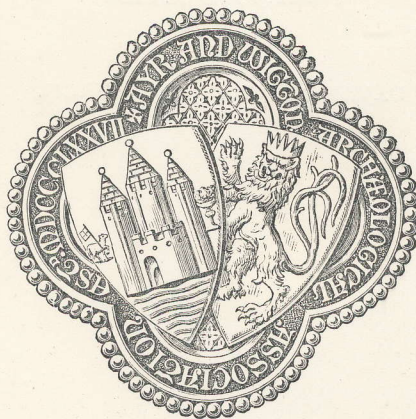


CHARTERS
OF THE
ROYAL BURGH OF AYR



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CHARTERS
OF THE
ROYAL BURGH OF AYR

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MUNIMENTS

OF

THE BURGH OF AYR.

I.—ROYAL CHARTERS.

1. *Charter by King William the Lion, erecting the Town of Ayr into a Free Burgh.*—[21st May 1202-1207.¹]

WILLELMUS Dei gracia rex Scottorum episcopis abbatibus comitibus baronibus justiciariis vicecomitibus prepositis ministris et omnibus probis hominibus tocius terre sue clericis et laicis salutem Sciatis presentes et futuri me ad novum castellum meum super Are burgum fecisse et eidem burgo et burgensibus meis in eo manentibus omnes libertates et omnes liberas consuetudines concessisse quas alii burgi mei et mei burgenses in eis manentes per regnum meum habent Assedi etiam in eo quolibet die Sabbati diem fori Concessi ut burgensibus qui illuc venient ad burgum meum inhabitandum et ibi sedentes et manentes erunt ut quieti sint a tolneio et omni alia consuetudine per totam terram meam de dominicis catallis suis Prohibeo itaque firmiter ne quis in regno meo ab aliquo illorum tolneium aut aliquam aliam consuetudinem de dominicis catallis suis exigat super meam plenariam forisfacturam Concessi etiam eidem burgo meo et burgensibus meis qui in burgo illo sedentes et manentes erunt quinque nummatas terre que pertinent ad villam de Are per divisas inferius scriptas scilicet de Inverdon sursum usque in Inverpolcurtecan et de Inverpolcurtecan sursum usque ad Crottun et sic per Curtecan usque ad caput Curtecan et

¹ The year is not given, but Chalmers (*Caledonia*, iii. p. 499) fixes the date, from the witnesses, as between 1202 and 1207.

sic a capite Curtecan ascendendo per Boghesken usque ad Monedamdereg et sic a Monedamdereg per sicum usque in Monemethonac et a Monemethonac per sicum usque in Polleclevan et sic per Polleclevan usque in Lochfergus et a Lochfergus descendendo usque in Dufhat et a Dufhat descendendo per sicum usque ad rivulum ex orientali parte Drumnesauel et a rivulo Drumnesauel descendendo usque in sicum ex occidentali parte rivuli illius et sic per sicum illum usque in Polleclonecrangali et sic per Polleclonecrangali usque in Duffloch et inde usque in Pollemulin et sic per Pollemulin descendendo usque in Are et sic per Are descendendo usque in mare Concessi etiam burgensibus meis ibidem manentibus ut cum quolibet plenario tofto suo habeant sex acras terre quas de boscho extirpaverint infra predictas nummatas terre ad faciendum inde commodum suum reddendo annuatim mihi pro quolibet tofto et sex acris illi adjacentibus duodecim denarios Mando itaque et firmiter precipio ut omnes homines qui cum merchaturis suis ad vendendum et emendum ad illum predictum burgum meum venerint firmam pacem meam habeant et forum exerceant et in bene et pace redeant Precipio etiam firmiter ut apud Mach et Karnebuth et Lowdun et Croseneton et Lachtalpin tolneium et alie consuetudines que burgo debentur dentur et recipiantur Prohibeo itaque firmiter ne quis tolneium aut aliquam aliam consuetudinem quam predicto burgo meo de ratione facere debet ultra predictas divisas asportare presumat super meam plenariam forisfacturam. Si quis vero tolneium vel aliquam aliam consuetudinem predicti burgi mei ultra predictas divisas asportare presumpserit precipio firmiter ut omnes homines infra predictas divisas manentes sint auxiliantes servientibus meis ad adquirendum jus meum et ad capiendum et attachiandum illum qui tolneia aut aliquam aliam consuetudinem ad predictum burgum meum pertinentem ultra predictas divisas asportaverit vel asportare contenderit Testibus Florentio electo Glasguensi¹ cancellario meo Waltero et Willelmo capellanis meis Philippo de Valoniis camerario meo² Roberto de Londoniis filio meo³ Willelmo de Boscho et Hugone clericis meis Willelmo de Valoniis⁴ Thoma de Colevill⁵ Reginaldo de Crauford Apud Lanare vigesimo primo die Maii.

¹ Florence, Elect of Glasgow, was succeeded in 1207 by Walter, who was consecrated in 1208 (Keith, p. 237).

² Philip de Valoniis died in 1215 (*Chron. de Mailros*, p. 121).

³ A natural son of William the Lion.

⁴ He died in 1218 (*Chron. de Mailros*, p. 135).

⁵ He died in 1218 (*Chron. de Mailros*, p. 134).

Nos R. gra Rex Anglorum. Abbas Comitis. baron. Justie vicecom. Prepositus. curie. et omnes plures homines
 bores de sue ecclesie et laicis. salutem. Sciatis nos ad nostrum castellum nostrum super Ayr. burgum fecisse
 et esse burgum et burgenses nostros in eo manentes omnes libertates et omnes liberas consuetudines concessisse quodlibet
 burgi nostri et burgenses in eo manentes per regnum nostrum habere. Assedunt et in eo quilibet die saltem die sabbati de son. Con-
 cessi et burgensibus qui illuc veniunt ad burgum nostrum habitandum. et ibi sedentes et manentes erunt ut quod sint de
 Colneio et de alia consuetudine per totam terram nostram de ducibus catallis suis. Iherosolymis et super. Et si regno
 nostro ab aliquo illorum Colneio aut aliquo alia consuetudine de ducibus catallis suis exigatur. super meam plenariam
 satisfactionem. Concessi et esse burgum nostrum. et burgensibus nostris qui in burgo illo sedentes et manentes erunt. In quibus nominatas
 terre qui pertinent ad villam de Ayr. per diversas infra septuaginta. scilicet de Jundoy. supra usque in riuipollocray. et de
 Jundollocray. supra usque ad Grotum. et sic per Curatay. usque ad caput Curatay. et sic a capite Curatay. ascen-
 dendo per Bogh estey. usque ad monedauderey. et sic a monedauderey. per sicum usque in monemethonac. et a mone-
 methonac. per sicum usque in pollederay. et sic per pollederay. usque in lochferg. et a lochferg. descendendo usque in
 Duffhac et a Duffhac. descendendo per sicum usque ad riuulum ex orientali parte Drumnesaue. et a riuulo Drum-
 nesauel. descendendo usque in sicum ex occidentali parte riuuli illius. et sic per sicum illius usque in polledoneingale
 et sic per polledoneingale usque in Duffloch. et inde usque in pollemulay. et sic per pollemulay. descendendo usque
 in Ayr. et sic per Ayr. descendendo usque in mare. Concessi et burgensibus nostris ibidem manentibus. ut cum quilibet plenarie
 bosco suo habeant sex acras terre. quod de boscho extarpauerint infra predictas. et nominatas terre ad faciendum
 inde comodum fuerint. Reddendo annuatim in per quilibet bosco sex acras terre illi adiacentibus. xij denari
 quando rogati. et firmum precipio. ut omnes homines qui cum machinis suis ad vendendum et emendum ad illam predictam burgum
 nostrum veniunt. firmam pacem meam habeant. et foris exeat. et in bene et pace redeant. Precipio et fir-
 mum ut apud coach. et barnebut. et loldun. et Grosenecoy. et Achalspy. Colneium et alia consuetudines
 qui burgum debent. denari et recipiant. Iherosolymis et super. ne quod Colneio aut aliquo alia consuetudine quod
 predictum burgum nostrum de barone facere debet. vel predictas diversas asportare presumat. super meam plenariam satis-
 facturam. Et si quod in terra nostra vel aliquam aliam consuetudinem predicti burgi nostri vel predictas diversas as-
 portare presumpserit. precipio firmum. ut omnes homines infra predictas diversas manentes sint auxiliantes
 veniant nostris ad adquirendum ius. et ad capiendum et attachandum illud. qui Colneio aut aliquam aliam consue-
 tudinem ad predictum burgum nostrum veniunt vel predictas diversas asportauerint vel asportare contenderint
 Gest. flor. electo Glasgou. Cancellio. mo. Waltero et Willo. Capitaneis nostris. Iherosolymis de Valoy. Cam. mo.
 Rob. de ludo. scilicet. mo. Willo de bosch. et Iherosolymis et super. mo. Willo de Valoy. Thom. de Colneio
 burgum de Trausford. Apud Lanre. xx. die. ap.

TRANSLATION.

William, by the grace of God King of Scots, to bishops, abbots, earls, barons, justiciars, sheriffs, provosts, officers, and all good men of his whole land, clerics and laymen, greeting : Be it known to those present and to come, that I have made a burgh at my new castle upon Ayr, and to the said burgh, and to my burgesses dwelling in it, have granted all the free customs which my other burghs and my burgesses dwelling in them throughout my kingdom have. I have appointed in it also a market day every Saturday : Moreover, I have granted to the burgesses who shall come thither to inhabit my burgh, and shall there remain and dwell, to be quit of toll and all other custom through all my land for the goods pertaining to them as burgesses. Therefore I straitly forbid any one in my kingdom to exact from any one of them toll or any other custom for their said burgesse goods, on pain of my full forfeit : Also I have granted to that same burgh of mine, and to my burgesses who in that burgh shall remain and dwell, the five penny lands which belong to the town of Ayr, by the boundaries afterwritten : To wit, from Inverdon as far as to Inverpolcurtecan, and from Inverpolcurtecan as far as to Corton ; and so by Curtecan to the head of Curtecan ; and so from the head of Curtecan going up by Boghesken as far as to Monedamdereg ; and so from Monedamdereg by the ditch as far as to Monemethonac ; and from Monemethonac by the ditch as far as to Polleclevan ; and so by Polleclevan to Lochfergus ; and from Lochfergus going down to Dufhat ; and from Dufhat going down by the ditch as far as to the rivulet on the east of Drumnesauel ; and from the rivulet of Drumnesauel going down as far as to the ditch on the west of the same rivulet ; and so by that ditch as far as to Polleclonecrangali ; and so by Polleclonecrangali to Dufloch, and thence to Pollemulin ; and so by Pollemulin going down to Ayr, and so by Ayr going down even to the sea. Also I have granted to my burgesses there dwelling that with each complete toft of theirs they shall have six acres of land, which they shall reclaim out of the wood within the foresaid five penny lands, to make their own profit thereof ; paying yearly to me for each toft and six acres adjoining it, twelve pennies. I command, therefore, and straitly enjoin, that all men who with their merchandise to sell and to buy, to that said burgh of mine shall come, have my firm peace, and use the market, and in safety and peace return. I command also, straitly, that at Mach, Karnebuth, and Loudoun, and Croseneton and Lach-

talpin, toll and other customs which are payable to the burgh be given and received. I prohibit also strictly that no one presume to carry away beyond the said bounds toll or any other custom which to my said burgh he ought of reason to give, on pain of my full forfeiture. But if any one presume to carry away beyond the said bounds toll or any other custom of my said burgh, I strictly command that all men dwelling within the said bounds be helpful to my servants to recover my right, and to take and attach him who shall endeavour to carry off beyond the said bounds tolls or any other custom pertaining to the said burgh. Before these witnesses, Florence, bishop elect of Glasgow, my chancellor, Walter and William, my chaplains, Philip of Valonis, my chamberlain, Robert of London, my son, William de Boscho and Hugh, my clerks, William of Valonis, Thomas of Colevill, Reginald of Crauford. At Lanark the 21st day of May.

2. *Transumpt by the Lords of Council of the Charter granted by King William to the Burgh of Ayr.*—[16th November 1599.]

AT Edinburgh the saxtene day of November the yeir of God j^m v^c fourescoir nynetene yeiris The Lordis of Counsale underwrittin thai ar to say ane noble and mychtie lord Johne erle of Montroiss lord Grahame etc. chancellor Alexander lord of Fyvie president Williame commendatare of Tungland Johne commendatare of Halyrudehous Edward commendatare of Kynlos schir James Elphingstoun of Barnetoun knyght secretar to our soverane lord schir David Lindesay of Edzell knyght schir Johne Cokburne of Ormestoun knyght justice clerk schir Richard Cokburne younger of Clerkingtoun lord privie seill Mr. John Prestoun of Fentounbarnes Mr. Johne Skene clerk of his hienes register Mr. David Makgill of Cranstoun Riddell Archibald Douglas of Quhittinghame Andro Wemeys of Myrecairny Mark lord of Newbottle schir Robert Melville of Murdocairny knyght and Mr. Peter Rollok bischop of Dunkeld—anent the summondis raisit at the instance of the provest bailleis counsale and communitie of the burgh of Air aganis schir David Murray of Gospertie knyght comptroller Alexander maister of Elphingstoun thesaurar and Mr. Thomas Hamilton of Drumcarne advocat to our soverane lord and all utheris haveand or pretendand to haif interes in the mater underwrittin makand mentioun that quhair umquhile Williame be the grace of God king of this realme for the tyme of worthie

memorie be his chartour and infeftment under his gritt seill gaif and con-fermit to the said burgh of Air and to the burgessis thairin remaneand all liberteis and frie consuetudis that utheris burgessis duelland within this realme haid and that thai sould haif in the said burgh of Air every Setterday ane mercatt day to the burgessis thairof inhabitantis dwelland and remaneand within the samyn And als gaive and disponit to the said burgh burgessis and inhabitantis thairof all and hail the fyve pennyland quhilk pertinit to the toune of Air and dyvers utheris landis lyand and boundit as is contenit in the said charter as in the samyn of the dait the twentyane day of Maij in the selff at mair lenth testifeis Quhilk charter and infeftment be reassoun of the antiquitie thairof and intervall of the tyme is now becum mutit dym auld and difficill to be red and understand as alsua the seill thairof is brokin and wayis the register of the samyn efter sa lang tyme is nocht extant Quhairfoire necessar it is the said charter be transsumit befor the lordis of counsale to the effect the samyn may remane in register and be extant at all tymes And anent the charge gevin to the saidis persones defenderis to haif compeirit befor the lordis of counsale at ane certaine day of lang tyme bypast to haif hard and sene the said charter and infeftment copyit and transsumit in auttentik and dew forme in maner underwrittin or to haif allegit ane reasounable caus quhy the samyn sould nocht bene done lykeas at mair lenth is contenit in the saidis summondis The saidis complenaris compeir-and be Johne Haliday thair procuratour and the saids comptrollar thesaurar and advocat defenderis abonewrittin and all utheris haveand or pretendand to haif interes as said is being lauchfullie summond to this actioun oftymes callit and nocht compeirit the lordis of counsale hes transumit and transumis the said charter and infeftment to the effect the samyn may remane in register and be extant at all tymes and decernes and ordanes the extract and transumpt thairof subscriyvit be the clerk of register to be deliverit to the saidis complenaris upoun thair reasounable expensses to be bruikit joysit and usit be thame as thair awin propir evident at thair pleasour in tyme cuming And als the saidis lordis decernes and declairis the samyn transumpt and copy of the charter and infeftment abonewritten to mak als gritt fayth in jugement and outwith as the principall in all tyme cuming Becaus the saidis persones and all utheris haveand or pretendand to haif interes in the said matter wer lauchfullie summond to haif compeirit befor the saidis lordis of counsale at ane certane day of lang tyme bypast to haif hard and sene the said charter and infeftment transumit in maner abonewrittin or

els to haif allegit ane reassonable caus quhy the samyn sould nocht bene done with certificatioun to thame and thai failleit the saidis lordis wald transume and decerne the samyn to be delyverit to the said complenaris and to mak als gritt fayth as the principall in maner abonewrittin And thai being lauchfullie summond to that effect compeirit nocht to schaw ony reassonable caus in the contrair bot failleit thairintill lykeas wes cleirly understand to the saidis lordis and thairfoire thay transumit and decernit in maner abonewrittin and ordanes lettres to be direct heirupoun yf neid beis in forme as effeiris Of the quhilk charter and infestment the tennour followes: Willelmus Dei gratia Rex Scottorum (etc., *vide* No. 1, *supra*).

Extractum de libro actorum per me magistrum Joannem Skene clericum rotulorum registri ac consilii supremi domini nostri regis sub meis signo et subscriptione manualibus.

(Signed) JOANNES SKENE,
Cls. Regri, etc.

3. *Charter by King Alexander the Second, granting to the Burgh of Ayr the privilege of a Weekly Market.*¹—[9th May 1223.]

ALEXANDER Dei gracia rex Scottorum omnibus probis hominibus tocius terre sue clericis et laicis salutem Sciant presentes et futuri me concessisse et hac carta mea confirmasse burgo meo super Are et burgensibus meis in eodem burgo manentibus omnes libertates et omnes liberas consuetudines quas alii burgi mei et burgenses mei in eis manentes per regnum meum habent Et ut habeant in eodem burgo meo super Are quolibet die Sabbati diem fori Concessi etiam burgensibus qui illuc venient ad burgum meum inhabitandum et ibi sedentes et manentes erunt ut quieti sint de tolneio et omni alia consuetudine per totam terram meam de dominicis catallis suis Prohibeo itaque firmiter ne quis in regno meo ab aliquo illorum tolneium aut aliquam aliam consuetudinem de dominicis catallis suis exigit super meam plenariam forisfacturam Concessi etiam eidem burgo meo et burgensibus meis qui in burgo illo sedentes et manentes erunt quinque nummatas terre que pertinent ad villam de Are per divisas inferius scriptas scilicet de Inverdone sursum usque in Inverpolcurtecane et de Inverpolcurtecane sursum usque ad Crottune et sic per Curtecane usque ad caput Curtecane et sic a capite Curtecane ascendendo per Bogheskene usque ad Monedam-

¹ This is a thin vellum charter, about ten inches square : seal wanting.

dereg et sic a Monedamdereg per sicum usque in Monemethonac et a Monemethonac per sicum usque in Polleclethane et sic per Polleclethane usque in Lochfergus et sic a Lochfergus descendendo usque in Dufhate et a Dufhate descendendo per sicum usque ad rivulum ex orientali parte Drumnesauel et a rivulo Drumnesauel descendendo in sicum ex occidentali parte illius rivuli et sic per sicum illum usque in Polleclonecrangali et sic per Polleclonecrangali usque in Dufloch et inde usque in Pollemuline et sic per Pollemuline descendendo usque in Are et sic per Are descendendo usque in mare Concessi etiam burgensibus meis ibidem manentibus ut cum quolibet plenario tofto suo habeant sex acras terre quas de boscho extirpaverint infra predictas quinque nummatas terre ad faciendum inde commodum suum Reddendo annuatim michi pro quolibet tofto et sex acris terre illi adjacentibus duodecim denarios Mando itaque et firmiter precipio ut omnes homines qui cum mercaturis suis ad vendendum et emendum ad illum predictum burgum meum venerint firmam pacem meam habeant et forum exerceant et in bene et in pace redeant Precipio etiam firmiter ut apud Mach et Karnebut et Lowdoune et Crossenetone et Lachtalpine tolneium et alie consuetudines que burgo debentur dentur et recipiantur Prohibeo itaque firmiter ne quis tolneium aut aliquam aliam consuetudinem quam predicto burgo meo de racione facere debet ultra divisas predictas asportare presumat super meam plenariam forisfacturam Si quis vero tolneium aut aliquam aliam consuetudinem predicti burgi mei ultra predictas divisas asportare presumpserit precipio firmiter ut omnes homines infra predictas divisas manentes sint auxiliantes servientibus meis ad adquirendum ius meum et ad capiendum et attachiandum illum qui tolneia aut aliquam aliam consuetudinem ad predictum burgum meum pertinentem ultra predictas divisas asportaverit vel asportare contenderit sicut carta domini regis Willelmi patris mei testatur Testibus Waltero filio Alani senescalli Waltero Olifard¹ justiciario Laodonie Ingelramo de Balliol² Henrico de Balliol³ camerario Henrico de Strivelin filio comitis David Dunecano filio Gilleberti Johanne de Maccuswele⁴ D. Crauford vicecomite de Are Waltero Biset Apud Are nono die Maij anno regni nostri nono.

¹ Died in 1242. *Chron. of Mailros*, p. 155.

³ He died in 1246. *Crawford's Officers of State*, p. 260.

² Successively Sheriff of Berwick and Sheriff of Fife under Alexander II. *Chalmers's Calendar*, i. p. 567.

⁴ Died in 1241. *Douglas's Peerage*, by Wood, vol. ii. p. 312.

ABSTRACT.

Charter by Alexander the Second, King of Scots, granting and confirming to the Burgh of Ayr all liberties and free customs common to the burghs of the kingdom, with right to hold a market every Saturday, and exemption from toll and custom for their burgess goods; granting also to the same, five pennyworths of land belonging to the town of Ayr, and bounded as therein described, together with all other benefits and privileges conferred by his father King William, and specified in his charter. Dated at Ayr, 9th May [1223].

4. *Notarial Transumpt of Confirmation by King David the Second of Charter by King Alexander the Second to the Burgh of Ayr.*—[24th February 1415.]

