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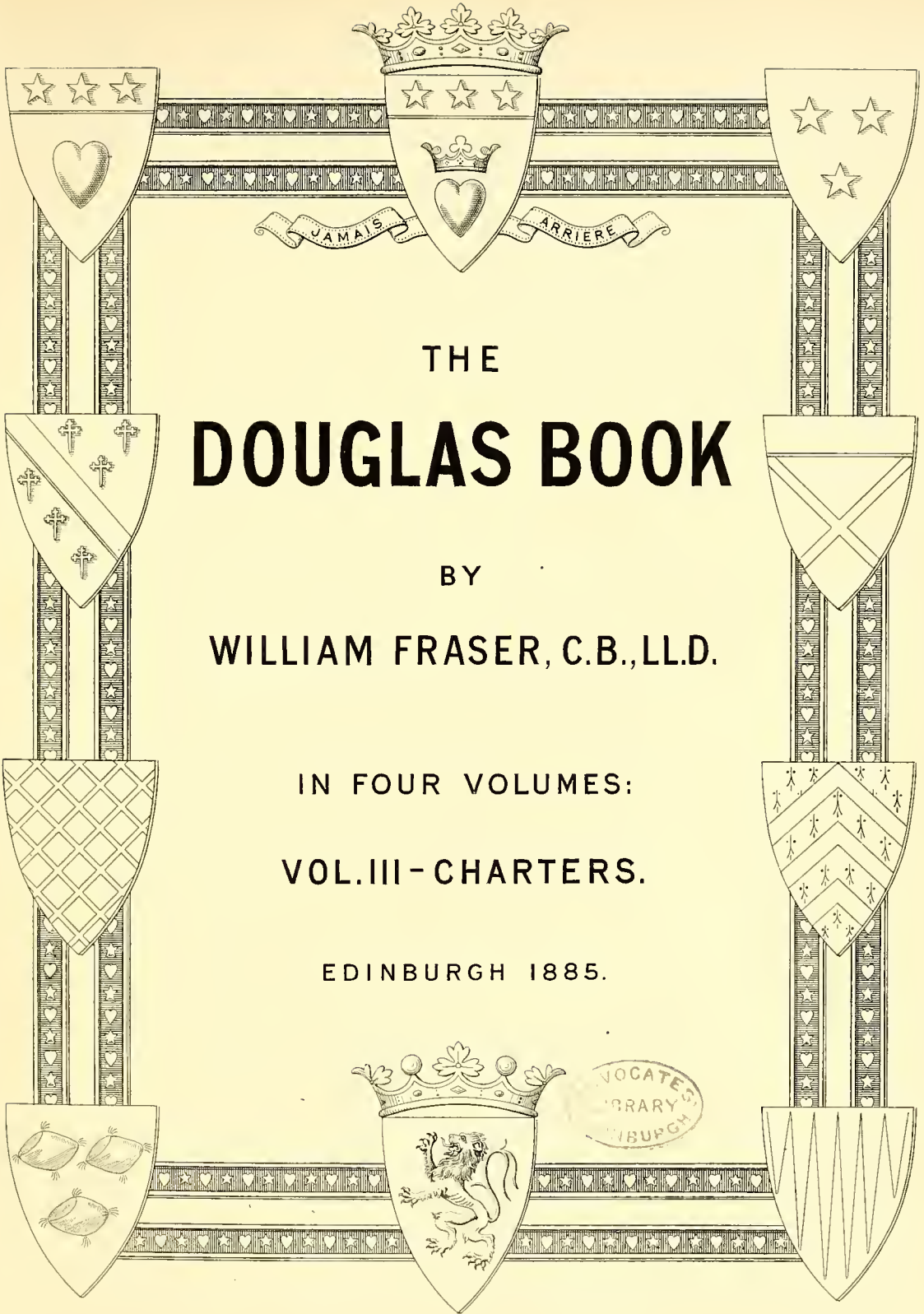




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THE
DOUGLAS BOOK

BY
 WILLIAM FRASER, C.B., LL.D.

IN FOUR VOLUMES:
 VOL. III - CHARTERS.

EDINBURGH 1885.

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ABSTRACT OF THE DOUGLAS CHARTERS.

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| <p>1. Indenture between Sir Hugh of Abirnythin and Sir William of Douglas for the marriage of Hugh of Douglas, son and heir of the latter, and Margery of Abirnythin, sister of the former ; for which marriage the said Hugh of Abirnythin becomes bound to give to the said Hugh of Douglas, with his sister, in free marriage, 20 merks worth of land in the town of Glencros, or in the fee of Chamberlaynneutone, and the said William of Douglas shall give to Hugh his son, and Margery his wife, 20 merks worth of land in the fee of Douglas ; the whole of the said 40 merks worth of land to remain in the custody of the said William of Douglas, with advice and consent of the said Hugh of Abirnythin, for the advantage and profit of the young people, for four years from the date of the contract : and the said William of Douglas shall find sufficient sureties to the said Hugh of Abirnythin, who shall at the end of the said period restore to the young people their lands and all fruits arising therefrom, whatever may happen to the said William of Douglas ; a reasonable maintenance being reserved to the young people as shall be provided by the said Hugh of Abirnythin and William of Douglas, and this maintenance shall be placed in the hand of the said William to the end of said term. It is further agreed that if, after the celebration of the marriage, and before his father's death, the said Hugh should die, or withdraw himself at any time, the 20 merks worth of land granted by William of Douglas should remain with the said Margery during her lifetime in name of dowry ; and that if the said Margery, before the marriage is contracted, should wish to withdraw herself, the 20 merks worth of land granted by Hugh of Abirnythin should remain with the said Hugh of Douglas freely during his lifetime. Done at the Castle of Edinburgh, [6th April] 1259,</p> | 1 |
| <p>2. Charter by Sir John Russell, and Isabella Countess of Menteith, his spouse, granting to Sir Hugh of Abyrnethine and his heirs or assignees, for his service, twenty pounds worth of land in the territory of Abirful, on the</p> | |

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west side of Fort (Forth) : To be held by the said Hugh and his fore- sairs, of the granters and their heirs, as freely as they themselves held the lands ; rendering yearly one red sparrowhawk only, at the feast of St. James, or six pennies ; reserving to the King the forinsec service pertaining to so much land, and to the granter and his heirs only the advocation of the church of Abirful. [<i>Circa</i> 1260],	2
3. Charter by King Alexander the Third to Hugh of Abirnorthyn for his homage and service, of the whole land of Lure, with the pertinents, which Henry of Neuith, knight, in default of the service due to the King therefor, freely resigned into his Majesty's hands ; reserving to the said Henry and his heirs his lands of Neuith ; reserving to the King such proportion of the service of a knight as was due from the said lands of Neuith and of Lure : To be held by the said Hugh and his heirs, of the King and his heirs, in fee and heritage, for performing such proportion of the service of a knight as is due from the said lands of Lure and land of Neuith. Perth, 19th March [1264],	3
4. Charter by Gilbert of Hunfraule, Earl of Angus, to Duncan, the King's Dempster in Angus, for his homage and service, of the whole lands of Pitmulin, without any backholding : To be held by the said Duncan and his heirs, of the Earl and his heirs, in fee and heritage, for making a suit at the court of the granter and his heirs for the foresaid land, and render- ing yearly therefrom a pound of pepper, or twelve pennies, at the fair of Dundee, at Stratdectin, to any who may be bailie of the said manor ; reserving to the King the forinsec service and aid pertaining to the said land. [1262-1285],	4
5. Charter by Falethauh to Sir Hugh of Abernithin, confirming to the latter all right and claim which the granter had to the land of Drumkarauht, with all its pertinents : To be held by the said Hugh and his heirs or his assign- ees, in fee and heritage for ever, for rendering the King's forinsec service pertaining to the said land. The granter's eldest son, Falethauch, and Michael MacAlanh, are sureties for the grant, and he became bound that in the event of himself or his heirs presuming to infringe it, they should pay to the said Hugh and his heirs or assignees £100 sterling before they were heard in any court, secular or ecclesiastic ; the said gift and grant to	

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continue in force for ever, notwithstanding ; for observing all the premises, the granter bound himself and his heirs by an oath, in the hauds of Thomas, abbot of Lundores, and submitted himself and his heirs to the jurisdiction of the Bishop of St. Andrews or his officials with respect to any claims of right in the foresaid lands. [<i>Circa</i> 1270],	4
6. Charter by Gilbert of Vmfrauyll, Earl of Angus, granting to Adam Wyscharde, son of John Wyscharde, for his homage and service, the lands of Ballendarg and Logyn, with all their pertinents, except the lands which John Blund possessed : To be held by the said Adam and his heirs, of the granter and his heirs or assignees, in fee and heritage, with common pasture in the granter's forest of Lyffedin, and the right of taking timber from said forest for buildings on the said lands when necessary ; rendering yearly therefrom two red sparrowhawks, or two shillings at the Assumption of the Blessed Mary, for all other services belonging to the granter and his heirs, and for rendering to the King the forinsec service pertaining to two davachs of land in the fee of Kerymore. 1272,	5
7. Indenture between Sir Hugh of Abirnithi and Lady Ethona, spouse of the late Sir Cristin, son of Banchcauer, whereby she, in her free widowhood, granted to the said Sir Hugh all the lands and possessions which belonged to her by right and assise of land, in name of terce, through her said husband, in Argyll, with the lands belonging to herself in Atholl : To be held by the said Hugh and his heirs or his assignees, during the whole lifetime of the said Lady Ethona, for rendering to her or to her assignees the ancient rent which the said lands used to yield in the last days of her said husband, and for rendering to the King the service due from the said lands, and satisfying his Majesty as to the yearly rent due to him from the said Lady Ethona's lands in Atholl. 1277,	6
8. Charter by Robert Brun, younger of Prestun, son of Adam Brun of Prestun, granting to Sir Alexander of Bonekil, son of Sir Ranulf of Bonekil, the whole land of Prestun, in the territory of Prestun, which the granter held of Lady Agnes of Prestun for his homage and service, namely, a toft and two acres of arable land which belonged to his father, three acres and a half in Baldewin's croft, and half an acre at the west end of Holwedene, near the rivulet of Fuleche, and a house with a garden which	

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Patrick Hog possessed, which house was taken from Robert Crossan's toft : To be held by the said Alexander of Bonekil and his heirs, of the said Robert Brun and his heirs, in fee and heritage ; the granter becoming bound, for himself and his heirs, for the payment of £10 sterling to the said Alexander and his heirs, in the event of their infringing the said grant. [<i>Circa</i> 1293],	7
9. Acquittance by Robert Auenel, rector of the church of Stanfordham, in favour of Sir Alexander of Bonkyll, knight, for £10 sterling, received by the hands of Robert of Fenwyc, in part payment of £20 due to the granter for the teind of Ryel. Sealed with the granter's seal, and dated at Standfordham, [15th November] 1293,	8
10. Precept by King John (Baliol), directed to Galfrid of Mowbray, justiciar of Lothian, narrating that the abbot and convent of Melros, after having, in presence of the Bishops of St. Andrews and Glasgow and others at Edinburgh, judicially recovered sasine of a common road within the Vale of Douglas, in opposition to William of Douglas, knight, who had often annoyed and harassed them on the said road, which passes from the bounds of the lands of the said religious of Tordones, to the church of Douglas, and then before the park of the Castle of Douglas, through the midst of the said Vale to Huddigystoun, and so upward to Rayerd, and thence to the march of the barony of Wystoun ; and charging the justiciar to proceed personally to the said place, and maintain the abbot and monks in said sasine, and to apprehend any persons whom he should find interfering with them, and bring such before the King and his Council. Rokysburg, 13th April [1294],	8
11. Charter by King Robert the Bruce to James, Lord of Douglas, knight, of the whole land of Polbuthy, within the vale of Moffat : To be held by the said James and his heirs, of the King and his heirs, in fee and heritage, for rendering 12 broad arrows yearly, for all service, exaction, or demand. Abirbrothoc, 15th December [1318],	9
12. Charter by King Robert the Bruce to James, Lord of Douglas, knight, for his homage and service, of the whole barony of Stabligorton, with its pertinents, within the vale of the Esk (Eskdale) : To be held by the said	

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James and his heirs and his assignees, of the granter and his heirs, Kings of Scotland, in free burgh, fee and heritage for ever, and in free barony and free forestry, with courts and escheats belonging thereto, for rendering a suit to the court of the shire of Roxburgh, when it happened only, for all other services. [<i>Circa</i> 1319],	10
13. Charter by King Robert the Bruce to James, Lord of Douglas, knight, for his homage and service, of the half of the whole barony of Watstyrker, in Eskdale, with the pertinents, which belonged to the late William of Soules, knight, and which he forfeited to the King : To be held by the said James and his heirs, of the King and his heirs, in fee and heritage, with fishings, fowlings, and huntings, etc., thereof ; rendering therefor the service used and wont to be rendered for the said land in the time of Alexander the Third. Berwick-on-Tweed, 20th April [1321],	10
14. Transumpt of a Precept by King Robert the Bruce, directed to Bernard, Abbot of Abirbrothoc, Chancellor of Scotland, narrating that in partial discharge of 4400 merks sterling due by the King to James, Lord of Douglas, for the redemption of three Freuch knights and their servants, who had been taken prisoners by the said Sir James at Byland in England, and had been liberated by King Robert at the instance of the King of France, the King desired a charter to be granted to the said Sir James of the iudicments of robbers, and the full administration thereof, within the bounds of the barony of Douglas, the King's forest of Selkirk, in which he was officer, the constabulary of Lawder, the forest of Jedburgh, with Bonjedburgh, the barony of Bethoerulle, the barouies of Watstirker, Stabilgortoun, and Romannoks, and within all the lands in Scotland which the said James held in chief of the King, with power to him and his heirs to liberate any of his men who might be indicted by the King's justiciars within the foresaid lands ; reserving to the King and his heirs all other articles pertaining to manslaughter and the crown : To be held by the said James and his heirs, in fee and heritage, for ever, of the King and his heirs, declaring that the said James, his heirs and their men dwelling on the said lands in time to come, shall be free from suits of court, wardings of castles, prisages, talliages, carriages, captions, etc. ; reserving only common aid for the defence of the kingdom ; and that	

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| the charter might be observed, the King, with his own hand, placed a ring containing an emerald stone upon the finger of the said James, to abide as a memorial. Berwick-on-Tweed, 8th November [1324],..... | 11 |
| [This charter is known as the Emerald Charter.] | |
| 15. Charter by King Robert the Bruce to James, Lord of Douglas, knight, for his homage and service, of the whole land of Botle in Galloway, namely, the whole parish of Botle, except Corbettoun and Patrick MacGibbothyn's lands, namely, from the place where the water of Vr falls into the sea, and along the old Vr until it again runs into the water of Vr, and along the water of Vr to the marches of the land of Crossmychelle and of Corbettoun, and thence by the old marches to a certain land which is called Knokynbotile, and so from Knokynbotile by the old marches to the land of Torrys, and thence by the old marches to the lands of Brethtathe, and so to the marches of the lands of Torrys and Brethtathe as far as the marches of Keltoun, and as the marches of Keltoun and Brethtauth coincide, to a certain stream which runs from the mill of Keuilstoun, and so by a certain stream that runs between the lands of Brethtauth and Keuilstoun, and from that stream as it runs until it comes to a certain land called Rinteshey : To be held by the said James and his heirs, of the King and his heirs, in free barony, fee and heritage, with the right of patronage of churches, freedom of burgh, wreck of the sea, anchorages of harbours, and all other privileges belonging to the said barony, with exemption from all prisages, captions, carriages, etc., by the King's bailies or servants within the said barony ; reserving the four pleas belonging to the Crown, only : Rendering yearly at Trequer a pair of gilt spurs, at the feast of the Nativity of our Lord, for all other service, ward, relief, marriage, suit of court, and all other demands. Berwick-on-Tweed, 24th February [1324], | 12 |
| 16. Charter by Thomas Randolph, Earl of Moray, Lord of Annandale and Man, granting to John Stewart, Earl of Angus, his nephew, for his homage and service, out of the whole barony of Morthyngton and Langformacus in Lambermore, the reversion of the lands of Longformacus, with the pertinents, after the decease of Dame Agnes of Morthyngtoun, spouse of the deceased Sir Henry of Haliburton, knight : To be held by the said | |

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Earl of Angus and his heirs, of the said Earl of Moray and his heirs, in fee and heritage, for rendering therefrom the third part of the entire service used and wont of the whole barony of Morthyngtoun and Longformacus with three suits of court yearly at three head pleas to be held at Morthyngtoun, for all other service. [<i>Circa</i> 1331],	14
17. Grant by William, Abbot of Kelso, and the convent thereof, to Sir William of Douglas, knight, Lord of Liddesdale, for his counsel and aid rendered to the granters, of the whole of Douglen in Eskdale, free from the exaction of teindsheaves during his lifetime ; and also 40 shillings sterling from the fruits of their church of Stapilgortoun at Martiumas yearly, if they amounted to that sum, failing which, the deficiency to be supplied from their coffers yearly. Monastery of Kelso, [21st December] 1343,	14
18. Charter by William, Lord of Douglas, to James of Sandylandys, and Lady Eleanor of Bruys, the granter's sister, of the whole barony of Westyrcaldor, in free marriage : To be held by the said James and Lady Eleanor, and the survivor of them, during their lifetime, and by the lawful heirs-male or female of their bodies, in fee and heritage for ever, with the advocations of churches, wards, reliefs, marriages, and all other privileges thereof : Rendering to the granter and his heirs yearly, in name of blench farm, a pair of gilt spurs, or two shillings of silver, at Whitsunday, if asked only ; the said barony to revert to the grauter and his heirs, in the event of the said James and Eleanor dying without lawful heirs. [<i>Circa</i> 1346],.....	15
19. Charter by Thomas, Earl of Mar, confirming a charter by William, Earl of Douglas, his brother-in-law, to the Abbot and Convent of Melrose, of the whole right of patronage and advocacy of the church of Meikle Cavers, in the barony of Cavers and shire of Roxburgh : To be held by the said Abbot and Convent, and their successors for ever, in free, pure, and perpetual alms. Sealed with the granter's seal, [<i>circa</i> 1350],	16
20. Charter by William, Lord of Douglas, granting to Roger Hog, burgess of Edinburgh, for his homage and service, of the whole land of Bernys, otherwise called the Abthen of Rathow, in the shire of Lothian, lying between the lands of Rathow on the south part, the lands of Nortoun on the north, the lands of Upper Goger on the east, and the lands of Plat on	

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the west : To be held by the said Roger, and his heirs and assignees for ever, of the granter and his heirs, in fee and heritage : Rendering yearly to the granter a pair of gilt spurs at Whitsunday if asked, and to the Bishop of St. Andrews, chief lord of the said land, a pound of wax, at the said term at Lystoun, in name of blench farm. Sealed with the granter's seal, at Edinburgh, [<i>circa</i> 1356],	17
21. Charter of Confirmation by William of Laundels, Bishop of St. Andrews, of the preceding charter by William, Earl of Douglas, to Roger Hog, of the lands of Bernys, otherwise called the Abthen of Rathow. Sealed with the seals of the Bishop and Chapter, appended in Chapter, 24th March 1357,	18
22. Charter by Thomas Stewart, Earl of Angus, granting to Thomas of Redpeth and Marion his spouse, for his good service, fifteen husband lands and six cottar lands, with the tofts and crofts thereof, in the town and territory of Prestoun and barony of Bonkill, free from the multure due to the granter at his mill of Prestoun : To be held by the said Thomas and Marion his spouse, and their heirs or assignees, of the granter and his heirs for ever, in fee and heritage, with courts and escheats, and all other privileges belonging thereto : Rendering only a pair of white gloves, at the feast of our Lord's Nativity, on the ground of the said lands, if asked, and three suits of court at the chief pleas of Bonkill. Sealed with the granter's seal [<i>circa</i> 1358],	18
23. Charter by William, Earl of Douglas, and Lord of the barony of Cavers, to the Abbot and Convent of Melrose, for the welfare of the soul of David, King of Scots, and of the souls of the granter and of his ancestors' and successors, and specially for the soul of Sir William of Douglas of Lothian, knight, whose body rests in the church of the said monastery, before the altar of St. Bridget the Virgin, and also for the souls of all the faithful dead, of the whole lands of Penangoushope and Nether Caldeclouche, with the pertinents, in the barony of Cavers and shire of Roxburgh : To be held by the said abbot and convent and their successors for ever, in free and perpetual alms, as freely as any alms are held by any monastery in Scotland, and in particular, according to the manner, form, uses, and customs of their lands of Ryngwodfelde, of the same barony, lying	

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adjacent to the said lands of Penangoushope and Caldeclonghe Nether ; and the foresaid abbot and convent shall find a monk to perform divine service at the said altar of St. Bridget for ever, for the welfare of the souls aforesaid. [<i>Circa</i> 1360],	19
24. Charter by Alexander of Lindezai, Lord of Litterwy, to Symon of Balmalkyn, of the whole land of Bryhtyn, in the barony of Athybetoun, in the shire of Angus : To be held by the said Symon and his heirs, of the granter and his heirs, in fee and heritage, for rendering to them three suits at the three head pleas to be held at Athybetonn, at the times and places used and wont, for all other service to the granter and his heirs ; reserving the King's forinsec service due from the said lands. Sealed with the granter's seal [<i>circa</i> 1360],	21
25. Letter of Protection by William, Earl of Douglas, Lord of the barony of Cavers, directed to William of Gledstanes, his bailiff there, charging him to maintain and defend the abbot and convent of Melrose, lords of the lands of Ryngwood, within the barony of Cavers, in the freedoms and privileges of the said lands, in terms of their charter thereof. Written and sealed at Melrose, 24th April 1360,	21
26. Charter by King David the Second, granting to John of Abirnethy, knight, for his homage and service, the annualrent of £20 sterling due to the King out of the land of Balheluy, in the shire of Aberdeen : To be held by the said John and his heirs, of the granter and his heirs, in fee and heritage, until the latter should infeft the former heritably in a £20 land in a suitable place ; and the said lands of Belheluy Berclay shall be held bonded to pay the teind penny due to the Bishop or Church of Aberdeen for the second teinds, so that the said John and his heirs shall receive the said annualrent without payment of any second teind, notwithstanding the general revocation made in the preceding Parliament. Edinburgh, 11th February [1368],	22
27. Charter by King Robert the Second to William, Earl of Douglas, for his homage and service, of the whole land of Tulycultry, in the shire of Clackmannan, which belonged heritably to Thomas, Earl of Mar, and had been resigned by him into the King's hands : To be held by the said	

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William and his heirs, of the King and his heirs, in fee and heritage, by the marches by which the said Earl of Mar and his ancestors held the said land of Tulycultry, for the service of one knight, saving the King's alms : Granting also that the said land should be held in free forestry, and forbidding any one to cut or hunt therein without permission of the grantee, on pain of full forfeiture, namely, £10. [1371-1377],	23
28. Resignation by Robert Ayir of Fastforland, in the hands of Lady Margaret Stewart, Countess of Mar and of Angus, of all his lands of Fastforland, which he held of her in chief, in the barony of Bonkyl and shire of Berwick-on-Tweed, and all claim which he or his heirs had or could have to the said lands. [<i>Circa</i> 1375],	23
29. Letter by Alexander Fryser, Sheriff of Aberdeen, assigning to Margaret Stewart, Countess of Mar, spouse of Thomas, late Earl of Mar, in name of terce, the lands and rents underwritten, namely, in Mar, Glengarachy, the two Inveratys, Culgary, Newyth, the two Argethys, Balnaboth of Glenbuchet and Balnaboth of Kynbethok, Kynclune, Westyrcloueth, the burgh of Kyndromy, two parts of Contellach, Gleneglys, Ardach, with the pertinents, Glenhey, Auchyndrayn, Cambosnakyst, Inuerchanowyk, Ercodil, Kelauch, Pethnamone, Dauach, Menach, Kyneragy, Tulyprony, Balerosk, Grody, Kynnaldy, Estyrmygve, the forest of Glencaladore, Glennochty More, and many others, both in Mar and Garioch, therein specified. The division was made according to the judgment of an inquest called by the Sheriff, on the presentation to him of a brief of terce from Chancery by John of Saint Clair, brother and attorney to the said Countess, as to a reasonable terce of the lands belonging to the late Earl within the Sheriff's bailiery. The inquest was held at Innerowry, 14th July 1377,	24
30. Indenture between William of Newbigging, son of William of Newbigging, and John of Kynhorn, narrating that the said John had formerly set his land in Langnewton to William Newbigging, elder, for the term of ten years, for a certain sum of money, and that the parties, after many payments and altercations, agreed as follows :—That the said William, younger, should possess the said land of Langnewton for nine years complete, on condition that if within the next three years the said John or his heirs should pay to the said William or his heirs ten merks of current	

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money, the former should obtain back the said land freely and without impediment, otherwise the said William should brook the said land for nine years foresaid, after which it should return to the said John and his heirs. Northberwick, [17th May] 1377,.....	25
31. Charter of Confirmation by King Robert the Second, of the charter No. 22, <i>supra</i> , by Thomas Stewart, Earl of Angus, to Thomas of Redpeth and Marion his sponse, for his good service, of certain lands in the town and territory of Preston and harony of Bonkill. The confirmation is in usual form, reserving the King's service. St. Andrews, 31st December [1377],	25
32. Charter by Sir James of Douglas, Lord of Dalkeith, to Adam Forster, for his homage and service, rendered and to be rendered to the granter, of the whole land of Fayrlehape, with the pertinents, in the barony of Lyntonn-rochryke, in the shire of Peebles, which belonged to Hugh Fraser, Lord of Lovet, and were resigned by him into the granter's hands : To be held by the said Adam and his heirs, of the said Sir James and his heirs, in fee and heritage, as freely in all respects as the said Hugh held the said land before his said resignation, for rendering the services used and wont. The charter is narrated in letters by the said Adam, certifying that he had received the charter from his lord, Sir James, which letters, sealed by the said Adam, were to remain with the said Sir James. Dalkeith, 16th March 1377,	26
33. Resignation by Elizabeth Stewart, younger daughter and one of the heirs of Thomas Stewart, late Earl of Angus, in her pure virginity and lawful age, into the hands of the Steward of Scotland, lord of the barony of Innerwick and her overlord, of the lands belonging to her in the barony of Innerwick, in the shire of Edinburgh and constabulary of Haddington. 28th March 1379,.....	27
34. Charter of Confirmation by King Robert the Second, of the charter No. 6, <i>supra</i> , by Gilbert of Vmfrauyll, Earl of Angus, to Adam Wyscharde, for his homage and service, of the lands of Ballendarg and Logyn. The confirmation reserves the King's service, and is dated at Kyndrochet in Mar, 13th July [1379],.....	28

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35. Renunciation by Alexander Lindsay, knight, Lord of Glenesk, at the instance of William, Earl of Douglas and of Mar, in favour of Margaret Stewart, Countess of Mar, and Elizabeth her sister, daughters and heirs of Thomas Stewart, sometime Earl of Angus, of 40 merks worth of land which the said Earl of Angus was bound, by his letters, to give him heritably after he had taken the order of knight. 12th March 1379,	28
36. Obligation by William, Earl of Douglas and of Mar, narrating that as Margaret, Countess of Mar, his sister, widow of Thomas, Earl of Mar, had set to him, Margaret his spouse, and their heirs, for the term of her life, all her third of the lands of the earldom of Mar, of the regality of the Garyauch, of Strathalueth, and of all other lands, rents, and possessions, with courts, escheats, and service of free tenants, etc., of which the said Earl of Mar died seised within the realm of Scotland, for 200 merks sterling yearly, the said Earl of Douglas became bound, for himself and heirs, to the said Margaret, Countess-Dowager of Mar, that in the event of the said sum being, in whole or in part, unpaid forty days after any term, she or her attorney should, "at hir lyking," enter and freely enjoy, for her lifetime, all her third of the said lands and others. 11th May 1381,	29
37. Charter of Confirmation by King Robert the Second of the charter by William, Earl of Douglas (No. 23, <i>supra</i>), to the monks of Melrose, of the lands of Penangushope and others. The confirmation is dated at Edinburgh, 10th October [1381],	30
38. Charter of Confirmation by King Robert the Second of a gift by John Stewart of Innermeth, knight, to Robert Stewart, knight, his brother, of an annualrent of £20 from the barony of Dorysdere, in the shire of Dumfries : To be held by the said Robert and his heirs, as freely in all respects as is contained in the charter granted by the said John to him thereof, reserving the King's service. Edinburgh, 20th April [1385],...	31
39. Charter by Robert Stewart, Earl of Fife and Menteith, to Sir William Stewart, knight, for his homage and service, of the lauds of Meikle and Little Jargarw, in the barony of Logyadrow and shire of Perth, which belonged to Lady Margaret Stewart, daughter and heir of the late Thomas	

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Stewart, Earl of Angus, and which she resigned in her pure widowhood : To be held by the said Sir William and the lawful heirs of his body, whom failing, by the said Lady Margaret and her heirs whomsoever, as freely as the said Lady Margaret or her predecessors held the said lands of the granter and his predecessors, chief lords thereof, in fee and heritage for ever, for rendering to the granter and his foresaids the service due and wout. Stirling, 20th March 1385,.....	31
40. Letters by Robert Stewart, Earl of Fife and Menteith, granting to Dame Margaret Stewart, Countess of Mar and of Angus, permission to dwell in and occupy the Castle of Temptaloun (Tantallon), which he had then in ward, as long as it happened to be in his hand, without molestation from him. Given at Temptaloun, 20th January 1388,	32
41. Indenture between Margaret, Countess of Mar and of Angus, and Sir Richard Comyne, knight, whereby the former, in her free widowhood, granted to the latter the lands of Maines, Balbrydy, Daldeva, and Ordealady, with their pertiuents, in the barony of Kerymore within the shire of Forfar, for his good counsel and service rendered and to be rendered to the granter : To be held by the said Sir Richard during his lifetime, of the said Margaret and her heirs, rendering to the King the service due and wont, and to her and her heirs yearly three suits of court at the three head pleas to be held at Kerymore, only. Edinburgh, 8th April 1389,.....	33
42. Charter by Lady Margaret Stewart, Countess of Mar and of Angus, granting to Sir Walter of St. Clare, knight, her brother, for his homage and service, the lands of Lytilpoty, Petversy, and the half of Petblay, in the lordship of Abernethy within the shire of Perth : To be held by him and the lawful heirs-male begotten or to be begotten of his body, of the granter and George of Douglas, her son and assignee, and his heirs ; and failing the heirs of the said Walter, by the foresaid George and the lawful heirs to be begotten of his body ; whom failing, by the heirs of the said Sir Walter whomsoever, in fee and heritage for ever, for rendering to the said Countess and George her son, and his heirs, three suits of court at the three head pleas to be held within the lordship of Abernethy yearly, with ward, relief, and marriage, when they occur only. Temptaloun, 21st November 1389,	34

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43. Charter by James of Sandilands, Lord of Caldor, granting to George of Douglas, Earl of Angus, son of the late William, Earl of Douglas and of Marr, the granter's uncle, all the right and claim which he had or could have in succession and heritable right, after the death of the Lady Isabella of Douglas, Countess of Marr and of Garyauch, sister of the foresaid George, over the whole barony of Cavers, with the office of sheriff and the keeping of the Castle of Roxburgh, and all fees belonging to the said offices ; the whole lordship of the town, castle, and forest of Jedwort, with the lands of Bunjedwort ; the entire lordship of Liddesdale, in the shire of Roxburgh ; the whole town of Selkyrk, annualrents and service of free tenants, in the shire thereof ; the regality and superiority and service of free tenants of the baronies of Butyll and Drumlangryg, in the shire of Dumfries ; an annualrent of 200 merks yearly from the burgh and great custom of Hadyngtoun, in the shire of Edinburgh ; the whole lands and rents of Doune Buk, Cabrauch, and Cloueth, in the shire of Banff ; with the succession of the barony of Tulycultry, in the shire of Clackmannan, and with all rightful and true heritable succession to all the lands to which the true heir of the said Earl William or of Sir James could succeed in time to come by any title of law : To be held of the King by the said George of Douglas and the lawful heirs to be begotten of his body, whom failing, by the said James of Sandilands and his heirs, and the true heirs of the foresaid William, Earl of Douglas, in fee and heritage, with the advocacy of kirks, chapels, hospitals, etc., for rendering to the King the services due and wont. [*Circa* 1397], 35
44. Indeuture betwixt Margaret, Countess of Mar and of Angus, and her son George of Douglas, Lord of Angus, on the one part, and his cousin Sir James of Sandilands, Lord of Calder, on the other part, whereby the latter becomes bound to deliver his castle of Calder freely to the said lady and her son, at the feast of Whitsunday next following, for the term of five years, and the said Countess and her son became bound to deliver up everything in as good condition as they received them, or else the value ; also they were to have lands on lease in the lordship of Calder if they desired, and to have the grass of the wood in summer for their horses and those of their family, with peats and other fuel : The said James

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- also consents to the entailing of any lands pertaining to her on her father's side by Dame Isabel, Countess of Mar and Garviach, in favour of her brother George of Douglas, and in the event of her dying without having done so, the said James granted that the lands and possessions to which he was heir by any title of law should go to the said George and the lawful heirs of his body, before going to the said James and his heirs, on condition that if the said George had no lawful children, the said lands should return to the former and his foresaids, in fee and heritage; Sir James receiving from the said George 200 merks worth of the said lands in fee and heritage; and agreeing to entail all his own lands on the said George, failing heirs of his own body, etc. Hirdmanstoun, 27th April 1397, 37
45. Indenture between Robert the Third, King of Scots, and Margaret, Countess of Mar and of Angus, for the marriage of George of Douglas, lord of Angus, son of the latter, to a daughter of the King, for which marriage the King became bound to give the said George all the land that the latter had in Angus, the baronies of Abernethy and Boukyll, with the tenandries of the foresaid lordships, in free regality heritably, to the said George and his spouse, and the survivor of them, and to the heirs-male of their bodies; also the King's profits of the justiciary of the whole shire of Forfar; £16 of annualrent due out of the lands of Abernethy; and to confirm to the said George, under the Great Seal, all gifts, taillics, etc., made or to be made to him by Isabel, Countess of Mar, his sister, and also by Sir James of Saudylandys, lord of Calder, etc. Edinburgh, 24th May 1397, 38
46. Charter of Confirmation by King Robert the Third of a disposition dated 15th May 1397, by James of Sandilands, Lord of Calder, to George of Douglas, Earl of Angus, granting to him the wardship of his son and heir, and the keeping of all the granter's lands in Scotland, and in the event of the granter's death, appointing him to be tutor to his son and executor; granting further, in case of the lawful heir-male of his own body happening to fail, that the said George of Douglas and the heirs of his body should succeed in fee and heritage in the barony of Calder, which William, Earl of Douglas and of Mar, the said George's father, and the granter's uncle, gave to the granter's father and mother, and all other lands and rents

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belonging to the granter in Scotland : To be held by the said George of Douglas and the lawful heirs of his body, whom failing, by the granter's heirs whomsoever. The confirmation reserves the King's service, and is dated at Linlithgow, 9th November 1397,	39
47. Charter by King Robert the Third, confirming the grant made by James of Sandilands, knight, the King's beloved brother, to George of Douglas, Earl of Angus, of all right and claim competent to him after the decease of Isabella, Countess of Mar and of Garviauch, sister of the foresaid George, in the succession to the barony of Cavers, with the office of Sheriff and the keeping of the Castle of Roxburgh, with all fees belonging thereto ; the lordship of the town, castle, and forest of Jedworth, with the lands of Bune Jedworth ; the lordship of Liddesdale, in the shire of Roxburgh ; the town of Selkrie, annualrents and service of free tenants within the shire thereof ; the regality and superiority and services of free tenants of the baronies of Butill and of Drumlangryg, in the shire of Dumfries ; an annualrent of 200 merks from the burgh and great custom of Haddington, in the shire of Edinburgh, and other lands contained in a charter made thereon shown to the King : To be held by the said George and the heirs-male of his body, of the granter and his heirs, in fee and heritage, as freely as is expressed in the said George's charter thereof. The confirmation reserves the King's service used and wont, and is dated at Linlithgow, 9th November [1397],	40
48. Charter by King Robert the Third, granting to George, Earl of Angus, and Mary Stewart his sponse, the granter's daughter, and the survivor of them, and to the lawful heirs-male of their bodies, all profit, fines, and amercia-ments accruing through the issues of justiciary courts within the shire of Forfar : To be held of the King and his heirs in fee and heritage, on condition that the same should revert to the King and his heirs after the death of the said heirs of the said George and Mary. Linlithgow, 9th November [1397],	41
49. Notarial Transumpt of a Disposition, dated 15th May 1397, by James of Sandilands, Lord of Calder, to George of Douglas, Earl of Angus, whereby he appoints the latter to be tutor to his son, and to have the keeping of	

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all his lands in Scotland ; and provides also that in the event of the failure of heirs-male of his (the granter's) body, the said George of Douglas and the heirs of his body should succeed in fee and heritage to the barony and castle of Caldor, which Sir William, Earl of Douglas, gave to the granter's father and mother, and to all his other lands and rents in Scotland, whom failing, the said James's true heirs whomsoever. Transumed at the Abbey of Holyrood, 30th March 1400,.....	42
50. Notarial Transumpt of the charter, No. 48, <i>supra</i> , by King Robert the Third to George, Earl of Angus, and Mary Stewart his spouse, and the survivor of them, and to the heirs-male of their bodies, of the profits, fines, amerciaments, etc., of the King's courts of Forfarshire. Transumpt dated at the Monastery of nuns at Haddington, 13th July 1400,	44
51. Notarial Transumpt, made 10th November 1408, at the manor-place of Bageby, at the instance of Margaret, Countess of Mar and of Angus, of a charter by Malcolm of Drummond, Lord of Mar and of Garviach, with consent of Isabella of Douglas, Lady of Mar, Garviach, and Liddesdale, his spouse, granting to George of Douglas, Earl of Angus, brother of the said Isabella, the lands of Ledalisdale, and all right and claim which he had therein through his said spouse, or which he could have in time to come, for all the terce-lands of Mar, of Garviach, of Strathalva, of Clova in Angus, of the barony of Melgthe, and of all other terce-lands which belong to the Lady Margaret Stewart, Countess of Angus, mother of the said George, through her husband, Thomas of Mar, late Earl of Mar and of Garviach ; or the said lands failing through the death of the said Lady Margaret, for £100 yearly to be paid to the granter by the said George, in terms of indentures made between them : To be held, the said lands of Ledalisdale by the said George and the lawful heirs of his body, from the said Malcolm and Isabella his spouse, for rendering to them and their heirs a red rose at Edinburgh, at the feast of St. John the Baptist yearly, in name of blench farm, if asked—the rendering of the said rose, however, not to offer any obstacle to the payment of the said sum of £100 to be paid to the granter for his lifetime—the said George and his foresaids also rendering to the King the service due and	

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wont. The transumpt bears that the charter was sealed with the seals of Sir Malcolm of Drommonde and Isabel of Douglas, Conntess of Mar and of Angus. Dated at the Castle of Kyndromy, 19th April 1400,	44
52. Indenture betwixt Henry the Fourth, King of England, and Archibald, [fourth] Earl of Douglas, his prisoner, whereby the former agrees that the latter should go home into Scotland, and enter again into the castle of Dereham, into ward of John of Lancaster, the said King's son, without fraud or guile, at the end of thirteen wceks after his departure by permission of the said John, and on condition that the following hostages should be given for his return :—Archibald Douglas, son and heir to the foresaid Earl of Douglas, and James his brother, James, son and heir of Sir James of Donglas, Lord of Dalkeith, Sir John of Montgomery, Lord of Ardrossan, Sir John of Seton, son and heir of the Lord of Seton, and seven others, knights of Scotland ; the said hostages, after the return or the death of the Earl of Douglas, to have a safe-conduct from the King of England to return home within forty days ; and the said Princee, Thomas and John his brothers, and the Earl of Westmoreland, to be bound for the surety of the hostages ; and in the event of the said Earl of Douglas dying, his eldest son was to remain prisoner in his stead,—the Earl being bound to use his utmost endeavours that the truce treated of between the King of England and the foresaid Earl for sixteen years should be confirmed between the realms of England and Scotland, etc. etc. London, 14th March 1407,	46
53. Notarial Instrument on the Protest by William of Donglas, Earl of Angus, made through his attorney, Sir William St. Clair, Lord of Herdmanstom, knight, at a certain house at the west end of Selkirk, against the recognition made by Alexander of Newtomm of the lands of Selkirk, by annulling all the procednre of the said Alexander relative to the said recognition, and by taking earth, wood, and stone from the said house and pounding and dispersing the same in token of annihilation. 13th Febrnary 1408,	48
54. Precept of Sasinc by Robert, Dnke of Albany, Governor of Scotland, to his sheriffs and bailies of Roxbnrgh, for infetting William of Donglas as heir of the deceased George of Douglas, Earl of Angns, his father, in the lands of the lordship of Ledalysdale (Liddesdale), which were held in chief of	

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the King ; taking security for the dues of the said lands at £40 per annum during the six years they had been in the King's hands. Aberdeen, 27th March 1409,	49
55. Transmpt of an Obligation by George, Earl of Angus, through the deliverance of his council, to infest by charter and clause of warrandice Sir James Sandilands, Lord of Calder, in a sum of 200 merks Scots, out of the great custom of the burgh of Haddington : To be held by the said Sir James and the lawful heirs of his body ; whom failing, to return to the lawful heirs of the granter's body ; whom failing, to be held by the nearest heirs of the said Sir James ; and to do so within a year from the time of his being infest by the said Sir James in certain lands, in terms of an indenture between them. Transmpt dated 11th September 1409,	49
56. Notarial Transmpt of Charter by Lady Margaret Stewart, Countess of Mar and of Angus, to Walter of St. Clare, knight [No. 42, <i>supra</i>], of the lands of Lytilpoty and others. Transmpt made in the Chnrch of the Friars Minor at Haddington, 23d March 1417,	50
57. Confirmation (dated 10th December 1422) by Archibald, Earl of Wigtoun and of Longueville, Lord of Eskdale and Dunlaroy, of a charter by Archibald, Earl of Douglas, Lord of Galloway, Annandale, and Eskdale, granting to God and St. Mary of Melrose, and to the abbot and monks thereof, the regality of all and sundry their lands of Eskdalemonr, with the pertinents, in the lordship of Eskdale and shire of Roxburgh : To be held by the said abbot and monks of Melrose and their successors whomsoever, in pure and perpetual alms, as freely as the granter or his predecessors had held them from the King, for giving suffrage for the sons of their patrons used and wont. Edinburgh, 16th January 1418,	51
58. Precept of Sasine by the said Archibald, Earl of Douglas, to Simon Glendinning, his bailie of Eskdale, for infesting the said abbot and monks of Melrose in the regality of their said lands of Eskdalemoor, in terms of the preceding charter. Edinburgh, 16th January 1418,	53
59. Notarial Transmpt of Charter by William, Lord of Douglas (No. 18, <i>supra</i>), granting to James of Sandylandys and Lady Eleanor of Bruys, the	

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granter's sister, the whole barony of Westyr Caldor in free marriage, circa 1346. Transumpt made in the Outer Chapel of the Castle of Dalkeith, 4th April 1420,	54
60. Charter of Confirmation by Murdoch, Duke of Albany, Governor of Scotland (dated 26th October 1421), of a charter by Archibald, Earl of Douglas, Lord of Galloway and Annandale, granting to Christian of Ramsay, the whole lands of Balncrefe and of Gosfurde, in the shire of Lothian : To be held by the said Christian during her lifetime, and after her decease by the first born male child begotten between her and the said Earl ; whom failing, by their second and third male child respectively ; whom failing, by the granter and his lawful heirs whomsoever, of the said Earl and his heirs, in fee and heritage for ever, with the gift of the Red Hospital, when and as often as it happened to be vacant, as freely as the granter or his predecessors held them of the King at any time past. Edinburgh, 20th April 1421,	54
61. Notarial Transumpt of the Confirmation, dated 13th July 1379, by King Robert the Second (No. 34, <i>supra</i>) of a charter (No. 6, <i>supra</i>) by Gilbert of Umfraville, Earl of Angus, to Adam Wyschard, son of John Wyschard, of the lands of Ballendarg and Logyn. Made at Dundee, 2d June 1421,	56
62. Letters of Obligation by Archibald of Douglas, Earl of Wigton, narrating that he had taken forcibly from Mr. William of Glendonwyne and others, executors of Sir William of Douglas, Lord of Logtoun, out of the "kyst" of the said Mr. William, against the will of the said executors, twelve pieces of silver, with other articles of silver plate therein specified, that belonged to the said deceased Sir William, which he becomes bound to restore to the said Sir William's heirs, or the value thereof. Sealed with the granter's seal, at Angers, 10th December 1421,	57
63. Letters of Attestation by Archibald, Earl of Wigton and of Longaville, Lord of Eskdale and Warden of the Middle and West March, that Henry of Douglas of Logton had caused his attorneys lend to his brother, Sir William of Douglas of Lochleven, when in France and in great difficulties, certain sums of money, namely, at Mans 400 francs, when 3 francs were equal to one noble ; at Tours 600 francs, when the noble was 6	

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francs ; and again at Tours 800 francs, at 10 francs to the noble ; for which sums the said Sir William granted an obligation to the said Henry, and bound himself and his heirs, executors and assignees, and put all his lands "on south half the Scottis see" in the power of his said brother, to be distrained in default of the payment of the said sums, with the interest due thereon, etc. Sealed with the granter's seal, at Edinburgh, 1st May 1424,	58
64. Charter by William of Douglas, second Earl of Angus and Lord of Liddesdale, to William of Blare, on account of his relationship and for his faithful service frequently rendered to the granter, of a piece of land commonly called Wethirrishalch, with the loch commonly called Lochmargurly, with the pertinents, in the lordship of Strathechty, in the shire of Forfar : To be held by the said William of Blare and his heirs, of the granter and his heirs, in fee and heritage, with pasturage for eight cows and their calves, for two draught beasts with their young, forty ewes with their young, three geese with their young, and three hogs with their young, on the common of the lordship of Strathechty, as freely as the granter or his predecessors held the same, for payment to him or his heirs of a penny of silver yearly at Whitsunday, if asked only, in name of blench farm. Dundee, 20th December 1424,	59
65. Charter by William, Earl of Angus, Lord of Liddesdale and the barony of Abernethy, to Sir Alexander Forbes of that Ilk, knight, of the lands of Easter Chuny, in the barony of Abernethy, within the shire of Perth, which formerly belonged heritably to Richard of Arnot, and were resigned by him into the granter's hands : To be held by the said Sir Alexander and Elizabeth his spouse, the granter's sister, and the survivor of them, and the lawful heirs of their bodies ; whom failing, the nearest heirs of the said Sir Alexander whomsoever, of the granter and his heirs, Lords of Abernethy, in fee and heritage for ever, for payment yearly of a penny of silver, if asked only, in name of blench farm. Edinburgh, 20th August 1425,	60
66. Notarial Instrument on the Agreement between Sir Patrick of Ogilby, knight, Sheriff of Angus, David of Ogilby, Lord of that Ilk, and Agnes Frislay, whereby the said Sir Patrick faithfully promised to pay to the said Agnes	

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- eight merks Scots, due to her at terms bypast, and the said David thereafter to pay to her during her lifetime twelve merks yearly from his lands of Ogilby in the shire of Augus, or from his lands of Cary in the regality of Abernethy, on account of her renunciation of her conjunct-fee of the lands of Tyrbeg, Balmaschener, and an annualrent out of the town of Imerychty, and of all other her conjunct-fee lands, as the widow of Alexauder of Forfar, which renunciation the said Agnes made to the said Sir Patrick and David in her pure widowhood, the said Agnes to be secured in the said sum ; further, the said Sheriff promises to cause Alexauder Bonkil render justice to the said Agnes as to a certain sum of money paid to him, etc. Done in a garden ou the south side of the Friars' Church of Dundee, 24th November 1427, 61
67. Indenture between Sir Nicholas Kydde, chaplain of the chaplainry of St. Salvator, in the parish church of St. Mary's, Dundee, and John Canty, burges of Dundee, whereby the former, with consent of William of Blare of Ardeblare, patron of the said chaplainry, set in feu-farm to the said John Canty and his heirs and assignees two acres of land belonging to the said chaplainry, lying on the north side of the west field of Dundee, within the boundaries described: To be held in fee and heritage for ever, for rendering to the said Sir Nicholas and his successors, chaplains of the said chaplainry, 6s. 8d. Scots yearly. Dundee, 12th December 1428,... 62
68. Charter by Archibald, Earl of Douglas and Longaule, granting to William Stewart, son of the deceased Sir Robert Stewart, knight, Lord of Dursdere, for his counsel and aid reudered and to be rendered during his lifetime to the said Earl, the whole barony of Kirkandris, in the lordship of Eskdale, withiu the shire of Dumfries: To be held the said barony, with the superiority thereof, by the said William and the lawful heirs-male of his body ; whom failing, by Sir David Stewart of Dursdere, knight, and the lawful heirs-male of his body ; whom failiug, by the lawful heirs whom-soever of the said William and Sir David successively, of the Earl and his heirs, in fee and heritage for ever, for rendering the services due and wont. Linlithgow, 6th December 1431,..... 63
69. Discharge by William of Douglas, Earl of Angus, Lord of Jedworth Forest, etc., to John Syuclare, Lord of Hyrdmanistoun, of all the mails that the

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latter had received of the lands of Kymberghame previous to the date of the discharge, and of all right which the said Earl had to the said lands of Kymberghame, through wadset thereof made by the deceased Sir William Synclare, knight, father of the said John, to Huchone and John Bertrame. North Berwick, 17th April 1433,.....	64
70. Commission by King James the First, under the Great Seal, appointing William, second Earl of Angus, to be Warden of the Middle Marches during his Majesty's pleasure. Perth, 10th November [1434],	65
71. Indenture between William, second Earl of Angus, and Patrick, Abbot of Holyrood, whereby the former becomes bound to protect the abbot and convent, and their goods and possessions, for four years after Whitsunday next [1436], and from the date of the deed till Whitsunday; the abbot on his part, with consent of his convent, granting to his Lordship for such aid, the property, both living and dead, which fell to the abbey through the decease of Dean Richard, Vicar of Barrow, for the first two years, and £10 yearly thereafter. North Berwick, 13th March 1435,.....	65
72. Notarial Transumpt of the Letters of Obligation, No. 62, <i>supra</i> , by Archibald of Dowglas, Earl of Wigtown, made at the instance of Sir Henry of Douglas of Logtoun, knight, in the vestry of the parish church of Dundee, 21st May 1437,	65
73. Bond by Alexander of Ogilvy of Innerquharady, narrating that as Nichol of Borthvyke of the Ludeinche had infest him heritably in blench farm in the lands of Ludeinche and Wester Duneacti, in the barony of Kerymore, earldom of Angus, within the shire of Forfar, he therefore became bound for himself and his heirs to hold the said lands for homage and service of three suits at the three chief courts held at Kerymore, for all the time of the heirs of the deceased George, Earl of Angus. Sealed and dated at Dundee, 20th April 1439,	67
74. Charter by James of Douglas, third Earl of Angus and Lord of the regality of Abernethy, granting to Robert Ymbre the lands of Stokkarland, and seven bolls of barley of Corfergy, in the regality of Abernethy, within the shire of Perth, which lands belonged formerly to Christian and Margaret Stokkare, sisters, and were resigned by them into the Earl's hands for ever :	

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To be held by the foresaid Robert and his heirs and assignees, of the Earl and his heirs, in fee and heritage, with pasture for three cows within the common of Abernethy, and ten loads of turfs within Murmonth, for rendering the service due and wont. Temptaloune, 8th May 1439,.....	68
75. Retour of the Special Service before the Bailie of Jedworth Forest and James of Douglas, Earl of Angus, of George of Douglas as heir to his father, John of Douglas, of the dominical lands of Bonjedworth, with twenty husband lands in the town and territory thereof, within the regality of Jedworth Forest, in the shire of Roxburgh; which lands were then and in time of peace valued at forty merks, and were held in chief of the Lord of the regality of Jedworth Forest by blench farm, for payment yearly, on the feast of St. John the Baptist, of a penny of silver, in name of blench farm, at Linthalchlie, if asked. Richermuderake, in Jedburgh Forest, 2d July 1439,.....	68
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77. Transumpt of Charter by James, Earl of Douglas and Mar, and Lord of the barony of Cavers, confirming to the abbot and convent of Melrose and their successors, the charter granted to them by the deceased Sir William of Douglas, his ancestor, of the right of patronage or advocacion of the parish church of Meikle Cavers, with glebe, chapels, and whole rights thereof; and granting that although, by special permission of the said abbot and convent, he presented one rector to the said church, this should not prejudice the right of the abbey as the true patrons in time to come. Etybredscheilis, 27th July 1388, and transumed in the Church of the Preaching Friars at Edinburgh, 28th July 1442,	71

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| 78. Precept by James of Hamilton, Lord of Cadyhou, knight, and Euphemia, Countess of Douglas, and Lady of Bothwell, his spouse, for infefting Henry Stewart as heir of his father, David Stewart of Rossyth, knight, in the barony of Schanbody, with its pertinents, in the shire of Clackmanane, which barony was held of the granter, in chief, as Lord of Bothwell. Bothville, 10th April 1444, | 74 |
| 79. Indenture between John of Ogilvy of that Ilk and Robert of Seres, burgess of Dundee, whereby the former granted to the latter and his heirs, on account of his good service performed to the said John, 20 merks of annualrent out of the lands of Haltoun of Ogilvy, in the barony of Ogilvy, within the shire of Forfar : To be held of the said John of Ogilvy and his heirs until the said Robert or his heirs should be paid the sum of 110 merks. Dundee, 30th June 1448, | 74 |
| 80. Letters by Archibald of Douglas, Earl of Moray, whereby at the instance of Walter of Haliburtoun of Gask, his kinsman, and Katheriue of Cheshelme his spouse, and upon their resignation into his hauds of the lands in the Arde, in the shire of Inverness, the said Earl admitted John of Haliburtoun, their eldest son, then a minor, as his tenant of the said lands, that he may have full power to execute all contracts of sale, or other deeds, notwithstanding his minority. Ruyphupill, 8th June 1450, | 75 |
| 81. Charter by King James the Second, confirming a charter granted by William, Earl of Douglas and Annandale, Lord of Galloway and of the regality of Lauder, to Patrick of Hepburne, son and heir of Sir Adam of Hepburne, Lord of Halis, for his homage and service, of the lands of Eastertoun, lands of Netherhills, lands of Westertoun, lands of Stanepeth, with the lands of the Mains and the mill of Dunciare, in the lordship of Dunciare, in the regality of Lauder, within the shire of Lanark, reserving to the Earl half an acre of the lands of Mains for a principal messuage : To be held by the said Patrick and his heirs, of the Earl and his heirs, by rendering three suits at the three chief pleas to be held at Lauder yearly. The charter is dated at the Castle of Douglas, 29th June 1444, and the King's confirmation at Edinburgh, 20th May 1452,..... | 76 |

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82. Indenture between George, fourth Earl of Angus, Lord of Ledailisdale and Jedworth Forest, and warden of the East Marches, and Sir Archibald of Douglas of Cavers, knight, Sheriff of Roxburgh, and William of Douglas his son and heir, whereby the Earl appoints the said Sir Archibald and William his son to be keepers of his castle of the Hermitage, in the lordship of Ledalle and shire of Roxburgh, with the bailiery of the lands of Ledalle, during the said Sir Archibald's lifetime, and assigns for the keeping of the said castle the lands of the Quhitefelde, the tofts and the park lying in the lordship of Liddesdale, near about the said castle, under the conditions therein stated. Temptaloun, 24th May 1452,.....	78
83. Charter by King James the Second, granting to George, fourth Earl of Angus, warden of the East Marches, for the singular affection and favour his Majesty bore to the said Earl, and for the grateful service rendered and to be rendered by the latter, the Castle of Temptaloune, with the lands belonging thereto ; also the lands of Castiltoune, Bondingtouue, Famyntoun, and lauds called Halfpleuland, lying near the said castle, which lands were by the charter erected iuto the free barony of Temptaloune : To be held by the said George, Earl of Angus, and his heirs, of the King and his successors, in fee and heritage for ever, for rendering yearly the services due and wont. Given under the Great Seal, at Edinburgh, 30th June 1452,.....	79
84. Letters, under the Great Seal, by King James the Second, granting permission to George, fourth Earl of Angus, warden of the East Marches, to build a castle or fortalice in his chief messuage of the earldom of Angus, on the rock commonly called the Rock of Bruchty, lying in the said earldom, within the shire of Forfar, and to surround it with walls and ditches, and fortify it with iron gates, and with defensive erections on the battlements ; and debarring his Majesty's lieges and subjects from offering any obstacle to the said Earl or his servants while building the said castle. Edinburgh, 20th January 1454,.....	81
85. Charter by King James the Second to William, Earl of Orkney, Lord Sinclair, Chancellor of Scotland, in compensation for his claim of right to the lordship of Nithsdale, the office of keeper of the Marches of the said lordship, and offices of Sheriff of Dumfries, and Justiciar and Chamber-	

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- lain within the said lordship, and right of his pension of £300 sterling from the great customs of certain of his Majesty's burghs assigned to the Earl, and of all claims, rights, rents, lands, offices, and others whatsoever, granted to him by Robert, King of Scots, by reason of the contract of marriage of Egidia, daughter of the said King, with William of Douglas, knight, grandfather to the said William, Earl of Orkney, and of £40 sterling yearly granted to the said William heritably for his service, the whole earldom of Caithness, with the lands of Carnoch and Dunnavir, and other pertinents of the said earldom, lying in the shire of Inverness, with all the proper lauds of the said William, Earl of Orkney, in Caithness, and in the shire foresaid, which were resigned by him in person into the King's hands, and which lands and others are by the King's charter erected into a free barony and conjoined to the said earldom of Caithness : To be held by the said William, Earl of Orkney, and his heirs whomsoever, of the King and his successors, for payment yearly of a pair of pigeons at Northweik at Whitsunday, in name of blench farm, if asked only. Given under the Great Seal and the Privy Seal, at Perth, 29th April 1456, ... 81
86. Letters by the Prior and Convent of the Abbey of Hexham, to George Douglas, fourth Earl of Angus, declaring that the devoted attachment of the latter to their abbey merited that he should be remembered in their prayers, whereby he might be protected from the darts of the fierce enemy for the present, and after this wretched life be happily united to the Author of Salvation ; wherefore they grant him the benefit of participatiou in all masses, orisons, fastings, watchings, and other good offices performed by the said convent and their successors in all time coming, with the addition of this special mark of favour, that when the Earl's death should be announced to the convent by the exhibition of this their letter, they would perform the same intercessory service for him as was usually performed for a brother of their own order. Hexham, in the Chapterhouse, 13th August 1456, 82
87. Letters by King James the Second confirming a decree by George, Bishop of Brechin, Chancellor of Scotland, and other Lords Auditors, in the complaint of spoliation brought by Adam of Hepburne against Oswald Weire, William Kay, and William Archibaldsone, respecting the plundering of

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the farms of the lands of Dunsiare, and the breaking of the sasine heritably given to the said Adam by the King by reason of forfeiture of the late Hugh of Douglas, Earl of Ormond. Rotald Weire, father of the said Oswald, compearing, confessed that he had broken the said infettment, and approved the taking of the rents of said lands by the foresaid Oswald and his accomplices, and that he took upon himself the burden of their deed in that matter, whereupon he was cited to appear at a future date; and it was decreed that the goods taken from the tenants should be restored to them. The decree is dated at Edinburgh, 20th November, and the confirmation is given under the testimony of the Great Seal, at Lauder, 15th December 1456,	83
88. Charter by King James the Second to George, fourth Earl of Angus, warden of the East and Middle Marches of Scotland, of the lands of Ewisdale, with the pertinents, otherwise in the shire of Dumfries, but now by the King's charter joined to the shire of Roxburgh, which lands belonged to Robert Grahame of Ewisdale heritably, and were resigned by him into the King's hands at Edinburgh: To be held by the said Earl and his heirs, of the King and his successors, as freely as the said Robert Grahame held them before, for payment of a penny of silver at Whitsunday yearly at the chief message of Ewisdale, if asked only, in name of blench farm. Given under the Great Seal, at Edinburgh, 7th December 1456,	84
89. Testimonial by James Gray, Sheriff-depute of Roxburgh, that, by virtue of letters under the King's Seal directed to the Sheriff, he had given to Ector of Lawadyr, attorney of George, Earl of Angus, sasine of the said lands of Ewisdale, which sometime belonged to Robert the Grahame. Malanno, 3d January 1456,	85
90. Charter by King James the Second, granting to George, fourth Earl of Angus, for his faithful service rendered and to be rendered to his Majesty, the lands of the lordship of Douglas, with the pertinents, in the shire of Lanark; which lands belonged to the said George heritably by gift of the King, and were resigned by him into his Majesty's hands: To be held, the said lands and lordship of Douglas, by the foresaid George and his heirs, of the King and his heirs and successors, in free barony, fee and heritage for ever, for performing yearly three suits at the three chief pleas of the shire of Lanark. Given under the Great Seal, at Edinburgh, 8th April 1457,...	86

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| 91. Instrument of Sasine given by Henry Ramsay of Newtibbyr, in virtue of a letter of bailiery from George, Earl of Angus, in favour of William Blare of Ardblare, of the land of Wydderishauleh, in the lordship of Erlystradychty, within the regality of Kyrrymure and shire of Forfar, in terms of a charter thereof granted to the deceased William Blare of Ardblare, father of the said William. Done on the ground of the said lands, 21st April 1457, | 87 |
| 92. Charter by George, fourth Earl of Angus and Lord of Douglas, granting to his uncle, Robert the Grahame of Auldmontrose, on account of their relationship, a piece of land commonly called Wyddyrrishaleh, with the loch commonly called Louchmagrully, in the lordship of Stradichty, within the shire of Forfar and regality of Kyrrymure, which belonged to the deceased William Blare of Ardblare, and were resigned by William Blare, his son and heir, into the Earl's hands at Edinburgh : To be held by the said Robert and his heirs and assignees, of the granter and his heirs, in fee and heritage for ever, with pasturage for eight cows, two oxen, forty ewes, three geese, and three hogs, with their young respectively, in the granter's moor of Ballergouse, for rendering yearly at Whitsunday a penny of silver if asked only, in name of blench farm. Edinburgh, 18th May 1457, | 88 |
| 93. Obligation by Alexander, first Earl of Huntlie, to George, fourth Earl of Angus, whereby the former became bound to pay to the latter 2000 merks usual money of Scotland for the marriage of Archibald, son and heir-apparent of the said Earl of Angus, and Katherine, daughter of the said Earl of Huntlie, or failing one or both of them, the marriage of a son and heir of the said Earl of Huntlie and a daughter of the said Earl of Angus, the payment of which sum is to begin at the Whitsunday following, and thereto the granter pledges his lands of Obyn (Aboyne), Glentannyr, and Glenmowk. St. Andrews, 30th September 1461, | 89 |
| 94. Obligation by James Lindsay, Provost of Lincludane, keeper of the Privy Seal, whereby, notwithstanding that he was heritably infert by George, fourth Earl of Angus, in the lands of Corsrig, Newhall, and Bowhouse, in the lordship of Douglasdale, in the shire of Lanark, with mill, multures, and other duties, he bound himself to bring the corn that grew on the said | |

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lands to the Earl's mill of Drumalbane yearly, and pay such multure dues as were paid by the Laird of Carmichael and other freeholders. Edinburgh, 14th October 1462,	91
95. Grant by King James the Third, under the Great Seal, to George, fourth Earl of Angus, warden of the East and Middle Marches, of the escheat of all and sundry lands, rents, possessions, and goods of all persons guilty of treason against his Majesty within the shire of Roxburgh, through treasonable communication and reception of James of Douglas, traitor and rebel, except the escheat previously granted to William of Douglas, brother to the said Earl. The grant concludes with a precept to the Sheriff of Roxburgh and his deputes, to cause the intromitters with such escheats to answer promptly to the Earl thereanent. Edinburgh, 16th November 1462,.....	91
96. Indenture between Henry the Sixth, King of England, and George, fourth Earl of Angus, narrating that the said King, with consent of his Council, in consideration of the assistance to be rendered by the Earl against the King's enemies in England, and for the recovery of his said kingdom, became bound, that within a month after he had, with the help of the Earl, obtained possession of his kingdom, or of the greater part thereof, he would create the said Earl a Duke of England, with the style, state, and name of a Duke, to be held by him and his heirs-male of his body for ever; and for the maintenance of that estate, to give him and his said heirs a castle, with lordships, towns, manors, rents, lands, and tenements, lying on the north part of the waters of the Trent and Humber, to the yearly value of 2000 merks English, to be held of the said King and his heirs only by knight's service, as freely as any duchy, earldom, or barony in England is held, etc. etc. Sealed with the Great Seal of England, and subscribed by the King, at Edinburgh, 22d November 1462. This indenture was registered in the Books of Council and Session on 16th April 1712,	92
97. Retour of Special Service before Archibald of Newtown of Dalcove, Sheriff-depute of Selkirk, of Archibald Douglas, fifth Earl of Angus, as heir of his father, George, the fourth Earl, of nineteen husband lands lying near the town of Selkirk, and the two dominical lands called the East and West	

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| Mains, with the mill, and one land called the Gersland, within the shire of Selkirk, which lands and mill were then and in time of peace valued at £24 per annum, and were held of the King in chief for delivery of a red rose on the feast of St. John the Baptist at the chief messuage of the said lands, if asked only, in name of blench farm, and were then in his Majesty's hands through the death of the said Earl George. Done at Selkirk, 13th May 1463,..... | 94 |
| 98. Charter by George of Abirnethy of Balglaly Wester, alienating to John Boswyll of Bowhyll four merks of annualrent due to the said George out of the lands of Balglaly Easter, in the constabulary of Kyugorne and shire of Fife, for a certain sum of money paid to the granter by the said John : To be held from the said George and his heirs and assignees, of the lord superior thereof, in fee and heritage, for rendering to the superior the service due and wont, only. Balglaly Wester, 2d August 1463,..... | 94 |
| 99. Instrument of Sasine in virtue of a precept from the Chancery of King James the Third, directed to the Sheriff of Perth and his bailies, for infefting Elizabeth Boyd, daughter of Robert, Lord Boyd, and Countess of Archibald, fifth Earl of Angus, in the lands of the lordship of Abirnethy, with the patronages of the churches and benefices of the said lordship, which belonged to the said Earl Archibald heritably, and were resigned by him into the King's hands to be granted in name of dowry or marriage donation to the said Elizabeth Boyd. Done on the said lands of Abernethy, 9th May 1468,..... | 96 |
| 100. Indenture between James Scrimgeour, constable of Dundee, and Robert the Grahame of Fyntry, narrating that, notwithstanding that the former had infeft the latter in certain pieces of land in the Kirktoune of Erdis Stradichty, on the water of Dichty, in the regality of Kirriemuir and shire of Forfar, extending to the Reid Huche, it was agreed that the land from the Reid Huche to the mill of Troto on the north side of the water of Dichty, belonging to the said James, should remain with the said Robert, and the land on the south side of the said water of Dichty between the Reid Huche and the mill of Troto should remain with the said James, in fee and heritage : and if the said James Scrimgeour or his | |

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successors should build or cause build a mill on the water of Dicbty, the said Robert Graham and bis successors should give full liberty to "stank atour" [dam] the said water where necessary, etc. Done at Dudhope, 3d July 1469,	97
101. Notarial Instrument on the resignation by William Douglas of Cluny into the hands of King James the Third of the ward of all and sundry the lands of Temptaloune, in the shire of Lothian and constabulary of Haddington; and the ward of the lands of the earldom of Douglas, in the shire of Lanark; upon which resignation the King delivered the said ward lands to Archibald, fifth Earl of Angus, by staff and baton, for the time of the ward thereof, notwithstanding the nonage of the said Earl. Done in St. Margaret's Chapel, in the Castle of Edinburgh, 26th June 1470,	98
102. Indenture between Archibald, fifth Earl of Angus, on the one part, and George the Home of Wetherburn, and Patrick Home bis brother, on the other part, whereby the said Earl becomes bound to maintain and defend the said George and Patrick in the brooking and joising of the lands of Kymbirgeame, in the barony of Boncle, in the shire of Berwick, and, in the event of the said lands of Kymbirgeame remaining in the said Earl's hands in default of the entry of the lawful heirs thereof, he becomes bound to assign them to the said George and Patrick for their lifetimes, and failing the entry of such heirs, to infest the said George and Patrick heritably, and their heirs, in the said lands of Kymbergeame, to be held of the said Earl as freely as the deceased John Synclare of Hirdmanstoune or his predecessors held them; moreover, the Earl obliges himself never to confirm to William Sinclair, son to the deceased John, a pretended infestment in said lands alleged to be made to him by his father, etc.; and the said George and Patrick, on their part, become bound to be men to the said Earl, and to give him their bond of manrent, and pay him 100 merks: and both parties become bound to observe the terms of the indenture, under the penalty of 1000 merks, 500 of which are to go to the King, and 500 for the church work of St. Andrews. Edinburgh, 27th November 1470,	99

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| 103. Lease by King James the Third to his "welbeloved squiare," Edward of Maxwell of Tyuwald, and to Herbert of Maxwell his son and apparent heir, and the survivor of them and their assignees, of 5 merks worth of the lands of Chapelton, 5 merks worth of the lands of Cagtoun, 10 merks worth of the lands of Logy, 10 merks worth of the lands of Castelgoure, 5 merks worth of the nether third part of Awmernes, and 20 shillings worth of the lands of Barcheane, in the barony of Butill, shire of Dumfries, and stewartry of Kirkeudbright, for ten years following the decease of Janet, Countess of Caithness, and Lady Dalkeith, then in possession of the said lands, for payment yearly of 36½ merks at Whitsunday and Martinmas by equal portions. This lease contains a provision that, in case certain of these lands being recovered during the currency of the ten years by Margaret of Corry, widow of Roger of Kilpatric of the Knok, or her heirs, the grantees should obtain a lease of other lands presently in her hands, in lieu thereof. Given under the Privy Seal, at Edinburgh, 12th June 1473, | 101 |
| 104. Notarial Instrument on the renunciation by Katherine of Douglas, for herself and her heirs, in favour of Thomas of Redpath and his heirs for ever, of all actions, debts, and demands, personal and real, which she had or could have against him on account of wasting of her goods, gold, silver, chattels, and other injuries whatsoever from the first day of their mutual intermissions, for ever. Doue in Redpath, at the hill, 14th November 1473, | 103 |
| 105. Charter by King James the Third, granting to Archibald, fifth Earl of Angus and Lord of Douglas, for the special favour which he bore to him, and for faithful service rendered and to be rendered to his Majesty, the lands of Temptaloune, with the castle of Temptaloune and the dominical lands, and tenants and tenandries thereof, in the constabulary of Haddington and shire of Edinburgh : To be held by him and his heirs, of the King and his heirs, in free barony for ever, for rendering three suits yearly at three head pleas of the court of the shire of Edinburgh, to be held at the burgh of Haddington, and ward and relief when they happen. Given under the Great Seal, at Edinburgh, 7th June 1475, | 104 |
| 106. Instrument of Sasine, proceeding upon a Precept from the Chancery of King James the Third, in favour of Archibald, fifth Earl of Angus, of the lands | |

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| of Temptalloune and the dominical lands thereof, together with the castle of Temptalloune, namely, the lands of Castletoune, Bonyngtoune, Fammiltoune, and the lands commonly called Halfpluchlande, and others adjacent to the said castle. Done at the Castle of Temptalloune, and the said lands, 22d September 1475, | 105 |
| 107. Indenture betwixt Archibald, fifth Earl of Angus, on the one part, and Robert the Grahame of Fintry, on the other part, for the marriage of Robert the Grahame, apparent heir to the said Robert, with Elizabeth of Douglas, sister to the said Earl of Angus ; and failing the said Elizabeth, with Margaret Douglas her sister ; whom failing, with Giles of Douglas or with Alison Douglas ; and in the event of the said Robert dying before the completion of the said marriage, then David Grahame his brother-german should marry the said Elizabeth Douglas ; and failing her, one of her foresaid sisters : For which marriage the said Earl became bound to pay to the said Robert the Grahame of Fintry, his heirs or assignees, 400 merks in manner following : That is, to infest him in the lands of Inchbrathy, Inchmylne, Glenouwyk, Balnabothy, Daldewo, Petcaredy, and the mill of Kerymure, reserving the terces of his grandmother and mother, extending to 20 merks and 11 shillings yearly, until the said Robert, his heirs or assignees, should be fully paid of the said sum ; and further, the Earl became bound to grant to the said Robert and his heirs tacks of his lands of the Forest of Glenprossan, the Belloch, and the fishing of Bruchty, for fifteen years, for payment of such mail and fish as he paid formerly. And the said Robert the Grahame of Fintry became bound to infest the said Robert or David in £20 worth of land in joint-fee in the shire of Forfar or Stirling, etc. Abernethy, 7th August 1476, | 106 |
| 108. Charter by King James the Third, under the Great Seal, renewing to Archibald, fifth Earl of Angus, the grant of the lands of Temptallone, the dominical lands of Temptallone, and the castle thereof, Castletoun, Bonyngtoun, Fammiltoun, the Redsyde called the Southfield, the lands called the Halfplewland, and others near the said castle, all in a free barony called the barouy of Temptalloune, in the constabulary of Had-dington and shire of Edinburgh, which lands had been granted to the Earl by the King in his minority, and are hereby granted again after his general | |

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| revocation : To be held by the said Archibald and his heirs, of the King and his successors, in fee and heritage for ever, for rendering yearly three suits at three chief courts of the shire of Edinburgh, to be held at Haddington. Edinburgh, 10th October 1479, | 109 |
| 109. Obligation by Isabel, Countess of Angus, to her son Archibald, fifth Earl of Angus, narrating that, notwithstanding the latter was bound to relieve Robert Douglas of Loch Leven and Alexander Ramsay of Dalhousie of their bond granted to Duncan Campbell for the payment of 600 merks as tocher with Margaret of Douglas, daughter of the said Countess, yet the latter bound and obliged herself to pay the said sum of 600 merks to the said Duncan Campbell, when due. Edinburgh, 14th October 1479, | 110 |
| 110. Contract betwixt Sir John Auchinlek of that Ilk, on the one part, and Sir John the Ross of Halkhead, knight, on the other part, for the marriage of James Auchinlek, sou and heir of the former, with Giles the Ross, daughter of the latter : For which marriage the said Sir John the Ross became bound to pay to the said James and his heirs 100 merks, to be applied for the reversion of certain lands ; and the said James shall have, in name of tocher, all lands and terce pertaining to the said Giles : also the said Sir John the Ross bound himself to secure the said James Auchinleck, in name of tocher, in the lands of Rogertoune within a year after the said marriage, and failing thereof, to pay to the said James and his heirs the sum of 500 merks : Moreover, the said Sir John Auchinleck bound himself to give to James his son and Giles his wife, and to the heirs of their bodies, 20 merks worth of land in the the barony of Auchinleck in free blench farm ; and further became bound not to sell or wadset the castle and maius of Auchinleck from his son James foresaid ; otherwise, to pay to Sir John the Ross the sum of £1000 Scots. Edinburgh, 8th May 1480, | 110 |
| 111. Obligation by Sir John Auchinleck of that Ilk, knight, to Sir John the Ross of Halkhede, knight, whereby he bouud himself, after the completion of the marriage betwixt James of Auchinleck his son and Giles the Ross, daughter of the said Sir John the Ross, and after the resignation by the said Giles of the 20 merks worth of land of the barony of Auchinleck, to infett her in the lands of Rogertoune in the said barony, and in 10 merks worth of land of old extent lying in the said barony, in the shire of Ayr : | |

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To be held by the said Giles and her heirs of the said marriage, of the granter and his heirs, in free blench farm, for payment of a penny at Whitsunday, if asked ; failing which joint-infetment, he became bound to pay to Sir John the Ross and his heirs 500 merks. Auchinleck, 4th March 1480,	113
112. Lease by King James the Third to Archibald, fifth Earl of Angus, of the stead of Hartwood and half-stead of Berybuss, with their pertinents, in the forest of Ettrick, for five years, for payment yearly of the mails and duties due and wont, and keeping the said stead and half-stead forest-like. The lease concludes with a precept to his Majesty's receivers and officers of Ettrick Forest not to disturb the said Earl or his factors in the peaceable enjoyment of the said steads of Hartwood and Berybuss during the said five years. Given under the Privy Seal, at Edinburgh, 3d June 1483,...	114
113. Lease by King James the Third to Archibald, fifth Earl of Angus, as keeper of Newark Castle, of the lands of Quhithill, the Black Myddingis, Warmanhope, and the foggage of Cartyrhalch, with the freedoms belonging to them, lying within Ettrick Forest: To be held the said lands by the said Earl for his fee, for five years, and thereafter at his Majesty's pleasure. The King's receivers, bailie, and officers of the said forest, are straitly charged not to disturb the Earl or his servants in the peaceable occupation of the said lands. Given under the Privy Seal, at Edinburgh, 3d June 1483,	115
114. Obligation by Archibald, fifth Earl of Angus, to Robert the Grahame of Fyntre, narrating that as the granter had sold to the said Robert an annualrent of ten marks out of the lands of the Kirktown of Stradichtyn, and that his grandmother had previously taken lawful terce thereof, he binds himself to warrand the said Robert and his heirs of the said terce for ever, by assigning to them rents of equal value with the terce. Given under the granter's signet, at Abernethy, 22d April 1484,	116
115. Precept by Alexander Home, grandson and apparent heir of Alexander, Lord Home, and Lord of the baronies of Crailing and Hownam, to his bailies, for infetung Andrew Ker in the lands of Crailing and Hownam, lying in the said baronies, in the shire of Roxburgh, excepting and reserving	

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one acre of land lying next to the Brewcroft ou the west side thereof, with two teaudries, namely, Hownam Mains and Chatto ; which lands of Crailing and Hownam belonged to John Home, the granter's brother, heritably, and were resigned by him into his hands, as superior. Kelso, 23d June 1484,.....	117
116. Charter by Robert Grahame of Fintry to John Grahame his son, by Matilda Scrymgeour his spouse, of his whole lodging, with the kiln and garden thereof, lying in the Seagate, in the burgh of Dnndee : To be held by the said John Grahame and the lawful heirs-male of his body ; whom failing, by the granter's lawful heirs whomsoever, of the King and his successors, in free burgage, fee, and heritage for ever, for rendering the rent due to the King, and to the chaplain of St. Mary's Chapel, in the Cowgate of Dnndee, 26s. and 8d., with 16d. for the ground of the said kiln ; the granter reserving his own liferent of the said lodging, kiln, and garden. Dnndee, 20th Augnst 1484,	118
117. Obligation by Robert the Grahame, son of the deceased David Grahame, and grandson and apparent heir of Robert the Grahame of Fintry, to John the Graham of Balergus his uncle, binding himself not to revoke the gift that his said grandfather had given to the said John the Grahame, but to ratify and confirm all lands, annalrents, and others, granted by the said Robert of Fintry to the said John his son, namely, the lands of Balergus, Widderishanlch, the lands of Ballewnye, two parts of the lands of Warriston, the wadset of the lands of Drnmgeyth, and others therein mentioned : Failing which, he became bound to pay to the said John or his heirs the sum of £1000 Scots, within forty days after it became known that the granter or his heirs had broken any point of this bond, etc. Dnndee, 12th May 1487,	119
118. Obligation by John, Lord Drummond, to Archibald, Earl of Angus, and his heirs and assignees, for 400 merks, in part of payment of the dowry of Elizabeth Drummmond his daughter, on her marriage to George, Master of Angus. Sealed and subscribed by the granter, at Edinburgh, 31st January 1488,.....	121
119. Charter by King James the Founrth to George Douglas, Master of Angus, of the lordship of Temptallou and castle thereof, in the shire of Edinburgh ;	

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the lordship of Douglas and castle thereof, with the advocacy of the provostry of Douglas, in the shire of Lanark ; the lordships of Jedworth Forest and Liddesdale and the Castle of Armetage [Hermitage], in the shire of Roxburgh ; the lordship of Selkirk, houses and fortalices thereof, in the shire of Selkirk ; the lordships of Ewisdale and Eskdale, houses and fortalices thereof, in the shire of Dumfries, with the patronages of the churches and chaplainries thereof ; which lands, lordships, and others belonged heritably to Archibald, Earl of Angus, father of the said George, and were resigned by him personally into the King's hands at Edinburgh : To be held by the said George and his heirs, of the King and his successors, as freely as the said Earl held them, under reservation of the said Earl's liferent thereof, and a reasonable terce to Elizabeth Boyd his spouse. Given under the Great Seal, at Edinburgh, 31st January 1488,	121
120. Precept under the testimony of the Great Seal of King James the Fourth, to Walter Ker of Cesfurd, Ralph Ker his brother, and others, sheriffs of Berwick in that part, for infesting George Douglas, Master of Angus, and Elizabeth Drummond his spouse, in conjunct infestment, in the lands and lordship of Boncle and Prestoune, with the tower and fortalice, and patronage of the churches and chaplainries thereof, in the shire of Berwick, which belonged heritably to Archibald, Earl of Angus, father of the said George, and were resigned by him personally into the King's hands at Edinburgh. Edinburgh, 31st January 1488,	122
Since the Precept was printed, the charter by the King of the same lands to the same grantees, and of the same date, has been found ; also the Resignation on which the charter proceeded, with the Sasine. These two writs are dated respectively 1st and 24th February 1488.	
121. Notarial Instrument on the resignation by Alexander Home of that Ilk into the hands of Archibald, fifth Earl of Angus, as heritable lord thereof, of the lands of Scrogtoun and the Dene, in the lordship of Douglas and shire of Lanark. Done at the Abbey of Holyrood, near Edinburgh, 1st February 1488,	123
122. Commission by Archibald, fifth Earl of Angus, Lord Douglas, and Lord of the regality of Kirriemuir, appointing John, Lord Glammiss, John, Lord Drummond, Robert Grahame of Fintry, and others, to be bailies of all his	

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Lordship's lands in the shire of Forfar and regality of Kirriemuir, with all the powers and privileges belonging to the said office. Kirriemuir, 9th February 1488,	124
123. Retour of the Special Service before Ralph Ker, bailie to George, Master of Angus, of Thomas Ker, as heir of his father Adam Ker, of the east dominical lands of Selkirk, named St. Elene Shaw, with the old toft and croft called the Kirk-croft, and the two lands called Caponland and Gersland, and others, in the town and shire of Selkirk, which lands were then valued at 4 merks and 12 capons yearly, having been valued only in time of peace, and were held in chief of the said George, Master of Angus, for the service of an annualrent of 4 merks and 12 capons in name of feu-farm, and were then in the Master's hands through the decease of the said Adam Ker. Done at Selkirk, 18th September 1489,	125
124. Letters Patent by King Heury the Seventh of England, addressed to all and sundry admirals, captains, castellans, and their lieutenants, sheriffs, mayors, bailies, constables, and all his faithful subjects, granting a safe-conduct and his Majesty's special protection to Archibald, fifth Earl of Angus, and eighty persons in his train, to pass through the kingdom of England, and other places subject to his Majesty by sea and land, on their way to Amiens, in one or more ships, with their horses, carriages, and other property, and to return again without injury. Westminster, 12th February [1489],	126
125. Charter by King James the Fourth, granting to Archibald, fifth Earl of Angus, for his lifetime, the lands and lordship of Kilmernok, with the annualrents and pertinents thereof, in the shires of Ayr and Lanark, together with the castle of Kilmernok, and the wards, reliefs, and marriages when they occur, and the patronages of the churches, chaplainries, and hospitals of the said lands and lordship, in excambion for the Earl's lands and lordship of Liddalisdale and castle of the Hermitage: To be held the said lands and lordship of Kilmernok, and others foresaid, by the said Archibald, Earl of Angus, and his assignees and subtenants, for his lifetime, or until the King or his successors delivered up to him the said lands and lordship of Liddalisdale and castle of the Hermitage. Given under the Great Seal, and dated at Linlithgow, 29th December 1491, ...	127

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| 126. Obligation by King James the Fourth, for himself and his successors, to Archibald, fifth Earl of Angus, to warrant to him and his assignees and subtenants, the lands, lordship, and castle of Kilmernok, for the said Earl's lifetime, and to defend them therein, in terms of his Majesty's charter granted to him thereof, until the Earl should obtain free regress to the lands and lordship of Liddalisdale and the castle of the Hermitage, which he had excambed for the said lands of Kilmernok, which were part of the patrimony of the King's eldest son, etc. Given under the Great Seal, at Linlithgow, 29th December 1491, | 128 |
| 127. Charter by King James the Fourth, under the Great Seal, granting to Patrick, Earl of Bothwell, Lord Halis, great admiral and warden of the West and Middle Marches of Scotland, the lands and lordship of Liddalisdale, with the castle and fortalice of the Hermitage, patronages of churches, chaplainries, and hospitals thereof, in the shire of Roxburgh, which belonged to George Douglas, son and apparent heir of Archibald, Earl of Angus, heritably, and were resigned by him personally into the King's hands at Edinburgh: To be held by the said Patrick and his heirs, of the King and his successors, in fee, heritage, and free regality and forestry for ever. Edinburgh, 6th March 1491, | 130 |
| 128. Indenture between Archibald, fifth Earl of Angus, and Marion Douglas his daughter, on the one part, and Cuthbert, Lord of Kilmaurs, on the other part, for the marriage of the said Cuthbert and Marion, whereby the Lord of Kilmaurs becomes bound, after the marriage was contracted, to infest the said Marion in conjunct-fee in his lands of Skelmorle, in Cunninghame, and to ratify the same after the marriage was made lawful, and the said Earl of Angus became bound to obtain with all haste a dispensation for the impediments to the said marriage, at the mutual expense of the parties; and further, to pay to the said Cuthbert, in name of tocher with his said daughter, 1700 merks, in manner therein mentioned, and in security thereof to infest him in £100 worth of land in Douglas yearly, under reversion, until the said sum should be paid; and the said Cuthbert became bound, in the event of his failing to complete the marriage after the dispensation from Rome was obtained, to pay to the said Marion 3700 merks, and infest her in reversion in his lands of Kilmarrannok, | |

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in the Levenax, until the said sum was paid, etc. Edinburgh, 24th June 1492,.....	131
129. Charter by King James the Fourth, under the Great Seal, granting to Archibald, fifth Earl of Angus, the town of Bothwell, the town of Uddingstoune, the Scherrailis, Ricardzonstoun, Urcaswod, Knohoble, with the Poffillis, the Schawis, the Meikle Hareschaw, the lands of Wodhed, Newlandis, Akinhed, Unthank, and Aldirstoun, and others in the barony of Bothwell, the castle of Bothwell, mill of Uddingstoune, and numerous other lands therein mentioned, in the shires of Lanark and Berwick, which belonged heritably to Patrick, Earl of Bothwell, and were resigned by him personally into the King's hands at Edinburgh ; which lands and others were by the King's charter erected into the free barony of Bothwell, and were to be held by the Earl of Angus and his heirs, of the Crown, in free regality, and in fee and heritage for ever, for rendering therefrom the same services which the Earl of Bothwell and his predecessors had rendered before the said resignation. Edinburgh, 4th July 1492,	134
130. Notarial Instrument, narrating the compearance, in the presence of a notary and witnesses, of Cuthbert, Lord Kilmaurs, acknowledging that he had received from Archibald, fifth Earl of Angus, 300 merks due to him as dowry with Marion Douglas his wife, daughter of the said Earl, and that as the first instalment of the greater sum. Done in the castle or palace of Kilmeruok, otherwise of Deyne, 7th August 1492,	135
131. Gift by King James the Fourth to William Douglas, son of Archibald, fifth Earl of Angus, of the ward of the lands that belonged to the deceased James Auchinlek, son and heir of Sir John Auchinlek of that Ilk, knight, with the marriage of Elizabeth Auchinlek, daughter and heiress of the said James, and heiress of the said John, and failing the said William Douglas, through decease or disassenting to marry the said Elizabeth, the King grants the said marriage to Archibald, Earl of Angus, the said William's father, and his assignees, etc. Given under the Privy Seal, at Cupar, 29th September 1492,.....	136
132. Letters under the Privy Seal of King James the Fourth, directed to the Sheriffs of Ayr and Kincardine and their deputes, narrating his Majesty's	

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- grant to the Earl of Angus, and William of Douglas his son, of the marriage of Elizabeth Auchinlek, daughter of the deceased James Auchinlek, and apparent heir of Sir John of Auchinlek of that Ilk, and that his Majesty had suspended the said Sir John from alienating any of his lands and others that he was possessed of at the death of his said son, in prejudice of the King's right with reference to the said marriage, and enjoining his Sheriffs foresaid to make proclamation to that effect, and to command and charge the said Sir John to forbear making any such alienation. Given at Cupar, 29th September 1492,..... 137
- [An execution of the above letters by Hew Campbell of Lowdown, Sheriff of Ayr, is indorsed thereon, dated 6th October 1492.]
133. Indenture between Archibald, fifth Earl of Angus, Chancellor of Scotland, on the one part, and Master Hew of Douglas, Dean of Brechin, his cousin, on the other part, whereby the former becomes bound to obtain the King's licence to the latter to pursue all heritage in Scotland to which he was lawfully entitled, excepting only what was then in the King's hands, and further, to support and defend him in all his honest actions and quarrels, and exert his influence with the King for the promotion of the said Hew, when required by him thereto ; and the said Hew on his part binds himself, as soon as he is legally entered to the lands of Avandale, in the shire of Lanark, to resign the fee of the same into the King's hands in favour of the said Earl, under reservation of his own liferent thereof. Edinburgh, 29th May 1493, 139
134. Indenture between Archibald, fifth Earl of Angus, Chancellor of Scotland, and George his son and heir, on the one part, and Robert, Lord Lyle, Justice-General, on the other part, for the marriage of Robert Lyle, son and heir of the latter, with Elizabeth, daughter of the said Earl, as soon as a dispensation for the said marriage should be obtained from Rome at the expense of the said Earl and his son ; whereby the said Robert, Lord Lyle, becomes bound to infest the said Robert and Elizabeth, and their heirs-male, in 80 merks worth of land, within forty days after their said marriage, and the said Earl and George his son become bound to pay to the said Robert, Lord Lyle, and his heirs, 1000 merks in manner therein specified, etc. etc. ; and in the event of the marriage failing through

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default of the said Robert, Lord Lyle, and his son, after the dispensation therefor was obtained, they become bound to pay to the said Earl of Angus and his son and their heirs £500 Scots within forty days after it became known, etc. Edinburgh, 19th June 1493,	140
135. Notarial Instrument, narrating that William, Earl Marischal, Sheriff of Kincardine, delivered to the notary certain letters under the signet of King James the Fourth, dated at Edinburgh 20th June, sixth year of reign, addressed to the Sheriff of Kincardine, bearing that the Lords Auditors of Causes and Complaints had decerned John Auchinlek of that Ilk, knight, to pay to Archibald, Earl of Angus, Chancellor of Scotland, £500 for the half of the maills of the lands of Glenbervie, Barras, and Kenna, uptaken and withheld by the said John for five years preceding, since the decease of Giles Auchinlek, sponse to the deceased James Auchinlek, lady-portioner of the said lands, and charging the Sheriff to distrain the said lands for payment of the said sum ; and further, narrating that the said Sheriff caused these letters to be read in presence of the said John, and proceeded, with the assistance of an assize, consisting of several of the neighbouring barons, to appraise the rents of the half of the said lands, which were estimated at £31, 5s. for one term, and the moveable goods at £20 ; also the half lands of Longfurd, mains of Barras, with others named, were appraised at £408, 15s., etc. Done at Barras, 21st October 1493,.....	142
136. Letters of Safe-Conduct by King Henry the Seventh of England, directed to Admirals, Castellans, Captains, Sheriffs, Mayors, and others, to enable Archibald, fifth Earl of Angus, Chancellor of Scotland, to travel into England and other places subject to his Majesty's jurisdiction with a train not exceeding forty persons, and an equal number of horses, with their jewels, money, and other property, and thereafter to proceed to whatever foreign parts they pleased during the six months for which the safe-conduct was granted, on condition always that the Earl and his retinue conducted themselves honourably, and attempted nothing to the prejudice of his Majesty or his people ; with a proviso that, in the event of any infringement of the said letters, the guilty persons only should be punished. Given at Westminster, 23d January 1493, eighth year of reign,	144

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| 137. Notarial Instrument, narrating that Elizabeth, spouse of George, Master of Angus, proceeded to the ground of the lands of Easter and Wester Brocalys, and there, because she herself claimed to hold the conjunct-fee of those lands, in presence of a notary and witnesses, by breaking a small vessel, annulled a pretended sasine which Peter Carmichael asserted he had received of the said lands. Done on the ground of the said lands respectively, 6th August 1495,..... | 146 |
| 138. Notarial Instrument, narrating that the Lady Elizabeth, spouse of Sir George Douglas of Bouchkel (Buncle), son and heir of Archibald, fifth Earl of Angus, Chancellor of Scotland, went to the lands of Brokholis, in the barony of Buncle, and there, in presence of a notary and witnesses, broke a wooden dish, in token of breaking the sasine which had too rashly been granted to Peter Carmichael of the lands of Easter and Wester Brokholis, and that on the ground that she herself had for many years past been infeft in the conjunct-fee of the said lands. Done on the lands of Easter and Wester Brokholis, 6th August 1495, | 146 |
| 139. Decree by the Lords of the Privy Council of Scotland auent the action pursued by Elizabeth Auchinleck, daughter and heiress of James Auchinleck and Giles the Ross his spouse, and by Archibald, Earl of Angus, her tutor, against John of Auchinleck of that ilk, knight, for having delayed to give conjunct infeftment to the said deceased James Auchinleck and Giles the Ross, and to the heirs of their bodies, of the lands of Rogertoun and a ten merk land of old extent, in the barony of Auchinleck and shire of Ayr, in terms of his letters of obligation to that effect, whereby their Lordships, after proof had been led before them, found that the said Sir John was bound to give the said Elizabeth infeftment in ten merks worth of land in the barony of Auchinleck, and in the twelve merk lands of Rogertoun, and ordained that as the twelve merk lauds of Rogertoun had been lawfully appraised to the Earl of Angus for debt due by the said John of Auchinleck, the latter should infeft Elizabeth Auchinleck in a twelve merk land, of as great value and as conveniently situated, in lieu thereof. Stirling, 12th November 1495, | 147 |
| 140. Indenture between Archibald, fifth Earl of Angus, Chancellor of Scotland, and Janet of Douglas his daughter, on the one part, and Andrew Herries, | |

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- son and apparent heir to Herbert, Lord Herries, on the other part, whereby, in contemplation of a marriage between the said Andrew Herries and Janet of Douglas, Andrew became bound to resign into the King's hands his lands of Terregles, Kirkgnnzean, the half barony of Urr, Hoddam, Tollyrgarth, Lockerbie, Hntton, Avandale, Moffatdale, Kirkandrews, and others therein mentioned, with patronages of the kirks thereof, wards, relics, and marriages, with their pertinents, for new infeftment of the same to be given by the King to the said Andrew and Janet of Douglas, and to the heirs of their bodies; whom failing, to return to the said Andrew and his heirs-male; whom failing, to Mungo Herries, brother to the said Andrew, and his heirs-male; whom failing, to the other heirs successively therein mentioned; and Andrew becomes bound to exert his own influence and that of his friends to procure a divorce from Beatrix Herries his wife, that he may with "all gudly hast" marry the said Janet Douglas, etc. Castle of Douglas, 25th November 1495,..... 149
141. Retour of the Special Service before Robert, Lord Creichtoun of Sanquhar, Sheriff of Dumfries, of Archibald, fifth Earl of Angus, as heir of his father, George, fourth Earl of Angus, of the lordship of Eskdale, with the superiority and tenants and tenandries thereof, in the shire of Dumfries, which lordship was then valued at 200 merks of new extent, and was, in time of peace, worth 300 merks of old extent, and was held in chief of the King by ward and relief and a common suit, and had been in the King's hands for about thirty-three years, since the death of Earl George. Dumfries, 19th January 1495, 151
142. Charter by King James the Fourth, under the Great Seal and the Privy Seal, to Archibald, fifth Earl of Angus, Lord Douglas, Chancellor, for the good and faithful service done by him to his Majesty, of the lands and lordship of Cranfurdlindesay, castle and fortalice of Cranfurd, and town thereof, with the patronages of the churches and chaplainries of the same and their pertinents, in the shire of Lanark; which lands, lordship, and others belouged to David, sometime Dnke of Montrose, Earl of Cranfurd, and Lord Lindesay, heritably, and had fallen into the King's hands by reason of forfeiture, because of the alienation made by the said David of the said lands, lordship, and others, or of the greater part thereof, without

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his Majesty's consent : To be held by the said Earl of Angus and his heirs, of the King and his heirs and successors, in fee and heritage for ever, as freely in all respects as the said David or his predecessors held them. Edinburgh, 25th January 1495,	152
143. Signature by King James the Fourth, for a charter to be made under the Great Seal to Elizabeth Auchinleck, daughter and heiress of the deceased James Auchinleck and Giles the Ross his spouse, of eight merks worth of land of the lands of Auchinleck, eight merks worth of the lands of Pennyland, three merks worth of land of the lands of Craxstoun, two merks worth of the lands of Kethistoun, and one merk's worth of the Nether Mais, all of old extent, in the barony of Auchinleck and shire of Ayr : To be held by the said Elizabeth and her heirs, of the King and his successors, for the lifetime of John Auchinleck of that Ilk, knight, her grandfather, and thereafter of the said John's heirs, in fee and heritage, as freely as the said John or his predecessors held them, for rendering yearly to the King and his successors the rights and services due and wont. The signature proceeds on the preamble that Sir John Auchinleck had not fulfilled the decret of Council (No. 139, <i>supra</i>), and that the Sheriff of Ayr, at the King's command, had apprised the lands named in the signature to be of the same value as the lands of Rogertoun, and the other ten merks of land in which she should have been infekt. Subscribed by the King at Stirling, 8th April 1496,	153
144. Decreet-Arbitral pronounced by William, Bishop of Aberdeen, George, Master of Angus, John of Symontoun of that Ilk, John Erskine of Dun, and others, judges-arbiters chosen between Archibald, Earl of Angus, Chancellor of Scotland, and John, Earl of Craufurd, anent the remaining of the lands of Craufurd Lindesay with the said Earl of Angus, and anent what lands lying in Angus the said Archibald should give to John, Earl of Craufurd, in property, etc. ; whereby the judges decerned that the said Earl of Angus had right to the lands and lordship of Craufurd Lindesay, castle thereof, and town of Craufurd, in the shire of Lanark ; and ordained that the said Archibald, Earl of Angus, should give to the said John, Earl of Craufurd, the superiority of 100 merks worth of land of new extent in the earldom of Angus ; 50 merks worth thereof to be held in tenandry	

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for the service of ward and relief, and the other 50 merks worth to be held blench ; and should also infeft the Earl of Craufurd in three acres of land of Craufurd Lindesay, for the reservation and keeping of his style of the earldom of Craufurd, of the lands called Storoholme Know only. Edinburgh, 17th June 1496,	155
145. Discharge by Cuthbert, Lord Kilmaurs, to Archibald, fifth Earl of Angus, Chancellor of Scotland, for 500 merks in part of payment of his tocher, in terms of his contract of marriage. Sealed and subscribed by the said Cuthbert, at Edinburgh, 24th January 1496,	158
146. Indenture between Archibald, fifth Earl of Angus, Chancellor of Scotland, and Sir Alexander Lindsay of Ochtermnse, knight, narrating that as the latter had caused Dame Margaret of Dunbar, Countess of Craufurd, his mother, to infeft Archibald, Earl of Angus, heritably in her forty-four husband lands, with the Reweilhauch, in the town of Brigham, and in the East Mains of Brigham, in the shire of Berwick, and that the said Dame Margaret had also given to her said son all her lands of Cockburn, therefore the said Archibald, Earl of Angus, bound himself to obtain, at his own expense, the King's confirmation of the said infeftment granted to Sir Alexander of the lands of Cockburn ; and it was further agreed between the said parties, that whenever the Earl of Angus and his heirs should infeft Sir Alexander Lindesay or his heirs in as much land in the shires of Forfar or Fife as the lands of Cockburn extended to, the latter or his foresaids should again infeft the Earl or his heirs in the lands of Cockburn. Edinburgh, 24th January 1496,	158
147. Indenture between Archibald, fifth Earl of Angus, Chancellor of Scotland, and Mr. Hew of Douglas, Dean of Brechin, his cousin, whereby the Earl becomes bound to obtain from the King all writings necessary in the said Mr. Hew's matters, and to support him in all his honest causes and quarrels ; also to use his influence with the King to obtain promotion for the said Mr. Hew, when required to that effect ; and Mr. Hew on his part becomes bound, that immediately after entering by law to the lands of Glenquholm, Pettinain, Gledstanis, or any other lands belonging to the Earls of Douglas or Earl James, Lord Avandale, or the said Hew's father, Earl of Ormond, in the shires of Lanark or Peebles, or elsewhere in Scotland, he shall resign into the King's hands the fee of such lands in favour	

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| of the Earl of Angus and his heirs, reserving to himself only the frank-
tenement of the said lands resigned, for his lifetime, etc. Edinburgh,
24th January 1496, | 160 |
| 148. Indenture betwixt Archibald, fifth Earl of Angus, Chancellor of Scotland,
and John, Lord Kennedy, whereby the former becomes bound to assist the
latter to obtain the service of his briefes upon the lands of Thankertoun,
in the shire of Lanark, and infestment in the said lands ; and the said
Lord Kennedy, on his part, becomes bound, as soon as he obtains posses-
sion of the lands of Thankertoun through the assistance of the said Earl,
to infest the latter therein, to be held, under reversion for 300 merks, of
the said Lord Kennedy and his heirs, for payment yearly of twenty merks ;
the Earl of Angus being bound, upon the redemptioun of the said lauds, by
payment of 300 merks in gold and silver by the said John, Lord Kennedy,
or the children begotten between him and Elizabeth, Countess of Erroll,
his spouse, and upon the delivery to the Earl or his heirs of a letter of
tack of the lands of Thaukertoun for ten years thereafter, to resign the
said lands in favour of the said John, Lord Kennedy, and his children by
the said Elizabeth, etc. Edinburgh, 28th January 1496, | 161 |
| 149. Precept of Sasine from the Chaucery of King James the Fourth, to the
Sheriff and his bailies of Lanark, for infesting Archibald, fifth Earl of
Angus, Chancellor of Scotland, in the lands and barony of Braidwood,
tower and fortalice thereof, with the tenandry of Hewedes, and an annual-
rent of 13s. 4d. out of the said tenandry, in the shire of Lanark, together
with the right of patronage of St. Leonard's Hospital, near the burgh of
Lanark ; all which lands and others belonged heritably to Alexander
Stewart of Braidwood, and were resigned by him into the King's hands
at Stirling. Given under the testimony of the Great Seal, at Stirling, 8th
May, ninth year of the King's reign [1497],..... | 164 |
| 150. Indenture betwixt the Bailies and Community of the burgh of North Berwick,
ou the one part, and William of Carrick, in the Mains of Tantallon, on the
other part, whereby the former, with consent of the whole parish, granted
licence to the said William to build an altar in honour of God, our Lady of
Peace, in St. Ninian's Aisle, between St. Ninian's altar and the north
gable of the said aisle, and he became bound to endow the said altar with | |

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two merks of silver yearly, leviabie from three tenements therein particularly described, for the support of a priest, the bailies and community of North Berwick engaging to find a priest to sing and serve at the altar, and to grant free burial within St. Ninian's aisle to the said William of Carrick and his heirs and others of his surname, and to none others, except on the conditions specified in the indenture. North Berwick, 16th May 1497,	165
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- Fourth, of the lordship of Esdaill, with tenants and tenandries, houses and patronages of churches of the same in the shire of Dumfries. The Earl's procuratory is engrossed, dated at the Castle of Dumbarton, 28th March 1502. Done in the King's chamber, in the Monastery of Holyrood, 25th November 1502, 178
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- Justingleys, and many others therein specified, in the earldom of Angus and shire of Forfar, had been in the hands of the King for forty-five years through non-entry, since the death of George, [fourth] Earl of Angus : that the bypast farm duties of the same during the space foresaid extended to a much larger sum than the lands and lordship, both in property and tenantry, were worth, and that as his Majesty was unwilling that Archibald, Lord Douglas, son and heir of the deceased George, Earl of Angus, should be disinherited of the same, therefore his Majesty grants of new to the said Archibald and his heirs, the said lands, lordship, and barony, for certain sums of money to be paid by him into his Majesty's treasury ; and also out of special favour to the said Archibald, erects the whole into a free barony, to be called the BARONY OF KIRRIEMUIR, the town of Kirriemuir to be the chief messuage thereof : To be held the said barony by the said Archibald and his heirs, of the King and his successors Kings of Scotland, in free barony, regality, and blench farm, and the town of Kirriemuir in free burgh in barony for ever, for payment of a penny of silver at the chief messuage of Kirriemuir, at Whitsunday yearly, if asked only, in name of blench farm. Granting also to the said Archibald and his heirs the privilege of giving infestment by charter and sasine to the free tenants of the barony in their tenandries, etc. Falkland, 1st August 1510,..... 195
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- Boyd his spouse, or otherwise, into the King's hands as superior, in favour of George Douglas, his son and apparent heir, and son and heir of the said Elizabeth Boyd, for the entry of the said George into the said lands and lordship of the barony and regality of Abernethy, and for sasine thereof to be given to him, in terms of the charter thereof formerly made to the said Elizabeth. Done on a step of the lodging of the Bishop of Aberdeen in Edinburgh, 16th January 1510, 199
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177. Charter by King James the Fourth, under the Great Seal, confirming a charter by Archibald, fifth Earl of Angus, Lord Douglas, and lord of the barony of Braidwood, to his son Sir William Douglas, knight, for the affection he bore to him, and for his service, of the lands and barony of

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- Braidwood, in the shire of Lanark, with the tower, fortalice, and mill thereof, with the tenandry of Hedis, and an annuallrent of 13s. 4d. out of the said tenandry, with the hospital of St. Leonard, near Lanark, and right of patronage thereof: To be held by the said William Douglas, knight, and the lawful heirs-male of his body, whom failing, by the said Earl's heirs whomsoever, in fee and heritage, for payment yearly of a silver penny at the tower of Braidwood, at the feast of St. John the Baptist, if asked only, in name of blench farm. The charter by the Earl is dated at the burgh of Rothesay, 18th April 1510, and the King's confirmation, which reserves the services due to the Crown from the said lands and barony, is dated at Edinburgh, 25th Febrary 1510, 202
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the constabulary of Haddington ; the lands and barony of Jedburgh Forest, in the sheriffdom of Roxburgh ; the lands, lordship, and barony of Abernethy, in the sheriffdom of Perth, the parish church excepted, which belonged to the Abbey of Arbroath ; the lauds and barony of Selkirk, in the sheriffdom of the same ; which lands were held of the King in chief, for the services of ward and relief, and others mentioned. All the lands were in the hands of Archibald, Earl of Angus, Lord Douglas, grandfather of the said Sir Archibald, as frank-tenementar of the same, save the lands of Jedworth Forest and Selkirk, which were then in the hands of the King, and had been so for twelve weeks, more or less, since the decease of the said George, father of the said Sir Archibald. Lanark, 29th November 1513,	213
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- all her lands and baronies of Glenbervy, Barras and Kemnay, with their pertinents, patronage of churches and chaplainries, etc., thereof, in the shires of Aberdeen and Kincardine, recently erected into the barony of Glenbervy : To be held of the King for the service due and wont, and paying to the prioress and convent of St. John's Chapel beside the common muir of the burgh of Edinburgh £20 of annualrent, which the said Elizabeth had previously grauted to them out of the said lands under reversion ; and also paying to the said Elizabeth Auchinleck yearly during her lifetime £80 out of the said lauds and baronies, etc. Done in the said Chapel of St. John the Baptist, 5th November 1520, 218
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to his person, lands, or goods, as hastily as possible, and especially to take part with the Earl against James, Earl of Arran, George, Lord Home, and Andrew Ker of Fernihirst. Subscribed and sealed at Edinburgh, 19th May 1526,	224
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| against Archibald, sometime Earl of Angus, George Douglas his brother, and Archibald Douglas his uncle, and that on account of his youth and his relationship to them. Edinburgh, 22d October 1528, | 228 |
| 194. Contract between Archibald, sixth Earl of Angus, Robert Lord Maxwell, and Margaret Maxwell his daughter, whereby the said Earl engages to marry the said Margaret, and to resign in her favour his lands and barony of Bothwell, and to cause her to be infeft therein ; or else to infeft himself and his said spouse in conjunct-fee in 100 merks worth of land in the lordship of Douglas ; and the said Robert, Lord Maxwell, on his part, becomes bound to pay to the said Earl of Angus the sum of 5000 merks of tocher, and, if necessary, to obtain from the Pope a dispensation for the marriage. Edinburgh, 8th February 1542,..... | 229 |
| 195. Decreet-Arbitral by Robert, Lord Maxwell, James Douglas of Drumlanrig, Donald, Abbot of Coupar, and Colin Campbell of Ardkinlas, as judges-arbiters in a submission between Archibald, sixth Earl of Angus, and Archibald, [fourth] Earl of Argyll, relative to the barony of Abernethy, alleged to have been granted by King James the Fifth to Colin, Earl of Argyll, father of the said Archibald, after the pretended forfeiture of the said Earl of Angus, whereby they discharged the Earl of Argyll and his heirs of all mails and duties of the lands, mill, and barony of Abernethy from the date of the said pretended forfeiture, except those due and unpaid for the preceding year ; ordain the said Earl of Angus to grant to him a sufficient assignation under his seal thereupon, and refer the donation of the benefices of the college kirk of Abernethy, made by the Earls of Argyll, to the decision of James Foulis of Colintoun and others, etc. Haliruidhous, 30th April 1543,..... | 230 |
| 196. Contract between Archibald Douglas of Glenbervie and David Falconer of Halkertoun, for a marriage between Alexander Falconer, son of the said David, and Elizabeth Douglas, daughter of the said Archibald, failing which through the decease of either of them, between a son of the said David and a daughter of the said Archibald until a marriage should be completed : For which marriage the said David became bound to infeft the parties completing the same in conjunct-fee, and their heirs, in 70 merks worth of the lands of the Mains of Halkertoun, or of the Mains | |

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of Middletoun ; and the said Archibald Douglas became bound to pay to the said David Falconer and his heirs 1000 merks in name of tocher. Pittarrow, 1st June 1543,	232
197. Articles of Agreement between Henry the Eighth, King of England, and certain Scottish noblemen and gentlemen who were taken prisoners by the English at the battle of Solway Moss, wherein they beseech his Majesty to take into his hands the keeping of the Princess Mary of Scotland, with a view to her marriage with the Prince, the King's son, and the union therethrough of the two kingdoms ; promise to proceed to Scotland to promote these objects, and to give hostages for their return to England thereafter ; and they state their opinion that even if the Princess should die, his Majesty ought still to take upon him the government of Scotland, that the same may be governed in peace, tranquillity, and justice. Signed by the Earls of Cassillis and Glencairn, Hugh, Lord Somerville, and thirteen others, and dated at Hampton Court, 27th December [1543],	234
198. Discharge and Remission by James, Earl of Arran, Regent of Scotland, to Archibald Douglas of Glenbervy, of 800 merks of composition promised by the latter to the Crown for his infetment in the non-entry duties of the lands of Braidwood, held by him of the Earl of Angus, in respect that the said Earl was restored again to his lands and heritage, and that the said lands of Braidwood were declared, by a decree of the Lords of Council, not to have been in non-entry. Given under the signet at Edinburgh, 20th March 1543,	236
199. Act of the Privy Council of Scotland, narrating that Archibald, sixth Earl of Angus, her Majesty's Lieutenant, desired an ample commission to be given to him in view of the fact that 5000 or 6000 men in the southern portion of the kingdom were taking plain part with England, for which reason the Council empower his Lordship to raise 1000 horsemen, or an equivalent number of foot men, to be maintained by taxation for three months, the Earl to be allowed 1000 merks monthly for keeping his table, etc., and to have the disposal of the first abbey or bishopric that should happen to fall vacant, etc. Edinburgh, 21st December 1544,	237

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200. Charter, under the Great Seal, by Mary Queen of Scots, with consent of the Regent Arran, granting to Archibald, sixth Earl of Angus, in liferent, and to James Douglas, his son and apparent heir, and the lawful heirs-male of his body, whom failing, the heirs-male and assignees of the said Archibald whomsoever, in fee, the lands, lordship, and barony of Douglas, the lands and barony of Craufurd-Douglas, <i>alias</i> Craufurd-Lindesay, in the shire of Lanark, and the lands of Temptalloun, castle, etc., thereof, in the shire of Edinburgh and constabulary of Haddington : To be held of the Crown in fee and heritage for ever, for rendering to the Queen and her successors the rights and services used and wont, reserving, however, to Dame Margaret Maxwell, spouse of the said Earl of Angus, her liferent of the £10 lands of old extent of Welberukis (or Wewerukis) Newtown, and the tofts of the upper miln of Douglas, commonly called Brokasmyln, in which she had been previously infeft, and also reserving to her a reasonable terce of the whole of the foresaid lands and baronies in the event of the Earl predeceasing her. Edinburgh, 31st August 1547,.....	239
201. Bond of Manrent by Thomas Weir of Blackwood, whereby he becomes bound for himself, his kin, friends, servants, and others whom he could solicit, to take part with the said Archibald, sixth Earl of Angus, against all others except his (the granter's) overlord only. Braxfield, 2d November 1547,.....	241
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203. Memorandum relative to the succession of heirs of the family of Auchinleck of that Ilk to the lands of Glenbervy during a period of about eighty years previous to the year 1550,.....	244

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| 204. Extract Registered Contract between Archibald Douglas of Glenbervy and William Douglas his son, on the one part, and Robert Grahame of Morphie and Giles Grahame his daughter, on the other part, for the marriage of the said William and Giles : In contemplation of which marriage, the said Robert Grahame became bound to pay to the said Archibald Douglas 2400 merks in name of tocher ; and, in the event of the heirs of the marriage succeeding to more land than the said Archibald then possessed, he became bound to augment the tocher proportionally : and the said Archibald became bound to infest the said William and Giles his spouse, and their heirs-male, in the lands and barony of Kennay [Kemnay], and also in the lands of Craigerne, if the said Archibald could obtain the same, etc. Dated at Edinburgh, 14th, and registered in the Books of Council there, 18th February 1551, | 245 |
| 205. Retour of Special Service of Archibald Douglas, son and heir of David Douglas of Cokbrandispeth, as heir to James Douglas, Master of Angus, son of the brother of the grandfather of the said Archibald, in the lands, lordships, and baronies of Douglas and Crawford-Douglas, in the shire of Lanark, and the lands of Tamtalloun, with the castle thereof, etc., in the shire of Edinburgh and constabulary of Haddington : which barony of Douglas was then valued at 800 merks yearly, and in time of peace at 300 merks ; and the barony of Crawford-Douglas or Crawford-Lindesay was then valued at 300 merks yearly, and in time of peace at 200 merks, and the lands of Tamtalloun, with the castle, were then valued at £100, and in time of peace at £40, and were all held of the Crown by the service of ward and relief, and had all been in the hands of the Queen by reason of ward from the death of James, Master of Angus, in February 1547, till the death of Archibald, sixth Earl of Angns, in January 1556, being nine years or thereby, and from the latter date till the death of the said David Douglas of Cockbrandispeth, father of the said Archibald, in June 1557, by reason of non-entry ; and since then had been and now were in the Queen's hands by reason of ward ; the liferent of the £10 lands of Wolferuikis, Newtonn, and Brokismylne belonging to Dame Margaret Maxwell, relict of the deceased Earl of Angns. The inquest also find the said Archibald to be of lawful age by reason of the Queen's dispensation. Edinburgh, 19th January 1558, | 247 |

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| 206. Acquittance by Sister Christian Bellenden, Prioress of the Convent of the Sciennes, to Archibald Douglas of Glenbervie, for £20 for her annualrent and pension for the terms of Martinmas 1557 and Whitsunday 1558 ; the sum of £10 for the Martiumas term 1558 being still due. Dated at the place of the Sciennes, 6th March 1558,..... | 249 |
| 207. Bond of Manrent by James, Duke of Chatelherault, and James, Earl of Arran, his son, to Archibald, eighth Earl of Angus, and James, Earl of Morton, whereby the two former became bound to fortify, maintain, defeud, and supply the two latter and their heirs and successors in the peaceable bruiking and joisiug of their livings and houses of Angus and Morton respectively against all persons, and especially against Margaret Douglas, spouse to Matthew, sometime Earl of Lennox, and her said spouse, and their heirs and successors, under a penalty of £10,000 in case of failure, provided the failure should be tried by Archibald, Earl of Argyll, Alexander, Earl of Glencairu, and others. Edinburgh, 31st May 1560, | 250 |
| 208. Contract between Archibald Douglas of Glenbervy and William Douglas of Kemnay, his son and apparent heir, on the one part, and Thomas Melvill of Dysart and James Melvill, his son and apparent heir, on the other part, for the marriage of the said James Melvill and Isabel Douglas, daughter of the said Archibald, before the 5th May next thereafter, for which marriage the said Thomas Melvill became bound to resign, in favour of his said son and Isabel his future spouse, in conjunct-fee, and the heirs-male of their bodies in fee, whom failing, to the said James's heirs whosoever in fee, his lands of Allagevin, Blanerno, and Cowdom, with the mill thereof, in the barony of Glenbervy and shire of Kincardine ; and the said Archibald and William his son become bouud to infest the said Thomas and his assignees in the town and lands of Corsbad, under reversion for 700 merks, with a nineteen years' tack thereof after the date of redemption, the infestment in Corsbad to be given at the time of the resignation of Allagevin, Blanerno, and Cowdom, etc. Marykirk, Abirlothnat, 1st March 1562,..... | 251 |
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regality of Dunfermline and shire of Fife, which were then and also in time of peace valued at £17, 8s. 8d., and were held in chief of the abbot and convent of Dunfermline, for payment yearly of £17, 8s. 8d., in name of feu-farm, together with three suits at the three head courts of the regality of Dunfermline, and doubling the said feu-farm at the entry of the heir of the said James, and paying also the astricted multure used and wont to the mill of Gaitmilk, which lands had been in the hands of the said abbot and convent for five years and three months, from the death of Janet Melvill, relict of the said James, which occurred in February 1559. Cupar, 5th June 1565,	254
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line to the deceased George, Master of Angus, her "gnidsire," etc. And, on the other part, the said Archibald, now Earl of Angus, with consent of the Earl of Morton his tutor, bound himself to promote to the utmost of his power, and at their own expense, a marriage between Henry, Lord Darnley, and the Queen, the Earl of Morton engaging to cause the Earl ratify the present contract on attaining his majority, and the latter engaged at his majority to marry Jane Stewart, daughter to John, Earl of Athole, without any tocher—the whole of this contract to be null failing the marriage of the Queen to Henry, Lord Darnley, etc. Stirling and St. Andrews, 12th and 13th May 1565,	255
211. Contract between Archibald Douglas of Glenbervy and William Douglas his son, for themselves, and taking burden on them for Alice Douglas, eldest daughter to the said Archibald, on the one part, and David Guthrie of Kincaidrum, for himself, and Alexander Guthrie his eldest son, on the other part, for the marriage of the said Alexander with Alice Douglas, eldest surviving daughter of the said Archibald, before the feast of Pasch next following: For which marriage the said David became bound to infest the said Alice, in her virginity, in liferent in the lands of Wester Lowir, except the two pendicles called the Invertone and Fotheringame Tak, and without prejudice to Isobel Rait, conjunct-fiar of the said lands; and as during the subsistence of Isobel Rait's said conjunct-fee of Wester Lowir and Prior lands the said Alice will receive no benefit from said lands, she is to be infest in liferent in the half lands of Kincaidrum, until the said Isobel's decease; and also to infest the said Alexander, his son and heir, in his lands of Kincaidrum, and mill thereof, the lands of Wester Lowir, Prior lands, with the pendicles thereof, and the half lands of Carret, with express reservations to be made in the said Alexander's charter in favour of the said David, his mother, wife or wives, as therein specified. Montrose, 28th December 1567,.....	263
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213. Bond of Manrent by Andrew Rutherford of Hundelely, John Rutherford of Hunthill, John his son, and others of the surname of Rutherford, narrating that their "forbears" had long served and depended upon the Earls of Angus as their kindly good lords, that they were experiencing the same favour from Archibald, the eighth Earl, and therefore they bound themselves and their kin and friends of their surname, to truly serve his Lordship, and take plain part with him in advancing the King's cause and his own, under the pain of reproach and infamy for ever. Dalkeith, 25th December 1574,.....	266
214. Bond of Service by Sir Thomas Turnbull of Bedrule, knight, Walter Turnbull his son, John Turnbull of Mynto, and others of their surname, binding themselves and their friends, for the favour and maintenance already received from Archibald, eighth Earl of Angus, and to be bestowed on them by him, to serve his Lordship faithfully in all his just actions against all except his Majesty the King. Dalkeith, 25th December 1574,	268
215. Bond by John Hamilton, Commendator of Arbroath, and Claud Hamilton, Commendator of Paisley, narrating that James Johnston of Westraw had been slain by them and their friends, and that, upon their humble suit, Archibald, Earl of Angus, with consent of the Regent Morton, had moved the widow, children, and friends of the said James to accept satisfaction for the said slaughter, and to receive the granters into friendship as if the same had not been committed, and therefore they bound themselves and their heirs, kin, friends, and surname, and whole dependers on the house of Hamilton, excepting certain persons therein specified, to keep true friendship with the said Earls of Angus and Morton, their heirs, kin, and friends, in all their honest and lawful actions, causes, and quarrels against all, the King and his authority alone excepted, under the pain of perpetual infamy. Halyrudhous, 8th March 1574,.....	269

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216. Retour of the General Service of William Douglas of Glenbervie as heir to his grandfather, Sir William Douglas of Glenbervie, knight, who died at Flodden in the war carried on against the English. Done in the burgh of Inverbervie, 30th July 1575,.....	270
217. Letter of Assignment by James, Earl of Morton, Regent of Scotland, to Archibald, eighth Earl of Angus, and his heirs-male and of tailie, of the nineteen years' tack of the teindsheaves of the kirk of Inverleithen, with the pendieles and pertinents thereof, in the shire of Peebles, of which the said Regent held a nineteen years' tack from the Commendator of Kelso, and convent thereof: To be held by the said Earl and his heirs-male during the years and terms still to run of the said tack, as freely as the Regent himself had held them. Dalkeith, 17th September 1575,	271
218. Bond of Manrent and Service by twenty-nine Gentlemen of the Border, to Archibald, eighth Earl of Angus, his Majesty's Lieutenant-General of the Middle Marches of Scotland, whereby, in consideration of his Lordship's favourable and benevolent inclination towards them, they bound themselves and their heirs faithfully to serve and obey the said Earl in the advancement of the King's service for the maintenance of justice, peace, and quietness, and in all his Lordship's own honourable causes against all persons, the King and his authority only excepted. Dated and subscribed at Jedburgh, 20th and 21st November 1576,	272
219. Bond of Manrent by Gilbert Ker of Primsideloch, and Andrew Ker his son and heir, to Archibald, eighth Earl of Angus, Lieutenant of the Borders and Middle Marches of Scotland, binding themselves and their friends and servants truly to serve and obey the said Earl in the advancement of the King's service, for the maintenance of justice and peace, and in his Lordship's own honourable causes. Jedburgh, 23d November 1576,.....	274
220. Commission by King James the Sixth, with consent of the Regent Mortou, appointing Archibald, eighth Earl of Angus, to be Lieutenant-General of the Western Marches of Scotland, for the punishment of thieves, plunderers, and other evildoers, who then grievously oppressed and plundered the inhabitants thereof. The Commission to last for three years. Haly-midhous, 27th May 1577,	275

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| 221. Charter by King James the Sixth, under the Great Seal, appointing Archibald, eighth Earl of Angus, and his heirs and assignees whomsoever, to be heritable stewards of the Stewartry of Fife, and captains and keepers of the Palace of Falkland, with the parks, woods, orchards, gardens, and whole pertinents thereof, within the lordship and shire of Fife, with all fees and privileges belonging to the said offices : To be held by the said Earl and his foresaids, of the King and his successors, in fee and heritage for ever, with power to hold steward courts, to appoint deputies to act for them in the said offices of stewartry and captaincy, with clerks and serjands, and generally to do everything by right or custom known to pertain to the said offices, rendering to the King and his successors a penny Scots yearly, at the Palace of Falkland, if asked only, in name of blench farm. Holyroodhouse, 16th December 1577, | 276 |
| 222. Bond of Manrent by John Kennedy of Blairquhan to Archibald, eighth Earl of Angus, narrating that George Douglas, son and heir of Adam Douglas of Waterside, had been mutilated and rendered unfit for service by the said John and his servants, and that, at the granter's earnest suit, the Earl had prevailed upon the said George and his father to forgive the injury and receive him and his servants again in friendship, wherefore the said John became bound in special manrent and service to the said Earl, the King's grace only excepted. Stirling, 27th May 1578, | 278 |
| 223. Bond of Manrent by William Weir of Stonebyres to the said Archibald, Earl of Angus, whereby he became bound never to assist, fortify, maintain, defend, nor take part with Sir James Hamiltoun of Crawfordjohn, James Hamiltoun of Libertoun his son, their children, brethren, nor servants, in any cases or causes they had against the said Earl, then nor in time to come, under the pain of perjury and defamation. Lanark, 14th April 1580, | 279 |
| 224. Letters of Regress by Archibald, eighth Earl of Angus, in favour of David, Earl of Crawford, narrating that the latter had sold to William Carmichael of Crukitstane and Isobel Rollok his spouse, and their heirs and assignees, the wester half of the lands of Ethiebetoun, in the regality of Kirriemuir and shire of Forfar, to be held of the said Earl Archibald, under reversion, and that his Lordship agreed to allow the said Earl | |

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David and his heirs regress to the said lands immediately upon the redemption thereof from the said William Carmichael and his foresaids. <i>Circa</i> 1580,	280
225. Obligation by Steven Rutherford, brother to John Rutherford of Hunthill, and others, to keep the said Archibald, Earl of Angus, free and skaithless of all damage, and relieve him of all sums of money that he might incur through the parties therein specified "fylit" in the bill of Haythpuil, by "borrowing of" [giving surety for] John Hall of Newbigging, younger, and Cuthbert Robsoun in Old Jedburgh, who were then detained in Berwick for the said bill, at the hands of Lord Hunsdon or any other Englishman to whom it might please his Lordship to deliver his bond : binding themselves either to pay the double of the said bill or to enter the persons on eight days' warning. Jedburgh, 23d May 1582,.....	281
226. Precept by King James the Sixth, under the Privy Seal, to his Chancellor, narrating the good, faithful, and thankful service rendered to his Majesty and his predecessors by Archibald, Earl of Angus, and his predecessors in times past, and how nearly he was related to the King in blood, and directing that letters of rehabilitation should be made under the Great Seal annulling the pretended forfeiture that had been passed against the Earl in the Parliament of 1581, and restoring and reponing him in his lands, earldom, lordships, regalities, baronies, and others whatsoever, and declaring him capable of receiving, enjoying, and using the same as freely in all respects as if the said pretended forfeiture had never passed against him. Holyroodhouse, 1st November 1582,.....	282
227. Signature by King James the Sixth, ordaining a letter of gift to be made under the Privy Seal to Alexander Douglas, Captain of Tantallon, and his heirs and assignees, of the escheat goods that belonged to Simon Scott of Winterburgh, which were in his Majesty's hands through the said Simon having been put to the horn at the instance of Archibald, Earl of Angus, for not repossessing him of the lands of Catslack, in terms of the Act of Parliament. Dated 1586,.....	284
228. Detailed Instructions by King James the Sixth, with advice of his Privy Council, to Archibald, eighth Earl of Angus, his Majesty's Lieutenant-General and Justice on the Borders, relative to the manner in which he	

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ought to proceed in the discharge of the duties of his said offices, having special reference to the districts of Liddesdale, Teviotdale, Eskdale, and Ewesdale. Holyroodhouse, 16th November 1586,	285
229. Commission by King James the Sixth, under the Signet, to Archibald, eighth Earl of Angus, his Lieutenant on the Borders, charging him to pass with his Majesty's faithful subjects, and to cast down the houses and fortalices of Auchingavill, Winterhoipheid, Barngleis, Wodhousleys, Montbeherst, Hoilhaus, and others inhabited by rebels on the West Marches, unless they should enter themselves to the said Earl, or find sufficient security to relieve the Wardens from all trouble on account of their attempts against England in times past, and enter pledges for keeping good order in time to come, and commanding the lieges to concur with and assist him in the execution of the commission. Dumfries, 20th June 1588,	290
230. Precept by King James the Sixth to William, ninth Earl of Angus, to pay to Michael Elphinston, one of his Majesty's carvers, the sum of 2000 merks out of the composition due to the King for his interest in the earldom of Angus. Holyroodhouse, 15th March 1588,	292
231. Precept by King James the Sixth to the said William, ninth Earl of Angus, to pay to Harry Stewart of Barskimming the sum of 2000 merks, as part payment of a greater sum due by the Earl to his Majesty. Holyroodhouse, 20th March 1588,	292
232. Discharge by King James the Sixth to William, ninth Earl of Angus, for 2000 merks, in part payment of the sum of 10,000 merks, as the first term's payment of the sum of 35,000 merks due by the Earl and his cautioners to his Majesty, in terms of a contract made between them. Holyroodhouse, 20th March 1588,	293
233. Five Discharges granted by King James the Sixth to William, ninth Earl of Angus, for parts of the principal sum of 35,000 merks due by him to his Majesty, viz. :—	
1. Discharge for 500 merks, delivered to Roger Astoun, gentleman of the Chamber, to defray his expenses in a journey to England on the King's service. Holyroodhouse, 20th March 1588.	

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2. Discharge for 800 merks, delivered to his Majesty's servitor, Mr. George Douglas. Edinburgh, 26th March 1589.	
3. Discharge for 500 merks delivered to the said Mr. George Douglas. Edinburgh, 31st March 1589.	
4. Discharge for 500 merks. Edinburgh, 1st April 1589.	
5. Discharge for 1000 merks. Leith, 14th October 1589,	294
234. Notarial Instrument, narrating the compearance before the Provost and one of the Bailies of Aberdeen, of William Douglas, Master of Angus, apparent of Glenbervy, stating that he was charged by the King to depart furth of Scotland, beyond sea, within thirty days, there to remain till he obeyed the kirk and obtained his Majesty's licence to return, and that he desired the said Provost and Bailie to inform him if they knew of any ship about to sail from Aberdeen by which he might proceed : As they knew of none suitable, the said William protested that he had obeyed the King's letters as far as lay in his power, and took instruments to that effect. Done at Aberdeen, 18th October 1589,	295
235. Bond of Maintenance and Assistance between William, ninth Earl of Angus, and James Lumsden of Ardrrie, narrating that the latter had, through his favour to the Earl, incurred the indignation of Dame Jeau Lyon, relict of the deceased Archibald, Earl of Angus, and of Mr. Alexander Liudsay, now her spouse ; that the said Dame Jean was due to the said James the sum of £9208, and also the sum of 8000 merks, contained in two bonds, and that she had disposed to him a yearly pension, for twelve years, of the mails and duties of her conjunct-fee and liferent lands of Kinross, the Thomeccane, Lathrow, and others, pertaining to her through her marriage with the deceased Robert Douglas, apparent of Lochleven, and further, had assigned to the said James her gift of the ward and non-entry of all the lands, baronies, offices, and others, which belonged to her husband last deceased, Archibald, eighth Earl of Angus, with the marriage of any children born to the latter after his death, and that she now refused to fulfil these obligations, for which reason the said Earl William bound himself to concur with and assist the said James Lumsden and his heirs in the prosecution of his rights, he and his foresaids always continuing to serve the Earl in time coming. Edinburgh, 24th July 1590,	296

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236. Discharge by Michael Elphinston, servitor to King James the Sixth, in favour of William, ninth Earl of Angus, for 500 merks, in complete payment of the sum of 2000 merks granted to the said Michael by his Majesty, which 500 merks was paid by the Earl as part of the composition due for his carldom. Edinburgh, 24th July 1590,	298
237. Licence by King James the Sixth to William, Master of Angus, to leave his ward in the burgh of Duudee, and to repair to the place of Glenbervie, and there, within the kirk thereof, or else within the kirk of Abernethie, attend the funeral of his father, William, ninth Earl of Angus, and visit his wife and family for twelve days, after which he was to return and enter himself in ward within the said burgh, or elsewhere, as he should be commanded, during his Majesty's pleasure. Subscribed by the King at Falkland, 17th July 1591,	298
238. Notarial Instrument on the Protest made by William, tenth Earl of Angus, that he should sustain no prejudice through any cause or question intended against him during the time he might remain in ward in the Castle of Stirling by the King's command, and further, that no deed done by him during the continuance of his confinement should be prejudicial to him, but, if need be, should be declared null, in respect of such ward. Done at Dundee, 30th July 1591,	299
239. Warrant by King James the Sixth to remove William, tenth Earl of Angus, from ward in Stirling Castle, that with the willig concurrence of the ministers of Edinburgh, he may remain in Edinburgh, Leith, or the Canon-gate, or within a mile thereabout, that he might have conference with the ministers for his "better resolutioun." Subscribed by his Majesty at Stirling, August 1591,	300
240. Act of the Parliament of Scotland confirming to William, tenth Earl of Angus, his right to the first place and first voting in Parliament, leading the vanguard in battle, and bearing the King's Crown in Parliament, and declaring that the bearing of the Crown by the Duke of Lennox in that presout Parliameut, at his Majesty's desire, with consent of the Earl of Angus, should not prejudice the latter's rights. Edinburgh, 5th June 1592,	300

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| 241. Signature by King James the Sixth, ordaining a Commission to be made, under the Great Seal, constituting William, tenth Earl of Angus, his Majesty's Lieutenant and Justice within the shires of Inverness, Cromartie, Nairn, Elgin, Forres, Banff, Aberdeen, Kincardine, Forfar, and that part of Perth lying north of the Tay, empowering him to intercommune with the Earls of Huntly and Athole and others, with a view to the suppression of the great cruelties and disorders committed by the Clan Cameron, Clanrannald, and others, ostensibly under protection of the said Earls, and, in the event of persuasion and remonstrance proving ineffectual for that end, then to employ his Majesty's forces against the rebels, etc. Subscribed by the King at Holyroodhouse, 9th November 1592, | 301 |
| 242. Detailed Instructions by King James the Sixth to William, tenth Earl of Angus, for his guidance in the execution of his commission as his Majesty's Lieutenant and Justice in the north of Scotland, for the suppression of the disorders which had fallen out there, in which, <i>inter alia</i> , he recommends a meeting with the Earl of Athole at Perth or Dunkeld, and with the Earl of Huntly at Aberdeen, in order that his Majesty might know the true ground and occasion of these troubles; and, in the event of their proving obstinate or unwilling to concur with his Majesty in the adoption of measures for restoring order and quietness in the country, to intimate that they would be regarded as disturbers of the public peace, and treated accordingly. Authority was also given to the Lieutenant to suspend, if necessary, the Earl of Athole's commission for pursuing the persons at the horn for the slaughter of the Earl of Murray, etc. etc., | 304 |
| 243. Memorandum by the Lord Clerk Register of Scotland to Archibald, tenth Earl of Angus, Lord-Lieutenant in the north, suggesting that the King's proclamation authorising the raising of troops to aid in the execution of his commission, should be delayed till he received answers from the Earls of Huntly and Athole as to their subscribing the assurance, and enjoining the Lieutenant to make agreements for so many hagbutters in Dundee and Montrose before he went north, and also in Aberdeen and other northern burghs, etc. 19th November 1592, | 306 |

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| 244. Letter by King James the Sixth, under the Signet, to Gilbert Guthrie, Marchmont Herald, charging him to command George, Earl of Huntly, for himself and for Donald M'Angus of Gleugarry, the Lairds of Lochiel and Keppoch, and Johu, Earl of Athole, for himself, and for Lauchlane M'Yutosche of Dunnauchtane, to subscribe such an assurance to one another as should be presented to them, under pain of rebellion. Holyroodhouse, 9th November 1592, | 308 |
| 245. Letter by William, teuth Earl of Angus, as Lieutenant and Justice-Geueal north of the river Tay, to Gilbert Guthrie, Marchmont Herald, commanding him (after proclamation of his own commissiou of Lienteuancy, and discharging of all commissions whatsoever previously granted), to charge to compear before him and his deputies, to answer in the execution of his office for the proclauation of a commission granted by his Majesty to John, Earl of Athole, at the market-cross of Elgin, and discharging him of all further execution of his office in the meantime. 1592,..... | 309 |
| 246. Letter of Assurance by John, fifth Earl of Athole, and Lauchlan Macintosh of Dunachtin, to George, sixth Earl of Huutly, and the Lairds of Gleggarry, Lochiel, and Keppoch, and their kin and friends, that they would not be hurt, molested, or in any way pursued, for "auld feid or new," except by order of law, until 15th February next thereafter, under pain of perjury and defamation, excepting those of the Earl of Huntly's friends as were actually present with him at the slaughter of James, Earl of Murray, and Patrick Dunbar, Sheriff of Murray, at Donybristle. Darnaway, 4th December 1592, | 309 |
| 247. Obligations by George, Earl of Huutly, for himself, and the Lairds of Gleggarry, Lochiel, Keppoch, and others, to John, fifth Earl of Athole, and Lauchlan Mackintosh of Dunnachtin, and their kiu and frieuds, not to harm, trouble, or molest them, for "auld feid or new," except by order of law, until the 15th of February next thereafter, under pain of perpetual defamation. Huntly, 8th December 1592, | 310 |
| 248. Letters by King James the Sixth, under the Signet, appointing Ludovic, Duke of Lenuox, Great Chamberlain of Scotland, to be factor for his Majesty over the forfeited estates of William, sometime tenth Earl of | |

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Angus, which were then in his Majesty's hands through the sentence of forfeiture pronounced against the said William, namely, the barony of Kirriemuir, in the shire of Forfar; the barony of Abernethy, in the shire of Perth; the barony of Selkirk, in the shire of Selkirk; the barony of Jedburgh Forest, in the shire of Roxburgh; the baronies of Bunkle and Preston, in the shire of Berwick; the barony of Bothwell, in the shire of Lanark, and many others therein specified,—the commission to last for seven years. Holyroodhouse, 15th September 1594,	311
249. Bond of Union between William, tenth Earl of Angus, Sir Robert Douglas of Glenbervy, Sir James Wishart of Pittarrow, and twenty-one other gentlemen, friends of or dependers on the house of Angns, narrating that as his Lordship intended to follow the honourable example of his noble predecessors in endeavouring to promote his Majesty's service, especially his right of succession to the Crown of England, they bound themselves to assist him in all his honourable intentions for the maintenance of the true religion in the realm, his Majesty's service, the benefit of the country, and the honour of his own house, the Earl on his part engaging to take no course contrary to the premises, and to follow the advice of a committee of his said friends. Subscribed at Edinbnrgh, 20th December 1597,	314
250. Extract Act of King James the Sixth and his Estates, on a petition by the barons of the West Marches that William, tenth Earl of Angns, should be continued in his office of Lieutenant of the said Marches, and promising to concur with and aid him in his efforts for pacifying the said Border, bearing that the said Earl, then present, accepted the said office, and promised to discharge the same for his Majesty's service, until he resigned the office, or until some one else should be appointed thereto. Falkland, 31st July 1599,	315
251. Ratification by King James the Sixth to William, tenth Earl of Angus, of all the honours, privileges, and immunities formerly granted by the Crown to any of his predecessors, and especially of the same place and honour in Parliament which he and his ancestors held before, notwithstanding any dispositions of new honours, dignities, or titles to any person whomsoever. Given under the Signet, and subscribed by the King at Holyroodhouse, 15th December 1599,	316

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252. Statement relative to the progress of charters and succession of heirs of the twelve merk land of Rogertoun, in the shire of Ayr, from the date of the comprising thereof from John Auchinleck of that Ilk by Archibald, Earl of Angus, Chancellor of Scotland, about 1496, till the year 1598. [<i>Circa</i> 1600],.....	317
253. Permission by King James the Sixth to William, tenth Earl of Angus, to remain at home from the army appointed to meet the King at Biggar, and accompany him to Dumfries, “ for repressing the insolence of the broken men within that March.” Holyroodhouse, 21st February 1602,.....	319
254. Commission of Justiciary by King James the Sixth, appointing William, tenth Earl of Angus, to be his Majesty’s Justiciar within the lordships of Douglas and Crawfordmuir, for the trial and punishment of persons who were daily committing theft, reset of theft, hamstringing oxen, and other crimes. The commission to last for half a year, and its operation to be confined within the lordships foresaid. Given under the Signet, at Edinburgh, 5th March 1605,	319
255. Latter Will and Testament of William, tenth Earl of Angus, wherein he appointed James Douglas, Provost of Abernethie, Frances Douglas, Mary and Elizabeth Douglas, his lawful childreu, his executors, and constituted Dame Elizabeth Oliphant his spouse, tutrix to his said daughters, during her widowhood only, failing whom, by marriage or decease, he appointed Walter Carmichael of Park, and Mr. William Oliphant of Newtoun. advocate, tutors to his said daughters ; reserved the ammunition, weapous, and armour in the castles of Tantallon and Douglas for behoof of William, Lord Douglas, and his heirs-male succeeding to the earldom of Angus, and ordaining the said Lord to pay 6000 merks to his sister Mary, and 4000 merks to his sister Elizabeth, in name of tocher. Canongate, 31st October 1608,	321
256. Liceuce by King James the Sixth, permitting William, eleventh Earl of Angus, to pass forth of his Majesty’s domiuious to France, or High and Low Germany only, there to remain for three years for the recovery of his health and doing his necessary affairs ; provided always that during his absence he should conduct himself dutifully towards his Majesty. Given under the Signet. at Belvoir Castle, 8th August 1616,	322

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| 257. Licence by King James the Sixth, permitting William, eleventh Earl of Angus, to depart out of his Majesty's dominions to France and Italy, or any other parts of Christendom, there to remain for eleven years ; provided always that he should not, during such absence, plot or practise anything prejudicial to his Majesty's person, realm, or religion then professed therein. Given at the Manor of Theobalds, 31st March 1623, ... | 323 |
| 258. Passport to William, eleventh Earl of Angus, directed to justices of peace, mayors, sheriffs, and others, to permit his Lordship, accompanied by three servants, to travel to any convenient port, and there embark for France, charging these officials to cause him to be furnished with good post-horses at reasonable prices. Given at the Court at Greenwich, 15th May 1623,..... | 324 |
| 259. Petition of William, eleventh Earl of Angus, to King Charles the First, praying that his Majesty would give no new right or confirmation to the Earl of Mar in his action against the petitioner till the latter should be heard by his Majesty in his own defence. Ediuburgh, 19th July 1627, ... | 325 |
| 260. Retour of General Service of William, eleventh Earl of Angus, as heir-male of Archibald, eighth Earl of Angus, who died at Smeaton, at the faith and peace of the King. Done in the Sheriff-Court at Edinburgh, 27th May 1630,..... | 325 |
| 261. Patent under the Great Seal, by King Charles the First, narrating the many distinguished services from time to time rendered to his Majesty and his ancestors, of most illustrious memory, by the Earls of Angus and others of the surname of Douglas, not only in particular offices specially intrusted to them, but also in their magnanimous and manly defence of the liberty of the realm of Scotland, with loss of life of not a few of themselves and their friends, and that his Majesty being persuaded that William, eleventh Earl of Angus, would prove no less faithful to him, he therefore created the said William, Marquis of Douglas, giving and granting to him and his heirs-male and successors for ever, the title, honour, rank, and dignity of Marquises of Douglas, Earls of Angus, Lords of Abernethie and Jedburgh Forest : To be held of the King and his successors, with the right of sitting and voting in Parliaments and general councils, and all other privileges belonging thereto. Dalkeith, 14th June 1633, | 326 |

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262. Extract Act of the Privy Council of Scotland, bearing that his Majesty produced, in a Council held at Holyroodhouse, the preceding patent of nobility, and that the same having been publicly read by William, Viscount of Stirling, Secretary of State, and the said Earl of Angus having been brought in by the Earls of Linlithgow and Wigtown, his Majesty invested him with the dignity of a Marquis by putting his robes upon him, girding him with his sword, and placing his crown upon his head ; ordaining him and his heirs-male and successors to be called in all time coming Marquises of Douglas, Earls of Angus, Lords Abernethie and Jedburgh Forest. Done 17th June 1633,..... 328
263. Dittay by the Committee for Money and Processes, charging William, Marquis of Douglas, with having shaken off the fear of God and of the laws of this kingdom, and taken up arms and joined with James Grahame, a declared traitor [the Marquis of Montrose], and that he had received from the latter at Bothwell a commission of lieutenantancy over Clydesdale, and was personally present with the rebel army at the battle of Philiphaugh, and had committed other treasonable actions, in consequence whereof he had incurred the penalty of high treason, and forfeiture of life, lands, and goods, which was to be executed against him by the said Committee. Edinburgh, 17th April 1646, 330
264. Warrant by the Committee of Processes and Money to the constable of the Castle of Edinburgh, to remove the "Lady Marquis" of Douglas out of the said castle on the day following, and immediately thereafter to keep the Marquis himself close prisoner, and suffer none to have access to him without the Committee's warrant. Signed by the Earl of Cassillis, and dated 24th July 1646, 331
265. Act and Discharge by the Estates of Scotland, on the report of the Committee for Processes and Money, whereby, on the ground of the inability of the Marquis of Douglas, they accepted the sum of 25,000 merks already paid by him as full satisfaction of the fine which had been imposed on him. Edinburgh, 3d February 1647, 332
266. Licence by King Charles the First, permitting George Douglas, son of William, Marquis of Douglas, to pass to France or any other country

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beyond seas, there to remain for five years, provided he should do nothing prejudicial to the King or the laws and religion of this kingdom. 24th June 1647,.....	333
267. Signature by King Charles the Second, ordaining a letter to be made under his Great Seal, creating Archibald, Lord Angus, eldest lawful son of William, Marquis of Douglas, to be Earl of Angus and Ormond, Lord Bothwell and Hartsyde, granting to the said Archibald and his heirs-male of his body, whom failing, to the heirs-male and of entail of the house of Angus, the foresaid title and honour, with all the privileges belonging thereto. Given at Perth, 3d April 1651,	333
268. Bond by Archibald, Lord Angus, for himself and his heirs-male and of entail, to pay to his daughter, Margaret Douglas, the sum of £10,000 Scots on her completing her sixteenth year, or at the next term after her marriage, with £1000 of liquidate expenses in case of failure. Written by the said Earl, and subscribed by him at Holyroodhouse, 11th May 1653,.....	335
269. Certificate by Mr. George Leslie, Minister at Holyroodhouse, and by the Moderator and Clerk of the Presbytery of Edinburgh, bearing that Archibald, Earl of Angus, had resided for many years chiefly in the parish of Holyroodhouse, and that he professed the religion of the Kirk of Scotland, and was not a papist. Edinburgh, 6th October 1654,	336
270. Certificate, subscribed by seventeen gentlemen of Lanarkshire, testifying that the King and Parliament at Stirling had appointed William, Marquis of Douglas, to be Colonel of a regiment, and that he went to the Parliament then sitting, and refused to accept the same, and soon after returned to his own dwelling, where he had resided peaceably ever since. Lanark, 30th October 1654,	336
271. Latter Will and Testament of Archibald, Earl of Angus (with detailed inventory of his goods, gear, and debts), wherein he recommends his soul to God, and ordains his body to be buried at Douglas Kirk, near his mother and his first wife and children, or else at Abernethy, in the old burial-place of his predecessors, without ceremony or expense, and appoints his spouse, Lady Jane Wemyss, his sole executrix, and nominates William,	

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Master of Mordington, and Margaret Douglas, Lady Alexander, tutors to Lord James Douglas, his eldest son, etc. Dated 13th January, and confirmed 20th June, 1655,	337
272. Protest by James, second Marquis of Douglas, in his minority, that his not sitting and voting in the Parliament of 1660, on account of his youth and bodily indisposition, should not prejudice his right as first Peer of the realm, to carry the Crown and have the first seat and vote in any succeeding Parliaments, when he should be in a capacity to use and exercise his privileges. Edinburgh, 26th December 1660,	341
273. Act of the Privy Council of Scotland, containing the Order of the Riding of the Parliament of 1669, which is as follows:—1st, Heralds and Trumpeters ; 2d, Commissioners of Royal Burghs, the eldest last ; 3d, Commissioners of Shires ; 4th, Officers of State not noblemen ; 5th, Lords of Parliament ; 6th, Bishops ; 7th, Viscounts and Earls, the eldest last ; 8th, Archbishops, Dukes, and Marquises, as in the last Parliament ; the Marquis of Douglas to carry the crown, the eldest Earl the sceptre, and the next Earl the sword. Holyroodhouse, 16th October 1669,	342
274. Inventory of the Plenishing in Tantallon Castle, the furnishings in each room being separately enumerated. Circa 1670,	343
275. Warrant by the Lords of the Privy Council of Scotland, authorising the Marquis of Douglas to remove from the city of Edinburgh two cannons which stood at the court of guard, belonging to him. Edinburgh, 3d May 1682,.....	344
276. Warrant by the Convention of Estates of Scotland, requiring the Marquis of Douglas to furnish to Major-General Mackay, for the service of the public, such of his cannon as the General should require. Edinburgh, 27th March 1689,.....	344
Annexed to the above Warrant is a receipt from Major-General Mackay to the Marquis of Douglas for two pieces of cannon of 3 lbs. ball. Given at Canongate, 5th April 1689,	344
277. Commission by the Estates of the kingdom of Scotland in favour of James, Lord Angus, appointing him to be colonel of a regiment of foot, which	

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the said Lord Angus had offered to levy for the service of King William, to the number of 1200 men, consisting of twenty companies, and sixty men in each company, with full power to Lord Angus to nominate the lieutenant-colonel, major, and other officers of the regiment, and to perform all other duties incumbent on the rank of colonel of foot. To be under the command of Major-General Mackay or other commander-in-chief for the time. This commission to continue till his Majesty grant new commissions or otherwise dispose of the regiment. Edinburgh, 22d April 1689,	345
278. Memorandum of Information and Instructions sent to Lord Angus as to his regiment, giving a short sketch of its history since its first muster in April 1689 ; stating the complaints made against the lieutenant-colonel (Fullerton) for keeping up the pay of the officers, and advising Lord Angus as to the best procedure in the circumstances. 15th September 1691,	346
279. Patent under the Great Seal by Queen Anne, creating Archibald, Marquis of Douglas, Duke of Douglas, Marquis of Angus, Earl of Angus and Abernethie, Viscount of Jedburgh Forest, Lord Douglas of Bunkle, Preston, and Robertson, giving and granting to him and the heirs-male to be procreated of his own body the title and dignity of Duke, and declaring that he and his foresaids shall be named and designed in all time coming Dukes of Douglas, Marquises of Angus, Earls of Angus and Abernethie, Viscounts of Jedburgh Forest, Lords Douglas of Bunkle, Preston, and Robertson, and shall possess and enjoy all immunities, dignities, precedence of votes in Parliaments, General Councils, etc., with all prerogatives and privileges which belong to any Duke in the kingdom of Scotland, etc. It is also provided that the acceptance by the Marquis and his heirs-male foresaid of the title of Duke, shall in no way prejudice any diplomas made to him or his predecessors of the title and dignity of Marquis of Douglas and other titles therein expressed. At St. James's 10th April 1703,	347

ABSTRACT OF ADDITIONAL CHARTERS.

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| 280. Charter by King William the Lion, granting to Gilbert, son of the Earl of Angus, the lands of Purin, and Ogguluin, and Kynminethen, to be held to him and his heirs, of the king and his heirs, in fee and heritage, for the service of one knight. Witnesses, the Bishop of Aberdeen, David, the king's brother, and others, at Montrose, <i>inter</i> 1172 and 1177, | 349 |
| 281. Charter by Reginald of Waren, granting to Laurence, the son of Orm, and his heirs, Couentre, by its right marches, and with all its right pertinents, as freely as he had held it of the king: To be held of the king in exchange for Wester Drun and Munethiu pertaining to Drun, saving the forinsec service of the king, except that Reginald and his heirs should acquit Laurence and his heirs of knight's service, so far as pertained to the said land. Witnesses, Earl Malcolm of Fife, and others. 1203-1230, | 349 |
| 282. Charter by Gregory, Bishop of Brechin, with consent of his chapter, quitclaiming in favour of Laurence of Abernethy, and his heirs, all right in the land formerly in dispute lying between Dunlopin and Stracatherauh; the land to be held to Laurence and his heirs quit of the bishop and his successors as far as the rivulet of Binssohc, as his right and heritage. For which quitclaim Laurence and his heirs shall give yearly to God and St. Mary and the church of Brekhin and the Bishop's successors a mark of silver in perpetual alms. Sealed with the seals of the Bishop and the chapter, and in corroboration, with the seals of Sir Hugh, Bishop of Dunkeld, Sir Abraham, Bishop of Dunblane, Sir Andrew, Bishop of Moray, and Sir Ranulf, abbot, and the convent of Abbirbrodock; witnesses, Sir William, abbot of Scone, and others [1226-1231]. Two seals only remaining, ... | 350 |
| 283. Charter by Malcolm, Earl of Angus, granting and confirming to Nicholas, son of Brice, priest of Kirimure, and his heirs, in fee and heritage, the whole land of the abthen of Munifeth, to be held of the granter and his | |

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- heirs, free of all burden, exaction, host and secular custom, saving the common aid of the king, for payment yearly of sixteen shillings of silver. Witnesses, Sir David of Betun, Hugh, brother of the Earl, and others. *Circa* 1230. Seal appended, shield very perfect, but legend much defaced, 351
284. Charter by Matilda, Countess of Anegus, during her widowhood, granting to Nicholas, son of Brice, priest of Kerimure, and his heirs, the lands of the Abthen of Munifoit, to be held to him and his heirs of the granter and her heirs, in fee and heritage, as in the previous writ by Sir Malcolm, late Earl of Anegus, the granter's father. Witnesses, Sir A[dam], abbot of Aberbrothok, Stephen and Andrew, monks of the same, Sir Hugh, the granter's uncle, and many others [1242]. Seal wanting, 351
285. Resignation by Adam, son of Roger, son of Edmond Spoth, in favour of Ranulf of Bonekil and his heirs, of all right and claim in two carrucates of land in the territory of Bonekil, in the county of Berewich, in which he had infeft the said Ranulf, by precept of the King of Scotland and Sir David of Lindesay, then justiciar of Lothian, so that neither he nor his heirs should have any right in the said carrucates; the granter, by oath in court, abjuring all right to the same lands, submitting himself and his heirs to the jurisdiction of the Bishops of St. Andrews, Glasgow, and Dunkeld, uuder pain of excommunication, under which he should remain till he ceased troubling the said Ranulf or his heirs, and paid to them a penalty of 200 lbs. of silver. Done in the year 1247, on the morrow of St. Peter ad vincula (2 August), at Rokisburg, in the court of the King of Scotland, before Sir David of Lindesay, then justiciar of Lothian. Witnesses, the said Sir David, Sir Thomas, son of Ranulf, with others named, and the whole court, 352
- 286. Charter by Gilbert of Umphraville, Earl of Angus, granting to Alexander of Alredas, for homage and service, a davoch of land named Inwer-carewchi, in the fief of Kerimure; to be held of the granter and his heirs in fee and heritage to the said Alexander, Walter, his son and heir, and heirs of the said Walter's body. Failing heirs of Walter's body, the davoch to return to the granter and his heirs. Paying yearly one penny at the feast of the Assumption at Kerimure, and doing proportionate forinsec service to the king. With clause of warrandice. Witnesses, Sir

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Reginald le Chien, younger, and others. Balendolach, Monday preceding the feast of St. Luke (18 October) 1271,	353
287. Charter by King Robert the Bruce granting to James of Douglas, son and heir of William of Douglas, knight, for his homage, the whole laud and tenement of Douglasdale, and the whole land and tenement of Kirkmychel, bounded as particularly described in the charter : to be held to him and his heirs or assignees, of the king and his heirs, in fee and heritage and free barony, free from all taxes whatsoever, so that no officer of the Crown could interfere within the foresaid marches save only concerning the special articles pertaining to the Crown ; rendering a pair of gilt spurs at Christmas, at Lanark, in blench farm only. At Berwick-on-Tweed, 1 April, fifteenth year of reign [1320],	354
288. Charter by King Robert the Bruce, granting to James Lord of Douglas, knight, the king's well-beloved and faithful, for his homage and service faithfully paid to the king, all the king's merchant town of Jedworth, with place and tower of the castle of Jedworth, and whole town of Bondjedworth, and whole Forest of Jedworth, in free forest, the courts and escheats pertaining to free forest, with the demesne lands pertaining to the said town of Jedworth ; to be held to the said James and the heirs-male of his body, of the king and his heirs, in fee and heritage. Reserving to the king suits and services of the lands of Hassenden and others, to be made at Roxburgh ; rendering yearly, in name of annual ferm of the burgh of Jedworth, 100s. usual money, and the service of one knight in the king's army. At Aberbrothock, 6 May [1320],.....	355
289. Charter by James lord of Douglas, granting to Roger of Moray, son of the late Archibald of Moray, his lands and tenement of Faulau, in the barouy of Heriath, according to the marches : to be held to Roger and his heirs, of the granter and his heirs, in fee and heritage, for rendering two shillings yearly in name of blenchfarm. Witnesses, Sir Walter, Steward of Scotland, and others named. Neubotle, 1 September 1320,	356
290. Charter by King David the Second, following upon the resignation of Hugh of Douglas, brother and heir of the late James Lord of Douglas, knight, made personally at Aberdeen on 26 May 1342, in presence of the king and many prelates, and in consideration of the labours of the late James	

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- lord of Douglas, knight, in defence of the kingdom, granting to William of Douglas, son and heir of the late Archibald of Douglas, knight, brother of the said James, the lands of Douglasdale, Carmichael, Forest of Selkirk, and others named ; to be held to the said William, and the heirs-male of his body ; whom failing, the king wills that William of Douglas, knight, lord of Liddesdale, and the heirs-male of his body, whom failing, that Archibald of Douglas, son of the said late James, and the heirs-male of his body, should possess the lands, and failing these, the nearest heirs of the foresaid Hugh. At Dundee, 29 May 1342, 357
291. Charter by William lord of Douglas, ratifying all charters and letters made by him to James of Sandilands and Lady Eleanor of Bruce, the granter's sister, regarding the barony of Wester Calder, in the sheriffdom of Edinburgh : to be held the said barony to them and their heirs as freely as the said charters purport. Witnesses, Sir David of Lyndesay, lord of Crauford, and others. *Circa* 1349, 359
292. Charter by King David the Second, granting and confirming to William lord of Douglas all lands, rents, and possessions in which the late James lord of Douglas, his uncle, and Archibald of Douglas, his father, knights, died vest and seised within the kingdom of Scotland, including Douglasdale, and other lands specially named, on the part of his uncle ; Liddesdale, Kirkandrews, etc., on the part of his father : to be held to him and his heirs of the king and his heirs, and other superiors of the lands, in fee and heritage ; together with the leadership of the men of the shires of Roxburgh, Selkirk, Peebles, and Upper Ward of Clyde ; rendering services due and wont. Edinburgh, 12th February [1354], 360
293. Charter by William Earl of Douglas and Mar, granting to James of Mowat, for homage and service, the lands of Easter Fowles, in the earldom of Mar and sheriffdom of Aberdeen, which Sir Richard of Mowat, formerly the Earl's tenant thereof, resigned in the Earl's court, held near the castle of Kyndromy, 26th July 1377 ; to be held to the said James and his heirs, of the Earl and his heirs, in fee and heritage, for ever, for a common suit at the Earl's courts of Mar, with wards, reliefs, and marriages. Witnesses, Sir William of Keith, Marischal of Scotland, and others, 361

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| 294. Charter by King Robert the Second, granting to his cousin, Margaret Stewart, Countess of Marre, elder daughter and one of the heirs of the late Thomas Stewart, Earl of Angus, all lands in the shires of Forfar, Perth, Berwick, and Edinburgh, belonging to Elizabeth Stewart, her younger sister, which the said Elizabeth had resigned : to be held to the said Margaret and her heirs, of the King and his heirs, in fee and heritage. Dated at the castle of Rothesay, 9th April [1379],..... | 362 |
| 295. Precept by James Earl of Douglas, lord of Liddesdale, directed to John of Mortimer, bailie of Strathalveyn, stating that the Earl, at the instance of Margaret, Countess of Douglas and Mar, his mother, had agreed to infest John of Bentlay in ten merks of land in the barony of Strathalveyn, to hold to him and the heirs of his body ; charging his bailie accordingly, the lands to be held of the Countess for homage and service, ward and relief. 3 April 1385,..... | 363 |
| 296. Charter by King Robert the Second, granting to his cousin, George of Douglas, the whole earldom of Angus, with all lands and pertinents (except as excepted), which had belonged to Margaret, Countess of Mar, and were resigned by her in person in Parliament at Edinburgh, 9 April 1389 : to be held to the said George and the heirs of his body ; whom failing, to Alexander of Hamilton, knight, and Elizabeth, the sister of the Countess, and the heirs of their bodies ; whom failing, to the heirs of the said Elizabeth whomsoever, of the king and his heirs, in fee and heritage ; for rendering services due and wont, reserving the franktenement to the Countess. Edinburgh, 10 April 1389, | 364 |
| 297. Charter by King Robert the Third confirming a charter, dated at Dundee, 12th October 1390, by the late James of Lyndesai, Lord of Crawford, knight, granting to John Tailleferre, for service, the lands of Hareclouch, with pertinents, which lands were held by the late William, uncle of John, and resigned by him at Dundee ; to be held the said lands, lying in the barony of Crawford and sheriffdom of Lanark, to John Tailleferre and his heirs, in fee and heritage, for rendering three pleas at the three head courts to be held yearly at the castle of Crawford. Confirmed by the King at Dunfermline, 6th March [1395-6],..... | 365 |

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298. Letter by Archibald, (fourth) Earl of Douglas, lord of Galloway, and keeper to the lands and rents of the priory of Coldingham, granting to his "lufit squyer and allie, Alexander of Home," the sum of £20 Scots yearly from the pension of £100 yearly due to the Earl from the priory, for services as deputy-keeper and substitute of the Earl. London, 28th October 1406, 367
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THE DOUGLAS CHARTERS

(IN THE DOUGLAS CHARTER-CHEST.)

1. INDENTURE between SIR HUGH OF ABIRNYTHIN and SIR WILLIAM OF DUGLAS for the Marriage of Hugh of Douglas and Marjory Abirnythin. [6th April] 1259.

ANNO gracie M^o CC^o quinquagesimo nono facta fuit hec conuencio inter dominum Hugonem de Abirnythin ex vna parte, et dominum Willelmum de Douglas ex altera, die dominica palmarum ad Castrum Puellarum ; videlicet, quod Hugo filius et heres dicti Willelmi de Douglas ducet in uxorem Margeriam sororem dicti Hugonis de Abirnythin, immediate post Pascha eiusdem anni, ita ut perficiatur in omnibus ante Ascencionem, prout vltius in scripto continetur, ac condicione scilicet quod dictus Hugo de Abirnythin dabit Hugoni de Douglas, filio et heredi Willelmi de Douglas, cum sorore sua in liberum maritagium viginti marcas terre in villa de Glencros seu in feudo de Chabirlaynneutone, et dictus Willelmus de Douglas dabit Hugoni filio suo et Margerie, vxori sue, viginti marcas terre in feudo de Douglas, ita quod dicta terra dicto Hugoni de Douglas post obitum patris et heredibus dicti Hugonis insimul cum ceteris terris dicti Willelmi de Douglas integre et hereditarie remaneat : ita quod dicte viginti marcate terre quas dominus Willelmus de Douglas dabit dicto Hugoni, superstite patre suo, sine contradicione plenarie remaneant. Et sciendum est quod quadraginta marcate terre predicte remanebunt in custodia dicti Willelmi de Douglas, per consilium et assensum Hugonis de Abirnythin, ad commodum et profectum puerorum, a prima die huius contraccionis usque ad terminum quatuor annorum plene completorum : Et dictus Willelmus de Douglas dicto Hugoni de Abirnythin saluos et securos fideiussos inueniet, qui fideiussos dictis pueris terras suas et omnes fructus et commoditates de dictis terris prouenientes, quodcunque de dicto Willelmo de Douglas contigerit, termino prenominato elapso, restituent ; saluis rationabilibus estouariis dictorum

puerorum prout pronisum erit per dictum Hugonem de Abirnythin et dictum Willelmum de Douglas, et hec estouaria locabuntur in manu predicti Willelmi de Douglas ad finem termini predicti: Et si ita contingat quod dictus Hugo, filius et heres dicti Willelmi de Douglas, post solemnitatem matrimonii ante obitum patris sui in fata decedat, uel aliquo ingenio aliquo tempore se subtrahat, viginti marcate terre quas dictus Willelmus de Douglas dabit dicte Margerie tota vita sua nomine dotis remanebunt: Et si Margeria prenominata ante matrimonium contractum aliquo ingenio se subtrahere voluerit, dicte viginti marcate terre quas dictus Hugo de Abirnythin cum Margeria dabit dicto Hugoni filio et heredi Willelmi de Douglas tota vita sua libere et quiete remanebunt. Ad istam conuencionem fideliter in omnibus obseruandam utraque pars fide media se obligauit et corporale prestitit sacramentum. Et ad maiorem securitatem faciendam utraque pars alteri scripto, in modum chirographi confecto, sigillum apposuit; hiis testibus, dominis Alexandro Cumin comite de Buchan, Reginaldo Cauers, Johanne de Dundemor, Andrea de Douglas, Laurencio de Montefixo, Ada de Folkaristun, et aliis.

2. CHARTER by SIR JOHN RUSSELL and ISABELLA COUNTESS OF MENTEITH, his spouse, to SIR HUGH OF ABIRNETHIN, of land in Abirful. [*Circa* 1260.]

OMNIBUS hoc scriptum visuris uel auditoris, dominus Johannes Russellus et Isabella sponsa sua, comitissa de Menethet, eternam in Domino salutem: Nouerit vniuersitas uestra nos dedisse, concessisse et hac presenti carta nostra confirmasse domino Hugoni de Abyrnethine, et heredibus suis uel suis assignatis, pro seruiicio suo et feoditate, viginti libratas terre racionabiliter extensas in territorio de Abirful, ex occidentali parte de Fort: Tenendas et habendas dicto domino Hugoni et heredibus suis uel suis assignatis de nobis et heredibus nostris libere, quiete, plenarie, pacifice et honorifice, adeo sicuti illam vnquam melius, liberius, quicquid tenuimus et tenere debuimus: Reddendo inde annuatim dictus dominus Hugo uel heredes sui uel sui assignati nobis et heredibus nostris, pro omni seruiicio, consuetudine, exactione seculari et demanda que de dicta terra aliquo modo exigi poterunt, tantummodo vnum nisum sorem ad festum Sancti Jacobi, uel sex denarios; saluo tamen domino regi forinseco seruiicio tante terre pertinenti, et salua nobis et heredibus nostris tantummodo aduocacione ecclesie de Abirful. Nos uero et heredes nostri dicto domino Hugoni et heredibus suis uel suis assignatis dictam terram cum pertinenciis suis contra omnes homines et feminas pro dicto seruiicio warden-

Alex^{us} Dei Gra^{ti} Rex Scot^{ie} omnibus p^{ri}oribus hominibus G^{ra}tiis d^{omi}n^o
confirmasse. Hugoni de Abirnich p^{ro} homag^{io} a s^{er}vicio suo totam
servici^{um} n^{ost}ris nobis inde debita p^{ro} fustum a baculum nobis reddidit
Salvus d^{omi}n^o Hen^{ricus} a heredibus suis t^{er}ris de H^{er}enich cum iustis p^{ro}
a Lup^o cum suis p^{ro}men^o q^{ui}m p^{ro} se a heredibus suis nobis reddidit
eius a plenarius tenuit et possedit Salvo s^{er}vicio n^{ost}ro q^{ui}ntam p^{ro}
Lup^o cum suis p^{ro}men^o. Tenend^o et habend^o eidem Hugoni a hered^{ibus}
q^{ui}m in homag^{io} et serviciis libere quiete plenarie et honorifice
et cum omnibus libertatib^{us} et assamentis de acis p^{ro}men^o ad dicta
inde nobis et heredib^{us} n^{ost}ris ipe et heredes sui quantu^m p^{ro}met ad eand^{em}
Hen^{ricus} abet. Gest^o venerabilib^{us} patrib^{us} Cam^{er}l^o Johanne Ricard^o
Com^{itis} Com^{itis} de Buchan^{is} Justic^{is} Scot^{ie}. R^{ob}ert^o Com^{itis} de G^{ra}ff^o Cam^{er}l^o. P^{ro}
de Berkeley Justic^{is} Laod^{on}. Apud Perth Decimo nono die Martij.

ue Saltem. Hominis nos dedisse. concessisse. a hac p[re]senti Capta m[er]ita
m de Lup[er]am p[er]tinent. qm[od] Henricus de H[er]ich miles p[er] defectu
i resignavit. ac p[er] se a heredibus suis quietam clamavit impetium.
ne[que] suis adeo libere quiete a plenarie fiat eas de resignac[i]o[n]is q[ui]e
ultim[us] a baculum resignavit. ac impetium quiete clamavit. lib[er]is qui
ad s[er]viciu[m] Emis militis quod nobis debet p[er] q[ui]s de H[er]ich. et de
is suis de nobis a heredibus n[ost]ris in feodo et hereditate tam in dominis
in furea a fossa. soca a saca. Goll et Ghem. et Infangandehes.
q[ui]am de Lup[er]a. iuste spectantib[us] et spectare valentib[us] de iure. faciend[us]
q[ui]am de s[er]vicio Emis militis q[ui] nobis de s[er]vicio q[ui]a de Lup[er]a de q[ui]a de
Roberto. Sa[nt]i and[re]e. Glasgwen. Dumbel[er]en. a Dumb[er]lanen[si]s Epis. Alex[ander]
Com[ite]s de Dumbarr[us]. D. Com[ite]s de Arholc. Alex[ander] Sen[atus] Soc[us]. Alamo Host[is]. h[uius]
no regni n[ost]ri Sexto decimo;

tizabimus, aquietabimus, et in perpetuum defendemus : Et ad maiorem huius rei securitatem faciendam, presentem cartam sigillorum nostrorum munimine roborauimus ; hiis testibus, domino M[alcolmo] comite de Fiff, domino M[alio] comite de Stratherine, domino Alexandro Cumine comite de Buchane, domino W[illelmo] comite de Mar, domino J[ohanne] Cumine tunc iusticiario Galuudie, domino W[illelmo] de Montefixo, et magistro W[illelmo] Wishard archidiacono Sancti Andree, et aliis.

3. CHARTER by KING ALEXANDER THE THIRD to HUGH OF ABERNETHY of
the lands of Lure. 19th March [1264.]

ALEXANDER Dei gracia rex Scottorum, omnibus probis hominibus tocius terre sue, salutem : Noueritis nos dedisse, concessisse et hac presenti carta nostra confirmasse Hugoni de Abernethy, pro homagio et seruicio suo, totam terram de Lure, cum pertinenciis, quam Henricus de Neuith, miles, pro defectu seruicii nostri nobis iude debiti, per fustum et baculum nobis reddidit et resignauit, ac pro se et heredibus suis quietam clamauit inperpetuum, saluis dicto Henrico et heredibus suis terris de Neuith cum iustis pertinenciis suis, adeo libere, quiete et plenarie sicut eas, die resignacionis terre de Lure, cum suis pertienciis, quam pro se et heredibus suis nobis reddidit per fustum et baculum resignauit ac inperpetuum quiete clamauit, liberius, quicuius et plenarius tenuit et possedit : saluo seruicio nostro quantum pertinet ad seruicium vnius militis, quod nobis debetur pro terris de Neuith et de Lure, cum suis pertinenciis : Tenendam et habendam eidem Hugoni et heredibus suis de nobis et heredibus nostris in feodo et hereditate, tam in dominiis quam in homagiis et seruiciis, libere, quiete, plenarie et honorifice, cum furca et fossa, socco et sacco, toll et theme, et infangaudethefe, et cum omnibus libertatibus et aisiamentis ac ceteris pertinenciis ad dictam terram de Lure iuste spectantibus vel spectare valentibus de iure : Faciendo iude nobis et heredibus nostris, ipse et heredes sui, quantum pertinet ad eandem terram de seruicio vnius militis quod nobis de dicta terra de Lure, et de terra de Neuith debetur ; testibus, venerabilibus patribus, Gamelino, Johanne, Ricardo, et Roberto, [ecclesiarum] Sancti Andree, Glasguensis, Dunkeldensis, et Dunblanensis episcopis, Alexandro Cvmnye comite de Buchane iusticiario Scocie, W[illelmo] comite de Marr camerario, Patricio comite de Dunbarr, D[auid] comite Atholie, Alexandro senescallo Scocie, Alano Hostiario, Hugone de Berkeley iusticiario Laodonie ; apud Perth, decimo nono die Marci, anno regni nostri sexto decimo.

