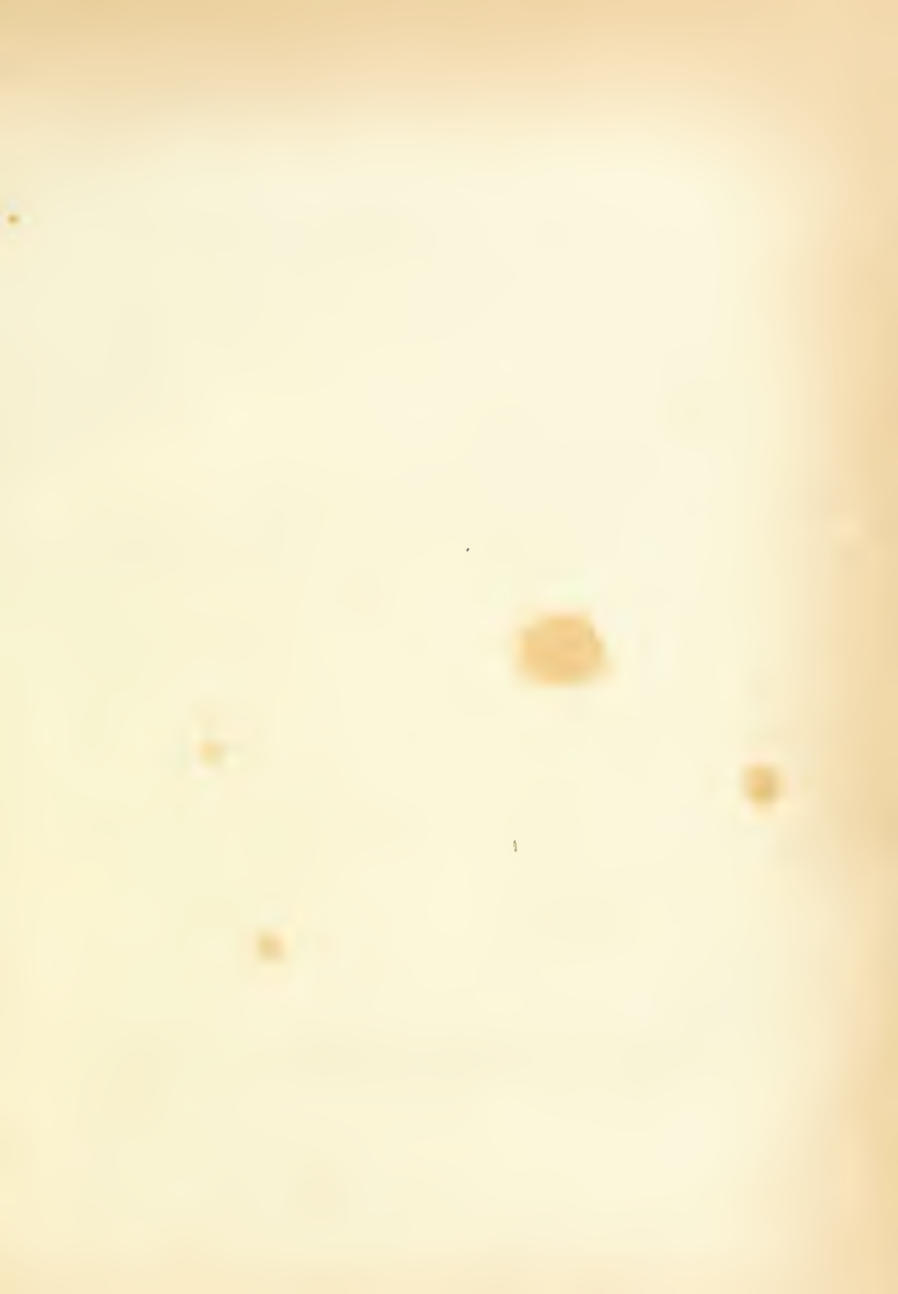




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SCS MC 73









NOTICES

FROM

THE LOCAL RECORDS

OF

DYSART.

GLASGOW:

PRINTED BY JAMES HEDDERWICK & SON,
PRINTERS TO THE QUEEN.

M.DCCC.LIII.



PRESENTED

TO

THE PRESIDENT AND MEMBERS

OF

The Maitland Club,

BY WILLIAM EUING.



THE MAITLAND CLUB.

M.DCCC.LIII.

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P R E F A C E.

THE following Notices are compiled from various Records belonging to the Burgh and Parish of Dysart.

The most interesting are extracted from the Protocol Book of a Notary Public, Walter Ninian, and his successors. The volume, begun in 1540, embraces the period when the institution of registers of sasine abridged the duties and diminished the emoluments of notaries.

The Extracts from the Protocol Book are given *verbatim*; but the wasted condition of the volume, the antiquated writing, the faded ink, and numerous contractions, presented difficulties to a reader, which may have occasioned errors for which the ancient notary is not to blame.

Some of these Extracts are given, with their dates, in words of "learned length," and with the peculiar eras of the Roman Kalendar, but the dates are generally given in the briefest form.

More Protests of the refractory Vicar of Dysart might have been extracted; but those given will be considered more than enough

for the credit of a Church, which makes such a boast of her unity, and the subordination of her numerous grades of clergy.

Any notice of the ecclesiastical history of the Parish, or of the noble family of Sinclair, has been carefully gleaned. Some extracts are given only on account of a singular name, or genealogical link; or because they contain a short specimen of the vernacular of the period, some trace of ancient custom, the price of some commodity, or illustration of rudeness of manners.

While it is hoped that these extracts may afford some amusement to the antiquary, certainly none can read such notices of arbitrary proceedings in ecclesiastical matters—of the rigour with which feudal rights were asserted—of barbarity of punishment—of outrageous opposition to the administration of justice—and of the paltry complaints which gave rise to judicial proceedings, without acknowledging the propriety of the rebuke, which the “wise man” gives to repinings which are often heard—“Say not thou that the former times were better than these.”

WM. MUIR.

MANSE, DYSART, MAY 1853.



Fig. 100

NOTICES

FROM

THE LOCAL RECORDS OF DYSART.

COPY OF SUMMONS.—HENRY LORD SINCLARE *v.* THE BAILLIES, BURGSES, COUNSALE AND COMMUNITE OF HIS BURGH OF DISART.

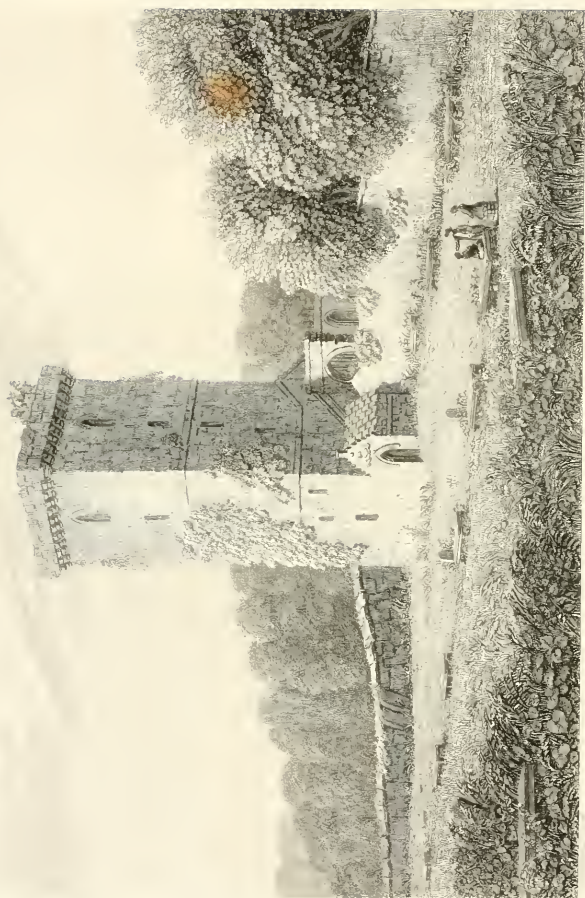
HENRY Lord Sinclare and Baroun of Disart To Nicholl Patrick my Servant of my said Barony Greeting I command and Chargit you that incontinent this my Precept seen ye pass to the Markat Croce of my Burgh of Disart and there be oppin proclamatioun ye Lawfully before sufficient Witnesses peremtorilly Summond Warne and Charge John Barclay and Robert Gourlay Allegit borrough baillies of my said Burgh And all the Remanet of ye Allegit burgesses Counsall and Communitie of the same To Compear before me or my Baillies Ane or mae In my Baron Court of purprisioun to be halding at the Markat Croce of my said Burgh tha 18th day of June next to come in the hour of cause to answer to me or my said Baillies for the wrangius purprising and purprisioun comittit upon me my proper Lands fee and heritage in y^e occupatioun using and Approving to thain of Ane part of my Lands of my said Barony callit the Pansteids the Girnall steids and Cadais Croft liande betwixt my Lands of Dubbo and y^e Havin of Disart And Alsua for the wrangis purprising and purprisioun comittit upon me my proper Lands fee and heritage in y^e occupation using and apppreing to yaim be their comoun use to their Utilite

mittit wt be yaim or their Servants out of diverse places of my said Barony against my will and diverse Inhibitions made thereupon in diverse my heid Courts without sufficient titill of ryeht thereto And therefore to here and see yaim y^e said allegit baillies burgesses counsale and Community foresaid decernit to have tynt and forfaultit to me their Over-Lord All and hale their Lands toftis Croftis tenementis and biggings and all the said town proffitis freedomes and privlegies thereof within the said Burgh or without quhatsoever quhilk ya pretend to hald of me in Chief as Over-Lord foresaid within my said Barony in ony place within y^e same Because of their purprisoun comittat against me their Over-Lord upon my proper Lands fee and heritage And of my querell Stains lowss and fast Clay and hedder as said is And thereupon to Underly the Knowlage and deliverance of Ane Assiss as effeirs And yat ye be there yourself servand ye said day and place bringand with you yis precept duly execute and indorsite with your record and Witness of your Summonds making as effeirs And yis on na wyss ze lief undone under all pane and Charge that efter may follow of y^e Law The quhilk to do I committ to you my full power be yis my precept given under my Sele of Arms At my Castell of Ravenscraig ye 6th day of May the zear of God 1510 zeirs.

The Copy of my
Summonds Henry
Lord Sinclair

Henry, son of William, Earl of Caithness, was created Lord Sinclair in 1488-9, the first of James IV., and fell with his sovereign at the field of Flodden.

By his Lady, Margaret Hepburn, daughter of Patrick, Earl of Bothwell, he had children:—William, who succeeded him, and who is uniformly designed in the writs of his time, William “Dns de sancto claro baro baronie



de dyst et rawenscrag.” Mary, married to William, Lord Berridale. Katharine, married to David Wemyss, ancestor to the Earl of Wemyss. (1511, MS. pedigree.) Margaret, to James, the fourth Lord Ogilvy.

“ This William, Earl of Caithness, is discerned to refund to the burgh of Innerkeithing the petty customs of the burgh of Dysart, intromitted with by him, the space of seventeen years. This order was made by the Parliament 1478. So it is clear he only intromitted with these customs seven years. Yet this requires examen; for though he gets Ravensheug near into Dysart, in 1471, yet I know not positively when he came by Dysart itself.”—MS. Charter-room, Dysart Hous.

EXTRACTS FROM THE OLDEST MINUTES OF THE TOWN COUNCIL OF DYSART.

January 1534. The whilk day John Lathrisk elder, and David Blair were chosen “ Kirk masters ” to see to the upholding of “ Sanct Sarfs Kirk ” for this year.*

1535. Cuthbert Wemyss one of the Baillies.

Andrew Kirkcaldy, the scribe.

* The parish church of Dysart was dedicated to St. Serf, and most deservedly, if Popish legends are to be credited; that powerful saint having done the inhabitants of Dysart the service of ejecting the Devil from a cave in the vicinity of the town.

I have extracted all the notices I found respecting “ St. Serf’s money.” At the elections of the town council at this period, two of their number were appointed “ Kirk masters.” I am unable from the scanty notices to determine whether St. Serf’s money was a statutory or voluntary contribution; but as the sum appears to have varied, it was probably the latter,—the amount varying according to the state of the fabric of the church, and the influence of the collectors of the money.