IN Dei nomine amen Per presens publicum instrumentum cunctis pateat manifeste quod anno a nativitate eiusdem millesimo quadringentesimo quinto decimo indicione nona mensis Februarij die vicesima quarta pontificatu sanctissimi in Christo patris ac domini nostri domini Benedicti divina providencia pape tercii decimi anno vicesimo tercio in mei notarij publici et testium subscriptorum presencia personaliter constitutus probus vir Nicholaus de Fynwyke prepositus burgi de Are quandam cartam bone memorie quondam David Dei gracia regis Scotorum illustris sigillo suo magno sigillatam cum circumferencia et armis suis non rasam non abolitam nec in aliqua parte viciatam michi publice demonstravit et cum debita instancia per me notarium infrascriptum nomine et ex parte burgensium et communitatis burgi de Are perlegi requisivit cuiusquidem carte tenor sequitur et est talis DAVID Dei gracia rex Scotorum omnibus probis hominibus tocius terre sue clericis et laicis salutem Sciatis nos quasdam cartas bone memorie quondam Willelmi et Alexandri regum Scocie predecessorum nostrorum non raras non abolitas nec in aliqua sui parte viciatas vidisse diligenter et intellexisse tenorem qui sequitur continentes Alexander Dei gracia rex Scotorum (etc., vide No. 3, *supra*) Quasquidem cartas donacionemque et concessionem in eisdem contentas in omnibus punctis suis et articulis condicionibus et modis ac circumstanciis suis quibuscunque forma pariter et effectum in omnibus et per omnia approbamus ratificamus et pro nobis et heredibus nostris in perpetuum confirmamus Salvo servicio nostro In cujus rei testimonium presenti

carte nostre confirmacionis sigillum nostrum precepimus apponi testibus venerabilibus in Christo patribus Willelmo episcopo Sancti Andree et Patricio episcopo Brechinensi cancellario nostro Roberto senescallo Scocie comite de Stratherne nepote nostro Patricio comite Marchie et Moravie Willelmo comite de Douglas Roberto de Erskyn Waltero de Halyburton et David de Anand militibus Apud Edynburgh decimo die mensis Maii anno regni nostri tricesimo septimo Quam vero cartam sic monstratam et perlectam predictus Nicholaus a me notario sub signo publico peciit copiari sumptibus suis et expensis Acta fuerunt hec in vico communi burgi de Are anno indiccione mense die et pontificatu premissis presentibus tunc ibidem reverendis et discretis viris magistro Duncano Petite prebendario ecclesie de Are Rogero de Lawader vicario eiusdem et decano de Kyle Roberto Adyson vicario de Colmonell Michaelae Multrer Henrico Stephani capellanis Hugone Sellatore ac Patricio Ahayre ballivis dicti burgi Adam de Bowr Patricio Dowgall Johanne Chery Gilberto Askryke Johanne Fabro Johanne Broune Willelmo de Blencanhop burgensibus de Are et multis aliis testibus ad premissa vocatis specialiter et rogatis.

Et ego Willelmus Nigelli clericus Glasguensis dyocesis publicus imperiali auctoritate notarius premissae carte monstracioni et perleccioni unacum prenominatis testibus presens interfui (etc., in forma communi).

ABSTRACT.

Notarial Transumpt, at the instance of Nicholas of Fenwick, provost of Ayr, of a confirmation by David the Second, King of Scots, under the great seal, of a Charter granted by King Alexander the Second to the burgh of Ayr, of date at Ayr 9th May, and ninth year of his reign. The Confirmation is dated at Edinburgh 10th May (1366); and the Transumpt was made on the common street of Ayr on 24th February 1415, William Neilson being notary.

5. *Charter by King Alexander the Second to the Burgh of Ayr, of Alloway, Corton, and Carcluie.*—[20th April 1236.]

ALEXANDER Dei gracia rex Scottorum omnibus probis hominibus tocius terre sue salutem Sciatis presentes et futuri nos tradidisse ad feodofirmam burgensibus nostris de Are quinque nummatas terre in Kyle scilicet Aulwey

et Crottun et Gortcloy Tenendas et habendas eisdem burgensibus inperpetuum de nobis et heredibus nostris libere quiete plenarie Reddendo annuatim decem libras medietatem ad festum Sancti Martini et medietatem ad Pentecosten et faciendo forinsecum servitium quod pertinet ad dictas terras Ita quod de vivo boscho in dictis terris non ardebunt nec dabunt nec vendent nec aliquo modo destruent set solummodo capient quod necessarium est ad propria edificia sua de Are et ad proprias naves suas de Are faciendas Testibus Waltero filio Alani Senescalli justiciario Scocie Waltero Olifard justiciario Laodonie Johanne Byset David de Lyndeseia Waltero Byset Archibaldo de Duueglas Adam de Logan Apud Are vicesimo die Aprilis anno regni domini regis vicesimo secundo.

TRANSLATION.

Alexander, by the grace of God King of Scots, to all good men of his whole land, greeting : Be it known to you, present and future, that we have given in fee farm to our burgesses of Ayr five pennyworths of land in Kyle ; to wit, Alloway and Corton and Carcluie : To be held and possessed by the same burgesses in perpetuity, of us and our heirs, freely, quietly, fully : Paying ten pounds yearly, one half at the feast of Saint Martin, and one half at Whitsunday, and performing the forinsec service which pertains to the said lands, so that they shall neither burn, nor give away, sell, nor in any wise destroy, green wood on the said lands, but shall only take what is necessary for their own buildings of Ayr, and for making their own boats of Ayr. Witnesses, Walter son of Alan the Steward, justiciary of Scotland, Walter Olifard, justiciary of Lothian, John Byset, David of Lyndesay, Walter Byset, Archibald of Douglas, Adam of Logan. At Ayr the 20th day of April, the twenty-second year of the reign of the lord the king.

6. *Notarial Transumpt of Charter by King Alexander the Second to the Burgh of Ayr.*—[24th February 1415.]

IN Dei nomine amen per presens publicum instrumentum cunctis pateat evidenter quod anno a nativitate eiusdem millesimo quadringentesimo quinto decimo indiccione nona mensis Februarii die vicesima quarta pontificatu sanctissimi in Christo patris ac domini nostri Benedicti divina providencia pape terciidecimi anno vicesimo tercio in mei notarii publici et

Alex. Si Oraco Rex scot. Omnibus probis hominibz tñ terre sue salutē. Sciant p̄sentēs ⁊ futū nos tradidisse
ad fedofirmam burgensibz nris de Ar. quinqz nummaris ēre in Kyle. scilicet Aulshay. ⁊ Croctam ⁊ Gorteloy
Tenend. ⁊ habend. eistrem burgensibz nup̄eum de nobis ⁊ Fredibz nris. licere. quate. plenarie. reddend
annuatē decē libras. medietate ad festum sancti oxaton. ⁊ medietatem ad pentecostē. ⁊ faciendo formisā
servitiū. quod p̄tinet ad dictas terras. Ita qđ de uno boscho in dictis tñs nō ardebunt. nec dabunt. nec
uident. nec aliq. mod. destruent. sct. solimmod. capiet qđ necessariū est ad ip̄a edificia sua de Ar. ⁊ ad
ip̄as naves suas de Ar. faciendas. Test. W. filio Alan senescalli Justic. Scot. Walter. Wilsand. Justic.
Radon. Johanni. Bysc. Dand de Lyndesra. Walter. Bysc. Archbald. de Duingdas. Adam de
Logan. apud Ar. vicesimo die April. Ann. Regn. Oñ. Regis vicesimo secundo.

testium subscriptorum presencia personaliter constitutus probus vir Nicholaus de Fynwyk prepositus burgi de Are quondam cartam bone memorie quondam Alexandri Dei gracia regis Scottorum illustris sub magno sigillo suo sigillatam cum circumferencia et armis suis non rasam non abolitam nec in aliqua parte viciatam michi publice demonstravit et cum debita instancia per me notarium infrascriptum nomine et ex parte burgensium et communitatis burgi de Are perlegi requisivit cujusquidem carte sequitur tenor et est talis Alexander Dei gracia rex Scottorum (etc., *vide* No. 5, *supra*) Quam vero cartam sic monstratam et perlectam predictus Nicholaus a me notario sub signo publico peciit copiari sumptibus suis et expensis Acta fuerunt hec in vico fori burgi de Are sub anno indictione mense die et pontificatu premissis presentibus ibidem discretis viris magistro Duncano Petyt prebendario ecclesie de Are Rogero de Laweder vicario de Are Roberto Adeson vicario de Colmanell Michaelae Multrer Henrico Stephani capellanis Hugone Saddeler patricio Ahayr ballivis burgi de Are Adam de Bowre patricio Dougall Johanne Chery Gilberto Askyrk Johanne Broune Wilhelmo de Blencanhop Thoma Haket burgensibus de Are et multis aliis testibus ad premissa vocatis specialiter et rogatis.

Et ego Willemus Nigelli clericus Glasguensis dyocesis publicus notarius, etc.

ABSTRACT.

Notarial Transumpt at the instance and expense of Nicholas of Fenwick, provost of Ayr, of a Charter by King Alexander Second, under the Great Seal, in favour of the burgh of Ayr, dated at Ayr, 20th April, twenty-second year of reign (1236). The Transumpt was made in the market-place of Ayr on 24th February 1415.

7. *Transumpt by the Lords of Council of Charter by Alexander the Second to the Burgh of Ayr.*—[14th March 1593-4.]

At Edinburgh the fourtein day of Merche the yeir of God j^m v^c fourscoir threttein yeiris the Lordis of Counsall underwrittin they ar to say Johnne lord Thirlistane cancellare Alexander lord Urquhart president maister Johnne Lindsay persoun of Menmure maister Williame Melvill commendar of Tungland maister Thomas Hammiltoun of Drumcairnie maister James Elphingstoun of Innernachtie Sir Richard Cowburne younger of

Clerkingtoun secretare Walker pryour of Blantyre Siris Thomas Lyoun of Auldbar thesaurar Johnne Cowburne of Ormestoun Justice Clerk Alexander Hay of Eister Kennett Clerk of Register Archibald Dowgles apperand of Quhittinghame and Andro Weymes of Myrecairnie Anent oure soverane lordis lettres purchest at the instance of the provest baillies counsall and communitie of the burgh of Air aganis David Seytoun of Parbroth comptrollare to our soverane lord Sir Thomas Lyoun of Auldbar knyght his hienes thesaurer Sir Robert Melvill of Murdocairnie knyght his deput maisteris David M'Gill of Cranstoun-Riddell and Johnne Skene his hienes advocattis and all utheris haiffand or pretendand to have entres in the mater underwrittin makand mentioun that quhair umquhile Alexander be the grace of God king of this realme for the tyme of worthie memorie be his chartour and infestment under his greit seill gave and disponit in feuferme to the burgessis of the burgh of Air the fyve penny land in Kyle videlicet Alloway Cortoun and Cairteloway to be haldin be the saidis burgessis of him and his airis for evir ffor payment yeirlie of ten pundis the ane half thair of at the feist of Mairtemes and the uther half at Witsonday as the said chartour and infestment of the dait the twentie day of Aprile and of his majesteis regnne the twentie twa yeir at mair lenth proportis And siklike the said Alexander be the grace of God king of this realme for the tyme be his uther chartour and infestment under his greit seill gave and confirmit to the said burgh of Air and to the burgessis thairin remanend all liberteis and frie consuetudis that uther burgessis duelland in uther burghis within this realme hade and that they suld have in the said burgh of Air everie Settirday ane mercat day to the burgessis thair of and inhabitantis dwelland and remanand within the samyn And als gave and disponit to the said burgh burgessis and inhabitantis thair of all and haill the fyve penny land quhilk pertinit to the toun of Air and divers utheris landis lyand and boundit as is contenit in the said chartour as the samin of the dait the nynt day of Maij and of his majesteis regnne the nynt yeir in the self at mair lenth testifeis Quhilkis twa chartouris and infestmentis respective be ressoun of the antiquitie thair of and intervall of the tyme ar now becum mutit dym auld and difficill to be red and understand As alsua the seillis thair of ar brokin and likewyis the register of the samyn now eftir sa lang tyme ar nocht extant Quhairfore necesser it is the saidis twa chartouris to be transumit befor the lordis of Counsall to the effect the samin may remane in register and be extant at all tymes And anent the charge gevin to the

foirsaid haill speciall persones defenderis and all vtheris haiffand or pretend- and to have entres in the said mater to have compeirit befor the saidis lordis at ane certane day bygane to have herd and sene the saidis twa chartouris and infeftmentis respective copyit and transsumit in autentik and dew forme befor the saidis lordis to the effect the samin may remane in register and be extant at all tymes in maner underwrittin or ellis to have allegit ane ressounabill caus quhy the samin suld not have bene done as at mair lenth is contenit in the saidis lettres The saidis proveist bailleis counsall and communitie of the said burgh of Air compeirand be Johnne Halieday thair procuratour And the said Mr. Johnne Skene advocate to our soverane lord for himself and the said Mr. David M'Gill his college being personalie present quha lykewyis compeirit as procuratour for the saidis comptrollar and thesaurar and all utheris haiffand or pretendand to have entres in this said mater being lauchfullie summond to this actioun oft tymes callit and nocht compeirit the foirsaidis parteis compeirand richtis ressones allegationes herd sene and understand and the saidis lordis thairwith being rypelie avysit the Lordis of Counsall hes transsumit and transsumis the saidis twa chartouris and infeftmentis in autentik and dew forme to the effect the samin may remane in register and be extant at all tymes ad futuram rei memoriam And decernis and ordanis the extract and transsumpt thairof subscrivit be the clerk of register to be deliverit to the saidis perseweris upone thair ressonabill expenssis to be bruikit joysit and usit be thame as thair awin proper evidentis at thair plesour in tymes cuming And als decernis and declairis the samin transsumptis to mak als greit faith in judgement and outwith jugement as the principallis in all tyme cuming Off the quhilkis chartouris and infeftmentis the tennouris followis Alexander Dei gracia rex Scottorum (etc., *vide* Nos. 5 and 3, *supra*). Becaus the saidis defenderis and all utheris haiffand or pretendand to have entres in the said mater wer all lauffullie summond to have compeirit befor the saidis lordis at ane certane day bygane to have herd and sene the foirsaidis twa chartouris and infeftmentis autentiklie transsumit in maner foirsaid and decernit to have faith in maner abone mentionat Or ellis to have allegit ane ressonable caus quhy the samyn suld not have bene done with certificatioun to thame and they failyeit thairin the saidis lordis walde transsum and decerne in maner foirsaid And they beand lauffullie summond to that effect and compeirand be the said Mr. Johnne Skene thair procuratour schew na ressonable caus in the contrair likeas wes cleirlye understand to the

saidis lordis And thaireftir the saidis lordis haiffing sichtit sene and considderit the foirsaidis twa chartouris to be sufficient in the self without ony kynde of suspitioun and haiffing the said King Alexanderis greit seillis appendit thairto quha wes the gevar and grantar of the saidis twa chartouris The saidis lordis of counsall fand the samyn twa chartouris sa famous and ancient that they decernit the samyn to be transsumit in maner foirsaid and ordanit lettres to be direct heirupone gif neid beis in forme as effeiris.

Extractum de libro actorum per me Alexandrum Hay de Eister Kennet clericum rotulorum registri ac consilii supremi domini nostri regis sub meis signo et subscriptione manualibus.

(Signed) ALEXANDER HAY.

8. *Charter by King Alexander the Second in favour of the Burgh of Ayr, of the Fishings of Ayr and Doon.*—[7th December 1236.]

ALEXANDER Dei gracia rex Scottorum omnibus probis hominibus tocius terre sue salutem Sciatis nos dedisse et concessisse et hac carta nostra confirmasse burgensibus nostris de Air ad sustentationem pontis et ad emendationem portus de Air et ad alia communia negotia ville de Air sustinendum omnes piscarias nostras de Air et Dun quas habuimus tempore hujus collationis apud Air Tenendas et habendas burgensibus de Air de nobis et heredibus nostris imperpetuum ita libere quiete plenarie honorifice sicut aliquae piscarie ab aliquibus burgensibus in regno Scotie plenius et liberius tenentur et possidentur Testibus W. Oliphard justiciario Laudonie W. Cumine camerario de Menteith Rogero filio Glennay Roberto Cumine Davide de Lindsay Apud Roxburgh septimo die Decembris anno regni domini regis vicesimo secundo.

TRANSLATION.

Alexander, by the grace of God King of Scots, to all good men of his whole land, greeting : Wit ye us to have given and granted, and by this our charter to have confirmed, to our burgesses of Ayr, for sustaining the bridge and improving the harbour of Ayr, and for promoting other common affairs of the toun of Ayr, all our fishings of Ayr and Doon which we had at the time of this grant at Ayr. To be held and possessed by the burgesses of Ayr, of us and our heirs for ever, as freely, quietly, fully, and honourably

as any fishings are held and possessed by any burgesses in the kingdom of Scotland. Witnesses, W. Olifard, justiciar of Lothian, W. Cumine, chamberlain of Menteith, Roger son of Glennay, Robert Cumine, David of Lindsay. At Roxburgh, 7th December, twenty-second year of the king's reign.

9. *Notarial Transumpt of Charter granted by King Alexander the Second to the Burgh of Ayr of the Fishing of the Waters of Ayr and Doon.*—
[10th March 1454.]

IN Dei nomine amen Per hoc presens publicum instrumentum seu transumptum cunctis pateat evidenter quod anno incarnationis dominice millesimo cccc° quinquagesimo quarto mensis vero Marcii die decimo indicione tercia pontificatus sanctissimi in Christo patris ac domini nostri domini Nicholai pape quinti anno octavo in mei notarii publici et testium subscriptorum presencia personaliter constituti honorabiles ac providi viri Johannes Petyt aldermannus burgi de Are Thomas Chepman et Jacobus Brown ballivi simul pars maxima meliorum atque digniorum burgensium eiusdem quondam cartam in pergamino scriptam excellentissimi principis Alexandri Dei gracia quondam Scotorum regis factam communitati tocius antedicti burgi de piscaria aquarum de Are et de Done per prefatum regem Alexandrum ac sigillo ipsius magno in alba cera pendente sigillatam sanam et integram non cancellatam non abolitam non rasam nec in aliqua ipsius parte suspectam sed ut michi notario publico prima facie hanc cartam aperuit intuenti omni prorsus vicio et suspectione carentem michi notario publico infrascripto tradiderunt perlegendam copiandam seu transsumendam et in hanc publicam formam redigendam Cuiusquidem carte tenor de verbo in verbum in latinis sequitur et est talis Alexander dei gracia rex Scotorum (etc., as in No. 8, *supra*). Post cuius vero carte lecturam pecierunt dicti aldermannus et ballivi nomine et ex parte tocius communitatis burgi supradicti sibi fieri presens publicum instrumentum seu transumptum de predicta carta per me notarium publicum infrascriptum Acta sunt hec in burgo de Are hora quasi decima ante meridiem sub anno mense die indicione et pontificatu quibus supra presentibus ibidem providis viris et discretis dominis Eduerdo More Thoma Kennyde et Jacobo Wode capellanis Alexandro More Jacobo More de Sanqwhar Georgio Cambell Johanne Dalrympll Constantino Dunlop Alano Cunyngham Johanne Multerer de Crag Alexandro

Otterburn Thoma Wilyamsone Willelmo More Willelmo Brysbane et Willelmo Chere burgensibus dicti burgi cum multis aliis testibus ad premissa vocatis specialiter et rogatus.

Et ego vero Robertus Kerd presbiter Glasguensis dyocesis (etc., in communi forma).

ABSTRACT.

Notarial Instrument, made at the request of the honourable and prudent men, John Petyt, alderman of Ayr, Thomas Chepman and James Brown bailies, together with the greater part of the best and worthiest of the burgesses of Ayr, transuming a charter written on parchment, granted by the most excellent prince Alexander, sometime King of Scots, under his Great Seal, in white wax, to the community of the burgh of Ayr, of the fishings of the waters of Ayr and Doon: the said charter having been examined by Robert Kerd, notary public, and found to be sound and whole, and free from all suspicion, was copied by him in form of public instrument. Done in the burgh of Ayr about ten o'clock before noon of the 10th of March 1454.

10. *Decreet of Transumpt of Charter by King Alexander the Second to the Burgh of Ayr of the Fishings of Ayr and Doon.*—[30th July 1540.]

