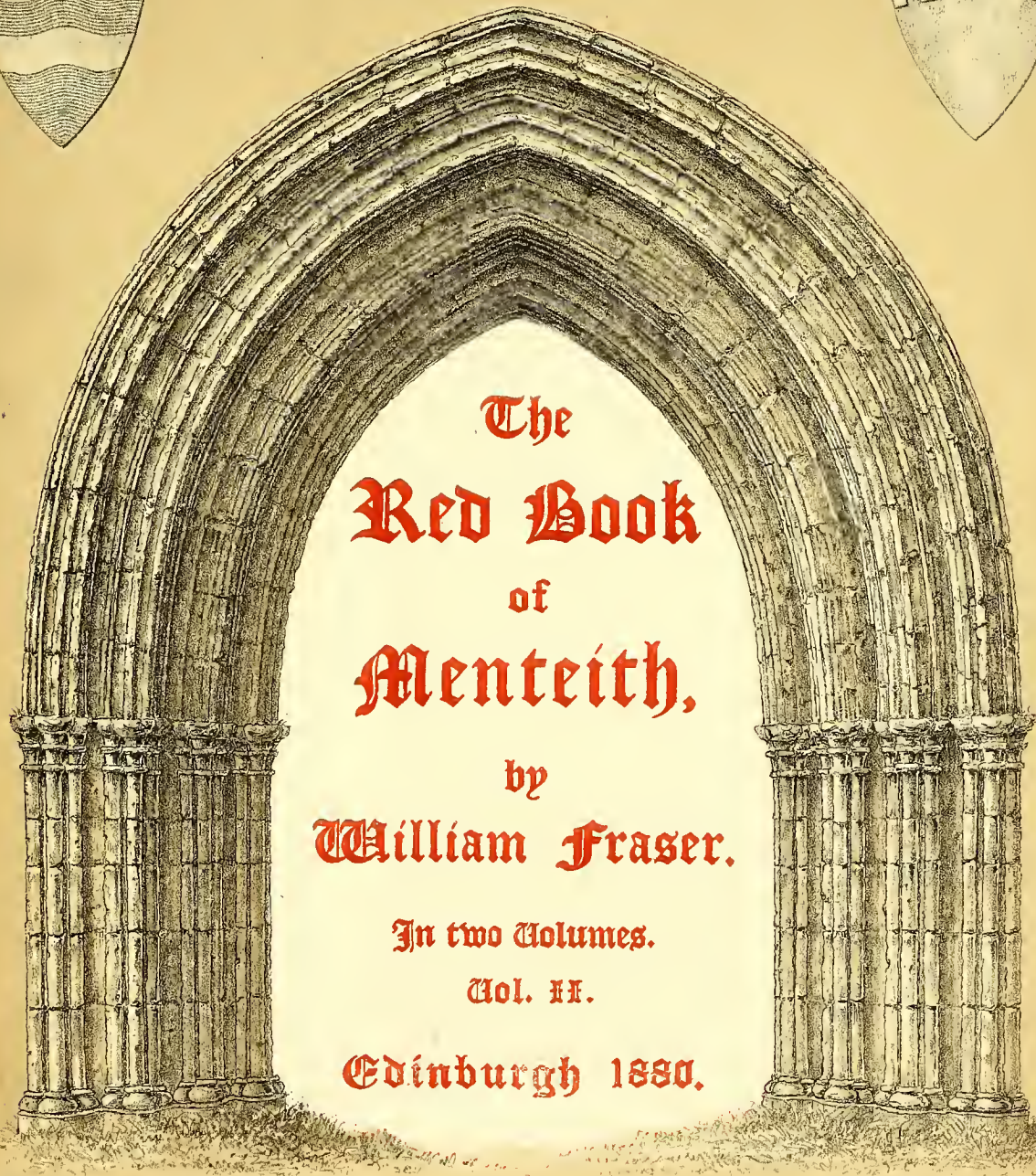
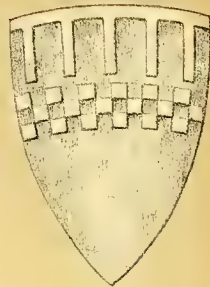
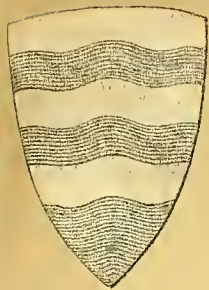






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The
Red Book
of
Menteith,
by
William Fraser.
In two Volumes.
Vol. II.
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Contents of Volume Second.

	Page
TITLE-PAGE—DOORWAY OF PRIORY OF INCHMAHOME.	
GENERAL TABLE OF CONTENTS,	i-iv
ABSTRACT OF THE MENTEITH CORRESPONDENCE, CHARTERS, AND MISCELLANEOUS PAPERS,	v-lxxii
ROYAL LETTERS,	1-72
STATE AND OFFICIAL LETTERS,	73-159
FAMILY AND DOMESTIC LETTERS,	160-206
MENTEITH CHARTERS,	207-325
CHARTERS OF THE PRIORY OF INCHMAHOME,	326-368
APPENDIX OF PAPERS REFERRING TO QUEEN MARGARET AND THE CASTLE OF DOUNE, JACOBITE LETTERS, CHARTERS AND MISCELLANEOUS PAPERS,	369-452
ARMORIAL SEALS, WITH SIGNATURES,	453-468
INDEX OF PERSONS,	469-530
INDEX OF PLACES,	531-556

ILLUSTRATIONS IN VOLUME SECOND.

	Page
PORTRAIT OF SIR THOMAS HOPE, LORD ADVOCATE, . . .	<i>between 124 and 125</i>

LETTERS, ETC.

Instructions by King Charles the First for William, seventh Earl of Menteith, 2d June 1630,	30 and 31
Letter by The Same to The Same (holograph), 18th June 1630,	32 and 33
Letter by The Same to The Same (holograph), 18th June 1630,	32 and 33
Letter by The Same to The Same (holograph), 31st July 1631,	36 and 37
Letter by The Same to The Same as Earl of Strathern (holograph), 17th July 1632,	40 and 41
Letter by The Same to William, Earl of Strathern (holograph), 15th August 1632,	42 and 43
Letter by The Same to The Same (holograph), 30th August 1632,	42 and 43
Letter by King Charles the Second to William, Earl of Airth (holograph), 19th November 1650,	66 and 67
Letter by Rob Roy (holograph), 24th June 1711,	448 and 449

CHARTERS.

King William the Lion to William Noble, of lands in Kilpont and Ilieston, <i>circa</i> 1200,	206 and 207
Sir Ralph Noble, son of William Noble, to Sir David of Graham, and Agnes his spouse, of lands in Kilpont, <i>circa</i> 1245,	208 and 209
Thomas Noble, son of Sir Ralph Noble, to Sir David of Graham and his spouse, of lands in Ilieston [30th January 1255],	208 and 209

ILLUSTRATIONS IN VOLUME SECOND—CHARTERS—*continued.*

	Page
Ralph Noble, son of Sir Ralph Noble, resigning lands of Ilieston in favour of his brother Thomas [30th January 1255], <i>between 210 and 211</i>	
Sir John Russell and Isabella, Countess of Menteith, his spouse, to Sir Hugh of Abernethy, of lands in Aberfoyle, <i>circa</i> 1260,	212 and 213
King Alexander the Third, confirming a gift by Walter Stewart, Earl of Menteith, to Gilbert, son of Sir Gilbert of Glenkerny, of the half of Broculy, 14th August [1267], .	216 and 217
Murdach, Earl of Menteith, to Gilbert of Drummond, of the western half of the town of Boquhaple, <i>circa</i> 1330, .	226 and 227
Indenture by Andrew Mercer, Lord of Mekylhour, between Robert, Earl of Fife and Menteith, and John of Logy, concerning the lands of Logy and Strathgartnay [15th May] 1385,	260 and 261
Charter by Robert, first Duke of Albany, to William de Hay of Errol, Constable of Scotland, of the barony of Colly, on a resignation by William Fraser of Philorth, dated 14th May 1415,	284 and 285

ARMORIAL SEALS. *Woodcuts of—*

Murdach, second Duke of Albany, as Justiciar North of the Forth, 1392,	269
Malise Graham, first Earl of Menteith, 1453,	297
William Graham, third Earl of Menteith, 1539,	312
The Priory of Inchmahome, 1562,	352

ILLUSTRATIONS IN VOLUME SECOND—*continued.*

SIGNATURES. <i>Woodcuts of—</i>	Page
King Charles the First, 1627,	I
The Same (initials), 1630,	32
Sir William Alexander, 1630,	35
King Charles the Second, 1650,	68
Thomas, first Earl of Haddington, 1629,	80
William Graham, first Earl of Airth, 1639,	157
General George Monck, 1657,	159
John Grahame of Claverhouse, 1679,	172
James, third Marquis of Montrose, 1679,	173
William Graham, eighth Earl of Menteith, 1679,	177
Alexander Graham, second Earl of Menteith, 1503,	307
William Graham, third Earl of Menteith, 1539,	312
Margaret, Queen of Scotland, 1528,	389
King James the Sixth, 1578, 1580,	412, 417
King James the Eighth, 1720,	426
Prince Charles Edward, 1745,	428

Abstract of the Menteith Correspondence.

ROYAL LETTERS.

LETTERS FROM KING CHARLES THE FIRST TO WILLIAM, SEVENTH
EARL OF MENTEITH, and others.

	PAGE
1. Thanking him for public services rendered, and promising to remember the same when opportunity occurred ; further, desiring him to continue his oversight of Lord Gray's eldest son, and to have him brought up in "the religion presentlie professed." Whitehall, 12th May 1627,.....	1
2. Thanking him as above ; asking his opinion on certain matters to be communicated to him by Sir Archibald Acheson, and desiring him, after certain things had been brought to a point, to repair to Court. Whitehall, 18th October 1627,	2
3. Giving directions regarding public matters. Whitehall, 11th February 1628,.....	3
4. Requiring him to repair to Court after the 23d April, to give his opinion regarding the decree to be made upon the Submission. Whitehall, 13th March 1628,	4
5. Approving of his resolution to stay until he could bring the Submission signed, and directing him to repair thereafter to Court to consult on certain matters of business. Whitehall, 11th April 1628,	5
6. That he had been petitioned by the friends of the late David Tossach of Miniivaird to call to account Laurence Bruce, younger of Coulmalindy, and others, for the slaughter of the said David Tossach ; and desiring to punish such a crime, he directs that justice should be administered upon the said persons. Whitehall, 11th July 1628,	6

	PAGE
7. Giving instructions regarding the King's intended visit to Scotland and other public matters. 22d July 1628,	7
8. Desiring him to continue his efforts to have the valuation of the tithes settled. Southwick, 28th August 1628,.....	8
9. That he did not intend to interfere with the rights of those who had regalities, and signifying his pleasure that Menteith and the Judges appointed for the Circuit Courts should require the lords of regalities or the bailies to sit with them in Court for the administration of justice. Whitehall, 20th October 1628,	8
10. Requiring him to apprehend Sir John Ogilvy of Craig and his brother George, who openly continued to profess Popery, to the great scandal of the religion presently professed ; to commit them to some of "our sure wardes," and to take a similar course with others giving a like just cause of offence. Whitehall, 28th October 1628,	9
11. States that he had required the ministers of Edinburgh to proceed to the administration of the sacraments, which they had delayed on account of some turbulent persons who were unwilling to communicate ; that he had commanded the magistrates to keep order among the people ; that he had written to the Lords of Session to participate in the sacrament with the people in the Church of St. Giles, and now desiring the Earl to be present and countenance that holy action. Whitehall, 27th November 1628,.....	10
12. Desiring to confer with him, and stating that he left it to himself to fix a time for repairing to Court. Whitehall, 12th December 1628,.....	11
13. Promising him a sum of five thousand pounds sterling for services rendered. Whitehall, 21st April 1629,	12
14. Empowering them to fill up the dates in the patents of the Baronetcies of Nova Scotia as they should think fit. Greenwich, 2d May 1629. [Original at Gartmore],	12
15. Giving instructions regarding public business—surrender of heritable offices, baronets of Nova Scotia, etc. Greenwich, 7th June 1629,	14

	PAGE
16. King Charles the First to John Earl of Mar, Lord Treasurer, and others, authorising him to pay the arrears of pension due to John Earl of Carrick, and to pay the same yearly thereafter. Greenwich, 29th June 1629, ...	15
17. The Same to William, seventh Earl of Menteith, desiring him to repair to Court, to confer regarding the matters of which he had been lately instructed. Theobalds, 28th July 1629,	16
18. The Same to The Same, instructing him regarding public business. <i>Circa</i> 28th July 1629,	17
19. The Same to The Same and others, directing him to consider the enclosed overtures which had been submitted to his Majesty regarding tithes and report his opinion, meanwhile taking steps to prevent the leading of tithes this year. Theobalds, 28th July 1629,	18
20. The Same to George Viscount Dupplin and others, empowering them to purchase from the Lord of Lorne the justiciary of the North and West Isles, as it had been represented to his Majesty by the Earl of Seaforth, for himself and others, that the present arrangement might tend to their disadvantage ; and also to ascertain from the Earl of Seaforth how much he and those for whom he was acting would contribute towards the said purchase. Theobalds, 20th September 1629,	19
21. The Same to William, seventh Earl of Menteith, directing him to order the Judges of the Circuit Courts to give parties cited before them copies of their indictments according to the time limited by a late ordinance of the Privy Council, and to instruct the said Judges to proceed in a moderate manner to put in execution such statutes as were most agreeable to the King's pleasure and to the laws of the kingdom. Hampton Court, 29th September 1629,	20
22. The Same to The Same, that as the latter was willing to surrender his right to the lands of the royal property lying within the earldom of Strathern, the King had instructed his advocate to draw up a surrender to be signed by Menteith, whom he left to prosecute his right against all others for all other lands which he could justly claim ; further, promising a reasonable satisfaction for the said surrender. Hampton Court, 29th September 1629,	21

	PAGE
23. The Same to The Same, approving of the agreement which had been made between Sir William Alexander, the King's secretary, and some of the Highland chiefs and others, for transportation of themselves and their followers to Nova Scotia for settlement in that colony, and directing the Earl to take steps to procure voluntary contributions for effecting the purpose in view. Hampton Court, 17th October 1629,	22
24. The Same to The Same, directing him to inquire into and settle the differences between the widow of Carron and Ballindalloch. Whitehall, 3d November 1629,	23
25. The Same to The Same, directing him to treat with the Laird of Smeeton for the purchase of the tithes of the lands of Marple and Trappan for the benefit of those serving in the Chapel Royal, the lands having been purchased by King James the Sixth; and to require the Chancellor and keepers of the seals not to pass any new grants of the lands or tithes until the King's further pleasure should be known. Whitehall, 6th November 1629,	23
26. King Charles the First to Sir John Hamilton of Magdalens, Lord Clerk Register, directing him to show the records under his charge to the Earl of Menteith, who intended to search for certain writs; to give him such as, in the opinion of the advocate, were necessary to the business in hand, and such extracts as he required. Whitehall, 9th November 1629,	24
27. The Same to William, seventh Earl of Menteith, directing him to inquire into the standing and services of certain suitors for titles of honour; that those of them who had any heritable office, sheriffship, etc., should first agree about the demission of the same; and that of those who had no such office a reasonable number should be dealt with towards the plantation of Nova Scotia, for whom the advocate would make out patents. Whitehall, 26th November 1629,	25
28. The Same to John Earl of Mar, Lord Treasurer, directing him to pay the sum of five hundred pounds to the Earl of Menteith for money expended upon robes for the Judges of the Circuit Courts—to be paid out of the fines levied in the said Courts. Whitehall, 30th November 1629,	26

	PAGE
29. The Same to William, seventh Earl of Menteith, directing him to hold a Court at Jedburgh for the trial of certain thieves and rebels who had been apprehended by Sir Richard Grahame, and to admit probable and apparent circumstances and presumptions for their condigne punishment, in the absence of direct proof. Whitehall, 30th December 1629,	27
30. The Same to The Same, directing him to call and put upon trial certain lewd persons who had opposed the son of the Viscount of Drumlanrig in apprehending three rebels ; also to apprehend the said rebels. Whitehall, 9th February 1630,	27
31. List of Persons referred to in the preceding letter,	28
32. King Charles the First to William Earl of Strathern, charging him to pay to the agents of the Duke of Lennox certain fines which had been levied in the Circuit Courts within the regality of Glasgow. Whitehall, 29th March 1630,	29
33. The Same to William, seventh Earl of Menteith, directing him to repair to Court immediately after the Justice Courts in Dumfries had been held, to consult regarding public business. Whitehall, 13th April 1630,	30
34. The Same to The Same. To deal with the Deputy-Treasurer regarding the surrendering of his charge. Whitehall, 25th May 1630,	31
35. The Same to The Same. Instructions on public matters. St. James's, 2d June 1630,	31
36. The Same to The Same, signifying his pleasure that the latter would call upon all the King's servants " to show themselves reallie to bee soe at this Conuention." The King especially mentions the Chancellor, Mar, and Haddington. St. James's, 18th June 1630,	32
37. The Same to The Same. The same subject, with special reference to the Archbishop of St. Andrews. St. James's, 18th June 1630,	33
38. The Same to The Same, directing him to deal again with Lord Napier with reference to the surrender of the latter's office of Deputy-Treasurer, and that if he did not yield to any fair proposition made thereanent, he should be put upon trial for anything that could be justly brought against him in the execution of his said office. Tichbourne, 12th August 1630,	33

	PAGE
39. The Same to The Same. Instructions regarding public matters. Hampton Court, 12th October 1630,.....	34
40. The Same to The Same, directing him to repair to Court to consult regarding certain things. Hampton Court, 11th October 1630,	35
41. Louis XIII. King of France to the Count de Montide (the Earl of Menteith), thanking him for the protection he had given the Catholics in Scotland, and begging him to continue the same. Paris, 21st December 1630,.....	36
42. King Charles the First to William Earl of Morton, directing him to pay to the Earl of Menteith eight thousand pounds sterling, with interest, out of moneys which he would receive from the Viscount of Dupplin, according to his Majesty's commands. Whitehall, 27th February 1631,.....	36
43. The Same to William, seventh Earl of Menteith, desiring, with reference to the "reservations for the fishing business," that he would keep certain places from being reserved. Oatlands, 31st July 1631,	37
44. The Same to The Same. Private instructions regarding matters of business. Oatlands, 31st July 1631,	38
45. The Same to William Earl of Strathern and Menteith, directing him to be present at the forthcoming meeting of Council at Perth, and immediately thereafter to repair to Court. Theobalds, 15th September 1631,	38
46. The Same to William Earl of Morton, Treasurer, and the Lord Traquair, Treasurer-Depute, charging them to pay to the Earl of Strathern, President of the Council, the remainder of a sum due to the said Earl, according to the precepts which he held from the King. Whitehall, 30th November 1631,.....	39
47. The Same to Viscount Dupplin, Chancellor, and others, Commissioners of Exchequer in Scotland, that he had signed a grant of £15,000 sterling to the Earl of Strathern, and desiring them to expedite the said grant according to the tenor thereof, and to make acts of Exchequer thereupon. Whitehall, 13th January 1632,	40

	PAGE
48. The Same to William Earl of Strathern, desiring to confer with him before he brought the fishing business to a close, and to consult upon other matters. Newmarket, 14th March 1632,	41
49. The Same to The Same, charging him to command Lord Ochiltree, who was not likely to receive such a severe sentence as his fault deserved, not to come within fifty miles of the Court, upon pain of his Majesty's severest displeasure. Oatlands, 17th July 1632,.....	41
50. The Same to the Commissioners of Teinds, approving of the steps they had taken in the matters of the tithes and valuations; directing them to go on as they had begun until the business was finished; and to take care to have the valuations rectified in cases in which the tithes were undervalued. 15th August 1632. [Copy at Gartmore],	42
51. The Same to William Earl of Strathern, that as he intended to proceed to Scotland next year, it was necessary the town of Edinburgh should have a "well chosen" provost. He therefore commands the Earl to prohibit them from choosing any "uconforme" man for the place, expecting they will choose one of those he had recommended, though they had been thus left to their own free choice. Bewlie, 15th August 1632,	43
52. The Same to The Same, that he had thought he would not be again troubled with these "two businesses." With regard to Carrick, he did not think a warrant was necessary to prevent him from buying land, but if so, the present letter would be sufficient; with reference to Ochiltree, the King had already given directions regarding what should be done with him. Bagshott, 30th August 1632,	43
53. The Same to The Same, authorising and requiring him to put to torture John Meldrum, who was suspected of being concerned in the death of Viscount Melgund and others, with the view of inducing him to make a confession. Hampton Court, 27th September 1632,	44
54. The Same to The Same. States that as a complaint had been made on behalf of the Marquis of Huntly that the trial of one Toschoch, touching the death of Viscount Melgund, had been delayed by the Justice-Deputes, he should use all lawful means to have the matter tried. Hampton Court, 27th September 1632,.....	44

