

*Edinburgh 30<sup>th</sup> June 1608*

"The Lordis of Secrite Counsale undirstanding that the trade of navigatioun is greittlie hinderit in this kingdome throw default of good and proffitable lawis that may tend to the advancement thair of and suppressing of thais wha ar the cheif hinderairis of the same, and specialie of the marineris in thair hyreis and in leaving of thair schippis and maisteris before the compleiting of thair veageis: for remeid quhair of in tyme cuming, the saidis Lordis gevis power and commissioun to the burrowis of Edinburgh, Dundie, Abirdeyne, Sanct Androis, Glasgow, Air, Bruntiland, Culros, Montrose, Dysart, Kirkcaldy, Kinghorne, Pittinweyme, Carrail, Anstruther Eister, Anstruther Wester, or maist pairt of thame, to direct thair commissionairis to convene at ony tyme or place quhair the said burgh of Edinburgh sall appoint and think expedient, and to mak, prescryve, and set down actis and ordinanceis for advancement of the said trade of navigatioun and for the correcting of the abuseis thair of, and to do all uther thingis that may tend to the advancement of sailing and trafficque in tyme cuming; and ordanis the saidis commissionairis to report thair proceidingis, actis, and ordinanceis to the saidis Lordis within the space of ane moneth nixt efter the making thair of, to the effect the same maybe considerit be the saidis Lordis and ressave thair approbatioun. and allowance according as thay sall think expedient."

*Edinburgh 28<sup>th</sup> August 1616*

"Forsamekle as the Kingis Majestie hes directit and send [ane] of his awin schippis, weell providit with all wearelyke furnitour, [undir] the chairge of Capitane David Murray, to this cuntrie, to remane [and] ly heir to attend the directionis of his Majesties Counsall, alsweill [the] persute of pyrottis, as for suche uther chairge and service as [fra tyme] to tyme salbe injoynd to the said capitane; and the Lordis of Secreit Counsall haveing conferrit with the said capitane anent [the] proportioun of allowance quhilk is to be gevin to him for keiping said shippe, and of the number of xx personis whome [he hes] undertane and promiseit to interteny within the said shippe as [the] ordinair equipage and companie of the said schipe: the saidis Lordis hes aggreit with the said capitane upoun the sowme of ten thowsand merkis money in yeirlie allowance and fie to be payit to him for keiping of the said schip and interteyning of hir ordinar equipage and company foirsaid of tuentie personis. Quhilk sowme salbe payit to him monethlie be equall and proportionall payment; and the first monethis payment to begin upoun the first day of Julij last And, when the occasioun sall fall oute that the said capitane salbe imployit be the saidis Lordis in any kynd of service quhairin he will necessarlie stand in neid of gritter companyis and nomberis of men nor the present equipage of the said schipe, the saidis Lordis declairis that at every suche tyme ordour salbe tane both for victualling of the schippe and for payment of the wageis of sa mony mae souldioris as salbe lifted for that service, by and attour the ordinarie equipage and company of the said schipe."

*Haylruidhouse 15<sup>th</sup> June 1619*

*Sederunt*- Chancellor; Wigtoun; Lotheane; Melros; Lauderdale; Maxuell, Carnegie;  
Treasurer-Depute; Clerk of Register; Advocate; Curryhill; Fostersait; Mr Peter Rollok; Sir  
Andro Ker; Sir Peter Young.

The Lordis of Secreit Counsall considdering the greit and extraordinar allowance assigneit for interteyning of his Majesteis schip callit *The Charles*, quhilk his Majestie wes pleased to send her to attend his Majesteis service in thir watteris, and finding it nawayes necessar and expedient that suche ane onnecessar and neidles allowance salbe of any langer contenance quhenas the said schip lyes idle without occasioun or necessitie of employment, bot that ordour be tane both for retrinseing of this allowance and for the saulff and sure keiping of the schip at a moir hitherto easie and reassonabill rate and conditioun: Thairfoir the saidis Lordis, after goode advyce and deliberatioun, and after conference haid be thame with Capitane Murray who hes the charge of the schip, hes resolveit upoun the course and ordour following to be observeit heirefter anent the keiping of the said schip and anent the charges and expensis of the personis that salbe appoyntit to attend and awaitt upoun hir:- to witt, thay ordane that with all convenient diligence the schip salbe broght in to the harborie of Leythe, and that hir haill artaillerie, saillis, furnitour for weir, and utheris ornamentis salbe inventarit and tane oute of hir, and that the said artaillerie and furnitour for weir salbe put in the Castle of Edinburgh, and that hir saillis, cabillis, towis, and utheris ornamentis salbe put in some

