THE
LAVVES AND ACTES
OF PARLIAMENT, MAID
BE KING IAMES THE FIRST, AND
HIS SUCCESSOVRS KINGS OF SCOT-
LAND: VISSED, COLLECTED AND EXTRACTED
FURTH OF THE REGISTER.
THE CONTENTES OF THIS BUIK,
ARE EXPRESSED IN THE LEAF FOLLOWING.

AT EDINBURGH,
IMPRENTED BE ROBERT
UVALDE-GRANPRENTER TO THE KINGES MAJESTIE.
15. MARTII. ANNO DOM. 1597.
THE

LAWES AND

ACTS

OF PARLIAMENT

MADE

BE KING JAMES THE FIRST

AND HIS SUCCESSORS KINGS OF

ENGLAND. CONTAINING

ALL THE

PROMULGATED

LAWES

OF THE KINGDOM OF ENGLAND.
THE CONTENTES OF THIS BVIK.

1. The Aites of Parliament, maid be King James the First, Second, Thrid, Fourth, Fifth, Queene Marie, and King James the Sext, now presently reignand.

2. Ane large Table and Repertour of all special matters and heades conteined in the saids Aites.

3. Ane Chronologie of all the Kings of Scotland from the beginning.

4. Ane Almanack for the space of fiftie yeares of the moveable Feastes, and other partes of the Kalendar.

5. The Interpretation of the termes and difficill words vsed in the foure Buiks of REGIAM MAIESTATEM and others, in infeftments and practique of this Realme.

6. Ane Catalogue of the Buikes conteinand the auld Lawes written before King James the First of gud memorie.
The Privilege.

I... M.ES BE the grace of Go[D.] King of Scots. To all and sundrie our lieges and subiectes, guborn it effirv is, to quahis knowledge at this present I am your Greeting. For saimell, as it is statute and ordnanete be our vnguable darrest gude schir King James the Fift, of good memorie, I hat al & sundrie the lawes and acts of Parliament, concerning the commonweal, fuld be imprened be quahis samuer prenter it fuld please the Clerk of Registir for the tyme to nominate and chuse. And fora to be published to the hail subiectes, that mair fuld pretend ignorance thereof, throw mis-knowing of the same. And we understand all and hail the lawes, constitutiones, ordinancies and acts profitable for the government of our Realme, maid and ordained be the three Estaites in Parliament he us, and vnguble our maist Noble Progenitors and predeceffours Kings of this Realme, as well nocht imprineted of before, as imprineted, to be collected & gathered in one volume, in sik forme and maner, as they may be easely understanded be all our lieges. Therefore to have given and granted, like as we be thir presents givis and grants our ful power and licence, to our truistie and wellbeloved Clerk and Counsellour M. John Skene, Clerk of our Counsell, Rolles and Registir; To cause the saides lawes, constitutiones and acts be imprineted be Robert Waldegrave our prenter. Or be one othir quahis it fall plese him to nominate to that effect, togidder with antratrixe intitulat, De verborum significatione, & aue Chronology of the Kings of this Realme, our maist Noble progenitors. With ful power to our said Clerk of our Registir, his aires, executors & assignes, after the imprineting thereof, to sell & distribut the samyn. And to cause the samyn be sold and distribut throw our hail Realme, to the effect that they may cum to the better knowledge of al our lieges. Discharge and all our subiectes and lieges, that none of them take upon hand, to imprin or cause imprin, sell or cause be sold, bye, or cause be bought, within our Realme, or without the samyn, the saides lawes, constitutiones and acts, without the speciall consent and licence of our said Clerk of Registir and his foresaid, induring the space of ten zaires, nist after the date and dait of this present, under the paine of eschituting of the samyn, to our said Clerk of Registir and his foresaid. And paying to him, and his foresaid the summe of twa hundred pund money of our Realme. To be taken up behin and his foresaid, tother utiltie and profite, in during the space foresaid, fra ilke one of the contraveeneirs of this our privilege, inhibition, licence and discharge, als as it fall happen them, or one of them to break ou contraveene the samyn, Qabillke consent and licence of our said Clerk of Registir, and his foresaid to the premisses, fulbe verified be his swin manuall subscription, and na utherwise, upon onie part or leafe of the saides imprineted lawes. Subservid with our hand. At Haly-rude-house, the x day of March. The zeir of God 1597 zeires. And of our Regine the 31 zeire.

JAMES R.

M. James Elphinston Secretairius,
SERENISSIMO ET INVICTISSIMO PRINCIPI, JACOBO SEXTO,
DEI
Gratia Scotorum Regi,
Religionis & Ecclesiae Nutritio, & Propugnatorii
incomparabili, Literato, literatorum omniumque
honorum Mecœnati, & Patrono.
P. P.

Domino suo clementissimo:
Has suas suorumque majorum leges, seu Regias constitu-
tiones, in unum collectas, Indice rerum copioso, Brevi
& succinta Regum SCOTIAE Chronologia, facili obscurorun verborum forensium in-
terpretatione, auctas & illustratas:
Perpetuae observantiae, & gratitudinis ergo, Sere-
nissima sue Majestati à Consilijs & Ar-
chius publicis,
Humillimus, & addictissimus Servus & Subditus,

JOHANNES SKENE
Consecravit D幼稚
THE FIRST PARLIAMENT OF KING JAMES

THE FIRST, HALEND AT
PERTH THE XXVI. DAY OF MAY:

The zeit of God, Ané Thouland foure

hundrede twentie foure zeiris:
And of his Regne the

nineteene zeiris.

1. The freedome of the halie Kirke.

IN THE First to the honour of God and halie Kirk; It is statute
and ordaned, that the halie Kirke
joyis and bruike, and the Ministers
of it, their aulde Privileges and
freedomes. And that na man
let them to set their landes and
teindes, vnder the paine that may
follow, be Spiritual Law, or Temporal.

2. Peace sull be kepeed within the
Realme.

ITEM, That firme & sticer peace
be kepeed and halden throw all
the Realme, and amang all and sindrie Lieges and subiectes, to our
Soveraine Lord the King, and that na man take on hand in time to cum,
to mooue or make weir against yther, vnder all paine that may follow be
course of commoun law.

3 That
ITEM, It is statute and ordaned, that na man openlie or notoultie rebell against the Kingis person, under the paine of forsaughting of life, land and gudes.

ITEM, It is statute and ordaned, that gif any disobeyis, till enforce the King against notour rebellers against his persone, quhen they be required be the King, and commanded, they falsbe challenged be the King, as fauourers of sik rebellers, bot gif they haue for them reasonable excusation.

ITEM, It is statute that na man of what estate, degree or condition he be of, rydand or gangand in the Countrie, lead nor haue maia persones with him, nor may sufice him, or till his estate, and for quhom he will make readie payment: And gif onie complaint be of sik ryders or gangers; the King commandis his Officieres of the land, that quhair they happen to be, till arreisf them, and put them vnder ficker burrowes, quhill the King be certified thereof, and send his will what falsbe done of sik trespasaues.

ITEM, It is ordained that there be maid officiers and ministers of Law, throw all the Realme, that can, or may haile the Lawe to the Kingis commounes; and sik as hes sufficientlie of their awin, quhair they may be punished gif they trespasse. And gif onie be inuest off sik officies of before, and ar not sufficient to minifter therein in proper person, that wtheris be ordaned in their steades, for the quhilk they that hes sik offices of the King in fee, be halden to answer to him, gif they trespasse.

ITEM, The Parliament statutis, and the King forbiddis, That na companies passe in the Countrie, to lye vpon onie the Kingis Lieges: or
or thig or sojoune horse, outher on Kirk-men or husbands of the land.
And gif one complaint be maid of sik trespaflours to the Schireffe of
the land, that he arrest sik folk, and challenge them, and taxe the Kingis
skaith upon them: And gif they be convict of sik trespafl, that they be
punished, and finde burrowes till affyith the King and the partie com-
plainand. And giffik perfones takis ony skaith in the arrestying of them,
isalbe impute to themselfes. And in case that na complaint be maid to
the Schireffe, the Schireffe will inquiere at ilk head court that he haldis,
giffik sikaultoures be within his Schireffedome. And giffik be is
founden, that they be punished, as is before written.

8. Customes and burrow mailes, ar annexed to the
   Crown.

ITEM, It it is consented be the hail Parliament, that all the great and
final customes, and burrow mailles of the Realme, abide and remaine
with the King till his living. And giffik perfon makis onie claime
till ony part of the saide customes, than he schaw to the King quhat he
hes for him, and the King saill make him answere with advicement of his
Councell.

9. Flander and rentes that were our Soveraine Lord
   the Kingis Predecessours, and schawing
   of holding.

ITEM, As anent landes and rentes, the quhilk were of before time
OVR SOVERAINE LORDE the Kingis antecedoures: It
is seene speedfull, that the King charge all and findrie Schireffes of his
Realme, to gar inquiere be the best, eldest and worthiest of their Balieri-
es, quhat landes, posseffiones, or annuall rentes pereticis to the King, or
hes pertained in his antecedoures times of gud memorie, DAVID 2. RO-
BERT 2. & ROBERT 3. his Progenitours; & in quhais hands they now
be: And that ilk Schireffe gar retour be inquest vnder his seale, and their
seales be beis vpon it: And giffik likeis the King, he may gar summond,
all and findrie his tennentes, at lauchtfull daie and place, to schaw their
charters and evidentes, and sa be their saldings he may percieve quhat
pereticis till him.

10. Of slaying of Salmond in forbidden time.

ITEM, Quha faeuer be convict of slauchoer of Salmonde, in time
forbidden be the Lawe, he fall pay fourtie schillinges for the vnlaw.
And at the third time, gif he be convict of sik trespafl, he fall tyne his
life, or then bye it. And giffik onie man be infest to fish in forbidden time,
all sik priviledges fall scale for three zeires to-cum. And giffik onie dois
the
the contrari, he falle tine, ane hundredth shillings for the vnlaw before the Iustice. Vpon the quhilck trespaſſe, the Iustice Clerke falle inqurie, at the receving of the indimentes, as of vther poyniies belangand his office.

ITEM, That all Cruves and zaieres set in frefh water, quhair the fea fillis and ebbis, the quhilck deſtroyis the freie of all fisches, be deſtroyed and put awaie for euermair: Not agane standing ony priviledge and freedome given in the contrarie, vnder the paine of ane hundredth shillings. And they that hes cruves in frefh waters, that they gar keepe the Lawes, anentes Satterdaies frop, and fuffer them not to stande in forbidden time, vnder the faid paine. And that ilk heck of the foresaidis cruves be three inche wide, as the aulde statute requiris.

ITEM, Gif onie mine of gold or filuer be founded in onie Lordis Landes of the Realme, and it may be prooved that three halfe pen- nies of filuer may be fined out of the pound of leade: T H E Lordes of Parliament consentis, that ilk mine be the Kingis, as is vſuall of vther Realmes.

ITEM, That na Clerkes paffe over the Sea, but the Kingis licence.

ITEM, Itis statute be the hall Parliament, and be the King for- bidden, that na Clerke paffe, nor fend procurator for him ous Sea, but leaue of our Lord the King, aske and obteine.

ITEM, In likewife it is statute be the hall Parliament, and the King forbiddis, that onie Clerke of his Realme in time to cum, purches onie pension out of onie Benefice Secular or Religious, vnder al paine that he maie tyne against his Majeftie: or raife onie pension granted in time by-gane in onie maner of waies, vnder the paines fores- laied.
ITEM, It is statute & ordained, that no man haue out of the realm gold nor silver, but he pay foutrie pennies of ilk pund of custome to the King, vnder the paine of infell of all gold & silver that beis funden with him, and x. pundes to the king for the vnlaw.