	PAGE
55. The Same to Viscount Dupplin, Chancellor, and others, to make the necessary preparations for his Majesty's intended visit to Scotland next summer; to consider what offices were necessary during his stay there; and to submit suitable names for the same for his Majesty's selection. If a commission were necessary, the Lord Advocate would furnish one. Hampton Court, 3d October 1632,.....	45
56. The Same to William Earl of Strathern, that as he had agreed according to the King's command with Lord Holyroodhouse for the disposition of the house and precincts of the lordship of Holyroodhouse to his Majesty, he should command him to have no other bargain with any other person for the same till Whitsunday next, when the sum agreed upon would be paid; and also, if necessary, to order the Commission of Surrenders to have no dealings with the teinds of the said lordship. Whitehall, 9th December 1632. [Original at Gartmore],	46
57. The Same to The Same, that he had given warrant to the Lord Advocate to consult Andrew Aytouu, Thomas Nicolson, and Lewis Stewart, advocates, whether it would be better for the King's service that the services and retours whereby the Earl of Strathern was served and retoured to the late David Earl of Strathern and the late Countess of Strathern, should be reduced or deleted from the registers; and commanding him to put them upon oath, and cause them to deliver their opinion in writing, and to keep the matter secret. Whitehall, 9th December 1632. [Original at Gartmore],	47
58. The Same to The Same, directing him to inform himself of the progress made by the Commission formerly appointed for the revision of the Acts of Parliament; to desire the Commissioners to have everything connected with the Commission in readiness against the King's coming to Scotland next spring; and to request the Senators of the College of Justice to aid in furthering the work. Whitehall, 14th December 1632,	47
59. The Same to The Same, that he had written the advocate to pursue George Nicoll for calunnies, and commanding him to be punished. Whitehall, 21st December 1632,	48

	PAGE
60. The Same to William Earl of Airth, President of the Privy Council of Scotland, that if in the action of reduction of the services to David Earl of Strathern and Euphemia Countess of Strathern the Earl of Airth were evicted from his barony of Kilbride, it would be immediately disposed to him heritably, as the King had been pleased with his good offices in this business of Strathern. Whitehall, 21st January 1633, ...	49
61. The Same to William Earl of Strathern, to cause his deputies to stop the proceedings against George Nicoll (<i>vide</i> No. 59), as he had required the Council to conduct this action. Whitehall, 23d February 1633,.....	49
62. The Same to the Commission anent the Earl of Airth's process, to inquire into and report upon certain treasonable speeches which the Earl of Airth was reported to have made claiming to have a better right to the Crown than the King himself. Whitehall, 1st May 1633. [Old copy of this and Nos. 64 and 65 at Traquair],	50
63. The Same to The Same, that Lord Ramsay, Constable of Duudee, the Earl of Wigtown, and Sir James Maxwell of Calderwood, were the authors of the reports of the treasonable speeches of the Earl of Airth, and commanding them to be called and examined, and their examinations transmitted to his Majesty with all diligence. 1633,	51
64. The Same to the Chancellor, with commission for the trial of the Earl of Airth, naming the Commissioners, and directing the trial to be proceeded with. Whitehall, 1st May 1633,	52
65. The Same to William Earl of Airth, giving him leave to retire to any of his country houses till his Majesty should come to Scotland. Whitehall, 7th May 1633,	53
66. The Same to Mr. Thomas Nicolson and three other advocates, to appear as counsel for the Earl of Airth. [Original at Gartmore.] Holyroodhouse, 23d June 1633,.....	53
67. The Same to William, seventh Earl of Menteith, to expedite the signature for the title of honour which his Majesty had resolved to confer on Sir William Alexander, Principal Secretary for Scotland. <i>Circa</i> June 1633,	54

	PAGE
68. King Charles the First to the Earl of Traquair, to assure the Earl of Airth of pardon if he made such a confession as would satisfy his Majesty. Seaton, 14th July 1633. [Original at Traquair],	54
69. The Same to Archbishop Spottiswoode, directing steps to be taken for the relief of the Earl of Airth and the security of his creditors and cautioners. <i>Circa</i> 1633. [Old copy at Traquair],.....	55
70. King Charles the First. Measures which he had resolved for the relief of the Earl of Airth. <i>Circa</i> 1634,.....	56
71. The Same, on the same subject. Whitehall, 24th February 1634,.....	56
72. King Charles the First to the Earl of Kinnoull, to make payment to the Earl of Airth of the remainder of the £10,000 which had been assigned to him. Whitehall, 12th January 1635,	57
73. The Same to William Earl of Airth, thanking him for apprehending the eldest brother of Gilderoy. Hampton Court, 28th December 1636, ...	58
74. The Same to William Earl of Morton, Treasurer, and the Earl of Traquair, Treasurer-Depute, to pay to the Earl of Airth a certain sum of money. Whitehall, 7th November 1637,.....	58
75. The Same to William Earl of Airth, thanking him for not taking part with the Covenanters. Whitehall, 19th March 1639,.....	59
76. The Same to John Lord Kilpont. The same subject. Durham, 2d May 1639,	59
77. King Charles the First to William Earl of Airth, to treat with the Earl of Mar regarding his surrender to the Crown of his heritable sheriffship of Stirlingshire, chamberlainry of the lordship of Stirling and bailiary thereof, and of the heritable keepership of the Castle of Stirling and park thereof. Berwick, 27th June 1639,	60
78. The Same to The Same, commanding him to attend and assist the Commissioner at the ensuing Assembly and Parliament, and to influence his friends and others to the same end. Berwick, 27th July 1639,	61
79. The Same to The Same. To repair to Court to consult on public business. Whitehall, 20th November 1639,	61

	PAGE
80. King Charles the First, granting to William Earl of Airth and Menteith a tack of the lordships of Fife and Menteith. Holyroodhouse, 29th October 1641,	61
81. King Charles the First to the Lords of the Treasury. To expedite the tack of the lordships of Fife and Menteith, granted to the Earl of Airth. Holyroodhouse, 12th November 1641,	64
82. The Same to the Lords Commissioners of the Treasury. To take some means of paying what still remained of the debt due to William Earl of Airth. York, 29th March 1642,	65
83. The Same to the Lords of the Treasury. To pass the lease granted to the Earl of Airth, or take other means to satisfy his claims. Beverley, 18th July 1642,.....	65
84. King Charles the First to the Lords Commissioners of the Treasury, directing that the sum due to William Earl of Airth, which was still unpaid, should be forthwith paid out of certain taxes. Oxford, 18th March 1643,	66
85. King Charles the Second to the Earl of Airth, thanking him for his own and his family's services to the royal family. Perth, 19th November [1650],	67
86. King Charles the Second, ratifying the warrant for £7000 granted by King Charles the First to the Earl of Airth. Portend, 10th February 1651,	68
87. King Charles the Second, requiring William Graham of Gartmore and Patrick Monteith of Ardinbeg to guard the passes at Newbridge on the Forth; to apprehend all fugitives, and take possession of their means. Kilsyth, 12th July 1651. [Originals of this and Nos. 88 and 89 at Gartmore],	69
88. King Charles the Second, requiring John Graham of Duchray and Walter Graham of Glenny to assist William Graham and Patrick Monteith in apprehending fugitives from the army. Stirling, 28th July 1651,	69
89. King Charles the Second, relieving the lands of Gartmore and Arnebeg from quarterings and cess. Stirling, 30th July 1651,.....	70

	PAGE
90. King Charles the Second to the Lords Treasurers and Commissioners of the Exchequer in Scotland, requiring them to pay to William Earl of Airth the sum of £500, which had been owing to his graudfather, William Earl of Menteith. Hampton Court, 14th July 1662,.....	71
91. The Same to The Same. On the same subject. Whitehall, 2d Juue 1665,	71

STATE AND OFFICIAL LETTERS.

92. Alexander, first Earl of Dunfermline, Lord Chancellor, to William, seventh Earl of Meuteith, committing the bearer, his cousin, to his care. Edinburgh, 30th January 1619. [Originals of this and the five following Nos. at Gartmore],	73
93. The Lords of the Privy Council of Scotlaud to The Same, to attend and assist during the mouth of Juue as one of the Commissioners for Surrenders. Holyroodhouse, 12th April 1627,	74
94. The Same to The Same, requesting him to attend the next meeting of Council. Holyroodhouse, 19th April 1627,	74
95. John Spottiswoode, Archbishop of St. Andrews, to William Earl of Menteith, President of the Privy Council, acquainting him of the movements of certain Roman Catholics, etc. Dairsie, 8th September 1628,	75
96. The Same to The Same. Informatioun regarding the Master of Oliphant's communicating in the Church of Kinnoull. St. Andrews, 17th November 1628,	76
97. The Same to The Same, giving advice as to the treatment of excommunicated Papists and recusants. St. Andrews, 23d November 1628,	77

LETTERS FROM THOMAS, FIRST EARL OF HADDINGTON, TO WILLIAM,
SEVENTH EARL OF MENTEITH.

98. That his conduct in regard to the State had delighted the well-disposed ; that a number of the great men who were inclined to Popery intended either to go abroad, if permitted, or to stay near the Court, etc. Edinburgh, 24th March 1629,	78
--	----

	PAGE
99. Suggesting that he should take the opportunity of being near his Majesty to inform him of the dangerous consequences of the Marquis of Huntly's being received at Court; that the Viscount of Drumlanrig and Sir Richard Graham had apprehended a number of Border outlaws, and that if they and others received encouragement from his Majesty, the disorders would soon be repressed. April 1629,	80
100. Desiring his assistance in the Council in the discussion of the "great business" between the Earl of Seafort and the burghs, and between the Lord of Lorne and the Islanders; to intercede with his Majesty for the remission of certain fines, etc. Edinburgh, 1st April 1629,	81
101. That he had convened those of the Parliament that were in town; he had read to them the Earl of Menteith's letter regarding the Countess of Nithsdale; and further prosecution of the matter was delayed until his Majesty's pleasure is known. Edinburgh, 7th April 1629,	83
102. Regarding the Countess of Nithsdale's excommunication; also the treatment of the Border outlaws. 13th April 1629,	84
103. Regarding the admission of Papists to the Council; the Lord of Lorne and the Islanders; and thefts of cattle and horses by James Grant of Carron from Grant of Ballindalloch and his tenants. 16th April 1629,	85
104. The Privy Council of Scotland to King Charles the First, complaining of Hollanders engrossing the whole trade and fishing in the North Isles. Holyroodhouse, 28th July 1629. [Originals of Nos. 104 to 150 inclusive at Gartmore],	87
105. The Privy Council of Scotland to the Noblemen and others appointed on the part of Scotland anent a treaty as to fishing; result of a conference with the Commissioners from the burghs. 21st April 1631,	88
106. William Earl of Strathern to King Charles the First; opposition of clergy to Commission of Tithes; illness of the Clerk-Register. <i>Circa</i> November 1632,	90

LETTERS FROM SIR WILLIAM ALEXANDER, AFTERWARDS EARL OF STIRLING,
TO WILLIAM, SEVENTH EARL OF MENTEITH.

	PAGE
107. That the Duke of Buckingham had been killed at Portsmouth by Lieutenant Feltoun. Southwick, 23d August [1628],	91
108. That the Duke's death had caused a great change at Court ; that the best service Menteith could do was to "further the Circuite Courts." Southwick, 1st September [1628],	92
109. Desires him to settle, if possible, the differences between Lord Mar and Lord Napier ; states also that "Lord Nithsdale is laboureing for a letter to the Councell that his Ladie may not be troubled." Hampton Court, 27th September [1628],	92
110. Regarding certain intended prosecutions ; also in what manner the Judges should treat the Lords of Regalities in the Circuit Courts. London, 23d October [1628],	94
111. Desiring him to convene the Commissioners as speedily as possible ; that there was nothing at Court but vexations and divisions, every man working against another, and few or none for the public. London, 15th November [1628],	95
112. Giving an account of a meeting of the Commissioners in London ; further dissuading Menteith from coming to Court at present. London, 18th November [1628],	96
113. That the King had been pleased with the latter's letter ; refers also to a matter between the writer (Sir William) and Lord Rothes. London, 26th November [1628],	98
114. That the King was vexed with the divisions among "our councitriemen," which made both parties the more distasteful to him ; he left it to Menteith himself as to whether he should go to London ; no grants were to be made out of the penal statutes, but means might be found to pay the pension of Menteith, etc. London, 2d December [1628],	99
115. Refers to Menteith's expectation of a reward ; the writer thinks it well founded, but states that the mention of such a thing at present "would make one vngracious." London, 16th December [1628],	100

	PAGE
116. That the King was pleased with the latter's apprehending Sir John Ogilvie ; refers also to the exhibition of rights of tithes to his Majesty's advocate. London, 26th December [1628],.....	101
117. Signifying his Majesty's pleasure that he should come to Court, as the Commissioners would meet before the King went to Newmarket. London, 27th December [1628],	103
118. He was sorry to hear of the Lord Advocate's "stryfe for place ;" his business of the baronets was proceeding slowly, etc. London, 19th November [1629],	103
119. That the King desired the Commissioners to repair to London ; that the writer had sent home a warrant for making barouets, to be filled up as Meuteith and the Lord Advocate should think best. London, 2d December [1629],	104
120. Information regarding bonds, etc. ; that there was a disagreement among the English courtiers. Loudon, 1st January [1630],	105
121. That Lord Gordon had received orders for a Commission against the Papists ; that his Majesty did not desire Lady Huntly's daughters should be taken from her, but relieved from the horn. London, 12th January [1630],...	107
122. That Lord Napier had not yet returned to Scotland ; had got his "vuaworkable bakband" delivered to the writer's colleague ; refers also to other bonds, etc. Loudon, 16th January [1630],	108
123. Referring again to Lord Napier ; also of the means to be taken to raise money on the writer's account. London, 21st January [1630],	109
124. Regarding the delivery of Menteith's surrender, etc. London, 9th February [1630],.....	111
125. That the change in the Treasurership had been agreed upon and approved by the King. London, 20th March [1630],	112
126. That the King intended to write for him to consult on certain matters. London, 23d March [1630],	113
127. Giving several items of news. London, 3d April [1630],	113
128. Expressing his desire to see Menteith in London. London, 4th April [1630],	114

	PAGE
129. Acquainting him of several matters that had taken place at Court ; that Sir Alexander's colleguac had left the Court to go to Scotland, etc. London, 29th October [1630],.....	115
130. Recommending the "League" to be welcomed home to Scotland, as he had been faithful, etc. Theobalds, 9th November [1630],.....	117
131. That the bearer would communicate certain matters. London, 28th December [1630],	117
132. Desires Menteith to settle matters between his colleguac and the Lord Advocate, so that all cause of public discord may be removed. London, 27th March [1631],	118
133. Sir William Alexander, afterwards Earl of Stirling, to the Countess of Menteith, that her husband was in good health, and had received five hundred pounds of pension from the King. London, 25th May [1631],	119
134. The Same to William, seventh Earl of Menteith, that the King was unwilling a convention should be called to procure money for defraying the expenses of his journey to Scotland, saying he would find it by other means, etc. Portsmouth, 16th August [1631],	119
135. The Same to The Same, complaining of the manner in which the latter had conducted a certain affair for him. Portsmouth, 18th August [1631],...	121
136. Henry Alexander, third son of Sir William Alexander, and afterwards third Earl of Stirling, to William, seventh Earl of Menteith, of certain transactions at Court ; the business between Roxburgh and Buccleuch and Francis Stuart ended, etc. Woodstock, 22d August 1631,.....	122

LETTERS FROM SIR THOMAS HOPE, LORD ADVOCATE, TO WILLIAM, SEVENTH
EARL OF MENTEITH, NOW EARL OF STRATHERN.

137. That the bishops had been summoned before the Council for failing to attend the Commission, etc. Edinburgh, 5th November 1631,	123
138. That the Chancellor was expected in Edinburgh on Thursday, when the writer would present the charter of the fishing to the Council, etc. Edinburgh, 8th November 1631,	124

	PAGE
139. That the signature of the fishings had been passed by the Council ; that he found Lady Strathern greatly offended because she had been disappointed of a sum from the Chancellor for payment to the Earl of Perth, etc. Edinbvrgh, 10th November 1631,	125
140. Regarding the sum dne from the Chancellor referred to in the preceding letter, etc. Edinbvrgh, 11th November 1631,	127
141. Soliciting an appointment then vacant for his son, or in the event of his not obtaining the same, that certain parties whom he names should be kept out of it, etc. Edinbvrgh, 12th November 1631,	129
142. On the same snbject. Edinburgh, 19th November 1631,	132
143. Sir Thomas Hope, Lord Advocate, to the Conntess of Strathern. On the vacancy referred to above. Edinburgh, 21st November 1631,.....	136
144. The Same to William Earl of Strathern, regarding certain matters before the Conncil ; that the Committee anent the teinds was not mnch liked by many noblemen ; again soliciting the vacant office already mentioned for his son. Edinburgh, 7th December 1631,	138
145. The Same to The Same, denying a charge of infidelity to his trust made against him by the Bishop of Moray, and desiring the matter to be investigated. Edinburgh, 22d December 1631,	140
146. The Same to The Same, that he had caused the Act of Snbmission anent the payment of the King's annnity to be ratified ; regarding also a right of patronage in which Earl Marischall and the Earl of Moray were interested; referring further to the case of his own son already mentioned. Edinbvrgh, 24th December 1631,	142
147. The Same to The Same, soliciting for himself the Lordship of Session which he had formerly desired for his son, if it could not be procured for the latter ; desiring also to have a letter "for trying of that devilische calummie of that reverend father of leis." Edinburgh, 5th Jannary 1632,	144
148. The Same to King Charles the First, that he had sent to the Earl of Strathern an account of the proceedings anent the teinds; that he had drawn up a	

	PAGE
letter to be signed by his Majesty anent the rectifying of the under-valuations of the teinds, and thanking his Majesty for conferring upon his son the vacant Lordship of Session. Edinburgh, 28th July 1632,.....	145
149. The Same to the Earl of Airth, that there had been a meeting with the Earl of Traquair, at which a letter of the King's was discussed, and desiring him to be present in Court at the debate on a subsequent day. Edinburgh, 19th January 1635,	147
150. The Same to The Same, that his Lordship's cause had been called, and giving an account of the proceedings in Court. Ediuburgh, 2d July 1635,	148
151. Sir George Hay, Viscount Dupplin, Lord Chancellor of Scotland, to King Charles the First, that the bearer would communicate to his Majesty such matters as he had to tell. Holyroodhouse, 22d May [1632]. [Original at Traquair],	149
152. John Earl of Traquair to King Charles the First, that the Earl of Airth had compeared before the Council and demitted his offices and pension ; and stating what steps the writer had taken in various matters in the King's interest. <i>Circa</i> 1633. [Copies of this and the three following Nos. at Traquair],	150
153. William Earl of Airth to the Commissioners anent his Accusation, denying that he had uttered the treasonable words laid to his charge. Airth, 10th July 1633,.....	152
154. John Earl of Traquair to William Earl of Airth, obliging himself to procure from the King a warrant for Airth's pardon, or to report the matter again to his Lordship. Holyroodhouse, 15th July 1633,.....	153
155. Excerpt from Draft Letter by John Earl of Traquair to King Charles the First, enclosing the submission of the Earl of Airth for his Majesty's perusal, and instructions thereanent. <i>Circa</i> July 1633,	154
156. William Earl of Airth to King Charles the First, thanking his Majesty for marks of his favour, and asking his assistance in paying his cautioners, who were selling his lands, which had been assigned to them in security of their obligations. Airth, 3d April 1634. [Original at Traquair], ...	154

	PAGE
157. The Same to The Same, stating he had attended the Commissioner during the time of the Assembly and Parliament ; that he had watched the movements of a certain officer of State, as commanded by his Majesty, and desiring to know how he should conduct himself in regard to signing the Covenant, most of the Council having signed it, and whether he should give his opinion to the Commissioner although unasked. The King's answer, which is indorsed on the above, is that those who do not sign the Covenant will be more esteemed by him than those who do ; and only to give his opinion if asked. Edinburgh, 20th September 1639,...	156
158. General George Monck to the Earl of Airth, to cut down the woods of Miltou and Glegait (? Glessart) in Aberfoyle parish, which were a shelter to rebels and mossers. Cardross, 17th May 1654. [Original at Gartmore],	158
159. The Same to Lord Kinpont, advising him to refer the difference between himself and Duffra to Colonel Daniel for settlement. Dalkeith, 12th February 1657,	159

FAMILY AND DOMESTIC LETTERS.