convenient and sure pairt and plaice, neir quhair scho sall ly, thair to remane and to be alwayes in reddynes for the use and service of the schip as the occasioun sall fall oute, and that the said schip salbe caryed up the watter of Forth to some commodious and sure plaice quhair scho may saufflie ly at ane anker without perrell or danger. And the saidis Lordis hes appoyntit the nomeber of four persones and a boy to attend and await upoun the said schip and to have the charge of the keiping of hir, -to witt, ane maister, tua q[uar]ter-maisteris, ane boittisman, and ane boy, -and hes mod[ifeit and] allowed, and be the tennour heirof modifeis and allowis, unto t[hame the] sowmes of money following to be payit to thame monethlie b[e his] Majesteis Thesaurair and Deputie-Thesaurair and ress[avearis of] his Majesteis Rentis for thair pay, chargeis, and expen[sis] [blank] upoun the said schip: viz., to the maister for his monethlie pay th[ir]tie sax pundis, and for his boorde wadgeis in the moneth, compt[ing] sax schillingis in the day, nyne pundis; to ather of [the quarter]-maisteris for thair monethlie pay aucht pundis, and to a[ther] for thair boorde waidgeis nyne pundis; to the bo[ittisman] for his mo[nethlie] pay twelft pundis and for his boorde waigeis [monethlie] nyne pundis; to the boy for his monethlie pay sax pundis, and for his boord waigeis monethlie nyne pundis; quilkis haill [sowmes] and expensis extendis in the moneth to ane hundreth and fyfteene pundis, and in the yeir to ane thowsand thrie hundreth and fourtie pundis: beginnand the first monethis pay upoun the [blank] day of August nixttocome, and to conteneu monethlie tha[irefter] so lang as the saidis personis hes the charge of the said schip. And, tuitcheing the said Capitane Murray, to the effect he may be ever in reddynes to attend his Majesteis service in the said schip, the saidis Lordis thinkis meit that his Majestie sall gif unto him ane yeirlie pensiou of twa thowsand pundis dureing his lyf tyme, and ordaneis ane missive to be wreittin to his Majestie in his favour for this effect. By the quhilk course now tane he the saidis Lordis for keiping of the said schip not only will his Majestie be fred and releiveit of a greate [sowme] of money quhilk formarlie wes allowit for the keiping of the said schip, bot the same schip wilbe saufflie keipit and salbe euir in reddynes at all occasionis of service. And the saidis Lordis recommendis to Sir Gedeone Murray, Deputie-Thesaurair, to gif ordour and directioun for bringing of the said schip in to the harborie of Leyth, and for taking of hir artailerie, furmitour for wear, saillis, and utheris ornamentis furth of hir, and putting of the same in suretie and keiping in maner abone writtin, and for sending of the said schip up the narrow water as said is. For doing of the quhilkis premisis the extract of this act salbe unto the said Sir Gedeone ane warrand."

*Halyruidhous 22<sup>nd</sup> June 1619*

"Ane act ordaning tua of the smallest peeceis of ordinance being in his Majesteis ship and ten muscattis to be kept still within hir" (see next entry).