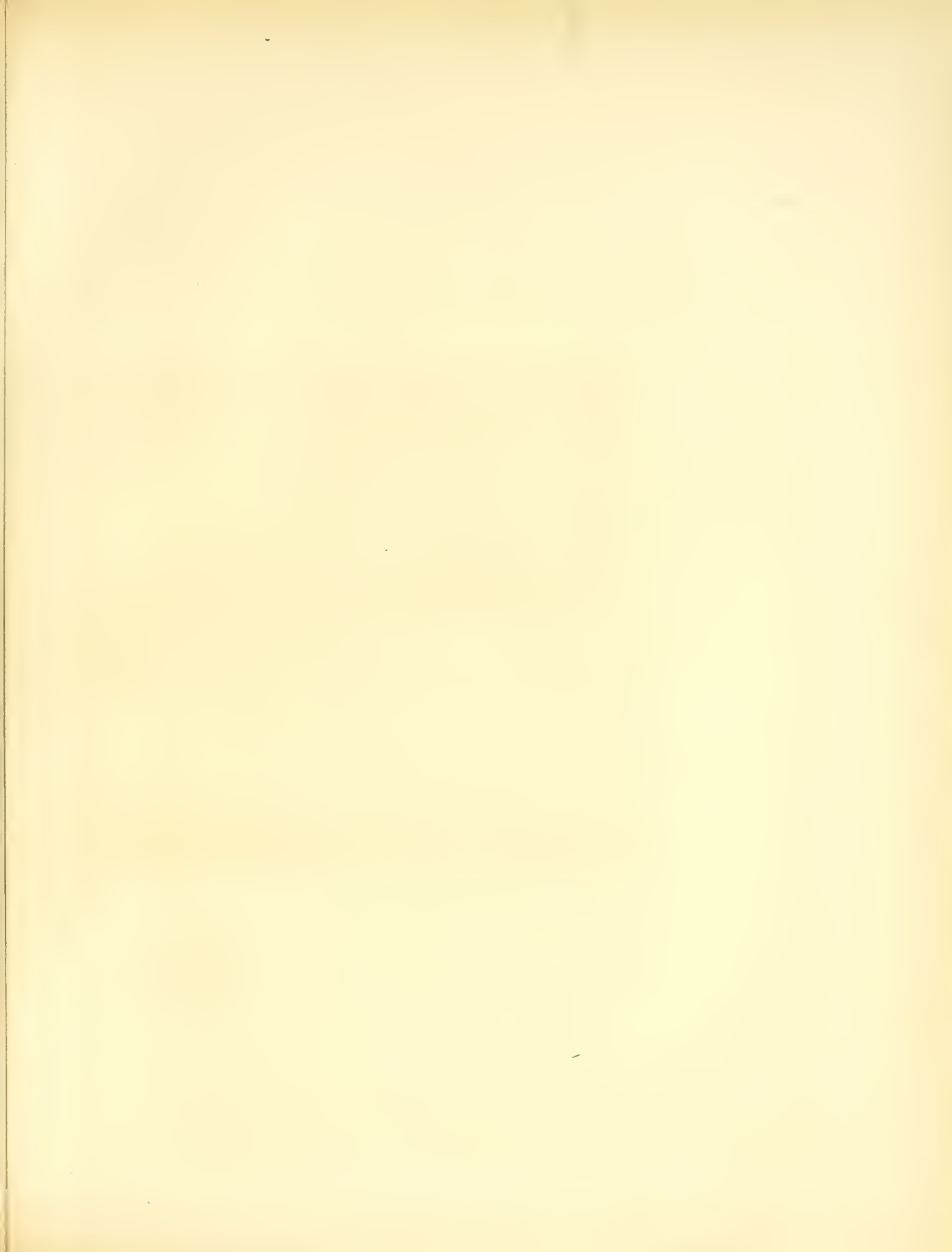
4. CHARTER by GILBERT OF HUNFRAULE, EARL OF ANEGUS, to DUNCAN, the King's Dempster in Anegus, of the land of Petmulin. [1262-1285.]

OMNIBUS hoc scriptum visuris uel audituris, Gilbertus de Hunfraule, comes de Anegus, salutem in Domino : Nouerit vniuersitas vestra me dedisse, concessisse et hac presenti carta mea confirmasse Duncauo, iudici domini regis in Anegus, pro homagio et seruicio suo, totam terram de Petmulin, sine ullo retenemento: Tenendam et habendam sibi et heredibus suis, de me et heredibus meis, in feodo et hereditate, cum omnibus pertinentiis suis, aysiamentis et libertatibus ad dictam terram spectantibus, siue de iure spectare ualentibus; in moris, mareseis, pratis, pascuis, viis et semitis, stagnis, piscariis, molendinis et aquis, et omnibus aliis aysiamentis, libere, quiete, plenarie et honorifice: Faciendo sectam ad curiam meam et heredum meorum pro predicta terra: Reddendo inde michi et heredibus meis annuatim, ipse et heredes sui, vnam libram piperis, uel duodecim denarios, ad nundinas de Dunde, apud Stratdectin, cuicumque qui balliuus eiusdem manerici, sahuo forinseco domini regis [seruicio] et auxilio quantum ad dictam terram pertinet. Ego uero Gilbertus, et heredes mei, totam dictam terram de Petmulin, in omnibus ut predictum est, eidem Ducauo et heredibus suis contra omnes homines et feminas warantizabimus, adquietabimus et in perpetuum defendemus. In cuius rei testimonium, presenti scripto sigillum meum est appositum; hiis testibus, domino Waltero de Burondon, domino Stephano Picard, domino Andrea de Betun, domino Randulpho de Lassellis, domino Waldeo clerico, domino Rogero capellano meo, Alexandro de Betun, et aliis multis.

5. RENUNCIATION by FALETHAUH to SIR HUGH OF ABERNITHIN of the right to the lands of Drumkarauht. [Circa 1270.]

OMNIBUS Christi fidelibus presens scriptum visuris uel audituris, Falethauh eternam in Domino salutem: Noueritis me dedisse, concessisse et presenti carta confirmasse domino Hugoni de Abernithin, totum ius et clamium quod habeo uel aliquo tempore habuisse potui, uel in posterum quoquo modo habere potero in terra de Drumkarauht, cum omnibus pertinentiis suis: Tenendam et habendam sibi et heredibus suis uel suis assignatis in feodo et hereditate iuperpetuum: Faciendo inde forinsecum seruicium domini regis quantum pertinet ad dictam terram. Et ut hec mea donacio siue concessio firma sit et stabilis inperpetuum, presenti scripto sigillum meum apposui: Et ad maiorem securitatem hos plegios inueni, uidelicet, Falethauh filium meum primogenitum, et Michaellem MacAlanh. Volo eciam et

Et omnibus hoc optemini solam^p ad audiam^p. Et tunc de hinc. sicut in dno. ad hoc
omnibus xpi me dedit. concessisse. et hinc sicut extra mea confirmasse. dicitur. hinc dno. b. g. in dno.
p. homagio et dno suo totam epam de Decembur sine ulla retentione. Et mandam^p et habendam sibi et he
redibus suis de me et heredibus meis in pado et hereditate cum omnibus p. mansioⁿis sine. app. mansioⁿis et hinc
tabus ad ducem epam p. mansioⁿis sine de hinc optemini valentibus. in corpore. castellis. p. mansioⁿis. p. mansioⁿis. dno. et
p. mansioⁿis. p. mansioⁿis. solendum^p et aquis. et omnibus aliis app. mansioⁿis. Et dicitur. quare. p. mansioⁿis. et homagii
fere. Faciendo eorum ad curiam meam et heredum meorum p. p. mansioⁿis epa. p. mansioⁿis inde michi et hinc
sibus meis amicitiam ipse et heredibus eius dnam libram p. mansioⁿis ad ducem ducem ad mundum de amica
ipso p. mansioⁿis amicitiam a bellum eiusdem mansioⁿis. sicut p. mansioⁿis dno. p. mansioⁿis et amiglo p. mansioⁿis ad ducem et
pam ponet. Ergo vero sicut et heredibus mei totam ducem epam de p. mansioⁿis in omnibus res p. mansioⁿis est et
dmi amicitiam et heredibus suis concia sicut hinc et p. mansioⁿis ducem ducem. ad p. mansioⁿis et in p. mansioⁿis
uni defendendum. In cuius rei confirmacione p. mansioⁿis sicut sigilla meum et app. mansioⁿis. p. mansioⁿis
Salvato de ducem ducem. dno. p. mansioⁿis p. mansioⁿis. dno. hinc ducem de ducem. dno. hinc ducem de hinc. dno.
Salvato dno. dno. hinc ducem appellatio meo. ducem ducem de ducem. et hinc. mansioⁿis



Omniū xpi fidelium plenū scriptum vultū uel auctū. Hec charta etiam i dno habent
totū scriptū et clāmū quod hec. uel aliquo tempore habuisse potu. uel in post et u. quocūq. mō
et heredibz suis uel suis assignatū in feodo et hereditate appetu. sciendū inde formā ser
cessio firmiter et stabili impetū. p̄sentū scriptū sigillū meū apposu. Et ad maiore scēte
Volo etiā et concedo. ut si ego uel aliquis ex pte mea uel heredu meoz q̄ dām donatū
et heredibz suis et suis assignatū seu quibuscūq. aliis plenū scriptum defrauentibz in centū
uel exalt uel audiamur sup̄ dca. tra. conuenienter fuit sup̄ aliquod p̄sequenti. p̄cedit
p̄missa et multa fidelit̄ obseruanda. me et heredes meos. et quoscūq. alios sup̄ p̄cedit
p̄sentū scriptū obligau. p̄sentū sup̄ h̄ machilomni corpali iuramento. Et insup̄ subieci me
et jurisdictionem dñi. Et in dca. dñi et officialiū eius qui pro tempore fuerit. ut de
excommunicatū in ea tū memore p̄missa absq. omni sc̄e ep̄ci iudiciali et cause cognoscē
et quibuscūq. aliis iure meo in aliq. sup̄ dca. tra. p̄sequenti. omni iudicio iur. et iur. et
pte impediri potio uel p̄turbari. Testibz. Venabili p̄re dno. Th. tunc Abbe
Ep̄. de Louthor. Willmo de Abernethi milibz. ad de B. illu
mutat̄ aliq. # # #

formis me dedisse concessisse et plenam cartam confirmasse Dno Hugo de Abermhu
et poto. in tra de Prumbe arauho cu omni pmentur suis. Venend et habend lib
seruatiu dno et ea quantum pmet ad diam et am. et ut hec mea donaco sine con
hoc plegios ueni. videlicet falechauch filiu meu pmogetu. et quhaet marshallan
in ut concessione uenire in alia ppterimus. quod ex tunc hui obligati poto dno. q
bus sit hngoz eidem plenarie et sine dilacione soluend. ang. in alia curia scilicet
regiomunus donaco et concessione suo robare i ppetuu dicitur. et ad omnia
a nomine meo ppetuel sine psequen. pte media v man dno et h. alio de Lundag
et heredes meos et qstumu a hofus v pda tra et pte mea ppetuel sine psequen
a sine officiales et ut eoz vnus no ad obseruacionem omniu pda et singulaz p ptem
ere ualeant ut ualeat compellere. et emuauy ead in he pte pro me et heredibz mei
et canoma. et omi exceptio et cauillaco p qual tenor ptemi scilicet in alia sui
et Lundag. Dompno fofe priore eiusdem Loc. Dms. Hugo de Berke
Beach. Rob de K. sekburu. Maurio Senescal. Thom. fil. Alam. et

concedo vt si ego, uel aliquis ex parte mea uel heredum meorum, contra dictam donacionem uel concessionem uenire in aliquo presumpserimus, quod ex tunc simus obligati predicto domino Hugoni et heredibus suis et suis assignatis, seu quibuscumque aliis presens scriptum deferentibus, in centum libris sterlingorum eisdem plenarie et sine dilacione soluendis, antequam in aliqua curia seculari uel ecclesiastica audiamur, super dicta terra conuenerint, siue jus aliquod prosequentes, predictis nichilominus donacione et concessione in suo robore inperpetuum duraturis. Et ad omnia premissa et singula fideliter obseruanda, me et heredes meos et quoscumque alios ius in predicta terra nomine meo petentes siue prosequentes, fide media in manus domini Thome Abbatis de Lundoris prestita, firmiter obligauimus, prestito super hoc nichilominus corporali iuramento: Et insuper subieci me et heredes meos et quoscumque alios jus in predicta terra ex parte mea petentes siue prosequentes, jurisdictioni domini episcopi Sancti Andree et officialium eius qui pro tempore fuerint, vt idem episcopus siue officiales eius, uel eorum vnus, nos ad obseruacionem omnium predictorum et singulorum per sententiam excommunicacionis, trina tantum monicione premissa, absque omni strepitu iudiciali et cause cognicione, libere ualeant uel ualeat compellere: Renunciaui etiam in hac parte, pro me et heredibus meis, et quibuscumque aliis nomine meo ius aliquod super dicta terra prosequentibus, omni beneficio iuris ciuilibus et canonicis, et omni excepcioni et cauillationi per quas tenor presentis scripti in aliqua sui parte impediri poterit uel perturbari: Testibus venerabili patre, domino Thoma tunc abbate de Lundoris, dompno Johanne priore eiusdem loci, dominis Hugone de Berkeley, Dauid de Louthor, Willelmo de Abernithin, militibus, Ada de Kilkumiwath, Roberto de Kokeburne, Mauricio Senescallo, Thoma filio Alani, et multis aliis.

6. CHARTER by GILBERT OF VMFRAUYLL, EARL OF ANEGUS, to ADAM WY-
CHARD of the lands of Ballendarg and Logyn. 1272. (From Con-
firmation, No. 34, *infra*.)

OMNIBUS Christi fidelibus presens scriptum visuris vel audituris, Gilbertus de Vmfrauyll, comes de Angus, salutem in Domino: Nouerit vniuersitas uestra me dedisse, concessisse et hac mea presenti carta confirmasse Ade Wyschard, filio Johannis Wyschard, pro homagio suo et seruicio, Ballendarg et Logyn, cum omnibus pertinenciis suis, per suas rectas diuisas, exceptis terris quas Johannes Blundus in Ballendarg et Logyn tenet: Habendas et tenendas sibi et heredibus suis vel assignatis suis, de me et heredibus meis vel meis assignatis, in feodo et hereditate

libere, quiete, plenarie et honorifice, cum omnibus libertatibus et pertinenciis suis, tam in moris et marresiis quam in stagnis et moleudinis, et pratis et pasturis, et viuariis et piscariis, et in omnibus aliis aysiamendis ad predictas terras iure pertinentibus, cum communi pastura in foresta mea de Lyffedyn : Concessi eciam dicto Ade et heredibus suis vel suis assignatis quod possint capere meremium in predicta foresta mea de Lyffedyn ad dictas terras edificandas quocienscunque necesse fuerit : Reddendo inde annuatim michi et heredibus meis duos esparuarios sorros, vel duos solidos, ad Assumpeionem Beate Marie, pro omnibus aliis seruiciis, consuetudinibus et demandis michi et heredibus meis pertinentibus ; et faciendo forinsecum seruicium domini regis quantum pertinet ad duas dauacas terre in feodo de Kerymore : Et ego Gilbertus et heredes mei predicto Ade et heredibus suis vel assignatis suis predictas Ballendarg et Logyu, cum iustis pertinenciis suis, contra omnes homines et feminas warantizabimus, et inperpetuum defendemus : Vt autem hec donacio et concessio mea futuris temporibus rata et firma imperpetuum consistat, presentem cartam sigilli mei appositione roborau. Datum anno gracie millesimo CC^{mo} lxx^{mo} secundo ; hiis testibus, domino Alexandro Comyn vicecomite de Buchane tunc iusticiario Scocie, domino Ada Dei gracia tunc abbate de Abyrbrothock, dominis Thoma de Fynwych, Willelmo de Haya, Guuydone de Normauyle, Stephano Pycard, Matheo de le Chene tunc vicecomite de Forfar, militibus, Laurencio de Monte Alto, Johanne de Blundo, Duncano de Anegus, Duncano Judice, et aliis.

7. INDENTURE between SIR HUGH OF ABIRNITHY and LADY ETHONA, widow of Sir Cristine, in regard to her terce lands in Argyle and Athole. [Circa 16th May] 1277.

HEC est conuencio facta inter nobilem virum, dominum Hugonem de Abirnithi, ex vna parte, et domiuam Ethonam, sponsam quondam domini Cristini filii Banchcauer ex altera, videlicet, quod dicta domina Ethona in libera viduitate et potestate sua concessit dicto domino Hugoni omnes terras et possessiones ipsam de iure et assisa terre contingentes racione dicti domini Cristini, mariti sui, nomine tercię partis sue ; videlicet, omnes terras et possessiones ipsam iure tercię partis sue contingentes infra Ergadium, cum terris sibi pertinentibus infra Adholiam : Tenendas et habendas dicto domino Hugoni et heredibus suis uel suis assignatis toto tempore vite dicte domine Ethone, cum omuibz pertinenciis, iuribus, libertatibus, et aysiamendis ad dictas terras spectantibus, uel de iure spectare valentibus : Reddendo inde ipse et heredes sui uel sui assignati dicte domine uel suis assignatis in suo

Omnes xpi fidelibus presentibus et futuris scilicet omnibus scilicet vel audientibus Robertus noster
fidei omnino de terra me dedit concessisse. et hac presentibus circa
h. d. eadem terram meam de p[er]m[ission]e infra d[omi]n[u]m de p[er]m[ission]e q[ui]bus sunt et
sunt totum et d[omi]n[u]m deo d[omi]n[u]m que fuerunt p[ro] me. Co
cate sine de h[er]ed[ita]t[is]. et iuxta r[ati]o[n]em de fuleth. et s[er]v[ati]o[n]em
sine de castro et d[omi]n[u]m crossan. Tenendam et h[er]ed[ita]m de me et
et hereditaria. lib[er]a. quiete. plena. pacifica. et honorifica. infra
ad d[omi]n[u]m d[omi]n[u]m p[er]m[ission]e. Et ego Robertus p[ro]m[iss]o et hereditaria
sine terra omnes homines et famulas infra in d[omi]n[u]m d[omi]n[u]m
p[er]m[ission]e q[ui] in p[re]s[ent]i bus in meo regno negocio p[re]d[ic]t[is]
cont[ra] hoc p[re]s[ent]i bus ego me deo vel f[aci]o. p[ro]sumus aliquo tempore
d[omi]n[u]m et hereditaria omne vel omne assignatis. decem. lib[er]a. p[er]m[ission]e
p[re]s[ent]i bus. D[omi]n[u]m hugone de bert[er]ez ante f[aci]o
p[ro] ro de w[ar]chingon. Willo de badebi tunc contabular
et ego ergulm[en]t ap[osto]l[ic]o. h[er]ed[ita]t[is]. e.

junior de p[er]m filius ad[em] b[er]m de p[er]m e[ad]em in d[omi]no salu[ti]e.
confirma[ti]o[n]e. S[ic]u[n]d[u]m Alexandro de boueb[er] d[omi]no filio Hamulsi de boue
m[er] de d[omi]na Agneta de p[er]m. p[ro]b[er]m[er]io & b[er]m[er]o meo. videlicet
ad d[omi]n[u]m & d[omi]n[u]m in c[ro]fco b[er]m[er]m. & d[omi]n[u]m d[omi]n[u]m ad occide[n]t[em]
m[er]m ad orio q[ui] p[er] d[omi]n[u]m h[ab]e[re] t[er]m[er]io que q[ui]d[em] d[omi]n[u]m cap[er]t
redib[us] meo. sibi & b[er]m[er]ib[us] om[n]ib[us] nel om[n]ib[us] assigna[n]do. in f[er]m[er]o
villam de p[er]m & c[er]o. cum om[n]ib[us] assigna[n]do. & lib[er]t[er]atib[us].
mea p[er]m[er]o d[omi]n[u]m p[er]m[er]o alexandro & b[er]m[er]ib[us] om[n]ib[us] nel om[n]ib[us] assigna[n]do
meo[m] et defendam. bene & in pace p[er]m[er]o b[er]m[er]m ammu[n]da
Et si ita conu[n]g[er]o q[uo]d ego Rob[er]t[us] nel b[er]m[er]es mei
b[er]m[er]e. Obligo me & b[er]m[er]es meos p[ro]b[er]m[er]e p[er]m[er]o d[omi]no filio alexan
dri. q[uo]d debui p[er]m[er]o alexandro in re p[er]m[er]o b[er]m[er]is de d[omi]na
d[omi]n[u]m. S[ic]u[n]d[u]m David cast[er]o. hugone giffaro. S[ic]u[n]d[u]m
de b[er]m[er]is & q[ui]s[er]o alio. s[ic]u[n]d[u]m d[omi]n[u]m rei test[er]m[er]m[er]i b[er]m[er]is p[er]m[er]o



perpetuo, siugulis annis, antiquam firmam quam dicte terre in vltimis diebus domini Cristini mariti dicte domine reddere consueuerunt, cum omnibus seruiciis et secularibus demandis ad dictas terras spectantibus : Et sciendum quod dictus dominus Hugo et heredes sui, uel sui assignati, facient domino regi per quantum tempus quantum illas terras ad firmam tenuerint seruicium domino regi de dictis terris debitum, et satisfacient domino regi de annua firma sibi debita, ad terminos debitos, de terris dicte domine Ethone in Adholia : Preterea idem dominus Hugo et heredes sui seu sui assignati soluent firmas predictarum terrarum dicte domine et suis assignatis de dictis terris ad duos anni terminos, videlicet, ad Pentecostem et ad festum Sancti Martini in hyeme, termino prime solucionis incipiente ad Pentecostem anni gracia millesimi ducentissimi septuagesimi septimi. In cuius rei testimonium huic scripto, in modo cyrographi coufecto, parti residenti penes dominam appensum est sigillum dicti domini Hugonis, et parti residenti penes dictum dominum Hugonem appensum est sigillum dicte domine Ethone.

8. CHARTER by ROBERT BRUN, younger of Prestun, to SIR ALEXANDER OF BONEKIL, of the land of Prestun. [*Circa* 1293.]

OMNIBUS Christi fidelibus presens scriptum visuris uel audituris, Robertus Brun, junior de Prestun, filius Ade Brun de Prestun, eternam in Domino salutem : Nouerit vniuersitas vestra me dedisse, coucessisse et hac presenti carta mea confirmasse domino Alexandro de Bonekil, domino filio Ranulfi de Bonekil, totam terram meam de Prestun, infra territorium de Prestun, quam habui et tenui de domina Agnete de Prestun, pro homagio et seruicio meo ; videlicet, vnum toftum et duas acras terre arabilis que fuerunt patris mei, et tres acras et dimidiam in crofto Baldewini, et dimidiam acram ad occidentalem finem de Holwedene, et iuxta riuulum de Fuleche, et vnam domum cum orto quam Patricius Hog tenuit, que quidem domus capta fuit de tofto Roberti Crossani : Tenendam et habendam de me et heredibus meis sibi et heredibus suis uel suis assignatis in feodo et hereditate libere, quiete, plene, pacifice et honorifice, infra villam de Prestun et extra, cum omnibus asiamentis et libertatibus ad dictas terras pertinentibus. Ego vero Robertus Brun et heredes mei predictas terras predicto Alexandro et heredibus suis uel suis assignatis contra omnes homines et feminas inperpetuum warentisabimus, aquietabimus et defendemus, bene et in pace, propter vnam summam pecunie quam mihi pre manibus iu meo maximo negocio pacauit : Et si ita contingat quod ego Robertus uel heredes mei contra hoc presens scriptum dicto uel facto presumi-

mus aliquo tempore venire, oblige me et heredes meos persolvere predicto domino Alexandro et heredibus suis nel suis assignatis decem libras sterlingorum quas debui predicto Alexandro in reragio seruicii de terra predicta ; testibus, domino Hugone de Berkeley tunc iusticiario et vicecomite, domino Daud Marischallo, Hugone Giffart, domino Petro de Morthingtun, Willelmo de Baddebi tunc constabulario de Beruic, et multis aliis. In huius rei testimonium huic presenti scripto sigillum meum apposui. Valet.

9. ACQUITTANCE by ROBERT AUENEL, Rector of Stanfordham, to SIR ALEXANDER OF BONKYLL, Knight. [15th November] 1293.

OMNIBUS Christi fidelibus presentes literas visuris uel auditoris, Robertus Anel, rector ecclesie de Stanfordham, salutem in Domino sempiternam : Nouerit vniuersitas vestra me, die dominica proxima post festum Sancti Martini in yeme, anno Domini M^o CC^o nonogesimo tercio, apud Stanfordham, recepisse et plenarie habuisse de domino Alexandro de Bonkyll, milite, per manus Roberti de Fenwyc, decem libras bonorum et legalium sterlingorum de illis viginti libris in quibus dictus dominus Alexander mihi pro decima de Ryel per literam suam obligatoriam tenebatur ; de quibus quidem decem libris me teneo bene contentum, et omni tempore me tenebo bene quietum et pacatum : In cuius rei testimonium, presentibus literis sigillum meum apposui : Datum apud Stanfordham, die et anno supradictis.

10. LETTER by KING JOHN [BALIOL] in favour of the ABBOT and CONVENT OF MELROS, relative to a right of way through the valley of Douglas. 13th April [1294].

JOHANNES Dei gracia rex Scocie, Galfrido de Moubray, iusticiario Laudonie, dilecto et fidei suo, salutem : Ex graui querela religiosorum virorum, abbatis et conventus de Melros, nuper accepimus quod cum iidem religiosi seysinam cuiusdam communis vie infra vallem de Douglas, coram venerabilibus patribus W[illelmo] et R[oberto] Sancti Andree et Glasguensis episcopis, Johanne Comyn, Jacobo senescallo Scocie, et Briano filio Alani, tunc custodibus regni nostri, apud Edinburgh iudicialiter recuperauerunt uersus Willelmum de Douglas, militem, qui eosdem religiosos et suos in dicta via sepius impediuit ac perturbauit, qua quidem communi via, tempore a quo non extat memoria, vti consueuerunt, que etiam via tendit per mediam

¶ **D**icitur xpi fidelibus per hoc hinc ut dicitur 22 octio luciel 23 extor vacie de dactin forstam odam
in vno scripturam dicitur unigite vna me die dicitur ppe post scriptum om scriptum in vone anno dicitur o cē.
¶ **H**onore dicitur quid scripturam recepit et plene hinc de dno hinc de bonis dicitur in dno 23 oba
de scripturam dicitur hinc honore et legillum scripturam de illo dicitur hinc in dno de dno hinc in p dicitur de
23 p p dicitur eundem obligatorem dicitur de quibus quibus dicitur hinc me tenet hinc p dicitur in dno
hinc hinc dicitur et dicitur. In curia per testimonium dicitur hinc sigillum meum dicitur dicitur dicitur dicitur
die et anno dicitur.



Mortuus Dei gratia Rex Scottorum / Omnibus probis hominibus
concessisse / et hac presenti carta nostra confirmasse de
tam terram de Polbuttho infra Vallam de Goffet
et habendam prefato Jacobo et heredibus suis de nobis
et quiete plenarie et honorifice cum omnibus comoditatibus
pertinentibus seu aliquo iure pertinere Valentibus in fine
Jacobus et heredes sui singulis annis Duodecim
denarios in cuius rei testimonium presenti carte nostre
de l'ite de l'irby cancellario nostro Thoma Ranulph
bro de l'ech / Johes Wycharde et fergusio marescalli
Regni nostri terciodecimo . . .

ambus totius terre sue Salim Saatis nos dedisse
to et fidei nro Jacobo Dno de Douglas militi to
p omes Rectas Divisas suas et metas Tenend
et heredibus nostris in feodo et hereditate libere
tibus libertatibus et assiamendis ad dam terram
rum. Reddendo inde nobis et heredibz nris des
gatas Latas pro omni alio servicio exactione seu
Sigillum nrm precepimus apponi. Testibus Bernard
omite coraue et Dno wanne. Gilbro de Haya. Po
militibz ap Abubz. Quindecimo die Decemby. Anno

vallem de Duglas, a rectis diuisis et marchiis terre dictorum religiosorum de Tordones vsque ecclesiam de Duglas, et sic deinceps ante parcam castrum de Duglas per medium predictae vallis vsque Huddigystoun, et sic sursum vsque le Rayerd, et exinde vsque marchiam baronie de Wustoun, idem Willelmus de Duglas seysinam predictae vie predictis abbati et conuentui et suis iam de nouo impediuit, ipsos exinde, ut asserunt, disseysiendo, in ipsorum religiosorum dampnum non modicum et grauamen, nostrique contemptum manifestum: Quare vobis mandamus et precipimus quatenus ad dictum locum personaliter adiat, et si predictos religiosos inueneritis de dicta via esse perturbatos seu disseysitos, eisdem seysinam dictae vie iuste reuocare faciatis et sine dilacione, eosdem religiosos in dicta seysina manutinentes: Et si quos ipsos abbatem et conuentum aut suos in dicta seysina perturbantes inueneritis, ipsos attachiari faciatis, quod sint coram nobis et consilio nostro, ad certos diem et locum quos eis duxeritis assignandos nobis super tali contemptu responsuri, et facturi quod iusticia suadebit; presentibus pro voluntate nostra duraturis: testibus, Johanne Cumyn, Alexandro de Balliol camerario Scotiae, et Thoma Ranulphi, militibus, apud Rokysburg, xiii die Aprilis, anno regni nostri secundo.

Dorso: Per totum consilium existens apud Rokysburg super compita.

11. CHARTER by KING ROBERT THE BRUCE to JAMES LORD OF DUGLAS,
Knight, of the lands of Polbutthy. 15th December [1318].

ROBERTUS Dei gracia Rex Scottorum, omnibus probis hominibus totius terre sue, salutem: Sciatis nos dedisse, concessisse et hac presenti carta nostra confirmasse dilecto et fideli nostro Jacobo domino de Duglas, militi, totam terram de Polbutthy, infra vallem de Moffete, per omnes rectas diuisas suas et metas: Tenendam et habendam prefato Jacobo et heredibus suis de nobis et heredibus nostris, in feodo et hereditate, libere et quiete, plenarie et honorifice, cum omnibus commoditatibus, libertatibus et aysiamtis ad dictam terram pertinentibus seu aliquo iure pertinere valentibus in futurum: Reddendo inde nobis et heredibus nostris dictus Jacobus et heredes sui singulis annis duodecim sagittas latas pro omni alio seruicio, exactione seu demanda: In cuius rei testimonium presenti carte nostre sigillum nostrum precepimus apponi; testibus Bernardo Abbate de Abirbrothoc cancellario nostro, Thoma Ranulphi comite Morauie et domino Mannie, Gilberto de Haya, Roberto de Keth, Johanne Wischard, et Fergusio Marescalli, militibus, apud Abirbrothoc, quinto decimo die Decembris, anno regni nostri tercio decimo.

12. CHARTER by KING ROBERT THE BRUCE to JAMES LORD OF DUGLAS,
Knight, of the barony of Stabilgorton. [Circa 1319.]

ROBERTUS Dei gracia Rex Scottorum, omnibus probis hominibus tocius terre sue, salutem : Sciatis nos dedisse, concessisse et hac presenti carta nostra confirmasse Jacobo Domino de Duglas, militi, dilecto et fideli nostro, pro homagio et seruicio suo, totam baroniam de Stabilgorton, cum pertinenciis, in valle de Esk : Tenendam et habendam eidem Jacobo et heredibus suis ac suis assignatis, de nobis et heredibus nostris, in adeo liberum burgum sicut temporibus antecessorum nostrorum, regum Scocie, haberi consuevit, in feodo et hereditate inperpetuum, et in liberam baroniam, cum furca et fossa, soc et sac, thol et theam, et infangandthef, cum bondis, bondagiis natiuis et eorum sequelis, cum homagiis et seruiciis liberetenencium, cum feodis et forisfacturis, molendinis, multuris et eorum sequelis, et cum omnimodis aliis libertatibus, comoditatibus, aisiamentis et iustis pertinenciis suis, in omnibus et per omnia, tam non nominatis quam nominatis, ad dictam baroniam de jure aut consuetudine pertinere valentibus in futurum : Volumus eciam et concedimus, pro nobis et heredibus nostris, quod prefatus Jacobus heredes sui ac sui assignati habeant, teneant et possideant dictam baroniam, cum pertinenciis, in liberam forestam, cum curiis et escaetis ad liberam forestam pertinentibus, et quod ipse Jacobus et heredes sui ac sui assignati de cetero teneant dictam baroniam de vicecomitatu de Roxburg : Faciendo inde sectam curie nostre vicecomitatus de Roxburg, cum acciderit tantummodo, pro omnibus aliis seruiciis, consuetudinibus, exaccionibus secularibus seu demandis : In cuius rei testimonium presenti carte nostre sigillum nostrum precepimus apponi ; testibus Bernardo abbate de Abbirbrothoc cancellario nostro, Waltero senescallo Scocie, Willelmo de Sules butellario Scocie, Gilberto de Haia constabulario nostro, Roberto de Keth marescallo nostro, et Roberto de Lawedre, militibus, ac multis aliis.

13. CHARTER by KING ROBERT THE BRUCE to JAMES LORD OF DUGLAS,
Knight, of the half of the barony of Watstyrker. 20th April [1321].

ROBERTUS Dei gracia rex Scottorum, omnibus probis hominibus tocius terre sue, salutem : Sciatis nos dedisse, concessisse et hac presenti carta nostra confirmasse Jacobo domino de Duglas, militi, dilecto et fideli nostro, pro homagio et seruicio suo, medietatem tocius baronie de Watstyrker in Valle de Esk cum pertinenciis, que fuit quondam Willelmi de Soules, militis, et quam idem Willelmus erga nos

forisfecit: Tenendam et habendam eidem Jacobo et heredibus suis de nobis et heredibus nostris in feodo et hereditate, sine aliquo retinemento, per omnes rectas metas et diuisas suas libere, quiete, plenarie et honorifice, cum homagiis et seruiciis liberetenencium, multuris, molendinis et eorum sequelis, vnacum piscacionibus, aucupacionibus et venacionibus, et cum omnibus aliis libertatibus, commoditatibus, aisiamentis et iustis pertinenciis ad predictam terram spectantibus seu de iure spectare valentibus in futurum quoquomodo: Faciendo nobis et heredibus nostris dictus Jacobus et heredes sui seruicium de predicta terra cum pertinenciis debitum et consuetum tempore boue memorie domini Alexandri Dei gracia regis Scocie, predecessoris nostri vltimo defuncti: In cuius rei testimonium presenti carte nostre sigillum nostrum precepimus apponi; testibus Bernardo abbate de Abirbrothoc cancellario nostro, Waltero senescallo Scocie, Johanne de Meneteth, Roberto de Kethe et Roberto de Lawedre, militibus, apud Berwicum super Twedam, vicesimo die Aprilis, anno regni nostri sexto decimo.

14. GRANT by KING ROBERT THE BRUCE to JAMES LORD OF DOUGLAS of the Indictments of Offenders within the Barony of Douglas, etc. 8th November [1324].

ROBERTUS, etc., Bernardo abbati de Abirbrothok cancellario suo Scotie, salutem: Mandamus vobis et precipimus quatenus libere faciatis Jacobo domino de Douglas, dilecto et fideli nostro, vnam cartam sub magno sigillo nostro in hec verba, Robertus, etc., omnibus probis hominibus, etc., Cum nos tenebamur dilecto et fideli nostro Jacobo domiuo de Douglas in quatuor millibus ac quadringentis marcis stirlingorum, pro redemptione Roberti Barthram, Williehni Barthram, Elie Anillage, militum Francie, et eorum valetorum, per ipsum Jacobum de guerra apud Byland in Anglia dudum captorum, et per nos ad iustantiam serenissimi principis, amici nostri carissimi, domini regis Francorum, liberatorum; Sciatis nos in partem recompensatiouis autedicti debiti dedisse, concessisse et hac presenti carta nostra confirmasse eidem Jacobo indictamenta latrociniorum et miustrationem eorundem in omnibus infra omnes terras suas subscriptas, scilicet, infra baroniam de Douglas, infra forestam nostram de Selkirkis, de qua est officiarium nostrum, infra constabulariam de Lawedre, infra forestam de Jedburgh, cum Bonjedburgh, infra baroniam de Bethocrulle, infra baroniam de Watstirker, infra baroniam de Stabilgortoun, infra baroniam de Romanuokis, et infra omnes terras suas quas-cunque infra regnum nostrum, cum pertinentiis suis, quas de uobis tenet in capite:

Et si aliqui de hominibus suis infra predictas terras per justiciarios nostros fuerint indictati, volumus quod dictus Jacobus, heredes sui, et eorum ministri, habeant liberationem et liberam eorundem ministrationem ; saluis nobis et heredibus nostris omnibus aliis articulis ad homicidium et coronam nostram pertinentibus : Tenenda et habenda predicta indictamenta cum ministracione eorundem et cum omnibus libertatibus, commoditatibus ad predicta indictamenta et ad ministracionem eorundem pertinentibus prefato Jacobo et heredibus suis in feodo et hereditate in perpetuum de nobis et heredibus nostris : Volumus insuper, et concedimus pro nobis et heredibus nostris, quod prefatus Jacobus et heredes sui et eorum homines infra predictas terras manentes liberi sint in futurum de sectis curie de omnibus terris supradictis, et de wardis castrorum, necnon et de omnibus prisis, talliagiis, cariagiis et captionibus quibuscunque ad opus nostrum seu heredum nostrorum ; saluo tantum communi auxilio pro defensione regni nostri contingente : Et ut presens carta nostra robur firmitatis optineat in perpetuum, manum eiusdem Jacobi annulo cum quodam lapide qui dicitur Emeraude eidem Jacobo et heredibus suis, nomine sasine, in memoriale permansuro in futurum ex manu nostra personaliter inuestiuimus. In cuius rei, etc., presentibus testibus, etc., apud Berwicum super Twedam, octauo die mensis Nouembris, anno regni nostri nono decimo.

Hec est vera copia principalis cartæ suprascriptæ contentæ in registro supremi Domini nostri Regis, extracta, copiata et collationata, in omnibus cum originali concordans, nil addito vel remoto quod substantiam mutaret aut sententiam variaret, per me dominum Joannem Hamiltoun de Magdalenis, militem, clericum rotulorum registri ac consilii sub meis signo et subscriptione manualibus.

J. HAMILTON, *Cls. Regr.*

15. CHARTER by KING ROBERT THE BRUCE to JAMES LORD OF DUGLAS of the lands of Botle, etc. 24th February [1324].

ROBERTUS Dei gracia rex Scottorum, omnibus probis hominibus tocius terre sue, salutem : Sciatis nos dedisse, concessisse et hac presenti carta nostra confirmasse Jacobo domino de Duglas, militi, dilecto et fideli nostro, pro homagio et seruicio suo, totam terram nostram de Botle in Galwidia cum omnibus suis pertinenciis, per has diuisas, videlicet, totam parochiam de Botile, exceptis Corbettoun et terris Patricii MacGibbothyn, videlicet a loco vbi aqua de Vr transit in mare, et sic per antiquum Vr vsque retro transit antiquus Vr in aquam de Vr, et sic per aquam de

Vr vsque diuisas terre de Crosmychelle et de Corbetton, et sic a diuisis terre de Crosmychelle et Corbetton, prout antique diuise fuerunt, vsque quamdam terram que vocatur Knokynbotile, et sic a Knokynbotile sicut antique diuise fuerunt vsque ad terram de Torrys, et sic sicut antique diuise fuerunt a terra de Torrys vsque ad terram de Brethtathe, et sic ad diuisas terre de Torrys et de Brethtathe vsque ad diuisas et metas de Keltoun, et sic sicut diuise de Keltoun et de Brethtauth condonant vsque ad quemdam riuulum qui transit a molendino de Keuilstoun, et sic per quemdam riuulum qui currit inter terram de Brethtauth et Keuilstoun, et sic ab isto riuolo sicut currit vsque veniat ad quamdam terram que vocatur Rinteshey : Tenendam et habendam totam predictam terram in liberam et quietam baroniam predicto Jacobo et heredibus suis de nobis et heredibus nostris in feodo et hereditate, libere, quiete, plenarie et honorifice, cum soc et sac, thol et theam, furca et fossa, infangandthef et vthfangandthef, et cum iure patronatus ecclesiarum, libertate burgi, wrecko maris cum ancoragiis portuum, et libertatibus eisdem pertinentibus, et cum piscariis, stagnis et molendinis, venacionibus et auium aeris, et cum omnibus aliis iuribus, libertatibus, commoditatibus et aisiamenis tam non nominatis quam nominatis ad predictam baroniam spectantibus vel aliquo tempore quoquo modo spectare valentibus sine aliquo retinemento : Insuper volumus et concedimus quod nulli ministri nostri balliui vel seruientes vel heredum nostrorum capiant ad opus nostrum vel heredum nostrorum infra predictam baroniam de Botile aliquas prisas capciones vel cariagia, vel quod habeant potestatem aliquo tempore aliquos homines dicti Jacobi vel heredum suorum dictam baroniam de Botile inhabitantes attachiandi vel capiendi aut grauandi pro aliquibus delictis eis impositis, saluis quatuor querelis ad coronam nostram spectantibus, omnibus aliis articulis totaliter exclusis : Reddendo inde nobis et heredibus nostris annuatim dictus Jacobus et heredes sui, apud Trequere, vnum par calcarium deauratorum ad festum Natalis Domini, pro omni alio seruicio, warda, releuio, maritagio, secta curie et omnimoda alia demanda seculari que in nostro perpetuo vel heredum nostrorum [nomine] de dicta baronia per infinita secula exigi poterit et requiri : In cuius rei testimonium presenti carte nostre sigillum nostrum precepimus apponi ; testibus venerabilibus in Christo patribus Willelmo, Willelmo, et Gilberto, Sanctiandree, Dunkeldensis et Sodorensis ecclesiarum Dei gracia episcopis, Bernardo abbate de Abirbrothoc cancellario nostro, Duncano comite de Fyf, Malisio comite de Stratherin, Patricio de Dunbar comite Marchie, Waltero senescallo Scochie, Roberto de Bruys et Dauid de Lindesai de Crauford, militibus, apud Berwicum super Twedam, vicesimo quarto die Februarii, anno regni nostri nono decimo.

16. CHARTER by THOMAS RANDOLPH, EARL OF MORAY, to JOHN EARL OF ANGUS, of Morthyngtoun, etc. [*Circa* 1331.]

OMNIBUS haec cartam visuris uel auditoris, Thomas Ranulphus, comes Moraue, dominus Vallis Anandie et Mannie, salutem in Domino sempiternam : Quia excellentissimus princeps, dominus noster et auunculus carissimus, clare memorie dominus Robertus Dei gracia Scotorum rex illustris, per cartam suam dedit et concessit nobis et heredibus nostris, et nostris assignatis, reuersionem tocius baronie de Morthyngtoun et de Langformacgus in Lambermore, cum pertinenciis, post decessum domine Angnetis de Morthyngtoun, sponse quondam domini Henrici de Haliburtoun, militis ; Noueritis nos dedisse, concessisse et hac presenti carta nostra confirmasse Johanni Senescallo comiti de Anegus, nepoti nostro dilecto, pro homagio et seruicio suo, reuersionem tocius terre de Langformacgus predictae, cum pertinenciis, post decessum dicte domine Angnetis, per omnes rectas metas et diuisas suas : Tenendam et habendam dicto Johanni comiti de Anegus et heredibus suis de nobis et heredibus nostris in feodo et hereditate, in boscis, planis, pasuis et pasturis, et cum omnibus aliis libertatibus, commoditatibus et aysiamentis, in omnibus et per omnia, tam non nominatis quam nominatis, ad dictam terram de Langformacgus spectantibus seu aliquo iure spectare ualentibus in futurum : Faciendo inde ipse comes de Anegus et heredes sui, nobis et heredibus nostris, terciam partem integri seruicii tocius baronie de Morthyngtoun et de Langformacgus predictae debiti et consueti, et tres sectas curie nostre annuatim ad tria capitalia nostra placita apud Morthyngtoun tenenda, pro omni alio seruicio, exaccione seu demanda : Nos uero Thomas Moraue comes et heredes nostri predicto Johanni comiti de Anegus et heredibus suis reuersionem tocius terre de Langformacgus predictae, cum pertinenciis, in omnibus et per omnia, ut predictum est, contra omnes homines et feminas warantzabimus, acquietabimus et inperpetuum defendemus : In cuius rei testimonium presenti carte nostre sigillum nostrum apposuimus ; hiis testibus, Douenaldo comite de Marre, domino Roberto de Brus, domino Roberto de Lawedre justiciario Lowdonie, domino Alexandro de Setoun, domino Patricio de Charteris, militibus, et multis aliis.

17. GRANT by the ABBOT OF KELSO to SIR WILLIAM OF DOUGLAS, Lord of Lydalesdale, of Douglen, etc. [21 December] 1343.

UNIERSIS Christi fidelibus has literas visuris uel auditoris, Frater Willelmus abbas de Calkowe, et eiusdem loci conuentus, salutem in Domino : Noueritis nos

Unius xpi fidelibus has has visis vel auditis, fratres
dno. Nos unanimi consensu capti nri deliberatione
pensata dedisse & concessisse Nobili viro, dno Wilto de Cou
impensis Ham man de Couglen infra vallem de Este, a
gaybar deamaliu, p toto tpe vno suo tenere psecu
de Scapilgortou ad terminu bā gaym in hieme singulis
tam omnia annuam attingant. Et si quouis euentu ibidem
ppectuo deos qdramta solidos de cessis nris singul an
vbiq; locoz iuncta fore distinguenda ad omnia & singula
capti nri communo psecu appositum. Dat in monasterio
centesimo, quadagesimo tertio.

Illis Abbas de Calto & eiusdem loci Conuentus, salutem in
Deo diligenti nobiscum prehabita, ac valitate vestri nostri communis
de gilda, Dno vallis de Lydale per consilium & auxilium suo nobis
omnibus & singulis pertinentiis suis libera & eximiam a preiudicio
fidem, ac eadem quadraginta solidos octingentorum de Ecclesia nostra
tam recipiendi de fructibus de ecclesia nos contingebat, si ad tam
certam summam deo dno vobis potuit inde satisfieri, eadem pro suo
prosoluimus, obligantes ad hoc bona nostra quatenus ac hominum nostrorum
iussa fideliter & integre observanda. In cuius rei testimonium sigillum
nostro preiudicio in festo beati Thomae apostoli. Anno dno millesimo cxxv.

vnanimi consensu capituli nostri, deliberacione diligenti nobiscum prehabita, ac vtilitate monasterii nostri communi pensata, dedisse et concessisse nobili viro, domino Willelmo de Douglas, militi, domino Vallis de Lydale, pro consilio et auxilio suo nobis impensis, terram nostram de Douglen, infra vallem de Esk, cum omnibus et singulis pertinenciis suis, liberam et exutam a prestacione garbarum decimalium, pro toto tempore vite sue, tenore presencium possidendam; ac eciam quadraginta solidos sterlingorum de ecclesia nostra de Stapilgortoun, ad terminum Beati Martini in hyeme singulis annis percipiendos de fructibus dicte ecclesie nos contingentibus, si ad tantam summam annuam attingant; et si quouis euentu ibidem defecerint quominus dicto domino Willelmo potuerit inde satisfieri, eidem pro suo perpetuo dictos quadraginta solidos de coffris nostris singulis annis persolnemus, obligantes ad hoc bona nostra quecunque ac hominum nostrorum vbicunque locorum inuenta fore distringenda, ad omnia et singula premissa fideliter et integre obseruanda: In cuius rei testimonium sigillum capituli nostri commune presentibus apposuimus: Datum in monasterio nostro predicto, in festo Beati Thome Apostoli, anno gracie millesimo trescentesimo quadragesimo tercio.

18. CHARTER by WILLIAM LORD OF DOUGLAS to JAMES OF SANDYLANDYS and LADY ELIENORA OF BRUYS of the barony of Westyrcaldor. [*Circa* 1346.] (From Transcript, No. 59, *infra*.)

OMNIBUS hanc cartam visuris vel auditoris, Willelmus de Douglas dominus loci eiusdem, salutem in Domino sempiternam: Noueritis me dedisse, concessisse et hac presenti carta mea confirmasse Jacobo de Sandylandys, et domine Elienore de Bruys, sorori mee, totam baroniam meam de Westyrcaldor, cum omnibus suis pertinenciis, in liberum maritagium: Tenendam et habendam predicto Jacobo et domine Elienore, et eorum alteri diucius viuenti, pro toto tempore vite sue, et eorum heredibus masculis seu femellis inter se legitime procreandis, in feodo et hereditate imperpetuum, absque vlllo retenemento, adeo libere, quiete, integre, plenarie, pacifice et honorifice sicut ego aut predecessores mei predictam baroniam, cum pertinenciis de domino Duncano comite de Fyffe liberius aut quocius tenui vel tenuerunt, aut quoquo modo tenere potui vel potuerunt, per omnes rectas metas et diuisas suas, in forestis, ecclesiarum aduocacionibus, cum wardis, releuiis, maritagiis, pratis, pascuis et pasturis, viis, semitis, moris, marresiis, aquis, stagnis, viuariis, cum homagiis et seruiciis liberetenencium, cum bondis et bondagiis natiuis et eorum sequelis, cum feodis, forisfactoris, molendinis, multuris et eorum

sequelis, et eschaetis, cum piscacionibus, aucupacionibus, venacionibus, et cum omnibus et singulis libertatibus, commoditatibus, aysiametis et pertinenciis suis, cum omnibus et per omnia, tam non nominatis quam nominatis, tam prope quam procul, tam sub terra quam supra terram, ad dictam baroniam pertinentibus seu quocunque jure vel modo pertinere valentibus in futurum : Reddendo inde annuatim michi et heredibus meis dicti Jacobus et domina Elienora, et eorum alter diucius viuens, pro toto tempore vite sue, et heredes sui masculi vel femelle inter se, vt premissum est, legitime procreandi, nomine albe firme, par vnum calcarium deauratorum vel duos solidos argenti ad festum Pentecostes, si petatur tantummodo, pro omnibus aliis seruiciis, exaccionibus, consuetudinibus et demandis : Et sciendum est quod, si dicti Jacobus et domina Elianora in fata decesserint sine heredibus masculis vel femellis inter se legitime procreatis, tota dicta baronia cum pertinenciis reuertetur michi et heredibus meis : Et ego Willelmus dominus de Douglas et heredes mei totam dictam baroniam cum omnibus suis pertinenciis, in omnibus et per omnia, vt predictum est, dictis Jacobo et domine Elienore, et eorum alteri diucius viuenti, pro toto tempore vite sue, et eorum heredibus masculis vel femellis inter se legitime procreandis, contra omnes homines et feminas warantisabimus, acquietabimus et imperpetuum defendemus : In cuius rei testimonium huic carte sigillum meum apposui ; hiis testibus, venerabili in Christo patre domino Thoma Dei gracia abbate Sancte Crucis de Edynburgh, Thoma Seneschallo comite de Angows, domino Dauid de Lyndesay domino de Crawford, domino Willelmo de Douglas domino Vallis de Lyddell, domino Andrea de Douglas et domino Johanne de Douglas, militibus, et domino Ricardo Small rectore ecclesie de Ratheu, et multis aliis.

19. CONFIRMATION by THOMAS EARL OF MAR of a Charter by WILLIAM EARL OF DOUGLAS, to the ABBOT and CONVENT OF MELROSE, of the patronage of the Church of Meikle Cavers. [*Circa* 1350.]

OMNIBUS hanc cartam visuris vel auditoris, Thomas comes de Marre, salutem in Domino sempiternam : Sciatis nos, cum consilio nostro, inspexisse, vidisse et diligenter examinasse cartam dilecti fratris nostri, domini Willelmi comitis de Douglas ac domini baronie de Cauers, concessam, factam et traditam religiosis viris, abbati et conuentui monasterii Sancte Marie de Melros ibidem Deo seruientibus, et imperpetuum seruituris, de toto iure patronatus et aduocacione ecclesie de Magna Cauers, in baronia predicta, infra vicecomitatum de Roxburgh, cum

Omnes hanc cartam viderunt et Andriam Willms Dns de Douglas Sa
presertim carta nra confirmasse. Dico nro Reges hoc Burgensi de Edy
locata est la Abben de Bachols infra viciniam laudome. idcirco int
superiori ex pte orientali et terras del plat ex pte occidentali p omnes terras
in pte nra de nob et heredibz nris in feodo et hereditate libe quiete pacifi
volendms cu omibz alijs libertatibz comoditatibz et dispoamentis tam non
in feodo. Redendo nra nob et heredibz nris annuatim pte psequens
et duo Ep'i sancti andree capitali duo de cepe. Unam libram cepe ad tunc
de tra cepe cu pmentis p nos vel heredes nros exigi possunt vel deinde
Reges heredibz suis et suis assignatis cum omnes hies et feminas Rayn
cartam nram sigillo nro ap' Edynburgh fecim' communi. Hys testibz
burg' Dns Willms de Ramsay vic' laudome. Dns Joh' de preston
cu plibz alijs p'is et discipulis nris...

in dno sempiternam. **M**ouit dimissas sua nos dedisse concessisse et hac
m^o p^o hono^o et finio suo totam terram n^oram del^o Bayms que quidam terra al
as de Bachols. ex p^ote d^ostrali. et terras de nopton ex p^ote local^o. terras de gogey
etas et dimissas suas tenend^o et habend^o eidem rogo et heredib^o suis et suis assignatis
et hono^ofic^o in p^otas et pastus in g^oris et g^oris in stanguis et agnis p^otas et
etas q^o no^otas ad eandem terram fecerunt seu fecere valentib^o quomodolibet
des sui et sui assignati vni p^ote calcam^o deampator. ad festu^o pentecost^o si p^otas
ista ap^o h^oston no^ore alle firme p^o omib^o alijs terrenis finis et demoribus que
ap^o. Et nos Willelm^o de Douglas et heredes n^ori p^otas terram cu^o p^otas p^otas
abim^o regnetabim^o et in p^otas defendem^o. In Cui^o rei testimonium p^osentem
et eundem in xpo p^ote. D^ono G^ond^o p^omission^o dia^o Albace sancte quia de G^ond.
Johne hepis g^olib^o busone de G^ond^o Anno t^ore de G^ond^o

pertinenciis: Tenendis et habendis eisdem religiosis et eorum successoribus imperpetuum, in liberam, puram et perpetuam elemosinam, in omnibus et per omnia, prout eadem carta in se continet plenius et testatur: Quam quidem cartam cum omnibus et singulis pertinenciis, modis, punctis et articulis in eadem contentis, tam non nominatis quam nominatis, nos, Thomas comes de Marre predictus, eisdem religiosis abbati et conuentui monasterii predicti de Melros, et eorum successoribus, imperpetuum pro nobis et heredibus nostris concedimus, ratificamus, approbamus et tenore presencium confirmamus: In cuius rei testimonium presenti carte nostre sigillum nostrum fecimus apponi; hiis testibus, dominis Waltero Moigne, Willelmo de Lydell, et Laurencio Gelybrande, militibus, Magistris Gilberto Arnstrange, Daud de Marre, et Johanne de Marre, Thoma de Balliolo, dilecto fratre nostro, Johanne de Merymons, Thoma de Hille, et multis aliis.

20. CHARTER by WILLIAM LORD OF DOUGLAS to ROGER HOG of the Bernys
or Abthen of Rathow. [*Circa* 1356.]

OMNIBUS hanc cartam visuris vel auditoris, Willelmus dominus de Douglas, salutem in Domino sempiternam: Nouerit vniuersitas vestra nos dedisse, concessisse et hac presenti carta nostra confirmasse dilecto nostro Rogero Hog, burgensi de Edynburgh, pro homagio et seruicio suo, totam terram nostram del Bernys, que quidem terra alias vocata est la Abthen de Rathow, infra vicecomitatum Laudonie, iacentem inter terras de Rathow ex parte australi, et terras de Nortoun ex parte boreali, terras de Goger superiori ex parte orientali, et terras del Plat ex parte occidentali, per omnes rectas metas et diuisas suas: Tenendam et habendam eidem Rogero et heredibus suis et suis assignatis imperpetuum de nobis et heredibus nostris in feodo et hereditate, libere, quiete, pacifice et honorifice, in pratis et pascuis, in moris et maresiis, in stangnis et aquis, piscariis et molendiis, cum omnibus aliis libertatibus, commoditatibus et aysyamentis, tam non nominatis quam nominatis, ad eandem terram spectantibus, seu spectare valentibus quomodolibet in futurum: Reddendo inde nobis et heredibus nostris annuatim predictus Rogerus, heredes sui et sui assignati, vnum par calcarium deauratorum ad festum Pentecostes, si petantur, et domino episcopo Sanctiandree, capitali domino dicte terre, vnam libram cere ad idem festum, apud Lystoun, nomine albe firme, pro omnibus aliis terrenis seruiciis et demandis que de dicta terra cum pertinenciis per nos vel heredes nostros exigi poterunt vel demandari: Et nos Willelmus de Douglas et heredes nostri predictam terram cum pertinenciis

predicto Rogero heredibus suis et suis assignatis contra omnes homines et feminas warantizabimus, acquietabimus et imperpetuum defendemus. In cuius rei testimonium presentem cartam nostram sigillo nostro, apud Edynburgh, fecimus comuni; hiis testibus, reuerendo in Christo patre, domino Thoma permissione diuina Abbate Sancte Crucis de Edynburgh, domino Willelmo de Ramissay vicecomite Laudonie, dominis Johanne de Prestoun et Johanne Herys, militibus, Hugone de Brownhill aldrymanno tunc de Edynburgh, cum pluribus aliis probis et discretis viris.

21. CONFIRMATION by WILLIAM BISHOP OF ST. ANDREWS of the immediately preceding Charter. 24th March 1357.

UNIERSIS Christi fidelibus presens scriptum visuris vel auditoris, Willelmus de Lanndels, miseracione diuina episcopus Sanctiandree, salutem in Domino sempiternam: Nouerit vniuersitas vestra nos cartam nobilis viri, domini Willelmi comitis de Douglas, non abolitam, non cancellatam, non rasam, nec in aliqua sui parte viciatam, inspexisse in hec verba: Omnibus hanc cartam visuris vel auditoris, Willelmus dominus de Douglas [*etc.*, No. 20, *supra*]. QUAM QUIDEM CARTAM in omnibus punctis suis et articulis, forma pariter et effectum, de consensu et assensu totius capituli nostri, ratificamus, approbamus et imperpetuum confirmamus: Saluo nobis et successoribus nostris seruicio nostro de dicta terra in predicta carta contenta debito et consueto: In cuius rei testimonium presenti scripto sigillum nostrum, vna cum communi sigillo capituli est appensum, in capitulo nostro predicto, vicesimo quarto die Marci, anno gracie millesimo CCC^{mo} quinquagesimo septimo.

22. CHARTER by THOMAS STEWART, EARL OF ANGUS, to THOMAS OF REDPETH and MARIOTE his wife, of lands in the town and territory of Prestoun. [*Circa* 1358.]

OMNIBUS hanc cartam visuris vel auditoris, Thomas Senescalli comes de Anegous ac dominus de Bonkill eternam in Domino salutem: Nouerit vniuersitas vestra nos dedisse, concessisse et hac presenti carta nostra confirmasse dilectis nostris Thome de Redpeth et Mariote sponse sue pro bono seruicio suo totas terras nostras quindecim husbandorum et sex cotariorum, cum toftis et croftis earundem, et cum omnimodis suis aliis pertinenciis, prout jacent in villa et territorio nostro de Prestoun in baronia nostra de Bonkill, per suas rectas metas et diuisas, ita quod

omnes dicte terre husbandorum et cotariorum libere sint et quiete de multura nobis debita ad molendinum nostrum de Prestoun, ac etiam ex omnimodis ceteris clameis dicto molendino nostro tangentibus: Tenendas et habendas dictis Thome de Redpeth et Mariote sponse sue, et eorum heredibus vel suis assignatis, de nobis et heredibus nostris in perpetuum, in feodo et hereditate, cum curiis et escaetis, in boscis, planis, pascuis, pratis, pasturis, viis, semitis, moris, marresiis, brnariis, petariis, stagnis, aquis, molendinis et multuris, brasinis, piscacionibus, ancpacionibus et venacionibus, ac omnibus aliis et singulis libertatibus, commoditatibus, aysiamentis et pertinenciis suis, cum libero introitu et exitu ad communia sua omnia aysiamenta, in omnibus et per omnia, tam non nominatis quam nominatis, tam sub terra quam super terram ad dictas terras pertinentibus sen aliquo modo aut titulo in futurum pertinere valentibus: Reddendo nobis et heredibus nostris dicti Thomas et Mariota sponsa sua, et heredes eorum vel assignati suorum, unum par cerotecarum albarum ad festum natalis Domini super solum terrarum dictarum si petatur, et tres sectas curie ad placita nostra principalia de Bonkill tantummodo, pro omni alio seruitio seculari, exactione sen demanda que de dictis terris exigi poterunt aut requiri: Et nos Thomas et heredes nostri dictis Thome de Redpeth et Mariote sponse, et eorum heredibus vel eorum assignatis, totas predictas terras quindecim husbandorum et sex cotariorum cum omnimodis suis pertinenciis, prout melius ac liberius prescriptum est, contra omnes homines et feminas warrantizabimus, acquietabimus et in perpetuum defendemus: In cuius rei testimonium presenti carte nostre sigillum nostrum est appensum; hiis testibus, nobilibus dominis ac reuerendis domino Patricio comite Marchie, domino Wilelmo comite de Douglas, necnon domino Waltero de Halyburton, domino Roberto de Chysholme, militibus, Alexandro de Montgomery, Wilelmo Mantaland, Alexandro de Cochrane et Johanne Mantaland, et multis aliis.

23. CHARTER by WILLIAM EARL OF DOUGLAS and Lord of the Barony of
Cavers to the MONKS OF MELROSE of the lands of Penangonshope and
Caldeclonghe Nether, in the barony of Cavers. [*Circa* 1360.]

OMNIBUS hanc cartam visuris vel audituris, Wilelmus comes de Douglas ac dominus baronie de Cauers, saltem in Domino sempiternam: Sciatis nos dedisse, concessisse et hac presenti carta nostra confirmasse Deo et Beate Marie virgini ac religiosis viris abbati et conuentui monasterii de Melros ibidem Deo seruientibus et imperpetuum seruientibus, pro salute anime excellentissimi principis et domini nostri, domini

Dauid Dei gracia regis Scottorum illustris, ac pro salute anime nostre et animarum omnium antecessorum et successorum nostrorum, et specialiter pro salute anime domini Wilelmi de Douglas de Laudonia, militis, cuius corpus in ecclesia eiusdem monasterii ante altare Beate Brigide virginis requiescit, et eciam animarum omnium fidelium defunctorum, omnes terras nostras de Penangoushope et de Caldecloughe Inferiori cum pertinenciis, in baronia nostra de Cauers predicta infra vicecomitatum de Roxburgh : Tenendas et habendas eisdem religiosis et eorum successoribus imperpetuum, in liberam, puram et perpetuam elemosinam, sine aliquo retinemento, in moris, marreseis, aquis, stagnis, petariis, turbariis, viis, semitis, rectis metis, marchiis et diuisis suis, cum venacionibus, aucupacionibus et piscacionibus, in boscis, planis, pratis, pascuis et pasturis, cum curiis et escaetis, bondis et bondagiis, cum multuris, molendinis et eorum sequelis, et cum omnimodis aliis libertatibus, commoditatibus, aysiamentis et iustis pertinenciis suis quibuscumque, tam non nominatis quam nominatis, tam prope quam procul, tam sub terra quam supra terram, in omnibus et per omnia, ad predictas terras de Penangoushope et de Caldecloughe Inferiori spectantibus seu iuste spectare valentibus in futurum de iure vel consuetudine quoquomodo, adeo libere, quiete, plenarie, integre et honorifice, sicut aliqua elemosina alicui monasterio seu loco pio aut viris religiosis quibuscumque in toto regno Scoeie, in liberam, puram et perpetuam elemosinam liberius, quiecuis, plenius, integrius et honorificencius datur, conceditur, tenetur seu possidetur vel dari poterit seu teneri, et precipue secundum modum, formam, iura, vsus et consuetudines in omnibus et per omnia terrarum suarum de Ryngwodfelde baronie eiusdem, eisdem terris de Penangoushope et de Caldecloughe Inferiori inuicem et vicine adiacencium : Predicti vero abbas et conuentus monasterii predicti de Melros et eorum successores imperpetuum inuenient vnum monachum diuina celebrantem ad altare Beate Brigide antedictum pro salutē omnium auimarum predictarum, prout superius est expressum : Et nos Wilelmus comes predictus de Douglas ac dominus baronie de Cauers predictas terras de Penangoushope et de Caldecloughe Inferiori eisdem abbati et conuentui monasterii de Melros et heredes nostri eis et suis successoribus imperpetuum contra omnes mortales warantizabimus, acquietabimus et imperpetuum defendemus : In cuius rei testimonium presenti carte nostre sigillum nostrum fecimus apponi ; hiis testibus, dominis Archebaldo de Douglas consanguineo nostro karissimo, Roberto de Leuyngstoun et Wilelmo de Gledstanes, militibus, magistro Ricardo de Fogou canonico Glasguensi et rectore ecclesie de Douglas, domino Ricardo Smalle rectore ecclesie de Rathow, Wilelmo de Turribus, Wilelmo de Lyndesay, Wilelmo Mautalent, Henrico Kerre, et multis aliis.



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William Comte de Longt & Seigneur de la Baronie de Cany
Duy ce q nous avons ditte as Peviers & Religions Comte
deuz me Baronie de Cany susdit q peussent avoir
de nous solamo ce q les deussent avoir de Cany
& autres offenz qe q nous des nous les defendez
le teno & le maner de me charge est fait as
ce en nulle man leissent. Et sept & douz me
et ^{est} ~~est~~ cessant.

au nous William de Godefranc nre. Ballif. Duxat. salut.
Table & le conseil de mesmes seignors de la ep. de Ely.
leur fides. casmentes & amodates confermez & guaranties
des des de Ely. Si vous mandans & amandans
maintenez & guarantiez fidesment & resonablement selonc
z. Abbe & convent. a duxat de ce camp p. touz nos. Et
a mesmes susdit le xxij. 10. Sept. L. ans de g. 1000.



24. CHARTER by ALEXANDER OF LINDEZAI, Lord of Littewy, to SYMON OF BALMALKYN, of the lands of Bryhtyn. [Circa 1360.]

OMNIBUS hanc cartam visuris vel auditoris, Alexander de Lindezai, dominus de Littewy, salutem in Domino sempiternam : Nouerit vniuersitas vestra me dedisse, concessisse et hac presenti carta mea confirmasse dilecto et fideli armigero meo, Symoni de Balmalkyn, totam terram meam de Bryhtyn, iacentem in baronia de Athybetoun, infra vicecomitatum de Angus, cum omnibus suis iustis pertinenciis et rectis diuisis ad predictam terram spectantibus seu quoquomodo spectare valentibus in futurum, pro homagio et seruicio suo : Tenendam et habendam predicto Symoni et heredibus suis, de me et heredibus meis, in feodo et hereditate libere, quiete, plenarie et honorifice, in moris, marisiis, stagnis, viuariis, piscariis, pratis, petariis, semitis, pascuis, boscis, planis, fabrinis, bracinis, et molendinis, ac omnibus aliis commoditatibus, libertatibus et aysiamentis, tam non nominatis quam nominatis, tam sub terra quam supra terram, ad predictam terram de Bryhtin spectantibus seu quoquomodo spectare valentibus in futurum : Faciendo inde ipse Symon et heredes sui michi et heredibus meis tres sectas ad tria placita mea capitalia tenenda apud Athibetoun, temporibus et locis debitis et consuetis, pro omni alio onere, exaccione seu demanda que de dicta terra per me aut heredes meos exigi poterunt seu requiri : Saluo forinseco seruicio domini nostri regis debito et consueto quantum pertinet ad predictam terram de Bryhtyn : Saluis eciam michi et heredibus meis warda, releuio et maritagio predictae terre, cum contigerint : Ego vero Alexander predictus et heredes mei predictam terram de Bryhtyn predicto Symoni et heredibus suis, vt premittitur, contra omnes homines et feminas warantizabimus, acquietabimus et imperpetuum defendemus : In cuius rei testimonium presenti carte sigillum meum est appensum ; hiis testibus, venerabili patre in Christo ac domino, domino Willelmo Dei gracia episcopo Sancti Andree, Thoma eadem gracia priore Sancti Andree, Johanne eadem gracia abbate de Dunfermelyn, Dauid de Wemys vicecomite de Fyff, Willelmo de Dyssingtoun, Rogero de Mortuo Mari, militibus, Willelmo de Fentoun, Ingerano de Wintoun, Johanne de Mala Villa domino de Carnbe, Laurencio Belle aldermanno ciuitatis Sancti Andree, Johanne Strang, et multis aliis.

25. LETTER of PROTECTION by WILLIAM EARL OF DOUGLAS in favour of the ABBOT and MONKS OF MELROSE. 24th April 1360.

WILLIAM count de Douglas et seignour de la baronie de Cauers au monsieur William de Gledstanes nostre baillif dycelle salut : Pur ceo que nous auoms

grante as reuerentz et religious hommes l'abbe et le couent de Melros, seignours de la terre de Ryngwode, deinz nostre baronie de Cauers susdit, que peussent auoir leur franchises easmentes et commodites confermez et guarrandez de nous solome ceo que les deussent auoir de leur ditz terres de Ryngwode : si vous maudoms et commandoms, par cestes presentz lettres, que vous depar nous les defendez mainteignez et guarrandez franchement et resonablement, solome le tenour et le maner de nostre chartre eut fait as ditz abbe et couent, a durrer deuers eaux pur touz ioures ; et ceo en nulle maner laissezz : Escript et donne souz nostre seal, a Melros susdit, le xxiiii^e iour d'April, l'an^e de grace Mⁱ CCC^{ent} sessant.

26. CHARTER by KING DAVID THE SECOND to JOHN OF ABIRNETHY, Knight, of an annualrent from the lands of Balheluy. 11th February [1368].

DAVID Dei gracia Rex Scottorum, omnibus probis hominibus tocius terre sue, clericis et laicis, salutem : Sciatis nos dedisse, concessisse et hac presenti carta nostra confirmasse dilecto et fideli nostro, Johanni de Abirnethy, militi, pro homagio et seruicio suo, illum annuum redditum viginti librarum sterlingorum exeuntem et nobis debitum de terra de Balheluy, cum pertinenciis, infra vicecomitatum de Abirdene : Tenendum et habendum eidem Johanni et heredibus suis de nobis et heredibus nostris, in feodo et hereditate, libere, quiete, plenarie, integre et honorifice quousque nos vel heredes nostri dictum Johannem vel heredes suos de viginti libratibus terre hereditarie infeodauerimus vel infeodauerint in loco aliquo competenti : Volumus iusuper ac declaramus et coucedimus per presentes, quod dicta terra de Balheluy Berclay teneatur ad solucionem decimi denarii episcopo siue ecclesie Abirdonensi debiti pro secundis decimis, sic quod dictus Johannes de Abirnethy et heredes sui dictum annuum redditum libere percipiant absque prestatione secunde decime cuiuscunque, nonobstante generali reuocatione facta vltimo in nostro parlamento de terris, decimis et annuis redditibus nostris, si et in quocunque obuiare videatur nostre concessioni ac declaracioni predictae : In cuius rei testimonium presenti carte nostre sigillum nostrum precepimus apponi ; testibus venerabilibus in Christo patribus, Willelmo episcopo Sancti Andree, et Patricio episcopo Brechinensi, caucellario nostro, Roberto senescallo Scochie comite de Stratherne nepote nostro, Willelmo comite de Douglas, Roberto de Erskyne, Waltero de Lesley, Alexandro de Lyndesay, et Dauid de Anand, militibus ; apud Eдынburgh, vndecimo die mensis Februarii, anno regni nostri tricesimo nono.

27. CHARTER by KING ROBERT THE SECOND to WILLIAM EARL OF DOUGLAS
of the lands of Tulycultry. [1371-1377.]

ROBERTUS Dei gratia, etc., omnibus probis hominibus suis, etc.: Sciant presentes et futuri quod cum Thomas comes de Marr, consanguineus noster, totam terram suam de Tulycultry, cum pertinentiis, infra vicecomitatum de Clakmanane, quam de nobis tenuit hereditarie, per fustem et baculum nobis sursum reddiderit, pureque et simpliciter resignaverit, et totum jus et clameum quod in dicta terra, cum pertinentiis, habuit vel habere potuit, pro se et heredibus suis omnino quietum clamavit; Nos totam dictam terram de Tulycultry, cum pertinentiis, Willielmo comiti de Douglas, consanguineo nostro dilecto et fideli, pro homagio et seruitio suo, dedimus, concessimus et hac presenti carta nostra confirmauimus sine aliquo retenemento: Tenendam et habendam eidem Willielmo et heredibus suis de nobis et heredibus nostris, in feodo et hereditate, per easdem diuisas per quas dictus Thomas comes de Mar ac alii antecessores sui ipsam terram de Tullycultrie, cum pertinentiis, tenuerunt et possederunt, in nemore, in saltibus, in planis et asperis, in terris et aquis, in pratis et pascuis, in moris et marresiis, in stagnis et molen-
dinis, cum sacco et socco, cum furca et fossa, cum toll et theame, et infangtheif, et cum omnibus aliis iustis pertinentiis suis, et cum omnibus natiuis eiusdem terre, libere, quiete et honorifice, per seruitium vnus militis; saluis elemosinis nostris: concessimus etiam eidem Willielmo quod ipse et heredes sui habeant et teneant dictam terram in liberam forestam: Quare firmiter prohibemus ne quis sine eorum licentia in predicta secet aut venetur, super nostram plenariam forisfacturam, videlicet, decem libras. In cuius rei, etc.

Hæc est vera copia, [*etc. in forma communi.*] J. HAMILTON, *Cls. Regri.*

28. RESIGNATION by ROBERT AYIR of Fastforland to MARGARET STEWART,
COUNTESS OF MARR AND ANGUS, of his lands of Fastforland. [*Circa 1375.*]

OMNIBUS hoc scriptum visuris vel auditoris, Robertus Ayir de Fastforland, salutem in Domino sempiternam: Noueritis me, non vi aut metu ductum, nec errore lapsum, sed mea pura et spontanea voluntate, pure et simpliciter resignasse, ac per fustem et baculum et hanc literam resignacionis mee sursum reddidisse in manus nobilis domine, domine Mergarete Senescalli, comitisse de Marr et de Angus, ac capitalis domine mee, omnes terras meas cum pertinenciis de Fastforland, quas de ipsa tenui in capite, in baronia de Bonkyl, infra vicecomitatum de Berwico super Twedam; ita quod nec ego nec heredes mei nec aliquis nomine nostro aliquod ius

uel clameum, possessionem uel proprietatem, in dictis terris de Fastforland cum pertinenciis, nec in aliqua parte earundem aliquanter uendicare poterimus in futurum, sed ab omni titulo iuris, tam petitorio quam possessorio, simus exclusi et absoluti inperpetuum : In cuius rei testimonium, quia sigillum meum minus est cognitum, sigillum nobilis viri, Willelmi de Wedirburn, causa perhibendi testimonium veritati presenti scripto resignacionis mee apponi procurauimus ; hiis testibus, domino Willelmo de Lyndysay domino de Byris, Johanne de Halyburttoun domino de Dirltoun, Willelmo de Borthwyk domino [de] Lygerdwod, Ricardo de Bykryngtoun, Johanne de Lydal, militibus, Johanne de Sancto Claro domino de Herdmanystoun, Alexandro de Kocburn, cum multis aliis.

29. LETTER by ALEXANDER FRYSER, Sheriff of Aberdeen, assigning to MARGARET COUNTESS OF MARR certain lands and rents in Marr, etc., as terce. 14th July 1377.

VNIUERSIS presentes literas inspecturis Alexander Fryser, vicecomes de Abirdene, salutem in Domino sempiternam : Nouerit vniuersitas uestra quod xiiii die Julii, anni Domini millesimi CCC^{mi} septuagesimi septimi, apud Inuerrowry, mihi presentatum fuit quoddam breue de tercia de capella domini regis pro Margareta comitissa de Marr, sponsa Thome quondam comitis de Marr, quod breue mihi fuit presentatum per actornatum dicte Margarete, Johannem de Sancto Claro, fratrem dicte comitisse ; virtute cuius breuis onerari ex officio meo meliores et fidedigniores ballie mee ad faciendam racionabilem terciam partem dicte comitisse de omnibus terris et redditibus de quibus dictus quondam comes maritus suus obiit vestitus et saisitus, vt de feodo, infra balliam meam : Qui iurati, magno sacramento interueniente, diuiserunt dicte comitisse pro sua racionabili tercia parte terras et redditus subscriptos ; videlicet, in Marr, Glengarachy, due Inueraty, Culgary, Newyth, due Argethys, Balnaboth de Glenbuchet, et Balnaboth de Kynbethok, Kynelune, Westyreloueth, burgum de Kyndromy, due partes de Contellach, Gleneglys, Ardach cum pertinenciis, Glenhey, Auchyndrayn, Cambosnakyst, Inuerchanowyk, Ercodil, Kelauch, Pethnamone, Dauauch, Menach, Kyncragy, Tulyprony, Balcrosk, Grody, Kynnaldy, Estyrmgyve, Foresta de Glencaladore, Glennochy more, Glennochy beg : Item, de terris liberetenencium, Burkys, Nethlirtolly, Abirzelly, Culclarachy, Auchorthy, et Dromy, Calever, Ballyndedyn, due Fowles, Tulyfowre, Hogtyrheyght, Dursale, Auchlown, Esbachlach : Item, in le Garvyauch, Inuerrowry, Selby, Cloktyllok, Wreyghill, Duncanstoun : Item, de terris liberetenencium, Bourty, Rossneth, cum tribus datis [dauatis] de Oryn et Inglystoun, Auchynlevyn,

Segydene, et Drumrossy : Item, quatuor marcas xiii denarios annuatim percipiendos de molendino de Durnachshel, et de annuis redditibus de Cragachy, Balehane et Dromy : In cuius rei testimonium sigillum meum presentibus est appensum, die, loco et anno supradictis.

30. INDENTURE between WILLIAM OF NEWBIGGYNG and JOHN OF KYNGORN,
as to a land in Langnewton. [17th May] 1377.

HEC indentura facta apud Northberwik, ad festum Penthecostes, anuo Domini millesimo CCC^{mo} septuagesimo septimo, inter Willelmum de Newbiggyng, filium Willelmi de Newbiggyng, ex parte vna, et Johanuem de Kyngoru, ex altera, testatur quod cum idem Johannes dudum assedasset terram suam quam habet in villa de Langnevtoun predicto Willelmo patri, ad terminum decem annorum, pro quadam summa pecunie eidem Johanni pre manibus persoluta,—post multas soluciones et altercaciones concordauerunt dicte partes iu hunc modum : Quod idem Willelmus, filius supradictus, habebit ex nunc dictam terram de Langnevtoun, cum pertinentiis, ad terminum nouem annorum pacifice complendorum, sub hac condicione, quod si infra tres annos proximos, vel in fine trium annorum proxime sequentium, idem Johannes aut heredes seu assignati sui soluerit seu solucrint prefato Willelmo, heredibus aut executoribus suis, decem marcas currentis monete, elapsis dictis tribus annis, idem Johannes terram suam predictam libere rehabebit et sine impedimento reintroibit in eandem ; alioquin idem Willelmus dicta terra gaudebit pro termino nouem annorum predicto ; extunc dicta terra ad eundem Johanuem et heredes suos seu assignatos libere reuersura : Et idem Willelmus edificia dicte terre debite sustentabit, et in exitu vnus termini seu alterius in statu debito sursum reddet, et eundem Johannem penes quoscunque quantum ad contractum factum cum patre suo super prefata terra indempnem obseruabit, sub ypoteca bonorum suorum : In cuius rei testimonium sigilla domiui Willelmi de Lyndesay, militis, et officialitatis curie Sancti Andree, ad requisicionem partium predictarum, huius indenture partibus alternatim sunt appensa, anno, die et loco premissis.

31. CONFIRMATION by KING ROBERT THE SECOND of a Charter by THOMAS STEWART, EARL OF ANGUS, No. 22, *supra*. Confirmation dated 31st December [1377].

ROBERTUS Dei gracia rex Scottorum, omnibus probis hominibus tocius terre sue, cléricis et laicis, salutem : Sciatis uos cartam quondam Thome Senescalli comitis

de Anegous de mandato nostro visam, lectam, inspectam et diligenter examinatum, non rasam, non abolitam, non cancellatam, nec in aliqua sui parte viciatam, intellexisse ad plenum, sub hac forma: Omnibus hanc cartam visuris vel audituris, Thomas Senescalli comes de Angus [*etc.*, No. 22, *supra*].

QUAMQUIDEM CARTAM donacionemque et concessionem in eadem contentas, in omnibus punctis suis et articulis, condicionibus et modis ac circumstantiis suis quibuscunque, forma pariter et effectu, in omnibus et per omnia approbamus, ratificamus et pro nobis et heredibus nostris, vt premissum est, in perpetuum confirmamus; saluo seruicio nostro: In cuius rei testimonium presenti carte nostre confirmacionis nostrum precepimus apponi sigillum; testibus venerabili in Christo patre, Wilermo episcopo Sancti Andree, Johanne primogenito nostro de Carric senescallo Scocie, Roberto de Fyff et de Menteth filio nostro dilecto, Wilermo de Douglas et de Marr consanguineo nostro, comitibus, venerabili viro Magistro Johanne de Peblis archidiacono Sancti Andree cancellario nostro, Jacobo de Lyndesay nepote nostro karissimo, Alexandro de Lyndesay consanguineo nostro, militibus; apud Sanctum Andream, vltimo die mensis Decembris, anno regni nostri septimo.

32. CHARTER by JAMES OF DOUGLAS, LORD OF DALKEITH, to ADAM FORSTER of the lands of Fayrlehape. 16th March 1377.

VNIUERSIS ad quorum noticiam presentes litere peruenerint, Adam Forster, salutem in Domino sempiternam: Noueritis me de reuerendo domino meo, domino Jacobo de Douglas domino de Dalketh, pro homagio et seruicio meo, quamdam cartam recepisse hec verba precise continentem: Omnibus hanc cartam visuris vel audituris, Jacobus de Douglas dominus de Dalketh, salutem: Sciatis nos dedisse, concessisse et hac presenti carta nostra confirmasse dilecto et fideli nostro, Ade Forster, pro homagio et seruicio suo nobis impenso et impendendo, totam terram de Fayrlehape, cum pertinentiis, infra baroniam de Lyntounrochryke, in vicecomitatu de Peblis, que fuit Hugonis Fraser domini de Lovet, et quam idem Hugo, non vi aut metu ductus, nec errore lapsus, set mera et spontanea voluntate sua, nobis per procuratorem ad hoc specialiter deputatum, per fustum et baculum sursum reddidit, pureque et simpliciter resignauit, ac totum ius et clameum que in dicta terra habuit, pro se et heredibus suis omnino quittum clamauit inperpetuum: Tenendam et habendam dicto Ade et heredibus suis de nobis et heredibus nostris, in feodo et hereditate, per omnes rectas metas et diuisas suas, cum omnibus et sin-

gulis libertatibus, commoditatibus, aysiamentis et iustis pertinenciis suis quibuscunque ad dictam terram spectantibus, seu quoquo modo iuste spectare valentibus in futurum ; adeo libere et quiete, plenarie, integre et honorifice, in omnibus et per omnia, sicut dictus Hugo dictam terram de nobis ante resignacionem suam nobis inde factam liberius, quiecuis, plenius, integrius seu honorificencius tenuit vel possedit : Faciendo inde nobis et heredibus nostris dictus Adam et heredes sui seruicium debitum et consuetum : In cuius rei testimonium presenti carte nostre sigillum nostrum est appensum ; testibus dominis Willelmo et Henrico de Douglas, militibus, fratribus nostris, Roberto de Leuyngistoun, Thoma de Douglas fratre nostro, Magistro Gilberto de Grynlawe rectore ecclesie de Lystoun, Johanne de Wardlaw, et multis aliis : Datum apud Dalketh, sexto decimo die mensis Marcii, anno Domini M^{mo} CCC^{mo} septuagesimo septimo.

QUAM QUIDEM CARTAM domini mei, domini Jacobi predicti, in omnibus punctis suis, clausulis et articulis, forma pariter et effectum, ratam habens et gratam, ego Adam antedictus sigillum meum presentibus apposui, penes dictum dominum Jacobum perpetuo remansuris ; testibus prenomminatis. Datum die, anno et loco supradictis.

33. RESIGNATION by ELISABETH STEWART, daughter of Thomas Stewart, Earl of Angus, to the STEWARD OF SCOTLAND, of her lands in Innerwick. 28th March 1379.

OMNIBUS hoc scriptum visuris vel audituris, Elisabeth Senescalli, filia junior et vna heredum Thome Senescalli quondam comitis de Angons, salutem in Domino sempiternam : Noueritis me, in mea pura virginitate et legitima etate constitutam, non vi aut metu ductam nec errore lapsam, set mea pura et spontanea voluntate, pure et simpliciter resignasse, ac per fustim et baculum et hanc literam mee resignacionis sursum reddidisse domino Senescallo Scotie domino baronie de Innerwyk ac domino meo capitali omnes terras meas cum pertinenciis michi iure hereditario pertinentes in baronia predicta, in vicecomitatu de Edynburgh, infra constabulariam de Hadyntoun, quas de ipso teneo in capite : sic quod nec ego nec heredes mei, nec aliquis alius nomine nostro, aliquod ius vel clamenum, possessionem vel proprietatem in ipsis terris cum pertinenciis vel aliqua parte earundem poterimus vel poterit vendicare infuturum, set ab omni titulo iuris, tam petitorio quam possessorio, simus et sit absoluti et absolutus imperpetuum per presentes : In cuius rei testimonium presentibus sigillum meum apposui, vicesimo octauo die mensis Marcii, anno Domini millesimo CCC^{mo} LXX^{mo} nono.

34. CONFIRMATION by KING ROBERT THE SECOND of a Charter by GILBERT OF VMFRAUYLL, EARL OF ANGUS, No. 6, *supra*. Confirmation dated 13th July [1379].

ROBERTUS Dei gracia Rex Scottorum, omnibus probis hominibus tocius terre sue, clericis et laicis, salutem : Sciatis nos cartam quondam Gilberti de Vmfrauyll, comitis Angusie, de mandato nostro visam, lectam, inspectam et diligenter examinatum intellexisse ad plenum, de verbo in verbum, sub hac forma : Omnibus Christi fidelibus presens scriptum visuris vel auditoris Gilbertus de Vmfrauyll, etc. —[No. 6, *supra*.]

QUAM QUIDEM cartam in omnibus punctis articulis, condicionibus et modis ac circumstanciis suis quibuscunque, forma pariter et effectum, in omnibus et per omnia approbamus, ratificamus et pro nobis et heredibus nostris in perpetuum confirmamus : saluo seruicio nostro : In cuius rei testimonium, presenti carte confirmationis nostre nostrum precepimus apponi sigillum ; testibus venerabili in Christo patre Willelmo episcopo Sancti Andree, Johanne primogenito nostro comite de Carric senescallo Scocie, Roberto comite de Fyff et de Meneteth filio nostro dilecto, Willelmo comite de Douglas et de Marr consanguineo nostro, Jacobo de Lyndesay nepote nostro, et Alexandro de Lyndesay, militibus ; Apud Kyndrochet in Marr, tercio decimo die mensis Julii, anno regni nostri nono.

35. RENUNCIATION by ALEXANDER LINDSAY, knight, Lord of Glenesk, in favour of MARGARET COUNTESS OF MARR and her sister ELIZABETH, of certain lands. 12th March 1379.

TILL all that thir lettres herys or seis, Alysandre Lyndessay, Lorde of Glenesk, knyght, gretyng in God euer lestand : Wete yhe me, for me and myn ayres and assignez, at the instance of a noble and mychty Lorde, sir William, erle of Douglas and of Marr, haue releissit, quytclaymit and for euer mare remittyt till an honorable lady, Dame Mergarete, contesse of Marr, and to Elyzabeth hir systir, dacheris and ayres till an mighty lorde, Thomas Stywarde, som tyme erle of Angous, all my rycht, clayme, persuit, chalenge or askyng that I or myn ayres has, or may haue, or our assignez, in tyme to come be ony ways, to fourty markis worth of land, in the qwilkes the forsaid erle of Angous was obligit be his lettres to gyve me heritably, eftir that I had tane the ordre of Knycht ; sa that nowthir I no myn ayres, no our assignez, the forsaid dame Mergarete, Elyzabeth hir systir, thair ayres, no thair assignez, by cause of the forsaid fourty markis worth of land,

I will all ^{my} yo^r thes ^{my} hays or se^r Alexander Lyndesse
sked who for me and myn ayres and assignez as y^e
doynt & of myn hame vellestie quoyclayme & for e
concessse of myn & to Elizabeth h^{er} wyf^e duch
Orke of Angone all myn w^{ch}o. clayme. p^{er}me other
assignez in tyme to come be any waye as for
of Angone was obligit be h^{er} thes to gyve m^e
w^{ch}o. I no myn ayres no any assignez ye for
assignez by cause of ye forsaid fow^{er} may^{er} be
ye myn^{er} d^{is}comble or be ye cause forsaid
man^{er} of clay be fra all man^{er} of w^{ch}o and
quoyce to ye forsaid thing^{er} be the excludit
myn ayres or assignez in ye con^{er} of ye
& g^{ra}nt^{er} y^e our folowing be w^{ch}o h^{er} as thing
of to ye the I hame put myn sole ye gy day of

lords of glenestry knyght georng in god the lesland
instance of a noble & mychay lorde on scullin erle of
more pntaynt till an honorable lady dame megarret
& ayres till an mychay lorde thoms forsbayde some tyme
ago or akyng y^e J or myn ayres had or may have or any
marke lynch of land in ye grentes ye forsaide erle
kyngly of y^e J had some ye ordre of knyght sayat
ed dame dyaned Elizabeth byr wyfor your ayres mayan
of land no for na mane of pntaynt ye of may chato
agains you questaon or plede none in tyme to cu be any
le lynch of akyng folowing anlyr to possession or
shulde be yr tres for one maye and in case of J or
in tyme to come before any iuge salt arape or none shal
na lath no of shenche but fide or gyle in bytress here
of ye yher of ge. g. m. cobynt & myn u

8
I will al^l y^e y^er two herts or seys William Duke of Burgh & of your grace
will our wyf in her wedded bedd has set to fyne till us to ingave
her chylde of al ye landes rentes & possessions w^{ch} ye appoyntmentz till
Regale of ye gynneth by spousse yet good asselle / of ye Dylome of a
possessions w^{ch} comtez eschez & fines of fienances w^{ch} ye appoyntment
of fee / w^{ch} in ye realme of Scotland / for ebla hundred nys of
times of ye yheris customable be edyn p^{er}son as to appis be by the
loly hertis & g^{ra}ve for us ingave our forsaide spouse & our he
behindd unpaied till her or by attorney in all or part thyngh us on
or by attorney or attorney salt at her by thyngh ever have & fely
forsaide w^{ch} comtez eschez fines of fienances & n^o w^{ch} ye appoyntment
dyment or dystourbance of us our forsaide spouse our hertis or any in
no beante of us salt make impedim^{en}t g^{ra}nces no dystourbance be
comandez y^e of / in byn no outborn in bodye no in g^{ra}ves other ally
w^{ch} we salt n^ocht take fra her chylde w^{ch} onayn lathchfulle p^{er}cess
to ye landes of her chylde forsaide at her p^{er}son or by attorney he
yet we or any in our name may have agynis hym or you he n
and oys here upon and takend yet as w^{ch} we salt all mane of
we have g^{ra}ve to p^{er}son our selde ye xij day of may / ye yheris o

In god leftand, for gyltye yat moe honorable lady some wygawere to wesse of
our spouse & to ye langed dynand of us & till our heys for ye dme of hir hys all
prenanz, be cause of our wyche of Thome gyltye erle of mayr lode of ye
of ye Regule of ye gaynans of orachalmech & of all our landes rentez and
of ye gyltyes ye forsaide our wyche by spouse dnd vestuz & wesse of us
wylmynges be yhere to be paied till our forsaide wyche or hir attorney at elba
till be made yare upon // We make it knowe to yr our hys parent yat we
till our wyche forsaide yat in case gif hir parent forsaide at any tme be
wylmyng forsaide our heys or any in our name forty daies / yat our forsaide wyche
ylo for dme of hir hys all hir thyns of all ye landes rentez & possession
forsaide wyche on any maner of gyltyngs wth halamyt empchment emp
name // And we our spouse forsaide, our heys no name mane of ma none names
no mane of way till our forsaide wyche thyns wth ye appoyment no to hir
we mo born, deathe by forsaide thyns anyly obrabyr and yat agayn by
dnd dnd in case gif any ma be dwelland in our landes forsaide byndment
& fely wth hir guides be delymt till by thyns forsaide / sa yat for na dayme
yat fall nocht be wth halam fra by thyns forsaide by barlyf dnd told be
do gyle excepaw & cancellaw allwame In Wyche here of to yr our hys
to yth mth & dnd /

no for na maner of reragez thareof, may chalenge, inquite, distourble, or be the cause forsaid, aganis thaim questioun or plede moue in tyme to cum, be ony maner of way; bot fra all maner of rycht and colour, lauch of askyng, folowing, outhir to possession or proprete to the forsaid thingis, be ws excludit and assoillit be thir lettres for cuer mare: And in case gif I, or myn ayres or assignez, iu the contrare of this lettre in tyme to come before ony juge sall attempt or moue, I wil and grantez that our folowing be nocht herd, as thing of na valu, no of strenthe, but fraude or gyle. In wytness hereof, to this lettre I haue put my sele, the xij day of Marce, the yhere of grace M.III^c sevynty and nyne.

36. OBLIGATION by WILLIAM EARL OF DOUGLAS AND OF MARR to DAME MARGARET STEWART, COUNTESS-DOWAGER OF MARR, as to her terce lands. 11th May 1381.

TILL al that thir lettres herys or seys, William Erle of Douglas aud of Marr, gretying in God lestand: For qwhy that ane honorable lady, dame Mergarete contesse of Marr, our systir, in hir wedowhed, has set to ferme till vs, to Mergarete our spouse, and to the langer lyuand of vs, and till our heires, for the terme of hir lyve, all hir thrid of al the landes, rentez and possessiouns, with the apportenancez till hir pertenant, be cause of our brothir, schir Thomas, qwhilom erle of Marr, lorde of the regale of the Garyauch, his spouse, that God assoille, of the erldome of Marr, of the regale of the Garyauch, of Strathalueth, and of all othir landes, rentez, and possessiouns, with courttez, eschetez and seruicez of fretenantez, with the apportenancez; of the qwhilkes the forsaid our brothir, hir spouse, deid vestiit and seisit of as of fee, wythin the realme of Scotland, for twa hundreth marcis of sterlinges be yhere, to be paiet till our forsaid systir or hir attoruays, at twa termes of the yhere custumable, be evyn porcion, as it apperis be hir lettres till vs made thareapoun: We make it kennyt be thir our lettres patent, that we lely heichtis and grantis for vs, Mergarete our forsaid spouse, and our heires, till our systir forsaid, that in case gif hir paiement forsaid at ony terme be behind vnpaiet till hir or hir attorney, in all or part, thruch vs, our spouse forsaid, our heires, or ony in our name, fourty daies, that our forsaid systir, or hir attornais or attorney, sall, at hir lykyng, entir, haue, and frely ioyse, for terme of hir lyve, all hir thrid of all the landes, rentez, and possessiouns forsaid, witht courtes, eschetez, seruicez of fretenantez and natyves, wyth the apportenancez forsaid, wythoutyn ony maner of gaynsaying, wyththalding, empechement, empedyment or distourbanse of vs, our

forsaid spouse, our heires, or ony in our name ; and we, our spouse forsaid, our heires, no nane maner of man in our names, no because of vs, sall make empeditment, greuance, no disturbance, be na maner of way, till our forsaid sistris thrid wyth the apportenances, no to hir tenandes tharof, inborn no outborn, in bodys no in gudes, ovr awin kynde men born vtuthe hir forsaid thrid anyrly ovtakyn ; and thaim aganis hir will we sall nocht take fra hir thrid, wythoutyn lawchfull processe of law : And in case, gif ony man be duelland in our landes forsaid, kyndmane to the landes of hir thrid forsaid, at hir persuyt or hir attorneyes, he sall frely wyth his gudes be delyuerit till hir thrid forsaid ; sa that, for na clayme that we or ony in our name may haue aganis hym or thaim, he no thai sall nocht be wythhaldin fra hir thrid forsaid, hir baillyf doand till vs and ours here apoun, and takand that at resoun will, all maner of fraude, gyle, exceptioun and cauillatioun owtane : In wytnes hereof, to thir our lettres we haue gert to putt our sele, the xi day of Maij, the yhere of grace M.III^c III^{xx} and ane.

37. CONFIRMATION by KING ROBERT THE SECOND of a Charter by WILLIAM EARL OF DOUGLAS to the MONKS OF MELROSE, of Penangushope, etc.
No. 23, *supra*. 10th October [1381].

ROBERTUS Dei gracia Rex Scottorum, omnibus probis hominibus tocius terre sue, clericis et laycis, salutem : Sciatis nos quamdam cartam Willelmi comitis de Douglas ac domini baronie de Cauers, de mandato nostro visam, lectam, inspectam et diligenter examinatam, non rasam, non abolitam, non cancellatam, nec in aliqua sui parte viciatam intellexisse ad plenum, sub hac forma ; Omnibus hanc cartam visuris vel auditoris, Willelmus comes de Douglas ac dominus baronie de Cauers, salutem in Domino sempiternam : Sciatis nos dedisse [etc., No. 23, *supra*]. QUAM QUIDEM CARTAM donacionemque et concessionem in omnibus punctis suis et articulis, condicionibus et modis, ac circumstanciis suis quibuscunque, forma pariter et effectum, in omnibus et per omnia vt predictum est, approbamus, ratificamus et pro nobis et heredibus nostris imperpetuum confirmamus : In cuius rei testimonium presenti carte nostre confirmacionis nostrum precepimus apponi sigillum ; testibus venerabilibus in Christo patribus, Willelmo et Johanne cancellario nostro Sanctiandree et Dunkeldensis ecclesiarum episcopis, Johanne primogenito nostro de Carryk senescallo Scocie, Roberto de Fyf et de Menteth filio nostro dilecto, Willelmo de Douglas et de Marr consanguineo nostro, comitibus, Jacobo de Lyndesay nepote nostro karissimo, et Alexandro de Lyndesay consanguineo nostro, militibus, apud Edynburgh, decimo die Octobris, anno regni nostri vndecimo.

Robertus de gra Rex Scottorum - Omnibus probis hominibus
facisse / & hac p^{re}sentia carta n^{ost}ra confirmasse donacionem illam & ea
de summech miles Roberto Senesc^o milia^o fr^{at}ris suo consanguineo
de Dorssey m^{ag}ist^{ro} vic^o de Dorssey Senesc^o & h^{ab}und^o eidem
& m^{ag}ist^{ro} p^{re}sentem quib^{us}q^{ue} addec^o lib^{er}o & quieto p^{ro}portione integ^{ra}
conf^{er}ata in p^{re}sentem p^{ro}portione conferat & p^{ro}portat. Salvo p^{re}sentem
ap^{er}to sigilla^o & p^{re}sentem Sen^o in x^{po} p^{re}sentem Will^{el}mo & p^{re}sentem
Sen^o Sen^o Rob^{er}to de ff^{er} & de gentoch filio n^{ost}ro dilecto Jac^{ob}
Rob^{er}to de E^lh^{er}no consanguineis n^{ost}ris / arch^{ie}p^{is}cop^{is} apud E^lh^{er}no

omnis tunc sue etiam et layas dationem. Quibus nos approbasse par
titione quas fecit et concessit dilectus consanguineus noster Johannes Senesc
dilectus de vigina liberis et lingor amicus singulis recipiend de Bayona
beate et heredibus suis cum omnibus et singulis libertatibus commoditatibus appanages
et honorificis in omnibus et pro omnia. Sicut carta dei Johannis de exinde
est. In cuius per testimonium, puda carta nra confirmacionis, nra preceptum
et nro. Quando et dimittebat cathay episcopus Johes pgenca nro de Cay
de Douglas consanguineus nro, Comuabz de Helaltes de Douglas et
et Vicefimo de Apruhis, Anno Regni nri quinquagesimo

38. CONFIRMATION by KING ROBERT THE SECOND of a Gift by JOHN STEWART of Innermeth, knight, to his brother ROBERT STEWART, of an annualrent from Dorysdere. 20th April [1385].

ROBERTUS Dei gracia Rex Scottorum, omnibus probis hominibus tocius terre sue, clericis et laycis, salutem : Sciatis nos approbasse, ratificasse et hac presenti carta nostra confirmasse donacionem illam et concessionem quas fecit et concessit dilectus consanguineus noster, Johannes Senescalli de Innermeth, miles, Roberto Senescalli, militi, fratri suo, consanguineo nostro dilecto, de viginti libris sterlingorum aunis singulis percipiendis de baronia de Dorysdere, iufra vicecomitatum de Dromfrees : Tenendis et habendis eidem Roberto et heredibus suis, cum omnibus et siugulis libertatibus, commoditatibus, aysiamenis et iustis pertinenciis quibuscunque, adeo libere et quiete, plenarie, integre et honorifice, in omnibus et per omnia, sicut carta dicti Johannis sibi exinde confecta in se iuste plenius continet et proportat ; saluo seruicio nostro : In cuius rei testimonium preseuti carte nostre confirmacionis nostrum precepimus apponi sigillum ; testibus venerabilibus in Christo patribus, Willelmo et Johanne cancellario nostro Sanctiandree et Dunkeldynsis ecclesiarum episcopis, Johanne primogenito nostro de Carric senescallo Scocie, Roberto de Fyf et de Menteth filio nostro dilecto, Jacobo de Douglas consanguineo nostro, comitibus, Archebaldo de Douglas, et Roberto de Erskyne, consanguineis nostris, militibus, apud Edynburgh, vicesimo die Aprilis, anno regni nostri quinto decimo.

39. CHARTER by ROBERT EARL OF FIFE AND MENTEITH to SIR WILLIAM STEWART, knight, of the lands of Meikle and Little Jargarw. 20th March 1385.

OMNIBUS hanc cartam visuris vel auditoris, Robertus Senescalli, comes de Fyfe et de Menteth, salutem in Domino sempiternam : Sciatis nos dedisse, concessisse et hac presenti carta nostra, pro nobis et heredibus nostris, confirmasse dilecto consanguineo nostro, domino Willelmo Steward, militi, omnes terras de Magno Jargarw et Paruo Jargarw, cum pertinenciis, iacentes in baronia de Logyadrow, infra vicecomitatum de Perth, pro suo homagio et seruicio ; que quondam erant domine Margarete Steward, filie et heredis quondam Thome Steward comitis Angusie, et quas quidem terras cum pertinenciis dicta domina Margareta in sua pura viduitate, non vi ducta, nec metu coacta, nec errore lapsa, sed mera et

spontanea sua voluntate, nobis sursum reddidit, et per fustem et baculum, pro se et heredibus suis, imperpetuum pure et simpliciter resignavit: Tenendas et habendas predicto domino Willelmo, et heredibus suis de corpore suo legitime procreatis seu procreandis, quibus forte, quod absit, deficientibus, dicte domine Margarete et heredibus suis quibuscunque, per omnes rectas metas suas et diuisas, in boscis et planis, viis, semitis, moris, marresiis, turbariis, petariis, aucupacionibus, venacionibus et piscacionibus, pratis, pascuis et pasturis, molendinis et multuris, curiis et exitibus earundem, ac omnibus aliis iustis pertinenciis quibuscunque ad dictas terras spectantibus quomodolibet, tam sub terra quam supra terram, tam non nominatis quam nominatis, [seu] spectare valentibus in futurum; adeo libere, quiete, pacifice, integre et honorifice sicut dicta domina Margareta aut predecessores sui dictas terras cum pertinenciis de predecessoribus nostris, dominis capitalibus earundem, unquam tenuit aut possedit, tenuerunt aut possederunt, cum libero ingressu et egressu, in feodo et hereditate imperpetuum: Faciendo inde nobis dictus dominus Willelmus et heredes sui predicti, quibus forte, quod absit, deficientibus, dicta domina Margareta et heredes sui quicunque nobis et heredibus nostris seruicium inde debitum et consuetum tantum, pro omnibus aliis seruiciis secularibus, exaccionibus seu demandis que de dictis terris, cum pertinenciis, exigi poterunt in futurum quouis modo vel requiri: Et nos vero dictus Robertus et heredes nostri omnes predictas terras de Magno Jargarw et Paruo Jargarw, cum pertinenciis, predicto domino Willelmo et heredibus suis predictis, quibus forte, quod absit, deficientibus, predicte domine Margarete et heredibus suis quibuscunque, contra omnes mortales warantizabimus, acquietabimus et in forma premissa imperpetuum defendemus: In cuius rei testimonium huic presenti carte nostre sigillum nostrum fecimus apponi; hiis testibus, dominis Jacobo comite de Duglas, Johanne de Halyburtoun domino de Dreltoun, Johanne de Wemis, Bernardo de Haudene, Thoma Sybald, militibus, et multis aliis: Data apud Stryuilline, vicesimo die mensis Marci, anno Domini M^{mo} CCC^{mo} octogesimo quinto.

40. PERMISSION by ROBERT EARL OF FIFE AND MENTEITH to MARGARET
COUNTESS OF MARR AND OF ANGUS to occupy the Castle of Tempt-
aloun. 20th January 1388.

BE yt chnawyn til al men thurch this presens, vs Robert Steward Eril of Fyff and of Myntheth haf frely grantyt til wr lufd cosyn dame Mergaret Steward, cuntes of Marr and of Angus, the qwilke we fand suiornand in the Castel of Temptaloun,

the qwilk we haff nov in ward, that als lang that Castel happynnys to be in wr hand, so sal nocht be removyt ovt toff na Innys na ezis that so had befor or we come thair, bot ethr we sal ekyr na payrt in al gudnes, and als lang as hir likys thar to duel, so sal be ondistrenyt throch ws, or ony that sal enter that Castel throch ws to do ony thing in the contrar of hir awyn wil, and qwhen that hir likys to remofe, so sal haf fre issov and leif to pass at hir wil, and hir mene, hir famyl, with al thair gvdys, wyth ovtyn ony impediment in thair passage : And, in the men tyme, we haf heft trevly we sal manteyn hir, hir men, hir landys and al hir possessons aganyis ony that wald warng thaim, in als tendir maner as wr awyn propir : In the wytnes of this thingis, wr seil is put to this presans. Gyfyn at Tempaloun, this twenty day of Jannare the yeir of wr Lord a thvsand thre hondir achty and acht.

41. INDENTURE between MARGARET COUNTESS OF MARR AND ANGUS and SIR RICHARD COMYNE, knight, as to Balbrydy, etc. 8th April 1389.

HEC Indentura facta apud Edynburgh, octauo die mensis Aprilis anno Domini m^o CCC^o LXXX^o nono, inter nobilem et honorabilem dominam, Margaretam comitissam de Marr et Angus, ex parte vna, et dominum Ricardum Comyne, militem, ex altera, testatur quod dicta domina dictum dominum Ricardum in hunc modum de terris subscriptis cartavit : OMNIBUS hanc cartam visuris vel audituris, Margareta comitissa de Marr et de Angus, salutem in Domino sempiternam : Sciatis nos in nostra libera viduitate, ex deliberato consilio, dedisse, concessisse et hac presenti carta nostra confirmasse dilecto consanguineo nostro domino Ricardo Comyne, militi, totas terras de Maines, Balbrydy, Daldeva et Ordealady cum pertinentenciis, in baronia nostra de Kerymore infra vicecomitatum de Forfar, pro suo bono consilio et seruicio nobis impenso et impendendo : Tenendas et habendas eidem domino Ricardo pro toto tempore vite sue, de nobis et heredibus nostris, libere, quiete, bene et in pace, per omnes rectas metas et diuisas suas, in boscis et planis, siluis et nemoribus, viis et semitis, moris et marresiis, aquis et stangnis, aucupacionibus, venacionibus et piscariis, pratis, pascuis et pasturis, cum fabrinis, bracinis, molendinis, multuris et eorum sequelis, et natiuis, cum curiis et earum exitibus et eschaetis, cum omnibus justis suis pertinentenciis, prout jacent in longitudine et latitudine, et cum omnimodis aliis libertatibus, commoditatibus et aysiamenis, tam non nominatis quam nominatis, ad easdem terras spectantibus seu quouismodo spectare valentibus in futurum : Reddendo inde dictus dominus Ricardus domino nostro Regi debitum seruicium et consuetum, nobis vero et heredibus nostris

annuatim tres sectas curie ad tria placita nostra capitalia tenenda apud Kerymore tantum, pro omni alio onere, seruicio, exactione seu demanda que per nos vel heredes nostros de dictis terris cum pertinenciis exigi poterunt vel requiri : Et nos dicta Margareta et heredes nostri dictas terras cum pertinenciis predicto domino Ricardo pro toto tempore vite sue contra omnes homines et feminas warantizabimus, acquietabimus et defendemus : In cuius rei testimonium huic presenti carte nostre sigillum nostrum fecimus apponi, apud Edynburch, hiis testibus, dominis Johanne de Sancto Claro domino de Hyrdmanstoun, Jacobo et Waltero de Sancto Claro, Wilelmo Senescalli, fratribus nostris karissimis, Wilelmo de Borthwyke et Johanne de Lyddale, militibus, et multis aliis : Et si predictæ terre minoris sint extentus viginti marcis, dicta domina sibi persolui summam deficientem faciet, et si maioris, prefatus dominus Ricardus dicte domine restituet in argento ; Et ad hec omnia fideliter perimplenda, predictæ Indenture sua sigilla ambe partes alternatim apposuerunt : Data die, loco et anno supradictis.

42. CHARTER by LADY MARGARET STEWART, Countess-Dowager of Marr and of Angus, of the lands of Littlepoty, etc., to SIR WALTER OF SAINT CLAIR. 21st November 1389. (From Transumpt, No. 56, *infra*.)

OMNIBUS hanc cartam visuris vel audituris, Margareta comitissa de Marr et de Angus, domina de Abirnethy, salutem temporalem et eternam in Domino : Sciatis nos in nostra pura viduitate, non vi ductas, nec metu coactas, nec errore lapsas, sed mera et spontanea nostra voluntate, dedisse, concessisse et hac presenti carta nostra, pro nobis heredibus nostris et assignatis, imperpetuum confirmasse carissimo fratri nostro, domino Waltero de Sancto Claro, militi, pro homagio suo et seruicio, omnes terras nostras subscriptas, videlicet, Lytilpoty, Petuersy, et dimidiam partem de Petblay, iacentes cum pertinenciis in dominio de Abirnethy, infra vicecomitatum de Perth : Tenendas et habendas sibi et heredibus suis masculis de corpore suo legitime procreatis seu procreandis, de nobis et Georgio de Douglas, filio nostro et assignato, et heredibus suis, quibus heredibus dicti domini Walteri forte deficientibus, quod absit, predicto Georgio et heredibus suis de corpore suo legitime procreandis, quibus forte deficientibus, veris heredibus dicti domini Walteri quibuscumque, in boscis, planis, viis, semitis, moris, marresiis, aquis, stagnis, viuariis, turbariis, petariis, aucupacionibus, venacionibus, piscacionibus, pratis, pascuis et pasturis, molendinis et multuris, liberetenentibus et eorum seruiciis, sectis, curiis et exitibus earundem, ac omnibus aliis commoditatibus, libertatibus

et aysiamentis, ac iustis pertinenciis quibuscunque ad dictas [terras] spectantibus, et quomodolibet, tam subtus terra quam supra terram, prope et procul, spectare valentibus in futurum, libere, quiete, plenarie, pacifice, integre et honorifice, cum libero ingressu et egressu, in feodo et hereditate imperpetuum : Reddendo inde dictus dominus Walterus et heredes sui nobis et predicto Georgio et heredibus suis tres sectas curie ad tria placita capitalia infra dominium de Abirnethy annuatim tenenda, cum warda, releuio et maritagio, cum esse contigerint tantum, pro omnibus aliis seruiiciis secularibus, exaccionibus, seu demandis que de dictis terris cum pertinenciis per nos et predictum Georgium, filium nostrum et assignatum, et heredes suos predictos exigi poterunt in futurum quouis modo uel requiri : Et nos vero predicta Mergareta et Georgius filius noster et assignatus, et heredes sui predicti, omnes predictas terras de Lytilpoty, Petversy, et dimidiam partem de Petblay, cum pertinenciis, predicto domino Waltero et heredibus suis predictis contra omnes mortales warantizabimus, acquietabimus, et in forma premissa imperpetuum defendemus : In cuius rei testimonium huic presenti carte nostre sigillum nostrum fecimus apponi ; hiis testibus, dominis Johanne de Halyburtoun, domino eiusdem, Willelmo de Lyndyssay, domino del Byris, Johanne de Sancto Claro, domino de Hirdmanstoun, fratre nostro, Johanne de Ledale, Willelmo de Borthwik, militibus, Alexandro de Cokburn, Alano de Lawedir, et multis aliis. Datum apud Temptaloun, xxi die mensis Nouembris, anno Domini millesimo CCC^{mo} octogesimo nono.

43. CHARTER by JAMES OF SANDILANDS, Lord of Caldor, to GEORGE DOUGLAS, Earl of Angus, of his reversionary interest in the lands of Cavers, Bunjedwort, and others. [*Circa* 1397.]

OMNIBUS hanc cartam visuris uel auditoris, Jacobus de Sandylandis, dominus de Caldor, salutem in Domino sempiternam : Nouerit vniuersitas uestra me, de consilio et assensu amicorum meorum et parentum, vtilitate mea multipliciter pensata, dedisse, concessisse et hac presenti carta mea confirmasse nobili viro et potenti Georgio de Douglas, comiti de Angous filio bone memorie nobilissimi domini mei et auunculi, domini Willelmi comitis de Douglas et de Marr, omne jus et clameum que habui, habeo, uel habere potero, infuturum, in successione et iure hereditario, post decessum nobilis domine mee Isabelle de Douglas, comitisse de Marr et de Garyauch sororis predicti Georgii, super omnibus terris et redditibus subscriptis, videlicet, de integra baronia de Cauerys, cum officio vicecomitatus et custodia castri

de Roxburgh et omnibus feodis ad dicta officia pertinentibus, cum pertinentiis; de integro dominio ville, castri et foreste de Jedwort, cum terris de Bunejedwort; de integro dominio vallis de Ledale cum pertinentiis, infra vicecomitatum de Roxburgh predicto; de integra villa de Selkyrk, annuis redditibus et seruciis liberetenentium, infra vicecomitatum eiusdem; de regalitate et superioritate et seruciis liberetenentium baroniarum de Butyll et de Drumlangryg, cum pertinentiis, infra vicecomitatum de Drumfres; de integro annuo reddito ducentarum mercarum annuatim recipiendo de burgo et magna custuma de Hadyngtoun infra vicecomitatum de Edynburgh; de omnibus terris et redditibus de Doune Buk, Cabrauch et Cloueth, cum pertinentiis, infra vicecomitatum de Banff, cum successione baronie de Tulycultri infra vicecomitatum de Clakmanan, cum pertinentiis, et cum omni iuridica successione vera hereditaria omnium terrarum ad quas verus heres ipsius domini Willelmi comitis uel domini Jacobi succedere posset in futuro, titulo iuris quocumque: Tenendas et habendas omnes terras et redditus predictos de domino nostro Rege, predicto Georgio de Douglas et heredibus suis de corpore suo legitime procreandis, quibus forte deficientibus, mihi et heredibus meis et veris heredibus predicti domini Willelmi comitis de Douglas, patris sui et auunculi mei, in feodo et hereditate imperpetuum, cum aduocationibus ecclesiarum, capellarum, hospitalium, et custodia domorum Dei, regalitatibus, seruciis liberetenentium, forisfacturis de pace et de guerra, ac omnimodis aliis libertatibus, commoditatibus et aysiamentis ad omnes predictas terras et redditus, cum pertinentiis, spectantibus seu quoquo modo spectare valentibus infuturum, adeo libere et quiete, plenarie, honorifice, bene et in pace, sicut predictus dominus Willelmus, comes de Douglas, pater dicti Georgii et auunculus meus, ipsos terras et annuos redditus predictos cum pertinentiis aliquo tempore liberius tenuit seu possedit: Reddendo inde annuatim dictus Georgius et heredes sui predicti domino nostro Regi serucia pro dictis terris et redditibus debita et consueta: Ego vero dictus Jacobus de Sandylandis et heredes mei concessionem, donationem et confirmationem predictas in omnibus, ut predictum est, predicto Georgio de Douglas et heredibus suis predictis contra omnes mortales warantizabimus, acquietabimus et imperpetuum defendemus: In cuius rei testimonium sigillum meum presenti carte mee est appensum; hiis testibus, dominis Dauid de Lyndesay, domino de Glenesk, Patricio de Grame, domino de Kyncardyn, Thoma de Erskyn domino eiusdem, Johanne de Halyburtoun domino eiusdem, Willelmo de Lyndesay domino de Byrys, Willelmo de Borthwyk domino de Lygertwodd, Johanne de Lyndesay domino de Walehope, militibus, consanguineis meis, et multis aliis.

44. INDENTURE (in duplicate) betwixt MARGARET COUNTESS OF MARR AND OF ANGUS and her son GEORGE OF DOUGLAS, Lord of Angus, and SIR JAMES OF SANDILANDS, Lord of Calder, as to the Castle of Calder, etc. 27th April 1397.

THES Endentouris, made at Hirdmanstoun, the xxvij day of the moneth of Affiril, the yheir of our Lorde, M. CCC nynti and sevyn, betwix a nobil ladi, Mergaret countas of Marr and of Angous, and George of Douglas, hir sone, lorde of Angous, o the ta parte, and his cosyn, Scir Jamys of the Sandilandis, lorde of Caldore, o the tothir parte, beris witnes, that the said Scir Jamys sal deliuir his said castel of Caldore freli to the saide ladi and hir sone at this neist fest of Wossonday, for terme of five yheir neist eftir folwand, and al thyngis at the officeris of the saide ladi and hir sonnys ressayvis be endentonris in the saide castel, thai sal ger deliuir in als gude plite as thai ressayve thaym in, or ellis the valw : Alswa hit is accordide, gif ony landis be at the saide lady or hir sone lykis to haf to ferme in the saide lordschip, thai sal nemyn thaym and hafe thaym for als mykil as vthir men wil gif for thaym, butte fraude : the forsaide ladi and hir sone sal haf the gers of the wode in the somer til thair hors and thair famylis : Alswa thai sal hafe the sovme of petis and vthir fuel the qwhilk the saide Scir Jamys wes wont to haf, and in the samyn maner : Alswa, the saide George oblis hym to vppehald his castel in als gude plite as he ressayvis hit in, and mayntene his landis and his men of the saide lordschipe as thai war his awin propir men : The saide Scir Jamys is assentide and fulleli accordide, at qwhat landis, rentis and possessionns that dame Isabel conntas of Mar and of the Garviach likis to talie and gif, pertenand til hir on hir fader side, til hir lufide bruthir, George of Donglas, I, the saide Jamys, of that talye, and that gift, for me and myn ayris, is and sal be al tyme fulli content : And gif hit happynys the said Dame Isabel to descas, the talye vnfulfillide to the saide George, yhit I wil and I grante, for me and myn ayris, at tha landis, rentis and possessionns o the qwhilkis I ame, or may be ony titil o lach, ayr to, ga to the saide George and his ayris lachfulli of his bodi for to be gotyn, before me and myne ayris, vndir this condicioun, that gif the saide George getis na barnys lachfulli, the forsaide landis to redounde to the saide Scir Jamys and his ayris in fe and in heritage : And gif the said George heredis the saide landis, he sal gif to the saide Scir Jamys in fe and heritage twa hvndir merkis worth of tha ilke landis. Alswa, the saide Scir Jamys is accordide and oblis hym leli to talie and mak sikir, witht al gudelz hast, al landis, rentis and possessionns at the

saide Jamys has or may haf in tyme to come, faliand of his ayris of his bodi lachfulli gotyn or to be gotyn, to ga to George of Douglas and his ayris of his bodi lachfulli to be gotyn, the qwhilkis faliand, the saide landis to ressorte agayn to the nerrest ayris o the saide Scir Jamys : And gif hit hapynys, in the meyn tyme, the saide George to descas, as Gode forbeide, the saide ladi sal deliuir vppe the said castel at hir likyng til the saide Scir Jamys or til his attournas, freli, in maner forspokyn : And at al thir condiciouns, poyntis, and artikillis befornewynde sal leli and trevli be kepide, the partyse forsaide haf gifyn bodili athis, the Hali Wangelis touchide ; and for the mar sikirnes, thay haf sette to thair selis entirchavngabilly, that is to say, in defaute at the saide George had na seil propir of his awyn, the seil of the ladi his modir he has procurid to be to putte, for the qwhilk he sal stand for, as his awyn, and the saide Scir Jamys has sette to his awyn seil, yeir day and stede fornemynde.

45. INDENTURE betwixt KING ROBERT THE THIRD and MARGARET COUNTESS OF MARR AND OF ANGUS, as to a marriage betwixt George Douglas, Lord of Angus, and a daughter of the King. 24th May 1397.

AT Edynburgh, the xxiiij^o day of Maij, the zeir of ovre Lorde a thovsant thre hvndyr nynty and sevynt, mad war thir couandys vnder wretyn, betwyx a nobill and ane excellent prince, Robert throv the grace of God kyng of Scottys, of the ta parte, and Margerate, contas of Marr and of Angus, of the tothir parte, that is to say, at Jorge of Douglas, hir son, lord of Angus, sall led into wyfe a dochtyr of ovre lorde the kyngys ; and ovre lord the kyng sall gif hym, for his mariage, all the landys at the sayde Jorge has in Angus, the baronyis of Abirnethy and Bonkyll, witht the tenandriys of the forsaydys lardschyppeis into fre regalle erytabilly, to the sayde Jorge and his dochtyr and to the langar leuar of thayme, and to the ayris male betwyx thayme to be gotyn : Alswa ovre lord the kyng sall gif in fe and eritage all the profytis pertenant till ovre lord the kyng of the justery of the hale schirrefdome of Forfare to the sayde Jorge and his dochtyr, and to the ayris male betwyx thayme to be gotyn : Alswa ovre lord the kyng forsayde sall mak fre to the saydys contas and Jorge hir son, and in fe and eritage sall gif the sexteyn ponde of anwell acht ovte of the landys of Abirnethy forsayde, zere be zere ; and alswa the forsayde ovre lord the kyng sall conferme, appreve and ratyfy vnder his gret seyll all giftys, talizeis, settingys and condysyovnyis, mad or for to be made be dame Izabell, contas of Marr, to the sayde Jorge, hir brothir, of all the landys, rentys and possessyovnyis, the qvylykys scho

has or may haf withtin the kynryc of Scoteland ; and als, at ovre lord the kyng sall resayve all resignasyovnyys at the sayde dame Izabell lykys to mak ; and witht all hast he sall gif chartyr and possessyovne erytabyll to the sayde Jorge and his dochtyr in fovrme and maner as the condysyovnyys reqvyris : Alswa ovre lord the kyng oblis hym lely that he sall nocht resayve na resignasyovnyys made be that ilke dame Izabell of na landys, rentys ua possessyovnyys, to na mannys profyte, na na confyrnasyovne gif thair apoun, bot anerly to the oyis and the profyte of the forsayde Jorge, hir brothir, ovtakande gif he has gifyn ony lettre to schir Thomas of Erskyne : Alswa ovre lord the kyng sall conferme all talizeis, giftys, settingis and condysyovnyys mad or for to be made be schir Jamys of Sandylandys, lard of Caldor to the sayde Jorge of all his landys, rentys and possessyovnyys the qvylkys he has or may haf within the kynryc : Alswa, ovre lorde the kyng oblis hym, at his power, to manteyn the forsayde lady, hir men, hir landys and thaire possessyovnyys the qvylkys scho has withtin the kynryc as he doys his awyn propr : In the wytnes of the qvylk thing, the selys of the partyys forsaydis to theis Endentvrys entyrchangibly, ar to set, the day and plays forenemyt.

46. CONFIRMATION by KING ROBERT THE THIRD of a Charter, dated 15th May 1397, by JAMES SANDILANDS to GEORGE EARL OF ANGUS, of wardship of the son and heir of James. 9th November [1397].

ROBERTUS Dei gracia rex Scottorum, omnibus probis hominibus tocius terre sue, clericis et laicis, salutem : Sciatis nos quamdam cartam et evidenciam sub sigillo dilecti fratris nostri Jacobi de Sandilandys, militis, factas Georgio de Douglas comiti de Angus super tutela filii et heredis dicti militis, terrarum suarum et castri de Caldor et aliarum terrarum vbiicumque iacentium infra regnum nostrum, ac annuorum reddituum suorum, de mandato nostro visas, lectas, inspectas et diligenter examinatas, non rasas, non abolitas, non cancellatas, nec in aliqua sui parte viciatas, tenorem qui sequitur de verbo in verbum continentes : Til al at this script herys or seis, Jamys of Sandylandys, lord of Caldor, greting in God ay lestand : Wit yhe me, witht the consel of my kyn and frendis, for certane causis, haf ordenyt my son and myn ayr and al my landys, in al schirefdomes qwhareas thai be, withtin the kinryk of Scotland, to be in the kepyng and the yemsele of a nobil man to the quylk I am of kyn, George of Douglas, erle of Angous ; and gif it hapynnys me to cese befor him, I wil at he be tutour of my forsaid sonn and ayr, and executour to, and principale foluar of al dettys to me aucht, hafand power to

distreigne throw this present : I wil alsua, and I graunt at gif it hapnys the ayr of my body male, lauchfully getyn or to be getyn, to faille, as God forbede, at the nemmyt George of Douglas, and his ayris of his body to be gotyn, succede in fee and herytage in my barounry and castel of Caldor, the quylk of gude memor my lord and myn eme, schir William erle of Douglas and of Marr his fadir, geff to my fadir and my modir, witht al myn othir landis and rentys in qwhatsome euir schirrafdomys withtin the kinryk of Scotland, hafand rycht or may haf rycht be ony tityll in tyme to cum : Til hald and til haf in fee and in heritage to the forsaid George of Douglas and his ayrys of his body lauchfully to be getyn, as befor is nemyt ; the quylkis failland, as God forbede, to my verray ayris qwhatsome euir thai be : In witnes of this, I haf sett my sele at Hirdmanystoun, the xv day of May the yher of grace a thousand ccc iiij^{xx} and xvij, thir witnes schir John the Seyncler, lord of Hirdmanystoun, William of Abirnethy, lord of Saul-toun, William of Borthwic, lord of Ligartwod, Jamys Seyncler, Wa[]ter Seynclere, William Stewart of Angus, John of Ledale knychtis, and mony othir. QUAS QUIDEM CARTAM et evidenciam, in omnibus punctis suis et articulis, condicionibus et modis ac circumstanciis suis quibuscumque, in omnibus et per omnia, forma pariter et effectu, approbamus, ratificamus, et pro nobis et heredibus nostris, ut premissum est, imperpetuum confirmamus, saluo seruicio nostro : In cuius rei testimonium, presenti carte nostre confirmacionis nostrum precepimus apponi sigillum ; testibus, venerabilibus in Christo patribus Waltero et Gilberto, Sanctiandree et Abirdonensis cancellario nostro ecclesiarum episcopis, karissimo primogenito nostro Dauid Senescalli comite de Carric, Archebaldó comite de Douglas domino Galwidie, Jacobo de Douglas domino de Dalketh, et Thoma de Erskine, consanguineis nostris dilectis, militibus, apud Lynlitheu, nono die mensis Nouembris, anno regni nostri octauo.

47. CHARTER by KING ROBERT THE THIRD, confirming the grant by JAMES OF SANDILANDIS, knight, to GEORGE EARL OF ANGUS, of his right to the succession of Isabella Countess of Marr. 9th November [1397].

ROBERTUS Dei gracia rex Scottorum, omnibus probis hominibus tocius terre sue, clericis et laicis, salutem : Sciatis nos approbasse, ratificasse, et hac presenti carta nostra confirmasse donacionem et concessionem illas quas dilectus frater noster, Jacobus de Sandilandis, miles, fecit et concessit, in quadam carta sua, sub sigillo suo, nobis ostensa, dilecto et fideli filio nostro, Georgio de Douglas, comiti de Angus, de omni iure et clameo sibi competente in successione, post decessum



Robertus Dei gratia Rex Scottorum. Omnibus pro
Sciatis nos ad hunc concessisse et hac presenti carta nostra
Angonis et marie Seneschalli filie me sponse sue et eo
creatis seu procreandis. omne profum. fines. et annu
me singulis annis tenendum infra Breveitatem de
feod et hereditate. Ideo libe et quiete plenarie me
condicione. Videlicet qd dñi profum. fines et annuatim
et marie ad nos et heredes nos. libere revertantur.
in sigillum. Testibus venerabilibus m. xpo patre
cathaco episc. David Seneschalli Comite de Cam. pmo
Drogebaldo Comite de Douglas duo gastaldis. Jac
Jheris me dilectis. milibus. apud. Linlithgow no

hominibus totius terre sue de vias et latis Salntem
infirmasse dilecto et fidei mo. Georgio & Douglas. Comiti de
ducentis ementi ac heredibus masculis me. nos legitime pro
menta. qualibet contingens, p. exortis timentur Insuper
fer. Sibi tenend. et habend. de nobis et heredibus me. in
et honorifice bene et in pace. in omnibz et p. omnia sub ista
ca. dicitur. Item. post decessum ditor. hereda. de Georgy
in omne. Per testimonium presentia carte me. inu. p. cepimus appo
Waltero et Gilberto Camellano mo. Sancti andr. et Abdonens
mo. Roberto comite de Arber et de menetari. facre mo.
de Douglas duo de Gilbert. Et thoma de Cistone consan
die me. nonembz. Anno regni nr. Octavo. ;

Isabelle comitisse de Marre et de Garviauch, sororis predicti Georgii, super omnibus terris et redditibus subscriptis; videlicet, de tota et integra baronia de Cauerys, cum officio vicecomitis et custodia castri de Roxburgh, et omnibus feodis ad dicta officia pertinentibus, cum pertinenciis, de integro dominio ville, castri, et foreste de Jedworth, cum terris de Bune Jedworth, de integro dominio vallis de Ledale cum pertinenciis, infra vicecomitatum de Roxburgh predictum, de integra villa de Selkric, annuis redditibus, et seruciis liberetenencium, infra vicecomitatum eiusdem, de regalitate et superioritate ac seruciis libere tenencium baroniarum de Butill et de Dromlangryg, cum pertinenciis, infra vicecomitatum de Dromfres, de integro annuo reddito ducentarum marcarum annuatim percipiendo de burgo et magna custuma de Hadingtoun, infra vicecomitatum de Edinburgh, de omnibus terris et redditibus de Dovne, Bukis, Cabrauch, et Cloueth, cum pertinenciis, infra vicecomitatum de Banf, cum successione baronie de Tuliculter, infra vicecomitatum de Clacmannan, cum pertinenciis, et cum omni iuridica successione vera hereditaria omnium terrarum ad quas verus heres ipsius domini Willelmi uel domini Jacobi succedere posset infuturum, titulo iuris quocunque: Tenendis et habendis dicto Georgio et heredibus suis de corpore suo legitime procreandis, de nobis et heredibus nostris in feodo et hereditate, adeo libere et quiete, plenarie, integre et honorifice, bene et in pace, in omnibus et per omnia, sicut in carta dicti militis eidem Georgio inde confecta plenius continetur: Saluo nobis iure nostro et serucio inde debito et consueto: In cuius rei testimonium presenti carte nostre confirmacionis nostrum precepimus apponi sigillum; testibus, venerabilibus in Christo patribus Waltero et Gilberto Sanctiandree et Abirdonensis cancellario nostro ecclesiarum episcopis, Daud Senescalli comite de Carric, primogenito nostro, Roberto comite de Fyf et de Meneteth, fratre nostro dilecto, Archebaldo comite de Douglas, domino Galwidie, Jacobo de Douglas domino de Dalketh, et Thoma de Erskine, consanguineis nostris dilectis, militibus; apud Lynlithgw, nono die Nouembris, anno regni nostri octauo.

48. CHARTER by KING ROBERT THE THIRD to GEORGE EARL OF ANGUS and MARY STUART, his spouse, of the profits and fines of Courts of Forfarshire. 9th November [1397]. (Transumed as in No. 50, *infra*.)

ROBERTUS Dei gracia Rex Scottorum, omnibus probis hominibus tocius terre sue, clericis et laicis, salutem: Sciatis nos dedisse, concessisse, et hac presenti carta nostra confirmasse dilecto et fideli nostro Georgio de Douglas comiti de Angus et Marie Senescalli filie nostre, sponse sue, et eorum diucius viuenti, ac heredibus masculis

inter ipsos legitime procreatis seu procreandis, omne proficuum, fines et amerciamenta qualitercumque contingentia per exitus itinerum justiciarie nostre singulis annis tenendorum infra vicecomitatum de Forfar : Sibi tenenda et habenda de nobis et heredibus nostris in feodo et hereditate, adeo libere et quiete, plenarie, integre et honorifice, bene et in pace, in omnibus et per omnia sub ista condicione, videlicet, quod dictum proficuum fines et amerciamenta dictorum itinerum post decessum dictorum heredum dicti Georgii et Marie ad nos et heredes nostros libere reuertantur : In cuius rei testimonium presenti carte nostre nostrum precepimus apponi sigillum; testibus, venerabilibus in Christo patribus Waltero et Gilberto cancellario nostro Sanctiandree et Aberdonensis ecclesiarum episcopis, Daud Senescalli comite de Carric primogenito nostro, Roberto Comite de Fyf et de Meneteth fratre nostro, Archebaldo comite de Douglas domino Galwidie, Jacobo de Douglas domino de Dalketh, et Thoma de Erskyne, consanguineis nostris dilectis, militibus, apud Lynlithcu, nono die mensis Nouembris, anno regni nostri octauo.

49. TRANSMUMPT of BOND OF ENTAIL, dated 15th May 1397, by JAMES SANDILANDS, Lord of Calder, to GEORGE EARL OF ANGUS, of the lands of Calder and others. 30th March 1400.

IN Dei nomine, amen : Per hoc presens publicum instrumentum, cunctis pateat euidenter, quod anno a natiuitate eiusdem, millesimo cccc^{mo}, mensis Marcii die penultima, indictione octaua, pontificatus sanctissimi in Christo patris ac domini nostri, domini Benedicti diuina prouidencia pape tertii decimi, anno sexto, nobilis dominus et potens, Georgius comes de Angusia in presencia venerabilium virorum, domini abbatis Sancte Crucis de Edinburgh et magistri Thome de Stramiglot, officialis domini episcopi Sanctiandree infra archiepiscopatum Laudonie, aliorumque testium subscriptorum, mihi notario infrascripto quandam literam tradidit perlegendam et ad ipsius verum transumptum rescribendum, et sub manu publica redigendum, cuius litere tenor sequitur et talis est in li[n]gua nostra materna scripta: TIL al that this script heris or seis, Jamys of Sandilandis lord of Caldore, greting ai lestand : Wit yhe me, with the consale of my kyn and my frendis, for certane cause, hafe ordanit mi sone and mine aire and al my land in al schirradomis quare as thai be, with in the kynrik of Scotland, to be in the kepinge and the yhemsel of a nobil man to the qwilk I ame of kine, George of Douglas Erl of Anguse, and gif it happynnys me to sese before hime, I wil that he be tutor of my forsaid sone and aire, and executour to me and principale foloware of al dettis to me acht, hafand poware to distrenye throw this present : I wil als wa and I

grant that gif it happynnis the aire of mi bodi male, lachfulli gottin or for to be gottin, to faille, as God forbede, that the nemmit George of Douglas, and his aire of his bodi to be gottin, succede in fee and heritage in mi baronri and mi castel of Caldour, the qwilk of gud memour mi lord and mine eme schir Wilyhame Erl of Douglas and of Mar gafe to mi fadir and mi modir, with al myne othir landis and rentis in qwhatevir schirrafedomis within the kinrik of Scotland, hafand richt or mai hafe richt be ony titil in time to cum : Til hald and til hafe, in fee and in heritage, to the forsaid George of Douglas and his airis of his bodi lachfulli to be gottin as befor is nemmit ; the qwilk faliand, as God forbede, to mi verrai ayris qwatsumevir thai be : In the witnes of this, I hafe set my sele at Hirdmanston the xv day of Mai, the yhere of grace M.CCC.IIIJ^{xx} and XVII : Thir witnes, schir Jone Sinclare, lord of Hirdmandston, Wilyhame of Abirnethi lord of Saultoun, Wilyhame of Borthwik lord of Ligartword, Jamis Sinclare, Wa[1]ter Sinclare, Wilyhame Stewart of Anguse, Jone of Ledal, knyechtis, and mony other. QUAM QUIDEM LITERAM perlegi, ipsamque per me diligenter inspectam, inveni sanam et integram, omni vicio carentem, non rasam seu abolitam, nec in aliquo vitiatam, sigilloque predicti domini Jacobi sigillatam sculptoque, ut apparuit, cum armis dicti domini Jacobi, circumscriptoque nomine eiusdem, ipsiusque veram copiam hic transcribi feci, nil addens vel minuens per quod census ipsius litere variari possit seu mutari : Super quibus omnibus et singulis, ad instantiam dicti domini comitis presens confeci instrumentum : Acta fuerunt hec in monasterio Sancte Crucis predictae, sub anno, mense, die, indictione et pontificatu predictis ; presentibus, domino Waltero Bel, vicario de Kingorn, domino Johanne de Edinburgh, vicario Varie Capelle, Johanne de Sant Michell et Johanne Heris, scutiferis, cum multis aliis in testimonium premissorum vocatis et rogatis.

Et ego David de Trebrun, clericus Moraviensis diocesis, publicus imperiali autoritate notarius, predictam literam perlegi, ipsiusque veram copiam de uerbo ad uerbum transcriptam superius, inscribi feci, omnibusque ut premittitur factis dum fierent et agerentur presens fui, vna cum pre-nominatis testibus, dictis die et loco, eaque sic fieri uidi et audiui, presens igitur instrumentum per alium, me in aliis negociis occupato, scriptum, in hanc publicam formam redegi, signoque meo consueto signaui, propria manu me hic subscribendo, rogatus et requisitus in testimonium omnium et singulorum.

Interlinare de hac dictione *of* in xiiij linia et de hac dictione quod in xvij linia, approbo.

Ordinacionem suprascriptam quantum ad ea que per testamentum disponi possunt approbamus, ratificamus, confirmamus, et in huius nostre coufirmacionis testimonium sigillum nostrum presentibus est appensum.

DAVID TREBRUN.

50. NOTARIAL TRANSMPT of Charter by KING ROBERT THE THIRD, No. 48, *supra*. Transmpt dated 13th July 1400.

IN Dei nomine amen : Nouerint vniuersi me notarium subscriptum in presencia testium subscriptorum vidisse et palpasse, et de verbo ad verbum legisse quamdam cartam in omnibus vicio et suspicione carentem, sed sanam et integram, nec rasam, nec abolitam, sigillatam magno sigillo domini nostri regis in cera alba, vt prima facie apparebat, presentatam mihi notario per nobilem et potentem dominum, Georgium de Douglas comitem de Angus, tenorem qui sequitur continentem : ROBERTUS Dei gracia Rex Scottorum [*etc.*, No. 48, *supra*]. Transcripta autem et copiata sunt hec, apud monasterium monialium de Hadyngtoun, tercio decimo die mensis Julii, anno Domini millesimo quadringentesimo, indiccione septima, pontificatus sanctissimi in Christo patris ac domini nostri, domini Benedicti diuina prouidencia pape tercii decimi, anno quinto ; presentibus, nobilibus et discretis viris, Willelmo de Sancto Claro, domino de Hirdmanyston, domino Willelmo Broun, rectore de Hutoun, domino Thoma Borovman, vicario de Dummanyne, Johanne de Loudoun, et Johanne de Foresta, pluribusque aliis ad premissa testibus vocatis specialiter et rogatis.

Et ego Willelmus de Cranystoun, clericus Sanctiandree diocesis, publicus auctoritate imperiali notarius, premissis [*etc.*, *in forma communi*].

51. NOTARIAL TRANSMPT, dated 10th November 1408, of a Charter by MALCOLM OF DRUMMOND, Lord of Marr and of Garviach, to GEORGE OF DOUGLAS, Earl of Angus, of the lands of Liddesdale for the lands of Marr and Garviach and others. 19th April 1400.

IN Dci nomine amen : Per hoc presens publicum instrumentum cunctis pateat euidenter quod anno ab incarnatione Domini millesimo cccc octauo, die vero decima mensis Nouembris, indiccione secunda, pontificatus sauctissimi in Christo patris ac domini nostri, domini Benedicti Dei prouidencia pape xiii anno xiiii^{mo} ; in mei notarii publici et testium infrascriptorum presencia personaliter constituta nobilis domina, domina Margareta comitissa de Marr et de Angous, quamdam cartam sigillo nobilis viri, domini Malcolmi de Drommonde, et sigillo Isabelle de Douglas,

comitisse de Marr et de Angous, coniugis eius, sigillatam, ut mihi notario prima facie per circumscriptiones manifeste apparuit, nou rasam, non abolitam, nec in aliqua sui parte viciatam, sed omni vicio et suspicione carentem, me notarium publicum perlegere fecit, et post ipsarum lecturam ipsam accopiare sub manu publica, sumptibus suis et expensis, me cum instancia requisivit: cuius tenor sequitur et est talis: OMNIBUS hanc cartam visuris uel audituris, Malcolmus de Drommonde, dominus de Marr et de Garviach, salutem in Domino sempiternam: Noueritis nos, ex bona et mera voluntate, cum concensu et assensu dilecte coniugis nostre, Isabelle de Douglas, domine de Marr et de Garviach et de Ledalisdale, dedisse, concessisse, ac presenti carta confirmasse dilecto nostro Georgeo de Douglas, comiti de Angous, fratri nostre coniugis supradicte, [ter]ras de Ledalisdale, cum pertinentiis, et omne ius et rectum siue clameum iurisque recti que habuimus et habemus in dictis terris de Ledalisdale racione coniugis nostre supradicte, uel que habere poterimus quomodolibet infuturum, propter omnes tercias de Marr, de Garviach, de Strathalva, de Clova in Angous, de baronia de Melgthe, et omnes alias tercias que pertinent et incumbunt nobili domine Mergarete Stewart, matri dicti Georgii, comitisse de Angous, racione mariti sui bone memorie, domini Thome de Marr quondam comitis de Marr et de Garviach, vel quibus terris deficientibus per mortem ipsius domine Mergarete, propter centum libras nobis per dictum Georgium annuatim soluendas, secundum quod per indenturas inter nos et predictum Georgium exinde factas, clare patet et apparet: Tenendas et habendas dictas terras de Ledalisdale, cum pertinentiis, sibi Georgeo et heredibus suis de corpore suo legitime procreatis uel procreandis, a nobis Malcolmo et Isabella coniuge nostra predicta, et heredibus nostris inter nos generandis, libere, quiete, honorifice, bene et in pace, per omnes suas rectas metas et diuisas in longitudine et latitudine, cum omnibus libertatibus, commoditatibus, et aysiamētis ad dictas terras spectantibus, seu spectare ualentibus quomodolibet in futurum: Reddendo nobis dictus Georgius et heredes sui supradicti, uel coniugi nostre, uel heredibus nostris inter nos generandis, uel quibus deficientibus, heredibus Isabelle nostre coniugis predictae, ex suo corpore legitime nascendis, in quolibet anno, vnā rosam rubeam, apud Edynburgh, ad festum Beati Johannis Baptiste, nomine albe firme, si petatur: pro omnibus aliis exactionibus, seruiciis, uel demandis que de dictis terris exigi poterint uel requiri: Volumus tamen quod solucio siue reddicio huiusmodi rose, ut predictur, non faciat obstaculum seu impedimentum contra solucionem centum librarum nobis, ut predictur, pro tempore vite nostre soluendarum: Faciendo dictus Georgius et heredes sui predicti pro dictis terris, domino nostro Regi serui-

cium debitum et consuetum : In cuius rei testimonium, presenti carte sigillum nostrum est appensum, vna cum sigillo Isabelle, coniugis nostre supradicte, apud castrum de Kyndromy, decimo nono die mensis Aprilis, anno Domini millesimo quadringentesimo : Acta et petita erant hec in manerio de Bageby, hora quasi decima, anno, die, mense, indicione et pontificatu quibus supra ; presentibus, nobilibus viris, domino Johanne de Setoun, filio et herede domini de Setoun, domino Willelmo de Sancto Claro, domino de Hirdmanstoun, domino Willelmo Broun, rectore ecclesie de Hvtoun, Willelmo de Spens, et Thoma de Foresta, cum multis aliis ad premissa vocatis specialiter et rogatis.

Et ego Johannes de Cocburn, clericus, publicus imperiali auctoritate notarius Sanctiandree dioecesis, omnibus et singulis [*etc., in forma communi*].

52. INDENTURE betwixt HENRY THE FOURTH, KING OF ENGLAND, and ARCHIBALD EARL OF DOUGLAS, as to the conditions on which the latter was to return to Scotland. 14th March 1407.

THIS indenture maad betwix the hie and myghty Prynce, Harri by the grace of God Kyng of Engelond, on the oon partie, and Archibald eerl of Douglas of Scotland, his prisoner, on the othir partie, witnesshith that the forsaid Kyng is assentid and accorded that the forsaid eerl shal go hoom into Scotland, and entre agayn in to the castel of Dereham, into warde of Johan of Lancastre, the Kyng's sone forsaid, withoute fraude or mal engin, at the ende of threttene woukes aftir the day of his departyng by leue and ordenance of the forsaid Jon, vpon certain hostages and condicions folwyng ; that is for to seye, this houstages, Archibald Douglas, sone and heir to the forsaid Eerl, and James his brothir, James sone and heir of sir James of Douglas, lord of Dalketh, sir Johan of Mountgomery, lord of Arderson, sir Johan of Seton, sone and heir of the lord of Seton, sir William of Douglas, lord of Drumlangryk, sir William Seint Clere, lord of Herdmanston, sir Symound of Glendonwyn, the sone and heir of sir Adam Glendonwyn, sir Johan Herys, lord of Tirregles, sir William de Hay, sir Herberd Maxwell, sir William Borthwyk, knyghtes of Scotland : And touchande the condicions ; if the forsaid eerl entre agayn his body in to the forsaid castel of Dereham, into the warde of the forsaid Jon, in the manere forsaid, thanne the forsaide hostages shal freely be deliuered and haue sauf conduyt of the forsaid Kyng, othir of his sone, the Prince, othir of the forsaid Jon, to passe into Scotland by see, othir by lande, whethir thaym likith, in the maner folwande : In the firste, til haue a sauf conduyt of the Kyng, or any of his sones forsaid, for all maner of causes, actions, and demandes of

thaym, or any of thaym, and for the liges of the forsaid Kyng, out taken for thabidyng in hostage for the forsaid erl; and also, aftir the entree or the deth of the forsaid eerl of Douglas, the sauf conduyt to be of strengthe and of vertue to thaym, and no sunnere, to passe hoom into thair contree, as it is said aboue, duryng fourty dayes aftir the entree, or the deth, of the forsaid eerl: And also the forsaid Prynce, Thomas and Jon his brethren, and the eerl of Westmorland, by commandement of the Kyng, shullen be oblisshid to the forsaid hostages, by thair lettres, to keepe and do bekept at all hir power the seuretee that the Kyng of Engeland makith to thaym for their abidyng in hostage, in manere forsaid: And if the forsaid Eerl entre noght agayn, as it is forsaid, thanne the same hostages be at the Kynges lust and disposicion: Also, it is accordid betwix the forsaid Kyng of Engeland and the forsaid Eerl, that in cas that he deye, thanne, his eldest sone and heir shal abyde, by comandement of the Kyng, in the keepyng of his forsaid sone Jon, prisoner to the Kyng forsayd, and the remanant of the hostages shal ben freely delyuered: And also the forsaid eerl hath behote trewely, in presence of the forsaid Kyng, that he shal wel and trewely do to his power, that the trewes that hath be meened and treetid betwix the Kyng forsaid and his consail and the forsaid eerl, for sixteene yeer, shul be taken and affermed bitwix bothe reumes of Engeland and of Scotland: And in cas that he may nat, in no wyse, gete that, thanne the forsaid Eerl, for hym, and for all his boundes betwix the Est See and the West See and the Scottes See, and all his men, shal haue and holde, by land, trewes with Engeland, fro Pask next comynge vnto Pask next folwyng aftir, in the manere and the wyse as appeereth by a cedula maad by the forsaid Kynges consail, wherof the forsaid eerl hath toward hym a copie. In witnessyng of thise thynges bifore wryten, the forsaid eerl to the partie of this endenture dwelling toward the forsaid Kyng hath set to his seal: Wryten at London, the fourteene day of Marche, the yeer of our Lord a thousand foure hundred and seuene, and of the regne of the forsaid Kyng, the aght: *And also, I, Archibald Eerl of Douglas forsayd, grante and trwli behote to the forsaid Kyng of Engeland, and to al his swynys forsayd, that yf ony powar of Scotland or of Frans wele brek the forsaid trwis, as for my forsaid boundis, owthir do ony harm in Engeland, I and al my men sal holli be with the forsaid Kyng and his swynys forsayd, in withstandyng of that powar witht al my nyht, withtowntyn fraud or mal engyn. Wyrtyyn witht myn own hand.*¹

¹ The lines in italics are in a different handwriting from the previous part. The following indorsement is on the original apparently

holograph of William, first Marquis of Douglas: "Which I bought myself from Mr. Sheamore, Inglisman."

53. PROTEST by WILLIAM OF DOUGLAS, EARL OF ANGUS, against Recognition of the lands of Selkirk. 13th February 1408.

IN Dei nomine amen : Per hoc presens publicum instrumentum cunctis pateat euidenter quod anno ab Incarnacione eiusdem M^{mo} CCCC^{mo} octauo, secundum computacionem Scoticanam, mensis Februarii die xiii^{mo}, indiccione secunda, pontificatus sanctissimi in Christo patris ac domini nostri, domini Benedicti diuina prouidencia pape xiii anno xv^{mo}; in mei notarii publici et testium infrascriptorum ad hoc rogatorum presencia personaliter constitutus nobilis dominus, dominus Willelmus de Sancto Claro, dominus de Hirdmanstoun, miles, actornatus legitimus, ut satis notanter ostendit, nobilis domini et potentis, Willelmi de Douglas comitis de Angus, apud Selkirk, ad quamdam domum ex parte occidentali eiusdem, coram populi multitudine, omnes et singulas terras de Selkirk, cum pertinenciis, quas Alexander de Nevtoun, ut recordatum fuit, qua potestate non tamen adhuc scitur suffultus, dixit se nuper recognosse viua voce, primo, secundo, et tercio, prout regni requirunt statuta, a quocunq[ue] potestatem habente, si qui tunc ibidem interesset, ad plegium peciit, nomine et ex parte dicti nobilis domini et potentis Willelmi comitis de Angus, tanquam suum proprium dominium et terras sibi iure hereditario pertinentes seu contingentes; annullando insuper quicquid per dictum Alexandrum seu quemcunq[ue] alium dictum, actum, siue gestum fuerat quod preiudicium seu grauamen dicto domino quoad terras ipsas possit vlllo modo generare, cum ipse in legitima possessione earundem vltra tempus a iure limitatum pacifice stetit, et adhuc stat minime perturbatus; et de domo supradicta capiend[um] terram, lapidem et lignum, nomine adnichillacionis ipsa puluerizando et dispergendo, coram populi multitudine : ac eciam dictus dominus Willelmus¹ et coram populi multitudine publicauit : Super quibus omnibus et singulis dictus dominus Willelmus, actornatus legitimus predictus me notarium publicum infrascriptum instancia qua decuit requisuit ut sibi presens facerem instrumentum et sumptibus suis et expensis in publicam formam redegerem. Acta et petita erant hec, apud Selkirk, ad domum supradictam, sub anno, die, mense, indiccione, et pontificatu quibus supra; presentibus, honestis viris, Jacobo de Aynisle, et Johanne filio Malcolmii Rifferis, Johanne Tayte, Alano Kene, Willelmo Walkar, Johanne Crakwill et Thoma de Boge, cum pluribus aliis testibus ad premissa vocatis et rogatis.

Et ego Johannes de Jedworth, clericus Sancti Andree diocesis publicus imperiali auctoritate notarius, premissis [*etc., in forma communi.*]

¹ One or two words defaced here in the original.

54. PRECEPT of SASINE by ROBERT DUKE OF ALBANY, Regent, in favour of WILLIAM DOUGLAS, son of the late George Douglas, Earl of Angus, in the barony of Liddisdale. 27th March 1409.

ROBERTUS Dux Albanie, comes de Fyfe et de Menteth ac Gubernator regni Scotie, vicecomitibus et balliuis suis de Roxburgh, salutem : Quia per inquisitionem de mandato nostro per vos factam et ad capellam nostram retornatam compertum est quod quondam Georgius de Douglas comes de Angus, pater Wilelmi de Douglas latoris presentium, obiit vestitus et saysitus ut de feodo ad pacem et fidem domini nostri Regis de terris domini de Ledalysdale cum pertinenciis, iacentibus infra balliam vestram ; et quod dictus Wilelmus est legitimus et propinquior heres dicti quondam Georgii patris sui de dictis terris cum pertinenciis, et quod est legitime etatis ; et quod dicte terre cum pertinenciis de domino nostro Rege tenentur in capite : vobis precipimus et mandamus quatenus eidem Wilelmo uel suo certo actornato, latori presentium, saysinam dictarum terrarum cum pertinenciis iuste liberari faciatis et sine dilacione, saluo tamen iure cuiuslibet ; capientes securitatem de firmis dictarum terrarum existentium in manibus domini nostri Regis per sex annos elapsos, videlicet quolibet anno de xl libris, et hoc nullo modo omittatis : Teste meipso, apud Abirdone, xxvii die mensis Marcii anno Domini millesimo CCC^{mo} nono, et gubernacionis nostre anno tertio.

55. TRANSMPT OF OBLIGATION by GEORGE EARL OF ANGUS to infest SIR JAMES SANDILANDS in Two hundred merks of the Great Customs of Haddington. 11th September 1409.

IN Dei nomine, amen : Per hoc presens publicum instrumentum, cunctis pateat euidenter, quod anno a Natiuitate eiusdem millesimo quadringentesimo nono, die vero vndecimo mensis Septembris, indictione secunda, pontificatus sanctissimi in Christo patris ac domini nostri, domini Benedicti diuina prouidentia pape tertii-decimi, anno decimo quinto, personaliter constitutus prouidus vir, Patricius de Lyndesay, scutifer, familiaris magnifici viri domini comitis de Craufurde in camera anteriori Thome Clerk, burgensis de Dunde, in mei notarii publici et testium subscriptorum presencia, quendam literam patentem Anglicanam in pergamino scriptam, non rasam non abolitam, sed omni vicio et suspicione prorsus carentem, sigillo magnifice domine, domine Mergarete Senescalli, comitisse de Marr et de Anguse in cera alba et rubea pendente sigillatam, sub manu mea publica per modum vidi-

mus produxit copiandam ; in cuius quidem sigilli caractere sculpta fuit ymago vnus domine tenentis duo scuta, videlicet, vnum ex parte dextra, continens sex cruciculas benda intermedia cum aue quadam desuper, et aliud scutum ex parte sinistra continens le duplex feschecary benda intermedia, tria continente monilia siue firmacula, vna cum alia aue desuper, et in eius circumferencia sculpta erant verba que secuntur, videlicet, Sigillum Mergarete Senescalli, comitisse de Marr, vt mihi notario publico prima facie luculenter apparuit : Cuius quidem litere tenor de verbo ad verbum sequitur et est talis : Be it kennyt til al men, that we, George of Douglas, erle of Angus, has assentyt and fullyly grantyt, throw the delyuerance of our consele, that we sal enfefe with charter and clawsc of warandy, als frely as we haf it, our cusyng, sir Jamys of the Sandylandis, lord of Caldor, of twa hundred mark of vsuale moneth in to the grete custome of the burgh of Hadyntoun, til him and his ayrys of his body lauchfully gotyn or for to be gotyn ; the qwhilkis falyheande, to resorte agayne to the ayris of our body lauchfully for to be gotyn ; the qwhilkis falzeande, as God forbede, to the nerrast ayris of the saide sir Jamys : And this we oblys vs to do within a yher fra we be possessyt within the landis acordyt betwix vs and hym be our euydentis : In the witnes of the qwhilk thyng, we haf sett to the sele of our Lady our modyr, in defawte of our awne ; the qwhilk we sal stand for as for our awne : and als soun as we hafe ane made of our awne, we oblys vs lelyly to sett it to : QUA PERLECTA, exinde ad instanciam prefati Patricii hoc presens publicum per modum vidimus confeci instrumentum : Acta fuerunt hec sub anno, die, mense, indictione et pontificatu snpradictis ; presentibus, prouidis viris et discretis, Johanne Scrymmeiour burgense de Dundee, et domino Henrico de Wode capellano ac publico notario, testibus ad premissa vocatis specialiter et rogatis.

Et ego Willelmus de Wode, capellanus Glasguensis dyocesis, publicus auctoritate imperiali notarius, predicte litere productioni, perfectioni et fine tenus publicationi ac omnibus aliis et singulis premissis [*etc., in forma communi.*]

56. TRANSMPT of CHARTER by LADY MARGARET STEWART, Countess of Mar and Angus. No. 42, *supra*. Transmpt dated 23d March 1417.

IN Dei nomine amen : Per hoc presens publicum instrumentum cunctis sit notum quod anno Domini M^{mo} CCCC.XVII., mensis Marcii die xxiii., indiccione xi., pontificatus sanetissimi in Christo patris ac domini nostri, domini Benedicti diuina prouidencia pape xiii. anno xxiii., in mei notarii publici et testium subscriptorum

ad hoc rogatorum presencia personaliter coustitutus nobilis vir, Adam de Hebburn, dominus de Halys, quondam cartam iu pergameno scriptam, sigillo nobilis domine Mergarete Stewart, quondam comitisse de Mar et de Angus, cum rubia cera infra albam ceram pendeute sigillatam, ut mihi notario apparebat, medio produxit, et me publice perlegi fecit: et post ejus lecturam, prefatus Adam, cum ea iustancia qua decuit, me supplicauit ut ipsam cartam sub manu mea publica fideliter copiarem; que vero carta non fuit rasa, non cancellata, nec in aliqua sui parte suspecta, et tenor talis est: Omnibus hanc cartam visuris vel auditoris, Mergareta comitissa de Mar et de Angus, domina de Abirnethy, etc. [*ut supra*, No. 42.] QUE QUIDEM coram testibus subscriptis publice perlecta modo quo supra, ad instanciam ipsius Ade de Hebburn et ipsius expensis in hunc modum copiaui. Acta et recita fuit hec in ecclesia Fratrum Minorum de Hadygtoun, sub anno, die, meuse, indiccioue et pontificatu quibus supra; presentibus nobilibus viris, dominis Roberto Mawtalent domino de Thirlstane, Roberto de Lawedir domino de le Basse, Alexandro de Cokburn domino de Langtoun, militibus, Roberto Mawtaland, Willelmo de Spens de Qwikiswode, Johanne de Scugale, domino eiusdem, et Willelmo de Haliburtoun, scutiferis et pluribus aliis testibus ad premissa vocatis et rogatis.

Et ego Johannes Jedworth, clericus Sanctiandree diocesis, publicus imperiali auctoritate notarius, premissis omnibus et singulis [*etc., in forma communi*].

57. CONFIRMATION (dated 10th December 1422) by ARCHIBALD EARL OF WYGTOUN AND LONGUEVILLE of a Charter by ARCHIBALD EARL OF DOUGLAS to the MONASTERY OF MELROSE, of the regality of Eskdalemuir. 16th January 1418.

OMNIBUS saucte matris ecclesie filiis presentibus et futuris, Archibaldus comes de Wygtoun et de Longwille, dominus Eskdalie et Dunlaroy, salutem iu Domino sempiternam: Noueritis nos quondam cartam domini patris nostri, domini Archibaldi de Douglas, sanam et integram, non rasam, non abolitam, non cancellatam, non viciatam, nec iu aliqua parte suspectam, sed prorsus omni vicio et suspicione carentem, abbati et conuentui monasterii de Melros super donacione et concessione regalie seu regalitatis omnium terrarum suarum de Eskdalemour, infra dominium nostrum et vicecomitatum de Roxburgh jacencium, factam et concessam, vidisse, inspexisse et diligenter examinasse; cuiusquidem tenor de uerbo ad uerbum sequitur et est talis: OMNIBUS hanc cartam visuris vel auditoris Archibaldus comes de Douglas, dominus Galwidie, Vallis Anandie, et Eskdalie,

salutem in Domino sempiternam : Noueritis nos ob diuini cultus augmentacionem, et animarum omnium antecessorum et successorum nostrorum ac fidelium defunctorum animeque nostre salutem, dedisse, concessisse, et hac presenti carta nostra confirmasse Deo et Beate Marie de Melros, abbati et monachis ibidem in diuinis seruientibus, et in futurum seruituris, totam et integram regalem siue regalitatem omnium et singularum terrarum suarum de Eskdalemour, cum pertinenciis, jacencium infra dominium nostrum Eskdalie supradictum et vicecomitatum de Roxburgh : Tenendam et habendam dictam regalitatem seu regalem omnium terrarum suarum de Eskdalemour, cum pertinenciis, eisdem abbati et monachis de Melros et suis successoribus quibuscunque, in puram et perpetuam elemosinam, cum omnibus et singulis libertatibus, commoditatibus, et asiamentis ac iustis pertinenciis quibuscunque ad regalem seu regalitatem dictarum terrarum suarum de Eskdalemour pertinentibus, seu iuste spectare valentibus quomodolibet in futurum, adeo libere, quiete, plenarie, integre, honorifice, bene et in pace, a nobis et successoribus nostris, dominis Eskdalie quibuscunque, penitus pro perpetuo sicut nos aut aliqui predecessorum nostrorum dictam regalem aut regalitatem de Eskdalemour de domino nostro Rege tenuimus seu possedimus, tenuerunt seu possederunt : Nichil inde imposterum aliqualiter reddentes dicti viri religiosi nobis, heredibus aut successoribus nostris, preter tantum diuina suffragia que pro salute animarum patronorum suorum debita et consueta fieri dinoscuntur : Et nos Archibaldus comes prefatus, heredes ac successores nostri, domini Eskdalie supradicte, omnem predictam donacionem nostram prefate regalie seu regalitatis de Eskdalemour cum pertinenciis per nos sic factam, vt prefertur, predictis religiosis viris de Melros contra omnes mortales warantizabimus, acquietabimus, et imperpetuum defendemus : In cuius rei testimonium presenti carte nostre sigillum nostrum apponi fecimus, apud Edynburgh, decimo sexto die mensis Januarii, anno Domini millesimo quadringentesimo decimo octauo ; hiis testibus, reuerendis in Christo patribus, dominis Alexandro episcopo Cathenensi, Jacobo priore Sanctiandree, neonon carissimis consanguineis nostris, dominis Johanne de Setoun de eodem, Willelmo de Borthwic de eodem, Johanne de Bothwille, militibus, Alexandro de Hvme, Jacobo de Dundas, scutiferis nostris, magistro Willelmo de Fowlys, cum multis aliis : QUAM QUIDEM donacionem et concessionem dicte regalie seu regalitatis prefatis abbati et monachis de Melros omnium terrarum suarum de Eskdalemour predictarum, per dictum patrem nostrum sic factam et concessam, in omnibus et per omnia, ut premititur, pro nobis et heredibus nostris ac successoribus quibuscunque approbamus, ratificamus, et imperpetuum confirmamus : In cuius rei testimonium presenti confirma-

cioni nostre sigillum nostrum apponi fecimus, apud Edynburgh, decimo die mensis Decembris, anno Domini millesimo quadringentesimo vicesimo secundo; hiis testibus, domino Thoma Hert, milite, Willelmo Sommerwille, Roberto Hert, Georgio Lawedder, Dauid Murrawe, Roberto Nuddry, scutiferis, magistro Johanne de Camroun, officiali Lawdonie ac secretario nostro, cum multis aliis.



58. PRECEPT OF SASINE following on the preceding Charter, No. 57.
16th January 1418.

ARCHIBALDUS comes de Douglas, dominus Galwidie et Vallis Anandie ac Eskdalie, dilecto nostro Symoni de Glendynwyn, balliuo nostro Vallis eiusdem de Esk, salutem : Sciatis nos dedisse, concessisse, et carta nostra confirmasse religiosis viris abbati et conuentui de Melros et suis successoribus quibuscunque ibidem Deo seruientibus, et in futurum seruituris, in puram et perpetuam elimosinam, totam et integram regaliam seu regalitatem omnium terrarum suarum de Eskdalemure cum pertinenciis, infra dictum dominium nostrum Vallis de Esk iacencium, prout in carta nostra eisdem viris religiosis inde confecta plenius continetur : Quare vobis precipiendo mandamus quatenus eisdem viris religiosis monasterii de Melros, aut eorum certo attorney latori presencium, saysinam prefate regalie seu regalitatis terrarum suarum de Eskdalemure cum pertinenciis, secundum formam carte nostre quam inde habent, habere faciatis visis presentibus indilate, cuiuslibet saluo iure, et hoc nullatenus omittatis : Datum sub sigillo nostro, apud Edynburgh, xvi^o die mensis Januarii anno Domini millesimo cccc^{mo} decimo octauo.

59. TRANSMPT OF CHARTER by WILLIAM LORD OF DOUGLAS. [No. 18, *supra.*] Transmpt dated 4th April 1420.

IN Dei nomine amen: Per hoc presens publicum instrumentum cunctis pateat euidenter quod anno Domini millesimo quadringentesimo vicesimo, die vero mensis Aprilis quarto, indictione terciodecima, pontificatus sanctissimi in Christo patris et domini nostri, domini Martini diuina prouidencia pape quinti, anno tercio; in mei notarii publici subscripti et testium subscriptorum presencia personaliter constitutus nobilis et potens dominus, dominus Jacobus de Douglas, miles, filius et heres nobilis et potentis domini, domini Jacobi de Douglas, militis, domini de Dalketh, predictus dominus Jacobus de Douglas filius michi quandam cartam nobilis et potentis domini, quondam domini Willelmi de Douglas domini eiusdem, in perchameno scriptam, et sigillo dicti quondam domini Willelmi de Douglas sigillatam, non rasam, non cancellatam, nec in aliqua sui parte viciosam, sed omni prorsus vicio et suspicione carentem, tradidit perlegendam, et ipsam peciit a me notario publico subscripto sub manu publica copiari: cuius carte tenor sequitur in hec verba: OMNIBUS hanc cartam visuris vel audituris, Vilelmus de Douglas [*etc., vide No. 18, supra.*] POST CUIUS CARTE lecturam, predictam cartam ad petitionem predicti domini Jacobi de Douglas filii in hoc presens transmptum de verbo in verbum, nil addendo nec minuendo quod variet rei intellectum fideliter copiaui: Et quia post eius copiacionem presens transmptum cum originali concordare inueni, ideo presens instrumentum inde confeci: Acta fuerunt hec in capella exteriori castri de Dalketh, ante meridiem hora quasi vndecima, sub anno, mense, die, indiccione et pontificatu supradictis; hiis testibus, nobilibus viris, videlicet, domino Willelmo de Douglas domino de Strabrok, Johanne de Edmonstone, fratre germano Dauid de Edmonstone domini eiusdem, Alexandro Gyffard, domino de Schyrrefhal et domino Willelmo de Carale, capellano, cum multis aliis in testimonium premissorum vocatis specialiter et rogatis.

Et ego Alexander de Cragy, clericus Sanctiandree dyocesis, publicus imperiali autoritate notarius, dum omnia et singula [*etc., in forma communi.*]

60. CONFIRMATION by MURDOCH DUKE OF ALBANY, Regent (26th October 1421), of a Charter by ARCHIBALD EARL OF DOUGLAS to CHRISTIAN OF RAMSAY. 20th April 1421.

MURDACUS dux Albanie, comes de Fife et de Menteth, ac gubernator regni Scocie, omnibus probis hominibus tocius regni predicti, clericis et laicis, salutem:

Sciatis nos quandam cartam carissimi fratris nostri, Archebaldi comitis de Douglas, domiui Galwidie et Vallis Anandie, factam et concessam dilecte nostre Christiane de Ramsay, de totis et integris terris suis de Balncrefe et de Gosfurde, cum pertinenciis, iacentibus infra vicecomitatum de Edinburgh, de mandato nostro visam, lectam, inspectam, et diligenter examinatum, non rasam, non abolitam, non cancellatam, nec in aliqua sui parte suspectam, intellexisse ad plenum in hec uerba : OMNIBUS hanc cartam visuris uel audituris, Archebaldus comes de Douglas, dominus Galwidie et Vallis Anandie, salutem in Domino sempiternam : Noueritis nos dedisse, concessisse, et hac presenti carta nostra confirmasse dilecte nostre, Christiane de Ramsay, totas et iutegras terras nostras de Balucrefe et de Gosfurde, cum pertinenciis, iacentes infra vicecomitatum Laudonie : Tenendas et habendas dictas terras de Balncrefe et de Gosfurde, cum pertinenciis, predictae Christiane, pro toto tempore uite sue, et post eius decessum masculo primogenito inter nos et eam mutuo concubitu procreato seu procreando ; quibus forte deficientibus, secundo masculo, quo deficiente, terciogenito masculo, et sic consequenter filiis lateralibus inter nos mutuo concubitu procreatis seu procreandis ; quibus forte deficientibus, nobis et heredibus nostris legitimis quibuscunque, de nobis et heredibus nostris in feodo et hereditate imperpetuum, per omnes rectas metas et diuisas suas antiquas, in boscis, planis, moris, marresiis, viis, semitis, aquis, stagnis, molendinis, multuris, et eorum sequelis, cum aucupacionibus, venacionibus, piscacionibus, cuniculariis, columbariis, cum bruerio et genestis, lapidibus, calce et carbonibus, fabrilibus et bracinis, heryheldis, bludewitis, et merchetis mulierum, vna cum donacione domus hospitalitatis vulgariter vocate Rubea Hospitalis, quando et quociens vacare contigerit, cum tenandiis et liberetenencium seruiciis, cum bondis et bondagiis, et seruiciis eorundem, ac cum omnibus aliis et singulis libertatibus, commoditatibus, et aisiamentis ac iustis pertinenciis suis quibuscunque, tam non nominatis quam nominatis, tam sub terra quam supra terram, tam procul quam prope, ad dictas terras de Balucrefe et de Gosfurde, cum pertinenciis, spectantibus, seu iuste spectare ualentibus quomodolibet in futurum, adeo libere, quiete, plenarie, integre, honorifice, bene et in pace, in omnibus et per omnia sicut nos aut predecessores nostri de domino nostro Rege aliquo tempore preterito tenuimus, possedimus, teuuerunt, seu possederunt : Et nos Archebaldus comes et heredes nostri dictas terras de Balncrefe et de Gosfurde, cum pertinenciis, predictae Christiane et filiis iuter uos concubitu mutuo procreatis seu procreandis, in omnibus modo et forma ut supra talliatum est, contra omnes mortales warantizabimus, acquitabimus, et imperpetuum defendemus. In cuius rei testimonium

presenti carte nostre sigillum nostrum apponi fecimus, apud Edinburgh, vicesimo die mensis Aprilis, anno Domini millesimo quadringentesimo vicesimo primo. QUAM QUIDEM CARTAM, donacionem et concessionem in eadem contentas, in omnibus punctis suis et articulis, condicionibus et modis, ac circumstanciis suis quibuscunque, forma pariter et effectum, in omnibus et per omnia approbamus, ratificamus, et auctoritate gubernacionis regni predicti imperpetuum confirmamus : saluo domino nostro Regi et heredibus suis de predictis terris cum pertinentiis seruicio debito et consueto : In cuius rei testimonium presenti carte nostre confirmacionis magnum sigillum officii nostri apponi precepimus ; testibus, carissimo consanguineo nostro, Alexandro comite de Marr et de Garuiach, Roberto Stewart de Lorne, Waltero de Lyndesai, Johanne Forstare de Corstorfine, custode magni sigilli nostri, Roberto de Conynghame de Kilmauris, Alexandro de Leuingstoun de Calentare, et Alano de Ottirburne, secretario nostro, apud Edinburgh, vicesimo sexto die mensis Octobris, anno Domini millesimo quadringentesimo vicesimo primo, et gubernacionis nostre anno primo.