At Edinburgh the penult day of Julij the zeir of God j^m v^c and fourty yeris in presens of the lordis of counsale underwrittin thai ar to say venerabil faderis in God Alexander abbot of Cambuskynneth Robert abbot of Kinlos maister Johne Sinclar dene of Restalrig maister Robert Galbraith persoun of Spott maister William Lamb persoun of Conveth maister Johnne Lethame persoun of Kirkerist maister James Fowlis of Colintoun clerk of Register maister Thomas Ballenden of Auchnoule justice clerk and maister Henry Lawder advocat to our soverane lord comperit Alexander Lokart burges of Air and producit ane charter maid be King Alexander of gud mynd quhome God assolze to the burgessis and communitie thair of gevand to thame his fischingis of the watteris of Air and Done for sustentatioun [of the bri]ggis and portis thair of and uther commoun werkis of the samyn And becaus the said charter be lang proces and evill keping wes sumpart auld and failyeit and nicht nocht be esalie turst usit nor occupijt be thame in

siclik besynes as thai had ado thairwith desyrand thairfor the saidis lordis to gif command to the clerkis and scribes of court to make ane edict and putt the samyn upoun the tolbouth dure for transsuming of the said charter as use is The quhilk desyre the saidis lordis thocht reasonabill and ordanit ane edict to be maid to the effect forsaid as at mair lenth is contenit in ane supplicatioun and deliverance gevin be the saidis lordis thairupoun For the quhilkis the xij day of Junij last bipast with continewatioun of dais wes be the saidis lordis assignit for transsuming of the said charter and ordanit all parteis haifand or pretendand to haif entres to the said mater to compeir the said day with continewatioun of dais in the tolboith of Edinburgh to heir and se the said charter transsumit actentiklie or ellis to allege ane reasonabill caus quhy the samyn suld nocht be done with certificatioun to thame and thai comperit nocht the saidis lordis wald transsume the said charter and deliver the copy thairfor to the provest baillies and communitie of the said burgh and decerne the samyn to be of als greit strenth force vigour faith and effect as the said principale charter in jugement or utwith as in ane edict put upoun the said tolboith dure is at mair lenth contenit At the quhilk day the personis abone writtin with thair foirspekar forsaid comperit and producit the said edict of the dait at Edinburgh the first day of Maij the yeir of God ane thousand five hundreth and fourty yeris quhilk had remanit upoun the said tolboith dure quhill the said xij day of Junij last bipast togidder with the said charter Quhairfor the lordis ordanit ane maissour to pas to the tolboith dur and wyndo of the samyn to call all pairteis haifand or pretendand to haif entres in the said mater to compeir and heir and se the said charter transsumitt or ellis to allege ane reasonabill caus quhy the samyn suld nocht be done with certificatioun to thame as is abone writtin And becaus nane comperit to say in the contrair the saidis lordis being avisit with the said charter seing the samyn haill uncancellat rasit or ony uthir wais suspect outhir in writting or in seill hes transsumitt and transsumis the said charter and ordanis the samyn to be registrat in the bukis of counsale and to haif the strenth of thair act and decreit and decernis the actentik copy thairfor to be drawin furtht of the saidis bukis subscrivit with the clerk of registris hand or his deputis to be deliverit to the personis forsaidis upoun thair expenss and the samyn to be of als greit faith strenth vigour and effect as the said principall charter for the caussis forsaidis Off the quhilk the tennour followis:—Alexander Dei gracia rex Scottorum (etc., as in No. 8, *supra*).

Extractum de libro actorum per me Magistrum Thomam Marioribankis
de Ratho, clericum rotulorum registri ac consilii supreme domine
nostre regine sub meis signo et subscriptione manualibus.

(Signed) THOMAS MARIORIBANKIS.

ABSTRACT.

Decreet of the Lords of Council for transuming Charter by Alexander the Second, King of Scots, in favour of the burgh of Ayr, of all the royal fishings in the waters of Ayr and Doon, to be held of the crown for the sustentation of the Bridge and the repair of the Port of Ayr, and other common works of the burgh, dated at Roxburgh 7th December, 22d year of reign. The decret is dated 30th July 1540.

11. *Charter by King Alexander the Third granting to the Burgh of Ayr a Yearly Market, etc.*—[12th December 1261.]

ALEXANDER Dei gracia rex Scotorum omnibus probis hominibus tocus terre sue salutem Sciant presentes et futuri nos concessisse et hac carta nostra confirmasse burgensibus nostris de Are ut ipsi ad melioracionem burgi nostri de Are habeant quolibet anno apud Are nundinas ad festum nativitatis sancti Johannis Baptiste durantes per quindecim dies sequentes Tenendas et habendas eisdem burgensibus cum omnibus libertatibus et consuetudinibus nundinarum adeo libere et quiete sicut alii burgenses regni nostri in aliis burgis nostris libertates et consuetudines nundinarum liberius et quocius habent et possident Volumus eciam et concedimus eisdem burgensibus ut ipsi liberi sint ab omnimodis capcionibus et prisis per quecunque tam extra villam de Are quam infra capiendis exceptis nostris propriis capcionibus et prisis et Regine sponse nostre Et firmiter prohibemus ne quis eos contra hanc concessionem nostram injuste vexare presumat super nostram plenariam forisfacturam decem librarum Testibus Alexandro Cummyne comite de Buchane¹ justiciario Scocie Patricio comite de Dunbar Eymero de Maccuswell² camerario Hugone de Abbirnythyn et Waltero senescallo. Apud Trauequere duodecimo die Decembris anno regni nostri duodecimo.

¹ He was Justiciary of Scotland 1251-1289. Chalmers's *Caledonia*, i. p. 565.

² See Douglas's *Peerage* by Wood, vol. ii. p. 312.

TRANSLATION.

Alexander, by the grace of God King of Scots, to all good men of his whole land, greeting: Let those present and to come know that we have granted, and by this our charter have confirmed, to our burgesses of Ayr, that for the benefit of our said Burgh they do hold markets at Ayr each year at the feast of the nativity of Saint John the Baptist, lasting for fifteen following days: to be held and possessed by the said burgesses, with all liberties and customs of markets, as freely and quietly as other burgesses of our kingdom in our other burghs hold and possess freedoms and customs of markets: We also will and grant to the same burgesses that they be free from all manner of captions and apprisings, taken by whomsoever, as well without as within the town of Ayr, except our own proper captions and those of the Queen our spouse: And we straitly prohibit that no one presume to vex them unjustly, contrary to this our grant, upon pain of our full forfeiture of ten pounds. Witnesses, Alexander Cumyne, Earl of Buchan, justiciar of Scotland, Patrick, Earl of Dunbar, Eymer of Maccuswell, chamberlain, Hugh of Abbernythyn, and Walter the Steward. At Traquair, the 12th day of December, in the twelfth year of our reign.

12. *Notarial Transumpt of Mandate by King Robert the Bruce concerning certain privileges granted to the Royal Burghs.*—[24th February 1415-16.]

IN Dei nomine amen Per hoc presens publicum instrumentum cunctis pateat manifeste quod anno a nativitate eiusdem millesimo quadringentesimo quinto decimo indicione nona mensis Februarii die vicesima quarta pontificatus sanctissimi in Christo patris ac domini nostri domini Benedicti divina providencia pape tercii decimi anno vicesimo tercio in mei notarii publici et testium subscriptorum presencia personaliter constitutus probus vir Nicholaus de Fynwyk prepositus burgi de Are quamdam cartam bone memorie quondam Roberti Dei gracia regis Scottorum illustris sigillo suo sigillatam cum circumferencia et armis suis non rasam non abolitam nec in aliqua parte viciatam michi publice monstravit et cum debita instancia per me notarium infrascriptum nomine et ex parte burgensium et communitatis

burgi de Are perlegi requisivit cuiusquidem carte tenor sequitur et est talis Robertus Dei gracia rex Scottorum justiciariis vicecomitibus prepositis et eorum ballivis ac ceteris ministris et fidelibus suis quibuscunque ad quos presentes littere pervenerint salutem Quia in ultimo parlamento nostro tento apud Inchethor per nos et consilium nostrum extitit ordinatum quod burgi nostri seu quicunque burgenses nostri de regno nostro non tractentur per aliquem seu aliquos nisi per camerarium nostrum et ministros suos ad hoc deputatos et quod ad exercitum nostrum venire seu ad aliquos talliagia vel contribuciones aliquas faciendas per alium seu alios quam dictum camerarium et ministros suos ut dictum est non cogantur Vobis mandamus et precipimus quatenus vos de dictis burgis aut burgensibus nostris contra hanc ordinationem nostram nullatenus intromittatis In cuius rei testimonium has litteras nostras sibi fieri fecimus patentes Datum apud Dundee duodecimo die Aprilis anno regni nostri septimo Quam vero cartam sic monstratam et perlectam predictus Nicholaus a me notario sub signo publico peciit copiari sumptibus suis et expensis Acta fuerunt hec in vico communi burgi de Are anno indicione mense die et pontificatu premissis presentibus tunc ibidem reverendis et discretis viris magistro Duncano Petyt prebendario ecclesie de Are Rogero de Laweder vicario eiusdem et decano de Kyle Roberto Adysoun vicario de Colmanell Michaele Multrer Henrico Stephani capellaniis Hugone Sellatore ac Patricio Ahayre ballivis dicti burgi Adam de Bowr Patricio Dougall Johanne Chery Gilberto Askyrk Johanne Fabro Johanne Broune Waltero de Blencanhop burgensibus de Are et multis aliis testibus ad premissa vocatis specialiter et rogatis.

Et ego Willelmus Nigelli clericus Glasguensis dyocesis etc.

ABSTRACT.

Notarial Transumpt, made at the instance and expense of a prudent man, Nicholas of Fenwick, provost of the burgh of Ayr, of a mandate by King Robert the Bruce for the observance of an ordinance passed in his parliament held at Inchtur, exempting the royal burghs and burgesses thereof from being compelled to come to the army, or to make any contributions, except by the authority of the lord chamberlain or his ministers. The mandate is dated at Dundee, 12th April, seventh year of the King's reign (1313); and the Transumpt was made on the common street of Ayr on the 24th of February 1415-16.

13. *Charter by King Robert the Bruce to Adam called Hakenay of all that belonged to Henry called Cyser, Burgess of Ayr.*—[23d March 1316-17.]

ROBERTUS Dei gracia rex Scottorum omnibus probis hominibus tocius terre sue salutem Sciatis nos dedisse concessisse et hac presenti carta nostra confirmasse Ade dicto Hakenay omnes terras redditus et burgagia que fuerunt Henrici dicti Cyser burgensis de Are tam infra dictum burgum de Are quam extra cum pertinenciis Tenendas et habendas predicto Ade et heredibus suis de nobis et heredibus nostris in feodo et hereditate libere quiete plenarie et honorifice cum omnibus libertatibus commoditatibus asiamentis et justis pertinenciis suis Reddendo inde nobis et heredibus nostris dictus Adam et heredes sui firmam burgi et faciendo alia servicia inde debita et consueta In cujus rei testimonium presenti carte nostra sigillum nostrum precipimus apponi Testibus Bernardo abbate de Aberbrothoc cancellario nostro Gilberto de Haia Hugone de Erth David de Berclay et Alexandro de S¹ m militibus Apud Strathurd xxii^o die Marcii anno regni nostri decimo.

ABSTRACT.

Charter by Robert King of Scots, granting to Adam called Hakenay all lands, rents, and burgages, which belonged to Henry called Cyser, burgess of Ayr, as well within as without the said burgh of Ayr, with the pertinents; to hold of the King and his heirs, the said Adam and his heirs rendering therefor the ferme of the burgh, and doing other services due and wont. At Strathurd, 23d March, tenth year of reign (1316-17).

14. *Charter by King Robert the Bruce to the Burgh of Ayr, of the lands of Alloway, Corton, and Carcluie.*—[20th January 1324-5.]

ROBERTUS Dei gracia rex Scottorum omnibus probis hominibus tocius terre sue clericis et laicis salutem Sciatis nos dedisse concessisse et hac presenti carta nostra confirmasse burgensibus burgi nostri de Are quinque denariatas terre nostri de Auleway Cortoun et Gortloy Tenendas et habendas eisdem burgensibus et eorum successoribus de nobis et heredibus nostris in feodo

¹ Original torn.

et hereditate per omnes rectas metas et divisas suas libere quiete plenarie et honorifice in unam liberam baroniam cum omnimodis libertatibus comoditatibus aisiamentis et iustis pertinenciis in omnibus et per omnia ad liberam baroniam spectantibus seu de iure spectare valentibus in futurum quoquo modo et per easdem metas et divisas per quas burgenses de Are predictas terras cum pertinenciis tenere solebant tempore bone memorie domini Alexandri Dei gracia regis Scottorum illustris predecessoris nostri ultimo defuncti Reddendo inde nobis et heredibus nostris dicti burgenses et eorum successores decem libras argenti per annum videlicet centum solidos ad festum Pentecostes et centum solidos ad festum Sancti Martini in hyeme Et faciendo sectam curie coram vicecomite nostro de Are qui pro tempore fuerit ad singula placita tenenda ibidem debitam et consuetam Et inveniando nobis et heredibus nostris per vices in adventibus nostris et heredum nostrorum apud Are per tres dies et noctes literium pro aula nostra et camera et focale pro aula nostra camera et coquina sumptibus suis pro omni alio servicio consuetudine seculari exactione seu demanda Concessimus eciam eisdem burgensibus et eorum successoribus quod homines sui predictas terras inhabitantes liberi sint et quieti inperpetuum de omnimodis prisis talliagiis cariaagiis et contribucionibus quibuscunque et quod non solvant nisi cum predictis burgensibus quando ipsi vel eorum successores per nos vel heredes nostros cum aliis burgensibus regni nostri ad huiusmodi prisas talliagia carriagia et contribuciones fuerint onerati Et quod non transeant ad aliquem exercitum nostrum vel heredum nostrorum nisi cum dicti burgenses cum aliis burgensibus regni nostri ad exercitum transaturi per nos vel heredes nostros fuerint summoniti Preterea concedimus et hac presenti carta nostra confirmamus dominicis burgensibus nostris predicti burgi de Are quod ipsi et eorum successores habeant teneant et possideant gildam suam mercatoriam cum omnimodis libertatibus comoditatibus et articulis ad gildam de iure pertinentibus adeo libere et quiete plenarie et honeste sicut aliqui burgenses infra regnum nostrum gildam suam liberius plenius aut honestius habent tenent seu possident In cuius rei testimonium presenti carte nostre sigillum nostrum fecimus apponi Testibus Bernardo abbate de Aberbrothoc cancellario nostro Duncano comite de Fyfe Patricio de Dunbar comite Marchie Waltero senescallo Scocie Jacobo domino de Duglas et Gilberto de Haia constabulario nostro militibus apud Dunfermelyn vicesimo die Januarii anno regni nostri octavo decimo.

ABSTRACT.

Charter granted by King Robert the Bruce, under the Great Seal, in favour of the burgesses of Ayr, of five pennyworth of the King's land of Alloway, Corton, and Carcluie. To hold to them and their successors, of the King and his heirs, in fee and heritage, in one free barony, and by the same boundaries as the burgesses of Ayr were wont to hold the aforesaid lands in the time of Alexander, King of Scots, of good memory, the King's illustrious predecessor last deceased. Paying therefor to the King and his heirs ten pounds of silver yearly: that is to say, one hundred shillings at the feast of Pentecost, and another hundred shillings at the feast of St. Martin in winter; and performing one suit of court before the Sheriff of Ayr at every plea to be heard there; and finding to the King and his heirs, on their coming to Ayr, for three days and nights, litter for the King's hall and chamber, and fuel for his hall, chamber, and kitchen, in place of all other service, custom, secular exaction, or demand. Granting also to the said burgesses and their successors that their men inhabiting the aforesaid lands shall be free from all sorts of impressments, imposts, carriage service, and contributions whatsoever, unless when charged therewith by the King and his heirs along with the other burgesses of the kingdom. And that they shall not be called to serve with the army, except when summoned thereto, with other burgesses, by the King. And further, granting and confirming to the master burgesses of the said burgh the right of possessing their merchant guildry with all manner of freedoms which by law belong thereto. Dated at Dunfermline 20th January, the eighteenth year of the King's reign (1324-25).

15. *Notarial Transumpt of Charter by King Robert the Bruce to the Burgh of Ayr of the lands of Alloway, Corton, and Carcluie.*—[24th February 1415-16.]

IN Dei nomine amen Per presens publicum instrumentum cunctis pateat evidenter quod anno a nativitate eiusdem millesimo quadringentesimo quinto decimo indicione nona mensis Februarii die vicesima quarta pontificatus sanctissimi in Christo patris ac domini nostri domini Benedicti divina providencia pape tercii decimi anno vicesimo tercio in mei notarii publici

et testium subscriptorum presentia personaliter constitutus probus vir Nicholaus de Fynwyk prepositus burgi de Are quamdam cartam bone memorie quondam Roberti Dei gracia regis Scottorum illustris sub magno sigillo suo sigillatam cum circumferencia et armis suis non rasam non abolitam nec in aliqua parte viciatam michi publice demonstravit et cum debita instancia per me notarium infrascriptum nomine et ex parte burgen- sium et communitatis burgi de Are perlegi requisivit cuiusquidem carte tenor sequitur et est talis Robertus Dei gracia rex Scottorum (etc. *vide* No. 14, *supra*). Quam vero cartam sic monstratam et perlectam pre- dictus Nicholaus a me notario sub signo publico peciit copiari sumptibus suis et expensis Acta fuerunt hec in communi vico burgi de Are anno indiccione mense die et pontificatu premissis presentibus ibidem discretis viris magistro Duncano Petyt prebendario ecclesie de Are Rogero de Laweder vicario ecclesie de Are Roberto Adysoun vicario de Colmanell Michaelae Multrer Henrico Stephani capellanis Adam de Bowr Patricio Dougall Johanne Chery Gilberto Askekyrk Patricio Ahayr Hugone Sellatore ballivis dicti burgi Johanne Fabro Willelmo de Blencanhop burgensibus de Are et multis aliis testibus ad premissa vocatis specialiter et rogatis.

Et ego Willelmus Nigelli etc.

ABSTRACT.

Notarial Transumpt, at the instance and expense of Nicholas of Fenwick, provost of Ayr, of Charter by King Robert the Bruce, in favour of the burgh of Ayr, of five pennyworth of the King's land of Alloway, Corton, and Carcluie, as in No. 14, *supra*. Dated 20th January (1324-5), and transumed on the common street of Ayr 24th February 1415-16.

16. *Protection by King David the Second to the Burgesses of Ayr.*— [28th March 1330.]

DAVID Dei gracia rex Scotorum omnibus probis hominibus tocius terre sue salutem Sciatis nos burgenses burgi nostri de Are terras suas homines suos et universas eorundem possessiones ac omnia bona sua mobilia et im- mobilia sub firma paca et proteccione nostra iuste suscepisse Quare firmiter prohibemus ne quis eis malum molestiam iniuriam seu gravamen aliquod

inferre presumat iniuste super nostram plenariam forisfacturam Concessimus eciam eisdem ut nullus namos suos aut hominum suorum capiat pro aliquibus debito plegiagio vel forisfacto nisi pro eorundem proprio debito plegiagio vel forisfacto salvis burgis nostris firmiter inhibentes ne quis contra hanc concessionem nostram ipsos vexare presumat iniuste super eandem nostram plenariam forisfacturam Mandamus insuper et firmiter precipimus justiciariis vicecomitibus prepositis et eorum ballivis ad quos presentes litere pervenerint ut omnes illos in eorum balliis seu burgis qui debita debent prefatis burgensibus ad eadem debita eis vel eorum certo attornato latori presencium iuste et sine dilacione reddenda secundum quoad ijdem burgenses vel dictus eorum attornatus dicta debita sibi deberi ab eisdem rationabiliter probare poterunt vel poterit coram eis prout iustum fuerit compellant ita quod pro eorundem defectu amplius inde iustam querimoniam non audiamus In cuius rei testimonium has literas nostras perpetuo duraturas sibi fieri fecimus patentes apud Perth vicesimo octavo die Marcii anno regni nostri primo.

ABSTRACT.

Grant by David the Second, King of Scots, in favour of the burgesses of Ayr, of his firm protection and peace to them, their men, and all their possessions and goods, movable and immovable, forbidding any one to injure them upon the pain of plenary forfeiture: Granting also that neither they nor their men shall be distrained for any debt, pledge, or forfeit, but for their own; saving the King's burgh dues: Commanding therefore justiciars, sheriffs, provosts, and their bailies, that all in their jurisdictions who owe debts to the foresaid burgesses be compelled to pay the same to them or their attorney without delay, according as the said burgesses shall be able to prove such debts to be owing by the said persons. Dated at Perth 28th March 1330.

17. *Charter by King Robert the Third to the Burgesses of Ayr of the Burgh, Harbour, Fishings, and Mills of Ayr.*—[12th September 1400.]

ROBERTUS Dei gracia Rex Scotorum omnibus probis hominibus totius terre sue clericis et laicis salutem Sciatis nos dedisse concessisse et hac presenti carta nostra ad feodifirmam dimisisse ac pro nobis et heredibus nostris

imperpetuum confirmasse dilectis et fidelibus nostris burgensibus ac communitati burgi nostri de Are et eorum successoribus ipsum burgum de Are inhabitantibus burgum nostrum predictum cum omnibus et singulis terris pertinentibus dicto burgo et burgensibus supradictis una cum portu burgi supradicti et piscariis eiusdem firmis burgi parvis custumis ac tolloneis molendinis multuris et eorum sequelis cum curiis et curiarum exitibus ac ceteris pertinentiis quibuscunque baronia de Alway tantum excepta ut in carta super hoc dictis burgensibus de predecessoribus nostris confecta plenius continetur Tenendum et habendum eisdem burgensibus et communitati ac eorum successoribus de nobis et heredibus nostris in feodo et hereditate imperpetuum per omnes rectas metas suas antiquas et divisas cum omnibus et singulis libertatibus commoditatibus et aysiamendis ac iustis pertinentiis quibuscunque ad dictum burgum spectantibus seu iuste spectare valentibus quomodolibet in futurum adeo libere quiete plenarie integre honorifice bene et in pace in omnibus et per omnia sicut aliqui burgenses regni nostri burgum suum in feodo et hereditate liberius quietius integrius et honorificentius tenent vel possident Reddendo inde et solvendo annuatim nobis et heredibus nostris predicti burgenses et communitas ac eorum successores apud Are decem libras usualis monete regni nostri ad duos anni terminos videlicet ad festa penthecostes et Sancti Martini in hieme per portiones equales tantum pro omni alio servicio seculari exactione seu demanda que per nos vel heredes nostros de dicto burgo cum pertinentiis prescriptis exigere poterunt vel requiri salvo tamen et excepto servicio nostro debito et consueto In cuius rei testimonium presenti carte nostre nostrum precepimus apponi sigillum Testibus venerabilibus in Christo patribus Waltero episcopo Sanctiandree Gilberto episcopo Aberdonensi cancellario nostro carissimo primo genito nostro David duce Rothsaye comite de Carrik et Atholie senescallo Scotie Roberto duce Albanie comite de Fiff et de Menteth fratre nostro germano Archibaldo comite de Douglas domino Galwidie Jacobo de Douglas domino de Dalketh et Thoma de Erskyn militibus consanguineis nostris dilectis Apud Irwyne duodecimo die mensis Septembris anno gracie millesimo quadringentesimo et regni nostri undecimo.