16 Of strangers that takis money for their merchandice

ITEM, Quhat strangers that sellis merchandice in the Realme, and takis money theirefoir, he fall haue witnesse of the hoste of his innes, that he outher wair al sik money for pennie worthes of this land, or els paye the custome foirfaid, vnder the paine before written.

17 That na man play at the fute-ball.

ITEM, It is statute, and the King forbiddis, that na man play at the fute-ball, vnder the paine of fiftie schillings to be raised to the Lord of the land, as oft as he be tainted, or to the Schireffe of the land or his Ministers, gif the Lordes wil not punish sik trespassours.

18 That ilk man busk them to be Archeres

ITEM, That al men busk them to be Archeres, fra thay be twelve zeir of age, and that in ilk ten pundis worth of Lande, their be maid bow markes, and speciallie neir to paroche kirkes, quhairin vpon halie daies men may cum, and at the leaft schutte thrise about, and haue vlage of Archerie, and quha sa viss not the said archerie, the Laird of the Land fall rafe of him a wedder, and gif the Laird rafis not the said paine, the kings Schireffe or his Ministers fall rafe it to the King.

19 Of bigging of Ruikes in trees.

ITEM, For thy that men confideris that Ruikes biggand in Kirks Zairdes, Orchardes, or Trees, dois greasteskaith vpon Cornes: It is ordained, that they that sik Trees pertainis to, lette them to big, & suffer on na wise that their birdes flee away. And quhair it be tainted that they big, and the Birdes be flowin, and the nest be funden in the Trees at Beltane the trees falt be foirfaulded to the King (bot gif they be redeemed fra him, throw them that they first pertained to) and hewin downe, and sike schillings to the Kings vnlaw.

20 Of Mure burning

ITEM, It is ordained, that na man mak Mure-burning, after the mo- neth of Marche, quhilill Cornes be fchorne, vnder the paine of four
21. Custome of Horse, Nolt, Schepee, had surth of the Realme, and of Herring.

ALSWA For thy that mony things passis out of the Realme, withouten Custome, it is ordained and decreed that of all Nolt, Horse, and Schepee had out of the Realme, their be payed to the King twelwe pennies for custome of ilk pund, of the price of the saide guds, and of all Herring that are tane within this Realme, thatis to say, of ilk thousand of freche Herring fauld, of the Sellor one penny, and of ilk last of Herring, tane be Scottis-men barrelled, four schillings of ilk last, be strangeris taken, xe schillinges, And of ilk thousand red Herring, maid in the Realme, four pennies.

22. Custome of Mertrik skinneres, and vther Furinges

ITEM, It is ordaned, that na man haue Mertrik skinneres surth of the Realme, and gif he dois, that he pay to the King two schillings for the Custome of ilk skinner, and for ten Pownartes skinneres called Fithawes ten pennies. Item of ane hundreth Cunning-skinnes twelwe pennies. Item of ilk daker of Otter skinneres and Tod skinneres, sex pennies. Item for ilk daker of hart and hynde skinneres twelwe pennies. Item of ilk ten Dacs and Raes skinnis, foure pennies.

23. Reformation and mending of the money

ITEM, The Parliament hes determined and ordained, that our Lord the King gar mend his money, and gar styke it in like wecht and fine, to the money of England. And this money runnand nowe, to haue course quhill the King forbid it. And that the King fall garre strike new money, quhen him lykis, and thinkis it speidfull and profita-ble for the Realme.

24. Of Hostillaries in Burrowes and through-fares

ITEM, It is ordaned, that in all Burrow Townes of the Realme, and through-faires, quhair commoun passages are, that their be ordained Hostillaries & receipters, havand stables and chalmeris. And that men find wit
with them bread and ale, and all other fude, as well to horse as men, for reasonable price, after the chaipes of the country.

25 Of the age and marke of beggers, and of idle men.

The King hes statute be consent of the hauill Parliament ripelie advised, that na Thiggeres be thioiled to beg, nouther to Burgh nor Land-wart, betuixt foureene and threescore ten seires, bot they be seene be the councelles of the Tounes, or of the Lande, that they may not winne their living vther waies. And they that falbe thioiled to beg, shall haue a certaine takin on them to Land-wart of the Schireffe: And in the Burrowes, they shall haue takin of the Alder-men, or of the Bail-lies. And all vther persones hauand na takings, nouther of lande, nor of Burgh, falbe charged be open Proclamation, to labour and passe to Craftes, for winning of their living, vnder the paine of burning on the cheike, and banishing of the Countrie.

FINIS.

26 Of the freedome of hailie Kirk, and of Kirklandes wrangeouslie annaled.

ITEM, The First, to the honour of God, that the freedome of hailie Kirke be keept throw all the Realme: And gif ony landes or possessiones of hailie Kirke be wrangeouslie annaled, they sulde be restored againe, be lauchfull processe of Law.

27 Reformacion of Hospitelles.

ITEM, Anent Hospitelles that ar founded of Almos deedes, throw the Kinges, to be vphalden to puri folke, and feik; to be visited be the Chancellar, as they have bene in the Kings progenitoure times. And they that ar founded be Bishoppes or other Lords Spirituall or Temporal, to be visited be the Bishop and Ordinars, quhom it efferis to, and reduce and reforme them to the effect of their first foundation.

28 Of Hereticques.

ITEM, Anent Hereticques, that ilk Bishopp sefall garre inquire to the inquisition of Hereusie, quhair onie sic beis founden and that they be punished as law of hailie Kirk requires. And gif it miferis, that secular power be called, in support and helping of hailie Kirk.

29 The breakers of the actes of Parliament, sould be punished.

It is statute and ordaned, that the breakers of the actes of Parliament be punished, after the forme and ordinance thereof.

80 Lieges
30. Leagues and bands are forbidden.

ITEM, It is decreed be the hall Parliament, and forbidden be our Soveraine Lorde the King, that onie leagues or bands be maid amongst his Lieges in the Realme: And gif onie hes bene maid in time by-gane, that they be not keeped nor halden in time to cum.

31. Offselling of Horse.

ITEM, It is ordained that na horse be fauld out of the Realme, quhill at the leaft they be three zeir auld out-gane, vnder the paine of escheit of them to the King.

32. Anent Taulch.

ITEM, It is ordained that na Taulch be had out of the Realme, vnder the paine of escheitte of it to the King.

33. Steallers of greene woodde, of fruite, Cunninges, Dores, peddlers of Trees, Breakers of Orchardes, and destroiers of woodde.

ITEM, It is ordained, that the justice Clerkes, inquire at the receiving of the inditements, of them that be night stcallis greene woodd, or peales the bark off trees, deffroyand wooddes. And quha la be convict before the justice of sic trepasle, they fall paie fourtie shillinges to the King for the vnlaw, and assyth with the partie skaithed. And als the said Clerke fall inquiere of the breaking of mens Orchardes, steallers of frute, destroiers of Cunningaires and Dowcettes, the quhill is fall be punished, as it is ordained of the steallers of woodde.

34. Steallers of Woodde sould be punisht in the place quhaur the cryme was committed.

IT Is ordained, gif onie man findis his stollen woodde in vther Lords landes, he fall gar arreift baith the woodde and the steallers of it, and gar them suffer Law in his Courte, that the woodde was stollen fra, and in nanevthers.

35. Anent the timeweithin the quhill Salmound suld notch be slaine.

IT Is Ordained be the Parliament, and forbidden be the King, that onie Salmound be slaine, fra the Feast of the Assumption of our Ladie, quhill the feastle of Saint-Androw, in Winter, noither with Nettes nor Crues, nor nane vtherwaies, vnder the paine put ypon slayers of reed fis, qhilke also, the justice Clerke fall gar inquiere.
King James the First.

36 Anent stalkers, that slayis Deare, and their mainteiners.

It is ordained, that the justice Clerke shall inquire of Stalkers, that slayis Deare, that is to say, Harte, Hynde, Dae, and Rae, and the halders and mainteiners of them. And also so as onie Stalker may be convict of slauchter of Deare, he shall pay to the King, fourtie shillings. And the halders and mainteiners of them shall pay ten pounds.

37 Receiptes of rebelles sold be forefaulted.

It is decreeted and statute, that no man wilfullie shall receive, mainteine, or do fature to open and manifelt Rebellares against the Kingis Majestie, and the commoun Law, vnder the paine of torefaul- tour.

38 How meikle gudes are merchand saying sold haue.

It is statute and ordained, that no Merchand of the Realme passe ouer the Sea in merchandice, but he haue of his awin proper guds, or at the least committed till his awin goverance, three ferplaithes of Wooll, or the value of them in wher Merchandice, quhilk false be kend or he passe, be an inquet of his nighbours, vnder the paine of ten pound to the King.

39 Ilke Craft sold haue ane Deakon.

It is ordained, that in ilke Towne of the Realme, of ilk funderie craft vised therein, be choyen a wise man of that craft; and be consent of the officiar of the Towne, the quhilk false halden Deakon or Mai ster-man ouer the laife for the time, to goure and aflay all warker, that beis maid, before the craftes men of that craft. Swa that the Kingis Lieges be not defraud and skaithed in time to cum, as they haue bene in time by-gane, throw vntrew men of Craftes.

40 The Custome of Woollen clath, of Salmond and English gudes.

It is ordained, that of ilk pounds worth of woollen Clath had out of the Realme, the King fall haue of the out-hauer for Custome twa shillinges. And of ilk pounds worth of Salmound bocht be strangers, and had out of the Realme, threty pennies. And of ilk pounds worth of English guddes, brocht in the Realme, threty pennies.
ITEM, It is ordained that ilk man of simple estate, that full be of reason labourers, have outer half ane Oxe in the pleuch, or else delve ilk day seven fute of length, and seven on breadth, under the paine of ane Oxe to the King.

42 The age, marke, and paine of Beggars

ITEM, It is ordained that na Thigger be thold to begge, nouther to Burgh nor land, but viii. fourteen and three scoir and ten zeires, but they be scene be the Counsell of the Commounes of the Countrie, that they may not win their liuing vtherwaies. And they that ha beis founden haue a certaine takinne to Landwart of the Schirreffes, and in Burrowes of Alder-men and Baillies, and that vnder the paine of burning on the cheik, and banishing off the Countrie. And that in every Burgh out throw the Realme, the Chalmerlaine fall inquirie in his aire zeirlie, gift the Alder-men and Baillies, hes keppe the act, and the forme of the statute. And gift they haue broken it, they fall be in fittie shillings to the King. ITEM, The Schirreffes failzie for the keeping of the said act, to be punished in likewise.

43 Leesing-makers tinis life and gudes.

ITEM, It is ordained be the King and the hauill Parliament, that all Leesing-makers and tellers of them, quhilk may ingender discorde betuixt the King and his people, quhair etter they may be gotten, fall be challenged be them, that power hes, and tinlife and gudes to the King.

44 Of weaponschawinges

ITEM, It is ordained, that ilk Schirreffedome of the realme, be maid Weaponschawinges foure times in the zeir.

45 Anent complaintes to be decided before the Judge ordinar.

ITEM, As anent billes o fcomplaint, quhilkis may not be determined be the Parliament, for diverse causes belonging the commoun profite of the Realme: It is ordained that the Billes of complaint be execute and determined be the judges and Officiaries of the Courtes, quhom to they perteine of Law, outher justice, Chalmerlane, Schirreffes, Baillies of Burrowes, Barronnies, or vther Spirituall judges, gif it efeiris to them. To the quhilkis judges all and findrie, the King fall give strict commandement, alswell within Regalities, as out-with, vnder all paine and charge that may follow, that alswell to pure as to rich, but fraude or guile, they doe full law and Ljustice. And gif there bee onie pure creature, for faule of cunning, or dispence, that cannot, nor may not follow his caufe, the King for the loute of GOD, fall ordane the judge, before quhom the caufe full be determined, to purwey and get a leill and a wife Advocate, to follow sik pure creatures causes.
And if such causes be obtained, the wrangler shall assyth both the partie skaithe, and the Advocate confess and travel. And if the Judge refuse to do the Law evenlie, as is before said, the partie compleinand, fall have recourse to the King, quha shall see rigorously punished. Such Judges, that it fall be example till all others.

