

**Record of the burgh of Dundee
Being the Acts and Decrees of the Council**

Book commencing the 4th May 1669

Dundee the twenty first day of Maii 1669 years

The Counsell considering that the Session is now approaching; And that yr is a necessitie for attending upon the tounes actiones yrin Therefore they ordayne that the Magistrats wryte over to Alexr Reid w'ter to cause diligently attend the tounes affairs at the Session and imploy yrin such advocates as they sall injoyne him for that effect.

The counsel considering that it is dangerous & may prove prejudiciall to this burgh & magistrates yrof for the tyme that any persone or persones comittit to prison by virtue of tres of caption raisit & execute againes the sould be thereafter set at libertie wt out his maties tres charging the sds Magistrats for yt effect. Therefore for preventing of the sd prejudice they hereby statut & ordayne that after this dait no Magistrat nor Magistrats for the tyme sall set at libertie any of ye saids prisoners or tak bond for yt effect or for yr enlargmet upon qtsomer pretext wtout they be chargit by ther under his Maties signet for that effect.

Dundee the twenty nynt day of June 1669

Ane tre product from Alexr Reid wt twa transumps & ane seasing of the Cokurnes lands qch are delyverit to the hospital Mr to be put up among the hospital wrytes. As also ther wes productit King James te first Charter wt the act of ratification in parliament.

Dundee the twenty day of July 1669 years

The sd day the provest made ane ful and pa'lar report of the haill matters considerable that were transacted at ye late g'all convention of burrowes whereof the counsel approved & gave his les ther heartie thanks for his care & diligence.

Dundee the twenty third day of Novr 1669 years convenit

The Provest, David Yeaman, Wm. Rait, Jon. Scrymsour, Jon. Kinloch. Wm. Watson,
David Foullar, Wm. Smyth, James Aickman, James Balfoure, Alexr. Kirkaldy, James Allan,
Patrick Rot'son, James Nicoll, Thomas Lindsay

The Min're having after rep'nted to the Counsell that Grissell Jaffray witch at her execution did delate se'all p'sones as being guiltie of witchcraft to the and therefore desired yt for yr exonera'n some cause might be taken wt these delated: The Counsell in order ther vnt therefore noi'ats the provost the pnt bailzies the old bailzies Deane of gild & the'r to meet wt the mini'rs to common wt ym on ye sd matter and to consider of ye best wayes may be takin wt the delated.

Dundy the sevint of December 1669

The counsel cosiddering ther great loss sustaynet by the late storm & yt yr is no probability to get any subsidie by Assessment on the toune or uyrwayes frome the parliament for repairing yrof and yt it is necessary that the merk of the boll voluntarily offered by the Maltmen be co'tinowed qll the toune repairs the sd losse & be fred of ther debts & injudgme'ts. Therefore they ordayne that Jon. Kinloch deane of gild convene the haill gildry. And also yt James Lowson collect'r convene the haill free ccrafts & declare the premises to them & report ther Judgments therannent wt all possible conveniency.

At Dundie the eight day of December 1669

Which day the provost baillzies & counsel being convenit and having formerly taken to yr co'siderationn not only the co'tinuance of ye pre'nt burdens of debt they ly under by ye late tempest wherby ther peers bulwerks & uy're were demolishit for ye greater part on the threttene day of October last. And anent many overtures had been proposed among them in

ther debats for enabling them & yr successors for to pay ther debts for the qch the toune stands ingaged by bunds & in some measure to goe about the repairing of the bulworks. The continuance of that imposition of ane merk scots upon each boll of malt brewed wtin this burgh by and attoure the twa marks payit by the brewers for his Maj anuitie qch hath been formerly condishendit to by the gildry is necess'r & expedient to be And according to the laudable custome having co'missionat Jon Kinloch deane of gild & James Lowson Collector of the Crafts that they would co'vocat & co'veen their se'all distinct & re'xive incorporan'es to know ther willingness of the co'tinowance of the forsd merk upon the boll as is abovemen'at. And this day being appoyntit for hearing ther re'xive reports yranent. The sd Jon Kinloch deane of gild co'peared & declared that according to the desire of the Counsell he had co'vocat the gildry wherof the Maltmen co'peared most frequently. And they all unamously co'descendit & agreit that the forsd merk upon each boll of malt to be brewed wtin this burgh & no more sould be upliftit and payit for the tounes use to such p'sone or p'sones as the mgistrats & counsel for the tyme sall appoint. And after co'peared the sd James Lowson collector declared that according to the desire of the sd co'sell he had co'veenit the hail free trads & crafts of this burgh & having impartit the counsels desire to them in maner above spe'it They did all agree unanimously to the co'tinuanee of the said merk upon the boll of malt to be brewed wtin this burgh & no more sould be upliftit & payit for the tounes use to such p'sone or p'sones as shall be no'at be the counsel for the tyme. And therefore the sds provost baillzies counsel collector & deacones of crafts herby enact statute and ordayne that the forwsd merk upon each boll Malt to be payit for the use of the sd burgh ay & qll the same be freed of all ther debts resting & contractit be them upon bonds and that by & attour the forsd an'uities of tua merks due to his Maj as sd is. And ordaynes that this pnt act have the full force strength and authoritie of ane Municipall act & Statute conforme to the remanent municipall acts of the burgh. In testimony qrof the sds provost baillzies Counsell Collector deacones of craftes heve sub't thir pnts at Dundy the tenth day of Janr 1670 being the day of the head court of the sd burgh & qrin the sd act wes publicly red ratified & sub't as sd is – sic subscribitur:

John Darbitt provest
 D. Zeaman bailzie
 William Rait bailzie
 Jon Scrymsour Bailie
 John Kinloch Dene of gild
 W. Guthrie Counsellor
 William Watson Counsellor
 George Forrester Councillor
 David Fouller Counsellor
 W Smyth thesswrer
 John Melvill
 James Aikman Councillor
 John Balfour Colecter
 Alexr Kirkcaldie Counsellor
 Pa. Roberttsonne Counsellor
 James Allan Counsellor
 Tho Lyndsay Conseller
 James Lowson Collector
 Ja Nicoll
 D Nicoll
 William Chrystie Deckin to the shomakris
 Andrew deickein till the teailyeors
 F Spence decan to he bonnetmakes
 Johne Mastertone daken to flachores
 Robert Hamiltown decan of the (*blank*)
 John Wallace deacone to the walkers

At Dundie the fourt day of januar 1700

The Counsell considering the abuse of se'all unfree p'spones in toune venting aill & beir to the great prejudice of the free maltmen The Counsell therefore ordaynes the the'r to convene the sds unfree vinters & tapsters & eyr cause ym p'duce yr burgeships or discharge

them from farder venting or taping of aill & beir and each co'traveener vnder the payne of five pounds Scotis toties quoties.

At Dundie the Eight day of Februar 1670

The Counsell ordaynes that the skleat yaird be rouped on the nynt of this instant and that ye drum to sent throw the toune for yt effect.

The Ministers having rep'ted to the magistrate that they intendit to send for one that can in some measure discover witches be the mark. And yrfor cravat the Counsell co'sent thereanent wherof the counsel approves and co'sents the mini'rs send for the partie when' they please.

Dundie the fifteen day of March 1670

Table of the Shoar dues of this burgh reportit to & approved by the Counsell is as follows

That all wyne Spanish frensh & vyre all goods in puncheons, barreles or creels, all goods in bulk, all tymber of whatsoever sort, all salt, lyme, coall & all wyr in'ard goods whatsoe'r imported by ane freeman pay tua shillings Scots for ilk tun therof.

That all or any of the sds goods being importit by ane unfreeman pay fortie shillings money forsd for ilk tun therof.

That all goods exported by ane freeman overseas to any foreigne land pay tua shillings money forsd for ilk tun therof.

For all maner of goods reported by ane unfreeman over seas to any foreigne land pay foure schillings money forsd fur ilk tun therof.

That all skleats to be shipped pay foure shillings Scots money Upon the..... therof.

That all ships barks or boats alswell belonging to ane freeman or unfreeman that exports any sort of goods to any pairt wtin this kingdom to pay ane shilling money forsd, for ilk tun of ther burden.

That all coalls importit by freemen in any ships, barks or boats, if the same is extend only to six chalder or be under, sall pay the cess creel allenarly and what more any of the sds vessels sall contayne then the sds sex chalders superplus sall pay sex shillings money forsd for ilk chalder therof.

That all open boats that lyes within the haburie sall pay once three shillings money forsd for ilk tun of ther burden.

And for the better & speedier payment of ye forsd dues the Counsell heirby ordaynes the pair Mr or his deputes for ye tyme to take pledges of all vessels that comes in the shoare befor the loading or livering therof.

At Dundie the tenth day of May 1670

Orders agreit upon by the Magistrats & counsel of Dundie the tenth day of Maii 1670 as patrones of the hospital of the sd burgh wt co'sent of the ministers yr of concerning the Admission of the p'sones in the same & yr behaviour & carriage yrin

That none be admitted therin bot single p'sones unmarried, who are in a decayed estate and hes testimoiall from the ministers yt they are frie of all publict scandal. – That at the entry of such persone to the house ther wt them ane furnished bed, ane tan plate ane stoupe, and spoone and ane cap and these to remayne to the use of the house for ever.

That the Magistrats conuntenance the duty & admission to the house & see ym installed in ther babite, qch is to be of ane sid minum colour where these injunctions following are to be publictly read in the audience of all the p'sones in the house.

That each persone apart every morning & evening use his privat devotion.

That befor dynner & also befor supper they all convene in the common hall efter the ringing of the bell when the overseer & mini'rs sall read or say publict prayers to the read chapters in the old and new testament as also shall sing such psalms as the ministers sall direct them.

That they altogether upon the Lords day repair to the church & the place yrin for them appointed all in ther gounes and yt both in the fornoon & afternoone.

That upon every week day wherin publict worship is to be in the church either morning or evening that they repair to ye ordinances yrin.

That at ther publict meetings either for the church or to ther comone table each of them take place (nixt to the overseer) according to yr standing in the house the merchands having precedence before oysr who are tradsmen.