ABSTRACT.

Charter by King Robert the Third, granting to the burgesses and community of Ayr, and their successors, the said burgh, with all and sundry

Robertus dei gratia rex Scottorum. **O**mnibus probris hominibus totius terre sue clerici et
nostri ad feodofirmam dimisisse ac pro nobis et heredibus nostris imperpetuum confi
burgi nostri de Ayr et eorum successoribus ipsam burgum de Ayr inhabitantibus
nentibus dicto burgo et burgenfibus supradictis una cum portu burgi supradicti
molefodinis multuris et eorum sequelis cum curis et curiarum exitibus ac ceteris
carta super hoc dictis burgenfibus de predecessoribus nostris confecta plenius co
ac eorum successoribus de nobis et heredibus nostris in feodo et hereditate imperpe
mbus et singulis libertatibus commoditatibus et appuramentis ac iustis pertinenti
re valentibus quomodolibet in futurum adeo libere quiete plenarie integre hono
genfes regni nostri burgum suum in feodo et hereditate liberius quietius integ
uendo annuatim nobis et heredibus nostris predicti burgenfes et communitas ac
gni nostri ad duos anni terminos videlicet ad festa Penthecostes et sancti a
cio seculari exactione seu demanda que per nos uel heredes nostros de dicto
saluo tamen et excepto seruicio nostro debito et consueto. In cuius rei testimo
lum. Testibus venerabilibus in xpo patribus Waltero episcopo Sancti andree.
gemto nostro David duce Rothfayre comite de Carrick et Nicholie senescallo sco
germano. Archebaldo comite de Douglas domno Galfrido. Jacobo de Don
fingurneis nostris dilectis. Apud Perth Duodecimo die mensis Septembris
vndecimo.

que clerici et laici Salu **G**ratias nos dedisse concessisse et hac presenti carta
perpetuum confirmasse dilectis et fidelibus nostris burgensibus ac communitati
inhabitantibus burgum nostrum predictum cum omnibus et singulis terris perti-
genti supradicti et piscariis eiusdem firmis burgi paruis custumis ac collationis
et ceteris pertinentiis quibuscumque. Quoniam de Altham tamen excepta be-
ta plenius continetur. Tenend et habend eisdem burgensibus et communitati
in perpetuum per omnes rectas metas suas antiquas et diuisas cum om-
nibus pertinentiis quibuscumque ad dictum burgum spectantibus seu iuste specta-
ntibus integre honorifice bene et in pace in omnibus et per omnia fiant aliqui bur-
genses integri et honorificentius tenent uel possident reddendo inde et sol-
uendo ac eorum successores apud Ayr decem libras vsualis monete re-
gis et sancti martini in hieme per portiones equales tamen pro omni alio serui-
tio de dicto burgo cum pertinentiis prescriptis exigi poterunt uel requiri
is rei testimonium presenti carte nostre nostrum precepimus apponi sigil-
lum sancti andree. Gilberto episcopo Abendonien cancellario nro. Carissimo primo
senescallo scocie. Roberto duce Illinie comite de fliff et de genteth fratre nro
Jacobo de Douglas domino de alliet et Thoma de Erskyn militibus con-
sis Septembrio Anno gratie millesimo quadringentesimo Et regni nri

lands thereto belonging, and to the burgesses aforesaid, together with the harbour of the burgh and fishings thereof, fermes of the burgh, petty customs, and tolls, mills, multures, and their sequels, with courts and exits of court, and other pertinents whatsoever, excepting only the Barony of Alloway; as in the charter granted thereof by the king's predecessors: To hold in fee and heritage for ever, of the king and his heirs, for the yearly payment at Ayr of ten pounds usual money of the kingdom, at the terms of Whitsunday and Martinmas, by equal portions, for all secular service; saving the king's service due and wont. Dated and sealed at Irvine 12th September 1400: the witnesses being Walter Bishop of St. Andrews, Gilbert Bishop of Aberdeen, chancellor, the king's firstborn David duke of Rothesay, earl of Carrick and Athole, Steward of Scotland, Robert duke of Albany, earl of Fife and Menteith, the king's brother-german, Archibald earl of Douglas lord of Galloway, James of Douglas lord of Dalkeith, and Thomas of Erskyn, knights.

18. *Confirmation by King James the Second of Decreet regarding Claim of the Burgh of Irvine for certain Privileges in the Burgh of Ayr.—*
[27th May 1450.]

JACOBUS Dei gracia rex Scotorum omnibus probis hominibus suis ad quos presentes litere pervenerint salutem Sciatis nos quasdam literas nostras alias in nostra tenera etate factas et concessas de et super quodam decreto alias dato in nostro concilio generali apud Striveline tento pro burgensibus et communitate burgi nostri de Are intellexisse sub hac forma Jacobus Dei gracia rex Scotorum omnibus probis hominibus suis ad quos presentes litere pervenerint salutem Sciatis quod comparentibus in concilio nostro generali tento apud Striveline Hugone Cleric et Alexandro de Houstone burgi nostri de Irwine commissariis ex una ac Johanne Multrare et Andrea Farchare burgi nostri de Are commissariis ex altera partibus et super dictorum burgorum libertatibus et nonnullorum bonorum arrestacionibus per ministros dicti burgi de Are arrestatorum coram tribus regni nostri statibus inibi congregatis altercantibus et aliquamdiu litigantibus tandem prefati burgorum de Are et de Irwine commissarii ex ordinacione trium statuum et ipsorum mutuo consensu super eorum altercacionibus et questionibus ac punctis gilde burgi de Are omnes et singulos aliorum burgorum

nostrorum commissarios in iudices elegerunt ac se et burgos predictos de Are et de Irwine ad standum ordinacioni determinacioni conclusioni et decreto dictorum commissariorum fideliter et absque fraude hinc inde sponte et voluntarie submiserunt Qui siquidem burgorum commissarii in causis per prefatos burgorum de Irwine et de Are commissarios coram eis propositis auditis parcium predictarum rationibus dictarumque causarum meritis cognititis examinatis et attentis et ad plenum discussis pro cedenda inter partes predictas discordia ac quiete et pace inter eas reformanda et nutrienda avisarunt determinaverunt concluserunt et finaliter in modum qui sequitur decreverunt Cuius decreti tenor de verbo ad verbum sequitur et est talis : The sewynt day of the moneth of Februare the yere of oure Lorde a thousand foure hundreth fourty and three in the generale counsell than haldin at Striveline before the commissaris of the burghis that is to say of Edinburgh Johne of Dalrympill of Perth Johne of Hadingtoun of Striveline John Darraugh and Johne Richardson Paton Lokart and Malcolme Clereson of Lanark Straty of Mediltoun of Muntros Henry Robertsone of Dundee Wil of Farle of Coupir John of Benyn and Thomas of Meldrum of Inverkeithing Andro Nicolsone of Aberdene ande als of Edinburgh forsaide ande Perth Williame of Libertoun ande Robert Mersare comperit the commissaris of Are ande Irwin that is to say of Are John Multrare alderman and Andro Ferchare ande of Irwyn Huchoun Clerc ande Alexander of Houstoun ostendande certane articlis and clamys debatabil of thaire fredomys schawand commissioun on athir party oblisand thame to hald ferme ande stabill perpetuale tymis to cum quhat the saide commissaris of the lafe of the burghis thare present sal decree in that mater In the first as to the clame put furth be the saide commissaris of Irwine clamand fredome in the toune of Are upoun the merkate day to stand in the merkate to tap bradeclaith ande narow walx wyne and irne ter and lynt claith and al uthir smal gudis and merchandise thir forsaide commissaris thare present has concludit in this maner that is to say that the saide merchandis of Irwine na of nane uthir toune aucht to cum within the toune of Are nouthir on the merkate day na yit nane uthir day of the wolk to tap na gudis of merchandise belangand to the gild that is to say brade claith ande narow walx wyne ter and irne lint claith na yit to by woll hidis na skinnis na yit nane uthir gudis belangand the gild sauffand anerly on the fare day ande the tyme of it continewand eftir auld privelegis The quhilke decree thir commissaris ordanis to remayne perpetuale tyme to cum to baith the partijs and thaire successours the

quhilk act is autorisit before the hale generale consel with hale consent and assent the time forsaide to endure : Quibusquidem conclusionem et decreto per Hugonem Ker de Dene notarium publicum die septimo mensis Februarii anno Domini millesimo quadringentesimo quadragesimo tercio in concilio nostro generali predicto tento in pretorio burgi nostri de Striveline coram tribus regni nostri statibus inibi congregatis perlectis et auditis prefati tres regni nostri status ad predictorum burgi de Are commissariorum supplicationes et instancias conclusionem et decretum suprascriptum tanquam actum gestum et factum concilii generalis reputandum auttorizarunt Nosque predictorum commissariorum decretum cum tribus regni nostri statibus ratum habentes in omnibus conformiter approbamus et hoc omnibus quorum interest notum esse volumus per presentes Datum sub testimonio magni sigilli nostri apud Striveline septimo die mensis Februarii anno Domini millesimo quadringentesimo quadragesimo tercio et regni nostri septimo Quodquidem decretum supradictum ac omnia et singula in eo contenta nunc in nostra etate legitima approbamus ratificamus et pro nobis heredibus et successoribus nostris ut premissum est pro perpetuo confirmamus Datum sub magno sigillo nostro apud Irwyne vicesimo septimo die mensis Maij anno Domini millesimo quadringentesimo quadragesimo octavo et regni nostri vicesimo secundo.

ABSTRACT.

Confirmation by King James the Second, under the Great Seal, of a Decreet delivered by the Commissioners of Burghs, in a general council held at Stirling on 7th February 1443, rejecting a claim preferred by the Commissioners of the Burgh of Irvine for freedom to sell certain articles in the market of the Burgh of Ayr ; which Decreet was confirmed by the king on the same day, under testimony of the Great Seal ; but as he was then in his minority this new confirmation is added. Dated at Irvine, 27th May 1458.

19. *Confirmation by King James the Second of former Royal Grants to the Burgh of Ayr, and conferring the Privilege of a Yearly Public Fair on St. Michael's Day.*—[28th May 1458.]

JACOBUS Dei gracia rex Scotorum omnibus probis hominibus tocius terre sue clericis et laicis salutem Sciatis nos approbasse ratificasse et hac presenti

carta nostra confirmasse omnes et singulas infeodaciones donaciones et concessiones factas et concessas per quoscunque predecessores nostros dilectis et fidelibus nostris preposito ballivis et communitate burghi nostri de Are et eorum successoribus eiusdem burghi burgensibus de quibuscunque terris redditibus molendinis piscariis sive aliis redditibus quibuscunque dictis burgensibus temporibus retroactis ut premittitur factis et concessis Insuper pro singulari favore quem gerimus erga dictos burgenses et communitatem dedimus et concessimus ac presentis carte nostre tenore damus et concedimus eisdem burgensibus et communitati facultatem et plenariam potestatem ut habeant teneant et possideant annuatim pro perpetuo nundinas publicas in festo beati Michaelis archangeli et per quatuor dies immediate sequentes ipsum festum cum libertatibus et privilegiis ad nundinas publicas spectantibus Et volumus nichilominus quod habeant teneant et possideant eciam suas alias publicas nundinas in festo nativitatis beati Johannis baptiste et per octavas eiusdem alias eis concessas cum libertatibus et privilegiis ad ipsas nundinas spectantibus Tenendas et habendas totas et integras predictas terras redditus molendina et piscarias cum pertinenciis ac alios redditus quoscunque per dictos nostros predecessores dicto burgo alias concessas juxta suas rectas limites et bondas dictis burgensibus et communitati et eorum successoribus dicti burghi burgensibus unacum dictis nundinis tam tenendis in dicto festo nativitatis beati Johannis baptiste et per octavas eiusdem quam in dicto festo beati Michaelis archangeli et per quatuor dies ipsum festum immediate sequentes cum libertatibus privilegiis et consuetudinibus ad nundinas publicas burghi nostri spectantibus adeo libere quiete plenarie integre honorifice bene et in pace sicut dicti burgenses et communitas de dictis suis terris piscacionibus molendinis redditibus aut possessionibus commoditatibus libertatibus aut privilegiis suis quibuscunque liberius infeodati sunt et sicut carte litere et evidencie eis desuper confecte plenius proportionant et testantur Salvis nobis et successoribus nostris juribus et serviciis ante presentem confirmationem nobis debitis et consuetis Quare universis et singulis nostris ligiis et subditis quorum interest vel interesse poterit stricte precipiendo mandamus ne quis in contrarium dicte confirmationis nostre aut libertatis seu privilegiorum nundinarum predictarum quicunque attemperare presumat temporibus profuturis sub omni pena quam erga regiam incurrere poterit maiestatem In cuius rei testimonium presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus Testibus reverendo in Christo patre Georgeo episcopo Brechinensi cancellario nostro

dilectis consanguineis nostris Jacobo domino Livingstoun magno camerario nostro Andrea domino Avandale justiciario nostro Alexandro domino Montgomerre Roberto domino Flemyng magistro Thoma Vaus decano Glasguensi secretario nostro et Niniano Spot nostrorum compotorum rotulatore Apud Irwin vicesimo octavo die mensis Maij anno Domini millesimo quadringentesimo quinquagesimo octavo et regni nostri vicesimo secundo.

ABSTRACT.

Charter by King James the Second, confirming to the burgh of Ayr all and sundry infeftments, donations, and grants made to them by any of his predecessors, of whatsoever lands, rents, mills, fishings, or other rents whatsoever: And of his singular favour towards the burgesses and community of the said burgh, giving and granting to them the power of holding and possessing for ever a public yearly fair on the feast of St. Michael the archangel, and during four days immediately following the said feast, with all privileges and freedoms belonging to public fairs: Willing nevertheless that they should also hold and possess their other public fair, formerly granted to them on the feast of the Nativity of John the Baptist, and during the octaves thereof. Dated at Irvine 28th May 1458.

20. *Charge by King James the Second to the Sheriff of Ayr, to desist from interfering with the Michaelmas Fair held at the Burgh of Ayr.—*
[7th July 1459.]

JAMES be the grace of God king of Scottis til oure schiref of Are and his deputis greting Forsamekle as we have grantit til oure lovidis the alderman bailyeis and communitie of oure burgh of Are and til oure saide burgh a fare to be haldin yerli at the fest of Sanct Michael with al privelegis and dewteis pertening thareto nochtwithstanding thare alde privilege of thare fare at the fest of sant Johnne the baptist yerli And as we ar informit ye mak you til excers and use the keping of the said new fare with wrangwis custumis and distressis in breking and lessing of the saide fare hurt and preiudice to oure said burgh and skath to the cuntre Oure will is herefor and we charge yow and stratli commandis that ye cese and decist and intromit nocht with the keping of the saide new fare nor that ye tak na

distressis na custumis in the saide fare the keping of the quhilk we have committit to the aldirman balyeis and comunitie of oure burgh forsaide and the said fare thai have undirtakin uppoune thare awnne expensis and ar bundin til ws thareuppoune to kepe yerli as efferis And this ye do undir al panne and charge that eftir may folow Delivering thir oure letres be you sene and undirstandin agane to the berare Gevin undir oure signet at Perth the vij dai of Julij and of oure regnne the xxij yere.

21. *Charter by King James the Second exempting the Tenants of Alloway from being called as Witnesses in Courts beyond the Burgh of Ayr.—*
[9th July 1459.]

JACOBUS Dei gracia rex Scotorum omnibus probis hominibus tocius terre sue clericis et laicis salutem Quia relatione dilectorum comburgensium nostrorum burgi nostri de Are informamur quod tenentes et inhabitantes terras baronie de Alva cum pertinenciis communitati dicti burgi nostri spectantes temporibus retroactis quam maxime gravati inquietati et dampnificati fuerunt per deductionem eorum tenencium in testimonium in curiis nostris itinerum nostrorum justiciarie et camerarie curiis vicecomitum aliisque curiis et locis in testificacionibus factis penes sumoniciones arrestas attachiamenta et alia per officarios nostros facta et eciam per cohertacionem ipsorum tenencium ad eundem infra terras de Carrie et alubi in diversis dominiis baroniis et locis extra limites dicti burgi nostri de Are contra libertates et privilegia dicti nostri burgi et burgensium et inhabitancium ipsum nostrum burgum et tenencium et servitorum suorum in eorum maximum dampnum et gravamen Nos igitur in observacionem infeodacionis dicti burgi et liberatuum et privilegiorum eiusdem considerantes premissa et dicta dampna haecenus dictis burgensibus et communitati eorumque tenentibus illata concessimus et tenore presencium concedimus pro nobis et successoribus nostris dictis burgensibus et communitati dicti burgi nostri de Are et eorum successoribus qui pro tempore fuerint quod dicti sui tenentes et inhabitantes dictam baroniam suam de Alva per quoscunque officarios aut ligeos nostros minime cohercentur aut distringentur in futurum ad comparendum tanquam testes in quibuscunque curiis itinerum nostrorum justiciarie camerarie vicecomitum aut quibuscunque locis extra limites et bondas dicti burgi vel in quibuscunque curiis preterquam in curiis dicti nostri burgi de Are set quod alii nostri

ligii inhabitantes vicecomitatum nostrum de Are capientur et vocentur temporibus profuturis ad perhibendum testimonium circa summoniciones arrestas vel huiusmodi facienda juxta usum et consuetudinem in aliis vicecomitatibus regni nostri usitatam De quibusquidem laboribus et iniustis vexacionibus ut premissum est usitatis contra libertates et privilegia dicti burgi burgenses et incolas eiusdem burgi et eorum tenentes de Alva pro nobis et successoribus nostris exoneramus pro perpetuo Quare universis et singulis justiciariis camerariis vicecomitibus aliisque officiariis ligiis et subditis nostris quorum interest vel interesse poterit stricte precipiendo mandamus ne quis dictos nostros burgenses aut tenentes vel servientes suos dicte baronie contra tenorem presencium aliquatenus vexare perturbare seu inquietare presumat sub omni pena quem competere poterit in hac parte Datum sub magno sigillo nostro apud Perth nono die mensis Julij anno domini millesimo quadringentesimo quinquagesimo nono et regni nostri vicesimo tercio.

ABSTRACT.

Charter by King James the Second, whereby, on the information by his lovite fellow-burgesses of Ayr, that the tenants and inhabitants of the barony of Alloway, belonging to the community of the said burgh, were very much aggrieved, disturbed, and put to damage by the taking away of the said tenants for the purpose of giving testimony in the courts of the itineraries of justiciary, chamberlain, sheriff, and other courts and places, in regard to summonings, arrestments, attachments, and others, made by the king's officers, and also by forcing the tenants for the same purpose to the lands of Carrick and elsewhere in divers lordships, baronies, and places beyond the bounds of the said burgh of Ayr, against the liberties and privileges of the burgesses and inhabitants thereof, and of their tenants and servants, and to their great loss and injury—the king therefore, and for observance of the infeftment of the said burgh, and freedoms and privileges thereof, grants to the said burgesses and community, and their successors, that their said tenants and inhabitants of the barony of Alloway shall be for ever exempt from being forced to compear as witnesses in the courts before mentioned, in any places beyond the bounds of the said burgh, or in any courts whatever, except those of the burgh of Ayr: But that the other inhabitants of the sheriffdom of Ayr might in future be taken and called to

give testimony concerning summonings, arrestments, or such like, according to the use and wont in other sheriffdoms of the kingdom. Given under the great seal, at Perth, 9th July 1459.

22. *Instrument on Delivery of the King's Letter forbidding the Sheriff to interfere with the Fair of St. Michael, belonging to the Burgh of Ayr.—*
[28th September 1460.]

IN Dei nomine amen Per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno ab incarnatione Domini m^o cccc^o sexagesimo die vero mensis Septembris xxviii^o indicione ix^a pontificatus sanctissimi in Christo patris ac domini domini Pii divina providencia pape secundi anno tercio in mei notarii publici et testium subscriptorum presencia personaliter constituti honorabiles viri Johannes Multrar prepositus burghi de Ar et ballivi eiusdem cum consensu communitatis eiusdem burghi quandam literam papiram signeto excellentissimi principis Jacobi regis Scotorum sigillatam ac ipsius manu subscriptam honorabili ac potenti domino domino Georgio Cambell militi ac vicecomiti presentabant ac eiusdem litere copiam de verbo in verbum sibi ministrabant Cuiusquidem litere tenor sequitur in hec verba James be the grace of God Kyng of Scottis till our shiraff off Ar and hys deputis gretyng for als mykill as we haff grantit till our lovidis the alderman bailyeis and communitie of our burch off Ayr and tyll our sayd burche a fayr to be haldyn yerli at the fest of Sant Michael with all privilegis and dewteis pertenyng thareto nochtwithstanding thare ald privilegis of thare fayr at the fest of Sant Jon the Baptyst yerli And as we ar informit ye mak you till excerse and oysse the kepyng of the said new fayr with wrangwyss customis and distress in brekyn and lessyng of the said fayr hurt and preiudice till our said burche and scatht to the contre Our wyll is herfor and we charge yow and stratly commande that ye sesse and decist and intromit nocht wyth the kepyng of the sayd new fayr nor that ye tak na distress na customis in the sayd fayr the kepyng of the qwlk we haff committit to the alderman balyeis and communitie of our burche forsaid And the said fayr thai haff wndertakyn wpon thare awyn expensis and ar bondyn till ws tharwpon to kep yerli as afferis and this ye do wnder all payn and charge that efter may folow deliveryng thir our letres be you seyn

and wnderstandyn agayn to the berer Gefyn wnder our signet at Perth the sewynt day of July and of our regne the xxij yer Et consequenter post presentationem litere regie vicecomiti et copie tradicionem predictus prepositus ballivi et communitas antedicti burgi ad crucem accedentes et in publico proclamantes predictam literam regiam in presencia populi perlegi faciebant et exonerabant omnes et singulos regis subditos de omni custuma tholonio et cyrothecis ballivorum tantum modo minori custuma regia excepta et inhibuerunt ex parte regis nequis se amplius intromitteret ultra preceptum regis et mandatum Super quibus omnibus et singulis sic actis factis dictis et elocutis predictus prepositus et eiusdem burgi ballivi pecierunt a me notario publico exinde sibi fieri hoc presens publicum instrumentum Acta fuerunt hec apud crucem eiusdem burgi hora quasi tertia post meridiem anno mense die indicione et pontificatu quibus supra presentibus nobilibus et discretis viris Thoma Sprewl de Coldoun Johanne Mvr de Enerothyll Alexandro Mvr ballivo de Irwyn Johanne Blar clerico studenti Roberto Hadowy burgensi de Lychtcow Henrico Gyll burgensi Edynburgi Nigello Wod Roberto Craford burgensi Edinburgi et domino Johanne Holmys capellano cum multis aliis.

