign ships, trading in, 333.
 France, rivers of, 110; trade with, 192; ships entered from, 584.
 French wine, 191, 231, 390.
 Friars Preachers, celebration of masses in church of, at altar of Our Lady, 441-4, 602-3; feuing certain roods of, 454-6; divine services to be celebrated by, 454-5, 458.

 Gairbraid, 226, 301-2, 315.
 Gallery, decree of liners as to, 505.
 Gallowgate, 457-60.
 — Burn, 389.
 — port, 329.
 Galloway, Mull of, 358.
 Gallowmuir, New, 354.
 Gardeners, incorporation of, acts to, 336, 405.
 Garngad, 354.
 Garngadhill, rental of lands at, 570-3.
 Garscube, 368.
 Garrisons. See "Soldiers."
 Garroch, 226, 301, 315.
 Garsheugh (Carscleugh), 121, 123-5, 157, 169.
 Garteraig, 121, 123-5, 157, 169.
 Garthomlock, 121, 123-5, 157, 169.
 Gartwood, 122-5, 157, 169.
 Germiston (Jermistoun), 121, 123-5, 157, 169, 432.
 Glasgow, burgh and city of, ratification of rights and privileges, 36-42, 326-7, 177-81, 236-40, 311, 356; petition by, to convention, 365;



THE
PUBL
AST
TILDE

Merchants of Glasgow, complaint by, as to foreign ships, 333; agreement of, with crafts, ratified, 180-1; obligation by, to load and unload only at Port-Glasgow, 243-6, 407-8. See "Hospital."

Militia, calling together, 393.

Mill of Provan. See "Provan."

Mill on Kelvin (formerly Walk Mill of Archibald Lyon, afterwards Wheat Mill), rental of, 512-3; decree as to stoppage of water, 548-9; mill acquired by town, 553-7; rood of land adjoining, 30; wheat mill annexed to Glasgow for certain purposes, 42, 179-80.

—— Partick, teinds of, 226, 384; multure of, 316, 343.

—— Baxters', decree as to passage of water, 548-9.

—— Subdean's, endowments from, to New Kirk ministers, 1-18; security to College over, 313, 324; feuduty of, 577.

—— Town (on Molendinar Burn), 373; tack of millership of, 414; mill mortgaged to Archibald Lyon, 553-7, 609-10.

Milldam, crooks of (Burncruickes), 329, 334-5, 339-40, 342, 344, 346, 359, 365, 383, 385-9, 391.

Millhill, 385, 391, 402-3.

Mills, duty of, 334. See "Common Good."

Milton (Mylnetoun) of Provand, 121, 123-5, 157, 169, 226; feuduty of, 395.

Ministers, stipends of, 334 (see "Common Good"); at (1) Tron Kirk, 1-18, 39, 178, 300, 302-3; (2) Cathedral, 223, 227, 298; (3) Barony, 223, 302, 322, 619-20; (4) Blackfriars, 298, 300; (5) Outer High, 300; presentation to minister of Barony Church, 619-20.

—— list of, 631-2.

—— outed, 360, 362.

Molendinar (Malyndon) Burn, 183, 221, 298, 338, 345, 348, 362, 364, 372, 474, 550-2, 606-8, 613, 617; altered course of, 567-9.

Monkhous, Ratonraw, 449.

Monthly maintenance. See "Army"; "Assessment"; "Excise."

—— Supply to King, 348, 372, 400-1, 414, 418, 423.

Moodies Mailling, sale of, 218, 368, 379, 432.

Morrisons Haven, glass works at, 422.

Muirhouse, 226.

Musician, salary to, 374.

Music School, 347, 349, 353, 361, 363.

Matland Croft, 610.

Nether or South Port, 480, 491, 506.

Nets, salmon, on Provosthaugh, 381.

Newark, road or port of, 65, 68, 71, 73, 75, 78, 90-103, 594.

—— lands of, purchased for building port or harbour, 132-41, 352; title of, confirmed, 142-55, 352; ratified by parliament, 170-5, 356; bay of, 265, 416; seizure of ship at, 404. See "Port-Glasgow."

Newmarket, 600.

Newton, Nether, 35, 226, 301-2; rood of land acquired, 30-2, 313; feuduty of, 374; quarry at, 32.

—— Over, 226, 301-2.

—— teinds of, 315.

New Wynd, 615.

Noblemen, privilege of, 190, 401.

Nominis Jesu, altar of, 512.

North Port. See "Stable Green Port."

Norway, trade with, 192.