That among ym selves they live Christianly and peaceably avoding all offence , strife, surring, scolding & taking of the Lords name in vayne.

That none of them frequent aillhouss nor be seen walking co'monly in the streets.

Penalties for transgressing the saids injunctions

For the absence of each p'sone from the publict prayers in the hall, being in health The overseer is to take off ane mutskin of aill from his ordinary allowance for yt day.

That each p'sone being in health & is absent from the church upon the Lords day sall want ane choppen of aill of his ordinary allowance yt day.

Each p'sone who is absent from the publict exercise in the church in the week dayes being in health sall want ane mutskin of yt days allowance.

Hee qo occassiones stryfe or debate for precedency or to the forsd order, ane Meall of his dyet sall be wtheld from him by theoverseer.

Hee who is latly co'vict of swearing, flyting or oyr vncivill carriage, for the first fault he wa't some of his ordinar allowance at the discretion of the overseer – for the second the Mr of the hospital is to suspend him from the house for such tyme as he sall think fit. And if no amendment follow upon the Mrs of the hospital his information to the Magistrats they are to co'veen wit the mini'r & the offender to be excludit.

If any difference sall fall out betwixt the overseer & any uyr of the p'sones in the hospital all the Mr of the hospital sall mak tryell & inflict censures accordingly and if the offence sall be of that nature that requyres the authority of the magistrates they & the mini'rs are to co'veen tak tryall give sentence and see the same put to execution accordinglie.

Dundie the Aughtine day of October 1670

The Counsell for preventing all questiones that may aryse anent the propriety of the place amongs all p'sones of Counsell whether Mer'cts or trads, heirby enact statute and ordayne that the elder counsellor sall always have precedence in place both in Counsell & church meetings in tyme coming Referring the crafts privat privileges among themselves.

At Dundie the 18 of Apr 1671

And letter read from the Erle of Panmuir qr he desires & Invittes the Maguistrats & neighbors to his fathers burial as also libertie to intertayne sutch as ar Invited to the burial. In the councell house & outer tollbooth. The Councell did all vnanimouslie condescend thairto as also that the dead corpes qn broght hither should stand in the revestrie in the east church qle the day of burial.

At Dundie the 9th of May 1671

The Counsell taking to yr consideration that the lait Erle of Pamnuir his dead body is to be brought heer this night, And to remaine heer qll fryday the day appointed for his burial to testifie their respects to his memorie. And dischargeing themselves of the great respect they had to his los hes ordained that this night, and vpon fryday next for maney great gunnes shall be shott & dischargt as the provost shall think fitt to direct.

At Dundie the threttie day of May 1671

The Councell appoynts the provost William Reat, George Forrester & William Watson to Speak wt owin Ministers first, And yrafter with the persone that the communion may be given. And that the Impediment for not Catechising the Landward paroch be removed. And the persone to do in his charge as his predecessors did. And to report.

At Dundie the first of June 1671

The provost for himself and these who wer appointed with him to speak with the Ministers and the person maid report that they had accordinglie spoken with them all three Bot could not find them to agree among themselves anent the giving of the Comunione, because the Landward paroch was not examined. The councell did hervpon declair that Peter Reat yr Catecheist qll the vicarradge of the Landward paroch was settled to him for his encouradgement they onlie intended that he should catecheise the Inhabitants of the burgh allennerlie.

Att Dundie the 20 of febrii 1672

The Councell ordains:

That no persone cast any matter out over staires or windowes vpon the street or within closes (unless it be conveyed by closs spouts) under the paine of sex shilling Scots to be payed by each contraveiner toties quoties

That no perssone auld nor young be sein heirefter to defile the church zaird or yvrs publict places be easing themselves yrin under the paine of sex shilling Scots beside Imprisonment at the Magistrats pleasure.

Dundie the 4 of Apryll 1672

The said day the provost productit Ane bond or Declaration under the hand of the Shereff depute of Forfar anent the putting in Hearie Gudlet to ane tryell within this burgh qch preparatione sall not be prejudiciall to the tounes Libertie qch is put up in the toun chist.

Dundie the eightein day of Arpyll 1672

The councell hes appointed William Reat bailzie to speak to the ministers of this burgh for making Intimation for ane voluntarie contribution for the use of the pouer people in Breachan who had yrhouss & cornis brunt leatly yr.

Dundie the last of Apryll 72

The qlk day George Forrester & William Reat bailzies maid Report that the committee being met att Forfar hes ordained that beacons be put up with feull and deasfoot upon the places formerlie appointed particularie thrie senteralls to be, and Dundie to be ane of them & to give frequent notice building ane upon the tope of the high law thrie ells high of feull and twa ells broad on the head & yat hedder & peatts be provydit and put on, att sight of the enimie by sea & to acquent the committee yr wt and appoints Wm Reat bailzie to sie the samen done.

At Dundie the 22 of Apryll 1673

Ane tre read from the bishope of Brichane direct to the Magistrats showing that he had writtin ane tre to the persone to examein the Landward parosh for this time, whairupon the Counsell appointed the bailzie Thomas Watson & Wm Watssone to speak wt the persone this day & to report to the Magistrats who are Impowered to writt to the bishope of Brichan accordingly.

Dundie the eight of July 1673

The provest Impairteing to the councell of the parishiners attestation the councell did order the samen to be booked as follows Vizt:

“We vndersubscribers doe declair and testifie that to our certain knowledge evir since the momorie of man these who wer called persones of Dundie And did officiat in yt function till Master Scrymsour Incomeing did examine the Landward oparoch & had Inspetion and took cair of the Ministrie of the same. This we witness by oour sunscriptiones in May the fourteen day 1673 Alexr Watson Sr., Alex. Wedderburne, Patrick Kyd Walter Grahame & James Grahame for Clavers The said attestation being represented to the bishop of Brichane he returned the (*damaged paper two words missing*) wnder writtin viz.

Having sein his above writtin (*damaged paper one word missing*) money to qch I am bound to give (*damaged paper one word missing*) I doe appoint that the three Ministers of Dundee sall in the discharge of yr Ministries, each of yrs predecessors befor them and to the effect that this my ordure may be observed qrunto I interpose Episcopall authoritie as I have singly wt out assessors in visitation I affair that whoever he be that proves refractoric I will call ane visitation on purpose of sensour his disobedience, sic subscribitur Mr Robert Laurie Bp of Brichane.

The Councell takand to yr consideration the miscarriage of Master Alexander Keith lait presenter of the west kirk of this brugh In fornication The Councell In regard of his fall in the said Act of fornication hes declaired the said Mr Alexr Incapable of that charge for ever. As for the filling up of that place for some tyme it is referred to the Magistrates yr cair.

The hospital minister representing to the Councell for advyce of the draught of the north deik of that Inclosser for grass hes thought fitt that the said dyck be built according to the draught of the persones appointed to be assisting to the hospital maister and that the most pairt of the Tenter hill be left out for the accommodation of the inhabitants wtin this brugh wch the Counsell does approve of.

Dundie the twelve of Agust 1673

The said day the Dean of gild produced the townes Armes matriculate & subt be the Lyon for qch he payed twelve rex dollars for qch ane precept is drawing upon the ther.

Dundie the eighteen day of Septemb 1673

The Councell appoints the provest, Thomas Watsone, John Scott & Wm. Reat with ane of the traids councillors to view the Accompts that is betwixt the toune & the gildrie & to report.

Dundie the fourth of Novemb 1673

The councell being fully Informed of the qualification of Paull Keith after tryall maid yt he is fitt to precent in the west kirk & for keeping of ane musick school: They yrfor have admitted & herby admits the sd Paull Keith to the forsd offices, haill fies salaries, profits (*damaged paper two words missing*) ...ties yrto belonging as the same wer possessed be his last predecessors. And ordaines him to enter to precent to the west kirk the next Lords day & to the musick school on this week and to enjoy & possess the haill fees & vyrs belonging yrto after this approaching terms & yearly & termly in tyme comeing during his continuation in the saids offices rexive during the Councells pleasure.

Dundie the twentie fyft day of Novr 1673

The sd William Watsone bailzie & remanent persones appointed for steating accountms betwixt the towne & the gildrie Maid report That after perusing of the Accompts betwixt the toune & the gildrie They found yrby yt the toune if justly restand to the Gildrie the soume of Twa thousand pundis Scots money In Satisfaction of all that the gildrie can claime of the toune preceeding the date qrof the Councell approves & ordains ane bond to be subt to the gildrie for the said fie Containing @rent from Mertimes Last conforme to the Act of parliament.

The Copuncell takand to yr consideration the address of Mr Alexr. Sheen Regent of St Andrews craving supplie for buying & setting up Mr Gregorie his Mathematicall Instguments at St Andrews & they conceivieng the sd work deserving to be Incouradged doe therfor give & grant for that effect the spoune of ten pounds Sterling for qch they ordaine the Magistrats to draw ane precept for payment yrof upon the thsr. or Collector of excyse as they sall think fitt & expedient.

The Sixt of Januarii 1674

The Councill takand to yr consideration the great abuse at Lekwakes by ressonne of the confluence of many turbulent Idle people thither doe yrfor & for the preventing of the lyk for the future prohibit & discharge all idle persones from goeing to any Lykwarks unless they be Invited ye unto. The defuncts nearest relations excepted vnder the penaltie of Thretein shillings Scots.

Dundie the 19 of Febrii 1674

Instructions injoynd be the provest bailzies and Councill to be punctually observed bye Mr John Dickson of the grammer school & his successors in the charge

1. Impremis that publict prayer in the Inglass tounge be constantly vsed & made be the sd Maister or elder in his absence each morning & evening on the week dayes to after the afternoons sermon on the Lords day on qch day yr notts of the sermon ar to be exacted & ane pairt of ane salme song. And that the schoollers be examined upon the Catecheis aither in Lateine or englese as the maister sall appoint.

2. That all the schoollers conveyn with the Maister & doctors in the School at sex a clock In the morning In summer & seven in the winter & keep yr punctuall dyets at ten eftir breckfest & ane of the clock efter dinner.