46 Anent remissions to be given, and assythmen of partie.

ITEM. It is ordained be the Parliament, that quhair the King giues remissiones til onie man, with condition to assyth the partie skaitheid and compleinand: That consideration be had of the Heil land men, the quhilkis before the Kingis hame cumming, commounlie reft and flew ilk ane vtheris, of the quhilkis there may not be maid ful assythmet till vtheris, bot in the Law-landes, quhair the skaithe doon may bee kend of, or of part: That there be chosen gud men & leil, sworne there to, to modifie amends after the qualitie and quantitie of the person, and of the skaithe, gif the partie cannot concorde be themselues; of the quhilkis modificationes, baith the partie fall hald them content.

FINIS.
THE THRID PARLIAMENT OF KING JAMES
the First, balden at Perth the Eleuenth
of Marche : The zeir of God, ane thousand,
foore hundred, twenty fwe zeeres: And of his
Kinrik the twentie zeir.

47 Anent harnes to be brocht hame be Merchandes.

TEM. It is ordaned be the King and the Parliament, that all Merchands of the tealm, passand over Sea for Merchandice, bring hame, as he maie guedly thole, after the quantity of his merchandice, harnes and Armoures, with Speares, Schaftes, Bowes and Flaues. And that be done be ilk ane of them als oft, as it happenis them to passe ouer Sea in Merchandice.

48 That all the Kings Lieges lye and be governed be the Lawes of the Realme.

TEM. It is ordaned be the King, be consent and delieverance of the three Estaites, that all and findrie the Kings Lieges of the Realme lye and be governed vnder the Kings Lawes & statutes of the realme allanerlie: and vnder na particular laws, nor special Priviledge, nor be na Lawes of vther Countries nor Realmes.

49 For the halding of money within the Realme.

TEM. It is ordaned, for the halding of the money within the realme, that na man bave out of the Realme gold nor silver, but he pay forty pennies of ilk pound to the King for custome, vnder the pain of tinsel of al Gold and Silver, that bave founden with him, and ten pounds to the King for the vnlaw. And quhat stranger, that bringis Merchandice in the Realme to sell, and takis money theirefore, he fall bave witnessing of the Hoste of his Innes, that he ware al sk money for penny worthes of this Realme, or else pai the custome foresaide to the King, vnder the paine before written. And for the keeping of this statute, that the Kings Chalmerlaine depute, or himselfe, gar ordane in ilk Toune, quhair sk
strangers repairis, twa sufficient men baith to see the entrie of them of sk gudes, and to hear the reckoning of them, and to receive the Kingis Custome, & vther thinges, that belangis thereto, & to make reckoning and giue compt thereof, at the Kingis Checker.

50. That naperones that inditis men to the Iusfice Aire, be on their Asise.

ITEM, It is statute, ordaned, & forbidden that onie man that is officiar of onie Countrie, or anie man that inditis anevther for onie action, be on his assise, that fall thoile the law, ynder the paine of ten pounds to the King.

51. Of fore-thought fellonie and Chaud-mella.

ITEM. It is statute for the keeping of the Kingis peace, and added to the Acte and statute maid of before, that als soone as onie complaint be maid throw onie perssones to justices, Schierffes, Baillies in Burrowes or on land, till ony vther officiar of the Law, quhair cuit he be, that it effeiris or perteinis to, fall in all gudlie haste garre summound baith the partie before him, and inquire diligentie but onie fauoure, gif the deede was done vpon fore-thought Fellonie, or throw fuddaine Chaud-mella: and gif it be founden forethought-fellonie the partie fal be challenged incontinent of the Kingis peace breaking, be the officiers of Lawe, quhilkis fall gar the partie hurtie be fullie assyathed, after the quantitie of the skaith, that he hes sustained. And thereafter the life and the gudes of the trespassoure to be in the Kingis will, to quhais prison hee fall bee had incontinent. And gif the trespaiste be done of fuddaine Chaud-mella, the partie skaithed fall follow, and the partie trespassand defende, after the course of the auld Lawes of the Realme.

52. That all Prelates, Baronnes and Free-halders fall conpeir personallie in the Parliament.

ITEM, It is ordaned and statute, that all Prelates, Erles, Barronnes and free halders of the King within the Realme, thin they ar halden to gine presence in the Kingis Parliament, and Generall counsell, fra thine forth be halden to conpeir in proper person, and not be a Procurator. Bot gif the Procuratour alleage there and proue a lauchfull cause of their absence.
Thrid Parliament. xj. of March 1425.

52. Attorneys in the Justice Aires sould be honest persons.

ITEM, It is statute and ordained, that no man be admitted to be Attorney in the Justice Aire, but if he be an honest and sufficient person of discretion for that office, the quhilk sall be knawin be the Justice and the Barrones then present, giff onie doubt be their.

54. Of persons to be chosen to examin the buiks of Law, and reforme them

ITEM, It is statute and ordained, that sex wise men and discrete, of ilk ane of the three Estates, quhilk knawis the Lawes best, fall be chosen (sen fraude and guile aucht to help na man) that fall see and examine the Buiks of law, that is to say, Regiam Maiestatem. and Quamiam Attachia-menta. And mend the Lawes, that neids mendement.

55. Whan exceptiones sould be admitted or repelled

ITEM, It is ordained, that all knowfull exceptiones of the Law be admitted in judgement, and all triuolous and fraudifull exceptiones be repelled, and not admitted be na Iudge, swa that the causes litigious and pleyes be not wrangleoust prolonged in skaith and prejudice of the partie, and in fraude of the Law.

56. All men sould judge with Hostillares.

ITEM, In the way that Hostillares in Burrowis and throughfaires, meenis them to the King, that his lieges travelland in the realm, quhen they cum to Burrowes and throughfaires, herberies them not in hostillaries, bot with their acquittance and friends: The King of deliverance of counsell, and consent of the three Estates forbiddis, that onie liegeman of his Realme, travelland throw the countray on hore or one flute, fra time that the commoun hostillaries be maid, herbery or ludge the in any vther place, bot in the Hostillaries foirtaibod, bot giff it be the persones that leadis monie with them in companie, that fall hae friedome to herberie with their friends: Swa that their hore and their meineze be haberried and ljuded in the commoun Hostillaries. And as it is ordained, that na Burges indwelland in burgh or in through-fair receicue or admit ony ilk trauellers or strangers, bot allanerlie commoun Hostillaries, vnder the paine of tourty schillings, to the King for the vnlaw.

57. Of Weiches

ITEM, It is ordained, that their be maid a flane for gudes fauld and boght be weiches, the quhilk sall wey fiftene leil Trois pundes, and that
that slane to be divided in sex-tene leill SCOTTIS poundes, and of it there false ordaned halfe a slane, a quarter, a halfe quarter, a pounde, halfe a pounde, and vther leisse weightes according thereto, with the qahilck all byares and sellers of gudes within the Realme fall buy and sell with, and with none vther weightes fra WHIT-SVNDALIE nixt to cum, and fra thence forth their foreside Weightes fall haue course.

58 Of Water mettes.

ITEM, It is ordaned that the Water-mettes, that nowear, fall re- maine and be vsed throw the Realme in time to come, and in ilk place and Toune, quhair the gudies ar fauld and mette be the water, there be ordaned, be the Alderman, and the Baillies, ane leill man sworne to mette all gudes, sellable be the Water-mette, allsiwell coales or vther gudes. And that the fellaires, or none of their behalfe, intromet them in the metting of ilk gudes.

59 Ferriers and Boate-men fuld haue Briggses.

ITEM, It is statute and ordaned, that all Boate-men and ferry- lares, quhair Horse are ferryed, fall haue for ilk boate a treene- brigge, quhair-with they maie receiue within their Boates, travel- leres Horse through the Realme, vn-hurte and vnskaithed, vnder the paine of fourte shillings of ilk boate, fra Whit-sundaie foorth nixt- to cum.

60 Of the maner of Weaponschawinges.

ITEM, IT IS Ordaned in the Second Parliament of OVR SO- VERAINELORD the King, that ilk Schiereff of the realme fouilde gar Weaponschawinges be maid fourte times ilk zeire, in al monic places as were speediefull, within his Bailliarie; bot the maner how weaponschawinges fulde be receiued was not appoynted: Here- fore OVR LORDE The King, throw the haill ordinance of his Parliament, taruris, that ilk Gentle-man, hauand ten pounds woorth of land or mair, be sufficientlie harnisht and armed with Bafnet, hain legge Harnes, sward, speare, and dagger: and gentlemen hauand leffe extentes of Landes, nor na landes, falsbe armed at their gudlie power, after the differencie of the Schiereffes, but all vther zeamen of the realme, betuixt xv, and sextie zeir, falsbe sufficientlie bowed and fchafted, with sword & buckler & knife: And that al the burgesffes & indwellers within the Burrow townes of the Realme in like maner be unarmmed and harnished
Third Parliament. xi. of March. 1425

shed, & make weaponshawinges within the Burrowis of the Realme in like maner, four times in the yeir, & that be the Aldermen and Baillies, vpon the qhill the Chalmerlane and his Deputes fall know and execute the fait things. And that all men Seculares of the Realme, be weill purvayed of the lade harnes & weapones be the sealf of the Nativitie of our Lord Iesus Christ next to cum, vnder the paines followand: That is to say, of ilk gentilman that defaltis at the first weaponshawing fourtie shillinge, and at the other default fourtie shillinges, and at the thrid default, ten ponds, and allsmikeals oft times as he defaultis after-ward: And of ilk bow-man at the first faulte ten shillings, at the other default ten shillings, and at the thrid fourtie shillings. And swa furth als oft times as he beis funden feite afterward.

61 Naman said passe in Ireland without licence.

ITEM. As to the passage betuixt Scotland and Ireland, it is sene speedfull to the Kings Cowcil, that biding be given be the king to all the Lordes, Schirriffes, and al vther Officiarese, vpon the Frontiers of Sco-land, lying against Ireland: that na Schips, nor Gallayes, nor namen passe out of this land to Ireland, without speciall leave of the Kings Deuates, that sall be ordainde to ilk Haven: And for twa caufes, and principaille, sen the Kings notoure Rebellounes are receipt in Ireland, and for that caufe Passengers passed fra thine, micht be prejudicet to this Realme, and vther caufe is, that the men that are vnder Ireland sub-ject to the King of England, micht espy the privities of this Realme, and do great skaithe, as is befoir written.

62 Scottis-men sould brin gnaman furth of Ireland, without ane Testimoniall.

ITEM. It is sene speedfull, that gisone Schip-man of Scotland passis with letters of the Kingis Depute in Ireland, that he receive namen into his Schip to bring with him to the Realme of Scotland, bot gis that man haue ane letter or certainerie of the Lord of that land, quhair he schippis, for quhat cause he cunniss in this Realme.

63 Anem Ireland men command in Scottis Schippis.

ITEM. That quhen he cunniss in onie Haven of Scotland, that he ryde on anker, and baid within shipbuird all men that he bringis with him, quhill he send for the Kings Baillie, or a Depute of the towne of the Haven, that he cunniss in, that then men may examine and fee of the Kingis behalfe their persones, and quhat charge they haue be letter
or vther way, quhiddar it be profite or prejudiceto the King, or the Kin-
rik: And gif onie prejudice of the deede be founden, they falsbe arre-
isted; and prey dent to the Schireffis prison, quhill the King haue done
his will on them.

64. The statute anent Ireland men.

ITEM, That it be maid manifeest be the Kingis deputes uppon the
Frontiers, that is not done for hatred, nor breaking of the auld friend-
shippe betuixt the King of Scotland and his Lieges: and the gude aulde
friendshippe of trischrie of Ireland: Bot allanelie to efichew the perrell
foresfaide. And gif onie man attempts in the contrarie of this, his gudes
falbe escheit to the King, and his bodie at the Kingis will.

