

Acts Concerning the Conservator in Flanders

Apud Striuling nono die mensis Maij anno domini milesimo quingencesimo sexagesimo quinto

SEDERUNT

Jacobus comes de Mortoun cancellarius
Joannes dominus Erskin

Clericus iusticiare
Aduacatus

At Striuling the nynt day of the moneth of Maij the zeir of God jm vc thre scoir fyve zeirs, The Quenis Maistie vnderstanding the priuilegis of the Scottis merchantis hir subiectis to decay and pas furth of vse in the partis of Flanderis throw the negligence of hir hienes conseruatour and officar, - and the disordour and inciuiltie vsit be hir saidis subiuectis marchandis, efter the hering and knowlege of the lovabill actis and constitutiones of hir maiejteis fader the kingis grace of maist worthie memorie maid in that behalf, havand alsua respect to the commoditie and honour of hir realme, weelfare of honest and trew marchandis, and pvnissing of the avaracius and insatiabill cupiditie of certane maliuolus personis quhilkis, vsurpand to tham selffis the names of marchands, fraudulentlie transportis thair gudis and marchandices sumtymes vncustomat and sumtymes sic kynd of gudis as be the lawis municipall of this realme and actis of Parliament ar express forbiddin to the greit dampnage of this realme and the honest estait of trew marchandis Be the avyis of the Lordis of the Secreit Counsall hes renewit maid statut ordainit devysit and fund ressonabill that the actis and constitutionis following be inuiolabillie obseruit and dewlie put to executioun be hir hienes conseruatour vpoun the contraveraris as accordis: In the first, it is ordanit be our Souerane Lady the Quenis Maiestie and for the weill of the marchandis that passis in Flanderis that nane of thame sall brek bouk nor mak marchandice quhill the tyme that thair gudis be housit and the schip lost and advysit with the consruatour how the mercat is, and ask his counsall in thair selling for thair awin profeit, vnder the pane of ane vnlaw of fyve schillingis grit to be tane of thame that fallis heirintill.

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

Item, quhen thai be thair geir in the marcat that nane sall pas bot twa in ilk buith at anis, and gif ony of thair marrowis cummis and fundis thame thair, thai sall pas away furth and chaip na geir quhill thai haif donem, vnder the pane of the samyn vnlaw.

Item, that the symer mercattis hald fra sex houris in the morning to xj houris at none, and fra ane eftir none to sex houris at evin.

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

Item, that na marchand quhen he hes coft his gudis sall bring thame hame himself, bot he sall caus vtheris on his expenssis till turs his geir to his lugeing or sellar lyke and merchand, vnder the pane foirsaid.

Item, that na merchand that byis his meit in the marcat turs it hame in his sleif nor his knyff point vnder the samyn pane vnforgevin.

Item, that nane saill in marchandice without he be honestlie abolziit lyke ane marchand, and gif he beis nocht weill cled that the conseruatour warne him to cleith him self and failze he and will nocht do the samyn that the conseruatour tak alsmekill of his gudes and cleith him with, and to tak the samyn vnlaw.

Item, that na Scottis hoyis nor vther schippis nor Flemis that bringis doun geir out of the marcat be frauchtit in the marcat for thair greit fraud, bot allanerlie befor the conseruatour, nor na vther that cummis in Scotland sic lyke, and that actis be maid thairupoun vnder the pane of the said vnlaw.

Item, quhatsomeuir marchand that beis chargeit be the conseruatouris officiar till compeir befor him and dissobeyis and comperis nocht sall pay the same vnlaw.

Item, that Scottis skipparis and thair childer sall obey tha the conseruatour vnder the pane ilk man dissobeyis of the samyn vnlaw.

Item, gif thair be any Scottismen that fechtis, tulzeis, or drawis bluid ane of ane vther, or committis ony theft, that the conseruatour with avyis of his counsall sal pvneis the faltouris regorouslie and tak the samyn vnlaw.

Item, gof ony Scottismen deceissis, his gudes salbe deliuerit in keping to the conervatour quhill his wyfe or barnis send for it or vther freindis that hes entres thairintill.

Item, that euey honest merchand sall pas with the conseruatour till all honorabill and publict actis, as quhen ony Scottismen dois for the honestlie of the realme, vnder the sane of the said vnlaw.

Item, that na Scottismen sall call ane vther befor ony juge bot befor the conseruatour vnder the pane of the samyn vnlaw.

Item, that all foctouris that ar Scottismen within the partis of the Dukis landis sall ansuer to the conseruatour and nocht allege fra him to thair portary, and gif thai will abyde at thair portary and nocht obet the said conseruatour, the quenis maistie now as than and than as now commandis and chargeis the said conseruatour that he discharge all and sindry hir lieges and marchandis dwelland within Scotland to mak ony sic thair factouris in tyme tocum vnder the pane of ten pund greit, the tane half to be applyit to oue Souerane ladiis vse, and the vther half thairof to the conseruatour for his labouris; and this to be raisit and tane of euey man that failzies or brekis this statute.

Item, that nane of oure souerane Ladiis lieges tak vpoun hand to carie anie of hir maiesteis cunzeit money, gold nor siluer, furth of this reamle vnder the pane of confiscatioun of the samyn, the twa part to be employit to the behuif of the quenis maiestie, and the third to the conseruatour for hi labouris ; and commandis the said conseruatour to serche and seik with all diligence the brekaris of the statutis maid thairanent, as he will ansuer.

Item, that nane of hir maiesties lieges tak vpoun hand to bring ony maner of fals cunzie within this realme, furth of ony partis quhair thai hant or frequent, vndir the pane of lyfe landis and gudis, and als chargis and commandis the said conseruatour to serche and seik the saidis faltouris with all diligence, and als to confisk thair gudis, the twa daill to the quenis maiesties behuif, and the thrid to the conseruatour for his labouris; and that he keip the faltouris in captiuitie vnto the tyme he aduerteis hir maiestie.

Item, that the said conseruatour sall serche and seil all forbiddin gudis prohibit be the actis of parliament to be had furth of this realme in speciall talloun, flesche and all kynd of vther forbiddin geir, and in sic like maner all maner of gudis vncustimat and nocht contenit in the cocqueit, and escheit the samyn forbiddn and vncustimat gudis, the twa part to the quenis maiesteis vse, and the third to his awin.

Prouiding alwayis that the said conseruatour aduerteis the quenis maiestie and hir thesaurare fra tyme to tyme of his procedings eftir the apprehensioun of quhatsumeuir transgressouris with all diligence.

Item, that na marchand tak on hand to tak his nychtbours marchand fra him quhome he hes in hand to be his geir, owther be him self or ony brokar or immediat persoun, owther in tyme of bying or selling, salang as thai ar togidder in company, vndir the pane of v.s. of vnlaw to the conseruatour and x s. grit to the dene of gild of the toun quhair the offender dwellis, quhillk pane the conseruatour sall vptak and deliuer the samyn to the anuar of the schip swa that he may carie it to the dene of gild.

Item, it is ordanit be the quenis maiestie that the conseruatour sal haif for his labouris of euerilk sek of gudis twa sturis, and quha dissobeyis the samyn sall pay the said vnlaw of v s. greit.

Quhillk actis and ordinances the quenis maiestie ordanis to be actit and insert in the bukis of hir secreit counsall to lestand memorie and the samyn being registrat ordanis hir hienes greit signet to be appendit to the samyn.

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