3. That the play be seldome granted in Noctein & yt vpon play dayes The Maister or ane of the doctors go fourth to the Magdalein gear with the schoolers seitt the names yr & after twa hours play bring them back againe to the school & exact ane accoumpt of yr Leasone.

4. That non of the Laitein schoollers have learned yr Constructions be permitted to speak Inglass within or wt out the schooll to yr maisters or of yr Condesipple *sub pena forsd* for the first fault, & if they be frequent in the transgrasione that they be publicly wheiped by the Mrs and yt private clandesteen captors be appointed by the Maister for this effect. And for those that ryds horses especially in tyme of merkat and for those that frequents the shoor or shipps or boats. And that the roll be called once every Monday for chesteising of delinquantts.

5. That of any be found swearing breaking of the Sabbath rebellious to yr Maisters trowans from the schooll runaways from dissaplein. That for the first falt they be publicly wheiped for the second falt clooged & for the third falt extrudet out of the Schooll till they amend & find suirty for yr better carriage.

6. that those in the maisters class be accustomed to harring upon some subject prescryved be the Maister to them once in the month at least.

Dundie the twelth day of May 1674

The councill takand to yr Consideration the great abuse that is committed by the poo respesially dealls after the funeralls. Te councill yrfor ordaines that in tyme coming the same be discharged or vyrwayes to be banished & the same to be Intimat tis day bby the drum.

Att Dundie the twentie sext of May 1674

The Councill hes ordained ane tre to be writt to the Chancellor requesting his Los of the frequent meeting of Conventicles wtin the burgh & to send one of yr number yrwt.

Dundie the threttie day of June 1674

The Councill takand to yr Consideration the great danger the tounne may incurre by suffering Conventicles within the burgh. They yrfor ordaines yt the bailzies of each quarter qr any be & to take up ane List of all such as frequent the same at ane Account of yr names to be gevin in to the Councill.

Dundie the thritieon day of Julii 1674

The said day the provest & bailzies Maid Report that according to the Councills appointment the bailzies of each quarter hes given ane list of all those qhom they know are Conventicle keepers And hes Incarserat swa many of them as they can apprehend. And gives them Libertie vpon caut'n a few out of prisone about yr necessary affaires & yrafter to turn back to prisone againe qn the Magistrats sall call them. And seeing the provest with consent of the Councill having givein ane accoumpt of yr diligence to my Lord Chancellor & he having

send no Ans'r. the Councill is to delay the fynning all such until further order. As also ane tre from my Lord Hattoune qch the Councill approve off. And his drawin ane precept upon the The'r seven pund fourteen shilling Scots to be payed to Johne Grahame for his charges in goeing wt the tres.

Dundie the twentie seveinth of July 1674

The Councill finding it nessar to send ane Comissioner to make report of yr diligence anent the keepers of Conventicles wtin this burgh hes Nominat & Comissionat the bailzie George Forrester to goe to Ed'r for yt effect. As also Impowers him to tak back with him Sir William Sherpe his receipt upon the eque money And to endeavor by advice of the tounes Lawers how this years eque may be obtained.

Att Dundie the fourth day of August 1674

The qch day George Forrester maid Report that at his last being at Ed'r according to the commission givine to him & declaired that he delivered the tres sent to the Lord Chancellor & Flattoune anent the Conventicles ych wer remitted to ane Committee. He declaired that concerning the tounes eque he had left the soume wt Sir William Sharpe receipts wt Comiss'r Thomsons as also that he had agreed wt Rot. Mein to furnish the public gazettes & news tres to ye toun weekly for the qch he had agreed with Gilbert Fyff mer't in Ed'r for twa hundred punds Scots & payed the same to him for the qch he had discharged the toun & gave ane Assig natione to Ja. Tailzivor hand qch wer put up in the chist. The councell approves his deportme't yrin & sub't ane precept vpon the Th'r for twentie fyfe punds for his expenss.

Dundie the first day of Apryll 1674

The said day Patrick Smyth litster being cited to compeer befor the Councill compeired And it being demandit at him why he traidit as ane Litster wtin this brut and nor admit himself alledging his father was ane burges before him. The Councill considering that it was not the custome of this place that any extranian sould haive any privilege bot to on of his sones. And that they had admitted ane other of his fathers sones burges before so he had no right *Jura paterni* thairfore the council ordines the said Patrick Smyth to remayne in ward whill he sould mack payment to the thesaurer of his burgeschip.

Dundie the tuentie sevint day of Apryll 1675

The said day thair being ane Petition givin in be the Deacone of the glovers Desyring to hav so much ground at the eist port as would presr've thair laither. Quich the council did grant to the petitioner in name of the sd craft, they paying to the thesaurer sex shilling eight pennies zeirlie.

The Councill appoyntis that from hence furth no Deacone of no traid whatsoever sall fyne any persone for supplicating the Councill in any caice they have occasione for vnder the penaltie of fourtie pounds Scots. To be exacted from the contraveiners toties quoties. And vpliftit be the thesaurer.

Dundie the tuentie fyft day of Maii 1675

The said day the council haive receavit ane petitione from severall of the Mariners and seamen concerning the alteratione of the harbour of this brut. The council consedreid the said petitione and after serious consideratione yairof, They thought fitt the haild gildrie be convened for givine thair advice als well as the seamen.

Dundie 20 July 1675

The said day the council hes givin libertie to Alexander Duncane elder to build up sex foot of ane house nixt to the gait of his duelling house at the woult head he paying zeirlie to the towne thrie shilling four pennies of ground annul beginning the first zeiris payme't yrof at witsonday 1676. and furth zeirlie thairefter.

14 Sepr 1675

The said day the dean of gild in name of the hail gild brethren within this brut presentit to the council ane petitione from them desiring that any who sauld happen to marye ane burges and Merchands dochter to be ane frie burges, as also desire that the coalles should be sold aither by veight or measure. The council is to advyse themselffs with this petition and give yr ans'r thairupon.

The council and gild court ordeans that from hencefurth no petitione be red in council or gild court Bot thes that ar writtin in the clerks chamber. The poor exempt of payment and the pryce of everie petitione ten shilling Scots.

Dundie the Eleventh day of Decr 1675

The council hes nominat and appoyntit James Man present thesaurer of this brut to be the commissioner to goe to Edinbu't and to give in a supplica'ne in the Lordis of his Ma'tie from council for ane comisoine direct to ye Magistrats of this brut for calling of ane assyse and to Judge the persones of David and (*blank*) Drummondis attached with thift within this brut as stealers thiftiouslie of ane great number of schiep from James Crystie of Balbewchlie whairof thrie wes found with yame as fang. And the said Councill hes sent alongs with him for informa'ne of Advocatis King Charles the first his Chartor wherein the provest is Shriff prin'll within the brut and territorie thairof and the bailzies his depittis, with ane Act of parliam'it ratifying and approving the samen. And what expenss the said Comissioners to be at in this respect. The same to be allowit to him in the first end of his Accomptis.

Dundie the last day of December 1675

James Man mad his report that he as Comissioner for the town p'ntit the petitione to ther Lordis of his Majesties privi councill for trying, Judging and sentencing of David and (*blank*) Drummonds thieves Lying in prissone for stealing of James Chrystiee of Balbeuchlies shiep. And which petition my Lord Hattoune stopit pretending right as Constable of Dundie to be Judges of thoss thieves. And the Lord president was appoynted to sie evidens right And to report to the council the next councill day. The Councill approved sd report and allowed him for his expenss and money debursd be his for consultations to advocats ane hundredth and eleven poundis sevintene shilling eight pennies.

The Councill hes nominat The Brugh Bailzie Craufurd and James Man to be commissioners to go to Ed'r and indevor to get a Comissione from the Lords of privie councill for Judging the saidis thieves and to attend to any other affairs belonging to the towne, and to tak alonges James Moncreiffs receipt of the excyse for May, Junii and Julay last and gitt Sir William Sharp his Ma'ties casch keeper his dischaigr thairupon.

Dundie the Seventein day of January 1676

The sd day the Provost made report that wheras he, bailzie Carufurd and the thesaurer had been at Ed'r and did consult with thair advocates conserning the thieves in prissone which was attached within this Brugh and found it prejudiciall to the Liberties of the sd brugh to requyr ane Comissione they being Sherffs within themselves. Thairfor they did tak up the petitione formerlie give in of the samen.

Dundie the tuentie ane February 1670

The said day the Provost made report from Ed'r of all that was done and produced all the papers he haid to Ed'r with him concerning the towne and the constable which wes put up in the towns press except onlie the towne Charter granted be King Charles the first in Anno 1641 had the sasine following thiarupon. And the ratificatione of the samen in King Charles the second his parliament which three particular wretts wes in Mr Patrick Lyone our advocate his hands. And made report as follows viz: the four petitiones drawn up and given to the Lordis of his Ma'ties privie Councill the first of them given in be James Man thesaurer commissioner from the town craveing ane comissione to have done Justice upon the tua thieves attached within this brugh and Imprisoned, as being proffes within themselves. The Lords of privie counsel be thair act daited the Sexteine day of December 1675 appoynted the

Lord thesaurer deupt to sie the saids petitione and to ans'r the samen againe the Councill day which petitione being taken up he reasoned after consultatione and the said provost his first coming to Ed'r it was not thought necessary to require a Conclusion. But that the provost and bailzies of Dundie might administer Justice upon malifactors as proffes within them selves at any tyme without a petitione. The council be a verball order ordained the forsaid first petition to be reproduced In obedience yrto allenarlie.