65. Of the session to be halden: of their power and
expenses.

ITEM, OVR SOVERAINE LORDE the King, with con-
sent of his Parliament hes ordaned, that his Chancellor, and with
him certaine discreet persoines of the three Estaites, to be chosen and
depute be OVR SOVERAINE LORDE the King, fall sit
fra thine foorth three times in the zeir, quhair the King likis to com-
mand them: Qhilk fall know and examine, conclude, and finallie de-
termine all and findrie complaints, causes and quarrelles, that may be
determined before the King and his Counsell. The qhilkis persoines
fall haue their expenses of the parties founden faultife, and of their
vnlawes: or vtherwise, as is pleand to our SOVERAINE LORD
the King.

66. That euerie man that hes nochts of his awin, fall labour
for his living.

ITEM, The King with consent of his Parliament, hes statute and or-
daned, that ilk Schireffes of the Realme within his Bailliarie, inquer
diligentlie, gif onie idle men, that hes not to line of their awin, be re-
ceived within his boundes: after the qhilk inquisition, the Schireffes
fall gararrest sik idle men, and gar keepe them in fafteness quhill it
it be knawin, quhairupoun they lile. And that the countrie falsbe unskai-
thed of them: Thereupon the Schireff fall receive gude and ficker
burrowes. After the qhilk burrowes founden, the Schireff fall af-
signe fourtie daies to ilk idle men to get them Maifters, or to faften
them to lawfull Craftes. And they, fourtie daies beand gane, gif they
be founden mair idle, the Schireff fall arreist them againe, and fende
them to the Kings prison, to abide and be punished at the Kings will.
And that this be done allweill in Burrowes, as on lande throw all the
Realme.
ITEM, The King with consent of his thre Estaites of the Realm he
ordained, that all statutes and ordinances of this Parliament, and of
the twa Parliamentes proceedand be registrate in the Kings Register,
and given to the Schireffes: quhilkis statutes & ordinances, ilk Schireffe
be halden to publish openlie in the chiefe place of his Schirese dome, &
wheris notabill places, and als to give the copies of them baih to Pre-
lates, Barrones, and Burrowes of his Bailliarie, vpon the expenses of the
askers: And that ilk Schireffe gar be kepped the tenour of this Acte, un-
der the paine of depriviation of his Office. And that ilk Schireffe
giue open bidding to the people of his Bailliarie, baih to land, and
to Burgh, to keepe and full all statutes and ordinances
maid in the saidis three Parliamentes, ynder the paine
conteined in the Actes of them, swa that nane
haue cauncle till pretend, or alleage onie
ignorance.

FINIS.
THE FOURTH PARLIAMENT OR ASSISE OF KING JAMES the First, of weightes and measures

helden at Perth, the eleventh of Marche, the zeit of God, ane thousand, foure hundredth, twenty sext zones, And of his Kinrle the twenty ane zeire.

68. Anent the measure of the Elne.

N THE First they ordaned and delivered, that the Elne sal conteine thirtie four inche, as is conteined in the statute of King David the First, made thereupon.

69. What the flane shall conteine.

ITEM, They ordaned and statute, the flane to weygh iron, wooll, and vther Merchandice with, to conteine fiftene pound Trois, ilk Trois pound to conteine fextene ounce, and that flane to be divided in halfe flane, quarter, halfe quarter, pound, halfe pound, and vther smaller

70. Of the divisioun and quantitiue of the Boll, sirlot, and water weightes.

ITEM, They ordaned the boll to mette viuall with, to be divided in foure partes, vndelicet, foure sirlottes to conteine a boll, and that sirlot not to be maid after the first measure, nor after the measure now vsed, but in middle measure betuixt the twa.

ITEM, The boll fall conteine in breadth twentie nine inches within the buirdes, and abone twentie seven inches and a halfe, even over-thoirt, and in deepenesse nine teene inches. ITEM, the sirlot fall conteine in breadth even over-thoirt fextene inches vnder and abone within the buirdes, the thicknesse of baith the buirdes fall conteine ane inche and ane halfe, and in deepenesse it fall conteine nine inche, the half
halfe Firlot, and the pecke thereafter followand, as effeiris. The Fir-
lors fall conteine twa gallounes and a pynte: And ilke pynte fall con-
teine be weight of cleare Water of Troy, fourtie ane ounce: That is to
faie, twa poundes and nine ounces Troy: Swa weyis the Gallounne
twentie pounde and aucth ounces: Swa weyis the Firlot fourtie ane
poundes, and the Boll conteinand fourie Firlottes, weyis aucht-scör
foire pounds. The aulde Boll first maid be King Davie the First, con-
tained a sextene, a sextene conteined twelue gallounes of the aulde
mette: And ilke gallowne wedyen ten pound Troy, and fourie ounce of
diverse Waters. Swa weyden the Boll sex-scöre three pounds, sva weyis
the Boll new maid mair, then the auld boll xxxixj. pound, quhilk makis
twagallownes and a halfe, and a choppen of the auld mette, and of the
new met ordaned nine pyutes and three mutchkinis.

71. Anent vnlawes for burning.

ITEM, As anents fire, it is seene speedesfull that in ilk Burgh, or
greate Haventowne, and through-faire that is greate, that the Al-
dermen, Baililies, or the Governours of the Tounes, see and giff bid-
ding within their Tounes, that na Hempe, Lint, Stray, Haie, Hedder,
nor Broome be put nacere the fire, nor abone the low in fire houses. And
this be them selfe or men ynder them, be ilk Moneth seene, and quha
fa after forbiding maid till him, be founden faultife, fell paie ane vn-
law, as faultife, in Burgh, as oft times hee is founden faultife and vnfor-
given. And giff the Aldermen, Bailleys or Governours of the Tounes
be negligent in the execution thereof, they falbe in fourtie schillinges
to the King.

72. Sellers of Haie and straie full hauane
Lanterne.

ITEM, That Sellers of Haie or Fodder in Burgh, cum not to their
Haie-house with candle, but lanterne, ynder the paine of the samyn
vnlaw, as oft as he beis founden faultife.

73. That cernaine ledders be founden as reddie in the Burgh, for
happening of fire.

ITEM, That in ilk Burgh their be ordaned of the commoun coaste,
sex, seven or aucht Ledders, after the quantitie of the Burgh: twentie
fute the ledder, and that they be keped in a reddie place of the touné,
and to that vse and name vther, ynder the paine of the foresaid vnlaw.
And of the samyn wife there be ordaned three or foure Sayes to the
commoun vse, and sex or maa Cleikes of iron, to draw downe Timber
and Ruiffes that are fired.

74 of
ITEM, That common women be put at the utmost ends of the town, quhair least perrell of fire is: and that no man set them hou-
se in the heart of the town, under the paine of any vnlaw, or zit re-
cipt them under the samen paine.

75 Of fire, and the paines thereof.

ITEM, Gif burning happens in onie towne, fra the fyre be stan-
ched, the Alderman, Baillies, and Gouernours of the Townes, in con-
tinent fai inquire quhom throw, & how the fire happened, & it be foun-
der on purpose deed, forsofaultour faltbe punisch to them, And giff it hap-
penis of my governace, & not ofset purpose, ifit be a servand & that serv-
and have guds, he faltbe punisched in his guds, be the sight of the goo-
noures of the toune, & given to the man that thoilis the skaith, &
fine banisched the freidome for three zeires: And giff the servand hes na
gudes, he faltbe doungin openlie at the mearat-crosse, and throw the
Toune, and fine banisched that freidome for seven zeires.

ITEM, Gif it be a man that awe the house, and burnis it rekleslie,
or his wife, or his awin bairnes, quhiddit his nichtenours takis skaith or
nane, at tour the skaith and fchame that he thoilis, he or they shalbe ba-
nisched that toune for three zeires. And giff the ane man that maillis the
houe, and burnis it reklesly, he falt amend the skaith after his power,
and he banisched the toune for three zeires. And giff it be a stranger or a
traveller, he faltbe arrestit; giff he be of power, to amend the skaith and if
he be not of power, he falt bye in sickensse at the Kingis wil.

ITEM, Gif the Baillies and Gouernours of the toune, findis na man
in wyte, bot of suddaine caisie that may not be forescene, as wilde-fire,
Ratones, or bowles, or ik likenes, the law leaun is it vnpunisched.

ITEM, Gif the Gouernours of the Towne be negligent in the
execution of their office, and this ordinace foresaid in onie poynit, we
leave them in ten pounds to the King of vnlaw.

ITEM, That no fyre be focht fra ane house till ane wher within
the Toun, bot within covered weskel or lanterny, under the paine of any
vnlaw.

ITEM, Gif fire happenis in husband Tounes of Barronites, we leaue
them to be punisched be their Lordes, in like maner as Baillies and Gov-
ernours dos in Burgh.

FINIS
THE FIFTH PARLIAMENT OF KING JAMES

the First, helden at PERTH, the
laft dace of September, the zeir of God,
aeis thoufand four hundred tewtie
sex zeires.

76 Anent the customes of Salmound and other fift.

ITEM, It is statute and ordained, that cu-
stome be payed to the King, all weill of
indwellers within the realme, as of stem-
med men, in onie Burrowes of the
Realme: And as of strangers and vnfree-
men, of all Salmound and fift fauld and
bocht, and had out with the Realme, out
of onie Burgh of the Realme.

77 Of deakones of Craft and their
office.

ITEM, The King of deliverance of
Parliament hes ordained, that the Dea-
kons of crafts in Burrowes, stande till the next Parliament, in the maner
as after folowis: that is to say, that the Deacon of ilk craft, hall hauue na cor-
rection of the Craft, nor of naman thereof, bot allaneric to see that
the warke-men be cunning, and the warke sufficient, the quhilke he hall
aflay and examine euery fift fifteen dayes.

78 Of the fees of ofer craftsman, and price of their warke.

ITEM, It is ordaned, that the Aldermen and the council of ilk toun
sworne, fall see and prise the mater, and the coacht, and the travell of the
warke man, and thereafter prise the made warke, how it fauld, & that
price make knawin to the Kings commouns and be oppen cryed.

79 Of the fees of warke men.

ITEM, It is ordained that the council of the Toun fall see and ordane
quhat see warke men fall haue for their handling of their craft, that
woorkis vther mennes warke, as wrichtes, Mafones, & vther siklike.

80 Of wrichtes and Mafones.

ITEM, For quhy, that it is complained to the King & his Councell,
that Wrichtes and Mafones takis attanis on hand monie warke,
quhilkis
King James the First.
quhilkis they may not, nor will not fulfill at the time they hecht, throw the quhilk the Kingis heges ar skaithe, and the honour and profile of the land letted. Therefore it is ordained be the King and the Parliament, that it be cried in ilk towne openlie, that na warke-man take mair warke on hand, then he may gudlie fulfill after his cunning, vnder the paine of tinfell of the price of sa meikle warke that betakis on hande, then he may gudlie fulfill to the King, and of the fullfilling of the warke that the takis on hand, vpon his awin cost. And alswaquhair a warke-man, uther wilfullie or vnrichteouslie, lettis to fulfill the warke that he hestane on hande, that ane uther man of that ilk craft, refuse not to take that on hande for reaonable fee, vnder the paine of punishing of him at the Kingis wilis, that he be a warke-man knawin, and he then nane uther warke on hande.

§ 1 Offawing and labouring of the ground.