20th Nov. 1536. The whilk day Margaret Weems the spouse of Alexander Forbes was called for the flytting that she made in the Kirk, and miscaing of the Baillies.

John Walker officer of the Burgh.

22nd Oct. 1537. The whilk day, George Dick and John Halket chosen Kirk masters, and Alexander Law chosen to receive Saint Serfs money that is gathered, and sic lyke the free mens money that is made free fra this day furth; and the sall be to receive Saint Serfs money the 28 oct.

17th Dec. 1537. The whilk day George Christie made compt of Saint Serfs money, 38 Shillings 5 pennies, the whilk he shall give to Alexander Law for the next year. Given to Thomas Adamson by the said George, 20 shillings. Ane penny to Thomas Blair to by paper. Swa rests to gif Alexander Law 18 shillings 4 pennies.

30 Oct. 1537. Sir George Strachan* served heir to his father, David Strachan, in some lands in Dysart, and several annual rents.

11 Nov. 1538. Alexander Law gives his account of Saint Serfs money, 7 lb. 3 shill. 5 d.

* From this notice it would appear that Sir George Strachan, whose title is an ecclesiastical one, was a native of Dysart. He is mentioned as vicar of Channel Kirk, from whence he was brought to be chaplain of one of the altarages in St. Serf's Kirk, Dysart; and soon after became vicar of the parish. After the Reformation, he entered into an agreement with Lord Sinclair for making salt; and it appears that he also cultivated some land, probably his patrimonial acres. He was evidently wealthy, but most unwilling to part with money, as he allowed judgment in several actions to go against him by default. According to Fox, he was one of the Popish priests who seized, at Dysart, the venerable martyr Walter Mill. He continued to reside in Dysart after the Reformation, which he long survived, having died in 1587.

EXTRACTS FROM A PROTOCOL BOOK.

Jany. 1540.* Jacobus weems frater germanus david weems de eodem.
1540. Joannes Kirkcaldy and Alexander Birrell, baillies of Kirkcaldy.
David Gibson and John Lathrisk baillies of Dysart.

25 Feby. 1540. Quo die personaliter constituit quidam vir magister
johannes balfour (parte) venerabilis viri dni petri balfour Thesaurarii glas-
guensis dioc.

Octavo martii anno Domini millesimo quingentesimo quadragesimo
indictione decima quarta et pauli tertii pontificatus anno sexto.

Quo die alexander merschell correptus gravi infirmitate sui corporis
sanus tamen in mente et animo sue saluti consulens ut apparuit mature
etiam anisatus purgavit se et negavit simpliciter medio suo juramento cor-
porali quod recepit seu intro (misit) cum aliquali ordeo seu grano infra
partes Orchadenses seu alibi aliquammodo ab aliqu(ibus) personis ullis tem-
poribus illapsis nomine seu ex parte Jacobi beinstoun civis civitatis Sanc-
tiandree siquidem voluit respondere coram summo iudice. Super quibus
Meritoria sua sponsa petiit instrumenta in domo sua
habitationis hora undecima ante meridiem presentibus dominis willelmo
boswell et willelmo blackwod capellanis ac agnete malville sponsa johan-
nis lathrisk senioris cum diversis aliis.

Decimo octavo martii (anno quo supra).

Quo die personaliter constitutus venerabilis vir dns andreas simson
vicarius pensionarius ecclesiæ parochialis de dysert in ecclesia parochiali
ejusdem paulo ante celebrationem summæ missæ in presentia magna

* 1541. The year then beginning on the 25th of March.

multitudine parochianorum nomine et ex parte aliorum presbyterorum alligavit quod ipsemet dns andreas et alii presbyteri in ecclesia antedicta servientes compulsi erant per literas dni gubernatoris moderni ad celebrandum divina intra dictam ecclesiam non obstante interdicto et propter causam prenotatam et alias causas animum suum ad tempus tangentes videlicet propter solemnitatem temporis et ne Christi fideles

causam hujusmodi interdicto nomine protestantis aut faventium cum sceleratis pariter puniantur. Sed ut cultus Dei omnipotentis efficacius exsequatur protestatus est igitur ne ipse dns andreas seu alii presbyteri celebrantes divina intra dictam ecclesiam quid agunt in contemptum legis domini nostri Papæ aut in contemptum clavium ecclesiæ seu contra jurisdictionem aut privilegium Domini nostri Cardinalis seu aliis quomodolibet qua quidem protestatione sic solempniter protestata sed ad divina more solito preparabat super quibus petiit instrumenta presentibus roberto clark joanne lathrisk willielmo weems et georgio dick cum multis aliis testibus.

Quo die Jacobus colville signifer supremi dni regis—

robertus huggon tenens in glasmont—

Elizat clark relicta quondam henrici malville de Kirkcalde—

jacobus moresone incola villæ de Kirkcalde et Katherina malville sua sponsa—

veneranda mulier agnes Karcalde sponsa roberti ordmond assensu dicti roberti assignavit tenementum vulgariter vocatum le sklait hous—

thomas brown obligat se hæredes suos persolvere duas bollas farinæ annualiter archibaldo clark hæredibus suis—

May 1540. A number of entries respecting a ship called The trinity.

19 May 1540. Quo die thomas livingstoune accepit et detinuit a thoma jackson claves totius hospitii dicendo in vulgariter I will keip yaim als lang as ze haive dune.—

June 1540. Quo die personaliter constituit henricus wynd patronus ut asseruit capellanæ fundatæ ad altare sancti jacobī situatæ intra ecclesiam parochialem de dyst accessit ad dictum altare habens et tenens in manibus suis foundationem ejusdem sub sigillo quondam joannis wynd sui patris et fundatoris dictæ capellanæ et ibidem alligavit quod dns georgius stranchauchin constitutus capellanus dictæ capellanæ—

22 Sept. 1540. Quo die jacobus malville filius quondam jacobī malville capellani—

1541.

Isobella weims relicta quondam wilielmi clerk dma de pitslego—

22 June 1541. Quo die walt duncan cum assensu Elizat strauachin sue sponse resignavit pure et simpliciter unum tenementum jacens ab occidentali de le foull brug wynd in manibus roberti clerk ballivi in favorem william wyse et cratherine wilkie suæ sponsæ pro his testibus rot lorimar Joanne guidall jacobō lumsdaine dno georgio Strauachin joanne walkar et rot strauachin cum diversis aliis—

28 June 1541. A deed is dated “in cymeterio ecclesiæ parochialis de dysert.”

8 Sept. 1541. henricus galloway filius quondam william galloway incolæ villæ de west weems.

1542.

david boswell de glassmont.

Feby 1542. Mariora dowglas relicta quondam david weems et sponsa joannes lathrisk.

10 Feby 1542. Quo die andreas tennand vigore et virtute scripti

nobilis et potentis dñi georgii de rothysse requisivit archibaldum gurlay unum ballivorum burgi de dysert ad tradendum sibi andrea duas machinas wt. twa hagbutts supremo dño regi accommodatas in tutelam et defensionem dieti burgi ab incursione navium anglicarum qua requisicione sic facta—

The cannon fabricated in Scotland by Robert Borthwick are said to have borne the following inscription. Machina sum Scoto Borthwic fabricata Roberto.

9 June 1542. Domina de Sinclar correpta gravi infirmitate—

11 June 1542. Quo die margareta dna de Sinclar* in extremis redacta renunciavit diabolo et omnibus pompis ejus mudo quoque et ejus operibus ac se solummodo contulit divinæ clementiæ pro his testibus reverendo in Christo patre hepburne moraviensis Epo hepburne rectore de dallry et magistro waltero grote et joanne weems.

July. Magister joannes hepburn deliveravit Elizat Kayt (Keith) dominae de sinclar claves loci de rawenscrag—

* The notices of this lady possess an interest far surpassing that which antiquity can give them. They show the painful state of perplexity which precedes a change of religious belief—the power of truth prevailing in the conflict over fond adherence to early prepossessions. On the 9th June she had submitted to the rites of the Romish church, and received extreme unction. What could be her reason for engaging a notary public to record the affecting entry of the 11th June? Was it to endow an altarage, or leave money for masses? No; her will previously recorded contains nothing to that effect, and the extract of the 11th is given entire. The only reason I can imagine Lady Sinclair could have for that entry, was to leave on record a testimony of her preference for the doctrines of the Reformation.

She was a daughter of the Earl of Bothwell, and lady of the first Lord Sinclair. She had seen her husband march to perish on the fatal field of Flodden, and survived him nearly thirty years. The Bishop of Moray, one of the witnesses, was her brother.

dns sinclar accessit ad cubiculum in loco de rawenscrag ubi morabatur
et jacebat ante obitum margareta. sua mater—

Among her effects are mentioned “duos libros.”

Henry Wynd presents Cuthbert Robertson to the chaplainship of the
altarage of St. James.

James Pitcairn of Pitlour, William his son.

24 Sept. 1542. Quo die nobilis et potens dns William de sancto claro
ordinavit nobilem et potentem dominam Elizabet* dominam sinclair et
magistrum William Sinclair curatores filio suo primogenito heurico sinclair.

jacobus lundy frater germanus joannis lundy de stratharlie.

10 Nov. 1542. Quo die vz. in vigilia sancti martini hora tertia post
meridiem thomas broun obtulit ardo clerk octo mercatorum monete scotie
pro redemptione duarum bollarum farinæ.

Vigesimo secundo novembris anno Domini millesimo quingentesimo
secundo indictione decima sexta et pauli tertii pontificatus anno octavo.

Quo die personaliter constitutus dns andreas symssoun vicarius ecclesie
parochialis de disert tempore divinorum publice in ecclesia parochiali ante-
dicta denunciavit primos bannos ut asseruit inter joannem watsoun et
jonetam gowe electam sibi joanni in conjugem. Quibus quidem sic factis
restitit enfemia phin asserens se primam fidem et obligationem dicti joan-
nis super contrahendo cum ipsa enfamia matrimonio consecutam fuisse et

* Lady Elizabeth Keith, daughter of William the third Earl Marischal, and wife of Wil-
liam the second Lord Sinclair.

esse et propterea dicit matrimonia inter dictum joannem et jonetam minime contrahi debere: Super quibus petiit instrumenta hora decima ante meridiem in ecclesia antedicta presentibus david gibson henrico mowat henrico lewingstoun roberto car et joanne artht cum diversis aliis.

1543.

david gibson unus ballivorum burgi de dysert—

dns will boswell testatus est suo juramento corporali—that he had married—facie ecclesiæ festina sancti andræe hyeme—john bell deceased and catharin paterson.*

18 Feby 1543. Quo die henricus mercator promisit dno sinclar ne statuta villæ ullo modo invaderet venditione carbonum suorum—

28 Feby 1543. Quo die david gibson obtulit joanni barelye seniori duas chalderas salis cum dimiduo chalderæ et requisivit dictum joannem ad recipiendum dictum sall.

Gilbertus egie confessus est se debere david fyff septem libras monetæ scotiæ.

Viola gurlay relicta quondam joannis hay.

georgius nairne procurator nobilis et potentis dni william dni sinclar.

29 May 1543. An agreement respecting various matters between Lord Sinclair and the town of Dysart.

* The date 1500 is given for the date of the marriage, and a blank left, the chaplain not being able to condescend on the very year.

The tenants to have querll, clay, turf, heather, fail, and divot—to have leave to pass to other mills with their corns after bidan at my Lord's mill 24 hours—to sell their coals to whom they get most for them.

12 June 1543. Quo die david rede in presentia joannis orknay alligavit quod dictus joannes intromisit cum quibusdam velis et fune vulgariter ane cabill.

15 July 1543. Quo die joneta thomson relicta quondam cudberti weems confessa est se debere ardo gurlay quinque bollas ordeï.

4 Sept^r 1543. Quo die William dns sinclar accessit ad le pothevin apud villam de dysert et ibidem admoverit duas machinas* in quadam cimba de leith serenissimæ principi et suo gubernatori propter certas rationales causas animum suum ad hoc moventes vz. ne dictæ machinæ traderentur ad inimicos dicti dni gubernatoris et ne in aquis obruerentur et quia non constiterat ei de legalitate subductionis earundum et propter alias causas.