The provest did produce it And gave in ane petitione on the bak thairto Declairing that they did not insist for any ans'r yr unto neither wold we make any further use yrof In regaird (*word missing*) after advysing of our rights we fand ourselffes sufficientlie Impowered to doe Justice upon the persons aprehendit fore the theft mentionat in the said bill without a commission. And yrupon he gave in a bill the last councill day to the which bill he did adhaire. He gave in ane other petitione to the saidis Lords to dispence with and recall the forsaid ordinance made in absence And to inpute the taking up or not reoproducing the forsaid petitione to any contempt of thair autoritie. But the trow ground wad after mature deliberatione and advice of Lawiers finding that we haid right as Stresses within our selves without any Comission to trye theives and other malefactors And to do Justice upon them aither be death, banishment, whippings and burnings according to the merit of the cryme. And that conforme to oure right we heave been in constant use and custom do to doe without being quaruled be any did take up over said petitione that nothing forder might follow thairupon being Maistors over custodie judging it arbitrarie to us to insist or nott. And of the Lord thesaurer deput or any other persones pretend interest that we should be readie to anser and to vindicate and cleir both our right and possessione before thee Judge ordinar when ever we sall be called for that effect. And the said Lord Thesaurar deput geave in ane other petitione that same tyme formarlie given in creaving a commissionne to Judge the saidis thieves which he alledged was abstracted. The Magistrats not giving obedience to the Counsels order deferring the councill might consider ovr desobediace and tak such course thairanent as they sould think fitt. The saidis Lordis of prive Councill be deliverance of the said Charles Maitland of Haltone Lord thesaurer depute his petitione given in be the toune dud upon the second day of januarii 1674 ordein ane of the Measers of Councill and exchaq'r to requyre and comand any of the Magistrats of our town of Dundie who wer present at Ed'r to produce befor the councill against that day eight dayes the petitione formerlie given in be us relating to the forsd affaire as we sould be ansrable at ovr heighest perell. As also to produce any writts wheruppon we found ovr alegances in ovr bill. And in the mean tyme to discharge the saidis Magistratis of Dundie to proceed against those persones Imprisonet in the tolbuith for crymes vntill the council should tak the said mater into thair farder consideratione And give furder order thairanent. And for that effect be veertew of the said act and ordinance Johne Hendersone measer to his Matties prive Councill against Thursday the twentie seventh day of januarii 1776, the forsaid petitione and dischaarge was in maner forsaid.

And the third petitione being presented to the provest – Secondlie In obedience to the forsaid Act and ordainances didreproduce the said petitione still depending that they did not insist yrin And for satisfacione to thair Lordships produce thair rights. And at thair apeirance they did declair thair was no process yrin they wer persuars or defenders which could obleidge them to debait aither as to thair right and possession onlie for informatione they represented the qualatie and nature of thair past and without dipping upon the point of right which they could nott fall upon in regaird they had not seine in title of the thesaurer deuptes right, and seeing the Lordis of his ma'ies prive Councill be thair act daitit the tuentie seventh of januarii 1676 heaving considered the petitione of the Magistrates of Dundie and the Ans'ris made thairto be the Lord thesaurer deuptt and heaving hard pairties and pr'ones upon the point of right of the criminall Jurisdictione Ba't pairtiess heaving produce thair wrattes for instructing thair right thairto. And lykwayes heaving hard both upon the poynt of possessione the Lord thesaurer depict heaving offered to prove his possessione and his authors in keeping Constable Courts yearlie in the Castlehill of Dundie the Lords admitted the same to his probatione be witness and other documents which might instruct the samen. And assigned the tenth of February for that effect but always under protestatione that we doe not ansir in a process and are nott holden to debat our right and possessione and nott to be the ground of ane sentance which can nott preced go on ane process. And thairfore geave in severall considerations contained in the third act.

And the fourth petitione pretended craveing that at the tyme of the advising of ane probatione adduced be the Lord thesaurer depute anent his possessione of criminall Jurisdictione be vertew of his right of Contablrie and befor any sentance thairupon That ovr process night be hard with a renewing of our desire. And sall creaving the samen. And that

they wold be plesit to consider the informatione yrwith given in which we hopped could not be denied being so just and reasonable. And wherin our burgh is so highlie concerned. The lords of previe Counceell decerned the Magistratis of this burgh to delyver to the Constable or his deputes the persones of David and Johne Drumondis incarcerat within out tolbuith for theft to be tried and punished be him or his deputes. And lykwayes he produced ane accompt of his debursmentis which did amount to thrie hundredth and eleven poundis ten shillingis Scotos for the qch yr was ane precept instantlie drawn upon the thesaurer. And the Councill rendereth the said George Brown provost heartie thankis for his cair paines and diligence.

Dundie the twentie tua day of March 1676

The said day the provest reciaivit ane charge of horning at the instance of Charles Matiland of Haltoun Lord thesaurer depute (*water damage one word missing*) constable of Dundie commanding the Magistrats to delyver to himm the persones of David and Johne Drumondis thieves and James Nicoll receptor to be Judged be him and his depute In obedience to the which charge and the Lordis of his Majesties privie counsel yr decreet. The counsel caused bring the persones of the said James Nicoll and reallie offered him to Andro Ffyff messr (*water damage one word missing*) because he nor no other representing the samen Lord thesaurer deputt compeirit to accept for the said offer thairfor the said James Nicoll was recomittit to prissone. And ane Instrument wes red to the said Andro Ffyffe Mess'r' how in what maner the tua thieves brook the thieves hall and escaped and what diligent enquirie wes maid efter thame. The council comissionat the provost to goe p'ntlie to the Chancelo'r and other members of the privie counsel to Ed'r or any other plaice he pleases to sie how the said charge of horneing can be evited or sussespendit or tack such course yrwith as he thinks best. And hes ordered the thesaurer to give him ane hundredth pounds to bear his expenss and to comt at his returne And ane precept drawin on the thesaurer to pay the samen.

The provest produced anr sumondes of declarator at the instance of the said Lord Thesaurer deputt as constable againes the towne of Dundie. Againe the first day of Junii. The councill ordered the provest to rease the lyk declarator againes him and the press and all wthers for the criminall Jurisdictione within the brut That the towne may have joint probane in the actione of Declarator.

Dundie 5 May 1676

As also for ane sunondis of propertie & Declarator of propertie of the said Magdalen Zaird and of exhibitione of all writtis and records belonging to the towne. The suspension wes intimate to the Laird of Blacknes And the Magistrats cause ane Mess'r give him ane charge of Lawborrowes, all which the Councill approve.

The council hes ordered Alexr Kirkcaldie and Geirge FAirney bailzies, James Lowson, collector and Johne Ridger hospital M'r to make ane legall interuptione agains Blacknes nad his tenantie of thair pasturing on the Magdalen Zaird. And to mak report of thair diligence the nixt council day.

Dundie 9 May 1676

This day Bailzie Kirkcaldie, Bailzie Hairney and James Lowson collector of the tradis maid report that according to the cpouncillis former Act They vent to eh Magdalen Zaird wpon the fuft day of May instant And maid ane legall interuption againes the Laird Blacknes be calling off his tenants goodis thairfrae. And that they maid intima'ne of the said interuptione to Blacknes presonallie whair upone they took instruments in the handes of Plmo'r notar.

Dundie the Ellevinth Day of Maii 1676

This day james Wedderburn clerk Declared in feace of council that he is willing to have the hospital and poor of the toune (*water damage one word missing*) for any sasines or uther wreitts that (*water damage one word missing*) his hand gratis quich the Councill appoyntit to be recordit.

The Provest maid ane overto'r to the councell that all decreits and sentances (*water damage one word missing*) in court be the bailzies in tyme comeing may be market be the Judge.

Dundie the 5 Junii 1676

The collect'r in name of the haill tradis of this brut represented the condition of the harborie of this brut. That the samen is filled up and that they wold have the harborie as it was beofi. The Councill hes appoyntit that the shoirm'r p'ntlie goe about the doeing yrof.

Dundie the tuentie day of Junii 1676

The Council ratifies and approves all former actis maid anent the regulating of the harborie in making of the samen as formerlie, with this addition. That the shoirm'r goe p'ntlie about the doeing thairof. That the samen be putt up in stone according to the old track thairof. And appoyntes bailzie Crawford and James Man thesaurer to be oversiers of the samen and to hold the schoirm'r to his dowtie in doing yrof and putting this act to executione.

The provest maid report that according to a comissione given him the last Councill day he went to Ed'r., and thair treated with the Lord Thesaurer deputt in the townes affaires. And that he was kyndlie interteined be the said Thesaurer deputt. And that he promised that all differences betwixt the towne and him sould be took away freindlie without any forder difference in law. And that when occasionne sould be haid of Advocatis on either syd to meitt yron.

The provest productit overtours of agreement betwixt Blacknes and the towne anent the Magdalen Zaird. And the overtours of agreement betwixt Craigie and the towne anent the Roodzairds Quarrieholls, and the Muir of Craigie and Oliphers croft (which is vncontraverted). The council takis the saidis overtours to yair farder consideratione. And to give ans'rs thairto the next Councill day.

The provest at his comeing to Ed'r fand ane persuit befor the Comiss'rs of Ed'r intentit and depending at the instance of Mr James Barklay, Mr James Kynneres and Mr Johne Ramsay againes certaine number of persones of the kirk Sessione of this brut alledging that they wer scandalized in calling them before the session for their abominable drunknes and irregular converstione in passing after ellevin o'clock to St Francis well and abusing foure vmen yr walking cloathes (*damaged paper two words missing*) found this action to infringe the (*damaged paper two words missing*) power and au'tie to punish such transgressors – he employed twa pr'ors (*damaged paper two words missing*) of the said Comissioners to defend the said (*damaged paper one word missing*) for all which the Councill renderd the provest thanks for his cair and diligence heirin. And hes allowit his compt of disbursmentis of ane hundredth threttie nyne ounds four shilling eight pennies. And (*damaged paper two words missing*) the thesaurer to pay him Nyntein pounds four shilling eight pennies which with ten pound Sterl delivered to him for defraying of his chairges at his away goeing macks up his compt of Debursmentis. And for payment of the said soume of 19 lib 4 sh 8 d thair is a precept drawin on the thesaurer.

Dundie the tuentie nynt day of Junii 1676

The council appoyntes the shoirm'r notwithstanding of the former act in causing tack doune the bulwarks. Bot also to cause the boats tack away the durt out of the harborie. And declares that this Act be not prejudiciall to the former Act whereof extracts wer given to thos concerned.