61. NOTARIAL TRANSMPT OF THE CONFIRMATION by KING ROBERT THE SECOND of a Charter by GILBERT OF UMFRAVILLE, Earl of Angus. [No. 34, *supra.*] Transmpt dated 2d June 1421.

IN nomine Domini, amen : Nouerint vniuersi presens instrumentum publicum inspecturi, quod anno ab incarnatione Domini millesimo cccc^{mo} vicesimo primo, mensis Junii die secunda, indicione decima quarta, pontificatus sanctissimi in Christo patris et domini nostri, domini Martini divina prouidencia pape quinti, anno quarto ; in mei notarii publici et testium subscriptorum presencia personaliter constitutus Johannes Wyschard dominus de Ballyndarg, quandam cartam sanam, integram, non viciatam, non cancellatam, non rasam, non abolitam nec in aliqua sui parte suspectam, sed omni vicio et suspicione carentem, sigilloque magno quondam inclitissimi principis Roberti Dei gratia olim regis Scotorum, in cera alba sigillatam, michi notario publico infrascripto tradidit perlegendam, et in formam publicam redigendam, cuius vero carte tenor sequitur sub hac forma : ROBERTUS Dei gracia rex Scotorum omnibus probis hominibus tocius terre sue, clericis et laicis, salutem : Sciatis nos cartam quondam Gilberti de Vmfrawill comitis Angusie de mandato nostro visam [*etc., ut No. 34, supra.*] POST cuius quidem carte perlecturam, dictus Johannes Wyschard de eius copia et tenore sibi fieri peccit publicum instrumentum : Acta fuerunt hec in villa de Dundee, anno, die, mense, indic-

tionē et pontificatu quibus supra ; presentibus, discretis viris dominis Ricardo de Langlandis, magistro hospitalis Sancti Germani, Johanne de Toulouse vicario de Strachechty, Johanne Tempilman, Johanne Lam, Daud de Melros, presbyteris, Daud de Guthry, et Johanne Skrymgeour notario publico, burgensibus de Dunde, cum multis aliis testibus ad premissa vocatis pariter et rogatis.

Et ego Johannes Idill, clericus Sancti Andree diocesis, publicus auctoritate imperiali notarius, predictam cartam originaliter vidi, tenui et perlegi, et hic fideliter transcripsi, factaque examinacione de presenti transcripto cum originali, quia eam in omnibus concordare inueni, ideo huic presenti instrumento, manu propria supra et subtus scripto, signum meum solitum et consuetum apposui, rogatus et requisitus in testimonium veritatis.

62. OBLIGATION by ARCHIBALD OF DOWGLAS, Earl of Wigton, to the EXECUTORS of SIR WILLIAM OF DOWGLAS, Lord of Logton. 10th December 1421. [From the Transumpt, No. 72, *infra*.]

BE it kennit till all men be thir present lettiris, that we Archebalde of Dowglas, eirle of Wygtoun, lorde of Eskdale and Lavedirdale, has takin forsabily fra maistir Williame of Glendonwyne, maistir Jone of Castilcarris, and Adame of Dalgles, executouris of a worschipfull knyght, sir Williame of Dowglas, vmquhyle lorde of Logtoun, out of the hous of the saide maistir Williame, and out of his kyst, agayne the will of the saide executouris, the gudis of the saide sumtyme sir Williame that heir eftir ar writtin : and first, twelfe pecys of syluyr, merkit with the ponnoun of Paryse, weyand four and twenty merkis : Item, a basyne and a lawer of siluer, gylt about the borde, and with the armys of the said sir Williame on bath, weyand bath nyne markis three vncis and ane halfe vnce : Item, twelfe spunys of siluer, gylt on the endis, weyand a mark and ane halfe : Item, twa crowetis of syluyr, gylt about the borde, weyand a marke and ane halfe vnce : Item, twa saltfattis of siluer, and gylt about the borde, weyand fyve vncis and ane halfe : Item, a dowblet of rede sattyne cramesyne, new, with anneletis of siluer and gylt : Item, ane alde clath sek, withoutyn bras or barhyd : The quhilke gudes we obligis vs in gude faithe till restore till the airis of the saide quhilum sir Williame, ordanyt and made in his testament, or ellis till content thaim of the pryce or the valoure thareof : we oblys vs als, as is of beforwrittin, till kepe the saide maistyr Williame and all the vthir executouris harmles anens the saide ayris, and al vthir

that may mak clame til the saide gudis be titule of lawe : In the witnes of the quhilke thing till this our present obligacioun we hafe gert sett our sele, at Angeris, in the presens off worschipfull men maistir Jone Gray, archidiacone of Galoway, Williame Bell, and Adam of Dalgles, our squyeris, the tend day off Decembir the yheir of our Lorde a thouzand four hundr twenti and ane.

63. ATTESTATION by ARCHIBALD EARL OF WIGTON AND OF LONGAVILLE to the granting of certain Loans by HENRY DOUGLAS of Logton to SIR WILLIAM DOUGLAS of Lochleven. 1st May 1424.

ARCHIBALD, Erl of Wigton and off Longavill, lorde off Esdale, and wardane off the Middill and West Marchis off Scotland foirnent England, till all and syndry thir lettrez to her or se, gretyng : For quhy that it is meritabill and medefull to ber lele witnes to suthfastnes, and namly, quhar the conselyng off lawte may gener preiudice to the innocent, to yhour vniuersite we notify and makis knawyn, be thir our present lettrez, that our cosyng, Henry off Douglas off Logton, gert len, be his attournays and assyngnais, that is to say, sir Thomas off Kirkpatrik, Dauy of Hammyltoun, and Law Thomson, thai haffand tharto full powar, till quhilum his deraste brothir, schir Wilyhame off Douglas off Lochlevyn, in the erde off France, and in his grete mistar, certane sowmys off monay, that is to say, in the tovn off Mans, four hvndir francis ; that tym thre franx made the nobill : alsua in Touris in Turane, be schir Thomas off Kirkpatrik and Law Thomson, sex hundir franx ; and that tym sex franx made the nobill : and eftir, in the said tovn off Touris, be the said schir Thomas and Law, auch hundir franx ; and that tym tene franx made the nobill : For the quhilk sovmys lelely and trewly to be paid, the forsaid schir Wilyhame was oblist be the trewth off his body, withoutyn fraude or gill, to the said Henry ; and for the mare surete, he oblist hym, his airis, executuris, and assyngnez, and all his landis on south half the Scottis see for to be strenyheit and pvndit, at the will off the said Henry, or off his airis, quhill the forsaid Henry or his airis be assithit off costis and skathis, trubal and interest, giff he or thai any sustene in defaut off the forsaid payment or part as off the principale sowmys : And this we saw, and war callit as witnes be the said schir Thomas off Kirkpatrik ; the quhilk, till all that it afferis, we notify and makis knawyn till all that it afferis be thir present lettrez : In witnes of the quhilk thyng, to thir our lettrez off witnessyng we haff gert hyng our sele, at Edynburgh, the first day off the moneth off May, the zer off our Lorde M. III^c twenty and four zeris.

64. CHARTER by WILLIAM OF DOUGLAS, knight, Earl of Angus, to WILLIAM OF BLARE, of the land of Wethirrishalch, etc. 20th December 1424.

OMNIBUS hanc cartam visuris vel auditoris, Willelmus de Douglas, miles, comes de Angus, et dominus Vallis de Lidale, salutem in Domino sempiternam : Noueritis nos dedisse, concessisse, et hac presenti carta nostra libere confirmasse dilecto nostro consanguineo, Willelmo de Blare, zelo dileccionis naturalis consanguinitatis, et pro suo fideli seruicio nobis multipliciter impenso, quamdam nostram peciam terre que wlgariter dicitur Wethirrishalch, vna cum lacu qui in lingua wlgari dicitur Lochmargurly, cum pertinenciis, iacentem in dominio nostro de Strachechty, infra vicecomitatum de Forfare : Tenendam et habendam dictam peciam terre, vna cum lacu predicto, cum suis vniuersis et singulis iustis pertinenciis quibuscumque, dicto Willelmo de Blare et heredibus suis, de nobis et heredibus nostris, in feodo et hereditate imperpetuum ; per omnes rectas metas suas antiquas et diuisas, vna cum herbagio pro octo vaccis et earundem sequelis ; pro duobus iumentis cum suis sequelis ; pro quadraginta ouibus fetosis cum earundem sequelis ; pro tribus auicis cum sequelis ; et pro tribus porcis cum sequelis, in communi dominii nostri de Strachechty predicti ; ac cum omnibus aliis et singulis libertatibus, commoditatibus, et asiamentis, ac iustis suis pertinenciis quibuscumque, tam non nominatis quam nominatis, tam subtus terram quam supra, procul et prope, ad dictam peciam terre, vna cum lacu, pertinentibus, seu iuste spectare valentibus quomodolibet in futurum, adeo libere, quiete, plenarie, integre, et honorifice, bene et in pace, in omnibus et per omnia, sicut aliquis tenentium nostrorum aliquam terram de nobis aut predecessoribus nostris infra dictum dominium tenuit seu possedit, tenet seu possidet de presenti, sine retenemento vel reuocacione imperpetuum : Reddendo dictus Willelmus de Blare et heredes sui, nobis et heredibus nostris, vnum denarium argenti annuatim in festo Pentecostes, nomine albe firme, si petatur, tantum, pro omni alio onere, seruicio seculari, exaccione, consuetudine, seu demanda que de dicta pecia terre et lacu, cum pertinenciis, per nos vel heredes nostros exigi poterunt in futurum quouismodo vel requiri : Et nos vero dictus Willelmus comes, et heredes nostri, dictam peciam terre et lacum, cum pertinenciis, dicto Willelmo de Blare et heredibus suis, forma pariter et effectum, vt prescriptum est, contra omnes homines et feminas warantizabimus, acquietabimus, et imperpetuum defendemus : In cuius rei testimonium sigillum nostrum presenti carte apponi fecimus, apud Dundee, vicesimo die mensis Decembris, anno Domini millesimo cccc^{mo} vicesimo quarto ; hiis testibus, Johanne de Ogilby, balliuo nostro,

Johanne de Achlek, domino eiusdem, Thoma de Fothryngame de Poury, magistro Johanne Idill, notario publico, et Alexandro Gray, maro nostro, cum multis aliis.

65. CHARTER by WILLIAM EARL OF ANGUS to SIR ALEXANDER FORBES of that Ilk, and his SPOUSE, of the lands of Easter Cluny. 20th August 1425.

OMNIBUS hanc cartam visuris vel audituris, Willelmus comes Angusie, dominus de Ledalisdale et de baronia de Abirnethy, salutem in Domino sempiternam : Noueritis nos dedisse, concessisse, et hac presenti carta nostra confirmasse dilecto nostro et speciali domino Alexandro Forbes de eodem, militi, omnes et singulas terras de Ester Cluny, cum pertinenciis, iacentes in baronia nostra de Abirnethy, et infra vicecomitatum de Perth : quequidem terre cum pertinenciis fuerunt quondam Ricardi de Arnote hereditarie, et quas idem Ricardus, non vi aut metu ductus, nec errore lapsus, seu dolo circumventus, sed sua mera et spontanea voluntate, in manibus nostris, per fustim et baculum et suas literas patentes sursum reddidit, pureque et simpliciter resignauit, ac omne ius et clamium que in eisdem habuit, habet, seu quouismodo habere potest, pro se et heredibus suis omnino quieteclamando imperpetuum : Tenendas et habendas omnes et singulas terras de Estir Cluny prenominatas, cum pertinenciis, predicto domino Alexandro et Elisabeth, sponse sue, sorori nostre, ac eorum diucius viuenti, et heredibus inter ipsos legitime procreatis seu procreandis ; quibus forte deficientibus, veris, legitimis, et propinquioribus heredibus predicti domini Alexandri quibuscunque de nobis et heredibus nostris, dominis de Abirnethy, in feodo et hereditate imperpetuum ; per omnes rectas metas et diuisas suas, prout iacent in longitudine et latitudine, in viis, semitis, aquis, stangnis, moris, marreciis, boscis, planis, pratis, pascuis et pasturis, piscacionibus, venacionibus et aucupacionibus, carbonariis, columbariis, glebariis, petariis, brueriis, et genestis, cum molendinis, multuris et eorum sequelis, cum curiis et earum exitibus, herezeldis, bludiwetis, et cum merchetis mulierum cum communi pastura, et libero introitu et exitu, ac cum omnibus aliis et singulis libertatibus, commoditatibus, aysiamenis, et iustis pertinenciis suis quibuscunque, tam non nominatis quam nominatis, tam sub terra quam supra terram, tam prope quam procul, ad dictas terras cum pertinenciis spectantibus seu iuste spectare valentibus quomodolibet in futurum ; et adeo libere et quiete, plenarie, integre, honorifice, bene et in pace, sicut aliquis liber homo infra regnum Scoocie aliquas terras de quocumque comite siue barone tenet seu possidet : Reddendo inde annuatim dicti Alexander et Elisabeth, et eorum diucius viuens, ac heredes inter

ipsum procreati seu procreandi, quibus forte deficientibus, heredes domini Alexandri predicti, nobis et heredibus nostris, dominis de Abirnethy, vnum denarium argenti, nomine albe firme, si petatur tantum, pro omni alio seruitio seculari, exactione, onere, vel demanda que de dictis terris cum pertinentiis per quoscumque exigi poterunt aequaliter aut requiri: Et nos vero Willelmus comes prefatus, et heredes nostri, omnes et singulas terras de Estir Cluny prenominate, cum pertinentiis, predictis domino Alexandro et Elisabeth ac eorum diucius viuenti, et heredibus suis predictis, quibus forte deficientibus, veris, legitimis, et propinquioribus heredibus ipsius domini Alexandri, adeo libere, in omnibus et per omnia, sicut predictum est, contra omnes mortales warrantizabimus, acquietabimus, et imperpetuum defendemus: In cuius rei testimonium sigillum nostrum presenti carte nostre apponi fecimus, apud Edinburgh, vicesimo die mensis Augusti, anno Domini millesimo quadringentesimo vicesimo quinto; hiis testibus, dominis Waltero de Ogilby de Balliciaue, Johanne Forestarii de Corstorffyne, et Willelmo de Borthwike de Heryote, militibus, cum multis aliis.

66. AGREEMENT between SIR PATRICK OF OGILBY, Sheriff of Angus, DAVID OF OGILBY of that Ilk, and AGNES FRISLAY, as to Tyrbeg and Balmaschener, etc. 24th November 1427.

IN nomine Domini amen: Anno ab Incarnacione eiusdem millesimo cccc^{mo} vicesimo septimo, mensis Nouembris die vicesima quarta, indiccione sexta, pontificatus sanctissimi in Christo patris et domini nostri, domini Martini diuina prouidencia pape quinti, anno vndecimo; in mei notarii publici et testium subscriptorum presencia talis facta fuit appunctuacio inter dominum Patricium de Ogilby, militem, vicecomitem de Angus, Daud de Ogilby, dominum eiusdem, et Agnetem Frislay, modo et forma subsequenti; videlicet, quod dictus dominus Patricius fideliter promisit eidem Agneti persoluere octo marcas vsualis monete Scocie debitas predictae Agneti de terminis transactis, et deinceps dictus Daud prefate Agneti, durante vita eiusdem Agnetis, duodecim marcas monete predictae annuatim ad duos anni terminos vsuales, videlicet, Pentecostes et Sancti Martini in yeme, per porciones equales, fideliter persoluet de terris suis de Ogilby, infra vicecomitatum de Angus, aut de terris suis de Cary, infra regalitatem de Abirnethy, causa renuociacionis et quiete clamacionis coniuncte infeodacionis terrarum de Tyrbeg, Balmaschener, et cuiusdam annui redditus ville de Innerychti, ac omnium aliarum terrarum ad quas poterat ius habere per couiunctam infeodacionem quondam Alex-

andri de Forfare, mariti sui; quas renunciacionem et quietam clamacionem dicta Agnes fecit dictis domino Patricio et Daudid in sua pura et legitima viduitate, et de predictis duodecim marcis faciet eam securam, prout dictus vicecomes Daudid et Agnes poterint et sciuerint adinuicem concordare: et si non concordauerint per se, tunc dictus vicecomes, Daudid et Agnes, eligent quatuor viros insuspectos, et secundum quod illi decreuerint et ordinauerint, dictus Daudid faciet et perimplebit de futuro: dictusque vicecomes promisit quod faceret Alexandrum Bonkil venire coram hominibus racionem considerantibus, et idem vicecomes faceret eundem Alexandrum reddere iusticiam dicte Agneti de certa summa pecunie quam dictus vicecomes eidem Alexandro persoluit, vt asseruit: De quibus omnibus et singulis prefatus Daudid per me notarium publicum subscriptum sibi fieri peccit publicum instrumentum: Acta fuerunt hec in quodam orto ex parte australi ecclesie Fratrum ville de Dundee, anno, die, mense, indiccione, et pontificatu quibus supra; presentibus prouidis et discretis viris, Willelmo Giffart de Balmagerro, Thoma de Fothringame de Powry, Thoma Monypeny de Petmuly, Waltero Yhalouhare, Patricio Barboure, burgensibus de Dundee, magistro Willelmo Ramsay, bacallario in decretis, et Patricio Ramsay, cum multis aliis testibus ad premissa vocatis pariter et rogatis.

Et ego Johannes Ydill, clericus Sancti Andree diocesis, publicus auctoritate imperiali notarius [*etc., in forma communi.*]

67. INDENTURE between SIR NICHOLAS KYDDE, chaplain of Saint Salvator, in the church of St. Mary of Dundee, and JOHN CANTY, burgess, as to the chapel-lands. 12th December 1428.

HEC Indentura facta apud Dundee duodecimo die mensis Decembris, anno Domini millesimo quadringentesimo vicesimo octauo, testatur quod ita extitit concordatum inter dominum Nicholaum Kydde, capellanum perpetuum capellanie Sancti Saluatoris, in ecclesia parochiali Beate Marie virginis de Dundee, de infeodacione quondam Patricii de Innerpefir ex vna, et Johannem Canty, burgensem predicti burgi, partibus ab altera; videlicet, dictus dominus Nicholaus, cum consilio, consensu, et assensu Willelmi de Blare de Ardeblare, patroni dicte capellanie, assedauit et ad feodifirmam dimisit, ac hac presenti indentura confirmauit predicto Johanni, heredibus suis et assignatis, illam totam et integram peciam terre duarum acrarum dicte capellanie cum pertinenciis, iacentem in Campo Occidentali predicti burgi de Dundee, ex parte boreali eiusdem campi, inter terram domini Andree Gray, militis, ex parte occidentali, ex parte vna, et terram Johannis Mortymere ex parte orien-

tali, ex parte altera : Teuendam et habendam predictam peciam terre cum pertinenciis predicto Johanni, heredibus suis et assignatis, libere, quiete, integre, honorifice, beue et in pace, in feodo et hereditate, pure et imperpetuum ; per omnes rectas metas et diuisas suas, tam in longitudine quam in latitudine et profunditate, ac cum omnibus et singulis libertatibus, commoditatibus, et aisiamenis ac iustis pertinenciis quibuscumque ad dictam peciam terre cum pertinenciis spectantibus, seu quoquo modo spectare valentibus in futurum : Reddendo inde annuatim dictus Johannes, heredes sui et assignati, predicto domiuo Nicholao et successoribus suis, capellanis perpetuis predictae capellanie, sex solidos et octo denarios vsualis monete Scoecie currentis, ad duos anni terminos vsuales, videlicet, Penthecostes et Sancti Martini iu hieme per equales porciones, tantum pro omni alio onere, seruicio, exaccione, seu demanda que per dictum dominum Nicholaum seu eius successores, capellanos perpetuos dicte capellanie, de dicta pecia terre cum pertinenciis peti poterunt vel exigi quouismodo in futurum : Et pro bona et prompta solucione predicti annui redditus successiue ad terminos prescriptos fideliter et absque dolo persoluendi, si predicta terra non fuerit distringibilis pro annuo reddito ad terminos, predictus Johannes obligat se, heredes et assignatos suos, et omnes terras et annuos redditus suos quoscumque, tanquam proprium fundum predictae pecie terre, pro voluntate et beneplacito predicti domini Nicholai et ipsius successorum imperpetuum, pro dicto annuo reddito absque licencia cuiuscumque ministri iuris fore namandos et distringendos, quousque predictus annuus redditus de termino ad terminum fuerit plenarie et integre persolutus : Et predictus dominus Nicholaus et successores sui prescripti, predictam peciam terre cum pertinenciis predicto Johanni, heredibus suis et assignatis, in omibus et per omnia, vt prescriptum est, contra omnes gentes warantizabunt, acquietabunt, et imperpetuum defendent : In cuius rei testimoniuu parti huius indenture remanenti cum predicto domino Nicholao sigillum predicti Johannis est appensum, et parti cum predicto Johanne remanenti sigillum predicti domini Nicholai, vna pro maiori euidencia et sigillum predicti Willelmi de Blare, patroni, in testimoniuu sui assensus sunt appeusa, anno, mense, die, et loco predictis.

68. CHARTER by ARCHIBALD EARL OF DOUGLAS AND LONGAUILE to WILLIAM STEWART of the Barony of Kirkandris. 6th December 1431.

OMNIBUS hanc cartam visuris vel audituris, Archibaldus comes de Douglas et de Longauile, Galwidie, et Vallis Anandie, salutem in Domino sempiternam : Noueritis

nos dedisse, concessisse, et hac presenti carta nostra confirmasse dilecto scutifero nostro, Willelmo Stewart, filio quondam domini Roberti Stewart, militis, domini de Dursdere, pro suis consilio et auxilio nobis pro toto tempore vite sue impensis et impendendis, totam et integram baroniam nostram de Kirkandris, cum pertinentiis, iacentem in dominio nostro de Eskdale, infra vicecomitatum de Drumfres: Tenendam et habendam totam baroniam predictam, cum pertinentiis, et cum superioritate eiusdem, vna cum tenandiis et libere tenenciis seruiciis, predicto Willelmo et heredibus suis masculis de corpore suo legitime procreatis seu procreandis; quibus deficientibus, domino Dauid Stewart de Dursdere, militi, et heredibus masculis de corpore suo legitime procreatis seu procreandis; quibus forte deficientibus, veris et legitimis heredibus dicti Willelmi quibuscunque; quibus forte deficientibus, veris et legitimis heredibus dicti domini Dauid quibuscunque, de nobis et heredibus nostris, in feodo et hereditate imperpetuum . . . cum furca et fossa, sok et sak, waith, thol et theme . . . Reddendo inde annuatim . . . nobis et heredibus nostris seruicia debita et consueta . . . In cuius rei testimonium sigillum nostrum presentibus est appensum, apud Lintithq, sexto die mensis Decembris, anno Domini millesimo quadringentesimo tricesimo primo: Testibus, [*non completa.*]

69. DISCHARGE by WILLIAM OF DOUGLAS, Earl of Angus, to JOHN SYNCLARE of Hyrdmanistovne, for the mails of Kymberghame. 17th April 1433.

BE it knawyn til al men be thir present lettres, ws William of Douglas, erl of Angus, lorde of Jedworth Forest, of the Valle of Ledale and of Bonkil, (to) haf made ful appoyntment and concordans with John Synclare lorde of Hyrdmanistovne, of al the malys that he has ressauyt of the landis of Kymberghame in ony tyme bygane, to the day of the date of this present lettre, and of al rychtis and clamys that we hafe or may hafe be ony maner of way in the sayd landis of Kymberghame becaus of wedset of the sayd landis be vmqwhile schir William Synclare, knyght, fader of the sayde John, to Huchone Bertrame and John Bertrame: of the qwhilk appoyntment and concordance we hald ws weil content and fullily assithit, and the sayde John Synclar, hys ayris, executouris and hys assignes, of al rychtis and clamys that we hafe, or may haf be ony maner of way, in the sayd malys and in the landys beforsayde, because of wedset as is beforsayde, for ws and our ayris we qwytelame for euermar be thir present lettres: In witnes of the

qwhilk thyng to this present letter we haf gert set our seyl at North Berwic the seuyntend day of the moneth of Aueryl the yher of our Lorde a thousand four hundreth thretty and thre.

70. APPOINTMENT by KING JAMES THE FIRST of WILLIAM, SECOND EARL OF ANGUS, to be Warden of the Middle Marches. 10th November [1434.]

JACOBUS Dei gracia Rex Scotorum, vniuersis et singulis subditis et ligiis nostris ad quos presentes litere peruenerint, salutem : Sciatis quod constituimus, ordinauimus, et deputauimus dilectum nepotem nostrum, Willelmum comitem Angusie, Gardianum Mediarum Marchiarum regni nostri versus Angliam : dantes et concedentes dicto nepoti nostro nostram plenariam potestatem officium Gardiani dictarum Mediarum Marchiarum gerendi et exercendi, attemptataque per nostros subditos contra vim et effectum trewgarum reformandi, et similem reformationem per gardianos alterius partis petendi, terminos debitos ad reformationem huiusmodi faciendam statuendi et tenendi, ac eciam subditos et ligios nostros contra vim trewgarum huiusmodi delinquentes puniendi, ceteraque omnia alia et singula ad officium Gardiani spectancia nostra autoritate regendi et exercendi : ratum et gratum habentes et habituri totum et quicquid per prefatum nepotem nostrum circa exercitium officii huiusmodi et illud tangens factum fuerit in premissis. Quare vobis omnibus et singulis supradictis firmiter precipimus et mandamus quatenus dicto nepoti nostro, tanquam Gardiano, respondeatis, pareatis, et intendatis : presentibus pro nostra voluntate duraturis : In cuius rei testimonium has literas nostras sub magno sigillo nostro fieri fecimus patentes, apud Perth, decimo die mensis Nouembris, anno regni nostri vicesimo nono.

71. INDENTURE between WILLIAM, SECOND EARL OF ANGUS, and PATRICK, ABBOT OF HOLYROOD, for the aid of the Abbot. 13th March 1435.

THIR endenturis, made at North Berwic, the xij day of the moneth of Marcis, the zere of oure Lorde, I^m iiii^{cccc} xxxv, betwix ane hee and a mychti Lorde, Williame erle of Angus, on the ta part, ande a venerable fader in Christe, Patric, thrw the permissioun of God abbot of the Hali Croise of Edinburgh, on the tother part, contenis, propertis and beris witnes that it is accordit betwix the saide parteis in forme and maner as folowis ; that is to say, that the saide lorde Schir Williame sal help, maynteine and suppowel, at al his gudeli power, the saide abbot, his place, his men, thaire gudis and possessionis, and halde thaim vnwrangyt or harmyt,

bot as law wil, ande gif thaim maynteinancis ande assistance in the law for al the terme of foure zeris fra Witsundai neste foluande the date of thir endenturis, ande fra this tyme to the saide Witsunday, togidder witht the saidis foure zeris : For the quhilkis forsaide mayntenancis, suppowel and helpe, the saide abbot, with consent of his Covent, has grantit and freli giffin to the saide lorde Schir Williame, for his firste twa zeris pensioun, al the gudis bath quik and dede, lauchfulli pertenande to thaim, thrw the dede of Dene Richart of Barrow, vicar quhilum of the kyrke of Barrow ; ande for the neste twa zeris foluande thairefter, the saide abbot sal pay to the saide lorde Schir Williame twenti pundis, that is to say, zerli ten pundis of vsuale monee of Scotlande : In witnessing hereof, to the part remaynande of thir endenturis with the saide lorde Schir Williame, the seel of the saide abbot is to-put, day, zere and place befor writin.

72. TRANSMUMPT OF OBLIGATION by ARCHIBALD OF DOWGLAS, EARL OF WIGTON. No. 62, *supra*. Transumpt dated 21st May 1437.

IN nomine Domini, amen : Nouerint vniuersi hoc presens publicum instrumentum inspecturi, quod anno ab incarnatione eiusdem Domini millesimo quadringentesimo tricesimo septimo, mensis vero Maii die vicesimo primo, indictione decima quinta, pontificatus sanctissimi in Christo patris et domini nostri, domini Eugenii diuina prouidencia pape quarti anno septimo : In mei notarii publici et testium infra-scriptorum ad hoc specialiter vocatorum et rogatorum presencia personaliter constitutus, nobilis vir dominus Henricus de Douglas, miles, dominus de Logtoun quasdam literas patentes in papiro scriptas, sanas et integras, non rasas, non cancellatas, nec in aliqua sui parte suspectas, sed omni prorsus vicio et suspicione carentes, ut prima facie apparebat, sigillo magnifici et potentis domini Archibaldi de Dowglas comitis de Wygtoun et domini de Eskdale et Lawedirdale, in cera rubea sigillatas, michi notario publico subscripto tradidit perlegendas et publicandas ; quarum literarum tenor sequitur in hec uerba : Be it kennit till all men be thir present letteris [*etc., vide* No. 62, *supra*].

Et sic finiunt dicte litere : Quibus quidem literis perlectis, visis, publicatis, et diligenter inspectis, prefatus dominus Henricus de earum copia et tenore a me notario publico subscripto sibi fieri peccit publicum instrumentum : Acta fuerunt hec apud Dundee, in vestiario ecclesie parrochialis eiusdem, anno, mense, die, indictione et pontificatu prescriptis ; presentibus ibidem honorabilibus viris, prouidis et honestis, Magistro Ricardo de Crag, vicario perpetuo predictae ecclesie

parrochialis de Dundee, Roberto de Keir, preposito burgi de Dundee, Alexandro Grahame, Patricio Lindesay, scutiferis, Daud de Abirkeirdor, Alexandro de Blar, Roberto de Seres, Roberto Dugude, Donaldou Nesouu, Andrea de Downy, Willehmo Newman, Ricardo Small, et Alexandro Faucart, burgensibus dicti burgi de Dundee, cum multis aliis testibus ad premissa vocatis specialiter et rogatis : Et ad maiorem huius instrumenti euidenciam, prefatus dominus Hearicus cum instancia procurauit sigilla dictorum Magistri Ricardi Crag, vicarii, Roberti de Keir, prepositi, et Daud de Abirkerdor, huic instrumeto apponi, coram testibus suprascriptis.

Et ego Johannes de Carnbe dictus Barry, clericus Sanctiandree diocesis, publicus imperiali auctoritate notarius predictas literas sanas et integras dicti domini comitis vero sigillo sigillatas vidi [*etc., in forma communi*].

73. BOND by ALEXANDER OF OGILVY of Innerquharady, to the HEIRS of umquhile GEORGE DOUGLAS, FIRST EARL OF ANGUS, as to the lands of Ludeinche and Wester Duneacht. 20th April 1439.

TILL al and sindry to quhais knavlach thir present letteris sal to cum, Alexander of Ogilby of Innerquharady, gretyng in God aylestand : I mak knauyn to yhour sindrynes, that set at Nichol of Borthvyke of the Ludeinche has infett me heritabli in blanchferme, as aperis in his chartir to me tharofe made of the landis of the Ludeinche and Westir Duneacht in the barony of Kerymore, in the erldome of Angus, vithin the Schirredome of Forfare, I will and gravnt, for me and myn ayris to hald thir fornemmyt landis, vith homage and seruice of thre soytis at thre chefe courtis to be haldyn in the yher at Kerymore, for al the tyme of the ayris of vinqhile George of Douglas, erle of Angus, of his body lauchfulli gottyn, the quhilkis falyheand, as God forbede, my first chartir of blanchferme made to me and myn ayris, be the forsaid Nichole of Borthvyke, standand in fors, vertu and strenth, eftir the tenour and the fourme of that ilke : In witnes of the quhilk thing, my sele to this present letter is appensit at Dundee the twenty day of the moneth of Aprile, the yhere of oure Lorde, I^m four hundreth, thretty and nyne yheris.



74. CHARTER by JAMES OF DOUGLAS, THIRD EARL OF ANGUS, to ROBERT YMBRE, of the lands of Stokkarlande, etc. 8th May 1439.

OMNIBUS hanc cartam visuris vel audituris, Jacobus de Douglas comes Angusie, dominus regalitatis de Abirnethy, eternam in Domino [salutem]: Sciatis nos dedisse, concessisse et hac presenti carta nostra confirmasse dilecto nostro, Roberto Ymbre, totas terras nostras de [Stokkarlande] cum pertinenciis, et septem bollas ordii de Corfergy, iacentes in regalitate nostra de Abirnethy, infra vicecomitatum de Pertht: quequidem terre [cum pertinenciis] fuerunt quondam Cristiane et Margarite Stokkare, sororum, hereditarie, et quas et quod dicte Cristiana et Margarita, non vi aut metu [ducte, nec] errore aliquo lapse, sed sua mera et spontanea voluntate, per fustim et baculum, ac per suos procuratores per suas literas suis [sumptibus] sursum reddiderunt, pureque et simpliciter in manibus nostris resignauerunt; ac totum ius et clamium que in eisdem habuerunt pro se et heredibus suis omnino quitum clamauerunt et imperpetuum: Tenendas et habendas totas dictas terras de Stokkarlande, cum pertinenciis, et ordium suprascriptum predicto Roberto, heredibus suis et suis assignatis, de nobis et heredibus nostris in feodo et hereditate imperpetuum, libere, quiete, bene et in pace, per omnes rectas metas suas antiquas et diuisas, cum pastura trium vaccarum cum sequelis, infra commune de Abirnethy; et cum decem fothris glebarum infra Murmonth, ac cum omnibus aliis et singulis libertatibus, commoditatibus et aisiamentis, ac iustis pertinenciis quibuscunque, tam non nominatis quam nominatis, tam subtus terra quam supra terram, ad dictas terras, cum pertinenciis, et septem bollas ordii spectantibus seu iuste spectare valentibus in futurum: Reddendo inde nobis et heredibus nostris dictus Robertus, heredes sui et sui assignati, seruicium debitum et consuetum: Et nos dictus comes et heredes nostri predictas terras de Stokkarlande et septem bollas ordii de Corfergy [cum pertinenciis] predicto Roberto, heredibus suis et suis assignatis, in omnibus et per omnia, ut premissum est, contra omnes homines et feminas warantizabimus, acquietabimus, et imperpetuum defendemus: In cuius rei testimonium presenti carte nostre nostrum sigillum apponi fecimus, apud Temptaloune, octauo die mensis Maii, anno Domini millesimo quadringentesimo tricesimo nono.

75. RETOUR of GEORGE OF DOUGLAS, as heir to his father, JOHN OF DOUGLAS, in the demesne lands of Bonjedworth. 2d July 1439.

INQUISICIO capta apud Richermuderake, in Foresta de Jeddeworth, secundo die mensis Julii, anno [Domini millesimo] CCC^{mo} tricesimo nono, coram [

] de Rutherfurde, balliuo dicte foreste, presente ibidem magnifico et potenti domino [domino Jacobo de] Douglas comite Angusie, per istos subscriptos; videlicet, Jacobum de Rutherfurde de eodem, David Turnbul, Jacobum de Ru[therfurde], Johannem Turnbul, Jeorgium de Orms-toun, Johannem Turnbul, Jacobum Loran, Johannem Turnbul, Patricium Rob, Schir Ricard de Aymer[toun], . . . A]lani, Ricardum Alani, Johannem Moscrop, Adam de Redhall, Willelmum de Ley, Johannem de Rutherfurd, et Thomam Ruffy: Qui [examinati vir]tute sui iuramenti, dicunt quod quondam Johannes de Douglas, pater Jeorgii de Douglas, latoris presencium, obiit vltimo vestitus [et sasitus ut de] feodo ad pacem et fidem domini nostri Regis, de omnibus et singulis terris dominicalibus de Boniedworth, vnacum viginti terris husbandis, cum pertinenciis, in villa et territorio eiusdem, iacentibus infra regalitatem de Jedwordforest, in vicecomitatu de Roxburgh: Et quod dictus Jeorgius est legitimus et propinquior heres eiusdem quondam Johannis, patris sui, de dictis terris cum pertinenciis: Et quod est legitime etatis: Et quod dicte terre cum pertinenciis valent nunc per annum et tempore pacis quadraginta marcis; et tenentur in capite de domino dicte regalitatis de Jeddeworth forest per albam firmam, reddendo inde eidem domino et heredibus suis annuatim vnum denarium argenti, nomine albe firme, in festo Natiuitatis Sancti Johannis Bapstiste, apud Linthalehlie si petatur: Et quod dicte terre nunc existunt in manibus dicti domini comitis Angusie tanquam domini superioris earundem, per mortem dicti quondam Johannis de Douglas, a tempore decessus dicti Johannis defuncti, qui obiit decimo quinto die mensis Junii vltimo elapsi; ob defectum execucionis veri heredis: In cuius rei testimonium sigillum dicti balliui, vna cum sigillis quorundam qui dicte inquisitioni intererant presentibus sunt appensa, anno, die, et loco supradictis.

76. TRANSMPT of DECREE-ARBITRAL between JAMES, THIRD EARL OF ANGUS, and SIR ALEXANDER HOME of Dunglas, decerning the latter to have no right to Preston and Lintlaw. Decree dated 27th February, and the Transmpt 15th March 1439.

IN Dei nomine amen: Anno ab Incarnacione eiusdem, millesimo quadringentesimo tricesimo nono, indictione tercia, ac mensis Marcij die decimaquinta, pontificatus sanctissimi in Christo patris ac domini nostri, domini Eugenij diuina prouidentia pape quarti anno nono, in mei notarii publici ac testium subscriptorum pre-

sencia, nobilis vir, Edmundus de Haya, quendam literam in pergamento scriptam, sanam et integram, omni vicio et suspicione carentem, vt prima facie apparuit, duobus sigillis in rubea cera alba impressa sigillatam, michi notario subscripto tradidit perlegendam et in formam publicam redigendam, cuius tenor in wlgari sequitur in hiis verbis : Be it kenyt till all men be thir present lettres, vs, Archibald of Douglas of Caueryse, knycht, and Nichole of Ruthirfurde of Grubet, sqwyar, twa of the summisionaris chosyn betwen a gret and a mychty Lord, schir James of Douglas, Erll of Angus, Lord of Leddaildail and Jedwort-Forest, and Warden of the est Marche of Scotlande foranent Englande, on the ta part, and a worthy man schir Alexander of Home, Lord of Dunglas, knycht on the tothir part, as toucheand the debatis of the landis of Prestoun and Lyntlawis, with the pertinentis, lyande in the baronry of Bonkill, within the schirafdom of Berwik, the quhilk the said schir Alexander claymit throw a gift, a charter therapoun and sesyn folouande, maid till him be vmquhill a mighty Lord, schir Wilyhame of Douglas, quham God assoilyhe, fader to the forsaid Erll of Angus that now is ; of the quhilk debatis and clayme fornemmit lik as is contenit in endenturis maid be consent of the forsaid partyis, we ripely and weil avisit, considerande the resouns and lawis proponit and giffyn in be the forsaid partyis, declaris, decernis and pronuncis the forsaid schir Alexander of Home till haue na richt to the forsaid landis of Prestoun and Lyntlawis with the pertinentis, na his clayme to be of na valou as toucheande the debatis and claymis the quhilkis the said endenturis proportis, bot to remayn peseabilly with the said Lord Erll of Angus, without ony obstacle or demaunde. And this we gif for our decret in the forsaid materis. In the witnes of the quhilk thing, we the forsaid Archibald and Nichole to thir present lettres has hungyn our seillis at Jedworth, the xxvii day of the moneth [of] Februar, the yher of our Lord M.CCCC thretty and nyne yheris. Post cuiusquidem litere perlecturam, prefatus Edmundus de Haya, per me notarium publicum subscriptum sibi fieri peciit publicum instrumentum. Acta fuerunt hec in castro de Edynburgh, hora quasi nona ante meridiem, sub anno, indictione, die, mense, et pontificatu quibus supra ; presentibus ibidem nobilibus viris, videlicet, Johanne Broun domino de Hertre, Gylberto de Haya de Mynzet, Thoma Andree de Threplande, Patricio Adamsoun et Gilberto Huchonsoun, cum multis aliis testibus ad premissa vocatis specialiter et rogatis.

Et ego Henricus Malville capellanus, magister in artibus, Sanctiandree diocesis, publicus auctoritate imperiali notarius, predictas literas vidi, [etc., *in forma communi*].

77. TRANSMPT OF CHARTER by JAMES EARL OF DOUGLAS AND MARE to the MONKS OF MELROSE, of the patronage of the church of Meikle Cauers. Dated 27th July 1388, transumed 28th July 1442.

VNIUERSIS presentes litteras inspecturis Nicholaius de Otirburn magister in artibus, licenciatus in decretis, canonicus ecclesie Glasguensis, ac officialis curie Sanctiandree infra archidiaconatum Laudonie, salutem in Domino sempiternam: Notum facimus quod die date presencium coram nobis personaliter constitutus venerabilis in Christo pater ac dominus dominus Ricardus permissione diuina abbas monasterii de Melros, Cisterciensis ordinis, Glasguensis diocesis, quandam cartam dudum bone memorie domini Jacobi comitis de Douglas et de Marre, ac domini baronie de Cauers, datam et concessam abbati et conuentui et suis successoribus dicti monasterii de Melros, de toto jure patronatus siue aduocacione ecclesie parochialis de Magna Cauers infra prenotatam baroniam dicte Glasguensis diocesis, cum gleba et omnibus iuribus ac capellis ab eadem dependentibus suo vero sigillo rotundo in cera rubea alba impressa more cartarum pendente sigillatam, non rasam, non abolitam, non cancellatam, non viciatam sed prorsus omni suspicione carentem, in cuiusquidem sigilli rotunditate seu circumferencia sculpebantur hec verba: SIGILLUM JACOBI COMITIS DE DOUGLAS, et infra circumferenciam antedictam sculpebatur clipeus triangularis, et supra dictum clipeum ly tymerale et quedam bosca de plumis, et ex vtraque parte eiusdem clipei quedam arbor cum ramis, dictus vero clipeus gestus erat cum bestia siluestri ad modum leonis seu leopardi, et infra dictum clipeum in vna parte, videlicet, in infima parte sculpebantur tres stelle et vnum cor, et in secunda infima parte sculpebantur sex cruciuncule vlgariter dicte croysletis, cum ly bendd in medio earundem, et in duabus superioribus partibus dicti clipei consimilis erat sculptura facta, sed modo e contrario ad inferiorem sculpturam, nobis tunc pro tribunali ad jura reddenda loco nostro solito sedentibus coram notariis publicis et testibus infrascriptis presentauit, nobis supplicando cum idem dominus abbas nomine dicti sui monasterii et conuentus eiusdem eadem carta siue literis in curia Romana et diuersis aliis locis pro conseruacione, probatione et tuicione juris patronatus dicte ecclesie de Cauers et ad diuersos alios effectus indegeret, et timeret propter discrimina viarum et casus fortuitos perdicionem eiusdem carte, quatinus vellemus cartam huiusmodi per notarios huiusmodi transcribi et transsumi, ac transcripto seu transsumpto huiusmodi nostrum decretum interponendo tantam vim atque eandem fidem seu similem fore in iudiciis et extra adhibendam quanta eidem carte originali adhiberetur si in eisdem iudiciis ostensa

foret seu ostenderetur : Cuius supplicacioni tanquam juri consone annuentes, citatis prius legitime ad petitionem dicti domini abbatis de mandato nostro omnibus et singulis sua communiter uel diuisim interesse putantibus, prout moris est, cum intimatione ad certos diem et locum et terminum octo dierum ad audiendum et videndum huiusmodi cartam transcribi copiari et exemplari : quoquidem termino octo dierum adueniente, nemineque coram nobis ad dicendum contra producta comparente, dictam cartam recepimus, tenuimus, palpauimus et visitauimus, ac deinde eandem cartam per notarios infrascriptos transcribi, exemplari et copiari, ac presentes literas cum transcripto et exemplo predictis earundem in hanc publicam formam redigi mandauimus ; cuius quidem carte tenor sequitur in hec verba : VNIUERSIS Christi fidelibus presentibus et futuris ad quos et quorum noticiam presentes littere peruenerint, Jacobus comes de Douglas et de Marre ac dominus baronie de Cauerys, salutem in Domino sempiternam : Nouerit vniuersitas vestra quod cum dudum bone memorie dominus Willelmus progenitor noster mere deuotionis affectu concesserit et dederit religiosiis uiris abbati et conuentui monasterii de Melros, presentibus et futuris, totum jus patronatus siue aduocacionem ecclesie parochialis de magna Cauerys infra baroniam suam prenotatam, cum gleba et omnibus iuribus ac capellis ab eadem dependentibus, prout carta sui inde ipsis confecta in se continet et testatur, nos Jacobus comes predictus et dominus baronie prefate de Cauerys eadem deuocione instigati non solum dictas concessionem et donacionem ipsis religiosiis et eorum monasterio de Melros de dicto jure patronatus siue aduocacionis prefate ecclesie de magna Cauerys, cum gleba et capellis ac iuribus et pertinenciis quibuscunque non solum ratificamus et approbamus, verum eciam pro nobis et heredibus ac successoribus nostris tenore presencium confirmamus : et ad ampliorem rei euidenciam ac securitatem eisdem sicut et ipse progenitor noster de nouo damus et concedimus perpetuis temporibus libere et quiete ac sine reuocacione et calumpnia nostri, heredum vel successorum nostrorum, possidendas ; non obstante preterea per aliquam uiam juris, pacti vel facti cuiuscunque quod nos de speciali licencia et permissione ac gracia dictorum religiosorum ad precum nostrarum magnam instanciam et non de aliquo jure vel titulo ad nos pertinente in hac parte semel et vnica uice tantum presentauerimus vnum rectorem ad predictam ecclesiam habita prius et notorie speciali protestacione per prefatos religiosos quod nec ipsis nec ipsorum successoribus cederet in preiudicium vel grauamen, quin ipsi, cedente vel decedente prefato rectore, ad prenotatam ecclesiam possent et deberent de reliquo et in posterum ut veri patroni imperpetuum presentare ; quamquidem protestacionem, omni alia uia et remedio juris, conuencionis

vel facti protinus exclusis, nos pro nobis heredibus et successoribus nostris sponte admisimus et ipsam bene acceptauimus coram consilio nostro et testibus fidedignis : In quorum omnium testimonium sigillum nostrum presentibus precipimus apponi ; hiis testibus, dominis Malcolmo de Drommond dilecto fratre nostro, Johanne de Swyntoun carissimo patre nostro, et Johanne de Turribus, militibus, Murdaco de Glaycestre, et Henrico de Wedalle clerico nostro apud Etybredschehis, xxvij^o die mensis Julii anno Domini m^o ccc^{mo} lxxx^{mo} viij^{mo}. QUAQUIDEM carta sic copiata, transcripta seu exemplata, nos de huiusmodi transcripto copia et exemplo ad ipsam cartam originalem diligenter per notarios infrascriptos cum persona nobis fida et habili fieri fecimus collacionem quam uisibiliter concordare reperimus, nil addito uel remoto quod suam substanciam mutet vel variet intellectum, ideo presentibus litteris nostris transsumptum exemplum et copiam dicte carte seu dictarum literarum in se continentibus et eisdem presentibus transsumpto seu transcripto tantam et similem fidem in iudiciis et extra adhibendam et adhibere debere ad presentes tantam et talem vim consimilemque vigorem ac idem robur sic vbique obtinere quanta adhiberetur eidem carte originali si vt prefertur in eisdem iudiciis osteuderetur seu osteusa foret : Presentesque literas ad fuem et effectum supradictum publicauimus ac nostrum decretum et auctoritatem nostram ordinariam eisdem iuterposuimus et interponimus per presentes : In quorum omnium et singulorum premissorum fidem et testimonium presentes litteras siue presens publicum instrumentum huiusmodi transsumptum, exemplum, et copiam dicte carte in se continentes siue continens exinde fieri et per notarios infrascriptos redigi, subscribi, et publicari maudauimus, sigillique officii nostri officialatus Laudonie iussimus appensione communiri : Datum et actum apud Edinburgh in ecclesia fratrum predicatorum eiusdem loco nostro solito, hora expeditionis causarum ante merediem, sub anno Domini millesimo quadringentesimo quadragesimo secundo, iudiccione quinta, mensis uero Julii die uicesima octaua ac pontificatus sanctissimi in Christo patris ac domini nostri, domini Eugenii diuina prouidencia pape quarti anno duodecimo : Presentibus ibidem protunc uenerabilibus uiris, uidelicet, magistris Thoma de Lauedree, magistro domus hospitalis de Soltre, Sancti Andree diocesis, Roberto de Lawedree canonico Glasguensi, dominis Thoma de Lauedree et Dauid de Glasfurd, presbyteris dicte Sanctiandree diocesis cum multis aliis testibus. . . .

Et ego Robertus Tod presbiter Sanctiandree diocesis, publicus auctoritate imperiali notarius, quia predictae carte presentacioni [*etc. in forma communi*].

Et ego Thomas de Kyrcaudy presbyter de Edinburght Sancti Andree diocesis, publicus imperiali auctoritate notarius [*etc. in forma communi*].

78. PRECEPT by JAMES OF HAMILTON, Lord of Cadyhou, Knight, and EUPHEMIA, COUNTESS OF DOUGLAS and LADY OF BOTHWELL, his spouse, for infefting HENRY STEWART in Schanbody. 10th April 1444.

JACOBUS DE HAMILTOUN dominus de Cadyhou, miles, et Eufamia sponsa sua Comitissa de Douglas et domina de Bothuill, dilecto nostro Andree de Carrike, balliuo nostro dicti domini de Bothuile hac vice specialiter deputato, salutem : Quia per inquisitionem de mandato domini nostri Regis, coram viceomite de Clakmanane factam, et ad capellam domini nostri Regis retornatam, et deinde ad nos directam, compertum est quod quondam Daudid Stewart de Rossyth, miles, pater Henrici Stewart, latoris presencium, obiit vltimo vestitus et sasitus, vt de feodo, ad pacem et fidem domini nostri Regis, de baronia de Schanbody cum pertinenciis, jacente infra vicecomitatum de Clakmanane; et quod dictus Henricus est legitimus et propiuquior heres eiusdem quoudam Daudid, patris sui, de dicta baronia cum pertinenciis; et quod est legitime etatis; et quod dicta barouia de nobis domino de Bothuille tenetur in capite; vobis precipimus et mandamus, quatenus receptis a dicto Henrico sufficientem securitatem faciendo nobis pro dicta baronia cum pertinenciis quod de iure facere tenetur, eidem Henrico vel suo certo attornato, latori presencium, saisinam dicte baronie cum pertinenciis iuste haberi faciatis, et sine dilacione, saluo iure cuiuslibet; et hoc nullo modo omittatis. Ad quod vero faciendum, vobis nostram plenariam potestatem committimus per preseutes. In cuius rei testimonium sigilla nostra presentibus sunt appensa, apud Bothville, decimo die mensis Aprilis, anno Domini millesimo quadringentesimo quadragesimo quarto.

79. INDENTURE between JOHN OF OGILUY of that ilk and ROBERT OF SERES, burgess of Dundee. 30th June 1448.

[HEC indentura facta ap]ud Dundee, vltimo die mensis Junii anno Domini millesimo quadringentesimo quadragesimo octauo, inter honorabiles viros, videlicet, Johannem de Ogiluy de [eodem, ex vna, et Ro]bertum de Seres, burgensem burgi de Dundee, partibus ex altera, in se proportat veraciter et testatur quod idem Johannes dedit et concessit, et presentis indenture tenore confirmauit [dic]to Roberto, pro suis benefactis dicto Johanui gratanter impensis, viginti marcas annui redditus vsualis monete regni Scocie annuatim per dictum Robertum heredes suos vel assignatos ad duos anni terminos vsuales, videlicet, Pentecostes et Sancti Mar-

tini in yeme per porciones equales leuandas et percipiendas de totis et integris terris suis de Haltoun de Ogiluy, cum pertinenciis, jacentibus in baronia de Ogiluy, infra vicecomitatum de Forfare, et deficientibus de terris de le Haltoun cum pertinenciis, tunc de ceteris terris baronie predictae: Tenendum et habendum totum prefatum annuum redditum viginti marcarum, cum pertinenciis, dicto Roberto heredibus suis et assignatis, a me et heredibus meis . . . donec dictus Robertus, heredes sui vel assignati, de centum et decem marcis vsualis monete Scocie plenarie . . . fuerint persoluti . . . termino vero introitus dicti Roberti in recepcione prefati annui redditus incipiente in festo Sancti Martini in yeme datam presentium proximo et immediate sequenti . . . In cuius rei testimonium, partibus huius indenture sigilla predictarum parcium alternatim sunt appensa . . . testibus, domino Johanne Skrymgeour, constabulario de Dundee, magistro Willelmo de Karnys, perpetuo vicario ecclesie parochialis de Glammys, Sanctiandree diocesis, Thoma de Ogiluy de Clova, Thoma de Liddale, Alexandro Skrymgeour, scutiferis, Roberto de Balmanov, Willelmo de Mvnrur, et Malcolmo de Doquhyr, burgensibus de Dundee, cum multis aliis.

80. LETTERS by ARCHIBALD OF DOUGLAS, EARL OF MORAY, admitting JOHN OF HALIBURTON, a minor, as his vassal. 9th June 1450.

ARCHIBALDUS DE DOUGLAS, COMES MORAVIE, vniuersis et singulis ad quorum notitias presentes litere peruenerint, salutem in omnium Salvatore: Noueritis nos ex prouida et matura deliberacione consilii nostri prehabita, ad instanciam Walteri de Haliburtoun de Gask, consanguinei nostri, ac Katrine de Cheshelme, sponse sue, per puram et simplicem resignacionem omnium terrarum suarum quas de nobis tenuerunt in le Arde, infra vicecomitatum de Inuernys, Johannem de Haliburtoun, primogenitum ipsorum, pro nunc minorannem, et potestati nostre ac paterne nexu legali subiectum in tenentem nostrum dictarum terrarum, cum pertinenciis, admisisse, manumisisse, ac ipsum Johannem ad omnes actus legitimos, tanquam legitime etatis, liberum solutum et expeditum dimisisse, ac cum eo dispensasse, sic quod aliquo modo omnes et singuli contractus empcionis, vendicionis, locacionis, arrendacionis, alienacionis, seu ad firmam dimissionis, per prefatum Johannem in iudicio et extra fiendi legales et licite censeantur, habeantur, et reputentur, huiusmodi minoritate sua in aliquo non obstante: In cuius habilitacionis nostre testimonium sigillum nostrum appendi fecimus, apud Ruyplupill, nono die mensis Junii, anno Domini millesimo quadringentesimo quinquagesimo; presentibus ibidem, Alex-

andro de Dunbar, vicecomite nostro de Fores, Thoma Cummyrn, Johanne Cummyrn, Symone Fraser, Johanne de Cheshelme, Andrea Ostillar, et Nicolao Wilelmi, consiliariis nostris, et pluribus aliis, hora quasi quarta post meridiem.

81. CHARTER by KING JAMES the SECOND, confirming grant by WILLIAM EARL OF DOUGLAS to PATRICK OF HEPBURNE, of the lands of Estirtoun, etc., Charter dated 29th June 1444, confirmation 20th May 1452.

JACOBUS Dei gracia rex Scotorum, omnibus probis hominibus tocius terre sue, clericis et laicis, salutem : Sciatis nos quamdam cartam quondam Wilelmi comitis de Douglas, factam et concessam dilecto nostro Patricio de Hepburne de Halis, de terris de Estirtoun, terris de Nethirhillis, terris de le Westirtoun, terris de le Stanepeth, cum terris de le Manis, et molendino de Dunciare cum pertinenciis, iacentibus in dominio de Dunciare, in regalitate de Lawedre, infra vicecomitatum de Lanark, de mandato nostro visam, lectam et inspectam, et diligenter examinatum, sanam et integram, non rasam, non cancellatam, nec in aliqua sui parte suspectam, ad plenum intellexisse, sub hac forma : OMNIBUS hanc cartam visuris vel audituris, Wilelmus comes de Douglas et de Auendale, dominus Galwedie et regalitatis de Lawedre, salutem in Domino sempiternam. Noueritis nos dedisse, concessisse, et hac presenti carta nostra confirmasse dilecto consanguineo nostro Patricio de Hepburne, filio et heredi domini Ade de Hepburne domini de Halis, militis, pro suo homagio et seruiicio nobis impensis et impendendis, omnes et singulas terras nostras de le Estirtoun, terras de le Nethirhillis, terras de le Westirtoun, terras de le Stanepeth, cum terris de le Maynis et molendino de Dunciare cum pertinenciis, iacentibus in dominio de Dunciare in regalitate de Lawedre infra vicecomitatum de Lanark, salua et reseruata nobis vna dimedia parte vnus acre terre de terris de le Maynis pro nostro capitali messuagio : Tenendas et habendas omnes et singulas prenominatas terras de le Estirtoun, de le Nethirhillis, de le Westirtoun, de le Stanepeth, de le Maynis cum molendino de Dunciar cum pertinenciis, prefato Patricio de Hepburne et heredibus suis, de nobis et heredibus nostris, in feodo et hereditate imperpetuum, per omnes rectas metas suas antiquas et diuisas, prout iacent in longitudine et latitudine, in boscis, planis, moris, marresiis, pratis, pascuis et pasturis, petariis, turbariis, columbariis et carbonariis, viis, semitis, aquis, stangnis, riuolis, siluis et lacubus, cum molendinis, multuris et eorum sequelis, aucupacionibus, venacionibus et piscacionibus, cum curiis et earum exitibus, eschaetis et waith, herheldis et marchetis mulierum, lapide et calce, cum

communi pastura et libero introitu et exitu, ac cum omnibus aliis et singulis libertatibus, commoditatibus et asiamentis, ac iustis pertinentiis suis quibuscumque, tam nou nominatis quam nomiatis, tam sub terra quam supra terram, tam procul quam prope ad predictas terras et molendinum cum pertinentiis spectantibus, seu iuste spectare valentibus quomodolibet in futurum, libere, quiete, plenarie, integre, honorifice, bene et in pace, sine retinemento vel reuocacione aliquali : Faciendo inde annuatim dictus Patricius de Hepburne et heredes sui nobis et heredibus nostris tres sectas curie ad tria placita nostra capitalia annuatim tenenda apud Lawedre, tantum pro omni alio onere, exaccione, demanda seu seruicio seculari que de dictis terris et molendino cum pertinentiis per quoscumque iuste exigi poterunt quomodolibet vel requiri. Et nos vero dictus Wilelmus et heredes nostri omnes et singulas prenominatas terras de Estirtoun, de le Nethirhillis, de le Westirtoun, de Stanepeth, cum terris de le Maynis de Dunciare et molendino eiusdem cum pertinentiis, prefato Patricio de Hepburne et heredibus suis, adeo libere et quiete in omnibus et per omnia, forma pariter et effectu, sicut dictum est, contra omnes mortales warantzabimus, acquietabimus, et imperpetuum defendemus ; dicta dimedia parte vnus acre terre nobis pro capitali nostro messuagio duntaxat reseruata. In cuius rei testimonium sigillum nostrum huic preseuti carte nostre est appensum, apud castrum nostrum de Douglas, vicesimo nono die mensis Junii, anno Domini millesimo quadringentesimo quadragésimo quarto, hiis testibus, magistro Jacobo Lindesay de Colbantoun, dominis Jacobo de Auchinlek, Daudid de Hume, militibus, Wilelmo de Láwedre, Wilelmo de Hepburne, Wilelmo de Cunynghame, Andrea de Blakedir, armigeris, et Wilelmo Gilberti capellano, cum multis aliis. QUAMQUIDEM cartam ac donacionem et concessionem in eadem contentas, in omnibus suis punctis et articulis, condicionibus et modis ac circumstanciis suis quibuscumque, forma pariter et effectu, in omnibus et per omnia approbamus, ratificamus, ac pro nobis et successoribus nostris vt premissum est, pro perpetuo confirmamus, saluis nobis heredibus et successoribus nostris iuribus et seruiciis ante presentem confirmacionem uobis debitis et consuets. In cuius rei testimonium presenti carte nostre confirmacionis magnum sigillum nostrum apponi precepimus ; testibus, reuerendo in Christo patre Wilelmo episcopo Glasguensi, Wilelmo domino Creichtoun nostro cancellario et consanguineo predilecto, dilectis consanguineis nostris, Georgeo domino Setoun, Andrea domino le Gray, magistro hospicii nostri, magistris Johanne Arous, archidiacono Glasguensi, et Georgeo de Schoriswod, rectore de Cultre, clerico nostro, apud Edinburgh, vicesimo die mensis Maii, anno Domini millesimo quadringentesimo quinquagesimo secundo, et regni nostri decimo sexto.

82. INDENTURE between GEORGE FOURTH EARL OF ANGUS and SIR ARCHIBALD DOUGLAS of Cavers relative to the keeping of Hermitage Castle. 24th May 1452.

THIR endenturis, maid at Temptaloun, the xxiiii day of the moneth of Maii, the yher of God a thousand four hundreth fifty and tua yheris, betuix ane hie and nichti lord, George erle of Anguse, lord of Ledallisdale and Jedwort forest, and wardane of the est Marche of Scotland, anentis Englonde, on the ta part, and a noble man, schir Archibald of Douglas of Caueris, schirefe of Roxburgh, knight, and William of Douglas, sone and apperande air to the said schir Archibald, on the tother part, proportis, contenis and beris witnes that it is accordit betuix the saidis partis, in fourme and maner folouande; that is to say, that the said lord erle has giffyn and grauntit, and, be thir endenturis, giffis and grauntis to the saidis schir Archibald and William, his sone, and till ilkane of thaim, junctly and seuerally, the keping of his Castell of the Hermitage, lyand in the lordschip of Ledalle, within the schirefedome of Roxburgh, togeder witht the bailyhery of the landis of Ledalle and the gouernance of the men of the said cuntre, for all the dayis of the said schir Archibaldis lifytyme: For the keping of the quhilk Castell of the Hermitage the said lord erle sall gif and assigne, and, be thir endenturis, giffis and assignis to the forsaidis schir Archibald and William, the landis of the Quhitfelde, the toftis and the park lyand within the said lordschip of Ledallisdale, nere about the said castell, witht all profitis pertenant tharto, outane that the said lord and his airis sall haue thair hors gers in the said placis, als oft as thai repare thar, endurande all the dayis of the said schir Archibaldis lyf. Item, the saidis schir Archibald and William oblis and byndis thaim, junctly and seuerally, be the faithis of thair bodiis, thair airis, executouris and assignais, that thai and ilkane of thaim, sall lelily and treuly kep the said Castell of the Hermitage and governe the bailyhery of the saidis landis and the men, to the behufe and profit of the said lord erle and his airis, enduring all the tyme fornemmit, and nouthet reset, nor suffer to be reset in the said castell, ony persouns or persoun of quhatsumeuer degre, state or conditioun thai be, that ar enemyis or odious to the said lord erle or his airis. Item, the said lord erle, his airis, and his seruandis and familiaris, sall haue fre entre and ische in the said castell at all tymes, witht mony or few, and to abide thar and mak residens als lang as it plesis him or thaim, makand thair awne cost. Item, the said William oblis him and his airis, and all and sindry his gudis, movable and vnmovable, efter the tenour and stile of obligatioun, that, gif it hapin the said schir Archibald,

his fadre, be the prouisioun of God, to decess befor him, that he sall frely, without obstacle or againestanding quhatsumeuer, deliuer the said Castell of the Hermitage to the said lord erle or his airis, at his or thair commandement, without delay, all fraude, gile, and desate away put; and gif it hapin the said William to decess befor the said schir Archibald, his fadre, the said schir Archibald byndis him and his airis, his landis and gudis, that efter his decess the said Castell sall frely be deliuerit to the said lord erle or his airis, in maner abufe writin. Item, the saidis schir Archibald and William ar becummyn men, and, be thir lettres, becummys men of speciale retinew to the said Lord Erle and his airis, for all the tyme forsaid, and byndis thaim junctly and seuerally to be witht him and thaim, bath in were and in pese, befor and againe all that lefe or de may, for all the tyme of the said schir Archibaldis lif, thair allegians to our souerane Lord the King, allanerly outane, and to gif him lele and trew consell in all his materis, als oft as thai be requirit; and the saidis lord erle byndis him and his airis to supple, maynetene, and defende the said schir Archibald and Williame, his sone, in all thair richtewise causis and querellis, lik as a lord aucht to supple and defende his cousingis and men, enduring the tyme forsaid: and that all and sindry the forsaidis thingis be lelily [and trewly] kept and fulfillit, but fraude and gile, as said is, ilkane of the saidis partis ar oblist till vtheris, and be thir endenturis oblistis thaim, and be the faith of thair bodiis. In the witnes of the quhilk thing, to the partis of thir endenturis the said lord erle, the saidis schir Archibalde and Williame, his sone, has interchangeably set the selis of thair armys, daye, yhere, and place forsaidis.

83. CHARTER by KING JAMES THE SECOND, granting to GEORGE, FOURTH EARL OF ANGUS, the Castle of Temptaloune, etc. 30th June 1452.

JACOBUS Dei gracia Rex Scotorum, omnibus probis hominibus tocius terre sue, clericis et laicis, salutem: Sciatis nos dedisse, concessisse, et hac presenti carta nostra confirmasse carissimo consanguineo nostro, Georgeo comiti Angusie, Gardiano Orientalium Marchiarum regni nostri versus Angliam, pro zelo et singulari fauore quem gerinus erga dictum Georgeum, et pro suis gratuitis seruiciis nobis impensis et impendendis, castrum nostrum de Temptaloune ac terras dicto castro pertinentes; et totas et integras terras de Castiltoune, Bondingtoune, Famyltoun, et terras nuncupatas Halfpleuland, cum vniuersis earundem pertinenciis; ac omnes alias terras nobis pertinentes, jacentes prope dictum castrum nostrum de Temptaloune, cum vniuersis tenandiis, tenandriis, et liberetenencium seruiciis dictarum

terrarum : Quas terras supradictas in vnam meram et liberam baroniam, baroniam de Temptaloune perpetuis futuris temporibus nuncupandam annectimus, incorporamus, et vnimus pro perpetuo, tenore presentis carte : Tenendas et habeudas dictum castrum de Temptaloune necnon omnes et singulas terras prenomiuatas, cum vniuersis suis pertinenciis, per nos in vnam meram et liberam baroniam vnitas et annexas, dicto Georgeo comiti Angusie et heredibus suis, de nobis heredibus et successoribus nostris, in feodo et hereditate imperpetuum ; per omnes rectas metas suas et diuisas prout iacent in longitudine et latitudine, cum tenandiis, tenandriis, et liberetenencium seruiiis supradictis, furca et fossa, sok, sak, thol, theme, infaugandtheif, outefangandtheif, cum portu maris, wayf, wrac, et ware, ac cum boscis, planis, moris, marresiis, viis, semitis, aquis, stagnis, riuolis, pratis, pascuis, et pasturis, molendinis, multuris et eorum sequelis, aucupacionibus, venacionibus, piscacionibus, petariis, turbariis, carbonariis, columbis, columbariis, lapide et calce, fabrilibus, brasinis, pisturis, brueriis, et genestis, cum curiis et earum exitibus, herzelidis, bludewitis, et merchetis mulierum, cum libero introitu et exitu, ac communi pastura, et cum omnibus aliis et singulis libertatibus, commoditatibus, asiamentis, ac iustis pertinenciis suis quibuscunque, tam non nomiutatis quam nominatis, ad dictum castrum, baroniam, et terras prefatas, cum pertinenciis, spectantibus, seu quouismodo iuste spectare valentibus in futurum, libere, quiete, plenarie, integre, honorifice, bene et in pace, sine aliquo retinemento seu obstaculo quocumque : Facieudo inde annuatim dictus Georgeus comes Angusie, et heredes sui, nobis et successoribus nostris, seruiicia de dictis castro, baronia, et terris prefatis, cum pertinenciis, debita et consueta. In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus ; testibus, reuerendo in Christo patre, Wilelmo episcopo Glasguensi, Wilelmo domino Creichtoune, nostro cancellario et consanguineo predilecto, dilectis consanguineis nostris, Patricio domino [le] Grahame, Thoma domino Erskin, Wilelmo domino Somyruile, Andrea domino le Gray, magistro hospicii nostri, magistris Johanne Arous, archidiacono Glasguensi, et Georgeo de Schoriswod, rectore de Cultre, clerico nostro, apud Edynburgh, vltimo die mensis Junii, anno Domini millesimo quadringentesimo quinquagesimo secundo, et regni nostri decimo sexto.¹

¹ There is a Precept of Sasine following on the above charter, and of same date, addressed by the King to the Sheriff of Edinburgh and

his bailies within the constabulary of Haddington, in favour of George Earl of Angus.

84. PERMISSION by KING JAMES THE SECOND to GEORGE, FOURTH EARL OF ANGUS, to build a castle on the rock of Bruchty. 20th January 1454.

JACOBUS Dei gracia Rex Scotorum, vniuersis et singulis ligiis et subditis nostris ad quorum noticiis presentes littere peruenerint, salutem : Sciatis quod dedimus et concessimus ac presentium teuore damus et concedimus carissimo consanguineo nostro Georgeo comiti Angusie, Gardiano nostro Orientalium Marchiarum regni nostri versus Angliam, plenam et liberam facultatem et nostram licenciam specialem castrum seu fortalitium in suo capitali messuagio comitatus Angusie in rupe de Bruchty uulgariter nuncupato, iacente in comitatu Angusie infra vicecomitatum nostrum de Forfaire, construendi, ac ipsum castrum seu fortalitium muris et fossis fortificandi et circumcingendi, portisque ferreis firmandi ; et [ad] muniendum ac in altum erigendum et in summitate eiusdem ornamentis defensiuis preparandum et ornandum, et cetera que ad confectionem et consummacionem castri seu fortalicii huiusmodi conuenire valeant faciendum et perficiendum : Quare vniuersis et singulis ligiis et subditis nostris stricte inhihemus ne dictum Georgeum comitem Angusie aut suos operarios seu seruitores quoscunque in edificatione dicti castri molestent, inquietent, vexent aut perturbent, seu eisdem vel eorum alicui impedimentum vel obstaculum quodcunque prestant, siue dampnum, iniuriam aut dispendium inferant quoquomodo, sub omni pena que competere poterit in hac parte. Datum sub magno sigillo nostro apud Edinburgh, vicesimo die mensis Januarii anno Domini millesimo quadringentesimo quinquagesimo quarto, et regni nostri decimo octauo.

85. CHARTER by KING JAMES THE SECOND to WILLIAM EARL OF ORKNEY, of the Earldom of Caithness. 29th April 1456.¹

JACOBUS Dei gratia Rex Scotorum, omnibus probis hominibus totius terre sue, clericis et laicis [salutem] : Sciatis uos dedisse, concessisse, et hac presenti charta nostra confirmasse Wilielmo comiti Orchadie, domiuo de Sanctoclaro, nostro cancellario et consanguineo predilecto, in recompensationem clanei iuris sui et heredum suorum domini de Niddisdaill, et officii custodie marchiarum dicti domini, et officiorum vicecomitis de Drumfreis ac iustitiarum et camerarii, et exituum ac commoditatum eorundem, et libertatum sibi spectantium infra dictum dominium, et iuris sui pensionis tricentarum librarum sterlingorum de magnis customis cer-

¹ From an old copy, which is very imperfect. Lord Hailes quoted a previous charter to the same Earl, dated 28th August 1455. —[Sutherland Additional Case, iv. 45.]

torum burgorum nostrorum assignatarum, et omnium aliorum clameorum, jurium, reddituum, terrarum, possessionum, officiorum, et commoditatum quorumcunque, per predicessorem nostrum serenissimum principem, Robertum Scotorum Regem, ratione contractus maritagii Egidie filie dicti quondam Roberti Scotorum Regis cum Wilielmo de Douglas, milite, auo dicti cancellarii nostri per dictum nostrum predicessorem eidem auo nostri cancellarii et suis heredibus hereditarie concessorum, et quadraginta librarum sterlingorum annuatim dicto Wilielmo pro suo servitio hereditarie etiam concessarum, totum et integrum comitatum nostrum de Cathnes, cum terris de Carnoch et Dunnavir, cum pertinentiis, et aliis pertinentiis dicti comitatus, jacentem infra vicecomitatum nostrum de Inuernes, vna cum omnibus et singulis propriis terris dicti Wilielmi comitis Orchardie in Cathania et infra dictum vicecomitatum jacentibus, per ipsum in manibus nostris pure et simpliciter ac personaliter resignatis: quas terras et omnes alias proprias terras dicti Wilielmi in Cathania, cum pertinentiis, in vnam meram liberam baroniam dicto comitati de Cathnes incorporavimus, annexuimus, et conuiniuimus, ac incorporamus, annectimus et conuinius pro perpetuo, tenore presentis charte: Tenendas et habendas . . . dicto Wilielmo comiti Orchardie et heredibus suis quibuscunque, de nobis, heredibus et successoribus nostris . . . Reddendo inde annuatim . . . vnum par columbarum, apud Northweik, ad festum Penthecostes, nomine albe firme, si petatur tantum . . . In cuius rei testimonium magnum sigillum presenti charte nostre, vna cum nostro secreto sigillo apponi precipimus; testibus, reverendis in Christo patribus, Jacobo consanguineo nostro carissimo, Thoma et Georgeo Sauctiandree Dunkeldensis et Brechinensis ecclesiarum episcopis, dilectis consanguineis nostris, Willielmo comite de Erroll, Thoma domino Erskein, Alexandro domino Montgomrie, Patricio domino Glamis, Georgio domino Leslie, Jacobo domino Hamilton, et Willielmo de Morauia de Tullibardin, apud Perth, penultimo die mensis Aprilis, anno Domini millesimo quadringentesimo quinquagesimo sexto, et regni [nostri] vicesimo.

86. LETTER by the PRIOR and CONVENT of HEXHAM to GEORGE DOUGLAS, FOURTH EARL OF ANGUS, granting him the benefit of their Masses, Orisons, Fasts, etc. 13th August 1456.

THOMAS prior monasterii Sancti Andree apostoli de Hexham et eiusdem loci conventus, venerabili domino ac dilecto nobis in Christo, Georgio Dowglas, comiti de Angos, salutem, gratiam, et gloriam in amplexibus Saluatoris: Sincera vestra

deuocio quam ad nostrum habetis monasterium, ob Christi reuerenciam et sanctorum ibidem requiescentium exigit non inmerito vt spiritualibus suffragiis attollamini, per que a seuientis iaculis inimici protegi valeatis in presenti, et post hanc vitam miseram salutis Auctori feliciter copulari : Idcirco, omnium missarum, orationum, ieiuniorum, vigiliarum, abstinenciarum, ceterorumque bonorum omnium que per nos in dicto monasterio constitutos, ac successores nostros in posterum constituendos, clementer operari voluerit benignitas Saluatoris, tam in vita quam post mortem, participacionem perpetuam vobis concedimus per presentes : adicientes quoque vobis beneficium de gracia speciali quod cum nobis obitus vester fuerit per presencium exhibicionem literarum nunciatus, eadem pro vobis recommendacio fiet que pro fratribus nostris defunctis fieri consuevit. In cuius rei testimonium sigillum nostrum commune presentibus apposuimus. Datum apud Hexham, in domo nostra capitulari, tercio decimo die mensis Augusti, anno Domini millesimo cccc^o. quinquagesimo sexto.

87. CONFIRMATION by KING JAMES THE SECOND (on 15th December 1456),
of a Decree by the LORD CHANCELLOR and his Assessors against
OSWALD WEIRE, etc., dated 20th November 1456.

JACOBUS Dei gracia Rex Scotorum, omnibus probis hominibus suis ad quos presentes litere peruenerint, salutem : Sciatis nos quoddam actum siue decretum per consules nostros inferius descriptos datum et promulgatum vtique intellexisse, sub hac forma : Die vicesimo mensis Nouembris, anno Domini millesimo quadringentesimo quinquagesimo sexto, in pretorio burgi de Edinburgh, coram reuerendis in Christo patribus, Thoma episcopo Dunkeldensi, Georgeo episcopo Brechinensi, cancellario Scocie, venerabili patre, Thoma abbate de Pasleto, nobilibus viris, Patricio domino le Grahame, Patricio Hepburne domino de Walchoune, milite, Roberto Maleville de Carnbe, Willelmo de Cranstoun de Swynhop, et Nicholao de Ottirburne, clerico rotulorum et registri ; in querela spoliacionis preposita per Adam de Hepburne contra Oswaldum Weire, Wilelmum Kay, et Wilelmum Archibaldsone, de et super spoliacione firmarum terrarum de Dunsiare et infractione sasine hereditarie date prefato Ade per supremum dominum nostrum regem, racione forisfacture quondam Hugonis de Douglas comitis de Ormounde, comparens Rotaldus Weire, pater dicti Oswaldi, fatebatur se dictam sasinam fregisse, et receptionem firmarum dictarum terrarum per prefatum Oswaldum et suos complices factam approbauit, et onus facti illorum in materia illa, vt dictum est, in se suscepit :

vnde reuerendus in Cristo pater, dominus cancellarius antedictus, ex parte supremi domini nostri Regis, dictum Rotaldum ibidem personaliter existentem, viue vocis oraculo citauit ad comparandum coram prefatis dominis auditoribus, seu aliis per prefatum dominum nostrum regem deputatis, apud Perth, decimo septimo die mensis Ianuarii proximo futuri, in cessione proxima tunc ibidem tenenda, cum continuatione dierum, ad respondendum prefato domino nostro Regi de et super spoliacione sue eschaete racione forisfacture antedictae, et prefato Ade de et super spoliacione firmarum terrarum predictarum, sibi, vt idem Adam asseruit, pertinencium ; prefatique domini auditores bona a dictis tenentibus ablata et spoliata eisdem tenentibus restitui decreuerunt. QUOD QUIDEM ACTUM siue decretum, ac omnia et singula in eodem contenta, in omnibus suis punctis et articulis approbamus, ratificamus, et, vt premissum est, confirmamus. Datum sub testimonio magni sigilli nostri, apud Lawdre, decimo quinto die mensis Decembris, anno regni nostri vicesimo.

88. CHARTER by KING JAMES THE SECOND to GEORGE, FOURTH EARL OF ANGUS, of the lands of Ewisdale. 7th December 1456.

JACOBUS Dei gracia Rex Scotorum, omnibus probis hominibus tocius terre sue, clericis et laicis, salutem : Sciatis nos dedisse, concessisse, et hac presenti carta nostra confirmasse carissimo consanguineo nostro, Georgeo comiti Angusie, Gardiano Orientalium et Mediarum Merchiarum regni nostri versus Angliam, terras de Ewisdale, cum pertinenciis, alias iacentes infra vicecomitatum nostrum de Drumfreis, quas terras de Ewisdale, cum pertinenciis, nunc incorporauimus vicecomitatui nostro de Roxburgh, et easdem terras de dicto vicecomitatu de Roxburgh, perpetuis temporibus affuturis existere volumus et teneri : quequidem terre cum pertinenciis fuerunt Roberti Grahame de Ewisdale hereditarie, et quas idem Robertus, non vi aut metu ductus, nec errore lapsus, sed sua mera et spontanea voluntate, in manus nostras, apud Edinburgh, coram subscriptis testibus, per fustem et baculum personaliter sursum reddidit, pureque simpliciter resignauit, ac totum ius et clameum que in dictis terris, cum pertinenciis, habuit seu habere potuit, pro se et heredibus suis omnino quitumclamauit imperpetuum : Tenendas et habendas omnes et singulas predictas terras de Ewisdale, cum pertinenciis, predicto carissimo consanguineo nostro, Georgeo comiti Angusie et heredibus suis, de nobis, heredibus et successoribus nostris, regibus Socie, in feodo et hereditate imperpetuum ; per omnes rectas metas suas antiquas et diuisas, prout iacent in longitudine et latitudine, in boscis, planis, moris, mar-

resiis, viis, semitis, aquis, stagnis, riolis, pratis, pascuis et pasturis, molendinis, multuris et eorum sequelis, aucupacionibus, venacionibus, piscacionibus, pctariis, turbariis, carbonariis, lapide et calce, fabrilibus, brasinis, brueriis, et genestis, cum curiis et earum exitibus, herizeldis, bludewittis et merchetis mulierum, tenandiis, tenandriis, et liberetenencium seruiciis, cum aduocacionibus ecclesiarum, furca, fossa, soc, sac, thol, theme, infangandtheif, outfangandtheif, ac cum omnibus aliis et singulis libertatibus, commoditatibus, asiamentis, ac iustis pertinenciis suis quibusunque, tam non uominatis quam nominatis, ad dictas terras cum pertinenciis spectantibus, seu quouismodo iuste spectare valentibus in futurum; et adeo libere, quiete, plenarie, integre, honorifice, bene et in pace, in omnibus et per omnia, sicut dictus Robertus aut sui predicesores prenominatas terras cum pertinenciis, de nobis aut predicesoribus nostris, ante dictam resignacionem nobis inde factam liberius tenuit seu possedit, tenuerunt seu possederunt: Reddendo inde annuatim dictus Georgus et heredes sui nobis, heredibus, et successoribus nostris, regibus Scocie, vnum denarium argenti vsualis monete regni nostri, apud capitale messuagium de Ewisdale, ad festum Pentecostis, nomine albe firme, si petatur tantum. In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus; testibus, reuerendo in Christo patre, Georgeo episcopo Brechinensi, nostro cancellario, dilectis consanguineis nostris, Thoma domino Erskin, Alexandro domino Montgommre, Patricio domino Grahame, Johanne domino Dernle, et magistro Nicholao Ottirburne, clerico nostrorum rotulorum et registri, apud Edinburgh, septimo die mensis Decembris, anno Domini millesimo quadringentesimo quinquagesimo sexto, et regni nostri vicesimo.

89. SASINE of GEORGE, FOURTH EARL OF ANGUS, following on the preceding Charter. 3d January 1456.

BE it kend tyll all men be this present lettre, me, James Gray, depute to the shirrafe of Roxburgh, be speciale commandment, wnder lettres and sele of our Souerane Lord the King, direct to the said shirrafe of Roxburgh, tyl hafe giffyn heretable state, sesyng, and possessioun, tyll Ector of Lawadyr, actornay tyl a hyc and mychti lord, George erle of Angouse, lord Douglas, of all and syndry the landis of Ewisdale, in tenand and tenandry; the qwhilkis was sum tymes Robert the Grame's, wyth the pertinentis, be the deliuerans of erde, tre, and stane, as the maner is at the cheife chemes; that is to say, at Mallano, safand ilka mannys rycht, apon Monunday, the thrid day of Januar, the yher of our Lord 1 thousand

four hundreth fyfty and sex zeris, befor thir wytnes, William of Douglas of Cauers, David Scot of Ekfurd, Law Elwald, Adam Elwald, Archbald Armstrang, Alexander Armstrang, Wyll Turnbule, Wat Scot, Sym Scot, Henry Scot, Jhon Scot, Dyk Talzour, Ferguse the Grame, Nichole Scot, Robyn Elwald, Jhon Turnour, wyth mony othir. And for the mar wytnessyng, I hafe procuryt wyth instans the sele of the said schirrafe of Roxburgh to be put to this said lettre of sesing, befor thir wytnes, William of Douglas, son and ayr to the said shirrafe, Archbald of Douglas, and schir Robert of Cauers, chapellan, at Cauers, day, zer, and moneth befor wryttyn.

90. CHARTER by KING JAMES THE SECOND to GEORGE, FOURTH EARL OF ANGUS, of the King's Lordship of Douglas. 8th April 1457.

JACOBUS Dei gracia Rex Scotorum, omnibus probis hominibus tocius terre sue, clericis et laicis, salutem : Sciatis nos dedisse, concessisse et hac presenti carta nostra confirmasse carissimo consanguineo nostro, Georgeo comiti Angusic, pro suo fideli seruicio nobis impenso et impendendo, omnes et singulas terras domini nostri de Douglas, cum pertinenciis, iacentes infra vicecomitatum nostrum de Lanark; quequidem terre cum pertinenciis fuerunt dicti Georgei ex donacione nostra hereditarie, et quas idem Georgus non vi aut metu ductus nec errore lapsus, sed sua mera et spontanea voluntate, in manus nostras per fustem et baculum coram subscriptis testibus personaliter sursum reddidit pureque simpliciter resignauit; ac totum jus et clameum que in dictis terris et dominio cum pertinenciis habuit seu habere potuit pro se et heredibus suis omnino quittum clamauit imperpetuum : Tenendas et habendas totas et integras terras et dominium de Douglas predictas cum pertinenciis prefato Georgeo et heredibus suis, de nobis, heredibus et successoribus nostris, in liberam baroniam in feodo et hereditate imperpetuum per omnes rectas metas suas antiquas et diuisas, prout iacent in longitudine et latitudine, in boscis, planis, moris, marresiis, viis, scmitis, aquis, stagnis, riuolis, pratis, pascuis et pasturis, molendinis, multuris et eorum sequelis, aucupacionibus, venacionibus, piscacionibus, petariis, turbariis, carbonariis, cum communi pastura, lapicidiis, lapide et calce, fabrilibus, bracinis, brueriis et genestis, cum curiis et earum exitibus, herizeldis, bludewitis et marchetis mulierum, cum furca et fossa, sok, sak, thol, theme, infangandtheif, outefangandtheif, libera foresta et wareнна, aduocationibus ecclesiarum et capellaniarum, tenandiis, tenandriis et libere tenencium seruiciis, ac cum omnibus aliis et singulis libertatibus, commoditatibus, et asiamentis ac iustis

pertinenciis suis quibuscunque, tam non nominatis quam nominatis, ad dictas terras et dominium cum pertinenciis spectantibus seu quouismodo iuste spectare valentibus iufuturum, libere, quiete, plenarie, integre, honorifice, bene et in pace, sine aliquo retinemento, reuocatione aut obstaculo quocunque: Faciendo inde annuatim dictus Georgeus et heredes sui nobis, heredibus et successoribus uostris, tres sectas curie ad tria placita capitalia in curia vicecomitis nostri de Lanark, apud Lanark annuatim tenenda: In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus; testibus, reuerendis in Christo patribus Jacobo episcopo Sauctiandree, consanguineo nostro carissimo, Andrea episcopo Glasguensi, Thoma episcopo Dunkeldensi, Georgeo episcopo Brechinensi, cancellario nostro, dilectis consanguineis nostris, Thoma domino Erskin, Patricio domino le Grahame, Andrea domino Avandale, Jacobo de Levingstoune de Calentare, magno camerario nostro, Wilelmo de Morauia de Tulibardin, et magistro Thoma Waus, decano Glasguensi, secretario nostro, apud Edinburgh, octauo die mensis Aprilis, anno Domini millesimo quadringentesimo quinquagesimo septimo, et regni nostri vicesimo primo.

91. SASINE of WILLIAM BLARE of Ardblare, as heir to his father, in the lands of Wydderishaulch. 21st April 1457.

IN Dei nomine amen: Anno Incarnacionis eiusdem millesimo quadringentesimo quinquagesimo septimo, mensis Aprilis die vero vicesima prima, indiccione quinta, pontificatus sanctissimi in Christo patris et domini nostri, domiui Calisti diuina prouidencia pape tercii anno tercio: In mei notarii publici et testium subscriptorum presencia persoualiter constitutus prouidus vir, Heuricus Ramsay de Nevtibbyr, balliuus in hac parte magnifici et potentis domini, Georgii comitis Angusie domini Dowglas, ad terram de Wydderishaulch, iacentem in domiui de Erlystradychty, infra regalitatem de Kyrrymure et vicecomitatum de Forfar, personaliter accessit, et ibidem literam sui officii balliuatus, sub signeto dicti domini comitis Angusie signatam, per me notarium publicum subscriptum perlegi fecit: Quaquidem litera perlecta, idem balliuus, auctoritate et virtute sui officii balliuatus, per terram et lapidem tradidit et deliberauit saisinam et statum hereditarium prouido viro, Wilelmo Blare de Ardblare, de predicta terra de Widdershaulch, cum pertinenciis, secundum tenorem carte quondam Wilelmi Blare de Ardblar, patris dicti Wilelmi Blare, exinde confecte, et ibidem super fundo perlecte, eundemque Wilelmum Blare in corporalem possessionem dicte terre de Widdershaulch, cum

pertinenciis, induxit et vestiuit ; saluo iure cuiuslibet, vt moris est. Super quibus omnibus et singulis prefatus Wilelmus Blare a me notario publico subscripto sibi fieri peçit publicum instrumentum : Acta fuerunt hec super fuudo terre predictæ de Widderishaulch, anno, mense, die, indiccione et pontificatu supradictis ; presentibus, honorabili et nobili viro, Roberto Graham de Auldmontros, prouidis et discretis viris, Waltero Lychton de Vlyshavyn, Jacobo Lyndesay, Johanne Blare, et domino Johanne Duquhyr, presbitero, testibus ad premissa vocatis pariter et rogatis.

Et ego Alexander Forfar presbiter Sanctiandree diocesis, publicus auctoritate imperiali notarius, dicte saisine et status tradicioni et deliberacioni ceterisque premissis presens interfui, eaque sic fieri vidi et audiui, ac in notam recepi, presensque instrumentum manu mea propria scriptum, signo et nomine meis solitis et consuetis signaui, rogatus et requisitus in testimonium ueritatis premissorum : Et in euidentius testimonium prescriptorum, sigillum dicti balliui saisinam tradentis est appensum, ad robur et firmitatem premissorum.

92. CHARTER by GEORGE, FOURTH EARL OF ANGUS AND LORD DOWGLAS, to his uncle, ROBERT GRAHAME of Auld Montrose, of the lauds of Widdyryshalch, etc. 18th May 1457.

OMNIBUS hanc cartam visuris vel auditoris, Georgius comes Angusie et dominus le Dowglas, salutem in Domino sempiternam : Noueritis nos dedisse, concessisse, et hac presenti carta nostra confirmasse dilecto patruo nostro, Roberto le Grahame de Auldmontrose, zelo consanguinitatis, quamdam peciam terre que wlgariter dicitur Widdyryshalch, vna cum lacu qui in lingua wlgari dicitur Louchmagrully, cum pertinenciis, iacentem in dominio nostro de Stradichty, infra vicecomitatum de Forfare et regalitatem de Kyrymure : quequidem pecia terre cum lacu predicto cum pertinenciis fuerunt quondam Willelmi Blare de Ardblare hereditarie, quas Willelmus Blare, filius et heres dicti quondam Willelmi Blare, non vi aut metu ductus, nec errore lapsus, sed sua libera et spontanea voluntate, per procuratorem suum specialem potestatem habentem et literas eius sub sigillo eiusdem patentes, in manibus nostris, apud Edinburgh, per fustem et baculum sursum reddidit, pureque et simpliciter resignauit, ac totum ius et clameum que ad dictam peciam terre cum lacu habuit seu habere poterit, pro se et heredibus suis omnino quitum-clamauit imperpetuum : Tenendam et habendam dictam peciam terre vna cum lacu predicto, cum suis vniuersis et singulis iustis pertinenciis quibuscunque, dicto

Roberto le Grahame, heredibus suis et suis assignatis, de nobis et heredibus nostris in feodo et hereditate imperpetuum; per omnes rectas metas suas antiquas et diuisas, vna cum herbagio pro octo vaccis et earundem sequelis, pro duobus iumentis cum suis sequelis, pro quadraginta ouibus fetosis cum earundem sequelis, pro tribus aucis cum sequelis, et pro tribus porcis cum sequelis, in mora nostra de Ballergovse; ac cum omnibus aliis et singulis libertatibus, commoditatibus, et asiamentis ac iustis suis pertinenciis quibuscumque, tam non nominatis quam nominatis, tam subtus terram quam supra, procul et prope, ad dictam peciam terre vna cum lacu pertinentibus seu iuste spectare valentibus quomodolibet in futurum; adeo libere, quiete, plenarie, integre et honorifice, bene et in pace, in omnibus et per omnia, sicut aliquis tenentium nostrorum aliquam terram de nobis aut predecessoribus nostris, infra dictum dominium tenuit seu possedit, tenet seu possidet de presenti, sine retenemento vel reuocacione imperpetuum: Reddendo dictus Robertus, heredes sui et sui assignati, nobis et heredibus nostris, vnum denarium argenti annuatim in festo Pentecostes, nomine albe firme, si petatur tantum; pro omni alio onere, seruicio seculari, exaccione, consuetudine, seu demanda que de dicta pecia terre et lacu, cum pertinenciis, per nos vel heredes nostros exigi poterunt in futurum quouismodo vel requiri. Et nos vero dictus Georgius comes, et heredes nostri, dictam peciam terre et lacum, cum pertinenciis, dicto Roberto le Grahame, heredibus suis et suis assignatis, forma pariter et effectu vt prescriptum est, contra omnes homines et feminas warantizabimus, acquietabimus, et imperpetuum defendemus. In cuius rei testimonium sigillum nostrum presenti carte apponi fecimus, apud Edinburgh, decimo octauo die mensis Maii, anno Domini millesimo quadringentesimo quinquagesimo septimo.¹

93. OBLIGATION by ALEXANDER, FIRST EARL OF HUNTLE, to GEORGE, FOURTH EARL OF ANGUS, anent the marriage of Archibald Douglas and Katharine Gordon. 30th September 1461.

BE it made kende til alle men throw thir present lettres, ws, Alyschundir erle of Huntle and lorde of Badyhenouch tilbe oblyst, and, be thir present lettres, oblyss ws faithfully til ane honorable and ane mychti lorde, Jorge erle of Angowss and lorde of Dowglas, in tua thowsande markis of the wsuale monee of the kynryk

¹ The Grantee in the above Charter was infefted in the lands granted, as appears from the sasine in his favour, dated 9th June 1457.

—(Original Sasine in the Douglas Charter-chest.)

of Scotlande, becaus of mariage tilbe tretit aud solemnisit in the faice of haly kirk, betuex Archebalde, sone and apperande air til the saide erle of Angous, and Katryn, the douchtir of the saide erle of Huntle, and, failzheande of thaim tua Archebalde and Katryn, or ony ayn of thaym tua, betuex ane sone and aire of the said erle of Angous and a douchtir of the saide erle of Huntle, of lauchfule bede gottyn or for tilbe gottyn, quhill the saide erle of Angous have ane sone and aire, and the said erle of Huntle have ane douchtir of lauchfule bede, tilbe payit til the saide erle of Angous, his ayris, executouris, or assignes, in maner and fourme that eftir folowis, that is to sai, at the fest of Witsoundai next immediate folowande the date of thir lettres, ane hundreth ponde of the saide soun, and at the fest off Martymes, in wyntir next thareftir, ane hundreth ponde, and at the fest of Wytoundai next thareftir, ane hundreth marke, and at the fest of Martymes in wyntir thareftir next, ane hundreth mark, and sua furth, terme be terme, Witsoundai and Martymes, a hundreth marke termly, quhille alle the haill soun of twa thousande markis be fullely content and payit, withoutin ony langar delay, fraude, or cauillatioun quhatsumeuyr: To the quhilk payment tilbe made in maner and fourme befor wryttn, we obliss ws, our airis, executouris, and assignes, alle oure landis, annuele reutis, and specialy our landis of Obyn, Glentannyr and Glenmowk, with thar pertinence liande within the schirefdome of Abbirdeyn, togidder with alle our gudis, mowabille and wnmowabille, quhatsumeuyr place thai ma be fundyn, til be tain, distrenzheit, awai lede, and at the wyll of the saide erle of Angous, his airis, executouris, and assignes, withoutin the leif off quhatsumeuyr Juge, spirituale or temporale, tilbe salde, quhille alsweill of costis, scathis, expens, and interest, gewe he or thai ony susteyn, in defalte of the saide payment in all or in part, as of the pryncipall sowm wncontentit be fullely assithit, and likas it is appoyntit betuen ws and the saide erle of Angous be Indentour par[ticularlie betwex ws] made tharappon, na remede of law [ciuile] na canoun tilbe proponit in the contrar tilbe of waille. In the wytnes of the quhilk thing, tille thir our lettres oure seele is [her]to affixit, at Sanctandros, the last day of the moneth of Septembir, the yher of Gode a thousande four hundreth sixty and ayn.

ALEXR. ERL OF HUNTLE.

94. OBLIGATION by JAMES LINDSAY, provost of Lincludane, to GEORGE, FOURTH EARL OF ANGUS. 14th October 1462.

BE it kenned till all men be thir present lettres, me, James Lindesay, Provest of Lincludane, Priue Sele to oure Souerane Lord the King, to be bundyn and oblist, and be thir my lettres bindis and oblistis me and myne aeris, to a worschipfull lord, George erle of Angus, and his aeris, that, nochtwithstanding I am infest heretabli be the saide erle in the laundis of Corsrig, Newhaull and Bowhous, with the pertinence, liand in the lordschip of Dowglasdale, within the schirefdome of Lanark, with mill, multeris, and vthir dewiteis, lyke as his saide chartir made to me thareuppon mare fully proportis, nevirtheles I oblist me, as said is, and myn aeris, that the corne that growis on the said landis that salbe grundyn, saicum to his myln of Drumalbane zerly, and pay sic like multir as the lard of Carmichel and the laif of the frehaldaris dois, in the cuntre abowt. In witnes of the quihilk thing to thir lettres, I haue put my sele at Edinburgh, the xiiij day of the moneth of October, the zere of oure Lord a thousand foure hundreth sexti and twa zeris.

95. GRANT by KING JAMES THE THIRD, to GEORGE, FOURTH EARL OF ANGUS, of the escheats of Roxburghshire. 16th November 1462.

JACOBUS Dei gracia Rex Scotorum, vniuersis et singulis ad quorum noticias presentes litere peruenerint, salutem : Sciatis quod dedimus et concessimus, ac per presentes damus et concedimus dilecto consanguineo nostro, Georgeo comiti Angusie, Gardiano Orientalium et Mediarum Marchiarum regni nostri, eschaetam omnium et singularum terrarum, reddituum, et possessionum, ac bonorum omnium et singularum personarum proditoriam tradicionem contra nostram maiestatem commitencium, infra vicecomitatum de Roxburgh, pro proditoria comunicacione et recepcione Jacobi de Douglas, proditoris et rebellis : salua tamen et reseruata eschaeta alias per nos Wilelmo de Douglas, fratri dicti consanguinei nostri, ante presentem donacionem concessa. Quare vicecomiti nostro de Roxburgh, et deputatis suis, ceterisque quorum interest, precipimus et firmiter mandamus quatenus, dicto consanguineo nostro et suis intromissoribus in omnibus et singulis receptionem dictarum eschaetarum concernentibus, salua tamen eschaeta dicto Wilelmo alias concessa, prompte respondeant, pareant, et intendant, sub omni pena que competere poterit in hac parte. Datum sub magno sigillo nostro, apud Edinburgh, decimo sexto die mensis Nouembris, anno Domini millesimo quadringentesimo sexagesimo secundo, et regni nostri tercio.

96. INDENTURE between HENRY THE SIXTH, KING OF ENGLAND, and GEORGE, FOURTH EARL OF ANGUS, by which the former engages to create the Earl a Duke of England, with lands of the yearly value of 2000 merks. At Edinburgh, 22d November 1462.

THIS Indenture, made at Edynburgh, in Scotland, the xxij day of Nouembre, the yere of oure Lord God MCCCCLXIJ, berith witnesse, that it is accorded betwene the hie and myghty Prince Henry, by the grace of God Kynge of England, on the one partie, and his dere and right welbelouyd cousyn, George erle of Anguesse, of the reavme of Scotland, on the other partie, that, forasmoche as the saide erle is reteyned with the forsaide Kynge of England, for to passe with hym into his reaueme of England ageyns his rebelles and traitours, for the recouerynge of the saide reaueme and the destruccioun of the same rebelles, with suche folkes and in suche maner as in the indentures made betwene them thervppoun pleynly is conteyned, for the whiche service so to be done, the saide Kynge, with thassente of his Counseill, hath graunted, and by this his writynge vnder his Grete Seale, and signed with his owne hande, nowe grauntith, that withynne a moneth after that the saide Kynge hath, with the helpe of the forsaide erle, done accordynge to his saide indentures, and by other meanes and helpe suche as God woll yeve hym to the same, opteyned the possessioun of his saide reavme of England, or of the more partie therof, to make the saide erle sufficiently and suerly, after the lawes of England, a duke withynne the saide reavme of England, with stile, astate, honure, and name of a duke, to be hadde to hym and to his heires males of his body comynge perpetually; and, for the mayntenance of that estate, to yeve to hym and to his saide heires a castell, with lordshippes, townes, manoures, rentes, landes and tenementes, with service of tenentes liynge in the north partie of the Waters of Trente and Humbre, vnto the yerely value of M^lM^l marke Englisshe, ouer all charges and reprises, to be holde of the forsaide Kynge and his heires onely by knyghtis service, als frely as euery other duchie, erledome, or baronye withynne the saide lande of England is holden; and it shall be lefull to the forsaide erle, after that he is so made a duke, and to his saide heires males, also ofte as they woll come into the reavme of England in tyme of peace, for to brynge with ham into the same reavme, Scottisshemen of the ligeaunce of the Kynge of Scottis for the tyme beynge, vnto the nombre of ccc personis or withynne, armed or vnarmed at his electioun, and in the tyme of werre, if any falle betwene the reavmes of England and Scotland, whiche God defende, and in all other tymes, in the absence

of hym and his saide heires [they shall] sende their servantes Scottisshemen with writyng vnder the [hand of] the saide duke or of his saide heires, witnessyng that they [are] their servantes, sente into England for the reseivyng or gouernaunce of their saide lifelode, [to] the nombre of xx persones or withynne ; whiche Scottisshemen, so accompanyng the saide duke and his heires in tyme of peace, or by theym sende into England in the fourme beforsaide, shall be vnder the sauf conducte, sauf garde, tucyoun, and proteccioun of the saide Kyng and of his heires withoute any other [] as they shuld be, if they were Englysshemmen borne and verrey liegemen to the same Kyng, and in none other wise they shall be entreted all the while they woll so remayne withynne the same lande : And if there falle werre betwene the forsaide reavmes, whiche God defende, thanne it shall be lefull to the forsaide duke and to his saide heires for to take partie all that tyme of werre with their souereyne Lord the Kyng of Scottis for the tyme beyng, ayenis the forsaide Kyng of England, withoute any preiudice therby to falle vnto the forsaide duke or his saide heires in their saide lifelode or any parte therof in all that tyme : And withoute that the foresaide duke or his saide heires shall therefore in all that tyme, or in tyme after comyng, be harmed, empeched, or greved therfore by the saide Kyng of England, or by his heires in any wise ; and if it fortune the forsaide duke or any of his saide heires to be in Scotland or elleswhere absente oute of the reavme of England at suche tyme as the saide Kyng of England or his heires shall holde their parlement at any tyme hereafter withynne the reavme of England, that thenne it shall be lafull to the same duke and his saide heires for to be absente fro the same parlement, so holde or summoned in their absence, withoute any merciamente or other ponysshemente done vnto ham by cause of their saide absence : And the forsaide Kyng of England woll and grauntith that all this his writyng be shewed vnto oure holy Fader the Pope, and by hym approved, ratefied, and confermed perpetuelly to endure. In whitnesse wherof, to the one partie of this indenture the forsaide Kyng of England hath sette his Grete Seale and signed that partie with his owne hand ; and to the other partie of the same indenture the saide erle hath sette his seale of his armes, and signed the same partie with his owne hande, the day, yere, and place above wretyn.

HENRY.

97. RETOUR of ARCHIBALD DOUGLAS, [FIFTH EARL OF ANGUS,] as heir of his father, George, fourth Earl of Angus, in lands near Selkirk, etc. 13th May 1463.

HEC inquisicio facta fuit apud Selkirk, coram Archibaldo de Neutoun de Daleove, vicecomite deputato de Selkirk, super tercio decimo die mensis Maii, anno Domini millesimo quadringentesimo sexagesimo tercio, per hos probos subscriptos ad hoc magno juramento iuratos, videlicet, Robertum de Hamiltoun de Fyngaltoun, militem, Andream Crechtoun de Brethertoun, Daudid Hoppringle de Smallhame, Johanuem Murray de Faulohill, Jacobum Neutoun, Wilelmum Anislye, Walterum Turnbule, Johannem Gledstanis, Alexandrum Neutoun, Johannem Neutoun, Jacobum Brovne, Johannem Chesholme, Robertum Scot, Daudid Brovne, Wilelmum Parcus, Jacobum Keine et Adam Keine : Qui iurati dicunt quod quondam Georgius comes Angusie, pater Archibaldi Douglas, latoris presencium, obiit vltimo vestitus et saisitus vt de feodo ad pacem et fidem domini nostri Regis de nouemdecim terris husbandiis jacentibus prope willam de Selkirk, et de duabus dominicalibus nuncupatis le Est Mauis et le West Manis, cum molendino et vna terra dicta le Gersland, cum pertinenciis, jacentibus infra vicecomitatum de Selkirk supradictum ; Et quod dictus Archibaldus est legitimus et propinquior heres dicti comitis Georgii, patris sui, de dictis terris et molendino, cum pertinenciis ; Et quod est legitime etatis ; Et quod dicte terre et molendinum valent nunc per annum viginti quatuor libris, et tantum valuerunt tempore pacis ; Et quod tenentur iu capite de domino nostro Rege per tradicionem vnus rose rubie apud capitale messuagium dictarum terrarum annuatim, in festo Natiuitatis Beati Johannis Baptiste, nomine albe firme si petatur ; Et quod nunc existunt in mauibus dicti domini nostri Regis legitime per decessum dicti comitis Georgei, ob defectum dicti veri heredis jus suum hucusque minime prosequentis, a duodecimo die mensis Marcii vltimate elapso : In cuius rei testimonium sub inclusione sigilli dicti vicecomitis deputati quidam eorum qui dicte inquisicioni intererant faciende huic retornato clauso sigilla appenderunt anno, mense, die et loco supradictis.

98. CHARTER by GEORGE OF ABIRNETHY of Balglaly Westir, to JOHN BOSWYLL of Bowhyll, of an annualrent from Balglaly. 2d August 1463.

OMNIBUS hanc cartam visuris vel audituris, Georgius de Abirnethy de Balglaly Vestyr, salutem in Domino sempiternam : Vestra nouerit vniuersitas, me in mea

magna et vrgenti necessitate, vtilitateque vndique preuisa et pensata, vendidisse et dedisse, ac titulo vendicionis pro perpetuo alienasse, et hac presenti carta mea confirmasse dilecto michi et fideli, Johanni Boswyll de Bowhyll, quatuor marcas annualis redditus michi debitas de terris de Balglaly Estyr, iacentibus in constab[u]laria de Kyngorne, infra vicecomitatum de Fyff, percipiendas et leuandas annuatim, ad duos anni terminos vsuales et consuetos, videlicet, Penthecostes et Sancti Martini in hyeme, per equales medias porciones, pro quadam certa summa pecunie michi pre manibus gratanter, plenarie et integre persoluta, et in vsum meum conuersa, de qua fateor me bene contentum et plenarie satisfactum et persolutum, et prefatum Johannem, heredes suos et assignatos, pro me, heredibus meis et assignatis, quitos inde clamo imperpetuum, per presentes : Tenendum et habendum predictum annualem redditum quatuor marcarum annuatim de terris predictis de Balglaly Estyr, cum pertinenciis, predicto Johanni Boswyll, heredibus suis et assignatis, a me prefato Georgio, heredibus meis et assignatis, de domino superiori dicti annualis in feodo et hereditate imperpetuum, per presentes ; cum omnibus et singulis libertatibus, commoditatibus, et asiamentis, ac vniuersis iustis suis pertinenciis quibuscunque ad dictum annualem redditum quatuor marcarum annuatim, cum pertinenciis, spectantibus seu iuste spectare valentibus commodolibet in futurum, libere, quiete, plenarie, integre, honorifice, bene et in pace, sine aliquo retinemento vel reuocacione imperpetuum, adeo libere in omnibus et per omnia sicut aliquis annualis redditus alicui infra regnum Scocie datur, venditur, seu quouis modo possidetur : Faciendo inde annuatim prefatus Johannes Boswyll, heredes sui et assignati quicunque, domino superiori dicti annualis redditus, seruicium debitum et consuetum tantum. Et ego vero prefatus Georgius de Abyrnethy et heredes mei predictum annualem redditum quatuor marcarum de terris predictis de Balglaly Estir, cum pertinenciis, in omnibus et per omnia ut predictum est, predicto Johanni Boswyll heredibus suis et suis assignatis, contra omnes mortales warantizabimus, acquietabimus, et imperpetuum defendemus, iusticia mediante : Cuius quidem annualis redditus quatuor marcarum annuatim de terris predictis de Balglaly Estir cum pertinenciis sasinam, statum, et possessionem hereditariam prefato Johanni Boswill propriis meis manibus contuli et deliberauit, secundum tenorem huius carte, per exhibicionem terre, lapidis et argenti, ut moris est. In cuius rei testimonium sigillum meum proprium presentibus est appensum, apud Balglaly Vestir, secundo die mensis Augusti, anno Domini millesimo quadringentesimo sexagesimo tercio ; hiis testibus, Wilhelmo Scot de Balwery, Wilelmo Malwyne de Rath, Wilelmo de Oroke, Roberto Orok de eodem, Roberto Broys de

le Myltoun, Andrea de Arnot, Thoma Dowglas, Daudi de Orok, Wilelmo Glen, et Johanne Scott, vna cum Hugone Ker de Dene, clerico et notario publico, cum diuersis aliis.

99. SASINE of ELIZABETH BOIDE, Countess of Archibald, fifth Earl of Angus, in the lordship of Abirnethy. 9th May 1468.

IN Dei nomine amen : Per hoc presens publicum instrumentum cunctis pateat euidenter quod, anno Incarnacionis dominice millesimo quadringentesimo sexagesimo octauo, indicione prima, mensis vero Maii die nono, ac pontificatus sanctissimi in Christo patris et domini nostri, domini Pauli diuina prouidencia pape secundi anno quarto, in mei notarii publici et testium subscriptorum presencia honorabilis et prouidus vir, Andreas Charteris, prepositus ac burgensis burgi de Perth, necnon actornatus probe mulieris, Elizabeth Boide, comitisse Angusie, prout ex quodam actornato capelle domini nostri Regis Jacobi serenissimi patente, cum sigillo albe cere in testimonium magni sigilli more solito pendente, et inibi dicto Andrea contento et constituto mihi notario publico et subscriptis testibus euidenti constabat documento, personaliter accessit ad terras domini de Abirnethy, et ibidem vnum breue saisine capelle domini nostri Regis Jacobi antedicti, sua cera alba inclusum, sanum, integrum, non viciatum, nec in aliqua sui parte suspectum, sed omni prorsus vicio et suspicione carens, honorabili et potenti viro, Alexandro de Dundas, vicecomiti de Perth, presentauerat : quod quidem breue prescriptus Alexander, vicecomes, prout decuit, reuerenter accepit, ac plane perlegit et intellexit : cuius quidem breuis tenor de verbo ad verbum sequitur in hac forma : “ JACOBUS Dei gracia Rex Scotorum, vicecomiti et balliuis suis de Perth, salutem : Quia dedimus et concessimus hereditarie dilecte consanguinee nostre, Elizabeth Boid, filie dilecti consanguinei nostri, Roberti domini Boide, ac sponse dilecti consanguinei nostri, Archibaldi comitis Angusie et domini de Abirnethy, nomine dotis ac in donacionem propter nupcias cum dicto Archibaldo totas et integras terras domini de Abirnethy, cum pertinenciis, vna cum donacionibus et aduocacionibus ecclesiarum et beneficiorum dicti domini, iacentes infra balliam vestram ; quequidem terre cum pertinenciis, vna cum aduocacionibus predictis, fuerunt dicti Archibaldi hereditarie, et quas terras cum pertinenciis et aduocacionibus predictis, idem Archibaldus, non vi aut metu ductus, nec errore lapsus, sed sua mera et spontanea voluntate in manus nostras, apud Edynburgh, per fustem et baculum personaliter sursum reddidit, pureque simpliciter resignauit,

prout in carta nostra dicte Elizabeth inde confecta plenius continetur. Vobis precipimus et mandamus quatenus, dicte Elizabeth vel suo certo actornato, latori presencium, saisinam dictarum terrarum domini de Abirnethy cum pertinenciis, vna cum aduocacionibus et donacionibus ecclesiarum et beneficiorum, secundum tenorem dicte carte nostre quam inde habet iuste haberi faciatis, et sine dilacione; et hoc nullo modo omittatis: Teste meipso, apud Streuilyng, primo die mensis Maii, anno regni nostri octauo. Ac inde sequitur prefate breuis caude subscriptio sub hac forma sequente: "Vicecomiti et balliuis suis de Perth, pro Elizabeth Boide, comitissa Angusie, etc." Post quarum quidem literarum videlicet et breuis et actornati presentacionem et recepcionem, vt premittitur, sic factas, prescriptus Alexander de Dundas, vicecomes, debita cum instancia per prenominatum actornatum requisitus, ad mansum siue domum seu locum principalem personaliter accessit, et ibidem prescripto Andree Charteris, actornato prefate Elizabeth Boid, nomine, vice, et ex parte eiusdem Elizabeth, saisinam, statum et possessionem perpetuam seu perpetuum, secundum tenorem carte desuper confecte, per terre et lapidis tradicionem, super solum dicte principalis partis terre, nomine tocuis et integre terre prefati domini de Abirnethy cum pertinenciis, contulit et deliberavit, saluo iure cuiuslibet, nemine reclamante aut contradicente, ac iuris solemnitate in huiusmodi fieri consueta mediante. De quibus omnibus et singulis prefatus Andreas actornatus, nomine quo supra, a me notario publico subscripto sibi fieri peciit publicum instrumentum seu publica instrumenta. Acta erant hec, vbi supra, ad prescriptas terras de Abirnethy, hora quasi vndecima ante meridiem vel eocirca, sub anno, indiccione, mense, die et pontificatu quibus supra; presentibus pro tunc ibidem, honorabilibus, prouidis et discretis viris, videlicet, Johanne Fodringhame domino de Pote, Johanne Wilelmi de Petcyndy, Wilelmo Douglas, Matheo Geddas, artium magistris et capellanis, Johanne Sinclarc, Roberto Thomsons, et Laurencio Lauerok, presbyteris, cum multis aliis testibus ad premissa vocatis specialiter et rogatis.

Et ego Donaldus Ade, presbyter Dunblanensis diocesis, publicus auctoritate imperiali notarius, omnibus et singulis, [*etc. in forma communi.*]

100. INDENTURE between JAMES SCRIMGEOUR, constable of Dundee, and ROBERT GRAHAME of Fintry, as to lands on the Water of Dichty. 3d July 1469.

THIS indenturis, maid at Dudup, the thrid day of the moneth of Julij, the zer of our Lord a thousand four hundreth sixty and nyne zeris, betuex nobil men, James

Scrimgeour, constable of Dundee, on the tapart, and Robert the Grahame of Fyntree, on the tother part, in fourm, maner, and effect as efter folowis : that is to say, that nouchtwithstanding that the said James Scrimgeour has gifin sesing and here-table state, be charter and possession, to the said Robert the Grahame, of certane pecis of landis liand in the Kirktoone of Erlis Stradichty, on the watter syde of Dichty, within the regalite of Kyrimor and the scherefdom of Forfar, extendand to the Reede huche, as the stansys ar set and markit ; neuertheles, the saidis partijs ar fülleli acordit for tham and thar ayris, that the land liand fra the Reede huche to the myl of Troto on the north syd of the watter of Dichty, per-tenand to the said James Scrimgeour, sel remane witht the said Robert the Graham, and hys ayris and successours in fe and heretage : And richt swa, the landis liand fra the said Reede huche to the myl of Troto on the south syd of the said watter of Dichty sel remane in fe and heretage with the said James Scrim-geour, and his ayris and successours for euer : And gif it sel happin the said James Scrimgeour, hys ayris or successours, to byg or gar byg a myl on the said watter of Dichty, the said Robert the Graham and hys ayris and successours, but obstacul, questioun, or demavnd, sel gif fre licence to him or tham to stank atour the said watter of Dichty, quhar it sel be sene maist speidful to the said James Scrimgeour, hys ayris or successours : And at al thir condicionis abeuf writin be lelili and treuli, but fraud or gyle, obseruit and kept, ather of the partijs, thar handis vphaldand, has gifin til vther thar bodely ath ; and interchangeably has appensit thar seelis to thir indenturs, day, zer, and place befor writin, befor thir witness, Jak Scrimgeour, James Maitlande, Alexander of Gardyne, John Dauyson, and schir Alishander Forfar, preist and notar public, witht vther sindri.

101. RESIGNATION by WILLIAM DOUGLAS of Cluny, in favour of ARCHIBALD, FIFTH EARL OF ANGUS, of the ward of the lands of Temptaloun, and of the earldom of Douglas. 26th June 1470.

IN Dei nomine amen : Per hoc presens publicum instrumentum cunctis pateat euidenter quod anno ab incarnatione eiusdem Domini millesimo quadringentesimo septuagesimo, die uero mensis Junii vicesimo sexto, indicione tertia, pontificatus sanctissimi in Christo patris ac domini nostri, domini Pauli diuina prouidencia pape secundi anno sexto, in mei notarii publici et testium subscriptorum presencia personaliter constitutus nobilis vir, Wilelmus Douglas de Cluny, accessit ad pre-senciam supremi domini nostri regis, et ad eius genua prouolutus, in manibus

eiusdem per fustem et baculum sursum reddidit, pureque et simpliciter resignavit, vardam omnium et singularum terrarum de Temptalone, cum pertinenciis, iacencium infra vicecomitatum de Lothian et constabillariam de Hady[n]gtoune ; ac eciam resignavit vardam omnium et singularum terrarum comitatus de Douglas, cum pertinenciis, iacencium infra vicecomitatum de Lanark : Quibus resignacionibus sic factis, supremus dominus noster Rex, per fustem et baculum, ut moris est, tradidit, dedit, seu deliberavit prefatas vardas terrarum de Temptalone et comitatus de Douglas, cum pertinenciis, Archibaldo Douglas, comiti Angusie, pro toto tempore varde predictarum terrarum de Temptalone et comitatus de Douglas, cum pertinenciis, non obstante non-etate eiusdem comitis Angusie, adeo libere sicut predictus Wilelmus Douglas de Cluny predictas vardas terrarum de Temptalon et comitatus de Douglas, cum pertinenciis, habuit ex donacione prefati domini nostri Regis, per literas donacionis sub suo magno sigillo sigillatas. De et super quibus omnibus et singulis predictus Archibaldus Douglas, comes Angusie, a me notario publico subscripto sibi fieri peccit presens publicum instrumentum : Acta erant hec in capella Sancte Margarete regine castri de Edinburgh, anno, die, mense, indicione, et pontificatu quibus supra ; presentibus ibidem, nobilibus et discretis viris, videlicet, Jacobo domino Hammiltoune, Dauid Scot, Johanne Carmichel, Dauid Pringil, Wilelmo Striueling, Wilelmo Rogeri, et magistro Johanne Malisoun, cum diuersis aliis testibus ad premissa vocatis specialiter et rogatis.

Et ego Johannes Patricii, presbyter Glasguensis dyocesis, publicus auctoritatis imperiali et regali notarius, premissis [*etc., in forma communi.*]

102. INDENTURE between ARCHIBALD, FIFTH EARL OF ANGUS, and GEORGE THE HOME of Wetherburn, and PATRICK, his brother, relative to the lands of Kymbirgeame. 27th November 1470.

THIS endenture, made at Edinburgh, the xxvii day of the moneth of Nouember, the zere of our Lorde I^m iiiij^c and sevintj, betuix a noble and nichti Lorde, Archibald erle of Angus, lorde of Douglas, on the ta parte, and George the Home of Wetherburn and Patrik Home, his brother, on the tother parte, contenis, proportis, and beris witnes, that it is appointtit and accordit fullely betuix the saidis partis, in forme and maner as followis ; that is to say, that the said lorde erle has faithfully promittit, and be thir present endenturis promittis and oblis him to help, supple, maneteine and defend, at all his gudely power, the saidis George and Patrik, in the brouking and pesable joising of the landis of Kymbirgeame, with ther pertinentis, liand in the barony of Boncele, within the schirefdome of Berwic ;

and, attour, gif it sal happin the said landis of Kymbirgeame to remane in the said lorde erlis handis, in default of entra of the lauchfull ayeris of the said landis, or ony vthir maner of way, the said lorde erle has assignit and, be thir present endentouris, frely assignis the said landis of Kymbirgeame, witht ther pertinentis, to the saidis George and Patrik, with all proffitis pertening, or may pertene, to the samyn, for al the dayis and termis of thair liffis : And gif it sal happin the lauchfull ayeris of the said landis, haldin of the said lorde erle as ourlorde of the samyn, nocht to enter into thaim, the said Archibald erle of Angus sal, incontinent, at the will of the saide George and Patrik, infest thaim heritably, and ther ayeris, be charter and sesing, into the said landis of Kymbirgeame, witht ther pertinentis, to be haldin of hym and his ayeris in siclikewys as vmquhile Johnne Synclare of Hirdmanstoune or his predicessouris held the said landis of the said lord erle or his predicessouris of before : Alsua it is appointtit betuix the said partis, that, gif it sal happin the lauchfull ayeris or possessouris of the said landis to forfault or mak ony caus of forfaultour, quharthrow the said landis may be ony way fall into the said lorde erlis handis, that he sal, incontinent, but fraud or gile, lede the process of forfaultour therapone to the end, at [all] his diligence and power ; and sal, incontinent efter the ending of the said process of forfaultour, heritably infest the saidis George and Patrik and thair ayeris, be charter and sesing, into the said landis with thair pertinentis, in sic like wise as is before writtin, gif it hapnis thaim nocht to be infest of before be the said lorde erle as said is. Item, therattour, the said lorde erle has promittit, bundin and oblist him, and, be thir endentouris and the faith in his body, lelely and treuly promittis, bindis and oblistis him to the saidis George and Patrik, that he sal neuer, in na time to cum, gif nor sele na confirmatioun to William Synclare, son to the said vmquhile Johnne Synclare of Hirdmanstoun, na till his ayeris, of that pretendit gif nor infestment that the forsaid William allegit or allegis, that the said vmquhile Johnne Synclare gafe to him of the said landis of Kymbirgeame, na that he the said lorde erle sal neuer in na time tocum approif, ratifye, nor conferme, be na maner of way, the confirmatioun made of before to the said William of the said landis, in the time of his none age, the quhilk he reuokit solempnitly at his cummyng till age ; and therattour, has declarit and declaris that, on to the day of the makyn of thir endentouris, he has made na maner of confirmatioune, approbatioun, nor ratificatioune to the said William of the said gif, throw the quhilk ony stop or impediment may be made to thir appointmentis before writtin, in ony wyss : For the quhilk appointmentis and condiciouns to be obseruit and kept be the said lorde

erle, the saidis George and Patrik ar becummyn men, and, be thir endentouris and the fathis in thair bodiis, lelely becummys men to the said Archibald erle of Angus, for all the dais of thair liffis, to be with him in all his actiouns, causis and querellis, movit or to be movit before and aganis all thaim that lyff or de may, thair allegiance till our souuerain Lord the King, alanerly outtane, of the quhilkis thai sall gif thair lettris of manrent in the best wys, the said lord erle giffand agane to thaim his lettris of maneteinance in the best forme: And attour, the saidis George and Patrik sal giff, content and pay to the said lorde erle, the soume of ane hundreth markis of vsuale mone of Scotland; of the quhilk soume, thai sal content and pay to the said lord erle, furthwith, at the seling of thir endentouris, forty pundis, like as is pointit betuix the said lord erle, George and Patrik, and forty markis to be pait at the next feste of Sanct Martyn in wynter, next efter followand the date of thir said endentouris. And gif it sal be sene spedefull to the saidis George and Patrik to haue ony vthir bandis or condiciouns of the said lord erle to the fulfilling, obseruing and keping of the condiciouns abone writtin, vtheris than is specifyt of befor, the said lorde erle sal ger thaim be maid to thaim, or ony of thaim, in the best and sekerest forme that can be deuyt: And to the keping, obseruing, and fulfilling of all and sindry the pointis, artielis, and condiciouns abone writtin, in forme and maner as said is, ather of the saidis partis has leley and treuly oblist thaim til vtheris, be the fathis of thair bodis, the gret aith sworne and the Haly Ewangillis tuichit therapoun, has gevyn thair bodely athis, and vnder the pane of a thousand markis of vsuale mone of Scotland, to be pait be the breker or brekaris hereof; thairof v^c markis to be rasit be our souuerain lorde the King or his successouris, and vther v^c markis to be rasit be the Bischop of Sanctandris or his successouris that hapnis to be for the time, to the kirk werk of the samyn in name of pane, but fr[aud or gile]. In witnes of the quhilk thingis to the partis of thir endentouris, baith the said partis interchangeably has set to thair selis, befor thir witnes, Alexander Home, neuo and ayre to schir Alexander of that Ilk, knycht, schir Johne Fressale, vicar of Anwith, John Inglis, and Alexander Folkert, and Gilbert Geddes, witht othair sindry, the zere, day, and place aboun writin.

103. LEASE by KING JAMES THE THIRD to EDWARD MAXWELL of Tynwald and his son, of Chapeloun, and other lands. 12th June 1473.

JAMES, be the grace of God King of Scottis, to all and sindrioure liegis and subditis quham it efferis, quhais knaulage thiroure lettres salcum, greting: Wit ze ws



to haue set ande to male lattin, and, be thir oure lettres, settis and to male lattis, for ws and oure successouris, to oure weilebelouet squiare, Edward of Maxwell of Tynwald, and Herbert of Maxwell, sone and apperand are to the saide Edwarde, and to the langest levand of thame, and thare assignais, ane or maa, all and sindry thir oure landis vnderwritin ; that is to say, five markis worth of oure landis of Chapelton, five markis worth of oure landis of Cagtoun, ten markis worth of oure landis of Logy, ten markis worth of oure landis of Castelgoure, five markis worth of the neddir thrid part of Awmernes, and twenty schilling worth of oure landis of Barcheane, with the pertinentis, liand in the barony of Butill, within the schirefdome of Drumfres and stewartry of Kirkudbright, the entre of the saidis Edwarde and Herbert or thare assignais, ane or maa, to the tak of the landis abone writin, beginnand forthwith and incontinent eftir the deces of oure weilebelouet cousinace Jonet contas of Cathnes and lady Dalkeith, quhilkis landis ar now in hir handis, and hir subtenandis and malaris : To be haldin and to be had all and sindry the saidis landis with the pertinentis, to the saidis Edward and Herbert and the langest levand of thame, and to thare assignais, ane or maa, for all the dais and termes of ten zeris, next and immediate folowing thare entre, as said is, fullily, hale, and togidder to be complete, with all commoditeis, proffitis, esmentis, and richtwis pertenyng to the said landis, or may pertene to thaim, enduring the said tak, with power to mak subtenandis vnder thame in the said landis : the saidis Edward and Herbert, and thaire assignais, ane or maa, payand zerly to ws, oure aeris and successouris, ressauouris or intromittouris, for the males, fermes and dewiteis of the saide landis, enduring the said termes of ten zeris, thretty sex markis and a half of vsuale money of oure realme, at twa termes of the zere, Witsunday and Mertimes in wintir, be evinly portionis alanerly, for al vthir seruice, charge, exactioun, questioun, or demand that may be askit or requirit of the said landis, witht the pertinentis enduring the termes abone writin ; and attour, gif it sal happin Margaret of Corry, the spous of vnuquhile Roger of Kilpatric of the Knok, hir aeris, assignais, or vtheris in hir name quhatsumeuer, within the tyme of this assedatioun for to optene, wyn, or recovir, be ony maner of way, fra the said Edward and Herbert or thare assignais, ane or maa, ten markis worth of the said landis of Castelgoure, five markis worth of land of neddir thrid part of Awmernes, and twenty schilling worth of landis of Barcheane, than as now, and now as than, we set and to male lattis to the saidis Edwarde and Herbert, and to the langest levare of thaim twa, and thare assignais, ane or maa, for all the dais and termes of ten zeris, fullily to be complete, ten merkis worth of the landis of the tovne of Butill,

and sevin merkis worth and ane half of the landis of Brekhauch, with the pertinentis, the quhilkis ar now in the handis of the saide Margaret of Corry for hir clame of the teu merkis worth of land of Castelgowry, five merkis worth of the nedder thrid part of Awmernes and twenty schilling worth of Barcheane forsaidis, be clame of fewferme; chargeing herefore all and sindry oure liegis and subditis forsaide, quham it efferis, that nane of zow tak vppone hand to mak any impediment, letting or distrubance to the saidis Edward aud Herbert, and the langest levare of thame twa, thare assignais, ane or maa, subtenandis and intromittouris, in the bruking, joising, occupying, and mauuring of the tak of the said landis enduring the termes of ten zeris, and as is abone writin, vnder all the hiest pain and charge that efter may folow. Gevin vnder our priue sele, at Edinburgh, the xii day of Junij, the zere of oure Lord a thousaude four hundreth sevinty and thre zeris, and of oure regnue the threttene zere.

JAMES R.

104. RENUNCIATION by KATHARINE OF DOUGLAS of all her claims against THOMAS OF REDPETH. 14th November 1473.

IN Dei nomine, Amen: Per hoc presens publicum instrumentum cunctis pateat evidenter quod, anno ab Incarnacione Domini millesimo quadringentesimo septuagesimo tercio, mensis uero Nouembris die decimo quarto, indictione sexta pontificatus sanctissimi in Christo patris ac domini nostri, domini Sixti diuina prouidencia pape quarti, anno secundo, in mei notarii publici et testium subscriptorum presencia personaliter constituta nobilis mulier, Katerina de Douglas, pro se et heredibus suis, cunctisque suum interesse putantibus, remisit, relaxauit, pure et absolute quiete clamauit Thome de Redpeth et heredibus suis imperpetuum omnes actiones, petitiones, debita vniuersa, querelas, et demandas, tam personales quam reales, que uel quas erga uel contra eum habet seu quomodolibet habere poterit, causa transgressionis cuiuscunque, per uiam dispensionis, vastacionis, exposicionis, uel consumpcionis quorumcunque bonorum suorum, uidelicet, auri, argenti, catallorum, aliorumve qualiumcunque bonorum ac aliarum displicencie et iniuriarum quaruncunque sibi uel in eis clam uel palam illatarum, a die primeue inter eos mutue conuersacionis et intromissionis qualitercunque usque imperpetuum; ita quod nec dicta Caterina, nec heredes sui, nec aliquis alius nomine suo uel causa sui, in dictum Thomam, heredes suos uel assignatos calumpniam aliquam pro prenotatis articulis uel eorum aliquo quouismodo habere proterit uel poterint in

futurum ; sed ab omni iuriscleameo est ipsa et sunt [ipsi] exclusi imperpetuum, per presens publicum instrumentum. De et super quibus omnibus et singulis predictus Thomas a me notario publico sibi fieri peciit publicum seu publica instrumenta : Acta erant in Redpeth, apud montem, presentibus ibidem, domino Johanne Bowmakar, curato de Cranschawes, Archibaldo Brady, Wilelmo de Redpeth, Gilberto de Redpeth, Johanne de Knox, et Johanne Andresone, testibus ad premissa vocatis specialiter et rogatis ; sub anno, die, mense, indictione et pontificatu quibus supra.

Et ego Patricius de Cunynghame, arcium magister, clericus Glasguensis diocesis, publicus apostolica auctoritate notarius, premissis [*etc., in forma communi.*]

105. CHARTER by KING JAMES THE THIRD to ARCHIBALD, FIFTH EARL OF ANGUS, of the lands and castle of Temptaloune. 7th June 1475.

JACOBUS Dei gratia rex Scotorum, omnibus probis hominibus tocius terre sue . . . salutem. Sciatis nos dedisse . . . consanguineo nostro Archibaldo comiti Angusie et domino de Douglas, pro singulari fauore quem gerimus erga eundem, et pro suo fideli seruicio nobis impenso et impendendo . . . terras nostras de Temptaloune, cum castro nostro de Temptaloune, ac cum terris dominicalibus et tenentibus et tenandriis earundem . . . iacentes in constabularia de Hadingtoune infra vicecomitatum nostrum de Edinburgh. Tenendas . . . dicto Archibaldo et heredibus suis de nobis, heredibus et successoribus nostris, in vnam liberam baroniam . . . imperpetuum . . . cum omnibus . . . iustis pertinenciis . . . Reddendo inde annuatim . . . tres sectas ad tria placita capitalia curie vicecomitatus de Edinburgh tenenda apud burgum nostrum de Hadingtoune . . . ac . . . wardam et releuium . . . cum contigerint. In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus ; testibus . . . Johanne episcopo Glasguensi, Thoma episcopo Aberdonensi, Wilelmo episcopo Orchardensi, nostri secreti sigilli custode, dilectis consanguineis nostris, Andrea domino Auandale cancellario nostro, Colino comite de Ergile domino Lorne, magistro hospicii nostri, David comite de Craufurde domino Lindesay, Jacobo domino Hammiltoune, Johanne de Cullquhone de eodem, milite, et magistro Archibaldo de Quhitelaw archidiacono Laudonie, nostro secretario, apud Edinburgh, septimo die mensis Junii anno Domini millesimo quadringentesimo septuagesimo quinto et regni nostri decimo quinto.

106. SASINE, on Precept by KING JAMES THE THIRD, in favour of ARCHIBALD EARL OF ANGUS, of the lands and castle of Temptalloune, including Casteloune, etc. 22d September 1475.

IN Dei nomine amen. Per hoc presens publicum instrumentum cunctis pateat euidenter quod anno Incarnacionis dominice millesimo quadringentesimo septuagesimo quinto, die vero mensis Septembris vicesimo secundo, indicione octaua, pontificatus sanctissimi in Christo patris ac domini nostri, domini Sixti diuina prouidencia pape quarti, anno quinto, ac regni excellentissimi principis et domini nostri, domini Jacobi tercii Dei gracia Scotorum Regis illustris, anno decimo sexto, in mei notarii publici et testium subscriptorum presencia personaliter constitutus excellens et prepotens dominus, Archbaldus comes Angusie et dominus de Dowglas, quasdam literas regias et preceptorias membrano sub testimonio magni sigilli supremi domini nostri Regis scriptas, honorabili viro Jacobo Cokburn de Newbiggin, vicecomiti in hac parte specialiter constituto, honorifice presentauit et deliberauit, quasquidem literas regias prefatus Jacobus Cokburn, vicecomes, cum ea qua decuit reuerencia recepit, et mihi notario publico subscripto perlegendas exhibuit; quas ego publica et voce intelligibili, forma pariter et effectum vt subsequitur, uerbotenus perlegi; quarum literarum tenor sequitur, sub hac uerborum forma:—JACOBUS Dei gracia Rex Scotorum, dilectis nostris Jacobo Cokburne de Newbiggin, et Johanni Fentoune de eodem, ac eorum alteri coniunctim et diuisim, vicecomitibus de Edinburgh infra constabulariam de Hadingtoun in hac parte specialiter constitutis, salutem: Quia dedimus et concessimus hereditarie dilecto consanguineo nostro Archbaldo comiti Angusie et domino de Dowglas, pro singulari fauore quem gerimus erga eundem, totas et integras terras nostras de Temptalloune, et terras nostras dominicales de Temptalloune, vnacum castro nostro de Temptalloune, uidelicet, totas et integras terras de Casteloune, Bonyngtoun, Fammiltoun, et terras uulgariter nuncupatas Halfpluchlande, et omnes alias et singulas terras dicto castro nostro adiacentes, cum tenentibus et tenandriis earundem, cum pertinenciis, iacentes in dictis vicecomitatu et vicecomitatu [constabularia], prout in carta nostra dicto Archbaldo inde confecta plenius continetur; Vobis precipimus et mandamus quatenus dicto Archbaldo comiti Angusie, uel suo certo actorato, latori presencium, saisinam dictarum terrarum, vnacum castro predicto, cum tenentibus et tenandriis earundem, cum pertinenciis, secundum tenorem dicte carte nostre quam inde habet iuste haberi faciatis, et sine dilacione; et hoc nullo modo omittatis: Ad quod faciendum, vobis et vestrum alteri coniunctim et diuisim in hac

parte nostram committimus potestatem. Datum sub testimonio magni sigilli nostri, apud Edinburgh, vicesimo die mensis Junii, anno regni nostri decimo quinto. POST QUARUMQUIDEM literarum regiarum preceptoriarum presentationem, deliberacionem, earumque lecturam publicam vt premittitur factam, prefatus Jacobus Cokburne, in hac parte vicecomes, volens mandatum regium in dictis literis expressum et contentum, vt tenetur, penitus perimplere, accessit ad terras dominicales de Temptalloune, et ad castrum eiusdem, necnon ad terras de Casteltoune, Bonyngtoune, Fammiltoune, et le Halffpluchlande, cum pertinenciis, et ibidem, per terram et lapidem, statum, saisinam hereditariam, et possessionem corporalem de predictis terris et castro predicto, cum pertinenciis, et omnibus aliis et singulis terris dicto castro adiacentibus, cum tenentibus et tenandriis et earum vniuersis pertinenciis, prenominato Archbaldo, comiti antedicto, dedit, tradidit, exhibuit, pariter et deliberavit, prout in tali causa exigit ordo iuris, secundum tenorem carte supremi domini nostri Regis ipsi Archbaldo desuper et inde confecte. Super quibus omnibus et singulis premissis, vt premittitur, actis, factis, et dictis, prefatus Archbaldus, comes Angusie antedictus, a me notario publico subscripto sibi fieri peccit hoc presens publicum instrumentum, munitum et roboratum sigillo prefati Jacobi Cokburne, vicecomitis specialiter constituti, in signum execucionis sui officii saisinam dantis predictam. Acta fuerunt hec apud dictum castrum et dictas terras, hora fere quarta post meridiem uel eacirca, sub anno, die, mense, indiccione, pontificatu et regno quibus supra; presentibus ibidem, honorabilibus viris, videlicet, magne discrecionis et sciencie circumspecto viro, magistro Georgeo Carmychell, rectore de Tenynghame, Patricio Cokburne et Jacobo Cokburne, predicti Jacobi Cokburne, vicecomitis, filiis carnalibus, Johanne Browne de Dalgory, Wilelmo Lawder, et Rollando Browne, armigeris, dominis Jacobo Bode, Jacobo Bassindayne, et Dauid Sybalde, presbyteris, Roberto Geddes, burgeuse de Northberwic, Georgeo Carmychell, Dauid Fresale, Johanne Crawford, Henrico Blakberde, Andrea Tabowrnar, et Thoma Zester, cum Johanne Crosar seriando regio, et aliis multis testibus ad premissa vocatis pariterque rogatis.

Et ego Robertus Aytone, presbyter Sanctiandree diocesis, publicus imperiali et regali auctoritatibus notarius, premissis [*etc., in forma communi*].

107. INDENTURE betwixt ARCHIBALD, FIFTH EARL OF ANGUS, and ROBERT GRAHAM of Fintry, whereby ROBERT, heir of the latter, becomes bound to marry the Earl's sister ELIZABETH. 7th August 1476.

AT Abirnethy, the vii day of August the zere of God J^m iiij^c lxxvj zeris, it is

accordit and fynaly appointid betuix a rycht nobill and mychty lorde, Archibald, erle of Angus and lorde Douglas, on the ta parte, and a rycht worschipfull man, Robert the Graham of Fynthre, on the tother parte, in maner and forme efter folowand; that is to say, that Robert the Grahame, apperand ayr to the said Robert, sall, God willand, mary and hafe to wife, Elisabeth of Douglas, sistyr to the saide lorde erle, incontynent and alsoun as the dispensacyoun accordin thairto can be rasit and brocht hame, vpoun the expens of the said partyis, equally to be devidit; and gif it falis of the said Elysabeth the mariage be nocht completid, than the said Robert sall spouse and mary Margaret Douglas, hir sistyr; and falzeand thairof, the said Robert sall spouse and mary Jelys of Douglas; and falzeand of hir, he sall spouse Alysoun Douglas; and gif the said Robert decess or the said mariag be completid, than Dauid Grahame, bruther germane to the said Robert, sall, God willand, mary and spouse the said Elysabeth Douglas, and falzeand thairof, he sall mary ane of the forsaid sisteris quhilkis bath the partyis thinkis maste expedyent for him, incontynent efter the rasing and bringin hame of the dispensacyoun according thairto, sa that matrymon, will God, salbe endit and completyd betwix ane of the said brether with ane of the forsaid sisteris. For the quhilk mariage, the said lorde erle sall pay and content to the said Robert the Grahame of Fynthre, his ayris or assignais, the soum of foure hundreth merkis of vsuale money of Scotland, in maner folowand; that is to say, the said lorde erle sall assyng and giff, be charter, sesin, and possessioun, to the said Robert, thir landis vnder writin, lyand in the regalyte of Kerymur; that is to say, Inchbrathy, Inchmylne, Glenouwyk, Balnabothy, Dal-dewo, Petcaredy, and the mylne of Kerymure, reservand of thir said landis and mylne the tercis pertenyng vnto the said Lordis grandame and moder, quhilkis extendis to twenty merkis and xi s. yherly, pertenyng now to the said lorde erle, ay and quhill the forsaid Robert, his ayris or assignais, be wele and fully payd, assitht, and content of the said iiij^c merkis. And atoure, the said lorde erle grantis and promyttis for to mak assedacyoun, and takis to the said Robert and his ayris of his landis of the Forest of Glenprossan, the Belloch, witht the fischin of Bruchty for the termys of fyftene zeris next efter folowand the date of thir indenturis, the forsaid tercis beand exceptit, as said is, payand thairfor yherly sic like male and fisch, as he pait yherly befor the makin of thir lettres; and gif it sall happin the said ladis, or ony ane of thaim, for to discess befor the ische of the said termys of xv zeris, the said Robert the Grahame and his ayris sall hafe the tercis of the said landis and fischin in tak and assedacyoun, witht power to set and

rais, payand thairfor, quhen thai sall wayk, sic malis as he payt to the said ladis, and at ilk thre zere sall gif in gersum a yheris male. Also, the said Robert the Grahame sall mak to the said Robert or Daudid quha sall happin to complete the maryage witht Elysabeth Douglas, Margarete, or ony ane of the said sistris, twenty pundis worth of land in iuntfeftment, lyand within the schirafdome of Forfare, or of Striuelin, and the frank tenement of ten merkis worth thairof to reman witht the forsaid Robert the Grahame, for his tyme, to be haldin of the said Robert in blanch ferme. Atoure, the said Robert, and his ayris forsaid, sall hafe the office of balzery and justiciary of all and sindry the said lorde erlis landis of his regalyte of Angus for the termys of the said xv yheris, be his lettres according thairto vnder his sele. And gif the mariag falis to be completyd betuix the said partyis, as God forbeid, the said Robert the Grahame, his ayris or assignais, sall gif ouer and resigne vnto the said lord erle and his ayris the landis of Inchbrathy, Inchmylne, Glenhowyk, Balnaboth, Daldawoo, Petcaredy, and the mylne of Kerymure, witht thair pertinentis; of the quhilk, the said Robert has charter and sesing and possessioun. Also, the said Robert bindis and oblis him that he sall gif quiteclamys yherly and termely vnto the said lorde erle of all somys of malis ressaut by him of the xx merkis worth of landis forsaid; and in lyke wise, gif the said lorde erle pais to the said Robert, or to his ayris, sowmys of money, or assignys tyll him wardis or relefis in payment of the some of iiii^c merkis, of the quhilkis the said Robert or his ayris beis plesit and content of, the saide Robert or his ayris sall gif quiteclamys to the said lorde erle, and to his ayris, of tha somys efty, as his resstate proportis: and at all thir condicyonis abufe writin, lelely for to be obseruit and kepit, ather partis tyll vtheris has gevin bodely ath, the Evangelis tuchit, and entyrechangably set to thair selis, day, zer, and place abufe writtin, befor thir wittnes, schir Johne of Maxwell of Maldsly, knycht, Daudid Ogilby of that Ilk, Johne of Muncreffe of that Ilk, Master Hew Douglas, schir Johne Frasere, provest of Abirnethy, Master Wilzam Douglas, prebendar in the Collage of Abirnethy, schir Henry Barry, persoun of Cullace, and Daudid Wederburne, witht diuers vtheris.

ROBERT THE GRAHAME of Fyntre.

Robert the Grahame
of Fyntre

108. CHARTER by KING JAMES THE THIRD to ARCHIBALD, FIFTH EARL OF ANGUS, renewing his grant of Temptalone. 10th October 1479.

JACOBUS Dei gracia rex Scotorum, omnibus probis hominibus tocius terre sue, clericis et laicis, salutem : Noueritis quod nos alias in nostra tenera etate dedimus et concessimus hereditarie per cartam et sasinam dilecto consanguineo nostro, Archibaldo comiti Angusie et domino Douglas, omnes et singulas terras de Temptalone, terras dominicales de Temptalone cum pertinentiis et castrum de Temptalone, Casteltoun, Bonyngtoun, Fammiltoun, le Redsyde nuncupatam le Southfeld, et terras nuncupatas le Halfplewland, ac omnes alias terras nostras prope dictum castrum jacentes, cum tenentibus, tenandriis, in vna libera baronia nuncupata Temptalone, jacente in counstabularia de Hadingtoun, infra vicecomitatum nostrum de Edinburgh : Post quamquidem donacionem . . . in dicta nostra tenera etate factam, ad [nostram perfectam] etatem generalem fecimus reuocacionem omnium donacionum . . . in dicta nostra tenera etate factarum, per quam generalem reuocacionem dicte terre et castrum . . . adhuc in manibus nostris existunt. Et jam nos ad dictam nostram perfectam etatem existentes et post dictam nostram vltimam generalem reuocacionem per nostrum consilium auisati, et considerantes fidele seruicium per dictum Archibaldum nobis impensum et pro suo seruicio nobis impendendo dedimus et concessimus ac tenore presentis carte damus et concedimus hereditarie dicto Archibaldo omnes et singulas dictas terras . . . cum castro . . . Tenendas . . . dicto Archibaldo et heredibus suis de nobis, heredibus et successoribus nostris in feodo et hereditate imperpetuum . . . Reddendo inde annuatim dictus Archibaldus et heredes sui tres sectas ad tres curias capitales vicecomitatus de Edinburgh tenendas apud Hadingtoun. In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus ; testibus . . . Wilelmo archiepiscopo Sanctiandree . . . Johanne episcopo Glasguensi, Wilelmo episcopo Morauisiensi, nostri secreti sigilli custode, Thoma episcopo Abirdonensi, dilectis consanguineis nostris Andrea domino Avandale cancellario nostro, Colino comite de Ergile, domino Campbell et Lorne magistro hospicii nostri, Daudid comite de Craufurde, domino Lindesay, Johanne domiuo Carlile, dilectis clericis nostris magistris Archibaldo Quhitlaw, archidiacono Laudonie, secretario nostro, et Alexandro Inglis decano Dunkeldensi, clerico nostrorum rotulorum et registri, apud Edinburgh, decimo die mensis Octobris anno Domini millesimo quadringentesimo septuagesimo nono et regni nostri vicesimo.

109. OBLIGATION by ISABEL COUNTESS OF ANGUS, to her son, ARCHIBALD, FIFTH EARL OF ANGUS, to relieve him of her daughter's tocher. 14th October 1479.

BE it kend till all men be thir present lettres, me, Esabell Countess of Angus, for to be bundin and oblist, and, be thir my present lettres, bindis and oblis me vnto my derrest sone, Archibald erle of Angus and lord Dowglas, that uochtwithstandin my said derrest sone is bun by his lettres obligatouris vnto worschipfull men, Robert Dowglas of Lochlevin and Alexander Ramsay of Dalhousy, yhat he sall kepe thaim harmless, aud fra all scath and vexacyoun of thare baud and obligacyoun made be thaim vnto Duncane Cambell, vpoun the payment of the soum of sex hundreth merkis, quhilkis suld be payt till him by me in tochy, for the mariag of my dochtir, Mergarete of Dowglas, like as the indenturis made betuix vs fullely proportis, and as is contenyt in the obligacyoun vpoun the said soum of sex hundreth merkis, by the forsaid Robert of Dowglas and Alexander Ramsay, I bind and oblis me, be the fath in my body vnto my forsaid sone, yhat I sall mak gude aud thankfull payment of all and hale the soum of sex hundreth merkis of gude and vsuale mone of Scotlaud, vnto the forsaid Duncane Cambell, at dais and termys contenyt in our indeuturis; and gif it hapuis me to fale in payment of the forsaid soum of sex hundreth merkis, in all or in parte at the termys contenyt in the indenturis, throw the quhilk the forsaid Robert Dowglas and Alexander Ramsay be vexit, harmyt, or scathit, it salbe lefull to my said sone, Archibald erle of Angus, for to rais and vplift the malis and fermys of all the landis pertenying to me, be resoun of terss, ay and quhill the forsaid Duncane Cambale be fullely assithit aud payt of the soum of vi huudreth merkis forsaid; and this my baud obligature for to be obseruit aud kept, I bind and oblis me, be the fath in my body, na remede of law to be proponyt in the contrare. In witnes herof, I haue affixt my sele to thir my lettres obligaturis, at Edinburgh, the xiiij day of October the zer of God I^m iiij^{cccc} seviuty aud uyne yheris, and subscribit witht my hand.

110. CONTRACT OF MARRIAGE betwixt JAMES AUCHINLEK and GELIS ROSS.
8th May 1480.

THIS endentour, maid at Edinburgh the aucht day of the moneth of Maij, the zer of God a thousand four hunder and fourscore, proportis, contenis and beris vitnes

that it is appoyntit and accordit betuex honorabill men, that is to say, schir Jhone the Ros of Halkhed, knycht, one the ta part, and schir Jhone Auchlek of that Ilk, knycht, on the tother part, in maner, forme and effec as efter folowis: That is to say, that James Auchlek, sone and apperand air to the said schir Jhone Auchlek, sal mary and haf to wyf, God wiland, Gelis the Ros, dochter of the said schir Jhone the Ros; for the quhilk mareag to be completit and solempnit in the face of Haly Kirk, the said schir Jhone the Ros sal pay to the said James Auchlek, his airis, executouris, or assignais, ane hundereth merkis of gud and vsual mone of Scotland, at the Fest of Sanct Martyne in vynter next to cum, the said schir Jhone the Ros or his airis beand lauchfully varnit of fourtj dais forow to the payment of the said soume; the quhilk soume of ane hundereth merkis the said James Auchlek sal gif for the lousing of certane landis; alsua, the said James sal haf, in name of tochir, all landis and ters pertenant to the said Gelis, fre fra al forsettis or formalis, and al other chargis, as efferis; and als, the said schir Jhone the Ros sal, in name of tochir, caus and mak siker the said James Auchlek til haf al and hail the said landis of Rogertoune, heretably and lauchfully, within an zer next efter the completing of the said mareag, to the said James and his airis, in perpetuall heretag; to the quhilk, the said schir Jhone the Ros bindis hyme and his airis; of the quhilk he sal mak the said James als siker, as said is, as he and his freindis can dewys; and failzeing herof, the said schir Jhone the Ros bindis hyme and his airis to the forsaid James and his airis in the soume of fif hundereth merkis of gud and vsual mone off Scotland, in part of payment of his tochir, til be pait one the hie altar in Sanct Gelis Kirk of Edinburgh, within tua zeris next efter the breking and the failzeing of the gifin and makin siker of thir forsaid landis of Rogertoune, as said is; the quhilk somme sal be pait in this maner, that is to say, in the first zer tua hundereth merkis and ane half, hail and togidder, in Sanct Gelis kirk, as said is; in the secund zer, other tua hundereth merkis and ane half, hail and to gidder, in lykwys, as said is; to the payment of the quhilk somme of fif hundereth merkis, as said is, the said schir Jhonne the Ros bindis hyme, his airis, executouris, and assignais, to the said James, his airis, executouris, and assignais, in the sikirest forme and stratest stil of obligatioune that cane be dewisit, apone the quhilk sikernes of landis and somis afforsaidis the said schir John the Ros sal gif his obligatioune incontinent efter the mareag; and atour, the mareag beand complet betuex the said James Auchlek and Gelis the Ros, the said schir Jhone the Ros bindis hyme and his airis to the said James and his airis, to be for hym and vitht hym tueching the landis of Rogertoune, and thairin to tak ane awfauld

part, but fraud or gill; and the said schir Jhone Auchlek sal gif to James, his sone, and Gelis his wyf, and to the airis to be gotin lauchfully betuex thaim, twenty merkis wortht of land of auld extent, lyand within the barony of Auchleke, be way of coniunctfeftment and fre blanchferme, the forsaid landis of Rogertoune to be alowit and gifen in content, sa far as thai extend, of the said twenty merkis wortht of land, as for part of content of the samyn, the forsaid twenty merkis vortht of land to be halding of the said schir Jhone Auchlek, as said is: and atour, the said schir Jhone Auchlek bindis hyme, be the tenor of this present endentour, and sal gif his obligatioune to the said schir Jhone the Ros, that he sal nocht analy, vedset, or put away the castell and the chemis of Auchlek, vitht the hail manis of the samen, fra his sone, James Auchlek forsaid, be na maner of way: and gif it hapnis, as God forbed it do, the said schir Jhone Auchlek til analy, put away, or vedset the castell, chemis, and manis of Auchlek or ony part of the said manis, than as now, and now as thane, he bindis hyme, his airis, executouris, and assignais in the maist strat stil, and sikerest forme of obligatioune, to pay to the said schir Jhone the Ros, his airis, executouris, or assignais, the somme of ane thousand pundis of the vsuall mone of Scotland, to be paid within fourtj dais efter the alienatioune of thir placis forsaid be maid, for costis, skathis, and dampnag maid, or to be maid, thairthrow; and alsua, the said schir Jhone the Ros sal gif his obligatioune in detful forme of the payment of the said hundereth merkis til the said James Auchlek, at the term abwn vritin, incontinent efter the completing of the said mareag, togidder witht ane obligatioune of sikernes making of the landis of Rogertoune, as is contenit in this endentour; and al thir poyntis and condisciownis forsaid, lely and treuly to be obseruit and kepit, in maner and forme as said is, baitht the said parteis has bund and oblist thaim, thair airis, executouris and assignais, ilk ane til otheris, be the faithis of thair bodeis; and for mair sikernes, has gifin thar bodely aithis. In vitnes of the quhilk thing, to the part of this endentour remaynand witht the said schir Jhone the Ros, the sel of the said schir Jhone Auchlek is to affixit; and, in lykwys, to the part of this endentour, remaynand witht the said schir Jhone Auchlek, the sel of the said schir Jhone the Ros is to affixit, day, moneth, and place forsaid, befor thir vitnes, Maister William Auchlek, persoune of Glenberuy; Maister Nichol the Ros, persoune of Ranfrow; Adam Auchlek, Alane of Cochrane, and Valter Trombul, vitht other diuers.

L. S.

111. OBLIGATION by SIR JOHN AUCHINLEK of that Ilk, to infest GELIS ROSS
in the lands of Rogerton. 4th March 1480.

BE it kend til al men be thir present lettres, me, Johnne of Achinlek of that Ilk, knycht, to be bundin and oblisit, and be thir my present lettres, in the faith of my body, leleli and treuly bindis and oblis me, myn ayris, executouris, and assignez, til a rycht noble man, schir Johnne the Ross of Halkhede, knycht, that eftir the lachful completing of the mariage, God willing, to be made and complete betuix James of Achinlek, my sone and ayre apperand, and Gilis the Ross, dochter of the said schir Johnne the Ross, the said Gilis resignand to me or myne ayris the twenti marcis worth of land of ald extent quhilk I hane gevin til hir be charter and sesine, liand in my barony of Achinlek, within the schirefdome of Ayre, as my charter made thairapon proportis, incontinent eftir the lachful completing of the said mariage and resignacion making to me or myn ayris of the said landis, I, or myn ayris sal mak the said Gilis til hane in fre and sekyr infestment, be lachful charter and sesine, al and hale the landis of Rogertoune, witht the pertinentis, liand in the said barony of Achinlek, and in ten marcis worth of land of ald extent liand in the said barony, within the schirefdome of Ayre, to the said Gilis, and to the ayris to be gottin betuix the said James of Achinlek and hir, to be haldin of me and myne ayris in fre blanchferme, for a penny to be payit on the fest of Witsonday, on the grund of the said landis, gif it be askit alanerly, for al other chargis, in the sekirast furm and maner of juntfestment that can be dinisit of law. And gif it happynnis me, the said Johnne of Achinlek, or myne ayris, to faleyhe in the gifing of the said juntfestment to the said Gilis as said is, the lachfull completing of the said mariage being fulfillit and the said resignation being made, as said is, incontinent thairefter, I, myn ayris, executouris, or assignez, sal pay to the said schir Johnne the Ross, his ayris, executouris, or assignez, a some of fyue hundir marcis of vsuale mone of Scotland, apon a day betuix the sone rising and ganging to rest, in the parrisch kirk of Paslay, on the hie altare of the samyn, withoutin langare delay, cauillation, fraude, or gile; to the quhilk some of fyue hunder marcis to be payit in manere forsaid, I oblis me, myn ayris, executouris, and myne assignez, myn and tharis landis, rentis, possessiones, and gudis mouable and vnmouable, had and to be had, to the said schir Johnne the Ross, his ayris, executouris, and his assignez, in the maste strate furm and sekirast stile of obligation, al fraude and gile and frinolns exception excludit and awaypnt. In witnes

of the quhilk thing, my sele is to put at Achinlek, the ferd day of the moneth of Marche, the zere of oure Lord, a thousand foure hundir and auchty zeris.

JOIN OF AUCHLEK of that Ilk

knycht vytht my auan hand.

Join of auchlek of that ilk
knycht by my auan hand

112. LEASE by KING JAMES THE THIRD to ARCHIBALD, FIFTH EARL OF ANGUS, of the lands of Hartwood and Berybuss. 3d June 1483.

JAMES, be the grace of God King of Scottis, to all and sindri oure liegis and subditis quham it efferis, quhais knaulage thir oure lettres salcum, greting. Wit ze ws to haue set and to male lattin, and, be thir oure lettres, settis and to male lattis to oure welebelouit cousing and consalour, Archibald erle of Anguse, our stede of Hartwod and oure half stede of Berybuss, with thare pertinentis, liand within oure forest of Etrik; the entre of oure saide cousing to the tak of the sammyn beginnand the day of the makin of thir oure lettres, and thareftir to endure for al the termes of five zeris, full, hale, and togidder to be complete, witht all and sindri commoditeis, fredomes, proffitis, esmentis, and richtwis pertinentis quhatsumeuer pertenyng or richtwisly may pertene to the sammyn: the saide Archibald, oure cousing, payand tharfore zerey enduring the saide termes to ws, oure ressauouris or intromettouris, that now ar and that sal happin to be for the tyme, al malis and dewiteis aucht and wont, and as oure rentale proportis, and kepan the saide stede and half stede forest like. Quharefore we charge strately and commandis all and sindri our liegis and subditis foresaidis, quham it efferis, and in speciale our ressauouris, balze, currouris, and officiaris of oure saide forest, and all vtheris oure intromettouris that now ar and that sal happin to be for the tyme, that nane of zow tak apone hand to mak ony impediment, lettung or distrubance to oure saide cousing, his seruituris, factouris or intromettouris, in the peceable bruing, joising and occupying of the saide stede of Hartwod and half stede of Berybuss, witht thare pertientis, enduring the termes of five zeris as saide is, vnder al the hiest pane and charge that efter may folow. Gevin vnder

oure Priue Sele, at Edinburgh, the thrid day of Junii, the zere of God I^m iiiij^c lxxxij zeris, and of oure regne the xxij zere.

JAMES R.

113. LEASE by KING JAMES THE THIRD to ARCHIBALD, FIFTH EARL OF ANGUS, as Keeper of Newark Castle, of the lands of Quhitehill and others. 3d June 1483.

JAMES, be the grace of God King of Scottis, to all and sindri oure liegis and subditis quham it efferis, quhais knaulage thir oure lettres salcum, and in speciale to the bailze, currouris, and officiaris of oure forest of Ettrik, greting : Forsamekle as we haue committit the keping and governance of our hous and fortes of the Newwerk, witht al placis, feis, and proffitis perteneng to the sammyn, to oure welebelouit cousing and consalour, Archibald erle of Anguse, for the termes of five zeris, and thaireftir for oure will, as our lettres vnder oure Grete Sele made to him thairapone proportis ; for the keping of the quhilk hous and fortes we haue gevin, grantit and assignit, and be thir oure lettres gevis, grantis and assignis to oure saide cousing zerly, in his fee enduring the saide tyme, the Quhitehill, the Blak Myddingis, Warmanhope, and the fogage of Cartyrhalch, with the fredomes perteneng to thame, lying within oure saide forest of Ettrik ; and like as vtheris that keptit oure saide hous had thame for the keping of the sammyn of before, he enterand tharto the day of the makin of thir our lettres, and thareftir to be haldin and had the saidis Quhitehill, the Blak Myddingis, Warmanhope, and the fogage of the Cartyrhalch, with the fredomes perteneng to thame, to oure saide cousing in his fee zerly, enduring the saide five zeris, and thareftir for oure will, as saide is ; with all and sindri commoditeis, fredomes, proffitis, esmentis, and richtwis pertinentis quhatsumeuer, perteneng or richtwisly may pertene to

the sammyn frely, quietly, wele and in [pece], but ony reuocatioun or againecalling quhatsumeuer enduring the tyme forsaide; chargeing herefore strately and commanding all and sindri oure liegis and subditis foresaidis quham it efferis, and in speciale our ressauouris, bailze, currouris and officiaris of oure saide forest, and al vtheris oure intromettouris that now ar and that sall happin to be for the tyme, that nane of zow tak apone hand to mak ony impediment, letting or disturblance to oure saide cousing, his seruituris, factouris or intromettouris, in the peceable broiking, joising, and occupying of the saidis Quhitehill, the Blak Mydingis, Warmanhope, and the fogage of Cartyrhalch, with the fredomes pertenyng to thame, and like as vtheris that kepit oure saide hous occupiit thaim of before, enduring the tyme abone writtin; vnder al the hiest pane and charge that efter may folow. Gevin vnder our Priue Sele at Edinburgh, the thrid day of Junii, the zere of God J^m iiij^c lxxxij zeris, and of oure regne the xxij zere.

JAMES R.

114. OBLIGATION by ARCHIBALD, FIFTH EARL OF ANGUS, as to the terce of the annual rent from Kirktoune of Stradichtyn. 22d April 1484.

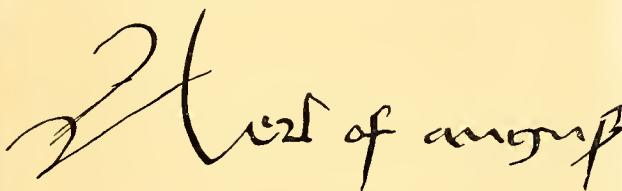
BE it kend til al men be thir present lettres, vs, Archebauld, erle off Angus and lord Dowglas, stratlie to be bundin and oblist, and be thir present lettres bindis and oblis vs vnto our deraist eme, Robert the Grahame of Fyntre, for, nochtwithstanding at we haue sauld to the said Robert, heretablie, ane annuel rent of ten merkis zeirlic to be raisit of al and haile the landis of the Kirktoune of Stradichtyn, callit Erlis Stradichtyn, and our Gravntdeme tharoff of befor has tane lauchful terce, neuertheles, fra this tym farth we oblys vs to warand the said Robert and his airis of the said our Grantdemys terce of the said annuell, and



of lord de la glayn strath to be binding & oblige & be y^e present l^ord bind
no standing at the same pauld to ye said robert l^ord table and d^ont
ye l^ord of strath callit the strath of y^e o^o grabut deim y^off
be oblige be to be and ye said robert & l^ord of ye said grant d^ont
p^ont & giff o^o said grant d^ont tra of ye said d^ont be t^ont for
robert & l^ord til als noble of o^o malis be ang^o as o^o tra y^off
by hand & has o^off o^o signet at abb^ont ye y^off day of
y^off be t^ont most y^off for ye of de la glayn d^ont for

dischargis the said Robert, his airis tharoff foreuer, and, giff our said Grantdemys terce of the said annuell beis tane fra the said Robert or his airis, we, for vs and our airis, assignys the said Robert and his airis til als mekle of our malis within Angus as that terce extendis to. In witness heiroff, we haue subscriwit this writ wiht our awin hand, and has gert affix our signet, at Abirnethy, the xxij day off Aprile, in the zeir of God J^m iiii^c aucty and foure zeiris, befor thir witnes, Maister Johne Fresale, person of Dowglas, Dauid Fresale, Dauid Wederburn, and schir Alexander Forfair, preist and notar, wiht vther sindry.

A. ERL OF ANGUS.


 A handwritten signature in black ink, appearing to read 'The Earl of Angus'. The signature is highly stylized and cursive, with a large initial 'A' and 'E' that are intertwined.

115. PRECEPT by ALEXANDER HOME for infetting ANDREW KER in the lands of Cralyng and Hownum. 23d June 1484.

ALEXANDER HOME, nepos et apparens heres Alexandri domini Home, ac dominus baroniarum de Cralyng et Hownum, dilectis meis, Johanni Roderfurd de Hundole, Wilelmo Pringil, et Radulpho Ker, balliuis meis in hac parte specialiter constitutis, salutem: Quia dedi, concessi, ac alienaui hereditarie dilecto consanguineo meo, Andree Ker, omnes et singulas terras meas de Cralyng et Hownum, cum pertinenciis, cum tenentibus et tenendriis, iacentes in dictis baroniis de Cralyng et Hownum, infra vicecomitatum de Roxburgh; excepta et reseruata vna acra terre proxime et immediate iacente terre de le Brew croft, ex parte occidentali eiusdem, cum duabus tenendriis, videlicet, Hownum Manys et Chato, prout in carta mea sibi Andree Ker desuper confecta plenius continetur; quequidem terre de Cralyng et Hownum, cum pertinenciis, fuerunt Johannis Home, fratris mei, hereditarie, et quas idem Johannes, non vi aut metu ductus, nec errore lapsus, sed sua mera, pura, et spontanea voluntate in manus meas personaliter, per fustem et baculum sursum reddidit, pureque simpliciter resignauit: Vobis igitur, et vestrum cuilibet coniunctim et diuisim, precipimus et firmiter mandamus quatenus dicto Andree Ker uel suo certo actornato, latori presencium, statum, possessionem corporalem, et saisinam hereditariam omnium et singularum predictarum terrarum

mearum de Cralyng et Hownum, cum pertinenciis, iuste deliberetis et habere faciatis, seu alius vestrum iuste deliberet et habere faciat, indilate, saluo iure cuiuslibet; et hoc nullo modo omittatis: Ad quod faciendum, vobis et vestrum cuiuslibet coniunctim et diuisim meam plenariam et irreuocabilem tenore presencium committo potestatem. Scriptum sub sigillo meo, apud Calco, vicesimo tercio die mensis Junii, anno Domini millesimo quadringentesimo octuagesimo quarto.

116. CHARTER by ROBERT GRAHAME of Fyntre to his son, JOHN GRAHAME, of his lodging, kiln, and garden in the Seagate of Dundee. 20th August 1484.

OMNIBUS hanc cartam visuris vel audituris, Robertus Grahame de Fyntre, salutem in Domino sempiternam: Noueritis me, affectione filiali, libere dedisse, concessisse, et hac presenti carta mea confirmasse dilecto filio meo, Johanni Grahame, ex Matilda Scrymgeour sponsa mea genito, totum et integrum hospicium meum, vna cum vstrino et orto eiusdem, cum pertinenciis, iacens in burgo de Dundee, in Vico Maris, ex parte boreali eiusdem vici, inter terram heredum quondam Jacobi Auchlouch, ex vna, et communem venellam que ducit ad capellam beatissime virginis Marie in le Kowgate eiusdem burgi ad orientem, partibus ex altera: Tenendum et habendum dictum hospicium, vstrinum et ortum eiusdem, cum pertinenciis, antedicto Johanni Grahame et heredibus suis masculis de corpore suo legitime procreandis; quibus deficientibus, heredibus meis legitimis quibuscunque propinquioribus, de supremo domino nostro rege et eius successoribus, in libero burgagio, in feodo et hereditate imperpetuum; per omnes rectas metas suas antiquas et diuisas, prout iacet in longitudine et latitudine, tam in fronte quam in cauda, tam subtus terra quam supra terram, procul et prope, cum omnibus et singulis libertatibus, commoditatibus, et asiamentis, ac iustis suis pertinenciis quibuscunque, tam non nominatis quam nominatis; cum libero introitu et exitu, adeo libere, quiete, plenarie, integre, honorifice, bene et in pace, sicut aliqua terra aut hospicium infra regnum Scocie, in burgo vel extra burgum, alicui siue aliquibus datur, conceditur, aut confirmatur, dari, concedi, aut confirmari poterit quoquo modo; et adeo libere sicut ego dictus Robertus fundum dicti hospicii, ante edificacionem eiusdem, tenui seu possedi: Reddendo inde annuatim dictus Johannes Grahame et heredes sui masculi de corpore suo legitime procreandi; quibus deficientibus, heredes mei legitimi et propinquiores quicunque, firmam regiam inde debitam et consuetam, et capellano perpetuo dicte capelle beatissime uirginis Marie de Dundee, site in le

Kowgate eiusdem, ex fundacione olim Daud Abirkerdor, qui pro tempore fuerit, viginti sex solidos et octo denarios; vna cum sexdecim denariis vsualis monete regni Scocie pro fundo dicti vstrini, ad duos anni terminos consuetos, festa videlicet Penthecostes et Sancti Martini in yeme, per equales medias porciones, tantum, pro omni alio onere, seruicio seculari, exactione, seu demanda que de dictis hospicio, vstrino et orto, cum pertinenciis, per quoscunque iuste exigi poterunt in futurum quouis modo vel requiri: reseruato tamen libero tenemento dicti hospicii, vstrini et orti, cum pertinenciis, michi dum vixero in humanis. Et ego vero dictus Robertus Grahame, heredes mei et successores, totum et integrum hospicium predictum, vstrinum et ortum, cum pertinenciis, ac donacionem et concessionem eiusdem, antedicto Johanne Grahame, et heredibus suis masculis de corpore suo legitime procreandis, in omnibus et per omnia, forma pariter et effectu, vt premissum est, contra omnes mortales warantizabimus, acquietabimus, et imperpetuum defendemus. In cuius rei testimonium sigillum meum huic presenti carte mee est appensum, apud Dundee, vicesimo die mensis Augusti, anno Domini millesimo quadringentesimo octuagesimo quarto; hiis testibus, honorabilibus et discretis viris, dominis Johanne Spanky, rectore de Banwy, Jacobo Lindesay, presbiteris, Alexandro Cowstoun, Wilelmo Gaw, Johanne Gurdy, burgensibus de Dundee, et domino Alexandro Forfar, presbitero et notario publico, cum diuersis aliis.

117. OBLIGATION by ROBERT GRAHAME, heir of Robert Grahame of Fintry, to his uncle, JOHN GRAHAME of Balergus, not to molest him in the possession of Balergus, etc. 12th May 1487.