(George Nairne, notary public, is a witness to the above entry.)

Dec^r 1543. Quo die william kayt procurator et
william dni sinclar in curia tenta pro gurlay et joanne
lathrisk ballivis burgi de dysert apud cruceem forelem ejusdem presentavit
litteras inhibitionis serenissimæ nostræ mariæ Dei gratia
Scotorum reginæ quarum vigore et virtute inhibuit dictis ballivis—

17 Dec^r 1543. Quo die personaliter constituit joannes jackson accessit ad ecclesiam parochialem de est weems et ibidem

* These machines were not improbably cannon, which Cardinal Beaton, at that time opposed to the Earl of Arran, wished to get into his own possession.

et ex parte honorabilis viri david weems de eodem requisivit firmarios dietæ ecclesiæ ad accipiendum et abducendum carbones decimales de carbonario suo de west weems—

walterus niniane capellanus.

personaliter constituit reverendus vir alex castallaw ballivus reverendi in Christo patris georgii permissione divina abbatis monasterii de dunfermling.

He presented a deed under the seal of the Abbot referring to a donation “ domini Jacobi primi Scotorum regis defuncti.”

villa de mitchelston.*

16 Decr. 1543. david weems de eodem.†

1544.

7 April 1544. Quo die elizat weems germana dni de weems gravi correpta infirmitate sana in mente ut apparuit. This deed was executed — in domo habitationis dietæ elizat weems intra villam de west weems.

In a following entry, referring to the same person, occurs “intra baroniam de mythill.”

Quinto die mensis septembris anno domini millesimo quingentesimo quadragesimo quarto indictione tertia et pauli tertii anno decimo.

* Mitchelston, a name now restricted to an inconsiderable farm, once comprehended a considerable part of the parish of Dysart.

† Sir David Wemyss married Katharine, daughter to Henry Lord Sinclair, in 1511. By her he had John, his successor. He died in 1544.—MS. History—Family of Wemyss.

Quo die agnes malvile relicta quondam joannis lathrisk egra corpore sana tamen mente renunciabat Sathane et omnibus operibus ejus universis quoque rebus mundanis et vuoluptati earum quicquid hactenus contraxerit labis peccati penitus abjiciendo misericordiamque Dei patris omnipotentis inter premissa et animam suam interponendo crucis quoque Domini nostri Jesu Christi virtutem et pationem ab extremo ejusdem judicio seu* particulari appellando illius divine misericordie et protectioni ejusdem se penitus committendo supplice mente eundem Dominum nostrum Jesum Cristum qui suo pretioso sanguine redimere dignatus est beatam Mariam semper virginem et totum ordinem celestis curie quatenus illius anime obvii sint in extremo fine vite sue eandemque secum sine fine in celitibus rignaturam perducant deprecando idipsum procurante Domino nostro Jesu Christo qui cum Patre et Sancto Spiritu vivit et regnat Deus per omnia secula seculorum amen: super quibus universis et singulis petiit instrumenta hora decima ante meridiem presentibus Dominiis andrea simson et willelmo blackwod cum multis aliis testibus.

2 Oct. 1544. Quo die agnes malvilej relicta quondam joannis lathrisk legavit et dedit in sua potestate altari sancte annæ matronæ situato infra ecclesiam sancti serviani situato infra villam de dyst centum libras mone-tæ scotiæ pro anima suæ dictæ sponsæ anima sua et animabus parentorum.

Her first-born son, John Lathrisk, on the same day bound himself to pay this sum.

* Such seem to be the words.

† This lady was probably of the Melvilles of Raith. Her husband was a person of some note in Dysart. Her mortification, a large one for the time, is the last I meet with to "the old superstition." The altarage of St. Anne was in the chapel dedicated to St. Denis, the situation of which is well defined in this deed—"infra ecclesiam sancti serviani—infra villam de dyst."

Part of the walls of this ancient chapel may yet be seen in the building now occupied as a smithy by the coal company of Dysart.

31 Oct. 1544. Quo die henricus wynd recepit a dno thoma malville rectore de hutoun viginti aureos rosa insignatos vulgariter rosse nobills.
 henricus wynd resignavit domum suam vocatam le stabill.
 jacobus boswall incola villæ de kingorne.

1545.

gilbertus hay sponsus christinæ grott navigaturus versus galliam facit dictam christinam suum procuratorem.

The above deed was executed "intra villam de leith."

28 April 1545. Quo die joannes jackson obligat se ad persolvendum dno david gowe capellano quindecim libras monetæ scotiæ hoc ipso die ante occasum solis.

The "cross wynd" occurs in a deed of this date.

25 May 1545. Quo die magister walterus grote cum consensu christinæ gurlay suæ sponsæ resignavit tenementum suum intra hortum dui rectoris de dyst ab oriente le kirk bank ab occidenti thalamo vicarii ab australi communi via a boriali in manibus joannis danyelstone* rectoris de dyst domini superioris dicti tenementi in favorem joannis grote sui primogeniti—

28 May 1545. Quo die william sibald filius quondam magistri and sibald olim vicarii de seunye—

2 July 1545. Quo die personaliter constituit dns joannes mason capellanus capellanæ sancti michælis situatæ intra ecclesiam de kirkcaldie.

* In the records of the Scottish Parliament 1545, a tax on the burghs for the support of a thousand horse was to be paid to the collectors, "Maister Johne Dennistoun, parson of Dysart, and ——." He appears to have been succeeded in Dysart soon after by Robert Danyelstone.

He granted that he had received the tenements of James and Thomas Melville.

Magister thomas weems de unthank.

Dus thomas boswell vicarius de kinglassie.

David boswell de glassmont.

Dec^r 1545. Thomas Birrell in "villa Fruchie" binds himself to deliver in East Wemyss "festa Sancti Andreæ" two bolls barley "altari beatæ virginis" situat intra ecclesiam parochialem de east weems."

Alexander Law binds himself to pay John Calcraft Anglo fourscore pounds for curing him and his family and connexions of the pest "so that they may gang without danger or suspect."

alexander lundy frater germanus jacobi lundy de balgonie.

Georgius Strachauchin inducted chaplain of the altar of St. James the Apostle in the parish kirk of Dysart, "pro toto tempore vitæ suæ apud dictum altare hora octava ante meridiem."

Walter Grote and Christian Gourlay give a salt-pan* to their oldest son John Grote.

1546.

(In a deed of this year, I find for the first time the name Swyn (Swaync), a name that still exists in Dysart.)

Henricus wynd cepit sasinam et possessionem tenementi jacentis inter tenementum quondam joannis weems de le hill orienti tenemento quondam

* This was a common way of making provision for a child. Salt-pans were numerous at Dysart, and salt so plentiful that "carrying salt to Dysart" was a proverbial expression for useless labour. One pan long bore the name of "Lady Janet's pin-cushion," having been frequently given to one of the daughters of the family of Sinclair for pin-money.

18 April 1546. Quo die Elizat weems domina de maw et georgius gow
ejus filius obligaverunt se ad tradendum et deliverandum david balfour in
lalachin quadraginta mercatas—

Quibus die et hora dictus david balfour contraxit matrimonium cum Isobella gow filia dictæ elizat per verba de futuro pro his testibus—

This year is a blank in the book of the notary. The records of his

"Sanct Serf's hill" is mentioned as a boundary in a deed of this date. I know no place in the vicinity of Dysart called by that name, but I have heard the small knoll at the west gable of St. Denis' chapel called "Mount Holy."

labours have perished; or more probably, the troubles of the period had interrupted them.

1548.

27 March 1548. Henricus wynd navigaturus constituit Isobellam wynd sororem suam assignatam.

20 Sept 1548. Quo die dns rotus danielstone rector de dyst cum consensu elizat gurlay tradidit sasinam tenementi jacentis inter terras ecclesiasticas dictæ villæ inter terras david weems ab occidenti terras spectantes altari sancti joannis intra dictam villam a boreali terras quondam joannis malville fabri ac william ab australi et via qua itur ad ecclesiam ab orienti thomæ blair et filiis suis.

— ramsay de pitedy.
alexander setoun de balbirny.
thomas scott de abbotshall.
myltoun de balgonie.

1549.

21 May 1549. Quo die magister william manderstoun doctor in medicinis æger licet in corpore sanus tamen in mente animoque—

His two nephews John Forres and George Manderstoun bound themselves to execute his will—he left, “quasdam bollas et chalderas victualium—ut cultus Dei omnipotentis efficacius venerabiliusque exsequatur—et omnium sanctorum quos cantat sancta mater ecclesia”—

William Manderstoun had died previous to 17 June 1549.

From a subsequent deed it appears that the mortification of Doctor Manderstoun was left “ad dictam fundationem fundandam in collegio fundato intra universitatem sanctandriæ—super quibus dictus bartolomeus

(manderstoun) petiit instrumenta in sacello beatæ catharinæ virginis apud cuperum hora septima ante meridiem pro his testibus henrico kemp dno de magro joanne manderstoun vicario de gogar"—

2 June 1549, a sasine of a tenement and yard given by the bailies of Dysart—"be ye gift of erd and stane of ye samin as use Is in ye said burgh in siclyke resignationes makin in favours of"—

3 June 1549. "walterus heriot de burnturk" gives a donation to the college kirk of St. Salvator, St. Andrews.

24 June 1549. "thomas williamson burges of coup" consents to have a deed "regestrat and actit in ye offill buykes of sanctands und ye pane of cursing"—

29 July 1549. "Bordland" mentioned in a deed by William Lord Sinclair, probably a farm at that time, now the name of a village occupied by colliers.

1550.

joannes clerk tradidit patellam salinam suam jacentem in le craggs prope dyst—

dns william Inglis vicarius de cuper.

17 Feby. 1550. dns thomas boswell vicarius de kinglasse tradidit sasinam—"in sacello sanctæ katharinæ virginis situato intra ecclesiam parochialem de dyst"—

Vigesimo octavo martii anno Domini millesimo quingentesimo quin-

quagesimo indictione octava et pauli* (tertii) pontificatus anno decimo sexto.

Quo die Elizat dischington comparuit in ecclesia parochiali de disert in presentiis david gibson archibaldi clerk et aliorum quorundam virorum fide dignorum et ibidem obtulit parere mandatis dni decani et sancte matris ecclesie penes petitionem venie a margareta gourlay sponsa andreæ thomson dummodo dicta margareta condiceret locum et tempus quum eandem recipere vellet: quare protestata est dicta elizabet ne cedat sibi in prejudicium casu quo premissa non facta fuerint et petiit instrumenta hora nona ante meridiem presentibus supra scriptis (i. e. wilelmo auchmouty roberto aytoun et andrea spens) et dno willelmo blakwod.

12 Sept. 1550. thomas blair navigaturus ad partes transmarinas fate-tur se recepissee ab elizat gurlay sua matre universas res suas hereditarias—

22nd Septr. 1550. Quo die katherina lundy relicta quondam pauli dishington feodarii—

villa de spitale

villa de scathoway†

1551.

3rd March 1551. Quo die constituit discretus vir franciscus Jameson unus ordinis minorum apud aberdoniam et filius naturalis ut asseruit quon-dam joannis jameson incola villæ de leith possessoris—

* Paul III. died 10th Nov. 1549. From the text it would appear, that on 28th March, 1550, the Dysart notary had been unaware of his death, or at least of the election of a new Pope.

† Skeddoway, the property of J. Fergus, Esq. M.P.

May 1551. dns william boswall capellanus unus choristerorum.

9th June 1551. Quo die andreas myllar capellanus renunciavit officio notariatus in ecclesia parochiali de dyst.

27th June 1551. Quo die dns robertus danyelstone rector dysert dixit et exposuit quod dns georgius stranchauchin vicarius pensionarius dictæ ecclesiæ parochialis contra statuta synodalia et contra tenorem ejusdem acti actitati inter ipsum dominum robertum et dominum georgium super residentia ipsius domini georgii et administratione officii sui inter parochianos dicti proche abcessit nulla ab ipso dno roberto neque a parochianis petita aut obtenta licentia et quod substitutum quendam dnm joannem quhyte capellannum in cura et administratione sui officii quod quidem substitutum neque quodvis aliud dictus dns rector neque admisit neque admittet ullis temporibus: quare protestatus est de actione contra dictum georgium et de remedio juris hora secunda post meridiem in domo habitationis douglas pro his testibus dno wt et rot car cum diversis aliis.