Et ego Willelmus Snelle presbyter Glasguensis diocesis publicus auctoritate imperiali notarius, etc.

ABSTRACT.

Instrument on the presentation by John Multrar, provost of Ayr, and the bailies thereof, with consent of the community, to Sir George Campbell, knight and sheriff, of a letter granted by King James the Second, under his signet, of date at Perth 7th July 1460, charging the said sheriff not to interfere with the fair of St. Michael which the King had granted to the burgh of Ayr, by wrongously exacting custom, and otherwise troubling the people: Of which letter a copy was formally delivered to the sheriff: And thereafter the provost and bailies, going to the cross, made public proclamation of the said royal letter, and caused it to be read in presence of the people, and discharged all and sundry the King's subjects of all custom, toll, and bailies' gloves, the petty royal custom alone excepted. Done at the cross of the burgh at three o'clock afternoon of 28th September 1460.

23. *Letters under the Signet of King James Third in favour of the Burgh of Ayr and their Tenants of the Barony of Alloway.*—[5th September (1471).]

JAMES be the grace of God King of Scottis to all and sindry our justicis chalmerlanis shireffis and thair deputis and all utheris our officiaris and shireffis in that parte liegis and subditis quham it efferis quhais knowlege thir present letres sall cum greting Forsamekill as umquhile our maist noble progenitour King James the Secound of gude mynd quham God assoiye for resonable causis and considerationis moving him grantit for him and his successouris to the burgessis and communitie of our burcht of Are and thair successouris being for the tyme that thair tenentis and inhabitantis thair barony of Alva suld nocht be coerchit or compellit in ony tyme cuming to compeir as witnessis in quhatsumevir justice airis chalmerlane airis shireff courtis or uther placis outwith the boundis and fredome of oure said burcht in quhatsumevir courtis bot in the courtis of our said burcht and dischargeit the burgessis and induellaris of oure said burcht and thair tenentis of Alva of all sic laubirris chargeis and vexacionis for his hienes and his successouris for ever as his letres undir his grete sele maid to thame thairupone proportis Nevertheles it is now humblie menit and complenit to ws be our lovittis the alderman bailyeis counsale and communitie of oure said burcht of Air that thai thair servandis and tenentis of the said barony of Alva ar daylie summond be oure letres and officiaris to compeir in Edinburcht and uther placis to pas upone assisis and ar compellit be oure shiref of Air and his deputis to pas upone inquestis and assisis in our shireff courtis of Air in contrar the privilege of our said burcht and privilege forsaid with inhibitioun grantit to thair predecessouris and thame be our said maist noble progenitour and aganis iustice if sa be Oure will is heirfor and we charge you straitlie and commandis you all and sindry oure justicis chalmerlanis shireffis and your deputis and all uther oure officiaris and shireffis in that parte present and to cum liegis and subditis forsaidis that nane of you tak upone hand to summond arrest or compell the saidis alderman bailyeis burgessis and communitie of oure said burcht of Air thair servandis or tenentis of thair said barony of Alva to compeir or pas upone inquestis or assisis befor you in our justice airis chalmerlane airis shireff courtis or ony uther placis outwith the boundis and fredome of our said

burcht or uther wais bot in oure said burrow courtis according to the said privilege grantit to thame thairupone or to do or attempt ony thing in contrar thair of be ony maner of way in tyme cuming as ye and ilk ane of you will ansuer to ws thairupone and undir hiest pane and charge that efter may folow Thir our letres be you and ilkane of you sene and understand deliveris thame agane to the berare Gevin undir oure signet at Edinburgh the fift day of September and of our regne the xj yere Ex deliberatione dominorum consilii.

CHEPMAN.

24. *Sasine, upon Precept from Chancery, in favour of the Burgh of Ayr, of the Lands and Mills of the Burrowfield.*—[6th March 1507–8.]

IN Dei nomine amen Per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo quingentesimo septimo mensis vero Marcii die sexto indicione undecima pontificatus sanctissimi in Christo patris ac domini domini nostri Julij divina providencia pape secundi anno quinto ac regni excellentissimi principis Jacobi quarti Scotorum regis illustrissimi anno vicesimo in nostrorum notariorum publicorum ac testium subscriptorum presenciis personaliter constituti honorabiles et providi viri Matheus Walles de Crago aldermannus burgi de Are Georgeus Nesbyte ac Thomas Nele eiusdem burgi ballivi pro tempore unacum magna confluencia conburgensium ac communitatis prefati burgi quoddam sasine preceptum prefati supremi domini nostri regis sub testimonio magni sigilli eiusdem more cancellarie regie presentarunt ad manus honorabilis viri David Craufurd de Kerse vicecomitis de Are in hac parte specialiter constituti Cuiusquidem precepti tenor de verbo in verbum sequitur et est talis JACOBUS Dei gracia rex Scotorum dilectis nostris consanguineo Johanni domino Cathkert David Craufurd de Kerse Thome Corry de Kelwod et Johanni Schaw de Haly ac eorum cuilibet coniunctim et divisim vicecomitibus nostris de Are in hac parte salutem Quia pro speciali favore quem gerimus erga dilectos nostros aldermannum ballivos burgenses et communitatem burgi nostri de Are et pro utilitate et commodo eiusdem dedimus concessimus et ad feudifirmam dimisimus hereditarie eisdem totas et integras terras de Burrowfeld jacentes prope burgum nostrum antedictum et molendina earundem cum suis pertinenciis jacentes infra libertatem dicti burgi nostri de Are et infra vicecomitatum nostrum de Are Quequidem

terre cum pertinenciis fuerunt dictorum aldermanni ballivorum burgensium et communitatis dicti burgi nostri hereditarie in libero burgagio et feodifirma et ob alienacionem earundem in manibus nostris recognite fuerunt et lapsis anno et die post dictam recognicionem prefatisque terris ad plagium minime dimissis Et dictis aldermanno ballivis et communitate prefati nostri burgi ceterisque omnibus ad prefatas terras interesse habentibus seu habere presumentibus ad instanciam nostram legitime citatis ad audiendum et videndum se ipsos suas proprietatem et possessionem earundem amisisse et easdem nobis ob prefatam alienacionis causam in proprietate pertinere decerni decretum fuit et deliberatum per consilii nostri dominos quod prefati aldermannus ballivi et communitas dicti nostri burgi ceterique omnes ad dictas terras de Burrowfeld cum molendinis earundem et suis pertinenciis interesse habentes seu habere presumentes suas proprietatem et possessionem earundem amiserunt nosque manus nostras ad easdem terras et molendina apponere nobiscum in proprietate permansuras et ad nostre libitum voluntatis disponendas fore in futurum idem domini decreverunt ex et pro eo quod prefate terre totaliter alienate fuerunt et nichil inde reservatum ad persolvendum nobis feudifirmam nobis de eisdem debitam extendentem in integro annuatim ad summam decem librarum usualis monete regni nostri veluti dicti aldermannus et ballivi pro se ipsis et tanquam procuratores pro dicta communitate fatebantur in presenciis dictorum dominorum ac prout eis clare constabat contra naturam et condicionem donacionis facte burgensibus inhabitantibus et remanentibus infra dictam villam de Are continentis in effectum quod dicte terre eis date fuerunt prout in cartis et evidenciis eis desuper confectis coram prefatis dominis productis et ostensis latius continetur veluti ipsorum decretum desuper latum in se plenius proportat ut carta nostra dictis preposito ballivis burgensibus et communitati desuper confecta in se latius continet et testatur Vobis precipimus et mandamus quatenus dictis preposito ballivis burgensibus et communitati vel suis certis attornatis latoribus presencium sasinam predictarum terrarum et molendinorum cum suis pertinenciis secundum tenorem dicte carte nostre quam de nobis inde habent juste haberi faciatis et sine dilacione Et hoc nullo modo omittatis Ad quod faciendum vobis et vestrum cuilibet coniunctim et divisim vicecomitibus nostris de Are in hac parte committimus potestatem Datum sub testimonio magni sigilli nostri apud Edinburghe decimo sexto die mensis Februarii anno domini millesimo quingentesimo septimo et regni nostri vicesimo Qui quidem David Craufurd antedictus vicecomes de Are per

predictas literas in hac parte specialiter constitutus precepto ac mandato regio tanquam obediencie filius volens parere et obedire vigore predicti regii precepti hereditariam contulit sasinam per deliberacionem terre et lapidis ut moris est omnium et singularum predictarum terrarum et molendinorum de Burrowfeld cum suis pertinenciis jacencium prope burgum de Are infra libertatem dicti burgi de Are et vicecomitatum eiusdem antedictis Matheo aldermanno Georgio et Thome ballivis dicti burgi pro tempore nomine et ex parte omnium conburgensium et tocus communitatis predicti burgi de Are secundum formam et tenorem carte regie illis desuper confecte tenendarum et possidendarum Salvo jure cuiuslibet imperpetuum Super quibus omnibus et singulis peccit dictus Matheus aldermannus pro se ac dictis ballivis conburgensibus et comunitati dicti burgi unum et plura instrumentum ac instrumenta publicum et publica a nobis notariis publicis subscriptis sibi fieri Acta erant hec super solum dictarum terrarum de Burrowfeld burgi predicti juxta duas cruces lapideas hora quasi decima ante meridiem aut eo circa sub anno mense die indictione pontificatu et regis regno quibus supra Presentibus ibidem nobilibus ac providis viris videlicet Jacobo Chawmyr de Gaitgyrthe Willelmo Wallece filio et herede apparenti Mathei Wallece de Crago Roberto Campbel de Kilmanache Johanne Chawmyr filio prefati Jacobi Chawmyr Michaeli Wallece Jacobi Craufurd fratre prefati David Craufurd de Kerse et Johanne Gilmene mercatore cum aliis multis ac diversis testibus ad premissa vocatis pariter et rogatis.

Et ego Patricius Law, etc.

Et ego vero Johannes Fair, etc.

ABSTRACT.

Instrument of Sasine, proceeding on Precept by King James the Fourth, under the testimonial of the great seal, addressed to John lord Cathcart, David Craufurd of Kerse, Thomas Corry of Kelwod, and John Shaw of Haly, sheriffs in that part, and narrating that the king, for the especial favour which he bore towards the alderman, bailies, burgesses, and community of Ayr, and for the utility and advantage of the burgh, gave, granted, and set in feu-ferme to them heritably, all and whole the lands of the Burrowfield, mills and pertinents thereof, lying within the freedom of the said burgh : Which lands formerly belonged to the burgh in free burgage and feu-ferme, and were recognised in the king's hands, on account of the alienation thereof :

And a year and day having passed since the recognition without the demission of the lands at pledge, the Lords of Council decerned the property and possession thereof to be lost by the burgh, and to be in the king's hands, to be disposed of at his pleasure: Because, contrary to the condition of their gift, and to the tenor of the charters granted to them of the said lands, as they themselves acknowledged, they had wholly alienated them, reserving nothing for payment of the feu-ferme due therefrom to the king, which extended in whole to the yearly rent of ten pounds usual money of the kingdom: The royal precept directed the aforesaid sheriffs to give sasine to the said provost, bailies, burgesses, and community, of the said lands and mills, according to the tenor of the charter granted to them by the king: Which was done in due form by the aforesaid David Craufurd delivering o earth and stone of the said lands to Mathew Wallace of Crago, alderman, George Nesbit and Thomas Nele, bailies of the said burgh, in name of the burgesses and community thereof, before these witnesses, James Chalmers of Gaitgirth, William Wallace, son and apparent heir of Mathew Wallace of Crago, Robert Campbell of Kilmanach, John Chalmers, son of the foresaid James, Michael Wallace, James Craufurd, brother of the foresaid David Craufurd of Kerse, and John Gilmene, merchant, with many others. The Precept is dated at Edinburgh 16th February, and the sasine given on 6th March 1507-8.

25. *Letters by Queen Mary discharging the Sheriff of Ayr from citing Burgesses of Ayr to his Court.*—[16th March 1547-8.]

MARIE be the grace of God quene of Scottis to our lovittis Hewe Montfloyd Robert Lawe our shireffis in that part coniunctlie and severalie specialie constitute greting Forsamekle as our uther letres purchest at the instance of the provist ballies counsale and communitie of our burgh of Air aganis Hew Campble of Loudoun our shireff principale of Air George Campble of Bryntwod and Jhone Laing his deputis makand mentioun quhare that the saidis provest ballies counsale and communitie ar infest of fre borrowaige be our umquhile predicessouris als frelie as ony uther burgh within our realme and hes bene in use in all tymes bigane to sitt upoun all actionis concernyng ony nychtbour of our said burgh and personis dwelland within the

boundis fredome and jurisdictione thareof And thai nor none of the burgessis of our said burgh compellit to answer before ony juge undir the lordis of our counsale bot befor the saidis provest and ballies allanerlie Nocht-theles Leonard Clerk ane of the burgessis of the said burgh hes [cited] Alexander Lokhert ane uthir of the burgessis of the samin befor our said shireff of Air and his deputis for the wranguis eiectioun of him furth of the landis of Maryland lyand within the fredome and jurisdiction of our said burgh And swa wald hurt the saidis provest ballies counsale and communitie of thair privilege expres aganis thair fredome and lovable use of our burgh And anent the charge gevin to our said shireff and his deputis to compeir befor the lordes of counsale to heir our letres direct dischargeing thaim of all calling or proceeding upoun ony burgessis of our said burgh indwellaris within the fredome and landis thair of Or ellis to allegit ane ressonable cause quhy the samyn suld nocht be done with certificatioun to thame and thai falzeit our uther letres wald be direct in maner forsaid as at mair lenth is contenit in our saidis uther letres quhilkis ar be the lordis of our counsale with consent of William Hamiltoun of Sanchar knycht provest of our said burgh and maister James M'Gill procuratour for our said shireff and his deputis continewit in the samyn forme force and effect as it is now but preiudice of party unto the xv day of Junii nixt to cum with continuatioun of dayis as at mair lenth is contenit in ane act made be the saidis lordis thairupoun Oure will is heirfor and we charge straitlie and commandis that incontinent thir our letres sene ye pas and in our name and autorite discharge our said shireff of Air and his deputis of all forthir proceeding or calling of ony of the saidis burgessis of our said burgh of Air or indwellaris within the fredome and landis thair of befor thame Dischargeing thame thair of and of thair offices in that part for the caussis aboun writtin quhill the said xv day of Junii forsaid eftir the form and tenour of the said act as ye will answer to ws thairupoun The quhilk to do we committ to you coniunctlie and severalie our full power be thir our letres delivering thame be you dewlie execute and indorsate agane to the berar Gevin under our signet at Edinburgh the xvj day of Merche and of our regne the fift yeir.

Per actum dominorum consilii, etc.

(Signed) J. SCOTT.

26. *Confirmation by Queen Mary of an Act for the Registration of a Bond by Sir Hew Campbell of Loudoun respecting the Jurisdiction of the Magistrates of Ayr.*—[6th April 1557.]

MARIA Dei gracia regina Scotorum omnibus probis hominibus suis ad quos presentes litere pervenerint salutem Sciatis nos quoddam actum sive decretum per dominos consilii nostri inferius descriptos datum et promulgatum utique intellexisse sub hac forma At Edinburgh the thrid day of Aprile the yeir of God j^m v^c fiftie sevin yeiris in presens of the lordis of counsale under writtin that is to say ane reverend fader in God Robert bischop of Orknay maister Henrie Sinclare dene of Glasgow maister Johne Sinclare dene of Restalrig maister Abraham Creichtoun provest of Dunglas maister Johne Stevinstoun chantour of Glasgow maister William Baillie lord Provand maister James Scot provest of Corstorphin maister James M'Gill of Rankelour Nethir clerk of register schir Johne Bellenden of Auchnoule knycht justice clerk maister Henrie Lauder advocat to oure soverane lady maister Thomas Marioribankis of Ratho Richart Maitland of Lethingtoun knycht and maister Johne Gledstanes licenciante in the lawis comperit Hew Campbell of Lowdoun knycht schiref principale of the schirefdome of Air and Matho Campbell of Terringzeane his son and appeirand air and gaif in this band and obligatioun underwrittin subscrivit with thair handis and desyrit the samyn to be insert and registrat in the buikis of counsale to have the strenth force and effect of thair act and decret in tyme to cum and that leteres be direct upone thame and athir of thame for fulfilling thairof in all poinctis efter the forme and tennour of the samyn in maner specifiit thairintill The quhilk desyre the saidis lordis thocht ressonabill and thairfor hes ordanit and ordanis the said band and obligatioun to be insert and registrat in the saidis buikis to have the strenth force and effect of thair act and decret in tyme to cum and hes interponit and interponis thair autoritie thairto and decernis and ordanis letres to be direct upone athir of the saidis personis for fulfilling thairof in all poinctis in maner thairin contenit Of the quhilk obligatioun the tennour followis Be it kend till all men be thir present letres ws Schir Hew Campbell of Loudoun knycht schiref principale of the schirefdome of Air and Matho Campbell my son and apperand air forsamekill as I the said Schir Hew belevand that the punischement of slauchteris mutilationis bluidis thiftis spulzeis and uthiris violentis and crymis committit

within the burgh of Air burrowruidis burrofeild and barony of Alloway pertenynng thairto had belangit and pertenit to my office of schirefschip quhairthrow debait and contraversy is movit and yit dependis betuix me and the provest baillies counsall and communitie of the said burgh befor the lordis of counsale anent the usurping and using of the samyn Bot now efter lang and perfect avisement and consultatioun of divers cunnyng men had thairintill hes fundin and perfitlie understandis that the provest baillies and communitie of the said burgh of Air is als frelie infeft in burrowage with all liberteis and privilegiis belangand thairto as ony uthir burgh within this realme and hes usit and executit the ordinar iurisdiction thairof in punischement of slauchteris mutilationis bluidis thiftis spulzeis and uthairis crymes quhatsumevir committit within thair fredome and boundis foirsaidis in all tymes bygane past memor of man Thairfoir we the said schir Hew and Matho for oure selffis oure airis and successouris schireffis of the said schirefdome be thir presentis renuncis actioun and caus presentlie dependand befor the saidis lordis of counsale betuix me the said schir Hew and the saidis provest baillies and communitie anent the jurisdiction abone specifit and all rycht and tytill that we have or may ask or clame thairto frathyne furth for evir And mairattour we bind and oblissis ws and oure successouris nevir to molest trouble vex nor inquiete the saidis provest baillies and communitie nor thair successouris in nane tyme tocum in the peciable josing and using of thair said ordinar jurisdiction sitting upone slauchteris mutilationis bluidis thiftis spulzeis violentis and uthir crymes or caussis quhatsumevir nor sall pretend richt or tile thairto in tyme cuming nor in using of ony uthiris thair privilegiis and putting of the samin to executioun within the boundis of thair said burgh Burrowfeild Burrorudis and barony of Alloway and fredome thairof nowther in the law nor by the law nor sall nocht be ourselffis nor na uthir myd persoun in our name procure solist nor obtene be commissioun infeftment or be ony uthir way at oure soverane ladyis handis hir grace successouris thair justice chalmerlanis or uthiris ministeris of the lawis quhatsumevir haveand hir graces autoritie and power present and tocum ony iurisdiction intromissioun or medling in ony sort be the way of iustice owther civilie or criminallie with the saidis provest baillies counsall and communitie and thair boundis and iurisdiction abone expremitt thair personis and gudis Nor yit sall mak thame stoip lat hinder or impediment in purchessing of ony new privilegiis liberteis and fredomes power autoritie or iurisdiction that thai may obtene at oure said soverane ladyis