ITEM, The said day, our Soveraine Lord the King, with consent of the hail Parliament ordaned, that throw all the Realm, ilk man teilland with a pleuch of aucht Oxen, sal faw at the leafe ilk zeir a Firlot of quhate, halfe a Firlot of pease, & 40 beans, vnder the paine of x.x to the barrone of the land that he dwellis in, if he fawis it not, & as oft as he beis founden faultifie. And gif the Barronne fawis not the said corne in like maner in his Domaines, he sal pait to the King fourtie shillinges: And gif the Barronne be founden negligent in the raising of the faid paine on his husbandes, there salbe raised on him fourtie shillinges, as oft times as he defaultis, without remission.

§ 2 Anent the bigging of Castles in the North.

ITEM, It is ordanied, that ever ilk Lord hauand land beyont the Mounth, in the quhilkis landes in auilde times the was Castles, Fortalice and Manour-places, big, reparrell, and reforme their Castles & manours, & dwel in them be them selues, or ane of their friends, for the gratious governall of their landes be gude policye, and to expende the frute of their landes, in the Countrie, quhair the landes lyes.

FINIS.

THE
PARLIAMENTVM

SEXTVM TENTVM APVD

PERTH,DIE MARTIS,PRIMO DIE MENSIS IV.
LII, ANNO DOMINI, MILLESIMO, QVADRIN-
gentesimo, Vicepsimo Sexto ; Et Regni Domini nostri Regis,
IACOBI, vicepsimo secundo, summônitis & vocatis more solito & debito
Episcopis, Abbatiis, Prioribus, Comitibus, Baronibus, & alís regni
Libere tenentibus, qui de dicto Domino nostro Rege tenent in capite,
& de qualsibet Burgo regni certis Burgensibus, qui ad bos summôniti fuerunt,
comparentibus omnibus illis qui debuerunt & voverunt commode intere-
se, Absentibus quibusdam alis, quorum quidem aliqui legitime excepti fuerunt:
ali verò quasi per consuamiam se absenterent, quorum nomina pa-
ten in rotula fécularum, quorum quisque ad indicabasur in amerciamento
decem librarum.

83 That judges falsely to determine all causes
after their cunning.

Odem Die Rex, per modum statuti, or-
dinavit, quod de hinc omnes & singuli
ad quasquenque causas & querelas ter-
minandas, in quoquique futuro Parlia-
mento eligendi, iurabunt ad Sancta dei
Evangelia, ut omnes & singulas can-
sas & querelas coram eis proponendas
& terminandas absque f得到 velo, 
fraude seu colore aliquo, juxta suas scien-
tias, fidelter & iuridice termina-
bunt.

84 That na Clerkes nor laicks pas
furth of the Realme: And of
their finance.

DIE Lune, septimo mensis Iulij Anni supradicii, Rex ex consensu totius Par-
liamenti, statuit & ordinavit, quod omnes & singuli clerici regni sui ad
partes ultrasmarinas, quauncunque de causa navigantes, seu se transierentes, faciant
cambiam sua de moneta, pro eorum expensis extra regnum faciendis, cum campsfri-
bus infra regnum constitutis, vel saltem cum mercatoribus infra regnum, de quo
cambio suo, & cum quo campso re vel mercatore faciasurint, certificent Can-
cell
King James the First.

Cellarium Domini nostri Regis pro tempore existentem, & de transitu suo extra regnum. Laicus vero quicunque ad partes ultra-marinas se transferent, seneatur confinvisiter facere cambia sua infra regnum, vs premissitur, super quo certifices Camerarium Scotiae per sufficientia documenta, & de caufa transitus sui sub pena viginti librarum sibiibus Domini nostri Regis applicandarum.

Audent Hostellares.

ITEM, Eodem die Rex mandavit sive saliter omnibus Burgensisibus de regno quod faciant fieri hostellaribus suorum hospitium publicum in Burgis honoribus & competentia more aliorum regnorum, ad recipiendum omnes & singulos hospites, sium pedes et quem equestres per regnum laborantes, sub pena super hoc in acto Parliamenti constituta.

85 Of downe-putting of Deakones of Craftes.

DIE Venetis, videlicet undecimo mensis supradicti, qua ordinaciones facta in Parliamentis precedentibus, super artificium Decanis in Burgis regni, tendebant ad noxam & commune totius regni dispendium, Rex ex trium Regni statuum deliberatione, ipsas ordinaciones revocavit, & illas totaliter annulavit, inhibendo de cetero, ne tales Decani in aliquibus regni burgis, super artifices eligantur, nec eisiam alius electi, uterius exercant officia Decanorum, nec faciant suas congregations consuetudines, quae conspirationes sapere praestumur.

86 The forme of Proces, and the paine of the judge not kep and the famin.

ITEM, Eodem die ad parcumum expensis & vexationibus pauperum in curia spirituali sit sanctuarii, & ad breviandum lites, pro expeditiis suis ordinamentis in causis civilibus & prophanis, quod ad instamiam laici actoris, clericus reus cistetur per sumum ordinarium, vel eius officiolum ad certum diem peremptoriam apponendo cauamus in citatione, propter quam reus citatur ad comparandum, sicut etiam, responsum sub pena excommunicationis: Quo die aduentibus, reus habeat litem contempit. Quod si reus satetur petitum, monentur ad solvendum infra quodem dies, sub pena excommunicationis: si vero denegat petitum, assignetur terminus aitorn, ad producendum omnes suas probaciones peremptoriam, iusta arbitrium Judicis: Quo die aduentibus, & receptis huiusmodi probationibus, assignetur terminus reo ad producendum omnes suas exceptiones & defensiones peremptoriam, iusta arbitrium judicis: Quo die aduentibus receptisse exceptionibus & defensionibus, assignetur terminus ad concludendum & ad sententiam diffi uitam proferendum, si ligueat: si quod infra quadrans dies, a tempore exequiae, citationis sententia feratur, & a qua nulla pars fruiolu apellet, nec index tales appellations admittat. Et si index infra quadrans dies, propter defequium vel necessitiam non secerit complementum inutile, vel fruiolas exceptiones admittat, & de hoc corum suo ordinario convi ditis fuerit, sit ipsa debitor principalis parti conquerenti. Et quod iisdem statutum de presenti authoritate conciliis provinciis.
87 Of the election of the Ouerl-man in arbitrie.

ITEM, ordinatum est super omnibus & singulis causis infra regnum, punc
dependentibus sub compromiso, si inter clericos arbitri sint electi in parinume
ro, per dioecesanEpiscopum, de consilio sui capituli, dispar persona, partibus non
suspecta eligatur. Si vero inter Barones vel quoscumque alios laicos, extra burgum
commorantes, tunc eligatur dispar persona neutri partium suspecta per Viceco
mitem, infra euntes ballium partes compromittentes commorantur, de consilio
tamen Barorum, quos Viccescumes ille commode pro tempore habere poterit, neutri
partium suspectorum. Si autem inter Burgenses, eu alios habitantes infra burgos
arbitri sint electi, tunc dispar persona non suspecta, per Prepositum & concilium
burgi, infra quem partes inhabitant, eligatur. Ad negotia vero causas & lites
suitas per arbitri terminandas, arbitri de certo in dispari numero & non in
pari eligantur. Arbitria autem aliter inita & facta, nulius sint roboris vel mo
menti.

88 That the cause of all Merchandes, decree out with the
the Realme, be decided within.

ITEM, Eodem die Rex, ex deliberatione trivm statuum in Parliamento con
gregatorum, decrevit, quod causa omnium mercatorum & incolarum regni
Scotiae in Zelandia, Flandria, vel aliis extra regnum decedentum, qui fe
sa mercandis in suis, peregrinationis, vel alia qua quincunque causa (dum
modo causa non morandi extra regnum) se transituerunt, debent tractari coram
suis ordinarijs infra regnum, à quibus sua testamenta confirmantur, non obstante
quod quaedam ex bonis huiusmodi decedentium, tempore sui obitus fuerunt in
Anglia, vel in partibus tranmarinis.

89 The manslayer said perpsewved, untill he be put fourth of the
the Realme, or brocht againe to the place of the slaughter.

IN The first, quhair onie man beis slaine within the Realme, alsweill
within Regalitie as within Royaltie: and in Burrowes as to land, that
incontinent without delay, als faist as the Schirreff beis certified there
of, outher be the partie, or be onie vtheris, he fall passe and persfew the
flayers ane or maa, and raife the Kingis horne on them, and raife inconti
inent the Countrie in his supporte, quhill he be over-tane. And gif he
may be overtane, he falbe put in ficker fastenance, quhil the law be done
on him: And that falbe done within fourtie daies at the farthest: and be
it reid hand, it falbe done within thatsumme. And gif he escape out of
that Schirreffedome vn-arrested, the Schirreff fall write or send one of
his officiares to the Schirreff of that nixt Schirreffdome, and certify him
of sk men, that hes done sk fellonie against the King, and ar fugitiuie
frathe Law, and then fall that Schirreff persfew him or them out through
his Schirreffedome, in the sam maner, as the other did before, without
delay. And swa forth fra Schirreff to Schirreff, quhill he be over-tane,
or put out of the Realme. And gif he happenis to flie in regalitie, out of the Royaltie, the Schireffe sall certifie the Lord of regalitie, or his stewart or Baillie; the quhilk fall perfew the trefpasse in like maner as the Schireffe, as is foresaid. And quhair euer he happenis to be takin, that Schireffe, Stewart or Baillie of the Regalitie, fall send him to the Schireffe or his Baillie of the nixt Schireffedome, the quhilk fall receive him, and send him to the nixt Schireffe, and swa foorth fra Schireffe to Schireffe, quhill he be put to the Schireffe of the Schire, quhair the deede was done, and there fall the Law be minisitred to the partie, as is foresaid: And gif it be fore-thought fellonic, he fall die therefore.

90 He quha is fugitius for slaughtier, sull be openlie proclaimed, and his recepters punished.

AND Gif it happenis the man fugitius to escape throw divers Schireffedomes, that Schireffe or Schireffes, that he hes escaped fra, fall paffe to thechiefe Burgh of his Schireffedome, and there gar cry openlie and proclaime, that sik a man hes done to the King sik a fellonic and trefpasse against his Majestie, and is fugitius fit the Law: and there forbid that na man houe nor herbicie him, receipt him, or gie him support or helpe in onie degree, vnder the paine of life and gudes.

91 Of slaughter in the Barronnie.

ITEM, Gif a man be slaine in the Barronnie, the Barronne or his Officiers fall arreist him, and gif he be in seft with sik freedome, he fall do the law, as is before saide, or else presen him to the Schireffe or his Ministrers: and escaipe he vn-arreistit out of the Barronnie, and afterward it may be knawin be an affis, before the Iustice or the Schireffe, that the Barronnie mycht haue arreistit him, and uther for sleuth or sauvour let him passe vnarreistit: The Barronne sall pay to the King twenty pundis. And escaipe he in the deault of the Barronnie, Serjant, or Baillie of the Barronie, they beand required or warned, if they be not of power to pay twentie pounds, they fal remaine in the Kingis prifon, quhill they over take the Kingis will thereupon.

92 Of slaughter in Burgh.

ITEM, In like maner fall the Officiers of the Burgh doe, gif onie man be slaine within Burgh, they fall take him gif he may be over tane, and put in suretie, quhill the judge may be warned, that he power to do the Law, and gif the Aldermen and Baillies hes na power to do the law, there the judge havand power fall receive the trefpasse, and minisit the Law within the time foresaid.

93 Of slaughter in Regalitie, and ofisiers thereof.

ITEM, It is flatute, that gif ony Schireffe or Ministrer of Regalitie, that minisiteris not the Law, as is before saide, and that may be ouer-taken on him.
him, uther be an aſſiſfe before the King or his Iuſtice, or be witneſſing
of god, worthy & trew men, that is to ſay, three or foure, or fiue, or maſ,
he faſſe in the Kingis prisſin fourtie daies, and to pay the King fourtie
poundes, and the croy to the narreſſt of the kin of the clave man.