160. William Earl of Airth to his cousin, William Grahame of Polder, that he was well pleased with what the latter had done in Lady Kilpont's business ; that Major Middleton had given a warrant to Lord Perth, Tullibardine, and the writer, " to keip the headis of thir countreis." Yll, 12th August 1646. [Originals of Nos. 160 to 167 inclusive at Gartmore],.....	160
161. Sir John Campbell of Glenurchy (father of the first Earl of Breadalbane) to his father-in-law, William Earl of Airth, that his eldest son was seeking to deprive him of his liferent, and desiring the Earl's assistance to set matters right between them. 13th September 1660,	161
162. The Same to The Same. Steps to be taken in the management of his estate, and for provisions for his children, etc. Mochaster, 1st January 1661,	162
163. William, second Earl of Airth, to his cousin, the Laird of Gartmore. Arrangements about money matters. London, 30th September 1662,...	164

	PAGE
164. The Same to The Same, desiring him to send as soon as possible what money he could get, either from the tenants or otherwise. London, 13th November 1662,	166
165. The Same to The Same, that he was ill and in want of money, and desiring a supply to be sent to him. London, 14th April 1663,	167
166. The Same to the Lady Elizabeth Grahame his sister, giving his consent to her marriage with Sir William Grahame of Gartmore, but stating that he had no portion to give her. Edinburgh, 12th October 1663,	168
167. William, eighth Earl of Menteith, to David, second Earl of Wemyss, expressing his regret at being unable to pay the latter. Yle, Menteith, 18th November 1667,	169
168. John Grahame of Claverhouse, afterwards Viscount of Dundee, to William, eighth Earl of Menteith, advising him to settle his affairs and appoint a successor, and giving reasons why that successor should be himself. <i>Circa</i> 1679,	170
169. The Same to The Same, expressing his friendship for him. Dumfries, 14th February 1679,	172
170. James, third Marquis of Montrose, to William, eighth Earl of Menteith, that he had met Claverhouse to-day; that the "fanaticks" in Clydesdale had entered Rutherglen and burned the Declaration and Oaths of Allegiance and Supremacy, and had been pursued by some of Claverhouse's soldiers. Mugdock, 30th May 1679,	173
171. The Same to The Same, that a commission would have been granted to the latter had the Lords not thought his indisposition would prevent him from taking it up, etc. Camp at Muirhead, 19th June 1679,	174
172. Sir James Graham, third son of William, seventh Earl of Menteith, to his nephew, William, eighth Earl of Menteith, that his Royal Highness intended to leave for Scotland soon, and recommending Menteith to pay court to him. London, 25th October 1679,	174
173. William Earl of Menteith to his uncle, Sir James Graham, desiring the presence of the latter and his daughter in Scotland, with the object of an	

	PAGE
alliance between the latter and a certain nobleman whom the Earl had in view, since Sir James had declined Claverhouse's offer. Edinburgh, 18th November 1679,	176
174. The Same to James, third Marquis of Montrose, that he would be in Edinburgh before the 15th instant, and soliciting an infantry command if any forces were raised in Scotland for the King's service. Yle, 4th January 1680,	177
175. James, third Marquis of Montrose, to William, eighth Earl of Menteith, that his Highness was well pleased with the latter's offer to suppress disorderly meetings; he did not, however, feel warranted in granting a commission of himself, but would favourably represent the matter to the Council. Edinburgh, 20th January 1680,	179
176. William, eighth Earl of Menteith, to James, third Marquis of Montrose, urging him to keep his promise to marry the daughter of Sir James Graham. Yle Menteith, 27th May 1680,	180
177. John Grahame of Claverhouse, afterwards Viscount of Dundee, to William, eighth Earl of Menteith, stating that he was extremely grieved he had been turned out of "that business"—his suit for the hand of Miss Graham, and detailing how Montrose had paid his attentions to that lady while having no intention of marrying her, etc. London, 3d July [1680], ...	183
178. The Same to The Same, about Montrose's affair. London, 8th July [1680],	188
179. The Same to The Same, that what he had previously written was only to prevent misrepresentation about himself, and to offer his services for the recovery of Menteith's estates, etc. London, 24th August [1680],	189
180. John Duke of Rothes, Chancellor of Scotland, to William, eighth Earl of Menteith, thanking him for his services in suppressing conventicles and apprehending disorderly persons. Edinburgh, 2d September 1680. [Original at Gartmore],	190
181. William, eighth Earl of Menteith, to James, third Marquis of Montrose, anent a dispute between the latter and Drumakill about the superiorities of certain lands. Ile, 27th June 1681,	191

	PAGE
182. The Same to The Same, that the latter's actings had vindicated his honour and reputation from the unjust accusations of some seditious persons, who said that he desired to build up his own family on the ruins of Menteith's; that the writer was unwell, and thought he would be unable to go to Parliament. Ile, 27th June 1681,.....	193
183. The Same to The Same, that he had resolved to be in Edinburgh at the meeting of Parliament, and desiring the latter to borrow for him some Earl's robes. Ile, 27th June 1681,	195
184. William, eighth Earl of Menteith, to Colonel Graham, brother to the Viscount Preston, that he was much obliged to him and to his brother the Viscount, and that he had signed the borebrief. Isle of Menteith, 4th July 1681. [Copy],	196
185. Isabella, wife of Sir James Graham, to William, eighth Earl of Menteith, that as the latter had been pleased to propose a marriage between Claverhouse and her daughter, she desires to know what steps he would take towards recovering the lands of his ancestors, with the view of settling them upon her daughter in the event of the marriage taking place. London, 15th July 1681,	197
FIVE LETTERS FROM JOHN GRAHAM OF CLAVERHOUSE, AFTERWARDS VISCOUNT OF DUNDEE, TO WILLIAM, EIGHTH EARL OF MENTEITH.	
186. Denying that he had traduced him to the Earl of Lauderdale; he was glad to hear he had written to Lady Graham, etc. London, 1st October [1681],	198
187. Thanking him for writing to Lady Graham and her daughter anent his suit; he thinks the letters, however, not quite suitable, and desires him to write new letters to the same purpose, etc. London, 1st October [1681],	201
188. That he had been anxious to let him know how Montrose had been using him (Menteith); he had bought an infertment from Mr. Riven on the barony of Drummond; desires to have his suit pressed. Edinburgh, 11th December 1681,.....	203

	PAGE
189. That he had nothing worth writing ; there was a "water" rising between him and the other half of his party. Newton of Galloway, 17th February 1682,	204
190. Desires the Earl to meet him at Bille ; to send nobody to Ireland, and take no new measures until he should see him. Newton of Galloway, 1st March 1682,	205
191. John Master of Stair to William, eighth Earl of Menteith, that the Marquis of Montrose was no longer an object of resentment, but rather of grief ; advises him to come home privately and he would find no disturbance in Menteith. Edinburgh, 25th April 1684. [Originals of this and the following No. at Gartmore],	205
192. William, eighth Earl of Menteith, to Mr. John Smart, writer, Edinburgh, that he had written his wife begging her to come home, and had sent to him the two duplicates of a contract and bond for six hundred merks for her use yearly, in order that he might deliver them to her if she would consent to return home, but if not, to send them again to Menteith. Stirling, 17th March 1687,	206

ABSTRACT OF MENTEITH CHARTERS.

	PAGE
1. Charter by King William the Lion, confirming to William Noble the two carucates and two oxgates of land in Kenpunt, that Henry de Bohon, Earl of Hereford, gave to him; and also the whole land in Illeustune that Geroud held, which the foresaid Henry de Bohon, Earl of Hereford, gave to the foresaid William Noble: To be held by him and his heirs of the foresaid Henry and his heirs as freely as the Earl's charter bore, reserving the King's service. Witnesses, Oliver the King's chaplain, William de Boscho his clerk, and others. Clackmannan, 28th May <i>circa</i> 1200, ...	207
2. Charter by Ralph Noble, knight, son of William Noble, granting to David of Graham, and Agnes his spouse, for his homage and service, the half of the demesne lands of Kentpunt, in the territory of Kentpunt: To be held by them and the survivor of them, their heirs or assignees, heritably for ever, free of all ward and relief, etc. <i>Circa</i> 1245,	207
3. Charter by Thomas Noble, son of Sir Ralph Noble, with consent of Ralph his father, Ralph his brother, and others his friends, granting permission to Sir David of Graham and Agnes his spouse, and their heirs or assignees, if they so inclined, to hold the lands in Iliveston, which they held heritably of him, of Sir Humphrey de Bohn, Earl of Hereford, and his heirs; and engaging for himself and his heirs in that event to endeavour to procure the said Earl's consent to their holding the said lands of him and his foresaids in peace, etc. 30th January 1255,	209
4. Resignation by Ralph Noble, son of Sir Ralph Noble, with consent of his said father, in favour of Thomas his brother, of all the lands he had held in the town of Yliuestoun by gift of Sir Ralph his father, with all claim he had to the said lands; the granter, moreover, for himself and his heirs, agrees not to gainsay the gift which his brother Thomas made the same day of the said lands to Sir David of Graham and Agnes his spouse. 30th January 1255,.....	210

	PAGE
5. Charter by Walter Comyn, Earl of Menteith, confirming a charter by Alexander of Strinilyn, knight, for the welfare of his soul and the soul of Ermengarde, daughter of King Alexander, granting to the church of St. Thomas the Martyr of Aberbrothoc, and to the monks serving God there, in perpetual alms, a half stone of wax yearly for the lighting of the said church, to be paid at the fair of Montrose by the granter's provost for the time, in Laurestun, which Walter Earl of Menteith had given to the said Alexander. <i>Circa</i> 1240,.....	212
6. Charter by Sir John Russell and Isabella his spouse, Countess of Menteith, to Sir Hugh of Abynethine and his heirs or assignees, for his service and fealty, of a twenty pound land of reasonable extent in the territory of Aberfoyle, on the west side of Forth : To be held by the said Sir Hugh and his heirs or assignees, of the granters and their heirs, as freely as they ever held or could hold them, for rendering yearly at the feast of St. James a young sparrow-hawk or six pennies, reserving to the King the forensic service pertaining to so much land, and to the granter and his heirs the advowson of the kirk of Abirful (Aberfoyle). <i>Circa</i> 1260, ...	213
7. Inspeximus by King Henry the Third of England, dated at Windsor, 20th September 1261, certifying that he had examined a writ under the seals of Alexander, son of the King of Scotlaud, Gilbert Earl of Strathern, Malcolm Earl of Fife, and William de Bosco, Chancellor, narrating an amicable convention, dated at Edinburgh, 6th December 1213, made between Maurice Earl of Menteith and Maurice his younger brother, on a dispute between them respecting the earldom of Menteith, which Maurice the younger claimed as his right and heritage ; to wit, the foresaid Earl Maurice resigned in the hands of King William the earldom of Menteith, and the King delivered it to Maurice the younger as his right, but Maurice the elder was to hold by bailliery of the King two towns, namely, Muylne and Radenoche, also Tum, Cattlyne, Brathuli and Cambuswelhe, which Maurice the younger delivered to the King for the use of Maurice elder for his lifetime, to return to Maurice younger on his brother's death ; and Maurice the younger delivered to Maurice the elder, for marrying his daughters, Savelime, as the said two brothers held it, with Mestryn, Kenelton, and Stradlochlem, ...	214

- | | PAGE |
|--|------|
| 8. Inspeximus by King Henry the Third of England, dated at Windsor, 20th September 1261, certifying that he had examined a charter dated at Edinburgh, 7th December 1213, under the seal of William King of Scotland, confirming a convention made in his full court at Edinburgh between Maurice the elder of Menteith and his brother Maurice the younger, respecting the earldom of Menteith, which the latter claimed as his right, and which the former resigned in his favour,..... | 215 |
| 9. Charter by Walter Stewart, Earl of Menteith, whereby, for the welfare of the souls of his predecessors buried in the Abbey of Paisley, he confirmed to St. James and St. Mirin of Paisley, and to the monks serving God there, the gift which Dufgall, the son of Syfyn', made to the said monks, before he conveyed the land of Schyphinche to the said Earl, of the Church of St. Colmanel (Kilcalmonell), situated within the foresaid land, with an acre of land belonging to the said church, together with the chapel near the Castle of Schyphinche : To be held by them in free and perpetual alms. Witnesses, Finlay of Stragrif, John of Irschyn, knights, and others. The Park of Irschyn, the Thursday next after the Feast of St. Hilary, 19th January 1262, | 216 |
| 10. Charter of Confirmation by King Alexander the Third, of the gift which Walter Stewart, Earl of Menteith, with consent of Mary his spouse, Countess of Menteith, made to Gilbert, son of Gilbert of Glenkerny, knight, of the half of the town of Broculy, with the pertinents, namely, the half lying on the east side towards the marches of Eglysdissentyne : To be held by the said Gilbert and his heirs of Earl Walter and Mary his spouse, in fee and heritage, saving the King's service. Obeyue, 14th August 1267, | 217 |
| 11. Retour of Inquest made by Walter Stewart, Earl of Menteith, Sheriff of Dumbarton, proceeding on a brieve from King Alexander the Third, by which the said Sheriff found that Mary, wife of John of Wardrobe, Helen, wife of Bernard of Erth, and Forveleth, wife of Norrin of Monorgund, daughters of the deceased Finlai of Camsi, were the lawful heirs of the late Dufgal, brother of Maldonen Earl of Lennox, descending lineally from Malcolm, brother of the said Dufgal, and grandfather of the | |

	PAGE
foresaid ladies, and that the said Dufgal had no married wife. Done at Dumbarton, the Wednesday after the Feast of St. Dunstan the Archbishop, 15th May 1271,.....	217
12. Bond by Patrick Earl of Dnnbar, Patrick, John, and Alexander his sons, Walter Stewart, Earl of Menteith, Alexander and John his sons, Robert of Bruce, Lord of Annandale, and Robert of Bruce, Earl of Carrick, and Richard of Bruce his sons, James, Steward of Scotland, and John his brother, Enegns, son of Dovenald, and Alexander his lawful son, whereby they engage to adhere to Sir Richard de Burgh, Earl of Ulster, and Sir Thomas of Clare in all their affairs, and to stand faithfully by them and their accomplices against all their adversaries, saving their fidelity to the King of England, and also to him who should obtain the kingdom of Scotland by reason of relationship to Alexander King of Scotland last deceased. At Turnebyry in Carrick, on the eve of St. Matthew, 20th September 1286,	219
13. Charter by Walter Stewart, Earl of Menteith, granting to the Abbey of St. Mary and St. Wynnin of Kylwyning in Cunningham, and to the monks serving God there, the church of Kylmachornat in Knapdale, with the chapels of St. Mary in Cuapro and St. Michael in Inwerlaxo, and three pennies worth of land in Riventos annexed to the church of Kylmachornat, in pure and perpetual alms, for the welfare of the granter's soul, the soul of Mary his late spouse, Countess of Menteith, and the souls of all his predecessors and successors. <i>Circa</i> 1290,.....	220
14. Grant by King Edward the First of England to William, son of John Comyn, of the keepership of the Forest of Traquair and Selkirk during the King's pleasure, in the same manner as Simon Fraser, lately deceased, held it in his lifetime. Westminster, 15th January 1292, ...	221
15. Letters by King Edward the First of England to John King of Scotland, bearing that he had granted the marriage of Isabella Comyn, relict of William Comyn, which happened while he held the kingdom of Scotland as overlord, to his faithful subject Edmund de Hastings, and requiring King John to absolve the said Isabella from an oath he had extorted from her not to marry without his permission. Newcastle-on-Tyne, 5th January 1293,	221

	PAGE
16. Letters by King Edward the First of England, appointing Alexander Earl of Menteith to take, on behalf of the King, the castles, fortalices, islands, lands, and tenements belonging to Alexander of Ergeyl, and also those belonging to John, eldest son of the said Alexander, and to have the keeping of them during the King's pleasure, the surplus over after keeping the former to go to the said Alexander, and the surplus of the latter to go to the King's exchequer at Berwick. Berwick, 10th September 1296, ...	222
17. Charter by Alan Earl of Menteith, son of Sir Alexander Earl of Menteith, to Sir Walter of the Akynhewyde, knight, for his homage and service of the lands of Thome in Menteith : To be held of the granter and his heirs for rendering the King's forensic service pertaining to the said land. <i>Circa</i> 1305,	223
18. Letters by John of Berclay, Lord of Crauford, whereby he agrees to grant to Malise of Menteith an abatement of part of the eight marks he was bound to pay him for the lands of Tulumadich and Cragis, when, in consequence of the lands being destroyed by the English, or otherwise, he should be unable to uplift the whole from the said lands. Aberdeen, 11th June 1309,	224
19. Charter by King Robert the Bruce, granting to Walter Fleming, son of William Fleming of Barruchan, knight, for his homage and service, half of the mill of Kettenes, the third part of the land of Petenr, a brewhouse and orchard in the town of Kettenes, with four acres of land of the said town assigned to the brewhouse, a cot in the west of the town, a smithy and 23s. of silver yearly to be uplifted in the mill of the barony of Essy : To be held by the said Walter and his heirs of the King and his heirs, in fee and heritage, for rendering the eighth part of the service of a knight in the King's army, with the Scottish service due and wont, and the proportion of a suit to be rendered for the barony of Kettenes in the Sheriff-Court of Forfar. Witnesses, Bernard abbot of Abirbrothoc, John of Meneteth, etc. Abirbrothoc, 20th March, ninth year of reign, 1315, ...	224
20. Charter by Murdach Earl of Menteith, son of Alexander, sometime Earl of Menteith, to Sir Walter of Menteith, son of Sir John of Menteith, and	

- his heirs and assignees, of the whole land of Thom, in the earldom of Menteith, the marches beginning from the water of Teith and going by the marches of the town of Dune as far as the marches of Conulath, with four merks of land formerly lying in Conulath, the lands of Thom on the south, with the lands of the three Lanarkynys in Menteith, and so going by the marches of Seskentuly, Bucopill, and Thorri, as far as the water of Teith on the west side, and descending by the said water to the marches of the town of Dune : To be held by the said Sir Walter and his heirs of the Earl and his heirs, in fee and heritage, with the fishings of the water of Teith so far as the lands of Lanarkynys and Thom extend, for rendering to the King forensic service pertaining to the said lands, and to the Earl and his heirs three suits at their three head courts of Menteith. *Circa* 1330. [Original in the Gleneagles Charter chest]..... 225
21. Charter by Mnrdach Earl of Menteith, granting to Gilbert of Drommund, for his homage and service, the east half of the town of Buchchoppill, lying next to the land of Busby, in the earldom of Menteith : To be held by the said Gilbert and his heirs and assignees of the Earl and his heirs, in fee and heritage for ever, for rendering to the King the forensic service pertaining to the said land, and three suits at the three head courts of Menteith yearly ; provided that in case the said Gilbert should predecease Matilda his spouse, she should enjoy the said lands of Buchchoppill during her lifetime ; in case of his death without a lawful heir-male of his body, the said land to go, after the death of the said Matilda, to Elen, daughter of the said Gilbert, and the heirs-male of her body ; whom failing, to ElysaBeth, Johanna, and Anabel her sisters successively, in the same manner ; whom all failing, the lands were to revert to the said Gilbert of Drommund and his heirs. *Circa* 1330, 227
22. Charter by Mnrdach Earl of Menteith to Robert of Logi, son of the deceased Malise of Logi, for his homage and service, of his whole land of Easter Broenlli in Menteith : To be held by him and his heirs of the Earl and his heirs in fee and heritage, for rendering the King's forensic service, and three suits every year at the three head courts of the earldom of Menteith. *Circa* 1330, 229

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| 23. Charter by Johanna of Menteith, Countess of Strathern, to John, son of Walter, of the lands of Gellow, in the barony of Kortachy and shire of Forfar : To be held by him and his heirs whomsoever of the granter and her heirs, in fee and heritage for ever, for payment yearly of one penny of silver at the manor-place of Kortachy, in name of blench farm, if asked only. <i>Circa</i> 1330, | 230 |
| 24. Notarial Instrument, narrating that, on the 30th October 1343, in the parish church of St. Mary Magdalene, Milk Street, London, in presence of a notary and witnesses, compeared Mr. John Feuere, as procurator for Bertold of Lon, in the diocese of Cologne, and for a noble woman, Philippa de Moubray, and craved of Sir John of Bridge and John of Evesham, priests there present, whether they knew of any contract of marriage between the said Bertold and Philippa, whereupon the said John of Bridge said he was present in the house of John of Weston in Temsestrete, on the Wednesday after the Feast of St. John the Baptist, 1338, when the said Bertold contracted marriage with the said Philippa, saying, "I Bertold de Lon take thee Philippa of Moubray for my wife," etc., and she responded in similar terms ; and the said John of Evesham expressly declared that the said Philippa, when ill and despairing of her life, confessed to him that she had no right to her pretended husband Thomas of Westoun, because she was previously contracted to the said Bertold of Lon ; and that he, the said John, enjoined her to leave the said Thomas and cleave to the said Bertold. Done in the Church foresaid, 30th October 1343, | 232 |
| 25. Disposition by John of Menteith, Sheriff of Clacmanane, to John Mercer, burgess of Perth, of all right and claim which he had in the wards or reliefs of the lands of the deceased Sir William of Moray, Lord of Tolihardy, granted to the said John of Menteith by Sir William Earl of Sutherland and Lady Jean his spouse, Countess of Stratheryn ; together with all right he had to an annualrent from Petwer and Aldy, through Christian More, spouse of the deceased Reginald More, for a sum of money paid to him ; with clause of warrandice against the said Earl of Sutherland and Countess of Stratheryn. Dated at Perth, Thursday after Whitsunday 31st May 1352, | 234 |