Dundie 19th Septemb. 1676

The Council unanimouslie hes considerate that the Lord Thesaurer deputt as Constabell hes takin instrumentis upon his new gift and he novo damus granted be his Ma'tie Against the toune at the croce in the most periel and (*damaged paper one word missing*) just this day at ellewin hor's when the Magistrats and Councill of this brut that representes the samen wer sitting in ther council house. And no notice was given to them nor any of them.

Thairfor they have protest that the provest Bailzies and Councill so conveyed goe p'ntlie to the croce with ane publict notar And mak ane publict protest againes any instrumentis tackin be the Lord thesaurer deput that any way can derogatt or tack away any right or priviledge the towne of Dundie hes grantit to ym be kings and Queines of Scottland of ower blessed memorie and ratified in parliament.

24 October 1676

The said day the provest maid report yt he with the bailzies and hospital mr haid settled & closed with the Laird of Craigie and the representatives of the deceist William Kyd of Woodhill and haid sett in feu Olivers Croft, the Ruid yeards and curroll hols for payment zeirlie of Tuentie five pound sex shilling eight pennies Scotis with severall conditions contened in the agriement maid yranent. As also that the town of Dundie and inhabitantis thereof hes libertie to keep a fair at the first Tuesday of Julii and dayes limited yrto upon the common mure of Craigie. As also for libertie to the inhabitantis of the sd brugh (*several words missing due to water damage*) of the sd mure As much as (*several words missing due to water damage*) own uses with libertie also (*several words missing due to water damage*) yr tyme of sicknes if it (*several words missing due to water damage*) god forbid) the Town of Dundie (*two words missing due to water damage*) zeirlie to them six shilling eight pennies (*two words missing due to water damage*) feu which the councill did approve.

Dundie the Tuentie day of Novr 1676

The said day the provest made report that according to the Comissione to him balzie Bower and Henrie Craufurd that balzie Bower did not goe to Ed'f with them in respect of his urgent affairs. And that they and Johne Scott went over the last weik and spak with the Lord thesaurer deput in relation to ane agreement betwixt the town and him but could not condischend with him. Thairfor hey caused yr Advocats draw up ane bill of suspeensione against the charge of horning given to the old Magistratss for delyverie up of the thieves to be adjudged be the Lord thesaurer deput and his deputs as Constables of this brugh upon severall good reasons which is not past but delayed till the nixt Councill day. And whill the said Councill day the Lord thesaurer depute was not to denounce the last zeirs council to the horne. And as to the Laborrows they caused draw ane other bill of suspensione to be presented to the Lords of his Ma'ties privie councill wherin they heave (*one word missing due to water damage*) Robert Earle of Southesque cau'r (*one word missing due to water damage*) provest bailzies and counsell yr (*two words missing due to water damage*) tenents and nott for the (*one word missing due to water damage*) of the towne. Thairfor the provost (*one word missing due to water damage*) the haill counsell of this brugh to subscrive ane bond of relief to the said Robert Earle of Southesque which accordingly was done. And suchlyk made report that he had consulted the sumondis given to the towne at the instance of the said Lord thesaurer deput To compeir before his Ma'ties privie councill the tuentie third day of this instant, which consultatione wass rea in feace of the Councill. As also produced a Letter from James Rothead Clerk ti the burrows showing that yr is ane conventione of burrows to be holden at Ed'r the second tesday of Decemb., instant to advyse and consult anent the taking off of the five resous of the toune of Scots shipes in france.

The Councill unamouslie condischends to the mantinence of the Towns rights and liberties of Criminall Jurisdictione alsweill to Lith and Limb as to blood and batterie sua long as the Lawis of this kingdome wwill allow.

Dundie the Tuentie sext day of Decemb 1676

This day thair was read in the counsell My Lord Chanslor his Letter to the Magistrats of the brugh which (*several words missing due to water damage*) and decreit of the Lordis (*several words missing due to water damage*) privie Counsell dischairgeing (*several words missing due to water damage*) Ferny from any publict Imp(*several words missing due to water damage*) this brugh during the Counsellis (*two words missing due to water damage*) pleasure. And heaving appointed (*two words missing due to water damage*) Tuentie eight day of this instant (*hree words missing due to water damage*) the plice of the sd Geo Broune (*two words missing due to water damage*) plice of the sd Alexr Kirkaldie (*two*

words missing due to water damage) uther in place of the *(three words missing due to water damage)*.

And this being the tuisday *(three words missing due to water damage)*iding the sd Tuentie eight day of this instant The Counsell in obedience to the former order hes procdiit to their leiting for making up and hes leited tuo for the provest viz. Alexr Wedderburne of Easter pourie and William Guthrie, and for the dean of gild office Johne Scott and Henrie Craufurd wer leited. And for ane counselar John Man and James Alison wer leited. And for making the Counsell to be ane cpmpleit number for the prosedor in the electione upon the Thursday nixt they heave appointed Thomas Watsone and Alexr Duncane to heave the lait provest his tua voices and the vott of the deceist William Raitt appointed Johne Colvine and for the voice of the lait dean of gild hes appointed Tho. Bower and for the voice of the sd Geo. Herny his appointed Johne Scrymsour.

Dundie the Twentie third day of January 1677

The council appoints balzie Watsone the *(much of the rest of this record is damaged by water)*

Dundie the 1st day of March 1677

The said day the council taking to yr consideratione not onlie the many former actis maid for repairing of the harbour and rebuilding of bulwarks yrof. But lykwayes the report made by the provest and balzies after conveying of the whoill Seamen of the toun and creaving thair advyce for the best way for amending of the samed who all unanimously declaired to the best of thair knowledge if the harbour stood in the condition that it is noow in it wold become altogidder uslies to be ane harbour wherfor the councill does unanimously give pouer to the p'nt Magistrats that the onlie way wer to build them ag't as they wer formerly in old tyme. And the Shorem'r wt the advice of such as please them to call to goe about the repairing of the harbour and rebuilding of the bulwarks yrof co'forme to the old draught. And lykwyse to agrie with Measones and uther persones fitting for the preftyng yrof as we might doe our selves if we personalie present. And Lykwayes ordainis the Clerk to sub'e the same.

Dundie the sixt day of March 1677 *(much of the rest of this record is damaged by water)*

Dundie 17 Apryll 1677

The Counsell hes nominat and appoyntit the present bailzies to call befor them the Laird of Drybrugh David Yeaman elder, Wm Brugh, Andro Nicoll, Robert Hill, Robert Crystie, Andron Lamb, and ym to receive yr oathes and dispositions yt they know what interest the toun of Dundie hes to the Magdalen Yeard or ye Laird of *(several words missing due to water damage)* to the samin conforme to the *(three words missing due to water damage)* be drawn be Mr *(several words missing due to water damage)* pretendit by the Counsell to *(three words missing due to water damage)* report to the Counsell againe the nixt Counsell day wt power to the saids bailzies to treat and commone wt Blaknes and his advocate anent what setlememnt can be made for ye sd Magdalen Yeard betwixt them & him.

31 Apryll 1677

The counsel having considered the Magistrats report anent the depositiones of the witness conforme to the interrogators drawn be Mr Patrick Lyon the Towns advocate. And the same being read in presence of the Counsell they thought fit (seing Mr David Dunmire who is advocate for Blacknes is in town) that the same might be advysit be both yr advocates. And they after serious considerations yr upon thought fit yr be ane Comissionne gotten from the Lords be consent of both pairties for examining witness anent the possssione of the Magdalen Yeard. And ye report of ye witness depositiones to be returned to the Lords of Sessione who are to cognosee upon the same depositiones.

Dundie the 15 of May 1677

The said day James Wedderburn commone clark of the brut maid ane (*two words missing due to water damage*) ag't Thomas Andersone (*several words missing due to water damage*) that qr the said Thomas Andersone (*three words missing due to water damage*) the Magistrats at the Court (*three words missing due to water damage*) Munday judicialie out of baise & (*one word missing due to water damage*) speeches ag't the clark and his predecessors and saying yt they had maid (*several words missing due to water damage*) Instruments without any ground (*several words missing due to water damage*) therby taking away the clark and his predecessors good name. And yrfor (*two words missing due to water damage*) be punished in his persone & goods (*part word missing due to water damage*)ing to the will and pleasor of the counsel. And the said Thomas Anderson being conveyned before them and accused upon his rash baise & approbious speech he could not deny the samen qch would have been maid out be the Magistrates & oyr members of Court. Therfor the councell unlawed and americiat the said Thos. Andersone in ane unlaw of ane hundreth Marks Scots and to remayne within the tolbuith till payt therof And yrafter to compeer judicialie befor the Magistrats of this burgh In ane ourt to be holden be them, and in p'nce of the heall emembers of Court and uyr persones present to sit down upon his knees and acknowledge his transgression and creave pardone foe the same and pormeis never to doe the lyk herafter or els to stay in prissone till he doe the same.

Dundie 24 July 1677 zeirs

The said day the Provest and John Scrymsour bailzie did mak report anent the commissione given to them be the Counsell for attending My Lord thes'r dept his declarator of his gift from the king and his alledged priviledges over the brugh (qch was then inrolled to be discussed) They declaired that yr arryvall at Ed'r they did Immediately goe to my Lord and presendit the wholl counsel yr respects to him qch was verie kyndlie received. And after diverse applications to him not to insist in his Declarator at that tyme he was pleased to give us assurance that he would doe no mor in it theis sessione But bring it in to the Inner house to be discussed against the first of November. Again qch tym of ther could overtures be maid he would be verie willing to common thereupon. After that Sir William 'Sharp did propose to the provest that he had assurance from my Lord thes'r dept to mak an offer to the town that he would sell them his wholl interest of Dudhop with his whole priviledges and supercorder lykwys his lands of Benvie and Baludrie - upon the qch overtour the Counsell after serious considerations of how advantageous and proper the Bargand might be up to the town. The unanimously declair yr willingness to bargon for the Wholl land of Dudhop and the lands lying in the paroches of Dundee wt (*two words missing due to water damage*) priviledges and supercorder and (*one word missing due to water damage*) to the matter of (*four words missing due to water damage*) paid at due reasonable rait effeirs the qch particulars the Counsell does (*three words missing due to water damage*) the provest and the bailzies to (*two words missing due to water damage*) commence wit My Lord anent the frsd bargon and to report befor they (*two words missing due to water damage*) upon any thing.

