

XVII.—*Two Acts of the Privy Council of Scotland, dated 20th November 1606, for establishing good rule on the Borders.—Communicated by ROBERT PITCAIRN, Esq. F.S.A. Scot.*

[Read, 10th April 1826.]

*Charge againis the Barronis of the lait marcheis.*

FORSAMEKLE as albeit the Kingis Majestie bestowis grite chairgeis and expenssis in the intertenying of commissionairis and ane garesoun vpon the lait bordouris of this kingdome for reduceing of thame to quietnes and obedyence and establischeing of peace and Justice within the same Yit the number of complenairis daylie sustening skaith and the nowmer of fugitiues and outlawis within the saidis boundis committairis of this skaith is verie great quhilkis fugitiues being avowed enemeyis to the peace of the estaite and aucht to be sua repute haldin and estemit to be accordinglie persewit and pvnist be all his Maiesteis goode subiectis They haue notwithstanding thair resset and intertenyement verie frequent and common alswele within the boundis of the said lait bordouris and in other pairtis of the incuntrey be the countenance oursicht knowledge and tollerance of certaine personis within the saidis boundis quho professis thameselffis to be ansuerable and obedyent subjectis sua that be the grite number of thir fugitiues and be thair ordinair and commoun ressettis as said is the publict peace of the cuntrey is interruptit and hinderit heichlie to his Maiesteis offens and contempt And to the effect that the caus of the continewance of this misreull and the ressettis of thir fugitiues may be

the beter knawin and remeidis foundin for the pvnischement yairof and preventing of the lyke in tyme cuming, Necessar it is to haif the avise, counsale and opinioun of sic baronis and gentilmen within the saidis boundis as ar knawin to be weill disposit to the peace and quietnes of the estaite and punischeing of malefactouris Fr quhilk purpois Ordanis letteris to be direct chairgeing Sr. James Dowglas of Drumlangrig knyt, Sir James Johnnstoun of Dunskeillie knyt, Alexr. Jerdane of Apilgirth, Murray of Cokpule Greirsoun of Lag, Harbert Maxwell of Cavens, William Maxwell younger of Tynwall, Homer Maxwell commissar of Drumfreis, Robert Douglas of Casshogill, Kirkpatrick of Kirkmichael, Sr Robert Scot of Thirlestane, knycht, Walter Scot of Tusschelaw, Philp Scot of Dryhoip, Robert Scot of Hanyng, Robert Scot of Aikwode, James Twedy of Drummelyear, of Riddell, Robert Lord of Roxburgh, Sir Johnne Ker of Hirsale knyt, Ker of Greneheid, Ker of Corbellis, of Mow, Douglas appeirand of Bone-Jedburgh, Turnbule of Mynto and Robert Elliot of Reidheuch To compeir personalie before the saidis Lordis the elleuint day of December nexttocum To gif thair best aise counsale and opinioun how thir fugitiues and outlawis may be suppressit thair ressettis knawin and tane ordoure with The continewance of thift and reif removed and in sic other thingis as salbe proponed ynto thame tuitcheing the peace and quietnes of the said bordouris vnder the pane of rebelloun, &c. with ce.tificatioun, &c.

*Irone Yettis in the bordouris ordanit to be removit and turnit in plew Irnis.*

FORSAMEKLE as ane of the cheif and principall caussis quhilkis encourageis the theveis and lymmairis of the lait bordouris to continew in thair thevische doingis proceidis from the releif and conforte quhilk they haif within thair houssis quhilkis being maid for strenth and defence with Irone Yettis It is verie hard and defficle to his Majesteis commissionairis or garisoun to wyn and recover the saidis houssis and to apprehend the lymmairis being thairintill sua that verie oft quhen they ar persewit they eschaip and detenis and withhaldis the saidis houssis aganis his Majesties saidis commissionairis and garisoun And seing it can not stand with the peace and quiet of the cuntrey that ony lymmairis malefactouris and brokin men salbe sufferit to haue sic placeis of strenth and defence for thair releif Thairfore the Lordis of Secrite Counsale Ordanis the haill Yrone Yettis being vpoun ony houssis and strenthis within the lait bordouris pertening to ony persone or personis of brokin and disordourit clannis and to commoun people not being ansuerable baronis to be removit and turnit in plew Irnis or sic other necessar werk as to the awnaris sall seayme expedient And that no Irne yettis be sufferit to be within ony of thair houssis in ony tyme cuming And ordanis the commissionairis and capitane of the garysoun to sie this present act put in executioun And ordanis letteris to be direct aganis the awnaris of the said Irone Yettis to this effect in forme as effeiris.

VOL. III.

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