*Halyrudhous, 24th June 1619*

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

"Forsamekle as, althocht he ane act and ordinance of Secreit Counsall, beareing date the [blank] day of Junij instant, Sir Gedeone Murray of Elibank, knyeh, Deputie-Thesaurair, wes ordaneit to caus the haill artaillerie, munitioun, and furnitur for wear being in his Majesteis ship callit *The Charles* to be tane oute of hir and to be put in the Castell of Edinburgh, thair to be keipit and to be alwayes in reddynes for the service of the schip as the necessitie and oceasioun sall requyre (*ante*, p. 593), nevirtheles the Lordis of Secreit Counsall finding it nawayes meete nor expedient that the said ship salbe maid altogidder emptie of hir munitioun and furnitur for weare, bot that some small portioun salbe left in hir quhairthrow scho may be the moir able to withstand any suddane or secreit [blank] teise that salbe intendit aganeis hir. Thairfoir the Lordis ordanis the said Sir Gedeone Murray to leave within the said ship twa of the smallest peeceis of hir ordinance and ten muscattis, with some few bullettis ansuerable thairto, and a litill quantitie of poulder, yf ony be within the schip. For doing quhair of the extract of thir presentis salbe unto the said Sir Gedeone a warrand."

"Forsamekle as his Majesteis ship callit *The Charles* presentlie lyand in the roade of Leythe is to be directit towardis Orkney and Zetland for some speciall occasionis of his Majesteis, affairis and service with all convenient expeditioun, quhairfoir necessair it is that scho be weill

provydit with a sufficient nomeber of expert and skilled marinaris to attend and serve hir; for quhilk purposis the Lordis of Secreit Counsall gives and grantis power warrand and commissioun be thir presentis to Sir James Weymes of Bogy, Admirall-Depute, to deale, with suche marinaris as he sall think mete to imbraice his Majesteis service in the said schip upoun suche reasounabill conditionis as he can aggrie with thame, and, in caice of thair refusall to serve his Majestie in the said schip, with power to him to presse thame, For doing quhair of thir presentis salbe his warrand."

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

*Halyrudhous 29<sup>th</sup> June 1619*

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

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

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

"In the first, yow sall prepair your self and mak yow red[ie in] goode and comelie ordour and equipage and with all possibill [haist] to go in his Majesteis schip callit *The Charles*, quhair of David Mu[r]ray is] capitane and commander, towardis the North Seas of this king[dome],

quhair the Hollanderis and utheris strangeris hes thair fisching: [And] at your arryveall thair yow salbe cairfull to inquire and informe yourselff of the names [of the admirallis and vice-admirallis attending the flott, and of] the names of thair schippis, of quhat townes and provinceis thay ar, and quhat number of wauchteris and buscheis is sent oute be every towne, [Province and estate] to attend thair fischeing.

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

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

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

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

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

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

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

Yow sall informe the saidis admirallis, and, incaice of thair absence, the saidis vice-admirallis, of the complaint maid to his Majesteis Counsall be his Majesteis subjectis of Zetland anent the greit oppressioun committit upoun thame be divers personis of the floitt who comes aschoir upoun thair illis of Halff Grunay, Wedderholme, South Grunay, and Lungya, and upoun divers utheris [pairtis of the countrey, quhair they not only enter in kirkis, dimolischeis and brekis doun the daskis and seattis within the same and schamefullie abuses the same, to the offence and dishonour of God, bot with] that thay spoyle the countrey people of thair schein, geis, [hennis, eggis], and suche uther commoditeis as they find upoun the ground, and sum[tymes invaidis] and persewis thame of thair lyveis; and thairfoir yow sall crave [redres and] reparatioun to be maid for thir wrangis [and] that the [lyke be forborne] in all tyme coming. —Followis his Majesteis missive letter for warrand of the commissioun abonewrittin.

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

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

There can be little doubt that the Mr. John Fenton selected for the important service described in these documents was "the worthy gentleman named Master John Fenton" whom Taylor the Water Poet mentions in his *Penny-*

notes also that Ben Jonson, writing from London to Drummond of Hawthornden on the 10th of May 1619, desires to be specially remembered to "the beloved Fentons," as among those whose hospitalities, as well as

*less Pilgrimage* as having shown him kindness in his passing through Fifeshire on his way from Edinburgh to the Highlands. One

Drummond's own, he had experienced when he was near Edinburgh.