BE it kend til al men be thir present lettres, me, Robert the Grahame, son of vniuersal Daud Grahame and apperand ayre to Robert the Grahame off Fyntree, stratlie to be bundin and oblist, and, be thir present lettres and the faytht in my body, bindis and oblistis me, vnder the strataist stile and fourme of obligacion vnto my derast eme, Johne the Grahame of Balergus, becaus my Gravtschir, Robert the Grahame of Fyntree, has promittit nother til analie na giff away may landis, na annuel rentis that he brukis at the makin of this writ, na he has giffin, na that the ourlordis has giffin be his resignacion; tharfor I bind and oblist me, as said is, neuer to cum in the contrar, revoke na gainsay the giffis that my said Gravtschir has giffin, na the saidis ourlordis, be his resignacion, to the said Johne the Grahame, bot I ratyfy, appreis, and confermys al landis, annuel rentis and gudis, baytht to burgh and to land, that my said Gravtschir and the saidis ourlordis has giffin or the makin of this writ, or that my said Gravtschir conquesis in tym cumin, and giffis to the

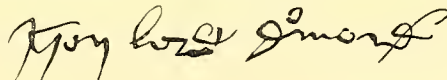
said Johne, his son, my eme : the quhilkis landis ar thir : the landis of Balergus and Widdieris haulch, witht thair pertinentis ; the landis of Ballewnye, witht thair pertinentis ; the twa part of the landis of Waristoun ; the wedset of the landis of Drumgeyth ; the annuel of the Kirketoun of Erlis Strathichtin ; the annuel off Presthok ; the annuell in Kyrymuir ; the Innys of Dundee, besid our Lady Chapell, witht the zard and the sey zard that was sumtym George off Fernys ; the land in the Kowgate, that was sumtyme Will Quitlaris, witht the croft callit Gerris croft : and mair attour, I bind and oblis me, as said is, to help, furder, suple, mainteine and defend the said Johne and his ayris in the pessable brukin and josin, liftin and rasin of the forsaidis landis and annuell, againis quhatsumeuer person or personys that wauld propon thaim in the contrar or mak impediment tharto, the said Johne and his ayris kepand to me and to myn ayris siklik tendernes and kyndnes in brukin and josin of our landis and annuel rentis, had or to be hade : and giff it happinnis me or myn ayris, as God forbeid, to failze, or to cum in the contrar of this appontment and band befor writin, or ony part of it, or giff that I, or thair, or ony vtheris in our name, makis clame, persewis, or folowis the saidis landis or annuell, or ony part of thaim, in the law or by the law, or vexis, perturbis, inquiettis the said Johne or his ayris in the pessable brukin and josin of the samin, I bind and oblis me and thaim, as said is, to pay, content, and assith the said Johne, or his ayris forsaid, the sowme of ane thousand pvnde of vsuale money of Scotland or euer I or myn ayris be harde in jugement, and that vnder the stratast stile and fourme of obligacion, and this forsaid sowme to be payt togidder and at anys, vpon a day betwex the son risin and passin to rest, vpon the altar within Sanct Clementis Kirk in the burgh of Dundee, within xl days efter that it be notorlye knawin that I, or myn ayris, or ony vther in our name, cumis in the contrar, or brekis ony poynt of this band : and mair attour, giff it be sene speidful to the said Robert the Grahame of Fyntre, my Gravnts chir, to wedset twenty merkis wourth of land, or twenty pundis wourth of land, other for neid or causis that plesis hym, it sel be lessum and leiffull til hym to do it at his awin wil, and quhen he likis. In witnes of the quhilk thing, to thir my lettres obligatory subscrivit witht myn awin hand, I haue affixt my seele, at Dundee, the xij day of the moneth of Maij, in the zeir of God a thousand four hundereth aughty and sevin zeiris, befor thir witnes, John Erskin of Dvn, Alexander Lovel of Ballumby, Thomas Fothringame of Povry, Dauid Wederburn, and schir Alexander Forfair, preist and notar public, witht vther sindry.

ROBERT THE GRAHAM, manu propria.

118. OBLIGATION by JOHN LORD DRUMMOND for the dowry of his daughter
ELIZABETH, wife of George Master of Angus. 31st January 1488.

BE it kend til al men be thir present lettres, me, Johne lord Drummond, to be bund and oblist, and be the fath and treuth in my body, bindis and oblistis me, myne aris, executoris and assignais, gudis movabil and vnmovabil, vntil a rycht nobil and mychty lord, Archibald erl of Angus and lord Dowglas, his aris, executoris or assignais, in the some of foure hundreth markis of vsuale mone of Scotland, in part of payment of gretar summys acht to the saide lord, for the mariage of his sone, George master of Angus, to my dochtyr Elezabeth, to be payt in Edinburgh to the [sade] lord or his assignais, the xv day of Februar next folloving the date of thir lettres. And gif it happinnys the some forsade nocht to be payt the sade day and place, I oblist me, myne aris, executoris and assignais, to pay to the sade lord, his aris, executoris or assignais, for the expens, skathis and damuage he sustenys in fawt of non-payment, the dowbil of the iiij^c markis abone expremit, to be payt in Edinburgh the last day of the forsade moneth of Februar, in the stratest style and forme of obligacioun at can be devisit, na exceptioun of law, cannone nor ciuile, to be propoynt in the contrar doli mali, pecunie non numerate, etc. In witnes of the quhilk thing I haf set to my sele, at Edinburgh, to this my obligatioun, witht my subscriptioun manuale, the last day of Januare, the zer of God J^m iiij^c lxxxviiij zeris.

JHON LORD DROMOND.



119. CHARTER by KING JAMES THE FOURTH to GEORGE DOWGLAS, MASTER
OF ANGUS, of Temptalloun, etc. 31st January 1488.

JACOBUS Dei gracia Rex Scotorum, omnibus probis hominibus tocius terre sue, clericis et laicis, salutem: Sciatis nos dedisse . . . dilecto consanguineo nostro, Georgio Dowglas, filio et heredi apparenti dilecti nostri consanguinei Archibaldi comitis Angusie et domini Dowglas, omnes et singulas terras et dominia subscripta, videlicet, dominium de Temptalloun et castrum eiusdem, cum pertinenciis, jacentia infra vicecomitatum nostrum de Edinburgh; dominium de Dowglas et castrum eiusdem, cum pertinenciis, cum aduocacione et donacione prepositure de Dowglas, jacentia infra vicecomitatum nostrum de Lanark; dominia de Jedworthforest et Liddisdale, ac castrum de Armetage, cum pertinenciis, jacentia infra vicecomitatum nostrum de Roxburgh; dominium de Selkirk, domos et fortificia eiusdem, cum pertinenciis,

jacencia infra vicecomitatum nostrum de Selkirk; et dominia de Ewisdale et Eskdale, domos et fortificia eorundem jacencia infra vicecomitatum nostrum de Drumfres, cum tenentibus, tenandriis, et liberetenencium seruicij, vna cum aduocacionibus et donacionibus ecclesiarum et capellaniarum . . . Quequidem terre et dominia antedicta . . . fuerunt dicti Archibaldi comitis Angusie hereditarie, et quas et que dictus Archibaldus, non vi aut metu ductus, nec errore lapsus, sed sua mera et spontanea voluntate, in manus nostras, apud Edinburgh, personaliter per fustim et baculum, sursum reddidit, pureque simpliciter resignauit . . . Tenendas et habendas omnes et singulas prefatas terras et dominia . . . dicto Georgio et heredibus suis, de nobis et successoribus nostris, in feodo et hereditate imperpetuum, . . . adeo libere, . . . sicut dictus Archibaldus comes Angusie aut sui predecessores dictas terras et dominia . . . tenuit seu possedit tenuerunt seu possederunt; reseruatis tamen liberis tenementis omnium et singularum terrarum et dominiorum superscriptorum cum castris, domibus, fortificiis . . . ac cum aduocacionibus et donacionibus prepositure, ecclesiarum et capellaniarum . . . dicto Archibaldo pro toto tempore vite sue et rationabili tercia parte earundem Elizabeth Boyd, eius sponse pro toto tempore vite sue cum contigerit. In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus; testibus reuerendis in Christo patribus Roberto episcopo Glasguensi, Georgio episcopo Dunkeldensi, dilectis consanguineis nostris, Colino comite de Ergile, domino Campbell et Lorne, cancellario nostro, Patricio comite de Boithuile, domino Halis, magistro hospicii nostri, Roberto domino Lile, iusticiario nostro, Alexandro Hume de eodem, magno camerario nostro, Andrea domino Gray, Laurencio domino Oliphant, Johanne domino Drummond, venerabili in Christo patre Johanne priore monasterii nostri Sanctiandree, nostri secreti sigilli custode, Wilelmo Knollis, preceptore de Torfichin, milite, thesaurario nostro, et dilectis clericis nostris magistris Alexandro Inglis, archidiacono Sanctiandree, compotorum nostrorum rotulatore ac nostri registri et consilii clerico, et Archibaldo Quhitelaw, subdecano Glasguensi, secretario nostro, apud Edinburgh, ultimo die mensis Ianuarii, anno Domini millesimo quadringentesimo octuagesimo octauo, et regni nostri primo.

120. PRECEPT by KING JAMES THE FOURTH, for infefting GEORGE DOWGLAS and his spouse, ELIZABETH DRUMMOND, in Boncle and Prestoun. 31st January 1488.

JACOBUS Dei gracia Rex Scotorum, dilectis nostris, Waltero Ker de Cessford, Radulpho Ker, suo fratri, Wilelmo Carmichell, Johanni Carmichel filio suo,

Johanni Boill, Johanni Zettame, et Johanni Syme, ac eorum cuilibet coniunctim et diuisim vicecomitibus nostris de Berwik in hac parte specialiter constitutis, salutem: Quia dedimus et concessimus dilecto nostro consanguineo Georgio Dowglas, filio et apparenti heredi dilecti consanguinei nostri, Archibaldi comitis Angusie et domini Dowglas, et Elizabeth Drummond, sponse dicti Georgii, et eorum alteri diucius viuenti in coniuncta infeodacione, totas et integras terras et dominium de Boucle et Prestoune, ac turrim et fortalicium eiusdem, cum tenentibus, tenandriis et liberetenencium seruiciis, vnacum aduocacionibus et donacionibus ecclesiarum et capellaniarum eiusdem, cum pertinentiis, iacentes infra dictum vicecomitatum nostrum de Berwic, que fuerunt dicti Archibaldi hereditarie, et quas idem Archibaldus, non vi aut metu ductus, nec errore lapsus, sed sua mera et spontanea voluntate, in manus nostras, apud Edinburgh, personaliter per fustem et baculum sursum reddidit, pureque simpliciter resignauit, prout in carta nostra dictis Georgio et Elizabeth sue sponse inde confecta plenius continetur; vobis precipimus et mandamus quatenus dictis Georgio et Elizabeth, vel suis certis actornatis, latoribus presencium, sasinam dictarum terrarum et domini, ac turris et fortalicii eiusdem, cum tenentibus, tenandriis, et liberetenencium seruiciis, vnacum aduocacionibus et donacionibus ecclesiarum et capellaniarum eiusdem, cum pertinentiis, secundum tenorem dicte carte nostre quam de nobis inde habent iuste habere faciatis, et sine dilacione; et hoc nullo modo omittatis: ad quod faciendum vobis et vestrum cuilibet, coniunctim et diuisim, in hac parte committimus potestatem. Datum sub testimonio magni sigilli nostri, apud Edinburgh, vltimo die mensis Januarii, anno regni nostri primo.

121. RESIGNATION by ALEXANDER HOME of that Ilk, to ARCHIBALD, FIFTH EARL OF ANGUS, of the lands of Scrogtoun, etc. 1st February 1488.

. . . Anno Incarnacionis Dominice millesimo quadringentesimo octuagesimo octauo, die vero mensis Februarii primo . . . necnon regni excellentissimi, serenissimi-que principis ac domini nostri domini Jacobi quarti Dei gratia Scotorum regis illustrissimi anno primo, in mei notarii publici et testium subscriptorum ad hoc vocatorum et rogatorum presenciam personaliter constitutus nobilis et potens dominus Alexander Home de eodem exponens et declarans quod, licet ipse Alexander habuit cartas, literas, proprietates et possessiones omnium et singularum terrarum de Scrogtoune et ly Dene cum pertinentiis iacencium in dominio de Dowglas, infra vicecomitatum de Lanark, pertinentium hereditarie magnifico et

prepotenti domino Archibaldo comiti Angusie ac domino Dowglas, etc., tamen idem Alexander, non vi aut metu ductus nec errore lapsus, compulsus aut coactus, vt apparuit, sed sua mera, pura et spontanea voluntate, motu proprio et animo deliberato, ut asseruit, omnes et singulas prenomiuatas terras . . . in manibus prefati Archibaldi comitis Angusie tanquam domini hereditarii earundem sursum dedit, pure simpliciterque per fustem et baculum vt moris est in talibus resignauit . . . Super quibus omnibus et singulis prefatus dominus comes Angusie a me notario publico subscripto sibi fieri petiit vnum vel plura, publicum vel publica, instrumentum vel instrumenta. Acta erant hec in aula regia, apud monasterium Sancte Crucis prope Edinburght, horam circa vndecimam ante meridiem sub anno, die, mense, indictione et pontificatu quibus supra; presentibus ibidem nobili et potenti domino Johanne domino Drummond, Villelmo Drummond, eius filio primogenito et herede apparente, milite, Johanne Chalmer de Gaitgertht, magistro Johanne Skrymgeoure, Dauid Rantoune, filio et herede apparente Dauid Rantoune de Billy, et Villelmo Carmichell, cum multis aliis testibus ad premissa vocatis specialiter et rogatis.

Et ego Andreas Maebrek presbyter Dunkeldensis diocesis, publicus auctoritatibus imperiali et regali notarius [*etc., in forma communi.*]

122. COMMISSION OF BAILIERY, by ARCHIBALD, FIFTH EARL OF ANGUS, to JOHN LORD GLAMMIS and others, of the lands of the regality of Killemuir. 9th February 1488.

BE it kend til al men, be thir present lettrez, ws, Archbald erl of Angus, lord Douglas and of the regalite of Killemur, til haif maid, constitut and ordanit, and, be thir present lettres, makis, constitutis and ordanis, rycht honorable, mychty and worschepful lordis, John lord Glammys, John lord Drummond, Robert Graham of Fyntre, Robert Douglas of Louchleuyn, Alexander Lowell of Balumbe, John Symontoun of that Ilk, and John of Oggilbe of Ballyndoich, our werray lauchful bailzeis of al and hail our landis, liand wythin the schirefdom of Forffar and our regalite of Killemur, our landis to set, maillis and fermys thairof to inbryng, courtis of proces to hald, tenandis of the our said regalite to cal, vnlaw and falt, the amerchiamentis to lyft, rais and inbring, all maner of ministeris pertenyng til a lauchful court til mak, proces to leid, and courtis of haldingis to hald, transgressouris and absentis to punys and falt, and al vther sindri thingis til do, hant and vse that perteyn to lauchful bailzeis til do, as we mycht do, in propir person ;

ferm and stable halding and for til hald al and quhatsumewer our said bailzeis or ony of thaim, coniunctlie or seucralie, dois or leidis to be done. In witnes of the quhilk thing to this our letter of bailzery we haue affixit oure selc, at Killemur, the ix day of the moneth of Februar, the zer of God a thousand four hundreth auchty and viii zeris.

123. RETOUR of THOMAS KER, as heir to his fater, Adam Ker, in Saint-Elene-Shaw, with the Kyrk-croft, etc. 18th September 1489.

HEC inquisicio facta apud Selkyrk, coram discreto viro, Radulpho Ker, balliuo nobilis viri, Georgii Dowglas, filii et heredis apparentis nobilis et potentis domini, Archbaldi comitis Angusie ac domini feodi terrarum domini de Selkyrk, in hac parte specialiter constituto, decimo octauo die mensis Septembris anno Domini millesimo quadringentesimo octuagesimo nono, per hos probos et fideles subscriptos, magno sacramento interueniente; videlicet, Robertum Scot de le Hanyng, Ricardum Kene de Hadirle, Willelmum Portuus, Jacobum Portuus, Jacobum Kene, Stephanum Laudyr, Willelmum Chepman, Johannem Portuus, Ninianum Donaldsonc, Ricardum Brydyn, Alanum Welans, Johannem Melros, Ricardum Lorymare, Dauid Brydyn, et Patricium Kene: Qui iurati, dicunt quod quondam Adam Ker, pater Thome Ker, latoris presencium, obiit vltimo vestitus et saisitus ut de feodo ad pacem et fidem domini nostri Regis de terris dominicalibus orientalibus de Selkyrk, cum pertinenciis, nominatis le Sant Elene Schaw, cum antiqua tofta et crofta dicta le Kyrk croft; et de duabus terris, vna que vocatur Caponland, et alia que vocatur Gersland; necnon de omnibus et singulis terris iacentibus infra marchias in antiqua carta sua contentas, iacentibus in villa de Selkyrk, infra vicecomitatum eiusdem, cum omnibus suis pertinenciis; et est legitime etatis; et dicte terre cum pertinenciis nunc valent per annum quatuor marcis et duodecim caponibus, et tantum valuerunt tempore pacis; et predicte terre cum pertinenciis tenentur in capite de prefato Georgio Dowglas, per seruicium vnius annualis redditus quatuor marcarum et duodecim caponum, nomine feodifirme; et dicte terre nunc sunt in manibus dicti Georgii per mortem dicti quondam Ade, a tempore duorum annorum uel eocirca, in defectu ueri heredis ius suum hucusque minime prosequentis. In cuius rei testimonium, sigilla quorundam eorum qui dicte inquisitioni intererant, vna cum sigillo prouidi viri, Willelmi Ker de Mersyntoune, per prefatum Radulphum, in ausencia sui proprii sigilli, ad hoc cum instancia procurato et breui incluso huic inquisitioni sunt appensa, loco, die et anno supradictis; coram hiis testibus, Georgio Gledstanis, Willelmo Gledstanis, et Johanne Lermoth, etc.

124. LETTER OF SAFE-CONDUCT by KING HENRY THE SEVENTH of England to ARCHIBALD, FIFTH EARL OF ANGUS, to go into England. 12th February [1489.]

HENRICUS Dei gracia rex Anglie et Francie, et dominus Hibernie, vniuersis et singulis admirallis, capitaneis, castellanis, et eorum locatenentibus, custumariis, custodibus portuum maris et aliorum locorum maritimarum, necnon vicecomitibus, maioribus, balliuis, constabulariis, ministris, et aliis fidelibus et subditis nostris quibuscunque infra libertates et extra, tam per terram quam per mare, constitutis, ad quos presentes litere peruenerint, salutem : Sciatis quod cum ex parte predilecti nobis Archibaldi comitis de Anguisia, datum sit nobis intelligi quod ipse, nostra mediante licencia, in hoc regnum nostrum Anglie versus ciuitatem Ambianensem propediem peregre profecturus sit, Nos, ex munificencia nostra regia, nobilitatem sanguinis ac piam intencionem ipsius comitis considerantes, ipsum comitem in saluum et securum conductum nostrum, ac in proteccionem, tuicionem, et defensionem nostras suscepimus speciales, cum quateruiginti personis in comitiua sua vel infra, in vna naui vel diuersis nauibus, cum equis, carectis, cariagiis, capsis, manticis, bogeis, fardellis, vestimentis, apparatibus, iocalibus, auro et argento monetato et non monetato, necnon aliis bonis et rebus suis necessariis et requisitis, in dictum regnum nostrum Anglie ac alia loca nobis subiecta quecumque, tam per terram quam per mare et aquas dulces, equestre vel pedestre, tociens quociens sibi placuerit, durante presenti saluo conductu nostro, veniendo ibidem, morando, exspectando, soiorlando et conuersando, et exinde ad quascunque partes exterarum se diuertendo, et ad partes proprias redeundo, libere et absque impedimento, impeticione, molestacione, perturbacione, aresto, seu grauamine quocumque, nostri aut officiariorum seu ministrorum nostrorum quorumcumque, aliqua marca, contromarca siue reprisalia concessa vel concedenda, aut aliquo statuto siue ordinacione, vel aliquo mandato nostro incontrarium facto non obstante : Et ideo vobis mandamus quod ipsum comitem cum predictis quateruiginti personis in comitiua sua, vel infra, in regnum nostrum predictum et alia loca predicta, cum nauibus siue nauibus predictis, tam per terram quam per mare et aquas dulces, equestre vel pedestre, tociens quociens sibi placuerit, durante presenti saluo conductu nostro, veniendo, ibidem morando, exspectando, soiorlando et conuersando, et exinde se diuertendo, et ad partes predictas, vt predictum est, redeundo, manuteneatis, protegetis et defendatis, non inferentes eis aut eorum alicui, seu in quantum in vobis est ab aliis inferri permittentes iniuriam, molestiam, dampnum, violenciam, impedimentum aliquod

seu grauamen ; et si quid eis seu eorum alicui forisfactum siue iniuriatum fuerit, id eis et eorum cuiilibet sine dilacione debite corrigi et reformari facientes : Pro-
 miso semper quod predictus comes et secum comitantes se bene erga nos et
 populum nostrum habeant et gerant, absque quicquam quod in nostri contemptum
 vel preiudicium aut populi nostri predicti dampnum seu grauamen cedere valeat
 faciendo vel attemptando, quodque ipsi nullum castrorum, fortalicionum, seu villa-
 rum nostrarum firmatarum absque eo quod ipsi presentes literas nostras de saluo
 conductu capitaneis, maioribus, seu gubernatoribus eorundem primitus demonstrent
 ingrediantur, nec eorum aliquis ingrediat quouis modo. Et si contingat prefatum
 comitem, aut aliquem secum comitancium, presentem saluum conductum nostrum
 infringere, nolumus tamen alicui dictum saluum conductum nostrum minime
 infringenti aliquod dampnum seu preiudicium generari, set illi vel illis sic infrin-
 genti vel infrigentibus. In cuius rei testimonium has literas nostras fieri fecimus
 patentes per sex menses proximo futuros duraturas ; teste meipso, apud West-
 minster, xii die Februarii, anno regni nostri quarto.

Per ipsum Regem

125. CHARTER by KING JAMES THE FOURTH to ARCHIBALD, FIFTH EARL OF
 ANGUS, of the lordship, etc., of Kilmernok, etc. 29th December 1491.

JACOBUS Dei gracia rex Scotorum, omnibus probis hominibus suis ad quos pre-
 sentes litere peruenerint, salutem : Sciatis nos cum auisamento et matura delibera-
 cione dominorum nostri consilii, dedisse, concessisse, et hac presenti carta nostra
 confirmasse dilecto consanguineo nostro Archibaldo comiti Angusie, domino Douglas,
 omnes et singulas terras et dominium nostrum de Kilmernok, cum annuis redditibus
 et pertinenciis eisdem pertinentibus, iacentes infra vicecomitatus nostros de Are et
 Lanark, vna cum castro nostro de Kilmernok, cum tenentibus, tenandriis et libere-
 tenencium [seruiciis], proficuis, wardis, releuiis et maritagiis earundem, cum contige-
 rint, vna cum iure patronatus, aduocacionibus et donacionibus ecclesiarum, capellani-
 arum et hospitalium dictarum terrarum et dominii, pro toto tempore vite sue, in
 excambium pro suis terris et dominio de Liddalisdale et castro de le Hermitage,
 cum pertinenciis, tenentibus, tenandriis ac libere tenencium seruiciis earundem, nobis
 et successoribus nostris, regibus Scocie, per ipsum Archibaldum pro toto tempore vite
 sue datis et concessis, prout in carta nobis desuper confecta plenius continetur :
 Tenendas et habendas omnes et singulas predictas terras et dominium de Kil-
 mernok, cum annuis redditibus et pertinenciis eisdem pertinentibus, vna cum castro

de Kylmernok . . . dicto Archibaldo comiti Angusie, suis assignatis et subtenentibus, pluribus aut vni, pro excambio predicto, de nobis et successoribus nostris, pro toto tempore vite sue vel semper et quousque nos aut successores nostri prefatas terras et dominium de Liddalisdale cum castro de le Hermitage deliberabimus aut deliberabunt eidem Archibaldo, adeo libere sicut erant tempore quo per nos recepte fuerant, per omnes rectas metas suas antiquas et diuisas prout iacent in longitudine et latitudine in boscis . . . vnacum iure patronatus, aduocationibus et donacionibus ecclesiarum, capellaniarum et hospitalium, vt premittitur, spectantibus seu quouismodo spectare iuste valentibus . . . et sine aliqua exaccione, questione seu demanda que de dictis terris dominio et castro, cum annuis redditibus et aliis pertinentiis predictis exigi poterunt quomodolibet vel requiri, excepto tantum excambio predicto terrarum et domini de Liddalisdale et castri de Hermitage cum pertinentiis, tenentibus, tenandriis et liberetenencium seruiciis earundem, nobis per dictum nostrum consanguineum vt prefertur concessarum. In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus; testibus reuerendo in Christo patre, Wilelmo episcopo Abirdonensi, dilectis consanguineis nostris, Colino comite de Ergile, domino Campbele et Lorne, cancellario nostro, Patricio comite de Boithvill, domino Halis, magno ammirallo ac gardiano Mediarum et Occidentalium Merchiarum regni nostri versus Angliam, Alexandro domino Hume, magno camerario nostro, venerabili in Christo patre Johanne priore ecclesie metropolitane Sancti andree, nostri secreti sigilli custode, Wilelmo domino Sancti Johannis, magistro hospicii nostri ac nostro thesaurario, et dilecto clerico nostro magistro Ricardo Murchede, decano Glasguensi, nostrorum rotulorum et registri ac consilii clerico, apud Linlithqw, vicesimo nono die mensis Decembris anno Domini millesimo quadringentesimo nonagesimo primo et regni nostri quarto.

126. OBLIGATION by KING JAMES THE FOURTH to ARCHIBALD, FIFTH EARL OF ANGUS, to warrant the lordship, etc., of Kilmernok. 29th December 1491.

JACOBUS Dei gracia rex Scotorum, omnibus probis hominibus suis, ad quos presentes litere peruenerint, salutem: Noueritis quod, cum auisamento et matura deliberacione dominorum nostri consilii, dedimus et concessimus dilecto consanguineo nostro, Archibaldo comiti Angusie, pro toto tempore vite sue, per nostras cartam et sasinam, omnes et singulas terras et dominium nostrum de Kilmernok, cum castro nostro de Kilmernok, ac cum annuis redditibus et

pertinentiis eisdem pertinentibus, in excambium pro suis terris et dominio de Liddalisdale et castro de le Hermitage nobis per ipsum datis, prout in cartis desuper confectis plenius continetur; et quia dictus Archibaldus informatus extitit quod dicte terre, dominium et castrum de Kilmernok, cum annuis redditibus et pertinentiis eisdem pertinentibus, fuerant prius per quondam carissimum progenitorem nostrum bone memorie, auctoritate parlamenti, date et annexate principi Scocie, videlicet, filio regis primogenito, in partem sue vitalis sustentacionis, et inde dubitat et timet quod, cum nos aut successores nostros filios et principem de corporibus nostris habere contigerit, ipse princeps prefatas terras, dominium et castrum de Kilmernok sibi pertinere acclamabit, et ipsum Archibaldum in possessione earundem vexabit: Nos igitur, tenore presencium obligamus et promittimus in verbo regio, nos, heredes et successores nostros, Scocie reges, ad warantizandum, acquietandum et defendendum dicto Archibaldo suis assignatis et subtenentibus prefatas terras, dominium et castrum de Kilmernok, cum omnibus libertatibus, proficuis, annuis redditibus et pertinentiis earundem, pro toto tempore vite sue, secundum formam et tenorem carte nostre sibi desuper confecte, fraude et dolo quibuscumque semotis, et quod idem Archibaldus et heredes sui prefatas terras, dominium et castrum de Kilmernok pacifice possidebunt, et eisdem gaudebunt, donec et quousque ille vel illi habeat vel habeant liberum regressum in et ad totas et integras prefatas terras et dominium de Liddalisdale et castrum de le Hermitage, cum pertinenciis, et quod faciemus dictum castrum de le Hermitage sustineri et custodiri adeo bonum in omnibus sicut erat die deliberacionis eiusdem nobis facte; quodque tenebimus, seruabimus, et defeudemus dictas terras et dominium de Liddalisdale et castrum de le Hermitage, cum pertinenciis, adeo liberas et liberum ab omni processu, iuris clameo, et questione cuiuscumque partis, sicut extiterant die confeccionis huiusmodi excambii, donec eodem prefato Archibaldo aut heredibus suis libere, vt premititur, deliberate fuerint: Preterea, nos, cum auisamento dictorum nostri consilii dominorum, promittimus in verbo regio quod in parlamento nostro proximo prefatam cartam per nos dicto Archibaldo super dictis terris, dominio, et castro de Kilmernok, cum annuis redditibus et pertinenciis earundem, confectam, secundum tenorem eiusdem ratificabimus, approbabimus, et confirmabimus, sicuti dicti domini nostri consilii per suas subscribeiones manuales ad hoc iurati existunt; necnon hanc nostram literam obligacionis et promissionis ac omnes condiciones, punctos, articulos, et clausulas in eadem contentas; et pariformiter, cum ad perfectam etatem viginti quinque annorum adueniemus, predictas cartam et literam in nostro publico

parlamento ratificabimus, approbavimus et confirmabimus, in omnibus et per omnia, vt premittitur, dicto Archibaldo, secundum tenorem eiusdem carte, observandas et perimplendas, durante toto tempore vite sue. Et insuper, tenore presentium reuocamus, cassamus et annullamus omnes et singulas arrendaciones et assedaciones de dictis terris et dominio de Kilmernok, aut aliqua parte earundem, cuicumque persone seu quibuscumque personis retroactis temporibus factas, exceptis tantum assedacionibus vltimo factis per commissarios nostros, que durature sunt ad duos annos post festum Penthecostes proxime futurum. Ac etiam obligamus nos dicto Archibaldo quod, statim et immediate post exitum terminorum huiusmodi assedacionum vltimo factarum, reddemus et faciemus omnes et singulas predictas terras, dominium et castrum de Kylmernok, cum annuis redditibus et pertinentiis earundem, liberas dicto Archibaldo, pro toto tempore vite sue, secundum tenorem prefate carte vostre sibi desuper confecte, sic quod ipse Archibaldus easdem possidere et assedare, necnon super firmis, proficuis, et deuoriis earundem libere disponere valeat, sicut de terris suis propriis, durante tempore predicto. In cuius rei testimonium magnum sigillum nostrum presentibus apponi precepimus, apud Linlithqw, vicesimo nono die mensis Decembris, anno Domini millesimo quadringentesimo nonagesimo primo, et regni nostri quarto.

127. CHARTER by KING JAMES THE FOURTH, to PATRICK EARL OF BOTHWELL, of the Lordship of Liddalsdale, and Castle of Hermitage. 6th March 1491.

JACOBUS Dei gracia rex Scotorum omnibus probis hominibus tocius terre sue, clericis et laicis, salutem: Sciatis nos dedisse, concessisse et hac presenti carta nostra confirmasse dilecto nostro consanguineo et conciliario, Patricio comiti de Boithuile, domino Halys, magno ammirallo ac gardiano occidentalium et mediarum mercharum regni nostri versus Angliam, totas et integras terras et dominium de Liddalsdale, cum castro et fortalicio de le Hermitage, cum tenentibus, tenandriis, et liberetenencium seruiciis, cum aduocacionibus et donacionibus ecclesiarum, capellaniarum et hospitalium earundem, cum pertinentiis, iacentes infra vicecomitatum nostrum de Roxburgh; quequidem terre, dominium castrum et fortaliciam . . . fuerunt Georgei Dowglas, filii et heredis apparentis dilecti consanguinei nostri, Archibaldi comitis Angusie, hereditarie, et quas et que idem Georgius, non vi aut metu ductus nec errore lapsus, sed sua mera et spontanea voluntate in manus nostras apud Edinburgh personaliter per fustem et baculum sursum red-

didit pureque simpliciter resignavit ac . . . pro se et heredibus suis omnino quittum clamavit imperpetuum : Tenendas et habendas totas et integras predictas terras et dominium de Liddalisdale cum castro et fortalicio de le Hermitage . . . dicto Patricio comiti de Boithuile et heredibus suis de nobis et successoribus nostris, in feodo et hereditate, ac libera regalitate et foresta imperpetuum per omnes rectas metas suas antiquas et diuisas prout iacent in longitudine et latitudine . . . cum itineribus iusticiarie et camerarie, et cum omnibus aliis curiis et earum exitibus . . . ac cum omnibus aliis et singulis libertatibus, commoditatibus et asiamentis ac iustis pertinenciis suis . . . et adeo libere . . . sicut dictus Georgius aut predecessores sui prefatas terras, dominium, castrum et fortalitium . . . liberius tenuit seu possedit, tenuerunt seu possiderunt : In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus ; testibus, reuerendo in Christo patre, Wilelmo episcopo Aberdonensi, dilectis consanguineis nostris, Colino comite de Ergile, domino Campell et Lorne, cancellario nostro, Archibaldo comite Angusie, domino Dowglas, Alexandro domino Hume, magno camerario nostro, venerabili in Christo patre, Johanne priore Sanctiandree, nostri secreti sigilli custode, Roberto domino Lile, Johanne domino Glammys, iusticiariis nostris, Wilelmo domino Sancti Johannis, magistro hospicii nostri ac nostro thesaurario, et dilectis clericis nostris, magistris Ricardo Murehede, decano Glasguensi, nostrorum rotulorum et registri ac consilii clerico, et Archibaldo Quhitelaw, subdecano Glasguensi, secretario nostro, apud Edinburgh, sexto die mensis Marci, anno Domini millesimo quadringentesimo nonagesimo primo, et regni nostri quarto.

128. INDENTURE between ARCHIBALD, FIFTH EARL OF ANGUS, and CUTHEBERT LORD KILMAURS, relative to a marriage between the latter and Marion Douglas. 24th June 1492.

THIR Indenttouris, maid at Edinburgh, the xxiiij day of Junii, the zer of God ane thousand four hundreth nynti and twa zeris, proportis, contenis and beiris suthfast witnessing, that it is fullely appoyntyte and concordit betuix ane richt mychty and noble lord, Archibald erle of Angus and lord Dowglas, and Marion Douglas his doichter, one the ta part, and a rycht honorable lord, Cuthbert lord of Killmavrys, one the tother part, in forme, maner and effect as efter folowis ; that is to say, that the said Cuthbert, God willand, sall mary and in his spous tak the said Marion Douglas, and eftir that the said matrimone be contrakit, the said Cuthbert lord Killmavrys sall caus the said Marion to be put in coniunct feftment in

his landis of Skelmorle in Cunyngame, and ratify the sammyn, eftir the said matrimone be maid lauchfull, and caus new infetment tharof be maid to her, gif mystir be ; and forsamekle as thair is certane impedimentis betuix the saidis Cuthbert and Marion, the said erle Archibald sall solyst, and caus be broncht hame, ane sufficiand dispensacioun, secludand all impedimentis in all possebill hast, and be his possebill deligence, and at the farrest withtin a zer next tocum ; of the expens of the quhilk, the tane half salbe allowit to the said Cuthbert, be the aithis of the solistouris and vther leill curticianis in part of payment of his toichir ; for the quhilk matrimone to be contrakit, as said is, the said erle Archibald oblis him, his aieris, executouris and assignais, to content and pay to the said Cuthbert, his aieris, executouris or assignayis, the sowme of sewyntene hundreth merkis of vsuall mone of Scotland, as eftir folowis ; that is to say, incontinent at the compleitting of the said mariage, thre hundreth merkis, and at the next terme of Mertymes or Witsunday folowand the said mariage, fyfty pundis, and vther fyfty pundis at the next terme of Witsunday or Mertymes thareftir folowand, and swa furth, termly, at enere ilk terme of Witsunday and Mertymes, fyfty pundis, quhill the compleit payment of the said sowme of sewyntene hundreth merkis be maid ; and for the mair securite tharof, the said erle Archibald sall cans the said Cuthbert hav infetment heritabill, be charter and seissing, of ane hundreth pundis worth of land in Dowglace zerly, vnder renersioun, ay and quhill the said soume of sewyntene hundreth merkis be payit termly, as said is ; and gef the said Cuthbert dissentis to the executioun of the said dispensatioun, removand the impedimentis, and cmis nocht withtin xx dayis next eftir he be requiryt to do all neidfull thingis and expedient for the gud of matrimone to stand perpetuall betuix thaim enduring thair liffis, and the legitymacionne and lauchfull successiounne of the aieris gottyn and to be gottyn betuix thaim, and till offer him rady to stand and abyd in the matrimone contrakit, gif the sammyn be optenyt and gottyn in the Court of Rvm, and gif it beis nocht openit in sik forme, or that the said Cuthbert beis nocht redy to the diorce and contrak agane matrimone witht the said Marione eftir the forme of the commissiounne or dispensatiounne that beis grantit thairto, the said Cuthbert bindis and oblis him, his aieris, executouris and assignais, in the sowme of thre thousand and sewyne hundreth merkis of the vsuale mone of Scotland ; and alsmekle toichir is happynnis to be pait of the said sovme, to be maid and payit to the said Marione for hir costis, skaithis and dampnage sustenyt and to be sustenyt be hir and hir successouris in falt of the consent of the said Cuthbert to the legitimationne of the said matrimone and successiounne ; and thairfor sall mak infet-

ment be charter and seissing to the said Marion of his landis of Kilmarannoke in the Leuenax of the expens of the said erle Archibald vnder reuersioun, ay and quhill the said sowmis of thre thousand and sewyn hundrethe merkis, with quhatsumeuir vther sowmis beis ressaut of the said toichir, owthir at anis or at sex termis be pait be diuisionne; swa that sewyn hundreth merkis beaud payit, the sext part of the said landis of Kilmarannoke sall reuert to the said Cuthbert and his aieris heretably; and swa furtht, a part of the said landis sall reuert for a part of the payment of the said sowme; and quhat tyme that the said dispensatioune or commissiounne cumis hame, the said Cuthbert, consentand to pute the sammyn till executiounne, sall hav fre regres heretably till his said landis of Kilmarannok be resignaciounne in the Kingis handis, and sall hav a lettre of regres thairto, be the solisitaciounne of the said erle: And gev the said Marione disasentis to put the said dispensatioune or commissiounne till executiounne, or zeit will nocht remane in the matrimone contrakit witht the said Cuthbert, the said Cuthbert sall remayne witht the toichir that happynnis to be payit; and als, he, his aieris or assignais, sall hav fre regres till all the saidis landis of Skelmorle and Kilmaronnok, be resignacioun of the said Marion, hir aieris or assignayis; and gif the said Cuthbert happynnis to disses or the said commissiounne or dispensatioune be speid and pute to executiounne, the aieris lauchfull of the said Cuthbert sall hav free regres to the said landis of Kilmaronnok and all vther landis of the lordschip of Kilmavrys, or that be ressonne may pertene to the said lord thairof, exceband the said landis of Skelmorle, that beis deliuerit to the said Marioune in coniunctfeftment, and a resonabill terce to be maid till hir of all and halle the said Cuthbertis landis quhatsumeuir; the quhilk landis of Skelmorle, and resonabill terce, as said is, the said Marioune, spous petative to the said Cuthbert, sall bruk alanerly for hir lif tyme, for the skaitht sustenit be the said Marioune: And eftir hir disces the saidis landis of Skelmorle, Kilmaronnok, and all vther landis pertenaund now to the said Cuthbert, sall frely reuert to the aier of the said Cuthbert, mediat or immediat, quhatsumeuir: And herapone, baitht the said parteis sall interchangably deliuer thair obligatiounes, evidentis and infestmentis in do forme, as efferis: And to the observing, keping and fulfilling of all and sindry the said thingis, as is abone writtynne, ilkane of the said parteis, for thaim self, has gevin thair bodely aithis, the Haly Ewangelis tuichit: And for the mare securite herof, to the part of this indentoure, remanand witht the said Cuthbert, the said erle Archibald witht his subscriptiounne manuall has affixit his seill: And to the part of the sammyn indentour remanand witht the said erle Archibald, the

said Cuthbert witht his subscriptioun has affixit his seill, day, zere, and place forsaid. And because the said Marione had na sele present of hir avue, scho has procurit, witht instance, the sele of the said erle Archibald, hir fadir, for hir to the part of this indenture remanand witht the said Cuthbert to be affixit, befor thir witnes, Master Johnne Fressale, Dene of Lestalrig, Master David Cvnyng-hame, Provost of Hammiltoun, Adam Cvnyngaham of Capryntoune, and James Zoung, notar, witht other diuers.

CUTHBERT LORD KYLMAURIS.

129. CHARTER by KING JAMES THE FOURTH to ARCHIBALD, FIFTH EARL OF ANGUS, of the town of Boithuile, etc. 4th July 1492.

JACOBUS Dei gracia rex Scotorum, omnibus probis hominibus tocius terre sue, clericis et laicis, salutem : Sciatis nos dedisse, concessisse et hac presenti carta nostra confirmasse dilecto consanguineo et consiliario nostro Archibaldo comiti Angusie, domino Dowglas, etc., omnes et singulas terras subscriptas, videlicet, villam de Boithuile, villam de Vddingstoune, le Scherrailis, Ricardzonstoun, Vrcaswod, Knohoble, cum le Poffillis, le Schawis, le Mekle Hareschaw, terras de Wodhed, Newlandis, Akinhed, Vnthank, et Aldirstoun, le Ssynste, et Gudlokill, que terre sunt de baronia de Boithuile ; castrum de Boithuile, molendinum de Vddingstoune, cum annexis et pertinenciis earundem, iacentes infra vicecomitatum nostrum de Lanark ; terras de Estir Dunsyare, cum molendino et terris dominicalibus earundem, le Westoun, le Todhillis cum pertinenciis earundemque annexis, iacentibus infra dictum vicecomitatum nostrum de Lanark ; terras de Trottandschaw, le Byre-clewch, Handaxwod, Horshop, le Hartschaw-medow nuncupatam vulgariter Somerschele, et le Kettilschele cum suis annexis et pertinenciis, iacentes in foresta de Dye, et infra vicecomitatum nostrum de Berwik : quequidem terre, castrum et molendina cum annexis et pertinenciis earundem fuerunt predilecti consanguinei et consilarii nostri Patricii comitis de Boithuile, domini Halis, hereditarie, et quas et que idem Patricius, non vi aut metu ductus aut errore lapsus, sed sua mera et spontanea voluntate in manibus nostris, apud Edinburghe, personaliter per fustem et baculum sursum reddidit pureque simpliciter resignavit, ac . . . pro se et heredibus suis omnino quitum clamavit imperpetuum, et quas eciam omnes et singulas predictas terras, castrum, molendina cum annexis et pertinenciis earundem nos pro singulari fauore quem gerimus erga dictum nostrum consanguineum et consiliarium Archibaldum comitem Angusie, etc., vniuimus, annexuimus et incorporauimus ac

tenore presentis carte nostre vnimus, annexamus et incorporamus in vnā meram et liberam baroniam perpetuis futuris temporibus baroniam de Boithuile nuncupandam. Et dedimus ac concessimus et tenore presentis carte nostre damus et concedimus predictas terras, castrum et molendina cum annexis et pertinenciis earundem antedictis prefato Archibaldo et heredibus suis, in libera regalitate imperpetuum. Tenendas et habendas omnes et singulas predictas terras . . . sic vt premittitur in vnā meram et liberam baroniam vnitas, annexatas et incorporatas baroniam de Boithuile perpetuis futuris temporibus nuncupandam prefato Archibaldo comiti Angusie, etc., et heredibus suis de nobis et successoribus nostris in libera regalitate ac in feodo et hereditate imperpetuum per omnes rectas metas suas antiquas et diuisas prout iacent in longitudine et latitudine . . . sine aliquo impedimento, reuocacione aut contradiccione nostri vel successorum nostrorum quorumcunque : Reddendo inde annuatim dictus Archibaldus et heredes sui, nobis et successoribus nostris eadem et similia iura et seruicia pro omnibus et singulis predictis terris castro et molendinis cum suis annexis et pertinenciis antedictis que dictus Patricius comes de Boithuile etc. aut predecessores sui, ante predictam resignacionem, dedit aut dederunt tantum. In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus; testibus, reuerendo in Christo patre Wilelmo episcopo Abirdonensi, dilectis consanguineis nostris Colino comite de Ergile, domino Campbell et Lorne, cancellario nostro, Alexandro domino Hume, magno camerario nostro, venerabili in Christo patre Johanne priore Sanctiandree, nostri secreti sigilli custode, Johanne domino Glammys, Roberto domino Lile, iusticiariis nostris, Willelmo domino Sancti Johannis, magistro hospicii nostri ac nostro thesaurario, Andrea domino Gray, Laurencio domino Oliphant, et dilecto clerico nostro magistro Ricardo Murehed, decano Glasguensi, rotulorum nostrorum et registri ac consilii clerico, apud Edinburgh, quarto die mensis Julii, anno Domini millesimo quadringentesimo nonagesimo secundo et regni nostri quinto.

130. DISCHARGE by CUTHBERT LORD KILMAURS to ARCHIBALD, FIFTH EARL OF ANGUS, for the dowry of his wife, Marion Douglas. 7th Aug. 1492.

I.H.S. Maria, Amen.

IN Dei nomine amen : Per hoc presens publicum instrumentum cunctis pateat euidenter, quod anno Incarnacionis Dominice millesimo quadringentesimo nonagesimo secundo, die vero mensis Augusti septimo, indicione decima, pontificatus

sanctissimi in Christo patris ac domini nostri, domini Innocencii diuina prouidentia pape octauo, anno octauo, in mei notarii publici testiumque subscriptorum presencia personaliter constitutus nobilis et potens dominus, Cudbertus dominus Kylmavris, gener magnifici et potentis domini, domini Archibaldi Dowglas, comitis Angusie et domini Dowglas, fatebatur se recepisse a manibus dicti domini comitis summam trecent[ar]um mercarum vsualis monete regni Scocie sibi debitarum pro maritagio et causa dotis Mariote Dowglas filie ipsius domini comitis, vxorisque ipsius domini Cudberti domini Kylmavris. De quaquidem summa superius expressata fatebatur se bene contentum, pacatum et in pecunia numerata plenarie persolutum, dictumque dominum comitem et omnes suos, pro se et omnibus suis, exinde quietumclamat imperpetuum tenore presentis instrumenti serie tamque de solutione prime partis maioris summe. De et super quibus omnibus et singulis sic premissis, peccit dictus comes, per me notarium publicum infrascriptum, sibi fieri presens publicum instrumentum. Acta fuerunt prescripta infra castrum seu palacium de Kylmernok alias de Deyne anno, mense, die, indiccione et pontificatu quibus supra, presentibus ibidem magnificis, potentibus, insignibusque dominis, Andrea Forman, domino prothonotario, Alessandro Hvm, domino camerario Scocie et domino Hvme, Johanne Wallace, domino de Cragy, Alessandro Boyd et Johanne Synclar, armigeris, Roberto Mvre de Pokelly, Georgio Campbell de Senok, Archibaldo Boyd de Narstoune, Hugone Wallace fratre germano dicti Johannis Wallace, cum diuersis aliis testibus ad premissa vocatis pariterque rogatis.

Et ego, Thomas Boyd, artium magister, Glasguensis diocesis presbyter, sacraque auctoritate apostolica notarius publicus, quia premissis, [*etc., in forma communi.*]

131. GIFT by KING JAMES THE FOURTH to WILLIAM DOUGLAS, son of Archibald, fifth Earl of Angus, of the ward and marriage of Elizabeth Auchinlek. 29th September 1492.

JAMES, be the grace of God King of Scottis, to all and sindri oure liegis and subditis quham it efferis, quhais knaulage thir oure lettres salcum, greting: Wit yhe ws to haue gevin and grantit, and be thir oure lettres gevis and grantis to oure louit cousing, Williame Dowglas, sonne to oure traist and welebelouit cousing and conselloure, Archibald erle of Angus, the warde of all and sindry the landis, rentis, and possessionis, being in oure handis be ressoun of warde, be the deceis of James Auchinlek, vmquhile sonne and air to Johnne Auchinlek of that Ilk, knycht,

quharsumeuer thai be within oure realme, for all the tyme of the warde thareof, togiddir with the mariage of Elizabetht Auchinlek, the dochter and air of vmquhile the said James, and ayr to the said Johnne ; and falezeand that the said Williame deceisis, or disassentis to mary the said Elizabetht, we geif and grantis, be thir oure lettres, the mariage of the said Elizabetht to oure said cousing and consellour, Archibald erle of Angus, and his assignais ane or maa ; and falezeand that the said Elizabetht deceis vnmarijt, the mariage of the air or airis, sonniss or dochteris, that sall happin to succeid to the said vmquhile James Auchinlek and Johnne Auchinlekis heretage quhatsumeuir : to be haldin and to be had, the saidis warde and mariage, to the saidis Williame and Archibald in all thingis, like as is abone writtin, with all commoditeis, fredomes, proffictis, esementis and richtwis pertinence quhatsumeuer pertenyng or richtwisly may pertene to the said warde and mariage, and frely to dispone therapoun to thare vtilite and proffict, as thai think maist expedient, but ony impediment, obstakle, or aganecalling quhatsumeuir : Quharefore we charge stratelie, and commandis zow, all and sindri oure liegis and subditis foresaidis, that ze, and ilkane of zow, reddily intend, ansuer and obey to our said cousingis Williame Dowglas and Archibald erle of Angus, and his assignais, ane or maa, in all and sindry thingis concernyng the said warde and mariagez, and the proffictis thareof, vnder all the hiest pane, charge and offence that ze, and ilkane of zow, may committ and intrin agane oure Maieste in that parte. Gevin vnder oure Priue Sele, at Cowper, the penult day of September, the zere of God I^m iiiⁱ lxxxxij zeris, and of oure regune the fyfte zere.

JAMES R.

132. LETTER by KING JAMES THE FOURTH, interdicting SIR JOHN AUCHINLECK from alienating the lands of Auchinleck. 29th September 1492.

JAMES, be the grace of God King of Scottis, to oure schireffis of Are, Kyncardin, and thare deputis, and to all vtheris oure officiaris, liegis and subditis quhayis knowlege thir our lettres sallcum, greting : Wit ze that forsamekle as we haue disponit apone the mariage of Elizabeth Auchinlek, the dochter and are of vmquhile James Auchinlek, and apperand are to schir Johne of Auchinlek of that Ilke, knycht, to oure louit cousing and consalour, Archibald erle of Angus and William of Dowglas, his sone, and als, becaus we ar addettit of oure riale autorite to defend, supple and manteine all thaim that ar in oure ward and of tendre age, sa that thai be nocht hurt in thare apperand heretage, and that the sammyn be nocht mynist

for the tyme of thare non age; and in eschewin of the hurt of oure richt and priuelege anent the said mariage, that tharefore, and for diueris vtheris causis moving ws, we of oure Riale autorite forsaid, has suspendit and, be the tenour of thir present lettrez, suspendis the said schir Johnne of Auchinlek of that Ilke, knycht, fra all maner of alienatioun of all and sindry his landis, rentis, possessionis that he has, or wes in his possessioun the tyme of the deces of his said sone, als wele of superioriteis, tenandriis, as of aduocationis and donatiounis of kirakis, sa that it sall nocht be lefull to the said schir Johnne of Auchinlek of that Ilke, knycht, to sell, annaly, wedset, or giff in heretage, lifrent, fewferme, or for lang takkis, othir of litle parte or mekle, of ony maner his landis, rentis or possessionis forsaid be ony maner of way, in hurting of oure richt and priuelege anent the said mariage, or that may be preiudiciale to the said Elizabeth Auchinlek, the dochter of the said vmquhile James, and heretare apperand to the said schir Johnne: Quharefore, we charge straitly and commandis zow, all and sindri oure officiaris, liegis and subditis forsaid, that salbe requirit apoun the executioun herof, that ze, or ony of zow, command and charge the said schir Johnne, be oppin proclamatioun and vtheris wayis as efferis, that he mak na maner of alienatioun of his forsaid landis, giftis, donatiouns, fewfermez, wedsettis or lang takkis of ony his landis, rentis, or possessionis forsaid, witht the pertinentis, declarand to him and all vtheris our liegis, that we will suffre na sik alienationis, giftis, donatiouns, fewfermez, wedsettis or lang takkis maid sen the deces of the said James, or to be maid in tym tocum, to be of strenth, valour or effect in tyme tocum, sen thai may be preiudiciale to our richt and the richt of the heretare, as said is; and giff it sall happin ony sic maner of alienatiouns, giftis, donatiouns, fewfermez, lifrentis or lang takis to be maid in contrare the tenour of this our suspensioun, we, of our autorite Riale and certane science, for ws and our successouris, now as than, and than as now, cassis, annullis, and declaris the samyn to be of na valour, strenth, force nor effect in jugement nor vttooth, in tyme tocum. And this to all and sindri oure liegis ze mak be manifest, sa that thai allege na ignorance therintill intymecuming. And thir oure lettrez be zow or ony of zow execut and indorsit as efferis, deliueris thaim agane to the berare. Gevin vnder our Priue Sele, at Cowper, the penult day of Septembre, the zere of God, I^m iiiij^e lxxxij zeris, and of our regnne the fift zere.

JAMES R.

Dorso—The vi day of October, I, Hew Campbel of Lowdown, schiref of Air, passit at the command of thir our Souerane Lordis lettres, to the place of Achinlek, and thare I maid executioun eftir the tenor of samyn, and

the personis and serwandis being withtin the said place opinnit the yettis and leit me serch and seik the air of ayr of Jamys Achinlek in al the hows and cawettis of the sammyn, and I cud nocht get hir, na yit informatioun quhar scho was ; and efter I pasit to Vil Craufurd's place and office, and siklyk, and I cud nocht get hir, and this I did befor thir witnes, Jhone of Carmychael, Jamys Campbel of the Brownsid, witht vderis diuers ; and the sammyn day I maid opin proclamatioun at the burch of Air of thir lettres eftir tenor of the sammyn, befor thir witnes, Mathw Wallace, Andra Dodis, witht vderis diuers. In witnes herof I haf set to my signet the said day and place befor the said vitnes.

The Kyngis lettres gevyne in dew form, that schir Johne Auchinlek of that Ilk, knyght, suld nocht sell, wodset nor analy ony landis that his sone, James Auchinlek, wes in, in defraud of the richtwys ayr.

Past the Previe Seill.

133. INDENTURE betwixt ARCHIBALD, FIFTH EARL OF ANGUS, Chancellor of Scotland, and HEW DOUGLAS, Dean of Brechin, as to the lands of Avanedale. 29th May 1493.

THIR ar the indenturis maid at Edinburgh, the xxix day of the moneth of Maii, the zer of God 1^m iiiij^c nynty and thre zeris, proportis, contenys, and beris witnes that it is appoyntit and fullelie concordit betuix a noble and mighty lord, Archibald erle of Angus, and chanceler of Scotland, on the ta parte, and a venerable clerk, Maister Hew of Dowglas, dene of Brechyne, his cosyng, on the tother parte, in this maner and forme, as efter folowis ; that is to say, that the said lord is bundin and oblist, and, be the tenour of this present indentour, lelely and treulie, be the faith and treuth in his body, bindis and oblistis him to the said Maister Hew, that he sal get the Kyngis favouris and licence to him to persew al heretage within the realme of Scotland that the said Maister Hew may be heretar to, of law, acceptand allanerlie land beand at this tyme in the Kingis handis, and to get him al writingis of our souerane lord that Maister Hew and his frendis thinkis expedient in the said mater, accordyng to justice ; and sall fortyfye the said Maister Hewis querele at all his gudlie power, and witht his kyn, men, and frendis, quhen euer he is requirit be the said Maister Hew, and to be gude lord to the said Maister Hew in al acciouns lefule, and honest causis and querelis concernyng him. And attour, the said lord is bundin and oblist, as said is, to the said Maister Hew,

gif ony dignyte or benefice vakis in the courte, he sall labour at all his power at the Kingis hand, baith for writin and vthir wais for his promocione, quhen he is requirit be his said cosyng. For the quhilkis gude lordeschiipe, labouris, costis, travellis, helpis and expensis, that the said lord makis apone the helpyng, suppleyng, and promovng of the said Maister Hew, as is befor writin, the said Maister Hew byndis and oblis him lelely and trewly, be the faith and treuth in his body, be the tenour of this present indentour, that how sone he enteris be law to the landis of Avandale witht thar pertinence, liand withtin the schirefdome of Lanark, that he sall than incontenent, als sone as he is requirit be the said lord or his procuraturis, resigne and gif ouer, purely and symply, in our souerane lordis handis, be him selfe or his procuraturis, in favouris of the said lord erle, the fee of all and hail the said landis of Avendale, witht thar pertinence, to be gevin agane be oure souerane lord to the said lord erle, and aeris heretable: reservand allanerlie to the said Maister Hew the franktenement of all and hail the said landis of Avendale witht thar pertinence, for his lifetyme, to giddir witht the profettis of fre tennendis and otheris quhatsumevir, for his life tyme, as said is. And gif it happinnis the said lord, be his labour and diligence, cawsis the said Maister Hew to be promovit to benefice, quharthrow the said Maister Hew standis content, than the said Master Hew sall resyng and gif ovir the franktenement of the said landis of Avendale, with thar pertinence and profettis forsaid, to the said lord erle, heretably, to be broykit be him and his aeris. And to the observing, keping, and fulfilling of all and sindri thir poyntis and articulis abone writin, athir of the parteis forsaid ar sworne be thaim selfe, the Haly Evangelis twichit, and subscriwit thir indenturis witht thar awne handis, and set thar propir selis to the sammyne, interchangeablye, zer, day, and place befor expremyt.

HEU DOUGLAS, Dene of Brechen,
manu propria.

134. INDENTURE between ARCHIBALD, FIFTH EARL OF ANGUS, Chancellor, and ROBERT LORD LYLE, as to a marriage between Robert, son of Lord Lyle, and Elizabeth, daughter of the Earl. 19th June 1493.

THYR endentouris, maid at Edinbrugh the xix day of the moueth of Junii, the zer of our Lord I^m iiij^c nynte and thre zeris, betuex ane noble and mychti Lord, Archbald erl of Anguse, lord Dowglace, and chanceler of Scotlande, and George, his sone and ayr, one the ta part, and Robert lord Lyle, justis to our souerane lord, on the tother part, contenys and proportis and beris witnes in

maner and forme and effect as efter folowis; that is to say, that Robert Lile, sone and apperand ayr to the said Robert lord Lile, sal, God willing, haf and tak in mariage Elizabeth, dochtir to the said lord erl, etc., alssone, or quhat tyme it salbe requirit or desyrit be the said lord erl, George, his sone, or be the desyre off the said Robert lord Lile or Robert his sone, eftir that a dispensatioune be brocht hame in Scotlande in possible hast one the expens of the said lord erl and George his sone; the said dispensatioune beand brocht hame, the said Robert lord Lile and Robert, his sone, sal refund and pay the tane half of the expensis maid for the said dispensatioune to the said lord erl and George his sone, and in the meyntym the said Robert Lile, sone to the said lord, salbe handfast witht the said Elizabeth, dochtir to the said lord erle incontinent in wordis of the futir tyme: Alsua thar salbe giffing to the said Robert and Elizabetht, and to the langar levar of thaim, and to the aieris mayle to be gottin betuex thaim, four scoir of markis worth of lande in coniunct feftment, be the said Robert lord Lyle, withtin xl dayis eftir the maryage be completit lauchfully: for the quhilkis mariage and coniunct feftment the said lord erl and George his sone sal content and pay to the said Robert lord Lile, his aieris, executuris or assignais, the sovme of I^m merkis of gude and vsuel mone of this realm, at termes and tymes as eftir folowis; that is to say, ane hundreth li. at the completing of the said maryage, and at the Mertimes or Witsonday quhilk happynnis next thareftir, fyfty merkis; and sua furth terme be terme, fyfty merkis at Mertimes and Witsonday, termlye, quhyll the hail sovme be fullely rowne and pait: for the quhilk sovme the said lord erl and George his sone and apperand ayr sal gif thar obligatiounes, byndand thar landis and gudis in the straithest forme and style of obligatioun that salbe devisit withtout inconuenient: And gif it happinnis, as God forbed, the said mariage to falze in default of the said Robert lord Lile, or Robert his sone, the dispensatioune beand brocht hame, and the fulfilling of the said maryagis requirit be [the] said lord erl or George his sone, or ony in thar name haffand pover of thaim, be ony maner of way bot throu ded of the said Robert, sone to the said lord Lile, that the said Robert lord Lile sal content and pay to the said lord erl, George his sone, and thar aieris, the sovme of fyffe hundretht pundis of gud and vsuel money of Scotland for costis, schaithis and expensis withtin xl dais eftir that it be notourlie knawing: and in lykwis gif it falzes in the said lord erl, George his sone, or Elizabeth, be ony maner of way, as said is, bot be the ded of the said Elizabeth, the said lord erl, George his sone and apperand ayr, sal content and pay to the said Robert lord Lile and Robert his sone and

apperand ayr, the forsaid sovme of fyff hundreth pundis, as said is, for costis, schaitis, dampnagis and expensis, withtin xl dais eftir that it be notourlie knawin: and attour the said lord Lile promittis that quhat tyme the said lord erl or George his sone can get and optene our souerane lordis faouris and gudwill, and of other ourlordis to the said lorde Lile, that than, incontinent, the said lord Lile sall resyng in faour of the said Robert his sone and apperand ayr al and haile his landis haldin of our souerane lord, or quhatsumeur ourlordis, to be put in the fe of thaim, reservande the franktenement of tennent and tenandry to the said lord Lile and a resonable ters to Mergret lady Lile, now beand his wif, and gif it sall happin the said lord erl or George his sone nocht till optene the said our souerane lordis faouris and otheris ourlordis, to the said Robert lord Lile, quharthro Robert his sone and ayr can nocht be put in the fe of his landis, the said Robert lord Lile, in that cas, byndis and oblis him in the straithest forme and stile of obligatioun that he sall nocht analy, wedset, nor put away his landis, rentis, nor possessiones, nor na part of thaim at he is in, at the making of this writing, excepend the landis beande in wedset to the said Robert lord Lyle, vnder the pane of thre thowsand pundis of vsual money, to be applyit and rasyt of hym to the said lord erl and George his sone, thair aieris, executouris or assignais, for thar costis, schaitis, and expensis sustenyt be thaim, bot al the saidis Robert lord Liles landis to remayne vnbroking, til Robert his sone and the aieris mayle, wil God, to be gottin of him with the said Elizabeth, dochtir to the said lord erl, but fraude or gyle. To the obserwyng, kepin, and fulfylling thir appontmentis and conditiones abown writin, ather of the saidis parteis ar bundin and oblist til vtheris be the feithis in thar bodeys, and for the mar sikarnes, to the part of thir endentouris to remain witht the said lord erl and George his sone, the said Robert lord Lile for him and Robert his sone has to put his seile, witht the subscriptiones manuel of thar handis, day, zer, and place abowne writing.

ROBERT L. LYLE.

135. INSTRUMENT on DECREE of the LORDS AUDITORS against SIR JOHN AUCHINLEK for retaining half the rents of the lands of Glenbervie, Barras, and Kenna. 21st October 1493.

IN Dei nomine amen. Per hoc presens publicum instrumentum cunctis pateat euidenter quod anno Incarnacionis Dominice, millesimo quadringentesimo nono-gesimo tertio, mensis vero Octobris die vicesima prima, indicione vndecima,

pontificatus in Christo sanctissimi patris ac domini nostri, domini Alexandri, diuina prouidentia pape sexti, anno secundo, in mei notarij publici et testium subscriptorum presentia personaliter constitutus nobilis ac potens dominus, Willelmus comes Marchell ac vicecomes de Kyncardyne, quasdam literas supremi domini nostri regis sub signeto in manibus suis tenens, mihi notario publico subscripto tradidit perlegendas, cuius tenor in wlgarj sequitur et est talis: James, be the grace of God Kyng of Scottis, til our schiref of Kyncardyn and his deputis, gretyng: Forsamekil as it is, be the lordis audituris of causis and complantis, ehosyn be the thre estatis in our parliament, decretitit and delyuerit, that Johne Achinlek of that Ilk, knyght, sal content and pay to our traist cosyne and chanslar, Archibald erl of Angus, the sowm of v^o li. vsual monae of our realme, for the half of the malis of the landis of Glenberwe, Barras and Kenna, witht the pertinentis, takyn wp and withhaldyn be the said Johne, be the space of v zeris bypassit, sen the deces of wmquhyl Gelis Achinlek, spous to wmquhyl James Achinlek, portionar lade of the saidis landis, as was sufficiently prewit befor the saidis lordis: ande als, that the said Johne dois wrang in the intromettyng, wuptakyng, and withthaldyng of the saidis half of the forsaidis landis, witht the pertinentis, and thairfor that he sal dissist and ces thairfra, to be brukit and josit and takyn wp be our said chanslar for al the tym of the ward of the sammyn, and quhil the entre of the lauchfull air thairto, eftir the form of our lettres of gyft maid to hym thairuppon, schawin and producit befor the saidis lordis, lik as thair decreet thairuppon proportis: Our wil is herfor, and ve charge zou straitly, and commandis, that ze, incontynent, thir our lettres seyn, pas, compel and distrenze the said Johne his landis, and mak penny of his rediast gudis; and, failzeand of his movabil gudis, that ze pris his landis eftir the form of our actis of parliament to the avail of the said sowm of v^o li., and mak our said chanslar be fullely content and pait thairof, but delay, eftir the form of the said decret, reseruand the secund tend thairof to a reuerend fathir in God, William, bischop of Abyrden, and mak hym to be pait thairof; and als that ze, in our naime and autorite, command and charge the said John to decist and ces fra al intromettyng of the said half of the saidis landis, and takyng vp of ony malis or profitis thairof, and to be brukit and takyn vp be the said chanslar for al the termis abowin expremyt, and efter the form of our lettres of gyft forsaid, wnder al the hyst payn and charge that efter may folow; and this ze do as ze wil ansuer to ws heruppon, and wnder the panis contenit in our actis of parliament, delyueryng thir our lettres be zou, deuly execut and indorsit again to the berar. Gewin wnder our signet at Edinbrugh, the xx day of Jun, and of

our regne the vj zer. Quibus vero per me inspectis et in presentia prefati Johannis Achinlek publice perlectis, antedictus vicecomes ad appreciandum bona et terras prefati Johannis secundum tenorem prefatarum literarum certos barones ac alios proceres infra antedictum vicecomitatum commorantes vocari fecit, videlicet, Robertum Arbuthnocht de eodem, Johannem Allyrdes de eodem, Johannem Strathachyn de Thorntoun, Daud Strathachyn feoditarium eiusdem, Johannem Wyschart de Pittarrow, Alexandrum Falconer de Halkertoun, Daud Rait de Drunnager, Willelmum Raid de Glasberw eiusdem heredem apparentem, Gylbertum Myddylton de eodem, Archibald Rait de Drumtocti, Dauide Falconer de Balandro et Walterum Bissat de Kinef, qui jurati, estimauerunt firmam dimedietatis terrarum vnius termini xxxj li. v s. et omnia alia sua bona mobilia, xx li. appreciauerunt; ac etiam dimedietatem terrarum de Longfurde et dimedietatem terrarum de le manis de Barras et dimedietatem terrarum de Ouerende de Barras et quadraginta sex solidos et octo denarios de le Westirend de Barras appreciauerunt pro summa iij^c librarum quadraginta octo librarum et quindecem solidorum; super quibus omnibus et singulis, Magister Johannes Achinlek, rector de Glenberwe a me notario publico sibi fieri peccit publicum instrumentum seu publica instrumenta. Acta erant hec apud Barras, hora vndecima ante meridiem, vel eo circa, anno, indictione, die, mense et pontificatu quibus supra; presentibus ibidem honorabilibus viris Alexandro Berklay de Mathiris, Andrea Strathachyn de Moubodow, Andrea Ralwyne, Roberto Rait, Stephano Strathachyn, diuersis aliis testibus ad premissa vocatis specialiter et rogatis.

Et ego, Robertus Errat, publicus Sanctiandree diocesis auctoritatibus imperiali et regali notarius, premissis [*etc., in forma communi.*]

136. LETTER OF SAFE-CONDUCT by KING HENRY OF ENGLAND to ARCHIBALD, FIFTH EARL OF ANGUS, Chancellor of Scotland, to travel into England. 23d January [1493.]

HENRICUS Dei gracia rex Anglie et Francie, et dominus Hibernie, vniuersis et singulis admirallis, capitaneis, castellanis, et eorum locatenentibus, custumariis, custodibus portuum maris et aliorum locorum maritimorum, necnon vicecomitibus, maioribus, balliis, constabulariis, ac aliis officariis, ministris, fidelibus ligeis et subditis nostris quibuscumque, infra libertates et extra, tam per terram quam per mare constitutis, ad quos presentes litere peruenerint, salutem: Sciatis quod certis consideracionibus nos specialiter mouentibus, de gracia nostra speciali suscepimus in saluum et

securum conductum nostrum, ac in proteccionem, tuicionem, et defensionem nostras speciales spectabilem virum, Archibaldum comitem de Awngwishe, cancellarium carissimi consanguinei nostri, Jacobi Scotorum regis, in regnum nostrum Anglie ac alia loca, iurisdicciones et territoria nostra quecumque, cum quadraginta personis in comitiua sua, vel infra, et totidem equis ac bonis, iocalibus, auro et argento monetato et non monetato, bogeis, mantieis, fardellis, literis papiris, et aliis rebus et harnesiis suis licitis quibuscumque, tam per terram quam per mare et aquas dulces, aut equestre vel pedestre, seu aliis equitaturis, veniendo, ibidem nocte dieque morando, perhendinando, soiorando, conuersando, stando et exspectando, et exinde ad quascumque partes exterar, tociens quociens sibi placuerit, durante presenti saluo conductu nostro, transeundo, reueniendo, et redeundo libere et absque impedimento, impetitione, molestacione, perturbacione, arresto seu grauamine quocumque nostri aut officiariorum seu ministrorum nostrorum quorumcumque: Et ideo vobis mandamus quod ipsum comitem in regnum, dominia, iurisdicciones et territoria nostra predicta, cum personis predictis, ac equis, bonis, iocalibus, auro et argento monetato et non monetato, bogeis, mantieis, fardellis, rebus, et harnesiis suis predictis, tam per terram quam per mare et aquas dulces, equestre vel pedestre, seu aliis equitaturis, veniendo ibidem, nocte dieque morando, perhendinando, soiorando, conuersando, stando et exspectando, et exinde ad quascumque partes exterar tociens quociens sibi placuerit, durante presenti saluo conductu nostro, transeundo, reueniendo, et redeundo, vt predictum est, manuteneatis, protegatis et defendatis; non inferentes eis seu eorum alicui, seu quantum in vobis est ab aliis inferri permittentes iniuriam, molestiam, dampnum, violenciam, impedimentum aliquod seu grauameu, et si quid eis seu eorum alicui forisfactum sine iniuriatum fuerit, id eis et eorum cuilibet sine dilacione debite corrigi et reformari facientes: Prouiso semper quod predictus comes et secum comitantes se bene et honeste erga nos et populum nostrum habeant et gerant, absque quicquam quod in nostri contemptum seu preiudicium, aut populi nostri dampnum seu grauamen cedere valeat faciendo vel attempando: Prouiso eciam quod si contingat prefatum comitem aut aliquem secum comitancium presentem saluum conductum nostrum infringere, nolumus tamen alicui dictum saluum conductum nostrum minime infringenti aliquod dampnum seu preiudicium generari, set illi vel illis sic infringenti vel infringentibus. In cuius rei testimonium has literas nostras fieri fecimus patentes per sex menses proxime futuros duraturas; teste meipso, apud Westminster, xxiii die Januarii, anno regni nostri octauo. Per ipsum Regem.

137. CASSATION by ELIZABETH, spouse of George Master of Angus, of a sasine in favour of PETER CARMYCHELL, of the lands of Estir and Westir Brocalys. 6th August 1495.

IN Dei nomine, amen : Per hoc presens publicum instrumentum cunctis pateat euidenter quod anno ab Incarnacione Domini millesimo quadringentesimo nonagesimo quinto, sexto die mensis Augusti, indictione decima tertia, pontificatus sanctissimi in Christo patris ac domini nostri, domini Alexandri diuina prouidencia pape sexti, anno quarto, in mei notarii publici et testium infrascriptorum presencia personaliter constituta egregia domina, Elizabeth sponsa magnifici et potentis domini Georgii magistri Angusie, vna mecum notario et cum testibus, ad le Estir Brocalys, ibidem frangendo vasculum fregit, frustraui, cassauit et annullauit, quantum in se fuit, quandam assertam saisinam quam Petrus Carmychell asseritur sumpsisse : et hoc idem fecit predicta domina similiter per omnia in le Westir Brocalis quantum potuit, vtrobique annullando, cassando, et frangendo vtramque pretensam saisinam quam predictus asseritur accepisse Petrus prelibatus quantum potuit et sciuit ibidem, consuetudinem et leges Scochie assignando causam huius dissaysacionis et fracture ; quia asseruit se et affirmauit quod habuit coniunctum infeodamentum in eisdem terris de Estir et Westir Brocalis vtrobique cum vniuersis et singulis iustis suis pertinentiis, quare nullus alius in illis poterit jus obtinere nec in aliqua illarum ipsa contempta : de et super quibus omnibus et singulis premissa domina a me notario publico subscripto sibi fieri peccit publicum seu publica instrumentum seu instrumenta. Acta erant hec super fundis dictarum terrarum successiue, procedendo ab vna in aliam et vtrobique hec faciendo, ut dictum est, sub anno, die, mense, indictione et pontificatu quibus supra ; presentibus ibidem in vtroque loco hiis fidedignis, Georgio Wardlaw, Jacobo Gibsone, Alexandro Gibsone, Thoma Gibsone, Johanne Lyndissay, Willelmo Cranstone, et domino Willelmo Bell, notario publico, cum multis aliis testibus ad premissa vocatis specialiter et rogatis.

Et ego Patricius de Cunyngham arcium magister, clericus Glasgvensis diocesis, publicus apostolica et imperiali autoritatibus notarius [*etc., in forma communi.*]

138. CASSATION by ELIZABETH, wife of SIR GEORGE DOUGLAS of Bounkel, Master of Angus, of a sasine in favour of PETER CARMICHAEL of the lands of Brokholis. 6th August 1495.

IN Dei nomine, amen : Per hoc presens publicum instrumentum cunctis pateat euidenter quod anno Incarnacionis Dominice millesimo quadringentesimo nono-

gesimo quinto, die vero mensis Augusti sexto, indictione decima tertia, pontificatus sanctissimi in Christo patris et domini nostri, domini Alexandri diuina prouidencia pape sexti anno tercio, in mei notarii publici et testium subscriptorum presentia personaliter constituta nobilis domina, Elizabeth, sponsa honorabilis domini Georgii Douglas de Bouchkel, filii et apparentis heredis magni et potentis domini Archibaldi, supremi domini regis Jacobi quarti cancellarii, ac comitis Angusie, ad terras de Brokholis, infra baroniam de Bounkel iacentes, personaliter cum subscriptis testibus accessit: et quia eidem domine, vt asseruit, intimatum fuit ac auribus eius peruenit quod quidam Petrus Carmechel quandam intrusionem assertam saisinam earundem terrarum tam de Estir quam Westir Brokholis, infra dictam baroniam de Bounkel, nimis temere recepit, eo quod ipsa domina Elizabeth in coniuncta infeodacione dictarum terrarum multis annis iam transactis legitime extiterat infeodata; quare dictam intrusionem pretensamque saisinam adnullauit, frustraui, destruxit, et adnichilauit, et in signum harum adnullacionis, frustracionis, destructionis et adnichilacionis, predicta Elizabeth discum ligneum super solum dictarum terrarum cassauit, fregit, necnon tritum pedibus disruptit. Super quibus omnibus et singulis dicta domina Elizabeth a me notario publico infrascripto sibi fieri peccit vnum instrumentum seu plura instrumenta. Acta erant hec super solum et fundum dictarum terrarum, hora decima ante meridiem vel eocirca, sub anno, die, mense, indiccione, et pontificatu quibus supra; presentibus ibidem discretis et prouidis viris, magistro Patricio Cunynghame, rectore de Hyltone, Georgio Vardlaue, Jacobo Gybsone, Alexandro Gybsone, Thoma Dyksone, Villelmo Syme, Johanne Lyndesay, Villelmo Cranestone, et Andrea Johnnestone, cum diuersis aliis testibus ad premissa vocatis specialiter ac rogatis.

Et ego Willelmus Bel, presbyter Sanctiandree dyocesis, publicus autoritatibus regia et imperiali notarius, premissis annullacioni, distruccioni, frustracioni, dicte distruccioni [Saisine] dictarum terrarum adnichillacioni, premissisque omnibus aliis et singulis, dum sic agerentur et fierent, vnacum predictis testibus presens interfui [*etc., in forma communi.*]

139. DECREE of PRIVY COUNCIL in favour of ELIZABETH AUCHINLECK,
against SIR JOHN AUCHINLECK, relative to the lands of Rogertoun.
12th Nouember 1495.

AT Striueling, the xij day of Nouember, the zeir of God a thousand four hunder nyntj and fyve zeris, the Lordis of Counsall vnderwrittin, that is to say, reuerend

faderis in God, Robert archbischop of Glasgw, Williame, bischop of Aberdene, Andro bischop of Murray, noble and nichtj lordis Archibald erle of Ergil, Lord Campbel and Lorn, etc.; Johnne lord Drummond, Laurence lord Oliphant, venerable faderis in God, abbot of Paslete, Henry abbot of Cambuskennethe, and Master Alexander Inglis, archidene of Sanctiandrois, in the actioun and caus persewit be Elizabetht Auchinlek, the dochter and are of vmequhill James Auchinlek and Gelis the Ros, spous to the said James, and be ane noble and nichtj lord, Archibald erle of Angus, etc., Chancelar of Scotland, tutour to the said Elizabeth, on the ta parte, and Johnne Auchinlek of that Ilk, knycht, on the tother parte, for the wrangwis postponyng and deferring to haue gevin in coniunctfeftment to the said vmequhill James Auchinlek and Gelis the Ros, and to the aris gottin betuix thaim, the landis of Rogertoun, witht the pertinentis, and ten merkis wortht of land of auld extente, lyand in the barony of Auchinlek, within the schirefdome of Are, lik as the said Johnne Auchinlek wes bundin thairto, be his lettres obligatouris, and to heir himself adiugiit and decernit be oure souerane lord and his counsall to gif infeftment heretabily of the saidis landis to the said Elizabetht, as are gottin betuix the said vmequhill James and Gelis, becaus he gaf nocht the samyu to thaim in thair lifym, howbeit the said Gelis gave over and resignt to the said Johnn the tuentj merkis worth of land quhilk scho had be charter and sesing, liand within the said barony of Auchinlek, as wes allegijt, and als, anent the terme assignit to the said Johnne Auchinlek of that Ilk, knycht, to preif sufficiently that he gaf contentatioun to the saidis vmequhill James Auchinlek and Gelis fore the saidis landis of Rogertoune, and tene merkis worth of land of auld extent, liand in the barrony of Auchinlek, witht thair pertinentis, and that thai dischargeit the iufesting of thaim and thair aris in the saidis landis contenit in the said obligatioun, and defesit him thairof, as is contenit in the decret and deliuerance past thairapone of befor : the said Archibald erle of Anguse for himself, and as tutoure for the said Elizabeth and Master Johnne Auchinlek, procuratour for the said schir Johnne, beand personali present, the richtis, resonis and alligacionis of baitht the saidis partijs at lenth sene, hard and vnderstandin, the lordis of counsall beand thairwith reppli auisit, and als, vnderstanding be lauchfull documentis, producit be the said Archibald erle of Anguse, that the said xij merkis wortht of the saidis landis of Rogertoune, with the pertinentis, wes lauchfully prisit to him be the schiref of Are for dete of the said schir Johnn be vertu of the Act of Parliament, and he in possessioun thairof, decretis and deliueris that the said schir Johnne of Auchinlek of that Ilk, knycht, has done wrang in the

postponyng and deferring to haue gevin in coniuncteffment to the said vmequhill James and Gelis, and to thair aris gottin betuix tham, the saidis landis of Rogertoune, witht the pertinentis, and ten merkis wortht of land of auld extent liand in the barony of Auchinlek, and thairfor ordanis the said schir Johnne to infest heretabilly the said Elizabeth in the said x merkis wortht of land of auld extent in the barony of Auchinlek; and because the said xij merkis wortht of land of Rogertoune wes prisit to the said Archibald erle of Anguse for the said schir Johnnis dete, as wes sufficiently prefit befor the lordis, as said is, for the quhilk thai may nocht be gevin to the said Elizabeth, that thairfor the said schir Johnn sall infest hir heretabilly in xij merkis wortht of land of auld extent of als mekle avale, and liand in als competent place as the said xij merkis wortht of land of Rogertoune, efter the forme of the said schir Johnnis lettres obligatouris maid thairapone, schewin and product befor the lordis: And because the said schir Johnn falziet in his preif, the terme assignit to him, and ordinis that lettres be writtin to charge the said schir Johnne to infest the said Elizabetht heretabilly in the saidis landis within xv days eftir he be chargiit, and falzeing thairof that the schiref prise also mekle also gud land of als mekle avale, and lyand in als competent place as the saidis landis abone expremyte, to be gevin to the said Elizabeth heretabilly, as said is. Extractum de libro actorum per me, Magistrum Johannem Fresell, decanum de Lestaryk, clericum rotulorum et registri ac consilii supremi domini nostri Regis, sub meis nomine, signo et subscriptione manualibus.

JOHANNES FRESEL.

140. INDENTURE between ARCHIBALD, FIFTH EARL OF ANGUS, Chancellor, and ANDREW, son of Herbert Lord Herries, as to a marriage between the latter and Janet Douglas. 25th November 1495.

THIR Endenturis, maid at the Castall of Douglas, apone the xxv day of the moneth of Nouember, in the zer of God a thousand four hundreth nynte and fyff zeris, in the quhilkis proportis and beris witnes, that it is apontyt and finaly concordyt betuix a nobill and mychty lord, Archibalde erll of Anguse, lord Douglas, and chansler of Scotlande, and Jonot of Dowglas, dochtir to the said lord, one the ta part, and Andro Heris, sone and apperande ar to Harbert lord Heris, one the tother part, in maner, forme and effek, as eftir folois; that is to say, that the said Andro Heris sall resing and gif oure in oure souerane lord the Kyngis hande, be hymself or be his lachfull procuratowris constitut tharto, all and hall his landis of Terrigillis, Cargunzane, the half barony of Wr, Hoddame, Tollyrgarth, Lokyrbe,

Hwtone, Awandall, Moffatdall, Kyrkcanderis, fee of Rwill, Bernwell, Symontoune, the xx^{ti} merkis of the annuall of Skeoch, togidder witht the donacione of the kyrkis of the sammyn, witht wardis, releiuis and mariagis, gyff thai hapyn, witht thar pertinentis, the said resignacione beand maid, as said, the said Andro Heris beande thar, or his lachfull attorna, the said lord chansler sall caus our souerane lord the kyng to gyff agane the said landis, be charter and sesyng, to the said Andro Heris and Jonot of Douglas, and to the barnis to be gottyn betuix tham; and falzeand of the barnis to be gottyn betuix tham, the said landis to retorne agan to the said Andro and till his airis; and this forsaid resignacione nocht to be maid quhill the said Andro be present or his lachfull attorna to rasaf agan the saidis landis, the said lord chansler to mak the expens for the said resignacione; and attour the said lorde chansler is bundyn to do his deligens and besenes that he ma, but fraud or gill, at the kyngis hand, gif it hapynnis, as God forbed it do, the said Andro Heris and Jonot of Douglas to haff na barnis gottyn betuix tham, to the said Androis airis mall; and falzeand of his airis mall, the said landis to retorne to Mungo Heris, brodir to the said Andro Heris and his airis mall; and falzeand of the said Mungo Heris and his airis mall, to retorne to Jhone Heris, his brodir, and his aris mall; and falzeand of the said Jhone Heris and his aris mall, to retorne to Roger Heris, his brodir, and his aris mall; and, attour, the said Jonot of Douglas is bundyn and oblist that scho sall nocht tak nan other husbande endurand the liff tyme of the said Andro, bot attend and obey till hym, as he war hyr lachfull husband in all thingis, ande the said Andro is bundyn and oblist that he sall do all his besenes and deligens, and frendis at will do for hym, for the diurse to be maid betuix hym and Beatrix Heris hys wif, and furthir thairto in all possabill hast he ma, but fraude or gill; and the diurse beand maid, than, in all gudly hast, the said Andro sall mary and to wyf haff, God willande, the said Jonot of Douglas to his lachfull wif; and atour, the said resignacioune beand maid in the Kyngis hand be the said Andro or his procuratouris, and the landis nocht to be gyffwyn agan to the said Andro, as said is, it sall be leffull to the said Andro Heris to rewok and adnull the sad power of resignacione that he has mad of befor, and to be of nan awall, strenth, nor effek, and ony thing done be the strenth of the said power or be the personis contenit in it to turne the said Andro Heris, nor his airis, to na preiudice anent his heretagis of the said landis contenit in the said power, nocht-withtstandyng the said power beand maid wreuocabill; and atour, the said lord chansler is bundyn to supplee, mantein, and help Johne lord Carlyll, his barnis

and frendis, in all thar actiounis and querelis, leffull and honest, and principally in all somis that he has recouert and has to recouer befor our souerane lord the kyng or his consall, and to caus hym to haff justis in als far as he may, but fraud or gill: and at all thir condicionis and poyntmentis abone writyne be lelely and treuly obserwyt and kepyt, ather parteis ar bodely sworne, the Haly Wangell thuichit; and to the part of [this] endentour to remane witht the said Archbald erll of Angus and chansler and Jonot of Douglas, his dochtir, the said Andro has set to his sell, and to the part remanand witht the said Andro Heris, the said Archbald, lord chansler, has set to his sell, and the said Jonot of Douglas, becaus scho had na sell propir of hyr awne, scho has procuryt witht instance the sell of Jhone of Symontone of that Ilk, to be toput to thir present, haffand the fek and fors of hyr awne propir sell, day, zer and plas abone writyn, togidder witht subscriptione of thar handis, befor thir witnes, Thomas Makelelan of Bonbe, Johne of Symontone of that Ilk, Vilzam Makelelan, Georgis Ynglis, and schir Jhone Dikison, notar.

AND. HERIS off the Traggellis, etc.

141. RETOUR of ARCHIBALD, FIFTH EARL OF ANGUS, as heir to GEORGE, FOURTH EARL, in the lordship of Eskdale. 19th January 1495.

HEC inquisicio capta fuit apud Drumfreis, decimo nono die mensis Januarii, anno Domini millesimo quadringentesimo nonagesimo quinto coram nobili domino, Roberto domino Creichtoun de Sanquhare, ac vicecomite de Drumfreis, et per istos subscriptos; videlicet, dominum Willelmum Carlill, militem, Adam John[es]toun de eodem, Johannem Murray de Cokpule, Johannem Jarding de Apilgirth, Symonem Carutheris de Mouss[al]d, Johannem Carutheris de Holmendis, Edwerdum Maxwell de Tynwald, Edwerdum Creichtoun de Kirkpatrik, Robertum Creichtoun, filium et heredem apparentem dicti Edwerdi, Henricum Kirkpatrik de Knok, Rogerum Kirkpatrik eius filium et heredem apparentem, Thomam Maklellane de Bondby, Willelmum Dalzell de eodem, Johannem Menzeis de Dalvene, Vthredum Edzare de Inghistoun, Robertum Wauch de Schawis, Johannem Fergusoun de Cragderroch, Robertum Graham de Thornhuke, et Philippum Cunyng-hame de Kirkschaw: Qui iurati dicunt quod quondam Georgius comes Angusie, dominus Douglas, pater Archibaldi comitis Angusie ac domini Douglas, cancellarii Scocie, latoris presencium, obiit ultimo vestitus et sasitus vt de feodo ad pacem et fidem supremi domini nostri regis, de toto et integro dominio de Eskdale, cum superioritate ac tenentibus et tenandriis eiusdem, cum pertinenciis, iacente infra

vicecomitatum de Drumfreis; et quod dictus Archibaldus est legitimus et propinquior heres eiusdem quondam Georgei, patris sui, de dicto dominio de Eskdale, cum superioritate ac tenentibus et tenandriis eiusdem, cum pertinenciis; et quod est legitime etatis; et quod predictum dominium de Eskdale, cum superioritate, tenentibus et tenandriis eiusdem, cum pertinenciis, nunc valet per annum ducentis marcis noui et moderni extentus, et valuit tempore pacis trecentis marcis antiqui extentus; et quod tenetur in capite de supremo domino nostro rege per wardam et releuium et communem sectam; et quod nunc est in manibus domini nostri regis legitime per seipsum, tanquam in manibus domini superioris eiusdem, per mortem dicti quondam Georgei, causa heredis ius suum hucusque minime prosequentis, a tempore triginta trium annorum vel eocirca, quia tunc obiit dictus Georgius. In cuius rei testimonium sigillum dicti domini vicecomitis, vnacum sigillis quorundam qui dicte inquisitioni intererant presentibus est appensum, anno Domini, mense, et loco quibus supra.

142. CHARTER by KING JAMES THE FOURTH, to ARCHIBALD, FIFTH EARL OF ANGUS, of the lordship of Craufurd-Lindesay and the castle and town of Craufurd, forfeited by David Duke of Montrose. 25th January 1495.

JACOBUS Dei gracia rex Scotorum omnibus probis hominibus tocius terre sue, clericis et laicis, salutem. Sciatis nos pro bono et fidei seruicio aliisque gratitudinibus per dilectum consanguineum et cancellarium nostrum Archibaldum comitem Angusie dominum Douglas nobis multipliciter impensis, dedisse, concessisse et hac presenti carta nostra confirmasse dicto Archibaldo totas et integras terras et dominium de Craufurdlyndesay castrum et fortalicium de Craufurd et villam eiusdem, cum tenentibus tenandriis et liberetenencium seruiciis, vnacum aduocationibus et donacionibus ecclesiarum et capellaniarum eorundem cum pertinenciis iacentes infra vicecomitatum nostrum de Lanark; quequidem terre, dominium, castrum, fortalicium et villa fuerunt quondam Dauid ducis de Monte Rosarum comitis Craufurdie et domini Lindesay hereditarie et nunc in manus nostras tanquam domini superioris earundem ratione forisfacture legitime deuenerunt pro alienacione per dictum quondam Dauid facta de dictis terris et dominio cum pertinenciis vel de maiori parte earundem absque consensu nostri aut predecessorum nostrorum: Tenendas et habendas totas et integras prefatas terras et dominium de Craufurdlyndesay castrum et fortalicium de Craufurd ac villam

eiusdem . . . dicto Archibaldo comiti Angusie et heredibus suis de nobis, heredibus et successoribus nostris, in feodo et hereditate imperpetuum . . . adeo libere quiete, plenarie, integre, honorifice, bene et in pace in omnibus et per omnia sicut dictus quondam Daudid aut predecessores sui . . . tenuerunt seu possederunt: In cuius rei testimonium presenti carte nostre magnum sigillum nostrum, vna cum appensione nostri secreti sigilli in evidencius testimonium et maiorem securitatem premissorum apponi precepimus; testibus, reuerendo in Christo patre Willelmo episcopo Abirdonensi nostri secreti sigilli custode, dilectis consanguineis nostris Archibaldo comite de Ergile domino Campbell et Lorne magistro hospicii nostri, Patricio comite de Boithuile domino Halis, etc., Alexandro domino Hume magno camerario nostro, Johanne domino Drummond justiciario nostro, venerabilibus in Christo patribus Georgio abbate de Dunfermling, Georgio abbate de Pasleto thesaurario nostro et dilecto clerico nostro, magistro Ricardo Murehede decano Glasguensi secretario nostro, apud Edinburgh, vicesimo quinto die mensis Januarii anno Domini millesimo quadringentesimo nonagesimo quinto et regni nostri octauo:

143. SIGNATURE by KING JAMES THE FOURTH, for a charter to ELIZABETH AUCHINLECK, of the lands of Auchinleck, etc. 8th April 1496.

OURE souerane Lord ordanis that thair be a charter made vnder his Grete Sele to Elizabeth Auchinlek, the dochter and ayr of vmquhile James Auchinlek and Gelis the Rosse, his spous, makand mentioun that in the actioun and caus persewit be hir apoun John Auchinlek of that Ilk, knicht, hir grantschir, before the lordis of counsale, for the postponyng and delaying of the infetung of vmquhile the said James and Gelis, his spous, and the langer levand of thaim twa, in coniunct feftment, and of the ayeris gottin betuix thaim, in the xij merkis worth of the landis of Rogertoun, witht the pertinentis, and ten merkis worth of land, of ald extent, liand in the barony of Auchinlek, within the shirefdome of Are, like as he was bundin thairto, it was decretit and deliuerit be the saidis lordis that the said Johne Auchinlek did wrang thairin, and that he suld thairfor infeft the said Elizabeth heretably in xij merkis worth of land of ald extent in the said barony of alsmeikle avale, and liand in als competent place, as the said xij merkis worth of land of Rogertoun, becaus thai war of befor gevin to Archibald erle of Angus, chancellor, be prising made of thaim for dete recouerit be him apone the said Johne, and he posseset thairof, and nicht nocht thairthrow be gevin to the said Elizabeth; and als, that he suld infeft hir [] x merkis worth of

land of ald extent in the said barony of Auchinlek, eftir the forme of his lettres obligatouris, schewin and productit [] thair decrete gevin thairapoun : apoun the executioun of the quhilk decrete the Kingis Hienes direct his lettres, chargeing the said Johne a[t his duelli]ng place and be opin proclamatioun, and thaireftir personally apprehendit, to haue made the said infestment within xv days eftir the forme of the said decrete, the quhilk he has on na wise done, the said xv days and a moneth eftir being passit ; and thairfor, iu his defalt, the Kingis gude grace, according to the decrete of the said lordis of counsale and lettres past thairapoun, and syne be thair deliuerance, direct his lettres to his schiref of Are and his deputis to mak the said landis of Rogertoun be prisit to the avale, and becaus thai war of befor gevin to the said Archibald erle of Angus be prising, as said is, and mycht nocht thairthrow be gevin to the said Elizabeth, to mak alsmeikle als gude landis, liand in als competent place and of als mekle avale as the said landis of Rogertoun be prisit, liand withiu the said barony of Auchinlek ; and als to mak vther ten merkis worth of land of ald exteut in the said barony be prisit for the infestting of the said Elizabeth thairin, eftir the forme of the said decrete and lettres past thairapoun ; and thaireftir to charge the said Johne Auchinlek, be opin proclamatioun at the merkate cors of the burgh of Are, to infest the said Elizabeth in the samyn ; the quhilk, gife he did nocht, to send his executioun aud process of prising to his Hienes close, that his Grace mycht, in the said Johnis defalt, infest the said Elizabeth thairin, eftir the forme of the said decrete and lettres, and lawis and statutis of his realme : with the quhilkis lettres the said schiref past to the said barony of Auchinlek, and there, be xij personis, the grete aith sworne, gert prise viij merkis worth of land of ald extent of the thrid parte of Auchinlek, viij merkis worth of land of ald extent of the Penny Land, thre merkis worth land of ald extent of Craxstoun, twa merkis worth of land of ald extent of Kethistoun, and a merkis worth of land of ald extent of the Nether Manys, liand within the barony of Auchinlek, witht the pertinentis, and schirefdome of Are ; quhilk landis, witht the pertinentis war prisit to be alsmeikle als gude landis, liand iu als competent place and of als mekle avale, as the said xii merkis worth of Rogertoun, and the vther ten merkis worth of the quhilkis the said Elizabeth suld haue bene infest : Eftir the quhilk apprising, the said schiref commandit, be opin proclamatioun at the merkate cors of Are, the said Johne Auchinlek to haue made infestment to the said Elizabeth herapoun, eftir the forme of the said decrete and diuers lettres, direct as the said schirefis executioun and process of prising send close to the Kingis Hienes thairapone

proportis : Herefor, our said souerane Lord willand the said decrete and lettres, lawis and statutis of his realme, be obseruit and keptit, and put to dew executioun in all thingis, and that the said Elizabeth be nocht hurt in hir richt throw the said Johnis inobediencie and defalt, gevis, grantis, and confirmis to the said Elizabeth the landis abone writtin, wiht the pertinentis, as ourlord of the samyn, to be specifit as is befor writtin, ressavand hir tennent to him of thaim, and destitutand the said Johnne thairoff ; to be haldin and to be had to hir and hir ayeris of our souerane Lord and his successouris, for the said Johnnis life tym, and thaireftir of his ayris, in fee and heritage, for euermare, be al richt markis and divisis, etc., in woddis, planys, etc., mylle, multuris, etc., halking, hunting, fisching, etc., wiht court playnt, herezeld, bludewite, and merchete, and with all vther and sindrie commoditeis and fredomes, etc., as frely, etc., as the said Johnne or his predecesouris held and brukit thaim, etc., the said Elizabeth and hir ayeris doand thairfor zcirly to the Kingis Hienes and his successouris the richtis and seruicis aucht and wont, etc., and ordanis preceptis, vnder the signet and priue sele, to be directe ordourly herapoun. Subscriuit be our said souerane Lord, at Striueling, viij day of Aprile, the zeir of God etc. lxxxxvi zeris.

JAMES REX.

144. DECRET-ARBITRAL between ARCHIBALD, FIFTH EARL OF ANGUS, CHANCELLOR, and JOHN EARL OF CRAUFURD, as to the lands of Crauford-Lindsay. 17th June 1496.

At Edinburgh, the sevintene day of Junij, the zere of God ane thousand four hundreth, nyntj and sex zeris, William, bischop of Abirdene, George master of Angus, Johnne of Symontoun of that Ilk, Johnne Erskene of the Dvne, Master William Scot of Flawcrag, Thomas Blaire of Bathiok, Adam of Crechtounne of Ruthwene and Master James Hendersoune, jugis arbitouris, arbitratouris and amicable compositouris chosin betuix novble and mychtj lordis, Archibald erle of Anguss, chancelar of Scotland, etc., one the taparte, and Johne erle of Craufurd on the tother parte, anent the remanyng of the landis of Craufurd Lyndesay with the said Archibald erle of Angus, in properte and heretage, at the consideratioun of ws, the said jugis arbitouris, arbitratouris and amicable compositouris, anent the richt of the said Archibald erle of Angus to the said landis, and anentis quhat landis and tenandrijs the said Archibald sall geve to the said Johnne erle of Craufurd, in propirte, of his landis liand in Angus, and anent the kyndnes, help and

supple to be done to the said erle of Craufurd be the said Archibald erle of Angus ; and anentis all vtheris actionis and debaitis betuix the saidis Lordis, as is at mar lenth contenit in the compromiss maid betuix thaim thairapon ; We, the jugis forsaid, haffand God befor ee, and with consent and assent of baith the saidis partijs, the richtis, resonis and allegationis of thaim be ws sene and considerit, decretis and deliueris, that the said Archibald erle of Angus has richt in and to the landis of Craufurd Lindesay and lordschip of the sammyn, with castell, fortaliceis, the tovne of Craufurd, with tenandis and tenandrijs, with thare pertinentis, liand within the schirefdome of Lanark ; and at thai sall remane heretably with the said Archibald and his airis, eftir the forme of the gift and infestment maid be our soueraine Lord to him thairapone, and at the said erle of Craufurd sall renunce, quitclame and discharge for him and his airis perpetualy, all richt, clame or titill of richt that he or thai had, has, or mycht haue, in and to the saidis landis and lordschip of Craufurd Lindesay, castell, fortaliceis, toun thairof, with tenandis and tenandrijs, and all vther pertinentis pertening to the sammyn : and sall mak renunciatioun and quitclame thairof to the said Archibald and his airis, in the best forme, quhen the said Johne or his airis salbe requirit thairto, and als, that the said Johne, erle of Craufurd, sall gif and deliuer all charteris, instrumentis, reuersiounis, and vtheris eidentis, that he has, or may get, of the said landis or lordschip of Craufurd Lindesay, with the pertinentis, and sall mak irreuocably the said Archibald and his airis, procuratouris, cessionaris, and assignais to quhatsumeur reuersiounis that he has or may get of the said landis and lordschip of Craufurd Lindesay, with the pertinentis, analijt be the said Johnneis erle of Craufurdis forebearis, to quhatsumeur person or personis, and mak lauchfull lettres of assignatioun in dew forme herapone, and at the said Archibald erle of Angus sall gif to the said Johnne erle of Craufurd the superiorite of ane hundreth mercis worth of land of new extent as now is, liand in competent place within the erledome of Angus, to be haldin of oure souerane Lord, as the said Archibald haldis the sammyn, that is to say, ane fyfty mercis worth of land, to be haldin of the said Johne erle of Craufurd, in tenandrij, be the seruice of warde and releve, and the tother fyfty mercis worth of landis, blanscheferme : and als, the said Archibald erle of Angus sall cause our souerane Lorde to infest the said Johnne erle of Craufurd in thre akyrris of land of Craufurd Lindesay, to be resignet in oure souerane Lordis handis be the said erle of Angus richt, for the reseruatioun and keping of his stile of the erledome of Craufurd, of the landis callit Storroholme Know, allanerly ; and the said Johnne erle of Craufurd sall neuer clame na mair

richt till the said landis, lordschipe of Craufurd Lindesay, castell, fortalicis, superiorite, tenandis nor tenandrijs, toвне of the sammyn, nor to nane vther pertinentis thairof, be himself, his airis nor assignais, in tymetocum, bot ratifjs and approvis the gift and infestment be oure souerane Lordis Hienes maid to the said Archibald and his airis, of the said lordschipe of Craufurd Lindesay, as said is, bot sall mak renunciatioun and quitelame thairof, as said is; and als, that the said lordis sall stand ilkane till vtheris in afauld trew and hertly kindnes, and sall tak part with vtheris in all thar materis, leifful and honest, and at the said chancelar sall help and supple the said erle of Craufurd to remane in the possessioun of his landis that he is enteryt to, be his brevis, and in all vtheris his materis as kinnis men aucht to do; and herapon ilkane of thaim to gif thar bandis to vtheris in diew forme; and als, that nane of the saidis lordis, nor thair airis, sall cum in the contrary of this our decrete, nor na punct thairof; and gif it sa beis that ony of the saidis lordis or thair airis cummys in the contrary of this our decrete, or in ony punct thairof, the Lord or his airis that cummys in the contrary, sall pay to the Lord or his airis, keparis of this decrete, quhilk sall happin to be for the tyme, the sovme of fyve thousand pundis for costis, scaithis, damnagis and expensis; and neuertheles, this our decrete ay remanand in effect, and to stand of availe. In witnes of the quhilk thing, we, the saidis jugis arbitoris, arbitratoris and amicable compositouris, to this our decrete we haue to hunging our selis, witht a part of our subscriptionis manualis, and to the part of this decrete remanande with the said Archibald erle of Angus, etc., the said Johne erle of Craufurd has to hungin his seile, togiddir witht his subscription manuale, in takin of his consent and assent; and in likewis, to the part of this decrete remanand with the said erle of Craufurd the said Archibald erle of Angus has to hungin his seile, togiddir witht his subscription manuale, in takin of his consent and assent, togidder witht the subscription of Peter of Marche, public notar, zer, day, and place abone writtin.

JOHN ERLE OF CRAWFURD.

WILL^S. ABIRDONEN.

MAIST^R. WILLIAM SCOT of Flaverage.

GEORGE MASTYR OF ANGUS.

JHON OF ERSKIN, Zonger of Dun.

JOHN OFF SYMONTOUN off that Ilk.

JACOBUS HENRYSON, manu propria.

145. DISCHARGE by CUTHBERT LORD KYLMAURIS to ARCHIBALD, FIFTH EARL OF ANGUS, Chancellor, of five hundred merks of tocher. 23d January 1496.

I, CUTHBERT LORD KILMAWARIS, grantis me content and payit be a noble and mychti lord, Archibald erle of Angus, lord Dowglas, and chancellor of Scotland, of the soume of fyfe hunder merkis, aucht to me be the said lord chancellor, in a parte of my tochy for contracte of maryage betuixe the said lord chancellor and me, and becaus my said lord chancellor has gewyne our to me all his tackis of the lordschipe of Kilmernoke for the tyme at he haid take of our souerane Lord the Kyng; of the quhilke soume of fyfe hunder merkis I hald me weil content and plesyt, and, for me, my aieris, executouris and assignais, dischargis my said lord chancellor, his ayeris, executouris and assignais, nowe and for euermar, of the forsaid soume of v^c hunder merkis. In wytnes of the quhilke thyng, I, the said Cuthbert lord Kilmawaris, has set to my seill, togidder witht my subscriptioun manuale, at Edinburgh, the xxiiij day of the moneth of Januer, the zer of God I^m iiij^c nynte and sex zeris.

CUTHBERT LORD KYLMAURIS.

146. INDENTURE betwixt ARCHIBALD, FIFTH EARL OF ANGUS, Chancellor, and SIR ALEXANDER LINDSAY of Ochermunse, as to the lands of Birgham and Cockburn. 24th January 1496.

THIR endenturis, maid at Edinburgh the four and twenty day of Januar, the zer of God ane thousand four hundreht nynte and sax zeris, proportis ande beris in the self, that it is appontit and fullely accordit betuix ane noble and mychty lord, Archbald Erle of Angus, chansler of Scotland, wpoune the tapart, and ane noble man, schir Alexander Lindsay of Ochermunse, knycht, wpoune the toder part, in maner and forme as eftir folowis; that is to say, that, forsamekle as the said schir Alexander Lindsay has causit ane noble lady, dame Margret of Dunbar, countas of Crawford, his moder, till infest heritabli the said Archbald Erle of Angus of all and syndry hir landis of fourty and four husband landis, witht the Reweilhauch liand in the town and sulze of Brygeame, and of the est manis landis of the lordship of Brygeame, witht ther pertinentis liand within the schirefdome of Berwyk, and alsua the said lady has gevin to the said schir Alexander, hir sone, all and

haill hir landis of Cokburn, witht the myllne, tennentis and tenendriis of the sammyn, be charter and sesing, and to be haldin of our souerane Lord the King in cheif, and for the said infestment and gift gevin be the said lady, dame Margaret countas of Crawford, at the request and instance of the said schir Alexander, hir sone, to the foirsaid Archbald erle of Angus, of the fourty and four husband landis, manis landis of Brygeame, witht the pertinentis, as said is; the said Archbald erle of Angus sall optene and gett, wpoun his awin expens, to the said schir Alexander, his ayeris or assignes, ane confirmatioun of oure souerane Lord the King, in the sykerast and best forme, wpone the said infestment and chartir maid be the said lady to the said schir Alexander, hir sone, wpone all and sindry the landis of Cokburne, witht the myllne and pertinentis, tennentis and tenendriis of the sammyn, in the maist haisty wiis, betuix the day of the dait of this write and the day of the Ascensioune of oure Lord nixt and immediate hereftir folowing, but ony langer delay, cauillatioune, fraud or gyle; and, nochtwithstanding the said chartir gevin be the said lady, the said Archbald Erle of Angus sall nocht requer nor compell the said lady iu the law, nor by the law, nor zeit the said schir Alexander, to gif till him the precept of sesing of the said landis of forty-four husband landis witht the laif off the landis and thair pertinentis contenit in his chartir one to the tyme that he opten and gett to the said schir Alexander oure souerane Lordis confirmatioun of the landis of Cokburn, witht the myllne and pertinentis of the sammyn, as said is; and the said confirmatioun being gottin and delyuerit to the said schir Alexander, the said precept sall be delyuerit incontinent to the said Archbald erle of Angus, to the executioun and effect of the sammyn; and attour, it is appontit and finaly accordit betuix the said parteis, that quhat tyme the said Archbald erle of Angus, his aieris or assignes, makis the said schir Alexander, his aieris or assignes, to be infest heretabli of samekle land as the said landis of Cokburne, witht the myllne, tennentis, and tenendriis of the sammyn extendis zerly to, liand within the schirefdomis of Forfar or Fyffe, to be haldin of oure souerane Lord the King in cheif, siclyke as the landis off Cokburne ar haldin, be the sycht and the awiis of Johnne of Ogiluy, baron of Fingas, and Master Heu Douglace, Dene of Brechin, his brudir, than the said schir Alexander, his aieris or assignes, sall infest heretabli, the said Archbald erle of Angus, his ayeris or assignes, of the said landis of Cokburn, myllne, tennents and tenendriis of the sammyn, to be haldin of our souerane Lord in cheiff: And to the obseruing and keping of all and sindry thir pontis abuffe writin, athir of the said parteis bindis and oblisiss thaim till wderis, thar aieris and assignes, be the

faicht and treutht in thair bodeis, the Haly Ewangillis twichit, and vnder the stratast stile and forme of obligatioun vsit off constitute [consuetude] or of law within the realme of Scotland, all cauillatioune, fraud and gyle secludit and away put. In witnes herof, to the part of thir endenturis to ramane witht the said schir Alexander, the seill of the said Archbald erle of Angus is affixt and subscriuit witht his hand, and to the part of thir endenturis to ramane witht the said Archbald erle of Angus, the seill of the said schir Alexander is affixt and subscriuit witht his hand, day, zer and place forsaid, and befor thir witnes, Johne of Ogiluy, baron of Fingask; Master John Fryssale, clerk of our souerane Lordis Register; Master Heu Douglace, Dene of Brechin; John of Symontone of that Ilk, and Master Patrik Buttergask, notar public, witht wderis diuers.

ALEXR. LYNDESSAY, Kny^t.

147. INDENTURE betwixt ARCHIBALD, FIFTH EARL OF ANGUS, Chancellor, and HEW DOUGLAS, Dean of Brechin, as to the lands of Glenquhom, Pittenain, and Gladstanes. 24th January 1496.

THIR Endentouris, maid at Edinburcht, the xxiiijth of Januer, the zer of Gode a thousande four hundrecht nynti and sex zeri, proportis, contenis, and beris witnes at it is appuntit and fully concordit betuix ane noble ande mychti lorde, Archibalde erll of Angus, Lord Douglas, and chansler of Scotlande, on the ta part, and a venerabill clerk, Master Hew of Douglas, dene of Brechane, his cusing, on the tother part, in this maner and furme as eftir sall fallow; that is to say, at the said Lorde is bundin and oblist, and be the tenour of this present endentour, leillely and treuly, be the fatht and the treutht in his body, bindis and oblistis him to the said Master Hew, to get him all writtingis of our souerane Lorde at Master Hew and his frendis thinkis expedient in his materis, accordand to justice, and sall fortefy the said Master Hewis quarellis, at all his gudly pover, wytht his kyn, men, and frendis, quhenauer he is requirit be his said cusing, and to be gud lord to the said Master Hew in all actiounis leifull and honest causis and quarellis concernyng him: And attour, the said Lord is bunding and oblist, as said is, to the said Master Hew, gif ony dignite or benefice wakis in the cuntre, he sall lawbur at all his gudly power at the Kingis hande, batht for writtin and wthir wayis, for his promotioun, quhene he is requirit be his said cusing: For the quhilk gud lordschip, lawburis, costis, travellis, helpis and expensis, at the saide Lorde makis apoun the helping, supleing and promoung of the said Master Hew, as is beforwrittin, the

said Master Hew bindis ande oblesis him leillely and treuly, be the fatht and treuth in his body, and be the tenour of this present endentour, that how sone at he enteris be law to the landis of Glenquhome, Patynane, Gledstanis, or ony wthir landis pertenande to the erllis of Douglas or erll James, lord Awendaill, or his fader, erll of Ormonde, wyth thar pertinenee, lyand wythin the schirefdomis of Lanark, Peblis, or ony wthir schirefdom wythin the realme of Seotlande, that he sall than inecontinent, als sone as he is requirit be the said lord, or his procuraouris, resing and gif our purly and sympilly, in our souerane Lordis handis, be himself or be his procuratouris, in the faouris of the said Lord erll, the fe of all and haill the saide landis of Glenquhom, Patynane, Gledstanis, wyth thar pertinenee, or ony wthir landis pertenande to the erll of Douglas, or erll James, lorde Awendaill, or his fader, the erll of Ormonde, to be gevine agan be our souerane Lorde to the saide Lord erll and his airis heretabill; reseruande alanerly to the saide Master Hew the franktenement of all and haill the said landis of Glenquhome, Petynane, Gledstanis, wyth thar pertinenee, or ony wthir landis, as said is, for his lyve tim, togiddir wyth the profettis of fre tenandis and wtheris quhatsumeuir, for his lyve tim, as saide is: And gif it hapnis the said Lorde, be his lawbour and deligenee, causis the said Master Hew to be promovit to benefiee quhar throw the said Master Hew standis content, thane the saide Master Hew sall resing and gif our the franktenement of the said landis of Glenquhome, Petynane, Gledstanis, wyth thar pertinenee, or ony wthir landis, as said is, and profettis tharoff, to the said Lorde erll, heretabill, to be brukit be him and his airis. Ande to the observing and keiping and fulfilling of all and sindry thir punetis and artikillis aboun writtin, athir of thir parteis forsaide ar suorne be thaim self, the haly Ewangellis tueehit, and subseribit thir endentouris wyth thar avin handis, set thar propir seillis to the sammyn interchangabill, zer, day and place befor expremit.

HEU DOUGLASS, Dene of Brechin.

148. INDENTURE betwixt ARCHIBALD, FIFTH EARL OF ANGUS, Chancellor,
and JOHN LORD KENNEDY, as to the lands of Thankertoun. 28th
January 1496.

THIS Indenturis, maid at Edinburghe, the xxviii day of Januar, the zeir of God Im
iiij^c nynti and sex zeris, proportis, contenis, and beris witnes, that it is appunctit
and finaly coneordit betuex noble and myehti lordis, Archibald erle of Angus and

chancellor of Scotland on the ta part, ande Johnne lord Kennedy on the tother part, in maner, forme and effect as eftir folowis, that is to say, that the said lord, erle of Angus, sall help, fortify and supple the saide Johnne lord Kennedy to haf his breuis seruit apoune the landis of Thankertoune, witht thar pertinens, liand within the schireflome of Lanarke, ande sall forthir the saide Johnne Lord Kennedy to haf heritable sessing, stat and possessione, of the said landis, eftir the tenour of his charteris and euidentis maid tharupoune; ande that the said Johnne lord Kennedy sall othir cum in propir persoune, or ellis send his frendis and seruitouris witht sufficiand powerc to the rasing, proclamying, dew seruing of the said breuis, and to the recouering and rassaving of sessing of the said landis, ande sall othir bring or send to the said Lord erle of Angus all charteris and euidentis that he has apoune the said landis of Thankertoune, that the said Lord erle may avis tharwith with men of vnderstanding, for the just persut of the said breuis: For the quhilk help, fortifying and supple to be maid be the said Lord erle to the said lord Kennedy, as said is, the said lorde Kennedy byndis and oblissis him, be the faith ande treuth in his body and his aieris, that how sone or quhat tyme it sall happin him to recouere and optene sessing stat and possessione of the said landis of Thankertoune, with thair pertinens, that he or his aieris sall incontinent thair- eftir infest heritabilly, be charter and sessing, the said Lord erle of Angus in the forsaid hale landis of Thankertoune, witht thair pertinens, to be haldin of the said Johnne lord Kennedy and his aieris in fevferme, for twenty merkis of annuale rent zerlie, to be pait to the said Johnne lord Kennedy and till his aieris thairfor, at twa vsuale termes in the zeir, Witsvnday and Mertimes in wintir, be evin portiones, in the name of annuale rent of fevferme allanerly; ande that the said Lord erle of Angus sall giff his rcuersioun vnder his propir sele, for him and his aieris, that quhat tyme or how soune the said Johnne lord Kennedy, or the barnis gottin betuex him and Elizabeth covntas of Erole, his spous, pais apoun a day betuex the sonne rissing and gangin to of that ilke, into the parische kirke of Bigar, apoune the hee altar of the sammyne, to the said lord erle of Angus, his aieris or assignais, the sovme of thre hundreith merkis in gold and siluer, gud and vsuale mone of Scotland, apoun fourtj dais warning of before; ande als deliueris witht the said sovme, to the said Lord erlc, his aieris or assignais, ane sufficiand letter of take of the forsaid landis of Thankertoune, witht thar pertinens, maid and selit witht the said Johnne lord Kennedy or the barnis seillis, gottin betuex him and the said Elizabeth, witht claus of warandice in dev forme, as offeris, for the termes of tene zeris next eftir the day of the lousing and outquitting of the forsaid

landis, to be compleit and outrun for the male of twenty pundis zerlie to be pait thairfor at twa vsuale termes in the zeir, Witsvnday and Mertimes in wintir, be evin portiones, allanerly; ande the forsaid lettre of take to be maid to the said lord erle, his aieris, assignas, and subtenandis in dev forme, as is abone wretin, thane incontinent eftir the payment of the said sovme of thre hundreith merkis, and the deliuering of the said lettre of take to be maid and deliuerit as is abone expremit, thane the said erle, his aieris and assignais, sall purly and simply resigne, renunce, ourgif and frely deliuer to the said Johnne Lord Kennedy, and to the barnis gottin, or to be gottin, betuex him and the said Elezabeth, the forsaid haill landis of Thankertoune, witht thar pertinence, witht charter, sessing, and all vthir eidentis maid and gevin to the said lord erle tharupone, ande witht all richt, and clame of richtis, like as the said reuersiounes sall proport; and that the said Johnne lord Kennedy sall, incontinent eftir that the said landis of Thankertoune be lousit and redemit, put Alexander Kennedy, his sonne, eldest gottin betuex him and the said Elezabeth, in the fee of all and sindri the forsaid landis of Thankertoune, witht thar pertinens, heretabilly, be charter and sessing, as effeirs, reseruand the franktenement tharof to the said Johnne lord Kennedy and to the said Elezabeth, his spous, for thar lifymes. Ande gif it sal happin the said Johnne lord Kennedy to falze to make the said infestment of fevferme of the forsaid landis of Thankertoune, witht thar pertinens, to the said lord erle of Angus, in maner and forme abone wretin, within twenti dais next eftir that the said Johnne lord Kennedy optene and recouer stat and sessing tharof, or zit to concord witht the lord Flemyn his partj herintill, but the avice and consent of the said lord erle, as God forbeit he do, thane as now and now as thane, the said Johnne lord Kennedy bindis and oblissis him, be the faith and trenth in his body, his aieris, executouris and assignais, to content and pay to the said lord erle of Angus, his aieris, executouris or assignais, the sovme of fyve hundreith pundis, gold and siluer, vsuale money of Scotland, into the said parische kirke of Bigar, apone the hee altar of the sammyn, for the help, fortificatione and supple that the said lord erle sal make to the said Johnne lord Kennedy in the recouering of the said landis of Thankertoune, ande for the gret labouris, costis and expensis that the said lord erle has maid herapoun, to be pait within fourtj dais next eftir that the said Johnne lorde Kennedy falze in the infesting of the said lord erle in the said landis, eftir that he has optenit the said stat and sessing tharof, and requirit to mak the said infestment as said is, or zit concord witht the said Lord Flemyn, his partj, but avice and consent of the said lord erle; ande

attour, it sal be leuefule to the said lord erle to persew and folow the said Johnne lord Kennedy and his aieris for the heretable infesting of him in the said landis in fevferme, and in likewise for the infesting of the said Alexander Kennedy, sonne to the said Johnne, in the fee of the sammyn landis eftir thai be redemit as said is, gif he falzeis in the fulfilling hereof, nochtwithstanding the payment of the said sovme of fyve hundreth pundis beand pait as is aboune writtin, but cauillatioun, fraude or gile ; ande that all thir conditionis and appuntmentis forsaidis sal lellely and trevly be obseruit, kepit and fulfilled as said is, athir partj ar oblist and suorne ilkane to vtheris be the faithis and treuthis in thar bodeis, the Haly Ewan-gelis tuechit. In witnes herof the parteis forsaid has enterchangablyly selit thir indenturis witht thar propir selis, and subseriuit the sammyn witht thair handis, befor thir witnes, Master Gawane Douglas, dene of Dunkeldene, Master Johnne Fressale, dene of Lestalrige, Johnne Ogilby of Fingaske, Johnne of Symontoune of that Ilke, Alexander Kennedy, Robert Campbell in Giltre, and James Zoung, notar public, witht other diuers.

JHON LORD KENNYDY,
witht my hand.

149. PRECEPT OF SASINE by KING JAMES THE FOURTH for infesting ARCHIBALD, FIFTH EARL OF ANGUS, Chancellor, in the barony of Braidwood, etc. 8th May [1497].

JACOBUS Dei gracia Rex Scotorum, vicecomiti et balliuis suis de Lanark, necnon dilectis nostris Johanni Nesbit de Dalzell, Johanni Boill, et Johanni Hammyltoun, ac eorum cuilibet, coniunctim et diuisim vicecomitibus nostris de Lanark in hac parte, salutem: Quia dedimus et concessimus hereditarie dilecto consanguineo et cancellario nostro, Archibaldo comiti Angusie, domino Dowglas, omnes et singulas terras et baroniam de Braidwod, turrin et fortalicium eiusdem, cum tenandria de Hewedes, et vno annuo reddito tresdecim solidorum et quatuor denariorum leuando et percipiendo annuatim de ipsa tenandria, iacentes infra vicecomitatum nostrum de Lanark, vnacum iure patronatus hospitalis Sancti Leonardi, situati et fundati prope burgum nostrum de Lanark; quequidem terre, baronia, turris, tenandria, annuus redditus et ius patronatus, cum pertinenciis, fuerunt Alexandri Stewart de Braidwod hereditarie, et quas idem Alexander, non vi aut metu ductus, nec errore lapsus, sed sua mera et spontanea voluntate in manibus nostris, apud Striueling, per fustem et baculum, et suos procuratores ad hoc legittime constitutos, sursum

reddidit, pureque simpliciter resignavit, prout in carta nostra predicto nostro consanguineo inde confecta plenius continetur : Vobis precipimus et mandamus quatenus, prefato Archibaldo nostro consanguinco, vel suo certo actornato, lateri presencium, sasinam predictarum terrarum, baronie, turris, tenandrie, annui redditus et iuris patronatus, cum pertinenciis, secundum tenorem dicte carte nostre quam de nobis inde habet, iuste habere faciatis, et sine dilacione ; et hoc nullo modo omittatis : Ad quod faciendum, vobis et vestrum cuilibet, coniunctim et diuissim, in hac parte committimus potestatem. Datum sub testimonio magni sigilli nostri, apud Striueling, octauo die mensis Maii, anno regni nostri nono.¹

150. INDENTURE betwixt the BAILIES and COMMUNITY of NORTH BERWICK and WILLIAM CARRICK, as to the building of an altar in the church of North Berwick. 16th May 1497.

THIS Endentour, maid at the burch of Northberwyk, the xvi day of the moneth of May, the zer of God a M.CCCC. nynty and sewyne zeris, proportis and beris witnes at it is fully appuntyt and fynaly concordyt betuixt honorabill and worschypfull men, the bailzeis and communitie of the burcht of Northberwyk, on the ta part, with consent and assent of the haill parrochyne, and a worschypful man, William of Carryk, induellare in the manys of Temptalloune on the tother part, in maner, effec, and furme as eftyr sal follow ; that is to say, at the said bailzeis and communitie, witht consent of the haill parrochyne, has granttyt leyf and lycens to the said Willzeme of Carryk for to byg ane altar, in honowr of Almychty God and our Lady of Pece, in Sant Ninianis Iill, betuixt Sant Ninianis altar and the north gawyll of the said Iill, in lenth and breid as accordis ane altar to be : nochtwithtstandyng, befor the date of thir endentouris, witht leyf and lycens of the said bailzeis and communitie, and the haill parrochyne of Northberwyk, the said Willzeme has perfurmit and bygit the said altar, and reparallit the samen of his expens, and he has gevyne sex markis to the reparacioun and bygnyne of the said Iill for laris of the grund, sa at he and his successouris of his surneme be fre in tyme to cum for euir mare, eftyr thair be discesit, thair banyis to ly in the said Iill, befor the said altar : and thair atowr, be the tenour of thir endentouris, the said Willzeme of Carryk is bundin and oblist to the saidis bailzeis and communitie, at incontinent,

¹ In virtue of this precept, the Earl of Angus was infeft in the lands and barony of Braidwood, at the tower of Bar, as the principal message of the barony, on the 13th of May 1497.—[Sasine in the Douglas Charter-chest.]

in al gudly hast, he sal funde and infest, be chartour and seysing perpetually till a prest to sing and to do seruice at the said altar, twa markis of sykyr anwell, wsuall mone of Scotland, that is to say, xiiij schillingis of anvell of a tenement, lyand in the est gait on the north syd, betwixt a tenement of George of Lawderis, of the est part, on the ta part, and a tenemente of wmqhyll Symone of Carryk, on the west part, on the tother part, and vj schillingis iiij d. of a tenement lyand in the said burcht in the west gait on the north syd, betuixt a tenement of Andro Rychartson, on the est part, on the ta part, and a tenement of George of Lawderis, on the west part, on the tother part; and vj schillingis iiij d. of a tenemente lyand within the said west gait on the south part of the samen, betuixt a tenement of the priowress, on the west part, on the ta part, and a tenement of wmqhyll Willzame Darger on the est part, on the tother part; for the quhilk edificatioun and fundatioun of the said altar, be the said Willzame of Carryk, as is abone writyn, the forsaid bailzeis and communitie of North Berwyk, be the tenour of thir endentouris, ar bundyne and oblist to the said Wilzame of Carryk and his airis, successouris and surname, at thai sall fynd a prest foreuermar in tym to cum, to sing and do diwyne seruis at the said altar of our Lady of Pece, and in speciall to say a mes a day in the wouk, that is to say, on the Fryday for the said Willzame saull, his predicessouris and successouris of his surneme, the said surneme to be fre eftyr thair disces, to ly frely in the said Iill and nane wthir, bot gyf at ony personis, for deuocione desyris to ly in the said roume, that salbe leiffull, sa at thai pay for thar lare half a mark to the reparacione of the said altar and Iill, sa fer as the breid of the altar extendis to the vest sydwaw, the forsaid Carrykis ayris for euermare in tym to cum to be patronis to the said awtar and chaplanry; nochtwythstanding the said Willzame has reseruit the patronage of his fundatioun til hym self, to cheis a chaplane for all the days of his lyfe, and gif it sal happin in tym to cum, at the said seruice failze and na mes be said at the said altar on Fryday as said is sex woukis togyddyr, it salbe leiffull to the nerrest and lauchfull airis of the said Willzame Carryk to gyf, sa far as he has fundyt til ane vther chaplenne incontinent thareftyr, for that tyme allanerly, nocht makand prejudice to the said surneme and airis in tym to cum, forowt fraud, gyll, cawillatioune, in tym to cum. In witnes of the quhylk thing, to this part of thir endentouris to ramane with the said Wilzame of Carryk, we the forsaid bailzeis has hungine ovr commone seyll at North Berwyk.

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151. INDENTURE betwixt SIR ROBERT LUNDY of Balgony, Treasurer to the King, and GEORGE MASTER OF ANGUS, for keeping good order on the Borders. 17th April 1499.

THIR Indenturis, maid at Edinburgh the xvii day of Aprile, the zere of Gode I^m iiii^c nynty and nyne zeris, proportis, contenis and beris witnes, that, for the gud rewle to be had amangis our souerane Lordis liegis, duelland and remanand wythin the boundis of Eskdale, Ewisdale and Wauchopdale, on the vest Bordouris, and stanchinge of crimes and offensis to be committit be thame in tyme to cum, it is appunetit and concordit betuix Robert Lundy of Balgony, knyecht, Thesaurare to oure souerane Lord, in his name and behalf, on the ta part, and George Mastyr of Angus on the tuther part, in maner, forme and effect as eftir folowis; that is to say, that for samekle as the Kyngis Henes has grantit and gewin his fre remissione and pardoun tyll all maner of personis duelland and remanand wythin the saidis boundis of Eskdale, Ewisdale and Wauchopdale, for all maner of actionis, transgressionis, crimes and offensis committit and doune be thame or ony ane of thame in ony tym bigane, on to the day of the date of the makyne of thir indenturis, tressoune in our soueran lordis propir person except, heirfore the said George Master of Angus sal content and pay to the said Robert Lundy of Balgony, in our saide souerane Lordis name, the swme of a thousande pundes vsuale money of Scotland, at thir termes vnderwritin; that is to say, twenty days next before the Fest of ad uincula Sancti Petri, callit Lammes, immediate folowand the date of thir indenturis, fywe hundrethe merkis of the said swm; and wythin xv dais next and immediate folowand the said Fest of Lammes, vthir fyve hundrethe of the said money; the quhilk swme of a thousand merkis being completlie pait at the termes abonewritin, the said George Mastyr of Anguse to be dischargit of the said hayle swme of a thousand pundis: and gif the saide George Mastir of Angus failzeis in the payment of the said swme of a thousande merkis, or ony part tharof, at the termes forsaid, than he sal pay the said hayle swme of a thousand pundis at the said term of xv dais next efter the saide Fest of Lammes, as said is: and for the stanching of crimes and trespassis of the personis duelland and remanand wythin the boundis abwin expremit in tym to cum, the saide George Mastir of Angus for hym is becumyn and, be thir present indenturis, becumis lawborois for ilk persone remanand and duelland wythin the said boundis of Eskdale, Ewisdale and Wauchopdale, and bindis and oblis him to entre thame and ilk ane of thame in ilk Justice [Court] to be haldin at the burgh of Drumfreis, to vnderly the law for

quhatsumeuer crimes and trespassis to be committit be thame in tymes to cum, [] being gyffin to the said George Master of Angus be the Justice Clerk or his deputis, in portewis, xv dais befor [the] halding of the saide justice airis, vnder the pane of law for ilk ane of the saide personis that comperis nocht as oft as the Kyngis Henes plese to set, proclame and hald justice airis at the burgh of Drumfreis in tym to cum, and als lange as the saidis landis pertenis to the said George in heritage, and that the personis duelland wythin the saidis boundis quhilkis sal tak remissione be wirtu of this Indenture and comperis in justice airis forsaid sal fynd suirte for satisfacione of party al crimes sen the Fest of Sanct Andro in wynty, in the zere of God I^m iiiij^c nynty and sewin zeris alanerly; to the obseruing, kepyng and fulfillyng of al and syndry the thyngis abone writin, the said Robert Lundy of Balgony, knyght, in the name and behalf of our said souerane Lord, has bundin and oblist him, and in likwis the said George Mastir of Angus has bundin and oblist hym, his airis, executouris and assignais, his and thar landis, rentis, possessionis and guidis, mowible and vnmowible, had and to be had, quharsumeuer thai be wythin the realme of Scotland, but fraud or gyle; in witnes herof, to the part of thir indenturis remanand wyth our said souerane Lord, the said George Master of Angus has affixit his seyle and subscriuit the same wyth his awin hand, and to the part of the saide indenturis remanand wyth the said George Master of Angus, the said Robert Lundy of Balgony, knyght, in name of our said souerane Lord, has affixit his signet, and subscriuit the samnyu wyth his awin hand, day, zere and place forsaid, before thir witnes, reuerend and venerable faderis in God, Williame, Bischope of Abyrden, Priue Seyle to our souerane lord, James, Abbot of Scone, Alexander Lord Home, Gret Chalmerlane of Scotland, Walteyr Ker of Cesfurd, William Scot of Balwery, Johne Ramsay, knyghtis, Master Rychart Lawsons, etc., and Master James Henryson, wyth vthiris diuers.

Hec est vera copia originalium literarum seu indenturarum, excopiata, scripta, lecta et collationata et cum eisdem originalibus in omnibus concordans, per me, Johannem Duncani presbyterum et notarium publicum.

152. SASINE of GEORGE MASTER OF ANGUS in the lordships of Euisdale and Eskdale. 5th July 1499.

IN Dei nomine amen : Per hoc presens publicum instrumentum cunctis pateat euidenter quod anno Incarnationis dominice millesimo quadringentesimo nonagesimo

nono, mensis uero Julii die quinto, indictione secunda, pontificatus sanctissimi in Christo patris et domini nostri, domini Alexandri diuina prouidencia pape sexti anno septimo, in mei notarii publici et testium subscriptorum presencia personaliter constitutus nobilis vir Georgius Dowglas, filius et apparens heres nobilis et potentis domini Archibaldi comitis Angusie, quamdam literam pergamino scriptam, testimonio magni sigilli supremi domini nostri regis roboratam, manibus suis tenens mihi notario publico subscripto tradidit perlegendam et astantibus publicandam; cuiusquidem litere tenor sequitur et est talis: JACOBUS Dei gracia rex Scotorum, dilectis nostris Waltero Ker de Cesfurde, Radulpho Ker fratri suo, Willelmo Carmychel, Johanni Carmychel filio suo, Johanni Boill, Johanni Zettame et Johanni Sym, ac eorum cuilibet conjunctim et diuisim vicecomitibus nostris de Edynbwrgh, Lanark, Selkyrk, Roxbwrgh et Drumfrese in hac parte specialiter constitutis, salutem: Quia dedimus et concessimus hereditarie dilecto consanguineo nostro Georgio Dowglas, filio et apparenti heredi dilecti nostri consanguinei Archibaldi comitis Angusie et domini Dowglas . . . dominium de Temptalloune et castrum eiusdem . . . iacencia infra dictum vicecomitatum nostrum de Edynburgh; dominium de Dowglas, et castrum eiusdem . . . cum aduocacione et donacione prepositure de Dowglas, iacencia infra vicecomitatum nostrum de Lanark; dominia de Jedworthforest et Liddalsdail ac castrum de Armytage . . . iacencia infra vicecomitatum nostrum de Roxburgh; dominium de Selkyrk, domos et fortalicia eiusdem . . . iacencia infra vicecomitatum nostrum de Selkyrk, necnon dominia de Euisdail et Eskdail, domos et fortalicia eorundem, iacencia infra vicecomitatum nostrum de Drumfreise, cum tenentibus . . . Quequidem terre et dominia antedicta . . . fuerunt dicti Archibaldi comitis Angusie hereditarie, et quas ac que dictus Archibaldus . . . in manus nostras apud Edynbwrgh personaliter . . . reddidit pureque simpliciter resignauit, prout in carta nostra dicto Georgio inde confecta plenius continetur: Vobis igitur precipimus et mandamus quatenus dicto Georgio uel suo certo attornato, latori presencium, sasinam dictarum terrarum et dominiorum . . . secundum tenorem dicte carte . . . Datum sub testimonio magni sigilli nostri, apud Edynburgh, vltimo die mensis Ianuarii anno regni nostri primo. Quaquidem litera sic per me perlecta et astantibus publicata, honorabilis vir Walterus Ker de Cesfurde, vicecomes de Drumfreise in hac parte specialiter constitutus, dictam literam manibus suis tenens, tenore et vigore eiusdem sasinam, statum et possessionem hereditariam omnium et singularum terrarum dominiorum de Euisdail et Eskdail . . . prefato Georgio et heredibus suis secundum tenorem carte supremi domini nostri regis quam inde habet per traditionem terre et lapidis mox contulit . . . Acta erant hec

apud Malano, hora nona ante meridiem uel eocirca sub anno, mense, die, indictione et pontificatu quibus supra; presentibus ibidem honorabilibus et prouidis uiris, domino Willelmo Dowglas de Caueris, milite, Johanne Lyndesay de Wawchop, Johanne Ruthirfurd de Hundale, Roberto Scot de Quhitchester, Georgio Dowglas de Bwnjedworth, et Symon Lytyl de Mekyldail, cum diuersis aliis testibus ad premissa vocatis pariter et rogatis.

Et ego Jacobus Blair, clericus Glasguensis diocesis . . . notarius [*etc.*]

153. INDENTURE between GEORGE, MASTER OF ANGUS, and LORD DACRE, Wardens of the Scottish and English Marches. 16th January 1499.

THEIR Indentures, made at Canonby, the xvi day of Januarii, in the yere of God I^m iiij^c nynte and nene yeres, beres witnes and proportis, that whereas the noble and mighti lordis, George Dougles, Master of Anguse, Warden of the boundis of Eshdale, on the ane parte, and Thomas Lord Dacre, Warden of the West Bordouris of England, on that other parte, met for the gude of peax and reformyng of attemptatis done on either side, eftir lang communicioun had betuix theym, either of theym desired, offered and answered til vther in maner and forme as eftir folowes; that is to say, the said Lord Dacre desired to haue redresse of certen billes of attemptatis done to his souereyn Lordis lieges by the inhabitantis of Eshdale, vndre the rewle of the said Master of Anguse, as wele of sike billes as was continued at the last day of metyng betuix theym as of vtheris attemptatis committed sen that tyme, according to the trewes and the commaundment that the Kingis grace, his souereyn Lord, gaf in commaunde to hym in that behalf; like as his lettres to the said Lord direct more playnly declares.

To the whilkis desire and article the said Master of Anguse aunswered in this wys, sayand, that he was redy to make redresse of all billes of attemptatis wherin the said Lord Dacre or any Englishman was playntife at the commaunde of the Kingis grace, his souereyne Lord, according to the vertue of the trewes and custumes of the bordoures; bot, because he knew not wherin the said Lord Dacre was playntiuyfe, nor gat na billes of his whill the xv day of this instant moneth of Januare, whilke was yisterday, at xii owris, that certen billes come witht his souereyn Lordis lettres, and for shortnes of tyme, it was impossible to hym to ger arrest tha billes and warne the countre within space of sik tyme, for whilke he offered to the said Lord Dacre to resauue alle billes wherin he or any Englishman was playntife, and ger arrest the same, and for theym to delyuer, this present

day, a gentilman of Scotland worth the somme, and to aunswere to the same, whitand or filand, according to the trewes and custumes of the Bordouris at a new day of trew, to be set and appoynted at the will of the said Lord Dacre, within xv daies or langer, the said Lord Dacre doand and delyuerand for Scottis billes sike like; the whilke the said Lord Dacre denyed, bot allevtterly wald this day haue aunswere, nochtwitthstandyng that the persones wham of he was playntife was absent, and might not be warned nor arrested to this day, wherfor the said Master of Angus might not this day gif aunswere vther wayse to the said billis without gret hurt, skathe and iniures of his souereyn Lordis lieges, and gif he did, it were agayn the vertue of the trewes and custumes of the Bordouris to default any persones ther, beand vncalled to their aunswere.

And ferdermore, the said Lord Dacre was content to continewe alle sik billes as was done sen the last metyng, sa that the said Master wolde redresse the billes that was continued, and suld haue bene rid at the last metyng; because that it was more than vi monethes sen the said billes was delyuered to the said Master and, at the gret instance and labore made to the said Lord, was continued.

And to this present article the forsaid Master aunswered and said, that tha billes, so continued, was done at the desire of the said Lord Dacre and for his gude and wele, to the first day of March next folowing, and vnderstude that the said Lord Dacre wold not haue persewed the billes so continued whill the said day, without that he had warned the said Master therto; and, for thir causes and vtheris abone writtin, the said Master thought, according to reasoun, that the billes shuld be warned to the next day of trew, and than answered according to the trewes and custumes of the Bordouris, as said is.

Item, the said Lord offered to the said Master, sa that he walde redresse alle sike billes as Fergus Stele, Thom the Grahame, called Stow, Wille Grame, called Scall, Sym Turnour, Make Grame, Wille Grame, called Gaunt, and other of Eshdale whilk was neuer without the boundis of Eshdale, and keped thaire yollis in the Bromeholm witht Make Grame, whilk is oppynly kenned, and the said Lord wald haue bene content to haue continued the delyuerance of the Tailliours.

To this article the said Master aunswered and said, that the persones foresaid, mayre then vtheris, cowl not be to this day arrested, bot he offered to aunswere to tha billes according to the trewes within xv daies, as abone written.

Item, the said Lord Dacre said to the said Master that, be reson he cowl not deny to make redresse for diuerse causes, ane was, that all the gudis that the said Lord askis redresse of was brought within the boundis of Eshdale and thare

occupied and manured, and to the more vidimus where Wille Grame of Meskeswra come and fand one of the said Lordis horses in Walcoppdale, the said Wille take hym, and walde haue had him away, because Fergus Stele had hym ; and than the lard of Walcopp rase, and his folkis, and take hym fra theym, and he and his broder take hym, with all chargis that coud be layed to hym therin.

To the whilk article the said Master aunswered and said, that he shuld make all redresse that reason requires, eftir the vertue of the trewes and custume of the Bordoures, within xv daies, as said is, and thereto was redy and offered hym.

Item, the said Lord said, that be reson he coud not deny hym redresse for this same day, the said Master met and spake with Cristell Tailliour, Thom Tailliour, and vtheris, and gif the said Master wald, he might haue arrested them that tym, for the said Taillioures was all that day in the town of Canonby and thare abowt, in sight ; and be this reason the said Lord thynkis that redresse suld not be denyed, thei beand all day in Scotland. And to this present article the foresaid Master aunswered and said, that it was knawen to bath Bordoures how that he was bounde for the said Criste Tailliour and vtheris his compliceis, at the instance of the said Lord Dacre, and for the gude of hym and his folkis ; therfor he send and gart the said Criste Tailliour cum owt of England to the Threpe grounde vnder assourance, and thare spak witht hym, to vnderstand gif he was releved of his band, and gif the said Criste had don any thing in contrary it ; and therefore he might not, witht his honeste, arrest hym, he beand, as said is, vnder souerance : And where it is alleged that the said Criste shuld haue bene at Canonby this day, or nere by, the said Master aunswered and said that it was not be his witting.

Item, the said Lord Dacre offered to the said Master, that gif it plesed hym to delyuer hym the billes that Eshdale or ony vther place within the boundis of the said Master that he coud complene on, he suld make full redresse of all tha billes or he departed, suppose that he gat na redresse ; that the King his souereyn Lord may se and know that no default suld be founden in hym.

Of whilk offer the said Master thanked hym, bot he said that the persounes of Scotland that was playntife was not present for the tym, bot he suld send and gar the billes be made and delyuered, that thei may be arrested to xv daies, desirand the said Lord for the same, and that he might haue his billes siklike, whilk was refused. And mayreoure, the said Master of Angus offered to the said Lord Dacre that sen he coud not be content of his aunsweris and offeris abone written, that thai suld chese xii persounes of England and Scotland, best and worthiest thare beand present ; and whateuer tha persounes decreted or delyuered

to be don for gude reull of the countre, according to the vertue of the trewes, he suld bide at and fulfill in all thingis. To this article the said Lord answered and said, that in any mater of defeculte he wold be aggreable to abide on xii persounes, as said is, bot in all thyngis that were playne and not dowtfull he thought it neded not to refer it to any persoune or persounes, otherwise then it has bene accustomed on the Bordouris of before tyme, and that he wold not deny to do for his parte at na season.

154. INDENTURE betwixt GEORGE MASTER OF ANGUS and LORD DACRE,
Wardens of the Scottish and English Marches. 9th March 1499.

AT Striueling, the ix day of Marche, the zere of God J^m iii^c lxxxxix zeri, it is deliuerit and ordanit be the Lordis of Counsale, witht consent and assent of George Maister of Angus, Gouvernoure of Eskdale, on the ta parte, and Schir Thomas Tyndale, as factour for the Lord Dacre, wardane of the West Bordoure of Ingland, on the tother parte, for the gude of peax and souer keping of the treux, that baith the saidis partiis sall convene at Drumfreis, the fift day of the nixt justice air to be haldin thairat, lauchfull impedimentis cissing; that is to say, the said George Maister of Angus to mak dew and full reddres for the party of oure souerane Lord, of all attemptatis done and to be done agane the treux, for all the boundis of Eskdale that he is bund for, according to the treux and his band maid to the Kingis Hienes thairupoun, and of all billis to be gevin thairupoun be the said Lord Dacre, and that the said Lord Dacre, or his deputis havand power of him, sal compeir the samyn day and place, to mak full reddres inlikewise of all attemptatis and billis to be gevin in be the said Maister of Angus vpony ony Englishmen within the said Lord Dacreis boundis, sa that ane finale end may be had of all ructionis and brekis aganis the treux, and gude rewle put tharupoun; and that all personis, Scottismen, cumand with the Maister of Angus to the said

day to mak or tak reddres, salbe vnattacht, arrestit or accusit that tyme for ony vther actionis or crimes; and that the Lord Dacre or his deputis, and personis, Englishmen, cumand with him or thaim to the samyn diete, salbe assoverit in thair cuming, remaning and agane passing: And in the mean tyme gif ony attemptatis beis done be ony personis [within the saidis boundis], that the saidis partis sall ansuer thairfoir at the said day, and the last attemptate to be first reddressit, according to the treux; and that the billis on the behalve of the Maister of Angus be deliuerit to Thomas Livok, or at his hous; and the billis on the Lord Dacreis behalve to be deliuerit to Johne of Irwin Daudson, or att his hous, vi dais befor the said day of meting. Subscriptum per me, Walterum Drummond, decanum Dumblanensem, clericum rotulorum et registri ac consilii supremi Domini nostri Regis, sub meis signo et subscriptione manualibus,

WALTERUS DRUMUNDE.

155. OBLIGATION by ARCHIBALD, FIFTH EARL OF ANGUS, to SIR PATRICK HUME of Polwarth. 14th December 1500.

BE it kend till all men be thire present lettres, ws, Archibald Erle of Anguss and Lord Douglase, etc., to be bundin and oblist, and, be the faitht and treuth in oure body and thire oure present lettrez, lelely and treulie bindis and oblistis ws, til ane honorable man, Patrik Hume of Polworth, knicht, and to Helene Schaw, his spous, the langare livare of thame twa, thare airis and assignais, that forsamekile as we haue sauld and anailit heretabillie, be charter and seising, to the saidis Patrik Hume, Helene his spous, thare airis and assignais, all and haile oure landis of Trottanschaw, Byrcleuch and Handaxwod, with tbare pertinentis, liand in the forest of Dy, in the barony of Boithuile, be annexatioun of oure souerane Lord the King maid tharuppoun, and within the schirefdome of Berwik, like as at mare lenth is contenit in oure charter maid and gevin to tbame tbareuppoun; and apone the lousing, redemyng and outquitting of the said landis with the pertinentis, the saidis Patrik and Helene has gevin to ws thare lettre of reuersioun in competent dew forme, vndir thare selis, contenand in it the sovme of ane thousand markis, gold and siluer, vsuale money of Scotland, like as the said reuersioun proportis; and becaus Jane Kennedy, dochtir to Johnne Lord Kennedy, clamys the saidis landis of Handaxwod of ws in liferent for al the dais of hir live, through tbe quhilk tbe saidis Schir Patrik, nor Helene his spous, thare airis nor assignais, may haue na mailis, proffiteis nor dewteis of the saidis landis of

Handaxwod, quhilk extendis zerelie to fourety schillingis of maile, sa langtyme as the said Jane broukis the saidis landis of Handaxwod; herfore, we bind and oblis, faithfully as said is, oure airis, successouris and assignais, to content and pay zerelie to the saidis schir Patrik Hume, H elene his spous, the langare livare of thame twa, thare airis or assignais, the said fourty schillingis for the maile of the saidis landis of Handaxwod, with thare pertinentis, at twa vsuale termes in the zere, Witsunday and Martimes in winter, be evinly portionis, ay and quhile the said landis be lousit, be vertu and tennour of the said reuersioun, for sa langtime as the said Jane broukis the said landis; and failzeand of the said pament of the said fourty schillingis zerelie for the maile of the said landis of Handaxwod, indurand the tyme forsaid, as God forbeid, we do thane as now, and now as thane, we bind and oblis ws faithfully, as said is, oure airis, successouris and assignais, to content and pay apone a day, to the saidis schir Patrik, Helene his spous, thare airis or assignais, the said fourty schillingis of maile zerely, for sa mony zeris and termes as we failze in the pament aboue writtin, induring al the tyme that the said Jane sal brouke the said landis of Handaxwod, into the Colledge kirk of Sanct Geile of Edinburght, apone Sanct James altare, with the said soume of ane thousand markis, specifit and contenit in the said reuersioun, apone the day of the lousing, redemyng and out quitting of the saidis landis, haile and togidder in ane soume, but fraude or gile; and at the saidis Patrik, Helene his spous, thare airis nor assignais sal nocht be haldin to ansuere to the said reuersioun, without that the said fourty schillingis of maile zerlie be pait induring all the tyme forsaid, alswele as the principale soume of a thousand markis, specifit and contenit in the said reuersioun, in forme and effect forsaid, ande herto we bynd and oblis ws faithfully, as said is, oure airis, successouris and assignais, ouris and thairis landis, rentis, possessionis and gudis, movable and vnmofabile, present and for tocum, to the saidis schir Patrik Hume, Helene his spous, the langare livare of thame twa, thare airis and assignais, in the maist sikkir forme and stratast stile of obligatioun that can be maid or diuisit, and na remeid of law, canon nor ciuile, actis nor statutis of parliamentis nor generale counsais, maid nor to be maid, for to be proponit nor allegit in the contrar. In witnes of the quhilk thing, to thir present lettrez, subscriuit with oure hand, oure sele is to hungin, at Douglas, the xiiij day of Decembere, the zere of God a thousand and five hundredth zeris, before thir witnes, Petir of Carnichel, Maister Cuthbert Bailze, persone of Sanchare, and schir Thomas Boid, chaplane and notare public, witht vtheris diueris.

A. ERL OF ANGUS.

156. PROTEST by WILLIAM DOUGLAS, husband of ELIZABETH AUCHINLECK,
respecting the writs of Glenbervy, etc. 10th December 1501.

IN Dei nomine amen : Per hoc presens publicum instrumentum cunctis pateat euidenter quod anno Domini millesimo quingentesimo primo, mensis vero Decembris die decimo, indicione quinta, pontificatus sanctissimi in Christo patris et domini nostri, domini Alexandri diuina fauente clemencia pape sexti anno decimo, in mei notarij publici et testium subscriptorum presencia personaliter constitutus coram dominis concilii supremi domini nostri regis comparuit nobilis armiger Willelmus Douglace, sponsus Elezebeth Auchinlek, et asseruit quod fuit iuuenis et iuris imperitus, et quod pater suus Archibaldus comes Angusie fuit in warda domini nostri regis in castro de Dunbertane, qui fuit tutor, ut asseruit, dicte Elezebeth Auchinlek sponse sue, prout in dicta summonicionis litera dicti domini nostri regis ut asserebatur plenius continebatur, et non habuit procuratorem seu aduocatatum ydoneum ; ac eciam quod pater suus prefatus cartas et euidencias terrarum de Glenbervy, Barress et Kemnay in sua custodia habuit ; super quibus dictus Willelmus Douglas protestatus fuit solempniter quod quicquid ipse aut quicumque alij suo nomine in premissa causa exponerent seu exponeret nullatenus sibi preiudicaret, aut eciam prefate Elezebeth sponse sue. Coram eciam dictis dominis concilii pro tribunali sedentibus comparuit dictus Willelmus Douglace sponsus prefate Elezebeth pro dicta sponsa sua, ut asseruit, pro iure ipsius ad terras de Glenberuy, Barress et Kemnay, ac eciam pro suo interesse ad huiusmodi terras, pro quibus terris ipsa Elezebeth et magnificus dominus Archibaldus comes Angusie prefatus, tutor ipsius Elezebeth assertus, et ipse prelibatus Willelmus fuerunt sub summonicione dicti domini nostri regis, pro et ex eo quod ob causas insertas, ut per magistrum Jacobum Henrisone aduocatatum dicti domini nostri regis exponebatur, vigore prefate summonicionis regie, dicte terre de Glenbervy, Barres et Kemnay, tenore articulorum in eadem summonicione contentorum, per manifestum et voluntarium errorem per inquisitionem factam tempore deseruicionis breuis capelle regie ex parte dicte Elezebeth impetrati, ad non valorem earundem retornate : ob eam causam vna cum non alijs causis in dicta summonicione contentis nullius roboris vigore huiusmodi summonicionis fuisse decerni requisiiuit : vnde instanter post lecturam dicte summonicionis prefatus Willelmus Douglace exposuit quod prefatus nobilis dominus comes Angusie pater suus fuit, prout bene constabat dictis dominis concilii, in warda supremi domini nostri regis infra castrum suum de Dunbertane, qui fuit, ut ipse

asseruit, tutor dicte Elezebeth sponse sue; ac eciam produxit desuper vnum prothocollum instrumenti sub signo et subscriptione Thome Boyd notarii publici huiusmodi effectum in se continens quod postquam deuenit ad aures dicti domini comitis, ipso eo tempore existentis in warda dicti domini nostri regis infra castrum suum de Dunbertane, quod summonitus et citatus ut tutor prefate Elezebeth apud castrum suum de Douglas, petiit a constabulario dicti castri regii de Dunbertane licenciam sibi tradi et concedi ad ipsum exire permittendum pro defensione dictarum terrarum; ac eciam quod ipse constabularius prefatus id facere non potuit sine speciali mandato regis in scriptis; asseruit eciam quod ipse Willelmus non fuit iurisperitus, quare petiit et supplicauit quatenus dicti domini concilii sibi aduocatum, sumptibus suis, pro defensione dicte cause conferre vellent, et dicti domini fecerunt eundem petere quemcunque aduocatum: quiquidem Willelmus petiit prefatum magistrum Jacobum Hennersone in aduocatum sibi concedi, prout alias pro huiusmodi causa fuit et stetit, et euidentias ut asseruit plene inspexit; vnde dictus magister Jacobus asseruit et exposuit quod alias stetit pro dicta Elezebeth et prefato domino comite Anguisie eius olim tutore asserto in et propter defensionem prefatarum terrarum ad protunc ad mandatum regium, et nunc ad mandatum dicti domini nostri regis, ut ipsius aduocatus asseruit se stare in oppositum pro prefatis terris, vigore prefatorum articulorum summonitus: predicti quiquidem domini concilii, ex et pro eo quod dictus magister Jacobus asseruit se aduocatum et procuratorem dicti nostri regis, eum in aduocatum dicto Willelmo suis sumptibus dari recusarunt: vnde posthec coram dictis dominis concilii prefatus Willelmus Douglace vnum prothocollum instrumenti, sub subscripcione prefati Thome Boyd notarii publici, hunc effectum in se continens per vocis sue oraculum declarauit, et exposuit quod postquam recognouit se summonitum fuisse per literas domini nostri regis pro terris de Glenbervy, Barress et Kemnay, immediate accessit ad castrum de Dunbertane, et ibidem cum instantia requisiiuit prefatum dominum patrem suum quatinus sibi traderet et deliberaret cartas, euidentias et quecunque alia iura spectantia seu pertinentia ad dictas terras cum pertinentiis, et quod prefatus dominus comes sic respondebat; "Nolo euidentias tibi tradere neque deliberare, quia satis luculenter constat quod ego sum summonitus tanquam tutor dicte Elezebeth et sum principalis in illa causa, et in hoc castro sto ad mandatum regium, nec possum personaliter promeo interesse ibidem comparere sine licencia aut tollerancia domini nostri regis." Et eciam exposuit quod huiusmodi materia cum eiusdem proficuo prefato domino comiti pertinebat vigore concessionis domini nostri regis . . . Acta erant hec in pretorio

burgi de Aberdene, infra domum concilii eiusdem, inter horas decimam et xij^{max} ante meridiem successiue sub anno, mense, die, indicione et pontificatu quibus supra, presentibus ibidem honorabilibus viris Adam Creichtovn de Ruven milite, Jhoanne Arskyne de Dwn, Jhoanne Bannantyne de Corhwise et Jacobo Dunber, cum diuersis aliis testibus ad premissa vocatis pariter et rogatis.

Et ego Andreas de Sancto Claro, clericus Aberdonensis diocesis, publicus apostolica et regali auctoritatibus notarius, quia premissis [*etc. in forma communi*].

157. RESIGNATION by ARCHIBALD, FIFTH EARL OF ANGUS, of the Lordship of Esdaill. 25th November 1502. [Old copy.]

IN Dei nomine amen: Per hoc presens publicum [instrumentum] cunctis pateat evidenter quod anno Incarnationis Dominice millesimo quingentesimo secundo, die vero mensis Novembris vigesima quinta, indictione sexta, pontificatus sanctissimi in Christo patris et domini nostri, domini Alexandri divina providentia pape sexti auno vndecimo, in reverendissimi in Christo patris et domini Jacobi miseratione divina Sancti Andree archiepiscopi totius regni Scotie primatis et apostolice sedis legati ac commendatarii monasteriorum de Dunfermelyne et Arbroth, meique notarii publici et testium subscriptorum presentia personaliter constituti nobilis et potens dominus Georgius, filius et heres nobilis et potentis domini Archibaldi comitis de Anguse ac dominus proprietarius omnium et singularum terrarum de Esdaill, et honorabilis vir Robertus Turnebull, procurator et eo nomine dicti prepotentis domini Archibaldi, comitis de Anguse et domini vsufructuarii dictarum terrarum de Esdaill, vt mihi notario publico subscripto virtute cuiusdam litere pergameno scripte et sigillo dicti comitis de Angouse sigillate luculenter constabat; cuiusquidem litere tenor sequitur et est talis: EXCELLENTISSIMO et serenissimo principi ac domino nostro metuendissimo, domino Jacobo quarto Dei gratia Scotorum regi illustrissimo, suus humilis ligeus et servitor Archibaldus comes de Angouse et dominus Douglas cum omni subiectione et famulatu: Ego dictus Archibaldus, non vi aut metu ductus, nec errore lapsus, seu dolo circumventus, sed mea mera pura et spontanea voluntate, honorabiles viros Dawidem Betoun, Joannem Zetteene et Robertum Turnebull coniunctim et divisim meos veros, legitimos, indubitatos et irrevocabiles procuratores facio, constituo et irrevocabiliter per presentes ordino, pro me et nomine meo ad resignandum, sursum

reddendum, pure et simpliciter quiete clamandum et libere deliberandum, totum et integrum dominium meum de Esdaill, cum tenentibus et tenendiis ac serviciis libere tenentium eiusdem, cum domibus et advocacionibus juris patronatus ecclesiarum dicti domini cum pertinentiis, iacens infra vicecomitatum de Dunfreis per exhibitionem fustis et baculi in manibus vestre serenissime maiestatis, domini mei superioris eiusdem : Quodquod domini de Esdaill cum tenentibus et tenendiis ac serviciis libere tenentium eiusdem et cum domibus et advocacionibus juris patronatus etc. dicti domini cum pertinentiis per has meas literas procuratorii et resignationis in manibus dicte vestre serenissime maiestatis sursum reddendo, ac pure et simpliciter resigando a me et heredibus imperpetuum etc. gratum, firmum ac stabile habens et irrevocabiliter habiturus totum et quicquid predicti mei procuratores coniunctim et divisim nomine meo in premissis duxerit seu duxerint faciendum sine revocatione : In cuius rei testimonium sigillum meum presentibus est appensum, apud castrum de Dunbartane, vigesimo octavo die mensis Martii anno Domini millesimo quingentesimo secundo. POST CUIUSQUIDEM litere productionem et receptionem, dictus Georgius, filius et heres dicti domini Archibaldi comitis et dominus proprietarius dictarum terrarum de Esdaill, pro se et heredibus suis, et sepedictus Robertus procurator et eo nomine Archibaldi comitis predicti et etiam domini vsufructuarii prefatarum terrarum de Esdaill, non vi aut metu ducti nec errore lapsi, sed suis meris puris ac spontaneis voluntatibus, animisque deliberatis totas et iutegras predictas terras de Esdaill cum pertinentiis iacentes infra vicecomitatum de Dunfreis in manibus excellentissimi et serenissimi principis et domini, domini Jacobi Scotorum regis quarti, tanquam domini superioris earundem, per fustem et baculum cum tenentibus et tenendiis ac serviciis libere tenentium eiusdem cum domibus et advocacionibus juris patronatus ecclesiarum dicti domini cum pertinentiis pure et simpliciter resiguavit, ac totum jus et clameum, proprietatem et possessionem que et quas ipsi Archibaldus et Georgius eius filius et heres in seu ad dictas terras cum pertinentiis habuerunt, habent, aut quouismodo habere poterunt, omnino quiete clamarunt imperpetuum : super quibus omnibus et singulis, venerabilis et circumspectus vir magister Jacobus Betoun prepositus de Bothuell, nomine regio, a me notario publico subscripto sibi fieri petiit vnum seu plura publicum seu publica instrumentum seu instrumenta : Acta erant hec in camera regia infra monasterium Sancte Crucis, hora quasi decima ante meridiem vel eo circa, sub anno, die, mese, incarnatione [iudictione] et pontificatu quibus supra ; presentibus ibidem reverendo in Christo patre Andrea episcopo Moraviensi, venerabili in Christo patre Georgio abbate monasterii Sancte Crucis, honorabili

viro Joanne Striveling rotulatore, Magistro Joanne Bradye preposito ecclesie collegiate Sancte Trinitatis, et domino Thoma Alain cum diversis aliis testibus ad premissa vocatis pariterque rogatis.

Et ego Patricius Middiltoun in artibus magister, presbiter Sancti Andree diocesis, publicus sacris apostolica et imperiali auctoritatibus notarius, quia premissis [*etc. in forma communi*].

158. CONSIGNATION of a sum, in name of GEORGE MASTER OF ANGUS, for the redemption of the lands of Langlee and Gillistungis. 11th October 1503.

IN Dei nomine amen : Per hoc presens publicum instrumentum cunctis pateat euidenter quod anno Incarnationis dominice millesimo quingentesimo tercio, mensis vero Octobris die vndecimo, indictione septima, pontificatus sanctissimi in Christo patris et domini nostri, domini Julii divina prouidencia pape secundi anno primo, in mei notarii publici et testium subscriptorum presencia personaliter constitutus nobilis vir magister Gawanus Douglas, prepositus ecclesie collegiate Beati Egidii de Edinburgh, procurator in hac parte nobilis viri Georgii magistri Angusie, domini de Jedworthforest, de cuius procurationis mandato per quoddam procuratorium papiro scriptum, sigillo predicti Georgii cera rubea sigillatum, michi notario publico subscripto luculenter constabat, optulit honorabili viro Radulpho Ker de Primsydloch summam centum marcarum monete Scoocie, prout idem Radulphus confessus est tantam pecunie esse quantitatem, fatendo se premunitum legitime, et habendo locum legitimum et deputatum pro redempcione terrarum de Langlee et Gillistungis, cum sequelis et pertinenciis, iacencium infra dominium de Jedworthforest; ac eciam optulit dicto Radulpho idem procurator literam assedacionis papiro scriptam, sigillo predicti Georgii cera rubea sigillatam, de predictis terris de Langlee et Gillistungis cum pertinenciis, pro toto tempore septem annorum diem redempcionis et relaxacionis predictarum terrarum immediate sequencium, secundum tenorem litere reuersionis desuper confecte : et requisit ipsum Radulphum quatenus resignet et sursum reddat pure et simpliciter a se, heredibus suis et assignatis, predictas terras cum pertinenciis, vnacum carta, sasina, instrumentis et munimentis quibuscumque desuper confectis : Quiquidem Radulphus asseruit se predictas terras cum pertinenciis minime resignare, nec cartam, sasinam, instrumenta, seu munimenta predicta deliberare; quia asseruit dictam literam assedacionis non esse sufficientem. Insuper predictus magister

Gawanus, procurator, optulit predicto Radulpho ad imponi faciendum diem et mensem in dicta litera assedacionis manu qua dicta litera scripta erat: ac idem magister Gawanus, procurator, protestatus est quod dictus Georgius magister Angusie, dominus de Jedworthforest, heredes sui et assignati habcant regressum ad predictas terras cum sequelis et pertinenciis adeo libere sicut habuit ante alienationem predictarum terrarum sub predicta litera reuersionis. Quibus sic factis, idem magister Gawanus, procurator, deposuit dictam summam centum marcarum ac predictam literam assedacionis in manibus Daudid Douglas, burgensis burgi de Jedworth, conseruandas ad commodum et vtilitatem dicti Radulphi, heredum suorum et assignatorum: super quibus omuibus et singulis prefatus magister Gawanus procurator a me notario publico subscripto sibi fieri petiit vnum vel plura publicum seu publica instrumentum seu instrumenta. Acta erant hec in ecclesia parrochiali de Jedworth, apud altare Sancti Niniaui, hora quasi secunda post meridiem, sub anno, mense, die, indictione et pontificatu quibus supra, presentibus ibidem honorabilibus et prouidis viris Waltero Scot de Bukeluch, milite, Willelmo Ker de Zare, Georgio Douglas de Bonjedworth, Johanne Douglas, Thoma Ruthirfurd, et Willelmo Boid, cum diuersis aliis testibus ad premissa vocatis pariter et rogatis.

Et ego Patricius Atzensone in artibus magister, clericus Glasguensis diocesis, publicus auctoritatibus imperiali et regali notarius [*etc. in forma communi*].

159. SASINE in favour of WILLIAM DOUGLAS, son of ARCHIBALD, FIFTH EARL OF ANGUS, in the lands of Bothuell, etc. 30th May 1504.

IN Dei nomine amen: Per hoc presens publicum instrumentum cunctis pateat euidenter quod anno Incarnationis Domini millesimo quingentesimo quarto, mensis vero Maii die penultimo, indictione septima, pontificatus sanctissimi in Christo patris et domini nostri, domini Iulii diuina prouidentia pape secundi anno primo, in mei notarii publici et testium subscriptorum presentia, personaliter accessit honorabilis vir Johannes Bannantyne de Corhous, balliuus nobilis et potentis domini Archibaldi comitis Angusie, domini Douglas et Bothuell, in hac parte specialiter et literatorie constitutus, ad castrum sine fortalitium de Bothuell, jacens infra vicecomitatum de Lanark, ad instantiam et requestum Willelmi Douglas filii dicti domini comitis, et ibidem dictus Willelmus presentauit et deliberauit dicto Johanni balliuo in hac parte antedicto quoddam preceptum sasine dicti domini comitis, in

pergamino scriptum, eius vero sigillo cera rubea albe impressa pendente more solito sigillatum, ac cum manu dicti Archibaldi comitis predicti ut apparuit subscriptum, humiliter requirens dictum balliuum pro executione eiusdem fienda : Qui vero dictus balliuus recepit dictum preceptum sasine a dicto Willelmo et huiusmodi michi notario publico subscripto tradidit perlegendum et publicandum ; cuius precepti tenor sequitur in hiis verbis : ARCHIBALDUS comes Angusie, dominus Douglas et de Bothuell, dilectis nostris Petro Carmichaell, Johanni Bannothin de Corhous et Willelmo Douglas, balliuis nostris in hac parte specialiter constitutis, salutem : Quia dedimus et concessimus hereditarie dilecto filio nostro, Willelmo Douglas, omnes et singulas terras infrascriptas cum pertinentiis, videlicet, terras villagii siue ville nostre de Bothuell, cum castro et fortalicio eiusdem, cum molendino eiusdem ; terras nuncupatas Coitland eiusdem ; terras de Wdenstoune, cum le Coitland et molendino eiusdem ; terras de Silpiland ; terras de Wester Newlandis ; terras de Eister Newlandis ; terras de Wester Aikinheidis ; terras de Eister Aikinheidis ; terras de Cownanthside ; terras de Nether Alderstoune ; terras de Ouer Alderstoune ; terras de Schirhillis ; terras de Vnthank, nuncupatas Richert Zowngistoune ; terras de Orgillis Wod ; terras nuncupatas lie Manys de Knokcobill ; terras de Knokcobillhill ; terras de Wydeigis ; vnam mercatam terrarum de Langbiris ; terras de Suenste ; terras de Schawis ; terras de Godokhill ; et terras de Cawderheidis, cum pertinentiis, iacentes in dicto dominio nostro de Bothuell, et infra vicecomitatum de Lanark : Quare vobis precipimus et mandamus quatenus, visis presentibus, prescripto Willelmo Douglas, aut suo certo actornato latori presentium, omnium et singularum terrarum, cum castro et fortalicio et molendinis prescriptis cum pertinentiis sasinam . . . dari faciatis ; ad quod faciendum vobis et vestrum cuilibet conjunctim et diuisim in hac parte committimus potestatem : In cuius rei testimonium sigillum nostrum, vnacum nostra subscriptione manuali, presentibus appendi fecimus, apud Rothissay in Butht, vicesimo quarto die mensis Maii, anno Domini millesimo quingentesimo quarto : POST CUIUSQUIDEM precepti sasine, perlecturam et publicationem, prefatus Johannes Bannothine virtute et vigore eiusdem, sasinam, statum et possessionem hereditariam omnium et singularum predictarum terrarum villagii siue ville de Bothuill cum castro et fortalicio eiusdem et cum molendinis predictis et terrarum suprascriptarum in dicto precepto sasine contentarum cum singulis suis pertinentiis prefato Willelmo Douglas . . . dedit, tradidit pariter et deliberavit, saluo jure cuiuslibet . . . Acta erant hec apud dictum castrum, hora decima ante meridiem vel eocirca sub anno, mense, die, indictione et pontificatu quibus supra, presentibus ibidem honorabilibus viris,

videlicet, Thoma Hwme de Langschaw, Vmfrido Vnys, Willelmo Farnlie, et Roberto Monfoïd, testibus ad premissa vocatis pariter et rogatis.

Et ego Thomas Boyd artium magister, Glasguensis diocesis presbyter, auctoritatibus apostolica et regali notarius publicus, quia premissis [*etc. in forma communi*].

160. PROTEST by the ANGUS HERALD, in name of GEORGE MASTER OF ANGUS, against the ejection of the Master's servants from houses at Edmondsfeild by George Roule. 2d June 1505.

IN Dei nomine amen : Per hoc preseus publicum instrumentum cunctis pateat euidenter et sit notum quod anno Incarnationis dominice millesimo quingentesimo quinto, indictione octaua, pontificatus sanctissimi in Christo patris et domini nostri, domini Julii diuina prouidentia pape secundi, anno secundo, die vero mensis Junii secundo, In mei notarii publici et testium subscriptorum presencia personaliter constitutus probus vir Angus heraldus, nomine et ex parte nobilis et potentis domiui, Georgii magistri Angusie et barouis baronie de Bonkile, asseruit quod Georgius Roule de Edmuudisfeild minus iuste fecit in eieccione seruitorum dicti domini baronis et rerum ac bouorum eorundem de suis habitacionibus et domibus de Edmuudisfeild, pro tribus causis sequentibus ; tum primo, quia dicte terre de Edmuudisfeild debent remanere in mauibus dicti domini barouis semper et quousque dictus Georgius dicto baroni placeret pro dictis terris prout continetur in quodam instrumento publico ex propria confessione dicti Georgii facto ; tum secundo, quia dictus Georgius ac vicecomes et assisa fuerunt sub monicione et in lege lite pendente et indecisa ; tum tercio, quia dictus Georgius non habuit aliquod ius quoad hereditatem dictarum terrarum de Edmuudisfeild pro aliquo quod dictus dominus baro adhuc vidit . . . Acta erant hec apud Blachous, circa horam secundam post meridiem, sub anno, die, mense, indictione et pontificatu quibus supra ; presentibus ibidem nobilibus et prouidis viris, Richardo Roule de Peilwallis, Patricio Aldincrav in Vestrestone, domino Johanne Petcarne presbitero, Jacobo Skeldyne, Johanne Carryk, Jacobo Carmechel et Alexandro Halden, cum multis aliis testibus ad premissa vocatis pariter atque rogatis ; et haec dictionem, videlicet, *quinto*, mea propria manu interlineatam, cum ceteris approbo.

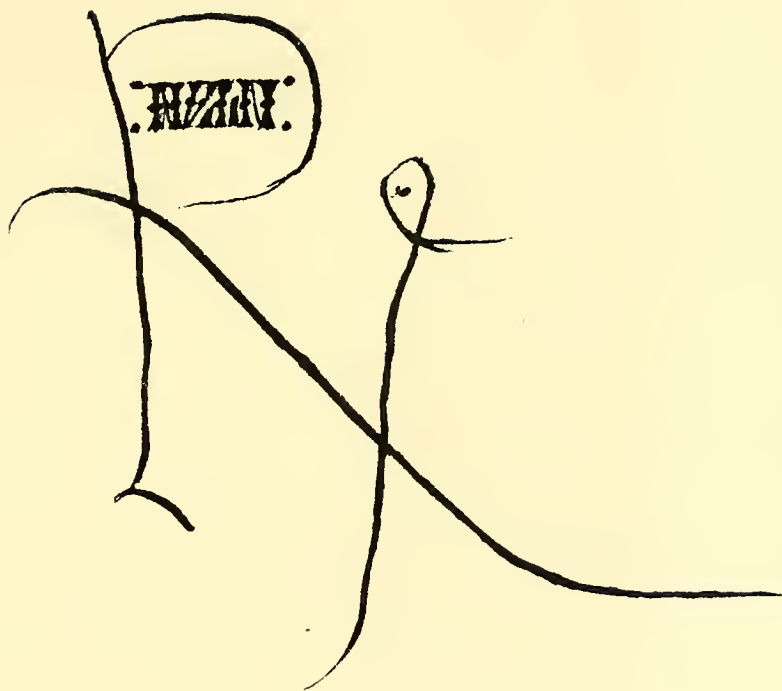
Et ego Johannes Thomson, presbyter Sancti Andree diocesis, publicus auctoritatibus imperiali et regali notarius, quia premissis [*etc. in forma communi*].

161. LEASE by GEORGE, BISHOP OF DUNKELD, to GEORGE MASTER OF ANGUS and the LADY ELIZABETH DROMOND, his spouse, of the teinds of Boncle and Prestoun. 6th August 1505.