PAGE

26. Charter by John of Menteith, Lord of Cnappodol and Aran, to his trusty kinsman Gilleasbeg Cambel, Lord of Lochow, and his heirs and assignees, of lands in Knapdale, namely, the penny land of Ardnanno, Ervergy, Ariluyg and Arierech, the farthing land of Bercorari, penny land of Leachenaban, Drumlynd and Craglyne, farthing land of Obinhan, penny land of Bealalach, Conardari, Kyllmychel and Cragabyach, and others therein specified : To be held by the said Gillcasbeg and his heirs and assignees of the granter and his heirs, in fee and heritage, with ward and relief of the same, for payment yearly of a penny sterling at Martinmas, if asked. The charter further grants that if thieves or robbers happened to be arrested on the said lands, the said Gillespie and his foresaids should have full power to sell and banish them, save that, if adjudged to death, they should be brought back to the granter's court and gallows to be hanged. Castle Suffyn (Swine), on the vigil of St. Andrew [29th November] 1353, 235
27. Letters by Pope Innocent the Sixth, directed to the Bishop of Aberdeen, dispensing with the impediments to the marriage of Thomas Earl of Mar and Margaret, daughter of the late John Earl of Menteith, who were related to each other in the fourth degree of consanguinity, and declaring the issue of the marriage to be legitimate. Villa Nova, in the diocese of Avignon, 29th May, second year of pontificate [1354], 237
28. Charter by King David the Second, whereby, on the narrative that, at the suggestion of certain persons, he had formerly taken into his hands the lands of Strongartney, then within the shire of Perth, but now in the shire of Stirling, from John of Menteith, knight, then in full and peaceful possession thereof, and had infested the deceased John of Logy in the same; and calling to mind that the King his father granted heritably the said lands, which fell to him by the forfeiture of John of Logy, knight, father of the said John of Logy, in free barony to the late John of Menteith, knight, father of the foresaid John of Menteith, and Elen of Mar his spouse, King Robert's niece, conjointly, and their heirs in free marriage, and that they died lawfully seised in the said barony, his Majesty granted to the said John of Menteith, knight, his kinsman, the same state of the

	PAGE
foresaid barony of Strongartney as he had by tenor of the said charter ; and restored him to the same possession as he had before the gift to the late John of Logy, which the King had revoked in the first Parliament after his deliverance from England. Dundee, 5th April [1359]. [Acts of the Parliaments of Scotland, vol. i. p. 564],	238
29. Agreement made in presence of Sir Robert of Erskine and Sir Hugh of Eglynton, justiciars of Scotland, Sir Patrick of Grame and others, between John of Dromund, on the one part, and John of Menteith and Alexander of Menteith, brothers of the deceased Walter of Menteith, on the other part, for stanching of feuds and dissensions, and restoring concord among them, in manner as follows : That to make amends for the slaughter of the deceased Walter of Menteith, and Malcolm and William his brothers, their men and adherents, by the said John of Dromund and his men and adherents, and for all felonies and injuries done by him, Maurice his brother, and Walter of Moray, and the said John's men and adherents, to the said brothers and their kin and friends, the said John of Dromund granted and confirmed, by charter and infeftment, to Alexander of Men- teith and his heirs, the whole land of Rosneath, in the earldom of Lennox, with clause of warrandice, in terms of the charter made thereanent, expressly granting that though mention was made in the charter of homage and service, in the usual terms, the said Alexander should only be held bound for homage and suit of Court ; also, that in case the said Alexander should prefer a nearer heir of his deceased brother Walter to succeed to him in the said heritage rather than his own offspring, although he had lawful issue of his own, the said John would admit such nearer heir as heir-assignee ; and also for himself, Maurice his brother, Walter of Moray, and his kin and friends, discharged all rancour and enmity, action and suit against the other contracting parties, for all felonies, transgressions, etc., done by them to his or their injury ; and in special, that Ghillaspic and Kessan, called Macghilecharrick, Donald son of Gilbert, Duncan son of Nigel, and others concerned in the slaughter of Brice the procurator, should be free from all pursuit by the said John, Maurice his brother, and Walter of Moray, on account of the same ; and	

PAGE

Finlay, son of Ay, should in like manner be free. On the other hand, the said John and Alexander of Menteith, for themselves, their heirs, and for the heirs of the deceased Walter, remitted all rancour, enmity, action and suit against the said John of Dromund, Maurice his brother, and Walter of Moray, and others their relatives and friends, and engaged that they should be free from all injury at their hands, on account of the said slaughters, for ever, Ghillaspic Cambel and Colin his son, with their men, being excluded from the foresaid obligation, as the said John and Alexander cannot bind them ; and the said brothers, and Walter of Buchanan their nephew, bind themselves, in case the said Ghillaspic or Colin should rise against the said John of Dromund and his men, to stand constantly by him with all their following against the said Ghillaspic or Colin. They also engaged to cause the heir of the deceased Walter, when he came to lawful age, to grant similar letters to the said John Dromund ; failing which, Rosneath to revert to John of Dromund, etc. ; and for faithful observing of the premises, the foresaid John and Alexander of Menteith and Walter of Buchanan, on the one part, and the said John of Dromund, Maurice of Dromund, and Walter of Moray, on the other part, gave their bodily oath. Further, the Steward of Scotland, Earl of Stratheru, for himself and his heirs, as chief of the clan on either side, the Earls of Douglas and Angus, and Sir John of Menteith, Lord of Arran, remitted all rancour, suit, and action against the said John of Dromund, Maurice his brother, and Walter of Moray, for the death of the said Malcolm and William of Menteith ; and both parties agreed to rise against the party breaking the agreement, etc. Done on the banks of the Forth beside Stirling, 17th May 1360. [Original at Drummond Castle], 239

30. Charter by King David the Secoud, confirming the grant [uudated] which Margaret of Moray, Countess of Menteith, made to John of Dromynd of Concrag of the lands of Aberfoyle, with the pertiuents, in the earldom of Menteith, as freely in all respects as the charter of the said Countess to the said John bore : To be held by him and the offspring begotten between him and the said Countess, and the heirs and assignees of the said offspring. Scene, 12th November, thirty-second year of reign [1361], 246

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| 31. Charter by King David the Second to Bartholomew of Loen, knight, for his homage and service, and to the King's kinswoman, Philippa of Moubray his spouse, of the whole barony of Barnebugale, with the pertinents in the shire of Edinburgh and constabulary of Linlithgow, which barony John of Grahame, Earl of Menteith, and Mary his spouse, resigned in the King's hands at Perth, in a Council held there on the 3d of May, the seventeenth year of his reign, for remission of 2000 merks sterling due to the King by the said John and Mary by reason of marriage and relief : To be held by the said Bartholomew and Philippa his spouse, and their heirs and assignees, of the King and his heirs, in fee and heritage, for rendering the service of an archer or bowman when required thereto. And in case any of the heirs of the said John and Mary should contravene their renunciation, or this grant, the said 2000 merks should be paid to the grantees before entering on any lawsuit, for which payment it should be lawful to distrain the earldom of Menteith. Abirbrothoc, 6th January, thirty-second year of reign [1361]. [Original at Dalmeny], | 247 |
| 32. Charter by Robert the Steward of Scotland and Earl of Strathern to his kinsman Maurice of Drommunth, of the dominical lands of Drommane and Tulychravin with the pertinents, in the earldom of Strathern : To be held by him and his heirs and assignees, of the granter and his heirs, in fee and heritage, for rendering a pair of gilt spurs yearly, in name of blench farm, if asked only. Methven, <i>circa</i> 1362, | 249 |
| 33. Letters of Baillery by Robert Steward of Scotland, Earl of Strathern and Baron of Renfrew, with consent of John Stewart, Earl of Carrick, his eldest son and heir, appointing Alan of Lawedir his bailie in the lands of Byrkynsyde and others in Berwickshire. Perth, 16th October 1369. [Originals of Nos. 33 and 34 <i>penes</i> William Fraser, Edinburgh], | 250 |
| 34. Indenture between Sir Robert Stewart, Earl of Menteith, and Lady Isabella, Countess of Fife, by which it was agreed that the Earl, whom the Lady Isabella acknowledged as her true and lawful heir-apparent, should faithfully employ his utmost diligence and all his influence to recover to the Countess the carldom of Fife, which she had resigned through force and fear, and to help her in all her affairs, and behave to her as if she were | |

	PAGE
his mother ; and that, on the said earldom being recovered, and the Lady Isabella infest therein, she should immediately resign the same in the King's hands in favour of the said Earl, etc. [see translation, <i>infra</i>]. Perth, 30th March 1371,	251
35. Translation of the preceding indenture,	254
36. Obligation by Patrick of Graym, son and heir of Sir David of Graym, knight, Lord of Dundaff, by which he became bound to find and support an efficient chaplain, with all necessary furnishings pertaining to him, to say mass for evermore in the parish church of Donbrethan (Dumbarton), at the altar of the Holy Rood, for the soul of Isabella Flemyng, sometime Lady of Dalnottyr, and for the souls of her parents and her offspring, and of all the faithful dead, under which obligation the foresaid Isabella had given to him the land of Kyllemonethdam and Kyllerman, in the earldom of Lennox ; and the said Patrick became bound, for himself and his heirs, in the event of their failing to find the said chaplain, to pay £20 sterling of penalty to the fabric of the High Kirk of Glasgow, subjecting himself and his foresaids to the jurisdiction of the Bishop of Glasgow or his official therein. Glasgow, 10th February 1372,.....	256
37. Indenture between Robert Stewart, Earl of Fife and Menteith, and Lady Margaret his spouse, on the one part, and Sir Bertold of Loen, knight, Lord of Barnebugall, and Lady Philippa of Moubray his spouse, on the other part, for a marriage to be contracted between David, son and heir of the said Bertold and Philippa, and Jonet Stewart, daughter of the said Sir Robert Stewart, Earl of Fife and Menteith, and of Lady Margaret his spouse, whereby the said Bertold and Philippa engage to supply the said David and Jonet with all things necessary for their honourable sustenance ; and in the event of their surviving the said Bertold and Philippa, they, or the survivor of them, and the heirs of their bodies, should enjoy the whole heritage belonging to the said Bertold and Philippa his spouse by reason of his said spouse ; but on failure of them and their heirs foresaid, the whole heritage to revert to the lawful heirs of the said	

	PAGE
Philippa ; and the said Earl became bound to aid the said Bertold with all his power and influence to recover all the lands he might claim by heritable right, through his foresaid spouse, in the kingdom of Scotland. Edinburgh, 20th July 1372,	258
38. Bond of Maintenance by Robert Stewart, Earl of Fife and Menteith, whereby he becomes bound to assist with his best counsel and help Sir Bertold of Loen, knight, in recovering all heritable lands which he desired to claim by heritable right through Lady Philippa Moubray his spouse, within the kingdom of Scotland ; and also to aid and maintain him in all his just possessions against all men, except the King, the Earl's brothers, the Earl of Douglas, Sir James his son, and Sir Archibald of Douglas, knights, and his own proper cause. Castle of Stirling, 25th November 1375,	260
39. Deliverance in form of Indenture by Andrew Mercer, Lord of Mekylhour, in a submission made to him by Sir Robert Stewart, Earl of Fife and Menteith, and John of Logy, Esquire, son of Sir John of Logy, knight, of the debate and question between them respecting the lands of Logy and Stragartnay, whereby he ordained the said Earl to freely surrender and upgive the said lands to the said John of Logy. Both parts of this indenture sealed with the seal of the said Andrew, and dated Monday before Whitsunday, [15th May] 1385,	260
40. Charter by Patrick of Grahame, Lord of Kyncardyn, with consent of his son and heir Sir William of Grahame, knight, to Patrick of Grahame his son, by Eufemia his wife, of his lands of Kynpunt and Yilefiston with the pertinents, in Lothian, in the shire of Edinburgh and constabulary of Linlithgow : To be held by him and the heirs-male of his body ; and in case of the decease of the said Patrick without heirs-male of his body, the charter destines the said lands to pass to Robert, David, and Alexander of Graham, brothers of the said Patrick, and the lawful heirs-male of their bodies successively ; whom failing, to any heir-male of the bodies of the granter and his spouse Eufemia ; whom all failing, the lands to revert to the granter's heirs whomsoever : To be held for rendering the King's service pertaining to the said lands, and for payment yearly to the	

	PAGE
granter and his heirs of a penny of silver in the chapel of St. Peter of Kynpunt at the feast of St. Peter <i>ad vincula</i> in name of blench farm, if asked only. <i>Circa</i> 1389,	262
41. Charter of confirmation by King Robert the Second of the immediately preceding charter. Montrose, 26th January, eighteenth year of reign [1389]. [Originals of Nos. 41, 42, and 43 in Logiealmond Charter-chest],	264
42. Letters by Robert Earl of Fife and Menteith to the inhabitants of the lands of Stragartnay, charging them to answer and obey John of Logy as their true and lawful lord in time to come. Perth, 22d March 1390,	265
43. Letters by Murdaeh Stewart, Lord of Aphane, justieiar north of the Forth, certifying that he had delivered two men, named Donald Schethsoun and Neuen Donaldson, to be tried in the court of the regality of Logy, on the claim of John of Logy, lord of that Ilk, who produced in support of his claim a charter by David the Second, King of Scots, dated 26th July, in the thirty-ninth year of his reign, with a confirmation thereof by Robert the Third, King of Scots, dated 6th October, seventeenth year of his reign, granting to the said John the said lands of Logy in free regality. Perth, 20th May 1392,	266
44. Charter by Robert Duke of Albany, Earl of Fife and Menteith, to William Olifaunte, son of Walter Olifaunte of Kelly, knight, for his faithful service rendered and to be rendered to the granter of all his lands of Treyen-terrafte of Kippen, in the earldom of Menteith and shire of Perth, which lands belonged to the said Walter, and were resigned by him at Falkland: To be held by the said William and his heirs, of the duke and his heirs, in fee and heritage for ever, for rendering such service as Walter his father or his predecessors had rendered to the duke and his predecessors before the said resignation. Falkland, <i>circa</i> 1399,	270
45. Charter by Eufamia Stewart, Countess Palatine of Stratheryn, confirming a charter without date, by her father, David Earl Palatine of Stratheryn and Earl of Caithness, granting to his kinsman, Sir Robert Stewart, knight, for his homage and service, the lands of Buchanedy, Ladegrene,	

	PAGE
and Corp, with their pertinents, in the earldom of Stratheryn and shire of Perth : To be held by the said Sir Robert and his heirs, of the granter and his heirs, in fee and heritage, for rendering the services due and wont. Perth, 2d March 1400. [Original at Gartmore],	271
46. Charter by Robert of Menteith, Lord of Rusky, granting to his dearest and well-beloved Margaret, daughter of Sir Duncan, Earl of Lennox, for her lifetime, in name of dowry, all his lands of Ardewnane, Strathachi, and Ardmernak, with all freedoms, easements, and emoluments, as fully contained in his indentures made to the said Margaret thereupon : To be held as freely as the granter himself held them. Inchemoryne, 29th March 1403,	272
47. Extract Charter by Robert Duke of Albany, Earl of Fife and Menteith and Governor of Scotland, under his Great Seal of office, confirming a charter by Patrick of Grahame, Earl of Strathern, with consent of Eufamia his wife, to his kinswoman, Eufamia of Lindesay, daughter of Sir Alexander of Lindesay, sometime Lord of Glenesk, knight, of an annual-rent of five pounds Scots from his two towns of Kinkell, in the shire of Perth : To be held by the said Eufamia during her lifetime, with power to her and her deputy to distrain for the said annualrent if it were unpaid. The charter is dated at Perth, 6th December 1406, and the confirmation, which reserves the King's service due and wont, is dated at Perth, 15th December 1412,	273
48. Charter by Patrick Earl Palatine of Strathern, confirming a charter without date, by David Stewart, Earl Palatine of Strathern, granting to his kinsman, Maurice of Dromund, for his faithful service, the office of stewardship of the earldom of Strathern : To be held by him, his heirs and assignees, with the fees and customs thereof due and wont, for rendering a sufficient ox at Martinmas, if asked. Perth, 14th February 1408, ...	276
49. Indenture between Robert Duke of Albany, Earl of Fife and Menteith, Governor of Scotland, and Archibald Earl of Douglas, Lord of Galloway and Annandale, by which they bind themselves to support each other against all deadly, the King only excepted ; with provisions for settling any controversies that might arise between them, or any riot amongst	

PAGE

- their men, or any rebellion or disturbance that might be caused by the sons or brothers of either contracting party. The indenture to expire in case the Duke should in time succeed to the estate of King, but friendship still to be kept between them. Provision was also made for admitting Robert Stewart of Fife, Walter Stewart of the Lennox his brother, and Archibald of Douglas and James of Douglas, sons of the Earl, or any of them, to this band, in case they "will be gouernit eftir the counsel ande the ordinance of the saide lordis thair faderis." Inverkeithing, 20th June 1409, 277
50. Contract in form of Indenture between Robert Duke of Albany, Earl of Fife and Menteith and Governor of Scotland, and John Stewart, Earl of Buchan and Chamberlain of Scotland, on the one part, and Sir Archibald Earl of Douglas, Lord of Galloway and Annandale, on the other part, by which it was agreed that the said John Earl of Buchan should marry Elizabeth of Douglas, daughter of the said Earl of Douglas; and that the said parties should purchase the Pope's consent to the fulfilling of the marriage with all goodly haste, the Earl of Douglas becoming bound to infest the said John and Elizabeth, and the lawful heirs of their bodies, whom failing, the lawful heirs-male of the body of the said John, in 200 merks' worth of land, viz., the lands of Stewartoun and Ormysheucht, in the barony of Cunningham and shire of Ayr; whom all failing, the lands to revert to the Earl of Douglas and his lawful heirs whomsoever; and the Earl of Buchan became bound to give in dowry to the said Elizabeth 200 marks' worth of land of free rent yearly, etc. Perth, 21st July 1410. [Original *penes* William Fraser, Edinburgh], 281
51. Charter by Eufamia, Countess Palatine of Stratherne, in her pure and lawful widowhood, granting to her brother Alexander the Grame, son of Sir William, Lord of Grame, for his good and faithful service, the lands of Calandermore and Calanderbeg, in the earldom of Strathern: To be held by the said Alexander and his heirs and successors, of the Countess and her heirs and successors, in fee and heritage, for ever, for rendering of homage, service, ward and relief, and three suits at her three head courts within Strathern. Perth, 13th July 1414..... 283

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| 52. Charter by Robert Duke of Albany, Earl of Fife and Menteith and Governor of Scotland, to William of Hay of Errol, Constable of Scotland, of the lands of the barony of Colly, with the pertinents, in the shire of Kincardine, which belonged heritably to William Fraser of Philorth, and had been resigned by him : To be held by the said William Hay and his heirs, of the King and his heirs, in fee and heritage, for ever, for rendering the services due and wont. Falkland, 14th May 1415, | 285 |
| 53. Precept by Murdach Duke of Albany, Earl of Fife and Menteith, Governor of Scotland, to William Bishop of Glasgow, Chancellor of Scotland, directing that a charter be made under the Great Seal in favour of William Lord of Grahame, of the barony of Dundaff in the shire of Stirling, and the superiority of the lands of Kynpont, Elotstoun, Cliftoun, and Poum-fraystoun, in the constabulary of Linlithgow and shire of Edinburgh. Stirling, 8th January 1421, | 286 |
| 54. Charter by Murdach Duke of Albany, Earl of Fife and Menteith, under his Great Seal of office, to his kinsman, William Lord of Grahame, knight, of the lands of the barony of Dundaf with the pertinents, in the shire of Stirling ; also of the superiority of all the lands of Kynpunt, Elotstoun, Clyftoun, and Ponfraistoun, with the pertinents, in the constabulary of Linlithgow and shire of Edinburgh, which lands and superiority belonged to the said Lord of Grahame, and were resigned by him : To be held by the said William Lord of Grahame and Patrick of Grahame, son and heir of the deceased Alexander of Grahame, son and heir of the foresaid Lord of Grahame, and the heirs-male of his body ; whom failing, by Alexander of Grahame, second son of the said deceased Alexander, and the heirs-male of his body ; whom failing, by John of Grahame, son of the foresaid William Lord of Grahame, and the heirs-male of his body ; whom failing, by Robert of Graham, son of the said William Lord of Grahame, by his second spouse, Marion Countess of Angus, the granter's kinswoman, and the heirs-male of his body ; whom failing, successively by Patrick, William, Henry, and Walter, second, third, fourth, and fifth sons of the said William and Marion, and the heirs-male of their bodies ; whom all failing, the lands and superiority to revert to the nearest lawful heirs-male | |