*Holyrood-house 15<sup>th</sup> May 1622*

Sederunt -Chancellor; Treasurer; Mortoun; Roxburgh; Melros; Lauderdaill; Stormont; Advocate; Ridhous.

"Forsamekle as Johnne, Erle of Mar, Lord Heigh Thesaurair of this kingdome, hes, according to the Kingis Majesteis speciall command and directioun causit beit, mend, and repair his Majesteis ship callit the Charlis, sua that now sho is in als goode estate as sho wes quhen sho come in this cuntrie, Thairfoir the Lordis of Secreit Counsell, according to the Kingis Majesteis directioun, ordanis the said Erle to caus provide and furneis the said ship with victuallis and marinars, and to send hir bak to England, to remaine with the rest of his Majesteis navie, so soone as convenientlie may be."

"Forsamekle as Johnne, Erle of Mar, Lord Heigh Thesaurair of this kingdome, hes, according to the Kingis Majesteis speciall command and directioun, causit beit, mend, and repair his Majesteis ship callit the Charlis, sua that now sho is in als goode estate as sho wes quhen sho come in this cuntrie, and is reddle to be caryed bak to England to remayne with the rest of his Majesteis navie, as his Majestie hes directit; and quhairas Capitane [*blank*]Murray, capitane of the said ship, hes undertane to victuall the said ship and to provide ane sufficient number of marinars and otheris personis neidfull to carye hir bak to England for the sowme of tua thousand pundis Scottis money: Thairfoir the Lordis of Secreit Counsell ordanis and commandis the said Erle of Mar to mak payment to the said Capitane Murray of the said sowme of tua thousand pundis for the victualling and outred of the said ship and payment of the hyris of the marinars and remanent equippage of the said ship, to the effect the said capitane may carie hir bak agane to England, to remayne with the rest of his Majesteis navie as his Majestie hes directit. Anent the payment of the quhilk sowme the extract of this act, with the said capitane his acquittance, salbe unto the said Lord Thesaurair ane warrand. And, the said sowme being payed, the Lordis ordanis and commandis the said capitane to haif a speciall cair that the said ship be weill providit and furneist with men and victuallis, and that he prepar him selff and be reddie to go to the sea and to carie hir to England, quhair the rest of his Majesteis navie lyis, at the first commoditie of wynd and wedder."

"Forsamekle as althocht be ane formair act and ordinance of Counsell Williame Murray, maister of his Majesteis ship callit the Charlis, undertook to beit and repair the said ship and to mak hir in als goode estate as sho wes quhen sho come to this cuntrie for the sowme of tua thowsand merkis, as the price aggreit upoun with him [*aide*, p. 530]; quhilk conditioun and bargane he undertooke nawayes thinking that the said ship was in so evill ane estate as sensyne he fand hir to be; nevirtheles, the Lordis of Secreit Counsell, Commissionaris of his Majesteis Rentis, haveing seene ane note and compt gevin in be the said Williame under his hand contening the particular sowmes of money deburst be him in this earand, bothe anent the buying and furnissing of materiallis necessair for that worke and anent the wadgeis and feallis of the workemen employed thairin; and the saidis Lordis haveing verie narrowlie examined the said compt and everie particular member and article of the same, and finding the same to be ane cleir and honnest compt, and that the said Williame hes delt faithfullie and honnestlie thairin, -quhilk compt extendis to the sowme of *ijm iijc lxxxiiij lib. xiii s. iiij d.*; and the saidis Lordis haveing alsua causit some men of knouledge and understanding in materis of this kynd sight the said ship, who hes reportit that sho is verie weele drest and repairit, and that sho is in ane better estate nor quhen sho wes broght to this cuntrie; and the saidis Lordis being loathe that the said Williame salbe ane lossair and that his first mistaking of the defectis within the said ship shall infer ony prejudice unto him: Thairfoir the saidis Lordis ordanis his Majesteis Thesaurair and ressavears of his Majesteis rentis to mak payment to the said Williame of the superplus of his accompt debursit and gevin oute be him by and attour the said sowme of *ijm merkis*, whilk will extend to the sowme of *jm lj lib. Vj s viij d.* Anent the payment thair of the extract of this Act, with the said Williame his acquittance, salbe unto thame a warrand."