24 July 1677

The said day Thomas Watsone, Alexr Duncane and Thomas Bower bailzies maid report to the Counsell that they having in yr name desired from Patrick Kyd of Craigie a libertie for winning stons in the haugh of Craigie for repairing of the harbour. The said Laird of Craigie doe verie frilie condescend that the town sould have libertie for winning and taking of so manie stons out of his heugh as was request for the present reparation of the harbour, providing always they doe not braik his grase or ground. The wholl counsel acknowledging this as ane great favor seing yrfor he might have gained ane great deall of Money from the town hes ordained the sds bailzies to thank the sd laird of Craigie for his favor and this his kyndnes to stand in record in our Counsell books that the same may be ever thankfullie remembered by us and our successors to the sd Laird of Craigie and his representatives at all occasions.

Dundie 5 September 1677

Ther was ane petition given in be Mr James Quatsone doctor of medicine desiring that ther might be a reformance of medecins both as to doctors pharmacians and chirurgians Inhabitants of this burgh. And that our publict auhoritie may be interponed therto,

quhairunto ther is added thrie articles for doctors' sub't by the sd Mr James Watson, Mr Thomas Forbes and Mr Alexander Arbuthnot thrie doctors. And be Mr Henrie Scrymsor parson Mr William Rait and Mr John Guthrie Ministers of ye gospel of this brugh. And be Robert Straten apothecarie, Thomas Willkie chirurgian apothecarie. And for regulating of pharमतians and chirurgions. Ther was ten articles drawn up be them and sub't be ye sds thrie doctors & thrie chirurgians and apothecaries. And the samen being publictlye read in face of Counsell, They all in on voce ratified and approved the samen. And ordaines the samen to tak effect And by put to dew execution conform to the tenor yrof. And gives heartie thankis to the saids doctors, pharमतians and chirurgians for ther speciall cair they have of the sick and diseased persones (*six lines missing due to water damage*)

Dundie 17 of Septemb 1677

The Councill appoints Henrie Crawford on of ther number to goe to fowles and tak alongs wt him the Lords of his Ma'ties Counsel and Session ther Commissione direct to Sir William Murray of Ochertyre and let him sie the samen and inveit the said Sir William Murray to keep the dyets conteined in the sd Commission for examining the witness of the debait betwixt the Town and Blacknes anent the Magdalem yaird.

Dundie the Threttie day of October 1677

The said day ane Discharge was Subscryved be the Counsell to My Lord Thesaurer dep't of that fine which was gifted be his Ma'tie for contributing the reparation of ower harb'r and they find after perusal of James Lyon his accompt. That onlie as yet been payed of the sd sowmes be ther (*one word missing due to water damage*) for the use of the bulwarkis thrie thousand and ane hundredth markis And that the remainder of the said sowme which is ane thousand and myne hundredth markis was impolyed to the Counsell thair ordo'r for that debt which was due be them to James Man laitt thesaurer. And thairfor ordains the forsd Ane thousand and nyne hundretyh marks to be payed for the use of the bulwarkis as they sall stand in need out of the first and reediest of the aceyse now compted for ... Precept upon Andron Wardroper to pay to Mr James Brisbon Advocat appointed for the towne fortie pounds Scots as ane years sellarie and with sex pound threttin shilling four pennies to his s'rvant.

Dundie 24 November 1677

The Councill appoyntiss the Shoirm'r to put up stoups for holding carts off the peadment of the choir.

Dundie 27 November 1677

The said day the Council being fully conveyned wtin the Council hous. And it being proposed to them anent that affair which is betwixt my Lord Haltoun and the town whither to insist or not and efter the samen being putt to voit they all unanimouslye did condescend that the rightis and libertie of this brut to defendit againes the sd Lord Haltoun.

The said day the council appoyntes the dean of gild to call ane gild court for to know yair oppinione (*most of three lines missing due to water damage*)

And lykwayes appoyntes the (*two words missing due to water damage*) call ane court of the haill traides of the brut for yair opimione and consent for the foir'd affaire.

The council appoyntes the Drummer to goe throw the Towne to inveit any (*two words missing due to water damage*) willinglye s'rve as townes officers (*two words missing due to water damage*) compeer to the Magistratis. They will (*two words missing due to water damage*) ym And they sall have good conditiones for yr sr'vice according to custome.

Dundie the 22 day of Decemb 1677

The Councill ordiane ane proclamatione to be sent throw the towne discharging any Inhabitants hershyver within this brugh to hyre any hors to travel upon the Lords day except thair be speciall order given be the Magistrats.

Dundie the 1 day of January 1678

The said day the provest produced ane Letter which was sent be Sir William Sharp to James Lyon creaving back the five Thousand markes which was given be his Ma'tie to this brugh for helping the reparatione of ower harbour, and the counsell finding the caice to be verrie hard seing the precept drawn be Sir William Sharp ar so cleir of themselves they who (*two words missing due to water damage*) thair be ane of thair number send over to Ed'r to advyse with owr Advocats how the town's cariag sall be heirin.

And thairfor appoyntis the dean of gild to attend the same and to mak report at his returne. As also thair is delyvered to the dean of gild Sir William Sharp his letter to James Lyon daitit the Twentie tua day of Decemb 1677 and precept daited the 18 day of July 1677 and tres to the provest to Sir William Sharp daitit the 20 of August 1677.

Dundie the Tuelff day of Jany 1678

The said Johne Scrymsour dean of gild being apoynted to go to Ed'r made report that after his aryvall thair he went to Sir Robert Sinklar and thair did show him that Sir William Sharp hes bein requiring back the fyffe thousand markis which was gifted be his Ma'tie to this brugh for helping the reparatione of our harbour and thairafter the dean of gild did produce to him Sir William Sharp his tre to James Lyone and the sd Sir Robert reading them and finding them so order that the towne may verrie saiflie keip it.

And Lykwayes the dean of gild did produce Sir Robert his consultatione anent the said affair which was read.

Dindie the 7 day of February 1678

The said day the dean of gild, Thomas Watstone, Alexander Duncane and Thomas Bower lait bailzies being appointed by the Counsell the last counsel day to (*two words missing due to water damage*) Blacknes anent the Magdalen yaird they have made report that after (*one word missing due to water damage*) with him anent the said affair that the propertie of the Magdalen yaird be de(*part word missing die to water damage*) to belong to the towne, and the pasturing to belong to Blacknes with ane libertie to debar all uthers. And with ane priviledge for bearing of Coulls, lymes, stones, sand, sea syd, throw the sd Magdalen Yaird. As also a libertie to cast feull nott exceeding four foot beneath the dyck which stands within the March Stonis for upholding of the said dyck allerlie and for no uther use.

Dundee the 21 day of February 1678

The said day the provest produced ane Letter from Mr James Brisbeane showing that my Lord Haltons declarator against the town is inrolled and called. And desynged that the Councell wold sent tuo of thair number fullie instructed and warranded (be) the Councell to defend that cause for the townes Advocats wold nott compeer with the cause till they haid the town's warrand. To the which the Councell takand to thair consideratione they did mak choise of the provest and the dean of gild to whome the councell does give full power not onlie to defend my Lord Haltoun in his declarator but also to insist and goe on in the town's declarator be the advyse of Lawiers whatever the cost yrof may be. And lykwayes the Counsell takand to thair consideratione ane tre produced be the provest from Mr Lyone anent the declarator about the Magdalen yaird the councell Impowers the provost and the dean of gild to setle be advice of Mr Lyone.

Dundie the 7 of March 1678

The councell having gottin Advertisment from Mr James Brisban, that notwithstanding that the toun was charged to compeer the fyftein day of March they wer decerned upon the eight day at the Instance of Sir William Sharpe be the Lords of Exchequar for refounding back againe that five thousand merks qch was gifted be the King for the reparation of our bullworks, or els to subscrave such ane discharge to my Lord Hattoun as he shall think fitt qch discharge the toun did advyse with yr Lawers who advised them not to doe it on thoss termes qch if they did it wold tend verrie much to the prejudice of the toun's priviledges. Q'r upon the councell thought fitt to send over twa of yr number to defend the sd action be the advice of the best Lawers. And for yt effect made choise of John Man present

bailzie and Thomas Bower lait bailzie (*two words missing due to water damage*) be delivered to them twa precepts of (*two words missing due to water damage*) six monthes excyse preceeding the first of Agust 1677 yeares and ane dioscharge from the sd Sir Wm (*two words missing due to water damage*) Lyon for the monthes of September October & November in the forsd year.

Dundie 21 of March 1678

The sd day thair being ane tre produced be the provest from Mr Andrew Burnet of Warristone that Mr Geddie (of the Ingleish Gentlemans Trustie) was come to Ed'r with power for such priviledges & Jurisdiction that belonged to the constable of Dundie or qt els they think fit to buy qch the Ingleish gentleman will be most willing so far as he can goe along with, and desired that the councell wold send over yr Comissioners fullie instructed for yt effect. To the qch the councell did unanimoslie agree to send over Comissioners for yt effect. And did p'ntlie nominat & choice Alexr. Wedderburne of Easter powrie provest John Scrymsour dean of gild & Thomas Bower lait bailzie to whom they have given full power to setle and agree with John Geddies or any having power from Sir Frances Holleis Knight and (*one word missing due to Water damage*) of England or with Charles (*five words missing due to Water damage*) The'r deput of this kingdom (*one word missing due to Water damage*) which any vyr persone having right or interest anent the buying for them or any of them for the use & (*one word missing due to Water damage*) of this burgh. The constabularie of the samen with the Jurisdiction priviledges and casualities yr unto belonging to. And the superiorities of the Houff within burgh belonging to the constable. And the Castelhill. And the Rottonraw wt his priviledges yr. And of the patronage of the church of the Chaplinary and altaradges within burgh. And superioritie of the Mill of Baldovan. And the passing of the water of Tay on both syds. And qt els you think may be usefull & proffitabill for the wiell of this burgh for pay't of qt soumes of money to obleidge the sd burgh for payme't yrof as sall be condechendit on. To be payed to the foirsd persones or any of them as the pryce & vallow of the premises. And to become obleidgit for the common wealthe of the samen. And generallie to doe all and everie thing that we could doe our selves if we wer present for putting ane finall conclusion to the bargane. And we bind and obleidge us & our successors to hold firm & stable qt evir the foirsds persons our Comissioners sall doe in the premises. And to warrand & relieve them of all obledgments they sall become obleidged for the premises.