	PAGE
of the said William Lord of Grahame, whomsoever, bearing the surname and arms of Grahame, of the King and his heirs, in fee and heritage, for ever, for rendering the services due and wont ; reserving to the foresaid Marion Countess of Angus her conjunct fee and reasonable terce, of the said lands. Stirling, 8th January 1421,	288
55. Charter by John Steuart, Earl of Buchan, Constable of France, and Chamberlain of Scotland, to Sir Murdach Duke of Albany, Earl of Fife and Menteith and Governor of Scotland, his lord and brother, of the lands of Drippis, Bad, Cambusdreny, and Westwod, in the barony of Kincardine and shire of Perth : To be held by the said Sir Murdach and his heirs and assignees, of the Baron of Kincardine and his successors, in fee and heritage, for rendering the services due and wont. Stirling, 28th January 1423,	291
56. Precept by Walter Earl of Athole and Caithness, as tutor of Malise Earl Palatine of Strathern, directed to Alexander Loutfute, mair of Strathern, for infesting Patrick of Grahame as heir of Alexander of Grahame his father in the lordship of Kincardin, namely, Kincardin, Foswell, Clone, Koule, and the third part of Nethir Prony and Over Prony with the pertinents, and Wester Bardrale, Calandermore, and Calanderbeg with the pertinents, in the regality of Strathern, which were held in chief of the foresaid Earl, namely, Kincardin, Foswel, Clone, Koule, and the third part of Nether Prony and Wester Bardrale in blench farm, and Calandermore and Calanderbeg in ward and relief. Given under the granter's seal as tutor, at Methfen, 10th November 1424,	292
57. Charter by King James the First, under the Great Seal, to Malise Earl of Menteith, of the lands of Craynis Easter, Craynis Wester, Craguthy Easter, Craguthi Wester, Glasswerde, Drumlaen, Ladarde, Blareboyane, Gartnerthynach, Blareruscanys, lands of the Forest of Baith, the Sidis of Lochcon, lands of Blaretuchane, Marduffy, Culyngarth, Fresefleware, Rose with the Cragmuk, Inchere, lands of Achmore, with the Port and the Inche, and many other lands in the shire of Perth, which the King constitutes and of new erects into the free earldom of Menteith, reserving, however, to himself and his successors, the other lands which belonged to	

- the said earldom before the present grant, which are not contained in the present charter : To be held by the said Malise and the heirs-male of his body, whom failing, to revert to the King and his successors, of the King and his heirs, in free earldom, fee and heritage, for ever, for rendering yearly three suits of court at three head pleas to be held at Perth, and ward, relief and marriage when they occurred, with the services due and wont. Edinburgh, 6th September, twenty-second year of reigu, [1427,] 293
58. Charter by Malise Graham, Earl of Menteith and Lord of Kynpuut, to his kinsman, James Lord Hamilton, knight, and Eufamia his spouse, the granter's sister, for his service and aid, of the lands of Elaston, in the lordship of Kynpunt, constabulary of Linlithgow, and shire of Edinburgh : To be held by the said James and Eufamia, and the survivor of them, and the lawful heirs-male of their bodies, whom failing, the lawful and nearest heirs of the said James or his assignees, of the grantor and his heirs, in fee and heritage, for payment of a penny Scots in name of blench farm yearly, if asked only. Castle of Bothuile, 17th December 1453,... 295
59. Charter by King James the Third, under the Great Seal, whereby, for the special favour he bore to his kinsman, Malise Earl of Menteith, and for provision to the King and his lieges at the head of Menteith in the hunting season and at other times, he erects the town of Port in Menteith into a free burgh in barony : To be held by the said Malise and his successors, and the inhabitants of the same, with all the liberties belonging thereto, in all time coming. Edinburgh, 8th February 1466,..... 297
60. Notarial Transumpt, made 10th May 1467, of the retour of the service before the Sheriff-depute of Linlithgow, of William Lord Grahame, as heir of his father Patrick Lord Grahame, in the lands of Kynpont and Carloury, in the shire of Linlithgow, which lands of Kynpont were then valued at 40 merks, and in time of peace at £20, and were held in chief of the crown, bleuch, for payment of a penny of silver yearly, at the Feast of the Nativity, if asked only ; and the lands of Carloury were then valued at ten merks, and the same in time of peace, and were held in chief of the Lord Preceptor of Torphichen, blench, for payuement of nine shillings yearly ; and all the lands had been in the hands of their

	PAGE
respective superiors for five weeks, through the death of the said Patrick. Linlithgow, 2d May 1467,	298
61. Grant by King James the Third of Scotland to James of Menteith and his heirs, heritably, of the lands of Radnoch, extending to £10 yearly, lying in Menteith, in the shire of Perth, as a reward for the slaughter of Patrick Stewart, the King's rebel: To be held for payment of £10 yearly to the King and his successors, in name of feu-farm. Given under the Privy Seal, at Edinburgh, 18th December 1473,	300
62. Instrument of Sasine, following on a precept from William Lord Ruthven, Sheriff of Perth, in favour of Alexander Grahame, Earl of Menteith, as heir of his grandfather, Malise Grahame, Earl of Menteith, in the earldom of Menteith. Sasine given on the shore of the Lake of Inchmahome, between the said lake and Coldon, 6th May 1493,	301
63. Bond between King James the Fourth and John Earl of Athol, William Earl of Errol, William Lord Graham, Alexander (Grahame), Earl of Menteith, John Lord Drummond, William Lord Ruthven, and others, whereby they bind themselves to the King to keep all persons dwelling on their lands from theft, reset of theft, oppression, reset of rebels, and other offences, promising to enter any guilty of such crimes at the justice-ayre of Perth, etc. Perth, 27th May 1501,	303
64. Bond between James Earl of Arran, Lord Hamilton, and Alexander (Graham), Earl of Menteith, by which they bind themselves mutually to supply, maintain, and defend each other in all their lawful and honest quarrels, and to take each other's part when required. Edinburgh, 20th November 1503,	306
65. Obligation by Alexander (Graham), Earl of Menteith, to William Earl of Montrose, Lord Graham, etc., who had bound himself to the Earl of Menteith to warrant and defend the latter's lands of Kynpunt and Elastoun from recognition and all process of forfeiture that might be led against them by the King, the said lands being held blench of the Earl of Montrose; the said Alexander becoming bound to deliver back the writ of obligation when the holding of the lands was made secure in manner therein described, etc. Edinburgh, 14th February 1508, ...	307

	PAGE
66. Charter by Alexander (Graham), Earl of Menteith, granting to John Colquhoun of Luss, knight, for a certain sum of money, the lands of the two Craance, extending to a ten pound land of old exteut, and the lands of Cragwchte, extending to a five pound land of old extent, in the earldom of Menteith and shire of Perth : To be held by the said John, his heirs and assignees, of the Earl and his heirs, in fee and heritage, for ever, for payment of a penny yearly in name of blench farm, if asked only. Rosdow, 13th July 1512,	309
67. Precept granted by William Earl of Menteith, Lord of Kinpont and superior of the lands of Elastoun, for infesting James Earl of Arran, Lord Hamilton, as son and heir of James Earl of Arran his father, in the lands of Elastoun, in the lordship of Kynpont, constabulary of Liulithgow, and shire of Edinburgh. Edinburgh, 14th May 1539,.....	311
68. Commission by Mary Queen of Scots, appointing John Earl of Menteith her justiciar within the stewartry and earldom of Menteith, for trying persons accused of theft, reset of theft, fire raising, sorning, etc. ; and empowering him to hold courts, put accused persons to the knowledge of an assize, etc., provided none were brought to an assize unless the Justice-Clerk or his depute were present,—the commission to last for three months. Given under the Great Seal, at Edinburgh, 16th August 1554, on a signature subscribed by Mary, Queen-Dowager,.....	313
69. Letters of Admission and Collation by Mr. John Wynram, styled superintendent of Strathern and Menteith, for admitting Malise Graham to the vicarage of Aberfoyle, in the diocese of Duublane, to be reader in the kirk there. St. Andrews, 10th July 1573,	315
70. Bond between John Earl of Menteith and Malcolm MacPharlane, fiar of Gartauartane, by which the Earl binds himself to maintaiu and defend the said Malcolm and his heirs, and to take his part against all persons except the King, his Lordship's chief, his Lordship's house, and the name of Graham ; and the said Malcolm becomes bound to assist the Earl with leal and true service, with all he can command of the name of MacPharlane, against all persons except the King, the Duke of Lennox, and his chief,	

	PAGE
and to travel diligently to bring home any goods that should be taken from the said Lord or his country. Downance, 6th March 1597,	316
71. Commission by King James the Sixth to William Earl of Menteith, appointing him his justice within the earldom of Menteith. Given under the Signet, at Edinburgh, 15th February 1621,	318
72. Letters by Adam Bishop of Dunblane, whereby, in consideration that William Earl of Menteith had, of his free will, engaged to provide a stipend for a minister at Aberfoyle, and to make the manse and glebe void of their present possessors, he dissolves the patronage of the kirk of Aberfoyle, parsonage and vicarage thereof, from the bishopric of Dunblane, that the right thereof might be established in the person of the said Earl, and appoints procurators for resigning the said patronage in the King's hands or the hands of the Privy Council of Scotland, and surrendering the same in the Earl's favour. Logie, 17th September 1622,.....	320
73. Patent by King Charles the First, narrating that William Earl of Menteith had been returned heir of David, sometime Earl of Strathern, son of King Robert the Second, to whom his father, by two charters, one dated at Edinburgh, 19th June, and the other at Perth, 3d July, both in the first year of his reign, disposed the earldom of Strathern; and that though the said Earl of Menteith had good right to the said earldom of Strathern, yet he, through regard for the King's sacred person, had, by letters of renunciation, dated 20th January 1630, and registered 2d March following, renounced all right he had to the said earldom of Strathern in favour of the King and his successors; reserving the lands and barony of Kilbride and others, and with express provision that the renunciation should not be prejudicial to the Earl and his forefathers in their rights and dignity of blood as heir of line to the foresaid David Earl of Strathern, etc. Wherefore the King ratifies and approves the said honour, dignity, and place of Earl to the said William Earl of Menteith and his forefathers, and ordains the said William Earl of Menteith and his heirs-male and of tailzie in the earldom of Menteith to be styled Earls of Strathern and Menteith in all time coming, with rank and precedence granted to the said David Earl of Strathern in the two charters made to him by his father, King Robert the Second, etc. Oatlands, 31st July 1631,	323

CHARTERS OF THE PRIORY OF INCHMAHOME.

- | | PAGE |
|---|------|
| 74. Letters by William Bishop of Glasgow and Galfrid Bishop of Dunkeld, in which they recount the receipt of a maudate directed to them from Pope Gregory [Ninth] regarding the wretched state of the church and diocese of Dunblane, and the means to be used for amending the same, dated at Viterbo, 3 Ides of June, eleventh year of pontificate [11th June 1237]; on receipt of which, the Bishops having called the Bishop of Dunblane and Walter Cumming, Earl of Menteith, into their presence, the said Bishop and Earl submitted to their decision regarding all the contentions and quarrels between them. The said Bishops ordain the Bishop of Dunblane to renounce all right he had in the lands or moneys received from the lands, the church dues and pence annually uplifted from the churches of the earldom of Meuteith, in which the said Earl had the right of patronage; further, that it should be permitted to the said Earl and his successors to build a house for religious men of the order of St. Augustine in the Isle of Inchmahome, without opposition from the Bishop; assigning also by grant of the said Earl, with assent of the said Bishop, the churches of Lanyn and the said isle to the said religious men, reserving the episcopal dues; ordaining, further, that the said Earl should assign the church of Kippen as a perpetual canoury to the church of Dunblane, reserving to himself and his heirs the right of presentation. Perth, 1st July 1238,..... | 326 |
| 75. Lease by Andrew, Prior of Inchmahome, with consent of the chapter, to his servitor Andrew Stewart and Elizabeth Maistertouu his sponse, of the lands of Drumlanuiklocht, with 20s. worth of the lauds of Arniclerycht, in the barony of Cardross and shire of Perth, for the term of nineteen years, for the payment of 50s. Scots of yearly mail. Inchmahome, 16th April 1526,..... | 329 |
| 76. Discharge by Mary Queen of Scots, whereby, in consideration that, in the Parliament held in the Abbey of Haddington on the 7th July instant, it was advised and ordained by the Queen-Mother, James Earl of Arran, | |

	PAGE
tutor and Governor, and the three Estates, that the Queen should be contracted with the Dauphin of France ; and the Queen-Mother and Governor and Lords of Council having determined the Queen should be sent to France, and understanding the faithful service done by John Lord Erskine and Alexander Lord Livingstone, specially in the faithful keeping of the Queen's person, have ordained them to set out with the Queen from the Castle of Dumbarton and pass to France ; and though the said Lords Erskine and Livingstone in the previous September, soon after the field of Pinkiecleuch, when the Queen was transported from the Castle of Stirling to the Isle of Inchmahome, the Queen-Mother, Governor, and others being there also, had received discharges of all further keeping of the Queen, which are hereby ratified : Therefore the Queen now exonerates and discharges the said Lords of all obligations, acts, contracts, etc., by which they were bound to have kept the Queen. Given under the Privy Seal, and subscribed by the Queen-Mother, the Governor, and Lords of Council, at Lethington, 20th July, sixth year of reign [1548],.....	331
77. Lease by John [Erskine], Commendator of Inchmahome and Convent thereof, to Alexander Menteth in Polmonthmyln and his sons, of the lands and steading of the Lochend, for nineteen years, for a yearly rent of 43s. 4d. Scots, with arriage, carriage, and service used and wont. Inchmahome, 29th July 1548,	333
78. Bull by Pope Paul Fourth, conferring the Priory of the Monastery of Inchmahome on David Erskine, clerk of the diocese of St. Andrews, which priory had been held by John Erskine <i>in commendam</i> , and had, through his procurator, been resigned by him in the Pope's hands, who now grants it to the said David in consideration of his good endowments and of a request by Mary Queen of Scots to that effect, reserving an annual pension to Andrew Ballou, canon of the monastery, etc. The letters are directed to the Bishops of Feltre, Orkney, and Duublanc, who are charged to induct the said David Erskine to the office. Rome, 10th January 1555,	335
79. Form of Oath taken by David Erskine, Commendator of the Priory of the Isle of St. Colmoe of Inchmahome, of the order of St. Augustin, in	

	PAGE
which he swears to be faithful to St. Peter and the Roman Church, not to give away, feu, or alienate the possessions of the priory without consulting the Roman pontiff, etc. 1556,	339
80. Bull by Pope Paul Fourth, granting to David Erskine the monastery of St. Mary of Dryburgh, of the Premonstratensian order, of the diocese of St. Andrew, to be held by him <i>in commendam</i> , along with the conventual priory of St. Colmoc of Inchmahome, etc. ; and directing the Archbishop of Glasgow, the Bishop of Dunkeld, and Official of Paris, or any two of them, to take his oath of fidelity. Rome, 17th July 1556,	341
81. Instrument of Process following on the Bull by Pope Paul the Fourth, in favour of David Erskine, of the Priory of Inchmahome, by Thomas Campegio, Bishop of Feltre, judge specially deputed by the apostolic see, directed to the Bishop of Dunblane, narrating that he had received the Pope's Bull in favour of David Erskine (No. 78; <i>supra</i>), and hereby charging to induct and invest the said David Erskine in the priory of the monastery of St. Colmoc of Inchmahome, of the order of St. Augustine canons-regular of the diocese of Dunblane, and intimating the same to the Bishop of Dunblane and all concerned, and requiring and charging them, within six days after intimation hereof, to place and induct the said David in real possession of the said priory, and admit him thereto, under pain of excommunication, etc. Rome, 5th December 1556,.....	343
82. Charter by David, Perpetual Commendator of the Monastery of Inchmahome, with consent of the chapter, granting to John Lord Erskine and his heirs-male, whom failing, to his heirs and assignees whomsoever, the lands of Boirland, called the mains of Cardross, in the shire of Perth: To be held by him in feu-farm and heritage for ever, for payment of ten marks of rental yearly, with five marks yearly of augmentation, and a duplicand on the entry of an heir. The Monastery, 8th August 1562,...	349
83. Charter by David, Perpetual Commendator of the Priory of Inchmahome and Convent thereof, granting to John Lord Erskine, his heirs-male and assignees, the office of bailie of the barony of Cardross, and all the other possessions of the priory, and assigning for the execution of said office the feu-ferme rents and duties of the lands of Arnepriour, Cardenc, Kepe, and	

	PAGE
others, extending in the old rental yearly to £65, 9s. 4d. Scots ; which office of bailiery formerly belonged heritably to James Erskine of Little Sauchy, brother of John Lord Erskine, last deceased, and was resigned by him in favour of the said John Lord Erskine : To be held of the granter and his successors, in fee and heritage for ever, for due service in holding courts of the barony, etc., with precept of sasine, etc. The Monastery of Inchmahome, 8th August 1562,	353
84. Instrument of Sasine following on the precept contained in the foregoing charter. 18th August 1562,	357
85. Charter by David [Erskine], Perpetual Commendator of the Monastery of Inchmahome and Convent of the same, confirming a charter, dated at Edinburgh, 5th October 1560, by Alexander Erskine of Cangloir, feu-farmer of the lands underwritten, selling and alienating to John Lord Erskine, his brother-german, and the heirs-male of his body, whom failing, to his lawful and nearest heirs-male whatsoever, the lands of Arnepriour, Gardene, Kepe, Wester Poldoir, Eistir Poldoir, Gartledyny, and others in the shire of Perth, in return for the half of the lands of Cambusbarron, in the shire of Stirling, and the lodging or tenement of the said Lord, with garden and pertinents, lying in the burgh of Stirling, and also for the sum of £2000 Scots : To be held by the said John Lord Erskine and his foresaids, from the granter and his heirs, of the commendator or prior of Inchmahome and convent thereof, in feu-farm and heritage for ever, for payment of the usual maills, profits, and duties. Monastery of Inchmahome, 12th August 1562,.....	359
86. Letter by David [Erskine], Commendator of the Abbeys of Dryburgh and Inchmahome, with consent of the Convents thereof, granting to John Lord Erskine, for the manifold good deeds done by him, and his defence and protection of the said abbeys, a yearly pension of 500 merks out of the rents of the same ; and assigning to him, in security, the fruits of the kirks of Gulane, Chyndilkirk, Pencaitland, pertaining to the Abbey of Dryburgh, and of the kirk of Luntrethen, with the teindsheaves of the lands of Bordland, pertaining to the Abbey of Inchmahome. Castle of Edinburgh, 31st December 1562,	362

	PAGE
87. Lease by David Erskine, Commendator of Inchmahome, granting to James Seittoun of Tullibody and John Seittoun his son, for their lifetimes, and to the heirs of the said John for nineteen years thereafter, the teindsheaves and emoluments of the parsonage of the parish church of Lanye, in the diocese of Dunblane and shire of Perth, for payment of 80 merks yearly. Cardross, the day of 1583,.....	364
88. Lease by David, Commendator of Inchmahome and Convent thereof, granting to Michael Elphinstoun, domestic servitor to the King, the teindsheaves of the lands of Gartincaber, Wester Spittiltoun, Murdochstoun, Ballintoun, and McCorranestoun, in the parish of Kilmadok, stewartry of Menteith, and shire of Perth, for his life, and to his heirs for nineteen years, at a yearly rental of £9, 6s. 8d. Scots. Cardross, 20th April 1587,	365
89. Rental of the feu-duties of the Priory of Inchmahome. Circa 1646. [Original <i>pene</i> s William Fraser, Edinburgh],.....	368

ABSTRACT OF APPENDIX

I.—PAPERS RELATING TO QUEEN MARGARET AS LIFERENTRIX OF THE LORDSHIP OF MENTEITH, THE CASTLE OF DOUNE, ETC.