VNIUERSIS pateat per presentes, nos Georgium miseracione diuina episcopum Dunkeldensem, de consensu et assensu capituli nostri ad hoc capitulariter congregati, recepisce a nobili viro, Georgio magistro Angusie, suo et nobilis domine Elizabeth Dromond sue sponse ac suorum assignatorum nominibus, summam ducentarum quadraginta marcarum vsualis monete regni Scocie, in pecunia numerata, pro vniuersis et singulis decimis garbalibus, fructibus, et terris ecclesiasticis ecclesiarum nostrarum de Boncle et Prestoune, cum pertinenciis, pro tribus annis proximo et immediate sequentibus datam presencium; videlicet, de crop annorum Domini millesimi quiugentesimi quinti, quingentesimi sexti, et quiugentesimi septimi, in euidentem ecclesie nostre vtilitatem: de quaquidem summa ducentarum quadraginta marcarum monete predictae, modo et forma premissis, fatemur nos bene contentos et pacatos, et pro nobis et successoribus nostris de consensu et assensu predicti capituli nostri dictos Georgium, Elizabeth, suos executores, heredes, et assignatos, quiteclamamus et exoneramus de summa eadem: obligantes nos nichilominus et successores nostros, de cousensu capituli predicti, warantizare dictis Georgio, Elizabeth, et suis assignatis, pluribus aut vni, fructus, decimas et terras ecclesiasticas predictas, cum pertinenciis, liberas ab omni firma, commodo, uel annuo censu, durantibus tribus annis supranotatis, sine fraude et dolo: In cuius rei testimonium sigillum nostrum autenticum, vna cum sigillo communi dicti capituli nostri, est presentibus appensum, apud ciuitatem nostram Dounkeldensem, sexto die mensis Augusti, anno Domini millesimo quingentesimo quiuto prescripto, et nostre consecracionis vigesimo secundo; coram hiis testibus, honorabilibus et venerabilibus viris, Andrea Moncur de eodem, Johanne Stewart de Clony, magistris Johanne Narne, marescallo nostro, et Alexandro Mylne, rectore de Lundeif, nostro ac capituli predicti scriba, et notario in premissis, cum diuersis aliis.

162. INDENTURE between GEORGE MASTER OF ANGUS and JOHN LORD FLEMYN, as to tacks of the Forest of Cumbernauld and Mains of Kirkintulloch. 1st August 1506.

THIR endentouris, maid at Edinburgh, the first day of August the zer of God ane thousand fyfe hundreht and sex zeris, proportis and beris witnes in thame self, that it is appunctit and concordit betuix noble and mychty lordis George maister



Unum quod patrat per partem Noe quod quod in honore
hoc captatus longitudo & impoſte a nobili vico quod
ſuſſoſe ac ſuaſ aſſigtoſ nommbus ſumma dicit
in prima untrata p dante p ſingulis dicit
de bono p pſſione tunc p tunc pro habet dicit
annoſ dno Milleſimo quod quod quod quod
vultu nre utilitatem de qua quod ſumma dicit
p dicit ſuſſoſe fatemur nos tunc contentos p paratos
p dicit tunc nre dicit quod Elizabeth ſuoſ q
nre ambo de ſumma ead Obligatos nos multo
zara dicit quod Elizabeth et ſuoſ aſſignati
p dicit tunc p tunc liberat ab omni ſumma que
ſuoſ ſcandit et dicit in tunc tunc tunc dicit
nre iſt p dicit appenſum apud tunc tunc
Milleſimo quod quod quod quod Et nre
hondabilibus p dicit dicit dicit dicit dicit
Nary maritimo nre et dicit nre tunc
in p dicit tunc dicit dicit

Ep[iscopu] Somersfeld[ensis] de consensu & assensu capituli n[ost]ri ad
mag[ist]ro Augustino suo & nobilib[us] d[omi]no Elizabeth[am] d[omi]no
quodradaginta i[n]tra[m] d[omi]ni mont[em] Reg[is] st[atu]m
lib[er]is fructibus et terris i[n]tra[m] d[omi]ni n[ost]ra[m]
anno & d[omi]ni s[an]cti s[an]cti d[omi]ni d[omi]ni d[omi]ni d[omi]ni d[omi]ni
s[an]cti s[an]cti et quodradaginta s[an]cti s[an]cti s[an]cti s[an]cti s[an]cti
quodradaginta i[n]tra[m] d[omi]ni p[ro] d[omi]ni modo p[ro] forma
et p[ro] nobis & futuris h[er]editatibus n[ost]ris de consensu & assensu
h[er]editatibus et assignatob[us] i[n]terlamam[us] et
p[ro] futuris h[er]editatibus n[ost]ris de assensu capituli p[ro] d[omi]ni
h[er]editatibus n[ost]ris d[omi]ni fructibus d[omi]ni d[omi]ni d[omi]ni
vel d[omi]ni consensu d[omi]ni d[omi]ni d[omi]ni d[omi]ni d[omi]ni
d[omi]ni d[omi]ni d[omi]ni d[omi]ni d[omi]ni d[omi]ni d[omi]ni d[omi]ni
Somersfeld[ensis] sept[imo] die mens[is] Augusti anno d[omi]ni
s[an]cti s[an]cti s[an]cti s[an]cti s[an]cti s[an]cti s[an]cti s[an]cti
s[an]cti s[an]cti s[an]cti s[an]cti s[an]cti s[an]cti s[an]cti s[an]cti
de lund[un]i n[ost]ri et capituli p[ro] d[omi]ni s[an]cti et notario

of Angus on the ta part, and Johnne Lord Flemyn ou the tothir part, in maner, forme and effect as eftir followis ; that is to say, the said George maister of Angus hes sett and to maill lattin, and be the tenour of this writ, faitht and treuth in his body, settis and to maill lattis, all and hail the landis of the thrid of the nethir forrest of Cummyrnawld, with the pertinence, bygenis aud profitis of the sammyne, to the said Johnne Lord Flemyn, aye and quhill he warne lachfully the said Johnne Lord Flemyne, fourty dayes befor ane lachfull terme, till remof furthe of the said landis at the will of the said George maister of Angus ; for the quhilkis, the said Johnne Lord Flemyne has sett and to maill lattin, and be the tenour of this writ, faitht and treuth in his body, settis and to maill lattis to the said George maister of Angus, all and hail the tua part of the landis of the estyr manys of Kirkin-tullocht, witht the pertinence, bygenis and profitis of the sammyne, aye and quhill the said Johnne Lord Flemyne in likwis warne hyme lachfully till remoif tharfra fourty dayes befor ane lauchfull terme, at the will of the said Johnne Lord Flemyne : and quhen it plesis ony of the saidis parteis abone writtin till gif our his tak of the saidis landis, he sall haif incontinent fre regres and eutres till his awin, without ony obstakle or impediment : and for the obserwing and keping of thir premissis, the saidis George Maister of Angus hes subscriwit and selit the part of this endentour remanand witht the said Johue Lord Flemyne ; and in likwis, the said Johnne Lord Flemyne hes subscriwit and selit the part of this endentour remanand wytht the said George Maister of Angus, befor thir witnes, George Flemyne of Kilmachome, Johnne Flemyne of Auchonistary, William Cochren, Robert Trumbull, James Lindesay, and Andro Gayne, wytht wthir diueris.

JHON LORD FLEMYNG.

163. LICENCE by KING JAMES THE FOURTH to GEORGE DOUGLAS, MASTER OF ANGUS, to wadset forty merks worth of his lands of Jedburgh forest. 8th March 1507.

JAMES, be the grace of God King of Scottis, to all and sindri oure officiaris, liegis and subdittis, quham it efferis, quhais knowlege thir oure lettrez salcum, greting : Wit ze ws to haue gevin and grantit, and, be thir oure lettrez, gevis and grantis oure speciall licence and fredome to oure louit cousing, George Maister of Angus, to analy or wedsett fourty merkis worth of his laudis of Jedworthe forest, or barony of Bonkill, to quhat persone or personis he plesis ; the quhilk alienacione we grant and faithfully promittis, for ws and oure succes-

souris, sall be na preiudice to the said George, nor to his airis, for the said alienacioun, nor to the person nor personis and thair airis, that he happynnis to analy the said fourty merkis worth of his landis, or ony part thairof, to; and als renunciis and quietelamis all richt and clame that we or our successouris may haif throw vertew of the said alienatioune, eschaete, or forfaitour, bot that the said alienacioune and wedsett stand, in effect, but ony preiudice, reuocatioun, or agane calling quhatsumeuir. Gevin vnder oure Priue Sele, at Edinburghe, the aucht day of Marche, the zere of God ane thousand five hundrethe sevin zeris, and of our regne the twenty zere.

164. CHARTER by KING JAMES THE FOURTH to GEORGE DOUGLAS, MASTER OF ANGUS, of the recognosced lands and lordship of Selkirk and lands of Phillophauch. 10th March 1507.

JACOBUS Dei gracia rex Scotorum, omnibus probis hominibus tocius terre sue, clericis et laicis, salutem . Sciatis nos dedisse, concessisse et hac presenti carta nostra confirmasse dilecto consanguineo nostro Georgeo Dowglas magistro Angusie totas et integras terras et dominium de Selkirk, iacentes infra burgum nostrum de Selkirk et extra eundem, nuncupatas terras de Phillophauche et locus Sancte Elene, cum communi pastura in communi de Selkirk cum pertinenciis . . . que prius in proprietate et tenandria dicto Georgeo pertinebant, et per ipsum de nobis immediate tente et in manibus nostris recognite fuerunt ob alienacionem maioris partis earundem absque consensu, licencia aut confirmacione nostri, vt idem Georgeus in presenciam dominorum consilii nostri fatebatur expresse, ipsis terris et dominio de nobis per seruicium warde et releuii tentis, ac lapsis anno et die post huiusmodi recognicionem et dictis terris et dominio ad plegium minime dimissis, prefatoque Georgeo ac omnibus aliis in huiusmodi terris et dominio interesse habentibus seu habere putantibus ad nostram instanciam legitime citatis ad videndum et audiendum easdem nobis pertinere . . . decretum extitit et deliberatum quod tote et integre terre et dominium . . . in manibus nostris existunt nobiscum in proprietate et possessione permansure et ad nostre libitum voluntatis disponende, ex eo quod maior pars predictarum terrarum et dominiorum ut premittitur alienata fuerat absque nostri consensu . . . et quasquidem totas et integras predictas terras et dominium . . . nos pro bono gratuitoque seruicio nobis per dictum Georgium impenso et pro certis pecuniarum summis per ipsum thesaurario nostro nomine nostro gratanter persolutis, creauimus, vniuimus, annexuimus et incorporauius

et hac presenti carta nostra creamus, vnimus, annexamus et incorporamus in vnam meam et liberam baroniam perpetuis futuris temporibus nuncupandam baroniam de Selkirk : ac dedimus et concessimus . . . dicto Georgio et heredibus suis totum jus et clameum que vel quod nos heredes aut successores nostri habuimus . . . ad dictas terras ac dominium, cum tenentibus, tenandriis et liberetenencium seruitiis earundem ratione recognitionis, nonintroitus, aut alias quouismodo . . . Tenendas et habendas totas et integras dictas terras et dominium de Selkirk infra dictum burgum iacentes et eciam extra eundem, nuncupatas Phillophauche et lucus Sancti Elene, cum communi pastura in communi de Selkirk . . . vnitas et annexatas in vnam liberam baroniam, dicto Georgeo et heredibus suis de nobis et successoribus nostris in feodo et hereditate, libera baronia et alba firma imperpetuum . . . Reddendo inde annuatim . . . vnum denarium argenti apud predictum burgum de Selkirk in festo Penthecostes nomine albe firme, si petatur tantum : Insuper dedimus . . . licenciam dicto Georgeo et heredibus suis ad infeodandum per cartam et sasinam tenentes suos in suis tenandriis dictarum terrarum et dominii . . . tenendis sicut de ipso prius tenuerunt . . . In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus ; testibus reuerendo in Christo patre, Willelmo episcopo Abirdonensi nostri secreti sigilli custode, dilectis consanguineis nostris Archibaldo comite de Ergile domino Campbele et Lorne, magistro hospicii nostri, Patricio comite de Boithuile domino Halys, Matheo comite de Levenax domino Dernlie, Alexandro domino Hume magno camerario nostro, Andrea domino Gray iusticiario nostro, venerabili in Christo patre Jacobo abbate de Dunfermling thesaurario nostro, et dilecto clerico nostro magistro Gawino Dunbar archidiacono Sanctiandree, nostrorum rotulorum et registri ac concilii clerico, apud Edinburgh, decimo die mensis Marcii, anno Domini millesimo quingentesimo septimo et regni nostri vicesimo.¹

165. CHARTER by ARCHIBALD FIFTH EARL OF ANGUS to his son, GEORGE DOUGLACE, of the lands of Horsehopeleuch. 23d June 1509.

OMNIBUS hanc cartam visuris vel audituris, Archibaldus comes Angusie, eternam in Domino salutem : Sciatis nos ex filiali affectione dedisse . . . dilecto filio nostro et apparenti heredi, Georgio Douglace magistro Angusie, omnes et singulas terras nostras de Horshopeleucht cum pertinenciis, iacentes in dominio nostro de Bothvale

¹ The Precept following on the above charter for infefting the grantee is dated 10th March 1507.

et infra vicecomitatum de Berwik, pro singulari affectu et amore quem erga eundem habemus et gerimus: quequidem terre cum pertinenciis fuerunt quondam Petri Carmichaell fratris nostri et Eufamee Wemys sue sponse, hereditarie in coniuncta infeodacione, et quas idem Petrus et Eufamea . . . apud Abirnethty iu manibus nostris personaliter et vnanimiter consensu et assensu per fustem et baculum sursum reddiderunt pureque et simpliciter resignauerunt . . . Tenendas et habendas totas et integras predictas terras nostras de Horshopcleucht cum pertinenciis dicto Georgio filio nostro, heredibus suis et suis assignatis, de nobis, heredibus et successoribus nostris, in feodo et hereditate imperpetuum . . . Reddendo inde annuatim dictus Georgius Douglace, heredes sui et sui assignati, nobis, heredibus et successoribus nostris, vnum denarium vsualis monete regni Scocie currentis, apud dictas terras in festo Penthicoestes, nomine albe firme, si petatur tantum, pro omni alio onere . . . Et nos vero dictus Archibaldus comes Angusie, et heredes nostri et nostri successores, omnes et singulas prenominatas terras de Horshopcleucht cum pertiueuciis dicto Georgio filio nostro, heredibus suis et suis assignatis, in omnibus et per omnia ut premissum est, contra omnes mortales warantzabimus . . . In cuius rei testimonium huic presenti carte nostre sigillum nostrum proprium apponi precepimus, apud Abirnethty, vicesimo tercio die mensis Junii anno Domini millesimo quingentesimo nono; coram his testibus, Archiebaldo Douglace nostro filio, domino Georgio Clerk preposito de Abirnethty, magistro Thoma Boyde rectore de Carmichaell, Willelmo Cranstoune, Georgio Smaling et Johanne Lame, cum multis aliis.¹

166. OBLIGATION by PETER CARMICHAEL and EUPHAME OF WEMYS, his spouse, to GEORGE DOUGLAS, MASTER OF ANGUS. 25th June 1509.

BE it kend till all men, be thire present lettres, ws, Peter of Carmichaell, and Eufame of Wemys the said Peteris spous, witht ane consent and assent, oure vtilite and profeit in that part be ws senc, consederit and wnderstaud, to be bundin and oblist, and, be thire oure present lettres, and the faithis and treuthis in oure bodeis, biudis and oblistis ws, and the laugast lewar of ws twa, and ilkane of ws, be our self, couiunctlie and seueralie, and oure airis maill lauchfullie gottin or to be gottin of oure bodeis, and oure assignais, till ane nobill man, George Dowglace, Maister of Angous, his airis and assignais, that, nochtwithtstandeieg that he has gevin and infest ws witht charter and saising iu dev forme into all

¹ A Precept was granted by the Earl of the of the charter.—[Original Precept in Douglas same date for infesting the grantee in terms Charter-chest.]

and sindry his landis of the Ardrig, Westoune and Andirschaw, with thare pertinence, liand in the lordschip of Douglace and schirefdome of Lanryk, till ws, and to the langast lewar of ws twa, and till airis maill of oure bodeis, betnex ws lauchfullie gottin or to be gottin, and failzeing thairof, to the airis maill of me, the said Petir, lauchtfullie to be gottin, and failzeing of all, than to the airis and assignais of the said George frelie to returne and cum, but difficulte, lik as at mair lentht is contenit in the said Georgis chartir maid and gevin to ws thairuppon; neurtheles, we will and we grant, and be thir oure present lettres bindis and oblisys ws, and ilkane of ws, in maner and forme forsaid, that quhat tyme and quhovsoun that it sall happin the said George, his airis or assignais, to get and obtene lauchfull entris, and be lauchfull possessour, baith of fee and frank tenement of the landis of Galtoquhy and Pettindy, with thare pertinence, lyand in the barony and regalite of Abirnethy and schirefdome of Perth, and thare eftir gewis and infestis till ws, the saidis landis, and till oure airis foresaid, in maner foresaid, witht chartir and seiseing, in gud and detfull forme, as efferis, to be haldin of him or his airis for a penny in blanchferme, in siclik forme and maner as we ar infest in the forsaidis landis of Ardrig, Westoune and Andirschaw, witht thare pertinence, he or thay beand requirit be ws, or ony ane of ws, or oure aieris forsaides, to do and fulfill the samin within xx dayis eftir that he or thay beis requirit thareto, and that beand compleit and done, and infestment and seising gevin to ws thareof in dev forme, as said is, thane sall we, thareftir, incontinent, in all possible haist thareftir, purlie and simpilly, -resing, wpgif, and foreuirmair gif oure, in the handis of the said George, his aieris or assignais, gevaris and infettaris of ws of the foresaides landis of Galtoquhy, , and Pettindy, with the pertinence, all and sindry the forsaides landis of Ardrig, Westoune, and Andirschaw, with thare pertinence, togidder with all charteris, euidenttis, possessionis, instrumentis, and all wtheris writis maid and gevin to ws thairuppon; and, fra thyne furtht, we, nor oure aieris foresaides, sall neur mak clame, questioun, nor demand in nor to the foresaidis landis of Ardryg, Westoune and Andirschaw, witht thare pertinence, nother to properte nor possessioun, in all nor in to part, bot aluterlie to be excludit tharefra, but fraud or gile, all remeid of law, cyvill, cannone, act of parliament or generale counsale, and all exceptioun, dilatour and peremptour that ma be proponit be ws, or for ws, or be ony wtheris in oure namis, we renunce and lewis be thir oure present lettris, and wnder the panis of perpetuel inhabilite and infamie, eo facto: and to the afald keping and fulfilling of all and sindry thir pointtis and condicionis, in maner and

forme forsaides, we bynd and obliss ws, and the langast lewar of ws, and ilkane of ws, be our self, coniunctlie and seueralie, and airis foresaid, be the faithtis and treuthis in oure bodeis, the gret aitht sworne, the Haly Ewangelis tuechtit, in the straitast forme and stile of obligatioune or reuersiounne that is wsit or maid in the kynryk of Scotland in siclik caicis. In wites of the quhilk thing, to thir present lettres, we haue appensit oure proper seillis, at Abernethly, the twenty five day of Junij, the zeir of God I thousand five hundreth and nyne zeris; befor thir wites, Johnne Balearmoth of that Ilk, Gilbert Geddas, Daudid Duncane, Thomas Anderson, and Johnne Lam, eldar, witht wtheris diuers.

167. DISCHARGE by JOHN LORD HAY of Yester to GEORGE MASTER OF ANGUS. 17th September 1509.

I, JOHENNE LORD HAY, grantis me to haue resaut fra ane ryecht honorabil man, George Master off Angus, the soume of thre hundreth merkis, gud and vsual noumerit money of the realme of Scotland, in part off payment of ane mor soume, aucht to me for touchter, for meriage complettit betuix Johenn Hay, my soune and apperand air, and Elezabet Douglas, douchter to the said George: off the quhilk soume I hald me weil content and payt, and dischargis, be this present acquittance, for me, my airis, executouris and assignes, the said George, his airis, executouris, and [assignes,] of the said soume off thre hundreth merkis for nov and evir. In wites heroff, to this present acquittance, subscriuit with my hand, I haue affixt my awin propir seel, at Edinburgh, the xvij day of September, the zher of God ane thousand fyff hundrethit and nyne zheris, befor thir witesis.

JHON LORD HAY off Zesty.

168. PREMONITION, in name of GEORGE MASTER OF ANGUS, to RALPH KER of Prymsidlowich, respecting the redemption of the lands of Selkirk and Philliphauch. 28th September 1509.

IN Dei nomine amen: Per hoc presens publicum instrumentum cunctis pateat euidenter quod anno Incarnacionis dominice millesimo quingentesimo nono, vicesimo octauo die mensis Septembris, indictione vndecima, pontificatusque sanctissimi in Christo patris et domini nostri, nostri domini Julii diuina prouidencia pape secundi, anno quinto, coram me notario publico et testibus subscriptis probus vir Danid Lowre, procurator nobilis et potentis viri Georgii magistri de Anguse, manerium siue mansionem Rodulphi Ker de Prymsidlowich nuncupatam Grenheid, personaliter

adiuit, et ibidem prefatus Dauid michi notario publico subscripto quoddam autenticum procuratorium vernacula nostra lingua scriptum sigillo proprioque subscriptione manuali prefati Georgii sigillatum et subscriptum, ut michi lucide constabat perlegendum tradidit: post vero publicationem et perlecturam idem Dauid, virtute et vigore eiusdem procuratorii, honorabilem virum Rodulphum Ker, ad suum predictum manerium siue mausionem de Greuheid, ad comparandum in ecclesia parochiali de Selkirk vicesimo secundo die meusis Octobris proxime futuri, ad recipiendum dicto die et loco super summum altare eiusdem, ab eodem Georgio suisve procuratoribus ad hoc constitutis, summam octocentarum mercarum vsualis monete Scocie, premuniuit; pro qua summa octocentarum mercarum dicto Rodulpho Ker octodecem terrae husbandiae in dominio de Selkirk infra vicecomitatum eiusdem, cum molendino orientali, et terrae occidentales dominicales de Selkirk, et terrae dicti Georgii de Phillophauch, iacentes in eodem vicecomitatu, et annuales redditus dicti Georgii annuatim pertinentes de terris domiucalibus orientalibus eiusdem, cum terris, grassumis, et capones de terris caponum cum pertuenciis per dictum Georgium impignoratur; et cetera omnia faciendum que in quadam litera reuersionis siue redempcionis sub sigillo proprio dicti Rodulphi desuper confecta et collata continentur, ibi eciam secundum teuorem dicte litere reuersionis, premuniuit . . . Acta erant hec in aula dicti Rodulphi in Grenheid, hora secuuda post meridiem uel eocirca, sub anno, die, meuse, indiccione et pontificatu quibus suprascriptis; presentibus ibidem Michaele Ramsai et Johaune Daugelee, cum diuersis aliis testibus ad premissa specialiter requisitis.

Et ego vero Patricius Stanhous, presbyter Glasguensis diocesis, apostolica auctoritate notarius publicus, premissis [*etc. in forma communi*].¹

169. DISPENSATION by POPE JULIUS THE SECOND to WILLIAM DOUGLAS and ELIZABETH AUCHINLECKE to marry again, and legitimizing their offspring. 1st November 1509.

VENERABILI in Christo patri Dei gratia episcopo Glasgueusi, uel eius vicario in spiritualibus, Ludouicus miseratione diuina titulo Sancti Marcelli presbyter

¹ A notarial instrument, dated 20th October 1509, narrates that by mutual consent of the above parties, the term of payment was postponed till the 25th of October, and the place of payment appointed to be the aisle of Saint Anthony, in the collegiate church of Saint Giles of Edinburgh. The witnesses are Master

Gawin Douglas, provost of the collegiate church of Saint Giles, Peter Carmychel and Master John Murray, burgesses of Edinburgh, Sir William Broune, notary, Sir John Geddas, chaplain, and Robert Boid.—[Douglas Charterchest.]

cardinalis, salutem et sinceram in Domino caritatem : Ex parte Willelmi Douglas laici, et Elizabeth Auchinleck mulieris, coniugum, uestre diocesis, nobis oblata petitio continebat quod ipsi olim scientes se quarto consanguinitatis et affinitatis gradu inuicem esse coniunctos, et se attinere matrimonium inter se per verba de presenti publice de facto contraxerunt, illudque carnali copula consummarunt : Cum autem dicti coniuges in huiusmodi matrimonio remanere non possint, et si diuortium fieret inter eos grauia exinde scandala possent verisimiliter exoriri, supplicari fecerunt humiliter iidem coniuges eis super his per sedem apostolicam de absolutionis debite beneficio et opportune dispensationis gratia misericorditer prouideri : Nos igitur cupientes ipsorum coniugum animarum prouidere saluti, et huiusmodi scandalis quantum cum Deo possumus obuiare, auctoritate domini pape, cuius penitentiarie curam gerimus, et de eius speciali mandato super hoc uiue uocis oraculo nobis facto, circumspectioni uestre committimus quatenus, si est ita, ipsis prius ad tempus de quo uobis uidebitur ab inuicem separatis, eos aliquali excommunicationis sententia quam propter hoc incurrerunt, huiusmodique incestus reatu absolutis in forma ecclesie consueta, iniuncta inde eorum cuiilibet pro modo culpe penitentia salutari et aliis, que de iure fuerint iniungenda, quodque superuiuens eorum alteri perpetuo remaneat absque spe coniugii. Demum, cum eisdem quod impedimentis consanguinitatis et affinitatis huiusmodi non obstantibus possint matrimonium inter se de nouo libere contrahere et in eo postquam contractum fuerit licite remanere misericorditer dispensetis ; dummodo dicta mulier propter hoc ab aliquo rapta non fuerit ; prolem susceptam, si qua sit, et suscipiendam exinde legitimam decernentes. Datum Bononie, sub sigillo officii penitentiarie, kalendis Nouembris, pontificatus domini Iulii pape ii anno septimo.

E. ROSKISDRUMHS.

S. CENTURIANIS.

N. GLADIATORIS.

170. REVERSION by JOHN MURRAY of Falahill, to GEORGE MASTER OF ANGUS, of the lands of Selkirk. 10th December 1509.

BE it kend til al men be thir presand leteris, me, John of Mwra off Falae hill, to be oblissit and, be this presand leter, be the fatht in body, lellely and treuly oblis me for me, myn airis and assignais, till an nobill man, George, master of Anguse, that nochtwythstandinge the said George has gewen to me, myn airis and assignais, be heritabill schartir and sesinge of al his landis off Selkrek, liand

wythyn the schirefdome off the sam, eftir the tenor of my chartir maid to me thair opone, that als sone or qwhat tym it sall happin the said George, his airis or assignais, to content and pay to me, myn airis or assignais, the sowm off an M. markis, vsuall money off Scotland, togeder, on an day in the kirk off Selkrek, on the he altare of the samyne, I sall rasinge, wpgiff and frely delyuer agane to the said George, his ayris or assignais, all and hail the saidis landis of Selkrek wyth thair partinens, togedder wytht all schartiris and ewidentis that I haff off the said landis; fra the paiment off the quhilk som I oblis me, myne ayiris or assignais, that we sall nocht absent ws fra the paiment of the said sowm, we beand lachfully warnyt in propire perswn, or at oure dwellyn plase, on xx dais: the said sowm off an M. markis beand pout in guid and sekir keping, to me and myn ayiris or assignais, I grant that my scharteris and evidens be off na fors nor effek, all manar off fraud and gyill auay put: In witnes off the qwhilk thinge, to this my presand writ, my seill is to hwng at Edinbwreh, the teind day off Descemar in the zeir off God ane M.v^c and nyn zeris, and this I deid beffor thir witnes, schir Alexandar Rammysae off Dawuisy, knecht, George Smailam, schir Johne off Petkarn, wytht wder dywaris.

171. DISCHARGE by JOHN LORD HAY to GEORGE MASTER OF ANGUS.
10th June 1510.

I, JHONNE LORD HAY of Zestyr, grantis me to haf resaut all and haile the sowme of alevyne scor of merkis vsual mone of Scotland, frae ane honorabil man, George Master of Angus; that is for to say, sevine of scor of markis of the forsaid sowme payt to me be Adam of Hepburne of the Craggis, and four scor of markis be the said George, in part of paiment of a mare sowme for the touchyr aucht to me be the said George, for the mariage completit betwix schir Jhonne the Hay of Hoprew, knycht, my sone and apperand air, and Elizabeth Douglass, douchter to the said George, for this instant terme of Witsounday last bypast. Of the quhilk sowme I grant me weile content and payt, and quitclanis the said George Master of Anguse thairof, and all vtheris, be this myne acquittanse, subscriuit wyth my hand, at Edingbrugh, the ten day of Junij, in the zere of God a thousand fyve hundreth and ten zeris.

JOHN LORD HAY off Zestyr.

172. DECREE of PRIVY COUNCIL as to the Nonentry of ARCHIBALD EARL OF ANGUS to the lands of Kirriemuir, etc. 17th June 1510.

AT Edinburgh, the xvii day of Junij, the zeir of God I^m v^c and tene zeiris, the Lordis of Counsale vnder writtin, that is to say, ane maist reuerend fader and reuerend faderis in God, Alexander Archbischof of Sanctandros, chancelare, Daid Bischop of Galloway, nobile and mychtie lordis, Archibald Erle of Ergile, Mathow Erle of Lewenox, venerable faderis in God, Jhonne priour of Sanctandros, George abbot of Dunfermling, thesaurer to our Souerane Lord, James abbot of Jedburgh, noble Lordis Robert Lord Erskyne, Robert Lord Creyghtoune, Maister Gawayne Dunbar, clerk of registry, Williame Scot of Balverie, knyght, and Robert Coluile, clerk of chancelarie, anent the summondis maid at the iustance of our souerane lord aganis Archibald erle of Angus, berand him tenent to his Hienes, of the landis and barony of Kerimvre witht the pertinentis and the landis of Authebetoun, Wallandag and Logy, Kynquhirre, Invertarolochtie and Lawis of Estir Ethy of Ballingerroth, Auchlusy, Glasvall and Torbyrnis, Eglismonetho, Balmosy, the Branthane, twa partis of Monyfeith and Iustenleis, witht the mylne of the saidis landis, the landis of the manis of Stredichtie, Kirkton of Kerymvre, Balmure, Brochtlie, Glenbrossane, Balloch, witht the mylne of Kerymvre, witht the fisheing of the sammyn lyand within the Schirefdome of Forfaire, and aganis all vtheris havand interes to the saidis landis, to heir and se the sammyn decernit to haif bene in our Souerane Lordis handis and his predecessouris, be the space of xlv zeiris last bypast, be ressoun of nonentres, and to bring witht thame sic charteris and euidentis as thai will vse in the said mater lik as at mair lenth is contenit in the said summondis, our souerane Lord comperand be Maister James Henrisoune, his Aduocat, and the said Erle of Angus being personalie present, and diueris vtheris fre tenentis of the saidis landis and barony, comperand and schawand na lauchfull interes, and ane vthir part being lauchfullie summond to this actioun, oftymes callit and nocht comperit, the partiis, puntis, rychtis, ressonis and allegationis hard, sene, and vnderstand, and thairwitht being riplie avisit, the Lordis of Counsale decretis and deliueris that the [saidis] landis and barony of Kerimvre, witht the remanent of the landis, mylnis, and fischeingis befor expremit, hes bene in our souerane Lordis handis and his derrest faderis, quhom God assolze, be the said space of xlv zeiris, be ressoune of nonentres, becaus the said Archibald Erle of Angus grantit in [judg]ment, that he was nocht lauchfullie enterit thairto be the said space, and

thairfor decernis the byrvn [mai]les thairof, extending zeirlie to the sovme of ane thousand pvnadis vsuale money of Scotland, to pertene to our said souerane Lord be the said space, and the saidis landis to remane with his Hienes, ay and quhill the payment thairof, and quhill the samyn be lauchfullie recoucrit fra him as efferis, and that lettres be direct to appris the saidis landis and barony forsaid, for the said sovme zeirlie be the forenemit space, to remane witht our said souerane Lord as said is, gif neid beis. Extractum de libris actorum per me magistrum Thomam Marioribankis de Ratho, clericum rotulorum registri ac consilii supreme domine nostre Regine, sub meis signo et subscriptione manualibus.

THOMAS MARIORIBANKIS.

173. CHARTER by KING JAMES THE FOURTH to ARCHIBALD LORD DOUGLAS,
of the barony of Kyremure. 1st August 1510.

JACOBUS Dei gratia rex Scotorum, omnibus probis hominibus totius terre sue clericis et laicis, salutem : Sciatis, quia terre et dominium baronie de Kyremure, cum tenandriis earundem subscriptis, videlicet, terris de Crumby, Inchbrachty, Bannesbocht, Inchemill, Pettarity, Dalinche, Daldano, Glennowik, Carnowis, Belleth, Kyntiry, villa de Kerymure, cum molendino, lacu molendini, terris et pertinenciis, terris dominicalibus de Erlestrachithy, et molendinis earundem, Kynquhereis, cum molendinis et pertinenciis, Bannagarrach, Chapeloun, Auchanlussy, cum molendino et pertinenciis earundem, Ballargus, cum molendino et pertinenciis, terris de Kirkoune nuncupatis Erlestrachithy, terris de Quhitefeild cum pertinenciis, terris de Balmure, cum molendino et pertinenciis, terris de Bolmossy, Justingleys, Eggismanichto, Barnehill, Munyfuthe, cum molendinis et pertinenciis, terris de Ethybetoun, cum tenandriis earundem, Kyngouny et Esterbrichty, terris nuncupatis le Lawis, cum suis pertinenciis, terris de Munmathy, cum molendino et pertinenciis, terris de Penlathy, cum pertinenciis, terris de Petcoura, cum pertinenciis, terris de Petnowy, terris de Finlarg et Gagiis, terris de Glaswele et Terbyrnis, cum molendino earundem, terris de Logy, Ballandarig, cum suis molendinis, terris de Bolmaketteis, Ballinchois, cum molendino, terris de Innerquharite, Creif, Litill Migvy, Newtoun, Kynnordy, Hirdhill, Balbrid Manys, Esternethy, cum molendinis, cum le Vuer Inche et le Wester Ednathy, Brochty, cum piscaria eiusdem, terris de Crawford, le Inche, terris de Scottistoun, terris de Quhitefeild de Kerymure, cum suis castris, turribus, fortaliciis, aduocatione et donatione ecclesiarum et capellaniarum . . . et omnibus pertinenciis omnium predictarum terra-

rum . . . iacentes in comitatu Angusie, infra vicecomitatum nostrum de Forfare, sunt et fuerunt in manibus nostris, et in manibus quondam nobilissimi patris et progenitoris nostri, cuius anime propitiatur Deus; quas omnes et singulas terras et dominium . . . domini consilii nostri in manibus nostris existere adiudicarunt et decreuerunt cum firmis preteritis, proficuis, et deuoriis earundem, ratione nonintrotitus veri heredis ad easdem, per spacium quadraginta quinque annorum elapsorum, a tempore decessus quondam Georgei comitis Angusie, vltimi tenentis earundem; que firme et proficua annuatim se extendunt, per dictum spacium, ad summam mille librarum vsualis monete regni nostri, et quod dicte terre et dominium cum teuandriis suprascriptis nobiscum remanerent vsque solucionem dicte summe, et donec huiusmodi terre a nobis legitime vt decet recuperate fuerint . . . et dilecto consanguineo nostro, Archibaldo domino Douglas, filio et heredi dicti quondam Georgei se gerenti nobis in tenentem dictarum terrarum et domini cum tenandriis suprascriptis, cum diuersis aliis liberetenentibus earundem, coram dictis dominis personaliter comparentibus, et confitentibus, ac perfecte intelligentibus quod huiusmodi preterite firme dictarum terrarum et tenandriarum, cum omnibus suis pertinentiis, sunt maioris valoris et ad maiorem summam extendunt quam omnes supradicte terre et dominium, tam in proprietate quam in tenandria; ideo dictus Archibaldus consanguineus noster ex suo proprio consensu . . . in manibus nostris sursum reddidit totum ius, clameum, ac titulum juris que vel quod ipse habet, habuit, aut habere poterit in seu ad dictas terras et dominium . . . primitus dicto consanguineo nostro omnibusque aliis interesse habentibus ad nostram instantiam legitime citatis. Et nos, pro nobis et successoribus nostris, nolentes quod dictus consanguineus noster et heredes sui, de huiusmodi terris et dominio cum tenandriis et pertinentiis supradictis, destituti seu exheredati fuerint, sed potius per donacionem nouamque infeodacionem nostras securiores per cartam et sasinam nostras inde, vt sequitur, efficiantur; dedimus igitur . . . dicto Archibaldo consanguineo nostro et heredibus suis omnes et singulas dictas terras, dominium, et baroniam . . . pro certis rationabilibus considerationibus animum nostrum mouentibus et pro certis pecuniarum summis per dictum consanguineum nostrum nostro nomine thesaurario nostro soluendis: ac eciam pro specialibus fauoribus quos dicto consanguineo nostro gerimus, de nouo vniuimus, creauimus, annexuimus et incorporauimus et hac presenti carta nostra de nouo vniuimus, creamus, annexamus et incorporamus omnes et singulas dictas terras et dominium . . . in vnam meram et liberam baroniam, perpetuis futuris temporibus nuncupandam baroniam de Kyremure, et villam de Kyremure esse

capitale messuagium dicti domini et baronie, et quod vna sasina nunc et futuris temporibus per dictum Archibaldum et heredes suos capienda, apud dictum capitale messuagium, sufficiens sasina erit, et stabit pro omnibus et singulis dictis terris, dominio et baronia . . . et dictam villam de Kyremure in vnum liberum burgum in baronia, vt prius, cum omnibus priuilegiis liberi burgi in baronia, et adeo libere sicut aliquis burgus in baronia infra regnum nostrum datur, creatur ant conceditur : Tenendas et habendas omnes et singulas predictas terras et dominium baronie de Kyremure cum tenandriis suprascriptis . . . nunc de nouo vnitas, creatas, annexatas et incorporatas in vnam liberam baroniam, vt premittitur, dicto Archibaldo et heredibus suis de nobis et successoribus nostris, Scotorum regibus, in feodo et hereditate, libera baronia, regalitate et alba firma, et dictam villam de Kerymure in liberum burgum in baronia pro perpetuo . . . Reddendo inde annuatim dictus Archibaldus consanguineus noster et heredes sui nobis et successoribus nostris, pro omnibus et singulis dictis terris, dominio et baronia . . . vnum denarium argenti, apud dictum capitale messuagium de Kyremure, ad festum Penthecostes, nomine albe firme, si petatur tantum : Et nos pro nobis et successoribus nostris dedimus . . . licenciam, consensum et libertatem, dicto consanguineo nostro ac heredibus suis, ad de nouo infeodandum omnes et singulos suos liberetenentes in suis tenandriis suprascriptis, per cartam et sasinam suas in debita forma conficiendas, de ipso et heredibus suis tenendis, similiter et adeo libere, sicut prefati tenentes aut predecessores sui de dicto quondam Georgeo dicti consanguinei nostri patre ant suis predecessoribus easdem prius tenuerunt et possederunt, ipsis et heredibus suis soluendo dicto consanguineo nostro et heredibus suis suas compositiones pro huiusmodi tenandriis, videlicet, quilibet eorum pro parte sua iuxta valorem et quantitatem suarum tenandiarum : Ac etiam pro nobis et successoribus nostris concedimus quod dicte infeodaciones . . . nullum preiudicium seu causa forisfacture erunt huiusmodi teneantibus penes dictas suas tenandrias, neque dicto Archibaldo aut heredibus suis penes suam proprietatem . . . In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus ; testibus, reuerendissimo reuerendoque in Christo patribus, Alexandro Sanctiandree archiepiscopo etc., cancellario nostro, Willelmo episcopo Abirdonensi, nostri secreti sigilli custode, dilectis consanguineis nostris, Archibaldo comite de Ergile domino Campbell et Lorne, magistro hospicii nostri, Matheo comite de Levenax domino Dernlie, Andrea domino Gray, insticiario nostro, venerabili in Christo patre Georgeo, abbate de Abirbrothok, thesaurario nostro, dilectis clericis nostris magistris Gawino Dunbar, archidiacono Sanctiandree, nostrorum rotulorum registri et

consilii clerico, Patricio Panitere, archidiacono Dunkeldensi, secretario nostro, et dilecto familiari nostro, Roberto Coluile de Vchiltre, nostre cancellarie direttore, apud Falkland, primo die mensis Augusti, anno Domini millesimo quingentesimo decimo, et regni nostri vicesimo tertio.¹

174. AGREEMENT between certain persons to request KING JAMES THE FOURTH to infeft ARCHIBALD, FIFTH EARL OF ANGUS, in the lordship of Craufurdlyndissay. 30th October 1510.

IN Dei nomine amen : Per hoc presens publicum instrumentum cunctis pateat euidenter et sit notum quod anno Incarnacionis dominice millesimo quingentesimo decimo, mensis vero Octobris die penultimo, indictione xiiij^{ta}, pontificatus sanctissimi in Christo patris et domini nostri, domini Julii diuina prouidencia pape secundi anno septimo, et regni excellentissimi supremi domini nostri, domini Jacobi quarti Scotorum regis illustrissimi, anno vicesimo tertio, in mei notarii publici et testium subscriptorum presentia, personaliter constituti nobiles et honorabiles subscribe persone dederunt suum expressum consensum, sub earum subscriptionibus manualibus, nobili et potenti domino Archibaldo comiti Angusie, domiuo Douglas fore infeodatum per dictum supremum dominum nostrum regem in dominio de Craufurdlyndissaye, requirentes humiliter gracious excellenciam dicti supremi domini nostri regis quatenus ipse vellet infeodare prefatum dominum Archibaldum comitem in dicto dominio de Craufurdlyndissay, amore Dei : quarum personarum nomina sequuntur in wlgari: Johne lorde Somerwill, James Hamiltoune of Schawfeild, knyght, Johne of Symontoune of that ilk, Robert Dalzell of that ilk, Johne Conynghame of Bondingtoune, Robert Maxwell of Calderwode, Robert Tynto of Crymerampe, Adam Hamiltoune of Ellyrschawe, Johne Talzefere of the Hayrclucht, Jhone Atzene, bailze of Craufurde, Gilbert Weyre of the Raclucht. We, fre tenentis off Craufurdmur, beseikis zour gude grace that ze walde infeft my lorde of Anguys in the lordschip of Craufurdlyndissay, and pray my lorde of Anguse to be gentill till ws free tenentis that he haue entres, sa that we tyne nocht our Mertymes malez : This we beseyk zour gude grace to do, for the lufe of Almighty

¹ The instrument of sasine following on the above Charter is dated at the Market Cross of Kerymure, 12th October 1510. The witnesses are—George Douglas, heir-apparent to Archibald Earl of Angus, Mr. Gawin Douglas, his brother-german, provost of St. Giles,

Edinburgh, David Ghrayme of Fyntre, Henry Lwmill of Ballumby, knights ; John Ogilby of Anerquharite, Olfier Ogilby, Sir George Clerk, provost of Abirnethy, etc.—[Original in Douglas Charter-chest.]

Gode. Super quibus omnibus et singulis dictus dominus Archibaldus comes a me notario publico subscripto, sibi fieri peccit instrumentum et instrumenta vnum aut plura, publicum seu publica: Acta erant hec in loco Fratrum Minorum de Lanark, circa horam nonenam ante meridiem sub anno, die, mense, indicione et pontificatu quibus supra, coram omnibus prescriptis personis et Johanne Somerwill de Cambusnathane, milite, Willelmo Carmichell de eodem, Willelmo Hamiltone de Caudour, et domino Johanne Weyre, capellano, cum multis aliis ad premissa vocatis pariter et rogatis.

Et ego Willelmus Clerici presbyter Glasgnensis diocesis sacrosancta auctoritate apostolica notarins publicus, quia premissis [*etc. in forma communi*].

175. RESIGNATION by ARCHIBALD, FIFTH EARL OF ANGUS, in favour of his son GEORGE, of the lordship of Abirnethy. 16th January 1510.

IN Dei nomine amen: Per hoc presens publicum instrumentum cunctis pateat euidenter quod anno ab Incarnacione Domini millesimo quingentesimo decimo, mensis vero Januarii die decimo sexto . . . in mei notarii publici et testium subscriptorum presenciam personaliter comparuit nobilis et potens dominus Archibaldus comes Angusie dominus Douglas etc. coram reuerendo in Christo patre Willelmo miseracione diuina episcopo Abirdonensi vno dominorum consilii supremi domini nostri regis, et ibidem . . . omnes et singulas terras, dominium baronie et regalitatis de Abirnethy cum tenentibus, tenandriis, liberetenencium seruiciis, castris, turribus, fortaliciis, molendinis, piscariis, aduocacione et donacione prepositure et prebendariorum ecclesie collegiate de Abirnethy et aliarum ecclesiarum et capellaniarum annexis et pendenciis omnium predictarum terrarum, vnam villa de Abirnethy in vnum liberum burgum in baronia, cum omnibus priuilegiis dicti burgi et suis pertinenciis, iacentes infra vicecomitatum de Perth, predicto domino comiti pertinentes pro toto tempore vite sue, racione curialitatis Scocie, per decessum quondam Elezabeth Boid sue sponse, aut aliter qualitercumque, renunciauit et dimisit in manibus excellentissimi domini nostri regis, tanquam in manibus domini superioris eandem, in fauorem Georgi Douglas, sui filii et heredis apparentis ac filii et heredis dicte quondam Elezabeth Boid sue matris, pro introitu ipsius Georgi in omnibus et singulis predictis terris et dominio huiusmodi baronie et regalitatis de Abirnethy . . . ac saisina hereditaria predicto Georgio Douglas tanquam legitimo et propinquiori heredi predictae quondam Elezabeth matris sue per dictum supremum dominum nostrum regem inde danda et conferenda, secundum

tenorem carte et infeodacionis predictæ quondam Elezabeth desuper prius confectæ . . . Acta erant hæc infra burgum de Edinburgh, super gradum hospicii dicti domini episcopi Abirdonensis, hora decima ante meridiem vel eo circa . . . presentibus ibidem predicto domino episcopo Abirdonensi, necnon honorabilibus viris, videlicet, Johanne Ogiluy de Innerquharite, Andrea Elphinstoun de Selmys, Roberto Lausoun de Hieriggis, Alexandro Wardlaw de Waristoune, Petro Carmichell, Georgeo Inglis, magistro Thoma Boid rectore de Carmichaell, et Waltero Chepman notario publico, cum diuersis aliis testibus . . .

Et ego Jacobus Zowng clericus Sanctiandree diocesis, publicus auctoritatibus imperiali et regali notarius, quia premissis [*etc. in forma communi*].

176. CHARTER by KING JAMES THE FOURTH to GEORGE DOUGLAS, son of Archibald, fifth Earl of Angus, of the barony of Craufurdlindesay, recognised in the King's hands. 20th January 1510.

JACOBUS Dei gratia rex Scotorum, omnibus probis hominibus tocius terre sue, clericis et laicis, salutem: Sciatis nos dedisse . . . dilecto consanguineo nostro Georgio Douglas, filio et apparenti heredi dilecti consanguinei et consiliarii nostri Archibaldi comitis Angusie domini Douglas, totas et integras terras dominium et baroniam de Craufurdlindesay tam in proprietate quam in tenandria, videlicet, castrum et fortalitium de Craufurd, terras de Howcleuch, Racleuch, Hardtop, Budhous, Ellirschaw, Powtrale, Crukestance, Nethir Newtoun, Litilelide, Glaspane, terras dominicales videlicet le manis Mudlow, Ouer Newtoun, le Granys, Kowhill, villam de Craufurd, in liberum burgum in baronia, cum libertatibus et commoditatibus eiusdem vsitatis et consuetis, terras de Westhaw, Quhitecamp, Kirkhope, Southous, Normangill, Blakhou, Crymperamp, Haircleuch, Bonytoun et Halkschawis, vna cum aduocacione, donacione et iure patronatus ecclesiarum et capellaniarum earundem, cum suis pertinenciis, iacentes infra vicecomitatum nostrum de Lanark: quequidem terre, dominium et baronia . . . fuerunt dicti Archibaldi consanguinei nostri prius hereditarie, et in manibus nostris recognite fuerunt ob alienacionem maioris partis earundem absque consensu, licencia aut confirmacione nostri aut predecessorum nostrorum, et lapsis anno et die post huiusmodi recognicionem, dictisque terris, dominio et baronia, cum suis pertinenciis ad plegium minime dimissis, prefatisque Archibaldo et consanguineo nostro Johanne comite Craufurdie omnibusque aliis ad easdem interesse habentibus, ad nostram instanciam legitime citatis, ad videndum et audiendum ipsos decerni dictas terras, dominium et

baroniam, cum pertinenciis amisisse, et easdem nobis adjudicari et in manibus nostris existere ratione forisfacture ob causam predictam, decretum extitit et deliberatum per consilii nostri dominos quod tote et integre predictæ terre dominium et baronia . . . nobis pertinerent . . . Quasquidem omnes et singulas dictas terras dominium et baroniam . . . nos pro bono gratuitoque seruiçio nobis per dictum Georgium impenso de nouo creauimus, vniuimus, annexuimus et incorporauimus . . . in vnam integram et liberam baroniam omnibus affuturis temporibus nuncupandam baroniam de Craufurd-Douglas imperpetuum, et dictum castrum et fortaliciu[m] de Craufurd esse principale messuagium eiusdem ; apud quod principale messuagium volumus et ordinamus quod vna sasina nunc et in omnibus futuris temporibus per dictum Georgium et heredes suos capienda sufficiet et stabit pro totis et integris predictis terris, dominio et baronia . . . absque alia singulari seu particulari sasina desuper capienda . . . Tenendas et habendas totas et integras dictas terras, dominium et baroniam . . . dicto Georgio et heredibus suis de nobis et successoribus nostris in feodo, hereditate et libera baronia imperpetuum . . . Reddendo inde annuatim dictus Georgius et heredes sui nobis et successoribus nostris tres sectas ad tria placita capitalia vicecomitatus nostri de Lanark, vnacum seruiçio warde et releuii debito et consueto : Dedimus eciam . . . licenciam et libertatem dictis Georgio et heredibus suis ad libere infeodandum per cartas et sasinas suas tenentes dictarum terrarum, domini et baronie in tenandriis suis earundem quas ipsi prius possidebant, de ipso Georgio et heredibus suis tenendis adeo libere sicut ipsi easdem ante huiusmodi recognitionem tenuerunt . . . Reseruato tamen libero tenemento omnium et singularum predictarum terrarum domini et baronie . . . dicto Archibaldo pro toto tempore vite sue : In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus, testibus reuerendissimo reuerendisque in Christo patribus Alexandro Sanctiandree archiepiscopo etc. cancellario nostro, Willelmo episcopo Abirdonensi nostri secreti sigilli custode, Andrea episcopo Cathanensi thesaurario nostro, dilectis consanguineis nostris Archibaldo comite de Ergile domino Campbell et Lorne magistro hospicii nostri, Matheo comite de Levenax domino Dernelie, Alexandro domino Hume magno camerario nostro, Andrea domino Gray iusticiario nostro, magistris Gavvino Dunbar archidiacono Sanctiandree clerico rotulorum registri ac consilii nostri, Patricio Paniteir rectore de Tannandes secretario nostro, et Roberto Coluile de Vchiltre nostre cancellarie direttore, apud Edinburgh, vicesimo die mensis Januarii anno Domini millesimo quingentesimo decimo et regni nostri vicesimo tercio.

177. CHARTER by KING JAMES THE FOURTH, confirming a charter of ARCHIBALD, FIFTH EARL OF ANGUS, to his son, SIR WILLIAM, of the barony of Braidwood and Hospital of St. Leonard. Charter dated 18th April 1510. Confirmation, 25th February 1510.

JACOBUS Dei gracia rex Scotorum, omnibus probis hominibus tocius terre sue, clericis et laicis, salutem : Sciatis nos quandam cartam donationis factam per dilectum consanguineum et consiliarium nostrum, Archibaldum comitem Angusie, dilecto nostro Willelmo Douglas, militi, dicti nostri consanguinei filio . . . ad plenum intellexisse sub hac forma :

OMNIBUS hanc cartam visuris vel audituris, Archibaldus comes Angusie dominus Dowglas et terrarum siue baronie de Braidwod, salutem in Domino sempiternam : Noueritis nos dedisse . . . dilecto nostro filio Willelmo Douglas, militi, pro carnali affectione quam erga ipsum gerimus et habemus et pro suo seruicio . . . terras et baroniam nostras de Braidwod cum pertinenciis, iacentes infra vicecomitatum de Lanerk, cum turre, fortalicio et molendino eiusdem, cum tenandria de Hedis et vno annuo reddito tresdecim solidorum et quatuor denariorum annuatim percipiendo et leuando de dicta tenandria de Hedis cum pertinenciis, et cum hospitali Sancti Leonardi situato prope burgum de Lanerk et iure patronatus eiusdem : Tenendas et habendas . . . prefato Willelmo Douglace, militi, filio nostro dilecto, et heredibus suis masculis de corpore suo legitime procreatis seu procreandis, quibus deficientibus, heredibus nostris quibuscunque, in feodo et hereditate imperpetuum . . . Reddendo inde annuatim dictus Willelmus, miles, filius noster, et heredes sui masculi de corpore suo legitime procreati seu procreandi nobis, heredibus et successoribus nostris, vnum denarium argenteum vsualis monete regni Scocie, apud turrin de Braidwod in festo Sancti Johannis baptiste, nomine albe firme, si petatur tantum . . . In cuius rei testimonium sigillum nostrum presenti carte nostre appendi fecimus, vna cum subscriptione nostra manuali, apud burgum de Rothesay et Bute, decimo octauo die mensis Aprilis anno Domini millesimo quingentesimo decimo ; coram hiis testibus, magistris Roberto Hammiltoun rectore de Duplyne, Thoma Boyd rectore de Carmichell, Willelmo Fairlie, magistro Willelmo Hammiltoun, Alexandro Inglis, Willelmo Inglis et Johanne Crawford . . .

QUAMQUIDEM cartam . . . confirmamus, saluis nobis et successoribus nostris seruiciis dictarum terrarum et baronie . . . debitis et consuetis. In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precipimus ; testibus, reuerendissimo reuerendisque in Christo patribus Alexandro Sanctiandree archiepiscopo, etc. cancellario nostro, Willelmo episcopo Abirdonensi nostri secreti sigilli custode, Andrea episcopo Cathanensi thesaurario nostro, dilectis consanguineis

nostris Archibaldo comite de Ergile domino Campbell et Lorne magistro hospicii nostri, Matheo comite de Levinax domino Dornlie, Andrea domino Gray iusticiario nostro, dilectis clericis nostris magistris Gawino Dunbar archidiacono Sanctiandree nostrorum rotulorum registri et concilii clerico, Patricio Pantere rectore de Tannades secretario nostro, et dilecto familiari nostro Roberto Coluile de Vchiltre nostre cancellarie direttore, apud Edinburgh, vicesimo quinto die mensis Februarii anno Domini millesimo quingentesimo decimo et regni nostri vicesimo tercio.

Hec est vera copia [*etc. in forma communi*].

JACOBUS FOULIS.

178. INDENTURE between GEORGE DOUGLAS, Master of Angus, and ANDREW BLAKATER of that Ilk, for the marriage of ROBERT BLAKATER and ALISON DOUGLAS. 13th March 1510.

THIR INDENTOURIS, maid at Bonkyle, the xiiij day of March, the zere of God ane thousand five hundreth and tene zeris, proportis, contenys and beris witnes, that it is appunctit and concordit betuex ane nobill man, George Dowglace, maister of Angus, on the ta part, and Androw Blakater of that Ilk on the tother part, in maner, forme and effect as eftir followis : That is to say, that Robert Blakater, son and apperand air to the said Andro, sall mary, God willand, and have to his spousit wife, Alison Dowglace, doichter to the said George, and sall compleit mariage with hir in all possibile gudlie haist ; and that the said Andro Blakater sall geve in coniunctfement to the said Robert his son and Alison Dowglace his spouse, and to the langer levare of thaim twa, and to the aieris to be gottin betwex thaim twenty pundis worth of his landis liand in gud and competable place, in dew and competent forme of coniunctfement, within fourty dais next eftir the completing of the said mariage. For the quhilk mariage to be completit, and gevin of the said coniunctfement of the said twenty pund land to be gevin, as said is, the said George maister of Angus, his aieris, executouris, or assignays, sall content and pay to the said Andro Blakater, his aieris, executouris, or assignais, the sovme of thre hundreth merkis gud and vsuale money of Scotland, at thir termes vnder vritin ; that is to say, at the completing of the said mariag fourty pundis, and at the feist of Witsunday or Mertimes in wynter next thaireftir followand twenty pundis, and at the feist of Mertimes or Witsunday next thaireftir followand twenty pundis, and swa furtht, ilk terme of Witsunday and Mertimes twenty pundis, ay and quhill the forsaid haill sovme of thre hundreth merkis

be fully assithit and compleitlie pait, but cauillatioun or langare delay : And that the said Androw Blakater sall nocht sell, wedset, analie nor put away fra the said Robert his son, nor his aieris, na part of his landis nor heretage, quhilkis ar now in his handis at the day of the makin of thir indentouris, be na maner of way in tym to cum : And that all thir condicionis and appunctmentis abone vritin sall lelely and treulie be obseruit, kepit and fulfillit, in forme and effect forsaid, as said is, baytht the saidis parteis are bunding, oblist and suorne, ilk ane till vtheris, be the faithtis and treuthis in thair bodeis, the haly ewangelis twechit : In witnes of the quhilk thing, to the part of thir indentouris remanand with the said Andro Blakater, the forsaid George maister of Angus has to affixit his sele, and subscriuit the sammyn with his hand ; and to the part heirop remanand with the said George maister of Angus, the said Andro Blakater has to affixit his seill with the subscripsioun of his hand, at day, zere and place forsaid, befor thir witnes, Archbald Dowglace brother to the said Georg, Adam Tunno of the Hayeluch, Alexander Reidpeth of Wyndschelis, and James Skeldyn of Gogare, with vtheris diueris.

ANDRO BLAKATYR off that Ilk, etc.

179. DECREE of PRIVY COUNCIL as to the Nonentry of ARCHIBALD, FIFTH EARL OF ANGUS, to the lands of Kirriemuir, etc. 28th June 1511.

JACOBUS Dei gratia rex Scotorum, omnibus probis hominibus suis ad quos presentes littere peruenerint, salutem : Sciatis nos quoddam actum siue decretum per dominos nostri consilii inferius descriptos datum et promulgatum vtique intellexisse sub hac forma : At Edinburgh, the xvii day of Junii the zere of God 1^m, v^c and ten zeris, the Lordis of Counsale vnderwritin, that is to say, maist reuerend and reuerend faderis in God, Alexander Archibisshop of Sanctandrois Commendatour of Dunfermgling and Coldinghame, cancellare, Dauid Bisshop of Galloway, etc., noble and mychty lordis, Archibald Erle of Ergile, Matho Erle of Levenax, venerable faderis in God, Jhone Priour of Sanctandrois, George Abbot of Abirbrotht, Thesaurare, Henry Abbot of Jedburgh, Robert Lord Erskin, Robert Lord Creichtoun, Maister Gawane Dunbar, Archidene of Sanctandrois, Clerk of Registre, William Scot of Balwery, Knycht, Robert Coluile of Vchiltre, anent the summondis maid at the instance of our souerane Lord agane Archibald Erle of Angus, berand him tennent to his Hienes of the landis and barony of Kerymure, with the pertinentis, and the landis of Auchbetoun, Wallandage and Logy, Kynquhirre, Invertaro, Lochty, and Lawis of Estir Ethy of Ballingerroch, Auchlusy, Glaswell and Torbirnis, Eglis-

monetho, Balmosy, the Branchane, tua partis of Monifeith and Iusterleys, with the mylne of the said landis, the landis of the manis of Strathely, Kirktown of Kerymure, Glenvrossane, Ballauche, with the mylne of Kerymure, Bahnure, Brothly with the fisching of the sammyn, liand within the schirefdome of Forfare, and agane all vtheris havand interes in the saidis landis, to heir and se the sammyn decernit to be and haif bene in oure souerane Lordis handis and his predecessouris, be the space of fourty five zeris last bipast, be resoun of nonentres, and to bring with thame sic charteris and euidentis as thai will vse in the said mater, like as at mair lenth is contenit in the said summondis, oure souerane Lord comperand be Maister James Henrisoun, his aduocate, and the said Archibald Erle of Angus being personally present and diuersis vtheris his frietennentis of the said landis and barony comperand and schewand na lauchfull interes, and ane vther part being lauchfully summond to this actioun, oftimez callit and nocht comperit, the partijs presentis richtis, resouns, and allegatiouns at lenth hard, sene and vnderstandin, and tharwitth being riply auisit, the Lordis of Counsale decretis and deliueris that the saidis landis and barony of Kerymure, witht the remanent of the landis, mylnis, and fisching befor expremit, has bene in oure souerane Lordis handis and his derrast faderis, quham God assoilze, be the said space of xlv zeris, be resoun of nonentres, becaus the said Archibald Erle of Angus grantit in iugement, that he was nocht lauchfully enterit thairto be the said space, and tharefor decernys the birun malis thairof, extending zerelie to the sovme of ane thowsand pundis vsuale money of Scotlande, to pertene to oure Souerane Lord be the said space, and the saidis landis to remane with his Hienes ay and quhill the payment thairof, and quhill the sammyn be lauchfully recouert fra him as efferis, and that lettrez be direct to apprise the saidis landis and barony for the said sovme zerlie be the forenemmyt space, to remane witht oure Souerane Lord, as said is, gif neid beis.

Extractum de Libro Actorum per me, magistrum Johannem Murray, deputatum honorabilis viri, magistri Gawini Dunbar, Archidiaconi Sanctiandree, clerici Registri rotulorum ac consilii supremi Domini nostri Regis, sub meis signo et subscriptione manualibus. Quodquidem actum siue decretum ac omnia et singula in eodem contenta, in omnibus suis punctis et articulis, conditionibus et modis ac circumstantiis suis quibuscunque, forma pariter et effectu, in omnibus et per omnia, approbamus, ratificamus, ac per presentes, vt premissum est, confirmamus.

Datum sub testimonio magni sigilli nostri, apud Edinburgh, vicesimo octauo die mensis Junii, anno Domini millesimo quingentesimo vndecimo, et regni nostri vicesimo quarto.

180. DISCHARGE by JOHN LORD HAY to GEORGE MASTER OF ANGUS for part of the dowry of Elizabeth Douglas. 19th March 1511.

BE it kend til al men be thir present letteris, me, Jhone Lord Hay of Zestir, til haf resauit fra ane noble man, George Master of Angus, all and hale the sowme of thre scor of lib. vsual mone of Scotland, that is for to say, fourty merkis of the forsaid sowme in the complete pament of the Witsunday terme last bypast befor the date of thir presentis, and the tothir fyfty merkis in part of pament of the Mertymes terme last bypast befor the date of thir presentis; the quhilk thre score of lib. forsaid, the said George Mastir of Angus payt for me, and in my name, to Master Jhone of Murray of the Blak barony: of the quhilk sowme of thre scor of lib. forsaid, I grant me weil assythit and out payt; and tharfor I the said Jhone Lord Hay of Zestir, for me and myne airis [discharge] the said George Master of Angus, his airis, executouris and assignais, of the forsaid sowme of thre scor of lib. of the termis forsaid for now and euirmar. In witnes of the quhilk thing, to this my present acquittance I haf subscriuit my name with my awine hand, at Zestir, the xix day of Mareh, in the zer of God I^m v^c and alevine zeris, befor thir witnessis, schir Jhone the Hay of Hoprew, knycht, Wilzam the Hay of Tullo, and schir Alexander Romannos, notar public, witht vtheris diueris.

JHON LORD HAY off Zestir.

181. EXTRACT from the COMMISSARY RECORDS OF GLASGOW, under the Seal of Archbishop Bethune, as to the legitimation of ELIZABETH AUCHINLEK. 22d October 1512.

EXCELLENTISSIMO et serenissimo principi, Jacobo Scotorum regi illustrissimo, atque suis reuerendissimo cancellario, prepotentibus ac nobilibus dominis, locumtenentibus, vicecomitibus, et officariis quibuscunque, ceterisque quos presens tangit negocium, Jacobus permissione diuina Glasguensis archiepiscopus, perpetuam in Domino felicitatem: Dudum tempore pie memorie Roberti predecessoris nostri eiusdem sedis archiepiscopi questio natalium Elezabeth Auchinlek, tunc pupille, per quondam magistrum Johannem Auchinlek, canonicum Brechinensem, suum patrum, mota et proposita coram vestre maiestatis certo vicecomite per breue capelle eiusdem celsitudinis ad Glasguense auditorium et ecclesiastico foro cui preficimur discucienda atque decidenda remissa fuerat: vbi post longam altercacionem, cause examinacionem, auditis hinc inde parciium assercionibus, datisque postremo a iam dicto predecessore ad hoc commissariis infrascriptis, eadem Elezabeth per horum

sententiam diffinitiuam ab impetitione dicti quondam magistri Johannis iudicabatur immunis. Fuimus igitur, pro parte ipsius Elezabeth, (ne diucius premissorum pretextu, eiusdemve questionis crebra repetitione in defectu notificacionis seu publicacionis dicte sentencie hereditario iure plus debito fraudaretur,) cum instantia requisiti vestre inclitissime Maiestati, reuerenciis ac nobilitatibus, omnibusque quorum interest, certificare de eiusdem serie et tenore. Nos vero Glasguensis ecclesie archiuas, et curie predecessoris nostri libros diligenter inuestigare facientes, ipsoque processu atque sententia apud registram publicam inuentis, inspectis, et consideratis, petitioni dicte Elezabeth iusticia exigente annuimus. Vt vero eandem sacram Maiestatem, reuerencias, ac nobilitates, ceterosque quos presens concernit negocium, tenor eiusdem sentencie, et series omnino non lateat, hanc de eodem registro excopiandam, ac de verbo ad verbum presentibus inserendam, nostrique sigilli testimonio corroborandam fore decreuimus, vt sequitur: " Domini nostri Jhesu Christi gloriosissimo nomine primitus invocato, gratiam Spiritus Sancti ab eodem eiusdemque intercessionem ad Patrem pro nobis humiliter implorantes, vt nostrum prodeat de vltu Dei iudicium et oculi nostri videant equitatem; nos Thomas de Mureheid, Robertus Fawside de Stobo et Moffeth prebendarii, canonici Glasguenses, et Jacobus Knox, bachalarius in decretis, iudices ac commissarii reuerendissimi in Christo patris ac domini, domini Roberti, Dei et apostolice sedis gracia archiepiscopi Glasguensis, cause et partibus infrascriptis ad promulgandam sententiam infrascriptam ac ad infrascripta specialiter constituti, iuxta tenorem commissionis nobis desuper facte, cuius tenor sequitur in hec verba: ROBERTUS Dei et apostolice sedis gracia archiepiscopus Glasguensis, venerabilibus et circumspectis viris, magistris et dominis, Thome de Mureheid, Roberto Fawsid, dicte nostre ecclesie canonicis, et Jacobo Knox, salutem cum benediccione diuina: Quia alias causam seu causas bastardie seu illegittimacionis propositam seu propositas, motam seu motas, inter magistrum Johannem Auchinlek, actorem ab vna, et Elezabeth Auchinlek pupillam et tutores eiusdem, ream seu reos, partibus ab altera, a curia seculari ad nostram curiam specialiter remissas, prefato Jacobo potestatem cognoscendi et in eadem seu eisdem procedendi, vsque ad sentencie diffinitive prolacionem, exclusive commisimus; et cum per eundem magistrum Jacobum inter prefatas partes in huiusmodi causa seu causis, iuxta tenorem commissionis prefate, vsque ad ipsius sentencie pronunciacionem exclusive processum extitit, ipsi partes dicte sentencie prolacionem, eandemque ferri pronunciacionem et promulgari in prefata causa seu causis instanter desiderant, et cum effectu petunt; Nos igitur de vestris sciencia, circumspeccione et legalitate plurimum confidentes, vobis tribus, aut duobus vestrum, ad

huiusmodi sententiam diffinitivam pronunciandam, proferendam et promulgandam, eandemque executioni debite demandandam, ceteraque omnia et singula facienda et exercenda, que ad prefate sentencie diffinitive prolacionem ac eiusdem executionem de iure ac iudicandi consuetudine requiruntur, nostram plenariam potestatem ac specialem facultatem concedimus et impertimur per presentes. In cuius rei testimonium, sigillum nostrum rotundum presentibus est affixum, apud ecclesiam nostram metropolitanam Glasguensem, decimo sexto die mensis Maii, anno Domini millesimo quadringentesimo nonagesimo quarto, et nostre consecracionis anno vudecimo. Viso libello infrascripto continencie talis—Coram vobis venerabili et egregio viro, magistro Patricio Leche, canonico Glasguensi ac officiali generali eiusdem, aliove iudice in hac parte competente quocunque, pars venerabilis viri, magistri Johannis Auchinlek, canonici Brechiuensis, filii et apparentis heredis domini Johannis Auchinlek, legitimize et propinquioris heredis Elezabeth Melwyne et Egidie Melwyne, contra et aduersus Elezabeth Auchinlek, filiam quondam Jacobi Auchinlek, filii quondam et apparentis heredis dicti domini Johannis Auchinlek, ac contra eiusdem vniuersos et siugulos tutores, curatores, ac quoscunque alios interesse habere putantes, et presertim contra nobilem et potentem dominum, Archibaldum comitem Angusie, eiusdem tutorem, seu contra quemcunque alium pro eis in iudicio legitime interuenientem dicit, allegat, et secundum vim, formam et tenorem cuiusdam breuis capelle regie in se continentis executionem bastardie propositam contra dictam Elezabeth per dictum magistrum Johanuem, vobis directi, prout in ipso breui plenius continetur, in iure proponit; scilicet, quod dicta Elezabeth, que se asserit fore et esse legitimam et propinquiorem heredem Elezabeth Malwyne et Egidie Melwyne, prout in breuibz capelle regie pro parte ipsius leuatis plenius continetur, est bastarda ex illegitimo matrimonio procreata, que de iure eis aut quibuscunque aliis succedere non potest, ex et pro eo quod matrimonium inter Jacobum Auchinlek, eius patrem, et Egidiam Ros, eius matrem, de facto contractum, fuit ab inicio de iure nullum et inualidum, pro eo quod dictus Jacobus antequam cum dicta Egidia de facto matrimonium contraxit, carnali copula subsecuta, Mariotam Pennycuke, Aguetem Colwyne, et Jonetam Colwyne, quarum quelibet attingebat dicte Egidie in quarto et quarto cousanguinitatis gradibus, prius carnaliter cognouit, prout in articulis continetur; necnon quandam aliam, videlicet, Jonetam Wallace, attingentem dicte Egidie in tercio et quarto gradibus consanguinitatis, ante contractum matrimonium cum dicta Egidia, ut premititur, prius carnaliter cognouit: quibus impedimentis non obstantibus dicti Jacobus et Egidia de facto clandestine matrimonium ipso iure nullum contraxerunt, extra eorum ecclesias

parochiales, tempore interdicto, bannis et solemnitatibus de iure canonico requisitis pretermisissis, prout in articulis declarabitur, vnde dicta Elezabeth illegittima et de illegittimo unatrimonio procreata censetur : Quare constitit quantum sufficit de premissis vocatis, prout de iure in hac parte vocandis, et presertim dictis Elezabeth et eius preuominato tutore, petit pars dicti magistri Johannis per vos pronuncari, decerni et declarari dictum matrimonium, sic ut premittitur de facto contractum, fuisse de iure nullum et inualidum, dictam Elezabeth ex dicto pretenso matrimonio procreatam fore et esse bastardam, ex illegittimo matrimonio procreatam, rationibus quibus supra ; dictamque Elezabeth dictis Elezabeth et Egidie minime succedere de iure debere, non se asserentem ad omnia et singula premissa, sed duutaxat ad illa pro intencione sua probanda necessaria, dictamque Elezabeth et tutorem eiusdem in expensis litis factis et fiendis condempnandos fore, et sibi adiudicari debent : protestando hunc suum libellum velle addere, diminuere, et ad calamum reformare tocies quociens opus fuerit et de iure licebit ; super hiis vestrum officium benignum humiliter implorando, reuerende domine iudex, auctoritate re litis super preinserto libello continuacione articulis desuper formatis, ac testium super huiusmodi articulis productorum et receptorum deposicionibus, articulisque et contrariis pro parte dicte Elezabeth exhibitis ac probacionibus, et signanter confessione ipsius magistri Johannis super dictis articulis, contrariis factis, opposicionibus ex parte vtriusque hinc inde et replicis, necnon duplicis pro parte eiusdem Johannis ceterisque hinc inde productis, visis eciam iurium et rationum vtriusque partis allegacionibus, reliquisque omnibus et singulis coram quondam bone memorie magistro Patricio Leche, canonico Glasguensi ac officiali pro tunc tempore propositionis dicte cause coram eodem et contestacionis litis iudice, et coram prefato magistro Jacobo commissario dicte cause post obitum dicti quondam magistri Patricii specialiter constituto, propositis, productis, et allegatis, ipsiusque cause meritis equa iusticie lance discussis iurisperitorum consilio desuper requisito, prehabito et secuto, solum Deum pre oculis habentes, per hauc nostram sentenciam diffinitiuam quam ferimus in hiis scriptis, et promulgamus ex hiis que vidimus concipimus, et coram quondam magistro Patricio officiali et Jacobo commissario antedictis deducta sunt pronunciendo, absoluimus dictam Elezabeth pupillam ab impeticione ipsius magistri Johannis, prout in iudicio, vt premittitur, deducitur, et preinserto libello proponitur et libellatur, eandemque Elezabeth fuisse, et esse, et fore prolem legittimam dictorum quondam Jacobi Auchinlek et Egidie Ros, suorum parentum, decernentes et declarantes, non obstantibus quibuscunque pro parte dicti magistri Johannis in contrarium propositis, ostensis, aut allegatis, eundemque

Johannem in expensis litis in huiusmodi causa per partem dicte Elezabeth pupille factis condemnandum fore, et presencium sub tenore condemnamus; quarum expensarum taxationem nobis in posterum reseruamus et hoc omnibus quorum interest innotescimus per presentes. Lecta, lata, recitata, et promulgata fuit hec nostra sententia diffinitiva de mandato dicti reuerendissimi patris, et cum consilio eiusdem ac multorum iurisperitorum desuper prius consultorum, et in presencia ipsarum parcium citatarum, vocatarum, et ad huiusmodi sententiam audiendam comparencium, die Veneris decimo sexto mensis Maii, anno Domini millesimo quadringentesimo nonogesimo quarto, coram hiis testibus, videlicet, magistris et dominis Jacobo Allerdess, preposito ecclesie collegiate Sanctiandree, Patricio Elphinstoun, canonicis Glasguensibus, Niniano Dalgles, rectore de Moussald, decano facultatis Glasguensis, Symone de Fawside, clerico, et Dauid Burntoun, notario publico, apud prefatam sententiam manu propria subscripto. In quorum omnium et singulorum fidem et testimonium sigillum nostrum r[otundum] presentibus est affixum, apud ciuitatem nostram Glasguensem, xxii^o die mensis Octobris, anno Domini millesimo quingentesimo duodecimo, et nostre consecracionis quarto.

182. SUBMISSION by ELIZABETH AUCHINLEK, spouse of Sir William Douglas, of Braidwood, and the TUTORS of JAMES AUCHINLEK, of their claims to Glenbervy, etc., to arbitration. 26th November 1512. [Old copy.]

AT Edinburgh the xxvj day of Nouember the zer of God ane thousand five hundreth and tuelfe zeris, it is appunctuate, compromittit and finalie concordit betuix ane noble and mychty Lord Archbald Erle of Angus, Master Gawane Douglas, provest of Sanct Gelis kirk, procuratouris till Elizabeth Auchinlek, the spous of Williame Douglas of Braidwod, knyght, and in hir name, and the said William for his interest, on the tapart, and James Auchinlek, with auctorite and consent of Maister George Hepburn, dene of Dunkeld, and Alexander Auchinlek, persoun of Glenbervy, tutouris to the said James, and the said Alexander for himself, on the tother part, in maner and forme eftir following; that is to say, the said procuratouris and partiis ar compromittit, bund and oblist and suorne, the Haly Euangelis tuichit, in the best forme of speculatur, to abide, vnderlie and fulfill, and for tham, thair airis and successouris, irreuocablie and perpetualie to remane, and the decrete, counsall and deliuerance of noble and mychty Lordis Archbald Erle of Argile, Matheu Erle of Levinax, William Erle of Errole, William Erle Marschell, William Erle of Montros, Andro Lord Gray, Robert

Lord Erskyn, George Lord Seytoun, William Lord Borthuik, Johne Lord Hay of Zestir, James Lord Ogiluy, Alexander Lord Elphinston, Robert Lauder of the Bass, knyecht, Johne Erskyn of Dwn, Alexander Lawder, Provest of Edinburgh, James Arbuthnet of that Ilk, Daud Strathauchin of Thorntoun, as jugis, arbitouris and amicable compositouris commonlie chosin betuix the said procuratouris and partiis, anent the clame of the landis and baroneis of Glenbervy, Barres and Kemnay, and vther landis quhatsumeuir clomit be the said Elizabeth to pertene to hir as air till vntquhile Elspeth Mailuile, hir grandeame, and Gelis Mailuile, hir grandeamis sister, be thair decess, or vtheris her predecessouris, or be quhatsumeuir vther rycht, and clomit be the said James and his tutouris to pertene to the said James, be decess of vntquhile schir Johne Auchinlek, Master Johne Auchinlek, his fader, or vtheris his predecessouris, or be quhatsumeuir vther rycht or way that the said James or Alexander has or may haif rycht thairto, and the said lordis jugis aboue writtin has takin the said mater apoun thame, and thai sall haif power to deliuer apoun the poyntis of the brevis of Inquest, rasit be the said Elizabeth Auchinlek, and apoun the propirte and ground rycht of the said landis that the partiis has thairto, and quhat contentatioun or plesur athir of the partiis sall do to vtheris for thair rycht and clame, and howeur the said jugis, or the mair part of thame, decretis and deliueris apoun the premissis, the said partiis sall obserue, keip and fulfill the samyn, and thair airis and successouris perpetualie, and neuer uane of thame nor thair successouris to moif pley or demand contrair vther thairapoun in tyme tocum: and because the said Elizabeth is nocht present at the making of this compromiss, hir said procuratouris has fundin George Maister of Angus, and Cuthbert Erle of Glencarne, caution and souerte that the said Elizabeth Auchinlek sall ratify this compromiss, and decrete to be gevin thairapoun, and that scho, hir airis nor successouris sall nocht cum in contrair this compromiss, seruing of the said brevis, decrete, or counsale of the saidis Lordis Jugis, or the mair part of thame; and gif scho or thai cumis in contrair of thir premissis, or ony poynt thairto, the saidis George Maister of Angus and Cuthbert Erle of Glencarne, and thair airis, to content and pay to the said James, his airis and successouris, five thousand pundis for dampnis, interest, and expens sustenit be the said [James] and becaus the said James is of less age, Williame Erle of Errole, Adam Hepburne of the Cragis, William Scot of Balucry, knyecht, ar caution and souerte for the said James that he, his airis nor successouris sall nocht cum in contrair this compromitt, the seruing of thir brevis, nor decrete or counsale of the saidis Lordis Jugis,

as said is : and gif he or his airis or successouris cumis in contrair thairof, or any artikle of the premissis, the said William Erle of Errole, Adam Hepburn, and Schir William Scot, and thair aris, to content and pay to the said Elizabeth, hir airis and successouris, five thousand pundis for dampnis, interest and expens, sustenit and to be sustenit be thame tharthrow, and the said Alexander has renuncit all rycht and clame that he has, or may haif, to the said landis be decess of ony of his forbearis, or ony vther rycht forther than the said Lordis sall decrete and deliuer to pertene to him : and the said George and Cuthbert Erle of Glen-carne, cautiuon forsaid, and the procuratouris of the said Elizabetht forsaid sall cause the said Elizabetht to cum in iugement before the spirituall Juge, and thair to apprufe and ratify this compromiss and all poyntis contenit in the samyn, and gif hir aith thairapoun, and that scho is nocht coactit nor compellit thairto, and caus hir to renunce ony priuilege of the law grantit to wemen for the reuocatioun of the samyn, and in the mene tyme the said procuratouris standis oblist for hir as scho war present in propir persoun, and the said James has, in presens of the saidis Lordis, renuncit the priuilege of restitutioun or cumin in contrair of this compromitt or decrete or seruing of brevis, and has gevin his bodely aith neur to cum in contrair thairof, with consent of his tutouris forsaid, and the saidis Lordis Jugis sall gif thair deliuerance apoun the poyntis of this compromiss betuix this and Sunday at evin nixt to cum inclusiue : and forther, baith the partiis consentis that this compromiss be registerit befor the Lordis of Counsale, and the Lordis of Counsale to decerne it to haue the strenth of ane act and decrete, and that our Souerane Lordis lettrez be direct, gif neid beis, for the fulfilling of the samyn and compelling of thame thairto : and quhat tyme that the said Elizabetht comperis befor the Lordis of Counsale and approve the decrete, and approvis the samyn as is accordit on the law, than, this cautiuon to be dischargit that is fundin for hir, and the said Elspeth hir aris and successouris to be oblist thame self for the said sowme of five thousand pundis : and quhat tyme the said James Auchinlek at his perfyte age of xxj zeir comperis befor the Lordis of Counsale and approvis this compromiss and the decrete of the saidis Lordis Jugis, than, the cautiuon fund for him, as said is, to be fred of thair band, and the said James, his airis and successouris to be oblist thame self for the said sowme of five thousand pundis, sidlike as his plegis standis now oblist : and the said James Auchinlek, witht the consent of his said tutouris, is oblist and suorne in presens of the said Lordis that he sall comperere in the presens of the Lordis of Counsale at his perfyte age, and apprufe and ratify this compromiss and the decrete to be

gevin thairapoun, and sall renunce and discharge as salbe contenit in the said decrete, and gif ony of the said partiis cumis in contrair this compromiss or decrete to be gevin thairapoun or agane the seruing of the brevis, the said sowmes to be payt as said is, and the decrete or counsale of the said Lordis Jugis neuertheles to remane in effect : and the said James Auchinlek, with the auctorite of his said tutouris, has oblist hym and his airis to releif and kepe the said William Erle of Erole, Adam Hepburn, and William Scot of Baluery, cautionaris for him skathles of the said five thousand pund. In witnes herof the said procuratouris, partiis, and tutouris has subscriuit this writ with thair handis.

A. ERLE OF ANGUS.

GAWINUS DOUGLAS.

WILLIAM DOUGLAS, with my
hand at the pen.

JOHANNES, prior Sanctiandree.

GEORGIUS HEPBURN.

ALEXANDER AUCHINLEK, persoun of
Glenbervy.

JACOBUS AUCHINLEK.

183. RETOUR of ARCHIBALD DOUGLAS, knight, as heir to his father, GEORGE DOUGLAS, in the lands and barony of Douglas, Craufurd-Douglas, lands and castle of Tantallon, etc. 29th November 1513.

HEC INQUISITIO facta fuit apud Lanark, in pretorio eiusdem, penultimo die mensis Nouembris, anno Domini millesimo quingentesimo decimo tercio, coram Johanne Hammiltoun de Newtoun, vno vicecomitum de Lanark, Roxburgh, Perth, Selkirk, Edinburgh infra constabulariam de Hadingtoun, specialiter et insolidum per commissionem supremi domini nostri Regis sub testimonio sui magni sigilli constituto ; per hos probos et fideles homines subscriptos, magno sacramento interueniente iuratos, videlicet, Johannem Symontoun de eodem, Thomam Someruile de Braxfeild, Johannem Bannetyne de Corrox, Jacobum Lokert de Lee, Willelmum Carmichaell de eodem, Alexandrum Lindesay de Corsbasket, Johannem Someruile filium et heredem quondam Johannis Someruile de Cambusnethane, militis, Johannem Cunynghame de Bondingtoun, Thomam Weir de Blaikwod, Johannem Carmichell de Medouffat, Ricardum Broun de Cultermanis, Hugonem Weir de Cloburne, Johannem Pumfray de Hundscheilwod, Willelmum Balzie de Cormastoun et Johannem Symontone de Keuok : Qui iurati dicunt quod quondam Georgius Douglas, pater Archibaldi Douglas, militis, latoris presencium, obiit vltimo vestitus et sasitus ut de feodo, ad pacem et fidem supremi domini

nostri Regis, de omnibus et singulis terris, dominio et baronia de Douglas, cum castro et fortalicio eiusdem, cum omnibus suis annexis, connexis, dependenciis, pendiculis, tenentibus, tenandriis et liberetenencium seruciis, aduocationibus, donationibus et iure patronatus ecclesiarum, capellaniarum et aliorum officiorum spiritualium, cum omnibus suis pertinenciis, iacentibus infra vicecomitatum de Lanark; ac etiam de omnibus et singulis terris, dominio et baronia de Craufurd-Douglas, olim nuncupatis Craufurd Lindesay, cum castro, fortalicio eiusdem, cum omnibus suis annexis, connexis, dependenciis, pendiculis, tenentibus, tenandriis, et liberetenencium seruciis earundem, cum omnibus suis pertinenciis, iacentibus infra vicecomitatum de Lanark predictum: Ac etiam de castro, fortalicio et terris de Tomtallone, cum omnibus et singulis suis pertinenciis, iacentibus in constabularia de Hadingtoun: Ac etiam de omnibus et singulis terris, dominio et baronia de Jedwertforrest, cum omnibus suis annexis, connexis, dependenciis, pendiculis, tenentibus, tenandriis, et libere tenencium seruciis, donationibus, aduocationibus et iure patronatus ecclesiarum et capellaniarum et aliorum officiorum spiritualium, cum omnibus et singulis suis pertinenciis, iacentibus infra vicecomitatum de Roxburgh: Ac etiam de omnibus et singulis terris, dominio et baronia de Abirmethy, cum omnibus suis annexis, connexis, dependenciis, pendiculis, tenentibus, tenandriis et libere tenencium seruciis, aduocationibus et donationibus et iure patronatus prepositurarum, prebendarum, ecclesiarum, capellaniarum et aliorum officiorum spiritualium; excepta ecclesia parrochiali dicte baronie de Abirmethie que pertinet abbati et conventui de Arbroith; cum omnibus suis pertinenciis, iacentibus infra vicecomitatum de Perth: Ac etiam de omnibus et singulis terris, dominio et baronia de Selkirk, cum omnibus suis annexis, connexis, dependenciis, pendiculis, tenentibus, tenandriis et libere tenencium seruciis, cum omnibus suis pertinenciis, iacentibus infra vicecomitatum eiusdem: Et quod dictus Archibaldus, miles, est legitimus et propinquior heres eiusdem quondam Georgei patris sui de predictis terris, castro et fortalicio, dominio et baronia de Douglas, cum omnibus suis annexis, connexis, dependenciis, pendiculis, tenentibus, tenandriis et libere tenencium seruciis earundem, donationibus, aduocationibus et iure patronatus ecclesiarum, capellaniarum et aliorum officiorum spiritualium, cum omnibus suis pertinenciis; ac etiam de omnibus et singulis terris, dominio et baronia de Craufurd-Douglas olim nuncupatis Craufurd Lindesay, cum castro, fortalicio et omnibus suis annexis, connexis, dependenciis, pendiculis, tenentibus, tenandriis et libere tenencium seruciis earundem, cum omnibus suis pertinenciis; ac etiam de terris de Temtallone, cum castro, fortalicio et omnibus

suis pertinentiis ; ac etiam de omnibus et singulis terris, dominio et baronia de Jedwartforest, cum omnibus suis annexis, connexis, dependenciis, pendiculis, tenentibus, tenandriis et libere tenencium seruiciis earundem, donationibus, aduocationibus et iure patronatus ecclesiarum et capellaniarum et aliorum officiorum spiritualium, cum omnibus suis pertinentiis ; ac etiam de omnibus et singulis terris, dominio et baronia de Abirnethy, cum suis omnibus annexis, connexis, dependenciis, pendiculis, tenentibus, tenandriis et libere tenencium seruiciis, donationibus, aduocationibus et iure patronatus prepositurarum, prebendarum, ecclesiarum, capellaniarum et aliorum spiritualium (excepta prius excepta) ; ac etiam de omnibus et singulis terris, dominio et baronia de Selkirk, cum omnibus suis annexis, connexis, dependenciis, pendiculis, tenentibus, tenandriis et libere tenencium seruiciis, cum omnibus suis pertinentiis : Et quod est legitime etatis : Et quod dicte terre de Douglas cum suis pertinentiis, ut predicatur, nunc valent per annum octingenta marcis ; et valuerunt tempore pacis trecentis marcis ; et tenentur in capite de supremo domino nostro Rege per seruicium warde et releuii ; et quod nunc sunt in manibus nobilis et potentis domini Archibaldi comitis Angusie et domini Douglas, aui dicti Archibaldi, ratione liberetenementi : Et quod dicte terre de Craufurd Douglas, olim Craufurd Lindesay nuncupate, cum suis pertinentiis, nunc valent per annum trecentis marcis ; et tempore pacis valuerunt ducentis marcis ; et quod tenentur in capite de dicto supremo domino nostro Rege per seruicium warde et releuii ; et quod nunc sunt in manibus dicti comitis ratione liberetenementi eiusdem : Et quod dicte terre de Temtallone, cum castro, fortalicio et suis pertinentiis nunc valent per annum centum libris, et valuerunt tempore pacis quadraginta libris ; et tenentur in capite de dicto supremo domino nostro Rege per seruicium warde et releuii ; et quod nunc sunt in manibus prefati comitis ratione liberetenementi eiusdem, ut predicatur : Et quod dicte terre de Jedwertforest cum suis pertinentiis nunc valent per annum octingenta marcis, et valuerunt tempore pacis trecentis marcis ; et tenentur in capite de dicto supremo domino nostro Rege per seruicium albe-firme cum regalitate, soluendo annuatim vnam rosam rubeam in festo Natiuitatis Sancti Johannis Baptiste super solum dietarum terrarum, si petatur ; et quod sunt in manibus sepedicti supremi domini nostri Regis per decessum dicti quondam Georgii patris dicti Archibaldi, et a tempore sui obitus per spacium duodecim ebdomidarum vel eocirca, in defectu veri heredis ius suum hucusque minime prosequentis : Et quod dicte terre de Abirnethy cum suis pertinentiis, ut predicatur, nunc valent per annum trecentis marcis, et valuerunt tempore pacis centum libris ;

et tenentur in capite de dicto supremo domino nostro Rege, per seruicium albefirme cum regalitate, soluendo annuatim vnum denarium in festo Penthecostes super solum dictarum terrarum, si petatur tantum; et quod nunc sunt in manibus dicti comitis ratione liberetenementi eiusdem: Et quod dicte terre de Selkyrk cum suis pertinenciis nunc valent per annum viginti libris, et valuerunt tempore pacis octodecim libris; et tenentur in capite de sepedicto supremo domino nostro Rege per seruicium albefirme, soluendo annuatim vnum denarium argenteum super solum dictarum terrarum, si petatur tantum; et quod nunc sunt in manibus dicti supremi domini nostri Regis, per mortem dicti quondam Georgii, et a tempore sui obitus per spacium duodecim ebdomidarum vel eocirca, in defectu veri heredis ius suum hucusque minime prosequentis. In cuius rei testimonium sigilla quorundam eorum qui dicte inquisitioni intererant sunt appensa, vna cum et sub sigillo dicti Johannis Hammiltoun vicecomitis antedicti, et breuibus Regiis inclusis, sub anno, die et loco prescriptis.

Hec est vera copia Retornatus super premissis, remanentis in cancellaria supremi domini Regis, copiata et collationata cum principali per me magistrum Thomam Bellendene, directorem cancellarie, sub meis signo et subscriptione manualibus.

M. THOMAS BELLENDENE, *director Cancellarie.*

184. AGREEMENT between the COMMISSIONERS appointed by JOHN DUKE OF ALBANY, Governor of Scotland, and ARCHIBALD, SIXTH EARL OF ANGUS, husband of the Queen. 28th March 1516.

AT the chapell of Stanetoun, the xxviii day of Marche, the zere of God 1^m v^c and xvi zeris; it is appoyntit and concordit betuix ane venerabill man, Maister Johnne de Planis, ambassiatoure to the maist Cristin King of France to the Kingis grace, ane maist reuerend fader in God, James Archibischop of Glasgow, chancelar of Scotlaund, and Maister Gawyne Dunbar, Archidene of Sanctandrois, as commissaris in that part to oure souerane Lord the Kingis grace, and to ane maist excellent prince, Johnne Duke of Albany, his tutour, protectour, and governour of his realme, constitute vnder the grete sele, and subscripcioun manual of my said Lord tutour and governour, on the ta part, and Archibald Erle of Anguse, on the tothir part, in this maner as eftir followis, be vertew of the said commissioun.

Item, that my Lord of Anguse sall haif ane remissioun till him, his bruther, kyn, frendis, seruandis, and part takaris, for all maner of crymez and acciouns, in the best forme as the said Erle and frendis will devise ; and the said remissioun salbe ratifit in Parliament : and attour, my said Lorde of Anguse, and the Lard of Farnyhirst, salbe dischargit of the summondis of tresoun rasit apoun thame, and the accioun tharof, siclike, in Parliament.

Item, that all maner of castellis, fortalieis, and placis pertenyng to the said Erle of Angus, salbe deliuerit till him, with all gere pertenyng till him being in the samyn, siclike as quhen he left thame, with charteris and eidentis : and gif his charter kyst be brokin in Temtalloun, and his eidentis takin furth tharof, sa mony as he wantis till gif him of new, as he is seruit be inquestis, als mony as he will swere he wantis ; and to restoir to him all thingis that he has reson to, othir landis or gudis, als gude as thai war at his departing, incontinent eftir his in-cuming, and pertenyng till him self, or be his spous, the qwenys grace.

Item, becaus the quenis grace is now in Ingland, my Lord of Anguse sall haif leif till pas and resort till hir, quhen he pleis, without any danger till him, his landis and heretagis, on to the returnyng of the ambassiadour of Scotland, now till pas in Ingland, to the partis of Scotlaund agane, with his honest houshold : And gif the said ambassiadouris makis pece betuix Scotlaund and Ingland, and that the qwene remane thareftir in Ingland, it salbe lefull to the said Erle of Anguse, without danger till him, his landis and heretagis, till pas till hir quhen he pleis, as said is, he aduertesing my Lord of his passage be him self or be the qwenis writingis. And gif the said ambassiadouris makis na pece betuix Scotlaund and Ingland, in that cais, the Erle of Anguse sall nocht pas within the realme of Ingland to the said qwene without my Lord Governouris leif and licence.

Item, my Lord Governour, nor the Lordis of Counsale, sall nocht desyre my Lord of Anguse to gif our or renunce any thing that the qwene has rycht to, sua that scho haif na caus to complene ; nor sall nocht desyre my Lord of Anguse till affix his sele to the commissioun now to pas in Ingland.

Item, becaus the Quenis grace in hir wedowhede and sen scho was mariit and spousit, intromettit with diueris gere and gudis, baith gold and siluer, and vthir stuf that pertenit to the Kingis grace, quhom God assolze, and now pertenis to oure souerane Lord that now is ; thairfor, the said Erle of Angus sall haif ane acquit-tance and discharge of my Lord Governour of all the said gudis, money, siluer werk, and vtheris, in safer as my Lord Governour may gif it, and induring his office of Governance.

Wee, Maister Johnne de Planis, ambassiadour to the maist Cristin King of France, James Archibishop of Glasgow, chancelar of Scotland, Maister Gawyne Dunbar, archidene of Sanctandrois, commissaris to the kingis grace, and to my Lord Governour, his tutour and protectour in that part specialie constitute, as said is, promittis to caus all this abone writin to be fulfillit in the best forme to my said Lord of Anguse, keband the substance of the samyn. In witnes of the quilk thing, we haif subscriuit this write with our handis; and als for the mair sikkir and afald part to be kept be the said Erle to the Kingis grace, my Lord Governour and the realme, in the premissis, the said Erle of Anguse has subscriuit this write sielike with his hand, day, zere, and place forsaidis.

JOHANNES DE PLANIS.

JACOBUS Cancellarius.

GAWINUS DUNBAR, Archidiaconus Sanctiandree.

185. CONTRACT between GAWIN DOUGLAS, Bishop of Dunkeld, and ELIZABETH, relict of William Douglas of Braidwood. 5th November 1520.

IN Dei nomine, amen: Per hoc presens publicum instrumentum cunctis pateat euidenter, quod anno Incarnacionis Domini millesimo quingentesimo vicesimo, mensis vero Nouembris die quinto, indictione nona, pontificatus sanctissimi in Christo patris et domini nostri, domini Leonis diuina prouidentia pape decimi, anno octauo, in mei notarii publici et testium subscriptorum presentia personaliter comparuerunt reuerendus in Christo pater, Gavinus miseratione diuina Episcopus Dunkeldensis, ex parte vna, et Elizabetht Auchinlek, domina de Glenberwy, relicta quondam Willelmi Douglas de Braidwod, militis, ex parte altera; quequidem partes, ex suis certis scientiis et spontaneis voluntatibus, ut asseruerunt, ad hanc deuenerunt concordiam prout sequitur in vulgari: At Sant Johnne chapell, besyd the commown mure of the burgh of Edinburgh, the fift day of Nouember, the zeir of God ane thousand five hundreth and twenty zers, it is appoynetit and concordit betuix ane reuerend fader in God, Gawane, bischop of Dunkeld, fader brodir to Archibald Douglas sone and apperand air to Elizabetht Auchinlek, Lady of Glenberwy, the relict of vinquhill Schir Williame Douglas of Braidwod, knycht, on that ane part, and the said Elizabetht Auchinlek on the othir part, in maner, forme, and effect as eftir followis; that is to say, the said Elizabetht sall now, in her vedowheid, and befor hir professioun into the said chapell and hous of Sanct Johnne, gif and infest heretabilly, be chartir and sesing, the said Archibald Douglas,

hir sone and apperand heritar, gottin apone hir be the said vmquhill Williame Douglas, in all and sindry hir landis and baronyis of Glenberwy, Barras, and Kemnay, witht the tour, fortalice, maner place, myllis, onsettis, annexis, pendiculis, steckdis, tenmandis, tenandryis, seruice of fre tenentis, witht the patronaige, aduocaciones and donacionis of the kirkis, chapellis and chapellanryis of the samin, and thair pertinens quhatsumeur, liand within the schirefdomes of Abirdene and Kyncardyne, now vnit and annexit into ane barony, callit the barony of Glenberwy, to be haldin of the Kingis Hienes for seruice aucht and vount, and to be broukit be the said Archibald and his airis, eftir the tennour, forme and effect of the chartir and infestment maid be vmquhill our souerane Lord, King James the ferd, quhame God assoilze, vndir his gret seile, to the said vmquhill Williame Douglas and Elizabeth his spous, and lik as the samyn in itself proportis, payand to the priores and conuent of the said chapell and thair successouris twenty pundis of annuell, quhilk the said Elizabetht has gevin to thaim heretabillie of the foirsaid hail landis and baronyis of Glenberwy and Barras, be chartir and sesing of befor ; and that the said priores and conuent of the said place sall, witht the consent and assent of the provinciall of the freris predicatouris of Edinburgh, gif ane sufficient lettir of reuersioun to the said Archibald Douglas, that quhat tyme he, or his airis, infettis the said priores and conuent or thair successouris, into alsmeikill annuell of feild land, liand into als gud and competent place as ar the landis that thai haif the said annuell of, of the said twenty pundis, that thai or thair successouris sall incontinent, eftir the said infestment be maid to thaim, renunce, resinge and ourgif to the said Archibald Douglas, his airis or assignaais, all and hail the said annuell rent of twenty pundis quhilkis thai haif zeirlie of the foirsaidis landis and baronyis abone writtin, and sall deliuer to the said Archibald Dowglas, his airis or assignayis, the chartir, sesing and infestment maid and gevin be the said Elizabetht Auchinlek to thaim thairupone ; and lik as the said reuersioun sall proport ; and als reseruand and payand zeirlie to the said Elizabeth Auchinlek, indurand hir naturall lif, four skoir of pundis zerlie, to be tane of all and hail the foirsaidis landis and baronyis at twa vsuall termes in the zeir, Witsounday and Mertymes in winter, be ewin portiones ; and for the secure payment of the said twenty pundis of annuell zeirlie to the said priores and conuent heretabilly, and inlikuis, for payment of the said four skoir of pundis to the said Elizabetht Auchinlek at the termes foirsaid indurand hir naturall lif, the said lord bishop of Dunkeld sall caus twa sufficient persones be actit thairfor into the officialis bukis of Sanctandros, within the Archdenry of Louthiane, coniunctlie and seueralie incontinent, in dew forme, as maner

is in siclik caisis to be done ; the quhilk acting anent the payment of the said four skoir of pundis to the said Elizabetht indurand hir naturall lif foirsaid sall nocht extend apone the saidis persones quhilkis beis actit for payment thairof quhill the space of twa zeris nixttocum be bipast, becaus Johne Straithauchane is bundin to the said Elizabetht for the said payment indurand the said twa zeris ; to the quhilk the said lord bischop consentis be this appoyntment, and sall nocht disturbill the said Johnne for payment thairof. Item, the said Elizabetht Auchinlek of hir avin fre will has consentit, and be the tenour of thir presentes, consentis that the said reuerend fader be gouernour and tutour to the said Archibald Douglas hir sone, and transferris in the said reuerend fader, all richt that scho has or may haif thairto be ony maner of way in tyme tocum : and attour, the said Elizabetht sall mak the said Archibald, hir sone, hir verray lauchfull and vndoutit assignay to the lousing and redemyng of the foirsaid haill landis and barony of Kennay, with tennand and tennandry thairof, in the best forme, and sall deliuer to the said bischop of Dunkeld, as tutour and gouernour to hir said sone, the lettir of reuersion, and all other letteris and eidentis that scho has or can get maid apone the lousing and redemyng of the saidis landis and barony. Item, it is appoyntit that the said lord bischop of Dunkeld, incontinent eftir he be tutour to the said Archibald, he sall gif ane sufficient lettir of quitclame and discharge, vndir his seile and the said Archibaldis, to the said Elizabeth, of all males, fermes, proffectis and dewiteis quhilk scho has tane vp of the landis of Braidwod and Grenane, and all other landis that pertenit to the said vmquhill Williame Douglas, hir spous, witht the quhilk scho has intromettit, or has vptane the proffectis thairof, be ony maner of way, befor the day of the dait of thir presentes ; and, inlikuis, of all gudis of airschipe quhilk the said Archibald hir sone may ask at hir be ony maner of way, as said is ; alsua, it is appoyntit that the said Elizabetht sall haif to hir fre dispositioun the haill males, proffectis and dewiteis of all and sindry the foirsaid landis and baronyis of Glenberwy, Barras and Kymnay, myllis and all other proffectis and dewiteis thairof quhatsumeuir of the terme of Sanct Martin in wintir nixt tocum, eftir the dait of thir presentes, but ony impediment, stop, lat, or demand of the said reuerend fader, or ony other into his name quhatsumeuir : and attour, it is appoyntit that the said reuerend fader sall nocht caus nor counsall the said Archibald Douglas to mary with na party indurand the tyme that he salbe his tutour, without the avis and consent of the said Elizabetht his modir, and sall persuaid and counsall the said Archibald, in sa fer as he can, to mary with the consent and avys of his said modir : And attour, it is appoyntit,

that the said Elizabeth Auchinlek sall gif hir obligatioun on dew forme to the said priores and conuent, bindand hir and hir airis that thai sall nocht vex, inquiet, stop, lat nor distrubill thaim, thair successouris nor factouris, in the peccable brouking, joising, lifting, ressavng nor vptaking of the foirsaid annuelrent of twenty pundis be na maner of vay in tyme to cum, vnto the tyme the samin be lauchfully lousit and redemit eftir the tennour and effect of the said lettir of reuersioun to be maid thairupoun, as is abone writtin : and gif the said Archibald Douglas or his airis dois the contrar, as God forbaid, than, and in that cais, he or his airis that makis the said vexatioun or distrublans sall content and pay zerlie to the said priores and conuent of the said hous of Sanct Johne, or thair successouris, the sowme of fourty pundis of the said vsuall money, videlicet, ilk terme twenty pundis, and swa zeirlye and termly, to indur als oft and sa lang as the said vexatioun, stop or distrublans be maid ; and this obligatioun to be extendit in the best forme ; to the quhilk the said reuerend fader has consentit, and be thir present consentis : and that all and sindry thir condicions and appoyntmentis abone writtin sall lelelie and treulie be obseruit, kepit and fulfillit in forme and effect foirsaid, as said is, but fraud or gile, aythir party, videlicet, the said reuerend fader and Elizabeth Auchinlek, ar bundin, oblist and suorne, ilkane to otheris, be the faythtis and treuthtis in thair bodyis, the haly euangeliis tuechit. *Quequidem omnia et singula suprascripta fideliter fore fienda et perimplenda, modo et forma predictis, ambe partes hiuc inde fideliter promiserunt michi notario publico subscripto per extensionem manuum suarum dextrarum, omnibus fraude et dolo remotis, et nullo juris remedio incontrarium qualitercunque proponendo : Super quibus omnibus et singulis prefate partes hinc inde a me notario publico subscripto eiis fieri petierunt hoc presens publicum instrumentum seu publica instrumenta, vnum vel plura : Acta erant hec in dicta capella Sancti Johannis Baptiste, hora duodecima in meridie vel eocirca, sub anno, mense, die, indictione et pontificatu quibus supra, presentibus ibidem honorabilibus viris, videlicet, fratre Johanne Adamsoun prouinciali antedicto, magistro Thoma Bellenden, Archibaldo Boyd, preposito ecclesie collegiate de Dalkeytht, Johanne Richertsoun, Henrico Douglas, Alexandro Cuning, Thoma Balmannocht de eodem, Thoma Wod, domino Alexandro Boid, capellano, et Jacobo Zowug, notario publico, testibus ad premissa vocatis pariter et rogatis.*

Et ego Alexander Makneyll clericus Sanctiandree diocesis, publicus auctoritate sacra apostolica notarius, quia premissis [*etc. in forma communi*].

186. BOND betwixt ARCHIBALD, SIXTH EARL OF ANGUS, COLIN EARL OF ARGYLE, and JOHN EARL OF LENNOX, for maintaining the authority of King James the Fifth, etc. 18th June 1525.

BE it kend till all men be thir present letteris, ws, Archibald Erle of Angus Lord Douglas, Colin Erle of Ergyle Lord Campbell and Lorne, Jhon Erle of Lennox Lord Darnly, to be bundin and oblist, and be the tenor heirof, the fayth and trewth in our bodeis, leilely and trewly bindis and oblistis ws, and euerj ane of ws, for all the days of our lywes, to our soueran Lord the King, and every ane of ws to wtheris in maner following ; that is to say, we and euere ane of ws sal concur and assist to wtheris with our bodeis, freindis, men, serwandis, and gudes, for mantening, furthbering, and awansin of our souerane Lord his autorite and justice, and sall tak wtheris afald trew part with our persons, substans, men, kin, freindis and alliances, in all and sindrj our querrelles, actions, and causes, leful and honest, quhatsumewir pertening to ws or aythir of ws, our freindis, men, kine, servandis, and parttakars ; and sal nocht suffer na maner of persons to do displeur, molest, or inquiet ony of ws, our freindis, serwandis, and kinsmen, in our bodeis and gudes, takkes, rowmes and pocessions, bot sall recist the sammyn at our wtermaist powar ; and attour geif ony of ws has ado for furthberin of our said souerane lordis autorite, or ony our own particuler actions, we sal cum in propre person, geif neid beis, with our freindis, men and serwandis, for the help and suple of that wthir ; and sal remain thairapoun sa lang as sal be thocht expedient and neidfull ; and attour sall help suple the wthir our freindis and serwandis to offices, rowmes, and benefices with all faith and deligens, and sal geif wtheris the best consell and awis that we can, and sal keip the consell secret at beyis schawyn to ws be athir of ws, and als soyn as ony of ws beis aduertist of ony hurt or displeur at ma fall or cum to ws or athir of ws, we sal incontinent reweil the sammyne, stop and mak impediment to that hurt or displeur incontinent, at our wter powar : And attour geif ony dissention, controuersy, or diuision sal happyn, as God forbeid, betnix ws, our freindis, men, serwandis, or part takars, anent purchassing of ony benefices or wtheris actions, criminall or cewil, in that cais we bind and oblistes ws, and euerj ane of ws, for our selves, freindis, serwandis and kinsmen, that we sal nocht persew tha maters nor causes to displeur of wtheris, bot sall stand and abyd at the consell of George of Douglas, Maister of Angus, Archebald of Douglas, eme to the said Erle of Angus, Johne Somerwal of Camisnethane, Maister Jhone Campbel

of Lundy, thesaurer to our soueran lord, maister Donald Campbel, nominat to the Abacy of Couper, Colin Campbel of Ardkinglas, William Maister of Glen-carne, Maister Robert Maxwell, Prowest of Dumbertan, clerk of the expensis, and Ninian Crychtoun, or the maist pairt of thame, in all sic causes as ewer thir persons consalis commandis or ordanis, we and euery ane of ws, our freindis and kinsmen, to abyd thairat, withowt ony gruches or displesur, and heirto we bind and obllis ws, and euery ane of ws, be the faith and trewth of our bodeis, the haly ewangelis twychit, and neuer to cum in contrar heirof in jugyment nor withowth, onder the pain of perjur, mainsuering, infanite, and neuer to be haldin trew, faythful, nor honest in tyme cumin. In witnes of the quhilk, we Erles forsaid has subscriuit thir presentes with our handis, and affixit to the sammyne our seles, at Edinburch, the xvij da of Junij, the zeir of God I^m v^c and twenty fyve zeris.

ERL OF ANGUS.

C. ERL OF ERGYL.

ERL OF LENAX.

187. BOND of MANRENT by HEW LORD SOMERVILLE to ARCHIBALD, SIXTH
EARL OF ANGUS. 14th January 1525.

I, HEW LORD SOMERVELL, promittis and faithfullie obllis me, myne airis and assignais, be thir presentis, to ane richt noble and michty Lord, Archibald Erle of Angus, Lord Dowglas, etc. forsamekill as it is appoyntit and aggreit betuix the said Lord Erle and me, that I sall gif to hyme my band of manrent, in dewe forme, for sartan zeris, ass the pontment beris, to do hyme gud and trewe seruice, first and befor all vtheris, myne allegiance to our souerane Lord alanerlie exceptit, and for that caus, he sall discharge me and myne airis of the sovme of threttene hundreth markis of vnlawis, in the quhilkis I and my souerteis was adiugit for nonentre of me, my freyndis and seruandis, befor our souerane lordis justice, the xv day of Maij last bipast, to haif vnderlyne the law for the slawchtir of James Lyndesay, quhilk sovme the said Lord Erle hes, be gift of our souerane Lord; and albeid he haif disponit and assignit the said sovme to vthiris personis, he is obllist to releif and keip me and myne airis harneles tharof at the handis of quhatsumeuir personis, and in securite tharof, he sall infett me heretable in landis of his, lyand within the barony of Dowglas, in the best forme, as the appoyntment and writing maid betuix ws tharapoun proportis; and gif it sall happin me, as God forbeid, to failze to the said Lord Erle in the making and doing to hyme of leile and trewe seruice, eftir

the forme of my band, or ony poynt tharof, I, now as than, dischargis, and, be the tenour of thir presentis, renuncis the richt and infestment to be maid to me of the fornemmyt landis in securite of dischargeing of the fornemmyt sovme, swa that the said Lord Erle may dispone tharapoun at his plesour, siclik as he might haif done befor the infesting of me tharintill, without ony clame, questioun, or demand of me, myne airis or assignais, vnder the pane of defamatioun, periure and infamite. And herto I bind and oblis me, myne airis and assignais, to the said Lord Erle and his airis in the maist sickerest forme and straitast stile of obligatioun that can be maid or diuisit. In witnes herof I haif subscriuit this obligatioun witht my hand, at Edinburgh, the xiiij day of Januar, the zeir [of God ane] thousand five hundretht and twenty five zeris, befor thir witnes

HEW LORD SOMERVELL.

188. BOND OF MANRENT by JAMES RAMSAY of Cokpen to ARCHIBALD, SIXTH EARL OF ANGUS. 19th May 1526.

BE it kend till all men be thir present lettres, me, James Ramsay of Cokpen, to be bundyn and stratelie oblist, and, be thir present lettres, the faith and treuth in my body, lelely and treuly byndis and oblis me to a nobill and mychty lorde, Archibald Erle of Anguss, Lorde Douglas, etc., in speciall maurent and seruice, for all the dais of my liffe, promyttand and oblissand me to be afald, lele, and trew man and servand to my said lorde ; his counsale and secretis that he schawis me I sall kepe secrete, and counsale, and in all materis geif him the best and trewest counsale I can as I sal be requyrit thareto ; his skaith, dammage and hurt in his persoun, landis or gudis, I sall at na tyme here, se, witt or vnderstand, in prive or appert, bot I sall warne him thareof als haistely as I can, and lett it at all my power : and I sall tak ane afald plane and trewe parte with my said lorde in all his actiouns, causis and querellis, contrare and aganis all men that liff or de may, and, in speciall, aganis James Erle of Arane, George Lord Hume, and Andro Ker of Farnyhirst, myne allegiance till our souerane Lord the King anerly except. And I sal be reddy at all tymes, als weill to do my said Lord service with my kyn, freyndis, alya, assistance, and all that I may purches, but dissimulatioun, fraude or gyle, quhen I salbe requirit thareto, and as ony man is bundyn to do for his Lord and Maister, exceppand [as abone] except : Sa God me help, and be thir haly ewangellis. In witnes of the quhilk, to thir present lettres I haue [put] my sele, togidder witht my subscriptioun manuale, at Edinburgh, the xix day of Maij, the zere of God J^m v^c xxvi zeirs. JAMES RAMSAY of Cokpen.

189. BOND OF MANRENT by GEORGE LORD HOME to ARCHIBALD, SIXTH
EARL OF ANGUS and JOHN EARL OF LENNOX. June 1526.

BE it kend tyll all men be thir present lettres, ws, George Lord Howme, to be bwndyn and oblissit, and, be the tenour herof, byndis and oblissis ws to ryd and serue nobill and mychty lordis, Archibald Erl of Angus, lord Dowglas, etc., and Jhone Erl of Levinax, lord Dernly, in seruing of the Kingis grace and furthbering of his auctorite and the commoun weill of this realm at all tymis necessar, I being lawfully warnit thairto be the saidis Lordis. In witnes of the quhilk I hane subscribyt this wrytyn with my hand at the
day of Junij, the zer of God I^m v^o and twenty sax zeris.

GEORGE L. HOM.

190. BOND OF MANRENT by WILLIAM HAMILTON of Macknariston to
ARCHIBALD, SIXTH EARL OF ANGUS. 12th July 1526.

BE it kend till all men be thir present lettres, me, William Hammyltoun of Maknaristoun, to be bundin and stratelie oblist, and, be thir presentis, the faith and treuth in my body, bindis and oblis me to a noble and mychty lorde, Archibalde Erle of Angus, lord Dowglas, etc., in speciall manrent and seruice, and to be his afald trewe man and servand, for all the dais of my life; his counsale and secretis to be schewin me, I sal kepe secrete, and counsale, and in all materis gif to him the best and trewest counsale that I can, as I sal be thareto requirit; his skaith, dammage, or hurte in his persoun, landis, or gudis, I sal, at na tyme, here, se, witt or vnderstand, in pryve or aperte, bot I sall warne him thareof als haistelie as I can, and lett it at all my power; and I sall tak ane afald and plane trewe parte with my said lorde, aganis and contrare all men that lyve or de may, myne allegiance to my sonerane lorde the king alanerly except; and I salbe reddy at all tymes, alswele to do my said lorde seruice as I salbe requirit, with my kyn, servandis, freyndis, allya, assistence, and all that I may purches, but dissimulatioun, fraude, or gyle, and generaly I sall do in all thingis afald and trew seruice to my said lorde, as ony man is bundin to do for his lorde and maister within the realme of Scotland; sa God me helpe, and be the haly ewangellis, and be God himself, and vnder the panis of periure, infamite, and inhabilite and never hable to stand in jugement and I cum in con-

trare of this my band. In witnes of the quhilkis to thir presentis I haue affixt my sele, with my subscriptioun manuale, at Edinburgh, the xij day of Julij, the zere of God I^m v^c xxvj zeris.

WYLZEM HAMMYLTOUN off M^rkⁿaristoun,
with my hand.

191. BOND OF AMITY by GEORGE EARL OF ROTHES to ARCHIBALD, SIXTH
EARL OF ANGUS. 17th August 1526.

BE it kend till all men be thir present lettrez, ws, George erle of Rothes, lord Lesly, etc., to be bundin and stratelie oblist, and, be thir presentis, and the faith and treuth in oure body, byndis and oblistis ws, to a noble and mychty lord, Archibald erle of Angus, lord Dowglas, etc., in speciall band of kyndenes, for all the dais of oure life, his consale and secretis, quhen he ony schewis to ws, we sall kepe secrete, and counsale, and in all materis gif him the best and trewest counsale we cau, as we salbe tharto requyrit ; his skaith, dammage and hurte in his persoun, landis or gudis, we sall at na tyme here, se, witt or vnderstand, in prive or aperte, bot we sal warne him thareof, als haistely as we can, and lett it at oure power ; and sal tak ane afald, trewe and plane parte with the said erle in all actiounis, causis, and querellis, aganis al men that lif or de may ; oure allegiance til our souerane lord the king alanerly except, and salbe reddy at al tymes, alswele to do afald, stede, suple, and kyndenes to the said Erle, quhen we salbe requirit, with oure kyn, men, freyndis, allya, assistance, and al that we may purches, but dissimulatioun, fraude or gile ; except befor except : And attoure, sall concur with him in the defence of oure said souerane lordis persoun and his autorite, in furthputting of justice, pecyfyng of the realme, stanching of mysdoaris, thift and reif, at oure power. And gif ony benefice happinnis to vaik within the said Erlis boundis on the north parte of the watter of Taye, quhar he beris reule, we sall solist our said souerane lord, at oure power, to gif the sammyn to the dispositioun of the said erle, to be disponit be him to quhat persoun or persounis he plesis, hable therefore : Sa ws God help, be thir haly ewangellis, and be God himself, and vnder the panys of periure, infamite, inhabilite, and neuer hable to stand in jugement, and we cum in contrare of this oure band. In witnes of the quhilk, to the samyn band, we haue affixit oure sele, witht oure subscriptioun manuale, at Edinburgh, the xvii day of August, the zeir of God J^m v^c xxvi zeris.

GEO. ERL OF ROTHES.

192. DISCHARGE by DAVID EARL OF CRAWFORD to ARCHIBALD EARL OF ANGUS, of contract made between ARCHIBALD EARL OF ANGUS, deceased, and JOHN EARL OF CRAWFORD, anent the lands and lordship of Craufurdmuir, and superiority of lands in Angus. 20th February 1526.

To ALL and sindry, quhais knowlege thir presentis sall tocum, David Erle of Craufurd lord Lyndesay, etc., greting in God evirlesting. Wittis ze, that albeit it was contractit betuix vmquhile noble and mychty lordis, Archibald erle of Angus lord Douglas, etc., and Johne erle of Craufurd lord Lyndesay, etc., that the said vmquhile Archibald erle of Angus band and oblissit him, his ayris, successouris, and assignais, to infest the said vmquhile Johne erle of Craufurd, his ayris, successouris and assignais, heretable be charter and sasing, in perpetuall, in superiorite of certane landis and vtheris, to remane with thame in propriete, lyand in the erledome of Angus ; for the renunciacioun and owrgevin of the landis and lordschip of Craufurdmur and superiorite of the sammyn to the said vmquhile Archibald erle of Angus, as the writtis, letteris, and documentis maid thairupone mair fullelye contenis : Neuirtheles for certane greit plesouris, gratitudis, gud deidis, done to ws, and sovmes of money payit for ws be ane noble and mychty lord, Archibald now erle of Angus lord Douglas, etc., nepho, ayr and successour to the said vmquhile Archibald erle of Angus lord Douglas, we the said David erle of Craufurd lord Lyndesay, for ws, our ayris, successouris and assignais, quytclanis, dischargis and exoneris the said Archibald now erle of Angus, his ayris, successouris and assignais, of all bandis, obligacionis, contractis, indenturis, writtis, instrumentis, and quhatsumevir vtheris documentis, maid betuix the saids vmquhile Archibald and Johne erles of Angus and Craufurd, concernyng the superiorite and propriete of landis in Angus, to haue bene gevin in maner forsaid ; and of all sovmes of money and panis quhilkis war contractit and convenit betuix thame for non fulfilling of the said contract ; and renuncis be the tenour of thir presentis all actionn, clame, rycht and titill of rycht, quhilkis we, our ayris, successouris and assignais, has or ma haue be virtu of the saidis band, contract, indenturis, and obligatioun ; and als renuncis and owrgevis frelie for evir all clame, rycht and titill of rycht quhilkis we haue or ma haue to the saidis landis, lordschip and superiorite of Craufurdmur ; sauffand to ws, our ayris and successouris, erles of Craufurd, our style of erledome of the sammyn ; and promittis nevir to persew nor clame rycht nor titill in, nor to the saidis landis, lordschip, and superiorite of

Craufurdmur, in iugement nor out of iugement. And attour, we bynd and oblis ws to deliuer to the said Archibald erle of Angus within fourty dayis all evidentis, indenturis, band and contractis, obligacionis and documentis, quhilkis we haue or ma get concernyng the said contract ; and renuncis all exceptionis of law, ciuile and canon, and specialy doli, mali, metus causa, and non numerate pecunie, and all vtheris constitucionis or actis of the realme maid in the contrarie. And for the inuiolable observing, fulfilling and keping of all and sindry thir premissis, we bynd and oblissis ws, our ayris, successouris, and assignais, to the said Archibald, his ayris, successouris and assignais in the straitest style and forme of obligatioun that can be devisit : And for the mair verificatioun hereof, to thir presentis, subscrivit with our hand, our seil is appensit, at Dundee, the twenty day of Februar, the zeir of God ane thousand fyve hundreth and twenty sex zeiris, befor thir witnes, honorabill men, James Fentoun of Ogill, Andro Seitoun of Parbrotht, Petir Carmichael of the Drone, Thomas Barkay of the Rynd, George Arrot of that Ilk, and maister Johne Bannatyn, notar publict, with vtheris diuers.

DAVID ERL OFF CRAUFFURD.

193. PERMISSION by KING JAMES THE FIFTH to ARCHIBALD DOUGLAS of Glenbervy, to remain at home from the army raised against ARCHIBALD, SIXTH EARL OF ANGUS. 22d October 1528.

REX.

WE, for certane resonabill considerationis moving ws, grantis and gevis licence, be thir our lettres, to our lout, Archibald Douglas of Glenbervy, to remane fra this our oist now assemblit, to pas witht ws to Temptalloun for asseging thairof, and fra all vtheris our oistis, radis and assegeis to be had aganis Archibald, sumtyme erll of Angus, George Douglas, his bruther, and Archibald Douglas, his eme, thare assistaris or part takaris, becaus he is sa tender to thame of blude. and of tender age, and it war vnkynndlie that he suld cum in thare contrare ; and will and grantis that he sall nocht be accusit, nor incur ony skaith or danger thairfore, in his persoun, landis or gudis, in ony wis. in tymecoming, nochtwithstanding ony our lettres, proclamationis or charges maid or to be maid in the contrare, or ony panis contenit thairin. Subscriuit witht our hand and vndre our signete at Edinburgh, the xxij day of October, the zere of God I^m v^c xxviij, and of our regnne the xvj zere.

JAMES R.

euery part and poynt thairof, ather of the saidis parteis ar bundin, oblist and sworne, ilkane to wtheris, be the faithis and treuthis in thair bodys, the haly ewangillis tueichit, wnder the pane of periure and defamatioun in tyme tocum. In witnes of the quhilk thing, baytht the saidis parteis has interchangeably subscriuit and selit thir present Indentouris witht thair handis and propir selis to hungin, day, zeir and place forsaid, befor thir witnes James Douglas of Drumlangrig, James Douglas of Parkheid, Johnne Railtoun burges of Edinburgh, and Maister Hew Ryg of Carbarry, notar publict, witht wtheris diuers.

AR^D. ERL OF ANGUSS. ROBERT MAXWELL.

195. DECREET ARBITRAL betuix ARCHIBALD, SIXTH EARL OF ANGUS, and ARCHIBALD EARL OF ARGYLE, relative to the barony of Abernethy. 30th April 1543.

AT Haliruidhous, the last day of Aprile, the zeir of God I^m v^c and xliij zeris, Ws, Robert lord Maxwell, James Dowglas of Drumlangrig, chosin for the part of ane nobill and mychty lord, Archibald Erle of Angus, on that ane part, Donald, abbot of Cowpar, and Colyne Campbell of Ardkinglas, chosin for the part of ane nobill and mychty lord, Archibald erle of Ergile, lord Campbell and Lorne, etc., on that vther part, as jugis arbitratouris, counsallouris and amicabill composi-touris anent the males, fermes, proffittis, dewiteis and casualiteis of the barony of Abirnethy, liand within the schirefdome of Perth, allegit to pertene to the said erle of Ergile, be vertu of the infestmentis maid to vmquhile Colyne erle of Ergile, his fader, and him, be vmquhile the Kingis grace that last deceissit, quham God assolze, efter the pretendit forfaltour led vpoun the said erle of Angus, of all zeris and termes bipast sen the said forfaltour, and anent all vtheris actionis, clames, contrauersyis and debatis that ather of the saidis partiis had to say, or mycht propone aganis vtheris be ony maner of way befor the date heirof, the quhilkis parteis beand bund, oblist and sworne, be the faitht and trewtht in thair bodeis, the haly ewangelis tuechit, to stand, abyde, vnderly and fulfill the decret, counsall, sentence, deliuerance and ordinance of ws, the saidis four jugis, or the maist part of ws, and we acceptand the saidis actionis and debatis in and vpoun ws, and inlikuis beand bund, oblist and sworne to decret, counsall and deliuer heirintill, in amicabillwis, efter our vnderstanding, conscience, and knowlege as at mair lentht is contenit in the compromit maid thairupoun; the rychtis, ressonis and allegationis of baytht the saidis parteis befor ws sene, vnder-

stand and considerit, and we, thairwitht beand ribly auisit, havand God and gude conscience befoir E, thus we, the saidis four jugis, all in one voce, without ony discrepance, and witht consent of baytth the saidis parteis decretis, counsalis and ordanis, and, for finall sentence arbitrale, pronuncis in maner following : that is to say, we haue quitclomit and dischargit, and be thir presentis quitclamis and dischargis the said erle of Ergile, his airis, executouris and assignais, thair baillies and officiaris, of all males, feirmes, profittis, dewiteis and casualiteis of the foirsaidis haill landis, mylne and barony of Abirnethy foirsaid, of all zeris and termes bipast, sen the leding of the said forfaltour, vnto the day of the dait of thir presentis, except the feirmes and vittalis now awand be the tennentis thair of, of the crop in the zeir of God Im v^e and xlij zeris, beand in thair handis vntane vp be the said erle of Ergile, and als ordanis the said erle of Angus to gif to the said erle of Ergyle ane sufficient assignatioun vnder his seill and handwrite heirupoun, in the best form that can be diuisit : Attour, we decreit and ordanis the said erle of Angus to be curtess and gude to all the tennentis of the said barony that are infett thairintill be the said erle of Ergylis fader or him self, of quham thai haue gottin profit thairfor : and as anent the donatioun and gift of benefices of the College kirk of Abirnethy maid and gevin be the said erle of Ergylis fader or him self be resignatioun, deceis or ony vther wayis, to the possessouris now thair of, we refer the decisioun of the rycht of the samyn to the declaratioun of Schir Adam Otterburn of Reidhall, knycht, maister James Fowlis of Colyntoun, maisteris Hew Rig and Thomas Marioribankis, burgess of Edinburgh, gif the saidis possessouris suld browk the saidis benefices or nocht, be vertu of the saidis giftis of the law : Attour, we reserue to the said erle of Ergile his actioun and clame that he may haif aganis Johnne Tennent anent the soun of sex hundretht merkis payt be him to the said Johnne for the mylne of Abirnethy, and ordanis, gif neid be, the said erle of Angus to concur and assist to him for the persewing and obtenyng of the samyn : Alswa, we ordane baytth the saidis parteis to tak vtheris in amite and favouris, and do for vtheris in all thair honest and lefull actionis in all tymes to cum ; and gif thair be variance or disorder in tymes bigane, or salhappyn ony debait or discrepance to be betuix thame, thair kin, freindis, allya or seruitouris in tymes to cum, and specialy the erle of Eglintoun, his nevo, thair kin, freindis and seruandis, the samyn to be referrit to decisioun of four freindis to be chosin equaly betuix thame thairupoun, swa that thai and all vtheris freindis on baytth the sydis may be in equale kyndnes to that effect, that thai may all the mair sonirly and kyndly serue the queinis grace, my lord governour and commoun

weill of the realme : and this our present decreit and deliuerance to all and sindrie quham it effeiris we mak it knawin. In witnes heiroy we, the saidis jugis and parteis, hes subscriuit this decreit witht our handis, at day, zeir and place foirsaid, befoir thir witnes, George Dowglas, brother to the said erle of Angus, James Dowglas of Parkheid, Johnne Lawmond of Inuerryn, James Kennedy of Blairquhan, and Alexander Makneyll, notar, witht vtheris diuers.

AR^D ERL OFF ANGUSS.

A. ERL OF ERGYLL.

D. DE CUPRO.

196. CONTRACT between ARCHIBALD DOUGLAS of Glenbervie and DAVID FALCONER of Halkirton, as to a marriage between ALEXANDER FALCONER and ELIZABETH DOUGLAS. 1st June 1543.

AT Pittaro, the first day of Junij, the zer of God I^m v^c and xliij zeris, it is appointit and finaly concordit betuix honorable men, Archbald Douglas of Glenberwy, on that ane part, and Dauid Falconar of Halkertoun, on that vther part, in maner and forme as followis : that is to say, Alexander Falconar, sone and apperand ayr to the said Dauid, sall, God willing, marey and haf to wife Elizabeth Douglas, doichter to the said Archbald, and failzeing of hir be deceis, Margret Douglas, and sa furtht, fra doichter to doichter, quhill the said band of matrimonze be compleit : and siclyk, failzeing of the said Alexander, on that vther syd, George, secund sone to the said Dauid, and sua furtht fra ane to ane vther, in cace of deceis, quhill the said band be compleit of matrimonze betuix the said Davidis sone and apperand air, and the said Archbaldis doichter in maner forsaid : and this band of matrimonze to be completit and solempnisit lauchfullie, in the face of haly kirk, as afferis, betuix the day of the dait heiroy and the feist of the natiuite of our Lord, callit Zuile, nixt tharefter : and forder, the said Dauid sall gif to his sone and apperand air, and the said Archbaldis doichter, that completis the said band of mariage togidder, thre scoir ten merkis land, with the pertinentis of his lands of the Manis of Halkertoun, or than of the Manis of Myddiltoun with the pertinentis, in coniunctfee, in the maist souir maner, to be haldin of our souerane lady the quenis grace or hir successouris ; and the modificioun of the said sovme of thre scoir ten merkis land of the manissis forsaidis to be modelyt in cace the partys aggreis nocht tharupone, to ane honorable man, Johnne Wischert of Pittarrow ; videlicet, how mekle of ony of the said manis will extend,

be iust calculatioun, to the said sovme ; prouiding alwayis that the chalder of victuale be set to x merkis in the said modificatioun : and the said landis to be gevin, as said is, in coniuncte [fee] to the said Alexander and Elizabetht, and to the aris mail, gottin or to be gottin betuix thame ; and failzeing tharof, to the said Alexander and his airis quhatsumeuir ; and the expens of this infestment making to be maid vpon the equale expens of baytth the parteis ; and this infestment to be maid in maner forsaid betuix this and Witsounday nixt efter the dait hereof. For the quhilkis completing of mariage and coniunctfee forsaidis, the said Archbald Douglas of Glenberwy bindis and oblis him, his aris, executouris and assignais, to thankfullie content and pay to the said Dauid Falconar, his aris, executouris or assignais, the sovme of ane thovsand merkis vsuale money of Scotland, at the termes efter following, in name of towchyr ; that is to say, viij dayis befor Witsounday nixt efter the dait heirof, videlicet, at Vitsounday, in the zeir of God I^m v^c and fourty four zeris, the sovme of four hundereth merkis : and Martimes nixt thairefter, fifty pundis ; and Witsounday nixt thairefter, fifty pundis ; and ay sua termely without omitting or breking of termes, Witsounday and Martimes, fifty pundis, quhill the hale sovme of ane thovsand merkis be compleitly payt, and baytth the partijs assentis that, of the said sovme of towchyr, that Alexander Falconar haf the sovme of fifty merkis, to be pait him self to his awine vse, of the Witsounday termys payment in the zeir of God I^m v^c xl fyve zeris ; and the samyn to be allowit to the said Archbald in part of payment of the said Vitsounday termes payment of fifty li. And gif thair happinnis ony caus of diuors to be movit betuix the said personis that completis mariage, be affinite, consanguinite, or ony vthir lauchfull cause, to rais dispensationis thairupone to compleit agane the said band, vpon the expens to be maid equaly betuix the saidis partys, and for obseruyng and keping of all and sindry the premissis, poyntis and articulis content in the samyn, baytth the saidis parteis ar oblist and suorne, the haly evangelis tueichit, the greit aicht cumand betuix, and neuer agane the samyn to cum, be na vay, colour nor ingyue, in jugment nor vteuht, and forder, sall act thame selfis in the Commissaris buikis of Brechin to fullfill the premissis, ilkane for thair awine part, vnder the panis of cursing, renunsand thair awine jurisdiction and prorogant the jurisdiction of Brechin in this caice : and the parteis in witnessing heirof, hes subscriwit this present contract with thair awine handis, day and place forsaidis, and hes takin noit and instrument of master James Rait, notir publict, befor thir witnes, Johnne Wischert of Pittarrow, Johnne Myddiltoun of Nethir Scut, George Auchinlek, Schir James Auchinleck, James Wischert and

master James Rait, notir publict, witht vtheris diuers. And, inlykwis, the said contract to be insert in the schireffis buikis of Kincardin in forme of act, for the mayr reddy and souer obseruyng of the samyn, befor the said witnes.

A. DOUGLAS of Glenberwy.

DAUID FALCONAR of Halkertoun with my hand at
the pen led be master James Rait, notir publict.

Ita est JACOBUS RAIT notarius, manu propria.

Dorso—Die xix mensis Junij, anno Domini Im^vc xliij quo die monite sunt introscripte partes ex eorum propriis confessionibus submittentis se jurisdictionij Brechiuensi, eandem in hac parte prorogantes ad obseruandum perimplendum et custodiendum presentem contractum, necnon omnia et singula puncta in eodem, in quantum eos et eorundem quemlibet concernunt, respective, sub pena excommunicationis. Extractum de libro contractuum domini commissarij generalis Brechinensis per me

Magistrum. THOMAM BOWSE, manu sua in fidem scripsit.

197. ARTICLES OF AGREEMENT between HENRY THE EIGHTH, KING OF ENGLAND, and the Noblemen and Gentlemen who were taken prisoners at Solway Moss. 27th December [1543]. [Old copy.]

At Hampton Court,

THE xxvijth day of December, in the xxxiiijth zeir of the Kingis maiesties most noble reigne, we, quhois names be vnderwirtin, bein Scottismen and his Henes prisoneris, having consultit and concludet vpon this pountis and artiklis, on his maiesties behalf proponed vnto vs, do make our answers to the same as foloweth :

First is, our master the kingis grace of Scotland be deceased, having oone doughter nowe alyfe : we thinke it expedient, and all, in oon voyce, humblie beseche his maiestie, that he woll vouchesauf to take into his handis the gouernement and keping of that doughter to th'intent that his highnes may marye the same to my lorde prince, his grace' sone, and, by meanes therof, to cleire all tytles, and to vnite both realmes in one, seeng to the god reule and administratioun of justice asweill of the realme of Scotland as of the realme of England, for the quietnes, tranquilite and commoun weill of them both, wherunto we shall ayde and serf his Maiestie to our powers :

Seconde, we promise that incontinentlie upon our arrivall in Scotland we schall aduertise the lorde warden of the Kingis maiesties bordouris, of the state of Scot-

land, witht our aduise, what we think necessarie and expedient to be done and what we finde our selves able to do for the good ordre of the same in forme specified, with the names of such as shalbe special lete or impedymnt vnto the furtherans of the same.

Thridlie, where eche oon of vs vnderwriten have appoyntit to laye one hostaige for the performance of thies covenautis and promises, it is agreed that all th'ostaiges schalbe not only serually bounde for his person for qhome the same is pute in, but also coniuinctlie bunde together, and eche oon in th'oll t'answere for the persones of all the rest. And it is further covinaunted, that, gif any of th'ostaigis die, the partie for whom the same hostaige is sewarally bounde, schall, within twentie dayes after the knowledge therof, send an other sufficient person in his place.

Fourthelie, it is promised that all we vnderwirtin schall, at Palmes Sondag next couming, return in to the kingis maiesties realme, and present oure selffis as presoneris to the kingis maiesties wardour on the bordures, and schall also, in the meane tyme, repaire to the kingis maiestie or his graces warden, as often as we schalbe, by the lord wardens or the deputie wardens lettres on the kingis maiesties behalf, required so to do :

Provided all wayes, that, when the prisoneris do enter, th'ostaiges schalbe deliuered.

This byll agreeth with the byll of artycles subscribed heir, by the noble men and gentlemen of Scotland withe names be vndrewriten.

ANTONE BROUNE.

G. ERLE OF CASSELLIS.

ROBERT MAXWELL.

JOHNE ROSE of Cragie.

JOHNE CARMYCHELL.

MONCREIF of the Same.

PATRIKE HEPBURNE.

GEORGE HYME of Aittoun.

JAMES HOPPRINGILL.

ERLE OF GLENKARNE.

HUGH LORD SOMERWELL.

OLIUER SINCLAR.

WILLIAME MOUNTETH of Kers.

JOHNE MATTLEN of Angassell.

WALTER KER of Graden.

PATRIK LORD GRAYE.

ROBERT ERSSKYN.

Quhair it wes propned vnto ws by his maiestie and his maist noble consall, that gif the said dochter were deseseyit, quhat we thoct than most nessessary to be done for the weill of the rowme of Scotland: to that we ansueir, that for the weill of the same is it will pleis his Grace to tak th'oll rewll, domyneone and

gouernance of that rowme vpone hym, that the same maye be gouerned in peis, tranquilite and justice, to be furtht borne in the said realme, we, now his graceis presoneris sall, to that pourpos, quhen we salbe at our liberte in Scotland, serue his Maiestie after our powar witht bodyis, pyssance and harttis to ovr vttermest.

198. DISCHARGE by JAMES EARL OF ARRAN, REGENT OF SCOTLAND, to ARCHIBALD DOUGLAS of Glenbervy. 20th March 1543.

REGINA.

WE, witht avise and consent of oure derrest cousing and tutour, James, erle of Arrane, lord Hamiltoun, protectour and gouernour of oure realme, vnderstanding that vmquhile our derrest fader, of gude mynd, quham God assoilze, gaif to oure louit Archibald Douglas of Glenbervy ane new infetment of his tenandrie of the landis of Braidwod haldin be him of the erle of Angus, togidder witht the nonentres of the sammyn, and he promittit to his Grace, thairfore, the soum of aucht hundreth markis of compositioun, and now the said erle is restorit agane to his lands and heretage, baith propirtie and tenandrie, and als the saidis landis of Braidwod ar decernit, be ane decrete of the lordis of our counsale, nocht to haue bene in nonentres : and swa, the said Archibald can report na proffit of the said new infetment, insafer as concernis the said tenandrie : Thairfore and for certane vtheris causis and considerationis moving oure said gouernour, we, be the tennour heirof, remittis and forgevis, to the said Archibald, the said compositioun promittit be him for the said new infetment, and dischargeis him and his souirteis thairof foreuir : chargeing heirfore oure thesaurar siclike to exoner and discharge the said Archibald and his souirteis for the said compositioun remittit be ws to him, as said is, and deleit and put out of his bukis all actis maid thairupoun : and the samyn compositioun salbe thankfullie allowit to him in his comptis in the chekker be the auditouris thairof, quhilkis we charge to defeis our thesaurar of the said compositioun in his comptis, thir presentis or the autentik copy thairof being schewin befor the saidis auditouris vpoun compt in the chekker as efferis : Chargeing alswa all our schireffis and officiaris to desist and cese fra all poinding and apprising of the landis and gudis of the said Archibald or his souirteis for the said compositioun, and of thair offices in that part foreuir, be thir presentis, gevin vndir oure Signet and subscriuit be oure said gonernour, at Edinburgh, the xx^{tj} day of March, and of our regne the first zeir.

JAMES G.

Regina

We it doys and consent of our verest counsail and hertow James Erle of Arrane
lord admiral of Scotland and gouernour of our realme vnder and vnder our
our verest fader of gode mynd wherunto god afforde grace to our lorde archibald
Douglas of Glenberdy and next inheritance of his seruandrie of ye landis of bread
wed haldin be him of ye tith of Angus togidder with the nontenures of ye samyn
and he promittit to his grace ynfors ye sum of anthe hundredth markis of tempo
strow and now ye said tith is report agane to his landis and hevetage caush
propertie and seruandrie and als ye said landis of breadwed ar detouris
be and detouris of ye lordis of our realme no to haue bene in nontenures
And sice ye said archibald can report na profit of ye said next inheritance
insofar as concernis ye said seruandrie Therefore and for certane vnto
cause and consideration making our said gont vnto be to ye seruand
howe remittit and forgiue to ye said archibald ye said composition promittit
be him for ye said next inheritance and dischargit him and his seruandrie of
forein Charges howe our the said seruandrie to sponer and discharge
ye said archibald and his seruandrie for ye said composition remittit be we
to him as said is and delat and put out of his bukis all attis maid vpon
And ye samyn composition sice thankfullis allowit to him in his temple in his
ye thiller be ye auditouris yare of jubilee no charge to desit of the seruand
of ye said composition in his temple ye presentis or ye auditouris yare
being the said bein ye said auditouris vpon receipt in ye thiller as offeris
Changing alwa all our the said offeris to desit and rest for all
pounding and appoynting of ye landis and gontis of ye said archibald or his
seruandrie for ye said composition and of your offeris in yet part forein be
ye presentis gein vnder our signet and subsermit be our said gont vnto
At witness ye xxij day of mch And of our regnme ye first
300

James



199. ACT OF PRIVY COUNCIL conferring on ARCHIBALD, SIXTH EARL OF ANGUS, Lieutenant, power to raise a thousand horse or foot, etc., for defence of the realm. 21st December 1544.

AT Edinburgh, the tuentie ane day of December, the zeire of God I^m v^e and fourty foure zeiris, in presens of my lord gouernour [and the lordis] of counsale, comperit maister James Makgill, procuratoure for Archibald erle of Angus, lieutenant, and gaif in thir artielis vnderwrittin; off the quhilkis artielis, and ansueris maid to the samyn, the tennoure followis:—In the first, quhair the said erle desiris ane ample commis[sion] to be gevin to him be the Quenis grace, my lord gouernoure and lordis of counsale, as he, with his freindis, sall devise; my lord gouernoure [and the] lordis of counsale ordanis ane mynit of the said commissioun to be maid, and to be schawin agane to thame, that thai may auise thairwith. Secundlie, quhair it is diuisit that the Quenis grace, my lord gouernour, and lordis, wald considir the vrgent necessitie of this realme, how the Merse, Teviotdaill, Liddisdaill, Eskdaill, Ewisdaill, Lauderdaill, and ane part of Louthyane, takkis now instantlie plane part witht England, quhilkis folkis ar, in novmer, five or sex thousand men, thairfoir, to considir quhat powar is necessar to defend aganis thir, havand the support of England to thair releif; for necessar it is that the cuntre be defendit, lyand nixt vnto thame, and thai to be parsewit and invadit according to oure powar: To this article it is ellis diuisit, that ane thousand horse men or futt men, equialent to the said horse men, as my lord lieutenant thinkis best for supple of the realme, and to be wagit for thre monethis, and the first payment to be maid the last day of December instant, and fra thinefurtht, monethlie; and that all the said I^m men salbe chosin be the said erle of Angus, lieutenant, and to be laid in garnising quhair he thinkis best for the commoun weill of the cuntre, and to ansueir and obey to no man bot to him and to sic capitanis as he sall appoint to thame; and be this is ansueir maid to the thrid article. Ferdlie, quhair it is diuisit that my lord [the erle] of Angus haif I^m merkis euery moneth for keping of his house and tabill, and that he may haue thre monethis avancit in his hand [be caus of the] extreme derth in this realme, my lord gouernour and lordis of counsale grantis I^m merkis to be payit monethlie to my lord lieutenant for him self, his houshald, and the said sovme to be payit of the taxt and contribution, be the collectouris and ressauouris of the samyn. Fiftlie, quhair my lord lieutenant desiris to haif the haill wardis, mariagis, benefices of the avail of I^m li. or thairby, that salhappin to vaik within

the lieutenandrie vnto the tyme thair be ane benifice gevin to him, the first that vakis, extending to ane reward according to his gude service ; my lord gouernour and lordis of counsale grantis, that my lord lieutenant sall haue the first bishoprik or abay that salhappin to vaik within this realme, to be disponit to quhat persoun he pleisis. Sextlie, quhair it is desirit that all noblemen and landit men within Louthiane, Tueddale, Teviotdaill, Merse and Lauderdaill, sa mony as is nocht appountit witht Inghland, salcum befor my lord gouernour and counsale, and, be auise of the samyn, sall bind and obliss thame to keip sic houshaldis as salbe appountit be the counsale, witht my lord lieutenantis auise, efferand to thair levingis, and to be reddy witht the samyn, baytht to defend and inuaid oure ynnemeis, and gif thai disobey, and dois in the contrair, thair movable gudis to be eschetit to the lieutenant, and thair bodyis to be wardit and pvnist at his will ; and all vtheris within his Lieutenandrie, dissobeyairis of his charge, gevin quhon neid is, to be pvnist in semblable maner. As for the first part of this article, my lord gouernoure and lordis thinkis that the baronis suld be conuenit, and thair auise had anentis thair houshaldis, and as to the remanent of the pounttis of the said article, my lord gouernour and lordis ordanis his commissioun to be extendit to the samyn, and that ane half of the eschetis to be applyit to the Quenis grace and my lord gouernouris vse, and that vthair half to my lord lieutenant. Sevintlie, quhair that all lordis, barronis, frehaldaris, and vtheris gentilmen landit within the boundis of his lieutenandrie, sall gif thair aithis in presens of my lord gouernour and counsale to serue trewlie my lord lieutenant to oure souerane lady the Quenis grace and my lord Gouernour, and gif thay do in the contrair, to be haldin as committeris of cryme of *lese maicste*, and to be pvnist according to the samyn. My lord gouernour and lordis of counsale grantis powar to my lord lieutenant to ressaue the aithis of the lordis, baronis and frehaldaris, as is contenit in the article, as he thinkis expedient, and that his commissioun be extendit thairto, and to pvnis all disobeyairis and that seruis nocht treulie, as accordis of the law and vse of the realme. Auchtlie, quhair it is desirit that my lord lieutenant may haue all strenthis now in the Quenis grace, oure souerane ladiis handis, or ony vthair nobill mennis handis, to ressaue him, and he to be maister of the samyn in siclike places as concernis the defens of the realme, my lord Gouernour and lordis ordanis my lord lieutenant to be ansuerit and obeyit as accordis. Nyntlie, that thair be ane act maid, be auise of the counsale, that, nochtwithstanding ony exemptioun gevin tyme bigane, outhir be act or lettrez, that all personis within the lieu-

tennandrie be redde, as they salbe chargeit be the lieutenant, to pas with him to defend and invaid oure auld ynnemeis ; my lord Governour and lordis of counsale grantis this article simpliciter. Tentlie, that my lord Governour and lordis of counsale remane in Edinburght with thair substantius houshaldis ; that the support baith of the counsale [and] of the cuntre be redde to the Lieutenant ; my lord Governour and lordis of counsale grantis this article at his plesour. [Elleuintlie or Lastlie], that the lieutenant may haue thre scoir of culuerinaris to be wageit to remane witht him and his cumpany as he plesis : my [lord] Governour and lordis grantis this article, sua that thir culuerinaris amangis the novmer of the I^m men foirsaid. Extractum de libro actorum per me magistrum Jacobum Foulis de Colintoun, clericum rotulorum registri ac consilij supreme domine nostre regine sub meis signo et subscriptione manualibus.

JACOBUS FOULIS.

200. CHARTER by MARY QUEEN OF SCOTS to ARCHIBALD, SIXTH EARL OF ANGUS, in liferent, and JAMES DOUGLAS, his son and apparent heir, in fee, of the lordship and barony of Douglas, etc. 31st August 1547.

MARIA Dei gracia Regina Scotorum, omnibus probis hominibus totius terre sue clericis et laicis, salutem : Sciatis nos, cum auisamento et consensu charissimi nostri consanguinei et tutoris, Jacobi Aranie comitis, domini Hammyltoun, regni nostri protectoris et gubernatoris, dedisse concessisse et hac presenti carta nostra confirmasse predilecto consanguineo et consiliario nostro, Archibaldo comiti Angusie, domino Douglas, in libero tenemento et vitali reddito, pro omnibus diebus vite sue, et Jacobo Douglas, eius filio et heredi apparenti, et suis heredibus subscriptis, in feodo et hereditate omnes et singulas dominia et baronias subscriptas, viz. terras, dominium, et baroniam de Douglas, cum castris, turribus, fortificiis, molendinis, multuris, siluis, piscariis, tenentibus, tenandriis, et libere-tenencium seruiciis, lie outsetis, partibus, pendiculis, et pertinenciis, aduocatione et donatione, cum iure patronatus ecclesiarum, beneficiorum, et capellaniarum earundem ; terras et baroniam de Craufurd-Douglas alias Craufurd-Lindesay, cum castris, turribus, fortificiis, molendinis, multuris, siluis, piscariis, aduocationibus, et donationibus ecclesiarum, beneficiorum, et capellaniarum earundem, lie outsetis, tenentibus, tenandriis, et liberetenencium seruiciis et omnibus suis pertinenciis iacentes infra vicecomitatum de Lanark ; terras de Temptalloun, cum castro, fortificio, molendinis, multuris, siluis, piscariis, tenentibus, tenandriis, et libere-

teneucium seruiciis, et omnibus suis pertinenciis, iacentes infra vicecomitatum de Edinburgh et constabulariam de Hadingtoun; quequidem omnes et singule terre, dominia et baronie cum suis pertinenciis superius particulariter specificate fuerunt prefati Archibaldi comitis Angusie perprius hereditarie, et quas idem pure et simpliciter per fustem et baculum in manibus dicti nostri tutoris nostram potestatem habentis recipiendi resignationes terrarum de nobis tentarum durante minori etate, tanquam in manibus domini sui superioris earundem personaliter apud Edinburgh sursum reddidit pureque et simpliciter resignauit Insuper cum auisamento et consensu predictis pro bono fideli et gratuito seruicio nobis et dicto nostro tutori per dictum nostrum consanguineum impenso damus concedimus et pro nobis et nostris successoribus pro perpetuo confirmamus dicto Archibaldo Angusie comiti, domino Douglas in libero tenemento et vitali redditu, ut predicatur, et dicto Jacobo eius filio et heredi apparenti, et suis heredibus subscriptis hereditarie omnes et singulas prenominatas terras, dominia, et baronias cum suis pertinenciis particulariter superius specificatis vnacum omni jure, titulo, interesse, et juriscleameo, proprietate et possessione, que et quas nos nostri predecessores aut successores habuimus, habemus, seu quouismodo habere poterimus seu poterint, in et ad prenominatas terras, dominia et baronias cum suis pertinenciis aut vllam ipsarum partem firmas proficua et deuoria earundem terminorum omnium et anorum preteritorum ratione eschaete, forisfacture, recognitionis, totius aut maioris partis alienationis, heredum nonintrotus, purpresture, disclamationis bastardie, seu quacunque alia actione aut causa preterita, renunciando eisdem pro nobis et nostris successoribus imperpetuum . . . Tenendas et habendas omnes et singulas prenominatas terras dominia et baronias, videlicet, terras dominium et baroniam de Douglas, terras et baroniam de Craufurd Douglas, alias Craufurd Lindesay nuncupatas, terras de Temptalloun cum suis castris . . . dicto predilecto nostro consanguineo Archibaldo Angusie comiti in libero tenemento et vitali redditu pro omnibus diebus vite sue, et dicto Jacobo eius filio et apparenti heredi, suisque heredibus masculis de corpore suo legitime procreandis; quibus deficientibus, heredibus masculis dicti nostri consanguinei, et suis assignatis quibuscumque, de nobis et nostris successoribus in feodo et hereditate imperpetuum . . . Reddendo inde annuatim dictus Archibaldus Angusie comes, Jacobus eius filius et heres apparens, et sui heredes suprascripti nobis et successoribus nostris, iura et seruicia omnium et singularum prenominatarum terrarum dominorum et baroniarum cum suis pertinenciis de eisdem nobis et nostris predecessoribus debita et consueta tantum, pro omni alio onere etc., saluo nichilominus et reseruato vitali redditu

totarum et integrarum decem libratarum terrarum antiqui extentus de Welberukis [or Wewerukis] Newtoun, et toftis molendini superioris de Douglas, Brokasmyln vulgo nuncupati, cum multuris eiusdem et omnibus suis pertinenciis que partes, pendicule, et pertinencie predictarum terrarum, domini, et baronie de Douglas sunt infra eandem iacentes, domine Margarete Maxwell nunc sponse predilecti nostri consanguinei antedicti pro omnibus diebus vite sue in quibus eciam in vitali reddito ante diem date presencium infeodatur; necnon reseruata racionabili tercia omnium et singularum prenominarum terrarum dominiorum et baroniarum cum pertinenciis dicte domine Margarete Maxwell casu quo prefatum comitem consanguineum nostrum ante illam in fata decedere contigerit. In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus; testibus reuerendo in Christo patre, Johanne episcopo Dunkeldensi, etc., thesaurario nostro, dilectis nostris consanguineis, Georgio comite de Huntlie, domino Gordoun et Badzenach, cancellario nostro, Archibaldo comite Ergadie, domino Campbell et Lorne, etc., Malcolm domino Flemyng, magno camerario nostro, Willelmo domino Ruthuen, nostri secreti sigilli custode, dilectis nostris familiaribus magistris Jacobo Foulis de Colintoun, nostrorum rotulorum registri ac consilii clerico, Johanne Bellenden de Auchnoule nostre iusticiarie clerico, at Jacobo Hammyltoun de Stanhous, etc., nostre cancellarie directore, apud Edinburgh, vltimo die mensis Augusti, anno Domini millesimo quingentesimo quadragesimo septimo, et regni nostri quinto.

201. BOND OF MANRENT by THOMAS WEIR of Blackwood to ARCHIBALD,
SIXTH EARL OF ANGUS. 2d November 1547.

BE it kend til al men be thir presentis lettres, me, Thomas Weir of Blakwod, for me, kyn, frendis and seruandis, and vderis that I can solest, to serff my Lord of Angus at his Lordschip plesour and command, quhen he commandis me, aganis al vder, and tak his afald and faithful part quhen he chargis me, to rid, gang or ouy vder seruice that he charge me; and that for his Lordschip supple and help for me, my frendis, seruandis and part takaris, exceband my ourlord allanerlie. In witnes hei of I haif subscribit this vrit wytht my hand at Braxfeld, the secound day of Nouember, in the zer of God ane thousand fyff hundreth xlvii zeris, befoir Richard Watt, James Were and Master Jhone F , vitnes.

THOMASS WEIR of Blakuod.

202. RATIFICATION by ARCHIBALD, SIXTH EARL OF ANGUS, of the finding of an Inquest as to the duties payable to the Chaplain at Cruikbayt of Dowglass. 17th January 1550.

IN Dei Nomine Amen. Per hoc presens publicum instrumentum cunctis pateat euidenter et sit notum quod, anno ab incarnatione Domini, secundum vsum et consuetudinem ecclesie Scoticane, M^oCCCC^o xxi^o, indictione quarta decima, mensis Aprilis die octava, pontificatus sanctissimi in Christo patris ac domini nostri, domini Martini diuina prouidentia pape quinti, anno quarto; In mei notarii publici et testium subscriptorum presentia personaliter constitutus nobilis vir et potens, Thomas Somirwel, dominus de Carneweth, et balliuus domini de Dowglas, quandam literam papiream formam scriptam in se continentem, sigilloque secreto reuerendi et magnifici domini sui, domini Archibaldi comitis de Dowglas, et domini Vallis Anandie ac Galliwidie, in cera rubea sigillatam, et patentem michi presentauit, quam per me legi in plana curia capitali tunc ibidem tenta postulauit: cuius uero litere tenor sequitur in hec uerba: "Archibald erle of Douglas, lord of Galloway and of Anandirdaill, till our deir and weilbelouit cosing, Thomas Somirwell, bailze of our lordschip of Dowglass, greting: For qwhy at I haif frelye gewin till our weilbelouit chapellane, Schir William Bell, wicar of Patennane, the chapell fundit of Sanct Jhone the Baptist, callit the Cruikbayt of Dowglass, wyth all the prerogatiwis, preuilegis, and dewiteis spirituallis and temperallis that belangis to the said chapell; our will is heirfoir, and we charge zow, that ze gar be maid of Inqueist, and be all manyrris that may be profitable till our said chapellane, all thingis that belangis hym of det and of ryth till haif of the said chapell, and thai thingis fundin be the inqueist, or be any oder maner, that cleyrle ze mak our said chapellane satisfacioun in our nayme, in contrar of all thaim that wald mak him obstakle or impediment: and this inquisitione and inqueist be na waye ze leif onmaid, as ze will haif thank of ws in tym to cum: Giffin onder our prewait seill, at Bothwell, the xxxi day of Marche, in the zeir of our Lord ane thowsand fowr hundreth and twenty ane zeris." Qua lecta, idem balliuus predictus domini sui mandatis obediens, incontinente quandam inquisitionem proborum et fidedignorum uirorum fecit eligi, quorum nomina subscribuntur super fundacione capellanie predictae et eius prerogatiuis, preuilegiis, , indotationibus, ac sibi ceteris pertinentibus, uel iuste pertinere debentibus quoquo modo; uidelicet, Joannes Ynglis de Mennair, Villelmus Carmychell de eodem, Dominus Gulielmus Gaw, et Joannes de New , Mauricius Thome, Joannes Mychel, Viliel-

mus et Robertus de Symontoun, Robertus Ynglis, Thomas Fryssell, Andreas Symonsone, Donaldus Brown, Joannes Adamesoune de Milmour, Adamus Mychen, Joannes Edimtoun, Michaelis Richardsone, et Joannes Smot :

Qui jurati dixerunt quod quondam Dominus Hugo, Dominus de Dowglasse, fundavit dictam capellaniam, et indotavit eam de sequentibus, secundum auditum eorum habitum ex antiquis, videlicet, dictam capellan, scilicet,

ab Hoilgntter ex parte orientali vsque ad le Westburne ex parte occidentali, sicut currit in aqua de Dowglass, et sic ascendendo ad rectam regiam viam australem cum quattuor equis in pastura de Drummalbane vbicunque

pascuntur animalia p[ropter] Jilias ; Et quod dicte terre sunt duarum mercatarum terrarum antiqui extentus ; Et quod capellanus dicti sacelli hab

chetis domini de Dowglas, que solebant solui de Drummalban, videlicet de firmis eiusdem ; Et quod omne feodum pertinens ad cymbulam seu scapham pertinet ad dictum capellanum ipso eandem, vt opus est resarciendi

ata terre de Dowglass que dicitur Weyrland, dimedia bolla farine, exceptis vtrisque Carmychellis : Item de castro vna bolla farine : Item de rectore vna bolla et petra casei : Item de duobus mollendinis vna bolla farine : Item de priore de Lesmahagow, ex consuetudine, vna bolla farine et petra casei : Item de qualibet domo de Mwirland de Dowglass optimus caseus. Et si sacellanus vel eius seruus caseum refutauerit, propter sui loco casei refutati duos denarios ;

Et si quis soluere noluerit dictum feodum sicut decet, seruens dicte cymbe corripit quecunque voluerit, tanquam minister Domini, quousque plenarie sibi fuerit satisfactum ; Et quod [dictus sacellanus] in dicto sacello omnibus diebus dominicis hora quacunque voluerit, per se, vel alium idoneum eius nomine, faciat ministrari : super quibus omnibus et singulis sic factis, dictus Wilielmus Bel, per me notarium publicum infrascriptum, sibi fieri petiit instrumentum publicum vnum vel plura. Acta erant hec apud Dowglass, ad portam castri eiusdem, sub anno, indictione, mense, die, et pontificatu suprascriptis : Presentibus ibidem, nobilibus et discretis viris, Joanne Lyndsay, milite, Joanne Dunnowane, Dauid Lok, Joanne Kirktout, presbiteris, Willelmo Nesbet, Roberto Chancellor, Adamo Gilbertsone, Joanne Somerwel, Willelmo Wallas, et Domino Roberto Mailwill, notario publico, cum diuersis aliis testibus ad premissa vocatis specialiter et rogatis.

Nos vero Archibaldus comes Angusie, ac dominus de Douglass, hoc totum et integrum suprascriptum instrumentum inspicientes, legentes, et ad finem vsque perpendentes ac considerantes, nihil non pium non meritorium in dicto instrumento animaduertentes, omnia et singula supra scripta ratificamus, obfirmamus, et

admittimus quatenus per nostros predecessores prius fuerint ratificata, obfirmata, et admissa; ac etiam volumus dictam capellaniam cum vniuersis et singulis suis pertinentiis, emolumentis, iuribus, et obuentionibus quibuscunque imperpetuum, in omnem vsque aeuernitatem duraturam itidem per nos nostrosque heredes quoscunque tutam et defensam: Quamquidem capellaniam de nouo per nos obfirmatam, ratificatam, et confirmatam, nunc in hoc instanti tempore dilecto nobis in Christo seruo, Domino Joanni Maxuel, sacellano, libere, pure, et simpliciter conferrimus et donamus, per omnes rectas metas suas antiquas et diuisas quaquales fuerit, cum vniuersis et singulis commoditatibus et pertinentiis que ad dictam capellaniam spectare valent, vt latius in suprascripto instrumento euadit manifestum. In quorum omnium et singulorum robur, euidentiam, et testimonium, hisce scriptis sigillum meum proprium, vna cum subscriptione mea manuali est appensum, apud Dowglass, die xvii^o mensis Januarii, anno nostre salutis millesimo quingentesimo et quinquagesimo; coram hiis testibus, Johanne Dowglas de Blentagart, Carolo Carmychell, Dawid Aikillis, Willelmo Dowglas de Bankend, et Johanne Wemyis, cum diuersis aliis.

AR^D ERL OF ANGUSS.

203. MEMORANDUM relative to the succession to the lands of Glenberwy.

[Circa 1550.]

MEMORANDUM.

FOWR schor of zeris syn or thar by, Schir Johann Auchinlek, Lard of Auchinlek, haid ane brothir callit Jamis. The said Schir Johann marit Deme Elspat Meluill, and the said James his brother marit Gelis Melwill, zungar sister to Deme Elspat Meluill, heritoris of Glenberwy.

Item, this zungast sister had na suksessioun nor heres to the half landis of Glenberwy.

Item, Schir Johann Auchinlek had diueris barnis, amang the quhilkis his eldast son, callit Jamis, gat ane dochtyr callit Elesabit Auchinlek, the Lard of Glenberwis modir that now is, quhilk Jamis, Schir Johannis Auchinlekis eldast son, deid befor his fadir and was newir enterit to na landis of Glenberwy bot alenarlye to certen landis of Auchinlek.

Item, Elesabet Auchinlek, dochtir to Jamis Auchinlek, ovr modir, enterit as heyr to Deme Elesabet Meluill, hir Gudem, and Gelis Meluill hir Gudemis sistir, to the haille landis of Glenberwy, be rasouu that nothir hir Guchar nor hir father was newir sesit thar in, bot alenarly brukit thame be the curtossy of Schotland.

The tennend suld preif the superior in to the landis that he allegis analeit gif na ayris be entrit superior.

The ayr of analear heretour maks enter the tennend and nocht the analearis fadyr.

204. EXTRACT CONTRACT between ARCHIBALD DOUGLAS of Glenbervie and ROBERT GRAHAME of Morphie, for the marriage of WILLIAM DOUGLAS and GELIS GRAHAME. 18th February 1551.

AT Edinburgh, the xvij day of Februar, the zeir of God I^m v^e and lj zeris, in presens of the Lordis of Counsell vnderwrittin, that is to say, ane reuerend fader in God, Robert, bischop of Orknay, venerable clerkis, Maister Johnne Sinclar, dene of Restalrik, maister Abrahame Creichtoun, provest of Dunglas, maister Johnne Stevinstoun, chantour of Glasgw, maister Williame Ballie, Lord Provaind, maister Jhonne Spittell, provest of the Kirkfeild, Schir Jhone Campbell of Lundie, knycht, maister Thomas Marioribankis of Ratho, clerk of register, maister Henrie Launder, aduocat to oure souerane ladie, maister Alexander Levingstoun of Donipace, Richart Maitland of Lethingtoun, and master Jhonne Gledstanis, licentiat in the law, comperit thir parteis vnderwrittin, and gair in this contract vnderwrittin, subseriuit with thair handis, and desyrit the samyn to be insert and registrat in the buikis of counsell, and to haif the strenth of ane decreit of the lordis thair of, in tyme to cum, with executoriallis thairvpoun: the quhilk desire, the saidis lordis thocht resonable and thairfoir decernis and ordanis the said contract to be registrat in the saidis buikis, and to haif the strenth of thair decreit in tyme to cum, and hes interponit, and interponis, thair auctorite to the samyn, and ordanis lettres to be direct to command and charge, compell, poind and distrenze ather of the parteis for fulfilling of thair partis thair of to vtheris in all poyntis conforme to the samyn; off the quhilk, the tennoure followis:—At Edinburgh, the fourtene day of Februar, the zeir of God I^m v^e lj zeris, it is appoyntit, aggreit and finalie contractit betuix Archibald Douglas of Glenbervie, for himself, and takand the burding vpoun him for Williame Douglas his sone, on that ane part, and Robert Grahame off Morphie, for him self, and takand the burding vpoun him for Gelis Grahame, his dochter, on that vther part, in maner, forme and effect as efter followis; that is to say, the said Williame Douglas sall, God willing, marie and tak to spousit wyffe the said Gelis Grahame, and sall contract and solempnizat the band off matrimonie with her in face of halikirk betuix this and the first day of Marche nixtocum; for completing off the quhilk,

the said Robert sall content and pay to the said Archibald, the soume of tuentie foure hundreth merkis, at the termis following, that is to say, xv^c merkis at the completing of the said mariage, and foure hundreth merkis at the feist of Michaelmes nixt followand the completing off the said mariage; and the remanent five hundreth merkis in compleit payment of the said haill soume, at the FASTERIN'S evin nixt to follow the foirsaid feist of Michaelmes, but fraude or gile; and in cais the airis to be gottin betuix the saidis Williame and Gelis happin to succed, be lyne or talze, to ony mair landis nor thame quhilkis the said Archibald hes presentlie in heretable possessioun, in that cais the said Robert sall augment the foirsaid soume gevin in name of tochir, at the sycht and aduys of ane reuerend fader in God, DAVID bischop of Ros and Schir George Douglas of Pettindroicht, knycht, and failzeing of thame be deceis or absence, at the sycht and advys of tua of the nerrest of the said Archibald and Robertis freyndis; for the quhilk, the said Archibald sall infest the said Williame and Gelis and the langar levand of thame, in coniunctie, and the airis maill to be gottin betuix thame heritable, in all and haill the landis and baronie of Kennay, witht the pendikulis and pertinentis lyand within the schirefdome off Aberdene, togidder witht all and haill the landis of Craigerne, gif the said Archibald may obtene the samin: And in cais thair beis na airis maill gottin betuix the saidis Williame and Gelis bot femell, in that cais the said Archibald sall content and pay to the said air femell, gif thair beis bot ane, the soume of ane thousand merkis to hir mariage; and gif thair beis ma, the soume of ane thousand pundis to be equalie devydit amangis thame to thair mariage: Attour, the saidis Williame and Gelis sall haif presentlie, at the completing of the said mariage, the half plenscheing, cornis, cattell and gudis, quhilkis ar now instantlie thairvpoun, to be vsit and brukit be thame fra thyne furth as thair proper gudis of fre gift of the said Archibald, and for fordir plenscheing thairof to thame, the said Robert sall content and pay to thame the soume of thre hundreth merkis immediatlie efter thair entre and dounsitting vpoun the saidis landis: and forther, baith the saidis parties bindis and oblisith thame, thair airis, executouris and assignais, to obserue, keip and fulfill this present contract and euery poynt thairof, ilk ane for thair awin part to vtheris: and for mair sure obseruing, keiping and fulfilling thairof, ar content and consentis that the samyn be actit and registrat in the buikis of counsell, and decernit to haif the strenth of ane decreit of the lordis thairof, and thair autorite to be interponit thairto, witht executorialis to pas thairvpoun in forme as efferis. In witnes of the quhilk thing, batht the saidis parteis hes subscriuit this present contract witht thair handis,

day, zeir aud place foirsaidis, befoir thir witnesis, ane reuerend fader in God, Daud, bischop of Ros, George Douglas of Pettindreich, knyecht, James Douglas of the Parkheid, Thomas Stratoun of Moulins, witht vtheris diuers. Sic subscribitur, Robert Grahame of Morphie, Archibald Douglas of Glenbervie. Extractum de libro actorum per me magistrum Jacobum M'Gill de Rankelour nethir, clericum rotulorum registri ac consilii supreme domine nostre regine, sub meis signo et subscriptione manualibus.

JACOBUS MAKGILL.

205. RETOUR of ARCHIBALD DOUGLAS, son and heir of DAVID DOUGLAS of Cokbrandispeth, as heir to JAMES DOUGLAS, Master of Angus, in the lordships and baronies of Douglas and Crawford-Douglas, and lands of Tamptalloun. 19th January 1558.