Dundie the 3 Day of January 1679

The said day S(*part of one word missing due to Water damage*) bailzie (*several words missing due to Water damage*) ane letter from the provest and dean of gild & Tho. Bowar Att Ed'r daited the second day of Apryll Instant (*part of one word missing due to Water damage*)ing the former barganee to be altered which was made with John Geddie bailzie Scote & bailzie Bowar. And that the sd John Geddie shoves them that the Gentleman concerned will not pairt with the hill except the toune will but also the Accres be east of the hill qch they have advyced with yr Lawyer and the yrs opinion was that it will (*two words missing due to Water damage*) satisfactory to the towne to have at yt rait qch they have agreed upon qch is twa thousand & five hundredth Marks per chalder. And the same Letter being put to ane vott of the Councell whether to approve of what they have done allreddie & qt they sall doe anent the sd bargane. And ordains ane tre to be sent to the provest the dean of gild & Thomas Bowar with ane Information of the rental of the East side of the hill & impowers bailzie Scote Bailzie Man & Bailzie Alisone to sub'e the sd letter.

Dundie the 25 January 1679

The sd day the provest Bailzie Scrymsour, Bailzie Bower and Bailie Kinloch efter (*two and a half lines missing due to water damage*) the Toune and the declarator preserved be the Towne against My Lord Haltoune made report that they had ane Meeting with my Lord Haltoune and he did offer the aichers about the hill to be sett in feu to some of the Inhabitants. And if they wold buy them in feu without any service except the feu dewtie. Then My Lord wold grant the Liberties of the Towne for constablrie and haill superiorities of tenants (*one word missing due to Water damage*) this burgh that holds of him, the right of the water, the right of the presenting of the person of Dundie.

Dundie the 29 January 1679

The Councill finding Impossible to effectuat that prepositione which was made at Ed'r be my Lord thesaurer duput and his trystars which was particularlie reported by our Comissioners the last councill day, but does find themselves obleidged to returne ane ans'r accordinglie as it was agreed to, And for that effect hes made choyse of Johne Scott dean of gild and Henry Carufurd lait bailziee to go to Ed'r and to keip the meiting on Munday nixt being the third of February. And they to show how ernest the Magistrats wer with the most considerable burges within the toune who altogidder refused to tak any at (*one word missing due to Water damage*) querfoir (*three lines missing due to Water damage*) a comissione the persons who mett (*two words missing due to Water damage*) thair willingnes to buy all my Lord Haltons privilegiis within the toune.

And lykwayes to buy freilie out yr ground the aickers be eist of the Rottrenraw. And if he will not sell them but be (*one word missing due to Water damage*) of feu. They are to goe alonges within buying yem be few. And if my Lord sall pretend that he connot sell because he will not gitt the doubling of the few dewtie evrie fyftie yearis. And Lykwayes if my Lord will get the privilegiis of the Rotten raw they will lykwayes buy those aickers which did belong to Blacknes and no utherwayes. The management of which they refered to thair own prudence and adyce of thair Lawiers. And if my Lord will not quyt from the Rotten raw then that it may be dischairged from being ane burgh of Barronie.

Dundie the 5 March 1679

The provest having reported the Lord Chanslor his desire for ane horse rease to be holden at the back of the Law of Dundie the second Thursday of May nixt. And that the towne of dundie should mak (*two words missing due to Water damage*) yrto one piece of silver pleat to (*three words missing due to Water damage*) Two hundredth and fourtie pounds silver and the town to pay thrie (*two words missing due to Water damage*) presents yrof and that his los and uther noblemen and gentlemen should pay the uther Byne scoir pounds according to ane List which was produced. The councill did unanimsly acquiesce to the sd desire and ordains ane piece of silver pleat of the forsd vallow be nade readis against the sd tyme. And considering what advantage maay increase ovr Inhabitants by the repaire of noblemen and gentlemen and uthers at that ocausione does ordeine the provest and balzies to (*four words missing due to Water damage*) chancellor for the Overter.

Dundie the 12 March 1679 – conveyed

The provest
Alexr. Duncane &c.
Baxters
Cordiners
Talziors
Bonet Makers
Hamermen
Fleshers
Braboners
Walkers

The said day Johnne Scott and Henrie Craufurd lait balzies maid thair report of thair goeing to Ed'r (*three lines missing due to Water damage*) as ane particular necessary (*three words missing due to Water damage*) to Eight hundredth and seventie pounds 1s 4d quherof they have (*part word missing due to Water damage*)ed fowr hundredth and four scoir pounds. So thair remains to balance Three hundredth and Nyntie pounds 1sh 2d which the councill appoints to be payed to them And this giving them many thankis for thair pains they have when in that affair betwixt the Towne and the Lord Haltoune and qh (*two words missing due to Water damage*) succeeded as the towne is (*two words missing due to Water damage*) the councill finds that they and thair advocates hes taken great pains in that affair. And they have produced ane advice from the Advocats how they sall carie heirafter since the Lord Haltouns decret which was read in council. And the collector and deacons of Craftis all unanimsly band and obleidged them and thair successors to performe in all points the tenor of which advice verbatim follows:

“we the provest balzies Councill Colector and deaconis of Craftis of the brugh of Dundie tacking to thair serious considerations how much thair Magistrats and thair successors will be straitned in (*three lines missing due to Water damage*) and the Lord Thesaurer deput constable of the sd Towne have unanimouslie resolved be the advice of theis Lawer that thair curiage sall be as follows viz: That when they are required by the Constable and his deputs at the (*one word missing due to Water damage*) to delyver the keys of the tolbuith that they declair they dellyver the same in obedience to the Lords of Sessione decreyt and chairges following (*two words missing due to Water damage*) And that they give ane List of ye prisoners aither for crymes or civill debts. And to tak instruments that the prisoners contened in the List are in Jayell. And in caise he or his deputs keep the keyes and do not redelyver the same to the Magistrats to protest that the Towne and Magiustrats may be frie, and the Constable and his deputs may be liable and ansuarable for the sds prisoners during the keiping of the keyes.

2d That that they doe not give up the keyes of the council hous wher the townes records and evidents and armes are keiped.

3d. That even in tyme of first fair they fine and americiat as they have bein in use for any turbulence committed within brugh (*three words missing due to Water damage*) done to them selves.

4th (*two words missing due to Water damage*) battries, troublabces of the brugh (*one word missing due to Water damage*) for crymes they fine and americiat as they have been in use to doe according to our own Acts. And that they banish out of the brugh fine and punish for all crymes (except that as to Capitall) And that als weill in relatione to strangers as ovr own burgess committing crymes within ovr bounds as they have bein in use to doe.

5th That though the Constable and his deputs should presume and Judge for crymes if committed wthin the brugh yet they (*one word missing due to Water damage*) fyne lykwayes for troublance of brugh.

6th That they receive the Constable his prisoners and furnish him assyses when required. And declair the same to be only in obedience to the Lords decreit yr. That when they have attached and are proceeding to Judge if the Constable and his deputs offer to concur That they adjourne the Court and leave him to Judge alone. And Lastlie –

That they fine and Imprison thair burgess and others as formerlie and Imprison for such small crymes as are not uswall to be fyned. And considering That thair carriage in thes particlars is not so cleirly expressed in the sd decreit, but that they may be called and (*three words missing due to Water damage*) same befor the (*two words missing due to Water damage*) or some other Jurisdictione be the sd Constabulary and whill the Lords (*two words missing due to Water damage*) be exponed. The councill thairfoir does unanimouslie enact and bind and obleis them selves and thair successors in thair offices with the Colector and deacons of Craftis and thair successors heir present not onlie to assist and ower all and evrie ane of thair Magistrats that sall be questioned for the dischairge of ther offices in the particlars as forsd. But(*two words missing due to Water damage*) a resound and thankfullie pay to thair (*two words missing due to Water damage*) money and expenss they sall (*one word missing due to Water damage*)thairby. And declair that ane extract of this Act wnder the Clerks hand sall be also obligatory as if ane particular band and obligatione with all solemnities requisite wer sub^t and grantyed be us for that effect. Sic cubscribitur:

A. Wedderburne, Provost

A. Duncan, baillie

Jn. Scrimsour, Bailzie

T. Bower, Baillie

Ro. Kinloch, Baillie

John Scott dene of gild

John Man, Counseller

James Alisone, Kirkmaster

H. Craufurd, Counseller

J. Colvin

Jo. Grahame, Thesaurer

Jon. Scrymsour, harbourmaster

Jo. Duncan, Hospitalmaster

Thomas Mudie (*word missing due to Water damage*)

P. Balnevis, Counseller

Ja. Fletcher. Counseller

Petter Wedderburne, Counseller

Robert Chrystie, Counsular
Alexr. Wythead, Couns'r
James Lausone, Colector
David Tindell, dicken to ye baxters
William Chrystie, deckon to ye Cordiners
James Mitchell, deckon to ye walkeris
Wm. Smith, decon hammerman
(*blank*) decon to ye wessers
John Hog, decon to the bonet makers
Alexr. Whythead, decon to tailzeors

Dundie 27 May 1679

The councell considering the great paynes the pro'r fiscall is at, and for his encouragement in tyme comeing, They appoint the Collector of te fynes to pay to the pro'r fiscall tua shilling of everie pound of the saidis fynes.

Dundie the 5 June 1679

(*two words missing due to Water damage*) considering the troubelos tymes that (*one worde missing due to Water damage*) lyk to come on this kingdome that it is necess'r for this brugh to have ane night guard kepted for defending of this brugh from invasion of enemies. Thairfor they are the next Cpouncell day to nominat Capitans, Liutenents, Ensignes and Serjants in everie quarter and to condishend what number sall be on the sd nightlie gaird.