- | | PAGE |
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| <p>90. Obligation by William Edmonstone of Duntreath, John of Stirling of the Keir, knight, George Shaw of the Knockhill, and Richard Lekky of that ilk, binding themselves to Margaret, Queen of Scots, for the safe keeping of the castle and place of Doune in Menteith, pertaining to her Highness by reason of conjunct fee, to be ready at all times to receive her Highness, and the King her son, in the castle at her pleasure, she and the King paying their own expenses during the time of their stay ; and that until the said William Edmonstone or Archibald his brother, who had tacks of the said castle and place, came to their perfect age of twenty-one ; also, that no man of great authority or great clan should have the keeping of the castle under them, and no trespassers or broken men should be received into it ; also to cause her Highness's chamberlains of her lordship of Menteith to be readily answered and paid all maills, etc., of the said lordship, if Walter Buchanan failed in the inbringing of the same, and to cause them be paid to her Highness at the castle of Stirling, with power to the Queen, in case of failure of the said William or Archibald to keep the castle, or to fail in payment and inbringing of the maills, to dispose of the castle as she should think expedient, and apprise the lands and goods of the foresaid persons, for the sums that should remain unpaid. Signed and sealed at Dunblane, 29th September 1520,</p> | 369 |
| <p>91. Charge by Margaret, Queen of Scots, to Thomas Robeson, to pass and command William Edmonstone of Duntreath, keeper of the castle of Doune, whither the Queen intended to go and remain for some time, to make ready for receiving her, according to his bond made to the Queen there-
anent, and under the pains contained therein. Stirling, 4th July 1525,</p> | 371 |
| <p>The execution indorsed on the charge by the messenger, states that on the same day he passed to the said William Edmonstone, and delivered the</p> | |

	PAGE
charge, desiring him to make ready the castle to receive the Queen, and that he replied that he would receive herself and her gentlewomen, but would not receive her servants ; on which the messenger declared to him that her grace would not come there without servants corresponding to her rank. 4th July 1525,.....	371
92. Decree by the Lords of Council, anent letters raised by the Queen's grace against William Edmonstone of Duntreath for intromitting with her castle and place of Doune in Menteith, and refusing to allow the Queen or her servants to intromit with the same, and a charge given to him to deliver up the same within forty-eight hours, under the pain of rebellion and putting of him to the horn, or else to appear before the Lords and show a reasonable cause why he should not be put to the horn. The Lords on non-compearance direct letters against the said William Edmonstone, and all other withholders of the castle and place of Doune, to deliver the same to the Queen, or her factors, within forty-eight hours after being charged to do so, under the pain of rebellion. Edinburgh, 11th July 1527,.....	372
93. Warrant and Charge under the Signet, subscribed by King James the Fifth, by which he commands William Edmonstone of Duntreath to deliver the castle of Doune in Menteith to the Queen his mother, or to her factors, within twenty-four hours after being charged thereto, according to the decree of the Lords of Council in favour of her Highness, and certifying him that if he failed so to do, the King would come in person and take his house from him, to his displeasure. Edinburgh, 20th August 1527, ...	373
The execution states that, on the 24th of August 1527, Alexander Carmaig, messenger, passed at the Queen's command to the castle gate of Doune, and delivered the said warrant of the King to William Edmonstone of Duntreath, and desired an answer in writing, who said that he would obey the King in all things, and bear his answer to his grace himself, ...	374
94. Sentence by the Lords of Council, refusing to relax William Edmonstone of Duntreath from the horn, or give him opportunity to pursue the summons raised by him for retractation of a decree obtained by the Queen against him, till such time as he obeyed the said decree. Edinburgh, 28th August 1527,	375

	PAGE
95. Letters of Suspension under the Signet, subscribed by King James the Fifth, suspending his other letters releasing William Edmonstone from the process of horning led against him by the Queen, for non-delivery to her of the house and castle of Doune in Menteith, and annulling the same, because they were procured on wrong information, and ordaining the first letters obtained by the Queen, by which the said William Edmonstone was put to the horn, to have effect until they be reduced ; charging the messenger to inform the said William thereof, and of new to denounce him rebel and put him to the horn, and charge the lieges, by open proclamation at the burghs of Perth, Stirling, Dumbarton, and Linlithgow, not to assist or intercommune with the said William so long as he remained rebel. Falkland, 20th October 1527,	375
96. Commission by Margaret, Queen of Scotland, conjunct-fiar of the lands and lordship of Menteith, constituting James Stewart, brother-german of Andrew, Lord Avandale, her steward of the lordship of Menteith, and captain of the castle of Doune, for her lifetime, with all the profits and emoluments that William Edmonstone, last steward and captain of the same, enjoyed, and also appointing the said James chamberlain in the lordship of Menteith, with power of appointing deputies under him, and constables in the castle of Doune. 1527,	376
97. Notarial Instrument, narrating the proceedings at the Stewartry Court of Margaret, Queen of Scotland, and Henry Stewart her spouse, held at Doune in Menteith by Robert Callendar of Maner, their bailie in that part, on the 6th day of August 1528, whereby the bailie, with advice of his assessors, decerned the letter of tack made by the Queen to William Edmonstone of Duntreath, of the captainry of the castle of Doune and certain lands in the lordship of Menteith, to be expired and forfeited to the Queen, because the said William Edmonstone had bound himself to receive the Queen within the foresaid castle, and to bring in all maills and duties of her lands of Menteith, failing which, the tack to be expired, according to his letters of obligation read before the bailie ; and the said William had refused to receive her Grace within her said castle, and failed in paying the maills of the lands of Cultintogill, Brokland, Balmoris,	

Myltoun, Calzebuchquhalze, Bra of Cammys, and Ward of Gwdy, in the lordship of Menteith, occupied by the said William, and in inbringing of the maills of the lands of Duchray, occupied by George Buchanan of that ilk, Corryquhrumby, occupied by Duncan Walterstoun, and other lands, extending in all to £248. After the delivery of this decree, John Edmonstone in Cammysmore protested on behalf of the said William Edmonstone that nothing now done by the foresaid bailie should turn to his prejudice, and Mr. Robert Galbrath, procurator for the Queen and her spouse, in their presence declared himself ready to admit the said John Edmonstone, or any others, to defend the said action on the part of the said William Edmonstone, on showing a sufficient mandate, and further, offered to give assurance to the said William, or any in his name, to compear and defend their action, and protested that the said William could not allege hereafter that he or his friends could not defend this action through want of assurance from the Queen and her husband. Thereafter James Stewart, brother of Henry Stewart, exhibited a Crown charter, dated at Edinburgh, 14th July 1528, granted to him by the King, with express consent of the Queen aforesaid, of the keeping and captaincy of the Castle of Doune, with the office of steward of Menteith, for his lifetime. Which charter the Queen received into her hands, and ratified the same with consent of her said spouse, and entered and received the said James Stewart into the said offices, and in open Court charged the tenants and inhabitants of the lands and lordship of Menteith to obey him as undoubted captain of the castle of Doune, and steward of Menteith. Done in the public Court of the Stewartry of Menteith, near the Castle of Doune, in presence of James, Earl of Moray, Andrew, Lord Avandale, Archibald Campbell, Master of Argyll, Sir John Stirling of Keir, knight, and others, 6th Augnst 1528,..... 378

98. Commission by King James the Fifth to James Stewart, Captain of the Castle of Doune and Steward of the Stewartry of Menteith, giving him power to use the office of stewartry aforesaid, according to the King's gift under the Great Seal. Given under the Quarter Seal, at Stirling, 8th August 1528,..... 383

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| 99. Commission by Margaret, Queen of Scotland, conjunct-fiar of the lands and lordship of Menteith, with consent of Henry Stewart of Methven her spouse, making and constituting James Stewart, his brother-german, steward of the lordship of Menteith and captain of the castle of Doune for his lifetime, his entry thereto being at the date of this present writ, with certain lands pertaining to the captaincy and keeping of the castle, viz., the lands of Easter Frew, Middle Frew, Wester Ergady, Drumcamsy and Bellekeraucht, Kerss of Cammyss, Mill and Cruives of Doune, fishings of the Lochs and Stanks of Lugnok, Lochbauaquhare and Gudy, with all other profits that by use and wont formerly pertained to William Edmonstone of Duntreath, last steward and captain of the said lordship and castle, with power to select deputies and appoint constables for the keeping of the castle, and appointing him also to be chamberlain of the lordship of Menteith. Signed by the Queen and Henry, Lord Methven, and sealed at Stirling, 1st September 1528, | 384 |
| 100. Grant by Margaret, Queen of Scotland, appointing the said James Stewart to be her steward of the lordship of Menteith, captain of the castle of Doune, and chamberlain of the lordship of Menteith, in terms similar to the former commission, bnt stating the duties more in detail. Signed and sealed at Stirling, 8th September 1528, | 386 |
| 101. Notarial Instrument, narrating that in the presence of Margaret, Queen of Scotland, and others, after the completion of an agreement between the said Queen Margaret and Henry Stewart, Lord of Methven, her husband, on the one part, and William Edmonstone of Duntreath on the other part, James Stewart, captain of Doune in Menteith, and the said William Edmonstone, conferring with each other anent a perpetual friendship to be established between them, the said James showed that he had a letter of lease from the Queen, of certain lands that the said William formerly held on lease, in the stewartry of Menteith, and a Crown charter of the keeping of the castle of Doune, with certain lands specified in it, and the office of Steward of Menteith, and craved the good-will and ratification of the foresaid William Edmonstone in regard to the writs, who affirmed the same, saying he was well content with them. | |

	PAGE
and shook hands with the said James as his special friend ; and the said James on his side promised friendship to the said William to the extent of his ability. Done at the Castle of Doune, 23d September 1528,.....	389
102. Precept by Margaret, Queen of Scotland, to warn her tenants, feuars, and tacksmen of the lordship of Menteith to compear in the bailie court of the lordship, to be held in the Tolbooth of Edinburgh, 9th April following, proclamation to that effect being made at the parish churches ; also to warn William Edmonstone of Duntreath, at his dwelling-place of Cambus Wallace in Menteith, to appear the said day and place. Subscribed by the Queen and Henry, Lord Methven, 12th March 1529,.....	391
103. Precept by Margaret, Queen of Scotland, subscribed by her and Henry, Lord Methven, her husband, to warn and charge William Edmonstone of Duntreath and all other intromitters to remove from the lands and houses of the Miltoun of Cammus, Bra of Cammus, Ward of Gudy, Newtown of Doun, Ballemorist, Cailzeboquhailze, Brokland, Cultentogill, Brigend, Wester Dowar, Grodicht, Achinherd, and Markland of Glenman, in the lordship of Menteith and shire of Perth, which pertained to the Queen in conjunct-fee. Edinburgh, 12th March 1529,	392
104. Decree by the Lords of Council in the action at the instance of William Edmonstone of Duntreath and James Edmonstone, against James Stewart, captain of Doune, and Bartilmo Balfour, for spoliation and taking away from the said William Edmonstone, in the month of March previous, of 2 chalders of oats from the lands of Mylton of Cammis, 24 bolls of oats from the lands of Newtown of Doune, and from the said James Edmonstone, 3 chalders of oats from the lands of the Bray of Cammis. The Lords absolve the defenders from the petition and summons of the pursuers, and acquit them thereof in time to come. Perth, 6th December 1530,	393
105. Extract Agreement between James Stewart of Menteith and William Edmonstone of Duntreath, for avoiding of a lawsuit, cost, and expenses of both parties in regard to the right to the stewardry of Menteith and captainship of Doune in Menteith, claimed by the said James to pertain to him heritably in feu-farm, and by the said William by reason of gift and lease during the Queen's lifetime. The articles of agreement are :—	

PAGE

The said James becomes bound to resign in the hands of the King, before Christmas next, the 5 pound lands of the Bray of Cambus, the 5 pound land of the Mylton of Cambus, with mill of the same, the half of the lands of Brokland Estir, extending to five merks worth of land, then occupied by Ewin Mackvaa, the four merk land of Ballemorist, the 40s. land of Calzeboqnhalze, and the 40s. land of the Ward of Gudy, extending in all to 20 pound land of old extent, in the stewartry of Menteith and shire of Perth, in favour of the said William Edmonstone of Duntreath, his heirs and assignees, and obtain a signature of donation and gift of the foresaid lands, to be held by the said William and his heirs heritably in feu-farm, with consent of the Queen's grace. And the said William on his part binds himself to renounce all right or claim to the stewartry of Menteith, the captainship of the castle of Donne in Menteith, and the following lands that belonged to it, viz., the castle of Doune, the mains thereof called Drumcamse, and Calkeranche, the Kers of Cammis, the Newtonn of Doune, Wester Argade, the 10 pound land of Frews, lands of Cultintogill, Wester Brig, lands of Grodeth, Dowart, Auchinhard, merkland of Glenmany, Mill of Donne, with cruives and fishing thereof, keeping of the forests, and all other lands or profits whatsoever; and engages to cause Archibald Edmonstone his brother renounce his claim in like manner; and engages himself to take part with Henry, Lord Methven, and the said James in all their lawful actions, etc. All to be observed under the penalty of £2000 Scots. Dated at Edinbvrgh, 10th November, and recorded 1st February 1531, 394

106. Extract from the Acts of Council, bearing that Archibald Edmonstone, brother to William Edmonstone of Duntreath, compared before the Lords of Council, and gave his consent to the foregoing bond and agreement in all points, and gave over all right he had to the stewartry of Menteith or captainship of the castle of Doune, etc. Edinbvrgh, 9th February 1531, 400
107. Commission by Archibald, Earl of Argyll, having power under a commission dated at Perth, 18th March 1563, to convocate the Queen's lieges in the shires of Argyll, Tarbert, Dumbarton, Bute, and others, for searching for and apprehending the Clan Gregor, "rebellis and malefactoris," appointing

	PAGE
John, Earl of Menteith, and James, commendator of St. Colm, Steward of Menteith, his deutes in that part, with authority to charge the inhabitants of the stewartry, earldom, and whole country of Menteith, as well of lands belonging to the Lairds of Glenneigyis, Merchistoun, and others within the bounds thereof, annexed to the shires of Dumbarton or Perth, and of Bouchquhidder, or any part thereof, to convocate the inhabitants for searching for the Clan Gregor, bringing them to justice, or pursuing them out of the said bounds, and charging the inhabitants to pass forward with the said deutes when summoned to do so, under pain of punishment at law. Stirling, 26th March 1564,	401
108. Discharge by Mary, Queen of Scots, to Sir James Stewart of Doune, knight, in part recompense of his expenses incurred in her service in France and repairing of the castle of Doune in Menteith, granting to him the feu-mails, etc., of the lands of Coldochis, Kep, and others in the lordship and stewartry of Menteith, pertaining to the Crown, for the years 1560-66, and till the Whitsunday term 1567, and discharging him of the same. The Queen also remits and discharges in his favour the third of his benefice of St. Colm's Inch for all years resting unpaid. Edinburgh, 9th April 1567, 403	403
109. Missive Letter by King James the Sixth, subscribed by John, Earl of Mar, Regent, directing his messengers to charge Sir James Stewart of Doune, knight, Steward of Menteith, to present Duncan Makalester, taken prisoner and then in the hands of the said Sir James, for murders committed by him, before the Regent and Lords of Secret Council at Stirling, the second day after being thus warned, to be examined by them concerning certain matters touching the common weal. Stirling, 25th December 1571, ...	404
110. Warrant by King James the Sixth and John, Earl of Mar, Regent, to the captain of the castle of Doune in Menteith, to receive Sir Walter Scott of Branxholm, knight, to be warded in the castle at his own expense, till freed by the Regent. Leith, 26th February 1571,	405
111. Warrant by King James the Sixth and John, Earl of Mar, Regent, dispensing with the warding of Sir Walter Scott of Branxholm in the castle of Doune before the 3d of March, and transferring his ward to the castle of	

	PAGE
Rossyth, which he is appointed to enter before 5th March at night, this arrangement not prejudicing his bond and the obligation of his sureties.	
Leith, 3d March 1571,	406
112. Warrant by John, Earl of Mar, Regent, to the captain of the castle of Doune, to set James Kincaid, elder, of that ilk, at liberty, taking security for his again entering ward at the castle on fifteen days' warning. 1571,	407
113. Warrant by King James the Sixth and John, Earl of Mar, Regent, to the captain of the castle of Doune, to set Sir Walter Scott of Branxholm at liberty, and receive him again when he should offer himself. Stirling, 7th July 1572,	407
114. Letters under the Signet of King James the Sixth, subscribed by James, Earl of Morton, Regent, to his Steward of Menteith, charging him to compel the tenants of the stewartry to carry "skailze" (slates) from the Hewch in Menteith to the castle of Stirling for "beating" and making it watertight, under the pain of 20s. for every horse absent, or not transporting the full number of slates. The tenants had been previously charged to carry the slates under a missive letter from the Earl of Morton, Regent, to the Steward, and had "contempnandlie" disobeyed it. Dalkeith, 24th July 1574,	408
115. Missive under the Signet of King James the Sixth, subscribed by James, Earl of Morton, Regent, directing his messengers to arrest the maills and duties of the lands and lordship of Menteith, and lands included therewith in times bygone, of the term of Whitsunday last, 1575, and in time to come, to remain under arrest in the hands of the feuars, tenants, and possessors, till the persons claiming right to uplift them presented their titles and commissions before the Regent and Council, and order should be taken for uplifting the said maills and duties, and making account of them, as they had remained long unentered in the rolls of Exchequer, and had been intromitted with by several persons without good right or sufficient commission. Holyroodhouse, 29th May 1575,	409
116. Warrant by King James the Sixth, subscribed by James, Earl of Morton, Regent, to the captain of the castle of Doune, to receive John Living-	

	PAGE
stone, younger of Donypace, into ward in the Castle. Holyroodhouse, 21st December 1577,.....	411
117. Order by King James the Sixth to the captain of the castle of Doune to set at liberty Archibald Stewart, Provost of Edinburgh. Subscribed by the King, at the Castle of Stirling, 14th August 1578,	412
118. Warrant under the Signet, subscribed by King James the Sixth, to the captain of the castle of Doune to receive Will Elliott, son to the elder Tod, from Laurence, Lord Oliphant, to be warded in the castle, being one of three Borderers intended to be kept there in ward. Stirling Castle, 25th April 1579,	413
119. Warrant by King James the Sixth to the captain of the castle of Doune to receive in ward John Forrest, burgess of Linlithgow. Castle of Stirling, 24th August 1579,.....	413
120. Warrant by King James the Sixth to the captain of the castle of Doune to deliver John Elliot, son to the elder Will, to the Provost or Bailies of Edinburgh, to be kept in the Tolbooth of that city. Holyroodhouse, 19th November 1579,	414
121. Order by the same to set at liberty Hob Elliot, called the Vicar's Hob. Holyroodhouse, 24th December 1579,.....	414
122. Letters of Protection by King James the Sixth in favour of Duncan Stewart, son to Black Alexander Stewart in Glenbnkkie, and John Dow M ^c Kewin, <i>alias</i> John Galbraith, in the Eister Brigend of Doune, foresters-depute to Sir James Stewart of Doune, of the forest of Glenfynglas, who were so molested by certain persons dwelling near the forest, that for fear of their lives they were compelled to pasture the said persons' cattle in the forest, and snffered other injurries. The King therefore takes them and their possessions into his special protection, and commands proclamation to that effect to be made at the market cross of Stirling and other places needful. Holyroodhouse, 22d September 1580,.....	415
123. Warrant by King James the Sixth to the captain of the castle of Doune to receive into ward Laurence, Lord Oliphant, to remain there and within a mile of the castle on his own expenses till freed by the King. Holyrood- house, 6th December 1580,	414

	PAGE
124. Letters by the same charging Malcolm beg M ^c Farlan and Andrew M ^c Farlan of that Ilk to cease and desist from meddling or intronitting with the forest of Glenfinlas as pretended keepers thereof, the foresaid Malcolm beg M ^c Farlan having, upon false information made to the King, obtained from him a letter, subscribed by him without the advice of his Council, giving to the said Malcolm the keeping of the forest for a certain space, in prejudice of the King and Sir James Stewart of Doune, heritable keeper of the said forest. Proclamation to that effect is to be made at the market crosses of Stirling and Perth, and the parish churches of Port and Kilmadock. Holyroodhouse, 7th December 1580,	418
125. Account of Repairs made on the place or castle of Doune by advice of Sir Robert Drummond of Carnock, his Majesty's master of works. Dated at the Place of Doune, 12th August 1581,	419
126. Warrant by King James the Sixth to the captain of the castle of Doune to receive in ward Gilbert Dick, one of the Bailies of Edinburgh. Subscribed by the King, at the Castle of Stirling, 11th April 1582,.....	421
127. Warrant by the same to James Stewart, Lord of Doune, to allow William Erskine, commendator of Paisley, to remain in free ward on his own charges and at his own peril within the castle of Doune, the King not intending that Lord Doune should keep any prisoners at his own peril, or that any blame should rest on him if the prisoner happened to escape. Holyroodhouse, 3d December 1583,	422
128. Warrant by the same to Lord Doune, Steward of Menteith, to cause the feuars and others to build and repair the park dyke of Doune, which had become ruinous and was fallen down, and which the feuars of the stewartry had been in use to repair before, causing them to enter to the work before the last of May and end it before the last of October; and failing their so doing, to uplift 13s. 4d. from every merkland in the stewartry liable for the repairing of the dyke, and employ the money in the work. Holyroodhouse, 20th May 1584,.....	423
129. Warrant by King James the Sixth to receive David Graham of Fintry into ward in the castle of Doune. Holyroodhouse, 20th May 1591,	424

II.—SIX JACOBITE LETTERS AT BLAIR-DRUMMOND.