Notary's dooquet, in vernacular, 313.

Orchard in Stablegreen, 501-2, 517-21, 534-9, 540-1, 562.

Organist in choir of Glasgow, 562.

Oikney coasts, pilots knowing, 396.

Ox, fed, connected with Canon lands, 523-8, 542-3.

Paisley, presbytery of, 264.

Palzeoun Croft, 221, 383.

Paper, traffic in, 191.

Parliament, magistrates cited before, 307; priority in riding of, 325, 343, 356, 385; representatives to, 426.

Parson land, 354.

Partick, 397.

Partick Mill. See "Mills."

Patrons of church benefices, 328.

Peatbog (Peitbog), 334, 337, 345-6, 386, 391.

Pedagogy. See "College."

Peitteisland, 323.

Pensions, payment of, 374.

Personal execution, protection from, 420.

Perth, commissioner of, 205.

Peters Mailling, sale of, 218, 368, 379, 432.

Petty customs, 597.

Pilots required, 396.

Piper, town, 373.

Pirries Boig, 368.

Plantations, prisoner to, 400; voyages to, 420.

Plummers-holl, 342.

Poor, payments to surgeons, &c., for, 374; numerous, 422-3.

Port-Glasgow, harbour and port established, 151-5, 352; ratified by parliament, 170-5, 356; contract for building bulwark at, 185-8, 366;

- merchants to load or unload only at, 243-246 ; 371, 407-8 ; decreet of erection of parish kirk of, 264-6, 416 ; provision for minister, 418-9, 425 ; expense of building at, 361, 363 ; coopers of, 405 ; custom house brought back from Greenock to, 410 ; feus of ground at, 410-9, 424 ; Dumbarton free from duty at, 421.
- Ports, upholding, 229.
- Possill, 611 ; Nether, 301-2, 369 ; Over, 226, 301-2, 315.
- Potterig (Pot of the rig), road or port of, 65, 68, 71, 73, 75, 78, 90-103, 595.
- Prebendaries, patrons of, 328.
- Precentors or readers, fees to, 334 (see "Common Good"), 374.
- Prelacy, restoration of, 46-50, 332 ; abolition of, 234, 242, 395.
- Prelates, privilege of, 190 ; lands formerly held of, now held of crown, 241-3, 403.
- Printer, town's, fee of, 374.
- Prisoners and suspect persons, 398-9, 400.
- Privy council, archbishop and earls of Argyle admitted to, 333.
- Provan, lands of ("tenandry of Provand"), purchased, 120-32, 350-1 ; title confirmed by crown charter, 156-68, 355 ; ratified by parliament, 168-70, 356 ; authority to sell, 241, 403, 406.
- manor place of, 128, 131.
- lochs, 122-3, 157, 169.
- meadow, 121, 123-5, 157, 169.
- mill of, 121, 123-5, 157, 169.
- teinds of, 315.
- Balgray, part of, 365.
- Provanside, 221, 383, 430, 594, 621.
- Provost, election of, by magistrates and council authorised, 235, 236-9, 397 ; ratified by parliament, 239-40 ; late, imprisoned, 400-2 ; liberated, 404.
- Provosthaugh, 345, 381.
- Provostries, patrons of, 328.
- Provosts, list of, 633-5.
- Puckie in Fife, lands of, and mills, mortified by Sir John Scot of Scotstarvit, 305-6, 311-2, 314, 319-20.
- Quarry, town's, 425.
- Quartering soldiers. See "Soldiers."
- Rachessie, 121, 123-5, 157, 169.
- Ramshorn, 221, 383, 614.
- and Meadowflat, lands of, acquired, 251-8, 411 ; crown charter of, 259-64, 412 ; conveyed to Hutchesones Hospital, 267-73, 417.
- Ratification of a sale, 380.
- Ratounrow, 430, 437-9, 444-6, 449 ; confirmation of lands outwith, 594.
- Readers and precentors, 374.
- Rebellion, losses of town through, 229.
- Rebels in Highlands, 404.
- Reformation from popery by presbyters, 234, 242.
- Regality of Glasgow. See "Glasgow."
- Reid's (Martin) close, 619.
- Renfrew, burgh of, 61, 62, 313-5, 397, 426 ; protest by, against Glasgow's ratification, 327 ; complaint against, for admitting non-resident burgesses, 354 ; co-operation with, against Greenock, 366 ; ships of, 580-3, 584-6.
- shire of, 145, 248, 297, 299 ; excise of, 398.
- Rental of feuduties and ground annuals, 427-34.
- Rhenish wine, 231, 390.
- Riddrie, 121, 123-5, 157, 169.
- Roberthill, 323.
- Rochell, ship from, 584.
- Ronalds yard, 415, 614.
- Ropes and cordage manufactory, 420, 422.
- Rossat, traffic in, 191.
- Rothessay, 313-5.
- Round Croft, 221, 383, 610.
- Ruchill, 301.
- Rutherglen, 313-5, 397, 426 ; protest by, against Glasgow, 181 ; annualrent from land in, 564, 606.
- Loan, 432.
- Ryisdalemuir, 523-8, 542-5.
- Kyleis, 523-8, 542-5.
- St. Andrews, 311 ; commissioner of, 325.
- St. Anne, chaplainry of, 298 ; croft of, 612.
- in Paisley Church, prebend of, 614.
- St. Christopher, foundation of chaplainry at altar of, 485-8.
- St. Cuthbert in Cathedral, chaplainry at altar of, 440, 461, 605.
- St. Enoch's (Tennochis) croft, 221, 383, 389, 419, 607.
- St. Kentigern (Quintigern), chapel of, 613.
- St. Leonards (Fife), parish of, 305.
- St. Machan in cathedral, foundation of chaplainry of, 447-53.
- St. Mary in the cathedral crypt, altar of, 501-4, 535.
- — (our Lady of Piete), altar of, 512.
- — old chapel of, on north side of Tron-gate, 513-7.
- St. Mary and St. Anne, collegiate church of, consent by archbishop to foundation, 494-7 ; chaplainry of St. Mary, in, 513-7 ; charter by provost and prebendaries of, of ground ad-