1 Oct: 1551. Quo die david gibson arrestavit quædam tela lanii texti sanguinei coloris in officina jabi thomson sartoris intra villam de disert joanne law spectante et hoc pro debitis—

7 Oct: 1551. Quo die david malville obtulit virgam auctoritatis officii ballivi david mitchell—

1552.

Joannes abernethy confessus est cepit quosdam lapides de fundo tenementi georgii robertsone et se mittit in voluntate ipsius georgii—

Sexto aprilis anno Domini millesimo quingentesimo quinquagesimo secundo indictione decima et Julii tertii anno tertio.

Quo die dns georgius strauchauchin vicarius pensionarius de disert sentiens se graviter lesum oppressum multipliciter gravatum vigore literarum monitorialium ut asseruit sive per reverendissimum Sanctiandree archiepiscopum sive per venerabilem virum dnm robertum danielstoun dictæ ecclesie dominum rectorem timeusque se plus posse ledi opprimi et gravari posse in futurum siquidem clare constabit iudici ad quem per nonnullas rationes per ipsum dandas. Quare a dictis literis monitorialibus earum executionibus aggravationibus reaggravationibus et omnibus aliis suis ac sequelis et inde provenientibus in his scriptis ad sanctissimum patrem nostrum dominum Julium papam modernum et ejus sacrosanctam sedem apostolicam in his scriptis provocat appellat et apostolos petit debita cum instantia vicibus repetitis. Super quibus omnibus universis et singulis a me notario publico petiit instrumenta in thalamo meo proprio intra dictam villam hora quarta post meridiem presentibus davide clappin henrico thomsoun et patricio makeson cum diversis aliis testibus ad premissa vocatis pariterque rogatis.

16 April 1552. Quo die dns rotus danielstone rector ecclesiæ parochialis de dyst vz in vigilia sanctæ paschæ quia non invenit dnm geo strauchauchin vicarium pensionarium ejusdem ecclesiæ personaliter residentem et ministrantem in dicta curia propterea Idem dns rector protestatus est contra dictum dnm georgium contra appellationes et protestationes ejusdem et quod contra dns rotus non compellatur neque astringatur ulterius persolvere seu satisfacere ultra suam annualem pensionem—*

* Many similar protests, both of the rector and obstinate vicar, are recorded at this period. I regret that I cannot state how the connection of the rector with the parish of Dysart terminated. I think he must have been from the West of Scotland and connected with Glasgow. The only additional notice I have traced of him is the following inscription on a copy of Ptolemy's Geography in the College Library of St. Andrew's: "This book belongs to Robert Danielstone rector of Dysart and his friends—John Stevenson preceptor of Glasgow."

20 April 1552. Joneta symson relicta quondam roti weems de casky-berray—

19 Aug^t 1552. Quo die thomas mair incola ville de leith confessus est se vendidisse Thomæ thomsoun incolæ villæ de dyst dimidium lastarum salmonum deliverandum eidem thomæ et fratribus suis in weik in festo nativitatis nostri domini Christi futuro vel intra octo dies depost dictum festum—*

1553.

catherina auchmothy relicta quondam magistri thomæ weems de unthank accessit ad terras vocatas le bordland—

—— berclay de boggy wester—

joannes malville accessit ad patellam salinam jacentem in le dubbo—

henricus magister sinclar accessit ad—ane salt girnall.

thomas zoung commorans apud le balgony mill—

joannes malville de touch ballivus dni roti danielstone rectoris de dyst secundum tenorem et vigorem precepti ejusdem tradidit sasinam tenementi jacentis inter terras ecclesiasticas villæ de dysert inter terras dni rectoris seu mansionis—

geo strauchauchin vicario teste.

Isabella wynd relicta quondam ard gurlay allegavit—roto malville vicario de dunbog teste—

* Carbonaria via, or Coal wynd, is mentioned in a deed of this date.

— boswall resignavit jura sua sacelli de newburcht
prope dysert in manibus dni william sinclar patroni ejusdem in favorem
dni georgii strauchauchin.

1554.

10 Jany. 1554. octava hora post meridiem.

Quo die Elizat cadyou ægra corpore sana tamen in mente ut apparuit
legat et legavit universa et singula bona sua jabo gregorye sponso suo et
hoc propter mutuam charitatem inter eosdem vigentem super quibus dictus
jabus petiit instrumenta—

21 Feby. 1554. Quo die bartolomeus turnor confessus est se abduxisse
universa bona et res de thalamo vocato thalamo dni thomæ boswale rectoris
de newdosk nuper defuncti bonis ligneis wt. *freyu* wark cum
uno camino ferreo et tradidit claves dicti thalami et ædificii davidi michell
super quibus dictus david petiit instrumenta apud dictum ædificium hora
secunda post meridiem pro his testibus davide boswale vocato de gaitmilk
duo williamo boswale cum diversis aliis.

1555.

joannes betoun de balfour suis propriis manibus—

Wester Strathoar anciently within the barony of Dysart.

The Book from which the following Extracts are taken is a large folio in excellent preservation. It seems to have been used at first as an Index to other Records.

EXTRACTS FROM THE "COMON BURROW BUKE OF THE BURGHE
OF DYSARD."

1562. James Halkheid and George Corstorphine, Baillies.

Price of wheat, Three pund the boll.

Price of boll of beir, forty two shillings.

1563. Archibald Wynd, John Clark, baillies.

The customs of the Burgh set to John Clark for 26 marks 8 shillings 8 pennies.

1564. David Melville and John Clark chosen baillies at Michaelmas that year.

Freemen that year, not one received.

Michaelmas 1565. Baillies George Christison, William Whyte.

Henry Young, Clerk. Thomas Ranny, officer. Henry Kilgour, Dempstar.*

1567. Customs set to John Black for twenty pund. That year there was ane tolbuith devysed on the hie gate where the mercat croce stude, the said croce tain down, and the haill walls of the same biggit.

In 1569 there were two officers.

8th Oct. 1570. "Here ceased the Dempstar and that office."

* This officer was soon afterwards dispensed with. It may be regarded as a proof of barbarous severity that a small town like Dysart had its "Doomster."

"The number of places known to this day by the name of Gallowhill, and such like, are sad remembrances of the frequency of capital punishments in former ages."—*Goran's "Notes of Communication" to Fifeshire Antiq. Society.*

In 1570 twenty freemen were entered.

1575. A resolution to remove the auld tolbooth, and a house bought for building another "on the south side of the hie gait."

1576. The foresaid new "tolbuith this somer was bigget."

1578. A curious notice of the coal being on fire—"ane evill air enterit into the main heuche, the dur (door) beane than at the wast entrie of the toun."*

Customs let for 48 marks (a great advance).

1581. That yeir, James Douglas, Erle of Mortoune, Regent to his Majesty, execute in Edin:†

1584. Prices—nane made that year in respect of the pest, nor yet the acts proclaimed. About the "first end of August, the pest endit." It had been brought to West Wemyss by seamen from Flanders; and it is stated that upwards of 200 persons died of it in Wemyss. In Dysart, 400 "or thereby" were smitten with it.

(The record ends with a minute of date April 3, 1599, and begins at the other end of the volume. The intermediate part, which comprises by far the greater part of a very thick folio, is filled with sasines.)

At the burgh of Dysart, the tent day of Appryle ano 1599 yeirs.

Memorandum, ye matteres partening to this burgh, is written in the other end of this buik, and follow furth in manner following.

1 May 1599. That day the tolbuith house wall and partmentis, set to Peter Balwaird for 20 pundis 14 sh 4 d. for the space of ane yeir next to come; and James Scott at the Townheid cautioner for payment.

* This was no unusual occurrence, as appears from the writings of George Buchanan.

† Such an irrelevant entry is not singular in the records of that time. The volumes of the Scottish Parliament contain scraps of poetry, written by the clerk in an idle hour. I have seen a protocol book of a notary public containing a song on the return of James the First from his captivity. The following epigram is copied from one of the Burgh Records of Dysart:—

Papa pius moritur quintus, res mira, tot inter
Pontifices, tantum quinque fuisse pios.

8 Feby. 1598. A Mr. James Tullus, minister is mentioned; he appears to have been minister of Burntisland.

31 May 1599. A cognition respecting a "troubleance." The assize all in one voice by the mouth of the chancellor, James Robertson, first finds the said James Scott in a wrong, for calling to remembrance to the said David Simpson, Elder, ane rioting of bygane wanton words, thereby making new provocation. Secondly, finds young David Simpson in a wrong, for putting hand on the said James Scott by a cuff. Thirdly, finds the said Peter Balvaird in a wrong for pursuing the said David Simpson, younger, on the gait with a whinger.

Jany. 1600. A tronblance betwixt Robert Normand and John Thomson, "being on the watch for that night, it was sunday, that either of them had troubled the watch."

April 1600. The customs set to Archibald Simson for 57 marks quarterly.

15 Oct. 1600. That day it is statute by common consent of the neighbours, that in case the officers, or any of them, be found negligent and slothful in executing of their office, it shall be lesun to the Baillies to place others in their rooms, which was actit.

That day Andrew Burtt electit and chosen Thesaurer of, and keeper of the purse of this Burgh, for this year to come, qhuilk was actit.

EXTRACTS FROM VARIOUS BURGH RECORDS.

1560. Janet Lindsay, relict of Andrew Landy of Balgonie.

At the place of Strathmiglo, 10 Nov. 1561, the whilk day Sir David Kilgour, at the command of an honourable man, Sir William Scott of Bal-

weary, Knight, produced the keys of the place and fortalice of Strathmiglo to Mr. W. Scott, fiar of Balweary, who received them in token of possession of these lands, and opened the doors thereof.

1562. A compromise between Mr. W. Scott, Balweary, and John Melville of Rayth respecting the lands of Pitseottie.

9 Nov. 1562. The whilk day it is decided by the mouth of Alexander Law, with all the voices of the lave, that Janet Gibson shall remain with Henry Lawson gif he will not suffer her to pass to her service to Janet Clerk; and failing that she make service to the said Janet to pay her.

26 Nov. 1562. The whilk day, Alexander Betson swore the great aith, that Cuthbert Robertson took up the money that John Davidson was foiled (convicted) of.

16 Decr. 1562. The whilk day the said Matthew and the rest of the heirs foresaid require the said George Christie to deliver up to them the said Margaret's gold ring.

The whilk day it was decided by the mouth of William White, chancellor of the foresaid assize, with all the voices of the lave, that John Robertson and Patriek Gibson was in an unlaw, and that for troubleance of the town.

26 Decr. 1562. The conncil conveyened in the steeple of Dysart.* The end loft to be taken down, to repair the queir.

The same day, the council foresaid has chosen John Clerk, Alx^r Law, William Whyte, and Andrew Brown, to be taxers of the neighbours for the said 20 shillings ouklie to the poor.

2 Jany. 1562. The same day it is statute and ordained by the council, to avoid great inconveniences, that the act which was made before upon

* The steeple or tower of the old church. Except the demolition of the altarages, no injury was done to the church at the time of the Reformation. The fabric, from age, was not in good condition at that period. A few years afterwards it was thoroughly repaired. The lintel of a window still bears the date 1583.

John Taylor and David Ednay, shall be kept and put to execution—that is to say, they, the said John, shall from this day forth be banished the town for a year and a day,—and sicklike the said David to be banished conform to the act made before, standing in the acts of the burgh. And if any of them be apprehended within the said burgh, they shall be taken and put in ward aye and while they find caution that they shall fulfil the said acts. And also who receives any of them, by night or by day, within their houses, shall pay an unlaw to the town's purse of 40 shillings, so oft as they are apprehended in their houses, and siklyke this act to be observed upon all wives.