"Forsasmekle as his Majesteis ship callit the Charlis is now be his Majesteis directioun to be send bak agane, and it being necessair for the credite of the cuntrie that sho salbe providit with some quantitie of poulder: Thairfoir the Lordis of Secret Counsell ordanis James Murray, maister of his Majesteis workis, to delyver oute of the Castell of Edinburgh to the capitane of the said ship three hundreth pund weyght of poulder. Anent the delyverie quhair of thir presentis, with the said capitane his discharge upoun the ressett of the said poulder, salbe unto thame a warrand."

*Edinburgh, 13th June 1622.*

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

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

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

*Edinburgh 14<sup>th</sup> June 1622*

"The quhilk day in presence of the Lordis of Secret Counsell compeirit personalie Mousieur Howtene, Admirall Depute of Zeland, on the one pairt, and Peter Van Verrane capitane of the

ship callit the Ambrois, on the other pairt [see ante, p. 737], and promiseist that thay and their whole companyis during the tyme of thair remaning in his Majesteis watteris sall observe his Majesteis peace, keepe goode reule and quietnes the one with the other, as thay will ansuer upoun the contrarie at thair perrell."

*Edinburgh 14<sup>th</sup> June 1622*

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

*Edinburgh, 13th February 1690.*

*Sederunt:* Argyle; Crafurd, President; Eglingtoun; Lothian; Leven; Anandale; Yester; Ross; Cardross; Balhaven; Ruthven; Master of Burleigh; President of Session; Advocate; Justice Clerk; Revilrig; Pollwart; Blackbarony; Brodie; Fountonhall; Maj. Gen. McKay; Sir George Monro; Sir John Hall.

"Anent a petitione given in to the Lords of his Majesties Privy Councill be James Fletcher, present provest of Dundie, showing that wher the magistrates of Dundie had been very dilligent and cairfull to levie the number of eleven volunteir seamen and to pay them their levie money and mantinance, and also have given in to the saids Lords a list of such other seamen as are within their bounds, conforme to a report from the magistrates to the saids Lords therwith produced. And seing that the saids Lords by proclamatioun of the date the tenth day of January last was pleased to promise to such townes as should show themselves affectionatly foreward in the matter forsaid that they should have particullar protectiones on board each on of their ships given them to be free from any pressur heir or by any of his Majesties men of warr or in any of his ports. And theirfore humbly craveing the saids Lords to grant protectione for the seamen which are aboard the ship called the *Matilda* of Dundie presently bound for London upon the petitioners account, to witt Robert Kinloch, William Oliphant, Androw Rutherfoord, John Gibsone and John Knowes, mariners in Dundie, to be free from any pressure heir or by any of his Majesties men of warr or in any of his ports. The Lords of his Majesties Privy Councill haveing heard the above petitione, they grant the desyre therof."

Protection in similar terms to that at p. 77 in favour of the following persons: "Robert Kinloch, skiper and master of the good ship called the *Rachell* of Dundie, and to the seamen afternamed aboard the samen, to witt William Oliphant, Androw Rutherfoord, Thomas Gibsone, John Gibsone and John Knoxs, mariners in Dundie, with a boy, presently bound for London upon the account of James Fletcher, present ptovest of Dundie., or any other seamen to the number of fyve, whgo afterwards shall saile the said shipp." Signed "CRAFURD, I.P.D.S.Con.