94 Of the Lord of Regalitie, and Magiſтратes within Burgh
negligens in their offices.
ITEM, It is statute, that giſ the Lord of Regalitie be warned, and exæ-
cutis not the Law, nor garris his Offiſcers execute it, as is before ſaid,
he faſſe in like paine to the King, as is the Schireſſe. And giſ the Mini-
ſter of the Regalitie faſſis in the execution, as is before ſaid, he faſſe pu-
niſhed be the Lord of regalitie, in maner as the Schireſſe faſſe puniſhed
be the King. And riſtſwa Alderman and Baillies in Burgh, faſſe puni-
niſhed be the Kingis Iuſtice, giſ they faſſzie in the execution of the Law,
as is foreſaid.

95 Of iſquisition of fore-thought-fellonie, to be taken
be an aſſiſfe.
ITEM, It is statute, that giſ one man barganis uther in burgh or
land, quhideſer that the partie pleinzie or not, that the offiſcers, that is
to ſay, Alderman, Baillies, or the Serjandes in the abſence of the baillies,
fall arrefi baiſh the parties, and that famin daie, giſ it be before the Sun
goſe donje, and an halie-daie, fall giue them the knowledge of ane aſſiſfe,
quhideſer he fore-thought fellonie or fuddainelie done. And giſ it be
fuddainelie done, demaine them as the Law treatis of before, and giſ it
be fore-thought-fellonie, his bodie to be put in prifon, quhill he amend
to the partie, be the figh of leil and trew men before the Schireſſe, giſ it
be Royaltie; and riſtſwa before the Lord or his Baillies in the regalitie,
and before Alderman and Baillies in Burgh, he fall garre amendis bee
maid after the quantitie of the trespaffe done to the partie, and demai-
ned synce as Law will.

96 Of the Fugitoure in fore-thought-fellonie fra
burgh to lande.
Be the advise of the hail Parliamet, it is statute & ordaned, giſ fiſk bar-
gane happenis to be in burgh, & be called fore-thocht fellony, & the
deed-doar escaip vn-arreſted fra the Alderman and Offiſcers of the
Towne, and ſlies the Law but delie, the Alderman or Baillies fall write
to the Schireſſe or the Offiſcers to the Regalitie quhaſt he happenis to
be receipt, & certiſfe them of his misdeede, and that he is fugitiſe fra the
Law, and then fall they perſew him as a fugitiſe, and ſend him againe
quhaſt the deed was done, and to abyde the Law but delay, after as he
hes maid default.
ITEM, it is statute, that quhair two parties discord, and after are put vnder burrowes, ilk ane affered of vthers, and their purchase, after that anie of their friendes thinks, that thocht the principall parties be affered, hee is not affered, cummis and uther hurtis or defouls the partie that is contrary to his friend or flayis: And gif he flayis, he fall die therefore, and tyne all his guds, as escheitite to the King, and gif he hurtis or defouls with fellonie affailzieand with edge or vre, he fal remaine in prison but remeid, quhill affyith be maid to the partie, and ammondis to the King, or to the Lord, that it belangis to, as eceiris.

98 The Countrie men nocht affistand the Schireffe shuld be punished.

ITEM, gif it happenis the Schireffe, to persfew fugitoures with the Kingis horne, as is foresaid, and the Countrie rife not in his support, they, al or parte, hearand the Kingis horne, or beand warned be the Maires, and followis not the out-horne, and that may be ouer-tane vpon them be ane affise before the Schireffe, ilk Gentle-man fall paye to the King vnforgiuen fourtie shillings, and ilk zeaman twentie shillings.

99 That Maires and Serians hane wandes and Hornes.

ITEM, fra thine fourth, it is statute and ordaned, that ilk Officiar of the Kingis, as Maire, or Kingis Seriand, and Barronnie Seriand, fall not passie in the Countrie, nor Barronnie Seriand in the Barronnie, but ane horne and his wand, and that falbe in this maner.

The Kingis Officiar as is foresaid, fall haue an horne, and ilk ane a read wande of three quarters of ane zairde lang at the leaste, and the Officier of the Regalitie ane Wand of the sami length, thane end red, th'other ende quhite, and ane horne quhair he passis within the Regalitie. The Barronnie Seriand ane horne and a quhite wand of ane clene lang, the Seriand of the Burgh ane reade wand allanerlie, like the Kingis Officiar, and als oft as he beis founden without his wand in the Burgh, hee fall paie ancht shillinges vn-forgiuen to the Kinge: and there-at toure to abide challenged before the Chalmerlaine. And gif the Kings Seriand he is not horne and wand, as is foresaid, he falbe challenged before the Schireffe at the heade Courtes. And he be conviit, he fall paie fourtie shillinges to the King. And richtifwa the Seriand of the Regalitie falbe challenged at three heade Courtes before the Lorde of the Regalitie. And he be conviit, he fall paie till his Lorde fourtie shillinges. And gif the Barronnie Seriand defaultes, he falbe punishing after the vnlaw of the Barronnie Court. And that ilk Seriand be thus purwayed be xv. daies nixt after White-sunday, nixt to cum.

FINIS.
IN PARLIAMENTO

SEPTIMO VEL CONCILIO

GENERALI ILLVSTRISSIMI PRINCIPIS

DOMINI IACOBI, DEI GRATIA, REGIS SCOTIÆ,
tento apud Perth, primo die Mensis Martij, Anno domini Millesimo

Quadragesimo sexto, anno regni Regis vicecom

tertio, cum continuatione dieum & temporum, summonitis & vocatis

more debito & solito, Episcopis, Abbatis, Prioribus, Comitiis, Baro-

nibus, & Liberi tenentibus, qui de domino nostro rege tenent in capite, &
de quilibet Burgo certis Burgensisbus, comparibus omnibus illis qui de-

uerunt, voluerunt, & postuerunt commode interesse, quibusdam vero absen-
tibus, quorum aliqui legitimè excusati fuerunt, aliis se contaminàter absen-
tibus, quorum nomina patent, in Rotulis sectarum, quorum quilibet adiu-

citatus fuit in amerciamento decem librarum, ob suam contumaciæ.

100 Of them that hes Merchandice out of the Realme

vncustomed.

DE: Veneris, quinto mensis Martij supradicti: The

King with consent of the three Estaites, statute

and ordaned, that they that hes out of the

realme merchandice, not payand the custome,

outher gold or silver, gif they be present or con

vict, or gif they be out of the Countrie, gif the

King hes cleare document thereof, that with-

outonic doome they be banished, and vther

paines maid against them, & standad nevertheles

in their force, out-takand them that is in hostage for the king in England,

for quhais costage how it falbe maid, the King fall ordane the maner.

101 Thas small Barronnes and freeholders needis not to come
to Parliaments.

ITEM, The King with consent of the haill Counsell, generallie hes

statute and ordained, that the small Barrones and free tennentes neid

not to cum to Parliaments nor general Counscels, swa that of ilk Schire-
dome their be fend, chosfen at the head Court of the Schiresdome, twa

orma wife men, after the largeges of the Schiresdome, out-tane the

Schiresdomes of Clakmanann and Kinross, of the quhilkis ane be lende

of
of ilk ane of them, the quhilk fall be called Commissaries of the Schire; and be thir Commissaries of all the Schires falbe chosen ane wise man and expert, called the commoun Speaker of the Parliament, the quhilk fall propose all and sindrie needis and caufes, pertaining to the commounes in the Parliament or generall Council, the quhilkis Commissaries fal haue ful and haill power of all the laif of the Schireffedome, vnder the witnesing of the Schireffis leale, with the leales of divers Barronnes of the Schire, to heare, treate, and finallie to determine all caufes to be propone in Council or Parliament: The quhilkis Commissaries and Speakers, fall haue custage of them of ilk Schire, that awe comperiance in Parliament or Council, and of their rents, ilk pound fal be vtheris fallow to the contribution of the saiff costes. All Bishoppes, Abbottes, Prioris, Dukes, Erles, Lordeis of Parliament, and Ban-rentes, the quhilkis the King wil be receiving and Summound to Council and Parliament, be his speciall precept.

102 The price of ilk warke manshippe.

ITEM, It is statute and ordaned, that men of craftes within burrowes, fall haue for a zeir to cum, of euerie craft a Wardane, chosen be the Council of the Burgh: The quhilk Wardane with Council of vther discreet men vnspieg, assignd till him be the said Council, fall examine and prise the mater and the warke-man-shippe of ilk craft, and set it to a certaine price, the quhilk gif onie breakis, the said Wardane fal punith the breakers in certaine paine, quhom gif he punith not, the Alderman, Bailis and Council of the Burgh, fall punith them in certaine paine: quhom gif they punith not, the King fall haue a certaine paine of that Burgh. The paine of the breakers of the price falbe echeit of the same thing, of the quhilk the price beis broken of, to be applied th' ane halfe to the Wardane of that Craft, and th' other halfe to the common woorke of that Burgh, quhair it beis scene maist expedit. The paine of the priser gif he bee negligent and punith not, fall bee in the vnlaw of the Burrow Courte, als oftas hee beis convict culpable and faultis, falbe applied for the halfe to the commoun purs of the Toun, and for th' other halfe, quhair it beis maist expedit, to the werk of the toun. The paine of the Alderman, Bailis and Council of the Burgh, that beis negligent in the punishing of the said Wardan, als oft as they default, falbe in ten pund to the King, and fal be raisid after that they be challenged and convict be the Chalmertaine and his deputis in the Chalmertaine airane in the zeir. The quhilk ordinance falbe extended to Mafones, wriches, Smithes, tailzcoures, Wobsaires, and all vthers in likewise generallie, quhais fees and handling falbe prysid, as is before faid. And atourie to Land warr in Schireffedomes ilk Barronne fall garre prise in their Barronnis and punith the trefpassours, as the Wardane does in the Burrowes, and gif the Barronne does not, the Schireffe fall punith the Barronne, and gif the Schireffe does not, they fall bee in amercement to the King, as the Alder-man, Bailies, and
and councell in Burrowes, falt inquire ilk moneth at the leaft, gif the Wardenis of the craftes price weill, and punish the trespasfores: and gif onie man complainis of over greate price, or of the breaking of the price, maid or let to the Aldermen, Baillies, and councell: that they puniﬁth the breakers of the price, and garre the partie complain and be af-syithed, vnder the paine foresaid.

*** Of Beggers.***

ITEM, The King hes statute, with confeint of his hail Parliament and councell, and eiked to the statute maid in his Parliament of Beggers: that in Burrowes, the Chalmerlaine in his air ilk zeir fall inquire, gif the Aldermen and Baillies have kept the statute: And gif they haue broken it, they falbe in fourtie shillinges to the King.

*** The Woolfe and Woolfe-birdes, sulde be slaine.***

ITEM, It is statute and ordaned be the King, with confeint of his hail councell, that ilk Barronne within his Barronnie in gangand time of the zeir, chafe and feeke the quhelfes of the Woolfe, and gar flarie them. And the Barronne fall gieue to the man that slayis the Woolfe in his Barronnie, and bringis the Barronne the heade, twa shillinges. And quhen the Barronnes ordainis to hunt and chafe the Woolfe, the tennentes fall rife with the Barronne, vnnder the paine of ane Wedder of ilk man, not rifand with the Barrone. And that the Barrones hunt in their Barronnies and chase fourte times in the zeir, and als oft, as onie Woolfe beis seene within the Barronnie. And that na man seeke the Woolfe with schot, but allaneth in the times of hunting of them.

*** Anent Lipper folke.***

ITEM, That na Lipper folke, nouther man nor woman, enter nor cum in an Burgh of the realme, bot thrife in the oulk, that is to saie, Monondate, Wednesdate, and Fridaie, fra ten houres, to twa after noone; And quhair Faires and Mercattes falls on thay dayis, that they leue their entrie in the Burrowes, and gang on the morne to get their living.