26 Jany. 1562. The whilk day compeared James Nicolson procurator for John Robertson and alledged that the baillies of the burgh of Dysart are not judges, and have no jurisdiction to sit upon tested gear, but only David Barclay, procurator fiscal, who has a commission of our Sovereign Lady the Queen's grace,* to sit upon such actions; and therefore if the said baillies proceed any farther in this matter, protested for remeid of law, and wilful error if they proceed.

The whilk day it is decided by the mouth of the said Chancellor, with the voices of the lave, that Bessie Dishon shall not set her house, but at sight of the Baillies; and if she does the contrary, to be banished the town.

The customs of the Burgh set for a year, at nineteen marks and a half.

2 Feby. 1562. The whilk day it is decided by the mouth of the foresaid chancellor, with all the voices of the lave, that William Gedd shall be scourged through the streets of the town, for his deceiving of the neighbours with the horse flesh which he sold to them.

2 March 1562. William, Lord Sinclair, and Henry, master of Sinclair, mentioned in a minute.

At Perth, 22 March 1563. Thomas Lindsay to appear, on 27 April, in

* Queen Mary, residing with her Court in Edinburgh.

the Kirk of Kilspindy, and on the place where formerly stood the "hie altar"* to receive the sum of fifty marks—

Master Henry Pitcairne, olim curate de Strathmiglo, Witness.

26 March 1563. The whilk day the Baillies decreets that Andrew Irvine should be banished the town for ever; and if he be apprehended within this burgh hereafter, to be scourged through the town, "and his lug to be cuttit."

31 March 1563. A complaint addressed to the "Baillies, council, and community" of Dysart by Sir George Strachan, showing that he was prevented by John Russell from labouring two roods of land.

(The complaint is temperately and respectfully written. Strachan was vicar of Dysart prior to the Reformation, and had continued to reside in the town. The land had been let to Russell, it would appear from subsequent minutes. The complaint mentions lands pertaining to George Strachan, but it does not appear clearly whether he retained them by right of office, or had inherited or purchased them.)

10 April 1563. The Council ordains that James Halket† should be deprived from his office of baillie, and to use no office from that day forth, because it was known to them sufficiently that the said James had hurt their privileges and commonweal, and had violate and broken their acts.

(The Council came to this resolution after a tedious trial of the baillie, and so unpopular had he become, from the manner in which he had acted, that in reply to some threat from him—)

* Fendal and pecuniary obligations were wont to be discharged at religious places. The two Fenwicks were gifted to Edward Arnot "for yearlie payment of ane paire of Gloves at S. lawrence Chapell, and of ane paire of spures, at S. michael's Chapell, Embleames of Reddie service."—*Historie of the House of Rowallane*, p. 33.

† This proved a violent squabble, and Halket behaved in a most outrageous manner. He had "hurt the privileges of the commonweal" by some transactions with dealers in malt.

“ The community obliged them, and ilk ane of them, to maintain and defend the baillie George Christie and the Council, with their bodies, goods, and gear, against James Halket, gif he, or any others in his name, pursue the said baillie or council, for any actions in the law, or by the law.”

21 June 1563. George Kinloch, David Ged, William Bisset, and Michael Wylie, colliers, compeared and came in will of their masters, owners of the salt-pans, and obliged them to enter to their labours.

4 Oct. 1563. The whilk day George Christie, baillie, compeared in judgment, and showed that he had caused the bellman with the bell three sundry times pass through the town, to warn the neighbours of the said burgh to compear and choose their baillies, conform to their old acts and statutes of their said burgh,—and when the neighbours assemble, the leets chosen, and votes given, the maist part of the whole neighbours has chosen and ordained that John Clerk and Archibald Wynd shall be their baillies for this year.

1564. George Douglas, Baillie of the regality of Abernethy.

At Rayth 29 March 1564. Thomas Scott of Abbotshall, tacksman of the teinds of the acres and crofts of the burgh of Kirkcaldy.

30 May 1564. The whilk day compeared in judgment Alex^r Wylie, alias Smith, and Giles Lawson his spouse, and confessed the striking of Grizel Black, and offered them to make amends at the sight of the Baillie.

6 June 1564. Sir George Strachan is ane indietment for not compearing as he was lawfully charged at the instance of John Melville—which was given for doom and asked to be acted.

(Several such notices occur at this period about the poor vicar.)

3 Nov. 1564. The whilk day compeared in judgment David Forbes, and complained upon John Russell for the down casting of a dyke; and John Russell confessed the casting down of the dyke, but alleged the ground where the dyke was pertained to him, and not to David Forbes.

Feby. 1564. Money wanted to “big the bulwark and repair the Kirk.”*

(The only means of raising money was the price paid for the freedom of the town; and a resolution which was made at Michaelmas preceeding, to admit no man to the freedom for seven years, is rescinded.)

Dysart, April 1565. David Balfour protests that the Baillies should not be judges in action betwixt him and David Sibbald, because the Bailies were “of affinity” to the latter.

7 April 1565. A new book begins with Henry Young, scribe, “anno Reformationis ecclesie Jesu Christi in Scotia Sexto.”

At Dysart 14 April 1565. Alexander Clark, burgess, makes a will in favour of his son, Mr. William Clark, minister at the Kirk of Anstruther.

1565. Master William Blackater (apparently of Dysart) usufructuar of the parsonage of Methil.†

May 1565. The whilk day, David Sibbald seeing Andrew Balfour present at the said “Msrt”† court, “bodin in feir of weir” with “jack sword and bucklar” alledged—

(Balfour gave some reasons for his being present in battle order, but there is cause to suppose that his reasons were ostensible, and that his design was to overawe justice, he having a plea in the court.)

14 June 1655. The whilk day John Brown alledged that John Inglis brack his ground for insetting of the water in upon his ground, and that under silence of the night, whilk the said John Brown referred to the said John Inglis aith, who refused to swear.

* The collecting of St. Serf's money was probably abandoned; or, as the town-piper of Dysart said of his fees, “They had increased and increased till they cam to naething.”

† Not improbably the last person that held the ancient parsonage of Methil, in the parish of Wemyss.

‡ I cannot give an explanation of this contraction;—qn. Magistrates?

26 June 1565. Ane schypp callit ye Marie being in ye port of Dysart at yt instant arrested.

June 1565. Master George Halket nominates and ordains his "balufit"* Margaret Hepburne his only executer and administratrix, with all his goods and gear.

In temploꝝ de Dysart, primo Julii 1565. The whilk day, in presence of me, notary public, Thomas Egey, burges of Dysart, made warning to Andrew Simson, burgess of the said burgh, to appear within the said Kirk, and at any place thereof within the same, upon the 10th day of August next, to hear two tenements of land, with Kail yards pertaining, respectively wadset to the said Andrew, by the late Gilbert Egey, be lawfully redeemed by the said Thomas Egey.

At the newtown of Colessie and at Pitluir, 21 Oct. 1565. The whilk day Andrew Forester,† minister at the Kirk of Dysart, made intimation to the persons following, in manner underwritten, of an assignation in his favour, by the Abbot of Lindores, subscribed with his hand, under his seal of office, of certain sums of money and victuals which they ought and should pay to the Abbey of Lindores.

23 Oct. 1565. "David Mitchell, baillie,§ protested for the blood."

This was in an action for troubleance at the complaint of Alexander Baxter, tailor, who showed blood on his "Sark," having been hurt by sundry envious persons, under silence of night.

(The persons who hurt him were tailors; and as Baxter soon after this date entered with the Burgh as a freeman, his troubles may, in the lawless manner they did, have asserted their privileges.)

* Beloved.

† Such transactions often took place "in face of halie Kirk." The custom was now falling into desuetude.

‡ Colleague of the Rev. W. Murray, the first Protestant minister of Dysart.

§ Baron Baillie.

22 Jany. 1565. In an action of this date, there was produced—"ane testimonial under seal of arms of umqhile John Lathreisk, baillie of this burgh, of the date, at Dysart 12 Decr 1525."

Oar mills frequently mentioned.

Customs let for a year, at 20 pund 14 sh.

A testimonial presented under the seal of arms of Jas. Martin, baillie, 31 Decr 1510.

1566. Magnus Sinclair, son of William Lord Sinclair, and Marion Bruce, Lady of Arthe, his spouse.

(Second son of William Lord Sinclair, and designed "of Kynyn-month.")

6 March 1566. The Council resolve to build a pier at their port and haven.

It was to be ascertained what the voluntary contributions for this might amount to, before imposing a tax for the purpose.

Dysart, 1 June 1566. The whilk day, compeared in the parish Kirk of Dysart, near the place where umqhile stood Saint John's Altar,* "Patrick Melville and John Park."

J. Park gave P. Melville 20 lb. to redeem a tenement.

4 Oct. 1566. A long entry about a salt-pan, given to George Strachan, Vicar pensioner of Dysart, by Henry, Master of Sinclair.

14 Nov. 1566. The whilk day compeared Sir John Bousie, Chaplain, and produced a claim mentioning that he was lawfully provided to the chaplainery of the Trinity altar sometime situate within the parish Kirk of Dysart; and by virtue thereof contained seisen of two tenements of lands as a part of the patrimony of the same, lying within the said burgh of Dysart,—the one tenement lying betwixt the land of the late Simon

* There were at least three altarages in the parish church of Dysart—Trinity, St. John's, and St. James'.

Thomson, on the south, the land of the late Robert Gardener, on the north, the croft pertaining to David Melville, on the west, and the Coalgate on the east parts.

(The object of the application was to get the tenants ejected; and he had taken legal steps for that purpose. The tenants pleaded that they knew not that Sir John Bousie was the owner of the lands, and that they had repaired them at their own expense. Judgment was deferred till the 21st, and both parties cited apud acta. The said Sir John protested for remeid of their violent sittings, since they had received warning. John Jackson,* donator of the said chaplainery protested that the said Sir John uplifted no rents of the said tenements, their reparation being sufficient compensation.

Sir John Bousie was brother of the late David Bousie, notary, and had his protocol book in keeping, which he produced in court.)

21 Nov. 1566. The whilk day, the action betwixt Sir John Bousie and John Jackson and the tenants, is— with consent of the parties to a new warning.

25 Jany. 1566. The whilk day, John Taylor, son to David Taylor, who was bound apprentice to John Davidson, webster, for certain causes, either of the said parties discharges others of all indentures, from the date hereof, and either of them to be at their advantage.

24 July 1567. The protocol books† of David Bousy again mentioned. The burgh seems to have obtained possession of them.

Nov. 1567. The council and community resolve to “repair, mend, and

* There was evidently collusion here between Jackson and the tenants. Probably Jackson wished to recover possession of his donation from the chaplain.

† Four of these books are mentioned: two of them had belonged to David Bousy; from one of them, extracts are given in this collection. Another, and older one, I saw about fifteen years ago; it was sadly decayed; it cannot now be found. Of the other two, no traces exist.

keep the Kirk windows, yard, and dykes." A sufficient dyke to be biggit at the north west neuk of the Kirk, to Magnus Sinclair's yard dyke, at the west; another, with a sufficient gate, at the south east neuk of the said kirk, to Walter Lathrisk's west chalmer wall.

17 Nov. 1567. The council and community gathered in the Steeple, for bigging the walls at the north east and south east gables of the Kirk.

Decr. 1567. In an action for casting down "a chimlay head," there was produced a seisin by giving earth and stone of date 1486.

Jan'y. 1567. Sir John Bousy again appears claiming the two tenements attached to the altarage of Trinity in the Kirk of Dysart—

(John Jackson younger is called patron and donator, and there was evidently collusion between him and the tenants to recover his donation.)

The whilk day, Downies wife in Dunnikeir, ordained to be publicly Sent through the town, with the horse tails about her head, and thereafter banished the town for dwelling, and the resettors of her in times coming reputed partakers with her in her theft; and this to be published with the bell.

May 1568. Anent the claim given in by Thomas Thomson against Sir George Strachan, making mention, that the said George, in the month of February last was, or thereby, borrowed and received from the said Thomas Thomson 30* "petis" (peats) extending to 6 pund money; and promised to pay him thereof within eight or nine days next hereafter. The said Sir George called, and not compearing, the judge ordains him to be charged with this act to the 13 of this instant, to answer hereto: failing that he compear not, then to be held as confessed.