- joining cemetery, 528-31; prebends of St. Andrew, St. Martin and Duorum Puerorum in, 546-7; decree of liners as to properties adjoining, 569-70; properties lying near church and cemetery, 606-7, 615, 618, 621, 623-4; prebendary of St. Kentigern in, 613; lands of prebendaries of, 616.
 St. Mungo's bell, 504.
 St. Nicholas Hospital, lands of, 356, 389, 613; rental of, 626-30.
 — gift of archbishop Leighton, 371, 373.
 — feoduties and annualrents of, 402-3, 419, 520, 534-9, 540-1, 562, 606-7; master of, 561-3.
 St. Nicholas, chaplainry of, 613.
 St. Ninian's Chapel, donation to, 471-3.
 — Hospital. See "Hospital."
 St. Roche, church of, endowment of chaplainry in, 479-81.
 St. Roches or Rolloks kirkyard, tack of, 342.
 St. Teneu. See "St. Enoch;" also "Trongate."
 Salmon fishers, 381.
 Salt, traffic in, 191.
 Saltmarket (Walkergait), 362, 375-6, 380, 420, 428, 472, 491-2, 620.
 Sandhills, 301-2.
 Sasine, breaking of, 506-7.
 School. See "Grammar School."
 Scotstarvit mortification, 305-6, 311-2, 319-22.
 Seamen, enlisting of, 398.
 Seggiesholm, sale of, 219, 369, 379.
 Shettleston, 301-2.
 Shipping and Navigation, 333, 366, 396, 402, 404, 407-8, 426; men of war vessels, 398-9, 400, 404; manufactory of cordage, canvass and other necessities, 422. See "Clyde;" "Dumbarton;" "Greenock;" "Port-Glasgow;" "Merchants."
 Ships for cruising service, 396; capture of, 396.
 Sighthill, 219, 369, 379.
 Skellings myre, 354, 369.
 Skinners of Glasgow and Gorbals, 362.
 Slates (sclaits) for covering houses, 214.
 Soap, manufactory of, 422.
 Soldiers, quartering, 299, 397; suppressing disorder among, 358; companies of, for defence of town, 392-4, 403; conspiracy to seduce, 400. See "Militia;" "Danish force."
 Somers Hill, (Summerhill), 368, 425, 434.
 Song School in Metropolitan church, 504, 535, 540, 562.
 Sound judgment, certificate of, 280.
 Spain, war with, 320.
 Spanish wine, 231.
 Stablegreen, and Stablegreen or North port, 342, 430, 501-2, 517-21, 534-9, 562, 607.
 Stinking Vennel, 316, 318, 372.
 Stipends. See "Ministers."
 Stirling, commissioners of, 205, 325; houses in, 214; garrison at, 307; arms and ammunition from, 392-3; excise of shire, 398.
 Stobercross, 301.
 Stobo Manse, 298.
 Stockholm, seizure of ship at, 396.
 Stockwell and Stockwellgate, 320, 429, 477-8, 498-500.
 Straw, houses not to be thatched with, 214.
 Strong waters, distilling of, 422.
 Subchanter's croft, 183, 364.
 Subdeanery mills and lands, 1-18, 621-2.
 Sugar, traffic in, 191; manufactory of, 214-6, 273-4, 418, 422; house for making, 366; sale of Wester Suggarie, 424.
 Summerhill (Somers Hill), 368, 425, 434.
 Superiorities of prelates, 241-3, 403.
 Supplies to King. See "Monthly supply."
 Surgeon, common, for the poor, 349, 353, 361, 363; fee to, 374.
 Surgeons and barbers, seal of cause to, 317.
 Swans Yett, 221, 383.
 Sweden, trade with, 192.
 Synod, paper passed by, suppressed, 355; to try complaints against scandalous ministers, 357.
 Tax roll, adjustment of, 299, 357; Greenock's proportion of, 418.
 Taxation. See "Assessment;" "Monthly supply."
 Teinds, tack of, of (1) lands in and adjoining city, 220-4, 383; (2) lands in barony parish, 224-8, 384; authority to sell, 241; allocation of, for stipends, 298, 300; valuation of victual in parish, 300-1; ratification of tack of, 1608, 314; of Dryffesdale or Drysdale, 323; sub-tack of, in Gallowmuir, 354; tack duty of, to archbishop, 373; tack of, 616.
 Thames, river, 110.
 Thatching houses, 214.
 Tobacco, traffic in, 191; from Virginia, 404; tobacco spinners, 423.
 Tolbooth, furnishing sufficient, 249; tenements adjoining, 370, 385, 610-1, 613-5; ground annual of, 374; prisoners in, 398, 404, 408; escape from, 408; community assembled in, 454, 479, 485, 489; building of, 578-9.
 Tolcross (Towcorse), 301, 315.
 Town-clerkship of Glasgow, 355; annualrent to court clerk, 561-3.
 Town council. See "Magistrates and council."
 Townmill lands, 301; tack of, 407.
 Trade, decay of, 392. See "Glasgow."