handis or hir graces successouris thair chalmerlanis or ony uthiris thair graces officiariis havand power as said is Bot sall help furthir assist and supplie thame thairintill at oure gudlie poweris Providing alwyse that it salbe lessum to me and my said sone our airis and successouris schireffis principale of the said schirefdome and oure deputis haveand the use of the keiping of the heid faris of the said burgh halding yeirlie at the feistis of midsomer and Michaelmes bigane past memor of man to keip the samin siclike in tyme cuming and to hald courtis for administratioun of iustice That is to say ane court efter ilkane of the saidis twa faris upone sic faillis and complantis as salhappin to be committit in the saidis faris like as we have bene in use of bygane but dirogatioun of the saidis provest baillies and communitieis allegit ground rycht infetment and title quhilk thai have to the saidis faris keiping quhen it sall pleis thame and thair successouris to persew for the samin as law will The saidis provest baillies counsall and communitie present and to cum with thair subiectis befor specifit merchandis and uthiris strangeris seymen and marinaris resortand to thair port and watteris with thair servandis and gudis in the menetye fra the saidis court and all calling persewing attecheing or unlawing thairinto be ws and oure successouris or deputis aluterlie exemit thairfra Providing alsua that geif it salhappin (as God forbid it do) ws our airis successouris freindis servandis or uthiris landwert men dwelland in the schirefdome of Air being na fremen nor indwellaris within the said burgh burrorudis Burrowfeildis and barony of Alloway with thair pertinentis befor rehersit to commit slauchter or mutilatioun amangis oure selffis within the said burgh or boundis thairof in ony tyme tocum in that cause it salbe lesun to the saidis provest baillies to use and exerce thair autoritie and iurisdiction thairanent conforme to thair auld use and possessioun That is to say the saidis provest baillies and communitie and thair successouris sall intromet with sic landward personis as salhappin to commit the saidis crymes in maner following videlicet to tak thame to the tolbuith cognosche and decerne upone the wrang and distribulance of the burgh and to tak up sic unlawis as concernes thame thairthrow and to tak cautioun for forthir distribulance of the said burgh in tyme cuming as efferis And geif the said cryme beis ane bluid but danger of slauchter or mutilatioun thay sall suffer the committaris thairof beand landwart men as said is to depart but forder payment of ony bluidwed bot payand alanerlie ane unlaue for the wrang and findand cautioun for distribulance in tyme cuming as said is And geif the cryme be slauchter or

mutilatioun the saidis provest baillies and thair successouris efter thai have apprehendit the landwertmen committaris thair of and cognosche upone the wrang and distribulance of the burgh and taikin thair unlawis and cautioun thairupone as efferis We oure aris or successouris or our deputis having the power and iurisdiction thairto sall plesandlie ressave furth of the handis of the saidis provest and baillies for the tyme all sic landwart personis as salhappin to commit the saidis crymes of slauchter or mutilatioun within xlvij howris nixt efter the saidis provest and baillies hes cognoschit upone the saidis distribulance and put ordour thairto and thairefter we sall warrand the saidis provest and baillies present and to cum at the handis of oure said soverane ladie hir graces successouris iustices chalmerlanis and all utheris ministeris of law quham it efferis anent the deliverance to ws of the saidis faltouris for quhome frathyne furth we salbe haldin to ansuer And geif we or our successouris schirreffis of the said schirrefdome of Air or our deputis beis negligent in ressaving of sic landwart personis committaris of the saidis crymes of slauchter or mutilatioun in maner abone writtin furth of the handis of the said provest and baillies the saidis faltouris being apprehendit and tane be thame and cognitioun taikin of the distribulance of the toun in maner fairsaid we or our deputis ane or ma being requirit to tak deliverance of the saidis faltouris the said space of xlvij houris being bipast in that cause the saidis provest and baillies to puneis the saidis crymes of slauchter or mutilatioun according to thair iurisdiction and power as thai will ansuer to the autoritie or to present the committaris thair of to my lord iustice or his deputis as be thame salbe thocht maist expedient for the tyme And this ordour to stand amangis ws tueching the crymes of slauchter and mutilatioun that salhappin to be committit within the said burgh and boundis thair of be landwart men in sic maner that we oure airis successouris and deputis being present within the said burgh and boundis thair of is contentit to assist and concur with the saidis provest and baillies to the taiking of sic landwart personis as salhappin to commit the saidis crymes thairinto And the samin being tane be the saidis provest and baillies we nor our successouris nor deputis sall have na intromissioun with the saidis personis unto the tyme the saidis provest and baillies have decernit upone the wrangis and distribulance of the burgh and tane cautioun thairupone in maner abone writtin And it sall nocht be lesum to ws oure airis successouris nor deputis be na way to serche seik or ripe ony hous within the said burgh and partis thair of abone writtin for ony persone or personis committaris of

the saidis crymes landwart personis or utheris Bot geif the said provest ony of the baillies counsale or communitie thair tennentis indwellaris within the boundis of the said burgh Burrofeild Burrorudis barony of Alloway or uthiris merchandis alsweill be sey as land strangiaris seymen marinaris fischearis or uthiris quhatsumevir resorting be sey towart the said burgh and thair servandis or ony ane of thame salhappin to be party to the said landwart personis in committing of the saidis crimes of slauchter mutilatioun or bluid into the quhilk caise the said provest and baillies sall have the full iurisdiction and punischement of sic landwart personis alsweill as of ony uthir persoun or personis dwelland within the fredome and jurisdictioun of the said burgh And the said provest and baillies sall nocht be haldin to deliver to ws nor our successouris sic landwart men as salhappin to be partie to ony persone or personis dwelland within the said burgh and boundis thair of foirsaid or thair adherentis befor expremitt And geif we or ony of ws our airis or successouris failzeis in the premissis or cummis in the contrar of ony point thair of be stoping prevenyng trubling or impediment making to the saidis provest baillies counsale communitie and thair successouris in using brouiking joising or executing of thair said jurisdictioun autoritie and privilegiis abone specifitt in maner befor reheirsit owthir be way of deid or be persewing of thame be the law anent ony thing concerning thair ordinar jurisdictioun foirsaid owthir be oure selffis or ony interponit persoun of oure causing command or procuring ony maner of way in sitting upone slauchter mutilatioun bluid thift spulzeis violentis or uthir crymes or caussis quhatsumevir that may rynd to the hurt of the saidis provest baillies counsale and communitie and thair successouris of thair fredomes and privilegiis in maner abone writtin In that caise we bind and obleis ws oure airis and successouris foirsaidis to refund content and pay to the saidis provest baillies and communitie present and to cum the sowme of tua thowsand pund guid and usuale money of Scotland or evir we be hard in jugement Quhilk sowme of tua thowsand pundis we be the tennour heirof grantis ws to have ressavit fra thame at the making heirof in numerat money And attoure we for oure selffis oure airis and successouris will and grantis that this oure obligatioun nor na clause contenit thairintill salbe preiudiciale to the saidis provest baillies and communitie nor thair successouris anent thair ground richt infeftment jurisdictioun and autoritie ony maner of way contenit in thair infeftmentis maid to thame of befor And for the mair sure fulfilling of all and syndrie the premissis we the saidis Hew and Matho my said sone for ws

and our successouris ar content and consentis that this obligatioun be insert and registrat in the buikis of oure soverane ladyis counsale and to have the forme strenth and effect of ane decreit of the lordis of counsale and executiouris to be direct geif neid be thairupone in forme as efferis for keiping of all the premissis under the pane of rebelloun and putting of ws to the horne and gif we failze to be put to the horne In witnes of the quhilk thing we have subscrivit this obligatioun with oure handis at Edinburgh the secund day of Aprile the yeir of God j^m v^e fiftie and sevin yeiris Befoir thir witnes George Craufurde of Lesnoreis Thomas Stewart of Galstoun James Lokart youngar of Bar James Bannatyne burges of Air schir Thomas Raith chaiplane and James Millair writtar in Edinburgh and notaris publict with uthiris divers Sic subscribitur Hew Campbell of Lowdoun knycht Matho Campbell of Terrinzeane with my hand Extractum de libro actorum per me magistrum Jacobum M'Gill de Rankelour Nether clericum rotulorum registri ac consilii supreme domine nostre regine sub meis signo et subscriptione manualibus Quodquidem actum sive decretum ac omnia et singula in eodem contenta approbamus ratificamus ac pro nobis et nostris successoribus ut premissum est confirmamus Datum sub testimonio nostri magni sigilli apud Edinburgh sexto die mensis Aprilis anno domini millesimo quingentesimo quinquagesimo septimo et regni nostri decimo quinto.

ABSTRACT.

Confirmation by Mary Queen of Scots, in favour of the burgh of Ayr, of an Act of the Lords of Council for the registration in their books of a Bond by Sir Hew Campbell of Loudoun, sheriff of Ayr, and Mathew Campbell of Terrinzean his son, to respect the rights of the magistrates of the burgh in adjudicating on the crimes of slaughter, mutilation, theft, and others, when committed within their jurisdiction. The Bond is dated 2d, the Act of Council 3d, and the Confirmation given under the testimonial of the great seal 6th April 1557.

27. *Letters under the Signet of King James the Sixth confirming to the Burgh of Ayr the Privilege of Exemption from Attendance on Courts outside the Burgh.*—[2d November 1574.]

JAMES be the grace of God king of Scottis to all and syndre our justices chalmerlandis oure shireffis and thair deputtis and all utheris oure officiaris and shireffis quhatsumevir in that pairt liegis and subditis quhome it efferis quhais knowlege thir oure letres sall to cum greting Forsamekill as it is humelie menit and schawine to ws be our lovittis the provest baillies counsale and communitie of oure burgh of Air now present that quhair umquhile our maist nobill progenitour King James the Secund of gude memorie for ressonabill causes and considerationis moving his hienes for the tyme grantit for him and his successouris to the saidis complenaris predecessouris alderman provest baillies counsale and communitie of oure said burgh of Air to thame thair successouris and to thair tennentis and inhabitantis of our barronie of Allova being for the tyme that thai suld nocht be coerchit nor compellit in ony tyme cuming to compeir as witnessis in quhatsumevir justice aires chalmerlane airis shireff courtis or justice courtis outwith the boundis and fredome of oure said burgh in quhatsumevir courtis bot in the courtis of the samyn burgh and dischargit the burgessis and indwellaris within the samin and thair tennentis of Allva of all sic laubouris chargis and vexationis for his hienes and his successouris for evir as the letres grantit undir oure grete sele to the saidis complenaris predecessouris and thame schawin to the lordis of our counsale beris According to the quhilk charter past under the grete seill thair predecessouris and thair tennentis and servandis of the said barronye of Allva nochtwithstanding the samin war daylie summonit be letres be deliverance of the lordis of sessioun for the tyme and officeres to compeir in Edinburgh and utheris places to pas upoun assissis and inqueistis and war compellit be our shiref of Air and his deputtis to pas upoun the samin in contrare the privilege of our said burgh and inhibitioun grantit in the saidis letres under the grete sele Quhairupoun thai menit thame to the lordis of sessioun for the tyme and obtenit letres be thair deliverance direct to all and syndrie justices chalmerlanis schireffis and thair deputtis and all utheris officiaris and schireffis in that pairt liegis and subdittis quhom it efferit quhais

knaulege the letres suld to cum that nane of thame tuik upoun hand to summond arreist or compell the saidis alderman baillies burgessis and communitie of oure said burgh of Air thair tennentis and servandis of the said barronie of Allova quhilkis war the saidis complenaris predicesouris to compeir or pas upoun inqueistis or assissis befor the justice in justice airis chalmerland airis schiref courtis or ony utheris places outwith the boundis and fredome of our said burgh of Air or utherwayis bot in the said burrow courtis according to the said previlege grantit to the saidis complenaris predicesouris thairupoun or to do or attempt ony thing in contrare thair of be ony maner of way in tyme cuming as thai and ilk ane of thame wald answer thairupoun and under all hiest pane and charge that efter mycht follow As the saidis letres grantit of auld in oure maist nobill progenitouris tyme King James the secund schawin alsua to the saidis lordis of our counsale beris According to the quhilk gift under the gret sele and letres forsaidis grantit thairupoun to the saidis complenaris predecessouris and thame thair successouris and thair tennentis and servandis of the said barronie of Allowa thai thairfoir on nawayis aucht nor suld be summonit nor callit to compeir or pas upoun ony inqueistis or assissis befor oure justice in oure justice airis chalmerlane airis schiref courtis or ony uther places outwith the boundis and fredome of oure said burgh of Air or utherwayis bot in oure burrow courtis according to the said previlege grantit to thair predecessouris thame thair successouris use and possessioun thair of observit be thame and the saidis complenaris in all tymes of befor Nevirtheles the lordis of oure counsale hes laitlie grantit oure utheris letres be the quhilkis oure officiaris thairin contenit hes summond the saidis complenaris to compeir in Edinburgh and utheris places to pas upoun assissis and ar compellit be our schiref of Air and his deputtis to pas upoun inqueistis and assissis in our schiref courtis of Air albeit that the merchandis of oure said burgh of Air ar to pas to saill and sua thairby ar hinderit and stoppit in contrare the previlege specifeit and contenit in the said gift and utheris letres with inhibitioun thairin contenit grantit to the saidis complenaris predecessouris and thame be oure maist nobill progenitour as said is aganis all justice and to thair hevye dampnage and skaith without we and the lordis of our counsale provide remeid heirto giff sua be Oure will is heirfoir and we charge yow straitlie and commandis yow all and syndre oure justices chalmerlandis schireffis and your deputtis and all uthiris oure officiaris and schireffis quhatsumevir in that pairt present and to cum liegis and subditis

foirsaidis that nane of yow tak upoun hand to summond arreist or compell the saidis provest baillies counsale and communitie of oure said burgh of Air or ony ane of thame thair tennentis or servandis of thair said barronie of Allva to compeir or pas upoun inqueistis or assissis befor yow in youre justice airis chalmerland airis schiref courtis or justice courtis or outwith the boundis and fredome of oure said burgh or utherwayis bot in oure said burrow courtis according to the said privilege grantit to the saidis complenaris predecessouris and thame thairupoun or to do or attempt ony thing in contrare thair of be ony maner of way in tyme cuming as ye and ilkane of yow will ansuer to ws thairupoun and under all hiest pane charge and punisment that efter may follow Becaus the lordis of our counsale hes sene the infetment abone writtin and auld letres grantit to the effect abone expremit of befor according to justice thir oure letres be yow and ilkane of yow sene and understand delivering thame agane to the berare Gevin under oure signet at Edinburgh the secund day of November and of oure regne the aucht yeir 1574.

Ex deliberatione dominorum consilii.

(Signed) W. LAYNG.

In curia iusticiarie supremi domini nostri regis tenta et inchoata in pretorio burgi de Edinburgh vicesimo sexto die mensis Aprilis anno domini millesimo quingentesimo septuagesimo quinto per honorabilem et discretum virum magistrum Thomam Bannatyne iusticiarium deputatum iusticiarii regni generalis specialiter constitutum sectis vocatis et curia affirmata.

Visis et admissis per dictum iusticiarium deputatum.

(Signed) JOANNES BELLENDEN,

Clericus Iusticiarie.

In curia iusticiarie supremi domini nostri regis tenta et inchoata in pretorio burgi de Edinburgh vicesimo secundo die mensis Novembris anno domini millesimo quingentesimo octuagesimo per discretum virum magistrum Henricum Makcalzane iusticiarium deputatum iusticiarii regni generalis specialiter constitutum sectis vocatis et curia affirmata, etc.

(Signed) LUDOVICUS BELLENDEN,

Clericus Iusticiarie.

28. *Act of Registration of Exemption granted by King James the Sixth to the Burgh of Ayr from attending on Courts other than those of the Burgh.*—[26th April 1575.]

CURIA justiciarie supremi domini nostri regis tenta et inchoata in pretorio burgi de Edinburgh vicesimo sexto die mensis Aprilis anno domini millesimo quingentesimo septuagesimo quinto per honorabilem et discretum virum Magistrum Thomam Bannatyne justiciarium deputatum justiciarii regni generalis specialiter constitutum sectis vocatis et curia affirmata.

The quhilk day comperit Johnne Lokart provest of the burght of Air and Johnne Stewart baillie thair of and desyrit the said justice to admitt ane exemptioun grantit to the burgessis and inhabitantis of the said burgh conforme to thair auld privelege of the samin burgh quikilk thai produceit in jugement to that effect and the said justice eftir reding of the samin exemptioun thinkand the desyre foirsaid reasonabill admittit the samin and ordanit the contentis thair of to be registrat and insert in the buikis of adjornale quhair of the tennour followis JAMES be the grace of God king of Scottis (etc., as in No. 27, *supra*).

(Signed)

JOANNES BELLENDEN,
Clericus Iusticiarie.

29. *Letters under the Signet of King James the Sixth, enforcing the Exemption of the Burgh of Ayr from attendance on Courts outside the Burgh.*—[10th June 1580.]

REX.—We understanding divers and sundrie messingeris officiaris of armes and utheris our schireffis in the executioun of our letres baith criminale and civile throughout our realme daylie to trubill and molest the inhabitantis of our burgh of Air and barony of Alloway in summouning thame to compeir befor our justice and his deputis at Edinburgh and uther judges of our realme outwith thair awin iurisdiction boundis and fredome of our said burgh and barony forsaid to pas upoun assyissis and inqueistis in our iustice airis chalmerlane and schireff courtis Notwithstanding the privilege and exemptioun thairfra grantit to thame be our maist nobill progenitouris of

worthie memorie ratifiit and confermit be us in our lait parliament haldin at Striviling the xxv day of Julij the yeir of God j^m v^c lxxviiij yeris to the manifest violatioun thairof and heich contempt of our auctoritie interponit thairto Thairfoir with avise and consent of our secreit counsale inhibitit and dischargis all and sindrie our officiaris of armes messingeris and schireffis quhatsumevir executouris of our letres in tyme to cum That nane of thame in any tyme heirefter tak upoun hand to summound ony inhabitant of our said burgh or barony of Alloway to pas upoun ony inqueistis or assyssis in quhatsumevir justice or chalmerlane airis schireff or iustice courtis outwith the boundis and fredome of our said burgh and barony foirsaid under the pane of deprivation of thame of thair offices incais they contemptuouslie efter the sicht heirof proceid in the contrair of this our will and plesour And utherwayis to incur our further indignatioun and heich displesour be thir presentis Gevin under our signett and subscrivit with our hand at Dundie the tent day of Junii and of our regne the threttene yeir 1580.

(Signed) JAMES R.

(Countersigned) ROTHES.

R. DUNFERMLING.

(*Endorsed*) Apud Dundee decimo Junii anno etc. lxxx^o sederunt Levenax Angus Rother Maxwell Lindesay Dunfermling provest of Dundee.

Past and subscrivit in counsall.

(Signed) JOANNES ANDRO.

30. *Commission of Justiciary in favour of the Provost and Bailies of Ayr.*—[28th December 1583.]

JACOBUS Dei gratia rex Scotorum omnibus probis hominibus suis ad quos presentes litere pervenerint salutem Sciatis quia nobis nostrique secreti consilii dominis intellectum est quod diverse sunt persone infra burgum nostrum de Air bondas libertatem et jurisdictionem eiusdem que omnibus temporibus furtum receptionem furti lie pykrie inductionem furti et furorum bonorum-que justorum hominum furtivo modo expositionem committunt magne lesioni diversorum justorum hominum dicti burgi inhabitantium et in malum exemplum aliorum si remedium opportunum non provideatur Igitur fecimus constituimus et ordinavimus tenoreque presentium facimus

constituimus et ordinamus dilectos nostros Prepositum et ballivos dicti burgi nostri de Air coniunctim et divisim nostros in hac parte Justiciarios ad effectum subscriptum Dantes concedentes et committentes eisdem nostram plenam potestatem et mandatum speciale omnes et singulas personas infra dictum burgum nostrum bondas libertatem et jurisdictionem eiusdem habitantes quas temporibus futuris recenti manu cum furti vel receptione furti apprehendi contigerit per dictamenta accusandi easque pro dictis criminibus assise cognitioni ponendi et prout culpabiles seu innocentes reperi fuerint justiciam super eis legibus regni nostri conforme ministrandi et ministrari causandi Et ad hunc effectum Justiciarie curiam vel curias infra pretorium dicti nostri burgi quoties necesse fuerit statuendi inchoandi affigendi tenendi et continuandi sectas vocari faciendi absentes amerchiandi transgressores puniendi exitus amerchiamenta et eschaetas dictarum curiarum et personarum in eisdem convictarum petendi levandi et recipiendi et pro eisdem si necesse fuerit namandi et distringendi unam dimedietatem earundem nostro usui importandi ac computum in scaccario nostro nobis et nostro thesaurario nostro nomine inde faciendi Alteramque dimedietatem suis propriis usibus pro eorum laboribus applicandi Assisas unam vel plures infra dictum burgum et quatuor dimedietates circumiacentes quamlibet personam sub pena decem librarum summoniendi premoniendi elegendi et jurare causandi clericos seriandos adiudicatores et omnes alios officarios et curie membra necessaria faciendi creandi substituendi et ordinandi Pro quibus dicti Prepositus et ballivi respondere tenebuntur Et generaliter omnia alia et singula faciendi ducendi gerendi et exercendi que in premissis et circa ea necessaria fuerint seu quomodolibet oportuna Firmum atque stabile habentes et habituri totum et quicquid dicti nostri in hac parte justiciarii coniunctim et divisim in premissis rite duxerint seu duxerit faciendum Quare universis et singulis quorum interest vel interesse poterit stricte precipimus et mandamus quatenus dictis nostris in hac parte justiciariis coniunctim et divisim suis officiariis et ministris in omnibus et singulis premissa tangentibus prompte pareant respondeant et intendant sub omni pena que competere poterit in hac parte Datum sub testimonio nostri magni sigilli apud Halyruidhous vicesimo octavo die mensis Decembris anno domini millesimo quingentesimo octuagesimo tertio et regni nostri decimo septimo.

Per signaturam manibus S. D. N. regis ac dominorum sui secreti consilii subscriptam.

ABSTRACT.

Commission by King James the Sixth, under the quarter seal, in favour of the provost and bailies of the burgh of Ayr, conferring upon them the power of justiciary for the trial and punishment of persons within the bounds and liberty of the burgh for the crimes of theft, reset of theft, etc. Dated at Holyrood 28th December 1583.

31. *Crown Precept for Charter of Confirmation to Mungo Craufurd of Drumlaucht of the Lands of Friars Dankeith.*—[30th April 1586.]