- | | PAGE |
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| 130. King James the Eighth to William, Marquis of Tullibardine, afterwards called Duke of Athole, expressing his satisfaction that the Marquis and his companions were arrived in France, and stating that he would not write at present to Lochiel and Clanronald, having written to them at the beginning of the year. The King sends to the Marquis a small sum of money through General Dillon, thinks they should stay some time in France, as he really had not the means to pay for their journey to Rome, though he should have liked to have them near him. He then refers to some evil reports about himself and the Earl of Mar, who was still in confinement, but thinks, on a survey of the public affairs of Europe, they had no reason to despair of their cause. Rome, 29th April 1720, | 425 |
| 131. The Same to The Same, sending letters enclosed, and stating that Glenderrel's letter required a more particular answer, and that he looked on the Marquis as one of those who had particularly distinguished themselves in his service, and deserved "good, and I am sure, sincere words, till I can give them better encouragement." Rome, 23d May 1720, | 427 |
| 132. Lord George Murray, fifth son of John, first Duke of Athole, to his brother William, designed Duke of Athole, informing him of the Prince's advance, and begging him to cause as many men as possible march for Dunblane, so as to be there next day [Tuesday] or early on Wednesday, and asking him if possible to be at Tullibardine on the morrow at noon to consult with the Prince, who, if he did not see the Duke, would leave instructions in writing, to the effect that when the latter should be joined by the Highlanders that were to come up from the north and west, he should quarter at Blair Castle, while the Prince pushed forward and crossed the Forth, etc. Perth, 9th September 1745, | 428 |
| 133. Prince Charles-Edward to William, designed Duke of Athole, requesting him not to fail to be with him in Edinburgh to proceed with him to England, whither he meant to set out next week, and bidding him hasten others. Holyroodhouse, 11th October 1745, | 429 |

- | | PAGE |
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| 134. William, called Duke of Athole, to Prince Charles-Edward, in answer to the foregoing. That the Prince's letter had not reached him till the evening he wrote, having been taken by the enemy and retaken—the convoy of arms and ammunition from the King of France had arrived the night previous,—that it would be the following night before all the men could be got together to join the army, and the next morning he would march with them to join his Royal Highness. Dunkeld, 15th October 1745, | 430 |
| 135. Prince Charles-Edward to William, called Duke of Athole, pressing him to hasten forward all the men he could without a moment's loss of time, as the enemy were again preparing to march towards them. Bannockburn, 28th January 1746, | 430 |

III.—CHARTERS AND MISCELLANEOUS PAPERS.

136. Letter by William Fraser, Bishop of St. Andrews, to Edward the First, King of England, stating that his Majesty's ambassadors, the Scottish ambassadors who had been sent to his Majesty, and several nobles of Scotland, had met at Perth on the Sunday following the Feast of St. Michael, to receive the King's answer to the points treated of by the ambassadors in his presence, and that the faithful nobles, and a certain party of the communitas of Scotland, gave him unbounded thanks for his answer; that his Majesty's ambassadors and the Bishop himself were making ready to set out for Orkney, to arrauge with the Norwegian ambassadors for receiving their queen, when a lamentable rumour spread among the people of her death, whereby the kingdom was disturbed; that on the spread of this rumour, Sir Robert Bruce, who before did not intend to come to the foresaid meeting, came with a large force, but the Bishop was still ignorant of what he meant to do. However, the Earls of Mar and Athole had already summoued an army, and certain other Lords were joining their party, so that there was dread of a civil war, unless his Majesty applied a speedy remedy. That the Bishop of Durham, the Earl of Warrenne, and himself, had heard that the queen was recovering, but was still weak, whereupon they had resolved to

	PAGE
<p>remain near Perth till they received sure information from the knights who had been sent to Orkney, and if they had good news, they would set out thither to accomplish the business aforesaid. The writer advises that if Sir John de Baliol came to the King's presence, he should so treat with him that in every event his Majesty's honour and interest should be preserved; and that if the queen had departed this life, his excellency should condescend to draw towards the Marches for the consolation of the Scottish people, and to spare the shedding of blood, so that the faithful of the kingdom might be able to keep their oath unbroken, and appoint him to be king who of right ought to inherit, providing he would follow his Majesty's counsel. Dated at Leuchars, Saturday, the morrow of St. Faith the Virgin [7th October], 1290,</p>	431
<p>137. Letters of Confirmation by John, Earl of Carrick and Steward of Scotland, eldest son of the King of Scotland, Robert, Earl of Fife and Menteith, and Alexander, Lord of Badenoch, the King's sons, in consideration of the praiseworthy services done to their father and themselves by John Lyon, the King's clerk, confirming and ratifying to him a charter of the lands of the Thanage of Glamis, in the shire of Forfar, granted by their father to him; and engaging never to impugn or revoke the same, whatever state any of them should occupy, even should it be the royal dignity, but to renew and confirm the grant as often as required, and maintain the same against all seeking to impugn it. Edinburgh, 7th January 1373,</p>	433
<p>138. Letters-Patent by King Robert the Second, narrating that a marriage had been solemnly celebrated in face of the church and in his own presence, between his beloved son, John Lyon, Chamberlain of Scotland, and Joanna of Keth his daughter, with consent of his sons, John, Earl of Carrick, Robert, Earl of Fife and Menteith, and Alexander Stewart, Lord of Badenoch, and other friends and kin, and declaring that in case there should have passed between the said John Lyon and Joanna previous to the said solemnity any acts of matrimony, such as a marriage secretly contracted, carnal intercourse, or pretended excuse that might cause the King's displeasure, or be imputed to them as perfidy, infamy, or matter</p>	

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- of charge, he makes known that, understanding that these were preparatory to the said marriage, and had a reference to and were in accordance with it, he would retain no displeasure against them on that account, but remit all offence on that ground ; forbidding any one to impute blame, infamy, or perfidy to either of them, or revile or defame them therefor. These letters to continue during their lifetimes. Donald, 10th May, eighth year of reign, 1378, 434
139. Charter, by Robert, Duke of Albany, Earl of Fife and Menteith, and Governor of Scotland, under his seal of office, granting to Malcolm Fleming of Biggar, and Elizabeth Stewart his sponse, the granter's daughter, the whole lands of the barony of Biggar, in the shire of Lanark, together with an annual rent due out of the lands of Kerse, in the shire of Stirling, pertaining to the abbot and convent of the monastery of the Holy Rood of Edinburgh, which formerly pertained to the said Malcolm heritably, and were personally resigned by him into the Governor's hands in the Chapel of St. Mary the Virgin at the Bridge of Tay : To be held by the said Malcolm and Elizabeth, and the longer liver of them, and the heirs-male of their bodies, whom failing, to revert to the heirs-male of the foresaid Malcolm whomsoever, of the King and his heirs, in fee and heritage for ever, for rendering the services due and wont. Perth, 28th June 1413, 436
140. Bond of Manrent by William Chalmer of Drumlochic to David, Lord Drummond, engaging to take part with him and his heirs in all their actions and causes against all persons except the Queen and the authority of the realm ; and that in consideration that Lord Drummond and certain others, principals of the four branches, and nearest of kin and friends of the late George Drummond of Ledcreif and William Drummond his son, had remitted and forgiven the said William Chalmer for their slaughter, and given him letters of slains thereon. Edinburgh, 5th December 1558, ... 437
141. Precept by King James the Seventh to James, Earl of Perth, Chancellor, and the Lords of the Treasury in Scotland, to pay to John Graham of Duchray a yearly pension of 500 merks Scots, as a small supply from the King for his subsistence, and in consideration of his loyalty, sufferings, and services ; also to cause the pension of £100 sterling granted to

him by the late King to be punctually paid ; further, remitting and discharging the feu-duties of his lands for the year 1686 and preceding years, which had not been paid since the last discharge granted to him by King Charles the Second in 1671, and requiring the Treasury to give him sufficient acquittances for the same. Whitehall, 25th October 1686, 439

142. Precept by The Same to The Same, narrating that George Drummond of Blair had received a commission, dated 16th April 1686, to pursue for and uplift all wards, non-entries, and reliefs, etc., fallen due since 1st August 1674, through decease of any vassals of the Crown holding their lands by simple or tait ward, and in time coming during the King's pleasure, and allowing him a fifth part of the proceeds, with his necessary expenses ; and also a new commission of the 8th instant, ratifying the former, and empowering him to receive the non-entries of lands held in blench or fen-farm, with non-entries of annual rents due to the Crown since the 1st August 1674, which he formerly received under a Commission from James, Earl of Perth, Chancellor, to whom the King had assigned the same till he should be paid the sum of £8000 sterling, and giving to the said George the same allowance for recovery thereof. The King being well pleased by the industry and success of the said George Drummond in discovering and pursuing for these casualties, directs the Lords of the Treasury that a just fifth part of the sums recovered should be allowed to him in his accounts, together with his necessary charges, and the remainder to be paid to the Earl of Perth. Whitehall, 10th November 1687, 440
143. Precept, The Same to The Same, directing the Lords of the Treasury to pay to Sir Hugh Paterson of Bannockburn and George Drummond of Blair, keepers of the Signet under the Secretaries of State, a yearly pension of £100 sterling equally between them, in consideration of their pains and charges in receiving the "black box" thrice every week and sending it. Whitehall, 17th July 1688, 442
144. Letter from John Grahame of Claverhouse, Viscount Dundee, to Lord Strathnaver, stating that being suddenly called to Inverlochy to give orders anent the forces sent from Ireland, he had been unable to answer his

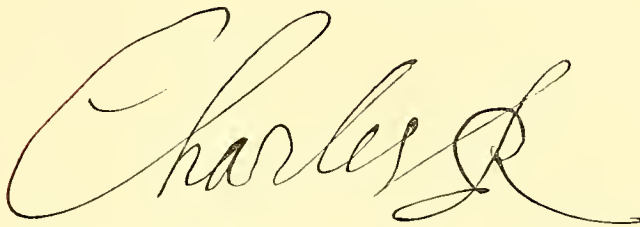
PAGE

- letter sooner, and assuring his correspondent that there was no stability in the new government, and that Derry was taken, that the French fleet were masters at sea, and that the side he had chosen seemed the more promising. This letter was written fourteen days before the battle of Killiecrankie. Struan, 15th July 1689,..... 443
- A note appended by Sir Thomas Livingstone, dated 19th July 1689, bears that the letter was in answer to one written at his desire by Lord Strathnaver to the Viscount of Dundee.
145. Letter from James Drummond to his father, George Drummond, first of Blair-Drummond, that he was glad his father was to allow him some mouths in Italy, which he hardly deserved, since he had come without his father's consent ; that he would return to Utrecht in September, but in the meantime hopes to visit Naples and Rome. He had been travelling with Lord Perth, but begs his father to be in no concern about his religion on that or any other account. Venice, $\frac{2}{15}$ th March 1695, 445
146. Rob Roy, signing Robert Campbell, to John, first Earl of Breadalbane, that he had the honour to come of his Lordship's family, and hopes his Lordship will give a precept for four trees to help to build his nephew's house. Portnellan, 12th November 1707, 446
147. The Same to The Same, that he hoped his Lordship would bind John Campbell in Innerardoran and Glenfalloch's bairns to keep the peace, who, when they had previously quarrelled, had been caused by Lochdochard and the writer to give a bond to that effect, under penalty of 1000 merks, but he was now informed the bonds had been destroyed. Portnellan, 4th September 1711, 447
148. The Same to The Same, giving further details about the said bond, of which one copy was still in Lochdochard's keeping undestroyed, which state of affairs the writer hopes his Lordship would rectify. Corrycherich, 15th September 1711, 448
149. The Same to [address wanting], that he could not get to the meeting at the time for settling about the cow that was in dispute between Archibald M'Intyr and Duucan Ban, but that they would be sure to agree in regard to it at next meeting. Portnellan, 24th June 1711. ... 448

	PAGE
150. Testament-dative and Inventory of the goods pertaining to Robert Roy Campbell in Inverlochlarigbeg, in the parish of Balquhidder and commissariat of Dunblane, at the time of his decease, which was in the month of December previous, given up by Mary M'Grigor, <i>alias</i> Campbell, spouse of the deceased, as executrix-dative to him, for payment to her of £436, 10s. 4d. expended by her on his funeral, master's rents and servants' fees, and medicaments during his sickness, etc. The Inventory is confirmed on the 6th February 1735, Raynold Drummond and John Fisher of Tayenrouyoch being cautioners,	449
151. Letter from Jean Carre, wife of James Drummond, second of Blair-Drummond, to her eldest son George, expressing her satisfaction to hear of his intention to settle in marriage so much according to his father's and uncle's inclinations as well as his own, and her hope of the lady he was to marry, "as she is an honour to your family, that she will likewise be a blessing." Blair-Drummond, 13th May 1738,	451
152. Commission by Prince Charles-Edward, Regent, appointing Michael Brown a Lieutenant-Colonel in the regiment of foot commanded by William, Duke of Athole. Holyrood House, 31st October 1745,	452

ROYAL LETTERS.

1. KING CHARLES I. to WILLIAM SEVENTH EARL OF MENTEITH.
12th May 1627.

A large, elegant handwritten signature in cursive script, reading "Charles I.", positioned centrally below the title and date.

RIGHT trusty and welbeloued cousin and counsellour, Wee greete yow well. Wee haue both heard and found by experience your affection for the furthering of all those things tending to the aduancement of our seruice and the generall good of that our kingdome, for which wee giue yow heartie thanks, and will not be vnmindfull thereof when anie occasion shall offer, whereby wee may expresse our respect vnto yow, not doubting but that yow will continue in the like course as yow haue begunne.

Vnderstanding how well yow are disposed to the religion presentlie professed, and knowing what relation yow haue to our right trustie and welbeloued, the Lord Gray, whose eldest sone, (as wee are informed,) being in your companie, yow haue seen carefullie bred in the said religion ; Wee do likewise therein approue your care, and do wish yow to continue the like, by all such meanes as yow shall think fitt for that purpose ; for our desire is that the children of all our good subjectes, but speciallie such as are borne to be

Peeres of that kingdome, or who are to be in any eminent place, haue their education after that maner. Which recommending vnto your care, wee bid yow heartilie farewell. From our Court at Whitehall, the 12 day of May 1627.

To our right trustie and welbeloued cousin and counsellour the Earle of Menteith.

2. KING CHARLES I. to WILLIAM SEVENTH EARL OF MENTEITH.

18th October 1627.

CHARLES R.

RIGHT trusty and welbeloued cousin and counsellour, Wee greete yow well. Wee haue vnderstoode by diuerse of your good and constant affection to our seruice in all thinges wherein your opinion might contribute to the furtherance thereof, for which wee giue yow hearty thankes, and will not be vnmindfull of the same when anie further occasion shall offer, whereby wee may expresse our respect vnto yow ; and as yow haue begunne, so wee are confident that yow will from time to time continue in the like good seruice, and speciallie till this busiennesse concerning the erectiones and other thinges contained in the late commission for those purposes be brought to the intended perfection. And in regard of the proof already giuen by yow for the aduancement of our seruice and the publick good, wee haue thought fitt to craue your priuate opinion concerning those thinges submitted vnto vs, wherein wee haue giuen particuler instructiones to our trusty and welbeloued Sir Archbald Achesone, Knight, to be imparted vnto yow. So, after that some speciall thinges concerning our said seruice are put to some good point, wee think it not amisse that yow repair vnto our Court, where some thinges may offer wherein

wee will impart our further pleasure vnto yow. Thus wee bid yow farewell.
From our Court at Whitehall, the eighteene day of October 1627.

To our right trustie and welbeloued cousin and counsellour the Earle of
Menteith.

3. The SAME to the SAME.—11th February 1628.

CHARLES R.

1. That some of the noblemen cheefely interested be prepared to signe the Submission before it be presented to the Commissionares in publick.
2. That the opiniones of some of the most eminent persones, and of the best affected to his Majestie's service, may be procured concerning the course to be taken in the Decree, and that vnder their hands.
3. That his Majestie's advocatts draw up a Commission for surveighing the Lawes and Practiekes of the Kingdome, with a blank for Commissionares' names, whereof a roll is to be sent to his Majestie that he may make choice.
4. That a care be had to repayre his Majestie's houses, for saveing of his game, and for helping of the highwayes.
5. To consult again concerning the Penall Statutes, that after consideration of the estate of the tyme, and of the preparatioun necessary for a Parliament, the transgressioun of them in tymes past may either be wholly respetted, or at least a great discretion vsed in making choice of them that should be punished, and great moderatioun vsed in the maner of exacting, since his Majestie inclynes to a respetting the tyme past, and to punish only the present or late transgressiones.
6. In regard that the sufficiency of the Clerk of the Shyre may contribute much to the goode of his Majestie's service, and to the Governement of

the countrey, and to the effect they may be circumspectly made choice of by one neare his Majestie, by whom his Majestie may direct them, and who shall be answerable to his Majestie for them, that his Majestie's advocatt draw a warrant to this effect for Sir William Alexander, his secretary; That as he hath the makeing the Clerkes of the Signett, so he may in like manner have power to make the Clerkes of of the sayd shyres.

7. And least his Majestie's subjects who are to signe the sayd submission should be putt to vnnecessarie trouble and charges in repayreing from thair dwellings to signe it, his Majestie is well pleased that any two of them within the shyre, who are warranted from the rest, shall signe the same in name of them all who are tith-bayares.
8. To recommend to the Commission for Surrenders the erection and provyding of the churches desired to be plaunted at Portpatrick and Crawford Moore; and after they have considered of the intention of his Majestie's late father for provyding the church at Greenok, that they likewise take a course for doing the same.
9. That the Commission for the Circuitt Courts be expedie and take effect according to his Majestie's former directioun gevin concerning the same.
10. That James Mowate be placed as shirreff-clerk of the shirrefdome of Barvick, according to his Majestie's graunt, gevin vnto him therevpoun. Giuen at the Court at Whitehall, the cleuenth day of Februarie 1628.

4. KING CHARLES I. to WILLIAM SEVENTH EARL OF MENTEITH.

13th March 1628.

CHARLES R.

RIGHT trusty and welbeloucd cousin and counsellour, Wee greete yow well. Wee haue vnderstood by your letter and otherwise how effectualle yow haue

proceeded in our service committed to your charge at your last being here, for which wee giue yow hearty thankes. Now, because wee intend to tak your opinion concerning the Decree to be made by vs vpon the Submission, wee require yow (after yow haue vsed your best meanes for furthering the signing thereof, and after the 23 of Aprile, which is appointed for puting a conclusion to that erand,) to repair vnto our Court with all diligence, when our further pleasure shal be imparted vnto yow. We bid yow farewell. From our Court at Whitehall, the 13 of March 1628.

To our right trusty and welbeloued cousin and counsellour the Earle of Montcith, President of our Counsell in our Kingdome of Scotland.

5. The SAME to the SAME.—11th April 1628.

CHARLES R.

RIGHT trusty and welbeloued cousin and counsellour, Wee greete yow well. Wee haue vnderstoode how carefull yow haue been to further our service, and do approue of the resolution yow haue taken, to stay till the 23 of Aprile, that yow may bring the Submission with yow, signed by all such as haue conciscended therevnto, with a certane information of them who are otherwayes disposed. And thereafter wee desire yow to repaire vnto our Court with all diligence, that wee may haue your opinion in some thinges concerning the Decree that wee are to giue forth, whereof wee intend not to determine till your coming. So not doubting but yow will vse the best expedition yow can, wee bid yow farewell. From our Court at Whitehall, the eleventh day of Aprile 1628.

To our right trustie and welbeloued cousin and counsellour the Earle of Montcith, President of our Priuie Counsell of our Kingdome of Scotland.

6. KING CHARLES I. to WILLIAM SEVENTH EARL OF MENTEITH, and Others.

11th July 1628.

CHARLES R.