ITEM, That na Lipper folke ffito thig, nouther in Kirk nor in Kirkezard, nor vther place within the Burrowes, but at their awin Hospital, and at the Porte of the towne, and vther places out-with the Burrowes.

ITEM, that the Bifhoppes, Ofﬁcialles, and Deanes inquire diligentlie in their vifitation of ilk Paroche Kirk, gif onie be smittit with Lipper. And gif they styk be foundin, that they be deliuereed to the King, gif they be seculars: And gif they be Clerkes to their Bifhoppes. And that the Burgeses gar keepe this statute, vnder the paine contained in the statute of Beggeres. And quhat Leprous that keepis not this statute, that he be banished for ever off that Burgh, quhair he disfobeyis, and in likewise to Landwart.
ITEM, It is statute and ordained, that na Clerkes, religious nor secular, passe out of the Realm, bot gif he cum to his ordinar first, or then to the Chancellor of the Realm, and shaw to them gude and honest cause of his passage, and mak faith to them, that he do na barrayrie and haue his letters of licence and wittnesing thereupon. And gif onie dois the contrarie, or makis barrayrie, sia it be kend with sufficient and gude document, that he vnderly the statute maid against them that hes money out of the Realm. And that this statute be nor allanerly extended to them, that dois barrayrie in time to cum, bot als to them out with the Realm now, that beis convic of barrayrie. And als the King forbiddis, that onie of his lieges send onie expenses till ony barrayrour, that is now out with the Realm, or give them helpe or favoir, in quhat degree that euer they atteine to, quhill they cum hame in the Realm, under the paine of breaking of the act of Parliament.

107 That na man interpreit the Kingisstatuteswrangonlic.

ITEM, The King of deliverance of councell, be maner of statute forbiddis, that na man interpret his statutes vtherwaies, then the statutes beares, and to the intent and effect, that they were maid for, and as the maker of them vnderstoode: And quha sa dois the contrarie, sƚe be punished at the Kingis will.

108 Wilde fowles forbidden to betaken.

ITEM, That na Partricks, plovers, black-cockes, gray-hennes, na mure-cockes, norsik fowles be tane with na maner of instruements, fra the beginning of Lenten, quhil August, under the paine of fourtie shillinges. And that indictment passe thereupon be the Justice Clerke.
IN PARLIAMENTO OC-
TAVO VEL CONCILIO GENERALI ILLVSTRISSIMI PRINCIPIIS IACOBI, DEI GRATIA REGIS SCOTIÆ, TENTO APVD PERTH & inchoato, ratificato & approbato, tanquam sufficienter & debite præmunito, per tres Regni status, duodecimo die Mensis Iulii, Anno Domini, Millesimo, Quadringentésimo, vicésimo octauo, cum continuatione dieorum & temporum, summonitis & vocatis, debito modo & morefolito, Episcopis, Abbatibus, Prioribus, Comitibus, Baronibus, & omnibus liberæ tenetentibus, qui tenent in capite, de dicto Domino nostro Rege, & de quolibet Burgo regni certis Burgensibus, comparantibus omnibus illis, qui debuerunt, voluerunt, & potuerunt interesse, quibusdam vero absentibus, quorum quidam fuerunt legitime excusati, alius per contumaciam & absentantibus, quorum nomina patent in rotulis sectarum, quorum quilibet adjudicatus sit in amerciamento decem librarum, ob ejus contumaciam.

109 Of the aith to be maid to the Queene, be the Clergie and the Barronnes.

VO Die Dominus rex, ex deliberatione & consensu totius Concilij, statut, quod omnes & singuli successores Prelatorum Regni quorumuncque, nec non omnes & singuli heredes futuri Comitum, Baronum, omniumque Liberi tenentium Domini Regis, teneantur sacre consimile invenientum Domine nostra Regine. Nec nullus Prelatus de cetero admittatur ad suam temporalitatem, aut heres cuiusuis tenentis Domini Regis ad suas tenendas, nisi prius presuet Regine illud invenientum.

110 Anent fugitoures fra the King or his Lieu-tenent.

QVO Die consensum suit & statutum quod omnes & singuli fugientes à Rege, vel aliò quocunque eius locum tenente, puniuntur sicut rebellis publici, & notori.
THE NINTH PARLIA
MENT OF KING IAMES THE
First halden at Perth, the sext daie of March,
the zeir of God, ane thousand foure hundreth,
twente nine zeires.

III Of Maires of see, their offices, attachementes and
election.

In the first of the power of the summon-
monder, It is statute and ordanced, that a
Maire of see, quhider hee be Maire of
the Schirefledome, or of parte, fall haue
power to present ane sufficient person or
persons, and able to the Schireffe in
Court to be deputys under him, quhilks
falbe sworne in the plaine Court to the
faide Office, and admitted be the Schi-
reff, and gitten the wand. He fall schaw
nane other power in his attachementes,
nor in his summondes making, but all-
nerly the precept of his ouer-man, the
quhilk commandis him to make the summondes. And swa ay til indure
and minifter in the faide office, quhill his power be lauchfully revoked
in Court be his Ordinar. And swa in the Schirefledomes quhair there
is Maires of see in a warde, and not in anie other, the Schireffe fall
choose sufficient and able persons, ane or ma, after as the custome
of the Schirefledome is, the quhilk faill be chosen be him, with the consent
of the members of the Court, and sworn in Counte and admitted, and
minister all things pertainand to the faide office.

112 Of the execution of Summoundes, and verification
thereof.

ITEM, It is statute, that the summonder fall summond, & make his re-
hearse in courte, quhidder he likis be writ or young, keping the sex
terms of Summoundes: Swa that he haue sufficient witnesse of di-
cerfe Barronnies, as is conteined in the Lawe, the quhilkis fall sweare
in
in Court, that they bystude, saw and hearde, and for witnesse were tane, quyair that Summoundour maid the Summoundes, in maner and forme, as is conteined in that writ, and he fall haue freedome to reade the Summoundes, or gar reade them gif he cannot, but onie exception.

113 Ament exceptiones and substantiell headings of the Brieve.

ITEM, It is statute and ordained, that for thinefurth their fall name exception availe against the Kings briefes, quhicher they be-lang writen or schort, swa that they halde the forme of the brieve, statute in the law of before, congruit & not raised, nor blobbed in suspect places, that is to sa, in the name and the surname of the follower, & of the defender and the name of the land, or of the cause; upon the quhilk the brieve was purchased, and the dair.

114 Of effonzies to be maid in Court.

ITEM, It is statute and ordained, that there failbe name Effonziesour admissit in courte, but gif he haue a power specified for that cause, for him that he effonzies, and finde burrowes to proue his effonzie, at the nixt court, as the Law requiris. And name effonzies to be admitted in court, but the effonzies statute and written in the law of before, or gif a pure man fall suddenlie seik, twa leill men, his nightbour, or his paroch, Prisit fal swcar it, and that to be admitted for that daie.

115 Ament a Borgh to be founden in court.

ITEM, It is statute and ordained, that quhair a Borgh is founden in a Court, upon a weir of law, that the partie defender, as to that Borgh, fall haue freedome to be aduisit, and ask leaue thereto, & fall haue leaue and quhicher he will be aduisit within the houre of cause, & at the considerati- on of the judge and the Court.

116 Of the doomes falling.

ITEM, It is statute and ordained, that qua sa wil falls doome, sae not re- mooue out of the place he stands in, quhen the doome is given, norz it be aduisit with na man, quhill the doome be againe called, and that sae be that a man may gang eafily fourtie pafe, & to be considered after the consideration of the judge and the court, and gif it be againe called, be ane Advocate of the partie, hee beand admissit anis to speake for that partie in the Courte be name and surname, if fall not neede him to rehearse his awin name, nor the Dempstarian in the doome falling, nor allanerlie to say, THAT DOOME IS FALS, STINKAND, AND ROTTEN IN THE SELFE, AND THEIR TO A BORGH, and assigne a reason, protestand for maa.

117 He
King James the First.

It is statute and ordained, that quhair two parties appears at the Barre, the tane stryke a Borgh upon a weir of Law, th'other partie fall haue leaute to be advised, gif he will aske it, quhilder he will recontre it or not, as is foresaid: and gif he recontreis the Borgh, and strethsis it with reaones, hee and his partie remooed the court. And gif it happens them baith, or ane, till absent them, and cum not againe to the doome giuing of the decreet, quha fa at the doome giving, cummis not againe, fall remaine in ane vnlaw of the court, and tyne the action, for the quhilk the Borgh was foundin, and the recontre never to be hearde nor haue remeid to againe say that doome.

Item, It is statute, that na man sul weare claithis of Silk, nor Furrings of Matrickes, Funzies, Purry, nor greate nor richier Furring, but allanderlie Knichtes and Lords of twa hundreth markes at the least of zeri- lie rent, and their eldest Sonnes and their aires, but specialle lease of the King, asked and obtained. And none vther were broderie, Pearle, nor Bulzcone, bot array them at their awin hit in al vther honest arrayments, as serpes, beltes, broches, and cheinzies.

Anent the persons that salbe hail harnisshed and weill horsed.

The advice of the hail Parliament it is statute ane ordaned, that ilk man that may dispesd zeriilie twentie pund, or an hundreth pund in movable gudes, that he be weill horsed, and hail harnisshed, as Gentle men aucht to be: And vtheris femail of tenne pounde of rent, or fiftie pundes in gudes, haue hat, gorget, and a pefane with wambrasseris and reibrasseris, and glooues of plate, breast plate, pans, and leg splents at the least, or gif him likis better.

Anent the grathing of Zeaman for weire.

Item, That ilk Zeaman, that is of twentie pound in gudes haue a gud doublet of fenne, or ane harbirgeon, an iron hat, with bow, shais, sword, buckler, and knife, and the zeaman, that is ra archer, nor cannot draw a bow, fall haue a gude sivr Hat for his head, and a doublet of fenne, with sword, and buckler, and a gude axe, or elle a broged staffe.
ITEM, It is statute and ordaned, that ilk Barronne within himselfe fall fee and ordaine his men to be graited, as is before written.

ITEM, It is ordaned, that ilk Burgesse man haue and fiftie pundes in gudes, falbe hale anarmed, as a Gentle-man aught to be: And the zeaman of lawer degree, and Burgesse of twentie pundes in gudes falbe bodin with hat, doublet, or habirgeon, sword and buckler, bow, scharf, and knife: And that hee that is a bow-man, haue a gude axe and sure weapons, as is forefaid: And that the Bailis fall raise the paine hereof in Burgh, gif it be not keppe: that is to say, of ilk harniished man four shillings at the first, aught shillings at the nixt, a marke at the thrid daie, ay foorth quhil he be weill anarmed: And of ilk zeaman twa shillings at the first, foure shillings at the nixt, and aught shillings at the thrid, and aught foorth, quhill he be weill anarmed.

ITEM, It is statute and ordaned, that Schippes that breakis in this Countrie, the Schipp and the gudes falbe echeit to the King, gif they be of thay Countries, the quhilke visis and keipis the famin law of broken Schippes in their awin lande, and gif they be Schippes of onie land that keipis not that law, they fall haue the famin fauvour here, as they keepe to Schippes of this land broken within them.

ITEM, That Advocates and Fore-speakers in temporall Courtis fall sweare.

How the consent of the haly Parliament it is statute, and ordaned, that Advocates and Fore-speakers in Temporal courtes, and also the parties that they pleade for, gif they be present, in all causes that they pleade in the beginning, or he be heard in the cause, he fall sweare, that the cause he trowsis is gud and leill, that he fall pleade. And gif the principall partie be absent, the Aduocates fall sweare in the saufe of him, after as is contained in thir meters.
King James the First

Illud jure tur, quod lis sibi justa videtur.
Et si queretur verum, non inscientur.
Nil promittetur, nec falsa probatio detur.
Ut lis tardetur, dilatio nulla petetur.