*13th February 1690*

Petition by John Adair, geographer: The Estates of Parliament "taking into their consideratione the many and frequent shipwracks, ruine of mens lyves and loss of trade occasioned by the want of ane true hydrographicall descriptione of the sea coast, isles, creiks, firths and lochs about this kingdome" by their Act of 15th June 1686 ordained that one shilling scots be exacted from each tun of ships and vessels above 8 tuns within the kingdom and two shillings scots from each foreign ship, yearly for five years, for defraying the charge of making "geographicall maps", to be collected by the collectors of H. M. customs, who were to deliver the same yearly at Martinmas with subscribed lists of the ships and their burdens. In obedience to this Act the Firths of Forth, Clyde and Tay, with the adjacent coasts, have been "actuallie surveyed and navigat by the petitioner, and instruments of great value with all uther necessaries to finish the designe brought from abroad, but by the negligence of some

collectors in uplifting and the fraud of others in not making compt or payment of what they had received, so usefull and publict a designe is in hazard to be abandoned and the pairt already done lost, for of three hundereth pounds sterling that is depursed hardlie one third pairt is received by the petitioner from the collectors." He craves the Lords to ordain the several collectors to make compt and payment of what they have received and to collect the remainder that is due and make payment to the petitioner. The Lords having recommended to the Earl of Lothian, Lord Yester and Sir Archibald Murray of Blackbarony to examine what progress the petitioner had made, they called John Adair and saw his maps with an account of the money received and expended by him, and reported. The Lords find that John Adair has "drauin the sea maps of the River of Forth from Stirling down to the Skairheids and lykewayes the mapps of the water of Tay from St. Johnstoun to the Reidhead and the map of Clyde from the Garroch Heid to Ailsa very exactly, with the severall soundings and ancoradges alongst the saids coasts." Having considered the Act of Parliament and the account given in by John Adair of the money received and the expenses for carrying on the work, extending to £305 sterling besides provyding instruments etc., "quhich is neir thryce also much as he has received from the collectors," whereby the collectors and their predecessors have either been negligent in collecting the duty, particularly from foreigners, or have not deponed upon what they have collected to John Adair's behoof, "their accompts not answering to the number of tuns of the ships, as he offers to make appeare," they recommend to the Lords Commissioners of the Treasury to appoint all the collectors of the customs and others, who have served since Whitsunday 1686, to give in an account of their diligence in uplifting the duty and to depone upon what they have received and deliver the same to the general collector of customs, and not only to uplift what they have neglected to uplift of what was due to John Adair, but to collect it in the exact way and manner contained in the Act, deliver it upon oath to the general collector to be given to John Adair, and deliver to John Adair subscribed lists of the ships with their burdens as the ground of their charge yearly. Having also seen the maps of eight shires already drawn, with several parts of other shires, they recommend to the sheriffs, bailies of regalities, and stewards of stewartries of the whole kingdom to call the heritors "to appoint a suitable encouradgement to the said John Adair for defraying the expensses of surveying of the severall shyres, to be collected in maner mentioned in the said Act of Parliament." And understanding that several of the collectors are removed from their offices and that in the shires there has been some allowance granted to John Adair, which has been collected with the cess, they ordain letters of horning etc. to be directed against the collectors to pay on oath to the general receiver of the Crown rents the sums received and to give account of their diligence in the matter. They also appoint John Adair to change the dedication of some of the maps.

*15<sup>th</sup> December 1691*

Petition by Thomas Wobster, boxmaster to the fraternity of seamen in Dundee, for himself and in name of the fraternity: The Lords by their act dated 4th February 1687 granted warrant to the fraternity to erect lights and beacons on the river and firth of Tay, empowering them and their boxmasters to uplift on account of the lights 12 pennies scots each voyage for each ton in (fol. 450.) outgoing and incoming for all vessels coming into the firth or river between Fyffeness and the Reidheid inclusive, foreigners paying 2 shillings scots for each ton, to take effect from the previous 27th January, wherupon letters of horning were raised against all masters, merchants and skippers of vessels coming within the firth. The petitioners have been "at great expenses thir severall years bygone in keeping up such ane advantageous light to there Majestyes haill Ieidges". They crave the Lords to grant warrant for renewing the horning (as above) to make payment to Thomas Wobster and his successors (fol. 450b) in office of the duty since 27th January 1687. The Lords having considered the petition with a report of a committee of their own number, refuse to grant general letters for the imposition in respect of the Act of Parliament discharging general letters and remit the petitioners to pursue before the judges competent and recommend to all judges and magistrates before whom such pursuit may be commenced to give speedy and exact justice and to modify large expenses to be paid by all who shall be found debtors.