Sir George Strachan was eventually ordered to pay the money.

1568. John Scott, vicar of Carstairs.

* Some measure, or weight, has been omitted in the record.

1568. Robert Melville,* vicar of Dunbog, witness to the will of Touch, burgess of Dysart, who constituted his wife, Margaret Mason, and Margaret Melville, his daughter, his executors.

1568. Customs let for 24 lb.

May 1569. No person of what rank soever to pass to Edinburgh without leave asked and obtained from the Baillies.

This order was in consequence of some pestilence prevailing in the country.

1569. David Danielston, burgess of Edinburgh, sold part of the lands of Gaitmilk.

17 Dec^r 1569. "*Archibaldus Wynd, patronus secularis indubitatus capellanæ et fundationis Sancti Jacobi intra ecclesiam parochialem de Dysart.*"

The entry appears to be about the sale of a tenement which belonged to the altarage.

1569. Joannes Boswell in Stenton.

1570. Elizabeth† Forbes, Domina de Sinclair.

June 1570. Magnus Sinclair lets some lands in Stirlingshire to Mr. Robert Bruce of Airth.

1571. "*quondam Henrici grot*"—a tenement of his mentioned as a boundary.

* Apone ye

In ye zer of God ane thousand fyve hundred three skoir and aught I thomas raine officer of yis brocht of Disert passit at ye comand of james hakit bailze & arestit at ye instance of Sir Robert maulvil vicar of Dinbug twa staks of beyr two staks of aits & ane stak of peyss standing in andrew symsons barnyard to remaine yair ey & quhyll ye said Sir Robert hed paymēt on sufficiēt cacione qlhk coryuis pertaine to jhone mailvile ye tym of his lyf and yis I did befor yir witnessis jhone brown zoungar & Robert coser.

† Elizabeth, second daughter of William, seventh Lord Forbes, wife of Henry, third Lord Sinclair.

Jany. 1570. The small customs of the Burgh let for 52 merks.

Feby. 1571. George Strachan grants infeftment of a tenement to Andrew Foster, Minister, and Margaret Gib. The tenement was bounded on the south by the “bowbutis, via regia ex boreali.”

A. Forrester or Foster is designed Minister,—George Strachan, Dominus. There is something strange in the last popish vicar selling a property to a protestant minister. Margaret Gib was apparently the wife of the minister.

At this time the usual place of meeting of the council was the “Steepil” —not likely the old church steeple, but one that stood near to the present one at the cross.

6 Nov. 1571. The whilk day, James Dundas was amerciate for striking of Bess Wylie because the said James granted the fault.

25 Feby. 1572. The whilk day anent the pot and the pan claimed by Alex^r Fairfield from Marjory Kirkcaldy and Isabel Gibson, her daughter, the said Marjory and Isabel being oftymes hereto and not compearing, at last being with certification—and they not compearing, the judges ordain the said Marjory and Isabel to render the said pot and pan to the said complainer, as they were at the receipt thereof.

1572. Anent the injury done by Alex^r Stirk, collier, to the officer in breaking of the ward, referred to the modification of the neighbours following sworn, an assize of ten persons with John Normand, chancellor.

The said Alexander Stirk in judgment, and offerit himself in will, the bailzies and nybours ordain the said Alexander to pass to the cokstuil, and thair to stand in the joggis, but meit or drink, qhuill sax hours at even, and theirafter gif he commits the like fault to be banest the town for ever. And the said Alexander grantit judiciallie that he was awand to Henry Kilgor the soume of three punds, seven shillings, nine pennies, obliged and actit heirfor, and to pay three shilling ouklie qhuill it be payit.

1573. A number of regulations respecting burgh affairs; and among them, many respecting the harbour; among the latter is the following.

That nae stranger vessel lye langer in the haven bot three days after she be and laden; and ilk day she lies langer, to pay ten shillings.

Every vessel to lay her towis to windward, halding tham free of their neighbours.

June 1574. The council of Dysart convenit in the Kirk, ordains and statutes, that because of the daily narrowing and burying up of our vennals, streets, and gaitis, but ordains for observing thereof in times coming, that no man nor person what street whatever he be, big nor begin to big upon any street hereof, his old foundation while the baillies and council be convenit thereafter advisit and give a grant, under the pain of tyusall their fews.

Feby. 1575. The council convenit in the steeple of Dysart, all approved of the acts made before, for bigging of the new tollbooth and away taking of the auld.

June 1576. As to the troubleance between John Spence and Janet Thomson, spouse to Alex^r. Williamson, and John Scott, and Alex^r. Williamson, the judges find that the said John has injured the said Janet, and also the said Janet, the said John, and therefore either of them in ane wrang, and ane unlaw, and farther, because the said John has put hands on the said woman, ordains him to crave her pardon, and also the said Alex^r. ane granting his offence to them, and furdur, to make ane mends to them at the baillies will, and William Primrose, baillie to my Lord Sinclair protested for the blood, and gif the said John be found troubling the toun or neighbours hereof in times coming, either by night or day, to pay ilk time forty shillings.

14 May 1577. (The following entry is indexed on the margin.)

John Kady and his gud sone.

That day John Kady, Smith, and John Watt, are bound till others that neither of them shall perturb others within their bounds, under the pain ilk ane of them, ten pundis, ilk fault, quhilk was actit.

26 May 1577. That day Janet Thomson granted the in calling of Helen Ewing into her house, and she being in, gave her a cuff, and for that came in the baillies will, of the unlaw of a troublancee.

Simon Mitchell absolved from the claim of Walter Baird for a barrell of herring, because being referred to the oath of the said Simon, did quit himself thereof.

Penult April 1578. That day, Andrew Hawick of Skattista, in Zetland, granted he received actually from John Brown, from John Brown younger, Burgess of Dysart, 24 angel nobles, and a half angel noble, good and sufficient gold, and weight, in name and behalf of Andrew Gifford of Weddersta in Zetland.

10 June 1578. That day, Andrew Abereromby, Wright, decreed in ane wrang, for the entering in Andrew Thomson's house and taking his servants worklooms, at his own hand, but arles; and gif any craftsmen within this burgh does the like in times coming, to tane their freedom.

In the arrangement of the counsellors to various offices at this period, there are always two still designed "Kirkmasters."

15 Decr 1579. That day, Janet Chapman decreet to pay to Mr. Henry Strang, Schoolmaster,* for her bairns learning, twelve shillings as for fee and bounty.

The customs of the burgh let for forty merks, to be paid quarterly.

8 Oct. 1580. That same day, being the market day of this burgh of Dysart, Thomas Ranny, one of the officers hereof, at command of the baillies hereof, passed to the market cross hereof, and openly proclaimed, there was an inquest† of the neighbours hereof, to be summoned and

* The earliest notice of the Schoolmaster.

† Such inquests were always made with the same formalities.

sworne in a burgh court hereof, to be held the five and twenty day of this instant october, for serving and recognoscing of George Gow, son lawfull of George Gow, burgess hereof, as nearest and lawfull heir in life to umquille Henry Gow his brother.

18 Oct. 1580. The council ordains that no swine be seen upon the high street under pain of slaughter of them but any mends, and that all swine stances be taken away of the hie gait, otherwise to be broken.

1 Nov. 1580. That day, Robert Archibald, neighbour hereof, decreed to pay to William Boswell, chirurgeon, the sum of 20 sh. money, as complete payment of the sum of five pund promised by the said Robert to him for curing of the said Robert's arm. Because the said William deponed there was so much promised to him, being referred to his oath by the said Robert, as principal, together with 12 sh. as expenses, also 12 sh. to the poor.

Jany. 1580. The customs of the burgh let for one year, at forty two pund.

1 Feby. 1580. That day, Patrick Sinclair, son lawfull to Henry Lord Sinclair, received neighbour and freeman of this burgh.

(Something follows this entry, and in connexion with it, which I cannot decipher.)

1 April 1581. (Change of the year:—beginning of the new, the previous date being 23 March 1580.)

Some leaves gone.

7 July 1583. Marion Strachan* sister of Sir George Strachan, vicar pensioner of Dysart.

Register of burials.

June 1584. That day, Agnes Balvain, and Michael Adamson, her son,

* The vicar had probably remained unmarried. The dates of his sister's burial, and of his own, are extracted from the oldest parish register, discovered among the Burgh records when making these researches. It had been missing upwards of one hundred years.

absolved from the petition of James Staig, anent the counter board, because the said was referred to the said Agnes Balvain's oath, that she knew it not.

12 April 1587. George Strachan,* vicar of Dysart, was buried in the Kirk.

* He had not survived his sister long. He must have seen a good old age; and it would likely be in conformity with his own wishes that he was buried in the kirk, where he had once performed the services of his religion. It may be reckoned a proof of liberality that this was permitted.

EXTRACTS from the PAROCHIAL REGISTERS of DYSART.

BURIALS.

28 Aug. 1584. bureit nanes law ye spous of Andro Jack burges decessit of twa men childrene sam day born & partit wt. and ane in hyr vome as wes supposit.

The tyme of pest ye names of severall persones fra ye xxviii daye of august 1584 until ye xxv of apryle 1585.

16 March 1586. george makerstoun.

16 July 1586. magnus sinclar brother germ to henry Lord Sinclar.

8 Jany. 1588. Beatrix Sinclar ye spous of umqll magnus sinclar brother to Henry lord sinclar.

17 May 1589. Henry sinclar son to Henry lord sinclar & my Lady forbys.

He predeceased his father, and is not mentioned in Douglas' peerage.

tent of July 1589. Elspett bell ye vyff of umqll James lausone in ye blair—

11 Sept. 1589. Annabill fobess & bureit in ye Kirk.

Oct. 1589. Some corpes cast ashore from a boat that had perished and buried.

20 Dec. 1589. Andro Masterton burges bureit in ye Kirk.

The last day of august 1590. Elain Cambell ye spous of Robert adamson gay reader at ye Kirk of Dysert.

Oct. 1592. Jannat ye spous of henry Zoung clerk of yis burgh laid in ye quirr.

2 Feby. 1593. Gelis barklay vido for ye fair of ye weims deit be ye way.

1593. The xxii day of februarie at nytt decessit capitan David weems & was bureit upon Tuesday ye xxiv day of februar at ye Kirk of ye weims.

13 June 1593. Johne myllikin vabster ald and puir.

22 Oct. 1593. Mause lyndsay ye ladye of ballingalle bureit in my lords ill.

30 Nov. 1595. george swyne burges bureit in ye Kirk.

MARRIAGES.

7 Feby. 1590. Mr. William Murray of pit— of ye prochyn of abernethy vt. Rachel preston of ye proche of Dysert & pt. 6 sh. viii.

1 June 1591. George Sven and nanes weims he pt. 6 sh. viii. to ye puir qlk was (given) yat sam day to Magie Jak seik.

Feb'y. 1590. Mr. W. Murray, parson and minister of the Kirk of Dysart.

Nov. 1592. The baillies consult about repairing the break of the pier.

March 1592. The whilk day it is inhibit by the Baillie that John Halkhead that he neither speak in judgment, but as he be required, nor yet molest any person under the pain ilk time of ten punds—whilk was actit.

John had been very troublesome and was soon afterward committed to ward for various acts of violence.

22 March 1592. George Swayne, rector of Methel, makes a claim against Archibald Simson, heritable proprietor of the tenement, lands, within the rectory of Dysart.

Notice is taken of "the court books of the rectory of Dysart."

1 Decr. 1593. John Lathrisk was decreed to pay to Isabel Corsbie, relict of the late David Garden, the sum of eight pennies scots, of the bell silver, for the whilk the said John granted him cautioner judicially.

Jany. 1593. Peter and John Geddes to pay to Robert Dick five punds for demolishing his boat.

George Stevenson found guilty of a troubleance for "casting a cup with ale in John Blair's face."

13 May 1594. Trial being taken by the Baillies of Dysart, of the ship called the George, whereof for the present, George Gay is master, bound to Hamburgh, conform to the orders that no unknown passengers should pass—who could find none. Likewise the said George affirmed he had none that passage. Likewise he obliged himself to transport none that passage, under the pains contained in his mariner's instructions.