126 Barrones and Lordes haue and landes on the West Sea, and on the North, sull have Galayes.

ITEM, It is statute and ordained, that all Barrones and Lordes haue and lands and Lord-shippes neir the sea in the West, and on the North parts and namelie for-anent the Iles, that they haue Galayes, that is to say, ilk foure markes worth of lande ane aire . And that this til vnderstande of them, that are not set before of Galayes. For they that are set before sall kepe and vphalde the galayes, that they are set of before, and holden to susteine their auulse infesment. And that the saids Galayes be maide and reparrelled be Maij cum a twelfe-moneth, vnder the paine of ane marcet to be raised to the Kingis se of ilkair. And the landes and Lord-shippes, quhat euer they be, strikand endlang the coast fyde, and inward in the land, sixe mile sall contribute to the reparacion and the sustentation of the saids galayes.

127 Of the nature of the briefe of inquest and saising.

ITEM, It is ordered, that the famen statute maid vpon the proclamation of the inquest be keiped vpon the briefe of saising; that is to say, if the briefe be presentet to the Schireffe or Bailles in the head court, that it be servd incontinent. And if it be presentet on any other daie out-with the court, that it be cryed on fifteene daies warning. And if it be in Whitsunday or Martine mes, the saising sall be given, and the partie contrare sall be privileged to break saising of fee and heritage syfteene daies after, and of the conquest fourtie daies after that cause, sall the breaker be in saising of before.

128 All persons remainand in England, without the Kingis leane, committis treason.

ITEM, It is statute, that if one of the Kingis lieges passis in England, and residis and remainis there, against the Kings will, he sall be holden as traitour to the King.

129 Of soveretie asked be onie partie of others.

ITEM, It is statute and ordained, that gif one of the Kings lieges hes ony doubt of the life, outhere be deed or mannance, or violent presumption, and he ask soveretie of the partie, that the plaint is maid vpon, sa that the partie plaintifie mak pruif of the deed, or mannance, or of the violent presumption maid or done till him be his aith, or outhere sufficient pruife, and the Schireffe do not that effeiris till his office in that case, he sall be in fourtie pund to the King, and aith yth the partie.
ITEM, It is statute and ordained, upon the serving of inquestes and Retoures againe to the Kings Chappell, that all Freeholders dwell within any Schireffedomes, compeir at the head Courtes, in their proper persones with their seales: Bot gif it happen them to be absent upon a reasonable cause. And gif onie be absent in that case, that he fende for him a sufficient Gentle-man, his Attourney, with the seale of his Armes, and swain Schireffe-courtes set upon fifteen daies war-ning. And gif it happenes that the Court be waik, and not sufficient in the Ryal within the Schireffedomes, the Gentles of the Regalities fall compeir at the warning of the Schireffe, without prejudice of the Regalitie, and enforce the court. And they that aucth compeirance, and compeiris not, salue in ane vnlaw of the Court.

ITEM, Salmon fishing is forbidden except in Solway and Tweede.

ITEM, It is ordained, that the statute of fishing of Salmon maid be the King that now is, and the three Estaites, be firmlie kepted, ay foorth, quhill it be revoked be the King and the three Estaites of the Parliament, out-takand the waters of Solway and Tweede, quhilkis salbereddie to all Scottes-men all times of the zeir, als lang as Berwick and Roxburgh are in the English mennis handes.

FINIS.
THE TENTH PARLIAMENT OF KING JAMES
THE FIRST, HALEN AT PERTH, THE
fifteenth of October, 1431.

132. Against the selling of Salmond out of the realm
HE King and the haill Parliament hes statute and or-
dained, that no Salmond be fould, nor barroured with
ony man that hes it out of the realm, but for English
money, allanderie, gold, or siluer for th'anee halfe, and
Gascoigne Wine, or sik guede pennie-worthes for the o-
ther halfe.

133. That the Governour of the Realme induring his time, might not
annally na landes, that fell to the Crowne.

ITEM. The saide daie it was decreeted be the three Estaites in plaie
Parliament, that the Governour of the Realme, induring the time
of his Governance, micht not giue fra the Crowne na landes, nor
annaly that fell to the Crowne, throw the deceafe of ony
Bastardes. And therefore the gift and the infeftments
maid till Adam Ker of the landes of Zethane
was of naneavaile.

FINIS.

THE XI. PARLIAMENT, OF
King James the First, halden at Striviling, the
second daie of March, 1435.

134. Against the breaking of the Kings Protection.
ITEM, As touching the breaking of the brieue of the
Kings Protection, it is seene speedesfull be the Lordes af-
sembled at Perth at this time, that what person, that hes
the Kings protection, and it bee broken on him, fra hee
have compleinized to the Schiriffe, the Schiriffe sal sum-
mounde the partie upon fourtie daies warning, to com-
peir before him at the nixt heade Courte to answere to his partie, a-
enen
The Twelfth Parliament. x. of January 1434.

The breaking of the King's protection. And quidder he appear or not, to garret be known be an affise, gift the King's protection be broken. And gift be founden, that he hēs broken the King's protection, he fall in the King's unlaw in ten pund, and affy with the parte, as law will, notwithstanding any law or statutes maid of before.

FINIS.

THE TWELFTH PARLIAMENT OF KING JAMES

the First, halden at Perth the tenth day of January, the seire of God, and thousand,

foure hundred, threttie foure years.

135 Of the foresauntour of the Erledome of March.


136 Of letters of fidelitie promitted to our Ladie the Queene.

ITEM. Eodem die mensis & anni supradictorum, omnes Domini de Parliamento, tam Ecclesiastici, quam Secularis, ac etiam Burgorum Commissarii, promisit, runt dare literas suis retinentia & fidelitatis Domini nostra Regina.

FINIS.
THE XIII. PARLIAMENT OR GENERAL
Councell of King James the First, held at Edinburg, the twentie twa daie of October, the yeir of God, ane thousand, soure hundreth, thirtie sex zeieres.

137 Of Thiefs: bute.

TEMP It is statute and ordaned be the King, with consent of the three Efaires, that nouter lord of Regalitie, Schireffe, Barronne, nor vtheris, felle onie thiese, or fine with him of thiefs dome done, nor to be done, vnder the paine to the Lords of the Regalitie, doand the contrarie, of tinfell of the Regalities, and Barron-nies, Justices and Schireffes of life and gudes. Saifand that this statute fall not strike to Bordourers dwelling on the Marches, but for thiefe to be done, after the making of this statute. And this statute induring the Kingis will.

138 That asisfors sould sweare.

ITEM, It is statute and ordaned, that all judges sall garre the asisfours sweare in the making of their aith, quhen they are charged to asisfes, that they nouter haue tane, nor fall take meece nor buddes of ony partie; And gif onie sk be giuen, or hecht: or onie prayer maid before the giuing out of the declaration & determination of the asisfours: the said asisfours sall openly reucale the buddes, gifts or prayers, and the quanti- tie and maner thereof to the judge in plaine Court.

139 Of arrestment to be maid be the Crowner.

ITEM, It is ordaned, that all Crowners fall arrest at all time, alswell before the crie of the Aire, as after, all them that fall be giuen to him in portuous bee the Justice Clerke, and name vtheris.
140 Trespassours may be accused at the Kings instance allanerly.

ITEM, It is ordained, that all Maires and Serjandes arrefit at the Schireiffs-bidding, albeit that na partie follower be, all trespassours: and that the said Schireffe follow the saids trespassours in the Kings name, gif na partie follower appears.

141 Assurance with English-men is treason.

ITEM, It is ordained, that na man be affured of English-men, nor take protections of them for landes or gudes, bot allanerly the Wardens, quhilkis fall haue leaue giuen by the King, vnder the paine of treason.

142 Justice sould be done upon thienes in all baße.

ITEM, It is ordained for mair ananching of theft and trespass, that suppose a thiete byde twa Sunnes, three of fourre, or ma, after he be attached, he fall not haue freedome to abide fourtie daies, but he fall be judged als soone, as a courte may be set therefor.

143 Of in-bringing of Bulzeon.

ITEM, It is ordained, that of ilk fack of Wooll, that fall passe out of Scotland, and the Scottis Merchande gif he failis there-with, or the Scottis Merchande that felles it to strangers, fall finde ficker fourtie to the Cufomers of the Portes, quhair the Schippes failis, to bring hame in Scotland to the Maister of the Kings cuinzie, three ounce of Bulzeon, and of a laft of hydes as meikle, and of the three sacks of wool. And of hue Hamburg barrelles alfinecle, as of a fack of Wooll. And of vther gudes, that awe na cufome, or awe cufome, after the fraucht of the Serplaith: that is to say, it that payis a Serplaith in fraucht, fal bring three ounce of Bulzeon hame, vnder the paine of infel of alfinekil Bulzeon, as they sould bring hame to be applied to the King. And the customers of ilk Burgh fall write all maner of gudes, that enters to schip-buird for the searching of knowledge heirof.

144 That nane be foundin in Tauernes after nine hours.

ITEM, It is ordained, that na man in Burgh be foundin in Tauernes of wine, all or beir, after the strake of nine houres, and the bell, that fall be rugin in the said Burgh. The quhilkis founden, the Alderman and Bailies fall put them in the Kings prision: The quhilk gif they do not, they fall pay for ilk time, that they be founden culpabill before the Chalmelane lyftie schillinges.
ITEM, It is ordained, that no man under the paine of escheit by any English clath or vther gude, within the Kinrak of Scotland, but English-men, or without. And that no English-man haue and conduct, bring in and sell, or change onie English gudes, but gifi than gudes be specified, and leave giuen in his safe conduct, laisandi in payment of ranlome of English-men.

146 Twiching the selling of Salmound till Englishmen.

ITEM, It is ordained, that no Scots-man sell to English-men, or in England before hand, or vtherwaies ony Salmond, but that English-men bye them in Scotland for English gold, and none vther contention. And gifi the English-men will not bye them, the Scottes merchandes may send them in Flandres or vther places, quhair them thinkis: fwa that of na wise they noother sende them nor sell them in England, vnder the paine of escheit. And for the gude of the Merchands, the King will grant conduct till all them that will cum and bye Salmond in Scotland.

147 That none bye wine fra Fleminges of the Dam

ITEM, It is statute and ordained, that no man of Scotland bye at Fleminges of the Dam in Scotland, onie kinde of wine, vnder the paine of escheit theirof.

148 That the Law be halden, quhair the trespaifie is done.

ITEM, It is statute and ordained, that for seven zeires to cum the Kings justice of baith the fyds of the water of Forth, and als the Schireffes for trespassie done out-with Regalities and Burrowes, the saide Iustice and Schireffes falle hald the Law, quhair the trespaifie was done, and noother defer to Burrowes nor Regalities theirin.

149 That none haue out of Scotland gold, silver, nor Jewels.

ITEM, That none haue out of Scotland gold, silver, nor Jewels cuinzeit, nor vn-cuinzeit, vnder the paine of escheit.
ANE TABLE OF THE
PARTICULAR ACTES AND
others, made by King James the First
quhilkis are nocht prented, in his first Parliament,
the twentie sex of Maij, 1424.

OF Finance to be maid for the Kingis costage in England.
Of the maner of Taxation to be maid within the Realme.
Ane complaynt upon purchasing of Pensiones.

Anent the ordinance of Procesiones.

Thrid Parliament, elleuenth of March 1425.
Anent the shawing of Chartoures and inesfimentes.
Of Prayer and Procesion to be maid for the King and the Queene by the Clergie.
Anent measures.
Anent sitting of Session.

Seuenth Parliament, first of March. 1427.
Of Cruies and waters.
The leave to Merchandles to seure their gudes.

Tenth Parliament, 15. of October. 1431.
For resisting of rebelloures in the North.

Elleuenth Parliament. 2 of March. 1433.
Of the Briene de aqua ductu.
Of mandementes to execute the actes of Parliament.
That the law be halden where the trespasse is done.

FINIS.