JACOBUS Dei gratia rex Scotorum Cancellario nostro salutem Quia ratificavimus approbavimus ac pro nobis et successoribus nostris pro perpetuo confirmavimus cartam feudifirme donationem et locationem in eadem contentas factam datam et concessam per prepositum ballivos ac consules burgi nostri de Air Quintigerno Craufurde de Drumlaucht veteri possessori terrarum subscriptarum heredibus suis hereditarie de totis et integris eorum duabus mercatis terrarum antiqui extentus de Freiris Dalkeith cum pertinentiis jacentibus in balliatu nostro de Kyilstewart infra vicecomitatum nostrum de Air Tenendis de prefatis preposito ballivis et consulibus burgi nostri de Air suisque successoribus propositis ballivis consulibus ac communitate eiusdem in feudifirma et hereditate prout in dicta carta desuper confecta preceptum sasine in eadem contentum latius habetur Salvis nobis et successoribus nostris juribus ac servitiis prefatarum duarum mercatarum terrarum cum suis pertinentiis nobis et predicesoribus nostris ante hanc nostram confirmationem debitis et consuetis tantum Preterea volumus et concedimus ac pro nobis et successoribus nostris pro perpetuo decernimus et ordinamus quod hec presens nostra confirmatio antedictæ carte sepefatarum duarum mercatarum terrarum cum pertinentiis est ac omnibus temporibus futuris tanti erit roboris fortitudinis et efficacitæ memorato Quintigerno Craufurde suisque predictis pro pacifica possessione et gavigione earundem hereditarie ac si eadem per nos sub nostro magno sigillo in majori forma eidem Quintigerno ante sasinam per ipsum de eisdem susceptam data et concessa fuisset non obstante eadem sasina de eisdem alias capta penes quam omnesque alios defectus et inconvenientias qui desuper quovismodo sequi

seu succedere poterint pro nobis et successoribus nostris per presentes pro perpetuo dispensamus Vobis precipimus et mandamus quatenus cartam nostram confirmationis nostro sub magno sigillo in majori forma capelle nostre debita dicto Quintigerno super premissis fieri faciatis Datum sub nostro secreto sigillo apud Dalkeith ultimo die mensis Aprilis anno Domini millesimo quingentesimo octuagesimo sexto et regni nostri decimo nono.

ABSTRACT.

Precept by King James the Sixth, under the Privy Seal, addressed to the Chancellor, for a Charter of Confirmation to be granted in favour of Mungo Craufurde of Drumlaucht, confirming the charter of feu-ferme granted to him by the provost, bailies, and councillors of Ayr, of two merks worth of land of old extent of Friars Dankeith, in the bailiery of Kyle Stewart and shire of Ayr: To hold of the provost and council of Ayr in feu-ferme and heritage, saving to the king and his successors the rights and services due and wont from the said lands. Dated at Dalkeith 30th April 1586.

32. *Gift by King James the Sixth to the Burgh of Ayr of certain Imposts for Maintenance of the Harbour and Bridge of Ayr.*—[10th July 1588.]

JAMES be the grace of God king of Scottis to all and sindrie our liegis and subdittis quhome it efferis quhais knowlege thir our lettres salcum greting Wit ye ws understanding that Williame Cwnynghame of Capringtoun and Hew Campbell of Terrinzeane being convenit within our burgh of Air upoun the twentie twa day of Aprile last bypast and sindrie dayis preceeding and having sene and considerit the estait of the harbry seyport and brig of our said burgh according to the commissioun gevin to thame be act of our parliament to the samin effect in and efter conference had with sindrie landit gentilmen dwelland maist ewest to our said burgh and utheris maist auncient and best experriencit burgessis and craftismen induellaris thair of thay have fund and be thair lettre subscrivvit with thair handis reportit to ws and Lordis of our Privie Counsall that the said harbry hevin and brig and

sindrie uther commoun werkis of our said burgh is presentlie rwynous and safar decayit and fallin doun that gif the samin be not remedit and helpit in tyme it sall altogidder decay to the grit hurte of our commoun weill of the haill cuntrey and hinderance of our service cheiffie the tyme of our oistis raidis and weiris And now it being considerit be ws that the keeping and reparing of the saidis decayit warkis wilbe swa sumptuous and chargeabill that the inhabitantis of our said burgh be thameselffis ar not abill to sustene the charges and expenssis that is necessar to be bestowit thairupoun in respect of thair grit povertie lois and damageis sustenit be thame be sey and utherwyis notour to ws Thairfore we with avise of our saidis Lordis have gevin and grantit and be thir oure letres gevis and grantis to the provest bailleis counsall and communitie of our said burgh and to sic as salbe appointit collectour be thame speciall liecence privilege and full libertie to rais intromet with and uptak the impost following of the guidis underwritin that sall pas and be transportit be the said brig in tyme cuming and beis bocht in thair mercat during the space of nynetene yeiris nixtocum efter the dait of thir our lettres That is to say of everie hors and meir twelf pennyis everie ox and kow sex pennyis everie scheip twa pennyis everie lamb ane penny everie hors pak of woll twa schillingis everie hors pak of skynnis and claith twa schillingis everie daiker of hydeis twelf pennyis everie schip with top at thair incuming within the said harbry threttene schillingis four pennyis everie bark exceiding twentie twn sex schillingis viij^d everie boit fourtie pennyis And sua furth efferand and equivalent of everie kynd of guidis and marchandice that beis bocht and passis be the said brig and bocht in the said mercat and the samin sowmes to apply to the beating reparing and uphalding of the said harberie heavin and brig and utheris decayit warkis of our said burgh during the said space With power to the saidis provest and bailleis and thair collectour to be appointit be thame as said is to crave ressave intromet with and uptak the said impost in maner and during the space fairsaid to the effect abonementionat and gif neid beis to poind and distrenzie thairfore Quhairfore we charge straitlie and commandis yow all and sindrie oure liegis and subdittis fairsaidis that ye answer obey and mak payment to the saidis provest and bailleis and thair collectouris of the particular sowmes fairsaidis of the saidis guidis and geir quhilkis salbe transportit and pas be the said brig and bocht in the said mercat in maner and during the space abonementionat and that ye mak na refuse stop nor impediment thairto as ye will ansuer to ws upoun your

obedience Gevin under oure privie seill at Halieruidhous the tent day of Julij the yeir of God j^m v^c fourescoir aucht yeiris and of our rignne the twentie ane yeir.

Per signaturam manibus S. D. N. Regis ac cancellarij subscriptam.

33. *Crown Precept of Sasine, in favour of the Burgh of Ayr, of the Burgh and all its Privileges.*—[12th March 1621.]

JACOBUS Dei gratia Magne Britannie Francie et Hibernie rex fideique defensor vicecomiti et ballivis suis de Air necnon dilectis nostris Joanni Lokhert de Barr et vestrum cuilibet coniunctim et divisim vicecomitibus vicecomitatus nostri de Air in hac parte salutem Cum perfecte intelligimus quod prepositi ballivi et consules burgi nostri de Air eorumque predecessores in continuo usu et pacifica possessione fuerunt curias tam criminales quam civiles tenendi et in iisdem procedendi contra quoscunque malefactores infra dietum nostrum burgum ac bondas et libertates eiusdem cum omnibus earundem libertatibus immunitatibus et aliis privilegiis Et quod per specialem contractum et appunctuamentum inter ipsos ab una et vicecomites de Air ab altera partibus confectum antedicti vicecomites ratificaverunt et approbaverunt eorum privilegia possessionem usum et consuetudinem dictas curias tenendi et in eisdem procedendi contra dictos malefactores infra eorum proprias bondas et renunciaverunt totum jus et clameum que dicti vicecomites habuerunt habent seu quovismodi ad huiusmodi pretendere poterint Ideoque ratificavimus integras libertates et privilegia per nos nostrosque dictis prepositis ballivis et consulibus dicti nostri burgi de Air eorumque successoribus datas et concessas de tenendis curiis infra eorum proprias bondas unacum omnibus ratificationibus ipsis desuper factis per dictos vicecomites de Air ullo tempore preterito cum singulis huiusmodi contentis Quodquidem appunctuamentum per quondam nostram charissimam matrem ratificatum approbatum et confirmatum erat suo sub magno sigillo de data sexto die mensis Aprilis anno domini millesimo quingentesimo quinquagesimo septimo Sicuti nos nunc ex nostra certa scientia et proprio motu cum avisamento predilecti nostri charissimi consanguinei Joannis comitis de Mar domini Erskin etc. nostri magni thesaurarii et computorum rotulatoris regni nostri Scotie ac nostrorum commissionariorum dicti regni nostri de novo dedimus concessimus et disposuimus prefatis preposito ballivis consulibus ac

communitati dicti burgi nostri de Air eorumque successoribus antedictum burgum de Air cum omnibus et singulis terris baroniis molendinis multuris sequelis libero portu custumis piscariis annuis redditibus ac aliis juribus privilegiis et pertinentiis ad idem spectantibus contentis et specificatis in integris prioribus infeofamentis ac donationibus per nos nostrosque predicesores ipsis eorumque predicesoribus et successoribus desuper concessis in omnibus punctis Ac ipsos eorumque successores fecimus et constituimus vicecomites et pacis justiciarios infra predictum nostrum burgum et integras bondas et metas eiusdem pro perpetuo omnibus temporibus affuturis Ac pro nobis et successoribus nostris dedimus et concessimus ipsis eorumque successoribus integras libertates et privilegia ad dicta officia spectantia et pertinentia unacum eschaetis exitibus et amerciamentis dictarum curiarum per ipsos levandis utendis et disponendis ad eorum proprios usus prout ipsis maxime libitum erit prout in carta nostra desuper confecta latius continetur Vobis precipimus et mandamus quatenus prefatis preposito ballivis consulibus et communitati dicti nostri burgi de Air vel eorum certis actornatis latoribus presentium sasinam totius et integri predicti burgi cum omnibus et singulis terris baroniis molendinis multuris libero portu custumis piscariis annuis redditibus officiis vicecomitatus et justiciarie pacis cum omnibus privilegiis immunitatibus et libertatibus ad easdem spectantibus et pertinentibus secundum formam et tenorem antedictae carte nostre quam de nobis inde habent juste haberi faciatis sine dilatione et hoc nullo modo omittatis ad quod faciendum vobis et vestrum cuilibet coniunctim et divisim vicecomitibus vicecomitatus nostri de Air in hac parte antedictis committimus potestatem Datum sub testimonio nostri magni sigilli apud Quhythall decimo quinto die mensis Martii anno domini millesimo sexcentesimo vigesimo primo regnorumque nostrorum annis quinquagesimo quarto et decimo nono.

ABSTRACT.

Precept, under the testimonial of the great seal, by King James the Sixth, addressed to John Lokhart of Barr and his colleagues, sheriffs in that part of the sheriffdom of Ayr, whereby, on the narrative that the provost, bailies, and councillors of the royal burgh of Ayr were known to have been in continual use and peaceable possession of the privilege of holding courts, criminal as well as civil, and of proceeding therein against all malefactors of

whatever sort within the bounds and liberties of the burgh: And that, by special contract and appointment between them, on the one part, and the sheriff of Ayr on the other, the said sheriffs ratified and approved the said judiciary privileges, and renounced all right and claim which they themselves could pretend thereto: Which appointment was ratified, approved, and confirmed by the king's late dearest mother, under her great seal, of date the 6th day of April 1557: Whereupon the king, of his certain knowledge and proper motive, with advice of John earl of Mar, and the commissioners of Scotland, of new granted and disposed to the said provost, bailies, councillors and community of his burgh of Ayr, the said burgh, with all lands, baronies, mills, multures, sequels, free harbour, customs, fishings, rents, and other rights and privileges thereto belonging, contained in all prior infeftments and gifts granted by his predecessors to the said burgh; making and appointing the said provost, bailies, and councillors, sheriffs and justices of the peace within the burgh and whole bounds thereof for ever, and charging the sheriffs before mentioned, to whom the precept was addressed, to give sasine to them of the whole subjects so granted and confirmed, according to the tenor of the king's charter thereof granted to the burgh. Dated at Whitehall 15th March 1621.

34. *Sasine, on Crown Precept, in favour of the Burgh of Ayr.*—

[15th October 1621.]

IN Dei nomine amen Per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo vigesimo primo mensis vero Octobris die decimo quinto et regnorum excellentissimi et serenissimi principis nostri Jacobi Dei gratia magne Britannie Francie et Hibernie regis illustrissimi fideique defensoris annis quinquagesimo quinto et decimo nono respective in nostrorum notariorum publicorum et testium subscriptorum presentiis personaliter accessit honorabilis vir Johannes Lokhert de Barr vicecomes in hac parte vicecomitatus de Air per preceptum sasine sub insertum ex cancellaria regia impetratum ad crucem foralem burgi de Air Necnon ibidem personaliter comparuerunt honorabiles viri Adamus Richie prepositus Gulielmus Cuninghame et Joannes Stewart ballivi Donaldus Smyth decanus gilde et Jacobus Makadame thesaurarius dicti burgi de Air pro se ipsis ac nomine et

vice ceterorum consulum et communitatis eiusdem burgi habentes et tenentes in suis manibus quoddam preceptum sasine ex dicta cancellaria regia emanatum pro sasina tribuenda ipsis totius et integri predicti burgi cum omnibus et singulis terris baroniis molendinis mulcturis libero portu custumis piscariis annuis redditibus officiis vicecomitatus et justiciarie pacis cum omnibus privilegiis immunitatibus libertatibus ad easdem spectantibus et pertinentibus Cuiquidem vicecomiti in hac parte antedicto prefatus Adamus Richie prepositus Gulielmus Cuninghame et Joannes Stewart ballivi Donnaldus Smyth decanus gilde et Jacobus Makadame thesaurarius pro se ipsis ac nomine quo supra dictum preceptum sasine reverentia qua decuit presentarunt Ipsum requirendo pro debita executione eiusdem facienda Quiquidem vicecomes in hac parte idem preceptum sasine in manibus suis accepit ac nobis notariis publicis subscriptis perlegendum et in vulgari exponendum tradidit Cuiusquidem precepti sasine tenor sequitur et est talis JACOBUS Dei gratia (etc., as in No. 33, *supra*). Sic subscribitur Sasina ut a tergo All. Wylie Post cuiusquidem precepti sasine preinserti perlectionem et in vulgari expositionem prefatus Joannes Lokhert de Bar vicecomes in hac parte antedictus virtute eiusdem suique vicecomitatus officii sibi in hac parte incumbentis statum sasinam hereditariam pariter et possessionem corporalem actualem et realem totius et integri predicti burgi de Air cum omnibus et singulis terris baroniis molendinis mulcturis libero portu custumis piscariis annuis redditibus officiis vicecomitatus et justiciarie pacis cum omnibus privilegiis immunitatibus et libertatibus ad easdem spectantibus et pertinentibus prefatis preposito ballivis decano gilde et thesaurario dicti burgi ibidem personaliter presentibus et acceptantibus pro se ipsis ac nomine et vice ceterorum consulum et communitatis eiusdem burgi presentibus et futuris per deliberationem terre et lapidis fundi dictarum terrarum ad eundem burgum spectantium ut moris est et in talibus fieri consuetum secundum formam et tenorem dicti precepti sasine in omnibus punctis dedit tradidit contulit pariterque et cum effectu deliberavit nemine reclamante seu contradicente Super quibus omnibus et singulis dictus Adamus Richie prepositus Gulielmus Cuninghame et Joannes Stewart ballivi Donnaldus Smyth decanus gilde et Jacobus Makadame thesaurarius dicti burgi de Air pro seipsis ac nomine et vice ceterorum consulum et communitatis eiusdem burgi a nobis notariis publicis subscriptis petierunt hoc presens publicum instrumentum unum seu plura Acta erant hec apud crucem foralem dicti burgi hora decima matutina sub annis die mense regnisque regis respective

antedictis Presentibus ibidem Gulielmo Cuninghame juniore de Polquharne Joanne Luif in Newtoun Gulielmo Young ibidem Joanne Stenestown ibidem Roberto Reid nuntio Joanne Makera nuntio Joanne Birnie filio quondam magistri Gulielmi Birnie ministri apud Air Alano Cuninghame fullone Jacobo Logane Jacobo Watsoun officiariis eiusdem burgi Georgio Kessane mercatore ibidem Adamo Makcubene servitore dicti prepositi et Alexandro Crechtoun incola Edinburgi cum diversis aliis testibus ad premissa vocatis pariterque rogatis.

Et ego vero Joannes Masoun clericus communis burgi de Air auctoritate regia notarius publicus necnon per dominos consilii secundum tenorem acti parliamenti admissus Quia coram prefatis testibus interfui omnia prescripta sic fieri vidi scivi audivi ac in notam cepi hoc presens publicum instrumentum manu mea fideliter scriptum feci subscripsi et signavi in fidem et testimonium veritatis omnium premissorum rogatus et requisitus, etc.

Ita est Alexander Conynghame connotarius, etc.

At Edinburgh the 27 day of November 1621.—Producit be Alexander Conynghame writer in Edinburgh and registrat in the buikis of generall registre, etc.

ABSTRACT.

Instrument of Sasine following on the Precept, No. 33, *supra*, which is therein engrossed, and in terms thereof. The sasine was delivered by the said John Lokhart of Bar, as sheriff in that part, to Adam Richie, provost, William Cuninghame and John Stewart, bailies, Donald Smyth, dean of guild, and James Makadam, treasurer, of the burgh of Ayr, at the market cross thereof, at ten o'clock in the morning of the 15th of October 1621: Before these witnesses, William Cuninghame, younger of Polquharne, John Love in Newton, William Young there, John Steneston there, Robert Reid, messenger, John Makera, messenger, John Birnie, son of the late Mr. William Birnie, minister at Ayr, Alan Cuninghame, fuller, James Logan and James Watson, officers of the burgh, George Kessane, merchant there, Adam Makcuben, servitor of the said provost, Alexander Crechton, indweller in Edinburgh, and others.

35. *Signet Letters by King Charles the First, for Publication of the Infestment granted to the Burgh of Ayr by King James the Sixth.*—[21st June 1631.]

CHARLES be the grace of God King of Great Britanne France and Ireland defender of the faith to our lovittis John Macra messenger

our shereffis in that pairt coniunctlie and severalie specialie constitute greating Forsamekle as it is humlie meanet and schawin to us be our lovittis the Proveist Ballies counsall and communitie of our burgh of Air that quhair our umquhill darest father King James the Sext of eternall and happie memorie understanding perfytlie that the saidis compleneris and thair predicessouris have evir bene in use to hald courtis alsweill in materis criminall as civill aganis quhatsumever malefactouris in our said burgh boundis and liberties thair of and that be ane speciall contract past betuix the saidis compleneris on the ane pairt and the shereffis of our sherefdome of Air on the uther pairt the said shereffis ratified and approved the saidis compleneris thair possessioun use and consuetude of halding of the saidis courtis and proceeding thairintill within thair awin boundis and renuned all richt and title quhilk the saidis shereffis could pretend thairto Thairfoir our said umquhill darest father of happie memorie not only ratified and approved the saidis complineris thair haill liberties and priviledges gevin and granted to thame and thair predicessouris be our said umquhill darest father and his hienes predicessouris of halding of courtis within thair awin proper boundis togidder with all ratificationes granted to thame thairupone be our saidis shereffis of Air in ony tyme bygaine and haill contentis thair of bot also be his charter under the great seall of the dait at Quhythall the fyftine day of Marche j^m vj^c tuentie ane yeris off new gawe granted and disponit to the saidis compleneris and thair successouris the fairsaid burgh of Air with all and sundrie landis baronies mylnes multures sequellis frie port costumes fischingis yeirlie rentes and utheris richtis priviledges and pertinentis belonging thairto specifeit and continit in the haill prior infestmentis and giftis granted be our said umquhill darest father and his hienes predicessouris to the saidis compleneris and thair predicessouris in al' pointis and maid and constitute thame and thair successouris shereffis and justiciaris of peace within our said burgh haill boundis and merches thair of for evir in all tyme coming and gave and granted to the saidis compleneris the

haill liberties and priviledges pertining and belonging to the saidis offeices togidder with the eschaetis and amerciamentis of the saidis courtis to be uplifted be thame and to be used and disponit upone at thair awin proper use as they sould best pleas as in the said charter schawin and producit to the Lordis of our counsall and sessioun at mair lenth is contenit And in respect that the fairsaidis liberties and priviledges granted to the saidis compleneris be the said infeftment ar not as yit sufficientlie notified to the inhabitantis of our said burgh and leidges dwelling about thairfoir necessar it is to the saidis compleneris to have publicatioun thairof in maner following as is alledgit Oure will is heirfoir and we charge yow straitlie and commandis that incontinent thir our lettres sene ye pas to the mercat croces of our burrowis of Air and and utheris places neidfull and thair in our name and awthoritie mak dew and lawfull publicatioun of the fairsaid infeftment haill liberties and priviledges tharincontenit to all and sundrie our leidges and subjectis to the effect they nor nane of thame pretend ignorance of the samen nor yit presume to come in the contrair thairof bot that they give obedience thairto efter the forme and tennour of the said infeftment in all pointis According to iustice as ye will answer to ws thairupone The quhilk to do we commit to yow coniunctlie and severalie our full power be thir our lettres delyviring thame be yow dewlie execut and indorsat againe to the bearer Gevin under our signet at Edinburgh the tuentie ane day of Junij and of our regne the sevint yeir 1631.

Ex deliberatione dominorum consilij. (Signed) HOLBURNE.

Writtin be Geo: Halden my servitour
21 Junij 1631.