1595. Mr. James Yuill minister at Dairsie.

June 1600. Commissioners, Burgh Convention,—their expenses to be paid.

The customs roll—fish boats and ferry boats to pay 16 d.

July 1600. Allan Normand, tailor, decernit to pay to Elspet Mitchell, servant, a quilted bonnet and 10 sh. worth of double freinzes.

Jany. 1601. The assize pronounces good ale to be brewed and sold for twelve pennies the pint, under the pains of five pund ilk time. Sicklyke the baxters to bake and sell good leavened bread sixteen ounce for twelve pennies, under the pain foresaid.

23 Jany. 1601. The Council concludes to give to that good work yearly, and for the reading daily, one hundred marks, only to the fellow helper minister, and that the said minister be elected with advice of this burgh.

Ordains David Gibson mariner to be received freeman, as he who married a freeman's daughter, to wit, Robert Adamson* "readaris dochter" who was freeman, be his office, and to pay therefore ten pund. ordains Ard. Wobster, tailzour, to be received freeman, and to pay therefore 20 marks.

The minutes of this volume end with date 7th Sept. 1602.

That day, James Crow, taylor, received freeman of this burgh, upon his oath judicially sworn, as use is, and has composit for his freedom, and to pay ten punds therefore Instantlie payit to the balzie, whilk was actit.

11th Dec: 1602. The baillies order a register of sasines to be kept, having been destitute of such a register, since the death of Henry Young, last sworn Clerk.

1610. Mr. Allan Lawmonth, reader at the Kirk of Dysart.—Isabel Clerk, his Spouse.

1614. The import and ancorage customs yielded Fourscore and sixteen punds.

* Mr. Adamson was town-clerk also. I suppose that was the office by which he was a freeman.

It is singular that while many parishes at this period had to be satisfied with the services of a reader only, Dysart enjoyed the labours of two ministers and a reader.

1615. The same yielded, or were roupit for one hundred and ten pounds.

12 pounds paid for the Postmastership.

1617. An act forbidding any freeman, his wife, or his relict, to sell any "fuilzie" collected by them to any occupier of land, or keepers of gardens, out of the Burgh.

COPY OF WILL.

At Dysart, 28 July 1617. (Date written in Latin. Year of king's reign given.)

The which day in presence of me, notary public, and witness under-written, Elizabeth Cranston, spouse to John Brown, skipper, burges of the said burgh, being sick, and infirm in body, but hale in mind and spirit, as appeared, declared, and shew, that since the said John Brown her husbands last departure furth of the country, she had at sundry and diverse times, received in borrowing, from Mr. William Cranston, Minister of the Evangel at Kettle, her father, the sum of three hundred merks, money, which she granted and confessed to be at rest and owing to the said Mr. W. Cranston. Likewise she granted her to have bought and received from the said Mr. William, her father, two stones of wool, delivered to her by her father, by the space of fifteen days since, or thereby; and in case that she be prevented by death, before the said wool be put in cloth, the said Elizabeth Cranston ordains the said two stones of wool to be delivered back again to the said Mr. William, her father, or else the sum of nine pounds, money, for every stone thereof. Whereupon, and upon all and sundry, the premises, the said Mr. W. Cranston, asked instruments of me,

notary public, underscribing; and this was done in the dwellinghouse of the said John Brown, at two hours, afternoon, or thereby, day, year, and place foresaid,—before these witnesses—Mr. Thomas Hog, Minister of the Evangel at Dysart, George Gay, and Patrick Murray, Burgesses of the burgh of Dysart.

FROM A REGISTER OF WILLS, &c. KEPT BY MR. W. KINGORNE,
CLERK, DYSART, AND NOTARY PUBLIC.

At Dysart, 22^d Aug. 1617. The which day, in presence of me, notary public, and witness underwritten, compeared personally a discreet man, Mr. Wm. Nairne,* Minister of the Evangel at the Kirk of Kipone, and passed to the personal presence of Mr. John Mitchelson† likewise Minister of the Evangel at Burntisland, and there, with all reverence and humility, as became, presented to the said Mr. John Mitchelson a gift and presentation made and granted by an honourable lady, Dame Margaret Cockburne,‡ Lady Sinclair, liferenter of the advocation, donation, and right of patronage of the parish Kirk of Dysart, parsonage and vicarage thereof, teind sheaves, and other teinds great and small, fruits, rents, presents, emoluments, casualties, profits, and duties whatsoever pertaining, and that

* Mr. Nairne continued minister of Dysart upwards of forty years. He published a small volume, "Christes Starre," and another, "The Pearl of Prayer Precious and Powerful."

† Constant Moderator of the Presbytery of Kirkcaldy during the time of Episcopacy. He was the author of a defence of kneeling at the Communion, a work to which Calderwood the historian replied.

‡ Margaret, daughter of Sir John Cockburn of Ormiston, and relict of Patrick, sixth Lord Sinclair.

may righteously be known to appertain thereunto, lying within the diocese of St. Andrews and Sheriffdom of Fyfe, direct to a reverend father, John, by the mercy of God, Archbishop of St. Andrews, making nomination and presenting the said Mr. William Nairne in and to the parish Kirk of Dysart foresaid, parsonage and vicarage of the whole parish, and lands lying within the same, teind sheaves and other teinds great and small, fruits, rents, presents, emoluments, casualties, profits, and duties whatsoever pertaining, or that may righteously be known to appertain thereunto, lying within the diocese of St. Andrews and Sheriffdom foresaid, during all the days of the said Mr. William's lifetime, for serving the cure and using the function of a minister at the parish Kirk of Dysart now vacant, and become in the said honourable lady her hands as patron foresaid, and at her donation and presentation, by decease of the late Mr. William Murray, last parson and vicar of the said parish Kirk and benefice thereof, as the said letter of presentation containing sundry heads, circumstances, claims, under the subscription manual of the said Dame Margaret Cockburne, of date, at Edinburgh, 1st Nov. 1616.

And likewise the said Mr. W. Nairne presented and delivered to the said Mr. John Mitchelson, minister foresaid, letters of collation direct, by the said reverend father, John, by the mercy of God, Archbishop of St. Andrews, to the said Mr. John Mitchelson, bearing the said reverend father to have received the foresaid letters of presentation, and that he accordingly has tried and examined the said Mr. W. Nairne, his literature and good conversation, and referred for recognosing our Sovereign Lord's authority and due obedience to the said reverend father his ordinary, and he found the said Mr. W. Nairne able (praise be to God) to use and exercise the foresaid charge and function of a minister within the Kirk of God, and so has received, admitted, and conferred the said Mr. W. Nairne in and to the said parsonage and vicarage of the foresaid Kirk of Dysart, and to the whole teinds, fruits, rents, emoluments, profits, and duties

thereof,—manse, glebe, and Kirk land of the same, during all the days of the said Mr. Nairne's lifetime, after the form and tenor of the foresaid presentation, and therefore requiring the said Mr. John Mitchelson to whom the said letters of collation are direct, to give institution to the said Mr. W. Nairne of the foresaid parsonage and vicarage of Dysart, teinds, fruits, rents, profits, and emoluments thereunto belonging and appertaining, by delivering into his hands the holy bible, or small book, using all other ceremonies requisite and used in the like case, that the said Mr. W. Nairne may be thankfully paid of the fruits, rents, profits, and duties of the parsonage and vicarage of the crop and year 1617, and so yearly in all times coming during his lifetime, conform to the letters of presentation in all points as the foresaid letters of collation under the subscription manual of the said reverend father in God and his great seal thereupon, dated at Glasgow, 21 July last bypast, 1617, at length bears. Which letters of collation and institution the said Mr. John Mitchelson delivered to me, notary public, and subscribed which I openly read and published in presence of the witnesses after specified, and thereafter, within the said parish Kirk of Dysart, and before the pulpit of the same, according to the will, desire and tenor of the said letters of presentation and collation, the said Mr. John Mitchelson, with all reverence and humility, gave institution to the said Mr. W. Nairne of the foresaid parsonage, vicarage of Dysart, fruits, rents, profits, and emoluments thereunto belonging and appertaining for all the days of his lifetime, he serving the cure of the said ministry at the said Kirk by delivering to the said Mr. W. Nairne the holy bible, and so duly and lawfully and orderly planted and instituted the said Mr. W. Nairne parson and minister at the said Kirk in manner above specified during all the days of his lifetime, and thereupon upon all and sundry the premises, the said Mr. W. Nairne asked instruments of me, notary public, and under subscribing, and that was done within the parish Kirk at the before noon, or thereby, day and year and

place foresaid before these witnesses—Mr. John Gillespie, minister at Kirkealdy, Mr. James Wilson, minister at Kinglassie, Mr. David Martin, minister at Auchtertool, Mr. Thomas Hog, minister at Dysart, Mr. Allan Lawmonth, reader there, and Mr. John Powtie, minister at Leslie.

1618. The west pier and haven repaired.

1618. The foresaid persons (two baillies and eight councillors) being convened within the tolbooth for consulting upon sundry their common affairs and especially anent the voluntary offer offered by Mr. W. Nairne, parson of Dysart, where he was willing and content to set in tack and as-sedacioun to the baillies council and community of the said burgh and their successors of the same the haill small teinds as within the liberties of the said burgh as within the orchard, croft, mansion, and rectory of Dysart, together with a chalder of teind salt yearly, with the yearly feu-duties of the said rectory, and the commodity of the burials of these persons that shall happen to be buried within the queer of the Kirk of Dysart, and that for all the days of the said Mr. W. Nairne his lifetime, and three years after his decease, for yearly payment to him, his heirs and assignees, of the sum of forty punds, money of this realm, at two terms in the year—Whitsunday and Martinmas.

Offer accepted and recorded.

Decr 1618. The baillies decerned and ordained the silver tass laid in pawn by Agnes Halkheid, relict of the late Mr. John Wemyss, the silver tass laid in pawn by Emily Brown, relict of the late Walter Mitchell, and the gold ring laid in pawn by Agnes Alexander, relict of the late William Strachan, to the ministers and session of Dysart, for the liberty and privilege granted to them for burying of their said late husbands in the Kirk of the said burgh, as be apprysit by them, for payment and satisfaction to the said Ministers and Session of Dysart, for the sum of forty merks addebtet by them and ilk ane of them, for every one of their said husbands burials

in the said Kirk, and for the said liberty and privilege granted to them and every one of them thereanent.

Nov. 1622. The brewsters forbidden to sell their draff, "grit or small," to any strangers under the penalty of forty shillings, toties quoties.

A volume ends with the above order.

1619. An act for putting up better seats in the Kirk, and adorning it.

April 1620. Two commissioners appointed to go with Mr. W. Nairne, to the Bishop, to have Thomas Hog* reponed, or to have some minister in his place.

The windows of the church which had been broken by some riot, were ordered to be repaired.

At Dysart 22 May 1619. Compeared Patrick Murray, wright, burgess of Dysart, as procurator lawfully constitute by Anthony White, writer to our sovereign Lords signet, and passed to the personal presence of Captain Laurence Sinclair, indweller in Dysart, and there the said Patrick Murray intimated and declared to the said Captain Laurence how that Robert Murray lawful son to the late John Earl of Tulibardine, had by virtue of his letters of assignation of date 26 Oct^r 1618 made and constitute the said Anthony White, his heirs and assignees, in and to a bond and obligation made and granted by the late Captain John Murray, the said Captain Laurence Sinclair, his lieutenant, Mr. Alexander _____, his ensign bearer, as principals; and the late Mr. W. Murray† minister of Dysart, cnrator to young George Cunningham, merchant, burgess of Edin-

* Thomas Hog had been deposed for nonconformity in 1619. The application to the bishop had been ineffectual; but after the Glasgow Assembly (1638) he was settled minister of Kennoway, where he died in 1652. He was a popular minister, and the riot referred to, in the subsequent extract, probably took place at his deposition. He had some property in Kirkcaldy. He obtained access to King Charles when he visited Scotland (1633) and presented a memorial to his Majesty, but obtained no redress.

