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Roup of whales at Dundee

Baillie Gilbert Coupar, Inn Keeper at Newport Dundee having upon the (*blank*) day of August gone out a shooting in his boat upon the water of Tay did happen to see a great number of bigg fishes not far from him whereupon he ordered his boat to make up to them and came so near that he severall times shott among them, which made them swime a great way up the water, the Baillie continuing to pursue and fire att them till his shot was spent. after which they berng now driven pretty near to Dundee the cusotme house boat came out from thence having on board the collector and surveyor with severall other Gentlemen, who pursued them with shot very closely till they drove them a great way further up the water, there were many of them wounded which made them unable to stay below the water but flotted upon the surface they severall times to go down the water but they no sooner turned that way than the people in the boats pour'd in the shot upon them so that at length they were near the shoar upon the Lairs of Invergowries property and the sea beginning to ebb they were intimely left dry up upon the sands with the country people seeing came down in great numbers with spades and forks &c and would very quickly have cutt all the fishes to pieces, but the gentlemen called for Invergowrie's assistance which soon dispersed the mob, the Provost of Dundee also sett a Guard upon them to prevent any further attempt that might be made that way. The day thereafter the forso Gnetleman who pretended a right to the fishes as having caught them and brought them to shoar defied the Provost of Dundee that he would put them to a public roup which after due proclamation thereof was done accordingly, and were bought by Wallace of Craigie in partnery with several other Merchants for the sum of Seventy pounds after the Provost having protested at the time of the roup that the buyer ought to be lyable in the price to the toun of Dundee as having the right of Admiralty within the bounds.

The Gentleman who drove them ashoar protested that they had the only right to the fishes by virtue of their having fished and catch'd them, and that they were not royall fish as the law appoints to belong to the Admiral. Some days thereafter Mr William Douglas Advocat Factor to his Grace the Duke of Douglas his estate of Douglas ... & constbulary of Dundee by his Grace's commissioner in order to intimat my Lord Dukes right in thos fishes to any person claiming interest to them, and that his Graces right is not only founded upon his admiralty upon that whole water purchased by the late Ld Dundee from the successors of the Lord Newburgh, which right stands now wholely in the Duke of Douglas's person and by virtue of which he has a duty upon the boats and the five fishes payd him. Wherupon the so Mr Douglas did protest against the so Wallace of Craigie the buyer of the fishes that he might be lyable to his Grace in the sum of seventy pounds ... as the price of the whole fishes bought by him at the publick roup his Grace having the undoubted right thereto , Wallace of Craigie protested at the same time that he might by lyable in once and single payment Mr Douglas likewise protested against the Provost of Dundee as intromitter with and sellar of the so fishes, that he might in like manner by lyable to his Grace as having the only right to them as above , to which the Provost answered that they were not royall fishes , but supposing they were he protested the toun of Dundee had the only right in them as Admirall , upon this the protestation made by Mr Douglas these are instruments extended by James Johnstone Nottar Public at Dundee.

It can be proven by severall people in Dundee that those fishes were of the Whale kind, there was of them taken the number of forty nine the biggest whereof was eighteen feet and an half in length the smallest about five feet there were two or three more of the same fishes came ashore about Balmerino