HEC INQUISITIO facta fuit in pretorio burgi de Edinburgh, vigore dispensationis Regine per dominos consilii penes locum concessa, decimo nono die mensis Januarii, anno Domini millesimo quingentesimo quinquagesimo octavo, coram magistris Roberto Creichtoun, Alexandro Nauchtane, et Richardo Trollop clauigero, vicecomitibus vicecomitatum de Lanerk et Edinburgh intra constabulariam de Hadingtoun in hac parte, cum nonnullis aliis suis collegis, per commissionem supreme domine nostre Regine, ex consilii sui dominorum deliberatione, coniunctim et diuisim specialiter constitutis; per hos probos et fideles homines patrie subscriptos, videlicet, Alexandrum comitem de Glencarne dominum Kilmawris, Jacobum dominum Somervell, Daudem dominum Drummond, Joannem dominum Borthuik, Robertum dominum Boyde, Jacobum Dowglas de Drumlangrig equitem auratum, Jacobum Cokburne de Seraling, Joannem Home de Blacater, Daudem Home de Wedderburne, Joannem Cokburne de Ormestoun, Joannem Bannatyne de Corhous, Willelmum Weir de Stanebyris, Andream Johnnestoun de Elphingstoun, Andream Murray de Balvaird, Georgium Home de Spott, Gilbertum Wauchope de Nudry-Merschell, Joannem Lyndesay de Covintoun, Willelmum M^cMorhame de Glaspen et Andream Broun de Hartrig: Qui jurati dicunt quod quondam Jacobus Dowglas, magister Angusie, filius fratris aui Archibaldi Dowglas filii et heredis quondam Daudis Dowglas de Cokbrandispeth, latoris presentium, obiit ultimo vestitus et sasitus vt de feodo, ad pacem et fidem dicte supreme domine nostre Regine, de omnibus et singulis terris, dominio et baronia de Dowglas, cum castris, turribus, fortaliciis, molendinis, multuris, siluis, piscariis, tenentibus, tenandriis, liberetenentium seruitiis, lie outsettis, partibus, pendiculis et

pertinentiis, aduocatione, donatione et iure patronatus ecclesiarum, beneficiorum et capellaniarum earundem : Ac etiam de omnibus et singulis terris, dominio et baronia de Crawfurde Dowglas, alias Crawfurde Lindesay, cum castris, turribus, fortaliciis, molendinis, multuris, siluis, piscariis, aduocatione, donatione ecclesiarum, beneficiorum et capellaniarum, lie outsettis, tenentibus, tenandriis, liberetenentium seruitiis earundem, ac omnibus suis pertinentiis, iacentibus infra vicecomitatum de Lanerk : Necon de terris de Tamtalloun, cum castris, turribus, fortaliciis, molendinis, multuris, siluis, piscariis, tenentibus, tenandriis, libereteuentium seruitiis earundem, ac omnibus suis pertinentiis, iacentibus iufra vicecomitatum de Edinburgh et constabulariam de Hadingtoun : Et quod dictus Archibaldus est legitimus et propinquior heres masculus et tallie dicti quondam Jacobi magistri Angusie, filii fratris aui sui, de omnibus et singulis prefatis terris, dominiis et baroniis de Dowglas, Crawfurde Dowglas, alias Crawfurde Lindesay, ac terris de Tomptalloun, cum castris, turribus, fortaliciis, molendinis, multuris, siluis, piscariis, tenentibus, tenandriis, liberetenentium seruitiis, lie outsettis, partibus, pendiculis, pertineutiis, aduocatione, donatione et iure patronatus ecclesiarum, beneficiorum et capellaniarum earundem, ac omnibus suis pertinentiis : Et quod vigore dispeusationis Regine eidem super sua minoritate concessa est legitime etatis : Et quod dicte terre, dominium et baronia de Dowglas, cum castris, turribus, fortaliciis, molendinis, multuris, siluis, piscariis, tenentibus, teuandriis, liberetenentium seruitiis, lie outsettis, partibus, pendiculis, pertinentiis, aduocatione, douatione et iure patronatus ecclesiarum, beneficiorum et capellaniarum earundem, cum pertinentiis, valent nunc per annum octingentis marcis, et valuerunt tempore pacis tricentis marcis ; et quod tenentur in capite de supremis dominis nostris Rege et Regina per seruitium warde et releuii : Et quod prefate terre, dominium et baronia de Crawfurde Dowglas, alias Crawfurde Lindesay, cum castris, turribus, fortaliciis, molendinis, multuris, siluis, piscariis, aduocatione et donatione ecclesiarum, beneficiorum et capellaniarum, lie outsettis, tenentibus, teuandriis et liberetenentium seruitiis earundem, cum suis pertinentiis, valent nunc per annum tricentis marcis, et valuerunt tempore pacis ducentis marcis ; et quod tenentur in capite de dictis supremis dominis nostris Rege et Regina per seruitium warde et releuii : Et quod prenominate terre de Tamptalloun, cum castro, fortalicio, molendinis, multuris, siluis, piscariis, tenentibus, tenandriis et liberetenentium seruitiis earundem, et omnibus suis pertinentiis, valent nunc per annum centum libris, et valuerunt tempore pacis quadraginta libris ; et quod tenentur in capite de dictis supremis dominis nostris Rege et Regina per seruitium warde et releuii : Et quod omnes et singule prenominate

terre, dominia et baronie de Dowglas et Crawfurde Dowglas, alias Crawfurde Lindesay, ac terre de Tamptalloun suprascripte, cum castris, turribus, fortaliciis, molendinis, multuris, siluis, piscariis, lie outsettis, partibus, pendiculis, tenentibus, tenandriis, et libereteneutium seruitiis, aduocatione, donatione et iure patronatus ecclesiarum, beneficiorum, ac capellaniarum earundem et suis pertinentiis fuerunt in manibus dicte supreme domine uostre Regiue, tanquam in manibus nostris superioris earundem, ratione warde, a tempore decessus dicti quondam Jacobi magistri Angusie mense Februarii, anno Domini millesimo quingentesimo quadragesimo septimo, vsque ad obitum dicti quondam Archibaldi comitis qui obiit mense Januarii, anno Domini millesimo quingentesimo quinquagesimo sexto, ad spatium nouem annorum aut eocirca (libero tenemento et vitali reddito earundem eidem quondam Archibaldo comiti, durante dicto spatio, pertinentibus et spectantibus;) et ab eo mense Januarii vsque ad decessum quondam Daudis Dowglas de Cokbrandispeth, patris prefati Archibaldi Dowglas, die mensis Junii, anno Domini millesimo quingentesimo quinquagesimo septimo, fuerunt in manibus dicte supreme domine nostre Regine, tanquam in manibus domine superioris earundem, ratione nonintroitus, ad spatium vnus termini aut eocirca; ac continuo a decessu dicti quondam Daudis Dowglas tempore predicto fuerunt in manibus dicte supreme domine nostre Regine, tanquam in manibus domine superioris earundem, ratione warde per spatium trium terminorum aut eocirca vltimo elapsorum prout nunc existunt: Vitali reddito decem libratarum terrarum antiqui extentus de Wolferuikis, Newtoun et toftis superioris molendini de Dowglas vocati Brokismylne, cum molendinis earundem, que sunt partes pendicule et pertinentie dictarum terrarum, domiuii et baronie de Dowglas, intra eandem iacentes, domine Margarete Maxwell, relicte quondam Archibaldi comitis, spectante. In cuius rei testimonium presentibus, sub sigillis dictorum vicecomitum in hac parte, breuibus Regineis inclusis, sigilla quorundam eorum qui dicti inquisitioni intererant sunt appensa, anno, mense, die et loco prescriptis.

Hec est vera copia [*etc. in forma communi*].

R. SCOTT.

206. ACQUITTANCE by CHRISTIAN BELLENDEN, Prioress of the Senes, to ARCHIBALD DOUGLAS of Glenbervie, for £20 Scots of pension. 6th March 1558-9.

WE, SISTER Crysten Belledeu, priores of the Senis, with consent of the hail couvent, grautis vs to haue resauit fra the handis of Jhone Ingrem, officiar of

Braidwod in and behalf of Archbald Douglas of Glenbervie, the sowme of twenty pundis, gud and vsuall mvnye of this realme, for our anwell and pensioun of the Mertymes term in the zer of God ane thowsand fyv hundreth fyfty sevin zeris, and for our anwell and pensioun of the Witsunday term in the zer of God etc. fyfye awcht zeris, and sa restis to vs ten pundis for this last Mertymes term preceeding the dait herof onlie : Of the quhilk sowme of twentye pundis we haldis vs weill content and payit, and for all termis bypast, excep onlie this last Mertymes term, as said is, dischargis and quitelemis the said Archbald and vtheris, all that efferis, for now and euer be this our acquittans. Subscriuit with our hand at the place of the Senys, the saxt day of Merche, in the zer of God I^mv^c lvijj zeris.

SESTER CRESTAN BELLINDIN, prioris off the Senes.

207. BOND OF MANRENT by JAMES DUKE OF CHATELHERAULT and his son, JAMES EARL OF ARRAN, to ARCHIBALD, EIGHTH EARL OF ANGUS, and JAMES EARL OF MORTOUN. 31st May 1560.

BE it kend till all men be thir present lettres, Ws, James duke of Chatellarault, erle of Arrane, lord Hammiltoun, etc., and James erle of Arrane, oure sone, to be bundin and oblist, and, be thir present lettres, the faithis and treuthis in oure bodeis, lelalie and trewlie bindis and oblistis ws, oure airis and effircumaris, that we, be oureselffis, oure kin, freindis, assistaris and parttakaris, sall fortefye, manteine, defend and supplie Archibald erle of Angus, lord Douglas, and James, erle of Mortoun, lord Dalkeyth, etc., thair airis and successouris, in the pceable bruiking, josing and mantenyng of thair levingis and housis of Angus and Mortoun respectiue, aganis quhatsumeuir persone or personis that wald or sall appin to move, pley, actioun, or truble to thame, or ather of thame thairupone, in the law, or by the law, and speciall aganis Margaret Dowglas, spous to Matho, sumtyme erle of Levinax, and hir said spous, thair airis and successouris and all vtheris, in maner as the saidis erlis and thair successouris sall require ws, oure said sone, onre airis or successouris thairupone ; and sall fortiefe, manteine and defend the saidis erlis of Angus and Mortoun, their kin, freindis, assistaris and part takeris, in all and sindrie thair actionis and causis, honest and lefull, aganis all deidlie, and tak part witht thame thairintill, vnder the pane of ten thousand pundis to be payit be ws to thame in cace we failzie heirin ; providing that the said failze be tryit be noble

men and oure luffing freindis, Archibald erle of Argyle, lord Campbell and Lorne, etc., Alexander erle of Glencairne, lord James Stewart, and Williame Maitland, zounger of Lethingtoun, and heirto we bind and obliiss ws faithfullie to the saidis erlis be thir presentis: In wites of the quhilk thing, to thir our lettres, subscriuit with our handis, oure seillis are hungin, at Edinburgh, the last day of Maii, the zeir of God ane thousand fyve hundreth and thre scoir zeris, befor thir wites, William Maitland of Lethingtoun, zoungare, secretar of this realme, master Henry Balnavis of Halhill, Robert Gourlaw and Michael Hammiltoun, with vtheris diueris.

208. CONTRACT betwixt ARCHIBALD DOUGLAS of Glenbervy and THOMAS MELVILLE of Dysart, as to the marriage of JAMES MELVILLE with ISOBELL DOUGLAS. 1st March 1562.

AT Mare Kirk, Abirlothnat, the first day of Marche, in the zeir of God ane thousand fyve hundreth, threscore and twa zeris, it is contractit, endit and finallye agreit betuix honorable men, that is to saye, Archibald Dowglas of Glenbervye, Wilzem Dowglas of Kemnay, his sone and appeirand air, for thameselfis, and taking the burding of Issobell Dowglas, the said Archibaldis dochter, on the ane part, and Thomas Melvill of Dysart and James Melvill, his sone and appeirand air, on the vther part, in maner, form and effect as eftir followis; that is to saye, for avoiding off all controverseis, emmeris, and occasioun thair of, and intertenyng of awfald amitie and kyndnes betuix the saidis parteis in all tyme to cum, the said James, God willing, sall marie and tak to his lawchfull wyfe the said Issobell, and

solemp the band of mariage betuix this and the fyft day of Maij nix thaireftir following, and the said Thomas, heirfoir, sall resing all and hail his landis of Allagevin, Blanerno and Cowdom, with the mill and pertinens thairof, lyand within the baronie of Glenbervye and schirefdome of Kincardin, in the lawchfull and immediate superiouris handis thairof, and that, in speciall faouris of the said James his sone, and Issobell his spous futur, for coniunctfeftment to be gevin to thame, and to the langest levar of thame, and to the airis male to be gottin betuix thame, quhilkis failzeing, to the said James airis quhatsumeuir, the said infestment to be couform to the auld, in all clawsis with the speciall nomination of marchis conteinit in the sam, the claus of commontye alanerlye except: for the quhilk mariage, and coniunctfeftment compleitiug and geving, the said Archibald and Wilzem, his sone, sall infest be charter and sesing in dew forme, haldin blanche of thameselfis with claus of warrandice fra wardis, nonentres, ladyis terces, [coniu]nctfeis, langtakis, except sa monye as salbe eftir specifcit, the said Thomas and his assingnais, in all and hail the toun and landis of Corsbad, with the outsait, pendiculis and marchis, mvre, wod, and commoun pasture and pertineutis quhatsumeuir lyand within the forsaidis barouye and schirefdome vnder reuersioun contenand the sovme of sevin hundreth merkis, witht ane assedatioun to be gevin efter the redemptioun thairof be the said Archibald, Wilzem or thair airis to the said Thomas and his assingnais and thair subtenendis, for the space of nyntene zeiris eftir the said lauchtfull redemptioun of the said toun and landis, the said infestment in Corsbad to be gevin to the said Thomas at the instant tyme of the resingnatioun of the saidis landis of Allagevin, Blarnerno and Cowdom, in maner abone specifcit, the said Thomas deliuering agane ane reuersioun, in dew form, contenand the said sovme of sevin hundreth merkis and assedatioun of nyntene zeiris takis quhilkis resingnatioun and infestmentis to be maid and deliuerit, hinc inde, immediatlye eftir the ending of the said mariage, the said assedatioun contenand the zeirlic payment of viij merkis alanerlye, induring the said space of nyntene zeiris; the lardis of Glenbervye and thair airis onlye to be cawsitt warrand the said Corsbad fra ward quhen thair obtene the ward of Glenbervye of the King, or fray vther handis haifand entres thairto, and gif the saidis James and Isobell inlaikis of male, the famell to haue the hail soomes of tochir gude forsaid, extending to twall hundreth merkis, and the said James sall enter to the place and half landis of Allagevin at the next Witsunday heireftir, to pleneis and labour the sam with his awin gudis and geir, and to the hail toun thairof at Witsunday cum ane zeir, and in lyk maner, the

said Thomas sall enter to the ane half of the Corsbad at this nixt Witsondaye, and vnto the haille at the nixt Witsunday thairefter, provyding that the said Archibald and Wilzem mak the said Corsbad and outsait thairof fre of all takis except ane zeir fra Witsondaye nixt heireftir of the ane half to the wedow and archeskip of fyve zeiris takis of ane outsait set be Schir Harie Grahayme to Daudid Lawsoun alanerlye for lyk payment to the said [Th]omas, of malis and dewtie and seruice as thai pay part presentlye : and for plenissing of the said toun and landis of Allagevin be the said James and Isobell his spous futur, the said Archibald and Wilzem sall gif ane hundreth pundis for thair part, in pennie worthe, betuix this and midsymmer nixt heireftir, and the said Thomas sall gif ane vther hundreth pundis in penne and pennye worthis before the said terme of midsymmer : attour, the mariage being endit, as said is, betuix the said James and Issobell, or, failzeing of thame be deceis of ane or bayth, betuix the said Thomas' airis male for the tyme, and ony vther of the said Archibaldis lawchfull dochteris, the said Thomas and James sall renunce all actionis and debaitis of commontie thai haue or may haue without thair propir marehis within the barony of Glenbervye, and inlykmaner the saidis Archibald and Wilzem sall renunce all actionis thai haue or may haue aganis the saidis Thomas, his airis or assignais, for ony caus or occasioun bygane sic as purprusioun, nonentres, and sic chargis that mycht follow vpon his landis of Allagevin, Blanerno and Cowdam : and bayth the saidis parteis ar content that this present contract be registrat and incert in the bukis of consall, schirefis of Kincardin alanerlye, and to that effect constitutis masteris Archibald Dowglas, Richart Strang, John Abircrommye and James Scrymgeour of Glaswell

coniunctlye and seuerallye, in vberiori forma, to the effect forsaid, and the Lordis and Judgis to interpone thair awetorite : In witnes of the quhilk, bayth the saidis parteis hes subscriuit this present contract befor thir witnes, Robert Grahayme of Morphe, Alexander Falconer of Halkirtoun, Daudid Rosse of that Ilk, Schir Harye Grahayme of Cumistoun, James Scrimgeour of Glaswell, Johne Strathawchin of Dillavard.

THOMAS MELVILL. ARCHIBALD DOWGLAS.
 JAMES MELVILL. WILLIAM DOWGLAS.
 Master THOMAS RAMSAY, notar publict,
 at premisses requirit, etc.

Item, this contrak wes registrat in the buikis of consall, the 23 day of November 1563 zeris, by Roben Scot, scrib.

209. RETOUR of SIR WILLIAM KIRKCALDY of Grange, as heir to his father,
JAMES KIRKCALDY, in the lands of Fynmonth. 5th June 1565.

HEC inquisitio facta fuit in curia regalitatis de Dunfermeling, tenta in pretorio burgi de Cupro, per Daudid Arth, Daudid Luklaw, burgenses burgi de Cupro, et Daudid Hay de Sandfurd, balliuos dicte regalitatis, in hac parte specialiter constitutos per commissionem supreme domine nostre regine sub testimonio sui magni sigilli, pro deseruitione breuis impetrati per Willelmum Kirkcaldy de Grange, militem, etc., quinto die mensis Junii, anno Domini *I^m v^o lxx^o*, per hos probos patrie subscriptos; videlicet, Johannem Forret de eodem, Daudid Ramsay de Brakmonth, Archibaldum Dudingstoun de Kinkaple, Alexandrum Traill de Blabo, Johannem Forret de Fingask, Daudid Setoun de Rungalle, Daudid Balfour de Kirkton, Andream Balfour de Pittullo, Daudid Monypenny seniore de Pitmillie, Thomam Grundesoun de Kingask, Daudid Monypenny iuniorem de Pitmillie, Andream Wod iuniorem de Largo, Willelmum Ramsay de Sandfurd, Alexandrum Sibbald de Ouir Rankelour, et Daudid Inglis de Ardeth: Qui iurati dicunt quod quondam Jacobus Kirkcaldy de Grange, pater Willelmi Kirkcaldy de Grange, militis, latoris presentium, obiit vltimo vestitus et sasitus vt de feodo ad pacem et fidem supreme domine nostre regine, de omnibus et singulis terris de Fynmonth, cum pasturis, lie outsettis, toftis, croftis, partibus, pendiculis, cottagiis, annexis, connexis, et dependentiis earundem, cum suis pertinentiis, iacentibus in regalitate de Dunfermeling, infra vicecomitatum de Fyffe; et quod dictus Willelmus, miles, est legitimus et propinquior heres eiusdem quondam Jacobi, patris sui, de omnibus et singulis predictis terris de Fynmonth, cum pasturis, lie outsettis, toftis, croftis, partibus, pendiculis, cottagiis, annexis, connexis, et dependentiis earundem, cum suis pertinentiis prescriptis; et quod est legitime etatis; et quod predictae terre nunc valent per annum xvii libras viii solidos viii denarios; et quod tantum valuerunt tempore pacis; et quod tenentur in capite de abbate et conuentu de Dunfermeling, reddendo eisdem annuatim predictam summam xvii librarum viii solidorum viii denariorum vsualis monete regni Scotie, ad duos anni terminos, festa videlicet penthecostes et sancti Martini in hyeme, per equales portiones, nomine feodifirme, vnacum tribus sectis ad tres curias capitales regalitatis de Dunfermeling, ac duplicando dictam feodifirmam primo anno introitus heredis dicti quondam Jacobi ad prefatas terras, prout vsus est feodifirme; soluendo etiam astrictam multuram de prefatis terris, molendino de Gaitmilk solitam et consuetam; et quod

predicte terre nunc sunt et fuerunt in manibus dictorum abbatis et conuentus de Dunfermeling, a decessu quondam Jonete Mailuill, relictæ dicti quondam Jacobi, que fuit in coniuncta infeodatione prefatarum terrarum cum prefato quondam Jacobo, suo sponso, que decessit in mense Februarii, anno Domini *I^m v^c lix^o* per spacium quinque annorum et trium mensium vltimo elapsorum, in defectu dicti Willelmi ius suum hucusque minime prosequentis. In quorum fidem et testimonium omnium et singulorum premissorum sigilla quorundam eorum qui dicte inquisitioni intererant presentibus clausis sigillis dictorum balliuorum sunt appensa anno, die, mense supradictis.

Hec est vera copia principalis retornatus super premissis remanentis in cancellaria S. D. N. regis et regine, copiata et collationata per me Willelmum Ogill, deputatum directoris eiusdem, sub meis signo et subscriptione manualibus. W. OGILL. etc.

210. CONTRACT between LADY MARGARET DOUGLAS, MATHEW EARL OF LENNOX, HENRY LORD DARNLEY, and ARCHIBALD EARL OF ANGUS, anent the Earldom of Angus, etc. 12th and 13th May 1565.¹

IT is, be the Quenis Maiesties speciall avyse and consent, appointit, agreit, and finalie concordit betuix richt noble and honorable personis, that is to say, Lady Margret Douglas, lauchful dochter of vmquhil Archibald Erle of Angus, Lord Douglas and Abirnethie, etc., and apperand air to vmquhile George Maister of Anguse hir guidshire, with expres consent and assent of Matho Erle of Levenax, Lord Dernley, etc., hir spous, for his interesse, and als for himself and Henry Lord Dernlie, thair eldest lauchfull sone and apperand air auctorizit be his said fader, lauchful administratour, tutour, gydar, and governour, and the said Erle of Levenax alsua takand and acceptand the burding vpoun him for his said spous, and for the bairnis gottin or to be gottin betuix thame, on that ane part; and Archibald Erle of Anguis, Lord Douglas and Abirnethie, etc., with expres consent, assent, and auctoritie of James Erle of Mortoun, Lord of Dalkeith, Chancellor of Scotlaud, his fader brother and tutour lauchfull for his interesse, and als acceptand the burding vpoun him for the said Erle of Anguis his bruder soue, now in his minoritie and less age, on that vther part, in maner, forme, and effect as eftir followis; that is to say,

¹ Extract in Douglas Charter-chest: Original at Buchanan.

For samekle as the said vmquhile Archibald Erle of Anguis havand respect to the wele and preservatioune of the erldome of Anguis, landis, lordschippis, and baroneys of Abirnethie, Kerymure, Jedburgh forest, Bonkle, and Prestoun, Boithuile, with the regalitis thairof, the landis, lordschippis and baronyis of Douglas, Craufurde-Douglas, alias Crawford-Lindsay, Thomptalloun, Selkirk, with the castellis, touris, fortalices, maner places, milnis, multuris, woddis, fischeingis, annexis, connexis, outseittis, partis, pendiclis, tenentis, tenandriis, services of fre tenentis, aduocationis, donationis, and richtis of patronage of kirakis, benefices, and chapellanriis of all and sindrie the saidis erldome, landis, lordschippis, baronyis, and heretaigis quhatsumeuir, liand within the realme of Scotland, quhilkis myght pertene to him or his predecessouris of the said hous; and willing the samyn to remane with his awin suirname and airis maill of the suirname of Douglas, be infestmentis prouidit the same to vmquhill James Douglas, than his lauchfull sone and apperand air maill, and to his airis maill lauchfullie to haue bene gottin of his body; quhilkis failzeing, to the neirest and lauchfull airis maill of the said vmquhile Erle Archibald quhatsumeuir, or assignais; be vertew of the quhilkis infestmentis the said Archibald, now Erle of Anguis, is lauchfullie retourit, enterit, and sesit air maill to the said vmquhile James Douglas of all the foirsaidis erldome, landis, lordschippis, baronyis, and regaliteis, with all their pertinentis, as is befoir said: And the said Ladie Margaret, hir foirsaidis spous and sone, perfytlie knawand the samyn to haue bene done and procedit in maner and to the effect foirsaidis, and bering the like guidwill, fauour, and zeill to the said house of Anguis and leving thairof abon writtin to remain heireftir heretabillie with the said Erle of Angus and his airis maill of the suirname of Douglas, be thir presentis ratefeis and apprevis, for himself, hir airis and posteritie, the foirsaidis infestmentis, with the retouris, seasingis, and all thingis followit and to follow thairupoun, to the said Archibald, now Erle of Angus; to the effect that he and the airis maill foirsaidis may brouke, jois, and posseid the samyn heireftir heretabillie, and renuncis all actioun, title, clame, interest, or ony vther richt quhatsumenir that scho had, hes, or ony wys may haue or clame in and to the foirsaidis erldome, landis, lordschippis, baronyis, regaliteis, and vtheris abone specifeit, and all thair pertinentis, or ony part of the samyn, gnidis movable or vnmovable quhatsumeuir, throw or be deceis of the said vmquhile Archibald Erle of Anguis, hir fadir, the said vmquhile James his sone, or ony vtheris his or thair predecessouris quhatsumeuir, or ony vther maner of way, and all actioun that sche or hir airis had, hes, or ony wis may

haif for reducioun of ony infetmentis maid to the said vmquhile James Douglas, and of the retouris, seasingis, and confirmationis past and to be past thairupoun to the said Archibald Erle of Anguis and the airis maill contenit thairin, in favouris of the said Archibald now Erle of Anguis and the airis maill foirsaidis : and alsua the said Ladie Margaret, with expres consent and assent of hir said spous and sone, will and grantis, for hir and hir airis, that the said Archibald, now Erle of Anguis, and the airis maill foirsaidis vse and caus lauchfull redemptioun be maid in fauouris of him and thame of quhatsumeuir of the foirsaidis landis, lordschippis, baronyis, annuelrentis, milnis, fischeingis, or ony vtheris, be vertew of all and quhatsumeuir reuersionis maid and grantit to the said vmquhile Archibald Erle of Angus, or ony vtheris his or hir predecessouris thairupoun for recouering of the samyn to his awin leving ; and in sa fer as sche hes or may haue ony richt, titill, or clame to the saidis reuersionis as air or apperand air to hir said vmquhile fader, or ony vtheris his or hir predecessouris, sall transfer, assignne, and dispone, like as sche be thir presentis for hir selfe and hir airis transferris, assignis, and disponis the samyn to the said Archibald, now Erle of Angus and the airis maill foirsaidis ; with power to him and thame to do all thingis neidfull for redemptioun of the saidis landis, lordschippis, baronyis, annualrentis, milnis, fischeingis, or ony part thair of, for recouering of the samyn to him and the airis maill foirsaidis, and in ony sort, gif neid beis, makis, constitutis, and ordanis the said Erle of Angus and the airis maill foirsaidis hir irreuocable procuratouris in rem suam to the effect foirsaid ; and sall assist with the said Erle of Angus and the airis maill foirsaidis and tak plane part with thame in jugement and outwith in brouking and iosing of the foirsaidis erldome, landis, lordschippis, baronyis, regaliteis, annuelrentis, milnis, fischeingis, or ony vtheris rowmes of the said leving, and in recouering of the samyn or ony part thair of being redemable, or ony vtherwys quhatsumeuir, to be heretable broukit and iosit be the said Archibald Erle of Angus and the airis maill foirsaidis in all tyme cuming : And attour, sall laubour, procure, and sollist at the Quenis Maiesteis handes for new infetment to the said Archibald Erle of Angus and his airis maill lauchfullie to be gottin of his body ; quhilkis failzeing, to sic his airis maill of the suirname of Douglas as sall best pleis the Quenis Maiestie to nominat thairin : Mairattour, to the end that the premisses may tak full vigour and effect, the said Lady Margaret sall procurir herself be seruit and retourit lauchfull air of lyne to the said vmquhile George Maister of Angus, hir guidsire foirsaid, be brevis of our souerane ladeis chapell, be the concurrence,

assistance, and setting furthwartis of the saidis Archibald and James on thair expenss ; and scho being retourit, sall, for the causis contenit in this contract, of new, with expres consent and assent of hir saidis spous and sone, mak the foirsaidis hail securiteis in forme and effect as is before specifeit, and farder, as sal be thocht expedient and necessar be the said Erle of Anguis and the airis maill foirsaidis, for the suir remanyng with him and thame of the saidis erldome, landis, lordschippis, baronyis, regaliteis, reuersionis of the samyn, or ony vtheris landis, milnis, fischeingis, and vtheris abone expremitt, and all thair pertinentis : and in cais it sal happin the said Lady Margaret to be preventit be deith, as God forbid, befor hir entrie as air of lyne foirsaid, in that cais, the said Lord Dernley, or ony vtheris lauchfullie gottin or to be gottin of hir body, sall entir as air foirsaid, and do and performe all thingis to the said Archibald Erle of Angus and the airis maill foresaidis as the said Ladie Margaret sould do, as is specialie expressit in this present contract ; prouiding alwayes that quhen it sal happin the said Ladie Margaret, or failzeing of hir be deceis, the said Lord Dernley, or ony vtheris lauchfullie gottin or to be gottin of hir bodie, entir air as said is, and mak the foirsaidis ratificatioun, renunciatioun, assignatioun, translatioun, and fulfill the poyntis contenit in this present contract to the said Archibald, now Erle of Anguse, his airis maill and of tallie foirsaidis, than and in that cais the said Archibald Erle of Anguis, his airis maill and of tallie foirsaidis succedand to the hous and leving of Anguis, sall releve the said Ladie Margaret and hir airis lauchfullie gottin, or to be gottin of hir body, of all sowmes of money, and quhatsumeuir dettis that may be acclamit, and be the law recouerit againis hir and hir foirsaidis airis be ressoun of thair entering and retouring as air foirsaid : And, on the vther part, the said Archibald Erle of Angus, with expres consent and assent of the said James Erle of Mortoun, his tutor, for his interesse, and acceptand the burding vpoun him, as said is, sall, with the assistance of his hail freindis and all that will do for him within the realme of Scotland, be quhatsumever honest and lefull menys at the vtermaist of his and thair poweris, and vpoun thair awin expenss, sollist, avance, and sett furthwardis the said Henry Lord Dernley (sa fer as the Queinis Maiesteis plesir and guidwill sall accord), to the mariage to be contractit and solemnizat betwix hir hienes and the said Lord Dernley, and sall employ thameselffis, ther laubouris, and guidis in maist honorable maner thairupoun : And in lik maner it is expreslie convenit betwix the saidis partiis contractaris, that in cais the said mareage betwix oure Souerane and the said Lord Dernley sal happin to be accomplishit,

that thair be ane perpetuall band of amytie, freindschip, and kyndnes to be had, stand, and remane betuix the said Erle of Angus, his airis mail and of tallie succedand to the hous and leving therof, and the said Erle of Levenax, his airis and successouris, in all tymes cuming; and that ayther of thame, with thair kin, freindis, assisters, partakers, men, tenentis, and seruandis, sall tak vtheris trew and anfald partis for furthsetting of the auctorite of our Souerane Lady, and in all and sindrie thair awin actionis and causis honest and lefull, and concur thairupoun togidder als oft as neid sall require againis all that leif or dee may, our Souerane Ladie exceptit: And attour, the said James Erle of Morton sall caus the said Archibald Erle of Anguis, at his lauchfull and perfite aige, ratifie and approve this present contract and appunctment in all poyntis, efter the tennour therof, and sall assist, fortifie, and tak plane and aufald part with him in the fulfilling and doying thairof at his vter power: And siclike, becaus our said Souerane hes be thir presentis grantit and givin licence to the said Archibald Erle of Anguis to contract mareage in maner as efter followis: Thairfoir, and for the causes foresaidis, the said Archibald Erle of Angus sall, God willing, at his perfite aige, lauchfullie contract and solemnizat, in face of hali kirk, the band of matrimony with Jane Stewart, lauchfull dochtir to Johne Erle of Atholl, gottin betwix him and Dame Margaret Flemyn, his spous; and failzeing of her be deceis, with ane vther honorable personage, according to the estait of the Erll of Angus, sic as sall best pleis the said Erle of Levenax to nominat, with the advise of the Queinis Maiestie, the Erle of Mortoun, and failzeing of him be deceis, the nearest of blude to the said Erle of Anguis, and principall of his hous, and that without ony tochir: And als it is expreslie convenit betwix baith the saidis parties contractaris, that in cais it sal happin our Souerane not to solemnizat mariage with the said Lord Dernley, in that cais, and na vtherwys, this present contract to tak na effect nor be of availl, bot baith the saidis parteis to be fre siclike as the samyn had neur bene maid; and na obligatioun, band, renunciatioun, consessioun, nor grant maid thairin, retouris, or ony vther thing that sal happin or may follow heireftir thairupoun, to be preiudiciall to the saidis partiis or ather of thame, bot that they may vse all actionis and defensis siclik and in the samyn maner as and this present contract had neur bene maid, nor na retour, band, or obligatioun or vther thing followit thairupoun: And gif it sal happin, as God forbid, ather of the saidis partiis to faill vnto vtheris, the faill being wilfullie done and sufficientlie tryit and declarit be the personis efter specifit, thair sall follow vpoun the first falar the pane subsequent; that is to say, gif the said Erle of Angus, or

Mortoun takand the burding for him as said is, during his minoritie, or the said Erle of Angus and his airis maill and of tallie succedand to the hous of Angus, be thameselffis, or ony vtheris that they may lett, of thair causing and command cum in contrair the tennour of the premises aganis the said Matho Erle of Levenax, the said Lady Margaret his spous, or thair airis, that than and in that cais this present contract sall expire and be of nane avale in all tyme cuming thaireftir: Like as vpoun the vther part, gif the said Matho Erle of Levenax, Lady Margaret Douglas his spous, or thair airis be thameselffis or ony vtheris that they may lett, of thair causing and command cum in contrair the tennour of the premiss aganis the saidis Erlis of Angus or Mortoun, thair airis maill and of tallie foirsaidis succedand to the hous of Angus, that than and in that cais the saidis Erlis of Angus, Mortoun, and thair airis maill and of tallie foirsaidis to be fre and dischargit of all thingis that thay aught to do be ressoun of this contract to the saidis Erle Matho and Lady Margaret and thair airis, and ncuirtheles this contract to stand in effect for the part of the saidis Erle Matho, Ladie Margaret, and thair airis, and they to be faithfullie oblist to the fulfilling of the samyn, sa fer as concernis the securitie of the leving of Angus, renunciatioun, or translatioun of thair titill and richt in maner abone specifiit to the saidis Erle of Angus and his airis maill foirsaidis. And for the sufficient tryall and declaratioun of the said first fail, thir personis ar appointit, that is to say, for the part of the said Erle of Levenax, Johne Erle of Athole and Patrik Lord Ruthwen; and for the part of the said Erle of Anguis, Alexander Erle of Glencairn and Robert Lord Boyd; and in cais of variance, Williame Erle of Montrois to be as odman equalie chosin be baith the saidis partiis, to cognosce and decide thair-intill as the caus requiris; with this conditioun alsua, that quhen ony of the saidis freindis sall happin to inlaik be deceis or furth of the realme, that partie for quhom the absent wes appointit sall nominat ane vther to supplie his place: And gif it sal happin the odman or ourisman to deceis, the four arbitratouris to cheis ane vther in his place; and this contract to be reformit and put in better forme be the advys of men of law gif neid be, for the bettir furtherance and declaratioun of the premiss, quhenuever it sal be thocht expedient be ayther of the saidis partiis, sua that it alter not nane of the substanciall poyntis foirsaidis. And for obseruing, keping, and fulfilling of all and sindrie the premiss, ayther of the saidis pairtiis contractaris respectiue bindis and obliseth thame, thair airis foirsaidis and successouris to vthers, and hes interponit thair solempne aithis, and faithfullie sworn and promist to fulfill the samyn and euery poynt thairof, ilk ane

for thair awin part, as is convenit abone, na remeid nor exceptioun of law to be proponit or allegit in the contrair : renunceand the samyn for thame, thair airis foirsaidis and successouris for euir, and ar content that this present contract be registrat in the buikis of Counsell, and that the Lordis therof interpone thair decrete and authoritie thairto, with executorialis to pas thairupoun, in forme as efferis : And for inserting and registring of the samyn in maner and to the effect foirsaidis, baith the saidis partiis presentlie constitutis and ordanis

thair lauchfull and irreuocable procuratouris, coniunctlie and seueralie, gevand thame and ilkane of thame pouer be thir presentis to compeir befor the Lordis of oure Souerane Ladeis Sessioun to the effect abonewrittin ; firme and stable haldand and for to hald quhattsumeuir thay or ilk ane of thame dois or ledis to be done in the premiss. In witnes of the quhilk thing the Quenis Maiestie, in takin of hir hienes speciall avyse and consent to the premiss, and the saidis Erle of Levenax and Lord Dernlie, Erlis of Angus and Mortoun, hes subscriuit this present contract with thair handis, at Stirueling and Sanctandrois, the xij and xij days of Maij respectiue, the zeir of God ane thousand five hundredth thre scoir five zeris ; befor thir witness, noble and michtie lordis, Gilbert Erll of Cassillis, Patrik Lord Lindsay of the Byris, Sir John Bellendene of Auchnoule, knyght, justice clerk, Maister Johnne Douglas, rectour of the Uniuersitie of Sanctandrois, Johnne Hwme, and Johnne Provand. And the said Lady Margaret hes subscriuit the samyn at

MARIE R.

H. L. DARNLEY.

MATHEW LEVENAX.

ARCHIBALD ERLL OFF ANGUS.

JAMES ERLL OFF MORTOUN.

Indorsed, [apparently in the handwriting of Lady Margaret Douglas]

To the Erll of Lennox, my husbond.

[Facsimiles of the signatures to the preceding Contract.]

MAKER J. H. Darnley

Wm. H. Darnley

James Earl of Archibald Earl of
 Ross Angus

[Dorso]

to the Earl of Lennox
 my husband

211. CONTRACT between ARCHIBALD DOUGLAS of Glenbervy and DAVID GUTHRIE of Kincaldrum, relative to a marriage between ALICE DOUGLAS and ALEXANDER GUTHRIE. 28th December 1567.

THIR contrakis maid of indenturis wyis proportis and baris leill and suythtfast wytnising in themselfis, that, at Montros, the twenty aucht day of December, the zeir of God ane thowsand fyve hundreht, threscoir and savin zeris, that it is appunctat, agreit, faythfullie obligit, finalye endit, betuix honorabill personis : that is to say, Archibald Douglas of Glenberwy, Vilzem Douglas his sone and apperand ayir, takand the burding on them and ilk ane of them for Alis Douglas, now eldest dochtir to the said Archibald, on that ane part, Daid Guthre off Kincaldrum for hymeself, and takand the burding on hyme for hymeself and for Alexander Guthre, his eldest sone and apperand ayir, on that vther part, in maner, forme and effek as eftir followis ; that is, God willing, the said Alexander Guthrie sall spows and tak to his lawfull wiff, in the face of hale kirk, the said Alis Douglas, betuix the day and dait of thir presentis and the fest of Pasche, callit the Resurreccion of our Lord, nixt and immediet heirefter or svner, as the contrakaris thinkis expedient, and the said Daid and his ayris sall infest sufficiently the said Alis Douglas, in hir virgenite, at the sycht and jugismnt of the said Archibald and Vilzem Douglas, thair ayris, in lifrent, of all and hail the landis of Vestir Lowir, witht the pertinence, reseruand and excepend the twa pendiculis, the ane callit the Invertone, and the vther, callit Fotheringame tak ; and this infestment of the said Alis to be without preiudice of Isobell Rait, coniunct fear of the samin, and the saidis Alis Douglas infestment or lifrent to be maid to hir, als weill vpone the four landis, as vpone the landis off Vestir Lowir forsaid ; and becaus the said Alis Douglas is nocht to resaiff onie commoditie or profit of the said landis of Vestir Lowir and Prior landis, during the saidis Isobell Rait lifyme, and that be rason of hir coniunctfe of the samin, thairfor the said Daid Guthre sall sufficientlye infest the saidis Alis Douglas, in hir virgenite, in lifrent in the half landis of Kyncaldrum, as the said Archibald, Vilzem and thair ayris sall think guid and maist suir ; prouiding allwayis that at quhat tyme, quhowsvin and quhensvmeevir the said Isobell Rait inlaikis, and that the said Alis Douglas obtenes and gaettis possessione of the saidis landis of Vestir Lowir and Prior landis, conforme to hir first infestment maid to hir thairvpone, than, and in that cais, the saidis Alis Douglas sall, purle and simple, resing, renunce and ourgiff the forsaid half landis of Kyncaldrum, and that, eftir the deuce and securite

to be deuisit be the said Dauid and his ayris, becaus the said half landis of Kyncaldrum ar giffin to the said Alis Douglas for ane present profit during the tyme of the said Isobell Rait tyme or coniunctfe ; and also, the said Dauid Guthre sall sufficientlye infest and heretable put in fe, the said Alexander Guthre, his sone and apperand ayir, in all and hail his landis of Kincaldrum, witht the myll and pertinence thairof, the landis of Vestir Lowir, Prior landis, witht the pendiculis and pertinence thairof, with the half landis of Carret, with the pertinence thairof, with the superiorite of tenentis and tennendreis in suir maner, as the said Archibald, Vilzem Douglas, thair ayris, sall think guid, suir and expedient for securite of the samin, with expres reseruatioune to be maid, in the said Alexander chartour of fe, to the said Dauid, his mother, wiff or wiffis, as followis : that is to say, to the said Dauid, the hail landis of Kyncaldrum, myll and pertinence, half of Carret, with the pertinence, the twa pendiculis of Vestir Lowir abvin specefeit, togidder witht the profitis and entres of fre tenentis and tenandreis, to pertain to hyme induring his lifytyme, and in lykmaner reseruand to the said Dauid wiff, now presentlye, hir coniunctfe and terce as fallis, and to his wiffis, giff ony happenis to haue, rasanable coniunctfe and terce, and als reseruand to the said Isabell Rait, the landis of Lowir, quhilkis sche hes in coniunctfe for hir tyme ; and quhat expensis beis maid vpon the said Alexander infestment, that ane half to be maid be the said Archibald and Vilzem and thair ayris, and the vther half to be maid be the said Dauid Guthre : for the quhilkis causis the said Archibald, Vilzem Douglass oblissis them, thair ayris, executouris, assignais and successouris, coniunctle and seuerale, to thankfulle content and pay to the said Dauid, his ayris or assignais, the sowme of threttein hundreth merkis, guid and vsuall mone of this realme, at the termes followand ; viz, fyve hundreth merkis mone forsaid, at Vitsonday, in anno I^m v^e threscoir and aucht zeris, and fyve hundreth merkis mone at Vitsonday in anno I^m v^e threscoir and nyne zeris, and the remanent thre hundreth merkis mone to be payet at Vitsonday in anno I^m v^e threscoir and ten zeris, in hail and compleit payment of the said sowme of threttein hundreth merkis mone forsaid : and als, the said Archibald, Vilzam, and thair ayris, and the said Dauid and his ayris, sall thankfulle content and pay in paneis and paneworthtis to the said Alexander and Alis, his spows futuir, the sowme of twa hundreth pondis for thair plenesing of thair rowmis, at the fest of Vitsonday, in anno I^m v^e threscoir and nyne zeris thairof, to the saidis Dauidis part ane hundreth pondis, and to the saidis Archibald and Vilzam, for thair partis, ane hundreth pondis : and this forsaid sowme

of twa hundreht pondis to be svner payit, giff the parteis thinkis it expedient : and for obseruing, fulfilling and keping of the premissis, in all punctis and clausis abvin wrytin, ilk ane of the saidis parteis ar obligat to vtheris, hinc inde, and consentis and willis that this contrak be regestrat in the beukis of our souerane lordis consell, commessaris beukis, schiref beukis, and to that effek constitutis masteris Richart Strang, Alexander Skein, Johne Scharp, Alexander Syme, coniunctim et diuisim, thair irreuocabill, lawfull and vndoutit procuratouris in that part, to consent, in thair names, to the inserting and regestring heirof, in maner forsaid, promitand to hald ferme and stabill all that the said procuratouris, or ony ane of them, dois in the premisses, and executoriallis of horning, warding, or pvnding to pas heirvpone as the parte complenzeand ples requyir. In wytnes of the quhilkis, the saidis parteis hes subscriuit this contract witht thair handis, day, zeir, and place forsaid, befor thir wytnes, Alexander Falconer of Halkertone, Androw Guthre of that ilk, Johne Ereskin of Balhagarte, Dauid Carnicoris of Balanaschanner, Dauid Lindesay of Kynnettellis, and master Richart Guthre, notar public, requirit to the premisses, etc.¹

Ita est, Magister Ricardus notarius publicus in premissis requisitus, manu sua.

J. ERSKYNE of Balhagarde.

A. DOUGLASS.

DAUID CARNCORS of Ballameschenour, witnes.

WM. DOUGLASS.

DAUID LYNDESAY of Kynnytylis.

KYNCHALDROWM.

212. ACT and BAND by the MASTER OF MARISCHAL and the BARONS OF THE MEARNS for defence against HUNTLY. 16th March 1568.

At Fettercairne, the sextent day of Marche, the zeir of God ane thowsand fywe hunderethe thre scoir and aucht zeires, etc.

THE said day my lord meisteir Mairschall, luiftennent to our Souerane lord within the boundis of Mernes, with the advys of his bairrownes and counsall, seinge the present danger that they and thair natiue cuntrethe is in be invatioun and persuit of George erle of Huntly,emie to the Kinges Maiestie and ovr commowne welthe, is all reddie cum wpoun the feildes to persew vs of our howssis, and herrie vs of all guidis and geir, and for recouerance heirof hes convenit our selffes, freindis and serwandis to meitt him in battell gif we be persewit : Quhairfoir it is our will, and

¹ There is also a Discharge by David Guthrie of Kincauldram to William Douglas of Glenbervy and others, for 1300 merks and 100 pounds of plenishing as the tocher of

Alice Douglas, married to Alexander Guthrie. Dated at Kincauldram 6th January 1571.— [Douglas Charter-chest.]

we grant be thir presenttes our barrownes and counsall assemblitt for the tyme, and sall caus the barrownes absent for the tyme, that all tennentes and possessouris within the schirefdome of the Meirnes and boundis of our lieutennandrie, that ar heir rollit with ws, and mak ws guid service in defence of ws and our cunttreth, commowne welthe, and libertie of our kinges Maiestie mentenance of Godis glorie, sall liberallie bruik and jois thair takkes steddinges, quilkis they labour and posses now for sick dewettie and service as they presentlie pay for the samin all the dayes and teirnes of thair lyftymes; and gif it happinnes ony of the saidis tennentis or possessouris to be slane in this defence abone expremitt, that his aires, wyffe or narrest of his kine sall bruik the samin for thair lyftymes, lyk as the mane that happinnes to be slane haid lewit him self. In witnes heirof the said lord, withe consent and adwyse of his counsall, barrownes present for the tyme, hes all withe thair handis subscriyvit this present aiet and oblissing, for thame, thair airis and assignayes, to keipe the samin; and to that effect constituttes honorable mene, maister Richert Straing, maister Clement Littill, maister Alexander Skeyne, procuratoures, coniunctlie and seuerallie, to compeir befor the lordis of counsall, and thair to haif the strenthe of ane ack, that executorialles may pas thairwpoun the premisses in foirme as effeires, and to caus extend the samin in maist ampill foirme for the weill of thair tennentes in tyme cuming, day, zeir and place foirsaidis, etc.

MAISTER OF KEYTH.

DAVID RAMSAY, appeirand of Balmayne.	WILLIAM DOWGLASS, with my hand.
DAVID STRATTOUN of Craggy.	JOHNNE WISCHAIRT of Pittarowe.
ALEXANDER OWGESTOUN of Fettercairn.	WILLIAM HAY of Vrie.
JOHNNE STRATHOWCHINE of Thorntoun.	STRATTOUN of that Ilk.
	GEORGE BARCLAY of Matheris.

This is the iust coppie of the ack and oblissing maid be the Mr. of Mairschell and the rest of the barrownes of the Meirnes to thair tennentes and serwandis at Fettercairne, day, zeir and plaice abownewirting, and coppeit be me, Johnne Thome, reidder of Fettercairne. JOHNNE THOME, reidere of Fettercairne, vithe my hande.

213. BOND OF MANRENT by ANDREW RUTHERFORD of Hundeley, and others of his surname, to ARCHIBALD, EIGHTH EARL of ANGUS. 25th December 1574.

BE it kend till all men be thir present letters, Ws, Andro Rutherfurd of Hundeley, Johnne Rutherfurd of Hunthill, Johnne Rutherfurd his sonne and apperand air, Richard Rutherfurd of Edzarstoun, Richard Rutherfurd, prouest of Jed-

burgh, Johnne Rutherfurd in the Know, Philp Rutherfurd in Edzarstoun, and vtheris oure kin and freindis vndersubscrivand, that forsamekle as oure forbearis of a lang tyme hes servit and dependit vpoun the hous and erlis of Angus as oure kyndlie gude lordis, ressavng of thame great faouure, gudwill, and mantenance in all oure and thair honest and lauchfull causis; quhairfore, and in respect of the like faouure, gudewill, and mantenance already experimentit and found toward ws, oure kin and freindis, be the noble and nichtie lord, Archibald, now erll of Angus, lord Dowglas and Abirmethy, and of large benefites and guid dedis bestowit and to be bestowit, be him and be his procurement, vpoun ws, to be bundin and oblist, and be the tennour heirof, faithfullie bindis and oblissis ws, that we, be our selfis, oure kin and freindis of oure surnames, and all that will do for ws, sall trewlie serve the said erll, ryd and gang, and tak aufald, trew, and plane part with him in the avancement and furthsetting of our souerane lordis service, and in his awin honorable and gude actionis and caussis quhatsumeir, aganis all that leif or dee may, our soueran lord and his auctoritie allanerlie exceptit; and sall anfaldie and trewlie rys, concur, and assist togiddir in the said service, and nevir know the skaith, hurt, or displeasoure of the said erll, quhairof we sall not with all possible speid gif him warning and stop and impeid the same at oure vttermaist, as we will ansuer to God, vpoun our trewth and honestie, and vnder the pane of reproche and infamy for euir: In witnes heirof we haue subscriuit this oure band and faithfull promise with oure handes, as followis, at Dalkeith, the xxv day of December, the zeir of God I^m v^c threscoir fouretene zeris, befor thir witnessis, Johnne Carmichaell, zounger of that ilk, George Dowglas of Bonjedworth, zounger, Mr. Johnne Provand, with vtheris diuers.

ANDRO RUTHERFURD of Hundele.

JOHNNE RU[THER]FURD, zounger.

RECHART RUTHERFURD of Edzerston.

JOHNNE RUTHERFURD of Hunthill, elder.

RICHARD RUTHERFURDE, provest of Jedburgh.

JOHNNE RUTHERFURD in the Know.

PHILP RUTHERFURDE in Edzarstoun, and

JOHNNE RUTHERFURDE, thair,

} with oure handis at the
pen, led be James Millar,
notar, at our commandis,
becaus we can nocht write.

Ita est Jacobus Millar, notarius de mandatis dictorum Johannis Rutherfurd de Hunthill, senioris, Ricardi Rutherfurd, Joannis Rutherfurd in Know, Philippi Rutherfurde in Edzarstoun, et Joannis Rutherfurde ibidem. scribere nescientium, vt asseruerunt et etiam affirmauerunt.

214. BOND OF SERVICE by SIR THOMAS TURNBULL of Bedrule, and others of his name and friends, to ARCHIBALD, EIGHTH EARL OF ANGUS. 25th December 1574.

BE it keud till all men be thir present letters, Ws, Thomas Turnbull of Bedroule, knight, and Walter Turnbull my sonne, Johnne Turubull of Mynto, George Turnbull of Halrowll, William Turnbull of Bernhillis and vtheris, oure kin and freindis, vndersubscriuand, that, forsamekle as oure forbearis of a langtyme hes servit and dependit vpoun the hous and erlis of Angus, as oure kyndlie gude lordis, ressaving of thame greite faouere, gudwill and maintenance in all oure and thair honest and lauchfull causis, quhairfore, and in respect of the like faouere, gudewill and maintenance, already experimentit and found toward ws, oure kin and freindis, be the noble and nichtie lord Archibald, now erll of Angus, lord Douglas and Abirnethy, and of large benefites and gude dedis bestowit and to be bestowit be him and be his procurement vpoun ws, to be bundin and oblist, aud, be the tennour heirof, faithfullie bindis and oblissis ws, that we, be our selffis, oure kin and freindis of oure surnames, and all that will do for ws, sall trewlie serve the said erll, ryd and gang, and tak anfald, trew and plane part with him in the avancement and furthsetting of oure souerane lordis seruice, and in his awin honorable and gude actionis and causis quhatsumeuir, aganis all that leif or dee may, oure soueraue lord and his auctoritie allanerlie exceptit, and sall anfaldlie and trewlie ryse, concur and assist togidder in the said seruice, and nevir knaw the skaith, hurt or displeasoure of the said erll quhairof we sall nocht, with all possible speid, gif him warning, and stop and impeid the same at oure vttermaist, as we will answer to God vpoun oure trewth and honestie, and vnder the pane of reproche and infamy for euir : In witnes heirof, we haue subscriuit this oure band and faithfull promise with oure handis as followis, at Dalkeith, the xxv day of December, the zeir of God I^m v^c thre scoir, fouretene zeris, befoir thir witnessis, Johnne Carmichaell, zounger of that ilk, Richard Rutherford, prouest of Jedburgh, Mr. Johnne Provand, prebendar of Colsy, with vtheris diuers.

THOMAS TRUMBULL of Beddrowll, knyght. GEORGE TURNBULL of Halroule, and
JOHNNE TURNBULL of Mynto. WILLIAM TURNBULL of Bernehillis,

with our handis at the pen led by James Millar, notar, at our commandis, becaus we can nocht write.

Ita est, Jacobus Millar, notarius, de mandatis dictorum Joannis, Georgii et Willelmi Turnbull, scribere nescientium, vt affirmauerunt.

215. BOND OF FRIENDSHIP by JOHN, COMMENDATOR OF ARBROATH, and
 CLAUD HAMILTON, Commendator of Paisley, to ARCHIBALD, EIGHTH
 EARL OF ANGUS, and JAMES EARL OF MORTON, Regent. 8th March 1574.

BE it kend till all men be thir present lettres, Ws Johnne, commendatere of Abirbrothok, and Claude, commendatere of Paislay, that forsamekill as vmquhile James Johnnestoun of Westraw being slane be ws, our freindis and seruandis, vpoun our humbile sute maid to the nobile and michtie lord, Archibald erle of Angus lord Dowglas and Abirmethie, maistir of the vmquhile James, and for removing of the deidlie feid consauit and borne aganis ws for the said slauchter, it hes pleasit the said erle, with avis and consent of the nobile alsua and michtie lord, James erle of Mortoun lord of Dalkeith, regent to our souerane lord, his realme and lieges, to gif eare vnto our offers, and to move the wife, bairnis, kin, and freindis of the said vmquhile James to accept satisfioun and assythment for the said slauchter, remitting to ws our saidis freindis and seruandis quhilkis war arte and part of the said slauchter (except the personis specialie heireftir nominat) the rancour of thair hartis and all actioun criminall and ciuile quhilkis may be movet or intentit aganis ws thairfoir in tyme cuming, ressavng ws in freindship and kyndnes as gif the said slauchter had neuer bene committit, thairfore to be bundin and oblest, and be the tenour heirof bindis and oblissis ws, for our selfis and our airis, and taking the burding on ws for oure kin, freindis, surname, and haill dependers on the hous of Hammiltoun (except Johnne Hammiltoun, zoungar of Stanehous, Adame Quhitefurde, zoungar of Myltoun, Alexander Baillie of Litolgill, James Baillie his sone, Williame Baillie of Cormestoun Tour, and Johnne Baillie of Cawlandis, quhilkis, as thai ar exceptit furth of the lettre of slanis grantit to ws, sa ar thai nocht comprehendit vndir this our band and obligatioun), to keip sicker, guid, and trew freindschip to the said Archibald erle of Angus, and the said James erle of Mortoun, regent, thair airis, kin, freindis, surename, and dependers on thair hous, and neuer to knaw thair skaithe or danger, bot to reveill and schaw the samyn to thame with possible diligence and stop it at our vtermaist, and likuise to tak afald, trew and plane part with the saidis erle and regent and thair airis, in all and sindrie thair honest and lauchtfull caussis, actiones, and querrellis quhatsumeuir, aganis all that leif or de may, our souerane lord and his auctoritie alanerlie exceptit, as we will ansuer to God, and vpoun our treuth and honour, and vndir the panis, perpetuall infamy, periurie, and tinsale of credeit and esti-

mation for euer : In wites of the quhilk thing to this our band and obligatioun of freindschip, subscriuit with our handis, our seillis ar hungin, at Halyrudhous, the aucht day of Marche, the zeir of God I^m v^e and threscoir fourtene zeiris, befor thir witnessis.

Thome. comendator. of. Arbroth.

CLAUD HAMMILTOUN.

216. RETOUR of WILLIAM DOUGLAS of Glenbervie, as heir to his grandfather, SIR WILLIAM DOUGLAS, who died at Flodden. 30th July 1575.

HEC Inquisitio facta fuit in pretorio burgi de Innerbervie, penultimo die mensis Julii, anno Domini millesimo quingentesimo septuagesimo quinto, in presentia honorabilium virorum, Roberti Keyth de Canterland et Johannis Pattoune in Ferroquhye, vicecomitum deputatorum de Kyncardine, per hos probos et fideles homines patrie infrascriptos ; videlicet, Johannem Strauchauchin de Thornetoune, Johannem Strauchauchin de Dilleuardis, Allexandrum Tulloucht, feoditarium de Cragnestoun, Johannem Moneur de Slanis, Willelmum Rait de Halgrene, Richardum Blentyr in Caldhame, Johannem Forbes de Ardmwrdocht, Johannem Allerdess de eodem, Willelmum Forbes de Cors, Johannem Hay de Mwchallis, Daud Steuart de Inchebrek, Daud Sibbald de Clayr, Georgium Ramsay de Banff, Georgium Barclay de Matheris, Richardum Fullartoun in Glesfurd : Qui iurati dicunt, magno sacramento interueniente, quod quondam Willelmus Douglace de Glenbervye, miles, auus Villelmi Douglace nunc de Glenbervie, qui dicessit in bello de Flowdown gesto contra Anglos, obiit ad fidem et pacem supremi domini nostri regis, Jacobi quarti Scotorum regis, bone memorie ; et quod dictus Willelmus Douglace, nunc de Glenbervie, lator presentium, est legitimus et propinquior heres lineali progressu dicto quondam Willelmo Douglace, militi, suo auo ; et quod est legitime etatis ; et quia in ipsius Villelmi Douglace, nunc de Glenbervie, petitione nullas petiit terras, idcirco relique breuis clausule reliquerunt indeseuite. Acta et clausa sub sigillo vicecomitatus de Kyncardine, ac sigillis quorundam proborum virorum qui dicte inquisitioni intererant, anno, die, mense et loco prenomminatis.

DAUID STEVART of Inchebrek.

217. ASSIGNATION by JAMES EARL OF MORTON, Regent, to ARCHIBALD, EIGHTH EARL OF ANGUS, of the teind-sheaves of the Kirk of Inuerlethen. 17th September 1575.

BE it kend till all men be thir present lettrez, ws, James erle of Mortoun, lord of Dalkeith, etc., Regent to oure souerane lord, his realme and liegis, takkisman principall, and having in tak and assedatioun of Francis, commendatar of the abbay of Kelso and convent thairof, with expres consent and assent of Schir Jhonne Ballenden of Auchnoule, knycht, clerk of oure souerane lordis justiciarie, his coadiutor and administratour, for his enteres, to ws, oure airis and assignais and subtenentis, all and sindrie the teynd schevis of the parroche kirk of Inuerlethane with the pendiculis, pairtis and pertinentis thairof, lyand within the schirefdome of Peblis, for all the space, zeris and termis of nyntene zeiris nixt and immediatlie following oure entre thairto, the day and dait of the tak and assedatioun maid to ws thairvpoun, as the samin, of the dait, the penult day of Julij, the zeir of God I^m v^c threscoir thretin zeiris at lenth beris, for certane sowmes of money and proffittis pait and gevin to ws be the noble and mychtie lord, Archibald erle of Angus, lord Dowglas and Abirnethie, etc., to haif maid, constitnt and ordanit, and, be the tenour heirof, makis, constitutis, and ordanis him, and his airis maill and of taillie specifit and contenit in his new infettment of his landis and heretage of the erldome of Angus, oure verie lauchtfull and vndoutit cessioneris and assignais, in and to the said lettir of tak and assedatioun, and all zeiris and termis thairof to ryn, and to all and sindrie the saidis teyndschevis contenit in the samin, gevand, grantand, turneand and transferrand fra ws, oure airis and all vtheris our assignais in and to the said Archibald erle of Angus, and his airis foirsaidis, oure anerlie cessioneris and assignais abonewrittin, the said tak and assedatioun, and all richt, titill, interes and clame of richt, quhilkis we had, hes, or ony wis may haue or clame in to the saidis teyndschavis of the said paroche kirk, be virtew of the said tak or onyvtherwis during all the zeiris and termis thairof to ryn, with power to the said Archibald erle of Angus, and his airis foirsaidis, thair factouris and seruitouris in thair names, all and sindrie the saidis teyndschavis of the said paroche kirk, fra the tenentis parochineris and vtheris intromettouris thairwith during the said space, to ask, crave, gadder, intromet and ressaue, and thairvpoun to dispone, at thair plesour, with fre ische and entrie, sielike and als frelie as we our selffis mycht haue done be virtew of our said assedatioun befor the making of this oure assignatioun, during all the zeiris and termis

thairof to ryn, but ony interruptioun, impediment, obstacule or contradictioun of ws, oure airis or ony vtheris, oure assignais, to be made to thame thairin be ony maner of way : and we forsuith, the said James erle of Mortoun and oure airis, this oure assignatioun of all and sindrie the saidis teyndschevis, togidder with the said tak and assedatiouu thairof, vndefesit or dischargeit in ony wis to the said Archibald erle of Angus, his airis foirsaidis aud assignais, als frelie and quietlie in all and be all thingis, sall warrand, acquiet and defend, but fraud or gyill : In wites of the quhilk thing, to thir lettres of assignatioun subscriuit with our hand, our seill is hungin, at Dalkeith, the xvij day of September, the zeir of God I^m v^e and threscoir fiftene zeiris, befor thir wites, George Auchinlek of Balmanno, Mr. John Provand, provest of Abirnethy, and James Millar, notar publict, with vtheris diuers.



218. BOND OF MANRENT by certain Gentlemen of the Border, to ARCHIBALD, EIGHTH EARL of ANGUS. 20th and 21st November 1576.

Ws, vndersubscrivand, considering the mony and greit dangiers and inconvenientis quhilkis we haue sustenit aud bene subiect vnto, in tymes bigane, iu our personis, guidis and possessionis, in default of awfald and freindlie concurrence amangis our selfis, for our defence, alsweill aganis foreyn iuymeis, as the evill subiectis of this realm, our nychtbouris, quhilkis, iu respect of our diuisioun, finding ws distractit in sindrie factionis, and makand our dependence on diuers particulair personis, vnable to defend ws, tuke the rather bauldnes to anuoy and trouble ws ; bot now, finding the noble and michtie lord, Archibald erll of Angus, lord Douglas and Abirnethie, a nobleman of ane ancient hous, cum to perfite aige, and havand large landis and possessionis and a gude nowmer of freindis, and freindis within the boundis ewest the bordouris, and specialie, in the middle marche, oure quhilkis bordouris it hes alsua pleasit our souerane lord to constitute the said noble lord lieutenant generall, as his predecessouris of his name and hous hes worthelie seruit in the same charge of before : thairfore and in consideratioun of his faorable and benivolent inclinatioun, bent to defend ws in our souerane lordis obedience, peax,

iustice and vnitie amangis our scffis, to the effect, that he may be certane of our trewth and gude seruice, to be bundin and oblist and, be the tennour heirof, faithfullie bindis and oblissis ws and euery ane of ws and our airis, that we sall lehilic and trewlie serue and obey the said Archibald, erll of Angus, in the auancement and furthsetting of our souerane lordis seruice for mantenyng and continewance of iustice, peax and quietnes, and in all and sindrie the said noble lordis awin gude and honorable causis ; and sall ryde and gang witht him or he chargeis and commandis ws to that effect, quhen he requiris ws, and neuir to knaw his skaith in persoun, fame, honouris, landis or guidis, bot sall aduertis him thairof, and stay his harme at the vttermaist of our possibilitie, and sall on na wis reveill his counsale, bot gif him our best auise and counsale quhen he chargeis ws sa to do ; and generalie, tak his awfald, trew and plane part aganis all that leif or die may ; our souerane lord and his auctorite onlie exceptit ; as we will ansuer to God vpoun our trewthis and honesteis, and vnder the pane of reproche and infamy, gif we sallhappin (as God forbid) to do in the contrair. In witnes of the quhilk thing, we haue subseriuit this our band and obligatioun witht our handis as followis, at Jedburgh, the xx and xxj dayis of Nouember, the zeir of God Im v^c threcoir sextene zeris, befor thir witnessis, Williame Dowglas of Bone Jedburgh, George Dowglas, his sone and apperand air, Malcolme Dowglas of Manys.

JHON PRYNGILL of the Bentyss.	DAUID HOPPRINGILL, son to the said James
DAUID HOPPRINGILL, sone to the	Hoppringill of Hownum.
said Jhone, witht my hand.	DAUID BURNE in Eleishewch.
WILL. ZOUNG, witht my hand.	DAUID HOPPRINGILL, sone to the said Walter.
JAMES ZOUNG, witht my hand.	JOHNNE ZOUNG in Lyntoun.
JAMES HOPPRINGILL in Hownum.	RICHERT ZOUNG in Zettame.
WALTER HOPPRINGILL in Cliftoun.	ROBERT DAUIDSOUN of Semmestoun.
DAUID HOPPRINGILL in Lyntoun.	JOHNNE DAUIDSOUN thair.
WILL. TAIT in Zettame.	JOHNNE DAUIDSOUN in Lyntoun.
DAUID TAIT in Zettame.	DAUID DAUIDSOUN in Hadden.
DAUID TAIT in Bairers.	JOHNNE DAUIDSOUN in Hoilfeild.
GEORGE TAIT, his sone.	ROBERT <i>alias</i> HOBBE DALGLEISHE in Lyntoun.
DAUID TAIT in Dowknow.	toun.
WILLIAME ZOUNG of Fettirschawis.	MONGO BURNE in Lempetlaw.
STEVIN TAIT in Zettame.	JOHNNE BURNE in the Coit.
VMPHRA TAIT, thair.	THOME BURNE thair.

Dorso—A Band of the Clanis of east Tiuiotdail maid to my Lord of Angus.

219. BOND OF MANRENT by GILBERT KER of Prumsideloch to ARCHIBALD,
EIGHTH EARL OF ANGUS. 23d November 1576.

BE it kend till all men be thir present letters, ws, Gilbert Ker of Prvmsydeloch and Dand Ker, my sone and apperand air, that forsamekle as the noble and mychtie lord, Archibald erl of Angus, lord Dowglas and Abernethy, etc., being ane nobleman of the realme, of ane ancient hous, and cum to perfite aige, and haveand large landes and possessiones, with a gude nowmer of freindes and servandes in the boundes ewest the bordouris, specialie in this middle marche thairof, and being alsua constitute lieutenant generall ower the same bordouris be our souerane lord, for contening of the cuntrie in peace and justice and defence of his hienes trew subiectis, aganis the iniuryes and violence, alsweill of foreyne inemeis as the evill subiectis of this realme oure nychtboures, we haue found his faorable and benevolent inclinatioun for the defence of ws, oure freindis and servandes, and thairfore, for oureselffis, and takand the burding on ws for oure saides freindis and servandis, to be bundin, and, be the tennour heirof, bindis and oblisws and oure aires that we sall lilelie and trewly serve and obey the said Archibald erll of Angus, in the avancement and furthsetting of oure souerane Lordes service, for the mantening and continewance of justice, peace and quietnes, and in all and sindrie the said noble lordes awin gude and honorable causis, and sall ryde and gang with him, as he chargeis and comandis ws to that effect, quhen he requiris ws, and neur knaw his skaith in persoun, fame, honoures, landes or guides, bot sall aduertise him thairof, and stay his harme at the vttermaist of oure possibilitis, and sall on na wyse reveill his counsale, bot gif him oure best advise and counsale, quhen he chargeis ws sa to do ; and generalie, tak his awfald trew and plane part aganis all that leif or die may, oure souerane lord and his auctoritie only except ; as we will answer to God vpoun oure trewth and honesties, and vnder the pane of reproche and infamy, gif we sal happin (as God forbid) to do in the contrar : In witnes of the quhilk thing, we haue subscriuit this oure band and obligatioun as followis, at Jedburgh, the xxij day of Nouember, the zeir of God I^m v^c thre scoir sextene zeris, Befoir thir witenis, George Dowglas, sone and apperand air to Williame Dowglas of Bonejedburgh.

GILBERT KER of Prumsydlowch.
ANDRO KER.

220. COMMISSION by KING JAMES THE SIXTH appointing ARCHIBALD EIGHTH EARL OF ANGUS, Lieutenant-General of the Western Marches of Scotland. 27th May 1577.

JACOBUS Dei gratia rex Scotorum, omnibus probis hominibus suis ad quos presentes litere peruenerint, salutem : Sciatis quia cum auisamento et consensu fidelissimi consanguinei nostri, Jacobi comitis de Mortoun, domini de Dalkeith, nostri ac regni et liegiorum nostrorum regentis, intelligentes bonum, fidele et gratuitum seruitium, nobis et regenti nostro antedicto per confisum nostrum consanguineum et consiliarium, Archibaldum comitem Angusie, dominum Douglas et Abirnethy, nostrum locumtenentem generalem marchiarum regni nostri e regione Anglie, in regimine dictarum marchiarum, pro pacis et quietis intra easdem obseruatione, inhabitantibus earundem impensum ; et quia pauperes nostri liegii et inhabitantes occidentalium marchiarum regni nostri per fures, raptores, et alios malefactores, grauiter perturbati, spoliati, et oppressi sunt, et nisi punitio et remedium ad hoc celerius prouideatur magne inconuenientie desuper sequentur, pro quorum attemptatorum depressione, ac dictorum malefactorum punitio, cum auisamento et consensu dicti nostri regentis, fecimus, constituimus, et ordinauimus, tenoreque presencium facimus, constituimus, et ordinamus dictum nostrum consanguineum, Archibaldum comitem Angusie, nostrum gardianum occidentalium marchiarum regni nostri, uidelicet, intra bondas vallis Annandie, Ewisdaill, Nethisdaill, Eskdaill, et Galwedie, tam supra aquam de Cre quam subtus eandem, necnon iusticiarium nostrum intra bondas predictas, cum omnibus feodis et deuoriis ad dictum officium gardianatus pertinentibus et spectantibus ; dando, concedendo, et committendo dicto nostro consanguineo, Archibaldo Angusie comiti, nostram plenariam potestatem et mandatum speciale gardianatus et iusticiarie curias infra bondas prescriptas, quibuscunque partibus et locis earundem, quoties ipsi expediens fuerit statuendi, inchoandi, affirmandi, tenendi, ac quoties opus fuerit contiuuandi, omnes et singulos intra easdem inhabitantes, seu inhabitatores, quoties per dictum nostrum gardianum requisiti fuerint et per ipsum expedire videbitur, pro defensione nostri regni ac persecutione, captione, apprehensione dictorum furum, et proditorum malefactorumque punitio concurrere, ac secum accedere seu progredi et equitare causandi, statuta, acta, et ordinationes desuper faciendi ; transgressores, fures, et alios delinquentes intra bondas predictas, secundum suorum criminum quantitatem iuribus et regni nostri praxi conforme puniendi ; atque ad hunc effectum assizas patrie necessarias ad sufficientem numerum personarum minime

suspectarum, sub pena quadraginta librarum de qualibet persona non comparente, summoniendi, eligendi, et jurari causandi; clericos, seriandos, adiudicadores, omnesque alios officarios ac iusticiarie et gardianatus curiarum membra necessarios faciendi, creandi, deputandi, ordinandi, et jurari eciam faciendi; deputatos vnum seu plures sub eo in dictis officiis faciendi, creandi, et substituendi, pro quibus respondere tenebitur; exitus, amerchiamenta et eschaetas dictarum curiarum, ac bona quecunque hominum non hereditariorum seu heredum terrarum infra bondas predictas ad mortem pro dictis criminibus iustificatorum, percipiendi, et leuandi, suoque proprio vsui applicandi, et huiusmodi importandi, et, si opus fuerit, pro eisdem namandi et distringendi, atque dimedietatem bonorum hereditariorum hominum seu heredum terrarum pro dictis criminibus ad mortem iustificatorum intra prenominateas bondas, suo vsui proprio applicandi, et alteram dimedietatem eorundem nobis importandi, ac computum in scaccario nostro nobis inde faciendi, et generaliter omnia alia et singula faciendi, dicendi, gerendi, et exercendi, que in premissis et circa ea necessaria fuerint, seu quomodolibet oportuna; firmum atque stabile habentes et habituri totum et quicquid dictus noster gardianus et iusticiarius sui deputati et ministri in premissis rite duxerint faciendum: Quare, vniuersis et singulis nostris liegiis precipimus et mandamus quatenus dicto nostro consanguineo, Archibaldo comiti Angusie, gardiano et iusticiario nostro prescripto, suis deputatis, officiariis, et ministris, in omnibus et singulis dicta officia concernentibus prompte pareant, respondeant, et intendant, sub omni pena que competere poterit in hac parte; hiis nostris literis commissionis pro spatio trium annorum proxime futurorum post diem date presencium, et vltius durante voluntate nostra nostrique regentis antedicti, ac semper et quousque eedem per nos specialiter exonerate seu prohibite fuerint, in effectum duraturis et remansuris. In cuius rei testimonium presentibus magnum sigillum nostrum apponi precepimus, apud Halierudehous, vicesimo septimo die mensis Maii, anno Domini millesimo quingentesimo septuagesimo septimo, et regni nostri decimo.

221. CHARTER by KING JAMES THE SIXTH appointing ARCHIBALD EARL OF ANGUS heritable Steward of Fife, and Captain and Keeper of the Palace of Falkland. 16th December 1577.

JACOBUS Dei gratia Rex Scotorum, omnibus probis hominibus tocius terre sue, clericis et laicis, salutem. Seiatis, quia cum auisamento et consensu fidelissimi nostri consanguinei, Jacobi comitis de Mortoun domini de Dalkeith, nostri regni

et legiorum Regentis, fecimus, constituimus et ordinauimus, et hac presenti carta nostra facimus, constituimus et ordinamus predilectum nostrum consanguineum et consiliarium Archibaldum Angusie comitem, heredes suos et assignatos quoscunque nostros veros legitimos indubitatos hereditarios et irreuocabiles Senescallos Senescallatus nostri de Fyfe, iura bondas et libertatem eiusdem vsitatas et consuetas; ac etiam capitanos et custodes nostri palatii de Falkland, cum parais, siluis, pomeriis, hortis, columbariis, stagnis, pratis, et omnibus pertinentiis eiusdem, iacentis infra dominium nostrum de Fyfe et vicecomitatum eiusdem; ac etiam damus et disponimus eisdem dicta officia cum omnibus feodis, commoditatibus, priuilegiis, pasturis et proficuis quibuscunque ad eadem temporibus preteritis pertinentibus et incumbentibus: Tenenda et habenda omnia et singula dicta officia senescallatus nostri infra bondas antedictas, capitanei et custodis dicti palatii nostri de Falkland, cum pratis, siluis, pomeriis, hortis, stagnis, parais et pertinentiis eiusdem vsitatis et consuetis, dicto nostro consanguineo et consiliario, heredibus suis et assignatis quibuscunque, de nobis et successoribus nostris in feodo et hereditate imperpetuum: Cum potestate eisdem, curias senescallatus vniam seu plures dicti senescallatus, omnibus et singulis personis infra eundem commorantibus, et aliis quibus interest apud aliquam partem eiusdem conuenientibus, affigendi, incipiendi, affirmandi, tenendi, et quocies opus fuerit continuandi; sectas vocari faciendi, absentes amerchiandi, transgressores puniendi; exitus, amerciamenta et eschaetas dictarum curiarum petendi, exigendi et leuandi; omnes et singulas personas infra bondas dicti senescallatus commorantes, coram quocunque iudice aut quibuscunque iudicibus, spiritualibus aut temporalibus, infra regnum nostrum attachiatis, conuentas aut arrestatas, ad priuilegium et libertatem dicti senescallatus et curiarum senescallatus eiusdem replegiandi, reducendi et reportandi; cautionem de collarath, pro iustitia administranda partibus conquerentibus, secundum formam iuris, dandi et inueniendi; et si opus fuerit, pro dictis amerciamentis et eschaetis dictarum curiarum namandi et distringendi; deputatos vnum aut plures sub ipsis in dictis officiis senescallatus et capitanei, cum clericis, seriandis, adiudicatoribus et omnibus aliis officiariis et membris dictarum curiarum necessariis, faciendi, creandi, remouendi, imponeudi, extraponendi et iurari causandi, pro quibus respondere tenebuntur; quecunque breuia directa vel dirigenda eis tauquam senescallis dicti senescallatus recipiendi, aperiendi et debite executioni demandari causandi; deliberationes et determinationes in debita forma dicte cancellarie retornandi: Et generaliter omnia alia et singula faciendi, exercendi, frequentandi et vtendi, que ad dicta officia aut aliqua earundem, de

iure et consuetudine regni nostri, dinoscuntur pertinere, adeo libere in omnibus respectibus sicuti aliqui alii eadem, virtute cuiuscunque tituli aut iuris, temporibus preteritis, utebantur et exercebant : Ratum, gratum, firmum atque stabile habentes et habituri omnia et singula quecunque dictus noster consanguineus et consiliarius, heredes sui et assignati eorum deputati aut officarii, in premissis rite duxerint facienda : Pro vsu et exercitatione quorumquidem officiorum antedictorum, et bono et gratuito seruiicio in eisdem fiendo, nos cum auisamento et consensu dicti nostri Regentis damus, concedimus, assignamus et disponimus dicto nostro consanguineo et consiliario, heredibus suis et assignatis antedictis, omnia feoda, casualitates, firmas, canas, custumas et deuorias terrarum et aliarum commoditatum quarumcunque, eisdem incumbentes et pertinentes, vsitatas et consuetas ; et sicuti aliqui alii pro vsu et exercitatione earundem aliquo tempore elapso habebant, libere, quiete, plenarie, integre, honorifice, bene et in pace, sine aliquo impedimento, reuocatione, contradictione aut obstaculo aliquali : Reddendo inde annuatim dictus noster consanguineus et consiliarius, heredes sui et assignati, nobis et successoribus nostris, vnun denarium vsualis monete regni nostri apud dictum palatium nostrum de Falkland, nomine albe firme, si petatur tantum. In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus : Testibus, reuerendo in Christo patre Adamo episcopo Orcadensi, commendatario monasterii nostri Sancte Crucis prope Edinburgh ; dilectis nostris consanguineis, Willelmo comite Mariscalli domino Keith, Joanne domino Glammis cancellario nostro, venerabili in Christo patre Roberto commendatario monasterii nostri de Dunfermling, nostro secretario ; dilectis nostris familiaribus consiliariis, magistris Georgio Buquhannan pensionario de Corsraguell, nostri secreti sigilli custode, Jacobo M^cGill de Rankelour Nethir, nostrorum Rotulorum, Registri ac consilii clerico, Lodouico Ballenden de Auchnoule milite, nostre justiciarie clerico, et Alexandro Hay nostre cancellarie directore ; apud Halyrudhous, decimo sexto die mensis Decembris, anno Domini millesimo quingentesimo septuagesimo septimo, et regni nostri vndecimo.¹

222. BOND OF MANRENT by JOHN KENNEDY of Blairquhan, to ARCHIBALD, EIGHTH EARL OF ANGUS. 27th May 1578.

BE it kend till all men be this present lettre, me, Johnne Kennadie of Blairquhane, that, forsameele as George Dowglas, sonne and appeirand air to Adame Douglas

¹ A Precept of Sasine under the quarter seal followed of same date.

of Watersyd, being hurt and mittolat be me and my complissis and servandis, vpoune my humbill and earnest swtt maid to the nobill and mychtie lord, Archibald earle of Angus, lord Dowglas and Abirnathie, cheif and maister to the saidis George, and to his saidis father and himself, they haif remittid and forgifin vnto me and my saidis servandis aud complissis, the said offence, and all actiounes, crimiual and civill, that thai had, hes or may haif, against ws thairfoir, and resait vs againe in francscheip and kyudnes, as the samin had never bein committid: Quhairfoir, becaus the said George, be the said mittolatioune maid wnable to serve the saidis nobill lord, his chief, to haif becum, and be the tennour heirop, be the faithe and trewthe in my bodie, lililie and trewlie becumis manne in speciall manrid and service to the saidis earle of Angus, the kingis grace except onlie, and to be witht his lordschip in peace and weir; as alsua, I sall keip his counsall secret in all thingis tendiug to his honour, and sall gif him the best counsall I can, quhen he requyris the samin, and sall never heir, sea, nor wit his skaithe, herme, perrall, or dishonour, in previtie or apairt, bot sall warne him thairof in all possibill haist, and lett it in all my power and possibilitie, and sall be redie at all tymes to his Lordshipis service, vpoune his inquititioune, and defend him witht my bodie and guidis, but frawd or gyll: In witnes of the quhilk thing to this my present band of maurid, subscriift witht my hand, my signat affixt at the samin, the xxvii day of Maij, at Stirling, the zeir of God ane thowsant v° lxxviij zeiris, befor thir vitnesis, Robart Stewart, sonne to me lord Wchiltre, Allane Cathcart of Bwchtoune, witht wtheris divers.

JOHNE KENNEDY of Blarquhan.

223. BOND OF MANRENT by WILLIAM WEIR of Stonebyres, to ARCHIBALD, EIGHTH EARL OF ANGUS. 14th April 1580.

BE it kend till all men be thir present lettrez, me, Williame Weir off Stauebyres, to be bundin and obleist, and be the tennour heirop faithfullie bindis and obleisis me to ane nobill and michtie lord, Archebald erle of Angus, lord Douglas and Abiruathie, etc., neur to assist, fortefie, menteine, defend, nor tak pairt witht Schir James Hammiltoun off Crawford Johne, knight, James Hammiltoun off Libertoun, his sone and apperand air, thair barnis, brether seruandis, assisteris and parttakeris, in quhatsumeuir cacis or causis the saidis personis presentlie hes or salhappin to haue ado aganis the said nobill lord, his freindis, seruandis, assisteris and parttakeris, present or to cum in all tymes heirefter; and heirvnto I bind

and obleiss me, be the faith and trewtht in my bodey, and neur to cum in contrare thairof, vnder the pane of periurie and defamatioun, and neur to be repute honest nor trew heirefter. In witnes of the quhilk thing, I haue subscriuit this present lettre with my hand, at Lanerk, the xiiij [day] off Aprile, the zeir of God I^m v^c fourescoir zeiris, befoir thir witnessis, Schir Alexander Jardane off Apilgirth, knicht, Johne Carmichell of Medowflat, Hew Weir of Cloburne, and Williame Colweill, witht vtheris dyueris.

WILLIAME [WEIR of] Stanbyris.

224. LETTER OF REGRESS by ARCHIBALD, EIGHTH EARL OF ANGUS, to DAVID EARL OF CRAWFORD, to half of the lands of Ethibetoun. [Circa 1580.]

BE it kend till all men be thir present lettres, ws, Archibald erle of Angus, lord Douglas, and baroun of the regalite and barony of Kyremur, etc., that, forsamekle as ane noble and michti lord, Dauid erle of Craufurd, lord Lyndesay, etc., oure tennent of the landis of Ethibetoun, hes sauld and analeit, be his chartir and sesing, to our louittis William Carmichaell of Crukitstane, and Isabell Rollak, his spous, and to the langar levand of thame twa, in coniunctfeftment, and eftir thar deceis, to Alexander Carmichael, sone to the said Williame, his airis and assignais, all and haill the landis of wester half of all and sindry the landis of Ethibetoun, with thar pertinence, liand within oure said regalite and barony of Kyremur and schirefdome of Forfar, to be haldin of ws and oure successouris, vnder ane reuersioun contenand in it ane certane sovme of money maid to the said noble lord, his airis and assignais, be the saidis Williame, Isobell his spous, and Alexander Carmichaell for him, his airis and assignais, apoun the redemptioun of the said half landis of Ethibetoun with thar pertinence, as at mar lenth is contenit in the said reuersioun, neuertheles, we will and grauntis, and als promittis, be the tenor of thir presentis, for ws and our successouris, to the said Dauid erle of Craufurd, his airis and assignais, that quhat tyme or how sone the sovme contenit in the said reuersioun beis fully content and pait to the said Williame Carmichell, Isobell his spous, the langar levand of thame twa, or to the said Alexander Carmichaell, his airis or assignais, and the said reuersioun in all poyntis fulfillit efter the tenor of the samyn, the said Dauid erle of Craufurd, his airis and assignais, sall haif full regres and ingres in and to the said half landis of Ethibetoun, with thar pertinence; and now as than, and than as now, we resaif,

admittis, apprevis, and ratifjs thame in heretable tennentis to ws of the said half landis, be thir presentis, als fre to be haldin in tymes cuming as the samin wes haldin befor the said alienatioun, without ony impediment, perrell of forfaitour, eschaet or dampnage quhatsumeuir to be generit to the said Dauid erle of Crawford, his airis or assignais herethrow, in all tymes tocum : In witnes of the quhilk thing, to thir present lettres, subscriuit with our hand, our sele is to hungin at

A. ERL OF ANGUSS.

225. OBLIGATION by STEVEN RUTHERFORD and others, to ARCHIBALD, EIGHTH EARL OF ANGUS, as to the parties "fylit" of the bill of Haythpuil. 23d May 1582.

BE it kend till all men be thir presentis, ws, Stewin Rutherfurd, brother to Johne Rutherfurd of Hunthill, for my self and James Daidisoun in Burnepaglo, and William Daidisoun, his brother, Hob Hall, Nikley Hall, Thomas Reid, and Andro Hall, Inglismen ; Thomas Ainslie in Cleythawcht, James Ainslie in Jedburght, Raif Ainslie in Cleythawcht, for our selfis and the Ainslies fylit of the bill of Haythpuile, James Hall in Heavysyd, elder ; Arche Hall in Newbiggin, Andro Hall there, sone to Johne Hall, for ourselfis and the Hallis fylit in the said bill, to be bound and oblischit, and, be the tenmor heirof, bindis and oblis is ws, respectiue, ilk ane of ws, for our awin partis, that is to say, the said Stewin for myself, and the Daidisonis and Inglismen abone specifit, and the saidis Ainslies and Hallis, coniunctlie and seueralie, for our selfis, and thir Ainslies and Hallis fylit in the said bill respectiue, to releif, freythe, keip harmeles and skaythtles ane nobill and mychtie lord, Archibald erle of Anguis, etc., of all sowmes, dammnage, skaytht, and expensis that his Lordschip sall happin to incur be borrowing of Johne Hall in Newbiggin, zounger, and Cudbert Robsoun in Ald Jedburght, now detenit in Bervyk for the said bill at the handis of my lord Hunisden, or ony vther Inglisman that it sall pleis his lordship to deliuer his band vnto, for the saidis personis, in quhatsumeuir maner, owthair to pay the dowbillis of the said bill, or ellis to enter the saidis personis vpoun aucht dayis warning, but fraude or gyle, be thir presentis subscrivit with our handis, as efter followis, at Jedburght, the xxij daye of May, the zeir of God 1582 zeiris, befor thir witnessis, William Dowglas, burges of Jedburght, Robert Dowglas,

Cudbert Coluin, Walter Alensoun, burgesis of the said burght, witht vtheris diueris.

STEVIN RUTHERFURD, brother to John Rutherford
of Hunthill, witht my hand led at the pen be
the notar vnderwrittin, at my command.

Ita est vt premittitur, Robertus Alensone, notarius publicus in premissis requisitus, testantibus meis signo et subscriptione manualibus.

R. A., N. P.

THOMAS AINSLIE, with my hand.

JAMES AINSLIE, soim to vinqhill John
Ainslie, burges in Jedburght.

RAF AINSLIE, witht my hand.

JAMES HALL in Heuysyd, elder.

ARCHEBALLD HALL in Newbegyn.

ANDRO HALL, thair.

226. PRECEPT by KING JAMES VI. to his Chancellor, to make Letters of Rehabilitation, under the Great Seal, in favour of ARCHIBALD EIGHTH EARL OF ANGUS. 1st November 1582.

JACOBUS Dei gracia rex Scotorum, Cancellario nostro, salutem : Quia nos, cum auisamento et consensu dominorum nostri secreti consilii, recordantes bonum, fidele et gratuitum seruitium nobis et predicesoribus nostris per fidum nostrum consanguineum, Archibaldum Angusie comitem dominum Dowglas et Abirnethie etc., ac suos predicesores in egregium honorem et regni nostri commodum, temporibus retroactis, prestitum et impensum, tam in turbulento statu pro eiusdem releuamine, cum maxime in nostra minoritate periclitaretur, quam ex antiquo, presertim aduersum exteris nationes dictum nostrum regnum pro tempore incursitantes, ac preterea nunc considerantes quam propinque dictus noster consanguineus nobis in consanguinitate attingit, sicuti etiam considerantes illam domum et familiam valde antiquam et honorabilem extitisse, nolentesque eandem in quoduis detrimentum deduci, sed potius nostram misericordiam et clementiam in eiusdem ad pristinum statum et priorem honorem restitutionem extendere, non obstante pretensa sententia et forisfacture laudo, nuper aduersum dictum nostrum consanguineum promulgato, in parlamento nostro tento apud Edinburgh, die mensis anno Domini millesimo quingentesimo octuagesimo primo, ipso tunc non comparente ad respondendum in dicto parlamento, et tunc iustissimas et necessarias causas sue

absentie habente, nunc nobis et dictis nostri consilii dominis lucide intellectas; igitur, nos, cum ausamento dictorum dominorum nostri secreti consilii, nunc ex nostris gracia et speciali clementia rehabilitauimus, restituimus, et redintegrauimus, tenoreque presentium rehabilitamus, restituimus, et redintegramus dictum nostrum consanguineum iterum in et ad suam bonam famam, honores, officia, priuilegia, et dignitates, de quibus ob dictam pretensam forisfacturam depriuatus et preiudicatus fuit; Necnon accepimus et reponimus ipsum in et ad nostram misericordiam, fauorem, et gratiam aduersus eandem pretensam forisfacturam et forisfacturam laudum, omnesque accusationes crimina et continentia quecunque in eadem specificata et contenta; renunciando, quieteclamando, et exonerando eisdem cum omnibus desuper inde sequutis seu sequendis prefato nostro consanguineo, ac in sui eiusdem heredum et successorum gratiam et fauorem pro nobis et successoribus nostris pro nunc et imperpetuum per presentes: Ac eciam restituimus et reponimus dictum nostrum consanguineum in et ad omnes et singulas suas terras, comitatum, dominia, regalitates, officia, baronias, castra, turres, fortalicia, siluas, molendina, piscarias, tenentes, tenandrias, liberetenentium seruitia, aduocationes donationes et jus patronatus ecclesiarum, collegiorum, beneficiorum, et capellaniarum; acta, contractus, decreta, obligationes, debita, assedationes, rentalia, decimas, predia, loca, possessiones, res et bona mobilia et immobilia quecunque, dicto nostro consanguineo perprius pertinentia: Ac volumus et concedimus quod ipse, sui heredes et successores in et ad eadem seu easdem intrare, et, si necesse fuerit, pro eisdem vt iuris postulat ordo, vocare, eisdemque vti, gaudere, possidere, ac desuper ad sue libitum voluntatis disponere poterit; ac facinus et declaramus dictum nostrum consanguineum habilem, dignum et capabilem recipere, gaudere, possidere, et vti honoribus, dignitatibus, et officiis in parlamento et aliis iudiciis quibuscunque, et extra, omni tempore affuturo, simili modo et adeo libere in omnibus respectibus et conditionibus sicuti dicta pretensa forisfactura et forisfacturam laudum contra ipsum minime deductum seu pronunciatum extitisset; et non obstantibus quibusuis parliamentorum actis, secreti consilii aut aliis, si que sint, que in contrarium seu preiudicium presentium extendi seu interpretari poterint; super quibus nos pro nobis et successoribus nostris, per presentes dispensamus: Vobis precipimus et mandamus quatenus literas nostras rehabilitationis, nostro sub magno sigillo, in forma capelle nostre debita, dicto nostro consanguineo super premissis fieri faciatis. Datum sub nostro secreto sigillo, apud Halyruidhous, primo die mensis Nouembris, anno Domini millesimo quingentesimo octuagesimo secundo, et regni nostri decimo sexto.

227. SIGNATURE by KING JAMES THE SIXTH for a grant of the escheat of
SIMON SCOTT of Winterburgh to ALEXANDER DOUGLAS, Captain of
Temptalloun. , 1586.

OURE Souerane Lord ordanis ane lettre to be maid, vnder the priue seill, in dew forme, to his louit, Alexander Dowglas, capitane of Thomptalloun, his airis and assignais, ane or ma, off the gift of the escheit of all guidis, movabill and vnmovabill, debtis, takkis, stedingis, rowmes, possessiones, cornis, cattall, insyght plenissing, actiones, obligationes, reuersionis, actis, contractis, sentences, decreittis, sowmes of money, jowellis, gold, siluer, cvnzeit and vnevzeit, and vther guidis and geir escheittabill quhatsumeuir, quhilkis pertenet of befoir to Symon Scott of Winterburgh, and now pertening to our souerane lord, and fallin and ballin and becum in his maiesteis handis, be ressoun of escheit, throw being of the said Symon ordourlie denuncit his maiesteis rebell, and put to his hienes' horne, be virtew of lettres in the four formes past be deliuerance of the Lordis of Counsale and Sessioun, at the instance of his Maiesteis rycht traist cousing and counsalour, Archibald erle of Angus, lord Dowglas, Dalkeyth, Abirnethe, etc., for not repossessing of him to the landis and rowme of Catslak, witht the pertinentis, conforme to the lait act of parliament, maid at Lynlythgow in the moneth of December last bypast, as in the saidis lettres, executiones and indorsationes thair of, at mair lenthe is contenit; with powar to the said Alexander, his airis and assignais foirsaidis, to intromet and vptak the saidis escheit guidis, geir, debtis, and vtheris abone specifeit, quhaireuir the samyn can be apprehendit at thair awin handis, and thairvpoun to dispone at thair plesour; and to occupy the saidis takkis and stedingis, gif ony be, with thair awin gudis, or set the samyn to tenentis, as thaisal think maist expedient, dureing the said space, with all and sindrie vtheris commoditeis, fredomes, etc., frelie, quietlie, etc., but ony reuocatioun, etc. And that the said lettre be forder extendit, in dew forme, with all clausis neidfull. Subscriuit be our said Souerane Lord, at , the day of , the zeir of God I^m v^c lxxxvi zeris.

JAMES R.

Comptrollour tenens commissionem.

THO. THE^{RIUS}.
S^R ROBERT MELUILL.

228. INSTRUCTIONS by KING JAMES THE SIXTH to ARCHIBALD, EIGHTH EARL OF ANGUS, relative to his Lieutenancy in the Borders. 16th November 1586.

INSTRUCIONES to oure rycht traist cousing and counsalour, Archibald erll of Angus, lord Douglas and Abirnethy, oure Lieutennent generall and Justice ower all the boundis of the marches of our realme foranent England, gevin be ws, with auise of the lordes of oure secrete counsale, at Halyrudhous, the sextent day of Nouember, the zeir of God I^m v^c lxxx sex zeris.

CONSIDERING with oure self the present estate of oure realme, greatly troublit baith in the Hielandis and Iles, and in the boundis of the bordouris foranent England, growin be the occasioun of the ciuile dissentionis that hes occurrit in our realme sen our birth and coronatioun, to the great hurt and preiudice of ws and of mony our loving and gude subiectis, we, now approching to our lauchfull and perfyte aige of xxi zeris, findis ws, in conscience befoir God, and in honour before the warld, obliissit to seik the full and vniuersale obedience of oure subiectis to restrane and repres the insolence and crueltie of the wickit, and to defend and confort sic as heirtofore hes sustenit harme and outragious oppressiones : For quhilk purpois, intending, be Godis grace, in proper persoun to circuit the hail boundis of oure realme, and, other be clemency or force, to acquire our rycht dew to ws, be obedience of our liege people, in reducing thame to the knowlege of oure lawes, to the payment of our rentis, and to leve in peax and gude nychtboureheid ilkane with vther, quhairvpoun quietnes and welth may follow ; we haue, vpoun gude deliberatioun, thocht meit that the present state of our realme salbe first considerit, and the willing obedience of all men asseyed be certane oure lieutenentis, chosin of the first and principallis of oure nobilitie, amangis quhom, having reposit speciall trust in zour discretioun, habilitie, and gude affectioun to our seruice, we haue nominat and committit to zour charge the boundis of the marches of our realme foranent England.

First, we think meit that ze cause procleame zour commissioun at all mercat croces within the boundis of zour Lieutennandrie, and zour proclamatioun that nane persew nor inuaid vtheris.

Ze sall caus gett the dittayes that wer takin vp in the zeir 1582, or sensyne, and gar tak vp dittay of new : gif owt the hail names to be chargeit and arrestit

to find souirite to vnderly the law, according to the forme of lettrez thocht meit to be directit to that effect.

Ze sall require all landit men to subscriue the generall band, ratefeing the former bandis maid of befoir, and coutening assurance quhill the first day of Marche, that thay may the bettir concur in our seruice. Gif ony refusis, vse your commissioun aganis thame, or aduerteis ws, as ze think gude; alwyse letting thame vnderstand that ze ar commandit, without delay, to caus put thame to the horne, and thaireftir to charge thair awin personis in ward, and thair housis to be randerit in your handes, vnder the pane of tressoun, and to intromett and vptak thair eschetis, to mak the expensis of thair persute, quhill thay be brocht to conformitie and obedience.

In your dealing with the erll Boithuile with Liddisdale, gif he sekis any particular grace and dres for thame, lett him haue the like order as we haue grantit to the erll of Mortoun for thame of the debatable land and Laich of Annanderdail; that is, in hoip of gude rule and obedience in tyme cuming, we ar content, that for all offensis committit be the inhabitantis of Liddisdale, actuall duellaris within the same, aganis our awin subiectis, the lyffis salbe sparit, they comperand in iugement before thair maister and kepar in his courtes to be haldin in Jedburgh or Hawick, sa some as convenientlie may be; thay findand gude suretie for assythment and satisfacioun of parteis complenand, and for gude rule and obedience in tyme cuming.

Sic as hes bene maist troublesum, and of quhais gude rule gretest doubt may be had, desire the erll Boithuile to tak plegeis of, and send to ws, quhilkis salbe na langer retenit nor thay find sureties sufficient for thair gude rule and obedience, and satisfacioun of complaintes heirefter.

And to the effect that Liddisdale mycht be the bettir retenit in a certane forme of gude rule, we wald that the erll Boithuile suld caus collect the hail names of the inhabitantis, and quhair thay duell, and that thay all suld be ansuerit for be Robene Elliot of Reidheuch, Martine Elliot of Braidlie, Sym Armstrang of Manderstoun, and Lancy Armstrang of Quhithauch, and then gude surety to be tane of thir foure to be ansuerable to ws and to thair landis lord and kepar, the erll Boithuile. Gif thir foure, or ony of thame, refusis to ansuer for the vtheris, or gif ony vtheris will not cum vnder thame, seuerall plegeis to be takin of thame.

Ze sall send the complaintes vpoun Liddisdale to the erll Boithuile, desiring him to sett his court owther at Jedburgh or Hawick, to warne the personis com-

plenit vpoun to compeir thairin, as likewyse to warne all personis, compliners, to compeir and persew thair complaintes at the same day.

As twitching the inhabitantis on the watters on the heid of Teviotdale, quhilkis ar vnder the commandment of the lard of Bukleuch, the Shireff of Teviotdale, the lardis of Gledstanes, Howpaislop, Robene and Martine Elliottis, the lard of Quhittauch, and sum vtheris, efter that ze haue first assayed the obedience of thair personis, in presenting of sum of the principall lymmers duelland vnder thame to be pvneist be iustice, to the terrour and exemple of vtheris; then for the gude rule of the cuntrie in tyme cuming, we wald that the like order wer tane now with thame as at Craigbent in the zeir 1573, quhair of the clerk of register hes send the forme, alterand the present names in the places of sic as ar deid. And in respect of the lard of Bukleuchis zoung aige, tak four of his principall freindis, coniunctlie and seueralie, cautioners for him, on sic conditioun as his father fand of befor.

Gar mak a perfyte roll of all sic as remane inhabitantis within that boundis, quhilkis mon be subiect to the ordour of Teviotdale, and of all vtheris that chesis to remove to Liddisdale, Eskdale, and Ewisdale, and findis securitie to that effect, and of all vagabondis and fugitiues, for quhom ze find nane to mak ansuer, quhom ze sall caus denunce as fugitiues and rebellis, that nane pretend ignorance in cais of thair resset thairefter, except ze find the nowmer great; and in that cais, advise with ws and our counsale, becaus ze ar sa suddanlie to return to Edinburgh.

Considering the schort tyme that now ze haue to tary at Jedburgh, we think zour travell mon be, first to tak compt gif the personis gevin in vallentyne beis presentit to zow vpoun the xxij day of this instant Nouember. Being presentit, considder quhat dittay ze haue vpoun thame and quhat assisis reddy. And finding likleheid to gett thame fylit, put it to prufe, and vse iustice. Bot gif ze perceave difficultie to gett thame convict for want of sufficient dittay or of ane assise meit for the purpois, tak souirtie of thame vnder great panis, to enter thame of new, quhen thay salbe requirit, vpoun sex dayes warning.

Gar examinat quhat personis chargeit hes found souirtie to vnderly the law. Call thair souirtes to enter thame, and aganis sic as ze haue dittay and assise, proceid sa far as possiblie ze may owertak in this schort space; and of the rest, tak new souirtie to enter thame the thrid day of the nixt air or courte, or soner, on xv dayes warning, vnder the panes contenit in the actis of parliament.

Sic as ar not zit chargeit and arreistit, gar gif furth in portuus, that thay may [be] chargeit to find souirtie within sex dayes; and gif thay failze, to be

put to the horne. For, immediatlie efter zour returning from the west marche, ze mon hald ane vther iustice court in Jedburgh, at gretar lasour; as alsua at Selkirk and Peebles, and for the Mers, and put order to all thingis quhilkis this schort tyme will not suffer.

Quhethir remissioun salbe gevin to ony in Teviotdaleheid at this tyme, for thift and resset thairof, in respect of the bruckle and troublesum tyme bypast, we mon leif to zour awin discretioun, be the gude advise of sic as we haue appoynted to be of zour counsale and componitouris; namely, Schir Lwes Bellenden of Auchnoule, knyecht, clerk of our iusticiarie, Schir James Hwme of Coldounknowis, knyecht, capitane of our castell of Edinburgh, Maister Robert Douglas, Prouest of Linclowden, collectour generall, Schir William Stewart of Caverstoun, knyecht, Alexander Hwme of Northberwick, and Robert Maluile apperand of Murdocarny, or ony thre of thame, haveand respect to the obedience offerit and vallentyinis presentit.

Alwyse gif it salbe thocht meit to gif ony sic remissiones for quieting of the cuntrie, lett the personis vseand the same, befor thair passing furth of the tolbuith, find sufficient responsale sureties to satisfie the compliners, according to the avale and quantitie quhilk thay sall sweir: As alsua, that thay sall abstene fra thift, resset of thift, or supplie or resset of the vagaboundis and vtheris fugitiues declarit and denuncit at the end of this present court of iusticiarie.

Concerning slaughters, sum ar sa odious as we mynd not to gif commissioun for thame, bot to haue the committers persewit and pvnesit as thay haue deseruit; namely, the slayers of the sex brethir Grhamislawes, the slayers of the scollar named Turnble, sone to George Turnble in Wowlie, and the murtherars of Johnne Hammyltoun of Benestoun. For vtheris slaughters, quhair of thair is very mouy, as we haue sene, sum ar already remittit, and of thay ze sall ressaue gude and sufficient sureties for satisfacioun of the parteis, quhilkis we sall see modefeit. Sum hes aggreit with the parteis, and zit wantis remissioun, quhairin we can be content to be faorable to thame at zour gude discretioun. The thrid sort, that nother hes remissioun nor aggreit with the parteis, we think it best ze persew quhill thay meane thameselfis, and that ze inquire the circumstances of the causis, and thair-etter, haue our awin mynd and opinioun thairanent.

Vse the diligence that possible may be, in sa schort space, to collect the names of the dissobedientis for quhom na suretie is offerit, and inquire gif ony wilbe souirtie for thame, befor ze denunce thame to the horne: alwyse, quhethir ze will denunce thame befor zour returning to ws, or superceid quhill ze advise

witht ws and our counsale thairvpoun, we remit to zour awin discretioun ; bot the sonar that thay be denuncit, the bettir, becaus it makis thair ressetters thair-etter inexcusable. And fra thay be denuncit, ze mon vse exact diligence for introumissoun with thair eschetis, gif thay ony haue. Command thair landislordis to cast down, and hald down, thair housis, and to remove thair wyffis and barnes of the ground ; and gif the landislordis failzeis, forzet not to call thameselffis to vnderly the law, as faouurers of the fugitiue thevis, and partakers with thame in thair thiftuus and wickit dedis, and caus mak all possible moyen for apprehensioun of the fugitiues, that thay may be execute ; as likewysc to inquire of thair ressetters, supplearis, or intercommoners with thame, and lett naue of thame slip vncallit and pynesit.

Haue gude assises alwyse prouidit and summondit of sic men as knawis the offensis of the personis indytit, and be laith and slaw to present thame to ane assise, gif ze feir that thay salbe acquite ; bot rather tak souirtie of thame to ane new day.

Ze mon travell to vnderstand the present state of redres betuix the Wardanis at all the marches, and for Liddisdale, quhen the last dayes of trew wer haldin : quhat billis on ayther syde, at ilk marche, restis vnfylyt or deliuerit for ; and quhat ar the doubtis and impedimentis that stoppis metingis and ordinary iustice, that ze may travell to find ane releif and outgait thairof.

Gar persew and accuse, for the ressett of the fugitiues denuncit at the last court. Try how mony of the same fugitiues ar zit on lyff ; and gif thay schaw not relaxationes fra the horne, caus apprehend thame, and execute iustice vpoun thame.

Charge alwyse our immediat tennentis for the entre of thair tennentis, and lett thame seik thair releif vpoun thair vassellis.

Command the baillies of the regaliteis to hald thair courtis how sone possible may be efter the end of this present court of iusticiarie, followand zour order in all poyntes.

Sindre come in our will efter the last iustice air and iustice court, for not entering of thair men, tennentis, and seruandis to vnderly the law, according to the generall band : as alsua sindry ar obleist, be actis of adiornall, to enter personis complenit vpoun at the thrid day of the air or soner, on xv dayes warning, and that thay suld abstene fra thift and ressett of thift thairefter. And sindre ar obleist in the buikis of secrete counsale, for entre of certane speciall personis to iustice, the executioun of quhilkis actis we haue differrit, in hoip of bettir

obedience to be schawin zow at this tyme. Alwayes, thir personis ar in our danger, quhom ze may admonise to do thair deweties at this tyme, lettand thame vnderstand gif thay failzie, we will seik that quhilk we may of honour and reasone at the handis of thame and thair caution.

The lard of Chesholme, the lard of Bedroule, Watt Scott of Goldelandis, Robert Elliot of Reidheuch, Martine Elliot of Braiddie, Will Elliot of Hoistcoitt or Fallinesche, the lard of Howpaislott, Watt Scott of Tuschelaw, Johnne Scott of Dryhoip, the Schiref of Teviotdale, Gawin Elliot of the Stobbis, the lard of Mynto, the lard of Wauchop, Walter Turnble in Howpisburne, the Abbat of Jedburgh, the lard of Quhittanch :

And generallie all vtheris in quhom ze find difficultie to do thair dewetic.

Desyr the principallis of the brokin men of the west marche to cum and speik zoureself, or sic as ze appoynt to deale with thame, to vnderstand quhat offer and suretie thay will mak for redres of parteis skaitbit, and for thair dew obedience in tyme cuming, seeing the army is to pas thair. And be resolut als spedelie as ze can at zour returne to Edinburgh in that behalf.

Arche Elliot at Ellis Durris, Will Elliot of Fiddiltoun, George Armstrong of Arkiltoun, zoung Thom Armstrong of [the] Gyngillis, Cristie Armstrong of Barnegleis, Davy Armstrong, sone to Abye, Will Armstrong of Kynmont, Christie Armstrong of Auchingavill, Andro Baty in Johnnstoun, Aly Baty, sone to Hew in Blake[scheill], Nickie Baty of the Scheill, Arthour Grhame of Blawotwid, Cristie Grhame of Reinpatrik, Willie Irwing of Graitnayhill, Willie Johnnstoun of Reidhall, Edward Irwing of Kirkpatrik, Edward Irwing of Boneschaw, Hobbe Carlile of Brydekirk, reid Alexander Carlile, Will Bell of Blacathous, Thom Johnnstoun of Finglen, Wilkene Johnnstoun of Escheschelis, Andro Johnnstoun of Locarby, Johnne Johnnstoun in the Howgill.

JAMES R.

229. COMMISSION OF LIEUTENANTRY by KING JAMES THE SIXTH to ARCHIBALD, EIGHTH EARL OF ANGUS, to cast down the houses of Auchingavill, Winterhoiphaid, and others in the West Marches. 20th June 1588.

JAMES be the grace of God King of Scottis, to all and sindryoure liegis and subdittis quhome it efferis, to quhais knowlege thiroure letteres sall come, greting. Forsamekill as we haue maid and constitute, and be thir presentis, with aduise of the lordis ofoure secreit counsall, makis and constitutisoure rycht traist consing and counsalour, Archibald erll of Angus lord Dowglas and Abirnethyoure lieu-

tenent in that pairt to the effect vnderwrittin ; gevand, grantand and committand to him oure full power and commissioun, expres bidding and charge, to pas accompaneit with oure gude and faythfull subiectis in weirlyke maner, and to se and caus be dimolissit and cassin doun to the ground the houssis and fortalices of our rebellis and dissobedient subiectis vnderwrittin ; thay ar to say, thir houssis and fortalices of Auchingavill, Winterhoipheid, Barngleis, Wodhousleyis, Montbeherst, Hoillhous, and vtheris the dwelling houssis of our rebellis, fugitiues and dissobedicut personis, inhabitantis of the west marche of this oure realme ; except the same personis awnaris of the saidis houssis entir thame selffis to our said lieutenant, or find sic vther suirtie as he sall alwayis be contentit with, presentlie vpoun the conditionis following, that is to say, that thay sall releif ws and our wardanis for all attemptattis committit be thame aganis England in tyme bigane ; that thay sall redres all attemptattis committit aganis Scotland sen our last being in Drumfreis ; and last entir sic plegeis as we salbe contentit with for keping of gude ordour in tyme cuming : The personis refusand to entir vpoun the saidis conditionis to tak. apprehend and persew alsua with fyre, swerd and all kynd of hostilitie ; and to bring and present thame befor ws to be pyneist for thair demereittis, conforme to the lawis of our realme : Declaring be thir presentis that thair slauchter, mutilatioun, and quhatsumeuir persute to be maid aganis thame, to be gude and faythful service, tending to the advancement of oure autoritie and commoun weill and quietnes of oure realme, for the quhilk our said Lieutenant, nor na vtheris assisting him to the executioun of the premissis, sall on na wayis be callit nor accusit criminalic nor ciuilie be ony maner of way in tyme cuming ; exonerig thame be thir presentis of all pane and dangere that thay may incur thairthrow for enir : And generallie all and sindry vther thingis to do, exerce and vse that in the premissis and for exccutioun thairof is necessarlie requirit to be done. Ferme and stabill haldand and for to hald all and quhatsumeuir thingis our said lieutenant sall lauchfullie do heirin. Quhairfoir we straitlie chargeis and comandis zow all and sindry our liegis and subdittis foirsaidis to ryis, concur, fortife and assist our said lieutenant in the executioun of this present commissioun ; and to do nor attempt na thing to his hindrance, as ze and ilk ane of zow will ansuer to ws vpoun zour obedience, at zour vtirrest charge and perrell, and vnder all hieast pane, cryme and offence that ze may commit and inrin . . . in that behalf. Gevin vnder oure signet, and subscriuit with our hand, at Drumfreis, the xx day of Junii, and of our regne the xxi zeir, 1588.

JAMES R.

SIR J. M., Cancellarius.

230. PRECEPT of KING JAMES THE SIXTH to WILLIAM, NINTH EARL OF ANGUS, to pay to MICHAEL ELPHINSTON Two Thousand merks. 15th March 1588.

REX.

WILLIAME ERLE OF ANGUS, we greit zow weill. It is our will, and we command zow, that vpon sicht heirof ze faile nocht to ansuer our trustie and familiar seruitour, Michel Elphinstoun, ane of our carveris, of the sowme of twa thousand merkis, of the first and readiest of zour compositioun dewe vnto ws for our interest in zour said erledome, to be thankfullie allowit to zow in zour compt thairof, kepand this our precept, with the said Michellis acquittance thairupoun, for zour warrand. Subscryvit with our hand, at Halyrudhous, the fyftene day of Marche, 1588 zeiris.

JAMES R.

SR J. M. Cancellarius.

THO. Thesaurarius.

SR ROBERT MELUILL.

231. PRECEPT by KING JAMES THE SIXTH to WILLIAM, NINTH EARL OF ANGUS, to pay to HARRY STEWART of Barskyming Two Thousand merks. 20th March 1588.

REX.

TREST Cousing, Williame, now Erl of Angus, we greit zow weill. Forsamekill as ze, at this oure requeist and desyir sall, incontinent eftir the sycht heirof, ansuer, obey and mak thankfull payment to our weilbelouit seruitour Harie Stewart of Barskyming, of the sowme of twa thousand merkis vsuaell money of oure realme, and that in pairt of payment of the greitter and mair sowme addetit be zow to ws, quhilk salbe thankfullie allowit to zow in the first end of the samin, ze keipand thir presenttis with his dischairge vpoune the ressait thairof for zour warrand. This ze faille nocht to do, as our trust is in zow, and that in respect it is weill knawin to ws, that the sowme recouerit be zow aganis the said Harie befor the Lordis of our Sessioun be thair decretit wes conwertit to our vse, the tyme of his ressait thairof. Subscryuit with our hand, at Halyrudhous, the xx day of Merche, 1588.

JAMES R.

THO. Thesaurarius.

Alex

I receive ~~my~~ love of mine we great love
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that you first know we shall not to myse I
to us the land familiar into myse of myse
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to us the land me oib of the first and second
of the composition, we do not we for o
interest in the said whereby to be your
full in account to you in the same year
to be the o power we do the in myse
arguente how soon for the payment of
first in the land at Elizabeth's gift for
of myse in 1588

James

at Warrington
to the
Robert me

[Handwritten flourish]

I soft confing velleims noo bee of Angria's ind gett goes ralle for limes bee
as' 2' at yd' on so beget and be first fall in continent of w' ye first bar of an
able and make fance for me and b' of velleims. Kem tur' d' velleims first met of
bawled me of ye' d' velleims. of tau face find velleims d' velleims me of of velleims
d' velleims to no part of in part of payment of ye' d' velleims and more velleims about
d' velleims b' noo gde face fance velleims about 6' 3' 00 in ye' first end of ye' d' velleims
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James P.

Chas. P. 1888

232. DISCHARGE by KING JAMES THE SIXTH to WILLIAM, NINTH EARL OF
ANGUS, for Two Thousand merks. 20th March 1588.

WE, James, be the grace of God king of Scottis, be the tenour heirof grantis ws to haif ressauit fra oure rycht traist cousing and counsalour, Williame, erle of Angus, lord Dowglas, Abirnethy, etc., the sowme of twa thowsand merkis money of our realme, and that in part of payment of the sowme of ten thowsand merkis quhilk our said cousing, as principall, and his cautionaris vnderwrittin, viz., George erle of Marschell, lord Keyth, Johne erle of Mar, lord Erskyn, William erle of Mortoun, lord Dalkeyth, James Scrymgeour of Dudope, constabill of Dundie, Johnne Wischart of Pittarro, Alexander Strathachiu of Thornetoun, aud James Dowglas fear of Spott, cautionaris, souirteis, and full debtouris for our said cousing, Williame erle of Angus, war bund and oblist to content and pay to ws at the tent day off Maij nixtocum, as the first termes payment of the sowme of threttie fyve thowsand markis, quhairof he and his saidis cautionaris ar debtbund to ws, according to the contract maid betuix ws thairanent, off the dait, at Edinburgh, the sevint day off Marche instant, and thairfoir we exoner, quitclame and discharge our said cousing, Williame erle of Angus, and his cautionaris foirsaidis, of the said sowme of tua thousande markis, in part of payment, as said is, thair airis and executouris for euir; ordaining and commanding, be thir presentis, Mr. Daid Makgill of Neisbet, our aduocat, in our name, to compeir befoir the Lordis of Counsale and Sessioun, and to consent to the registratioun of this our acquittance aud discharge in thair buikis of counsale, ad futuram rei memoriam. In witnes of the quhilk thing, we, togidder with our rycht trustie and weilbelouit Counsalouris, Schir Johnue Maitland of Thirlestane, knycht, our chancellor, Thomas Master of Glammis our thesaurar, aud Schir Robert Meluill of Murdocarny, knycht, our thesaurar deput, haif subscriuit thir presentis with our handis at Halyrudehous, the xx day off Marche, the zeir of God I^m v^c fourescoir aucht zeiris, befoir thir witenis.

JAMES R.

SIR J. M. Cancellarius.

THO. M^r GLAMMISS, Thesaurarius.

ROBERT MELUILL.

233. FIVE DISCHARGES granted by KING JAMES THE SIXTH to WILLIAM, NINTH EARL OF ANGUS, for part of the principal sum of 35,000 merks. 1588-89.

1. DISCHARGE, dated "at Halyruidhous," 20 March 1588, for 500 merks, delivered to the King's "weilbelouit seruitour, Roger Astonn, Gentillman of our Chalmer, for the defray of his expensis towardis England, quhair we haue presentlie directed him : " subscribed by the King, Sir John Maitland of Thirlstane, knight, Chancellor and secretary to the King, Thomas Master of Glammiss, treasurer, and Sir Robert Melvill of Murdocarney, knight, treasurer depnte.

2. DISCHARGE, dated at Edinburgh, the 26 day of March 1589, for 800 merks delivered to "Our belovit servetour, Mr. George Douglas : " purporting to be subscribed by the King, Sir John Maitland of Thirlstane, knight, Chancellor and secretary to the King, Thomas Master of Glammiss, treasurer, and Sir Robert Melvill of Murdocarney, knight, treasurer depute [but the two last signatures do not appear at the document].

3. DISCHARGE, dated at Edinburgh, the 31st March 1589, for 500 merks delivered to "onr belowit serwitur, Mr. George Dwglas : " subscribed by the King, Sir John Maitland of Thirlstane, knight, Chancellor, and Sir Robert Melvill of Murdocarney, knight, treasurer depnte.

[The document bears to be subscribed also by "Thomas Master of Glammiss, our thesaurair," but his signature is wanting.]

4. DISCHARGE, dated at Edinburgh, the 1st April 1589, for 500 merks. Subscribed by the King, Sir John Maitland of Thirlstane, knight, Chancellor, and Sir Robert Melvill of Murdocarney, knight, treasurer depute.

[The document is said to be subscribed also by "Thomas Master of Glammiss, our thesaurair," but his signature is wanting.]

5. DISCHARGE, dated at Leith, the 14th October 1589, for 1000 merks. Subscribed by the King, Sir John Maitland of Thirlstane, knight, Chancellor, and Sir Robert Melvill of Murdocarney, knight, treasurer depute, witnesses, Sir Patrick Wais of Baronbarowet, and Sir George Home and Mr. George Douglas, servitors to his Majesty.

[Here also the signature of Thomas Master of Glammiss, treasurer, is wanting, though the Discharge is stated to be subscribed by him.]

234. NOTARIAL INSTRUMENT certifying the diligence of WILLIAM DOUGLAS, Master of Angus, apparent of Glenbervie, in seeking a ship to carry him furth of the kingdom in obedience to the King's letters. 18th October 1589.

IN DEI NOMINE, amen. Per hoc presens publicum instrumentum canctis patcat enidenter et sit notum quod anno incarnationis Dominice millesimo quingentesimo octuagesimo nono, mensis vero octobris die decimo octauo, et regni supremi domini nostri regis Jacobi sexti anno vigesimo tertio. In presens of ane honorabill man, Mr. Thomas Mengzes of Durne, provest of Aberdene, customar of the said burgh, Thomas Mengzes, ane of the baillies of the said burgh, ws, connotaris publict and witnesses vnderwrettin, comperit ane honourable man, Williame Dowglas, Maister of Angus, apperand of Glenbervy, quha schew and exponit that he was chairgit in our scuerane lord his name and at his hienes command to depairt furtht of Scotland to the pairtis bezond sey, thair to remane and na wayis to returne quhill he haif obeyit the kirk and obtenit his hienes licence to returne again, within threttie dayis nixt eftir he was chargit, vnder the pane of treassoune, as the said charge, daitit at Settoun, the threttene day of September last bypast, at lynthe buir; for obedience of the quhilk charge the said Williame Maister of Angus come to the said burght of Aberdene, reddy to depairt furtht of this realme bezound see as said is, and therfor desyrit of the said provest and baillic gif thay knew ony schip reddie to depairt furtht of the realme to ony pairt bezond see; quha ansuerit, thay knew of nane within thair watteris reddy to pas for the present, or that thay knew wald pas lang tyme thairefter furtht thairoff to ony pairt bezound sey, except onlie ane litill small bark perteing to Thomas Graye, burges of the said burght, of the birthe of tuentie lastis or thairby, quhilk was purposit to Flissein or Campheir in Flanderis; and the said Thomas Gray, awnar of the said bark, being present, was requirit be the said Williame to ressaue him in his said boit, and to transpourt him to ony pairt bezond sey except England, and to land him in Deip, Caleice, or ony part in Wast Flanderis, and that he suld satisfie the said Thomas to his awin plesour: The said Thomas ansuerit that he and his said bark wes astrictit and oblegit to certaine merchandis burgess of the burght of Aberdene, frauchtismen thairof, to pas with the said bark and thair merchandize alreddy thairin schippit, to ather of the saidis twa poirtis of Flussein or Campheir, and to na vther poirt, and that scho was bot ane small boit, nawayis abill in the winter seasoun to keip the sey, bot behuiffit quhen ony storme of

wedder rais to pas to the nixt herberie for saiffetie of the said boit, merchandis, and their guidis and geir, and gif ony storme araise, behuifit to tak England in his way, and that his said boit was not of sic birthe as ony man of ranck might perell his lyff thairin vpone the sey in the winter seasoun, and thairfoir culd not ressaue the said Williame in his boit foirsaid, scho being alreddy laidnit, custumit, and biding wind and wadder to mak saill. In respect quhairof the said Williame Mr. of Angous, in presens of the said provest and baillie, protestit that he be haldin to haif obeyit the said charge sa far as lay in him, in sekng of the commoditie of ane schip within the said burght of Aberdene, and alledgit that the hail schippis besouth Aberdene war arrestit be his hienes proclamatioun, and swa that he aucht to be frie ony pane contenit in the said charge, and all that may follow thairvpone in respect of his diligence forsaid. Super quibus omnibus et singulis dictus Wilhelmus magister de Angous a nobis connotariis publicis subscriptis sibi fierj petiit instrumentum seu instrumenta vnum vel plura: Acta erant hec in domo habitationis Patricij Gray ex australi parte vici castri dicti burgi hora nona ante meridiem aut eo circa, presentibus ibidem predictis preposito et balliuo prefato Patricio Gray, Roberto Mengzes, magistris Georgio Scettoun, Thome Mengzes juniore, Wilhelmo Andersone burgensibus de Aberdene, Dauide Robertsoun sergeando dicti burgi, Magistro Thoma Mollysoun et Jacobo Daudson, notariis publicis, testibus ad premissis vocatis pariterque rogatis.

Et ego vero Magister Thomas Mollisoueus [*etc. in forma communi*].

Et ego vero Magister Jacobus Daudsone [*etc. in forma communi*].

235. BOND OF MAINTENANCE AND ASSISTANCE betuixt WILLIAM, NINTH EARL OF ANGUS and JAMES LUMSDEN of Airdrie. 24th July 1590.

WE, Williame erle of Anguis, lord Douglas and Abirnethie, etc., wnderstanding that our traist and weil beluiffit freind, James Lumsdane off Ardre, and his predecessouris, hes bein continuall faouraris and dependaris wpone ws and our hous thir mony zeiris bygane, and that the said James, for his guid will and faour now wtterit to ws, he hes incurrit the indignation off Dame Jeane Lyone, relict off wmqhill Archibald Erle of Anguis, our predecessour, and Mr. Allexander Lindsay, now hir spous; and wnderstanding lykwayis that the said Dame Jeane restis awand to the said James the sowme of nyne thousand twa hundreth and aucht pundis, contenit in hir obligatioue maid thairvpone, registrat in the buikis off counsall, and als restis awand to the said James the sowme off aucht thousaud merkis, con-

tenit in ane wther obligatione maid be hir to hime thairvpone ; as also that the said Dame Jeane Lyone hes grantit and disponit to the said James ane zeirliche pensione for the space of twelff zeiris nixt efter the dait of the gift maid be hir to hime, off all and sindrie the maillis, fermis, kanis, and dewties off hir coniunct fie and lyfrent landes of Kinros, the Thomeccane, Lathrow and wtheris, conteinit in the said gift, perteing to hir throw hir mariag with wmqhill Robert Douglas, appeirand of Lochilewine ; and sicklyk, that the said Dame Jane Lyone having, be gift off our souerane lord, wnder the priue seall, to hir, hir airis and assignais, the waird none entres, maillis, fermis, profiteis and dewties off all landis, lordschipis, barronyis, offices, and wtheris, quhilkis pertenit to the said wmqhill Archibald Erle of Anguis, togidder with the mariag of the bairnis posthume, male or femall, gottine betuix hime and hir, or off ony wther air or airis, maill or famaille, succeding to hime in the saidis landis, witht all profiteis off the said mariag ; the said Dame Jeane hes maid and constitut the said James and his airis successouris and assignais in and to the said James and his airis, and transferit the same in thame, as the assignatione thairof proportis, and that the said Dame Jeane and hir said spous will nocht obserwe, keip and fulfill to the said James, the obligationes and tytillis foirsaidis, but meanis to trubill him tharintill in the law and wther wayis : and we now willing to recompan the said Jamesis guidwill and service, with our menteinance and asistance as becumis thairfoir, to be bundine and oblist, end, be thir presentis, we faithfullie promit, bind and oblis ws, our airis and successouris, to maintein, defend, fortifie, concurre, and asist the said James and his airis and the personis quhilkis thay sall constitut assignais in and to the obligationis and wtheris respectiue foirsaidis, in the persut thairof, obteneing decreitis thairone, and puttingt off the same in execution in all pointis against the said Dame Jane, hir said spous, and all wtheris quhome it efferis be our counsall, moyen, credeit, and force in the law, and als sall concur and asist the said James in all vtheris his actionis and causis quhatsumever, and tak part with hime thairin, in maner foirsaid, aganis quhatsumever persone or personis, sielyk als freindlie and lowinglie as he war our awine sone ; the said James and his airis alwyis depending and serwing ws, our hous and successouris, as luiffing trew freindis and dependaris in tyme cuming. In vitnes heirof, this, our band of mautenance, we haw subscriyvit witht our hand, at Edinburgh, the tuenti four day of July, the zeir of God I^m v^c fourscoir tene zeiris, befor thir witnessis, Villiam Forbes of Monimusk, Jhon Douglas, Mr. Adam Walker, and Thomas Lau, seruitouris to the said nobil lord, and Mr. Robert Douglas, sonn to the said nobill lord.

J. ARDRIE.

2 P

236. DISCHARGE by MICHAEL ELPHINSTON, servitor to King James the Sixth, to WILLIAM, NINTH EARL OF ANGUS, for Five hundreth merks. 24th July 1590.

I, MICHELL ELPHINSTOUN, seruitour to the kingis maiestie, grantis me to haue resaut fra the handis of ane noble and potent lord, William erll of Angus, lord Dowglas and Abirnethye, etc., the sovm of fyve hundreth merkis mvnye vsuall, quhilk, with sovmes of mvnye resaut be me fra his lordschip and vtheris in his name, and at his command, befor the date heirop, I grant to be in full and complet payment of the sovm of twa thousand merkis mvnye grantit and gevin to me be his maiestie, conform to his hienes precept direct to the said erll in my faouris for a parte of his compositioun for the said erldom, quherof I hald me weill and thankfullye payit for me, my airis, executouris and assignayis, discharging the said erll, his airis, executouris and assignayis therof, and all wtheris quhom it efferis, and sall warrand him theranent at his hienes handis and all vtheris havand entres. In witnes heirop I haue subscriuit thir presentis with my hand, at Edinburgh, the xxiiij day of Julij, 1590 zeiris, befor thir witness, Mr. James Durhayme of Duntervye, Walter Calender of Bordye, and Archibald Dowglas, maser, with vtheris diueris.

MICHAELL ELPHINSTOUN.

237. LICENCE by KING JAMES THE SIXTH to WILLIAM MASTER OF ANGUS to leave his ward in Dundee to attend the funeral of his father, WILLIAM, NINTH EARL OF ANGUS. 17th July 1591.

FORSAMEKILL as vinqhile oure richt traist cousing and counsallour William erle of Angus, being at the pleasure of the Eternell laitlie depairtit this lyff, necessar it is, his buriall be honorabillie performeit, as appertenis ane persone of sik estait, for the better performeance thairof that his honorabill kin and freindis be thairat, and specialie William maister of Angus, his eldest sone, and remanent of his sonis and neirest of his kin and freindis; thairfoir, to haue gevin and grantit, and, be the tenour of thir presentis, gevis and grantis, licience and libertie to the said William maister of Angus to depairte in quiet maner furth of our burght of Dundie, within the quhilk he is presentlie in waird, and to repair towardis the place of Glenbervie, and thair, within the kirk thairof, or ellis within the kirk of Abirnethie, as salbe thocht maist expedient be his kin and freindis, to sie and

caus the funeral of his said vmqphile father be celebrat and endit, and to vesie his wyff, childrene and famelie, and tak sik vther ordour in all his necessar effairis and bissines as appertenis, and thairvpoun to await and depend duringe the space of tuelf dayis nixt eftir the daif of thir presentis, and thaireftir betuix and the [1]st day of [August] return and enter himself in waird within our foirsaid burght of Dundie, or ellis quhair it salhappin him to be commandit, thair to remaine duringe our will and pleasure, provyding always in the meane tyme, he do nor attempt na thing tuicheing our estait or religioun, bot behave him selff in quiet maner. Subscriuit with our hand, at Falkland the xvii day of July 1591.

JAMES R.

J. T., Cancellarius.

238. NOTARIAL PROTEST by WILLIAM DOUGLAS, TENTH EARL OF ANGUS, when commanded by the King to enter himself in ward in Stirling Castle. 30th July 1591.

IN Dei nomine, Amen. Per hoc presens publicum Instrumentum, cunctis pateat evidenter et sit notum, quod, anno incarnationis Dominice millesimo quingentesimo nonagesimo primo, mensis vero Julij die penultimo, regnique supremi domini nostri, Jacobi Sexti, Scotorum regis, anno vigesimo quinto: the quhilk day, in presens of ws notars publict and vitnessis wnderwrettine, comperit personallie ane novbill and potent lord, Williame Dovglas, erill of Angus, being chargit as he alegit, be our soverane lordis speciall commandment to transport himself to his castaill of Stirveling, and thair till remane in vard, ay and quhill it suld happin him to obtine his hines licience for his reliff: he thairfor, for discharging of his detfull obseruance, tuik instrumentis that he presentlie wais villing, wald and suld (lyk as he did indeid) remove him self furth of the bruche of Dundie with expeditioun to entir in ward in our said souerane lordis castaill of Stirveling, conforme to his hines charge, direct to that effect, protesting, in the men tyme, that na preivdice nicht inschev, quharby he nicht be dampnefeit be ony caus or questioun intentit, or to be intentit, in his contrair be quhatsumevir our souerane lordis legis, during the tyme of his vard, be ressoune of his devtifull obseruance and innabilitie to do for him self in that behalf, quharof, of his hines clamencie, he pretendit assurance. Acta erant hec apud Dunde, anno, die, et mense, quibus supra, horam circiter quartam pomeridianam, coram testibus infrascriptis. Lyk as at that self same tyme, the said novbill lord protestit solem-

natlie, that na deid done be him during the tyme of his remaning in varde, within quhatsumeuir our souerane lordis boundis suld be preiudiciall to him or his forsaddis, and gif neid war, that the samin suld, ipso facto, in respect of his ward forsad, suld be declarit nwill, of na force nor effect; befor thir witnessis, James Watterstone, fear off Watterstone, Hendrie Ogilwy, sone to Hendrie Ogiluie off Duntrone, Robert Popiltrie, gairdner, and George Gairdin, mariner, burges off Dundie.

Ita est. Mr. David Mathew notarius publicus ac testis in premissis rogatus et requisitus, manu sua.

Ita est. Jacobus Gleg, notarius publicus in premissorum fidem.

239. LETTER by KING JAMES THE SIXTH changing the ward of WILLIAM, TENTH EARL OF ANGUS, from Stirling Castle to Edinburgh. August 1591.

REX.

WE, for sindrie ressonabill cawsses muiffing ws, and becaws ve vnderstand that the Ministerie of Edinbrowche villinglie agreis, that Villiam erlle off Angus remaine vithein owr browche off Edinbrowche, Leithe, or in the Cannogaitt, and ane mylle thairabowt, that he may haiffe thair conference for his better resolutioun; thairfor ve are content and interchaingeis his vairde from Stirling Castell to the bowndes forsaid; and this present to be his varrand, subscrywit vithe owr hand at Stirling, the off August, and off owr regne the xxiiij zeir. 1591.

JAMES R.

240. ACT of the PARLIAMENT OF SCOTLAND confirming to WILLIAM, TENTH EARL OF ANGUS, the first place in Parliament, etc. 5th June 1592.

Extract.

IN THE PARLIAMENT haldin at Edinburgh, the fyift day of Junii, the zeir of God j^m v^c. fourscoir tuelf zeiris: The Kingis Maiestie, ansuerand to ane protestatioun maid in parliament be Williame eirll of Angus, protesting that the duik of Lennox his beiring of the crowne at this present parliament sould nocht be preiudiciall to the said eirll, his richttis, preveiedgis and honouris, quhilkis he and his predicessouris hes haid to his first place in first sitting and voitting in all parliamenttis and generall counsellis, first place and leiding of the vangarde in battellis, and in beiring of his Hienes crowne in parliamenttis, declairis, with

Dr

We for Indrie respondent cause his miffing wt, and betwixt be understand
that the miffing off Edinburgh being the Viceroy, that William
Earl of Angus remain within our Borders off Edinburgh, Lays
On the Emigrant, and our mythe Exchange, that he may have
have conference for his better resolution, I have for us as Content and
interchange his barde from Sterling as for to the Governor for his
and this present to us his barde and subject with our hand at Sterling
the off Angus I and off our signe the dem sent 1598.

James

advys of the estaittis of this present parliament, that albeit the eirll of Angus at his Maiesties desyre zeal dit place to the duik of Levenox to beir the crowne in this present parliament, zit the samyn sall nawyis preiudge the said eirllis rychttis, honouris and preuiledgeis quhilkis he as eirll of Angus hes to the first place in sitting and voitting in parliamenttis and vtheris generall counsellis, first place in leading of the vangarde in battellis, and beiring of the crowne in parliamenttis in tyme cuming: And that the Kingis maiestie, be preferring of the said duik at this tyme to the beiring of the crowne, meaneis nawyis thairby to imput or place ony vther persoun befor the said eirll of Angus to beir the said crowne in parliamenttis in tyme cuming.

Extractum de libris actorum parliamenti per me magistrum Joannem Skein, clericum rotulorum, registri ac consilii S. D. N. Regis, sub meis signo et subscriptione manualibus.

JOANNES SKENE, Cl^s Reg^{ri}, etc.

241. COMMISSION OF LIEUTENANCY by KING JAMES THE SIXTH to WILLIAM, TENTH EARL OF ANGUS, for repressing the disorders in the Highlands. 9th November 1592.

OURE souerane Lord vnderstanding how the greit cruelties, heirschippis, and disorders recentlie committit be the lawles, brokin Hielandmen of the Clanchattane, Clanchamrone, Clanrannald, and vtheris, pretending thair dependance vpoun the erllis of Huntlie and Athoill, hes sa wrakit and schakin lowis sindre partis of the north cuntrie, that greit nowmeris of honest and peceable folkis, his hienes faithfull subiectis, ar murtherit, thair housis brint now in the winter seasoun, thair guidis spuizeit, disponit, and exponit in prey, with far greitair rigour nor it war with forreyne enemyis: for stay and remeid quhair of his maiestie ordanis ane Commissioun to be maid vnder the greit seill, in dew forme, makand, constituand, and ordinand his richt traist cousing and counsallour, Williame erll of Angus, lord Dowglas and Abirnethie, his hienes lieutenant and iustice within the boundis of the schirefdomes of Inuernes, Cromartie, Narne, Elgin, Forres, Bamf, Abirdene, Kincardin, Foirfar, and samekle of the schirefdome of Perth as lysis benorth the watter of Tay, alsweill burgh as land, regalitie as ryaltie, to the effect vnderwrittin: gevand, grantand, and committand to him full power, special command, and charge to intercommoun with the saidis erllis and vtheris, movaris and authouris of the saidis disorderis and cruelties, tuiching thair decisting frome

armes and hostilitie, and reparing to sic places as his hienes hes appointit, quhair the groundis, occasionis, and circumstances of the saidis troubles may be hard, and the samyne redressit, be sic ordour as his maiestie hes or sall appoint for reducing of the cuntrie to quietnes and his hienes obedience. And, incace his maiesties admonitionis sall nocht be obeyit, that than the said lieutenant, accompaniet with a force of his hienes faithfull and guid subiectis, sall assist the pairtie fund be him obedient and ressonable, in the defence or persute, be force, aganis the vther pairtie that salhappin to schaw him selff wilfull or obstinat to the saidis admonitionis: or, incace thay, or ather of thame, wauld disobey his hienes commandimentis and directionis, to vse his maiesties auctoritie and forces aganis thame, thair assistaris and pairtakaris, quhill thay be brocht to his hienes obedience; and to that effect, to charge all his hienes leigis, inhabitantis within the boundis of the schirefdomes fairsaidis, baith to burgh and land, to convocat thame selffis in armes, ryis, and follow the said lieutenant at sic dayes, places, and for sic space as he sall appoint be his proclamationis or missiue lettrez, vnder the pane of tinsell of lyff, landis, and guidis; and, gif neid be, to display his maiestie's baner, and to charge all personis quhome he sall think neidfull to compeir befor him for finding of caution or pledgeis for thair debtfull obedience, within sic space as salbe prescryvit be him, vnder the pane of rebelloun and putting of thame to the horne; and gif thair failzie, to denunce thame thairto: with power also to him to charge the housis or strenthis of personis inobedient to be randerit vnder the pane of tressone; and, incace of refuis or resistence, to asseige the saidis housis, rais fyre, and vse all vther force and weirlyk ingyne for wyunning and recoverie thairof. And gif it happynnis ony of his hienes rebellis, haldaris of the saidis housis, or thair assistaris, to be hurt, slayne, or mutilat, or ony destructioun or spoliatioun of guidis to be committit, his maiestie will and grantis, and, for his hienes and his successouris, decernis and ordanis that the same salbe impute for na cryme nor offence to the said lieutenant, or vtheris his faithfull leigis quhatsumeuir, assisting him in the executioun of this his hienes commandiment; nor thay nor nane of thame salbe callit or acusit thairfoir, criminallie or ciuilie, be ony maner of way, in tyme cuming; nochtwithstanding ony lawis, actis, ordinance, proclamationis, or vtheris maid or to be maid in the contrair, or ony panis contenit thairin; exonerand and dischargeand thame of the samyn for cuir, be thair presentis: And with power to the said lieutenant to grant relaxationis frae the horne to personis being denuncit rebellis for crymes, as he sall think expedient, for the space of fourtie dayes, or schorter, for the better bringing of thame to his hienes obedience; to

charge parties standand vnder deidlie feid to gif and tak assurance, or to find souirte for keping of his hienes peax, vnder the pane of rebelloun; and, in case of failzie, to caus put thame to the horne. And siclyk, to caus inquir and tak vp dittay of all and sindre personis suspectit and dilatit of the saidis murthouris or ony vtheris murtheris, slauchteris, depredatioun, fyre rasing, sorning, thift, ressett thairof, maisterfull and vile oppressionis, and vtheris crymes deserving panis of death, or vtheris corporall or pecuniall, baneiment or warding, speciallie contentit in a catalogue subscrivit be his maiestie; to caus the personis indytit to be arreistit and chargeit to compeir befor him at iustice courtis, or to gif thair names in valyntynis to thair maisteris, landis lordis, or ballies: and to that effect, court or courtis of iusticiarie within all the boundis of the said lieutenandrie, at quhatsumeur pairt and place thairof, als oft as neid beis, to sett, begin, afferme, hald, and continew, sectis to mak be callit, absentis to amerciat, trespassouris to pvnis, vnlawes, amerciamentis and escheatis of the saidis courtis, to ask, lift and rais, and for the same, gif neid beis, to poynd and distrenzie; and in the same court or courtis, all and sindrie the saidis personis suspectit and dilatit of the saidis crymes to call be dittay, accuse and put to the knowlege of ane assyis, and as thay sal happin to be fund culpable or innocent, to minister iustice vpoun thame, conforme to the lawes of this realme; depuittis vnder him in the said office of lieutenandrie and iusticiarie, with clerkis, seriandis, dempstaris and all vtheris officiaris and memberis of court neidfull, to mak, creat, substitute and ordane, for quhilkis he salbe haldin to ansuer; assises, ane or ma, within the boundis of the said lieutenandrie, ilk persoun vnder the pane of fourtie pundis, to summond, warne, cheis and caus be suorne; compt, rekning, and payment of his hienes casualities, to his maiesties thesaurair in his hienes name, in the chekker to mak, quhairin the necessair expensis to be sustenit thairanent salbe allowit: and generallie, all and sindre vther thingis to do, exerce and vse, that to the offices of lieutenandrie and iusticiarie in sic caces, of law or consuetude ar knawin to pertene: ferme and stable haldand and for to hald all and quhatsumeur thingis the said lieutenant and iustice, in the premissis, lauchfullie ledis to be done. This his maiestie's commissioun, quhill the first day of Februar nixtocum, and forder quhill his hienes discharge the same, to indure; discharging and suspending all vtheris commissionis of lieutenandrie of iusticiarie grantit aganis quhatsumeur personis duelland within the saidis boundis in the meantyme: and that the said commissioun be extendit in the best forme, with all clausis neidfull, with expres command and charge in the samyne, to all and sindre erllis, lordis, baronis, frehaldaris and

substantious gentilmen or yemen, with the inhabitantis of burrowis within the saidis boundis, to ryis, concur, and pas furthwart, as thay salbe commandit and directit, for furthering of his hienes auctoritie and seruice, in persute of rebellis, or resisting of thair invasioun, according to the said lieutennentis proclamationis to be maid and direct thairanent, vnder the pane of tinsell of lyff, landis and guidis. Subseryuit be oure said souerane lord, at Halyruidhous, the nynt day of Nouember, the zeir of God 1^{my}lxxxxii zeiris: And that thir presentis be ane sufficient warrand to the greit seill, without ony vther warrandis, to preceid.¹

JAMES R.

SIR ROBERT MELUILL.

Dorso—Registratt 11 November 1592.

J. OLIPHANT.

242. DIRECTIONS by JAMES THE SIXTH to WILLIAM, TENTH EARL OF ANGUS, for quelling the disturbances in the Highlands. November 1592.

MEMOIR OF OUR DIRECTIOUN to our richt traist Cousing and Counsallour, Williame erle of Angus, lord Douglas and Abirnethy, etc., presently directit be ws towardis the north cuntre, to the erllis of Huntlie and Atholl, concerning the staying of the recent trublis and disorderis fallin out in the said north cuntre. From Haliruidhous, the day of Nouember 1592.

ZE sall pas to ather of the erllis of Huntlie and Atholl, quhome ze find redyest in zour way. Deliuer oure lettre, and lett it be vnderstand how heichlie we ar grevit with thir lait fallin out trubles and crueltyis, qwhilkis zit at sumtyme mon tak end, and the sounair the better. Desire thame, thairfoir, as thai luif ws, and will gif a profe thairof, that thai failt not presently to subscriue the assuirances quhill the day of Maij, and gif thai refuis, to command with auctority; or gif thai mak difficultie to aggre to that day, to the xv of Marche, or at schortest, to the first of Januar: for it will requir a reasonable tyme to send to and fra for sic thingis as may be alledgit and ansuerit, befor the mater be brocht to ane conclusioun.

And in the meantyme, that ze move the Erle of Atholl to cum to Perth, and

¹ There is also a Letter of Gift by King James the Sixth, under his signet, to the Earl of Angus, of all the casualties within the bounds of his lieutenantry in the north,

subscribed by the King and Sir Richard Cockburn, his secretary, 9th November 1592.— [Douglas Charter-chest.]

bring M^cYntoshe thair, or at leist to Dunkeld; and the erle of Huntly to cum to Abirdene, and with him Glengary, M^cConile Dwy and Makrannald, that we may be informit of the trew estait, ground and occasioun of thir trublis, and may haue thame the neirer, to haue ansueris to and fra, quhill thair may be sum setling be aggregment of partyis, or, be our order, vsing thairunto all sic gude persuasiounes as ze sall find expedient.

Bot in cais ather of the principall partyis, or baith, schaw thameselffis obstinat and vnwilling to gif and tak assurance, and to follow our aduis and directioun, ze sall planely lett thame baith, or the obstinat pairty vnderstand that we will not suffer the cuntre to be forder wrakit with thair particularityis and maintenance of the querelles of wickit and bludy brokin men, bot will put the contempneris in daunger of our lawis, that sall assist ather pairty, and esteim of thame as perturberis of the publict quietnes, and enimeis to ws and our croun; qwhilk ze sall presently tak ordour with, for oure obedience and the quyet of the cuntry, according to the best advise that ze haue or sall resaue.

And ze sall further denunce and signify vnto thame, or ather of thame that ze sall find obstinat to follow our aduis, and request that we will declair ourself pairty to thame, and hes gevin zow our commissioun to conuocatt our faithfull and obedient subiectis, as our lieutenant, and to joyne in the defence and maintenance of the pairty obeyand, and to mak our proclamationis to that effect.

In cais the erllis refusis to tak burdene on thame for the hieland chiftanis, thair dependeris, lett the assurance be takin for thame selfis, thair kin, freindis, seruandis, assistaris, partakeris, and all that thai may lett.

And then preas the hieland chiftanis to assuir for thame selfis; and gif thai failze, caus denunce. Ze may find sum moyen to send zour lettrez to thame, bot for executing of chairgis aganis thame, the same may weill aneuch be done at the mercatt croce of the heid burgh of the schire.

In cais it salbe obietit be the erle of Atholl that this assurance can not extend to the personis at the horne for the slauchter of the erle of Murray, we think, notwithstanding, that the assurance mon be generall and without exceptioun; sen, vtherwyis, it can neuir be effectuell to begin quietnes, quhill the materis in contrauersy may be hard and orderit be ws.

And as to the commissioun grantit to the erle of Athole, for persute of the personis at the horne for the erle of Murrayis slauchter, we haue very guid caus to suspend the same, sen thair was neuir a mynt maid to execut that commis-

sioun aganis the personis that wer indeid culpable and at the horne for that mater. Bot quhen a conclusioun wes takin to wrak Glenmuk, be the slauchter and heirschip of certane innocent gentilmen and pure commonis, inhabitantis thairof, that commissioun was delyuerit in the handis of the executouris of that barbarous cruelty, as a moyen to spur thame furthwert, and to warrand thame.

JAMES R.

Dorso—Memoir gevin be the king to my lord, how to proceed in the north pairtis.

243. MEMOIR by the LORD CLERK REGISTER for the LORD LIEUTENANT in the North. 10th November 1592.

10 Nouembris, anno, etc., 1592.

THE day of the proclamatioun wald be weill aduisit on : for it wald not be befor that my lord had gottin ansuer fra the erllis of Huntlie and Atholl anent the subscribing of the assurance, for gif ze mak zour day ower suddane, the dayes of the proclamatioun will rin befor ze be able to execute ony thing be force.

Zour proclamatioun mon be to ane day and place, and thairfoir ze mon haue consideratioun vpoun quhat day ze may get zour proclamatioun maid at Innernes, for gif it be thair vpoun sa short warnyng as probably it can not cum to the knowlege of the subiectis within that schire, it will tak na effect.

Be suir, befor ze pas by Sanct Johnstoun, quether the erll of Atholl be past ower the Month or not ; for gif he be still at Dunkeld or the Blair, it is mekle better that ze be at poynt with him in zour bypassing nor to cum or send bak agane quhen ze ar cum to Murray.

Gif ze proceed to hald iustice courtis, it is to be avisit gif ze will crave my lord justice clerkis benuolence, seing commounly his deputtis ar employit at sic iustice courtis, and thairfoir he wald be moved othir to send a depute or to auctorize zour clerk as his depute.

The space of the proclamatioun wald be weill considerit, for gif it be schort ze wilbe able to do small thing, and gif it be lang it will stay iustice in all ciuile caussis befor the sessioun during the tyme of the proclamatioun, for all the subiectis duelland benorth Tay.

Befoir ze depart, knaw the kingis mynd quhomto ze sall direct zour lettres for getting resolutioun in ony thing that may occur in zour absence, quhilk is maist necessar.

Be maist cairfull to obserue newtralitye and indifferency in all zour proceed- ingis, in respect of the greit wraith standing amangis the partiis.

Befoir ze pas north aggre with Dundie and Montrois to lett zow haue sa mouy hagbutters, and gif ze wald hald thame the langair tak the fewair, and the like in Abirdene and remanent the northland burrowis.

In euery shire thair is sum speciall men of gude knowlege, quhais opinionis my lord wald inquire baith toward the state of the present troublis in the cuntrie and of the best meanis to quiet the same.

Thair is xij missive lettres. Is it my lordis mynd to haue thame directit to thir xij personis ?

The erll of Craufurd.

The erll of Erroll.

The maister of Forbes.

The lard of Drum.

The lard of Findletter. My l. of Altrie.

The lard of Fillorth.

The erll of Cathnes.

The erll of Sutherland.

The lord Lovet.

Makkenzie.

The lard of Grant.

Or quha vther in place of ony of thir ?

Efter that the instructionis wer subscriuit vpoun motioun maid to his Hienes, he was content that gif my lord lieutenant sall not haue occasioun to speik my lord of Atholl quhill his cuming to Darnway, and findis him reddy to subscriue the assurance, then the assurance being agreed vnto and subscriuit on ayther syde, it apperis to his majeste na inconvenient that the erll of Atholl remane sum ressonable tyme in Murray quhill he may guidlie outred his tume thair, he remanand bewest the watter of Findorne, and my lord of Huntlie beeist the watter of Spey, quhill the erll of Athollis cuming to Perth, and the erll of Huntlyis cuming to Abirdene, as his hienes hes befoir desirit.

Ony thing that is to be eikit or pairit to the instructionis will depend vpoun ony occasioun quhilk his majeste salhaue to write to my lord lieutenant or vpoun aduertisement cuming from him.

Dorso : A memoir of the clerk of register.

244. LETTER by KING JAMES THE SIXTH to the MARCHMONT HERALD, charging him to command GEORGE EARL OF HUNTLY and JOHN EARL OF ATHOLE, with GLENGARRY, LOCHIEL, and other Chiefs, to subscribe an Assurance. 9th November 1592.

JAMES, be the grace of God King of Scottis, to our louittis Gilbert Guthrie, Marchmont Herald, messingeris, oure schireffis in that part, coniunctlie and seueralie, specialie constitute, greeting: Oure will is, and for certane causis and considerationis moving ws, tending to the obseruatioun of oure peace, quietnes and gude rewle in the cuntre, we charge zow straitlie and commandis that incontinent thir oure lettres sene, ze pas, and in our name and authoritie, command and charge oure rycht traist cousing, George erle of Huntlie, lord Gordoun and Badzenocht, for himself, and takand the burding vpon him for Donald McAngus of Glengarry McConill Dwy of Locheild, and McRannald of Keppach, on the ane part, and our rycht traist cousing, Johnne erll of Atholl, lord of Balvany, for himself, and takand the burding vpoun him for Lauchlane McYntosche of Dunnauchtane, on the vther part, to subscriue sic forme of assurance, ayther of thame to vtheris as salbe presentit to thame to induir unto the day of nixtocum, within nixteftir thay be chargeit be zow thairto, vnder the pane of rebellious and putting of thame to our horne; and gif thay or ony of thame failze thairin, the said space being bipast, that ze, incontinent thaireftir, denunce thame oure rebellis, and put thame to our horne, and escheit and inbring all thair movabill gudis to our vse for thair contemptioun; as ze will ansuer to ws thairupoun: the quhilk to do, we commit to zow, coniunctlie and seueralie, oure full power, be thir oure Lettres, deliuering thame be zow, dewlie execute and indorsate, agane to the berare. Gevin vnder oure signet, at Haliruidhous, the nynt day of Nouember, and of oure regnne, the xxvj zeir, 1592.

Per actum secretj consilij.

J. ANDRO.

245. LETTER by WILLIAM, TENTH EARL OF ANGUS, as Lieutenant and Justice-General North of Tay, to GILBERT GUTHRIE, Marchmont Herald. 1592.

VILLIAME ERLE OF ANGUS, lord Dowglas and Abirnethy, etc., Lievtennant for his Maiestie in the northe, and Justice-generall within the boundis of al the Schirefdomes benorthe Tay, to our lovettis, Gilbert Guthrie, Marchmont Herald messingers, our schireffis in that part, coniunctlie and seuerallie, speceallie constitut, greting. Our vill is, and we command zove, that ze cairfullie charge, be oppin proclamatioun at the mercat croce of and vther places neidfull, , to compeir befor ws and our deputtis at , the day of , in the hour of caus, to gif account and ansuer in the executioun of his office, for proclamatioun of ane commissioun grantit be his Hienes to Johne Erle of Athoill, Lord Balvany, etc., and his colledges laitley apone the day of Nouember, at the mercat croce of Elgain, efter the proclamatioun of our commissioun of lievtennentrie, and discharging of all and sundry vther commissions quhatsumever grantit befor till ony persons be his maiestie during the tym and space of our said commissioun, and ceassing of all effectis and executioun therof, conforme to our said commissioun and proclamatioun past thairapone, and tharfor to be pvnischit in his lyif and gudes as ane misvser and contemner of his Maiesteis autoritie, certefeing him, gif he compeir nocht the said day and place, he salbe denuncit our soueraign lordes rebell and put to his hienes horn, and in the mean tym, that ze discharg him of al forder executing of his office, quhill the said day, vnder pain forsaid, the quhilk to do, we commit to zove, coniunctlie and seuerallie, our full pover, be thir present lettres, delyveringe the sam be zove, devlie execut and indorsat again to the berair. Geven vnder our signet and subscriptioun at , the day of , 1592 zercs.

V. ERL ANGUS, Lieutenant.

246. ASSURANCE by JOHN EARL OF ATHOLL and LACHLAN MACINTOSH of Dunachtin, to the friends of the EARL OF HUNTLY, excepting those who were with Huntly at the murder of James Earl of Murray at Dunibrisle. 4th December 1592.

BE it kend till all men be thir present lettres, we, Johne erle of Atholle, lord of Balvany, etc., at his hienes speceall command, directit to ws, with his Lieutennent, Williame erle of Angus, lord Dowglas and Abirnethy, etc, for oureself, and

takand the burding apone ws for Lauchlane M^cYntosche of Dwnachtane, and al vtheris, our and his kin, freindis, seruantis, assistaris, partakarres that we may stope or lett, to haue assurit, and, be the tennour herof, speceallie assuris, the kin, freindis, seruandis, partakers, and assistaris of George erle of Huntlie, lord Gordoun and Badzenocht, etc., Donald M^cAngus of Glengarie, Allane M^cOnil Dwy of Lochell, and Alaster M^cRannald of Keppache, thair kin, freindis, seruandis, partakers and assistaris, to be vnhurt, vnharmit, vnmolestit, vntrublit, or in ony vayes persewit, for auld feid or new, bot be the ordour of law, vnto the fyvtein day of Fabruar nixtocum : And we sall keipe this present assurance inviolat, vnder the pain of periurie, defamatioun, and tinsail of perpetuall honour, estimatioun and credeit, exceptand sa mony of the said George erle of Huntleis kin, freindis, partakers and assistaris, as wes actuallie witht him at the slauchter of James erle of Murray, and Patrik Dunbar, schireff of Murray, at Dwnybirisill. And in cais the assurit persones abonementionat sall concur or assist, be way of deid, the said George erle of Huntlie, or ony committers of the forsaid slachther, be invading of ws, within the said space, this assurance to expyir, and be null in the selff. In witnes herof, we haw subscribit this present assurance, witht cure hand, at Darnvay, the fourt day of December, the zeir of God I^m v^c and foure scoir tuelf zeris, befor thir witnessis, Simone, Lord Fraiser of Lowat ; Mr. Peter Zoung of Seytoun, Lord Almonsair to his Maiestie ; Archebald Dovglas of Quhittinghem, ane of the ordinar number of the Colledge of Justice ; Johne, Master of Forbes ; Mr. Johne Ogilby, fear of that Ilk ; Allexander Irvyn, zounger of Drum.

JHONE ERLE OFF ATHOLL.

LAUCLAN MAKINTOSCHE of Dunnathtin.

SYMON LORDE FRASER of Louett, vitnes.

JHONE MASTIR OFF FORBES, vitnes.

P. ZOUNG of Setoun, witness.

S^r A. DOUGLAS, vitnes.

ALL. DRUM, vitnes.

247. ENGAGEMENT by GEORGE EARL OF HUNTLY, for himself, GLENGARRY, LOCHIEL, and other Chiefs, to JOHN EARL OF ATHOLE and MACINTOSH of Dunnachtin. 8th December 1592.

BE it kend till all men be thir present lettres, ws, George erle of Huntlie, lord Gordoun and Badzenocht, etc., for ousself, and takand the burding apone

ws for Donald Makangus of Glengarie, Allane M^cOnill Dwy of Locheill, and Alaster M^cRannald of Keppache, and all vtheris oure and thair kin, freindis, seruandis, assistaris and partakers, and all that we may lett, to haue assurit, and be the tennour herof speceallie assuris Johne erle of Athoill, lord of Balvany, etc., and Lauchlane M^cIntosche of Dunnachtin, and all vtheris thair kin, freindis, servandis, assistaris, and partakarris, to be vnhurt, vnharmit, vnmolestit, vntrublit, or in ony vayes persewit, vtherwayes nor be ordour of Law, other for and feid or new, vnto the fyfteine day of Fabruar nixtoewm, and sall keipe this present assurance vniolat, vnder the pain of periurie, defamatioun and tinsell of perpetuall honour, estimatioun and credeite. In witnes herof, we hane subscriyvit this present assurance witht oure hand, at Hntlie, the aucht day of December, the zcir of God I^m v^e fourscoir tuelff zeris, befoir thir witnessis, Archebald Douglas of Quhittingham, ane of the ordinar colledg of Jnstice ; Johne Cullace of Balnamoyn ; Johne Scrymgeour of Glasvaille ; Allexander Iruyn, apperand of Drume.

S^r A. DOUGLAS, vitnes.

GEORGE ERLE OF HUNTLYE.

J. SCRYMGEOUR off Glaswall, vitnes.

ALL. IRVIN, vitness.

JHONE COLLACE, Balnamvn, vitnes.

248. FACTORY by KING JAMES THE SIXTH to LUDOVICK DUKE OF LENNOX of the forfeited estates of WILLIAM, sometime EARL OF ANGUS. 15th September 1594.

JAMES, be the grace of God King of Scottis, to all and sindrie onre liegis and subiectis quhom it affeiris, greting : Forsamekill as William, snmtyme erle of Angus, lord Douglas and Abirnethie, being in onre last parliament, haldin at Edinbrghe, the aucht day of Junij last bypast, ordourelie convict and foirfaltit for certane gret crymes of treasons and lesemaieste committit be him, as in the proces, dome and sentence of forfalonre, deulie and ordourlie dedncit and pronuncit aganis him thairvpon, at mair lenth is contenit, quhairthrow the haill landis, lordschipis, baroneis, rentis, leving, castellis, touers, fortalices, and vtheris vndirwretin, qnhilkis pertenis of befoir to the said William, snmtyme erle of Angus, ar now becnm in oure handis and at onre disposition ; it appertenis to ws of deutie to appoynt snm persone best affectionat to ws and our seruice, for vplifting, receaving and intro-

metting with the saidis landis, lordschipsis, and vtheris abonerehersit, and haveing sufficient experience of the gret affection and faithfull service borne and done to ws be oure darrest counsigne, Lodouic, duik of Lenox, erle Dernlie, lord Tarbol-toun, Methven and Aubigny, etc., gret chalmerlane of our realme, hes thairfor, and for diueris vtheris causis moving ws, maid, constitute and ordanit, and, be thir presentis, makis, constitutis and ordanis the said Lodouic duik of Lenox, etc., oure very lauchfull, vndoutit and irreuocable factour of all and sindrie landis, baroneis, erldome, lordschipsis, regaliteis, and vtheris eftirspeifeit; thay ar to say, of all and hail the landis, lordschip, baronie and regalitie of Keremuir, with the pertinentis lyand within the schirefdome of Forfar; all and hail the landis, lordschip, and baronie of Abirnethie, with the regalitie thairof, lyand within the schirefdome of Perth; all and hail the landis, lordschip, and baronie of Selkirk, witht the pertinentis lyand in the schirefdom of Selkirk; all and hail the landis, lordschip, and baronie of Jedburgh Forest and regalitie thairof, with thair pertinentis, lyand within the schirefdome of Roxburgh; all and hail the landis, lordschipsis and baroneis of Bonkill and Prestoun, lyand within the schirefdome of Bervik; all and hail the landis, lordschip and baronie of Bothuell, lyand within the schirefdome of Lanerk, with the landis of Dunsyre Eister, the mylne and Maner Place thairof, the landis of Wnstoun and Todhoillis and thair pertinentis; the landis of Handay Wod, Horssop Hart, Schaw medow, Somerscheill and Kettill Scheill, with thair pertinentis, lyand within the said schirefdome of Beruik, and, be annexation, in the said lordschip of Bothuell and schirefdom of Lanerk foirsaid; all and hail the landis, lordschip and baronie of Douglas, the landis, lordschip and baronie of Craufurd Douglas, alias Craufurd Lyndesay, with thair pertinentis, lyand within the said schirefdome of Lanerk; all and hail the landis of Thomptaloun, lyand in the constabularie of Hadingtoun and schirefdom of Edinburgh; all and sindrie the landis, lordschip and baronie of Cokburnispaith, with the maynis, park, wod, mylnis, multuris and pertiuentis thairof, the landis of Bowscheill, Paid-dokeleuch, Rochamsyde, Tourlie, and all thair pertinentis, lyand within the said schirefdom of Beruik; all and sindrie the landis and places of the Forrest, viz., the Place and landis of Catslak, the Places and landis of Eister and Wester Mombeugeris, with the Schuting Leyis, with thair pertinentis, lyand in the Lordschip of Ettrik Forrest, within the said schirefdom of Selkirk, together with all and sindrie particular castellis, touris, fortalices, mauerplaces, mylnis, multuris, woddis, forrestis, fischingis, outseit, annexis, connexis, pairtis, pendicles, tenentis, tenandreis, and seruice of frie tenentis, aduocation, donation and rycht of patronage of

all benefices, kirks and chaplanereis of the saidis haille landis, lordschipis, baroneis, and vtheris landis respectiue abone specifeit, lyaud within the schirefdomes respectiue, abone devydit; and, siclyk, of all and sindrie the Kirk landis of Douglas, with thair pertinentis, and of the haille fructis, mailes, fermes, casualiteis, rentis, caynis, customes, proffitis, and vtheris deuteis quhatsumeuir of the forenamit haille landis, lordschipis, baroneis and vtheris particularlie abone expremit, together also with the teyndscheuis and vtheris teyndis pertenyng to the said sumtyme Erle, quhair euir the samin ly, of this instant crop and zeir of God I^m v^e fourscoir fourtein zeiris, and zeirliche tyme cuming, during the space of seven zeiris, with full power to our said darrest cousigne, our factour foirsaid, be himself and his deputis, ane or ma, all and haille the saidis mailes, fermes, frutis, rentis, proffitis, casualiteis, commoditeis and dewteis quhatsumeuir of the saidis landis, lordschipis, baroneis and vtheris particularlie abone specifeit, with the teindscheuis and teyndis foirsaidis, fra the fewaris, fermoraris, rentallaris, tenentis, takismen and possessouris of the samin, and vtheris iutromettouris thairwith and addettit in payment thairof, of the crop and zeir of God abonerehersit and thaireftir, during the zeiris abone mentionat, to ask, crave, receive, intromett with and vptak, and to dispone thairvpone, and vpon thair receipt, acquittances aud dischargis, to mak, giue and delyuer, and, gif neid beis, to call, follow and persew thairfoir, as accordis of the law; and, generalie, all and sindrie vther thingis to do, vse, hant and exerce, that to the office of factorie in sik caisis of the law or consuetude of our realme is knawin to pertain, or that we mycht do oure selffis; firme and stable, etc.; chairgeing heirfoir all and siudrie the saidis fewaris, fermoraris, rentallaris, tenentis, and vtheris abonementionat, addettit in payment, as said is, to reddelie ansuer, intend, obey aud mak thankfull payment to our said darrest cousigne and his foirsaidis of the saidis frutis, rentis, mailes, fermes, casualiteis, and vtheris deuteis abonerehersit, of the crop and during the zeiris abonewretin, dischairgeing, alsua, be thir presentis, all vtheris preteudit lettres of chalmerlanrie or factorie maid aud grantit be ws to quhatsumeuir vther persone or persouis of the landis, lordschipis, and vtheris abonementionat, or of ouy part thairof, declaring the samyn to haue bein fra the beginning, aud to be in all tymes cuming, null and of nane availle, force nor effect, and that lettres be direct, be the lordis of our counsale and session, to caus our said darrest cousigne aud his foirsaidis be thankfullie ansuerit and obeyit, of all and sindrie the mailes, fermes, proffitis, and deuteis of the saidis landis, lordschipis and vtheris abonerehersit, during the tym and zeiris foirsaidis, in maner abone expremit, iu form as affeiris. Gevin vndir our signet, and sub-

seriuit with oure hand, at Halyrudhous, the fyftein day of September, and of oure Regne the xxviiij zeir, 1594.

JAMES R.

J. T. Cancellarius.

BLANTYRE. NEUBOTLE.

Dorso—This Lettre presentit and registrat the xviiij of September 1594.

MAISTER ROBERT ZOUNG.

249. BOND OF UNION between WILLIAM, TENTH EARL OF ANGUS, and divers gentlemen of his name and friends, for furtherance of the service of King James the Sixth. 20th December 1597.

WHEREAS, be his Maiesteis honorable intentioun vttarid in this his last Parleuent, it appeires that his Hienes is to have to do with great service baith at hame, in repressing the insolent attempts of the Bordourers, and abroad, with forrein princes, especially with his nybour cuntrie, for attaining of his iust right and titill to the successioun of that crowne, wherein the faythfull assistance and service of the Erle of Angus, with his name and frends, wilbe mair nor necessare, as in all tymes hertofore, that howse hes bein cheiffly employed in sic weighty effares, tharfore Williame, now erle off Angus, intending to follow and insist in the honorable actiouns of his noble predecessouris, and that na inabilitie sould remaine in him, be the falling awaye of his frends and dependars from that howse, be the occasioun of the late breaches tharof, hes advyседly resolved to vnite the haill frends and dependars on that howse coniunctly to assist him in his majesteis service, when or howsoever it sall pleese his hienes to employe him. Lyke as be thir presents, Wee, the vndersubscryuers, in consideratioun of the premisses and diuars other benefits that maye resulte be this common vnion to all in generall and euerye ane of ws in particulare, binds and obleisses ws, vpon our honours and credits, faythfully to assist and followe the said noble erle in all his honorable intentiouns, for maintenance of the true religion and puritie therof presently professed within this realme, his maiesteis service and benefit of our countrie; as also, in all other his honorable actiouns tending to the weile and honour of his howse and commoun weile of his name and frends, vassals and dependars. And siclyke, to convein with him when and where it salbe thought most expedient to give our faythfull advyses vnto his lordschip vpon all occa-

siouns that sall occurre concerning the foresaids: As also, the said noble Lord, be thir presentis, obleissis him, vpon his honour and fidelitie, to tak na course in hand, contrare to the premisses, bot in all his doeings to followe the faythfull and trew advyse of sa many of his best assisters and wysest frends as salbe nominat to him be common consent, be this mutuell band of vnion subscryued with our handis at Edinburgh, the twentie day of December 1597.

V. D. ERLI ANGUSS.

GLENBARUY.

S^R J. WISCHART of Pitara.

ARCHIMBALDE DOUGLAS off Pettin-
dreich.

S^R JA. DOUGLASS off Torthorald.

S^R A. FERNHERST.

S^R A. DOUGLAS of Quhittingham.

MONYMSK.

JHONE OGILWY of Inuerquharite,
knythe.

JAMES DOUGLAS of Cauers.

S^R JAMES DUNDAS of Arnistoune.

S^R GEORGE AUCHINLEK of Balmanno.

M^R G. DUGLASS of Raquharrald.

J. WISHART of that Ilk.

A. FORBES.

R. DOUGLAS.

GEO. DUGLASS.

J. SCRYMGEOUR off Glaswall.

A. DOUGLAS of Mainis.

JHONE SYMINGTOUN, yonger of that Ilk.

W. B. of Corhows.

W. DOUGLAS, appeirand off Coschogill.

JOHNE LYNDSEY, younger of Cowing-
toun.

WILLIAME DOUGLAS of Boun Jedward,
youngar.

250. ACT OF KING JAMES THE SIXTH AND HIS ESTATES, continuig WILLIAM, TENTH EARL OF ANGUS, in his office of Lieutenant of the West Border. 31st July 1599.

Apud Falkland vltimo Julij Anno Domini lxxxxix^o.

THE quhilk day the barronis of the west merche haifing suddit that Williame erle of Angus, lord Douglas and Abirnethie, sould continew in his charge of lieutenandrie of the west merche, quhilk he hes dischargit this lang tyme bigane, and thay promiseing faithfullie to assist and concur with him in all thingis for pacifeing of the said Bordour, and for fordering and advanceing of him in his said office of lieutenandrie, the said Williame, erle of Angus, than, instantlie, in presence of our souerane lord and his estaittis acceptit the said office and charge in and vpoun him, and promiseist to continew thairin, and to discharge the samin faithfullie for his maiesties seruice and for quieting of the

said bordour, ay and quhill he mak his hienes and his counsall acquent that he wald vse the samin na langer nor that sum vder officier be apointit for dischargeing thair of. *Extractum de libro actorum conventionum per me magistrum Alexandrum Hay, scribam deputatum eiusdem, sub meis signo et subscriptione manualibus.*

ALEXANDER HAY.

251. RATIFICATION by KING JAMES THE SIXTH to WILLIAM EARL OF ANGUS of his place in Parliament, etc. 15th December 1599.

REX.

WE, remembering the mony notable and gude officeis and seruiceis don to ws, and our maist noble progenitouris of worthy memorie, be the Erllis of Angus for the tyme and vthiris of the surename of Douglas, not onlie in the particulair adois and effearis quhairin they wer specialie imployit, bot in the couragious, valiant and manfull defending and mantening of the liberteis of our realme with the hasard and losse of sindrie of thair awne lyveis and of the lyveis of thair freindis and followaris, sua that worthelie and vpoun gude considerationis our predicessouris hes grantit vnto thame diuers honnouris, preuilegeis and prefermentis, especiallie honnourable placeis in parliamentis, conuentionis and counsallis, to the effect the same micht be ane sufficient testimony to all ageis of thair bigane worthie deserving, and micht encourage vthiris to the lyke valiant and couragious gude officeis; and we being alwayes assuirit of the lyke fordwardnes in our richt traist cousing and counsallour Williame Erll of Angus, and willing to move him to the greitair gudewill to imitat the worthy example of his predicessouris, be thir presentis promittis in the worde of a prince that our said cousing sall peaceable brouke and inioy all the former honnouris, preuilegeis and immvniteis grantit be ony of our predicessouris to ony of his foirbearis, and in speciall that same place and honnour in parliament, counsall and conuention, and beiring of honnouris that he himself and his forbearis had of befoir, nochtwithstanding quhatsomeir new erectioun or dispositioun of new honnouris, digniteis, stylis or titlis to ony personis quhatsomeir, quhilkis may in onywayes seame to preiuge our said traist cousing and counsallour or his successouris in the erldome of Angus of thair place, or derogat thairto in ony sorte. Gevin vndir our signet, and subscriuit

with our hand at Halyrudehouse, the fyftene day of December, and of our reigne the xxxiiij yeir, 1599.

James 6th

for my intention is not nor never was to
 bringe him of any prouildges that euer
 his predeceffouris bruk'ie or he be any
 riche can claime unto.

MONTROISS, Can^{rius}
 Secretar.

252. STATEMENT relative to the Charters of Rogertoun. [Circa 1600.]

THE tuel merk land of Rogertoun.

THE tuel merk land of Rogertoun pertinit to Jhone Auchinlek of [that] Ilk, knight, and was compresit fra him be vmquhile Archbald, erle of Angus, lord Dowglas, chanchellar of Scotland, for the soume of fyue hundereth pundis. Thir landis lvis within the Schirefdome of Air, quhairof thair is infestment past the grit Seall and privie Seal, becaus the erle of Angus was chanchellar; precept and instrument of sasine therof are extent: Elizabeth Auchinlek, dochter to vmquhile James Auchinlek, procreat betuixt him and Gelis Ros his spous, quha mareit Schir William Dowglas, the first laird of Glenbervie of the name of Dowglas, quha was lauchfull sone to Archbald erle Angus, chanchellar, quha deceissit at Wigtoun, is heretable infest in all and hail 22 merk land lyand within the baronie of Auchinlek and schirefdome of Air. The precept and sasine is extent. The chartour is to be socht furth of the Register. The dait of the precept, the 8 of April, and of the rigne of king James the frid, the 8 zeir. The dait of the instrument of sasine the 20 of April 1496. The kingis maiestie is air to the said vmquhile Archbald, erle of Angus, and consequentlie to the tuel merk land of Rogertoun comprysit.