(*Dorso*) Upon the tuenttie thrid day of Junij the yeir of God j^m vj^c threttie and ane yeiris I Johnne Macra messenger and ane of the shereffis in that part within constitute past at command of thir oure soverane lordis lettres withinwrittin raset at the instance of the proveist bailyeis counsall and comovnittie of the bruche of Air to the mercat cros of the said bruche of Air and thair upone the said mercat cros I in his hienes name and awthorittie be oppin proclamacioun efter thrie severall oyesses and publict reidding ower the saidis lettres thairupon maid dew and lauffull publicaciounis of the withinwrittin lettres to all and sindrie oure soverane lordis leidges and subiectis quhairby nane of thame micht pretend ignorrance of the samyne nor yet to presume to cum in the contrair thairof but that they and

ewerie ane of thame gaif obedience thairto conforme to the command and tennour of our soverane lordis lettres in all pointis and maid intimacioun and certificacioun to thame and ilk ane of thame as is within specifeit of the quhilkis lettres I left and affixt ane just awtentick coppie upon the said mercat cros of Air beffoir thir witnessis Thomas Nicol Elias Cathcart Gilbert MacCalme David M'Gil merchandis burges of Air togidder with the remanent burges thair of and cuntrie peipil duelling thairabout being ane great multitud standing about the said cros of Air and for the mair witnessing heirof to this my execution I have subscriyvit the samyne with my hand and signat is heirto affixt. (Signed) Jo. MA^cCRA, *Messgr.*

[Execution in the same form, made on the following day, 24th June, is also endorsed.]

36. *Extract Act of Parliament, ratifying the Privileges of the Burgh of Ayr.*—[28th June 1633.]

In the Parliament haldine at Edinburgh vpon the tuentie eight day of Junij the yeir of God j^m vj^e threttie thrie yeires oure soverane Lord and Estatis of this present Parliament having consideratioun of the trew and thankfull service done to his Majestie and his hienes most nobill progenitoris of most blissed memorie be the Brughe and Towne of Air ordaines ane act to be maid ratifiend and approveand and for his hienes and his successoris perpetuallie confirmand that chartour and infeftment of the dait at Quhithall the fyftene day of March j^m vj^e tuentie ane yeires gevin and granted be his majesties vmquhile darrest father King James the Sext of blissed memorie in favoris of the proveist bailleis counsellouris and communitie of the burgh of Air and thair successoris confirmand to thame thair first original chartour granted to thame be his hienes most noble predicesoris vmquhile William King of Scottis of most blissed memorie of the town and burgh of Air haill priviledgis and immunities thairin conteinit As lykwayes that chartour and infeftment granted to thame be vmquhile Robert King of Scottis quhairby he hes disponit to the burgessis and inhabitantis of the said burgh of Air and thair successoris the samyn burgh of Air with all and sindrie landis perteaning thairto and with the port or harberie thair of and fishingis of the samyne customes mylnes multouris frie faires mercat dayes and utheris thairin conteanit of the dait the tuelf day of September j^m and

ffowr hundreth yeires togidder with all and sindrie utheris infeftmentis chartoris donationes and dispositionis quhatsumever maid and granted be his majesties said umquhile darrest father or any of his most noble progenitoris to the said burgh off all and quhatsumever landis baronies mylnes multeris frie port customes fishingis offices frie faires mercat dayes liberties and priviledgis quhatsumever conteanit thairintill beirand lykwayes ane dispensatioun tuiching the generalitie and decerning the samyn to be als valeid as if everie particular chartour and writt had bene at lenth verbatim insert thairintill And contening lykwayes thairintill ane new gift be his majesties said umquhile father in favoris of the said towne of Air of the samyn burgh with all and sindrie landis baronies mylnes multeris customes fishingis anuelrentis and utheris richtis priviledgis and pertinentis quhatsumever perteaning thairto and specifeit in thair haill former infeftmentis and writtis and makand thame and thair successores heretable shereffis and justitiaris of peace within the said burgh and haill boundis and merches tharof forever in all tyme thairefter disponing to thame the haill liberties and priviledgis belonging to the said offices as in the said chartour under the greit seale conteaning divers utheris heidis and conditiones at mair lenth is conteanit Togidder with all and sindrie utheris charteris infeftmentis giftis dispositionis and utheris quhatsumever maid and granted be our said soverane lord or be his hienes said umquhile darrest father or any utheris his majesties most noble progenitoris Kingis and Queenes of Scotland to and in favoris of the said burgh and inhabitantis thairto of the samyn or of quhatsumever landis baronies mylnes multeris frie portis or herberies customes fishingis anuelrentis offices of sherefschip and justiciarie utheris offices quhatsumever frie faires mercat dayes liberties priviledgis escheitis amerciamentis and utheris quhatsoever perteaning and belonging thairto or quhairof they or thair predecessoris have bene or may be in possessioun or anywayes sett down and conteanit in thair or any of thair infeftmentis of the said burgh of quhatsumever daittis tennour or contentis the samyn be of in all and sindrie heidis articles claussis obleismentis pointis passis circumstances articles and conditiones of the samyne quhatsumever specifeit and conteanit thairintill dispensand with the generalitie abowewrittine and admittand decernand and declairand the samyne to be als valeid and sufficient and of als greit force and strenth in all respectis as if everie particular chartour and infeftment or uther writt wer specialie at lenth verbatim insert thairintill Lykas our said soverane Lord and Estaitis foirsaidis of this present Parliament wills

grantis declaires statutes and ordanes that the saidis provest bailleis counsall and communitie of the said burgh of Air and thair successores sall peaceablie bruik joyse and posses the foirsaid burgh with all and sindrie landis baronies mylnes multuris frie portis or harberies customes tholoneis and otheris particularlie and generallie abowementionat perteaning or that onywayes may be knowin to perteane and belong thairto at thair plesour as thair heretage als frielie in all respectis as onie uther Burrowes within this realme efter the forme and tennour of the infestmentis particularlie and generallie abowewrittine granted to thame and thair prediccessoris thairanent perpetuallie in all tyme cuming but ony stop truble or impediment quhatsumever to be maid or moved in the contrair be any persone or persones quhatsumever notwithstanding of any defect or infirmitie if anie be conteanit in the said infestmentis and donatiounes or ather of thame quhairanent our said soverane Lord for his hienes and his successoris with advyse and consent of the said Estaitis of Parliament hes dispensed and dispensis ordaining the foirsaid Act to be ane sufficient supplement of all faultis and defectis gif anie be conteanit in the saidis infestmentis and aganes all actione and questiones quhatsumever that can be made or moved in the contrare And our said soverane Lord with advyse and consent of the said Estatis decernes and ordaines this presente Act to be insert and registrate in the buikis of Parliament and to have the strenth force and effect of ane law and statute of Parliament with all executioun to follow thairupone in forme as effeires and lettres of horning if neid beis to be direct upone ane simple charge of ten dayes allennerlie.

Extractit furth of the buikis of Parliament be me Sir Johne Hay of Landis knight clark of our soverane Lordis Registres counsall and Rollis under my signe and subscriptione manuell.

(Signed) J. HAY, *Cls. Regri.*

37. *Charter by King James the Seventh, to the Burgh of Ayr, of certain Duties on Ale and Wine.*—[15th January 1687.]

JACOBUS Dei gratia magnæ Britanniae Franciae et Hiberniae rex fideique defensor omnibus probis hominibus suis ad quos praesentes literae pervenerint salutem Quandoquidem nos considerantes urbem de Aire unam esse ex antiquis nostris burgis regalibus hujus nostri regni Scotiae quodque magistratus et incolae ejusdem juribus regijs et coronae nostrae servitio firmi

semper adhæserunt Nosque itidem certiores facti annuos redditus et tributa ad communitatem dicti burgi spectantia debitis alijsque incidentibus ejusdem burgi expensis admodum esse imparia quodque ex portus sui maritimi ruina ac tumulis arenosis in plurimis fluvij sui locis exurgentibus ac ex sumptibus in removendo cæno et ejectionibus marinis impensis idem burgum non parum ad innopiam est redactum atque ad debita persolvenda ob hæc rationes hactenus contracta aut ea peragenda quæ ad mercatores et opifices dicti burgi melius animandos opprime sunt necessaria sive ad pontem et templum plateas et portus maritimos aliasque incidentes impensas quas expendere contigerit communitas sustinendas omnino redditur impar Nos autem animum addere dictis magistratibus abunde cupidi ut scilicet publica sua opera in commodum et utilitatem incolarum dictæ urbis melius administrentur et ut in posterum nobis servitia debita præstare validiores reddantur Noveritis igitur nos ex certa nostra scientia proprioque motu ac potestate regia dedisse concessisse et disposuisse sicuti per has nostras literas ob rationes prædictas plurimasque alias causas damus concedimus et disponimus preposito balivis et consiliariis dicti burgi de Air nomine communitatis ejusdem impositionem quatuor denariorum monetæ Scotiæ super unaquaque pinta cerevisiæ seu zythi concocti seu importati ac venditi in dicto burgo cum potestate magistratibus dictam impositionem super cerevisia et zetho sive ut supra mentionatur sive per pretium viginti solidorum monetæ Scotiæ super unoquoque bolla brasij in dicto burgo seu libertatibus ejusdem concocti sive in hunc effectum importati exigendi et recipiendi cum potestate itidem dictis magistratibus summam viginti quinque librarum monetæ predictæ super unaquaque dolio (vulgo Tun) vini Gallici ac viginti quinque librarum super unaquaque cada (vulgo Butt) vini Hispanici importati et venditi in dicto burgo et libertatibus ejusdem imponendi et exigendi Quasquidem impositiones super cerevisia cæterisque liquoribus antedictis absque omni præjudicio fore ordinariæ excisæ et annuitati nobis per parlamenti acta concessæ per præsentis declaramus Et præterea volumus et declaramus prædictas hæc impositiones ex earum singulas durare et effectum habere pro spatio novem decem annorum a termino purificationis beatæ Virginis anno Domini millesimo sexcentesimo octogesimo septimo a quo tempore easdem initium capere declaramus Cum plenaria admodum potestate præposito balivis et consiliariis dicti burgi de Air impositiones dictas in rentale dimittendi sive collectores (pro quibus respondebunt) pro recipiendis et exigendis impositionibus supra mentionatis ad solvenda debita dicti burgi

aliasque necessarias et incidentes suas expensas nominandi ac si necesse erit pro iisdem namandi et distringendi et generaliter omnia alia peragendi pro efficaci earundem collectione similiter adeoque libere in quovis respectu ac magistratus et conciliarii cujusvis burgi regalis in dicto nostro regno faciunt seu jure facere possunt per donationes seu similis naturæ literas per nos aut serenissimum nostrum fratrem Carolum secundum beatæ memoriæ ipsis concessas In cujus rei testimonium præsentibus magnum sigillum nostrum appendi mandavimus apud aulam nostram de Whytehall decimo quinto die mensis Januarii anno domini millesimo sexcentesimo octogesimo septimo regnique nostri anno secundo.

Per signaturam manu S. D. N. regis suprascriptam.

(*Dorso*) Written to the Great Seale and registrat the eightein day of Februarii 1687.

Jo : GRAHAME, *Dpt.*

Sealed at Edinburgh the twentie ane day of February 1687.

J. HAY.

ABSTRACT.

Charter by King James the Seventh, whereby, considering that the town of Ayr is one of the most ancient of the royal burghs of Scotland, and that the magistrates and inhabitants thereof have ever adhered to the regal rights and steadfast service of the crown; and also on the information that the rents and customs belonging to the community of the said burgh are very far from being sufficient for the debts and other incidental expenses of the same; and that by the ruin of their seaport, and the sand heaps arising in many places of their river, and the great expense of removing the mud and refuse cast up by the sea, the burgh was reduced to great straits, and was rendered quite incapable of paying the debts which, on these accounts, had hitherto been contracted, or of doing what was very necessary for the better encouragement of the merchants and craftsmen of the burgh, or for sustaining such other incidental expenses as the community required to lay out for maintaining the bridge, the church, the streets, and the harbour; the King, therefore, being desirous of encouraging the said magistrates so that they may the better promote their public works for the advantage and utility of the inhabitants of the said town, and that they may be the more able hereafter to perform the services due to him, granted

burgh and liberties thereof comprehending the Baronie of Alloway and liberties of the samen being parts and pertinents of the said burgh of Aire or imported or to be imported within the samen for brewing (all malt to be brewed be private persones for their own uses allanerly being excepted and reserved furth of the said tack) As also the soume of twentie fyve pound Scots money imposed upon and to be exacted out of ilk tun of French wyne and sicklyke the lyke soume of twentie fyve pound money forsaid imposed and to be exacted out of ilk butt of Spanish wyne imported and to be imported vented sold and retailed within the said burgh priviledges and liberties thereof And that for all the dayes years termes tyme and space of three years next and immediately following the saids compleners their entrie thereto which is by the said tack declared to have been and begune upon the first day of October last bypast at six houres in the morneing and from thence forth to continue and endure untill the first day of October in anno j^m vi^c and fourscore ten years exclusive at six houres in the morning With full power to the saids compleners and their forsaid and their substituts collectors and deputs in their names not only to uplift the forsaid twentie shilling Scots monie upon ilk boll of malt brewen and to be brewen vented sold and retailed within the said burgh liberties and priviledges thereof abonewrittin (malt to be brewen be privat persones for their own uses as said is being excepted) att the milnes of Aire and Alloway or otherwayes as the saids compleners shall think most expedient the ane but prejudice of the other and lykewayes out of the multure malt itself during the forsaid space And that the multurers and milners belonging to the saids milnes of Aire and Alloway take no malt out of the multure chists but when the saids compleners or ane or another of them shall be present at the outgiving and measureing thereof that payment may be made of the said twentie shilling Scots out of ilk boll thereof to be brewen vented and retailed in manner foresaid accordingly And that the saids multurers milners and their servants shall duellie and truelie putt in the multure and bannock malt to be uplifted be them in their chists and that upon oath when they shall be required thereto And thereby requyreing and ordaineing the milners and servants at the saids milnes readdily to answer and obey the saids compleners and give them access and enterance to the saids milnes whenever they should be called and requyred thereto and to fix locks upon the saids multure chists if it should be found requisite and necessar And the multurers myllers and their servants to give their oathes that they shall nowayes suffer

any malt grinded att the foresaids milnes to goe out by night or by day after six of the clock at night or before six of the clock of the morneing without consent of the saids compleners had and obtained thereto during the foresaid space and before the owners or any in their names receave the malt out of the saids milnes And if the saids compleners or any of them or their forsaid should seize upon any malt out of the saids milnes comeing in to the said burgh or liberties thereof grund at any other milnes then the forsaid milnes of Aire and Alloway the saids compleners are by the said tack authorized to seize upon the samen and exact the forsaid twentie shilling and to detain the malt whill the ordinary multure be payed And the remainder of the said malt is thereby declared to belong to the saids compleners equally betwixt them and to be disposed be the saids compleners accordingly they paying the multures thereof to the multurers And the owners and importers of the said grund malt to be punished to the sight and att the discretione of the magistrats being for the tyme But also with power to the saids compleners and their forsaid to uplift the said twentie fyve pound out of ilk tun of French wyne and twentie fyve pounds out of ilk butt of Spanish wyne imported or to be imported vented sold and retailed within the said burgh and liberties thereof during the space forsaid And sicklyke with power to the saids compleners and their forsaid to ask crave receave and uplift the samen from the persones lyable in payment thereof and if need beis to take their oaths upon the quantities of wyne they should happen to vent sell or retail during the space forsaid of the said tack poynd and distrenzie for the samen and generally all and sundrie other things to doe for the effectual collecting and ingathering thereof sicklyke and alse freely in all respects as the saids magistrats and counsell of the said burgh or their successors in office for the tyme may or can lawfully doe themselves be vertue of ane gift of the saids impositiones granted to them be Us dated the fyfteenth day of January last j^m vj^c and eightie seven years as the said tack of the date forsaid insert and registrat in the books of our Thesaurie and Exchequer and ane decreit of the Lords thereof interponed thereto upon the twentie eight day of December j^m vj^c and eightie seven years narrating the forsaid gift from Us thairintill and contaneing several other heads articles and clauses in the samen shoven and produced to the saids Lords of our Thesaurie and Exchequer hes testified For the better collecting uplifting and ingathering of the which impositiones necessar it is for the saids compleners to have thir our letters direct at their instance in maner following Our will

is herefore and we charge you straitly and command that incontinent thir our letters seen yee past and in our name and authoritie command and charge all and sundrie persones brewers ventiners sellars and retailleurs and all others lyable in payment of the forsaid twentie shilling Scots imposed upon ilk boll of malt brewen vented sold and retailed within the said burgh of Aire liberties and privileges thereof above specified (excepting as is above excepted) And also all and sundrie merchants importers ventiners sellars and retailleurs of French wyne and Spanish wyne and others lyable in payment of the said soume of twentie fyve pound Scots money imposed upon aither of the forsaid wyne in manner particularly abovementioned (whose names with the particulars addebt be them shall be given up to you in roll) to make payment to the saids John Ferguson and Joseph Smith compleners and their substitutes collectors and deputs in their names of the forsaid impositiones respective imposed in manner abovementioned within the bounds above specified from the said first day of October last bypast at six houres in the morneing and thereafter untill the said first day of October in the year j^m vj^c fourscore ten at six houres in the morneing exclusive and that after the forme and tenor of our said gift tack and decreit forsaid interponed thereto in all poynts within three dayes next after they be charged be you thereto under the paine of rebellione and putting of them to our horne Whereintill if they failzie the saids three dayes being bygone that yee incontinent thereafter denunce the disobeyers our rebels and putt them to our horne and escheat and inbring all their moveable goods and gear to our use for their contempnion and disobedience And immediately after your said denunciatione that you use the haill remanent order prescrybed by the act of Parliament and ordinance made thereanent And sicklyke that yee in our said name and authoritie fence arreist appryse compell poynd and distrenzie the persones lyable therefore as accords of the law according to justice because the Lords hes sein the Tack above specified registrat as ye will answer to us thereupon The whilk to doe wee committ to you conjunctlie and severallie our full power be thir our letters delyvering them be you duelly execut and indorsat againe to the bearer Given under our signet att Edinburgh the twentie day of December and of our reigne the third year 1687.

Ex deliberatione dominorum Scaccarij.

(Signed) LAU : OLIPHANT.

For Entriken writtin be John Hamiltoun his servitore

29 : Decembris 1687.

39. *Extract Act of Parliament, in favour of the Burgh of Ayr, conferring Power to levy a Tax for Repair of the Harbour of the Town of Ayr.—*
[16th July 1695.]

AT Edinburgh the sixteenth day of Julij j^m vj^e nynty five years our sovereign lord considering that the harbour of the toun of Aire is ruined and lyes in rubbish and that thereby the trade of the forsaid toun is quite decayed and the inhabitants therof so impoverishit that they are not able to repaire the said harbour the which is also a great loss to all the adjacent country and also considering that in the late government the magistrats who were then imposed upon the burgh did obtaine from the late king an imposition of tuenty shillings Scots upon each boll of malt which was brow'n and vended within the said toun and that the same was intirely by them misimployed and they did also run the said toun in considerable debts which they are no ways able to satisfie Therfor his majestie with advice and consent of the Estates of Parliament for enabling the said burgh to repaire their harbour and pay and satisfie their debts doth grant to the said burgh and community therof the imposition of one merk upon each boll of malt to be ground at the milnes of the said toun and that for the space of ten years commenceing from the terme of Lambmas next to come The which imposition is to be uplifted and manadged by two to be chosen from the Toun Council and are to be chosen by the other inhabitants yearly who are to uplift and employ the same and if need beis to use diligence therefor for the uses aforsaid at the sight of the magistrats and Toun Council and the said magistrats Toun Council and managers are yearly to hold compt for what they shall intromett with by vertue of this Act to the Earl of Cassillis and the Lord Kennedy his son Mr. Francis Montgomery of Giffen the laird of Rowallan and William Fullarton of that ilke And in case they shall find the same to be mismanaged and otherwise imployed than for the uses forsaid the saids overseers or major part of them are hereby impowered to choice other managers for rendering the designe of this imposition effectual And notwithstanding that the forsaid imposition is granted for the space of ten years yet it is hereby declared that if within the forsaid space the harbour shall be repaired and the debts of the toun paid that then and in that case

the forsaid imposition shall terminat and the inhabitants shall be no longer lyable in payment of the same.

Extracted forth of the Records of Parliament by George viscount of Tarbat lord Macleod and Castellhaven etc. clerk to his majesties Councils Registers and Rolls.

TARBAT, *Clk. Regr.*

40. *Extract Act of Parliament, appointing a Yearly Fair to be held at Ayr.*—[31st January 1701.]

ATT Edinburgh the thirty one day of Jannuary one thousand seven hundred and one years our soveraigne lord and Estates of Parliament considering that the appoynting of fairs and mercats in convenient places of the kingdome does greatly tend to the advantage of the trade thereof and advantage of his Majesty's leidges dwelling at or near the saids places and that it is most convenient for the good of the royal burgh of Air and for the other ends abovementioned to appoynt a publick yearly fair to be kept thereat in manner underwritten Doe therfor by thir presents appoynt ane publick fair to be holdine yearly in all tyme comeing at the said Burgh of Air upon the first Tewesday of Jannuary and the four days immediatly following the same yearly for buying and selling of all kinds of vendible commodities And have given and granted and hereby give and grant to the said burgh and magistrats town councill and community thereof the right and priviledge of keiping and holding the said one fair therat yearly in all tyme to come and the haille tolls customes profits and casualities thereof or competent to pertain thereto with full power to them to cause proclaime and ryde the said one fair yearly and to make such order thereanent as they think fitt and to exact uplift and dispose upon the saids tolls customes profits and casualities of the samen and to do all other things anent the said fair which any haveing priviledge of keiping fairs within the kingdome lawfully doe or may doe.

Extracted furth of the Records of Parliament by me Mr. Alexander Gibsone of Durie one of the deput clerks of Parliament as haveing commission for that effect from Charles earle of Selkirk clerk to the Parliament and to his Majesty's Counsills Registers and Rolls.

(Signed) AL: GIBSONE.