† William Murray, first Protestant minister of Dysart, was of the family of Tullibardine.

burgh, as the said obligation subscribed with their hands, at Dysart, 1st Nov. 1603—

Nov. 1620. Mr. W. Nairne sworn and received a freeman of the burgh.

At Dysart 14 March 1620. Compeared Robert Williamson, elder, skipper, burgess of the said burgh of Dysart, and passed to the presence of Robert Williamson, eldest lawful son and heir of the late Patrick Williamson, burgess of the said burgh, and lawful son to the said Robert Williamson, elder, and declared and shewed to the said Robert, son and heir fore-said, that he had resigned and upgiven in the hands of the late Mr. William Murray, parson of Dysart, Rector of the Rectory of the same, and superior of the tenement of land underwritten, &c. &c.

1627. Mr. W. Nairne and George Halket infeft in two tenements of land for themselves and in name and behalf of the Session of Dysart.

Burgh Court 1630.

5th June 1630. The which day Agnes Aitken was decerned to flit and remove herself, bairns, and servants, goods and gear, furth and fra that tenet of land possessed by her, pertaining to Grizel Swyne in liferent.

(Several ejectments are recorded in the same strain.)

1635. A glebe* given to Mr. William Nairne from the lands of Dun-nikier, four acres from the Kirkland nearest to the parish Kirk. Dr. John Mitchelson, Burntisland, presided at the designation and gave infeftment to the minister.

1637. James Lundie, heritable proprietor of the town and lands of Skeddoway, resigns the same to Lord John Sinclair.

* Notwithstanding this notice, it is likely that the troubles in which the country was soon after involved, prevented this arrangement from being completed. The minister of Dysart had no glebe long after this date.

From some odd leaves found in a volume of a much earlier date.

8 June 1641. John Guidlaw, cordiner, became cautioner for James Gray, that he shall at no time hereafter strike, trouble, or molest Janet Guidlaw, his spouse, nor abuse her in any sort, as formerly he has done; but shall, by Gods grace, entertain love with her and carry himself as becomes a husband to his wife, under the pains of forty punds, money of this realm; and the said James Gray obliged him to relieve his cautioner.

8 April 1642. Isabel Thomson, coalbearer to ane noble Lord, John Lord Sinclair, being at the earnest desire of Henry Riccarton, burgess of Dysart, demittit forth of the tolbooth hereof where she has been incarcerate these two or three days bygane, for absenting and withdrawing herself from the said noble Lord his service without his (Ls) leave; therefore the said Henry, by these present letters, becomes cautioner and surety for the said Isabel Thomson that she shall continue in service with the said noble Lord, as a coalbearer, by and while she be married.

27 July 1642. James, Lord Carnegie, Captain David Carnegie, and Robert Innes, Captain Lieutenant, admitted and received freemen neighbours and burgesses of the burgh of Dysart.

Jany. 1644. The import and anchorage of the harbour let for 1000 merks for one year.

The petty customs, for 206 merks.

26 Feby. 1648. The whilk day compeared Thomas Hamilton, son lawfull to Robert Hamilton of Petie, and accused James Wemyss, corporal under Ludovick Leslie, his regiment, for wounding and blood drawing of him, to the effusion of his blood, committed after night.—Compeared the said James Wemyss and confessed the said blood, and therefore was convicted in an unlaw and blood, conform to the acts of this Burgh.

1650. Janet Brown, relict of the late George Lundie, clerk of the burgh.



“21 Nov. 1652. There fell out great thunder and fire at and about four in the morning, being Sunday, which broke down a great part of the Steeple of Dysart, and rent asunder the stones thereof.”—*Nicoll's Diary*, 103.

“Oct. 29, 1661. Mr. John Robertson, second minister of Kirkcaldy, was admitted by the Presbytery of Kirkcaldy, parson of Dysart. He did succeed to Mr. James Wilson, who was put from that charge by my Lord Sinclairs means, who is patron, by reason of some things that passed betwixt my Lord and him, in the time of the engagement, anno. 1648 or 1649. Upon the sabbath after, the said Mr. John Robertson did preach at Dysart in the forenoon, and began to justify the lawfulness of his call here &c. and in the afternoon, Mr. Robert Himmiman, second minister there began to speak to the contrary, and told the people that their patron had thrust in a man upon them illegally, and had put away a man legally called. Upon this, my Lord Sinclair rises up in public and said he lied, and charged him in his Majesty's name to desist, and to proceed no further to speak in that business, upon which Mr. Robert ceased. This business was brought before the Council at Edinburgh; it was taken away afterward.”—*Lamont's Diary*.

EXTRACTS FROM THE RECORDS OF THE BURGH COURT
OF DYSART.

1678. William Dalzell, baron bailie of Dysart.

William Normand, procurator fiscal and treasurer.

1678. Complains Alexander Ogilvie upon Marjorie Cross and Mary Fairley, that upon the first day of May instant, the said Mary called me

to her house, and without any offence given by me to her, she called me a diver dog, and my father begged through the town with many other—

(The complainer appears to have been the Town-officer.)

Complains Thomas Meiklejohn, baxter, upon Robert Whan, flesher, that upon friday last, in presence of witnesses, the said Robert did inhumanly revile, abuse, and calumniate me, with many abominable, unchristian expressions, not worthy to be named among christians, specially in saying that the Englishman did get my first bairn, not being able myself.

29 Sept^r 1678. George Bruce, weaver, acts and obliges him for the good and peaceable behaviour of Christina Bruce, his spouse, that she shall not trouble, molest, nor calumniate Mary Simpson nor any of her family at any time hereafter, under the pain of 20 punds Scots, tot. quot.

Complains Robert Whyte upon David Guiland that my vocation, being a shoemaker, and having my and my family's livelihood only thereby, true it is and of verity, the said David scandalises me among my customers, anent my calling, in saying I make all my shoes and boots of horse hides.

August 1679. Complains Alexander Cunningham upon Alex^r Dowie, and David Spence y^r that whereupon the day of — June last, by past, I being employed by the Magistrates to draw forth some men in arms for firing of some great guns, to the Duke of Buccleugh,* whereof the fore-named two persons were part of the number—true it is and of verity that the said Alexander Dowie and David Spence, without any offence given by me to them, most uncivilly struck and abused me, and took my sword from about me and brake the same, which was worth ten marks—And therefore of all law, &c.

(Fined in the price of the sword, and 5 pund for contumacy.)

May 1680. Complains Margaret Weir, and Thomas Greig, procurator

* On his return from the battle of Bothwell Bridge.

fiscal of this Burgh, That whereas John Dryburgh, servitor to the Lord Sinclair, having conceived a deadly hatred against me in so far as this day he came upon me in a most inhuman manner with a plough spade, and did beat and strike me to the effusion of my blood.

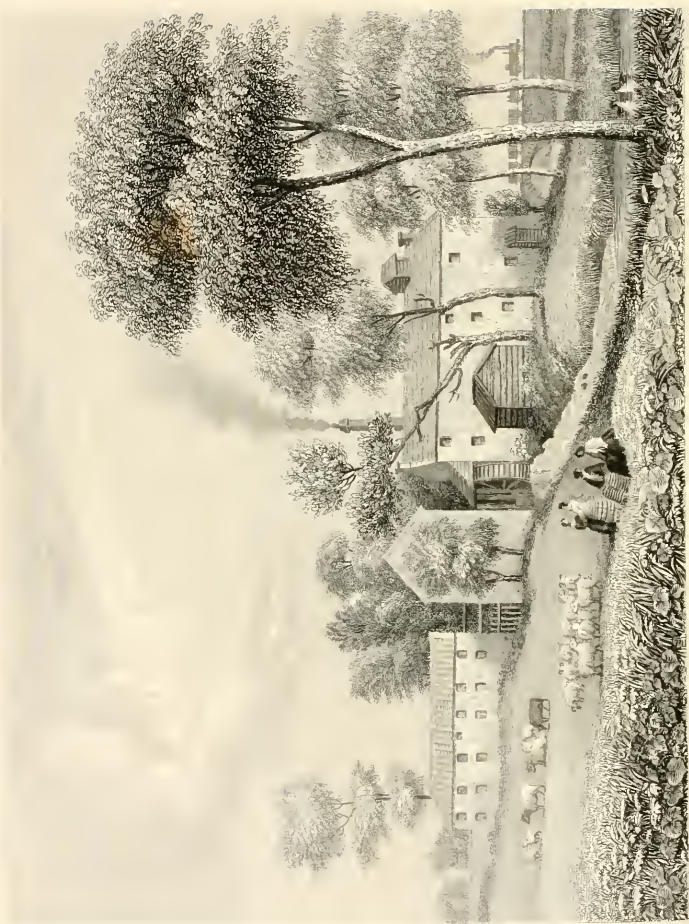
3 Dec^r 1690. Complains Alexander Law and Margaret Ninian upon John Keir, Isabel Thomson and Janet Mill her servant, that the said Janet Mill did come from the said Isabel Thomson with a piece of eight, and desired the change of the same, which when questioned I was assured of the goodness thereof, and that she would cause take it again; and true it is, that it is not worth a farthing, and therefore ought to be decerned to take back the same and give back the change.

Janet Mill acknowledged that the dollar was neither her own, nor her master's; but belonged to a stranger who employed her to get it changed, without the knowledge of her master or his wife.

28 Jany. 1691. Complains the procurator fiscal and Christian Kay upon Beatrix Anderson, spouse to Archibald Blyth, baxter, that whereas calumniating and taking away a persons good name is a crime of a high nature and true it is that the said Beatrix Anderson did calumniate and take away her good name by calling her a thief, alledging that she did steal from her a petticoat and a shirt of her daughters—and therefore ought to be punished in her person and fined to the terror of others to commit the like.

Dec^r 1691. Complains Margaret Halket upon Euphan Logan that the said Euphan did maliciously abuse me in my credit and reputation by calling me a witch, and saying that I bewitched her brewings and several other such expressions; and upon Saturday last, she came to Alex^r Laws house and abused me and flew in my throat, and if Alex^r Law had not rescued me, she would have destroyed me.

Alex^r Law being solemnly sworn and examined, depones that Euphan Logan came hearkening to the door, Margaret Halket being within my



John and Andrew Ritchie, carriers there, that whereas the foresaid persons,
through their neglect and carelessness did suffer a bag of malt to fall in
the mill lead whereby the greatest part of the substance thereof is exhausted,
so that there cannot be so much as the half of the thereof,
the haill smeddom being all consumed by the fall in the said lead, and
therefore the said defenders ought to be decerned to repair the foresaid
pursuer's loss, and make payment thereof, it having lost the pursuer's
brewing thereof. Witness proved that the horse had fallen in the lead,
and the malt with it, and the Baillies the defenders from
the libel, the loss of the malt being accidental.

Nov. 1696. Complains David Spence, smith, upon Andrew Kinloch, merchant, that whereas the said defender is resting the sum of ten pounds as the number of five firlots of oat meal, and that as the teind of ane acre and quarter of land possessed by him and pertaining to the said prosecutor for crop 1695, payable yearly, betwixt yuill and candlemas, to the of Dysart, conformable to a tack betwixt us, and which teind I am necessitate to make payment of, and therefore—

April 1697. Complains William Miller upon Christian Ness in Dysart, that whereas the said Christian is addebtet and resting to the said prosecutor the sum of eight pundis and five shillings, Scots money, borrowed and received by the said defender from the said prosecutor two years since or thereby. Item more, a preaching book, which the said defender borrowed from the said pursuer, which she refuses to deliver back again, and therefore—

24 April 1697. In presence of Baillies Swinton and Bett, parties compared. The pursuer refers the verity of the sum libelled to the defender's oath, who deferred the same to the pursuer's oath; who being solemnly sworn and interrogate, depones that the defender borrowed eight pounds, but twenty pennies, and that she promised payment thereof when she got payment of her fees from my Lady Sinclair; that she paid three shillings

of the libel, and this he declares to be of verity, as he shall answer to God; and further, that she never delivered back the preaching book.

The Baillies decerned for the sum resting, and to return the book libelled.

29 May 1697. Complains Margaret Cowan upon Thomas Murray, That whereas the said Thomas had been frequently advertised to take down a gable of a house, which he would not do until the same fell, to the great prejudice of the pursuer.

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