Nota, to awyse quhat securitie salbe tane heirot to my lord fra the kingis maiestie.

As to the landis quhairin the said dame Elizabeth Auchinleck was infeft and seasit, William, now erle of Angus, may entir air to hir be ane brief; because scho was my lordis forgranddame V. S., spous of vmquhile Schir William of Braidwood, knicht.

Item, it is to be rememberit that Mr. Jhone Auchinleck, secund sone to Schir Jhone Auchinleck of that ilk, knicht, was infeft in all and hail the landis and baronie of Auchinleck vpoun the resignatioun of Schir Jhone his father, and in the landis of Rogertoun vpoun the resignatioun of the said Archbald erle of Angus. The dait of this infestment is xv of March 1488. Thir landis ar disponit be this chartour to Mr. Jhone Auchinleck and the airis maill to be gottin of his body, quhilkis falzeing, to William Dowglas, sone to the said Archibald and Elizabeth Auchinleck, nevoy to the said Mr. Jhone, and to the langest levar of tham tua for all the dayis of thair lyftymes; and eftir thair deceis, to the airis lauchfullie gottin or to be gottin betuixt thame.

Becaus William, now erle of Angus, is air discendit of that mareage, and thairby will haue richt to that chartour, giue thair be na airis maill discendit of the body of the said Mr. Jhone Auchinleck, to inquiry giue he haid ony lauchfull sones. It appearis be ane decreit arbitrall proceeding vpoun ane submissioun past betuixt Archbald erle of Angus and Mr. Gavin Dowglas, as procuratour of Elizabeth Auchinleck and Schir William Dowglas hir spous, and Mr. George Hepburne, deane of Dunkeld, and Allexander Auchinleck, rectour of Glenbervie, as tutor to James Auchinleck, sone to vmquhile Mr. Jhone Auchinleck, that the said vmquhile Mr. Jhone haid ane sone callit James. Be this decreit, it is fund that all landis pertening to him as air to vmquhile Schir Jhone of Auchinleck, his gudschir, or to vmquhile Mr. Jhone Auchinleck, his father, or be quhatsumevir wther richt, sall pertene and remane with the said Elizabeth Auchinleck and hir airis for evir mair.

For fulfilling of this decreit arbitrall for the pairt of James Auchinleck, the erle of Arroll and Mr. George Hepburne, deane of Dunkeld, ar becum cautioner.

To tak tryell quha brukis the landis and baronie of Auchinleck, lyand within the Schirefdome of Air, within the quhilk baronie the tuel merk land of Rogertoun lyes.

It is to be supponit, that the Bosuallis brukis this baronie of Auchinleck be ane infestment of recognitioun, and als be wertew of sum indentouris past betuixt vmquhile Schir William Dowglas of Braidwood and Thomas Bosuall of Auchinleck.

Giue ony recognitioun be, it may be reduceable be the infestmentis grantit to

Archbald erle of Angus vpoun the comprysing, and be the infeftmentis grantit to Elizabeth Auchinlek and vmquhile Mr. Jhone Auchinlek.

Nota, thair is na sasine sein of the chartour maid to vmquhile Mr. Jhone Auchinlek.

Item, ane dischairge giuen be the Captaine of Craffurd and Sara Douglas, his spous, to the erle of Angus, of 2000 merk, and ane assignatione to the said erle for 2000 merk lyand upon the laird of Edzell's land thairin contenit, 13 of Juin 1598.

253. PERMISSION by KING JAMES THE SIXTH to WILLIAM, TENTH EARL OF ANGUS, to remain at home from the army, appointed to meet at Biggar. 21st February 1602.

REX.

WE, be the tennour heirof, grantis and gevis licence and libertie to our richt traist cousing and counsallour, the erll of Angus, and his seruandis, to remayne and abyde at hame, fra our present oist and raid appointit for meating ws at Bigar, and fra thyne to accompany and attend vpoun ws to Drumfreis, for repressing of the insolence of the broken men within that marche, without any cryme, skaith, pane, or danger to be incurrit be him or thame thairthrou, in thair personis, landis or gudis, be ony maner of way, in tyme cuming, notwithstanding any our proclamationis, maid or to be maid in the contrair, anent the quhilkis and pauis thairin contenit, we dispence, be thir presentis. Gevin vnder our signet, and subscriuit with our hand, at Halyruidhous, the xxj day of Februar 1602.

JAMES R.

J., Secreter.

254. COMMISSION of JUSTICIARY by KING JAMES THE SIXTH to WILLIAM, TENTH EARL OF ANGUS, within the Lordships of Douglas and Crawfordmuir. 5th March 1605.

JAMES R.

JAMES, be the grace of God king of Great Britane, France and Ireland, Defender of the faith, to all and sindrie quhome it effeiris, quhais knawlege thir presentis sall cum, greiting. Vnderstanding that thair is dyvers persones duelling, hanting and reparing within the lordschippis of Douglas and Craufurdemure, quha hes

committit, and daylie committis commoun thift, receipt of thift, outputting and imbring of thevis, hocheris of oxin, quhilkis can not be stayit without punisment be put thairto, and seing thay can not be taue in committing of the saidis crymes reidhand, be ressonne of thair quiet and thifteous committing thairof, quhairthrow the Schiref of the Schirefdome quhair the saidis persones duellis can not iudge thairvpone: Witt ze ws, thairfoir, to haue maid, constitute and ordanit, lyke as be the tenour heirof we mak, constitut and ordane oure richt traist cusigne and counsallour, Williame erle of Angus, lord Douglas and Abirnethie, etc., oure justice in that pairt; gevand, grantaud and committand to him, oure full, frie, plane power, commissioun, expres bidding, command and chairge, all and sindrie the persones duelland, hantand, and reparand within the saidis lordschippis of Douglas and Crawfordmure, or ony pairt thairof, delaittit or suspect, or that sall happiu to be delaittit or suspect of the crymes abone writtin, or ony of thame, to tak, apprehend, put and hald in captivitie and presone, quhill iustice be ministrat vpone thame for the same; court or courtis of justiciarie to that effect neidfull, within the boundis foirsaidis at quhatsumeuir partis or placis, and als oft as thay sall think expedient, to set, begin, affix, affirme, hald and continew, als oft as neid beis; suitis to mak be callit, absentis to amerciati, vnlawis, amerchiamentis and escheitis of the saidis courtis, to ask, lift, rais, and, gif neid beis, thairfoir to poind and distreinzie, and to his awin vse, for his labouris to apply; all and sindrie persones deleitit or suspect of the saidis crymes, or ouie of thame, befoir oure said justice in that pairt in the saidis justice courtis to call, and be dittay to accuse, and thame to the knowlege of ane assyse to put, and, as thay sail be fund culpabill or innocent, to minister justice vpone thame, conforme to the lawis of oure realme; assyse neidfull and als oft as sall be thoct expedient to our said justice in that pairt, of the best and worthiest persones, duelland within the boundis foirsaidis and four halfis about, leist suspect, to ane sufficient numer, to compeir befoir him, at quhatsumeuir dayis and placis to be assignit be him, to pas vpone the assyse of the saidis persones, ilk ane of thame vnder the pane of fourtie pundis, to summond, cheis and caus be suorne; clerkis, seriandis, dempsteris, and all vther officiaris and memberis of court neidfull, for the quhilkis he sall be haldin to ansuer: And, generallie, all and sindrie vther thingis to do, hant, vse and exerce anent the premisis, that to the office of ane justiciar in sic caices is knawin to pertene; firme and stabill, haldand and for to hald, all and quhatsumeuir thingis our said justice in that pairt lauchfullie leidis to be done anent the premisis: Quhairfoir we expreslie command zow, our lieges and all vtheris quhome it effeiris, that

ze reddelie ansuer, intend and obey, to oure said justice in that pairt, in all and sindrie thingis concerning the said office, vnder all hiest pane and chairage that efter may follow. Gevin vnder our Signet, at Edinburgh, the fyft day of Marche, and of our Regnnes the xxxviij and secund zeiris, 1605. This oure commissioun for the space of half ane zeir efter the date heirop, but reuocatioun to induir, and to haue executioun onlie within the said erllis awne boundis of the lordship of Douglas and Craufurdemure allanarlie, and na forder.

MORTOUN.

MONTROISS, Commissonar.

ATHOLL.

DUNFERMELING, Chancelar.

GLAMISS.

ERROL.

LINLYTHQOW.

Dorso—Apud Edinburgh, quinto Martij 1605. Red and past in Counsaill.

J. PRYMROIS.

This Lettre presentit and registrat the day within writtin.

MR. ROBERT ZOUNG.

255. TESTAMENT OF WILLIAM, TENTH EARL OF ANGUS. 31st October 1608.

WE Williame Erle of Angus, Lord Dowglas and Abirnathie, being of mynd to remowe all occasioun of contrawersie that may arrys or fall furthe be oure deceis; and seing nathing is mair certane nor daithe, and the tyme thair of vncertane, we mak our testament and lettre will as followis: In the first we nominat, makis and constitutis James Dowglas, prowest of Abirnathie, Francis Dowglas, Maistress Marie and Elizabethhe Dowglassis, our lafull bairnis, our executouris testamentaris. Item, we mak, nominatis and constitutis Dame Elizabethhe Oliphant our spous, tutrix testamentaris to the saidis Frances, Maistres Marie and Maistres Elizabethhe Dowglassis, during the tyme of hir widowheid alanerlie: and incais of hir mariage or deceis, we nominat Walter Carmichaell of Park tutour testamentar to the said Maistres Elizabethhe Dowglas, and Mr. Williame Oliphant of Newtoun, advocat, tutour testamentar to the said Frances Dowglas. Item, it is our will that the mwntioun, wapinis and airmour within our castellis of Thomptalloun and Dowglas, and housis adiacent thairto, remane within our saidis castellis and housis to the behuiff, vtilitie and proffeitt of Williame Lord Dowglas, our eldest sone, and his airis mail, successouris to him in the erledome of Angus—dischaiging expreslie be thir presentis our said spous and executouris, that thai pretend nor clame na richt thairto. And becaus for the speciall regard and

respect borne be ws to the weill and standing of the ancient hous of Angus, and for the respect borne be ws to our said eldest sone, we haue debursit greit sowmes of money for releiff of certane greit dettis and burdingis quhairwith our said sone and the heretage pertening to the said hous off [Angus] mycht haue beine burdenit. And als nocht being willing to burding our landis with the soume of tuelff thowsand merkis, quhilkis we may tak vpoun our landis, and leving be vertew of ane prouisioun and libertie contenit in our said sone his contract of mariage, it is our will that the said Williame Lord Dowglas thankfullie content, pay and delywer to the said Maistres Marie Dowglas, our dochter, within zeir and day efter hir mariage the soume of sex thowsand merkis guid and vsual money of this realme of Scotland; and siclyke to the said Maistres Elizabethe, our zougst dochter, within zeir and day efter hir lafull mariage, the soume of four thowsand markis money foirsaid, and that for support of thair mariages and tocheris by and attour the prouisionis maid to thame alreddie, and that of the first and reddiest of the soumes of money quhilkis the said William Lord Dowglas sall ressaue fra the tennentis of the erledome of Angus in name of girsum and entres efter our deceis. And last it is our will, and we command the said Williame Lord Dowglas our sone to assist, fortifie and mantene the said dame Elizabethe Oliphant, comptes of Angus, his mother, and his foirsaidis brether and sisteris in the peciabill possessioun of all thair landis, rentis and possessionis pertening to thame and ilkane of thame, and that he mak thame na trubill nor impediment thairin; and that he and thay leiff in mutuall frei[n]dscheip and amitie as it becumis Cristianis, and as thay ar obleist baithe be the law of God and man. In witnes quhairof to thir presentis, writtin be Laurence Oliphant of Condie, and subscriuit with our hand at the Cannogait besyde Edinburgh, the last day of October j^mvj^c and aucht zeiris, befor thir witnessis, Mr. Laurence Macgill, advocat, and the said Laurence Oliphant, wrettar heirof.

M. LAURENS MAKGILL, witnes.

V. D. ERLI ANGUSS.

LAURENCE OLIPHANT, witnes.

256. PERMISSION by KING JAMES THE SIXTH to WILLIAM, ELEVENTH EARL OF ANGUS, to leave the Kingdom for three years, for the recovery of his health. 8th August 1616.

JAMES, be the grace of God king of Grite Britane, France and Irland, Defendar of the faith, to all and sindrie our lieges and subiectis whome it effeiris, to whois

knowledge thir our letteris shall come, greeting. Forsamekle as wee ar suirle informed that our richt trust cousing, Williame erle of Angus, is subiect to diuers diseases and infirmities of his body, so that it is necessar vnto him, for the better recoverie of his healthe, to travell to other cuntreis, whare he may haue the aduise and consultatioun of doctoris and men of knowledge anent the cause and remedies of his disease and seiknes, thairfore, wee have gevin and granted, and, be the tennour heirof, gevis and grauntis our Licence to our said trast cousing, Williame erle of Angus, to depairt and pas furthe of our dominionis, to the pairties beyond sca, of France or heigh and law Germanie allanerlie, and there to remane for recoverie of his helth, and doing of vtheris his necessar affairs, the space of three zeiris nixt efter the dait heirof, withoute pane, cryme, skaith or danger, to be incurred be oure said cousing thairthrow, in his persone, landis, goodis or geir, notwithstanding whatsumevir our actis, statutis or proclamacionis maid in the contrair, whereanent, and all panes contened therintill, wee dispens be thir presents, dischairgeing heirby our justice and justice clerk, thesaurer, aduocat, and all vtheris our judges, officeris, and ministeris of our lawes, present and to come, and there deputis, of all calling, accusing, or ony wayse proceeding aganist our said cousing, or intrometting with him, his goodis or geir, for the premissis, discharging thame thcrof, and of thair office in that pairte, simpliciter, be thir presentis; providing alwayes that our said cousing, during his absence furth of our dominionis, behave him self as ane dewtifull and obedient subiect to ws, and do nor attempt nothing in hurte nor prejudice of ws, our estaite and realmes nor the trew relligioun presentlie profest within the same; otherwyse, this our licence to be null and of nane availl, force nor effect. Gevin vnder our Signet at Belvoire castle, the aucht day of August, and of our reigne the xiiij and xlix zearis, 1616. Sic suprascriptur, James R. et subscribitur A. Cancellour, Binning. Extractum, etc. J. PRYMROIS.

257. PERMISSION by KING JAMES THE SIXTH to WILLIAM, ELEVENTH EARL OF ANGUS, to depart from the King's dominions to France and Italy. 31st March 1623.

JAMES R.

WEE, by the tcnour hereof, giue and grante libertie and licence to our righte trustie and welbeloued cosen, Williame earle of Angus, to go oute of our dominions into the partes of France, Italie, or anie other partes of Christendome, ther to

remayne and do his lawfull affaires, the space of elleven yeares nexte and immediatlie following the date hereof; hereby expresselie prohibiting and discharging all and syndrie our officers, whome it may in any wise concerne, to calle or persew our said cosen before anie iudge or iudges whatsoever, or otherwise to molest or trouble him in his bodie or goodes, for his absence, during all the time aforesaid, and of their offices in that pointe; provided alwise that our said cosen, in his absence, plotte, deuise, practise, or be participant of, nothing pryudiciall to our sacred person, the quiet estate of our realmes, nor the estate of the religion presentlie profest therein, otherwise this our licence to be nulle and of no effecte. Giuen at our mannour of Theobaldes the last day of March 1623.

MORTON.

GEO : Cancell.

MELROS.

MAR.

258. PASSPORT to WILLIAM, ELEVENTH EARL OF ANGUS, to embark for France at any seaport. 15th May 1623.

WHEREAS our verie good lord, the earle of Angus, is, by his maiestics speciall licence to trauelle into France, these are to wille and require yow to suffer him to trauelle to such porte or hauen as he shall thinke moste conuenient and there embarque him selfe with his three seruantes and prosequute his entended iorney, withoute anie your stoppe, stay or impediment, and that by the way yee cause him be furnished with fine good and hable poste horses at prices reasonable and accustomed: Whereof fayle yee not, as yow and euerie ane of yow wille aunswere the contrarie at your furdur charges. Giuen at the Courte at Greenwich, the fiftenth of Maie 1623.

HAMILTON.

KELLIE.

EDW. CONUIE.

To all Justices of the Peace, Maiouris, Sheriffes, Bayliffes, Constables, Headburroughes, Postemaisters, and to all Customers, Searchers and Comptrollers of Portes and all other his Maiesties Officers and louing subiectes to whome it belongeth and to euerie one of them.

Dauour.

The Earll of Angus with his servantts came to embarque themselves for Fraunce the 16th of May 1623.

W^{AM} JONES, clerke of the Passag.

259. PETITION of WILLIAM, ELEVENTH EARL OF ANGUS, to King Charles the First, praying to be defended from an action by the Earl of Mar. 19th July 1627.

MOST GRATIUS AND DREID SOUERAIN,

HAVING informed your maiestie allredie vhat smal effect your maiesties letter vrocht touardes me, with the erle off Mar, vhairoff I apprehendit the leis, in respect off your maiesties royall promis to my self, to protect me from oppression. Now, seing I am layable euir til dainger, I most humbly petition your maiestie nocht to giue any neu right or confirmation til the erle of Mar in this his actione, til I be hard be your maiestie, vhair I shall lat your maiestie sie both your interes in honor and commoditie, with the preiudice I sustaine, as the berraire vil more ample declare. Thus, ceassing any longer to importune your maiestie, in all humilitie I taik my leiuie, as

Your maiesties most faithfull subiect and humbly deuoted seruitore,

ANGUS.

Edinburgh, the 19 off July 1627.

260. RETOUR of WILLIAM, ELEVENTH EARL OF ANGUS, as heir-male to ARCHIBALD, EIGHTH EARL OF ANGUS. 27th May 1630.

HEC INQUISITIO facta fuit in curia vicecomitatus de Edinburgh tenta in pretorio burgi eiusdem, coram domino Ludovico Lawder de Ovir Gogar, milite, vicecomite principali dicti vicecomitatus, magistris Laurentio Makgill, Joanne Sandelandis, Joanne Oliphant, Henrico Foullis, Joanne Scharpe, aduocatis, et Thoma Zoung scriba signeto regio, vicecomitibus deputatis dicti vicecomitatus specialiter constitutis, vigesimo septimo die mensis Maii, anno Domini millesimo sexcentesimo et trigesimo, virtute dispensationis penes presens vacantiarum tempus ex deliberatione dominorum consilii concessa, per hos probos et fideles patrie viros subscriptos, videlicet, Alexandrum comitem de Eglintoun, Georgium comitem de Wintoun, Joannem comitem de Wigtoun, Willielmum vicecomitem de Air, Willielmum vicecomitem de Drumlangrig, Robertum dominum de Dalkeith, Joannem dominum Ros de Meluill, Joannem dominum Torphichin, Joannem dominum de Balmirinoche, Joannem dominum Cranstoun de eodem, Willielmum dominum Ramsay de Dalhousie, Andream dominum de Jedburgh, Willielmum Douglas de Cavers, dominum Georgium Towris de Innerleith, et dominum

Dauidem Home de Wedderburne : Qui jurati dicunt, quod quondam Archibaldus comes Angusie, qui obiit apud Smetoune, abavi fratris pronepos Willielmi nunc Angusie comitis domini Douglas, latoris presentium, obiit ad pacem et fidem quondam S. D. N. Regis pro tempore : Et quod dictus Willielmus nunc Angusie comes est legitimus et propinquior heres masculus eiusdem quondam Archibaldi comitis Angusie abavi fratris sui pronepotis : Et quod est legitime etatis. In cuius rei testimonium sigilla quorundam eorum qui dicte inquisitioni intererant faciende, vna cum brevio regio incluso, necnon sigillo officii dicti vicecomitatus, cum signo et subscriptione manuali magistri Joannis Oliphant clerici dicte curie presentibus sunt appensa, anno, die, mense et loco prescriptis. Sic subscribitur, M. J. Oliphant.¹

Hec est vera copia principalis retornatus super premissis in Cancellaria S. D. N. Regis remanentis, copiata et collationata per magistrum Willielmum Chalmer, deputatum honorabilis viri domini Joannis Scott de Scottistarvet, militis, vnus dominorum secreti consilii et sessionis ac eiusdem Cancellarie directoris, sub meis signo et subscriptione manualibus.

M. W. CHALMER.

261. PATENT creating WILLIAM EARL OF ANGUS, MARQUIS of DOUGLAS, EARL OF ANGUS, LORD OF ABERNETHIE and JEDBURGH FOREST. 14th June 1633.

CAROLUS Dei gratia Magnæ Britanniae, Franciæ et Hiberniæ Rex, fideique defensor, omnibus probis hominibus suis ad quos presentes literæ pervenerint, salutem. Sciatis, quia nos in memoriam revocantes multa proba et egregia officia et ministeria nobis nostrisque majoribus illustrissimis, dignissimeque memoriæ, ab Angusie comitibus, aliisque cognominis Douglasii subinde præstita, non tantum in negotiis particularibus, quæ ipsis speciatim commissa fuere, sed etiam in magnanima, valida et virili libertatum huius regni nostri Scotiæ protectione, non sine discrimine et

¹ There are also the following retours made by the same sheriff and jury, and at the same place and date as the above, of William, eleventh Earl of Angus—(1.) As heir-male to Margaret Stewart, Countess of Angus ; (2.) To George, first Earl of Angus ; (3.) To George, fourth Earl ; (4.) To Archibald, fifth

Earl ; (5.) To George Master of Angus, son of the fifth Earl ; (6.) To Sir William Douglas of Braidwode, second son of fifth Earl ; (7.) As heir by conquest to Jonet Douglas, daughter of Archibald, fifth Earl of Angus ; and (8.) As heir-male of his grandfather, William, the ninth Earl.

amissione non paucorum ex ipsis vitæ, sicut non paucorum etiam amicorum et clientium ipsis adhærentium ; vt non nisi merito et iustissimis de causis nobilissimi nostri majores honores varios, privilegia et prærogativas ipsis concesserint in evidens et sufficiens omnibus ætatibus testimonium dignorum meritorum et ante gestorum ab ipsis facinorum, aliorum etiam ad similia fortia, magnanima, et proba officia incitationem : quumque nobis persuasum sit, similem fidissimo nostro consanguineo et consiliario Gulielmo, iam Angusiæ comiti, etc. non deesse animum et propensionem ; volentesque animum ei addere ad lubentius dignis majorum vestigiis insistendum : Igitur fecimus, constituimus, creavimus et inauguravimus, tenoreque presentium facimus, constituimus, creamus et inauguramus prefatum predilectum nostrum consanguineum et consiliarium Gulielmum Angusiæ comitem, Marchionem de Dowglas : dando, concedendo et committendo, tenoreque presentium damus, concedimus et committimus sibi, suisque heredibus masculis et successoribus imperpetuum titulum, honorem, gradum et dignitatem Marchionis, cum omnibus et singulis prerogativis, præeminentiis, privilegiis, dignitatibus et immunitatibus ad eundem pertinentibus et spectantibus : Quoquidem honore, ordine, et dignitatis gradu, nos per præsentem investimus et nobilitamus prenominatum predilectum nostrum consanguineum et consiliarium Gulielmum Angusiæ comitem suosque predictos, vt indigentur, appellentur et designentur, omni tempore affuturo, Marchiones de Dowglas, Comites de Angus, Domini de Abernethie et Jedburgh Forrest : Tenendum et habendum prefatum honorem, titulum, et dignitatis gradum, cum omnibus et singulis prærogativis, præeminentiis, privilegiis et immunitatibus ad eundem pertinentibus et spectantibus, prenominato predilecto nostro consanguineo et consiliario Gulielmo Angusiæ comiti, etc., suisque heredibus masculis et successoribus, de nobis nostrisque successoribus, in omnibus et singulis nostris nostrorumque successorum parliamentis, generalibus conciliis, publicis et privatis conventibus ; cum iure, loco et potestate sedendi et ibidem suffragium ferendi, et cum omnibus aliis prærogativis, dignitatibus et libertatibus pertinentibus seu pertinere valentibus ad quemlibet Marchionem infra dictum regnum nostrum Scotiæ quovis tempore preterito seu futuro : Mandando Leoni nostro Regi ab armis, suisque fratribus fæcialibus, quatenus additionem signorum et insignium presentibus insignibus dicti predilecti nostri consanguinei et consilarii Gulielmi Angusiæ comitis, sicuti in talibus casibus visitatum est. Preterea volumus et concedimus, tenoreque presentium, pro nobis et successoribus nostris decernimus et ordinamus, quod hæ presentes literæ nostræ sunt et erint tam validæ effectuales et sufficientes prefato predilecto nostro consanguineo et consiliario

Gulielmo Angusiæ comiti, suisque prescriptis, pro fruitione et gavisione predicti tituli, honoris, ordinis et dignitatis gradus, Marchionis, cum omnibus et singulis prerogativis, præminentis, privilegiis et immunitatibus ad eundem pertinentibus et spectantibus, acsi dictus Angusiæ comes in eodem solenni ritu et cerimonia, cum omnibus solemnitatibus, more antiquo inauguraretur et investiretur: Quocirca dispensavimus, tenoreque presentium, pro nobis et successoribus nostris in hac parte dispensamus imperpetuum: In cujus rei testimonium presentibus magnum sigillum nostrum apponi precepimus; apud Dalkeith, decimo quarto die mensis Junii, anno Domini millesimo sexcentesimo trigesimo tertio, et anno regni nostri nono.

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

Dorso: Writtin to the great scall, 17 Junii 1633.

S^r J. SCOTTISTARVETT.

Sealed at Halyrudhous 17 Junii 1633.

M^r D. SYBBALD.

262. ACT OF PRIVY COUNCIL ON WILLIAM, ELEVENTH EARL OF ANGUS, being created by KING CHARLES THE FIRST in Council MARQUIS OF DOUGLAS. 17th June 1633.

Apud Halyrudhous, decimo septimo die meisis Junij, anno Domini millesimo sexcentesimo tricesimo tertio.

THE whilk day, the Kings Maiestie, being sitting in his chaire of state, attended by his nobilitie and officers, he exhibite a patent vnder his great seale, bearing date, at Dalkeith, the fourteene day of Junij, instant, by the whiche his Maiestie, calling to mynde the manie good and worthie offices and seruices done to his maiestie and his predecessours of worthie memorie by the earles of Angus and others of the surname of Douglas, not onlie in particular effaires speciallie committed to thair charge, bot also in the couragious and valorous defence of the liberteis of the kingdome of Scotland, not without the hazard and losse of manie of thair lyffes and of the lyffes of manie of thair freinds and followers, so as most deservedlie, and not without just caus, his maiesteis predecessours have grantit vnto thame diverse honnours, previledges, and prerogatives for ane evident and sufficient testimonie to all ages of thair worthie demerits and valorous deids, and for encouragement of others to the lyke valorous and good offices, and his Maiestie being perswaded of the lyke mynde and dispositioun in his right traist cousine,

Williame erle of Angus, and being willing to encourage him to persist in the footsteps of his worthie predecessours, thairfoir his Maiestie wes graciouslie pleased to make, constitute, creat and inaugurat the said Earle of Angus, Marques of Douglas, and to give vnto him and his airis male and successours for euer, the title, honnour, degree and dignitie of ane Marques, with all and sindrie the prerogatives, pre-eminences, priuiledges, digniteis and immuniteis perteaning thereto, with the whilk honnour, order and degree of dignitie, his Maiestie hes invested and nobilitat the said Earle and his foresaids, to be callit in all tyme comming Marquesses of Douglas, Earles of Angus, Lords of Abirnethie and Jedburgh Forrest, as the said patent more fullie proports: quhilk patent being publictlie read be Williame Viscount of Stirlin, his Maiesteis principall Secretarie, and the said Earle of Angus being accordinglie brought in before his Maiestie, conducted and led be Alexander earle of Linlithgow and Johne earle of Wigtoun, his Maiestie did furthwith create and make the said Earle and his airis male and successours Marquesses of Douglas, and accordinglie did invest him with the honourable ensignes of ane Marqueis, by putting his robes about him, girding him with his sword and setting the crowne vpon his head, ordaining him and his airis male and successours to be callit in all tyme comming Marquesses of Douglas, Earles of Angus, Lords Abirnethie and Jedburgh Forrest, and to have place, vote and precedence in all Parliamentis, generall councellis, privat and publict meetings among the noblemen of this kingdome, according to the qualitie of his dignitie and date of his creatioun and patent foresaid; quhairvpon the said Marqueis, having gevin the oath accustomed in the like caises, he, with all dew reverence, on his knees, acknowledging his maiesteis royall favours shawin vnto him, receaved the said patent frome his maiestie, and promised to imploy his most faithfull service and best endeavoures whereby to approve himselfe worthie of that order and dignitie whereunto it hes pleased hes maiestie to advance him, lykeas his Maiestie, conforme to the custome and priuiledge grantit to Marquesses to have knights at thair creatioun, allowed of the nominatioun made be the said Marqueis of the sax persons vndermentiouned, viz., Arthure Douglas of Quhittinghame, Auchinleck, younger of Balmanno, Johne Douglas of Barres, Williame Carmichael, sonne to James Carmichaell of that Ilke, and Williame Robeson of Newbie, Englishman, and Mr. James Nicolsoun of Colbrandspeth, and accordinglie did dubbe and knight thame, and euerie ane of thame, by chapping thame with the sword of honnour, after that they had gevin the oath accustomed in the like caises. Extractum de libris actorum secreti consilii supremi domini nostri regis per me, Magis-

trum Gilbertum Prymerose, clericum ejusdem sub meis signo et subscriptione manualibus.

M. G. PRYMEROSE.

263. DITTAY by the COMMITTEE FOR MONEY AND PROCESSES against WILLIAM MARQUIS OF DOUGLAS, for taking up arms with "James Grahame, an declared tratour" (the Marquis of Montrose). 17th April 1646.

WILLIAM Marques of Dowglas, yow are indicted and accused befor the Committie appointed be the Parliament for the money and processes, That forsameikle albeit be the fourt act of the thrid Parliament of King Charles, dated the tuente uynt of June 1644, all takers vp of arnes against the kingdome and estates of the cuntry are guilty of hight treasonc, and punishable be forfaitour of lyffe, lands and goodis, or any other censure the Parliament shall please to inflict ; yit nevertheles yow, the said William Marques of Dowglas, haveiug shaken off the feare of God aud feare of the lawes of this kingdome, yow did take vp arnes and joyne with James Grahame, an declared tratour to this kingdome, and his rebellious army, shortly efter the battell of Kilsyth, quhilk was vpon the fyfteint day of Agust last 1645, and received from the said James Grahame, at Bothwell, an commissioun of leivtenandrie over Cliddisdale, and wheu James Ogilvie came to Lanerik with four hundreth men or therby of the said rebellious army, you did raise als many men to joyne with him as yow could, and went alongs with the said James Ogilvie and the said partie of the said rebellious army throw the cuntrey, in robbing, spoyling and destroying the samyn till the battell of Philiphaugh, quhilk was vpou the thretteint of September last bypast 1645, where yow wer personally present with the said rebellious army ; and dureing your being with the said partie of the said rebellious army commanded be the said James Ogilvie, yow did subscriue an protectionue with the Earles of Annandale and Hartfell and James Ogilvie, dated at Hawick, the fyft of September 1645, to the burgh of Jedburgh, and another to the parochine of Leshmehago, commanding all officers and souldiers imployed in that present expeditiouu for repressing this treasonable and most vnnatural rebelliou so perversly hatched against his Majesties sacred persoune and authoritie, that non of them sould trouble or molest any of the inhabitants of the said toun of Jedburgh and parochine of Leshmahago, as they would be answerable to yow vpon their heighest perrell. Lykas, during your being with the said partie of the said rebellious army yow did subscriue an lettere

direct to the Earle of Roxburgh, desyreing his assistance in that service yow wer on with the said James Ogilvie ; and als yow, with the Earles of Annandale and Hartfell, James Ogilvye and others, did subscriue an letter direct to the governour of Carleill, for liberating of the Earle of Quenisberry furth of Carleill, who was apprehended for his joyning and compliyanse with the saidis rebellis, wherby yow did threaten those who wer accessory to the apprehending of the said Earle of Quenisberry with no les nor rwine, as being in your power so to doe ; at the least yow did tak vp armes and joyne with the said James Grahame and his rebellious armye at the forsaidis times and places abovespecifeit, or an or other of them, whilk yow cannot deny, in doeing wherof yow are gu lty of highe treasonne, and punishable be forfaitour of lyffe, landis and goods, to be execute against yow be the estates of this kingdom, and the benefeit therof to be applyed to the vse of the publict for releiff of their burdens, or otherwayes yow are censureable or punishable in your persoune, name and fame, and in your landis, goodis, meanes and estate, be fyneing, confyneing or otherwayes, as the estates of this kingdome shall think expedient. And therefor yow, as a tratour to this kingdome, haue incurred the forsaid paine of heigh treasonne, and the paine of forfaitour of lyffe, landis and goodis, to be execute against yow be the forsaid committie, and the benefeit therof to be applyed to the vse of the publict for releiffe of thair burdings, or otherwayes yow are censureable and punishable in your persoune, name and fame, and in your landis, goodis, meanes and estate, be fyneing, confyneing or otherwayes, as the said committie shall think expedient.

Edinburgh, 17th Aprile 1646.

The committie ordaines a copie of this dittay to be sent to the Marques of Dowglas, and he appointed to answer vpon Tuisday nixt.¹

JA. PRYMROSE.

264. WARRANT by the COMMITTEE OF PROCESSES AND MONEY to keep the MARQUIS OF DOUGLAS a prisoner. 24th July 1646.

Edinburgh, 24th July 1646.

THE committie of processes and money ordaines the constable of the castell of Edinburgh to remove the lady Marqueis of Douglas out of the castell to morrowe, being the tuentie fyft of this instant ; and immediatlie thereafter to keipe the

¹ Indorsed as received by the Marquis on 18th April 1646.

Marqueis of Douglas close prisoner, and suffer none to haue accese to him without a varrand from the said committie, as he will be answerable.

CASSILLIS, I.P.D. Com.

Dorso : The 24 of July receuit this warrand from the constable at 9 a clock at night.

265. ACT and DISCHARGE by the COMMITTEE FOR PROCESSES AND MONEY in favour of WILLIAM MARQUIS OF DOUGLAS for the amount of his fine.
3d February 1647.

AT EDINBURGH, the thrid day of Februar, the yeir of God j^mvj^c fourtie sevin yeiris, the Estates of Parliament haveing takine to there consideration the report eftirmentioned from the committie for processes and moneyis, beirand that the Marques of Douglas, eftir long imprisonment and offer of quartering of trowpes vpon his landis, hes payit tuentie fyve thousand merkis of his fyne, and vther tuentie fyve thousand merkis therof remitted to the parliament, the opinion of the committie is that he pay ten thousand and fyve hundereth merkis for compleiting of the monethis pay dew to the erle of Dalhoussies regiment, and the haill superplus of his fyne to be discharged in regaird of his inhabilitie. The saidis Estates, eftir debate and voyceing, acceptis of the foresaid sowme of tuentie fyve thousand merkis alreadie payed be the Marques of Douglas of the fyne imposed vpon him, in full satisfaction of his haill fyne ; and in respect of the payment be the Marques of Douglas of the foresaid tuentie fyve thousand merkis and of his present burdens and inhabilitie, the Estates doe heirby exoner and simpliciter discharges the said Marques of Douglas, of all farder payment of the haill rest and superplus of the foresaid fyne imposed vpon him, and of the sentence or band pronounced aganis him or granted be him respectiue for payment of his said fyne, and declares him frie and liberat therof in all tyme comeing in haill and in part : Quheranent the Estates declares thir presentis, with the payment alreadie made be him of the foresaid tuentie fyve thousand merkis abonewrittin, is and salbe ane sufficient exoneration and liberatioune to the said Marques of the haill fyne imposed vpon him, alsewell that pairt therof alreadie payit be him as the rest and superplus of the foresaid haill fyne imposed vpon him and remitted to the Parliament.

Extractit furth of the buikis of Parliament be me, Sir Alexander Gibsone of Durie, knycht, clerk of his Hienes register and rollis, vnder my signe and subscriptionne manuall.
S. ALEX. GIBSONE, Cls. Regri.

266. PERMISSION by KING CHARLES THE FIRST to GEORGE DOUGLAS, son of the Marquis of Douglas, to depart from the King's dominions to France. 24th June 1647.

CHARLES R.

CHARLES, be the grace of God king of Great Brittain, France and Ireland, Defender of the faith, to all and sundrie our subjects and leidges whome it effeiris to whais knowledge thir our lettres sall come, greeting. Forsamekle as we have given and granted, and be thir presentis gives and grantis, libertie and licence to our lovitt George Douglas, sone to our right traist cousinge the Marques of Douglas, to depairt furth of all our realms and dominions to the kingdome of France, or quhatsumevir vther pairt beyond seas he pleases, for doeing his lauffull effaires and bussines, and to remane there for the space of fyve yeires ; thairfore, we doe heirby dischaige our thesaurer, justice generall, advocatt, justice clerk, and thair deputtis, and all vthers our officers and ministers of our lawes whome it concernes, of all calling, accuseing, or anie wayes proceeding against the said George Douglas, for the caus foirsaid, duiring the space abovewrittin, notwithstanding quhatsumevir our laws and proclamations maid in the contrare, whereancnt and all paines contenit thairin, wee dispence be thir presentis ; provydeing alwayes the said George Douglas, duiring his absence furth of this our kingdome, doe nothing to the preiudice of ws, our auctoritie and lawes, nor the trew religione and covenants of this our realme ; vtherwayes, this our licence to be null. Given vnder our signet at Edinburghe, the twentie fourt day of Junij, and of our regne the tuentie thrid yeir, 1647.

LOUDON, Can^{llarius}.

ROXBURGHE.

HAMILTON.

CRAFURD & LINDESAY, The^r.

LANRICK.

R. GREME OF MORPHIE.

SIR J. W. BOGIE.

EGLINTOUN.

SOUTHESK.

CALANDER.

J. CARMICHAELL.

DUNDAS off thatt ilk.

267. LETTER by KING CHARLES THE SECOND, creating ARCHIBALD LORD ANGUS, EARL OF ANGUS and ORMOND, LORD BOTHWELL and HARTSYDE. 3d April 1651.

CHARLES R.

OUR soueran Lord, calling to mind how it hath bin the constant practise of kings and frie princes, and of his Maiesties royall progenitours, vpon speciall occasions,

to aduance to degrees of honour and titles of dignitie, such of their good subjects who haue bin of eminent qualitie and desert, and taking into his royall consideration the many good services done to his Hienes predecessours, of glorious memorie, by the ancient famillie and name of Douglas, his sacred Majestie, willing to bestow a mark of his royall favour vpon his Hienes trustie and welbeloued cousing and counsellar, Archbald Lord Angus, eldest lauffull sonne to William Marques of Douglas, therefore ordeans ane letter to be made, under his Hienes' great seale, making, constituting and creating, lyk as his Majestie, by thir presents, maks constituts and creats the said Archbald Lord Angus to be Earle of Angus and Ormond, Lord Bothuel and Hartsyd, givand, granting and ordeaning, lyk as his Majestie gives, grants and ordeans to the said Archbald Lord Angus, and to his heires male, goten or to be goten betwixt him and Lady Jeauue Weyms, his present spous, which faillying, to his heires male to be gotten of any other future spouse, which faillying to his heires male and of tayllye of the house of Angus, bearing the armes and name of Douglas, the forsaid title, honour and degree, with all privileges, prerogatives, and immunities therto belonging, that he and his forsaid may be called and designed Earls of Ormond, Lords of Bothuel and Hartsyd, holding and for to hold the said title and honour, to the said Archbald Lord Angus, and his heires abone specified, of his Majestie and his Hienes successours, in all Parliaments, generall Councells, privat or publick meetings, sicklyk and als friely in all respects, as any other earle of this realme, with command to the Lyon King at Armes and his bretheren heraulds, to prescribe such addition of arms to the said Archbald Lord Angus, and his forsaid, as is usuall in the lyk case; and ordeanes thir presents to be ane sufficient warrant, to the wrytter to the great seale, for wryting the samen to the said great seale, and to the Keeper of the great seale for appending of the same therto, without passing any other seales or registers. Giueu at Perth, the third day of Aprill I^m vi^e fiftie ane, and third yeere of our Reigne.

May it pleas your Majestie, Thes contane your Maiesties creation in favoures of Archibald Lord Angus, eldest sone to the Marques of Douglas, to be Earle of Angus and Ormond, Lord Bothuell and Hartsyd, giveand to him and to his aires maill, gotin or to be gotin betuixt him and Lady Jeane Weymes, his present spous, whilkas faillying, to his aires maill to be gotin of any other future spouse, which faillying, to his aires maill and of tayllie of the hous of Angus, beareing the armes and name of Douglas, the foirsaid title, honour and degrie, with all privileges, prerogatives and immunities therto belonging, that he and his foirsaid

may be called and designed Earles of Ormond, Lords of Bothuell and Hartsyde, in all Parliaments, generall councells, and publict and privat meetings to be haldin of your Majestie.

TH. NICOLSON.

268. BOND by ARCHIBALD LORD ANGUS, making provision for his daughter,
MARGARET DOUGLAS. 11th May 1653.

BE it knowen to all men be thir presents, me, Archibald Lord Angus, forsameikle as it is incumbent to me, of my natural affection and duty to my children, to make certain provisions for such of them as are not prouyded be my contract of mariage, and for diuers other considerationes moueing me, therfor, witt ye me to be bound and oblished, lyk as I, be these presents binde and oblige me, my aires male and of taillye, and successours in my landes and heritages of the earledom of Angus, to content and pay to my daughter, Margaret Douglas, all and hail the soume of Ten thousand pounds, Scots money, at hir age of sixteen yeares compleet, or at the nixt term after her mariage, if it shall please God to send her a good occasion befor that tym, together with ane thousand pounds money foresaid of liquidat expenses, in case of faillye, and the ordinary annualrent of the said principall soun, conform to the lawes of Scotland, in the mean tym to be dewly payed to her, and to her tutors or curators in her name, to my heires male of taillye and successors foresaids, at two termes in the year, Witsunday and Martimes, be equall portiones, and the first termes payment of the said annualrent to be and begin at the term nixt ensueing my said heires males succeeding to the lands and heritage aforesaids, after the decease of my lord and father the Marquesse of Douglas, and that, also, with ane hundereth pounds of expenses for ilk termes faillye in case of not thankfull and tymous payment of the said annualrent, ouer and besyds the payment theirof; and so to continow from term to term, ay and whill the said Margaret, her mariage or 16 yeares of age; at which tym the principall soun is payable as aforesaid, dispensand also with the not deliuey heiroy during my awn lyftym, lyk as I, for me and my foresaids doe heerby declair that thir presents shall be as effectuell as if the samin wer delyuered out of my awn hand, notwithstanding the sam be found in my keeping at the tym of my decease; and for the mor security I am content the presents be registrat in the bookes of Counsell and Session, or of any other judicatory competent for to haue the strenth of ane decret interponed theiroy, that lettres and executorialls, if need beis, may passe heerupon, and to that effect I constitute

my procurators, etc. In witnessing wherof I haue written the presents with my hand, and subscryued the same at Halirudhouse, the elleuinth day of May I^{mvi}^c fifty and three yeares. ANGUS.

269. CERTIFICATE as to the religion of ARCHIBALD EARLE OF ANGUS, son of William Marquis of Douglas. 6th October 1654.

WEE know and doe testifie, that the noble lord, Archibald earle of Angus (who, these many yeares, hes had his residence for the most parte in the parish of Halyrudhouss,) is ane professour of the true reformed religion established in the kirke of Scotland, and is not a Papist. In wittnes whereof, wee have subscribed these presents, at Edinburgh, the sext day of October 1654.

G. LESLIE, Minister at Halyroodhouse.
MR. WILLIAM DALGLEISCHE, Moderator of the
Presbetrie of Edinburgh.
CHARLES LUMISDEN, Clerk.

270. CERTIFICATE by Gentlemen of Lanarkshire in favour of the MARQUIS OF DOUGLAS. 30th October 1654.

WE, Gentlemen of the Sherifdome of Lanerk, doe, by thes, declare and testifie, that the king and parliament at Sterling did appoynt the Marques of Douglas to be collonell to a regiment, and that he went to the parliament then sitting, and did refuse to accept of the samen, and how soone he was disengadged, did returne home to his owin dwelling, whair he hes resided evir since, peaceable, which to be of trueth we affirme, by our subscriptione heirto annexed. At Lanerk, the penult day of October 1654.

S ^r W. STANBYRIS.	J. TAILFEIR.
R. BANNATYNE.	W. B. LITTILGILL.
JO. HAMILTON.	S. LOKHART.
CLAUD BAILLIE.	WM. LOCKHART.
J. BANNATYNE.	JA. CUNYNGHAME.
ALEXR. BAILLIE.	JOHNE CUNYNGHAME.
GEDION JACK.	WM. DOUGLAS.
R. WEIR.	JA. HAMMILTOUN.
	M ^r SOMERVELL.

271. TESTAMENT of ARCHIBALD EARL OF ANGUS. Dated 13th January 1655.

THE testament testamentar and inventar of the goodes, geir, soumes off money and debtes perteaning and adebbit to vmquhill Archibald Earll off Angus the tyme of his deceis, who deceist in the moneth of last bypast j^mvi^c fyftie fyve yeires, faithfullie mad and givene vp be himself vpoun the eight day of Januar, the yeir of God abone writtine, in sua far as concerns the nominatioun of his executeres, legacies, tuttores and oversieres, and givune vp be Lady Jeane Weymes, his releict spous, in sua far as concerns the haill inventar of his goodes, geir, debtes awine be him and to him, quhilk Lady Jeane Weymes he nominat his only executrix in his letter will vnder writtine, as the samene of the dait forsaid, subscriyuit be the notares at his command, in presence of the witnesses eftermentio[nat], mair fullie propertes.

In the first, the said vmquhill Lord Angus had the goodes, geir, soumes of money and debtes off the availles and pryces efter following, perteaning and adebbit to him the tyme of his deceis forsaid, wiz., Imprimis, the vtenceilles and domicileis by the arship estimat to ane hundreth pound.

Summa of the inventar, j^c lib.

Followes the debtes awne to the deid.

Item, ther was auchtand to the said vmquhill defunct be the persones following, wiz., Imprimis, be the tennents of Benckle in the Merse seveine hundreth fyftie sex pund, ane shilling eight pennyis. Item, be the aires and executeres of Georg Douglas be band, ane hundreth threttie sex pund, thretteine schilling eight pennyis. Item, be Andro Maw in Boncle, thrie hundreth threttie thrie pund sex shilling eight pennyis. Item, be Adame Turnbull ther, ffourtie pund. Item, be Hector Turnbull, threttie thrie pund sevene shilling eight pennyis. Item, of victuall dewtie in the tennentes of Benckle hands, fyftie bolles aittes and meill at tuentie sex shilling the boll, and threttie bolles beir and meill at fourtie shilling the boll, is ane hundreth tuentie fyve pund. Item, the victuall in the handes of the tennentes of Tamtallene, and givene vp be Thomas Carmichell, chalmerland, of aites ane hundreth fourtie bolles, at fourtie sex shilling the boll, and ane hundreth bolles peis, at fourtie shilling the boll, is fyve hundreth tuentie tno pnnd. Item, be Alexander Wricht, merchant in Leith, for victuall bought be him from my lord, four hundreth threttie thrie pund sex shilling eight pennyis; be

Andro Lundie off , tuo hundreth thrie scor sex pund tuelf shilling four penneyis.

Summa of the debt awin to the deid, . . . ij^mvj^exlvj^{lib}. viij^s iiij^d.
 Summa of the inventar, with the debtes, . . . ij^mvij^exlvj^{lib}. viij^s iiij^d.

Followes the debts awin be the deid.

Item, ther was auchtand be the said Archbald Earll of Angus the tyme of his deceis forsaid to the persones following, wiz., Imprimis, to the cheipland fyftie pund. Item, to Robert Maner, maister houshold, thretie thrie pund sex shilling eight penneyis. Item, to Johne Hutchesone, ane yeires fie, threscor sex pund eight shilling four penneyis. Item, to James Pittenbrog James his man, tuentie tuo pund threiteine shilling four penneyis. Item, to William Haistie, cook, and his man, nynteine pund sexteine shilling eight penneyis; to Johne Wallace, footman, tuell pund threiteine shilline four penneyis. Item, to Johne Gray, porter, sex pund threiteine shilling four penneyis. Item, to Jeane Muray, thretie pund. Item, to Elspeth Steuart ane yeires fie. Item, to Margrat Robertstone fourteine pund. Item, to Lord Archbald his nurs, ane yeires fie, fyftie pund. Item, to Margrat Wolles, Lady Margrat's woman, tene pund. Item, to Jeane Weymes, who was appoynted to wait vpoun Lord Archbald, tene pund. Item, to James Buchanan, who wes fied to be porter, he obtained ane decreit beiring sex pund thrie shilling. Item, to Joseph Douglas, my lord's padge, half yeires fie, thretie thrie pund sex shilline eight penneyis. Item, to Docter Hay, Docter Cuninghame and Robert Campbell, for ther advyce and droges furnishit to the defunct the tyme of his seiknes, thrie hundreth tuentie four pund sexteine shilling four penneyis.

Summa of the debtes awne be the deid, . . . vij^exxij^{lib}.
 Restes off frie geir the debts deducit, . . . ij^exxiiij^{lib}. viij^s iiij^d.

Followes the deids legacie, and letter will.

I, Archbald Earll of Angus, being for the present seik in body, and looking daylie for my chang[e], yet perfyt for the tyme in memorie and spirit, blissed be God, and being myndfull to sattell my affairs heir on earth, to the effect I may the better meditat on heavene and things abone, I doe therfor mak my testament, legaicie and letter will, as efter followes: In the first, I recumend my soull to God, to be saued be Him in the enteir merce through the merits of my Lord and Saviour Jesus Chryst, by whome alone I expect salvatioun, and ordeanes my bodie to be honnestlie buried and interred at Douglas kirk, neir my mother and

first wyff and childreine, or els at Abernethie, in the old burriall place of my predicesores, or aither of them most convenient, without all maner of ceremonie or expenssis as effeires. Item, I mak, nominat and constitut my weilbelowed spous, Lady Jeane Weymes, my onlie executrix, soll and vneversall intrometer with my wholl moveables, goods, geir, debts, soumes off money and otheres per-teaneing to me the tyme of my deceis, when the same at the pleasour of God sall happine, with pour to her to giue vp inventar therof, and to confirme testament thervpoun, and to doe all thinges necessar as ony vther executer may doe, she alwayis making the inventar theroff, and goods and money sua to be given vp in inventar furthcumand to my creditores: I ordeaeue my said executrix to pey to the kirk sessioun in the Cannogait, of the first of the moveables, the soume of tuo hundreth merkes for the vse of the poore. Item, I nominat and appoynt William master off Mordingtoun and Lady Margrat Douglas lady Alexander, my sister, tuttor to Lord James Douglas, my eldest lafull sone off my first mariadg, and I doe desyre that the saids tuttores, in the exercise of ther office and managment of my sones effeires, tak the advyce of my honorabill freinds whom I efter mentionat oversieres, the Duk of Lennox, the Marques of Douglas, the Earll of Heartfeild, Weymes, Lautherdail and Selkirk, the Lord Burlie, Mordingtoun, Kirkmichaell, Balcarrus and Ruthen, the Earlles of Queinsberrie and Sir William Douglas of Kilheid, the Master of Carmichall, Sir Archbald Douglas of Caveres, Sir John Weemes of Boogie, Archbald Douglas of Whitinghame, Sir Robert Douglas of Blekerstoun, Mr. William Douglas and Mr. William Syme, advocat. Item, I nominat the said Lady Jeane Weymes, my spous, soll tutrix to my childreine of the mariadg with her, wiz., Archbald and Margrat Douglas, and to the posthome child now in her belley, and failziing of her be deceis, or incais of other mariadg, I nominat _____, Earll of Weyms, Robert Lord _____, the said William Master of Mordingtoun, and the said Lady Margrat Douglas my sister, the Lord Ruthven, Sir John Weymes of Bogie, the Earll of Selkirk, and Sir Robert Douglas of Blackerstone, and als Walter Lord Torphichene, William Lord Cochrane, Sir Georg Auchenleck of Bellmanno, and _____ Guithre of that Ilk, to be tuttores to the saids Archbald and Margrat Douglas and to the posthome child: And also, in cais the said James Lord Douglas, my eldest sone, deceise within the yeires of puplearitie of brother Archbald, in that caise, albeit the said Lady Jeane Weymes be on lyff or vnmarried, yet she is not to be sole tutrix to the said Archbald and remanent her childreine, bot I doe heirby nominat and joyne with her in the caise forsaid, the

said Earll of Weymes, Lord Burley, Lord Ruthvene, Sir John Weymes of Boogie, the Earll of Selkirk, the Master of Mordingtone, Sir Robert Douglas, and the Ladie Alexander to be tuttores to the said childreine with my said spous, desyring alwayis to tak the advyce of my saids honorable freindes abone writtine, whome also I heirby nominat oversieres, and thir to all and sindrie whome it effeires I notifie and make knowne: In witnes quherof thir presents are writtene be John Muir, Writter to the Signet, and subscribed with my hand as followes, att Helleruidhous, the thretteine off January j^mvj^e fyftie fyve zeires, befor thir witnesses, ane nobell lord, Robert Lord Burlay, Sir Robert Douglas of Blekarstoun, Joseph Douglas, Robert Maine, William Douglas my servand, and John Hutchesone also my servitour. I, John Moore, notare publict, doe subscribe at command and drectioun of the abone named Archbald Earll of Angus from his awne mouth, in reguaird he cannot wryt himself be reassone of his present innabilitie and sadd seiknes, as witnes my signe and subscriptiounne manuall. And I, Thomas Walker, connotar publict, doe subscribe at command and drectioun of the abone named Archbald Earll of Angus from his awne mouth, in regard he cannot wryt himself be reassone of his present inabilitie and sadd seiknes, and witnessis my signe and subscriptioun manuall, William Douglas witnes, Robert Mainer witnese, Joseph Douglas witnes.

Collonell Leonard Litcoat, and Mr. Claud Hammiltone, commissares of Edinburgh, specially constitut for confirmatioun of testaments, be the tennour heirof ratified, approved and confirmed this present testament and inventar in sua far as the samene is dewlie and lafullie maid and givene vp of the goods, geir and otheres abone specifiet allenerlie, and gaue and commited the intromissioun with the samene to the said Lady Jeane Weymes, only executrix nominat be the said defunct, reservand compt to be mad be her therof as accordes of the law. And she being suorne be the saids commissares, maid faith that the said inventar wes leillie and trewlie maid and givene vp, nothing oमितed nor left furth therof nor set within the just availe therin contened, Johne Huchesone, servitour to the said nobell lord, becam cautioun that the goods and geir abone specifiet sall be furthcumand to all pairtes hauand entres thereto as law will, as ane act mad theranent beirs. In witnes quherof thir presents ware confirmed be the saids commissares vpoun the tuentie day of Junii j^mvj^e fyftie fyve yeires, and are now extractit and subscribit be Maister Robert Swintoun, clerk deput of the said commissariot.

M. RO. SUINTOUNE, Dpt.

272. PROTEST by JAMES, SECOND MARQUIS OF DOUGLAS, that his not using his rights and privileges as first Peer of the realm at the Parliament of 1660 might not prejudice these rights. 26th December 1660.

WE, James Marques of Douglas, Erle of Angus, Lord of Abernethie, Prestoun, Buukill and Jedburgh Forrest, forsameikle as his Majesties predecessores, of glorious memorie, did grant and confirme to our ancessores the landes, lordships, and wtheres abone mentionat, with certane places, honoures, immunities and dignities, and, speciallie, the first place in sitting and voting in all Parliaments, conventiones and counsells, with the leiding of the vangaird in all battells, and carieing the croune in the saides Parliaments, which honoures, immunities and dignities haue beine possesset and enjoyed by our predicessores, Erles of Angus, past all memorie, and ware also confirmed in Junij 1592 by a declaratione of his Majestie king James the Sext, of eternall memorie, and the thrie estaits of Parliament, as the act, heirwith to produce, in itselife at maire lenth beares, as also, in Februarij 1602 (since and efter the inbringing of the titles of duckes and marquesses), the same ware, be the said king James, confirmed, etc., to William erle of Angus, our great grandfather, and to William laite Marques of Douglas, our grandfather, and again in the Parliament halden at Perth 1606, ratified, and be king Charles the first, of blised memorie, to Archibald Erle of Angus, our father, in Anno 1631, as in the severall charteres vnder the great seall, at maire lenth is contanid; and because, be reasone of our lese age and indispositione of bodie, we are not to sit nor vot in this present Parliament, nor to use and exerce the saids offices and dignities wherwnto we haue wndoubtit right, and quhairof our predecessores haue beine in possessione, Thairfor, least our silence might be interpret a passeing fra, or prejudiciall to, our rights and possessiones, as aforesaid, we are necessitate in all humilitie to protest that our not using and exerceing the dignities aforesaid, of carieing the croune and haueing the first seat and vot in this present Parliament may be alwayes without prejudice of our right and possessione, and of our enjoying, using and exerceing the saids offices, honoures and dignities, in any succeeding Parliaments quhairin it sall happin ws to be in a capacitie to use and exerce the same. In witnes quhairof, thir presenttes are subscriuit with our hands, at Edinburgh, the twentie sext day of December, 1^mvi^c and thrie scoir zeires, befor thir witnesses, James Douglas, sonne to Mr. Robert Douglas, minister at Edinburgh, and Mr. Mungo Law, our governour.

JAMES DOUGLAS, witnes.

DOUGLAS.

MUNGO LAW, witnes.

29 December, 1660.—Produced be the Lord Mordinton in name of the Marques of Douglas.

And farther, we protest that any deid done by our grandfather, laite Marques of Douglas, anno 1633 (quihich could nowayes prejudge ws, he being then bot a naiked lyfrentar), as to the first seat and vote in Parliament, neither any act of counsill or other act quhatsumeuir for makeing wp this new forme for any of the peires ryding behind and efter his majestie or his commissioner, may no wayes prejudge ws of that same prioritie in ryding, quihich hes evir beine annex to the carieing of the croune, notwithstanding the title of Ducke, witnessed by the for-said declaratione in the Parliament 1592, as weill as our prioritie in voiceing is annexed to the first seat in all Parliaments, conventions and counsells.

WILLIAM DOUGLAS, witnes.

DOUGLAS.

MUNGO LAW, witnes.

273. ACT OF COUNCIL containing the ORDER OF THE RIDING OF THE PARLIAMENT. 1669. Contemporary Copy.

Halyrudhous, the sexteine day of October 1669.

THE Lords of his Majesties Privie Councill, considering that in the ryding of the ensueing parliament it is fitt that the severall states be soe ranked and ordered as may be most suitable to that solemnitie, and prevent any debates or differances which may arise thereanent, doe ordaine that tuo heraulds and tuo trumpeters doe ryde in the first place, and thereafter the commissioners for the royall burrowes, according to there erectiones in burghs royall, the eldest last; then the commissioners from shyres, according as they rode in the parliament j^mvj^c and thretie three (except quher there are double electiones of commissioners from one shyre, in which caice non of these are to ryde); thereafter the officers of state who are not noblemen, then the lords of parliament, nixt to them the bishopes, then the visconts, and thereafter the erles according to there creationes, the eldest last, and that the archbishopes, dukes and marquises ryde as they rode in the last parliament: And also ordaines that every duke have noe more then eight lacquies in liveray coats, every marquis noe more then sex, every erle noe more then four, every viscount noe more then three, every lord noe more then three, every commissioner from shyre noe more then tuo, and every commissioner from burgh one only; and that every nobleman may have a gentleman to

carie up his traine ; and that the Marquis of Douglas carie the crown, the eldest erle the scepter, and the nixt erle the suord, and ordaines the Lyone King at Airmes to see the forsaid orders punctuallie observed. Extracted by me, sic subscribitur AL. GIBSONE.

Dorso—Double act of councill, containeing the order of the ryding of the parliament in the year 1669.

274. INVENTORY of the Plenishing in Tantallon Castle. *Circa 1670.*

FOUR IRON zetis at the enterie, and ane iron zet at the tumbler, with shod perculieris.

In the welchamber nothing except the wel tow and bucket.

In the chamber nixt therto twa old bedsteades with ane ald table.

In the chamber nixt, second to the welchamber, ane ald carved bedstead, ane falding bed, ane table and ane ald chyre.

In the stable nixt therto ane heck and ane manger.

In the out rounge of the garden chamber thir is ane good bedstead, wanteing cover above, with ane kist ; ther is ane old caise in the window with sum broken glese.

In the inner rounge therof ther is ane litle wainscot table, and in on of the windowes ane fixed caice, with brodes, bot wantes glese ; in them is 3 dooris.

In the latching ther is ane iron brace, ane galouse, ane pair of great raxes, twa litle tables, and twa furmes, with ane gret chyre, and ane cuting boord.

In the baikhouse ther is onlie ane table.

In the dyneing rounge ther is four carpit chyres, ane old armed chyre, ane bedstead, ane bathing fatt, with ane studie and three fixed windowes, with broades and glasse, and ane wainscott table, and ane iron brace.

In the chamber caled my ladies chamber, ther is ane roun table, ane brace, and twa fixed windowes, with caices, broades and glese, with ane ald falding bed.

In the lang hall ther is ane drawing table, twa braces, ane falding bed, with fyve windowes and ald caices.

The chamber in Dowglas towre is ane ald bedstead, stanchellis in the south window, and ane caice and broades in the north, with ane ald table.

In the reid chamber thair is 2 old bedsteades, ane ald brace, and ane folding bedstead, and ane window have broades and caice.

In the blew chamber ther is aue carved bedstead, ane ald fir table, ane brace, and on of the windowes fixed with ane caice and glesse.

In the chamber nixt therto thair is ane ald litle kist.

Wpon the turpyk that leades wp to the turpyk, twa windowes fixed with iron stainchellis, and in the east towre on.

At the well thair is ane windowse with sum ald timber.

In the lang loft thair is ane great meill girnell.

Everie enterie in the house hes ane door with snekes; the drawbrig hes 4 iron bands theron.

Dorso—Inventar off the plenishing in Tamtallone.

275. WARRANT by the PRIVY COUNCIL to the MARQUIS OF DOUGLAS to take his two cannon from Edinburgh.

Edinburgh, the thrid day of Maij 1682.

THE Lords of his Majesties privye councill doe herby give order and warrant to the Marquis of Dowglas to call for and take away out of the toune of Edinburgh these tuo cannons stand at the court of guard belonging to him. Extracted by me,
PA. MENZEIS.

276. WARRANT by the ESTATES to the MARQUIS OF DOUGLAS to deliver his cannon at Leith to MAJOR-GENERAL MACKAY, with Receipt therefor.

Edinburgh, 27 Martii 1689.

THE meeting of Estats doe heirby require the Marquis of Douglass to furnishe to Major Generall Mackye or his order, for the service of the publicke, such of his canon at Leith as the said generall major shall have use for in the said service, declaring that any damnadge to be therby sustained be the Marquis shall be refounded be the Estates.
HAMILTON, P.

Received by order [of] the Convention of Estates of this kingdom, from Mr. Blaikwood, chamberlain to my Lord Marquesse of Douglas, two piece of canon of 3 lb. Given at the Cannegate, the 5 of Appril 1689. H. MACKAY.

Dorso—5 April 1689.—Receat be Major generall M^cKay of tuo brasen cannon of 3 lib. ball, from William Lawrie, tutor of Blakwood.

277. COMMISSION to JAMES LORD ANGUS to be Colonel of a regiment
of foot. 22d April 1689.

THE ESTATES of the kingdome of Scotland, considering that James Lord Angus hes made ane offerr to levie a regiment of twalve hundreth foot to be commanded by him as Collonell, and to be imployed in the service of his Majestie, William, by the grace of God King of Great Brittain, France, and Ireland, and the Estates repossing speciall trust and confidence in the fidelitie, couradge and good conduct of the said James Lord Angus, have therefore nominated, constituted and appoynted, and by these presents doe nominat, constitute and appoynt the said James Lord Angus to be Collonell of the said regiement of foot appoynted by the act of the saids Estates of the date of these presents, to be levied by him as said is, consisting of twentie companies and sixtie men in each companie. With full power to the said James Lord Angus to nominat the livetennant collonell and major of the said regiement, and the captaines and inferior officers of the severall companies, and to grant commissiones accordingly, and to command and exercise the said regiement, both officers and souldiers, as collonell and captaine, cairfully and dilligently, and to keep them in good ordour and discipline, and to doe and act all things competent and incumbent for any collonell of foot to doe and performe: Requyring and commanding heirby all officers and souldiers of the said regiement to give dew obedience to the said James Lord Angus as their collonell, and to the respective commanding officers; and farther, the Estates doe heirby command and requyre the said James Lord Angus to observe and prosecute such orders and directiones as he shall receive from tyme to tyme from them or from Major Generall M^cKay, present commander in cheiff of the forces of this kingdome, or any other commander in cheiff for the tyme, or any superior officers, according to the ruelles and discipline of warr. And the Estates doe declair that each companie of both officers and souldiers is to enter in pay after the same is mustared compleat, and the field officers after the wholl regiement is mustared; and that this commissione shall containe untill the Kings most excellent Majestie shall be pleased to grant new commissiones for the said regiement, or otherwayes dispose therof. Signed be warrand and in name of the Estates, by the Duke of Hamiltowne, their President, att Edinburgh, the twentie two day of Appryle j^mvj^c eightie nyne years.

HAMILTON, P.

Dorso—Commissione to James Lord Angus to be collonell of a regiment of
foot. 1689.

278. INFORMATION sent to my LORD ANGUS concerning his Regiment.
15th September 1691.

IN APRYLE 1689, when the Estates of Scotland stood in need to raise men for defence of King William and Queen Marys interest, severall gentlemen and others well affected to their interest and to the work of reformation, did offer to the Estates of Scotland, then sitting at Edinburgh, to raise fyfeteen hundreth men, provyding they would grant commission to my Lord Angus to be their collonell, which was accepted, and the number of the regiment restricted to twelve hundreth. Commission being granted, the men was mustered at Douglas the thirten day of Apryle 1689, and thereafter at Falkirk the thirtieth of May 1689, and was divided in twintie companies.

After his Majesties accepting of the croun and goverment of Scotland, he sent commissions to the collonell, livetennent collonell and major, and to seventeen captains and their subalterns, all blank in the name, to be filled up by advice of the collonell; but Livtennent-collonell Clelland and Major Henderson being killed at Dunkeld in the latter end of August 1689, his Majestie granted a commission to Captain Fullertoun, in September 1689, to be livetennent-collonell to that regiment, to whom the most part of all the officers commissions were delyvered blank in the name.

This regiment of my Lord Angus's, in the moneth of March 1690, was reduced to eight hundreth men, and made up in thirteen companies; and when the livtennent-collonell received pay for that regiment, he was payed be the Estates for eight hundreth men till Lambes 1690, that they entered upon English paye.

Seeing the officers of your regiment hes given in their complaint against Livetennent-collonell Fullertoun for keeping up their pay due to them, which they desire yow to redress—

It is thought fitt by your frinds here, that yow take the managment of the pay of the regiment, to be disposed of be your self or such as yow shall appoynt, and to commissionat ane agent at London who is to receive the pay of your regiment, and to pay it out at your order to such as yow shall appoynt to receive it.

Its thought fitt that yow speake with Sir Robert Douglas of Glenbervie concerning your officers complaint against the livetennent-collonell, and what shall be your deportement to him and all other affairs that concern the regiment.

When yow have chosen your agent and sent him a commission, its thought necessar that yow write to the Earle of Runella [Ranelagh], thesaurer of his Majesties army, and to the two secretaries, what yow have done, and the reason of it.

Its informed that the major's employment is to meddle with the pay of the regiment and every other thing that is given to the regiment.

Dorso—15 Sept. 1691. Information sent to my Lord Angus.

279. PATENT by QUEEN ANNE, creating ARCHIBALD, MARQUIS OF DOUGLAS, DUKE OF DOUGLAS, MARQUIS OF ANGUS, EARL OF ANGUS AND ABERNETHIE, etc. St. James's, 10th April 1703.

ANNA Dei gracia Magnæ Britaniæ, Franciæ et Hiberniæ, Regina, Fideique Defensor, omnibus probis hominibus ad quos præsentis literæ nostræ pervenerint, salutem; Quandoquidem nos regio nostro animo revolventes, fidelissimum et dilectissimum nostrum consanguineum Archibaldum Marchionem de Douglas ex familia nobili et illustri ortum esse, et a progenitoribus qui maximæ fiduciæ munia illis concredita immaculata virtute et singulari fide obierunt, quique ob res ab illis clarissime gestas regium diadema tuendo ac sustentando, summis honoris ac dignitatis titulis per nostros regios [præ]decessores exornati fuerunt, nos quoque hujus maxime memores et cupidi per ulteriorem honoris additionem dicto Archibaldo Marchioni de Douglas ejusque hæredibus posteamentionatis sibi animum addere ut nobiles suos prædecessores imitet, noveritis igitur nos fecisse, constituisse, creasse, et inaugurasse, sicuti tenore præsentium facimus, constituimus, creamus, et inauguramus memoratum Archibaldum Marchionem de Douglas, Ducem de Douglas, Marchionem de Angus, Comitem de Angus et Abernethie, Vicecomitem de Jedburgh-Forrest, Dominum Douglas de Bunkle, Prestoun, et Robertoun; Dando, concedendo, et conferendo, sicuti tenore præsentium damus, concedimus, et conferimus prædicto Archibaldo Marchioni de Douglas, et hæredibus masculis ex suo corpore procreandis, antedictum titulum, honorem, ordinem, gradum, et dignitatem Ducis; necnon declaramus et ordinamus præfatum Archibaldum Marchionem de Douglas, ejusque antedictos, Duces de Douglas, Marchiones de Angus, Comites de Angus et Abernethie, Vicecomites de Jedburgh-Forrest, Dominos Douglas de Bunkle, Prestone et Robertoun, omni tempore futuro nominandos et designandos, omnesque immunitates, dignitates, præcedentiam, prioritatem et suffragium in omnibus parliamentis, conciliis generalibus, ordinum conventibus, aliisque congressibus quibuscunque tam publicis quam privatis, cum omnibus prerogativis,

præminentis, libertatibus, et privilegiis quibuscunque, ad ullum alium in regno nostro Scotiæ ducem spectantibus, aut spectare valentibus, possidere et frui: Tenendum et habendum dictum titulum, honorem, ordinem, dignitatem, et gradum ducis, cum omnibus et singulis prærogativis, præminentis, privilegiis, præcedentis, immunitatibus eo spectantibus, præfato Marchioni nunc Duci de Douglas, ejusque antedictis, de nobis nostrisque illustrissimis successoribus, in perpetuum, tam plenarie adeoque libere in omnibus respectibus, et conditionibus, quam ullus alius dicti regni nostri Dux possidet seu possidere poterit; et volumus et concedimus et pro nobis nostrisque illustrissimis successoribus, decernimus et ordinamus hoc nostrum præsens diploma adeo validum efficax et sufficiens fore dicto Archibaldo, nunc Duci de Douglas, ejusque antedictis, pro eorum fruitione et possessione dicti tituli, honoris, ordinis, dignitatis, et gradus ducis, cum omnibus privilegiis eo spectantibus, omni tempore futuro, acsi adhibitis solemnitatibus et ceremoniis antiquo usitatis, et similibus occasionibus consuetis investitus et inauguratus fuisset, quocirca dispensavimus, tenoreque præsentium inperpetuum dispensamus: Leoni porro armorum regi ac fratribus suis facialibus talia additamenta suo paludamento, ut illi ac ipsis pro hac occasione conveniens videbitur concedere et præscribere imperamus; proviso omnimodo, sicuti tenore præsentium expresse providetur et declaratur, quod concessio et acceptatio hujus præsentis diplomatis antedicto Marchioni de Douglas nunc Duci de Douglas, et hæredibus masculis ex suo corpore, nullatenus præjudicabit aut obnoxius erit diplomatis suis prædecessoribus et hæredibus inibi mentionatis, perprius concessis, de titulo et dignitate Marchionis de Douglas, et aliorum titulorum et dignitatum inibi expressis, quæ (deficientibus hæredibus masculis ex suo corpore) nullo modo per præsentibus innovari aut præjudicari declarantur: In cujus rei testimonium præsentibus magnum sigillum nostrum appendi præcepimus: Apud aulam nostram de S^t James's, decimo die mensis Aprilis, anno Domini millesimo septingentesimo tertio et anno regni nostri secundo.

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

Dorso—Wrytine to the Great Seall and registrat the tuentie third day of
September 1703. CHARLES KERR.

Sealed att Edinburgh, the twentie third day of September one thousand seven hundereth and three years, by speciall order, till the seal be renewed.

ALEX^r OGILBIE.

ADDITIONAL CHARTERS.

280. CHARTER by KING WILLIAM THE LION to GILBERT, son of the Earl of Angus, of the lands of Pourie, Ogilvie, and Kinminitie. [1172-1177.]¹

WILELMUS Rex Scotorum, episcopis, abbatibus, comitibus, baronibus, iusticiariis, vicecomitibus, ministris, prepositis, cunctisque aliis probis hominibus totius terre sue, Francis, Anglis et Scotis, salutem : Sciatis me dedisse et concessisse et hac charta mea confirmasse Gilberto filio comitis de Angus, Purin et Ogguluin et Kynminethen, per suas rectas diuisas, cum omnibus iustis pertinentiis suis, in bosco et plano, in pratis et pascuis, in moris et maresiis : Tenendas sibi et heredibus suis de me et heredibus meis, in feodo et hereditate, libere et quiete, plenarie et honorifice, per seruitium vnius militis. Quare volo vt predictus Gilbertus et heredes sui prenomintas terras teneant et habeant per preuominatum seruitium ita libere et quiete, plenarie et honorifice vt aliqui milites liberius et quietius, plenius et honorificentius, terras suas de me tenent in regno Scotie ; Testibus, Episcopo de Abirdonense ; [David] fratre meo, Comite Valdev, Comite Dunecano, Richardo domino [de] Morvill [constabulario], Valtero filio Alani dapifero, Nesso filio Vilelmi, Wilelmo de Lindsay, Valtero Oliepheir, Patricio filio Comitis, Valtero de Barkele, Abrahamo milite, et Simone, fratre suo, Valtero Gifferd, Rodolpho Ruffo, Richardo clerico ; apud Montrois.

281. CHARTER by REGINALD OF WAREN to LAURENCE, the son of Orm, of the land of Couentre in exchange for Wester Dron. [c. 1203-1230.]

REGINALDUS DE WAREN, hominibus suis et amicis, salutem : Sciant presentes et futuri, me concessisse, et quietam clamasse Laurencio filio Orm et heredibus suis pro me et heredibus meis, Couentre per rectas diuisas et cum omnibus iustis

¹ From Extract from Liber Actorum, by Alexander Hay of Eister Kennet, clerk of the Rolls, Register, and Council, of Transumpt of the charter, made 14th February 1577, by the Lords of Council, at the instance of Gilbert Ogilvie of that ilk, wherein it states,

“Quhilk chartor is werray auld, worne, and consumit, and skantlie may be weill red,” and “the samin is the eldest and principale euident quhilk he hes thair of.” [Original Extract in Douglas Charter-chest.]

pertinenciis suis, libere et quiete et honorifice, ab omnibus seruitiis et consuetudinibus, cum omni jure meo, sicut ego liberius et quietius et honorificentius illam terram de Rege tenui : Tenendam et habendam sibi et heredibus suis de Rege et heredibus ipsius, in excambio de occidentaliori Drun, et de Munethin eidem Drun pertinenti, saluo forinseco seruitio domini Regis ; excepto quod ego et heredes mei adquietabimus Laurencium et heredes suos de seruitio militis quantum ad predictam terram pertinet : His testibus, comite Malcolmo de Fif, Willelmo Olifard, Patricio de Striuelin, Toma de Kilmaron, Michaele filio Orm, Waltero filio Saweri, Willelmo clerico, Swano filio Edolfi, Rogero de Dunberni.

282. CHARTER by GREGORY, Bishop of Brechin, to LAURENCE of Abernethy, of the land formerly disputed between Dunlappie and Stracathro. [1226-1231.]

VNIUERSIS presentibus has literas uisuris uel audituris, Gregorius, Dei gratia Brekhinensis episcopus, eternam in Domino salutem : Sciatis nos, pro nobis et successoribus nostris, per consensum et consilium capituli nostri, quietum clamasse Laurencio de Abirnithin et heredibus suis, totum clamium et totum jus quod habuimus uel quod habere putauimus in terra, unde contentio quondam mota fuit, inter Dunlopin et Stracatherauh : Tenendum et habendum sibi et heredibus suis quietum pro nobis et successoribus nostris in perpetuum, usque ad riuulum de Binssohc, sicut jus suum et hereditatem : Pro ista autem quieta clamatione prefatus Laurencius et heredes sui dabunt quolibet anno Deo et Sancte Marie, et ecclesie de Brekhin et successoribus nostris, unam marcam argenti in perpetuam elemosinam ; scilicet, dimidiam marcam ad festum Sancti Martini, et dimidiam marcam ad Pentecosten. Firmiter etiam promisimus pro nobis et successoribus nostris, quod in predicta terra quam quietam clamauius nullum ius uel clamium, neque ratione possessionis neque ratione proprietatis, per nos uel per alios aliquo tempore uendicabimus, salua predicta marca annuatim nobis et successoribus nostris ; sed nos et successores nostri predicto Laurencio et heredibus suis omnia que superius promisimus et concessimus, bona fide obseruabimus : Vt autem ista quietata clamatio stabilis et rata pro nobis et successoribus nostris in perpetuum permaneat, presentem cartam sigillo nostro et sigillo capituli nostri et sigillis ceterorum proborum uirorum, scilicet, domini Hugonis Dunkeldensis episcopi, et domini Habrae Dunblanensis episcopi, et domini Andree Morauiensis episcopi, et domini Radulfi abbatis et conuentus de Abbirbrodock, corroborauimus ; hiis testi-

alil Epe ernt In dno late. Sicut nos p nob z successoribz
rethi z heredibz suis totu clamu z totu sul qd habuim. ut
lopyi z Katherauly. Tenendu z habendu sibi z heredibz sui
be sicut sul suu z hereditate Pro ista tu queta clamatoe
ie de brekhy z successoribz unil unt marcat argenti In ppe
ad pentecosten. Firmu etiam pmsu p nob z successoribz unil
z possessiois neqz rudo pperatit p nos ut p alios aliq tempore
ol z successoribz unil p dicto Laur z heredibz suis omnia qd hup
z Raca p nob z successoribz unil in pperu pmaneat. plence
omil Dunkeldensis epi. z dnu habrae dunblanensis epi. z dnu
roborauim. Quil testibz compno Willelmo abbe de scona. dognio
mbriu uicecomite de forfar. Galfrido de Inuicungal. opagro
urol. Willelmo capto. Johne de Hewere clero. Johne abbe z alul mted



bus, dompno Willelmo abbate de Scona, dominopno Innocencio abbate de Incheaffrey, domino Henrico filio comitis Dauid, Hugone de Canbrun uicecomite de Forfar, Galfrido de Inuirconinglas, magistro Henrico de Norham, Madur clerico, Roberto de Inuirkilledor, magistro Henrico de Munros, Willelmo capellano, Johanne de Newerc, clerico, Johanne abbate, et aliis multis.

283. CHARTER by MALCOLM, EARL OF ANGUS, to NICHOLAS, son of Brice, of the land of the Abthane of Monifieth. [c. 1230.]¹

SCIANT omnes tam presentes quam futuri hanc cartam uisuri uel audituri, quod ego Malcolmus, comes de Anegus, dedi et concessi et hac presenti carta mea confirmaui Nicholao, filio Bricii sacerdotis de Kiremure, et heredibus suis, in feudo et hereditate totam terram de Abthein de Munifeth: Tenendam sibi et heredibus suis de me et heredibus meis, libere et quiete, plenarie et honorifice, ex omni exactione et exercitu et consuetudine seculari, saluo communi auxilio domini regis, in molen-
dinis, in stagnis, in aquis, in pratis et pascuis, in moris et marisiis, in braciario, et in piscariis, et in omnibus aliis aisiamentis ad predictam terram pertinentibus: Reddendo inde annuatim mihi et heredibus meis sexdecim solidos argenti ad duos terminos, octo solidos scilicet, ad festum sancti Martini, et octo solidos ad Pentecosten: Et ut hec mea donatio rata et inconcussa permaneat, huic scripto sigillum meum dignum duxi apponendum: Hiis testibus, domino Dauid de Betun, Hugone fratre domini comitis, Dunecano de Ferneuel, Hugone sacerdote de Mureaus, Johanne de Rising, Ranulfo de Forfar, Willelmo paruo, et multis aliis.²

284. CHARTER by MATILDA, COUNTESS OF ANGUS, to NICHOLAS, son of Brice, of the lands of the Abthane of Monifieth. [1242.]³

SCIANT omnes tam presentes quam futuri hoc scriptum visuri uel audituri, quod ego Matilda, comitissa de Anegus, in legitima potestate viduitatis mee existens, concessi et presenti carta mea confirmaui Nicholao, filio Bricii sacerdotis de Kerimure, et heredibus suis, totam terram de Abthen de Munifeit: Tenendam et habendam sibi et heredibus suis, de me et heredibus meis, in feudo et hereditate, per rectas diuisas suas, cum iustis pertinenciis suis et aisiamentis, ita libere et quiete,

¹ Original Charter in H.M. General Register House, Edinburgh.

² Seal attached, shield very perfect, but legend much defaced. Vol. ii. of this work, p. 6.

³ Original Charter in H.M. General Register House, Edinburgh.

plenarie et honorifice, in omnibus sicut in s[cripto] domini M[alcolmi] bone memorie, dudum Comitis de Aneus, patris mei, supradicto N[icholao] inde collata, liberius, quociens, plenarius et honorificentius continetur: Reddendo inde annuatim ipse et heredes sui michi et heredibus meis sexdecim solidos argenti ad duos terminos, octo scilicet solidos ad Pentecosten, et octo solidos ad festum sancti Martini in hieme: Et in huius rei testimonium presenti scripto sigillum meum dignum duxi apponendum: Testibus, domino A[dam] abbate de Aberbrothock, Stephano et Andrea monachis eiusdem loci, domino Hugone auunculo meo, domino Henrico de Haliburtoun, domino Willelmo vicario de Monifeit, Johanne Albo senescallo meo, Rogero de Balcathin et multis aliis.¹

285. RESIGNATION by ADAM, son of Roger, son of Edmund Spoth, in favour of RANDOLPH of Boncle, of lands in Boncle. 2d August 1247.

OMNIBUS Christi fidelibus has litteras visuris vel auditoris, Adam filius Rogeri filii Eadmundi Spoth, salutem: Nouerit vniuersitas vestra me anno gracie M^o cc^o xl^o septimo, in crastino sancti Petri ad uincula, apud Rokisburg, in curia domini regis Scocie, coram domino Dauid de Lindesay, tunc Justiciario Laodonie, reddidisse per fustum et bastonem, et quietum clamasse de me et heredibus meis, Ranulfo de Bonekil et heredibus suis, totum jus et clamum quod habui uel habere potui in duabus carucatis terre in territorio de Bonekil, de quibus ego dictum Ranulfum de Bonekil per preceptum domini regis Scocie, et domini Dauidis de Lindesay, tunc Justiciarii Laudonie, in comitatu de Berewich inplacitau; ita quod nec ego nec heredes mei aliquod jus uel clamum in dictis duabus carucatis terre de cetero possimus reclamare, pro quadam summa pecunie quam mihi dictus Ranulfus de Bonekil in magna necessitate mea pre manibus pacauit: Ego uero in predicta curia, tam fide media quam sacramento corporaliter prestito, dictas duas carucatas terre et jus quod in illis habui uel habere potui, de me et heredibus meis abiurau, et in perpetuum quietum clamaui; subiiciendo me et heredes meos iurisdictioni dominorum Episcoporum Sancti Andree, Glasguensis et Dunkeldensis, qui pro tempore fuerint, quod si ego uel heredes mei aliquo tempore in posterum contra istam quietam clamacionem et abiuracionem contraire presumpserimus, et dictum Ranulfum de Bonekil uel heredes suos vexauerimus, simus excommunicati incontinenti ab eisdem episcopis, et in eadem excommunicatione maneamus quousque a dicta vexacione cessauerimus, et penam ducentarum

¹ No seal is now attached to this writ.

librarum argenti dicto Ranulfo de Bonekil uel heredibus suis uel suis assignatis plenarie persoluerimus : Renunciando pro me et heredibus meis omni juris remedio, tam canonici quam ciuili : Et ad maiorem securitatem huius quiete clamacionis et abiuracionis habendam, presens scriptum sigilli mei munimine feci roborari : Hiis testibus, domino Dauide de Lindesay tunc Justiciario Laodonie, domino Willelmo de Mordingtonn, tunc vicecomite de Berewic, domino R., tunc priore de Coldingham, domino Nicolao de Sules, tunc vicecomite de Rokisburg, domino Dauide Maresscalo, domino W. Giffard, tunc vicecomite de Hedenburg, domino Thoma filio Ranulfi, domino R. Maresscallo, domino Alano de Harekarris, domino Aymero de Makiswelle, domino Thoma de Normauille, domino H[enrico] de Graham, domino W. de Summiruile, domino Symone Locard, domino Henrico de Wintona, et tota curia.

286. CHARTER by GILBERT OF UMPHRAVILLE, EARL OF ANGUS, to ALEXANDER OF ALREDAS, of the lands of Inverquharity, in Kirriemure.
[18th October] 1271.¹

OMNIBUS hominibus hanc cartam visuris vel auditoris, presentibus et futuris, Gilbertus de Wnfranouille, comes de Anegus, salutem in Domino sempiternam : Nouerit vninersitas uestra me dedisse, concessisse, et hac presenti carta mea confirmasse Alexandro de Alredas vnam dauachtam terre, nomine Inwercarewethi, in feodo de Kerimure, pro homagio et seruicio suo : Tenendam et habendam de me et heredibus meis, in feodo et hereditate, eidem Alexandro et Waltero filio suo et heredi, et heredibus eiusdem Walteri de corpore suo legitime procreatis, per suas rectas diuisas, libere, quiete, integre, plenarie et honorifice, in pratis et pascuis, in viis et semitis, in moris et maresiis, in boscis et planis, in stagnis et aquis, in piscariis et molendinis, et cum omnibus aliis suis pertinenciis et libertatibus, sine aliquo retinemento, similiter et cum braciis ad dictam terram spectantibus : Ita tamen quod si contingat antedictum Walterum, filium et heredem dicti Alexandri, sine heredibus de corpore suo legitime procreatis, in fata discedere, volo quod dicta dauachta terre cum omnibus suis pertinenciis, et per suas rectas diuisas, mihi et heredibus meis integre et plenarie reuertatur : Reddendo inde annuatim mihi et heredibus meis dictus Alexander et sui heredes, ut dictum est, vnum denarium die festo Assumpcionis beate Marie Virginis, aput Kerimure, pro omni alio seruicio seculari, exaccione, seu demanda, et faciendo forinsecum seruicium

¹ Original Charter in the Inverquharity Charter-chest.

domini Regis quantum pertinet ad vnam dauachtam terre. Ego uero Gilbertus de Wnfranouille, comes de Anegus, et heredes mei dictam dauachtam terre, per suas rectas diuisas et cum omnibus suis pertinenciis, eidem Alexandro et suis heredibus, sicut superius in presenti carta nominantur, contra omnes homines et feminas in perpetuum warentizabimus, adquietabimus et defendemus, nisi ita sit quod dicta dauachta terre per suas rectas diuisas mihi et heredibus meis in aliquo futuro tempore reuertere debeat, casu superius nominato : Hiis testibus, dominis Reginaldo le Chien filio, Roberto de Walchop, Nicholao de Haia, militibus, Johanne Comin, filio et herede domini Alexandri Cumin, comitis de Bochan, Anegus de Neutybre, domino Rogero, capellano, Roberto de Leike et Rogero dicto "Pater noster," clericis, et multis aliis. Datum apud Ballendolach, die Lune proximo ante festum beati Luce Ewangeliste anno Gracie m^occ^o septuagesimo primo.

287. CHARTER by KING ROBERT THE BRUCE to JAMES OF DOUGLAS, son and heir of William of Douglas, knight, of Douglasdale and Carmichael. 1st April [1320].¹

ROBERTUS Dei gratia Rex Scotorum, omnibus probis hominibus totius terre sue, salutem : Sciatis nos dedisse, concessisse, et hac presenti carta nostra confirmasse Jacobo de Douglas, filio et heredi Willelmi de Douglas, militis, pro homagio suo, totam terram et tenementum Vallis de Douglas, ac eciam totam terram et tenementum de Kirkmychel, per istas diuisas : Incipiendo, uidelicet, apud le karyn de Tintow, et sic descendendo per le Merburne vsque ad moram de Tankardistoun, et sic ex transuerso per eandem moram vsque ad orientalem partem de Hokenedu, quousque peruenerit in Glaedburne ; et sic ex transuerso Glaedburne ascendendo per riuulum ex parte orientali ecclesie de Kirkmychel ; et sic de capite eiusdem riuuli descendendo per medium de Cloucheburnbog vsque Chernesford ; et sic descendendo vsque ad aquam de Cluyde ; et sic per illam aquam de Cluyde descendendo quousque peruenerit ad locum vbi aqua de Duglas cadit in aquam de Cluyde ; et sic per aquam de Duglas ascendendo vsque Polnelismouth ; et sic per Polnele ascendendo vsque Catteclouch ; et sic de Catteclouch vsque Knokestillach, et sic de Knokestillach vsque Lenbukkislaw, et sic de Lenbukkeslaw vsque le kaerne de Kaerntabel ; et sic descendendo per antiquam marchiam de Duglas quousque peruenerit apud le kaerne de Tintow : Tenendas et habendas eidem

¹ Printed from official extract by Sir John Skene, Clerk-Register ; collated with the printed Registrum Magni Sigilli, p. 15.

Robertus Dei gratia Rex Scottorum. Omnibus probis hominibus
p[re]sentium carta nostra confirmasse Jacobo d[omi]no de Douglas
p[ro] totam villam n[ost]ram heritoriam de Jedburgh c[um] placet
et totam forestam n[ost]ram de Jedburgh in liberam forestam. c[um] d[omi]n[us]
dicit nos aut p[re]decessores nostri Reges Scotia d[omi]nam forestam
potuim[us] vel potuerunt. Nec non et omnes terras n[ost]ras dominicas
eidem Jacobo et heredib[us] suis iustis de corpore suo legitime
hereditate. p[ro] omnes terras eccl[esi]as et domos suas libere quiete
servitis. m[on]as. m[on]ast[er]iis. iuris. p[re]sentis. una c[um] homagiis et servitiis
c[um] feodis et forstacanis. c[um] molendinis m[un]itionis et eor[um] sequelis. s[er]vitiis
Barroniam. c[um] furca. et fossa. Dec[em] et sex. Ch[er]ch. et Chedm. et infra
et iustas p[re]tensionis suis in om[n]ib[us]. et p[ro] om[n]ia. tam n[on] notatis. q[uam] notatis
p[re]tensionib[us]. seu quocunq[ue] iure ob modo p[re]sentis valentib[us] in futurum.
et de Hassenden. Newland. Vessedelham. et de Madon c[um] g[ra]tis
heredes sui sup[er] d[omi]n[us] no[n]e annue firme burgi de Jedburgh. C[um]
p[ro] egles. p[re]sentis. Et faciendo nobis et heredib[us] n[ost]ris p[ro] p[re]sentis et
bus aliis servitiis. Consuetudinib[us]. Secularib[us]. Exactionib[us]. seu decimis
appom[us] G[ra]tis. D[omi]no Comite de s[er]vis. Thoma Panulphi. Comite
Patricio de Dunbar. Comite m[ar]tino. Bernardo Abbate
S[er]vitiis. Dec[em] Gilberto de h[er]a Constabular[is] n[ost]r[us] et Rob[ert]o de t[er]ra
Q[ui]ntodecimo.

libz totius terre sue, saltem Datus Nos dedisse. Concessisse, et hac
libra dilecto & fideli nro, pro homagio & seruicio suo. Nobis fidelit' impen
turre Castri de Sedburgh, & totam villam nram de Houdsedburgh
us & Esclatis, ad liberam forestam p'inentibz, adeo Libere, & quiete
erius, aut quicquid tenuimus vel tenuerunt, aut in omnibz tenere
ad dcam villam de Sedburgh p'inentes. Tenend' et Habend',
procredit' seu procredituris, de Nobis & heredibz nris in feodo, et
rentano & honorifico, in bosca & planis, p'us, pascaus, & pasturis, v'is
us Libere tenentiu, et cu' bondis, bondagis, Natuis, & eoz sequelis
Esclatis, nec no' & cu' p'stat'ibz, ducap'at'ibz, & venacionibz, in libtam
nd'heff, et cu' omnibz & singulis Libertatibz, comoditatibz, & p'ficiatis
ad p'dcas villas, placadam, & turrem Castri, forestam & t'ras d'cas
lus nobis & heredibz nris Decis & seruiciis faciendis apud Roxburg
Reddendo inde annuatim nobis & heredibz nris, d'cis Jacobus, et
v' solidos h'ualis yonete, ad festu' Pentecost', & s'cu' adu'm in hyeme
nemenis, seruiciu' vni' yntus in Exd'atu nro, adu'm modo pro omni
ndis In cuius test'm, p'fatu' Cart' nre sigillu' nru' p'cepim'
ordano vno Gallo Andrie & yanno, Chalizo Comite de P'lm
burby Cancellari' nro Waltero Senescallo Scot', Gille de Soules
et ynt'p'allo nro yntibz apud Aburby Sexto die aydy, Anno Regni nri



Jacobo et heredibus suis, vel suis assignatis, de nobis et heredibus nostris in feodo et hereditate, et in liberam baroniam, et cum aduocacionibus ecclesiarum, ac omnibus liberetenentibus et natiuis hominibus eiusdem, in omnibus et per omnia, et cum omnibus pertinentiis, libertatibus, et aysiamentis ad dictas terras et tenementa pertinentibus, vel aliquo modo pertinere valentibus. Volumus insuper et concedimus pro nobis et heredibus nostris, quod dictus Jacobus et heredes sui, vel sui assignati, habeant et teneant omnes predictas terras et tenementa libere in omnibus ab omnimodis prisis, attachiamentis, et petitionibus quibuscunque; ita quod nullus ministrorum nostrorum in aliquo se intromittat infra predictas diuisas, nisi tantum de articulis specialiter ad coronam nostram pertinentibus. Reddendo ipse et heredes sui, vel sui assignati, nobis et heredibus nostris, pro wardis, releuiis, maritagiiis, escaetis, sectis curie, et pro omnibus aliis terrenis seruitiis et demandis, tam non nominatis quam nominatis, que de dictis terris et tenementis exigi poterunt vel demandari a quocunque, ad nathale Domini, apud Lanerk, vnum par calcarium deauratorum in alba firma tantum. In cuius rei testimonium presenti carte nostre sigillum nostrum precepimus apponi: Testibus, Willelmo Dei gratia episcopo Sancti Andree, Duncano comite de Fiff, Andrea de Morauia, Roberto de Vruyng, Nicholao de Haya, et Daudid de Grame, militibus; apud Beruicum super Twedam, primo die Aprilis, anno regni nostri quinto decimo.

288. CHARTER by KING ROBERT THE BRUCE to JAMES, LORD OF DOUGLAS,
knight, of the town of Jedburgh, etc. 6th May [1320].

ROBERTUS Dei gracia Rex Scotorum, omnibus probis hominibus tocius terre sue, salutem: Sciatis nos dedisse, concessisse, et hac presenti carta nostra confirmasse Jacobo domino de Duglas, militi, dilecto et fideli nostro, pro homagio et seruicio suo nobis fideliter inpenso, totam villam nostram mercatoriam de Jedworth, cum placea, et turre castri de Jedworth, et totam villam nostram de Bondjedworth, et totam forestam nostram de Jedworth in liberam forestam, cum curiis et escaetis ad liberam forestam pertinentibus, adeo libere et quiete sicut nos, aut predecessores nostri, Reges Scocie, dictam forestam liberius aut quocius tenuimus vel tenuerunt, aut in omnibus tenere potuimus vel potuerunt; nec non et omnes terras nostras dominicas, ad dictam villam de Jedworth pertinentes: Tenendas et habendas eidem Jacobo et heredibus suis masculis de corpore suo legitime procreatis seu procreandis, de nobis et heredibus nostris, in feodo et hereditate, per omnes rectas metas et diuisas suas, libere, quiete, plenarie et honorifice, in boscis et planis, pratis,

pascuis et pasturis, viis, semitis, moris, maresiis, aquis, stagnis; vna cum homagiis et seruciis liberetenencium, et cum bondis, bondagiis, natiuis et eorum sequelis; cum feodis et forisfactoris, cum molendinis, multuris et eorum sequelis, ac escaetis; necnon et cum piscacionibus, aucupacionibus et venacionibus; in liberam baroniam, cum furca et fossa, soc et sac, thol et theam et infangandthef; et cum omnibus et singulis libertatibus, comoditatibus, aisiamentis et iustis pertinenciis suis, in omnibus et per omnia, tam non nominatis quam nominatis, ad predictas villas, placeam, et turrem castri, forestam et terras dominicas pertinentibus, seu quocunq; iure vel modo pertinere valentibus in futurum: Saluis nobis et heredibus nostris sectis et seruciis faciendis apud Roxburg terrarum de Hassenden, Neuland, Lessedewyn et de Aldtoun, cum contigerint: Reddendo inde annuatim nobis et heredibus nostris dictus Jacobus et heredes sui supradicti, nomine annue firme burgi de Jedworth, centum solidos vsualis monete, ad festum Pentecostis et sancti Martini in hyeme, per equales porciones; et faciendo nobis et heredibus nostris, pro predictis terris et tenementis, seruicium vnius militis in exercitu nostro tantummodo, pro omnibus aliis seruciis, consuetudinibus, secularibus exactionibus seu demandis. In cuius rei testimonium presenti carte nostre sigillum nostrum precepimus apponi: Testibus, Duncanio comite de Fyf, Thoma Ranulphi, comite Morauie, domino Vallis Anandie et Mannie, Malisio comite de Strathern, Patricio de Dumbarr, comite Marchie, Bernardo abbate de Abirbrothok, cancellario nostro, Waltero, senescallo Scocie, Willelmo de Soules, buttelario Scocie, Gilberto de Haia, constabulario nostro, et Roberto de Keth, marescallo nostro, militibus; apud Abirbrothok, sexto die Maii, anno regni nostri quintodecimo.

289. CHARTER by JAMES, LORD OF DOUGLAS, to ROGER OF MORAY, of his lands of Fala. 1st September 1321.

OMNIBUS hanc cartam visuris vel auditoris, Jacobus dominus de Douglas, salutem in Domino; Sciatis nos dedisse, concessisse et hac presenti carta nostra confirmasse Rogero de Morauia, filio quondam Archebaldi de Morauia, pro seruicio suo nobis inpenso, totam terram nostram et tenementum nostrum de Faulau in baronia nostra de Heriath, infra istas diuisas, incipientes ad le Blacsikis, descendendo in aqua de Galv, et sic per aquam de Galu vsque in le Redestane uersus occidentem, et sic de le Redestane vsque le Stanecarne, et sic usque le Whitstrothirheuid uersus occidentem, et sic deinde usque le Redestane ex parte australi de Foulewodheuid, per medium le Strothir marchiantis ad le Foulewodheuid uersus

occidentem, et sic ad le Balliley usque le Huntlau, et sic del Huntlau ad altam viam tendentem uersus Hadyngtoun versus boream, et sic per altam viam vsque le Smalchoucheuid, et de le Smalchoucheuid vsque peruenerit ad le Blacsikis : Tenendam et habendam dicto Rogero et heredibus suis, de nobis et heredibus nostris, in feodo et hereditate, in pratis et pasturis, viis et semitis, moris et mariiis, stagnis, aquis, molendinis, turbariis, petariis et lapidicinis, in omnibus et per omnia, et cum omnibus pertinenciis, libertatibus, comoditatibus et aysiamentis, tam non nominatis quam nominatis, ad dictam terram et tenementum de Faulau pertinentibus, uel aliquo iure pertinere ualentibus : Reddendo inde annuatim ipse Rogerus et heredes sui nobis et heredibus nostris duos solidos vsualis monete nomine albe firme tantum, ad duos anni terminos, uidelicet, medietatem ad Pentecosten et aliam medietatem ad festum beati Martini in hyeme, pro omnibus et singulis terrenis seruiciis et demandis que de dicta terra cum pertinenciis exigi poterunt aut demandari in perpetuum a quocunque : Nos uero Jacobus et heredes nostri totam predictam terram et tenementum de Faulau cum pertinenciis suis, in omnibus et per omnia, ut predictum est, dicto Rogero et heredibus suis, contra omnes homines et feminas warantizabimus, acquietabimus et in perpetuum defendemus. In cuius rei testimonium presenti carte sigillum nostrum fecimus apponi : Testibus, domino Waltero, seneschallo Scocie, domino Henrico de Sancto Claro, domino Roberto de Keth, domino Alexandro de Setoun, domino Roberto de Lauwedre, Johanne de Elfinestoun, Egidio de Hormestoun et aliis.

Scriptum apud Neubotle, die Beati Egidii Abbatis, anno Domini m^occc^{mo}xx^{mo} primo, anno uero Regis Roberti xvj^{mo}.

290. CHARTER by KING DAVID THE SECOND to WILLIAM OF DOUGLAS, on resignation by HUGH OF DOUGLAS, of Douglasdale, and others. 29th May, 1342.¹

DAUID Dei gracia Rex Scottorum, omnibus probis hominibus tocius terre sue, salutem : Cum Hugo de Douglas, dominus eiusdem, frater et heres quondam Jacobi domini de Douglas, militis, vicesimo sexto die Maii anno gracie millesimo ecc^{mo} quadragesimo secundo, in nostra presencia et plurium prelatorum regni nostri apud Abredien personaliter constitutus, non vi, dolo aut metu ductus, nec errore lapsus, sed mera et spontanea uoluntate sua, per fustem et baculum

¹ From transumpt made 5th March 1391, at the instance of Archibald, Earl of Douglas and Lord of Galloway.

nobis sursum reddiderit, ac pure et simpliciter resignauerit omnes terras et tenementa subscripta, cum pertinenciis, quas et que de nobis tenuit in capite infra regnum nostrum; videlicet, omnes terras vallis de Douglas, de Carmichel, foreste de Selkyrk, vallis de Lavedre, de Bethoroule, vallis de Esk, de Stabilgortoun, de Botil in Galwydia, de Roumanok et de la ferme de Rothirglen; ac totum ius et clameum quod in dictis terris et tenementis cum libertatibus et pertinenciis habuit seu habere potuit, pro se et heredibus suis omnino quietum clamauerit imperpetuum: Nos, attendentes fidelitatem, merita et vtilis labores dicti quondam Jacobi domini de Douglas, militis, circa defensionem regni nostri, damus, concedimus et preseuti carta nostra confirmamus Willelmo de Douglas, filio et heredi quondam Archebaldi de Douglas militis, fratris eiusdem quondam Jacobi, omnes terras et tenementa predicta cum pertinenciis: Tenendas et habendas eidem Willelmo et heredibus suis masculis de corpore suo legitime procreandis, adeo libere, quiete, plenarie, integre et honorifice, cum omnimodis libertatibus, commoditatibus, aisiamentis et iustis pertinentiis suis, in omnibus et per omnia, sicut prefatus quondam Jacobus omnes predictas terras et tenementa predicta cum pertuenciis liberius iuste tenuit seu possedit per seruicia inde debita et consueta: Quo Willelmo et heredibus suis masculis de corpore suo procreandis in fata decedentibus, vel a prefata hereditate quoquo modo deficientibus, volumus et concedimus pro uobis et heredibus nostris, quod Willelmus de Douglas, miles, dominus vallis de Lidal, cuius labores et merita nobis et regno nostro multipliciter profuisse sentimus, omnes terras et tenementa predicta, cum omni iure hereditario tam proprietatis quam possessionis, pro se et heredibus suis masculis de corpore suo legitime procreatis seu procreandis, habeat, teneat et possideat de nobis et heredibus nostris, adeo libere, quiete, plenarie, integre et honorifice, sicut dictas terras et tenementa predicta cum omnibus suis pertinenciis predicto Willelmo filio et heredi dicti quondam Archibaldi liberius et plenius dedimus et concessimus: Ac ipso Willelmo de Douglas, milite, et heredibus suis predictis in fata decedentibus, vel a prefata hereditate quoquo modo deficientibus, volumus et concedimus pro nobis et heredibus nostris, quod Archebaldus de Douglas, filius dicti quondam Jacobi domini de Douglas, omnes terras et tenementa predicta, cum omni iure hereditario tam proprietatis quam possessionis, pro se et heredibus suis masculis de corpore suo legitime procreatis et procreandis, habeat, teneat et possideat de nobis et heredibus nostris, adeo libere, quiete, plenarie, iutegre et honorifice, sicut predictas terras et tenementa predicta, cum omnibus suis pertinenciis, predicto Willelmo de Douglas,

militi, domino vallis de Lidal, liberius et plenius dedimus et concessimus : Quo Archebaldo et heredibus suis predictis in fata decedentibus vel a prefata hereditate quoquo modo deficientibus, volumus et concedimus pro nobis et heredibus nostris, quod omnes terre et tenementa predicta ad veros et propinquiores heredes predicti Hugonis iure successorio libere reuertantur. In cuius rei testimonium presenti carte nostre sigillum nostrum precepimus apponi ; testibus, venerabilibus in Christo patribus, Alexandro et Adam, Aberdonensi et Brechynensi Dei gracia episcopis, Roberto, senescallo Scotie, nepote nostro, Duncano comite de Pyf, Patricio de Dunbarre, comite Marchie, Thoma de Carnoto, milite, cancellario nostro, et Roberto de Keth, marescallo nostro Scotie, milite ; apud Dounde, vicesimo nono die Maii, anno regni nostri tercio decimo.

291. CHARTER by WILLIAM, LORD OF DOUGLAS, confirming all his charters and letters made to JAMES OF SANDILANDS and ELEANOR OF BRUCE, the granter's sister. *Circa* 1349.¹

OMNIBUS hanc cartam visuris vel audituris, Willelmus, dominus de Douglas, salutem in Domino sempiternam : Noueritis me plene etatis et legitime, approbasse, ratificasse et pro me, heredibus meis, successoribus et assignatis, per presentem cartam meam in perpetuum confirmasse omnes cartas, literas et monumenta, quas et que feci et concessi dilecto et fideli meo, Jacobo de Sandylandys et domine Elianore de Bruys, sorori mee karissime, super baronia de Westircaldore cum pertinenciis, infra vicecomitatum de Edynburgh : Tenenda et habenda dicta baronia cum pertinenciis eisdem Jacobo et domine Elianore et eorum heredibus, adeo libere et quiete, plenarie, integre et honorifice, cum omnimodis libertatibus, commoditatibus, aysiamenis et iustis pertinenciis suis quibuscunque, tam non nominatis quam uominatis, in omnibus et per omnia, ad predictam baroniam spectantibus seu iuste spectare valentibus in futurum quoquo modo, sicut predictae carte, litere et monumenta de verbo in verbum plenius proportant in omnibus et testantur. Et ego dictus Willelmus, heredes mei, successores et assignati, dictam approbacionem, ratificacionem et confirmacionem super dictis cartis, literis et monumentis de predicta baronia, ac totam dictam baroniam cum pertinenciis, eisdem Jacobo et domine Elianore, et eorum heredibus, vt predictum est, warantizabimus, acquietabimus et inperpetuum defendemus contra omnes homines et feminas. In

¹ Original Charter in Torphichen Charter-chest.

cuius rei testimonium presenti carte mee sigillum meum apposui: Hiis testibus, domino David de Lyndesay, domino de Crauford, domino Andrea de Douglas, domino Johanne de Prestoun, militibus, magistro Waltero de Moffet, archidiacono Laudonie, domino Ricardo Smalle, rectore ecclesie de Ratheu, Willelmo del Carnys et Alano de Dispenser clerico, ac multis aliis.

292. CHARTER by KING DAVID THE SECOND to WILLIAM, LORD OF DOUGLAS, of the lands that belonged to James, Lord of Douglas, his uncle, and Archibald of Douglas, his father. 12th February 1354.¹

DAVID Dei gratia Rex Scotorum, omnibus probis hominibus totius terre sue, salutem; Sciatis nos dedisse, concessisse et hac presenti carta nostra confirmasse dilecto et fideli nostro Willielmo, domino de Douglas, omnes terras, redditus et possessiones cum pertinentiis, de quibus quondam Jacobus, dominus de Douglas, avunculus suus, et Archibaldus de Douglas, pater suus, milites, obierunt vestiti et saysiti vt de feodo et hereditate, vbique infra regnum nostrum Scotie; videlicet, de terris vallis de Douglas infra vicecomitatum de Lanark, de terris de Lawedredall et aliis terris pertinentibus ad constabulariam eiusdem vbique infra regnum, de terris vallis de Esk, de forestis de Etrik, Selkirk, Yarowe et Twede, cum antiquis metis diuisis et bundis, de villa de Jeddeworth cum castro et forestis eiusdem, de terris baronie de Bethokroule infra vicecomitatum de Roxburgh, de terris baronie de Romanok infra vicecomitatum de Pebleis, de terris baronie de Botill in Galwidia, de terris del ferme de Rothirglen, de terris de le Estwode infra vicecomitatum de Lanark, de terris de Hughston de Strabrok infra vicecomitatum de Edinburgh, de terris de Famyiltoun et Bondingtoun infra baroniam de Northberuick, de terris de Scotteraw et Aynestoun infra baroniam de Glencrosk, de terris de Polbothy infra vallem de Moffett, cum pertinentiis, ex parte avunculi prefati Willielmi, domini de Douglas; et de terris wallis de Lydell cum castro, de terris baronie de Kirkcandris infra vicecomitatum de Drumfreis, de terris de Heryotmore, de terris de Rethre in Buchania, de terris baronie de Neell et de Coule infra vicecomitatum de Abreden, de medietate terre de Logyachry infra vicecomitatum de Perth, de terris baronie de Cauerys infra vicecomitatum de Roxburgh, de terris baronie de Drumlangrig, et de Tarruglis infra vicecomitatum de Drumfreis, de terris baronie de Westercaldor infra vicecomitatum de Edinburgh, de terris de Graydone infra vicecomitatum de

¹ Official extract by Sir John Hamilton, Clerk-Register.

2. a

¶ Imitz hanc capam de pino et andromo kille comes et
et hanc pino capam nra confirmasse dicit nro Jacolo de ayonco et
in comitatu nro de ayon nra vicecomitatu de abudon qui
nob in curia nra cont ppe capam nram de byndromy nra
p fista et badio mamalio onfim reddidit et resignavit
Jacolo et heredibz suis de nob et heredibz nris in feodo et
et plano pino pasturis et pasturis in morio manesio et
contu et omnis et estatis in molendis mltis et et
et omibz libertatibz alijs comoditatibz et ayfamentis et
pnt omibz tam ad dca dno pntuoz seu pntuoz
et heredes sui nob et heredibz nris cont seram ad omibz
contine p omibz alijs pntuoz et demanda
nro kille comes p dno et heredes nri omes spac
cont omes heredes et pntuoz libantur ab omibz acytabim
capam nra pntuoz nram pntuoz appon hys testibz
de byndrossay, mathe de byndro militibz, Alano de
et mltis alijs .f.

Douglas et de adu catm in dno
p homagio et fmo suo omes dno nro de Ostryffolles cu pmo
dno dno Ricno de aynte alio capello quondr tenor nro et mdr
sexto die mensis July anni dno milii ccc^m lxxviii^m cxxviii^m
Tenendi et hndi omes dno pccas cu omibz suis pmo pccas
pccas mppem p omes terras metas suas et dmpio in bosio
et semine agnis et fagis venatoribz mcapatoribz et pista
pccas cu bano et fabne cu potariis et cybaris et
no noutis qm noutis com ppo qm pccas cum sub dno
abz mppem quognomodo faciendo mdr amari pccas Jacobz
de nro tenendas cu bano mppem et relenis cu
de dno dno alynahz exigi potmo ut regm nos
pccas cu amibz suis pmo pccas Jacobz et hndibz suis
et mppem defendemur in cui rei testam hmo pccas
no lillo de beth mppem tunc alexo ffrp lillo
albedi bernardo de O aynt dno de Glendanellyno

Berwick, cum pertinentiis, ex parte patris ejusdem Willielmi, domini de Douglas ; et de omnibus aliis terris et redditibus cum pertinentiis, tam non nominatis quam nominatis, de quibus prefati quondam Jacobus, dominus de Douglas et Archibaldus obierunt vestiti et saysiti vt de feodo et hereditate, vt predictum est, vbique infra regnum : Tenendas et habendas eidem Willielmo, domino de Douglas et heredibus suis, de nobis et heredibus nostris, et aliis capitalibus dominis dictarum terrarum, in feodo et hereditate, per omnes rectas metas et diuisas suas, cum homagiis et seruitiis liberetenentium omnium terrarum predictarum, cum ecclesiarum aduocationibus, in regalitate, in libera varena, cum feodis et forisfactoris, cum multuris, molendinis et eorum sequelis, libere, quiete, plenarie, integre et honorifice, cum omnibus libertatibus, commoditatibus, aysiamenis et justis pertinentiis suis quibuscunque, tam sub terra quam supra terram, tam non nominatis quam nominatis, in omnibus et per omnia, ad predictas terras, redditus et possessiones cum pertinentiis spectantibus seu juste spectare valentibus in futurum quoquo modo ; vna cum ducatu hominum vicecomitat[u]m de Roxburgh, de Selkirk, de Peblys et superioris varde de Clyde : Faciendo nobis et heredibus nostris et aliis capitalibus dominis dictarum terrarum, si qui sint, prefatus Willielmus et heredes sui seruitia de predictis terris, redditibus, et possessionibus cum pertinentiis, debita et consueta. In cuius rei testimonium presenti carte nostre sigillum nostrum precepimus apponi : Testibus, venerabilibus in Christo patribus, Willielmo, Willielmo et Patricio, Sancti Andree, Glasguensis et Brechynensis ecclesiarum Dei gratia episcopis, Roberto, senescallo Scotie, nepote nostro carissimo, Patricio de Dumbarre, comite Marchie, consanguineo nostro, Willielmo de Leuyngstoun, Roberto de Erskine, Johanne de Prestoun, militibus, et Roberto clerico de Dumbretan ; apud Edinburgh, duodecimo die Februarii, anno regni nostri vicesimo quarto.

293. CHARTER by WILLIAM, EARL OF DOUGLAS and MARR, to JAMES of Mowat, of the lands of Easter Foulis, in Mar. [*Circa* 26th July 1377.]¹

OMNIBUS hanc cartam visuris vel auditoris, Willelmus, comes de Douglas et de Marr, salutem in Domino : Noueritis nos dedisse, concessisse, et hac presenti carta nostra confirmasse dilecto nostro Jacobo de Monte Alto, pro homagio et seruicio suo, omnes terras nostras de Estirfowles cum pertinenciis in comitatu nostro de Marr, infra vicecomitatum de Abirdene, quas terras dominus Ricardus de Monte

¹ Original Charter in Torrance Charter-chest.

Alto, capellanus, quondam tenens noster carundem, nobis in curia nostra tenta prope castrum nostrum de Kyndromy, vicesimo sexto die mensis Julii anni Domini millesimi ccc^{mi} septuagesimi septimi, per fustim et baculum manualiter sursum reddidit et resignavit : Tenendas et habendas omnes terras predictas cum omnibus suis pertinenciis predicto Jacobo et heredibus suis, de nobis et heredibus nostris, in feodo et hereditate imperpetuum, per omnes rectas metas suas et diuisas, in boscis et planis, pratis, pascuis et pasturis, in moris, marresiis, viis et semitis, aquis et stagnis, venacionibus, aucupacionibus et piscacionibus, cum curiis et escaetis, in molendinis, multuris et eorum sequelis, cum bracinis et fabrilibus, cum petariis et turbariis, et cum omnibus libertatibus aliis, commoditatibus et aysiamentis, tam non nominatis quam nominatis, tam prope quam procul, tam sub terra quam supra terram, ad dictas terras spectantibus seu spectare valentibus in futurum quoquomodo : Faciendo inde annuatim predictus Jacobus et heredes sui nobis et heredibus nostris communem sectam ad curias nostras de Marr tenendas, cum wardis, maritagii et releuiis, cum contigerint, pro omni alio seruicio, exactione vel demanda que de dictis terris aliquantulum exigi poterunt vel requiri : Nos vero Willelmus, comes predictus, et heredes nostri omnes terras predictas cum omnibus suis pertinenciis predicto Jacobo et heredibus suis contra omnes homines et feminas warrantizabimus, acquietabimus et imperpetuum defendemus : In cuius rei testimonium huic presenti carte nostre sigillum nostrum fecimus apponi ; hiis testibus, dominis Willelmo de Keth, marescallo Scocie, Alexandro Fryser, Willelmo de Lyndessay, Nicholao de Erskyne, militibus, Alano de Lawedre, Bernardo de Cargill, Adamo de Glendonewyne et multis aliis.

294. CHARTER by KING ROBERT THE SECOND to MARGARET STEWART, COUNTESS OF MAR, of the lands that belonged to Elizabeth Stewart, her sister. 9th April [1379].

ROBERTUS Dei gratia Rex Scottorum, omnibus probis hominibus tocius terre sue, clericis et laicis, salutem : Sciatis nos dedisse, concessisse et hac presenti carta nostra confirmasse dilecte consanguinee nostre, Margarete Senescalli, comitisse de Marre, filie seniori et vni heredum quondam Thome Senescalli, comitis Angusie, consanguinei nostri, omnes terras cum pertinenciis infra vicecomitatus de Forfare, de Perth, de Berewyk et de Edynburgh, que fuerunt Elyzabeth Senescalli, sororis sue iunioris, et quas eadem Elizabeth, non vi aut metu ducta, nec errore lapsa, set mera et spontanea voluntate sua, nobis per literas suas resignationis super hoc patientes nobis directas sursum reddidit, pureque et simpliciter resignavit, ac totum



Robertus dei gra Rex Scottor. omnia p[ro]p[ri]a h[er]editaria sua et
confirmasse. D[omi]no consanguineo n[ost]ro. Gaugneto senescallo com[un]i de
n[ost]ro. omnes terras ad p[ro]p[ri]a infra viciniam de f[ro]ssay. de D[omi]no de
moris. et quas etiam Elizabeth n[ost]ra vi[ro] meo d[omi]na nec ex[er]cit[us]
h[ab]et p[ro]p[ri]as nobis d[omi]natis om[n]i[m] reddidit p[ro]p[ri]as et simplici
potuit p[ro] se et h[er]editariis suis om[n]i[m] g[ra]tias clamant imp[er]io. De
et h[er]editatis p[ro] om[n]es terras meas et simplici suas ad om[n]ib[us] et
deas d[omi]no ad p[ro]p[ri]a p[ro]p[ri]a seu g[ra]tias modo n[ost]ro p[ro]p[ri]as
p[ro] om[n]i p[ro]p[ri]a d[omi]na Elizabeth deas d[omi]no ad p[ro]p[ri]a de nob[is] an
n[ost]ro com[un]i seu possid[er]e p[ro]p[ri]as n[ost]ro d[omi]no d[omi]na et co
gest[us] v[er]o in xpo p[ro]p[ri]a d[omi]no et Joh[ann]e cancell[ar]io n[ost]ro et a
sc[ri]ptis. Actis de f[ro]ssay et de venet[is] p[ro]p[ri]a d[omi]no d[omi]na d[omi]no
n[ost]ro t[er]m[in]o et alex[and]ro de Lyntessay consanguineo n[ost]ro g[ra]tias d[omi]no

et lucas. Datum. Quia nos dedisse concessisse et hac p[ar]te carta n[ost]ra
filio regni et d[omi]ni h[er]edi quondam Thome senescalli comitis Anglie ad hunc
et de Odynbret. que fuerunt Elizabeth senescalli uxoris sue in
ipsa rex n[ost]ra et spontanea voluntate sua nos p[ro]pter has suas resignaciones con-
firmavit ac totu[m] suo et clamen[ti] que in d[omi]no d[omi]no cu[m] p[ar]te habuit ut h[er]e-
et h[er]edi omni[m]o[m]que et h[er]edi suo de nob[is] et h[er]edi n[ost]ro in feodo
suo lib[er]am condicere[m] assensum et iustis p[ar]te suo gub[er]nari ad
totu[m] n[ost]ru[m] adeo lib[er]o et h[er]e plenarie iure et honorifice in omni et
resignacionem sua[m] nob[is] exinde facta lib[er]is iure iure integro et honorifice
in cuius rei testam[ent]o p[re]sent[is] carta n[ost]ra n[ost]ra p[re]cipim[us] appon[ere] sigillum
et d[omi]ni h[er]edi d[omi]ni h[er]edi d[omi]ni h[er]edi d[omi]ni h[er]edi d[omi]ni h[er]edi d[omi]ni h[er]edi
et de omni consensu n[ost]ro am[ic]i Jacobi de Lyndesay n[ost]ri
et n[ost]ri n[ost]ri de Rothsay nono die ap[ri]l[is] anno regni n[ost]ri regni

ius et clameum que in dictis terris cum pertinenciis habuit vel habere potuit, pro se et heredibus suis, omnino quietum clamavit imperpetuum: Tenendas et habendas eidem Margarete et heredibus suis de nobis et heredibus nostris in feodo et hereditate, per omnes rectas metas et diuisas suas, cum omnibus et singulis libertatibus, commoditatibus, aysiamentis et iustis pertinenciis suis quibuscunque, ad dictas terras cum pertinenciis spectantibus seu quoquo modo iuste spectare valentibus infuturum, adeo libere et quiete, plenarie, integre et honorifice, in omnibus et per omnia, sicut dicta Elizabeth dictas terras cum pertinenciis de nobis ante resignacionem suam nobis exinde factam liberius, quocius, integrius et honorificentius iuste tenuit seu possedit: Faciendo inde serui-cium debitum et consuetum: In cuius rei testimonium presenti carte nostre nostrum precepimus apponi sigillum: Testibus, venerabilibus in Christo patribus, Willelmo et Johanne, cancellario nostro, Sancti Andree et Dunkeldensis ecclesiarum episcopis, Johanne, primogenito nostro de Carrie, senescallo Scocie, Roberto de Fyf et de Menteth, filio nostro dilecto, Willelmo de Douglas et de Marre, consanguineo nostro, comitibus, Jacobo de Lyndessay, nepote nostro karissimo, et Alexandro de Lyndessay, consanguineo nostro, militibus; apud castrum nostrum de Rothisay, nono die Aprilis, anno regni nostri nono.

295. PRECEPT by JAMES, EARL OF DOUGLAS, LORD OF LIDDESDALE, for the infeftment of JOHN DE BENTLEY in ten pounds of land in the barony of Strathalva. 3d April 1385.¹

JACOBUS, comes de Douglas, dominus Vallis de Lyddal, Johanni de Mortuo mari, ballivo de Strathalveyn, salutem: Quia concessimus ad instantiam carissime matris nostre domine Margarete, comitisse de Douglas et de Marr, nostrum consensum et assensum ad infeodandum Johannem de Bentley in decem libratas terre infra baroniam de Strathalveyn sibi et heredibus suis de corpore suo exeuntibus, pro suo servicio matri nostre antedecte impenso et impendendo; vobis mandamus quatenus, quandocunque placuerit dicte domine matri nostre dictum Johannem infeodare in dictis decem libratas terre, ad ipsius mandatum, eidem Johanni saisinam hereditariam secundum formam carte sue inde confecte exhibeatis: Detinentes has literas vobis pro warranto; ea tamen conditione ut dicte terre teneantur de domina matre nostra per homagium et servitium, wardam et relevium. In cujus rei testimonium presentibus sigillum nostrum apponi fecimus, tertio die Aprilis, anno Domini millesimo ccc^{mo}lxxx^{mo} quinto.

¹ From a copy penes William Fraser, LL.D., Edinburgh.

296. CHARTER by KING ROBERT THE SECOND to GEORGE OF DOUGLAS, of the Earldom of Angus, on the resignation of Margaret, Countess of Angus. 10th April 1389.¹

ROBERTUS Dei gracia Rex Scotorum, omnibus probis hominibus tocius terre sue, clericis et laicis, salutem ; Sciatis nos dedisse, concessisse et hac presenti carta nostra confirmasse carissimo consanguineo nostro, Georgio de Douglas, totum et integrum comitatum de Angus, vna cum dominiis de Abernethy infra vicecomitatum de Perth, et de Bonkill infra vicecomitatum de Berwik, cum omnibus terris et pertinenciis suis, exceptis terris de Ludynche et de Wester Denathy cum annuo reddito tresdecim solidorum et quatuor denariorum de Baldovane cum pertinenciis, in baronia de Kerymore, et terris de Litolpoty, Petversy, Petblay et Petymydy cum pertinenciis, in dicto dominio de Abernethy infra vicecomitatum de Perth : Quiquidem comitatus de Angus cum pertinenciis, ac dominia de Abernethy et de Bonkill cum pertiueneciis, fuerunt Margarete comitisse de Marr, consanguinee nostre carissime ; et quem ac que ipsa, non vi aut metu ducta nec errore lapsa, sed mera et spontanea voluntate sua, preter terras superius exceptas et annum redditum supradictum, per fustum et baculum, in propria persona in parlamento nostro tento apud Edynburgh in monasterio Sancte Crucis, nono die Aprilis anno Domini millesimo tricentesimo octogesimo nono, sursum reddidit pureque et simpliciter resignavit, ac totum ius et clameum que in dictis terris cum pertinenciis habuit vel habere potuit pro se et heredibus suis omnino quiete clamavit imperpetuum : Tenendum et habendum dictum comitatum, dominia predicta, exceptis terris et annuo reddito suprascriptis, cum teuandiis, libere tenencium seruiciis, aduocacionibus ecclesiarum prioratus de Abernethy, prebendarum canonicarum, capellarum et capellaniarum, dicto Georgio et heredibus suis de corpore suo legittime procreandis ; quibus forte deficientibus Alexandro de Hamyltoun, militi, et Elisabeth, sorori dicte domine comitisse, et heredibus inter ipsos legitime procreatis seu procreandis ; et illis deficientibus, legitimis heredibus predictae Elisabeth quibuscunque, de nobis et heredibus nostris, in feodo et hereditate, cum omnibus et singulis libertatibus, commoditatibus, aysiamentis et iustis pertinenciis quibuscunque, ad comitatum et dominia predicta spectantibus seu quoquomodo iuste spectare valentibus in futurum, adeo libere et quiete, plenarie, integre et honorifice, in omnibus et per omnia, sicut ipsa Margareta consanguinea nostra dictum comitatum cum pertinenciis et dominia supradicta cum suis pertinenciis

¹ Notarial copy, made at Tantallon on 12th February 1439-40, in Douglas Charter-chest.



Robernus dei gra Rex Scottoz omnibz probis hominibus totius
consanguinei nostri quondam Jacobi de Lundesay milite facta in
in Baronia de Crabbfunde in f^o vice de laurko de madato in
tuncellata u^o in aliqua sui pre uicaria intellexisse ad plenu
Dns de Crabbfunde miles etia in suo salu. Conitio nos de
Fallefero q^o honuagio q^o finto suo totas terras nras de hareclon
amictis de q^ohns / Et quas ena dicitur ab illius apud Dunde
simpliat resignat iacet in Baronia nra de Crabbfunde in f^o
nobis q^o hereditibus nris q^o nris successoribz in feodo q^o heredita
onie terras metas suas antiquas q^o dimissas in hostis q^o plan
in aquis stagnis q^o umariis . amparatibz venatoribz q^o piscaco
nio et cu^o oibz alijs libertatibz comoditatibz et auxiliis. ta^o ppe
p^odas terras cu^o p^onti^o nunc p^ostantibz seu quocunq^o de iure aut q^o
successoribus dicitur q^ohns et heredes sui tres terras curie ad
q^o o^o alio finto exat^o q^o fuerit die seu diuina seclari. que p^o
tempore infirmit^o exigi potunt seu requiri Et nos vero p^o d^o
p^onti^o p^onti^o q^ohns et heredibz suis tot^o omnes honores q^o feias heredita
p^onti^o Curie nre sigilla nra q^o app^onti^o apud Dunde in odicio
in p^o p^onti^o Dns Willmo de Aug^o Abbate de Lundorf. nobilibz vir
p^onti^o de p^onti^o Ricardo de spaldyne et nre q^o de Dunde cu^o
in oibz p^onti^o suis et articulis. condicibz et modis ac amptatibz
q^o nobis q^o hereditibus nris ut p^onti^o est imp^onti^o confirmam^o
nra p^onti^o app^onti^o sigilla. Testibz uocabilibz in p^o p^onti^o
de f^o de ayentethi fr^o nro carissimo. archibaldo Comite
glascowens^o cancellario nro. Jacobo de Douglas Dno de Salt
Dunfermelyno Sexto die mensis may Anno Regni n^o

de nobis tenuit ante resignacionem huiusmodi nobis factam, libero tenemento dictorum comitatus et dominiorum eidem comitisse reseruato pro toto tempore vite sue ; cum omnibus redditibus, serviciis liberetenencium et tenandiis, cum bondis et bondagiis et natiuis, cum donacionibus ecclesiarum prioratus de Abernethy et prebendarum eiusdem ecclesie, aliarumque capellarum et capellaniarum, cum curiis, eschaetis, wardis, releuiis et maritagiiis, cum contigerint, prefatorum comitatus et dominiorum cum pertinenciis : Faciendo inde nobis et heredibus nostris dicta Margareta pro toto tempore vite sue seruicia debita et consueta, et post ipsius decessum dictus Georgius et heredes predicti, et ipsis deficientibus Alexander de Hamiltoune, miles, et Elisabeth, soror predictae comitisse, et heredes sui predicti, et illis deficientibus, veri heredes et legitimi dicte Elisabeth, seruicia debita et consueta : In cuius rei testimonium presenti carte nostre nostrum precepimus apponi sigillum ; Testibus, venerabilibus in Christo patribus, Waltero et Johanne, cancellario nostro, Sanctiandree et Dunkeldensis ecclesiarum episcopis ; Johanne, primogenito nostro de Carrie, senescallo Scocie, Roberto de Fyfe et de Menteth, custode Scocie, Georgio Marchie, consanguineo nostro, comitibus ; Archebaldo de Douglas, et Thoma de Erskyn, consanguineis nostris, militibus. Apud Edynburgh, decimo die mensis Aprilis, anno regni nostri nono decimo.

297. CONFIRMATION by KING ROBERT THE THIRD of Charter, dated 12th October 1390, by SIR JAMES OF LINDSAY, LORD OF CRAWFORD, to JOHN TELFER, of the lands of Harecleuch, 6th March [1395-6].

ROBERTUS Dei gracia Rex Scottorum, omnibus probis hominibus tocius terre sue, clericis et laicis, salutem ; Sciatis nos quamdam cartam dilecti consanguinei nostri, quondam Jacobi de Lyndesay, militis, factam dilecto et fideli nostro Johanni Taillefere de terris de Hareclouch cum pertinenciis, iacentibus in baronia de Crawfurde, infra vicecomitatum de Lanarke, de mandato nostro visam, lectam, inspectam et diligenter examinatum, non rasam, non abolitam, non cancellatam, nec in aliqua sui parte viciatam, intellexisse ad plenum, sub hac forma : OMNIBUS hanc cartam visuris vel auditoris, Jacobus de Lyndesai, dominus de Crawforde, miles, eternam in Domino salutem ; Noueritis nos dedisse, concessisse et hac presenti carta nostra confirmasse dilecto et fideli nostro Johanni Taillefere, pro homagio et seruicio suo, totas terras nostras de Hareclouch cum pertinenciis ; Quasquidem terras de nobis tenuit quondam Willelmus Taillefere, auunculus dicti Johannis, et quas eciam dictus Willelmus apud Dundee in presencia plurimorum per fustim et baculum nobis sursum reddidit pureque et simpliciter resignauit, iacentes in

baronia nostra de Crawforde, infra vicecomitatum de Lanarke; Tenendas et habendas predicto Johanni et heredibus suis, de nobis et heredibus nostris et nostris successoribus, in feodo et hereditate imperpetuum, libere, quiete, plenarie, integre, honorifice, bene et in pace, per omnes rectas metas suas antiquas et diuisas, in boscis et planis, in moris et marresiis, in viis et semitis, in pascuis, pratis et pasturis, in aquis, stagnis et viuariis, aucupacionibus, venacionibus et piscacionibus, cum petariis, turbariis et carbonariis, cum lapide et calce, cum curiis et sectis, necnon et cum omnibus aliis libertatibus, commoditatibus et aysiammentis, tam prope quam procul, tam sub terra quam supra terram et infra, tam non nominatis quam nominatis, ad predictas terras cum pertinenciis nunc spectantibus seu quoquomodo de iure aut consuetudine spectare valentibus in futurum: Faciendo inde nobis, heredibus nostris et successoribus, dictus Johannes et heredes sui tres sectas curie ad tria placita nostra capitalia annuatim tenenda apud castrum nostrum de Crawforde, pro omni alio seruicio, exactione, consuetudine seu demanda seculari, que per nos vel heredes nostros aut nostros successores de predictis terris cum pertinenciis aliquo tempore in futurum exigi poterunt seu requiri: Et nos vero predictus Jacobus, heredes nostri ac successores, predictas terras de Harelouch cum pertinenciis prefato Johanni et heredibus suis contra omnes homines et feminas warantizabimus, acquietabimus et imperpetuum defendemus: In cuius rei testimonium presenti carte nostre sigillum nostrum est appensum, apud Dundee duodecimo die mensis Octobris, anno Domini millesimo ccc^{mo} nonogesimo; hiis testibus, venerabili in Christo patre, domino Willelmo de Angus, abbate de Lundoris, nobilibus viris, dominis Willelmo de Lyndesay, Dauid de Lyndesay, Johanne Heryse, militibus, Patricio de Inuerpeffer, Ricardo de Spaldyne, burgen-sibus de Dundee, cum multis aliis. QUAMQUIDEM cartam donacionemque et concessionem in eadem contentas, in omnibus punctis suis et articulis, condicionibus, et modis ac circumstanciis suis quibuscunque, forma pariter et effectum, in omnibus et per omnia, approbamus, ratificamus, et pro nobis et heredibus nostris, vt premissum est, imperpetuum confirmamus; saluo seruicio nostro: In cuius rei testimonium presenti carte nostre confirmacionis nostrum precipimus apponi sigillum; testibus, venerabilibus in Christo patribus, Waltero et Matheo, Sanctiandree et Glasguensis ecclesiarum episcopis, Roberto, comite de Fife et de Menteth, fratre nostro carissimo, Archebaldo, comite de Douglas, domino Galwidie, magistro Duncano Petite, archidiacono Glasguensi, cancellario nostro, Jacobo de Douglas, domino de Dalketh, et Thoma de Erskyne, consanguineis nostris dilectis, militibus; apud Dunfermelyne, sexto die mensis Marci, anno regni nostri sexto.





omnibus hanc cartam visuris uel auditoris Jacobus de Douglas Dominus de Abirton et
 carta nra pro nobis et heredibus nris ac successoribus impetuum confirmasse cur
 gus terras de ouirpetouly de nethirpetouly pet flegach culburyle quante ardelac
 uidil cum molendino eiusdem man sy cum molendino de Sadechale et de Stachin cum
 cum pertmencus fuerunt domini Alexandri fratris militis patris sui hereditarie Et qua
 in manus nras coram testibus infra scriptis per fustum et baculum sursum reddidit
 habuit uel habere poterit pro se et heredibus suis omnino quietum clamauit impetuum
 et heredibus suis de nobis et heredibus nris in feodo et hereditate impetuum per omnes
 pntis piscus et piscus molendinis mulinris et eorum sequelis cum cuons esactis e
 barus et carbonarius ac cum omnimodis aliis libertatibus commoditatibus et assiamen
 procul et prope ad predictas terras cum pertmencus spaciatus seu iuste spectare ualent
 omnibus et per omnia sicut predictus dominus alexander predictas terras cum pertm
 eius tenuit seu possedit faciendo nobis et heredibus nris predictis Willmo et herede
 alexandro libetertemento diuazum terrazum cum pertmencus pro toto tempore uite sue
 pro toto tempore uite sue si superuixerit dominum alexandrum maritum suum audire
 tmenas predicto Willmo fratri et heredibus suis cont omnes homines et feminas Cum
 sigillum nrm appon fecimus apud Edynburgh die primo quarto die mensis octobris
 gilberto ep abirtonen cancellario scoe Roberto ep Dunbladen Waltero ep Brechin
 Willmo de Rothburgh milite magro alexandro Cantuar archidiacono catomen Willm

Quidam salutem in domino sempiternam, Scitis nos dedisse concessisse et hac presenti
con sanguine nro Willmo' fias pro suis s'meritis nobis. multipliciter impensis totas et nre
h'lyr le threbulgemis cum molendino de bulgeny glastelach culcaoch achmacludy d'runillse
menicus iucentes in luonia de abndobm m'f. Vicecomitatum de abndey, que quidem terre
m alquander non vi aut metu ductus nec errore lapsus sed mera et spontanea voluntate sua
queqz simpliciter resignauit ac totum ius et clameum que in dictis terris cum pertinentiis
tenendas et habendas omnes et singulas prenomnatas terras cum pertinentiis predicto Willmo'
et metas suas antiquas et diuisas in bosas planis moris marresis aque stagnis b'ne semtas
mazum eritibus auapuaomibus venacionibus et pistariis cum subzimis et b'zimis petoris tur
et m'f'is pertinentiis quibuscumqz tam non nomnatis q' nomnatis tam sub terra q' supra terram
quomodolibet in futurum. Ad id libere et quiete plenarie magre et honozificerit et in pace in
ius de nobis ante dictam resignacionem nobis factam libere quiete plenarie et honozificerit
de predictis terris cum pertinentiis seruicia debita et consueta (Reseruato tamen predicto domino
et eam reseruat' domne Elizabeth sponse sue tertia parte sua dictarum terrarum cum pertinentiis
Et nos vero dictus Jacobus de Douglas et heredes nri omnes et singulas pdictas terras cum per
tinentiis acquiescimus et impetuum defendimus In cuius Re testimonium presenti nre carte
domo domini millesimo quater nigesimo octauo. Festibus Reuerendis in xpo patribus, Suis
magnifico et potente domino domino Archibaldo comite de Douglas domino galibdie Suis
mag' feoore etne de turay, Willmo' de berchebik' filio cum multis aliis

298. LETTER by ARCHIBALD, FOURTH EARL OF DOUGLAS, giving to ALEXANDER HOME a pension from the rents of Coldingham Priory. 28th October 1406.¹

TIL al that thir lettres herys or seis Archebalde, Erle of Douglas, and lorde of Galway, and kepare to the landis and the rentis of the priorie of Coldinghame, greting: Forthy that we hafe made, ordanit, and stablisit our luftit squyer and allie, Alexander of Home, our substitute and kepare vndir vs of the foresaide landis and rentis of Coldinghame, we wil and grantis, and be thir present lettres we gif to the foresaide Alexander, for his gude seruice til vs done and to be done, ilke yhere twenty punde of vsuale money of Scotland of the pension of a hundre punde aucht til vs yherly of the forsaide priorie of Coldinghame; the qwhilke forsaide some of twenty punde we wil and assignis him to resaife of the fermis of the forsaide priorie in part of payment of our saide pension yhe[re] by yhere als lang as we sal be kepare to the forsaide priorie, or as we sal hafe the pension of a hundreth punde beforsaide. In witnes of the qwhilke thing to thir lettres we hafe gert set our sele at Londone, the xxviii day of Octobre, the yhere of our lorde a thousand foure hundreth and sex.

299. CHARTER by JAMES OF DOUGLAS, Lord of Abercorn and Aberdour, to WILLIAM FRASER, of the lands of Over Petouly, and others. 25th October 1408.²

OMNIBUS hanc cartam visuris uel audituris, Jacobus de Douglas, dominus de Abircorn et de Abirdowir, salutem in Domino sempiternam: Sciatis nos dedisse, concessisse, et hac presenti carta nostra, pro nobis et heredibus nostris ac successoribus imperpetuum, confirmasse carissimo consanguineo nostro, Willelmo Fraser, pro suis benemeritis nobis multipliciter impensis, totas et integras terras de Ouir Pettouly, de Nethir Pettouly, Petslegach, Culburty, le Quarale, Ardelach, Achlun, le thre Bulgenis, cum molendino de Bulgeny, Glascelach, Culcaoch, Achmacludy, Drumwhendil cum molendino eiusdem, Mamsy cum molendino de Badechale et de Rathin, cum pertinenciis, iacentes in baronia de Abirdowir infra vicecomitatum de Abirden: Que quidem terre cum pertinenciis fuerunt domini Alexandri Fraser, militis, patris sui, hereditarie, et quas idem Alexander, non vi aut metu ductus

¹ Original Letter at Durham. Printed in the National MSS. of Scotland, vol. ii. p. 47.

² Original Charter at Philorth.

nec errore lapsus, sed mera et spontanea voluntate sua, in manus nostras, coram testibus infrascriptis, per fustum et baculum sursum reddidit pureque simpliciter resignavit, ac totum ius et clameum que in dictis terris cum pertinenciis habuit uel habere poterit, pro se et heredibus suis omnino quitum clamavit imperpetuum : Tenendas et habendas omnes et singulas prenominatas terras cum pertinenciis predicto Willelmo et heredibus suis, de nobis et heredibus nostris, in feodo et hereditate imperpetuum, per omnes rectas metas suas antiquas et diuisas, in boscis, planis, moris, marresiis, aquis, stagnis, viis, semitis, pratis, pascuis et pasturis, molendinis, multuris et eorum sequelis, cum curiis, escaetis et curiarum exitibus, aucupacionibus, venacionibus et piscariis, cum fabriniis et bracinis, petariis, turbariis et carbonariis, ac cum omnimodis aliis libertatibus, commoditatibus et aisiamentis ac iustis pertinenciis quibuscunque, tam non nominatis quam nominatis, tam sub terra quam supra terram, procul et prope, ad predictas terras cum pertinenciis spectantibus seu iuste spectare valentibus quomodolibet in futurum, adeo libere et quiete, plenarie, integre et honorifice, bene et in pace, in omnibus et per omnia, sicut predictus dominus Alexander predictas terras cum pertinenciis de nobis ante dictam resignacionem nobis factam, liberius, quocius, plenius et honorificencius, tenuit seu possedit : Faciendo nobis et heredibus nostris predictus Willelmus et heredes sui, de predictis terris cum pertinenciis seruicia debita et consueta : Reseruato tamen predicto domino Alexandro liberotenenento dictarum terrarum cum pertinenciis, pro toto tempore vite sue ; ac eciam reseruata domine Elizabet, sponse sue, tertia parte sua dictarum terrarum cum pertinenciis, pro toto tempore vite sue, si superuixerit dominum Alexandrum, maritum suum antedictum : Et nos vero dictus Jacobus de Douglas et heredes nostri omnes et singulas predictas terras cum pertinenciis predicto Willelmo Fraser et heredibus suis contra omnes homines et feminas warantizabimus, acquietabimus et imperpetuum defendemus : In cuius rei testimonium presenti nostre carte sigillum nostrum apponi fecimus ; apud Edynburgh, vicesimo quinto die mensis Octobris, anno Domini millesimo quadringentesimo octauo ; testibus, reuerendis in Christo patribus, dominis Gilberto, episcopo Abirdonensi, cancellario Scocie, Roberto, episcopo Dunkeldensi, Waltero, episcopo Brechinensi, magnifico et potente domino, domino Archibaldo comite de Douglas, domino Galwidie, domino Willelmo de Borthwik, milite, magistro Alexandro Barbare, archidiacono Catanensi, Willelmo Lang, rectore ecclesie de Turray, Willelmo de Borthwik filio, cum multis aliis.

300. INDENTURE between ROBERT, DUKE OF ALBANY, and ARCHIBALD,
FOURTH EARL OF DOUGLAS, for mutual assistance. 20th June
1409.¹

THIS endenture made at Innyrkethin, the twenty day of the moneth of June, the yhere of grace a thousand four hundredth ande nyne, betvix ane excellent ande a mychty prince, Robert, Duc of Albany, Erle of Fiffe and of Menteth and gouernour of Scotland, on the ta part, ande a richt nobil ande a mychty lorde his cosine, Archibald, Erle of Douglas, Lorde of Galway and of Anandirdale, on the tothir parte, proportis in the self and beris witnes, that thai willand, on aythir part, that full frendship and kindnes be kepit and continuyt betvix thaim in tyme to cum, thai oblise thaim, ilkane til othir be the faithis and the trowthis of thair bodyis, in fourme ande manere as eftir folowis ; that is to say, that the saide Archibald, Erle of Douglas is oblisit, and oblisit him, as is beforseide, til the saide Duc of Albany, gouernour of Scotland, that he sal be til him in all his causis lele counselour, and with al his wit and [al] his mycht lele helpar and suppouellour for al the dayis of his life, withoutyn fraude or gile, befor and agaynis all dedelik personis, his allegiance acht til our lorde the king anerly outane ; ande the forsaide Robert, Duc of Albany, gouernour of Scotland, oblisit him in like manere til the saide Archibald, Erle of Douglas, in all his causis, for the terme of his life, in al fourme ande effect as is beforseide, befor ande agaynis al dedelik personis, his allegiance acht til our lorde the king anerly outane : and gif onye of the forsaide lordis wittis or persavis ony maner of grefe, skath or perele apperand til othir, he sal, with al haste that he may, revele it or ger it be revelit and made knawin to the tothir part, ande set the letting tharin that he may at his power without delay : Alsua it is acordit betvix the saide lordis that nane of thaim sal mak sic like band as this with ony othir persone, but consent of bathe the partyis : Alsua it is accordit, that gif ony discorde or controuersy happynnis to grow betvix the saide lordis, as God forbede, the party feland him engrefit sal ask tha thingis to be refourmit and amendit at the tothir, ande that herd, he sal cum at the instance of the tothir within fourty dayis til cunnabil place, ande in sobir manere, and gif he may nocht cum at sic tyme throu causis resonabil, he sal cum alsone as he gudely may thareftir, but fraude or gile, and thar it sal be fandit with thair bathetis counselis to ger the thing be dvly refourmit ; and that falzeand, it sal be submittit to sevin personis of thair

¹ Original Indenture in H.M. General Register House, Edinburgh.

bathetis counselis throu thaim to be chosine, ande tha sevin bodily, the grete athe sworn apon the haly euangelis, sall ordene reformatioun tharapon eftir the nature of thair band, as tha sevin thinkis the cause requeris: And gif ony discorde happynnis betvix thir forsaide lordis touchand fee and heritage, thai sal preve gude acorde with the auisment of thair bathetis counselis, ande that acorde falzeand in sic manere, thai sal nocht tak that cause furthe, bot in lufely manere as the lach will: Alsua, gif thar happynnis ony discorde or riot amang thair men that touchis fee and heritage or slachtir of men, thai sal lelily do thair power on aythir part to ger it be stanchit in lufely manere, ande gif thai sua na may, thai sal mak thaim na party with thaim, bot in sobir manere as the lach will: Ande in case that outhir controuersy or bargane happyn amang thair men, thai sal lelily do thair power to get it be amendit amang thaim self in lufely manere, and gif thai may nocht acorde be trefy in lufely manere, thai sall call bath the partyis, that is, he that pleynzeis and he that is pleynzeit on, befor thaim and thair counsele, askand thaim to be submittit to thaim and to thair counselis vnsuspect, apon sic complaintis, ande quba sa refusis til submit him to the saide lordis ande to thair counselis vnsuspect, to do ande to tak reformatioun of sic wrangis eftir the sicht of the saide lordis and thair counselis vnsuspect, the party refusand that nouthir of the saide lordis sal mayntene na suppouel, fra thinefurthe in the causis that he refusis to submit him apon: Alsua it is acordit fullily betvix the saide lordis, that gif ony of thair sonnys, or of thair sonnys sonnys, or of thair brethir, or ony othir persone within the realme, makis ony riot, debate or distroubillance within the cuntre, or rebellis or disobesis till ony of the saide lordis again resoun, aythir of the saide lordis sall suppouel othir be thaim self, or be ane of thair tva eldest sonnys, with al thair gudely power, to ger sic rebelloun, ryot and disobesance be restrenzeit and stanchit, as may be sene maste expedient to thaim ande til thair bathetis counselis but fraude or gile: Alsua it is acordit that nane of the forsaide lordis sal do na suffir to be done, at thair power, to nouthir of thaim, slachter, disherison, areste, na vndoing be na mauere of way, bot thai sal again stand it and let it at al thair power, but fraude and gile: Alsua it is acordit that gif ony of the forsaide lordis findis him engreuit in ony of the poyntis contenit in thir forsaide indenturis, it sal be refourmit be thaim and be thair counselis, eftir the nature of thair band, or ellis be sevin personis of thair bathetis counselis to be chosin of thair assentis, as is befor saide, ande in naue othir manere: Alsua it is acordit, that gif it happynnis the saide lorde the Duc to grow in tyme to cum to the estate of king, that this band, as touch-

and evin falowship ande estate, sal expire fra thinefurthe, bot that all kindnes and frendship sal be kept betvix thaim in tyme to cum: And gif Robert Stewart of Fife and Waltir Stewart of the Leuenax, his brothir, ande Archibald of Douglas and Jamis of Douglas, sonnys to the saide Erle of Douglas, or ony of the saide four personis will be gournit eftir the counsel ande the ordinaunce of the saide lordis, thair faderis, ande be bundyn to this band in like manere as thair faderis ar, thai sal be tane in it ande be comprisit in the samyn manere as the nature of the band will, and with the counsel of the makaris of it: Ande for the mare sikkernes and traistfull keping of al ande sindry the forsaide thingis lelily and trewly to be kept, in all fourme and effect, poyntis, articulis and condiciounis, but fraude or gile or male engyne, bathe the saide lordis has gifn thair bodily athis upon the haly euangelis. In witnes of the qwhilk thing, to the partyis of thir indenturis, the seelis of the saide lorde the Duc ande of the saide Erle entir-changeabli ar to put, the day, yhere ande place forsaide.¹

301. RETOUR by JAMES DOUGLAS, EARL OF AVONDALE, etc., Justiciary of Scotland, of SIR WILLIAM DOUGLAS of Drumlanrig, knight, as heir to his father in the lands of the East Mains of Hawick. 28th November 1437.²

JACOBUS de Douglas, comes de Auandale, dominus de Baluany, iusticiarius domini nostri Regis per totum regnum Scoeie generaliter consti[tu]tus, omnibus et singulis ad quorum noticiam presentes litere peruenerint, salutem; Noueritis quod comparentes coram uobis pro tribunali sedentibus, in itinere justiciarie domini nostri regis per nos tento apud Jedworth vicesimo octauo die mensis Nouembris, anuo Domini millesimo quadringentesimo tricesimo septimo, dominus Willelmus de Douglas, dominus de Drumlangryg, miles, actor ab vna, et Joneta de Murraua, relicta quondam Jacobi de Gledstanis, rea partibus ab altra; predictus dominus Willelmus prosequens dictam Jonetam per breue de morteantecessorum impetratum super terris dominicis de Hawie, vulgariter nuncupatis le Estmaynis, cum pertinenciis, jacentibus in baronia de Hawie, infra vicecomitatum de Roxburgh; preterea auditis vtriusque partis racionibus, assaisam nobilium et proborum leuari fecimus, quorum nomina sunt hec, videlicet, Jacobus de Rutherford, Nicolayus de Rutherford, Andreas Kerre, Jacobus de Langlandis, Robertus de Rutherford,

¹ Only a portion of the tag of the seal now remains attached to the writ.

² Original writ in the possession of William Fraser, LL.D.

Jacobus de Rutherford filius, Johannes Turnbule, Willelmus Turnbule, Henricus Turnbule, Laurencius de Elfynstoun, Robertus de Mol, Jacobus Turnbule, Johannes de Rutherford, Jacobus Hog, Robertus de Haswelle, et Patricius Robsoun: Quodidem assaisa jurata et diligenter ausisata, allegacionibus vtriusque partis auditis, per suum veredictum decreuit quod quondam dominus Willelmus de Douglas, dominus de Drumlangryg, miles, pater domini Willelmi de Douglas, domini de Drumlangryg, latoris presentium, obiit vestitus et saisitus ut de feodo de predictis terris de le Estmaynis cum molendino cum pertinenciis, et quod dictus dominus Willelmus est legitimus et propinquior heres eiusdem quondam domini Willelmi, patris sui, de eisdem terris cum molendino cum pertinenciis; et quod supradicta Joneta predictas terras cum molendino iniuste detenuit, publice declarauit: Post cuiusquidem assaise decretum predictum dominum Willelmum per vicecomitem de Roxburgh investiri fecimus, vt moris est, et hoc omnibus quorum interest vel interesse in futurum tenore presencium notificamus: Datum sub sigillo officii nostri iusticiarie anno, die, loco, et mense supradictis, vna cum sigillis quorundam super predicta assaisa existencium.¹

302. RETOUR of JAMES OF DOUGLAS, EARL OF ANGUS, as heir to WILLIAM, EARL OF ANGUS, his father, in the Barony of Kirriemure. 11th January 1437-8.²

INQUISICIO facta apud Forfar, vndecimo die mensis Januarii, anno Domini millesimo quadringentesimo tricesimo septimo, coram Alexandro de Ogilby vicecomite de Forfar, per istos fidedignos subscriptos, videlicet, Walterum de Ogilby de Lwntrethyn, Patricium Lyon, Johannem de Ogilby, Patricium de Hepburn, milites, Ricardum Lovell, Willelmum de Ochterlovny, Thomam de Fothringhame, Thomam de Fentoun, Willelmum de Guthry, Patricium de Rynd, Johannem de Carncors, Willelmum de Maxwel, Alexandrum de Craumont, Johannem Wischard, Nesium Ramsay et Walterum de Lichtoun; Qui iurati dicunt quod Willelmus de Douglas comes Angusie, pater Jacobi de Douglas comitis Angusie, latoris presencium, obiit vestitus et saisitus ut de feodo, ad pacem et fidem domini nostri regis, de baronia de Kerimure, cum pertinenciis, iacente infra vicecomitatum de Forfare; et quod dictus Jacobus est legitimus et propinquior heres eiusdem quondam Willelmi patris sui de dicta baronia cum pertinenciis; et quod est

¹ Seal still attached: depicted on p. 446 of volume i. of this work.

² From transumpt made 27th February 1437-8.

legitime etatis; et quod dicta baronia [de Kerimure] valet nunc per annum quingentas marcarum et tantum valuit tempore pacis; et quod tenetur de domino nostro rege in regalitate, et reddendo dicto domino [nostro regi] vnum denarium argenti ad festum Pentecostes nomine albe firme, si petatur; et quod est in manibus domini nostri regis tanquam domini superioris per [decessum Willelmi] comitis Angusie a tempore quarterii vnus anni vel eocirca: In cuius rei testimonium sigillum mei Alexandri de Ogilby . . . vnacum sigillis quorundam illorum qui dicte inquisitioni intererant faciende, est affixum, anno, die, mense et loco prenotatis.

303. CHARTER by WILLIAM OF DOUGLAS, DUKE OF TOURAINE and EARL OF DOUGLAS, to ANDREW KER of Altonburn, of lands at Prymside. 18th February 1439.¹

OMNIBUS hanc cartam visuris vel auditoris, Wilelmus de Douglas, Dux Turonensis, comes de Douglas et de Lougawile, dominus Galwidie et Vallis Anandie, ac regalitatis de Sproustoun, salutem in Domino sempiternam: Noueritis nos dedisse, concessisse, et hac presenti carta nostra confirmasse dilecto scutifero nostro, Andree Kere de Awtonburne, pro suo seruicio et consilio nobis impensis et impendendis, omnes et singulas illas quatuor partes omnium terrarum quondam Andree de Roule de Prymside, iacentes in villa et territorio de Prymside, infra regalitatem nostram de Sproustoun et vicecomitatum de Roxburgh; Que quidem quatuor partes dictarum terrarum cum pertinenciis fuerunt quondam Mariorie de Roule, Issabelle de Roule, Jonete de Roule, et Elene de Roule, filiarum quondam dicti Andree de Roule, et quasquidem quatuor partes dictarum terrarum cum pertinenciis dicte Marioria, Isabella, Joneta et Elena, non vi aut metu ducte, nec errore lapse, sed suis meris, puris, et spontaneis voluntatibus, per fustem et baculum et literas suas resignacionis, cum suis procuratoribus in presencia plurimorum nobis sursum reddiderunt pureque et simpliciter resignauerunt, ac totum ius et clameum, proprietatem et possessionem que in dictis terris cum pertinenciis quelibet earum habuit, habet seu quouismodo habere potuit, pro se et heredibus suis singillatim nobis quitum clamando omnino imperpetuum; ita quod nec ipse nec heredes earum aliquod ius vel clameum, proprietatem nec possessionem in dictis quatuor partibus dictarum terrarum nec in aliqua parte earundem cum pertinenciis aliququaliter vendicare poterint in futurum: Tenendas et habendas omnes et singulas dictas quatuor partes dictarum terrarum cum pertinenciis

¹ Original charter in Roxburgh Charter-chest, at Floors.

prefato Andree Kere et heredibus suis, de nobis, heredibus et successoribus nostris, in feodo et hereditate imperpetuum, per omnes rectas metas antiquas et diuisas suas, prout iacent in longitudine et latitudine, in boscis, planis, moris, marreciis, viis, semitis, aquis, stangnis, riuulis, siluis et lacubus, pratis, pascuis, et pasturis, petariis, turbariis, columbariis et carbonariis, cum molendinis, multuris et eorum sequelis, aucupacionibus, venacionibus et pisehacionibus, cum curiis et earum exitibus, herezeldis et merchetis mulierum, cum communi pastura et libero introitu et exitu, ac cum omnibus aliis et singulis commoditatibus, libertatibus, et aisiamentis ac iustis pertinenciis suis quibuscunque, tam non nominatis quam nominatis, tam sub terra quam supra terram, tam procul quam prope, ad predictas quatuor partes dictarum terrarum cum pertinenciis spectantibus seu iuste spectare valentibus quomodolibet in futurum, adeo libere, quiete, plenarie, integre, honorifice, bene et in pace, sine retenemento vel reuocacione aliquali, sicut dicte Marioria de Roule, Isabella de Roule, Joneta de Roule et Elena de Roule, aut dictus quondam Andreas de Roule, pater earum, aut aliquis antecessorum suorum dictas quatuor partes dictarum terrarum cum pertinenciis ante dictam resignacionem nobis factam, liberius, quicquid aut honorificencius tenuerunt seu possiderunt: Faciendo inde annuatim dictus Andreas Kere et heredes sui nobis, heredibus et successoribus nostris, seruicium debitum et consuetum tantum, pro omni alio onere, exaccione, demanda, seu seruicio seculari, que de dictis quatuor partibus dictarum terrarum cum pertinenciis, per nos, heredes vel successores nostros, iuste exigere poterunt quomodolibet vel requiri: In cuius rei testimonium sigillum nostrum huic presenti carte nostre precipimus apponi, apud Edinburgh, decimo octauo die mensis Februarii, anno Domini millesimo quadringentesimo tricesimo nono; hiis testibus, videlicet, dominis Laurencio de Abernethy de Rothymaii, Johanne de Maxvile de Caldorvode, Georgio Cambele de Lowdown, Jacobo de Auchinlec de eodem, militibus, magistro Johanne de Railistoun, rectore de Douglas, magistro Thoma de Spensa, secretario nostro, Alexandro de Narn, Jacobo de Rutherford de eodem, Thoma de Crennestoun de eodem, Wilelmo Morray de Crennestoun, Johanne de Morray de Crennestoun, cum multis aliis.

304. EXTRACT regarding the DUCHY OF TOURAINE.

DON FAIT par Charles VII. du duché de Touraine avec tous ses droits, appartenances et dépendances, par maniere d'appanage et de pairie, à Archambault, comte de Douglas, pour en jouir par le dit Archambault et ses hoirs masles, nez en loyal mariage et descendans de son corps en droite ligne, à foy et hommage-lige

du dit roy et de ses successeurs, comme le tenoit l'oucle du roy, duc d'Orleans, et comme le dit Charles VII. l'a tenu du vivant du dit Charles VI. avec revocation des lettres par lesquelles le dit roy avoit assigné une partie du douaire de la reine sa femme sur le dit duché, reservez, outre les foy et hommage, le ressort et la souveraineté, la garde . . . ressort et souveraineté de l'église cathedrale de Tours et de S. Martin, et des autres églises du dit duché, qui sont de fondation royale, et exemptes par privileges de n'estre mises hors la main du roy ; ensemble le chasteau, ville, et chastellenie de Chinon, avec tous les fiefs, arriere-fiefs et autres appartenances d'icelles, le dit don fait pour récompense des services rendus par le dit Douglas et le comte de Victou son fils aîné, venus au secours de sa majesté avec grande puissance d'Ecossois, lesquels défirent les Anglois près Beaugé en Aujou il y a trois ans, où mourut sur la place le duc de Clarence, frere du roy d'Angleterre, vers lequel de Douglas, le comte de Bouquen, connestable de France, beau-fils du dit Douglas, fut envoyé de la part du dit Charles VII. pour demander son assistance en vertu des traitez et alliances des Eccossois et les rois de France, a Bourges le 19 Avril 1423.

Ces lettres expediées en la chambre des comptes à Bourges, de l'exprès commandement du roy, fait de bouche eu son grand conseil le 25 du dit mois 1423, et registrées au livre des chartes de ce temps, fol. xlviij. Item, leues et publiées au parlement de Poitiers, le dernier du dit mois fol. lxxv.

Ces lettres sont en forme de chartres, le préambule contient les causes qui meurent Charles VII. d'envoyer vers le dit Douglas, a son fils le comte de Victou, sçavoir l'entrée de Anglois en France, et la recherche du secours pour les chasser du royaume, sont signées par le roy et son conseil, ou estoient le duc d'Alençon, Charles de Bourbon, le connestable, le comte d'Aumalle, le chancelier exprimé par le mot de vous, l'archevesque de Reims, l'evesque de Sens, le maistre des Arbalestriers, le grand maistre-d'-hostel, Christophle de Harecourt, le chancelier d'Orleans, les sires de Montenay de Montagu, messire Guitte Bataille, Guitte d'Avaugour et Messire Perceval de Voladeviller.¹

305. REPLIES by the KING OF FRANCE regarding the Duchy of Touraine [1448].²

S'ENSUIVENT les responces aux articles baillez au Roy par le chancelier d'Escoce, pour et en nom de Madame Marguerite, l'ainsnée contesse de Douglaz, Mon-

¹ P. Anselme, Histoire Généalogique et Chronologique de la Maison Royale de France, etc., 1728, vol. iii. p. 231.

² Manuscrit latus 10187 Canc. 9987³, Baluze 479, foll. 5 et 6. Bibliothèque Nationale, Paris.

seigneur le conte de Douglaz qui à present est, et Madame Marguerite de Douglaz, sa femme, touchant le fait de la duchié de Touraine et autres choses contenues et declairées es diz articles.

Et premierement s'ensuit la teneur des diz articles.

C'y sont contenuz, etc., certaines instructions données par articles par maniere de creance.

Et premierement—Remonstrer au Roy, etc.

Responce.—Le Roy voudroit tousjours faire justice à chascun qui la lui requerroit et n'a point acoustumé d'autrement le faire. Et quant au droit pretendu par madicte dame Marguerite en la tierce partie de la dicte duchié de Touraine et es arreraiges, etc., il est vray que la dicte duchié fut baillée à Messire Archambault, conte de Douglaz, pour lui et ses hoirs masles nez et procrez en loyal mariage descendans de son corps en droicte ligne, et avecques ce fut fait lediet bail en forme et maniere d'appanaige, ainsi qu'il appert par les lettres qui furent lors sur ce faictes. La nature du quel appanaige selon la loy, usaige et coustume de France, est que mort celui à qui est baillié ledit appanaige et ses hoirs masles procrez et descenduz de lui en loyal mariage, la terre et seigneurie baillée par le dit appanaige de plain droit retourne a la couronne, sans ce que nul autre heritier soit masle ou famelle descendant de ligne feminine, ne autre quelconque masle ou famelle venant de ligne collateral y puisse aucuue chose demander, ne que aucun droit de douaire puist sur ce estre pretendu, et ainsi a il tousjours esté gardé et observé toutes les fois que le cas y est escheu. Ores est ainsi que le cas dessusdit est advenu comme chascun scet il est donc tout cler que ma dite dame ne peut aucune chose demander touchant le fait de la dicte duchié de Touraine. En outre raison veult et commune et ancienne observance que en chose qui chée en restitution douaire n'a jamais lieu par ce que dit est la chose cheoit en restitution, ergo, etc. Avecques ce selon la coustume de France quant aucun seigneur feodal tient le fief en sa main par faulte d'omme douaire quelconques n' a lieu a l'encontre dudit seigneur feodal. Or est ainsi, que depuis le trespas dudit feu conte de Douglaz, le Roy a tousjours tenu la dicte duchié de Touraine en sa main, tant durant la vie du conte de Victon, par ce que ledit conte n'avoit point fait d'ommaige au Roy, comme depuis par la nature de l'appanaige et les conditions soubz lesquelles ladicte duchié auoit esté baillée dudit feu conte de Douglaz comme contenu est es lettres dessus dites. Il est donc fort cler que aucuns arreraiges ne autre chose ne pevent a ceste cause estre demandez au Roy.

Au second article de remonstres au Roy, etc.

Responce.—La dicte duchié de Touraine fut baillée au dit conte de Douglaz pour lui et ses hoirs masles nez et procreez en loyal mariage descendans de son corps en droicte ligne, en forme et maniere d'appanaige ainsi que dessus est dit.

Au tiers article. Item comme piteusement, etc.

Responce.—Le Roy est bien desplaisant de la mort dudit feu conte de Douglas et de ses enfans, et vouldroit bien qu'il pleust à Dieu que tant de eulx que de toute la chevalerie et noblesse de France et d'Escoce qui mourut a la bataille de Vernueil la chose eust esté autrement, mais ce sont des fortunes de la guerre qu'il fault prendre telles que Dieu les envoie.

Au quart article. Item comme je sais, etc.

Responce.—Pour la bonne amour et affection que le Roy avoit au dit feu conte de Douglas et en remembrance de lui, il vouldroit tousjours avoir monsieur de Douglas qui à present est comme son bon parent en sa singuliere recommandacion, et faire pour tous ceulx de l'ostel de Douglas tout ce qu'il pourroit ; mais quant à la dicte duchié de Touraine consideré la forme du bail d'icelle, qui fut pour le dit feu conte de Douglas et ses hoirs nez et procreez en loyal mariage descendans de son corps en droicte ligne, et en forme et maniere d'appanaige, ainsi que dit est et non autrement, et que Monsieur de Douglas qui a present est n'est pas descendu de corps du dit feu conte de Douglas ne en droicte ligne, il est tout cler que icelui Monsieur de Douglas n'y peut aucun droit demander ne reclamer.

Au cinquiesme article. Item de requerir du Roy, etc.

Responce.—Par ce que dit est en l'article precedant appert clerement la responce à ce present article.

Au sixiesme article. Item de lui remonstrer, etc.

Responce.—Le Roy scet bien le bon vouloir que ledit feu conte de Douglas avoit envers lui, et pour ce mist il peine de entretenir tout ce que lui avoit esté promis, et si vouldroit il faire à ung chascun, et ne sera point trouvé que au temps de son trespas aucune chose lui feust deu ; ainçois lui furent faiz et aux seigneurs de sa compaignie plusieurs dons, biensfaits et gratuitez, en diverses et maintes manieres, et oultre leurs souldes ja soit ce que plusieurs qui avoient receu les dites souldes, nonobstant ce que dit est firent de grans exactions en ce royaume montans à 'grans sommes de deniers, dont les subgiez du Roy souffrirent et porterent grans pertes et dommaiges.

Au septiesme article. Item comme mon dit oncle, etc.

Responce.—Des despences dessusdictes le Roy ne scet riens mais au regart dudit conte de Douglas ce qui lui a esté promis lui a esté tenu.

Au huitiesme article. Item de remonstrer au Roy, etc.

Responce.—Comme en l'article precedant.

Au IX^e article. Item comme Madame Saer, etc.

Responce.—Le Roy n'eut oncques riens des meubles du dit feu conte de Douglaz, ne ne voudroit empescher madame la contesse qui à present est en riens qui lui appartient; mais par les causes dessus dites est cler à congnoistre que le Roy n'est en riens tenu es choses qu'elle demande; et quant au tenement que le Roy fait de la duchié de Touraine, ce n'est point par voye de fait mais est par voye de droit et de raison, et ainsi que par le bail de la dite duchié il le doit et le lui loist faire ne ne voudroit par voye de fait ne indeument quelque chose tenir de personne vivant.

Au X^{me} article. Item de lui remonstrer, etc.

Responce.—Du service que mon dit Sieur de Douglaz offre faire au Roy, le Roy le remercie et se le cas advenoit qu'il eust besoing de requerir le dit Monsieur de Douglaz de gens ou autres choses, il voudroit tousjours garder la teneur des aliances de entre lui et le roy d'Escoce, son frere et alyé.

Au XI^{me} article. Item de lui remonstrer, etc.

Responce.—Es lettres qui furent faictes du don de la duchié de Touraine au dit feu conte de Douglaz, n'y eust malice ne cavillacion mais furent faictes ainsi et en la forme et maniere qu'il est acoustumé de faire toutes les fois que aucune terre ou seigneurie partant de la couronne et baillée à aucun en forme d'appanaige, soit à filz de roy ou à autre, ne jamais ne les fait l'en autrement, ne ne se pourroit autrement faire sans enfreindre les loiz et usaiges anciens du royaume, qui est une chose qui jamais ne se feroit, quare, etc. Et quant aux services que ledit feu conte de Douglas et ses enfans ont fait au Roy, le Roy en a bien souvenance et en ce recongnoissant aura tousjours leurs parens et ceulx qui se renommeront des ditz Seigneurs en sa singuliere recommandacion. Sur toutes les choses dessus dites a esté fait responce au dit chancelier d'Escoce en la forme et maniere dessus dite, et à ce que l'en congnois se que les lettres dessus dites par malice ou cavillacion n'ont point esté faictes, et que toutes et quantes fois que aucune chose mouvant de la couronne est baillée par appanaige à aucun, les lettres se font en la forme dessus dite et defaillant de hoirs masles descenduz et procreez en loyal mariage celui à qui est baillié le dit appanaige, la chose retourne a la couronne; est vray que apres le trespas du duc Philippe d'Orleans, filz du roy Philippe de Valoys, et freres du roy Jehan, pour ce que icelui Philippe duc d'Orleans mourut sans hoirs masles de la qualité dessus dite, la dicte duchié d'Orleans et toutes les terres qui

lui avoient esté bailliées par appanaige retournerent a la couronne. Pareillement Monsieur le duc de Berry, filz du roy Jehan, frere du roy Charles le quint, et oncle du roy derrenier trespasé, pour ce qu'il mourut sans hoirs masles procreez et descenduz de lui en loyal mariage, combien qu'il eust laissé deux filles dont de l'une sont yssuz le pere de Monsieur de Savoye qui à present est, le conte d'Armignac et le conte de la Marche son frere, et de l'autre Monsieur le duc de Bourbon, Monsieur le conte d'Eu et Monsieur le conte de Montpencier, neantmoins retourna la dicte duchié de Berry et les autres terres qui lui avoient esté bailliées par appanaige au Roy et a la couronne ; et ainsi a il tousjours acoustumé estre fait toutes les fois que le cas semblable est advenu, par quoy est cler à veoir que ce qui a esté fait touchant les choses dessus dites n'a point esté en cavillacion ne malice de lettres ainçois par la forme et maniere que a filz et freres de roy et autres à qui aucune chose a esté baillée par appanaige a acoustumé d'estre fait.