Traders, laws as to, 189, 205-7, 407-8.
 Traquair, earl of, his education, 351.
 Tron, duty of, 334 (see "Common good");
 custom of, payable to College, 374; tack of
 customs, 511-2.
 Trongait Kirk. See "Churches."
 Trongate (street of St. Tenu), 320, 348, 375-6,
 428, 461-2, 494-7, 513-7, 529-31, 562, 565,
 569-70, 574-5, 599, 606-7, 609-24.
 Tuirgyle, 523-8, 542-5.
 Turmuir, 323.
 Tuxholm, 323.
 Two Crosses (Twa Crocis), 501-2, 518, 534-9.

Union of England and Scotland. See "Com-
 monwealth."
 University, privileges of, approved by council
 of state, 318; petition by moderators of, as to
 principal, &c., 328. See "College."

Vennell from High Street to Molendinar Burn,
 338, 345, 348, 372, 374, 429.
 Vicar pensioner of Glasgow, 501-4, 517-21.
 Vicars of Choir, lands of, 386. 618.
 Virginia, tobacco from, 404.

Walkergait. See "Saltmarket."
 War, committee of, 297.
 Washing and bleaching green, ground for,
 181-5; washing place at Stinking Vennel,
 318; at New Vennel, 374.
 Water bailie of Clyde, 594.
 Weavers of Glasgow and Gorbals, agreement
 between, 319; ratified, 407; seal of cause to
 weavers ratified, 378-9.
 Well in High Street, 316, 318; Bogle's well, 318.
 Wells, repairing common, 334, 341.
 West Coast, guarding, 298; pilots knowing, 396.
 West Port, 389, 419, 429.
 Wester Common, 218, 368-9.
 Wester Craigs. See "Craigs."
 Westthorne, 301.
 Whitehall (Whythall), 232.
 Wigton, shire of, 297.
 Wind Mill at Gorbals, 577-8.
 Wine, impost on, 229-32, 390; French, traffic
 in, 191.
 Woodhead, 301.
 Woodside, lands of, 35, 226, 301-2, 315, 368.
 Woollen work, 216-7.
 Wrights of Glasgow and Gorbals, agreement
 between, 382-3.
 Wyndhead, 429.
 Wynds, 429, 617.

NOV 10 1931

NOV 10 1931

NOV 10 1931

NOV 10 1931