Dundie the 9 June 1679

(*one word missing due to Water damage*) is appointed be the provest bailzies and Councell of this brught that yr sall ne ane nightlie watch kepted wt'in this brugh. Thairfoir they order all the Inhabitants within the brugh to conveye evrie night at the croce and receive orders from yr severall Capitans after the beating of the drum each night at or befor eight o'clock in the night vnder the paine of fourtie shillings scots money for ilk persone Contravinand toties quoties.

Dundie the 16 Junii 1679

The councell appoints ane generall randevouze to be kepted at the Magdalen Zeard of all fencable men within this brugh betuixt sextie and sexteine to be holden on the thursday nixt the Nynteine day of this moneth at eight o'clock in the morning. These are commanding all fencable men to keip that tyme with sufficient armes and ordains the drums to goe to (*two words missing due to Water damage*) for that effect under the paine of twenty pounds to be payed be the persone absent and contraveins this pnt act.

Dundie the 23 Junii 1679

The Councell hed declared ane proclamatione for ane fair to be holden ath the Mure of Craigie and within this brugh beginand the first Tusday (*five words missing due to Water damage*) to conteinan all that (*three words missing due to Water damage*)sd faire to be custome frie for this yeir allendarlie.

Dundie the 22d June 1680

The counsel upon the petitione given in be the pnt deacon of the hamermen showing that he and severalls of his traid ar summond to Forfar to compeir befor the pro'ss'r. And the Councell find it contrar to the Towns Chartor. Thairfoir they appointed Bailzie Craufurd and the collector to take with them ane notar and protest against any proceder against any of the Inhabitants within this brugh and ordains the sds Comissioners to tack with them the towns Chartor.

Dundie the 22 March 1681

The counsel ordeines ane bank (*one word missing due to Water damage*) put upon the toune that in tyme comeing all Indentors and dispositions of Lands onlie wretin in the clerks chamber with certificatione if the Indentors be not written be the Clerk or his deput that at the expiring of yr Indors they sall not have the benefeit of ane burges. And if the disposition of lands be not wretin as aforsd that (*two words missing due to Water damage*) no infetment pass yron.

Dundie 10 Jary 1682

The said day the provest produced ane summons of reduction ag't Blacknes anent the Magdalen yeard And ordaines him to be summoned thervpon.

Dundie 9 May 1682

The said day thos who were appointed be the counsel to speak with Blacknes anent the buying of Logie bank and latch of Balgay made report That they hade agreed with him for the soume of Sevintine Thousand and five hundredth merks foir the use and benefit of the hospital with Sevine hundredth merks for liberating the sds hospital in passing the signators or any vther expence that way. And the hospital maister finding that the sd Agriement was not so beneficiall for the Hospitall in regard that if the fermes few the Towne thesaurers uses to be in payme'n of ther (*one word missing due to Water damage*), therfor the said hospital maister declines the said bargane to be for ye use of the said hospitall. Whereupon the counsel finding the bragan to be beneficiall for th etoune Does Impower the Magistrats to Extend Articles of Agriement with all expeditione, in respect the Toune is to enter with the grass on Whitson next.

Dundie 11 May 1682

The said day the agreement betwixt the toune and Blacknes anent the seall and bargone of Logie banck and Latch of Balgay wes mad in counsel befor the collector and Deacones of Crafts which wes approvine of.

Dundie 25 Januarii 1683

The said day Baillie Scrymsour & Baillie Man made report from Edinburgh That they had obtain ane decreit if Declarator ag't the Earle of Lauderdale anent the presentation of our Minister qch decreit wes put up in the tounes press. And having p'nted ane Accompt of ther debursments they were approving of And the Thesaurer wes to pay them in wsixtine pund fourtine sh balance. And ane precept drawn upon him for that effect.

Dundie the 27 Febry 1683

The said day the Magistrats and Counsell of the said brugh in obedience to ane Act of his Ma'ties privie counsel (*one word missing due to Water damage*) Act (*one word missing due to Water damage*) Counsell appoynting (*one word missing due to Water damage*) brugh royall to send ane Accompt for (*four words missing due to Water damage*) constitution and (*three words missing due to Water damage*) particular & exact an accompt of that number either merchands or tradsmen the Magistrats counsel & electors of them doe consist qch is as ye brugh of Dundie as followes – To witt, Alexander Duncan provest, Thomas Watson, Johne Scott, Thomas Mudie & Alexr. Raitt baillies, John Scrymsour dean of gild, Thomas Bowar, James Fletcher, James Man, Andron Wardropper counsel to the gild, John Duncan thesaurer, William Fairweather Shoarmaister, Alexander Watson hospital maistor, Robert Atratoun, John Rodger, Patrick Yeaman, George Browne all Merchands counsellors, David Tendell Baxter, Andron Dall taylzior, Thomas Lindsay hamerman counsellors for the treads. And this is the trew list of the last set and constitution of the forsd Magistrats elected be them & ye nyn deacones consisting of fyftine voats And it is heirby to be remarkand that ye sds councellars to ye gild & shoarm'r hes onlie voats in Litting Magistrats & counsel but not in the election of them.

Dundie the (*one word missing due to Water damage*) 1683

The said day (*one word missing due to Water damage*) that Act of Counsell anent George B (*several words missing due to Water damage*) read (*one word missing due to Water damage*) Duncan bailie (*two words missing due to Water damage*) against (*two words missing due to Water damage*) Act. In regard the restraint put (*one word missing due to Water damage*) by the privie Counsell upon the Toune is not yet takine off. And that ye restraining of him to his fyne is but ye incurradgeing of persones to conteme authoritie. And that it may be of bade consequence to ye interest of the burgh. In regard this may be ane preparative to vther Magistrats that may be in place to vot contrair to law. And so consequentlie to the prejudice of the burgh. As also Thomas Watsone laitt Baillie did adhear to the sd protestatione.

Dundie 12 June 1683

The said day Baillie Man having p'nted to the Counsell that Blacknes was willing to (*two words missing due to Water damage*) difference anent the Magdalen yeard and Sir John Cuninghame. And for that effect hes ordained an submission to be subscryved be both pairties.

Dundei 19 August 1684

The which day the counsel being conveyned within the Counselhouse of the sd burgh James Fletcher who wes comissionet and ordained be the Counsell to goe to Ed'r and to bargain with the Erle of Lauderdale (*four words missing due to Water damage*) of the hill of dundie (*several words missing due to Water damage*) self superioritie & feu due (*four words missing due to Water damage*) samen the superiorities & feuduties of the Mylnes of (*one word missing due to Water damage*) and Blackes croft the Chapell sheads and some other aikers contigue to the west syd of the hill from top to foot the patronage of the parsones of Dundie (*two words missing due to Water damage*) woodset right of the passage of the water of Tay. Having reported that conform to his Comissione he hade bowght from the Earle of Lauderdale. The lands superiorities and feu dueties above wr'ine at twentie year purchases the chalder of bear being valued to the soume of ane hundredth pownd scottes and that the superiorities of the hill and parsonage wer not valued but given in to the bargane. And that he hade the woodset right of the watter passage for four thousand merkes which is the sowme it was woodset for the Arcicles of which Agriement signed be the Earls of Lauderdale and Lord Maitland on the ane p't And the sd James Fletcher in name and behalf of the toun on the other t't. which Agriement he delivered to the Counsell to be read and pervsed by them. Which report and articles of Aggriement being seriously red and considered to the Counsell. And they being weill and vysely advysed The counsel ratefied & approved therof In the heall heads articles and conditiones of the samen and the provest in name of the Counsell rendered his many thanks for the paynes he hes been at Lykas the counsel ordaines the deacone conveyner & deacons of the (*several words missing due to Water damage*) agt (*two words missing due to Water damage*) Counsell (*four lines missing due to Water damage*) to the present Act.

Dundie 25 August 1685

The said day convened, the convener produced ane Set of Court holden be him and the nyne deacons of this Burgh ordaineing that noe tradesmen shall have vote in election of Magistrats except actuall Treadsmen and who are capable to give in ane pen piece of there calling of which Act the counsel did approve and ordaines the same to be ratified in the nixt head Court. James Mitchell Deacon of the Walkers did protest ag't the same in regard he alleadgit the Incorporations of the heall treades were not present therat.

Dundie the 22 June 1680

The said day the provest produced in counsel ane extract of his Maj letter direct to the Lords of his Maj privie counsell and recorded in ther books on the seventeen day of June instant Wherby his Maj requires the Lords of his privie Counsell to send ane extract yrof to the provest baillies of counsel of the burgh of Dundie. And ordaines (*five lines missing due to Water damage*) yow well being informed that our dearest Royall brother of ever blessed memorie did declare the constable of Dundie the first Magistrat of the sd burgh. And that the

Lords of our Session have decyded the precedencie in his fav'rs befor the provest in cass of concurrence. And that notwithstanding debates arriss therannent amongst them which may prove prejudiciall to our service. Wee have thought fitt (looking on our self as only Judge in matters of hono'r and precedence). To signifie to you that it is our will and pleas'r That in all tyme coming the constable of Dundie and his successors in that office be the Magistrates of the sd burgh. That he have the *(six words missing due to Water damage)* provest by all persones whomsoever w'tin this burgh Who are hereby required to give obedience heirin as they will be ans'able. And *(one word missing due to Water damage)* require you to send ane extract of this our letter to the provest of Dundie who is herby ordered to caus it be subscrivit in the townes books. [which *(several words missing due to Water damage)*furato'r] notwithstanding *(five lines missing due to Water damage)* punish any who shall upon any pretext whatsoever refuse obedience heirto. And wee bid you heartily fareweel. Given att our court att Whythall the 19 day of March 1685/6 and of our raigne the second year. By his Maj. command Sic sub'r Melfort. Extracted furth of the records of his Maj. privie Counsel by me Mr Coline Mckenzie clerk of his Maj. privie Counsell sic sub'r Coline Mckenzie Cti Sticoncilu.

There follows 19 other pages which are too badly damaged to be legible.