306. CONFIRMATION by KING JAMES THE SECOND of an INDENTURE and DECREE, dated the 25th and 26th August 1447, declaring JAMES DOUGLAS of Heriotmuir to be older than his twin brother ARCHIBALD DOUGLAS, EARL OF MORAY, 9th January 1449-50.¹

JACOBUS Dei gracia Rex Scotorum, omnibus probis hominibus tocius terre sue, clericis et laicis, salutem ; Sciatis nos duas literas, vnam, videlicet, literam indenture factam inter dilectos consanguineos nostros, Archibaldum, comitem Moraue ex parte vna, et Jacobum de Douglas, fratrem germanum dicti comitis, ex parte altera, et aliam literam decreti et declarationis dilecti clerici nostri, magistri Nicholai de Ottirburne, officialis curie Sanctiandree infra partes Landonie, nostri secretarii, de mandato nostro visas, lectas, inspectas et diligenter examinatas, sanas, integras, non rasas, non cancellatas, nec in aliqua sui parte suspectas ad plenum intellexisse : Quarum tenor indenture sequitur in hunc modum :—

THIS Indenture made at Edynbnrgh the xxv day of August, the yher of God mccccxlvij yeris, betuix nobil and mychti men, Archebald of Douglass, Erle of Murraue, on the ta parte, and James of Douglass of Heriotemure, brother germane, on the tother part, before a rycht worschipful and mychti lady, the Contase of Douglass and of Auendale, and alsa in the presens of a hee and a mychti lorde, William, Erle of Douglas and of Auendale, lord of Gallway, etc., and of thar consent and ordinance it is acordiit betuix the said partiis in fonrm and maner

¹ Registrum Magni Sigilli, Lib. iv. No. 95.

eftir folouand ; that is to say, that the foresaid Archebald and Jamys ar oblist, and be thir indenturis oblis thaim, the haly euangellis twichit, leleli and treuli, but fraude or gyle, cavillacioune, excepcioun, contradictioun or dissate, that thai sall stand and abide at the ordinance, deliuerance, determinacion and decrete of the said lorde Erle of Douglass, of his moder, and thair consale, quhilk of thaim be the said lorde and his consale foresaid is declarit first borne, that the tother of thaim in tyme cuming sal nevermare for him his ayris and his successouris hald ferm and stabil the said determinacion, deliuerance, ordinance and decrete, and neuer in na tyme revoke, againsay or withstand the said deliuerance, in priue or in apert, in the law or by the law, na clame to the heretage nam na part of it, in the contrare of the said decrete and declaracioun of the said lord Erle of Douglas and of his consale ; renunciand in this part ather of the said partis al privilegis of law, lettres, bullis of the pape or cardinalis and statutis of the kynrik, the quhilkis mycht profit til ony of the said partis, or be scaithful or hindering to the tother of thaim, or to thare ayris, or engender or prejudice : And atoure it is acordit that the said partiis are submittit and submittis to the said lord and his consale in the distribucioun of ony landis, possessioun or gudis, mouabil or unmouabil, quhatsumever it be plesand to him for to gif or distribute, gif it sal happyn the said lorde Erle to decesse wythoutin ayre of his body lachfulli to be gottyn, or ony uthir that emplese or may emplese to him ; and neuer in tyme to cum be thaim na be thaire ayris, na nane uthiris in thare name, in jugement na utouth, priually or in apert, for to wythstand or againsay the foresaid ordiuance, deliuerance, distribucioun or gift, bot fermly to bide thareat, but fraude or gyle or any excepcioun : And atoure ather of the said partyis is oblyst to the said lord, that thai sal mak and sele al aud sindry eidentis and obligaciounis til uthiris that sal be sene spedeful to the said lorde and his consale and his said derest moder, quhat tyme that be thaim ony of the said partiis be requirit thareto : The quhilk condiciounis and poyntis al and sindry before wirtin lelely and treuli to kepe but fraude or gyle, as said is, the hali euangelis twichit, bath the said partis in the presens of al and sindry the personez underwritin, has gevyn bodily aith :—In witnessing of the quhilk thing the selis of the saidis Archebald and James enterchangeabli ar put to thir indenturis, togidder wyth the sele of the said he and mychti lady and of the said lord Erle of Douglas, of Alexander Erle of Crauford, Alexander lord Montegummery, Lourence, lord Abirnethy in Rothimay, John lord Lyndssay of the Byris, Maister James Lyndsay, persoun of Douglas, Robert Flemyng, lord of Cummerwald, Thomas of Cranstoun of that ilk, Schyr Johne Wallace of Cragy, Schyr James of

Achinlek of that ilk, knyght, Johne of Sanct Michel, and James of Parkle of the said partyis; in witnessing of the forsaid thingis instantly procurit, the yere, day, moneth and place before wirtin, the common sele of Edinburgh and the officialis sele of Louthian, as said is procurit, hereto ar put. ALTERIUS vero litere decreti prefati magistri Nicholai de Ottirburne tenor sequitur sub hac forma: VNIUERSIS sancte matris ecclesie filiis ad quorum noticias presentes litere perucnerint, Nicholaus de Ottirburne, magister in artibus, licenciatus in decretis, canonicus ecclesie Glasguensis ac officialis curie Sanctiandree infra partes Laudonie, salutem in omnium Salvatore. Nouerit vniuersitas vestra, quod nobilium uirorum Jacobi de Douglas et Archebaldi de Douglas, comitis de Morauia, fratrum germanorum et gemellorum, inter quondam bone memorie Jacobum, olim comitem de Douglas, et dominam Beatriceum, eius sponsam, genitorum, de ortu priori nonnullis dubitantibus: Et propterea comparentibus coram nobis pro tribunali sedentibus, magnifico et potente domino, domino Willelmo, comite de Douglass, nomine et ex parte Jacobi de Douglas antedicti, fratris sui, cum caucione prestita de rato habendo, et ex parte aduersa recepta et admissa, ex vna parte, et nobili viro Archebaldo de Douglass, comite de Morauia antedicto ex altera parte, desiderantibus et petentibus declarationem in premissis, nostra auctoritate iudiciaria interueniente eis fieri, in casu cuiuscunque hereditatis cuiuscunque eorum gemellorum in futurum contingentis: Vnde nos huiusmodi peticiouibus annuentes, certas probas mulieres, vna cum matre eorum fratrum, coram nobis, magno iuramento interueniente iuratas, diligenter examinauimus que in huiusmodi ortu dictorum gemellorum interfuerunt; per quarum deposiciones comperimus et per presentes pronunciamus et declaramus dictum Jacobum de Douglas seniore prefato Archebaldo fratre suo gemello esse et fuisse; et hoc omnibus quorum interest notum facimus per presentes: In quorum omnium et singulorum fidem et testimonium premissorum, sigillum officii nostri officialatus Laudonie presentibus est appensum, vna cum subscripcionibus notariorum subscriptorum, ac in eodem nostro decreto et testium examinatione nobiscum assistencium, apud Edinburgh, die mensis Augusti xxvj^{to}, anno Domini m^o cccc^o xlvi^o, indictione decima, pontificatus sanctissimi in Christo patris ac domini nostri, domini Nicholai, diuina prouidencia pape quinti, anno primo; eorum hiis testibus, videlicet, dominis Alexandro, comite de Crauford, Alexandro, domino de Montegummary, Johanne, domino de Lindsay de Byris, Johanne Wallace, domino de Cragy, Jacobo de Achinlek de eodem, militibus; magistro Jacobo Lyndsay de Colbantoun, rectore de Douglas, Thoma de Cranstoun de eodem, Johanne de Sancto Michaele de Quitester, Thoma de Cranstoun, Willelmo de

Cranstoun, Willelmo de Libertoun, Thoma de Berwic, Willelmo Cameron, Alexandro Napare, Lansloto de Abirnothy et Johanne de Haukyrstoun, cum multis aliis testibus ad premissa vocatis specialiter et rogatis. Et ego Willelmus Arouse, presbyter Sanctiandree diocesis, publicus auctoritate imperiali notarius, superscripti decreti dacione et pronunciacioni, testium examinacioni, dictarum parcium requisicioni, ac eorum de rato habendo obligacioni ceterisque omnibus et singulis supradictis, dum sic vt premittitur agerentur et fierent, vna cum prenomiatis testibus ac dominis notariis subscriptis presens personaliter interfui; eaque omnia et singula sic fieri, vidi et audiui et in notam sumpsi, ideoque hic me ad petitionem dicti domini comitis et de mandato dicti domini iudicis, vna cum notariis subscriptis subscripsi, et in notam recepi, ac in hanc publicam formam redegi; signumque meum solitum et consuetum, vna cum appensione sigilli officii officialatus Laudonie iudicis antedicti apposui, rogatus et requisitus, in fidem et testimonium omnium et singulorum premissorum; approbando cum aliis istud verbum xxvj^o inter quartam et quintam lineas, computando a fine, etc. Et ego Robertus Michaelis de Hyrmandstoun, clericus Sanctiandree diocesis, publicus auctoritate imperiali notarius, premissis omnibus et singulis dum sic vt premittitur agerentur, dicerentur et fierent, vna cum [testibus] prenomiatis et domino notario superscripto presens fui; eaque omnia et singula sic fieri vidi, sciui et audiui, et in notam recepi; ideo hic me subscripsi, signumque meum solitum et consuetum apposui, rogatus et requisitus, in fidem et testimonium veritatis omnium premissorum. Et ego David Rede, Sanctiandree diocesis, publicus auctoritate imperiali notarius, premissis omnibus et singulis dum sic vt premittitur agerentur, dicerentur et fierent, vna cum dominis notariis superscriptis et testibus prenomiatis presens personaliter interfui; eaque omnia et singula sic fieri, vidi, sciui et audiui, ac in notam sumpsi; ideoque hic me subscribens signo meo solito et consueto signavi, rogatus et requisitus, in fidem et testimonium veritatis omnium et singulorum premissorum. QUAS QUIDEM literas indenture et decreti ac omnia et singula in eis contenta, in omnibus punctis suis et articulis, condicionibus et modis ac circumstanciis suis quibuscunque, forma pariter et effectu, in omnibus et per omnia, approbamus, ratificamus ac pro nobis et successoribus nostris, vt predictum est, pro perpetuo confirmamus; saluo nobis iure nostro ante presentem confirmationem nobis debito et consueto. In cuius rei testimonium presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus; testibus, reuerendo in Christo patre, Willelmo, episcopo Glasguensi, Willelmo, domino Crechtoun, nostro cancellario et consanguineo predilecto, carissimis consanguineis nostris Willelmo et

Georgeo de Douglas et de Angus comitibus, venerabili in Christo patre, Andrea, abbate de Melros, nostro thesaurario et confessore ; dilectis consanguineis nostris, Willehmo, domino Summyruele, Andrea, domino le Gray, magistro Nicholao de Ottyrburne, nostro secretario, et Johanne Arous, archidiacono Glasguensi ; apud Linlithqw, nono die mensis Januarii, anno Domini m^o cccc^o xlix^o, et regni nostri decimo tercio.

307. OBLIGATION by JAMES, EARL OF DOUGLAS, to MARK OF HALIBURTON, regarding the lands of Glengennat and Bannan. 28th March 1454.

BE IT KEND till all men be ther presente lettres, vs, James, Erle of Douglas, Wigtoun and Avandale, lorde of Galway and of the barony of Trabeauth, for to be haldin and to be bundyn and sikkirly to be oblissit, and be thir presente lettres and the faith of our body lelily and treuli byndis and oblissis vs and our ayris til our luft cousing and secretare, Marc of Haliburtoun, his ayris and assignais, that for als mekill as we haue gevin freli and grauntit to the said Marc, his ayris and assignais, be infeftment, chartir and sesing, for his seruice til vs done and to be done, al and syndre our landis of Glengennat and of the Bannane with thair pertinence, lyand within our barony of Trabeauth, the erledome of Carric and the schereuedome of Are, in fee and heritage for euirmare, eftir the tenour of his said infeftment thar vpoun be vs to him and his ayris made : For the quhilk we will and we graunt, and be thir presente lettres byndis and oblissis vs and our ayris, in fourme and manere forsaid, to the said Marc, his ayris and assignais, that gif euir it sal happin, as God forbeide it do, the said landis of Glengenate and of the Banane with their pertinence or ony part of thaim, for to be recouerit, womnyn or obtenit euir in ony tyme to cum fra the said Marc, his ayris or assignais, be Lady Mergarete, our spouse now presente, or hir ayris or ony vthir in hir name or hir ayris, or he or his ayris to be vexit or distrubillyt, or zit his assignais in thaim, that thai may nocht brouke the said landis of Glengenat and the Bannane with thair pertinence, we bynd and obliss vs and our ayris, as saide is, in the straytest and mast sikkir fourme of obligacioun, that than we or thai quha sal happin to be presente in the tyme sal infefte and frely gif and delyuer be chartir possessioun and sesing the said Marc of Haliburtoun, his ayris or assignais, quhilk sal happin to be vexit in the tyme, and to be lettit in the browking of the said landis in to ten poundis worth of land of alde extent, als gude and als sufficient as the said landis of Glengenate and the Bannane with

thair pertinencis, lyand within the schereuedome of Clidisdale, Louthiane, or Galway, of vntailzeit landis, to be haldin of vs and our ayris in sic feftement and fredome as he haldis now the said landis of Glengennate and the Bannane of vs, or euir the said lady Margaret our spouse, hir ayris or assignais, or ony vthir in hir name or thairis be herd in the clame of the saide landis, or ony stryfe, pley, questioun or demand be movit thar vpoun or persewit with in jugement or with owt jugement, stilly or lowde, preve or pert, in the law or by the law ; And we, our ayris and assignais, sal hald, kepe, and fulfill all condicions forsaide lelily and treuly withoutin fraude and gile or ony excepcioun, to the said Marc, his ayris and assignais, for euir mare, renounsand thar attour al remede of law canon or ciuil, actis, statutis of parliamentis or generale counsalis, made or to be made, quhilk may be til vs or our ayris ony suple, remede or help and hendering to the said Marc, his ayris or assignais, in the contrare of thir our presente lettres, al fraude, gile and dissaitte cessand as is forsaide. In witnes of the quhilk thing we haue gert set our seale to thir our lettres and subscrivit with our avne hand at our castell of Douglas, the xxviiij day of the moneth of March, the yer of our lord I^mcccc fifty and foure.¹

James of Douglas

¹ Original Obligation in Charter-chest of the Marquis of Ailsa : also copy charter by James, Earl of Douglas, Wigtown, and Avondale, Lord of Galloway, by which he grants to his beloved cousin and secretary, Mark of Haliburtoun, his lands of Glengenate and le Bannane, in the barony of Trabauch, earldom of Carrick and sheriffdom of Ayr, which formerly belonged to the Earl's kinsman, John Auchinleck, lord of that ilk, and were resigned by him in the Earl's hands at Lanark, in favour of the foresaid Mark ; to be held to

him, his heirs and assignees of the Earl his heirs and successors, in fee and heritage, for rendering two suits of court at the head courts of the barony of Trabauch, held at Easter and Michaelmas : Contains a clause of warrandice, and is dated at the Castle of Douglas, 28th March 1453-4. Witnesses, the Earl's dearest brothers-german, Hugb, Earl of Ormond, and Sir James (John) of Douglas, Lord of Balveny, James, Lord of Hamiltoun, knights, Andrew Ker of Altonburn, and others.

308. BULL OF ABSOLUTION by POPE INNOCENT THE EIGHTH for rebelling
against KING JAMES THE THIRD. 27th June 1491.

INNOCENTIUS Episcopus, seruus seruorum Dei, dilectis filiis de Pasleto et de Gedworth, Glasguensis diocesis, Monasteriorum abbatibus, ac cancellario ecclesie Glasguensis, salutem et apostolicam benedictionem. Exuberans apostolice sedis clementia recurrentium ad eam post excessum cum humilitate personarum statui libenter consulere eis que se propitiam exhibere consuevit atque benignam; exhibita siquidem nobis nuper, pro parte nonnullorum regnicolarum regni Scotie, petitio continebat quod olim postquam per nos intellecto quod nonnulli domini, tam spirituales quam temporales dicti regni, aduersus clare memorie Jacobum tertium ipsius regni regem illiusue statum insurgere, ymmo et regem ipsum a dicti regni regimine expellere intendebant et moliebantur; nosque per quasdam litteras nostras, nonnullas sententias, censuras et penas ecclesiasticas, etiam priuationis dignitatum et beneficiorum ecclesiasticorum, necnon ad illa inhabilitationis, contra in ipsum regem insurgentes et eorundem insurgentium fautores promulgaueramus, que postmodum in partibus illis publicate fuerunt, nonnulli regnicole eiusdem regni carissimo in Christo filio nostro Jacobo quarto, eius filio, moderno regi, tunc principi Scotie, qui pro salute et utilitate defuncti regis et regni predictorum, statum et consilium ipsius regis reformare, et quosdam regis predicti defuncti falsos consiliarios ni et potentia expellere deliberauerant, adhererunt, et illius fautores extiterunt. Ac cum pro parte tam defuncti quam moderni regum predictorum exercitus parati fuissent et inter se manus conueissent, prefatus rex defunctus in conflictu cum diuersis aliis personis occubuit, nonnullis ex prefatis exponeutibus in dicto conflictu presentibus, aliis uero absentibus qui eisdem presentibus in premissis adhererunt, et alias aliquotiens ipsi regnicole quam pretextu duntaxat dicti conflictus contra ipsum regem defunctum insurrexerunt, vnde tam presentes quam absentes adherentes et alias contra dictum regem defunctum insurgentes prefati dubitant sententias, censuras et penas incurrisse: Cum autem, sicut eadem petitio subiungebat, exponentes prefati de premissis ab intimis doleant, cupiantque pro commissis penitentiam agere salutarem pro parte ipsorum, nobis fuit humiliter supplicatum ut ipsos a sententiis, censuris et penis prefatis, in ipsis litteris nostris quomodolibet contentis, absolvere, ac alias ipsis et eorum statui in premissis oportune prouidere de benignitate apostolica dignaremur: Nos igitur, attendentes quod prefate sedis clementia ad eam recurrentibus post excessum cum humilitate personis sue pietatis

gremium fauorabiliter aperire consuevit, ac uolentes exponentes predictos apud nos alias de probitatis et uirtutum meritis commendatos horum intuitu fauoribus prosequi gratiosis, eorum in hac parte supplicationibus inclinati, discretioni uestre per apostolica scripta committimus et mandamus, quatinus uos, uel duo aut vnus uestrum, omnes et singulos qui in dicto conflictu interfuerunt, ac absentes qui illis adhererunt, et auxilium, consilium, assensum, consensum et fauorem, uerbo uel facto quocummodo, prestiterunt, necnon qui alias quam pretextu duntaxat dicti conflictus contra ipsum regem defunctum insurrexerunt, et contra dictas nostras litteras quouis modo deuenerunt, ac si eorum nomina et cognomina presentibus insererentur si hoc humiliter petierint, ab omnibus et singulis sententiis, censuris et penis in dictis nostris litteris quomodolibet contentis, et per eos premissorum occasione qualitercunque et quotienscunque incursis, quas ac si littere predictae de uerbo ad uerbum inserte forent presentibus haberi uolumus pro expressis, auctoritate nostra hac uice duntaxat absoluatis in forma ecclesie consueta, iniunctis ipsis et eorum cuilibet pro modo culpe penitentia salutari et aliis que de iure fuerint iniungenda; eosque et eorum singulos unitati sancte matris ecclesie et sacramentorum ecclesiasticorum participationi communionique fidelium eadem auctoritate restituatis; non obstantibus premissis ac constitutionibus et ordinationibus apostolicis ceterisque contrariis quibuscunque. Datum Rome, apud Sanctum Petrum, anno incarnationis Dominice millesimo quadringentesimo nonagesimo primo, quinto kalendas Iulii, pontificatus nostri anno septimo.

309. LETTER OF OBLIGATION by ARCHIBALD, SIXTH EARL OF ANGUS to MARGARET, QUEEN OF SCOTLAND, his wife, not to interfere with her conjoint-fee lands. 15th June [1517].¹

KNAWE all men by these presentis, that albeit I, Archibald Douglas, erle of Angwissche and lord of Douglas, for so moche as it liked the right high and excellent princes, Margarete, Quene of Scotland, to accept and to tak me to hir spouse and husband, als wele ymmediately aftir the solempnisacioun of oure mariage as at anc other season sethen that tyme, did frely and liberally promyse and graunte to the said Quene and to other her trusty frendis and counsellours, that nethere I, nor any othere in my name for me or in my right, wolde or

¹ From transumpt made by the Official of St. Andrews in the Archdiaconate of Lothian, in the consistory of the church of St. Giles at Edinburgh, 9th November 1518. [Original transumpt in Lord Elphinstone's charter-chest.]

schulde, from that present tyme after, intromytte or medle witht the setting or letting of her laundis, or of any part of thayme lying withynne the realme of Scotland, being her coniunct feoffament, or any othere laundis lauchfully to her Grace commyng, or apperteinyng, nor also to receiue, or doe to be receiued, any part of the reuenues, or proffettis of the said laundis, but oonly to permytt and suffer her Grace, and her officers, by her assigned for that purpoos, to haue the hooll ordouring and medeling of the saide laundes ande the prouffittis commyng of the same. Yet, neuertheless, I, the said Archibalde, Erle of Angwissche, entendeing the sure manteynnyng of the estait and honoure of the said Quene and right excellent princes, estesoones doe graunte and promitte by these presentes that duryng my lyfe naturall I sall not intromytte nor medle witht the setting, letting, or putting to ferme of the said laundes, making and appointing of any her officers for the same, no schall receiue nor do to be receiued any money, prouffittis, or commoditis commyng or growing of the said landes, nor also schall not take vppoun me by any occasioun to giue any benefices rightfully apperteynnyng to the gifte of the said Quene, nor to keipe her courtis, nor medle in the same, but if it be by speciall commandemente of the said Quene: nor ouer this schall not tak vppone me to geue any quittaunce for suche dettis as be due and owing at any tyme to her said Grace, but vtterly doe renounce and releas all suche my right ande intereste as I haue, or hereafter may haue, to the premisses or to any parte of the same, by force of any lawe, title, or clame by me or by any other in my name or in my right, to be made hereafter: Ande by these presentis I doe concede ande graunte that Thomas Lord Dacre, warden generall of the marches of Eingland foranenste Scotland, and Mr. Thomas Magnus Archidiacon of the Est Ridding, Englisshmen, and Alexander Craufurde, Master of Sauncte Antonnyes besides Leith, and Roberte Carre of Selkridge, gentilmen, Scottisshemen, sall merely ande frely haif my full powere, right, title, and intereste in all ande euery parte of the premisses, in as large ande ample forme and manere as in any wise I canne, or may be by any lawe entituled to the same, without that that I, or any othere for me or in my right, schall mak any clayme, querell, or demande to the contrarie herafter my liffe lasting, but schalbe contente to ratifye, approue ande hoolde ferme and stable euery thinge by thayme done and to be doone in forme aforesaid; and this I promytte appoun my faitht, troutht and honour. In wittenes wherof to this my writtinge singned with myne aune hande I haue sett my seall, at Lamberton Kirk, the xvth day of June ande of the reigne of my soverane lord King James, of that name the Vth, the iiiijth yere.

310. LIFEERENT LEASE by MARGARET, QUEEN OF SCOTLAND, of the Lands of the Lordship of Linlithgow to MARION DOUGLAS, nurse of her son, King James the Fifth. 19th July 1518.¹

BE it kend to all men be thir present lettres, ws, Mergrete, quene of Scotland, coniuinct fear of the lordschip of Linlithquhow, with consent and assent of ane nobill and michty lorde and oure derrest spous, Archibald, erle of Angus, lord Douglas, to haue sett, and be thir present lettres settis, to our louit seruitrice, Marioun Douglas, kepar to oure derrest sone, the King, for all the dayis of the said Marioun[is] lyf, all and sindrie our aikirris of Linlithquhow, extending to sewin skore and elleuin aikirris, liand besid the burgh of Linlithquhow, the entre of the said Marioune to the tak of the said aikirris begynnand the day of the daite herof, and thareftir to indure and to be haldin and to be had fore all the days of hir lyf, with all and sindri commoditeis, fredomes, proffittis, eysmentis, and richtuis pertinens quhatsumeuir pertenynge or that richtuislie may pertene tharto be ony maner of way in tyme to cum; with full power to the said Marioune Dowglas induring hir lyf tyme as said is to occupy the sadis aikirris with hir awin gudis, or to sett the sammyn to subtennandis wnder hir, and thame into the sammyn to input and output, remufe and change, lik as scho sall think maist expedient and proffitabill induring all the tyme forsaid, frelie, quietlie, weill and in pece, but ony reuocatione, impediment or obstakill quhatsumeuir: And attour, we haif geuin and grantit, and be thir our present lettres, with the full consent and assent of our said spouse, frelie giffis and grantis to the said Marioune Douglas for hir trew and thankfull seruice done and to be done to our said derrest sone the king, all males, fermes, and gressummis, proffittis, and dewiteis of the sadis aikirris, induring all the days of hir said lyf; and quytleimis and dischargis the said Marioun, hir airis, executouris and assignais tharof, now and for euir, be thir present lettres. In witnes herof we haf affixt ovr signet and subscriuit the sammyn with our hand, togiddir with the subscripcioun of our said derrest spous in witnessing of his consent and assent to the premisses, at Edinburgh, the xix day of Julij, the zeir of God I^mv^c and auchtene zeris.

¹ Original lease in Roxburgh charter-chest.

311. PATENT TO COSPATRICK ALEXANDER, EARL OF HOME, of the title of
Baron Douglas of Douglas. 11th June [1875].

VICTORIA, by the grace of God of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith, to all archbishops, dukes, marquesses, earls, viscounts, bishops, barons, knights, provosts, freemen and all other our officers, ministers and subjects whatsoever, to whom these presents shall come, greeting: Know ye that we of our especial grace, certain knowledge and mere motion, have advanced, preferred and created our right trusty and right well-beloved cousin, Cospatrik Alexander, Earl of Home, in that part of our United Kingdom of Great Britain and Ireland called Scotland, to the state, degree, dignity and honor of Baron Douglas of Douglas, in our county of Lanark; and him, the said Cospatrik Alexander, Earl of Home, Baron Douglas of Douglas, aforesaid, do by these presents create, advance and prefer. And we have appointed, given and granted, and by these presents for us, our heirs and successors, do appoint, give, and grant unto him, the said Cospatrik Alexander, Earl of Home, the name, state, degree, style, dignity, title and honor of Baron Douglas of Douglas aforesaid; to have and to hold the said name, state, degree, style, dignity, title and honor of Baron Douglas of Douglas, aforesaid, unto him the said Cospatrik Alexander, Earl of Home, and the heirs-male of his body, lawfully begotten, and to be begotten. Willing, and by these presents granting for us, our heirs and successors, that the said Cospatrik Alexander, Earl of Home, and his heirs-male aforesaid, and every of them successively, may bear and have the name, state, degree, style, dignity, title and honor of Baron Douglas of Douglas aforesaid, and that they, and every of them successively, may be called and styled by the name of Baron Douglas of Douglas, in our county of Lanark. And that he, the said Cospatrik Alexander, Earl of Home, and his heirs-male aforesaid, and every of them successively, may in all things be held and deemed Barons Douglas of Douglas aforesaid, and be treated and reputed as barons; and that they and every of them, successively and respectively, may have, hold and possess a seat, place and voice, in the Parliaments and public assemblies, and councils of us, our heirs and successors, within our United Kingdom of Great Britain and Ireland, amongst other barons, as Barons of Parliament, and public assemblies and councils. And also that he, the said Cospatrik Alexander, Earl of Home, and his heirs-male aforesaid, may enjoy and use, and every of them may enjoy and use, by the name of Baron Douglas of Douglas aforesaid,

all and singular the rights, privileges, pre-eminences, immunities and advantages to the degree of a baron in all things duly and of right belonging, which other barons of our said United Kingdom of Great Britain and Ireland have heretofore honorably and quietly used and enjoyed, or as they do at present use and enjoy. Lastly, We will, and by these presents, for us, our heirs and successors, do grant the said Cospatrik Alexander, Earl of Home, that these our letters patent, or the enrolment thereof, shall be sufficient and effectual in the law, for the dignifying, investing and really ennobling him, the said Cospatrik Alexander, Earl of Home, and his heirs-male aforesaid, with the title, state, dignity and honor of Baron Douglas of Douglas aforesaid, and this without any investiture, rites, ornaments or ceremonies whatsoever, in this behalf due and accustomed, which for some certain reasons best known to us, we could not in due manner do and perform; any ordinance, use, custom, rite, ceremony, prescription or provision due or used, or to be had, done or performed in conferring honors of this kind, or any other matter or thing to the contrary thereof notwithstanding. We will also, and by these presents, grant to the said Cospatrik Alexander, Earl of Home, that he may and shall have these, our letters-patent, duly made and sealed, under our great seal of our United Kingdom of Great Britain and Ireland, without fine or fee, great or small, to be for the same in any manner rendered, done or paid to us, in our hanaper or elsewhere, to our use. In witness whereof we have caused these our letters to be made patent. Witness ourself, at Westminster, the eleventh day of June, in the thirty-eighth year of our reign.

By warrant under the Queen's sign manual.

G. ROMILLY.

ABRIDGMENTS OF DOUGLAS AND ANGUS CHARTERS
NOT PRINTED AT LENGTH.

312. CHARTER by Arnold, Abbot of the Monastery of Kelso and Convent of the same place, granting to Theobald the Fleming their land upon Duuelglas, and to his heirs, by the right marches, namely, from the source or upper part of Polnele to the water of Douglas, and from the upper part of Polnele beyond the broad moss to the long Fau, from thence to Hirdelau, thence to Theuisford in Mosminin, Elcorroc, and so to the long black ford, and as the road lies as far as Crossford, in fee and heritage, for payment of two merks, one at Martinmas and one at Whitsunday. Witnesses, Balwin of Bigir, John of Crauford, Gylbride Mac Giderede, Gilmalagon Mackelli, Gilbert clerk, etc. *Ante* 1160. [Register of Kelso, vol. i. p. 78, 84.]

313. "AGREEMENT by way of Indentur between Andrew Lessly, sone and heir of Sir Norman Lesly, with consent and assent of Mary, his spouse, daughter and one of the heirs of umquhill Sir Alexander Abernethy, knight, on the one part, and Sir William Lindsay, rector of the church of Ayr, and Chamberlane of Scotland, on the other part, viz., that the said Andrew, with consent forsaid, shall heretabilyly infest the said Sir William in a 24 merk land in the tenement of Cairny, in the shirriffdome of Perth, to be held of the granter. Dated att Dundee, the 19th of June 1317." [Entry in Old Inventory in Douglas Charter-chest.]

314. CHARTER by John Stewart, Earl of Anegus, lord of Bonkyl and of Abbir-nethy, by which he grants and confirms to Gilbert of Lumbisdeue, and his heirs, his lands of Blenherum [Blanerne] with the pertinents, which formerly belonged to Henry of Ellome, with all the dominical lands of Blenherum, for his homage and service ; to be held of the Earl and his heirs in fee and heritage, with all liberties and easements, for payment of a penny yearly, at Whitsunday, if asked. Contains a clause of warrandice and bears to be sealed with the Earl's seal. Witnesses, Thomas Randolph, Earl of Murray, then Guardian of Scotland, Patrick, Earl of the Marches, David of Lyndissay, lord of Crawford, knights, and others. 1329-1332. [Old copy in Douglas Charter-chest.]

315. CHARTER by Duncan Earl of Fyfe, by which he grants and confirms to Dame Beatrix Duglas, spouse of the deceased Archibald of Duglas, knight, all his barony of Wester Caldor, with the pertinents, for the whole of her lifetime, and after the decease of Dame Beatrix, to John of Duglas, her son and heir, and his heirs, as

freely as the Earl or his predecessors held the same of the King of Scotland ; To be held of the Earl and his heirs in fee and heritage, freely, etc., in forests, advocations of churches, with wards, reliefs, marriages, meadows, etc., with homages and services of free tenants, bonds and bondages, natives and their sequels, in fees, forfeitures, mills, multures and their sequels, etc. : Rendering yearly in name of blench farm a pair of gilt spurs, or two shillings sterling, at the feast of Pentecost, if asked. The charter contains a clause of warrandice and was sealed with the Earl's seal at Falcland ; witnesses, Sir Andrew of Moray, Guardian of Scotland, Sir David of Lyndesay, Sir Robert of Lawedre, justiciar of Scotland on the north side of the water of Forth, Sir William of Keth, Sir David of Wemys, sheriff of Fyffe, Sir Andrew of Douglas, sheriff of Pert, knights, William of Douglas, Sir Adam of Striwelyn, abbot of Culros, Alan of Veteri Ponte, constable of the Loch of Lewyn. [February 1337, at siege of Falkland Castle.] Seal appended. [Original Charter in Torphichen Charter-chest.]

316. CHARTER by William of Douglas, lord of that ilk, by which he grants to James of Sandilandis, his well beloved esquire, for homage and service, all his lands of Sandilandys and the Redmire, with the pertinents, within his lordship of Douglasdale, with the east part of the land of Pollynfeygh as the water of Douglas runs, ascending as far as the two trees of Byrkis on the west side of the Halleford opposite the Haynyngschaw, which is within the barony of Lesmahagow, and so upward extending to the Wythyn Buskis on the east side of Langtaille, and so up as far as the messuage, sometime of Adam Peterson, and so upward extending to the wood of Pollynfeyghschaw, and so ascending near the side of the wood as far as the highway, and so upward as the stream flows to the end of Thomas Rouche's croft as far as the Lonyugdyke : To be held of the granter and his heirs to the said James and his heirs, in fee and heritage ; with a provision that all grain growing upon the said lauds which came to the granter's mill, should pay no more than his dominical lands were anciently wont to pay, and that if the grain of the foresaid lands were brought to sale at market or elsewhere within the barony or outside, multure should not be exacted therefor by the farmers of the mills ; the said James and his heirs to be free from all payment of contribution, though incurred generally throughout the country, unless the granter's dominical land, being in his own hands, or the hands of his successors, be specially obliged to the payment of the foresaid contributions : Rendering yearly at the feast of the Nativity in the parish church of Douglas a pair of white spurs, if asked, in name of blench farm. Sealed and dated at the castle of Edinburgh, on the Thursday before the feast of the Nativity of our Lord [18th December], 1348. Witnesses, Sir William of Douglas, lord of Lydellisdale, Sir Andrew of Douglas, Sir John of Douglas, knights, Sir John of Dalgernok, then prior of Lesmahagow, Master Walter of Moffet, then archdeacon of Lothian, Sir Richard Small, rector of the church of Ratheu, Sir Adam, rector of the church of Kirkmeyghell, John Makmoryn, then the granter's bailie of Douglasdale. Seal wanting. [Original Charter in Torphichen Charter-chest.]

317. CHARTER by William Lord of Douglas, by which he grants to his beloved and faithful James of Sandilandis for homage and service his whole town of Pollynfeygh, from the bounds and marches which he had caused to be made on the east side between the said town and the Sandilandis, to wit, from the two trees of Byrkis at the west side of the Halford, ascending as far as the Saulghbuskis, near the east side of Langtaylle [etc. as in No. 316], and by the ancient meiths and marches on the west side of the said town of Pollynfeygh: To be held to the said James, and his assignees at the end of the life of the said James, of the granter and his heirs, with all the rights, liberties, etc., as freely as James Logan, or Dame Mary of Striuelyn, or their predecessors held or possessed the same; Rendering three suits of court of the granter's court of Douglasdale at the three head courts when they happened. With clause of warrandice. Witnesses, Sir William of Douglas, lord of Lydellisdale, Sir Andrew of Douglas, Sir John of Douglas, knights, Sir John of Dalgernok, then prior of Lesmahagow, Walter of Moffet, archdeacon of Lothian, Sir Richard Small, rector of the church of Rathew, Sir Adam, rector of the church of Kirmeghell, John Makmoriue, then bailie of Douglasdale. The granter's seal is still appended. [c. 1348.] [Original Charter in Torphichen Charter-chest.]

318. CHARTER by Duncan Earl of Fyf, narrating at length, ratifying and confirming a charter by William of Douglas, lord of that ilk, granting to James of Sandylandys, and Dame Elianor de Bruys, sister of the said William of Douglas, his whole barony of Westir Caldore with the pertinents, in free-marriage; to be held to them, and the longer liver of them for life, and the heirs male or female to be lawfully procreated between them, of the granter and his heirs, in fee and heritage, as freely as he or his predecessors held the same of Duncan Earl of Fife, in forests, advocacion of churches, with wards, reliefs, marriages, meadows, pastures, etc., homages and services of free tenants, bonds and bondages, natives and their sequels, fees, forfeitures, mills, etc.: Rendering yearly in name of blench farm a pair of gilt spurs, or two shillings of silver yearly at the feast of Pentecost, if asked only. Providing that if the said James and Dame Elianor died without heirs male or female of their bodies, the barony should revert to the lord of Douglas and his heirs. With clause of warrandice. Witnesses to the charter by Douglas, Sir Thomas, abbot of the Holy Rood of Edinburgh, Thomas Stewart, Earl of Angus, Sir David of Lyndesay, lord of Crauford, Sir William of Douglas, lord of Lydellisdale, Sir Andrew of Douglas, Sir John of Douglas, knights, and Sir Richard Small, rector of the church of Rathew. To the Confirmation [dated about 1350] the seal of the Earl of Fife is appended. Witnesses, Sir William of Douglas, lord of Lydellisdale, Sir Robert of Irskyn, then chamberlain of Scotland, Sir John of Prestoun, knights, Sir Brice, the Earl's chaplain, and William of Carnys. [Original Charter in Torphichen Charter-chest.]

319. CHARTER by King David the Second, confirming the preceding Charter of Confirmation by Duncan Earl of Fife, which is fully narrated: Witnesses, William

Bishop of St. Andrews, William Bishop of Glasgow, Duncan Bishop of Dunkeld, Robert, Steward of Scotland, the King's nephew, Thomas Earl of Marr, Thomas Earl of Angus, Malcolm Fleming, Earl of Wigtoun, William Earl of Sutherland, David of Lyndesay, lord of Crauford, William of Leungistoun, Robert of Irskyn, the King's chamberlain, knights, and Mr. William of Cauldewell, chancellor of Scotland. At Dundee, in the parliament held there, on the 15th of May, 21st year of the king's reign [1351]. [Original Charter in Torphichen Charter-chest.]

320. CHARTER by King David the Second, by which he approves and confirms the gift and grant which Duncan Earl of Fife made to the late Beatrix of Douglas, spouse of the deceased Archibald of Douglas, knight, of the barony of Westir Caldor, with its pertinents, in the sheriffdom of Edinburgh, as freely as the charter of the foresaid Earl bore [No. 315 *supra*]: Also ratifying and confirming the gift and grant which the King's wellbeloved and faithful William Lord of Douglas made to the King's wellbeloved esquire, James of Sandylandys, of the foresaid barony of Westir Caldor, with the pertinents in the sheriffdom aforesaid; to be held to the said James and his heirs, as freely as the charter of the foresaid William Lord of Douglas purported, together with the homages and services of the free tenants of the whole town of Bengowre in the sheriffdom of Edynburgh. Which barony of Westir Caldor, and homages and services of free tenants of Bengowre, the King of his certain knowledge gives to the said James and his heirs, and for himself and his successors, confirms for ever. Witnesses, William Bishop of St. Andrews, William Bishop of Glasgow, Patrick Bishop of Brechin, Robert, Steward of Scotland, the King's nephew, Patrick of Dunbarre, Earl of March, the king's cousin, William of Leungstoun, Robert of Irskyn, John of Prestoun, knights, and Robert of Dunbretane, the king's clerk, at the town of Breychyn, the last of February, 24th year of his reign [1353-4]. Seal wanting. [Original Charter in Torphichen Charter-chest.]

321. CHARTER by King David the Second, by which he ratifies, and for himself and his heirs, confirms, the gift and grant which the late Duncan Earl of Fyf, made to the late Beatrix of Douglas, spouse of the late Archibald of Douglas, knight, and her heirs, of the barony of Westir Caldor, with the pertinents, in the sheriffdom of Edynburgh, and also the gift and grant which William Lord of Douglas made to James of Sandylandys and Elianor of Bruys, his spouse, of the foresaid barony, to be held to the said Elianor, and the heirs procreated between her and the said late James, of the king and his heirs, in fee and heritage, as freely as the charter [No. 18 *supra*] of the said William lord of Douglas, made to the said deceased James and Elianor, his spouse, bore, saving the king's service. The king's seal is affixed. Witnesses, William Bishop of St. Andrews, Patrick the king's chancellor, bishop of Breychyn, Robert, Steward of Scotland, Earl of Strathern, the king's nephew; Thomas, Earl of Marre, the king's cousin; William of Leungstoun, William of Ramesay, Robert of Irskyn, and John of Prestoun, knights. At Edinburgh, 20 January, 28th year of the king's

reign [1357-8]. Seal appended, but imperfect. [Original Charter in Torphicheu Charter-chest.]

322. CHARTER by David the Second, King of Scots, confirming a charter by William Earl of Douglas to Christian, daughter of John, of the lands of Wester Fandowy, in the sheriffdom of Perth ; to be held to the said Christian and her heirs, in fee and heritage, as fully and freely as is contained in the charter of the said Earl, saving the king's service. In testimony of which the king's seal is affixed. Witnesses, Patrick Bishop of Brechin, chancellor, Robert, Steward of Scotland, Earl of Strathern, nephew to the king, David of Annandale, Walter Moygne, and William of Gladstanys, knights. At Perth, the second day of July, the 30th year of the king's reign [1359]. [Original charter in Athole Charter-chest.]

323. CHARTER by King David the Secoud, by which he confirms :—Charter by William Earl of Douglas and lord of Lydellisdale granting to his beloved and faithful John of Towers, for homage and service paid and to be paid for the whole time of his life, his lands del Ferme de Rothirglen, with the pertinents, in the sheriffdom of Lanark ; to be held to him, his heirs and assignees, of the granter and his heirs, in fee and heritage, for payment of a silver penny yearly at the castle of Douglas, at the feast of the Nativity, if asked only ; and rendering to the granter and his heirs forensic service due and wont. The Earl's charter contains a clause of warrandice, and is sealed before Sirs Archibald of Douglas, the Earl's cousin, William of Gledstanys, knights, Mr. Richard of Fogou, canon of Glasgow, and rector of the church of Douglas, Sir Richard Small, rector of the church of Rathew, Maurice M^cMoryn, Thomas of Rostynot, Thomas of Hoppringill. Which charter the king duly confirms in all points, saving his service. Witnesses, the venerable fathers in Christ, William Bishop of St. Andrews, and Patrick Bishop of Brechin, chancellor, Robert, Steward of Scotland, Earl of Stratherne, the king's nephew, Robert of Erskyn, and Hugh of Eglyntoun, the king's justiciars, knights. At Edinburgh, 10 January, 30th year of reign [1359-60]. [Original Charter in H.M. General Register House, Edinburgh.]

324. CHARTER by King David the Second, confirming a charter which is fully narrated, granted by Robert Steward, lord of Senbothy, to Sir Duncan Walays and Dame Elianor of Bruys, countess of Carrik, his spouse, of all his laud of Dalie and of Moderwal, in the sheriffdom of Lanark, for two hundred pounds of sterlings paid to him beforehand ; to be held to them, and the longer liver of them, and the heirs and assignees of the said Duncan, of the granter and his heirs, in fee and heritage for ever, for payment of a penny of silver yearly in name of blench farm, for all other service, ward, relief, marriage, suits of court, etc. With clause of warrandice. Witnesses, Robert of Erskyn, Andrew Cambel, Thomas of Erskyn, knights, Forsith Clerk, constable of the castle of Striuelyn, and Thomas of Walchob. The witnesses to the king's

confirmation are, William Bishop of St. Andrews, Patrick Bishop of Brechin, chancellor, Robert Stewart, Earl of Stratherne, the king's nephew, William Earl of Douglas, and Robert of Erskyne, knights. At Striuelyn, 4 March, 38th year of the king's reign [1367-8]. [Original charter in Torphichen Charter-chest.]

325. CHARTER by King David the Second, by which on the preamble that William Earl of Douglas had granted by charter to his beloved and faithful John of Towers, a certain piece of land called le Douglas Ferme, situated near the water of Clyde, in the sheriffdom of Lanark, which gift and grant the king had confirmed heritably to him, the king therefore grants and confirms to the said John of Towers, the fishings upon the said water belonging to the king, as the said piece of land adjoins the said water in length or breadth ; to be held to the said John and his heirs, of the king and his heirs, in fee and heritage. Witnesses, William Bishop of St. Andrews, and Patrick Bishop of Brechin, chancellor, Robert, Steward of Scotland, Earl of Stratherne, the king's nephew, William Earl of Douglas, Robert of Erskyne, Archibald of Douglas, Walter of Halyburtoun, and William of Dysschyngtoun, knights. At Abirbrothok, 26 November, 39th year of reign [1368]. [Original charter in H.M. General Register House, Edinburgh.]

326. LETTERS OF RESIGNATION by Margaret of Abynethy, Countess of Anegose, by which, of her own free will, in her widowhood, she resigns to her most excellent lord, David, illustrious King of Scots, her whole barony of Inuerrarite, with mills thereof, bonds and bondages, tenants and services of free tenants, and all other liberties and easements belonging thereto, in the sheriffdom of Forfare, without any hindrance by her or her heirs, as freely as she or any of her predecessors held the same of the King or his predecessors. Dated at Dundee, 11 January 1369-70. Witnesses, William Bishop of St. Andrews, Patrick Bishop of Brechin, Sir James of Douglas, and Sir William of Dissyngtoun, knights. [Original letters in Fotheringham Powrie Charter-chest.]

327. CHARTER by Thomas Flemyng, Earl of Wytoun, by which of his own free will, in his great and urgent necessity, and especially on account of the great and grievous enmity that had otherwise arisen between him and the greater native inhabitants of his foresaid earldom, he demits, alienates and sells, for himself and his heirs, to Sir Archibald of Douglas, knight, lord of Galloway on the east side of the water of Crech, all his earldom of Wytoun aforesaid, with the pertinents, and all right he, his heirs or assignees, might have thereto ; to be held to the said Sir Archibald, his heirs or assignees, with all commodities and easements, advocacy of churches, tenandries, and other right pertinents whatsoever, as freely as the granter and his predecessors held the said earldom, saving the service of the King thence due and wont : For which alienation and sale of the earldom the said Thomas acknowledges to have received in his great and urgent necessity, and for paying his debts in divers places,

from the said Sir Archebald, five hundred pounds sterling, good and legal money, of which he discharges the said Sir Archebald, his heirs and executors. Dated at Edinburgh, 16 February 1371-2. [Original Charter in Cumbernauld Charter-chest.]

328. CONFIRMATION by King Robert the Second of a charter by Archibald of Douglas, lord of Galloway and Bothwell, to Sir Alexander Fraser, knight, for his homage and service, of 80 merks worth of lands and mills in the lordship of Aberdour, and shire of Aberdeen ; to be held to him and Lady Johanna, his spouse, and the survivor, and the heirs of the body of the said Sir Alexander, of the granter and his heirs, whom failing, of Johanna the granter's spouse and her heirs, in the lordship of Aberdour, for rendering the forinsec service pertaining to the said lands and mills ; with a provision that in case of failure of the heirs of the body of the said Alexander, the lands should revert to the granter and his heirs, whom failiug, to the said Johanna his spouse, and her heirs, lords of Aberdour. The confirmation is dated at the monastery of Aberbrothok, 31 December, 8th year of the King's reign [1378]. [Original Confirmation at Philorth.]

329. CHARTER by Margaret Stewart, Countess of Angus and Lady of Abirnethi, whereby in her lawful widowhood she grauts and confirms to Walter, son of Nicholas, for his faithful service done and to be done to her, that piece of land called Fychlerland, in her barony of Abernethi, next the land of the said Walter, on the south, and extending towards the west : To be held to the said Walter and his assignees, of the granter and her heirs, in fee and heritage, for payment of one penny of silver, yearly, in name of blenchferm, at the feast of Whitsunday, if asked only. With clause of warrandice. Witnesses, William Abbot of the monastery of Londres, Sir Laureuce Bell, prior of the Collegiate Church of Abirnethi, Sir Robert, monk of Balmerynoch, the granter's chaplain, Henry of Swenton, lord of that ilk, and John of Povry, Robert of Corry, Thomas Bell, burgesses of Newburgh. No date. *Circa* 1380. [Original Charter at Kinfauns.]

330. CHARTER by William Earl of Douglas and of Marr, by which he grants and confirms to his well-beloved Sir John Lyoun, knight, chamberlain of Scotland, for homage and service, all his lands of Balmukedy, Balynehore Over, and Balynehore Nether, in the barony of Kerymore, and sheriffdom of Forfar ; to be held to Sir John and his heirs of the Earl and his heirs, in fee and heritage, for giving to the chief lords of the fee the service due and wont, and to the granter and his heirs ward, marriage and relief, when they happened. With clause of warrandice. Witnesses, James of Douglas, the Earl's son and heir, James of Lyndessay, lord of Crawford, Alexander of Lyndessay, lord of Glenesk, William of Lyndessay, lord of Byrys, Alexander of Menteth, knights, the Earl's cousins, Adam Forstere, Alan of Lawedre, Bernard of Cargill, Adam of Glendonewyne, and others. *Circa* 21 February 1380. Seal wanting. [Original charter at Glamis.]

331. PRECEPT OF SASINE, following on the preceding charter, directed to John Williamson, lieutenant of the sheriff of Forfar, for giving sasine of the foresaid lands. 21 February 1380. Seal appended, broken. [Original Precept at Glamis.]

332. CHARTER OF CONFIRMATION by Margaret Countess of Marr and of Anegus, daughter and heiress of the late Thomas Stewart, Earl of Anegus, by which in her pure and lawful widowhood she ratifies and confirms the preceding gift and grant made by the Earl of Douglas to Sir John Lyoun, knight, of the lands of Balmekedy and the two Balincheoris, in her barony of Kyrymure [No. 330 *supra*], in all points, saving her service. Witnesses, Sir James of Douglas, lord of Lydalisdale, son and heir of the said Earl of Douglas, William of Lyndesay, knights; John of Saint Clair, James of Saint Clair, brothers of the Countess; Alan of Lawedre, Adam of Glendonewyne, Henry of Wedale, and others. At the castle of Temptalovne, 12 August 1381. Seal wanting. [Original confirmation at Glamis.]

333. CHARTER by William Earl of Douglas and of Marre, by which he grants to his well-beloved John of Carmychell, for homage and service, all his lands of Over Carmychell, with the pertinents in the earldom of Douglas in the sheriffdom of Lanark: To be held to the said John and his heirs of the granter and his heirs, in fee and heritage for ever, for rendering a common suit at the Earl's courts held at Douglas, with wards, marriages and reliefs, when they happened. Further, the Earl wills that the said John and his heirs may grind when they please at the Earl's mill of Nether Carmychell all grains growing upon the lands, the Earl's millers being there, paying a firloft for the chaldre only. The charter contains clause of warrandice. Witnesses, Walter Bishop of Glasgow; Sirs James of Lyndesay, William of Lyndessay, Thomas of Erskyne, the Earl's consins, Robert of Daleyell, knights; Alan of Lawedre, Adam Forster, Adam of Glendonewyne, Johne Folcarde. No date, but *inter* 1374-1384. Seal wanting. [Original charter in Hyndford Charter-chest.]

334. CHARTER by William Earl of Douglas, lord of Liddesdale and of Lauder, by which he grants and confirms to his well-beloved cousin, Sir John of Haliburtonn, knight, for homage and service paid and to be paid to the granter, all his lands of Dalcoue, which belonged formerly to Sir Henry Balyol, knight, in the lordship of Lawedre; to be held to the said John and his heirs of the granter and his heirs, in fee and heritage for ever, for rendering service due and wont. Witnesses, the Abbots of Kelchow and Drybnrch, Sirs Walter of Haliburtonn, William of Gledstanes, knights, Thomas of Cranstoun, and others. Seal, in fair preservation, still appended; but legend obliterated [1357-1384]. [Original charter in H.M. General Register House, Edinburgh.]

335. CHARTER by James Earl of Douglas, lord of the constabulary of Lawedre, by which he gives to Alexander of Newtoun, for homage and service, all the lands

of two parts of the dominical lands of Lytilnewtoun, with an annual rent of two merks of silver due from the lands of Brothirstanes with the pertinents, in the constabulary foresaid and sheriffdom of Berwick ; to be held to the said Alexander, his heirs and assignees, of the Earl and his heirs, in fee and heritage, for rendering three suits of court at the three head pleas in the said constabulary to be held every year, with wards, reliefs and marriages, when they happened. Contains a clause of warrandice. Witnesses, William of Lyndessay, Robert Coluill, William of Gledstanes, Richard of Ruthirfurde, knights, Alan of Lawedre, Adam Forster, Thomas Trumbull [1384-1388]. [Original charter in H.M. General Register House, Edinburgh.]

336. CHARTER by King Robert the Second, by which he grants and confirms to his well-beloved son, James of Sandylandis, knight, the forty shillings sterling due to the King for castle ward of the barony of Caldore ; to be held to him and Jean, his spouse, the king's dearest daughter, the longer liver of them, and the heirs procreated, or to be procreated, between them, whom failing, the lawful heirs of the said James whomsoever, of the King and his heirs, in fee and heritage, for payment of a penny of silver in name of blench farm at the castle of Caldore, if asked only. Witnesses, William Bishop of St. Andrews, John Bishop of Dunkeld, chancellor, John, the king's eldest son, Earl of Carric, Steward of Scotland, Robert, Earl of Fife and Menteth, the king's well-beloved son, James Earl of Douglas, the king's cousin, Archibald of Douglas and Robert of Erskine, the king's cousins, knights. At Caldore, 24 May, 15 year of the king's reign [1385]. Seal imperfect. [Original Charter in Torphichen Charter-chest.]

337. BOND OF FRIENDSHIP by Malise Sper, Lord of Skuldale, made in presence of a magnificent lord, James Earl of Douglas, whereby he acknowledges himself to have made firm friendship with a noble lord, Henry Earl of Orkney and Lord of Roslyn, condoning and remitting all actions of injuries done by the Earl, his men, or any in his name to the said Malise, his lands and possessions hitherto, and all goods carried off by him or them ; and promises to satisfy his own men for all injuries, wrongs and goods carried off from them by the Earl of Orkney, or any in his name, to the date of the present writ, saving for the lands and possessions, if any such should be, to which his men might have right and might pursue according to the law of the country. Edinburgh, 8 November 1387. [Original Bond in Crookston Charter-chest.]

338. NOTARIAL TRANSMPT made at the instance of William Earl of Orkney, Lord of Saint Clair, etc., in the castle of Roslyng, in presence of William and Edward of Saint Clair, esquires, Sirs James Hakkilhude, Robert Crag, and Henry Atkynson, chaplains, on 17 September 1448, of the following:—Charter by Archibald of Douglas, Lord of Galloway and of Bothuill, to his beloved son William of Douglas, knight, lord of Nythsdale, for homage and service, done and to be done to the granter

by the said Sir William, for his lifetime, of all and whole the granter's barony of Harbertschyre, with the pertinents, in the sheriffdom of Stirling; to be held to him and Egidia, his spouse, the longer liver of them two, and the heirs lawfully procreated, or to be procreated betwixt them, of the granter and his heirs in fee and heritage for ever, for rendering yearly to the king a pair of gilt spurs at the feast of Whitsunday, if asked, and to the granter and his heirs yearly a pair of gilt spurs at the same feast, at the church of Donypace, in name of blench farm, if asked only; with a provision that if it should happen the foresaid William and Egidia to decease without an heir lawfully begotten of their bodies, or that such heir should fail, the foresaid barony should revert to the Earl and his heirs. Dated at the Earl's castle of Bothuill, 8 November 1388. [Original Charter in Crookston Charter-chest.]

339. CHARTER by King Robert the Second, confirming the preceding charter by his cousin, Archibald of Douglas, Lord of Galloway, to William of Douglas, knight, his son, of the barony of Harbertschire, in all points, saving the king's service. Witnesses, Walter and John, chancellor, bishops of St. Andrews and Dunkeld, John, the king's eldest son, Earl of Carrick, Steward of Scotland, Robert Earl of Fife and Menteth, the king's beloved son, earls; Archibald of Douglas and Thomas of Erskine, knights, the king's cousins. At the castle of Rothissay, 16 May, 19th year of the king's reign [1389]. [Original Charter in Crookston Charter-chest. A notarial transcript of this charter was made at the instance of Lady Elizabeth, Countess of Buchan and Orkney, at the castle of Roslyng, 22 September 1447. Witnesses, William of St. Clair, Robert of Chesholme, Edward of St. Clair, esquires, and others.]

340. CHARTER by Margaret, Countess of Angus and of Marre, in her free widowhood, granting to her dearest brother, Alexander of Hamiltoun, and Elizabeth, her sister, his spouse, all and sundry her lands of the lordship of Inuerwike, with the pertinents, in the constabulary of Hadingtoun, and the lands of Balnebyn and of Drumcarne in the lordship of Abrenethy, with the pertinents, in the sheriffdoms of Perth and of Edinburgh. To be held to the said Alexander and Elizabeth, his spouse, the longer liver of them two, and the heirs to be lawfully procreated between them, whom failing, to George, son of the countess, and the heirs to be lawfully procreated of his body, whom failing, to the lawful heirs whomsoever of the countess, of the king and his heirs, in fee and heritage, for rendering to the king and his heirs the service due and wont from the lands. Witnesses, Robert of Fife and Meneteth, George of Donharre, John of Moray, earls; John of Saint Clair, Walter of Saint Clair, the granter's brothers, Alan of Lawedre, Henry of Wedale, and John of Ochiltre, notaries public. [1389.] [Original Charter in H.M. General Register House, Edinburgh.]

341. CHARTER by King Robert the Second, approving and ratifying the grant which his well-beloved cousin Margaret, Countess of Angus and of Marr, made to Alex-

ander of Hamyltone, knight, and Elyzabeth, his spouse, sister of the said countess, of all and sundry her lands, with the pertinents, in the barony of Ennerwyk in the constabulary of Hadyngtone and sheriffdom of Edinburgh; to be held to them and the heirs lawfully begotten, or to be begotten between them, of the king and his heirs, in fee and heritage for ever, as freely and fully as the charter of the said countess made to them thereon purports, saving the king's service. 10 April, 19th year of the king's reign. [1389.]

342. *TRANSUMPT* made in presence of Symon of Daglese, canon and official of Glasgow, at the request of Reginald of Crawford of Hayning, of a charter by Archibald Earl of Douglas and lord of Galloway, granting to William of Crawford, for his service, the lands of Douglasferme, with the pertinents, lying on the east side of the town of Ruglyn, on the bank of the Clyde, within the sheriffdom of Lanark and the regality of Douglas; which lands belonged to John of Towers, son and heir of the deceased Sir John of Towers, knight, and were resigned by him; to be holden the said lands to the said William, of the Earl and his heirs, in fee and heritage for ever: Paying therefor one silver penny yearly, if asked, in name of blench. With clause of warrandice. Dated at the castle of Bothwell, 21 May 1400, before George Earl of Angus, Sirs John of Edmonstoun, lord of that ilk, William Stewart of Tevidale, William of Borthwyc of Catkwe, knights; Master John of Mertoun, provost of Bothwell, William of Hay, lord of Lochorwart, Patrick of Moray, William of Murhede, and Master Alexander of Carnis, clerk, with others. Transumpt, dated niuth July 1454, at Glasgow, before these witnesses, Masters and Sirs John Arrowse, archdeacon of Glasgow, Gilbert of Park, John of Camera (Chamber), Thomas Cady, vicars of Dundonald, Crawford-Lyndissay, and Waylstoun, William Arthurlee and John Michaelson, presbyters of Glasgow diocese, with others. [Original Transumpt in H.M. General Register House, Edinburgh.]

343. *PRECEPT* by Archibald Earl of Douglas and lord of Galloway, directed to David of Swynton, for infefting Sir John of Swynton, knight, in the Earl's land of Cranschawis, within the sheriffdom of Berwick. Dated at Dunbar, 10th October 1401. [Original Precept in H.M. General Register House, Edinburgh.]

344. *CHARTER* by Archibald Earl of Douglas and lord of Galloway, granting to John of Montgomery, lord of Ardrossan, for his service, the lands of Dunlop, namely, the Bordland, the Langschaw, the Struthir, and annual rent of Brokalmure, in the barony of Cunynghame, within the sheriffdom of Ayr, with all pertinents, and superiority and service of free tenants of the said lands of Dunlop; to be holden to the foresaid John, his heirs and assignees, of the Earl and his heirs, in fee and heritage for ever; paying therefor yearly the services due and wont. With clause of warraudice. Dated and sealed at Bothuille, the 4th day of July 1401. Witnesses, Sirs David Flemyng, lord of Bygare, John of Swynton, lord of that ilk, John of Edmondstone,

lord of that ilk, knights ; Master John of Mertoun, provost of Bothuille, William of Hay of Lohorwart, William of St. Clair of Herdmanston, and Patrick Hering, with many others. Seal attached, somewhat broken. [Original charter in H.M. General Register House, Edinburgh.]

345. CHARTER by Archibald Earl of Douglas and lord of Galloway, granting to Sir John of Swynton, knight, for his homage, the lands of Petkokis, with pertuents, lying in the lordship of Dunbar, in the sheriffdom of Lothian ; to be holden to the said John of Swynton and his heirs of his body lawfully begotten, or to be begotten, whom failing, to Alexander of Swynton, natural son of the said Sir Johu, and his lawful male heirs, whom all failing, to David of Swynton and his lawful male heirs, of the said Earl and his heirs, in fee and heritage for ever : Paying therefor one hare-warren [leporarium] at the Earl's castle of Dunbar on the feast of the Assumption of the blessed Mary, yearly, if asked, in name of blench. With clause of warrandice. Dated and sealed at Dunbar, the 20th day of the month of October 1401. Witnesses, Sirs Patrick of Hebburne, Robert of Lawedir, knights, William of St. Clair, Walter of Bykirton, and William of Craufurde, with many others. [Original charter in H.M. General Register House, Edinburgh.]

346. CHARTER by Archibald Earl of Douglas and Lord of Galloway, granting to his well-beloved and faithful Sir John of Edmondstone, knight, lord of that ilk, for faithful service, his fortalice with the pertinents, lying in his lands of Tullyalone, in the sheriffdom of Perth ; to be held to the said John, his heirs and assignees, of the Earl and his heirs, in fee and heritage for ever, with all the buildings, walls, fosses, free ish and entry as well by sea as by land, coneywarrens, cruives, and sea-fishings, etc., for paying yearly one penny Scots at the feast of Whitsunday at the said fortalice, in name of blench farm, if asked only. At Edinburgh, at the feast of the Holy Trinity (21 May) 1402. Witnesses, Sir John of Wyntone, Sir William Stewart, Sir William of Borthwyk, knights, William of Hay, John of Moray, the Earl's cousin, Mr. Alexander of Caruys, John of Saint Clair, Fergus of Halyburtone, and William of Crawford. [Original charter in Cardross Charter-chest.]

347. CHARTER by King Robert the Third, granting and confirming to his well-beloved cousin David Flemyng of Bigare, all and whole the lands of the barony of Cauerys, with the pertinents, in the sheriffdom of Roxburgh, and the office of sheriff of the said sheriffdom, pertaining to the king by royal right by reason of escheat, because the said lands and office belonged heritably to Isabella, Countess of Marr, who alienated the said lands and office and caused sasine to be given to her cousin (consanguineus) Archibald of Douglas, without the king's licence sought or obtained, though they were held of the king *in capite* ; to be held to the said David and his heirs of the king and his heirs in fee and heritage for ever for rendering yearly the services due and wont.

Witnesses, Henry, bishop of St. Andrews, Gilbert, bishop of Aberdeen, chancellor, Robert, Duke of Albany, Earl of Fyfe and Menteith, the king's brother-german, David of Lindsay, Earl of Craufurde, Robert of Erskyne, knight, John Stewart, the king's natural brother, and John of Craufurde, his clerk. At Erskyne, 10 August 1405. [Original Extract in Cavers Charter-chest.] To the above witnesses are added, in a copy preserved in H.M. General Register House, the names of Archibald Earl of Douglas, lord of Galloway, and James of Douglas, lord of Dalketh.

348. CHARTER by Thomas Mawtalent, lord of Halsingtoun and Ormistoun, with consent of his son and heir, William Mawtalent, granting to his well-beloved ally, Robert Dikison, lord of Hucheonfeld, for his many good deeds and counsels to the granter, the lands of Ormistoun, in the sheriffdom of Peebles. To be held to him, and to the heirs begotten, or to be begotten, betweeu him aud Marion, his spouse, the granter's cousin (consanguinea), whom failing, to the lawful heirs of the said Robert whomsoever and his assignees, in fee and heritage, for rendering to the overlord and his heirs a red rose at Ormistoun at the feast of the nativity of St. John the Baptist in name of blench farm, if asked only. Witnesses, David and John, abbots of the monasteries of Melrose and Holyrood near Edinburgh, James of Douglas, Walter of Haliburtoun, lord of Dirltoun, esquire, and Sir William of Crawfurde, knight, lord of Ferm, then keeper of the castle of Edinburgh, 4 January 1406. The granter's seal is said to be appended, and for greater evidence the seal of a noble lord, James of Douglas, esquire, keeper of the marches of Scotland, and the seal of the granter's son, in token of his consent; but only William Mawtalent's seal now remains; a small round seal bearing a lion rampant on a shield with a label of 3 points, and the legend "S. Willelmi Mautalent." [Original Charter at Traquair.]

349. LETTERS PATENT by Archibald Earl of Douglas, lord of Galloway, and warden of the marches of Scotland towards England, narrating that he had inspected and examined a certain evident of David, sometime King of Scots, to the deceased Patrick Flemyng, made upon his grant and confirmation of the office of sheriff of Peblis to the said Patrick and his heirs, with the power of leading forth the men of the sheriffdom both in peace and war, with punishment and uplifting of delicts; which grant the Earl for himself, his heirs and successors, confirms in all points to his well-beloved kinsman Sir William of Hay of Lochorward, knight, sheriff of Peblis, his heir and heirs. 20 May 1407. [Original Letters at Yester.]

350. PRECEPT by Archibald Earl of Douglas and lord of Galloway, addressed to Richard of Hangandsyde, bailie of the Earl's barony of Dunbar, for infetting John of Swynton, son and heir of the late Sir John of Swynton, his father, in the lands of Petcokkys, which belonged to the latter, and which are now in the Earl's hands owing to his death. Dated at Edynburgh, 16th October 1407. [Original Precept in H.M. General Register House, Edinburgh.]

351. CHARTER by Archibald Earl of Douglas, lord of Galloway, and of the barony of Herbertschire, granting to his dearest kinsman, Sir Henry, Earl of Orkney, lord of Saint Clair, for his help and counsel, all and whole his barony of Herbertschire, with the pertinents, in the sheriffdom of Stirling ; to be held to the foresaid Earl, and Lady Egidia, his spouse, the granter's niece, the longer liver of them, and the heirs lawfully procreated or to be procreated betwixt them, whom failing, to the granter and his heirs, in fee and heritage for ever, in one whole and free barony, in moors, marshes, etc., with pit and gallows, etc., bonds, bondages, and their sequels, and the natives, fugitives, and services of free tenants, herhelds, etc., for rendering a pair of white spurs, of the price of six pence, at the feast of St. John the Baptist, at Dunypas, in name of blench ferm, only if asked, for wards, reliefs, etc. The charter contains a clause of warrandice, and is dated at Edinburgh, 17 November 1407. Witnesses, James of Douglas, the Earl's brother-german, esquire, Sirs John of Edmondstoun, lord of that ilk, Robert Logan, lord of Lestalrig, John Forester, lord of Libertoun, William of Borthwyk, lord of Ligeartwod, knights. A transumpt of this charter was made by James Bridi, notary, at the instance of Lady Elizabeth Douglas, Countess of Buchan and Orkney, at the Castle of Roslyng, 22 September 1447, in presence of William of Saint Clair, Robert of Chesholme, Edward of Saint Clair, esquires, and others. [Original Charter and Transumpt in Crookston Charter-chest.]

352. CHARTER by Robert Duke of Albany, Earl of Fyfe and of Menteth, and Governor of Scotland, confirming the foregoing charter by Archibald Earl of Douglas, to Henry Earl of Orkney, of the barony of Herbertschire ; reserving to the king and his heirs the services due and wont. Witnesses, Gilbert bishop of Aberdeen, the Governor's dearest grandson (nepos) Robert Stewart, John Stewart, lord of Buchan, William lord of Graham, John Stewart of Lorn, knights, and Andrew of Hawic, secretary. At Down in Menteth, 20 November 1407. [Original Confirmation in Crookston Charter-chest.]

353. CHARTER by Archibald Earl of Douglas and lord of Galloway, granting to his well-beloved and special, William of Jonystoun, for faithful service, all and sundry his lands of Drumgreyc, with the pertinents, lying in the barony of Amisfelde, in the sheriffdom of Drumfresc ; to be held to the foresaid William and his heirs of the Earl and his heirs in fee and heritage for ever, for rendering a suit of court at the head plea to be held at Douglas next after the feast of St. Michael the Archangel. At Edynburgh, 24 May 1408. Witnesses, James of Douglas, the Earl's dearest brother, Sirs William of Douglas of Nithisdale, the Earl's nephew, James of Douglas, lord of Dalkeith, William of Hay of Lochquhorwart, William of Borthwyk, William of Crawford, knights, Master Alexander of Carnis, provost of Lyncloudane, Matthew of Geddes, rector of the church of the Forest, etc. The seal appended appears to be the same as the seal No. 245 of Mr. Laing's Catalogue : 1st and 4

Douglas, 2 and 3 a crowned lion for Galloway. It is a large seal in fair preservation. [Original Charter at Raehills.]

354. CHARTER by Archibald Earl of Douglas and lord of Galloway, granting to Sir Alexander of Gordoun, knight, the lands of Schyruies, le Parke, le Contrefe, Erncanny, Ernacnelly, Ernmacchay and Ernnaegilqwhynny, with the pertinents, in his lordship of Galloway, in the barony of Balmaclelane and constabulary of Kircubricht; to be held to Sir Alexander and his heirs, of the Earl and his heirs, in fee and heritage for ever, for rendering a suit of court at the head plea to be held in the barony of Balmaclelane, next after the feast of Easter. At Edinburgh, 28 May 1408. Witnesses, James of Douglas, the Earl's dearest brother, Sirs William of Douglas of Nithsdale, his nephew, John Herys of Trareklis, Robert Maxuel of Car-lauerok, knights, Mr. Alexander of Carnis, provost of Lyncloudane, Matthew of Geddes, rector of the church of the Forest, and others. [Original Charter in H.M. General Register House, Edinburgh.]

355. CONFIRMATION by Archibald Earl of Douglas and lord of Galloway, of a grant made by his brother-german, James of Douglas, lord of the baronies of Abircorn and of Abirdoure, to the Earl's cousin (consanguineus), William Fraser, of all and sundry the lands of Over Pettouly, Nether Pettouly, Petslegach, Culburty . . . the Three Bulgenis, with the mill of Bulgeny, Glascelach, Culcaoch, Achmacludy, Tuly-namolt with mill of the same, . . . Bادهاله and Rathin, in the barony of Abirdoure and sheriffdom of Aberdeen; to be held to the said William and his heirs. At Edinburgh, 28 October 1408. [Original Confirmation at Philorth.]

356. CHARTER by Archibald Earl of Douglas, lord of Galloway, granting to Sir William of Crawford, knight, lord of the Ferm, for his praiseworthy service in the onerous charge of keeping the castle of Edinburgh while the Earl was detained in England, all the lands of Hallis of Erth and of Heetoun of Erth, with the cottages, cruives, and fish ponds of the said lands, and with the common boat [batella communi] of the port of Erth; to be holden to the said William and his heirs of the Earl and his heirs, in fee and heritage for ever: Performing therefor yearly the services used and wont. With clause of warrandice. In witness of which the Earl has caused his seal to be affixed after his escape from his enemies of England, at Edinburgh, 20th August 1409. Witnesses, James of Douglas, squire, the Earl's brother, Sirs James of Douglas, lord of Dalketh, John of Montgomery, lord of Ardrossane, Johu of Setoun, William of Murehed, knights; also Masters Alexander of Carnis, provost of the College Church of Lincluden, and Mathew of Gedes, rector of the church of the Forest, clerks, and many others. [Original Charter in H.M. General Register House, Edinburgh.]

357. CHARTER by Archibald Earl of Douglas and lord of Galloway, granting to Alexander of Gordun, knight, lord of Stichel, the lands, possessions, and lordships of

the new Forest of Glenken in the sheriffdom of Drumfries, and the Earl's lordship of Galloway, in true heritage and free forest; to be held to Sir Alexander and his heirs of the Earl and his heirs in fee and heritage, under the form and condition following, viz., that the Earl should give to Alexander and his heirs heritably all heritable lands to the value and ancient estimation of 20 merks of silver yearly, in the said sheriffdom and lordship of Galloway, and put him or make his officers put him in peaceable possession within a quarter of a year, to be reckoned from the first day of the Earl's entry within the kingdom of Scotland, and pay the said Alexander, his heirs or assignees, 55 nobles of gold within the same time: Consenting for himself and his heirs that in case he happened not to come to those parts personally, or within the quarter of a year, or that he failed in one or more of the conditions, the present charter should have all strength and validity, and that it should be lawful to Sir Alexander to possess the said lands and lordships in the new Forest of Glenken. With clause of warrandice, the Earl also renouncing all exceptions that might be taken from his seizure or detention against his will within the realm of England. Witnesses, Sir Henry Synclare, Earl of Orkney, Sir William of Douglas, lord of Dromlangryge, Sir John of Setoun, Sir William Synclare, Sir Symon of Glendonwyne, knights. *Ante* 1410. [Original Charter in Kenmure Charter-chest.]

358. NOTARIAL INSTRUMENT stating that Sir John of Edmundstoun, knight, lord of that ilk, personally compeared in presence of the notary and witnesses, and presented to the former a charter by Sir Patrick, Earl Palatine of Stratherne, with the Earl's seal attached, to the following effect:—Charter by Patrick, Earl Palatine of Stratherne, by which, with consent of Eufame Countess of Stratherne, his spouse, he approved and ratified the gifts and grants made by Sir Archibald Earl of Douglas, lord of Galloway and of the lands of Tullialoun, to Sir John of Edmundstoun, knight, lord of that ilk, and his heirs, of the foresaid lands of Tullialoun and "forslet" thereof, in the regality of Stratherne and shire of Perth, which were held of the Earl Palatine in chief; to be held to Sir John and his heirs, with all the pertinents as freely as contained in the charters of the said Earl of Douglas, under the form of ward and relief thereon made to Sir John, reserving the suit of court and service due therefrom to the Earl Palatine and his heirs; which charter is dated at Perth, 1 April 1410: And thereafter Sir John presented the notary with an obligation by the Earl Palatine, in the mother tongue, to the following effect:—Obligation by Patrick Grame, Earl Palatine of Stratherne, bearing that, whereas he, with consent of Eufame, his spouse, had confirmed to Sir John of Edmundstoun, knight, lord of that ilk, and to his heirs, the gift and grant made to him and them by Sir Archibald Earl of Douglas, of the lands of Tullialoun and the "forslete of that ilk," he obliges him and his heirs that whenever Sir John or his heirs should procure the said Earl of Douglas or his heirs to resign the lands in the hands of the Earl Palatine or his heirs, the latter shall receive the lands, and immediately infeft Sir John and his heirs in the same, with free charter and clause of warrandice, in the same

form they were infeft by the Earl of Douglas, with charter of ward and relief. If before such resignation the Earl of Douglas or his heirs did not the service due and went to the Earl Palatine or his heirs, or the heir to the Earl of Douglas did not enter to the said lands within a year after the Earl's decease, the Earl Palatine obliges himself and his heirs to receive the service from Sir John and his heirs, and allow him or them to enjoy the lands until the Earl of Douglas would do the service; or in the case of nonentry of the heir of the Earl of Douglas, to receive Sir Johu and his heirs to be full tenants of the lands to him and his heirs, within a year after the Earl of Douglas's death, and let him or them enjoy the same till the heir of the Earl of Douglas entered thereto and performed the service due, which being done Sir John and his heirs should remain tenants of the Earl of Douglas and his heirs as before; and binding him and his heirs during his own life and the life of Sir John, not to trouble the lands of Tulialoun, nor tenants dwelling there, but as the course of common law will; which obligation is also dated at Perth, 1 April 1410. The said confirmation and obligation being read, Eufame Countess of Stratherne gave her bodily oath on the gospels to observe the same, ou which Sir John of Edmundstoun craved iuments. Done in the parish church of the burgh of Perth on St. Martin's altar, 31 March 1410. Witnesses, William Lord of Grahame, Sir William of Prestoun, knight, Mr. Thomas of Graham, archdeacon of Dunblane, etc., William of Kynarde, notary. [Original Instrument at Floors.]

359. *INDENTURE* made between Robert Duke of Albany, Earl of Fife and of Menteith, and Governor of Scotland, and John Stewart, Earl of Buchan and chamberlain of Scotland, his son, on the one part, and Sir Archibald Earl of Douglas, lord of Galloway and of Annandale, on the other part; by which it is agreed that John Earl of Buchan shall marry Elizabeth of Douglas, daughter of the Earl, and that the parties shall send to the Pope with all goodly haste to procure the fulfillment of the said marriage. The Earl agrees to give 200 marks worth of land, viz., the lands of Stewartoun and Ormysheuch, in the barony of Cunyngham and shire of Ayr, to the said John Earl of Buchan and Elizabeth, in conjunct fee, and to the longer liver of the two, and to the heirs got between them, whom failing, to the heirs-male of the body of the said Earl of Buchan, whom all failing, the lands to return to the Earl of Douglas and his lawful heirs; and if the said lands did not extend to 200 merks worth, the Earl binds himself to give as much land as to make up the deficiency in "swilk conuenable place" as the Duke should be content with. The lands to be resigned when the "purchase" [dispensation] for the said marriage came to Scotland. If the Earl of Douglas should die before his wife, and the Countess claimed and enjoyed the joint feftment she had in these lands, the Earl obliges himself, his heirs and assignees, to pay as much annual rent, to be raised out of his four baronies, Bothwell, Strathaven, Drumsargart and Curmannok, as the rent of the lands of Stewartoun and Ormysheuch extended to at the time of the marriage. If the Earl procured his wife to quitclaim

her joint feftment, then he should be free of the above condition. And the Earl of Buchan agrees to give in dowry to Elizabeth of Douglas for her lifetime, before the fulfilling of the marriage, 200 marks worth of land of free rent yearly. The Earls of Douglas and Buchan give their oaths to observe the indenture, which was made in duplicate. At Perth, 21 July 1410. [Original Indenture in possession of William Fraser, LL.D., Edinburgh.]

360. CHARTER by Archibald Earl of Douglas, lord of Galloway and Annandale, granting to his kinsman, Sir John Stewart of Gyrton, knight, for service, the lands of Barle, in the sheriffdom of Kirkcudbright and lordship of Galloway, which Sir John had resigned in the Earl's hands; to be held to him for his lifetime, and after his decease to Elizabeth, his daughter natural, and the heirs of her body, of the granter and his heirs, whom failing, to revert to the Earl and his heirs, for service due and wont. Witnesses, William Douglas, the Earl's dearest nephew, Thomas McCoulach, Fergus McDowell, Alexander Gordon, and John of Keth, knights, Master Alexander of Carnys, provost of Lincluden, the Earl's clerk and dearest kinsman, John of Moray of Ar, William of Saint Clair, John Durnitt and others. At Wigtoun, *post* 1410. [Copy of Charter in Crookston Charter-chest.]

361. CONFIRMATION by Archibald Earl of Douglas, lord of Galloway and Annandale, of the following Charter by James of Douglas, lord of Abircorne, his dearest brother:—Charter by James of Douglas, lord of Abircorne and of the barony of Abirdoure in Buchan, granting to his well-beloved esquire, Patrick Reede Ramsay, for faithful service, the lands of Little Drumquhendil, with the pertinents, in the barony of Abirdour and sheriffdom of Aberdeen; which formerly belonged to Sir Alexander Fraser, the granter's kinsman, and were resigned by him into the granter's hands at Edinburgh, on 25 October 1408, his procurators being Gilbert, bishop of Aberdeen, chancellor of Scotland, and William Lang, rector of the church of Turre, in terms of letters of resignation; and that in presence of Gilbert, bishop of Aberdeen, Robert, bishop of Dunkeld, and Walter, bishop of Brechin, and of Sir Archibald Earl of Douglas, lord of Galloway, the granter's dearest brother, William of Fentoun, lord of that ilk, William of Fayrle, lord of Brade, and others: To be held to the said Patrick, his heirs and assignees, of the granter, his heirs and successors, barons of Abirdoure, in fee and heritage for ever, for rendering a penny of silver at the chief message of the said barony, in name of blench ferm if asked only. Charter dated at Edinburgh, 31 October 1408: Witnesses, Gilbert, bishop of Aberdeen, Robert, bishop of Dunkeld, Walter, bishop of Brechin, Sir Archibald Earl of Douglas, lord of Galloway, his dearest brother, Sir William of Borthwyke, lord of Ligartwode, William of Borthwyke, his son and heir, the granter's cousins (consanguinei), William of Fentoun, lord of that ilk, Sir William Lang, rector of the church of Turre, George of Lawedr, the granter's squire. Which charter the Earl confirms in all points. Witnesses, James of Douglas,

his brother foresaid, Sirs William del Hay, lord of Lonchqworwart, William of Borthwyke, lord of Ligeartwode, William of Cranfurde, lord of Ferme, knights, his well-beloved cousins ; Mr. Alexander of Carnys, provost of the Collegiate Church of Lynccloudane, and Matthew of Gedes, rector of the church of St. Mary of the Forest, his clerks. *Post* 1410. [Original Confirmation at Philorth.]

362. CHARTER by Archibald Earl of Douglas, lord of Galloway and Annandale, granting to his shieldbearer, Gilbert Geresoun, the lands of Mekil Daltoun and Dormont, in the lordship of Annandale and sheriffdom of Drumfres. To be held to him, William Geresoun his son, and the heirs-male of the body of the said William, whom failing, to the lawful heirs of the said Gilbert whomsoever, of the Earl and his heirs and successors, lords of Annandale, in fee and heritage, for giving one snit of court in all the head courts of the lordship held at Louchmabane, next after Easter, with burdens and services anciently due and wont. Witnesses, Sirs Gawan of Dunbar, William of Borthwyk, William of Craufurde, John of St. Clair, the Earl's cousins, knights, Adam of Hebborne, William of Edmontston, Henry of Halibmtoun, and William of St. Clair, his esquires. At Edinburgh. No date, *post* 1410. [Sixth Report of the Commission on Historical Manuscripts, p. 712.]

363. CHARTER by Archibald Earl of Douglas, lord of Galloway and Annandale, by which he grants to his well-beloved esquire, Simon of Carrutheris, all and whole his tenement of Mousfald, with the pertinents, within his forest of Daltoun, his lands of Appulrethwate, with the pertinents, lying in the lordship of Annandale, for service done and to be done to the granter ; which tenement of Monsfald and lands of Appulrethwate the foresaid Simon had resigned in presence of many noblemen in the justice eyre of Annandale, held at the town of Louchmabane ; to be held to the said Simon and his heirs whomsoever, of the granter, his heirs and successors, lords of Annandale, in fee and heritage for ever, for payment of one penny of silver yearly in the parish church of Mousfald, at the feast of St. Mary Magdalen, in name of blench ferm, if asked only, for ward, relief, marriage, and all other demands that could be required of the same. At Louchmabane, 4th December 1411. Witnesses, James of Douglas, the granter's brother, squire, Sirs William lord of Grahame, Williame of Douglas of Nyddisdale, William of Douglas of Drumlangrig, William of Haye of Louchorwart, William of Borthwik of that ilk, John of Carlele, Umfrid Jardyne, Thomas of Moray, and Robert Heris, the earl's cousins (consanguineis), knights. The earl's seal is appended, in good preservation.

At the same place, and on the same date, the Earl grants other four charters, all to the same person, (1.) A charter to the said Simon of Carrutheris of the lands of Hatelandhill in the forest of Daltoun and lordship of Annandale, which the said Simon had resigned in the justice eyre, to be held to Simon and his heirs for payment of one penny of silver as above. Witnesses, the first four witnesses in the charter of Mous-

fald. (2.) A charter of the tenement of Logane in the parish of Moffat and lordship of Annandale, resigned and to be held to Simon and his heirs whomsoever as above. Witnesses as in No. (1.). (3.) A charter for service and homage of the granter's lands of Middilby and Dronnok, in the lordship of Annandale, resigned as above; to be held to Simon and his heirs, with the pertinents which the said Simon had in the same before his resignation, of the granter, his heirs and successors, lords of Annandale, for rendering service due and wont. Witnesses, as in charter of Mousfald, except Robert Heris. (4.) A charter for service and homage, of the lands of Dornok, in the lordship of Annandale, resigned as above, with the pertinents, etc., to be held to Simon and his heirs for service due and wont. Witnesses, as in charter of Mousfald, except Robert Heris. [The originals of the five charters last above quoted are in the Drumlanrig charter-chest; and the three following charters are entered in the inventory of the Drumlanrig Charter-chest, but the originals have not been found:—

“Charter by the said Erle to the said Simon of the lands of Hoddam, Tunirgirth, Westwood, and Rockcliffe, of the date of the former,” [4th December 1411].

“Gift be Archibald Erle of Douglas and Longavell, to Sir Thomas Kilpatrick of Closeburn, of the right of patronage of the kirk of Pennersex, dated 5 May 1428.”

“Charter made be Archibald Duke of Turraine, Erle of Douglas, etc., to John Carruthers of Mouswall, of the five merk land of Cumlongenood, quihik were before resigned be Norman Johnstoun in the said Duke his hands. Dated 10th September 1438.”]

364. CHARTER by King James the First confirming to Archibald of Douglas the lands of Cauerys, of which he was possessed by gift and charter from his aunt, Dame Isobel of Drummond, in time of her widowhood; which gift and charter the king confirms by his letters, and wills the confirmation to be made after the form of his chancery and sealed with the great seal. Written with the king's own hand, under the signet used in sealing his letters. At Croydon, 30 November 1412. [Ancient copy of confirmation in Cavers Charter-chest, thus indorsed: “Double of K. Jam. confirma^oun of ane chartor of the lands of Cavers, granted to Archibald Douglas by his auntie, Dame Issobell Drummond, an. 1412.”]

365. PRECEPT OF SASINE by Archibald Earl of Douglas, lord of Galloway and Annandale, commanding his bailie of the regality of Sprouston, James of Gledstanes, to give sasine to his well-beloved esquire, John of Craniston, son of the late Sir William of Craniston, lord of that ilk, in £20 worth of land granted heritably to him by charter, in the town and territory of Sprouistoun, in the regality of the same, on the west side of the said town, extending lineally from north to south. At Edinburgh, 4 November [1413]. [Original precept at Floors.]

366. CHARTER by Archibald Earl of Douglas, lord of Galloway and Annandale, granting to his well-beloved esquire and cousin, Alexander Stewart, son of Sir John

Stewart, lord of Lorn, knight, his dearest kinsman, for service, all and sundry the Earl's lands of Garnetully, Kyltullyth, and Aberfally, in the Abthantry of Dull and sheriffdom of Perth, which formerly belonged to Sir John Stewart, and were resigned by him in the Earl's hands, in preseuce of the Duke of Albany and other lords, at Streueliu; to be held to the said Alexander Stewart, and the heirs-male of his body, whom failing, to Sir John Stewart and his heirs whomsoever, of the Earl and his heirs in fee and heritage, for giving three suits of court, at the Earl's three head courts of Garnetully, to be held upon the hill called the Courthill, which hill only the Earl reserves to him and his heirs for holding his courts there; rendering also to the lord of the Abthauage of Dull the service due and wont from the said lands. At Streuelin, 30 March 1414. Witnesses, an illustrious Prince and the Earl's dread lord the Governor of Scotland, John Stewart, Earl of Bouchan and chamberlain of Scotland, Robert Stewart of Lorn, esquires, and Sir William of Borthwik, knight, the Earl's cousin. [Original Charter in Grandtully Charter-chest.]

367. CHARTER by Archibald Earl of Douglas, lord of Galloway and Annandale, granting to his cousin, William of Hay of Louchorwart, for service done and to be done to the Earl, the lauds of Auchgwhone in the sheriffdom of Wigtoun, and the Earl's lordship of Galloway, which formerly belonged to Sir John of Makawllauch, knight,¹ and were resigned by him in the Earl's hands at the Colledge of Lynclodein, in presence of many noblemeu; to be held to Sir William, his heirs and assignees whomsoever, of the Earl and his heirs, lords of Galloway, iu fee and heritage, for service ancieutly due and wont. With clause of warrandice. Dated at Edinburgh 28 September 1414. Witnesses, Sir Henry of Saint Clair, Earl of Orkney, Sirs William of Douglas of Drumlangrig, William of Borthwik of that ilk, John of Moubray and John of Saint Clair, knights, Adam of Hepburu of Halis, Robert of Lewinston, Robert of Hoppringil, William of Edmonston, William of Saint Clair, esquires, Mr. James of Fawside, the Earl's secretary. [Original Charter at Yester.]

368. PRECEPT by Archibald Earl of Douglas, lord of Galloway and Auuandale, directed to Outhred Macdowell, sheriff of Wigtoun, to give sasine to Sir William of Hay of Louchorwart, knight, of the lands of Auchqwhone, within the sheriffdom of Wigtown and lordship of Galloway, in terms of the preceding charter. Ediuburgh, 6 October 1414. [Original Precept at Yester.]

369. ACT OF THE GENERAL COUNCIL of Robert Duke of Albany, Earl of Fife and of Menteith, and Governor of Scotland, held at Perth in March 1415, concerning the complaint of Sir William of Cokburne, knight, claiming to be tenant of the king by reason of his spouse, the daughter and heiress of the late Walter of Saint Clair,

¹ A transcript of the charter has Sir Thomas Makcowlach, knight. The abridgment is made from the transcript where the original was illegible.

knight, in the lands of the barony of Cesworth in the sheriffdom of Roxburgh, in which lands he asserted that his wife was entered by proper briefes of Chancery, and that she continued in possession notwithstanding William of Douglas of Ald Roxburgh, knight, alleging that the barony was held of him in chief, molested the said William of Cokburne and his spouse in possession thereof unjustly; and they denied the said William to be lord superior before the Lords of Council. The Lords of Council, after hearing the complaint, and reading the charters of King Robert the First and King Robert the Second, decerned that the Governor should cause the superiority of the barony to be recognised by the sheriff of Roxburgh, and maintain and defend William of Cokburne, as tenant of the king by reason of his wife, and that the said William of Douglas, knight, who was then beyond seas, as was reported, should on his return be summoned by letters-patent, to compear day and place, to answer on the foresaid purpresture. Given under the testimony of the great seal of the Governor at Perth, 20 March year foresaid. [Original in Roxburgh Charter-chest at Floors.]

370. PRECEPT by Archibald Earl of Douglas, lord of Galloway and Annandale, directed to William, son of David, his serjeant and bailie, for infesting a noble man, Alexander Mwre, in the Earl's lands of Hershaw and Drumboy, with pertiuents, lying within the barony of Strathauan and sheriffdom of Lanark, in terms of a charter granted thereupon. Dated at Edinburgh 13th November 1417. [Original Precept in H.M. General Register House, Edinburgh.]

371. WARRANT by Archibald Earl of Douglas, "lord of Galway and of Anandir-dale," directed to Robert of Crichton and his "fallow Maegyewe," the Earl's officers on the west half of Cree, narrating a complaint by his dearest cousin Sir William the Hays of Louchorwart, that of his lands of Auchtyhowne, in the lordship of Galloway, and within their office "he can noucht gett payt his malis and als thrucht eting of diuerse tharby his samyn landis ar gretly skathit." The Earl therefore charges his officers to put, govern and maintain the said lands at all profit that could be, the maills due and to be due to be raised and sent to Sir William, and to "distress al them that with ettyng or ony vthir supprition" had harmed his lands, till they fully amended their fault. Edinburgh 18 February 1418. [Original Warrant at Yester.]

372. LETTERS-PATENT by William of Cluny, lord of that ilk, declaring that he resigned in the hands of William of Douglas, Earl of Angus and lord of Liddesdale, his lands of Easter Cluny, in the sheriffdom of Perth. Dated at Crambay, 19 July 1418. [Original Letters at Castle Forbes.]

373. CHARTER by Archibald Earl of Douglas, lord of Galloway and Annandale, granting to his cousin (consanguinea) Elizabeth Stewart, daughter of Sir John Stewart of Gyrtoun, the lands of Rallech that belonged to the late Sir John Stewart, her father,

in the constabulary of Kirkcudbright and sheriffdom of Dumfries; to be held to her and her heirs of the granter and his heirs in fee and heritage for ever, for giving three suits at the three head courts of the Stewartry of Kirkcudbright, with other services due and wont. Edinburgh, 6 February 1418. Witnesses, Sir Alexander, Earl of Mar and Garviauch, John Earl of Buchan, chamberlain of Scotland, Sir John of Seton, William of Borthwic, Robert of Maxwell, knights, the Earl's cousins; Alexander of Hume and James of Dundas, his squires. [Transcript of original charter at Lennox Love.]

374. CHARTER by Archibald of Douglas, Earl of Wigtoun, son and heir of a noble lord, Sir Archibald Earl of Douglas, lord of Galloway and Annandale, confirming a charter of his progenitors made to Sir William of Cranistone, knight, lord of that ilk, of the lands of Nethir Cralyng, to the following effect:—Charter by Archibald Earl of Douglas, lord of Galloway, granting to his well-beloved Sir William of Cranystone, knight, for faithful service, the lands of Nethir Cralyng, lying in the sheriffdom of Roxburgh, with the pertinents, the dominical lands of the said lands, with the mill of the said dominical lands, only excepted; to be held to the said William, his heirs or assignees, with all commodities, freedoms, and easements, in fee and heritage for ever, for rendering yearly a penny of silver at the feast of Whitsunday in name of blench farm, if asked only. Contains clause of warrandice, and is sealed at the Earl's castle of Dunbar. Witnesses, Sirs James of Douglas, lord of Dalketh, John of Montgomerie, John of Setoue, John of Edmondistone, William of Borthwyk, knights, Mr. Alexander of Carnis, provost of Lyncloudane, Walter of Haliburtone of Driltone, Thomas Someruille, and Hugh Cambel.—The confirmation is dated at Bothuile, 20 September 1419. Witnesses, Sirs William del Haya, lord of Yhester, William of Borthuic, knight, lord of that ilk, Archibald of Edmondistone, the Earl's cousins (consanguineis), knights, William of Symontone, lord of that ilk, the Earl's keeper of the castle of Douglas, William of Edmondistone, William of Bekirtoue, and James of Lawedre. Seal still appended, but not in good preservation. [Original Charter in Douglas Charter-chest.]

375. PRECEPT by Archibald Earl of Douglas, lord of Galloway and Annandale, directing Thomas Makilqwod, his officer in Glenkeustan, to infest his cousiu, Herbert of Maxwell, lord of Carlsruok, in the lands of Grenane, in the constabulary of Kirkprich [Kirkcudbright], which were the said Herbert's, and were resigned by him according to the tenor of the charter granted thereupon. Edinburgh, 20 March 1419. [Original Precept at Terregles.]

376. LETTERS OF PROCURATORY by Walter of Ogilby, lord of Luntrethyne, stating that whereas he could not be personally present at the resignation of his lands of Ennyquharady in the barony of Kerymore and sheriffdom of Forfar, in the hands of William of Douglas, Earl of Angus, his superior of the lands foresaid, he appointed John Wischard, lord of Ballyndarg, John of Auchlek, lord of that ilk, and John of Thorn-

toun, squires, his procurators for resigning the same. At Ballyschane, 10 June 1420. [Original Procuratory in Inverquharly Charter-chest.]

377. *LETTERS OF RESIGNATION* by the said Walter of Ogilvy, resigning the said lands. Ballyschane, 10 June 1420. [Original Resignation in Inverquharly Charter-chest.]

378. *CHARTER* by William of Douglas, Earl of Angus and lord of Liddesdale, confirming a charter by Walter of Ogilby, lord of Luntrethynne, made to John of Ogilby, his brother, of all the lands of Ennyrquharady, in the barony of Kerymore and sheriffdom of Forfar; to be held to him, his heirs, successors, and assignees, from the said Walter, his heirs, successors, and assignees; of the Earl of Angus, his heirs and successors, in fee and heritage for ever; rendering to the Earl the services due and wont. At Dundee, 3 June 1420. The confirmation, reserving the service above specified, is dated at Yestyre, 20 June 1420. [Original Charter in Inverquharly Charter-chest.]

379. *PRECEPT* by William of Douglas, Earl of Angus and lord of Liddesdale, directing Alexander Gray, his "mayr" (bailie) of Kerymore, to infest John of Ogilby in the lands of Ennyrquharady, in the Earl's barony of Kerymore and sheriffdom of Forfar, granted by Walter of Ogilby, lord of Luntrethynne, to the said John of Ogilby, his brother, and which had been resigned in the Earl's hands, of whom they were held in chief. Yestyre, 20 June 1420. [Original Precept in Inverquharly Charter-chest.]

380. *CHARTER* by Archibald of Douglas, Earl of Wygton, eldest son and heir of Archibald Earl of Douglas, lord of Galloway and Annandale, narrating and confirming a charter granted by his father to Cristian of Ramsay of all and whole the lands of Balneeref and Gosfurde, with mill and pertinents of the same, lying within the sheriffdom of Lothian; to be holden the said lands to the said Cristian for the whole of her life, and after her decease, to the first-born heir-male begotten or to be begotten between her and the said Earl of Douglas, whom failing, the second male, whom failing, the third-born male, and so successively the lateral children [*filiis lateralibus*] between them procreated, or to be procreated, whom failing, to the lawful heirs whomsoever of the said Archibald Earl of Douglas, of the said Earl and his heirs, in fee and heritage for ever, along with a presentation to the hospital, called the Red Hospital, as often as such shall become vacant. Paying therefor the said Cristian and heirs named one penny Scots yearly, if asked. With clause of warrandice. Charter dated at Edinburgh, 20 April 1421. Confirmation dated there 6th March 1422. Witnesses, Sirs John of Seton of that ilk, John Forestar of Corstorfyne, John of St. Clair of Lethryg, knights, Alexander of Home of Glasford, William of St. Clair, master John of Cameron, secretary, Robert Storme, rector of the church of Cowantoun, with many others. [Original Charter in H.M. General Register House, Edinburgh.]

381. VOLUNTARY INTERDICTION by William of Douglas, Earl of Angus, and lord of Lidalisdale, by which he binds himself on oath to Sir Alexander of Forbes, knight, lord of that ilk, spouse of Elizabeth, the Earl's sister, never to wadset, sell, alienate, or entail any lands, annualrents, or possessions belonging to him at date, from the lawful heirs of his body, in loss or prejudice of Elizabeth, his sister and his heir, if the lawful heirs of his own body should fail. At Edinburgh, 4 November 1423. [Original Interdiction at Castle Forbes.]

382. CHARTER by Margaret Duchess of Touraine, Countess of Douglas, and lady of Galloway, by which, for herself, her heirs and successors, she ratifies and confirms to her faithful squire, Gilbert Greresoun, and his heirs whomsoever, the grant formerly made by her late dread lord, Sir Archibald Earl of Douglas, lord of Galloway and Annandale, to the said Gilbert, her squire, of the lands of Drumgewane, in the lordship of Galloway and shire of Kirkcudbright. The Earl's charter, which is narrated, bears that the lands were granted for homage and service, to be held to the said Gilbert and his heirs whomsoever, of the Earl and his heirs, in fee and heritage for one suit at the head courts held next after Easter, anywhere near the water of Cre, in the shire aforesaid. Witnesses, William of Douglas of Niddisdale, the Earl's dearest nephew, John Heryss of Terregles, William of Douglas of Drumlanrig, Thomas of Kirkpatrick, and Robert Heryss, the Earl's cousins, knights, Master Alexander of Carnis, provost of Lincluden, Herbert of Corry, John Durand and Thomas Porter, his squires. Which charter the Duchess ratifies at her castle of Trefe, 9 April 1425. Seal in good preservation. [Original Charter in Lag Charter-chest.]

383. CHARTER by Archibald Duke of Touraine, Earl of Douglas and of Longawyle, lord of Galloway and Annandale, granting to Reginald of Crawford, son and heir of Sir William of Crawford, knight, the lands of Kyrkle and le Grene, with the pertinents, in the barony of Bothwyle and sheriffdom of Lanark, which had belonged heritably to Sir William, and were resigned by him in the granter's hands; to be held to the foresaid Reginald, his heirs and assignees, of the Duke, his heirs and successors, earls of Douglas, in fee and heritage for ever, with mills, multures, and their sequels, blwdwete and birchinsake, hereyelds, and merchets of women, etc., reserving to Sir William his frank-tenement for life, for payment of one silver penny at the feast of St. John the Baptist, in name of blench ferm, if asked only. At Bothwyle, 13 October 1425. Witnesses, Sir John Forstare, lord of Corstorphyn, Sir William Murhede, lord of Lauchoke, Thomas of Kyrkpatryke, knights, John Lyndissay, lord of Dunrode, Adam of Dalyhele, David of Murray. [Original Charter formerly in the custody of the late Principal Campbell, Aberdeen.]

384. CHARTER by Archibald Duke of Touraine, Earl of Douglas and Longavile, lord of Galloway and Annandale, granting to Reginald of Craufurd, son and heir of Sir

William of Craufurd, knight, the lands called Douglasferm, with the pertinents, lying upon the bank of the water of Clyde, near Ruglene, within the sheriffdom of Lanark, which lands formerly belonged to the said Sir William, and were resigned by him; the said lands to be holden and possessed to the said Reginald, his heirs and assignees, of the said Archibald and his successors, earls of Douglas, in fee and heritage for ever. Paying therefor annually one silver peuny at the feast of St. John Baptist, in name of blench, if asked only. With clause of warrandice. Sealed in presence of Sir John Forestare, lord of Corstorphyn, William of Murehede, lord of Lauchok, Thomas of Kilpatrik, knights, John of Lyndesay, lord of Dunrode, Adam of Dalyhele, and David of Moray, with many others, witnesses [1425]. Seal attached. [Original charter in H.M. General Register House, Edinburgh.]

385. *PRECEPT* by Archibald Duke of Touraine, Earl of Douglas and of Longavile, lord of Galloway and Annandale, directing Adam of Dalyhele, and David of Moray, his bailies, to infest Reginald of Craufurd, son and heir of William of Craufurd, knight, in the lands of Douglasferme, with the pertinents, lying in the regality of Douglas, within the sheriffdom of Lanark. Dated at Bothwyle the 13th day of October 1425. [Original Precept in H.M. General Register House, Edinburgh.]

386. *CHARTER* by Archibald Earl of Douglas and of Longavile, lord of Galloway and Annandale, granting to his well-beloved and trusty Johu of Carrutheris, for service, the lands of Holmendis, Little Daltoun, Rafhol, Plewlands, Auldtoun, Copwod, half of Bengalhill, of Egilfechane, Fourteenakerbank, two husbandlands with a saltcote lying in Revele, and others, in the parish of Revele; to be held to him and his heirs of the earl, his heirs and successors, lords of Annandale, in fee and heritage for ever, with advocacion of the parish churches of Little Daltoun and Egilfechane; for reu-dering a common suit at the courts of Lochmabane, for Holmends, Little Daltoun, and Rafhols and Plewlands, and one penny of silver at the feast of St. Thomas the Apostle, in the parish church of Little Daltoun, in name of blench farm, if asked only, for the lands of Auldtoun, Copwood, half of Bengalhil, Egilfechan, Fourteenakerbank, etc. The seal of the regality of the lordship of Annandale is said to be attached. At the Castle of Lochmabane, 8 February 1425. [Original Charter in Holmains Charterchest.]

387. *CONFIRMATION* by King James the First of a charter by his brother [in-law], the late Archibald, Earl of Douglas, to the following effect:—Charter by Archibald, Earl of Douglas, lord of Galloway and Annandale, granting to his familiar Michael of Ramsay, for his service, the lands of Ramarskalis and Grenelandis, which belonged to William, son of Henry, in the lordship of Annandale; granting also to the said Michael and Christian, his spouse, the longer liver of them, and the heirs of their bodies, the lands of Harthuat, in the Forest of Daltoun, and lordship of Annandale, which lands were

formerly in the hands of Roger of Lochirmos ; to be held, Ramarskalis and Grenelandis to the said Michael and his heirs, and Harthuat to Michael and his spouse Christian, and the heirs of their bodies, of the granter and his heirs in fee and heritage ; the foresaid Michael holding the earl's stirrups once yearly during the earl's lifetime, when required ; and after the earl's decease, the said Michael and his heirs paying to the earl's heirs and successors, lords of Annandale, at their castle of Lochmabane, a silver penny, in name of blench ferm, if asked : but, failing heirs of the bodies of the said Michael and Christian, the lands of Harthuat to revert to the earl and his heirs, lords of Annandale. Edinburgh, 10th May 1419. Which charter the king confirms under his great seal. Witnesses, John, elect confirmed of the church of Glasgow, keeper of the privy seal ; John Forstare, chamberlain, Robert of Lawedre, justiciar on the south side of the water of Forth, and Walter Ogilvy, treasurer, knights. At Edinburgh, 3 January 1426. [Original Confirmation in Holmains Charter-chest.]

388. CONFIRMATION by Archibald Earl of Douglas and of Longauile, and lord of the regality of Sproistoun, of Letters by which Andrew Roule, lord of Promside, in consideration of one hundred pounds Scots borrowed by him from Andrew Ker, lord of Aldtonburne, leases to Ker, his heirs, executors and assignees, the lands of Promside, in the south side of the town of Promside, as the highway lies from Lyntoun loch to Promside "yhetis," and so forth to the water of Bowbentis, and two husbandlands on the north side of the town of Promside, which is called James Keris tak, for the term of nine years, for 12 pennies Scots of yearly maill. With engagement to repay the £100 at the end of the nine years, in St. Mary's Kirk at Hawick ; if the sum chanced not to be paid, entry to be given for other nine years, and so on ; under a penalty of £20 Scots to be paid to the "kirkwerk" of Glasgow, and of other £20 to be paid to the said Andrew Ker, or his heirs, in case of any impediment being made to the said letting by Andrew Roule, etc. Sealed by the said Andrew Roule, at Promside, on Sunday 4 June 1430 (1413?). Which lease the Earl ratifies in all points at Bothuile, 26 January 1429. [Original Confirmation at Floors.]

389. CHARTER by William of Douglas, of Strabrok, knight, granting and selling to his son [-in-law ?], George of Cryghtoun of Carnys (afterwards Earl of Caithness), all his lands of Borthwykeschelys in the barony of Chawmerlaynewtoun, and sheriffdom of Roxburgh, for 400 merks Scots paid to him ; to be held to the said George, his heirs and assignees, of Sir William and his heirs, for rendering yearly the services due and wont, which Sir William and his heirs were bound to render to the lord superior. Witnesses, the Abbots of Calkow [Kelso], Melros, Halyrudehous, and Newbotyll, James of Douglas, lord of Abircorn, Sir James of Douglas, lord of Dalketh, Sir Walter of Ogilby, and Sir Patrick of Ogilby, knights ; John of Fawsyde, James of Dundas. No date, *circa* 1430. [Original Charter at Floors.]

390. INSTRUMENT OF SASINE given by John Turnbule of the Fultoun, bailie of the regality of Sproustoun, at command of Sir Archibald Duke of Touraine, Earl of Douglas, and lord of Galloway and Annandale, of the lands that belonged formerly to Andrew Roule of Primside, in the town of Primside, and regality of Sproustoun, in the sheriffdom of Roxburgh, narrating that, after resignation by the said Andrew, the bailie gave sasine of the lands to George of Roule, his son and heir, and Margaret, daughter of a prudent squire, Andrew Kere of Awtounburne, and pretended wife of the said George, and to the longer liver of them, according to the tenor of their charter. Done on the chief place of the said lands, 28 April 1432. Witnesses, Sir Adam Spendluffe, chaplain, John Twedy, and others. [Original Instrument at Floors.]

391. CHARTER by Archibald Duke of Touraine, Earl of Douglas and Longueville, lord of Galloway and Annandale, granting to his cousin, George of Kirkpatrick, son of Sir Thomas of Kirkpatrick, lord of Killosbern, the whole lands of Pensersex, within the regality of Annandale and sheriffdom of Dumfries, with the pertinents and advocation and donation of the church thereof, all resigned at Dumfries by the said Sir Thomas. To be held to the said George and the lawful heirs-male of his body, whom failing, to the said Sir Thomas and the lawful heirs-male of his body, whom failing, to Roger of Kirkpatrick, brother of the said Sir Thomas, and the lawful heirs-male of his body, whom failing, to Yuon of Kirkpatrick and the lawful heirs-male of his body, whom failing, to Stephen of Kirkpatrick and the lawful heirs-male of his body, whom failing, to David of Kirkpatrick and the lawful heirs-male of his body, whom failing, to the nearest heirs whomsoever of the foresaid Sir Thomas, of the Earl and his heirs, in fee and heritage for ever : rendering therefor annually the service due and wont. With clause of warrandice. Dated at Dumfries, 13 June 1432. Witnesses, Sir Herbert Heris, lord of Trareglis, James Heris, his brother-german, James of Douglas of Drumlangrig, Thomas of Grame, David of Murray, Sir Thomas McLyn, Sir Michael of Byrkmyr, notaries public, Sir Patrick McNawany, Andrew Hamilton, and Richard of Corsby. Granter's seal appended, broken. [Original Charter in Drumlanrig Charter-chest.]

392. CHARTER by Archibald Duke of Touraine, Earl of Douglas and of Longavile, lord of Galloway and Annandale and of the regality of Sproustoun, granting to his well-beloved cousin, Thomas of Craustoun of that ilk, a 20 pound land in the town and territory of Sproustoun, on the west side of the towu thereof, extending lineally from north to south, tenandries, if any be in the said part, excepted, in the regality of Sproustoun and sheriffdom of Roxburgh. To be held to the said Thomas and the heirs-male of his body, of the granter, his heirs and successors, lords of the regality, in fee and heritage ; and if heirs-male of the body of the said Thomas should fail, to return to the Duke and his successors lords of the regality ; for rendering yearly the service due and wont, with ward and relief. At Edibredschellis, 2 August 1432.

Witnesses, James of Douglas of Balwany, the Duke's uncle, William of Crechtoun of that ilk, knight, Patrick of Leuingstoun of that ilk, James of Leuingstoun, son and heir of the lord of Calandar, Alexander of Hamiltoun of Edalwode, David of Murray of Neutoun, George of Murray of Blakbarounry, and Alexander of Murray of Cranstoun. A precept follows, same place aud date. [Original Charter and Precept at Floors.]

393. CONFIRMATION by Archibald Duke of Touraine, Earl of Douglas and of Longawile, lord of Galloway and Annandale, by which, after inspection in his hands in presence of his council, he ratifies the following :—Charter by Andrew Roule, lord of Prymsyde, with consent of George, his son and heir, granting and selling to Andrew Ker, lord of Awtounburne, his ten husband lands of the Maynis lying on the south half of the town of Prymsyde, “as the gate extendis fra the louch of Lyntoun out thruch the said toune off Prymsyde, and thrucht the yettis to the watir of Bobent, lyande within the regalite of Sprouwistoun and in the schirradome off Roxburgh;” and in case these lands did not extend to ten husband lands, the deficiency was to be supplied from the granter's other lands on the north side of the said town; to be held the said ten husband lands and the Maynis to the said Andrew Ker, his heirs and assignees, in fee and heritage for ever, for doing to the overlord service due and wont. At Edinburgh, 20 Noveuber 1430. Witnesses, Archibald of Douglas, lord of Caueris, James Ruthirfurde of that ilk, Thomas of Crennistoun of that ilk, William of Libertoun, provost of Edinburgh, Alexander Naper, John Barcare, and Henry Dempstar, bailies, Sir Alane off Swyntoun, chaplain, and Robert of Hyrdmanstoun, notaries public. Which charter the Duke ratifies and confirms in all points, at Ethebredscheillis, 6 August 1432. Witnesses, William, Abbot of Kalko [Kelso], James of Douglas, lord of Balwany, Walter Scot of le Bukeluch, James of Ruthirfurd of that ilk, and James of Ormistoun of that ilk. [Original Charter at Floors.]

394. CHARTER by King James the First granting to his well-beloved and faithful John of Ogilby, son and heir of his faithful squire, David of Ogilby, the whole barony of Ogilby, in the sheriffdom of Forfar, which belonged to the said David heritably, and was resigned by him. To be held to the said John and the heirs-male of his body, whom failing, to Andrew of Ogilby, brother of the said John, and the heirs-male of his body, whom failing, successively to Thomas, David, William, also brothers, and the heirs-male of their bodies, whom failing, to the nearest heirs whomsoever of the foresaid David, of the king and his heirs, in fee and heritage, for rendering the services due and wont, with wards, reliefs, and marriages, when they happened. Reserving to the said David the franktenement for his life, and a reasonable third of it to his wife; also, should the said David decease before the said John and his brothers above entailed come to lawful age, the ward of the said barony shall remain whole and entire to the king. The great seal is commanded to be affixed. Witnesses, John of Forestar, knight, chamberlain, Mr. Walter Stewart, dean of Moray, treasurer, Mr. William Foulis, provost

of the collegiate church of Bothuile, keeper of the privy seal, William of Crechtoun, knight, master of the household, and Master Richard Crag, clerk. At Perth, 1 September, 27th year of reign [1432]. [Original Charter in Douglas Charter-chest.]

395. CHARTER by King James the First, under the Great Seal, granting and confirming to his well-beloved and faithful William of Douglas, son and heir of Archibald of Douglas of Caueris, the lands of the barony of Caueris and regality of the same, with the office of Sheriff of Roxburgh in the same shire, which belonged to the said Archibald, and were resigned by him in the king's hands; to be held to the said William and his heirs of the king and his heirs, in fee and heritage for ever; reserving the franktenement to the said Archibald for his life, and a reasonable third of the lands to Margaret, spouse of the said Archibald; also doing to the king and his heirs the service due and wont. Witnesses, William lord of Crechtoun, knight, the king's cousin; John Forestar of Corstorfin, knight, chamberlain, etc. Lithqu, 24 February, 27th year of the king's reign [1432]. [Original Charter at Cavers.]

396. GRANT by Archibald Duke of Touraine, Earl of Douglas and of Longauill, lord of Galloway and of Annandale, by which, for the honour of God Almighty and his mother the blessed and glorious Virgin Mary, and Saint John the Baptist, and for the increase of the worship of God, and the weal of his soul, the soul of Eufeme, his spouse, the souls of his father and mother, all his predecessors and successors, and of all the faithful as well living as dead, he gives and confirms to God, Saint Mary the Virgin, Saint John the Baptist, and the prior and convent of the Charterhouse of the Cartusian order near the burgh of Perth, there serving God and for ever to serve, all and whole the lands comprehended in the following marches, viz., Beginning at the east side from Scurrikrag and ascending by Fogleburne as far as Cocarden, and going east by the marches of the monastery of Kelsou to the lands of Reddane, and to the south to the marches of the lands of Hawdane, and on the west side, beginning at Hallzardis, and extending north to the water of Tweide, with freedom and use of the said water, and so above Pakourne as Zenisdene extends to the south as far as Murikluch, and from the head of Murikluch to the south as far as the marches of Lempatlaw, and finally extending to Hawdene Stank, in the barony of Sproustone and sheriffdom of Tevidale; to be held to the prior and convent and their successors in pure and perpetual alms, with bonds, bondages, uatives, and their sequels, peat bogs, etc., fees and forfeitures, etc., justiciary, high and low, etc., without any tolls, subsidies, taxes, or contributions, for offering continually the voice of supplication to God for the granter and souls above said. Sealed at Edibredeschelis, 2 February 1433. Witnesses, Henry of Wardlaw, bishop of St. Andrews, Robert of Cardeny, bishop of Dunkeld, and John Crannok, bishop of Brechin, Mr. John of Fogo, abbot of Melross, William of Douglas, Earl of Angus, and Alexander Stewart, Earl of Marr, James of Douglas of Baluany, Archibald of Douglas, sheriff of Teuidale, Nichol of Rudrefurde,

George of Pringill, and Alexander of Pringill, esquires, with other prelates and lords of Scotland. Precept of Sasine following directed to the sheriff of Teuidale, Edibredschell, 2 February 1433. [Original Grant and Precept at Floors.]

397. *LETTERS OF SASINE* by Archibald of Douglas, sheriff of Roxburgh, certifying that in virtne of his office of sberiff, and in terms of the foregoing precept of Archibald Earl of Douglas, he caused his brother, Duncan Gray, sheriff-depute, on 4 March 1433, give sasine to Friar John of Bute of the order of the Charterhouse and procurator of the prior and convent of the same called the "Wale of Wertew," beside Perth, of certain lands in the barony of Sproustoun, as contained in the Earl's charter. Witnesses, Sir John Glassynwrycht, vicar of Sproustoun, and others. Sealed at Edinburgh, 18 March 1433. [Original Letters at Floors.]

398. *CHARTER* by Archibald Duke of Touraine, Earl of Douglas and of Longueville, lord of Galloway and of Annandale, granting to his well-beloved cousin (consanguineo), William of Cranstoun, son and heir of Thomas of Cranstoun of that ilk, for service paid and to be paid to the Earl, all and sundry his lands of Nethir Cralyng, with their pertinents, annexed to the Earl's barony of Bothvile, and lying within the sheriffdom of Roxburgh; to be held to the said William and his heirs of the granter and his heirs, in fee and heritage for ever, for rendering yearly one penny of silver at the feast of Whitsunday at the chief messuage of the said lands in name of blench farm, if asked only; with clause of warrandice. Sealed at Edibredschellis, 29 November 1434. Witnesses, Walter Scot of Bukcluch, Alexander of Moray of Cranstone, David of Moray, captain of Douglas, Robert of Gledstannis, Thomas of Symoundtoun, John of Moray and William of Moray. Seal attached. [Original Charter in Douglas Charter-chest.]

399. *CONFIRMATION* by William of Douglas, Earl of Angus and lord of Liddesdale, of a charter of certain lands in his barony of Kerymore, to the following effect:—Charter by Alexander of Setoun, lord of Gordoun, granting to Alexander of Ogilby, son and heir of John of Ogilby of Innerquharadi, for his faithful service, the lands of Nevtonn, Hindhill, Balbridy, Kynnordy, Manys and Estir Ednethy, in the barony of Kerymore and sheriffdom of Forfar. To be held to the said Alexander and his heirs, of the Earl of Angus and his heirs and successors in fee and heritage, with common pasture in the moor of Lifty and the Northmure, with fuel in the same, and "meremium" [timber] in the forest of Glenprosyn, to be taken to a reasonable amount for buildings to be erected on the said lands, and for "crates" [harrows] and "carucas" [carts or sledges] of the inhabitants of the said lands, for rendering to the Earl of Angus, his heirs and successors, six pennies of silver, at Kerymore, in name of blench ferm, at the feast of Whitsunday, if asked, and to the granter and his heirs, teu marks Scots of annual rent, at the feasts of Whitsunday and Martinmas in winter, by equal portions. Sealed at Perth, 15 January 1434. Witnesses, Sir Walter of Ogilby, knight, lord of

Luntrethyn, Andrew of Ogilby of Inchmartyn, David of Ogilby of Balmulto, John of Spens [de Spensa], sheriff of Perth, Cristin of Dunyn, provost of the town of Perth, Alexander of Guthri, and William of Caveris, burges of Perth. Which charter the Earl confirms in all points. At Perth, 20 February 1434. Witnesses, Sirs William of Crychtoun, lord of that ilk, master of the king's household, Walter of Ogilby, lord of Luntrethyn, knights, Andrew of Ogilby of Inchmartyn, David of Ogilby of Balmulto, Robert of Setoun, Thomas of Fothringame of Povry, David of Quhitlaw, and Sir James of Yhet, priest. [Original Confirmation in Inverquharity Charter-chest.]

400. PROCURATORY of RESIGNATION by Archibald Earl of Douglas and Longueville, appointing Sir William of Crechtoun of that ilk, Sir David Stewart of Durrisdeer, knights, and Mr. William of Foulis, archdeacon of St. Andrews, keeper of the privy seal, his procurators for resigning his lands of Dunbervy with pertinents, in the barony of Methven and shire of Perth, in the hands of the barons of that barony. Dated at Linlithgow, 22nd April 1436. [Original *penes* William Fraser, LL.D., Edinburgh.]

401. CONFIRMATION by Margaret Duchess of Touraine, Countess of Douglas, lady of Galloway and Annandale, of a charter by her late husband, to the following effect:—Charter by Archibald Earl of Douglas, lord of Galloway and Annandale, granting to his squire, Robert of Gordone, the half of the lands of Bordland, of Balmaclelane, and le Farchiere, annexed to the same, which belonged to Alexander of Gordone, his father, in the barony of Balmaclelane and constabulary of Kirkcoubrycht; to be held to the said Robert and the heirs of his body, whom failing, to William of Gordone, his brother, and the heirs of his body, of the Earl and his heirs, in fee and heritage for ever. Dated at Treif, 1 July 1422. Which charter the Duchess confirms in all points. At Treif, 12 April 1437. Seal wanting. [Original Confirmation in H.M. General Register House, Edinburgh.]

402. LETTERS of BAILLIARY by Archibald Duke of Touraine, Earl of Douglas and of Longavile, lord of Galloway and Annandale, and of the lands of Dunbrenny, appointing George of Hoppryngill his bailie of the lands of Dunbrenny, in the sheriffdom of Perth, to endure for the Duke's will. November 1434. [Original Letters in Dundas Charter-chest.]

403. NOTARIAL INSTRUMENT certifying that a venerable lady, Dame Egidia Countess of Orkney and lady of Nethisdale, in presence of a notary and witnesses, compeared and craved from the Lord Lieutenant-General of Scotland and certain noble lords of council delivery of her complaint which she made when she complained in the last council held in the town of Perth of their wrongful spoliation of her lordship of Nethisdale, and at that time the said Lord-Lieutenant and certain lords of council granted

her to have complement of justice fully in the next council to be held at Perth; further the said Lord-Lieutenant and lords granted to her that though justice eyre or chamberlain eyre or any court were meantime held in the lordship of Nethisdale it should be no prejudice to her heritable right in time to come. These words being spoken, the foresaid lady protested that if such court were held in the said lordship in contravention of her right she intended to make interruption thereof. Done in the tolbooth of the burgh of Edynburgh, 30 May 1438. Witnesses, Sir William of Saint Clair, Earl of Orkney, Sir James of Douglas, Earl of Avendale, Sirs Alexander of Ceton, lord of Gordon, William of Crechton, lord of that ilk, Andrew Ogilvy, lord of Inchmartyn, knights. [Original Instrument in Crookston Charter-chest.]

404. LETTERS by King James the Second narrating and ratifying a decree or ordinance of his general council made upon the inquests taken in the time of his father, sasines of which might come indorsed to his chancery; which decree was made on 27 November 1438 in the council general held in the tolbooth of Edinburgh by a most excellent prince and lord Sir Archibald Duke of Touraine, Earl of Douglas and of Longneulle, lord of Galloway and Annandale, Lientenant-General of the kingdom, and the three Estates of the kingdom, to the effect that no mandate or brief of sasine should be granted by the chancery of King James the Second through (in terms of) any brief of inquest retoured to chancery in the time of King James the First; and if, according to such briefs of inquest, retoured to chancery, briefs of sasine in the time of the late king were required to be executed, they should be returned to chancery indorsed; that no briefs of *meminimus* or any others be granted, or briefs of sasine proceed, or be granted to any person contrary to this decree, since the mandate must expire with the death of the granter. Extracted by John Scheues, clerk of rolls and register of the king at Edinburgh, under the Quarter Seal. Which decree the king ratifies under the Quarter Seal at Edinburgh, 28 November, 2d year of his reign [1438]. A precept to observe the above was directed to the bailies of Perth, 8th December same year. [Original Letters and Precept in the Gray Charter-chest at Kinfauns.]

405. CHARTER by James of Douglas Earl of Angus and lord of Lyddalisdale and Gedwort Forest, ratifying and confirming the following:—Charter by Nichol of Borthwyke of Ludeinch, granting to Alexander of Ogiluy of Inuerquharady and Jonet of Tovris, elder daughter and one of the heirs of the deceased William of Tovris of Berntoun, whom the said Alexander intended to marry, the lands of Ludeinch and of Wester Ednathy, in the barony of Kerymore and sheriffdom of Forfar, in exchange for all and whole that part of the lands of Berntoun pertaining to the said Jonet in the sheriffdom of Edinburgh; to be held to the said Alexander and Jonet, the longer liver of them, and the heirs of their bodies, whom failing to the lawful heirs of the said Alexander whomsoever, of the Earl of Angus and his successors, in fee and heritage, for payment of one penny of silver to the Earl of Angus and his successors at Kerymore, at Whit-

sunday yearly, if asked only, in name of blench ferm. At Strivelyn, 15 March 1438. Witnesses, William Giffart of Balmagerro, John Carncors of Balmaschenar, Adam Synclare of Fynlark, George Chancellor of Kothquhen, and David of Aberkerdor, burgess of Dundee. Which charter the Earl ratifies in all points at Temptaloun, 20 March 1438. Witnesses, Edmund of Hay, the Earl's uncle, Thomas of Borthwyke, Master William Bell, the Earl's secretary, and William Kyd. [Original Charter in Inverquharity Charter-chest.]

406. CHARTER by Archibald Duke of Touraine, Earl of Douglas and of Longauille, lord of Galloway and of Annandale, and of the regality of Sproustoun, granting to his well-beloved cousin Andrew Ker of Aldetounburne, the lands of Prymside, in the regality of Sproustoun and sheriffdom of Roxburgh, viz., three fifth parts of the lands of Primside belonging respectively to Marion of Roule, Jonet of Roule, and Elen of Roule heritably, as daughters of the deceased Andrew of Roule, their father, and which, with consent of their spouses, they had resigned in the Duke's hands; to be held to the said Andrew and his heirs of the granter and his heirs, in fee and heritage for ever, for rendering to the Duke and his successors, lords of the regality, service due and wont. At Newerk, 4 May 1439. Witnesses, William of Crechtoun of that ilk, knight, chancellor of Scotland, Mr. John of Railston, rector of Douglas, the Duke's secretary, Thomas of Cranstoun of that ilk, Alexander of Narn, Robert of Gledstanis, and John Turnbull of Langton, constable of Newerk. A precept of sasine follows, same date and place. [Original Charter and Precept at Floors.]

407. CHARTER by Margaret [Hay] Countess of Angus, narrating that Walter Nicholson, her free tenant of the lands of Balnecroych, begged that his charter of the lands might be renewed, as his charter by which he and his predecessors held the lands of the Countess and her predecessors had been alienated by the common war; wherefore the Countess in her full court, held at Abirnethy, caused an inquest to be made by the more trusty and older men of the country, and found that the said Walter Nicholson and his predecessors had freely held the said lands of Balnecroych of the Countess and her predecessors in fee and heritage, and that he and his heirs had for ever for the said lands of Balnecroych twelve cart loads of turf in the moor of Inuernethy, and pasture in the same, for twelve fertile cows with their sequels of one year, by the middle of the moor of Cary as far as the red ford of Fergus, and for sixty breeding sheep with their sequels of one year; the said Walter and his heirs having free passage to any mill they chose with all their grain growing on the said lands: Rendering payment yearly of one penny at the feast of St. Bridget the Virgin, at the town of Abernethy, if asked only. The Countess therefore grants the said lands to Walter and his heirs. Witnesses, the persons of inquest, viz., Henry of Couentry, John of Pwry, Thomas Bell, Galfrid Mawuys, Henry of Dromcarne, William Brown, William, son of Reginald, Malcolm, called Whyte, Thomas Malcolmson, Adam Alanson, Malcolm "de

Byen," John Pally, Thomas Loch (de Lacu), William Faber (or Smith "Fabro"), John Notman, Thomas Johnson, John of Cluny, Richard of Crosfergus, Adam Rowan, William Fayrharis, Michael Brown, and John Peyte. No date, *circa* 1440. [Original Charter in the Gray Charter-chest at Kinfauns.]

408. CHARTER OF CONFIRMATION by King James the Second, narrating and confirming a charter by Thomas Earl of Mar, Lord of Cavers and of the Garviach, and Chamberlain of Scotland, granting to Thomas of Cranstoun, for his good counsel and service, the lands of Denome wherever they lie, with Denome Dene and the Bailliolhage, excepting only the demesnes (dominicis), within the barony of Cavers and sheriffdom of Roxburgh; and the whole lands of the Stobbis with pertinents, in the same barony and sheriffdom. To be holden to Thomas of Cranstoun and his heirs of the Earl and his heirs, in fee and heritage, by all the right marches, etc., rendering yearly one penny of silver in the town of Denome at the feast of Whitsunday, only if it be asked, in name of blench farm, for ward and relief, marriage, and all other dues. Witnesses, John of Cromdole, doctor of decrees, John of Marr, canon of Aberdeen, Mr. Gilbert Armstrong, canon of Moray, Sir Laurence Gillebrande, Sir John le Grant, and Sir John Strathekyne, knights, William of Keth, marischal of Scotland, John of Rettray, and Thomas Brisbane [n. d., c. 1358]. Confirmed at Edinburgh, 10 September 1441. [Original Confirmation in Cavers Charter-chest. This charter is not among those contained in the Great Seal Record as now extant.]

409. INSTRUMENT OF SASINE in favour of Cristian Sinclare, spouse of the deceased Sir William of Cokburne, knight, of her lands whatsoever of Cesfurde, according to the tenor of the charter of entail under confirmation of the king made to her thereon. The sasine is given by a royal sergeant, William of Grymyslaw, at command of Master Philip Pyle, depute of Sir Archibald of Douglas, knight, sheriff of Thenidale, to Alexander of Cokburne, in name and behalf of Cristian, his mother. Done in the town of Cesfurde in a building of the same, 10 November 1441. Witnesses, Andrew Ker, younger, Adam Scot, Radulf Tayte, William Scot, John Scot, his son, and others named. [Original Instrument at Floors.]

410. PRECEPT OF SASINE by King James the Second, directed to the sheriff and his bailies of Aberdeen, bearing that he had granted to his well-beloved and faithful Archibald of Douglas, second-born son of the king's well-beloved cousin, James Earl of Douglas, the lands of Kyntor, with the pertinents, which belonged to Jonet and Elizabeth of Dunbar, daughters of the late James of Dunbar, Earl of Murray, heritably, and which they resigned in the king's hands in their pure virginity; to be held the said lands of the lordship of Kyntor to the foresaid Archibald and Elizabeth, the longer liver of them, and the heirs-male of their bodies, whom failing, the heirs-male of the body of the said Archibald, whom failing, the other sons of the said James, and the heirs

male of their bodies, whom failing, the nearest heirs of the said Elizabeth whomsoever, as in the charter made thereon was more fully contained. The sheriffs are therefore charged to give sasine of the said lands. At Edinburgh, 26 April, 6th year of the king's reign [1442]. [Original Precept at Castle Forbes.]

411. CHARTER by James Earl of Angus and lord of the barony of Abirnethy, granting to Andrew Ireland, for his faithful service, the piece of land called Fythlarland, in the barony of Abirnethy and sheriffdom of Perth, which belonged to the late David Vmfray, and which, by his procurator and letters-patent, he resigned in the Earl's hands in presence of many, in the Earl's chapel of Lyntolee. To be held to the said Andrew and his heirs whomsoever of the Earl and his heirs, in fee and heritage for ever, for a penny of silver in name of blench ferm at Whitsunday, at the town of Abirnethi, if asked only. Sealed at the Earl's castle of Hermitage, 6 June 1442. [Original charter at Kinfauns.]

412. CHARTER by William Earl of Douglas and of Avendale, lord of Galloway and of Stewartoune, granting to Alexander Hume, lord of that ilk, for his service, the lands of Casteltoune, Langschawis, Gallowbrais, Quhiteleyis, Robertoune, Creuauchblare of Kirkwode, and of Makbehill, with their pertinents (the mote of Castletoun, however, being reserved to the Earl as his principal messuage) lying in the lordship of Stewartoune, within the sheriffdom of Ayr. To be holden the said lands to the said Alexander and his heirs of the said Earl and his heirs in fee and heritage for ever; paying therefor three pleas of court yearly at the Earl's principal messuage of Stewartoune. With clause of warrandice. Dated and sealed at Stirling, the 24th day of August 1444. Witnesses, Sir Alexander of Montegomorry, John Wallace of Cragin, and James of Auchinlek, of that ilk, knights, and James Lyndissay of Cowanetoun, the Earl's secretary, with some others. Seal attached, in excellent preservation. [Original Charter in H.M. General Register House, Edinburgh.]

413. TRANSUMPT made by Richard Forbes, dean and official of Aberdeen, at the instance of Sir John Auchinlek of that ilk, knight, in the Cathedral Church of Aberdeen, 26th November 1482, of the following :—Charter by James (the Second) King of Scots, under his great seal, by which he grants and confirms to his faithful John of Auchinlek, eldest son of James of Auchinlek of that ilk, knight, and Elizabeth Malville, spouse of the said John, the lands of the baronies of Glenbervy and of Barras in the sheriffdom of Kincardin, and the lands of the barony of Camnay in the sheriffdom of Abirdene, which pertained heritably to the said Elizabeth and Giles (Egidia) Malville, sisters, and which they resigned by their procurators at Edinburgh before the underwritten witnesses, in the King's hands; to be held to the said John of Auchinlek and Elizabeth his spouse, the longer liver of them and the heirs of their bodies, whom failing the heirs of the said John whomsoever, of the king and his successors, in fee and

heritage, for rendering of services due and wout; reserving also to the king and his successors, wards, reliefs, marriages, and other rights and services due and wout. Witnesses, James, bishop of Dunkeld, chancellor, John of Glasgow, John of Moray, John of Brechin, Michael of Dunblane, and George of Lismore, bishops; the king's dearest cousins, William of Douglas, David of Cravfurde, Archibald of Mvrreue, Hugh of Ormonde, and Alexander of Huntlie, earls; his well-beloved cousius, Alexander, Duncan, Patrick, and William, lords of Montgomery, Cambell, Grahame, and Crechtone, knights; Master William Turnebull, keeper of the privy seal, and Master John of Railestone, secretary. Edinburgh, 3 July 1445. [Original Transumpt at Glenbervie.]

414. LETTERS of OBLIGATION by Robert Fleming of Cumbernald, by which he binds himself to James Earl of Angus, lord of Liddesdale and Jedburgh Forest, that he, the said Robert, "shall enter within the iron yeatts of the castle of Thomtallone, or within the irone yeatt of the castle of Ermitaige on acht dayes wairneing" made by the Earl, his letters, or any others in his name, under a penalty of 2000 merks if he should happen to fail in entering at the day appointed; to be paid to the Earl, his heirs or executors, within the castle of Thomtallone or Hermitaige by equal portions at Martinmas and Whitsunday next following the said warning, "for the burneing of the said lord earles corne and the taiking of his oxine, horse, and wther guds within the barronie of Northberwick at Fasteingsewin bypast." Failing payment of the said two thousand merks, the granter obliges him, his heirs, executors, and all his goods, moveable and unmoveable, the latter to be taken, distrained, poinded, and sold till the 2000 merks and costs and expenses were fully paid. "Item, I, the said Robert, obliissis me as of beffor wnto the tym of my entrie that I shall nether to the said lord earle, or to his men, or to his lands, or till his guds, na to thair lands, na to thair goods doe harme nor skaith, nor give counsall against the said lord in na mainer of wisse indureing the tym of the said entrie." In witness of which the said Robert "being of my awin poust (power), out of all fastnes and waird," has set his seal at North Berwick, 24 September 1445. [Transcript of Original Writ in ms. of Godscroft's "Houses of Douglas and Angus," preserved in Hamilton Charter-chest.]

415. CHARTER by William Earl of Douglas and Avandale, lord of Galloway and of the regality of Sproustoun, granting to his beloved and faithful Thomas of Cranstoun of that ilk, for his service, the Earl's lands on the west side of the town of Sproustoun, lying between the lands of the said Thomas on the west, and the lands held from the Earl by the Carthusian monastery on the east, according to the old marches, from the Water of Twede, ascending by the burn called Pakokburn, to a cairn above the town, and thence by known and old marches to the common pasture of the town, with the mill of the said town; reserving to the Earl his capital messuage of the regality of Sproustoun, situated within the lands above mentioned; to be held to the said

Thomas and his heirs of the Earl and his heirs, in fee and heritage for ever, by ward and relief, for giving yearly three suits of court at the three head pleas held at the messuage thereof, reserving as above. Sealed at Streuelyne, 10 May 1446. Wituesses, Mr. James Lindissay of Cowentoun, canon of Glasgow, the Earl's secretary, Alexander Hum of that ilk, James of Achinlek of that ilk, David Hum of Vedderburn, knights, John Murray of Falouhill, Archibald of Haliburtoun, James of Douglas, and Adam Turnbull. Letters of Sasine were given by John of Murray of Fawlawhill, bailie of the Earl, certifying that he delivered sasine of the said lands, 16 May 1446. [Original Charter and Letters of Sasine at Floors.]

416. OBLIGATION by William of Cranystoun, lord of that ilk, with consent of his reverend father, Thomas of Cranystoun, binding himself to a worthy man, George of the Cauerhyll, laird of that ilk, to the effect that because the said George, with the leave, and at the instance of a high and mighty lord, William Earl of Douglas, had freely consented to hold his lands lying in Nethyr Cralyng, in the sheriffdom of Rokysborough, of the said William Cranystoun and his heirs, all and sundry, therefore although the said George, his heirs, or his "forbearis," or inhabitants of his said lands of Nethyr Cralyng, had usurped, or should usurp or "purpress" on the granter or his lands in any place of the lordship of Nethyr Cralyng through breaking, tilling, or wrongfully "mauryng" of marches or "meris," dikes, or other places in the said lordship, yet that neither the granter nor his heirs should lead, or cause to be led, any process of law against the said George or his heirs, through which he or they might forfeit his said lands of Nethyr Cralyng, or any part of them, but such causes and ridding of marches should be righted at the sight of tender and near friends of both parties; and if any process were led by the said William or his heirs, in default of the said George or his heirs consenting to such favourable composition and ridding of marches, it should be led only to know the "ald and rychtwys marchis and meris," without peril to the losing of the said lands. In witness whereof, the said Thomas and William of Crauystoun affix their seals at Nethyr Cralyng, 12 February 1446. Seals wanting. [Original Obligation in Douglas Charter-chest.]

417. NOTARIAL INSTRUMENT certifying that Oswald of Abirnethy personally appeared in a plain court held at Neuwerk before a mighty and potent lord, William Earl of Douglas and Auendale, lord of Galloway, and, in presence of a notary and witnesses, publicly asserted that he did not claim nor challenge any man to be his lord superior in the lands of Tenside and Harewode, in the sheriffdom of Roxburgh and regality of Hawyk, but him whom men of inquest should find to be baron of the barony of Hawyk, whom he would hold for his lord superior of the said lands, and hold them from him *in capite*. Done at Neuwerk in the great hall thereof, in public court, on the 1st of March 1446 in presence of Sir James of Achinlek of that ilk, knight, Mr. James Lindissay, canon of Glasgow, Thomas Cranstoun of that ilk, Andrew

Ker, and George of Hoppringill. George of Schoriswod, notary. [Original Instrument at Floors.]

418. *RETOUR OF INQUEST* held at Newerk on 1st March 1446, before a mighty and potent lord, Sir William Earl of Douglas and Auandale, lord of Galloway and of the regality of Sproustoun, by Sir Walter Scot, knight, James of Rutherford of that ilk, James of Rutherford, James of Ormystoun, Archibald of Newton, George of Ormystoun, John Turnbull, William Moray, John Moray, James Hog, Adam Turnbull, Norman of Fawside, John Makmoryn, Beruard of Hawdene, and James of Cranstoun, who found that Andrew Ker, late father of Andrew Ker bearer hereof, died last vest and seised as of fee in four parts of the lands of Primside, and 13s. 4d. of annual rent furth of the fifth part of the said lands in the regality of Sproustoun and sheriffdom of Roxburgh; that the said Andrew was nearest heir to his late father in the said lands and annual rent, and was of lawful age; that the lands were valued yearly at 24 merks, were held of the Earl as baron of the regality of Sproustoun by ward and relief, and were in his hands through the death of the said late Andrew for the space of two years from the feast of the Nativity of our Lord last bypast, in default of the rightful heir not prosecuting his right. [Original Retour at Floors.]

419. *CHARTER* by King James the Second under the Great Seal, by which he ratifies and confirms a charter made by the king's dearest cousin, which is fully narrated, being:—Charter by William Earl of Douglas and of Avendale, and lord of Galloway, giving and confirming, in consideration of natural affection (*naturali affectione pensata*), to his dearest brother-german, James Master of Douglas, knight, for service done and to be done to the granter, the lands of his barony of Bolton, in the sheriffdom of Edinburgh, in the constabulary of Hadington, excepting to the Earl and his heirs one acre of land lying on the south side of the Tower of Bolton, upon the side of the rivulet of the same; to be held the foresaid lands, with the castle and capital manor-place thereof, to the said James Douglas, and the heirs of his body lawfully procreated, whom failing, to revert to the granter and his heirs, earls of Douglas, in fee and heritage for ever. *Reddendo*, three suits of court yearly at the Earl's three head pleas, to be held upon the foresaid acre of land, with ward and relief when they happened, and to the king the service due and wont from the said lands. With clause of warrandice. Sealed at the castle of Douglas, 2 May 1449. Witnesses, Symon of Glendonwyn, lord of that ilk, knight, Thomas of Cranston of that ilk, Master Adam of Achinlek, canon of Glasgow, James of Parkle of that ilk, and Marc of Haliburton. Which charter and grant the king confirms in all points, reserving to him, his heirs and successors, wards, reliefs, marriages, rights; and services, due and wont from the said lands before the present confirmation. The great seal is commanded to be affixed. Witnesses, William, bishop of Glasgow, William Lord Creghton, chancellor, and the king's well-beloved cousin, William Lord Somerville, Patrick Lord Glammys, Andrew Lord le Gray, the king's

cousins, and Mr. Nicholas of Ottirburn, secretary, John Arous, archdeacon of Glasgow. At Edinburgh, 5 November 1449. [Seal wanting.] Signed by the king, whose signature is at the foot of charter, left side, and underneath the fold over for the tag. [Original Charter in H.M. General Register House.]

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420. CHARTER by King James the Second under the Great Seal, by which, with consent of the three estates in plain parliament, held at Edinburgh on the date of the charter, he gives and confirms to his dearest cousin William Earl of Douglas and of Auendale, for his faithful service, all and sundry lands of the Forests of Ettrik and of Selkirk, with the pertinents, in the sheriffdom of Selkirk, which had belonged to the said William heritably, and were resigned by him in parliament before the witnesses underwritten; to be held to him and his heirs-male, whom failing his nearest heirs whomsoever, of the king, his heirs and successors, in fee and heritage, in a free regality or royalty; and further grants to the said William, his cousin, for his services and well deserving in many ways done to the king, all right and claim accruing to him or his heirs in the said lands by reason of any resignation or gift of the deceased Archibald Earl of Douglas made to James King of Scots, his father; for rendering yearly a broadheaded arrow at the feast of the Nativity of St. John the Baptist at the hill of Selkirk, in name of blench farm, if asked only. Witnesses, James bishop of St. Andrews, William of Glasgow, John of Dunkeld, John of Moray, Robert of Dunblane, John of Brechin, Thomas of Ross, and George of Lismore, bishops; William Lord Crechton, chancellor, the king's well-beloved cousin, and his well-beloved cousins George Earl of Angus, Archibald Earl of Moray, Hugh Earl of Ormond, Alexander Earl of Huntly, and William Earl of Orkney, with prelates, lords, and commissioners of burghs in parliament assembled. At Edinburgh, 26 January 1449. [Extract of Original Charter in Douglas Charter-chest.]

421. CHARTER by William of Douglas, lord of Cauerys, selling and confirming to his well-beloved grandson (nepos), Walter Ker, son of Andrew Ker, his lands of Blakpule, in the barony of Cauerys and sheriffdom of Roxburgh, for a sum of money paid to him by the said Walter Ker, to be held to the latter, his heirs and assignees, of the said William and his heirs, in fee and heritage, with common pasture of the said barony, etc., for payment of one penny of silver of blench ferm at the feast of the Nativity at the chief messuage of the said lands, if asked. At Cauerys, 4 August 1450. Witnesses, Thomas of Cranstoun of that ilk and others. [Original Charter at Floors.]

422. CHARTER by William Earl of Douglas, Wigton, and Avendale, lord of Galloway, in favour of his specially beloved (*dilecto nostro et speciali*) Robert Vans, of all and whole his lands of Barglass and Barnbarroch, with the pertinents of the same, lying within the barony of Cairnsmule and sheriffdom of Wigton, in consideration of a sum of money paid to him by the said Robert Vans; to be holden the said lands and others to the said Robert Vans, his heirs and assignees, under the Earl, in fee and heritage, paying therefor yearly one white or red rose at the feast of the Nativity of John the Baptist in name of blench farm, if asked only. The charter contains clause of absolute warrandice, and is dated at Edinburgh the 26 of January 1451. [Inventory of Writs of Barubarroch.]

423. PRECEPT OF SASINE proceeding upon the said charter granted by the Earl for infetting the said Robert Vans in the lands of Barglass and Barnbarroch, dated at Edinburgh the 28 January 1451. [Inventory of Writs of Barnbarroch.]

424. CHARTER OF CONFIRMATION under the Great Seal of James the Second, in which the charter (No. 422 *supra*) is ingrossed at length, and confirmed, dated at Edinburgh the 13 of August 1452, in the sixteenth year of the king's reign. [Inventory of Writs of Barnbarroch.]

425. CHARTER OF CONFIRMATION by James Earl of Douglas, Wigton and Avendale, lord of Galloway, in favour of his well-beloved kinsman (*dilecto consanguineo nostro*) Robert Vans, dated at Kirkeudbright the 26th of October 1453, of the lands of Barglass and Barnbarroch; and ratifying the charter of said lands (No. 422 *supra*) granted by William Earl of Douglas, brother-german to the said James Earl of Douglas. [Inventory of Writs of Barnbarroch.]

426. INDENTURE made between Sir Robert Coluele, lord of Oxnam, and Andrew Ker of the Altoneburne, by which they agree to be leal and true to each other for their lifetime, and to help each other in all actions or quarrels, saving their allegiance to the king and the Earl of Douglas; agreeing also not to take part with any of their men in debates, but to settle the matters; if either were out of the country, his men should assist the other party as if he were present, etc. For observing of which both parties give their bodily oath. At Jedworth, 10 June 1453. [Original Indenture at Floors.]

427. PROCURATORY OF RESIGNATION by Alexander de Petkarne of that ilk, appointing David Brone, citizen of St. Andrews, and John Cluny, husbandman of Rynd, his procurators, for resigning in the hands of George Earl of Angus and lord of Abernethy his whole lands of Eunyrenethy, with pertinents, in the lordship of Abernethy and shire of Perth. Dated at Perth, 6 March 1453. [Original Procuratory *penes* William Fraser, LL.D., Edinburgh.]

428. CHARTER by James Earl of Douglas and Avandale, and lord of Galloway, granting to his kinsman, James Lord the Hamilton, for homage and service, the lands of the barony of Drumsargarth, with pertinents, in the sheriffdom of Lanark, of which barony twenty pounds' worth of land formerly belonged hereditarily to the said James Lord of Hamilton, but were resigned by him into the hands of the granter; to be held with the advocacy of the prebendal church of Cambuslang, and the hospital of St. Leonard, from the Earls of Douglas and lords of Lauderdale, to the said James Lord of Hamilton and his heirs, in fee and heritage for ever, and as freely, etc., as these had been held and possessed by the deceased Maurice de Moravia, knight, lord of the barony of Drumsargarth, or any earls of Douglas or lords of Lauderdale, predecessors of the granter. Rendering therefor annually, if asked, at the feast of the Nativity of St. John the Baptist (June 24), and at the chief messuage of the lands, a white rose. With clause of warrandice. Dated at Peebles, 9 February 1454. Witnesses, John of Douglas, lord of Balvany, brother-german of the granter, Andrew Ker of Aldtonebourne, William Balze of Hopryk, Walter Twedy, son and heir apparent of James Twedy of Drumellar, George Ker of Samelstone, and Mark Halybourtone, steward of Kyrkcuthbricht, squires, etc. [Original Charter in Hamilton Charter-chest. A very fine seal of James Earl of Douglas is attached. It is slightly broken, but otherwise in a fair state of preservation.]

429. CHARTER under the Great Seal by King James the Second granting to James Lord Hamilton and Euphemia Countess of Douglas, his spouse, sometime (*alias*) spouse of the deceased Archibald (fifth) Earl of Douglas and lord of Lauderdale, for faithful service, the lands of the barony of Drumsargart, with pertinents, in the sheriffdom of Lanark, which had fallen into the king's hands through the forfeiture of James, formerly Earl of Douglas and lord of Lauderdale: To be held to the grantees, and the survivor of them, and their lawful heirs-male, or failing them, the lawful and nearest heirs of the said James Lord Hamilton, of the Crown, in fee and heritage for ever, for the services due and wont. Dated at Edinburgh, 1 July 1455. Witnesses, James, John, and George, bishops of St. Andrews, Moray and Brechin, William Earl of Orkney, lord of Sinclair, chancellor of Scotland, Thomas Lord Erskine, George Lord Seton, Patrick Lord Glamis, William Lord Borthwick, Alan Lord Cathkert, and William Bonare, comptroller. Seal in a fair state of preservation. [Original Charter in Hamilton Charter-chest.]

430. CHARTER under the Great Seal by King James the Second granting to James Lord Hamilton and Euphemia Countess of Douglas, his spouse, sometime (*alias*) spouse of the deceased Archibald Earl of Douglas and lord of Lauderdale, for the services of the said James Lord Hamilton, the lands of the barony of Drumsergart and Cormannok, with pertinents within the sheriffdom of Lanark, fallen into the hands of the king through the forfeiture of James, lately Earl of Douglas and lord of Lauderdale: To

be held in fee and heritage of the Crown, to the grantees and the survivor of them, and their lawful heirs-male, failing whom, to the nearest lawful heirs whomsoever of the said James Lord Hamilton, for the services due and wont from these lands. Dated at Edinburgh, 1 July 1455. Witnesses, James, John, and George, bishops of St. Andrews, Moray and Brechin; William Earl of Orkney, lord of Sinclair, chancellor of Scotland; Thomas Lord Erskine, George Lord Setoun, Patrick Lord Glammys, William Lord Borthwick, Alan Lord Cathkert, and William Bonare, comptroller. Fragment only of seal appended. [Original Charter in Hamilton Charter-chest.]

431. *LETTERS* by George Earl of Angus, Lord Douglas of Lyddalsdale and Jedworth Forest, warden of the East and Middle Marches, making known that in his court of wardenry held at Selkirk, 14 April 1456, Andrew Ker of Altonburn was indicted for art and part in treasonable inbringing of Englishmen to Hecfurde, Cralyug, Grymslaw, and Gedworth, who burnt and harried the king's lieges, also for holding intercourse with Englishmen, and resetting of traitors, and being a traitor, all which he denied. He was then put to an assize, of William of Douglas of Cauerys, Sir Walter Scot, the lord of Cranstoun, Nichol of Rutherford, Archibald of Newton, the lord of Rutherford, William of Hepburn, Andro of Crechton, George of Hoppringill, John Turnbull, Master Philip Pyle, Andro of Rutherford, Sandy of Hoppringill, and others, through whose verdict the said Andrew "was made qwhit and vnwemyt." Given under seal of office, date foresaid. Seal wanting. [Original Letters at Floors.]

432. *MEMORANDUM OF AGREEMENT* between my lord of Angus [George fourth Earl] and Walter of Ogilvy of Campsy, bearing that when the third brief of the King's called "Furthe" came to the said lord for sasine of the lands which the said Walter claimed to hold of him in Angus, the Earl agreed to give or cause to be given sasine thereof, and would not pursue the said Walter thereafter but as law will. At St. Andrews, 4 May 1456. [Original Memorandum in Inverquharie Charter-chest.]

433. *CHARTER* by George Earl of Angus, Lord Douglas and of the regality of Kerymore, granting to his uncle by the father's side, Robert of Grahame of Auldmontrose, the Earl's whole lands of Balerguse, with the mill of the dominical lands of Earl's Strathechty, mill lands of the same, and six acres of the dominical lands of Earl's Strathechty, commonly called the Hylfeld, near the mill lands aforesaid, in the regality of Kerymore and sheriffdom of Forfar, for the sake of a pure exchange made between him and the said Robert, of and upon the lands of Ewysdale, with the right of patronage of St. Cuthbert's church of Ewysdale; to be held to the said Robert and his heirs, of the Earl, his heirs and successors, in fee and heritage, for a white rose at the feast of St. John the Baptist, at Balerguse, in name of blench ferm, if asked only: with provision that if the said Robert, his heirs or successors, should be molested by the Earl, his heirs or successors in these lands, by reason of the Earl's entail, the said Robert and his

heirs should have free regress to the lands of Ewysdale. At Temptaloun, 27 November 1456. [Original Charter in Douglas Charter-chest.]

434. OBLIGATION by George, Earl of Angus, Lord Douglas, and of the regality of Kerymore, and warden of the East and Middle marches of Scotland, "fornentis" England, to "a worschipful man and our derrest cousing, Schir Patrick, lord of Glamis," that notwithstanding the Earl had charged his "eme," Robert the Grahame of Auld-montrose, to recognosse in the Earl's hands his lands of Balmuktis and Balinchois, which Sir Patrick held of the Earl, for certain alienations made by him of these lands without the Earl's liceuce or consent, yet the latter binds himself to the said Patrick that the recognition shall be no prejudice to the said Patrick nor his heirs, neither anent his fee and heritage nor his maill, but he shall "demaïne" (possess) them as if they were unrecognosced, and have them "to borch" (pledge) when he pleased to pursue the Earl therefor. At Aberuethy, 15 January 1456. [Original Obligation at Glamis.]

435. INSTRUMENT OF SASINE of the lordship of Douglasdale with the pertinents, proceeding on letters-patent of the king in the manner of chancery, and given at the true messuage of the lordship of Douglasdale, in the sheriffdom of Lanark, to John Inglis as attorney of George Earl of Angus, warden of the East and Middle Marches, etc. Done at the messuage of Douglasdale, 16 April 1457. Witnesses, John Banochtyne, Thomas Inglis, Patrick of Symonton, William Dison, and Patrick Cleland, sheriff-depute. [Original Instrument in Douglas Charter-chest.]

436. BOND OF MANRENT by James, Lord Hamilton, binding himself to become man of special service and retinue, for his life, to a high and mighty lord George Earl of Angus, Lord Douglas, and warden of the East and Middle marches of Scotland towards England, saving his allegiance to the king, and his band of service to Queen Mary [of Guelders]. The document is sealed at Tantallon, 23 May 1457.

The seal appended is in fair preservation. It contains a shield, couché, bearing three cinque-foils; supporters, two antelopes, gorged, and carrying pennons, the dexter pennon displaying two stars on a chief, and the sinister three boars' heads, langued and tusked. Crest, on a helmet, an oak tree fructed. Legend, "Sigillum Jacobi Domini de Hamyltowne." [Original Bond in Hamilton Charter-chest.]

437. INDENTURE made between a high and mighty lord, George Earl of Angus, Lord Douglas, and warden of the East and Middle marches of Scotland, and his right well-beloved cousin, Andrew Ker of Cessford, to the effect that the said lord shall make the said Andrew his bailie of his lordship of Jedworth Forest during the lives of both, and cause his men of the lordship do service to him, next himself, and obey him as they ought to do to their bailie. The said Andrew shall have the manor of Lintole for his residence, but shall lease no lands save with the Earl's advice, shall

receive none of the Earl's rent, but permit the officers to deal therewith, and he shall truly minister in the said office : For which things the said Andrew is become man to the said lord, "before al that lyf or de may," his allegiance and service to the king and queen only excepted, like as he had made bond of service before, truly to serve the said lord, during their joint lives ; and the said lord shall give him his bond of maintenance. For keeping whereof both parties give their bodily oaths. To the one part of the indenture the Earl sets his seal, and to the other is set the seal of David Hoppringill of Pilmuir, because Andrew Ker had no seal of his own present. Witnesses, Schir Walter Scot, David Scot and others. (Signed), "Georg erl of Angus." Jedworth, 7 December 1457. [Original Indenture at Floors.]

438. CHARTER by King James the Second under the Great Seal, narrating that his right well-beloved cousin, George Earl of Angus, and warden of the East and Middle Marches towards England, had resigned in his hands the towns of Kerymure, Abirnethy, and Douglas, in the sheriffdoms of Forfar, Perth, and Lanark respectively ; and that therefore the king, for the singular favour he bore to his said cousin, made the said towns of Kerymure, Abirnethy, and Douglas, free burghs in barony ; granting to the inhabitants the power to buy and sell, have bakers, brewers, etc., a cross, and a weekly market at Abirnethy and Kerymure on Monday, and at Douglas on Saturday ; and yearly at Douglas and Abirnethy a fair on St. Bridget's feast, and eight days after ; and at Kerymure on the feast of St. Bartholomew and eight days after ; with tolls, etc. To be held the foresaid towns in free burghs in barony, as freely as other such burghs. Edinburgh, 24 March 1458-9. A Precept of Sasine was issued on the following day, directing Robert Grahame of Auldmontrose and others to give infestment. [Original Charter and Sasine in Douglas Charter-chest.]

439. RETOUR OF AN INQUEST held by Andrew of Moray of Fethirkerne, knight, sheriff of the sheriffdom of Perth, and Sir Robert of Abircrumbi, Sir Laurence Mersare, knights, Andrew Mersare, Robert Ross, David Hering, Alexander Blaire, Andrew Charteris, John Haliburton, John Hauldene, William Blaire, Walter Kynard, John Buttergask, Walter Petscorty, John Ross, Richard Eviot, Vmfrid Moray, and John Scot, who found that the late George Earl of Angus, lord Douglas, and of the regality of Abirnethy, father of Archibald Douglas, bearer of the retour, died last vested in the whole lordship, regality, and burgh of Abirnethy, in the sheriffdom of Perth ; that the said Archibald was nearest heir to the said late George, his father, in the same, and was of lawful age ; that the lordship, etc., was valued at £100 ; and was held of the king in chief, for delivery of a silver penny at the chief messuage of Abirnethy yearly at the feast of St. Bridget, in name of blench farm, if asked ; and had been in the king's hands by the death of the said George Earl of Angus, from the 12th of March last, through default of the heir not pursuing his right. Perth, 19 April 1463. [Original Retour in Douglas Charter-chest.]

440. CHARTER by William of Douglas of Sondrelaud, and of the lordship of Clwuy, warden of the East and Middle marches of Scotland towards England, granting and in feu-farm letting to George Boswill of Cragside, thirteen acres of his lands of Cragbank and Clayfaldis, in the territory of Haltoun of Clwuy in the lordship of Clwuy and sheriffdom of Fife ; lying near the lands of Cragside pertaining to the said George, on the west, the lands of Pitlochy, belonging to the abbot and convent of the monastery of Dunfermline, on the north, and the granter's lands of Myltoun of Clwuy on the south, as the marches were determined by the granter's bailie ; to be held to the said George and his heirs of the granter and his heirs and successors, lords of Clwuy, in feu-farm heritably for ever, for payment of 13s. 4d. Scots, in name of annual rent of feu-farm. Sealed at Temptalloun, 19 April 1465. Archibald Douglas, Walter Ker, John Freser, vicar of Awach, and others, witnesses. [Original Charter in Rothés Charter chest.]

441. OBLIGATION by Archibald (fifth) Earl of Angus and Lord Douglas, biuding himself to Walter Ogilby of Enderquharitie, and John Ogilby, his sou and apparent heir, his well-beloved cousins, that whenever he should "be requirit be our saidis cousingis or ouy ane of them" he would recoguoose in his hands the lands of Lvd Inch and Wester Ednachty in the regality of Killiemur in the sheriffdom of Forfar, for debates between them and William Strahahone for the possession of the said lands, and there-after cause them be called before him and his council, who in this matter should be David Earl of Craufurd and Lord Lindesay, Mr. George Carmychell, elect of Glesgw, Laurence Lord Oliphant, Robert Hammiltone of Fingaltoun, knight, James Harring, Alexander Scot, clerk of the Register, Mr. John Fresayll, provost of Abbirnethy and others, and use their counsel in the matter, and let the lands to the said Walter, if the counsel or any five of them advised him thereto. Edinburgh, 9 July [1482-3]. Signed, "A. erl of Angus." [Original Obligation in Inverquharity Charter-chest.]

442. OBLIGATION by Archibald Earl of Angus and Lord Douglas, binding himself to Laurence Lord Oliphant not to sell or wadset any lands then in his hands, by reasou of fee or heritage, under the penalty of five thousand marks Scots, to be paid upon the high altar of the parish church in the town of Perth, by the Earl, his heirs, executors, and assignees, to Lord Oliphant, his heirs, executors, or assignees, for the sums and expenses made by Lord Oliphant upon the marriage to be completed with George, master of Angus, son and apparent heir of the Earl, and failing of him, with the Earl's son and apparent heir that should be for the time, with Margaret Oliphant, eldest daughter of Lord Oliphant ; and failing of her, his eldest lawful daughter whomsoever, the expenses to be sworn to by Lord Oliphant or his heirs and paid within 40 days ; the Earl obliging himself, his heirs, executors, and assignees, lands, etc., according to certaiu indentures made thereupon ; except the £40 worth of lands reserved to him to dispone upon in the said indentures. Sealed at Edinburgh 20 July 1485. Witnesses, John of Halden of Glennegas, James Oliphant of Arquhailza, James Hering of Tuly-

boile, Mr. John Fresell, parson of Douglas. Subscribed, "A. erl of Angus." [Original Obligation in Charter-chest at Gask.]

443. INSTRUMENT OF SASINE, proceeding on a precept from Chancery, in favour of Archibald Earl of Douglas, Lord Douglas, of the lands of Trottaneschaw, le Bircleuch, Handaxwod, Horshop, Hartschaw meadow, commonly called Somerschele and le Kettilschele, in the Forest of Dy, in the sheriffdom of Berwick. Sasine given to Robert Lauder of the Bass, as the Earl's attorney, by Robert Nesbit of Prestone, sheriff of Berwick in that part. Witnesses, Alexander Sideserf of that ilk, William Nesbit Angus herald, and others. 17 July 1492. [Original Instrument in Douglas Charter-chest.]

444. DISPENSATION by Julian, Bishop of Ostia (Papal Penitentiary), directed to the Bishop of Dunblane, or his vicar *in spiritualibus*, in terms of a petition presented to him on the part of George Douglas, eldest son of the Earl of Angus, laic of the diocese of Glasgow, and Elizabeth Drummond, of the bishop's diocese, spouses, bearing that the late David Flemyn, knight, who was in the fourth degree of consanguinity to the said George, had contracted marriage *per verba de presenti* with the said Elizabeth, but did not consummate the marriage; and thereafter, as the said David had died, the said spouses had contracted marriage *per verba de presenti* publicly, but could not remain in matrimony without an apostolical dispensation: Wherefore wishing to provide for the salvation of their souls, and to avoid scandal, the Penitentiary, by authority of the Pope and his special mandate, "*vive vocis*," directs the bishop, if these things were so, that the said spouses may be joined in lawful matrimony, and their offspring be legitimate. Given at St. Peter's, under the seal of office of the Penitentiary, 3 December, third year of Pontificate of Pope Alexander (the Sixth) [1494]. [Original Dispensation at Drummond Castle.]

445. CHARTER by Margaret Dunbar, relict of the late Alexander Lindesay, Earl of Craufurd, and lady of the lands of Cokburn and Brighame, granting to Archibald Earl of Angus, chancellor of Scotland, her forty-four husbandlands, with the Reyweilhauch and her east dominical lands of Brighame, in the town and territory of Brighame, in the sheriffdom of Berwick, for his help and counsel given to her, and specially for his help, counsel, and labour done and to be done for her dearest son, Alexander Lindesay of Ouchirmonse, knight, in recovery and getting of other lands; to be held to the Earl, his heirs and assignees, of the king and his successors, in fee and heritage, for service due and wont. Berklaykarne, 8 January 1496. Witnesses, Mr. Hugh Douglas, dean of Brechin; Mr. Patrick Butergask, notary public; Mr. Robert Petcarne, James Gardin, son and apparent heir of Thomas Gardin of Newtown, Walter Strang, son and apparent heir of Thomas Strang of Petcorthie, and others. [Original Charter in Douglas Charter-chest.]

446. PRECEPT OF SASINE by King James the Fourth, under the quarter seal, directed to William Carmychell of that ilk, James Carmychel of Fokertoun, and James Symontoun, his sheriffs of Lanark in that part, narrating that now, after his perfect age of 25 years, and his general revocation, he had granted to his well-beloved cousin and councillor, Archibald Earl of Angus, Lord Douglas, the lands and barony of Craufurd-Lindesay, in the sherifffdom of Lanark, which belonged to David, sometime Duke of Montrose, Earl of Craufurd and Lord Lindesay, heritably [as narrated at length in No. 142, *supra*], and were afterwards by the king in his full age gifted to the said Archibald heritably, but had now again fallen into the king's hands by reason of his last general revocation, as more fully contained in the charter granted to the said Archibald thereon, in terms of which the king commands his sheriffs in that part to give sasine. Striueling, 7 September, 11th year of his reign [1498]. [Original Precept in Douglas Charter-chest.]

447. INDENTURE OF MARRIAGE made between Archibald Earl of Angus, Lord Douglas, George Master of Angus, and Archibald Douglas, son and apparent heir of the said George, on the one part, Adam Earl of Bothwell, Lord Halis, John, prior of St. Andrews, George abbot of Aberbrothock, Adam Hepburn of Craggis, and Mr. George Hepburn, dean of Dunkeld, on the other part, for the marriage of the said Archibald Douglas with Margaret Hepburn, sister of the said Adam Earl of Bothwell, to be "solemnizate in face of haly kirk in all gudely haist :'" for the completing of which marriage the Earl of Bothwell and his friends become bound to pay to the Master of Angus and his heirs the sum of 2000 merks Scots, viz., 300 merks at the completing of the marriage, and the rest by instalments of 100 merks, at each term of Whitsunday aud Martinmas, till the whole was paid, and to grant their bonds for such payment ; the Prior, Abbot, Dean, and Adam Hepburn, curators of Adam Earl Bothwell, who was in curatory through nonage, consenting to his making such bonds : And the Earl and Master of Angus, on their part, become bound, after the completion of the marriage, to grant to the said Archibald and Margaret, and the survivor of them, in conjunct fee, and to the lawful heirs of their bodies, 100 merks worth of the lands of Temptalloun, with their pertinents, in the shire of Edinburgh, and constabulary of Haddington ; and the Earl of Angus becomes bound, for himself and his heirs, in the event of his predeceasing his said son, to grant to the said Archibald and Margaret, and their heirs foresaid, 50 merks worth of land, in augmentation of the said 100 merks worth : and he and his friends also become bound to cause dispensations to be brought home, if any impediments were found to the lawfulness of the marriage ; and in the event of any debates or quarrels arising between the said Archibald Earl of Angus and Adam Earl Bothwell, their kin or friends, in time coming, they agree to stand at the correction and counsel of the said George Master of Angus, Mr. Gavin Douglas, provost of St. Giles Kirk of Edinburgh, and John Erskine of Dun, for the part of the Earl of Angus ; John Prior of St. Andrews, George Abbot of Aberbrothock, and

Adam Hepburn of Craggis, for the part of the Earl of Bothwell. The contract is to be observed under the penalty of 1000 merks, to be paid to the king, 1000 merks to the Archbishop of St. Andrews, and 1000 pounds Scots to the party abiding by the premises. Dated at Edinburgh 26 June 1509. Witnesses, William Douglas of Drumlanrig, William Douglas, son to Archibald Earl of Angus, Mr. Thomas Boyd, parson of Carmichael, and others. Subscribed, "George, Abbot of Abbe." [Original Indenture in Buccleuch Charter-chest.]

448. COMMISSION by Archibald Earl of Angus, Lord Douglas, in name and behalf of the Queen, his "derest spous," and with consent of the King, appointing Walter Cunynghame to be forester and keeper of the King's Park of Striveling, and gardener of the royal garden there, committing to him the care of the same; ordaining also that he have therefor all fees and duties used and wont for the said offices of forester and gardener, as George Campbell, Robert Forestar, or others had in times bygone; the said offices to be held during the will of the king and queen. Subscribed by the Earl, and by the king, in token of his consent, at Edinburgh, 3 August 1525. Signed, "James R.," "A. Erl of Angus." [Original Commission in Mar Charter-chest.]

449. NOTARIAL INSTRUMENT of the renunciation by Archibald Earl of Angus, Lord Douglas, etc., made in presence of King James the Fifth, in favour of James Hamilton of Fynnart, knight, and his heirs, for certain sums of money, of half the ward, relief, and non-entry duties of the lands and annual rents, etc., which belonged to the deceased John Earl of Lennox, but which were now in the king's hands by reason of ward. Done in the King's chamber in the Palace near the Monastery of Holyrood, at Edinburgh, about 9 A.M., 18 April 1527. Witnesses, Archibald Douglas, the king's treasurer; George Douglas, the Earl's brother; William Wod of Bonyntoun, William Hamiltoun of McNaristoun, and Henry Kempt of Thomastoun. John Bannatyne, M.A., clerk of the diocese of St. Andrews, notary public. [Original Instrument in Hamilton Charter-chest.]

450. BOND OF MANRENT by Archibald Earl of Angus, Lord Douglas, etc., George Dowglas of Pettindreich, knight, and James Douglas of Drumlangrig, to James Earl of Arran, Lord Hamilton, etc., tutor to the Queen, and Protector and Governor of the realm; to the effect that as the Earl of Arran had ever been good and true to them and their friends, and done them pleasures and gratitudes, they were therefore of good will to do him good service at all times, and bind themselves and all under them to assist him as the representative of the Queen during her minority, in all his lawful and honest actions, with their bodies, goods, and counsel, as a servant might do to his superior lord. After the expiry of the time of the Queen's minority there should be an equal bond between them perpetually. Signed and sealed at Edinburgh, 22d August 1546. Signed, "Ard. Erl of Anguse," "George Dowglas," "James Douglass of Drumlanrik."

[Original Bond in Hamilton Charter-chest. The three seals are still appended, each of them, however, broken or defaced.]

451. CHARTER by Archibald Earl of Angus, lord of Douglas and Abirnethy, and of the lordship and regality of Jedburgh Forest, granting to his well-beloved old tenant David Turnbull of Wauchop in liferent or frank tenement for all the days of his life, and to Hector Turnbull, his son and heir apparent, and his heirs heritably, all and sundry the twenty pound lands of Wauchop of old extent, with castle, tower, fortalice, and mill thereof and their pertinents, lying in the said lordship and regality of Jedburgh Forest and sheriffdom of Roxburgh, which the said David and his predecessors formerly held heritably of the Earl and his predecessors; to be held to the said David in liferent, Hector, his son and apparent heir, and his heirs, of the Earl and his successors, in fee and heritage for ever, for rendering the rights and services formerly due and wont. With clause of warrandice. Dated at Edinburgh 30 January 1551. Witnesses, John Carmichael of that ilk, John Carmichael, younger, Captain of Craufurde, John Dowglas of Androschaw, Matthew Dowglas, John Wemis, William Dowglas of Brery-yardis, and William Turnbull, burgess of Edinburgh. Seal attached. A precept of sasine follows, same place and date, and subscribed "Ar^d of Angus." [Original Charter and Precept in Douglas Charter-chest.]

452. BOND OF MANRENT by James Earl of Morton, lord Dalkeyth, etc., to James Duke of Chatellarault, Earl of Arrane, lord Hamiltoun, etc., and James Earl of Arrane, his son, and their heirs and successors, to the effect that because the Duke and his son had renounced and discharged to James Earl of Mortoun whatever claim they had to the Earldom of Morton and lordship of Dalkeith, and had also done other gratitudes and pleasures, he therefore binds himself and his successors in all time coming to take part with the Duke and the Earl, his son, and their heirs and successors, not only in this common cause to set forward the glory of God and freeing the country from the bondage of strangers, but in all other lawful and honest actions and controversies, so far as the laws of the realm and a free and safe conscience would permit; under pain of payment of £10,000 to them in case of failure, Archibald Earl of Argyll, lord Campbell and Lorne, etc., Alexander Earl of Glencairn, Lord James Stewart, and William Maitland, younger of Lethingtoun, to be judges of any such failure. Dated at Edinburgh, 31 May 1560. Witnesses, William Maitland of Lethingtoun, younger, Secretary of the realme, Mr. Henry Balnavis of Halhill, Mr. Archibald Dowglas, Michael Hamilton, and James Millar, notar. Signed, "J. Erll of Mortoun." [Original Bond in Hamilton Charter-chest. The seal of James Earl of Morton is still appended, entire and in good preservation.]