RIGHT trusty and right welbeloued cousin and counsellour, and trustie and welbeloued, Wee greete yow well. Whereas wee have beene latelie petitioned by the relict, kin, and freendes of vmquhile David Tossach of Minivaird, that justice may be graunted to them against Lawrence Bruce, youngar of Couhmalindy, Alexander Bruce, his brother, William Oliphant, then of Gask, Alexander Fleming of Monneis, Peter Blair and John New, their complices and associates, who were at the slaughter of the sayd vmquhile David Tossache; wee knowing that nothing doth more concerne vs in dutie and conscience then to see the land purged of soe haynous a sinne, by causeing inflict due punishment vpoun the offendares, according to oure lawes provided in those cases; Oure pleasure is, and wec doe hereby will and require yow, and either of yow, that justice may be tymously administred vpoun the foresayds persones, committers of the sayd slaughter, and that according to the lawes and practique of that oure kingdome obserued by yow, oure justices in the like cases, and that notwithstanding of any expired respekt or other favour granted heretofore to them, or either of them. So, not doubting of your carefull performance of the premisses, wee bid you farewell. From our Court at Whitehall, the 11 July 1628.

To our right trusty and welbeloued cousin and counsellour the Earle of Monteith, President of oure Priuie Counsell, and our Cheef Justice of our Kingdome of Scotland, to our trusty and welbeloued Mr Alexander Coluill, our Justice Depute there, and to our trusty and welbeloued counsellour Sir George Elphingston of Blythiswood, Knight, our Justice Clerk, and to his deputs.

7. KING CHARLES I. to WILLIAM SEVENTH EARL OF MENTEITH.—22d July 1628.

CHARLES R.

INSTRUCTIONS giuen by his MAJESTIE vnto the EARLE OF MONTEITH,
the 22 July 1628.

IT is our Royall pleasure that the Earle of Monteith, President of our Priuy Counsell, performe these instructions following, viz. :—

That he have a care of setting fordward of the Circuits and Justice airs according to theire severall commissions, and that every sherriff, steward, bailzie, justice of the peace, and other officers, may be compelled to execute their severall chardges.

That he consult with the Commission of Tythes for appointeing severall committees for the severall busines referred vnto the same.

That he give order for executeing the late Commission for the Lawes, whereby the same may be ready against the next parliament.

That he consult and resolve with the Lords of Counsell concerning the mending of the highwayes, repaireing of our howses, and provideing for our Coronation and Parliament, and furnishing of our howses dureing our abroad in that kingdome, and for our cariadges and carts vpon every remove within the same.

That he cause renew the Commission of the Borders, that the same may be duely executed as it had wonte.

That he cause provide the churches, Parliament Howse, Counsell Howse, Chappell, and all other things fitting for our entrie, Coronation, and Parliament.

That he cause some speedy directions to all our forrests for furnishing of deere and venison for our howse.

That he aduise with the Counsell for setting downe instructions concerning such Penall Statuts as they shall think fitt to be excecuted in the next circuite or justiee aires.

ARCH. ACHESON.

8. KING CHARLES I. to WILLIAM SEVENTH EARL OF MENTEITH.

28th August 1628.

CHARLES R.

RIGHT trusty and welbeloued eousin and counsellour, Wee greete yow well. Wee receaued your letter, whereby wee pereeaue the continuance of your care and diligence to do vs good seruice, for which we giue yow hearty thankes, desiring that yow will continue to vse your best endeauours that the valuation of the tithes may be both speedilie and truely tryed, whereby that great work of the tithes may be the more quieklye brought to the intended perfection ; wherein, nothing doubting of your care and ready paines, wee bid yow farewell. From our Court at Southwick, the 28 of August 1628.

To our right trusty and welbeloued eousin and counsellour the Earle of Monteith, President of our Priuie Counsell in our Kingdome of Scotland.

9. The SAME to the SAME.—20th October 1628.

CHARLES R.

RIGHT trusty and welbeloued eousin and counsellour, Wee greete yow well. Hauing already sufficiently acquainted yow with oure mynd concerning your proceeding in the Circuite Courts, and knowing that the furthering thereof may tend much to the goode of oure seruice for the better government of that oure kingdome, being verie loth that any thing through improuidence should fall out for hindering of the same, wee have thought vpoun their estate in this

who have regalities, and as wee intend no way to remove them from that which they possess but by due course of law, or by giving due satisfaction, as the case in law or equitie shall require, soe wee are very confident that as they were entrusted with that charge for administration of justice, soe they will not doe any thing that may hinder the executioun thereof, chiefly in things that could not be challenged in these Courtes, vnlesse they had bene omitted by them; and if any persone shall doe otherwise, it will give vs just cause to provyde for a remedie; and yet out of oure respect to their right, that wee may not derogate from the samen; Oure pleasure is, that yow and the judges appointed for the Circuite Courtes, whensoever they are to sitt in any place, doe call vnto them the Lords of Regalities or their Bayliffes interested in that bounds, and require them to sitt with them, that both may concur together for administratioun of justice, which wee will think of as acceptable service done vnto vs. And soe wee bid yow farewell. From oure Court at Whitehall, the twenty day of October 1628.

To oure right trusty and welbeloued cousen and counsellour the Earle of Menteith, President of oure Counsell of Scotland.

10. The SAME to the SAME.—28th October 1628.

CHARLES R.

RIGHT trusty and welbeloued cousin and counsellour, Wee greete yow well. Being informed that, notwithstanding of many fair admonitiones given by some of oure clergie there vnto Sir Johne Ogilvie of Craig and George Ogilvie, his brother, for the better reclaimeing of them from their open profession of poperie and frequent resetting of priests and Jesuits, and that for their contumacie they are excommunicated by the Church and denounced our rebels at the command of our Counsell, yett they obstinatlie and insolentlie continue

in their former profession to the greate scandall of the religion presentlie professed, and contempt of our lawes prouided in those cases ; for remedie whereof, and for the better preventing the like dangerous courses hereafter, wee are hereby pleased to require yow that with all convenient diligence yow vse your best meanes for apprehending of them, and being taken that you committ them to some of our sure wardes, there to be kept till wee shal be pleased to signife our further pleasure concerning them ; and that yow tak the like course with all such other persons who give the like just cause of offence, and with whome the like course shall be desired to be taken by us or our said clergie. So wee bid yow farewell. Gevin at our Court at Whitehall, the 28th day of October 1628.

To our right trusty and welbeloued cousin and counsellour the Earle of Monteith, President of our Privie Counsell in our Kingdome of Scotland.

11. KING CHARLES I. to WILLIAM SEVENTH EARL OF MENTEITH.

27th November 1628.

CHARLES R.

RIGHT trusty and right welbeloued cousin and counsellour, Wee greet yow well. Whereas, vnderstanding that the ministeris of Edinburrow haue hitherto deferred the administration of the holy Sacrament to their people by reason of the factious and turbulent disposition of certane persones within their congregations that do refuse to communicat with them, and knowing no reason why they that are obedient sould, for the contempt of otheris, be defrauded thereof, wee haue willed and required them but further delay to doe their dueteis in the administratioun of the Sacraments. Likeas wee haue required the Magistrats of that toun to look to their people and see that there be no disorder amongst them, but that all giue their obedience in communicating with their pastours : As also haue writtin to the Lords of Session (whom it

becometh to go befor others in example of obedience as they do in place,) that they appoint all the members of that judicatoure to addres themselffs to the participation of the holy Sacrament with the rest of the people, and that they themselffs communicat together in the Church of St. Geills, to the end that utheris by their obedience may learne to obserue the ordour prescryed in that case. Soe wee have thought fitt to desire yow in particular to be present and countenance that holy action, participating with the rest, which wee sall esteeme as good and acceptable service done vpon your pairt vnto vs. And so wee bid yow farewell. Gevin at our Court at Whitehall, the 27th day of November 1628.

To our right trusty and welbeloued cousin and counsellour the Earle of Monteth, President of our Privie Counsell in our Kingdome of Scotland.

12. The SAME to the SAME.—12th December 1628.

CHARLES R.

RIGHT trusty and welbeloued cousin and counsellour, Wee greete yow well. Haueing vnderstoode the good service yow haue done vs in setling the Circuit Courts which wee had recommended vnto yow, and being desireous to haue your aduise in some other things concerneing our service, wee wishe yow present that wee may haue opportunitie to conferre with yow. But because wee know not how yow can convenientlie be spared for the present from our service there, wee remitt to your owne consideration the makeing choice of a fitt tyme for your repairing hither, which shal be verie acceptable vnto vs, and so wee bid yow farewell. Gevin at our Court at Whitehall, the 12th day of December 1628.

To our right trusty and welbeloued cousin and counsellour the Earle of Monteth, President of our Privie Counsell in our Kingdome of Scotland.

13. KING CHARLES I. to WILLIAM SEVENTH EARL OF MENTEITH.

21st April 1629.

CHARLES R.

RIGHT trusty and welbeloued cousin and counsellour, Wee greete yow well. As wee vnderstand the greate trauellis and charges yow have beene at in doeing vs service, soe wee are resolued that yow shall not onely not be a sufferer thereby, but that wee will reward yow in such maner as may encourage yow cheerefullie to prosecute our service entrusted vnto yow till it be brought to a full perfectioun. But though the estate of our coffers be such at this tyme that wee cannot presently spare from thence that which wee are willing to bestow vpoun yow, and that wee doe not thinke it fitt to give yow a publiet warrant till wee first consider of the meanes whereby it may be payed, yet to assure yow of oure goode intentioun towards yow, and that yow may the more freely vndergoe in the meanetyme any charges that the necessity of our service for the present shall require, these are to signifie vnto yow, that wee intend to bestow vpoun yow, as soone as conveniently wee can afford it, the summe of fyue thousand pounds sterling money, whereof yow may assure yourselfe, and of oure further fauour, according as wee shall finde yow to deserue. And soe wee bid yow farewell. From our Court at Whitehall, the 21st of Aprile 1629.

To oure right trusty and welbeloued cousin and counsellour the Earle of Monteith, President of our Councell of Scotland.

14. The SAME to the SAME, and Others.—2d May 1629.

CHARLES R.

RIGHT trusty and welbeloued cousin and counsellour, and trusty and welbeloued Counsellours, wee greete yow well: Whereas, according to the course

begunne by our late deare father, wee were pleased to give order for creating of Knight Barronets within that our Kingdome for the plaunting of the plantatioun of New Scotland, as the Commission gevin for that effect particularly beares, and haveing alwise a desire that those of the most auncient families and best estates might be first preferred, notwithstanding that they had beene duely wairned by proclamatioun for that purpose, yet out of our earnest desire to give them all reasonable satisfaction, wee did signe pattents for sundry of them, that in case they should in due tyme accept thereof, they might take place from the tyme of our signeing of the same, notwithstanding that others whose pattents were signed by vs thereafter had passed oure greate seale before them, and because the most parte of those pattents being signed by vs at one tyme, we could not then give order by makeing of them of severall dates for their particular precedencies, as was requisite : Oure pleasure is that yow, or any two of yow, haveing considered of the quality and estate of these for whom such pattents were signed, doe fill vp the dates of euery one of them, as yow, in your discretion, shall thinke fitt ; for doeing whereof these presents shall be vnto yow a sufficient warrant, which wee will yow to insert in your Bookes of Councell or Sessioun, if yow shall finde it expedient : And soe wee bid yow farewell. From our Court at Greenwich, the 2 of May 1629.

To oure right trusty and welbeloued cousin and counsellour the Earle of Monteith, President of our Councell of Scotland ; and to our trusty and welbeloued counsellours, Sir William Alexander of Menstry, Knight, and Sir Archibald Achesone of Glencarny, Knight, our Secretaries for our sayd Kingdome of Scotland.

15. KING CHARLES I. to WILLIAM SEVENTH EARL OF MENTEITH.—7th June 1629.

CHARLES R.

INSTRUCIONES from HIS MAJESTIE for the EARLE OF MENTEITH, President of His Majesties Councell, concerning his Service.

1. To sound how his Majestie's Decreee is lyked of, and yf there be any just exception taken against it, to advertise back what may concerne the same with diligence.
2. To advise what course is best to be taken with the Lordship of St. John, that the erector or heritors thereof may either submitt, or be persued by due course of law for the samen, and regalities depending therevpoun.
3. To treat with such as have heretable offices that they may be surrendered for reasonable satisfaction ; and to acquaint his Majestie what noblemen or men of quality haveing them doe affect a title of honour that they may first demitt whateuer heritable office or regality they have, ere his Majestie hearken vnto their sutes.
4. To treat with such as haveing no heritable office are curious to have a title of honour, and to try what men they will furnish to be plaunted in New Scotland, whereby their honour may in some measure be deserued.
5. To advise what course may be taken for makeing out the number of Knight Barronetts that the plantatioun of New Scotland may be prosecuted, and the charges already disbursed therevpoun recouered.
6. To deale with the Judges of the Circuite Courts that they sitt at their next meeting vpoun such penall Statutes as were recommended by the Councell the last yeare.
7. To represent vnto the Councell what the Countrey doth suffer by the frequent resort of numbers here, that the best remedie may be devised for preventing the like in tyme comeing.

8. To propound vnto the Commissioun that euery parish may have some allowance for pious vses to be joyned with the benefite of the church boxe, and disposed of by the minister and elders of the parish.
9. To crave an accompt of the letter wryttin for Sir James Stewart, willing him to be payed of what is found justly due vnto him conforme therevnto.
10. Whereas there is a proposition made concerning the fewing of Orkney, Zetland, and the Vdall Lands that the tennents may use pollicy, and our rents be the better secured ; let it be advised by our Councill or Exchequer whither it be convenient for vs to doe soe or not, and to certifie the same back with diligence, with such reasones as are gevin concerning the same.
11. To adverte vnto the cause which is debated between the Lord of Lorne and the Yleanders, and to advertise vs what is fitt to be done therein.
12. To hold back the Lettere concerning the Principality till havinge advised with our Advocate or such others as yow shall thinke fitt whither it be convenient to deliver it presently or not, yow advertise vs concerning the samen.

From our Court at Greenwich, the sevinth of June 1629.

S. W. ALEXANDER.

16. KING CHARLES to JOHN EARL OF MAR, Lord Treasurer, and Others.

29th June 1629.

CHARLES R.

WHEREAS wee are informed by our right trustie and welbeloued cosin, John Earle of Carrick, that none of his pencion there, of five hundred pounds sterling, hath bin paid vnto him these fower yeares past, to his great loss and preiudice, whereby he is much dishabled for our service, and frustrated of

our late deare father's royall intencion and our owne towards him: Our pleasure therefore is, and wee do hereby authorise, will, and require you, with all convenient and possible diligence, to pay, or cause to be paid vnto him, or his assignes, the said fower yeares areres of his said pencion of five hundred pounds sterling per annum, as alsoe yearely and termely hereafter, as the same shall from time to time grow due, and that out of anie our rents, casualties, customes, imposts, annuities, comissions or concealments whatsoever: And for your soe doing these presents, together with the acquittance or acquittances of the said Earle or his assignes shal be vnto you and every of you, and vnto the auditors of the accompts of our Exchequer for allowing of the same from time to time a sufficient warrant and discharge in that behalf. Giuen att our Court att Greinwich, the 29 day of June 1629.

To our right trustie and right welbeloued cosin and counsellor, John Earle of Marr, our Treasurer, Comptroller, and Collectour of our Kingdome of Scotland, and to Archibald Lord Naper, our Deputie in the said Offices, and to Sir Allexander Straughan of Thornton, Knight, Comissioner of our Concealments and Comissions, and to Sir Henry Wardlaw of Pittreuey, Knight, and Mr. Dauid Fullarton, Receauours of our Rents and Casualties, and to all and euery of them.

17. KING CHARLES I. to WILLIAM SEVENTH EARL OF MENTEITH.

28th July 1629.

CHARLES R.

RIGHT trustie and welbeloued cousin and counsellour, Wee greete yow well. Whereas wee were pleased of late to give vnto yow some instructiones touching such things as were fitt for the good of our service within that our Kingdom, and being willing to conferre with yow concerning such of them as

yow haue alreadie propounded and sett a foote there, and of those which are intended to be prosecuted : Our pleasure is, that how soone yow can conveniently yow repair vnto our Court, where our further pleasure shal be imparted vnto yow concerning the same. So wee bid yow farewell. From our Court at Theobalds, the twentie eight of Julij 1629.

To our right trustie and welbeloued cousin and counsellour the Earle of Menteath, President of our Privie Counsell of our Kingdome of Scotland.

18. The SAME to the SAME.—*Circa* 28th July 1629.

CHARLES R.

INSTRUCTIONES from HIS MAJESTIE to the EARLE OF MONTEITH, President of His Majesties Counsell of Scotland.

That yow consider and advise how the annuity already due may [be] best brought in by the meanes already prescribed, or by anie way that may conduce to that end.

That yow advise according as the present occasiounes shall require if it be necessary to have a convention, in what maner, at what tyme, what purposes are to be treated of therein, and that yow advertise accordingly that the directiounes requisite may be gevin for that effect.

That yow try what vassals will buy in their own few duties to our vse, and likewise what benefite wee may have for our interest in the tithes of erectioun.

That yow advise and consider what way the casualties may be reduced to a certainty with augmentation of oure rents and without greeveing oure subjects.

That yow informe yourselfe what course is taken with Glamoriestoun in

that busienesse wherein wee wrote formerly to the Earle of Murray, that yow may either see the same settled if the sayd Earle hath not taken order with the same already, or that yow certifie vs what yow thinke fitt to be done therein.

That yow acquainte Sir James Campbell of Lawers with a petition exhibited against him wherein wee are supplicated to give way to justice.

That yow informe yourselfe concerning this late trouble falne out in Angus, that in regard of the great contraversy and direct contradictioun of that which is suggested by the parties, wee haueing the truth certified by yow to vs, maie proceede thereafter as justice and equity shall require. And in the meanetye that surety be taken of all parties for the peace of the countrey, and that they be bound to answeir according as our lawes in like cases require.

S. W. ALEXANDER.

The Earle of Monteith his Instructions.

19. KING CHARLES I. to the EARL OF MENTEITH and Others.—28th July 1629.

CHARLES R.

RIGHT trustie and welbeloued cousin and counsellour, right reverend father in God, right trustie and welbeloued counsellour, and trustie and welbeloued counsellours, Wee greete yow well. Whereas these inclosed overtures, touching the decree which wee intend to pronounce vpon the generall submission made by the heretors and others interested in tithes, haue been propounded vnto vs in behalfe of the tithbuyers, which seem to be reasonable; and being willing to proceed therin by due advyce, before any course should be resolued vpon by vs touching the same, Our pleasure is, that yow peruse and consider thereof, and thereafter that yow report vnto vs your opinions concerning the same, and how farre wee may therin proceed in iustice and equitie for our

benefite and the generall good of all our subjects interested therein, and in the meanetime that yow resolue vpon some convenient course for preventing the leading of tithes this year, and all inconvenients that may arise thereby, which seriously recommending vnto your care wee bid yow farewell. From our Court at Theobaldes, the tuentie eight of July 1629.

To our right trustie and welbeloued cousin and counsellour, to the reverend father in God and our right trustie and welbeloued counsellour, and to our trustie and welbeloued counsellours, the Earle of Monteith, President of our Privie Counsell, Patrik Bishop of Rosse, Sir Archibald Atchesone, our Secretarie, and Sir Thomas Hope, our Advocatt, in our Kingdome of Scotland.

20. KING CHARLES I. to GEORGE VISCOUNT DUPPLIN and Others.

20th September 1629.

CHARLES R.

RIGHT trustie and welbeloved cousins and counsellors, right reverend father in God, and trustie and welbeloved counsellors, Wee greete yow well. Whereas being to establish the current courts, wee were pleased to purchase from the Lord of Lorne the heretable office of Justiciarie, which his predecessors, for good service done, had of a long tyme discharged, giving him satisfaction for the saminc, notwithstanding of any former title that wee could have pretended therevnto, and graunting still vnto him the heretable office of Justiciarie of the North and West Iles, bot being now of late humblie entreated by the Earle of Seafort, for himself and in the name of some others, to be free from the inconveniences and trouble whiche they alledge it may breede vnto them, wee are desyrous to purchase that part lykwyse from him, and having made choyce of yow for that purpose, Our pleasure is, that yow call for the

said Lord of Lorne, and that yow vse your best meanes to treat, transact and agree with him, for the Justiciarie of the said bounds, and that yow either absolutly agree with him, or certifie vnto vs what the difference is, or what your opinion is touching the same; and our pleasure lykwyse is, that yow deale with the said Earle of Seafort, to see what meanes he or those for whom he doeth deale will contribute for the buying thereof, and for so doing these presents shall be your warrant. Given at our Court at Theobalds, the 20 of September 1629.

To our right trustie and right welbeloved cousins and counsellours, to our reverend father in God, and our right trustie and welbeloved counsellours the Viscount of Dupline, our Chancelor of Scotland, the Earle of Monteith, our President of our Privie Counsell there, the Bishope of Rosse, and Sir Thomas Hope, Knight and Barronet, our Advocate of that our Kingdome.

21. KING CHARLES I. to WILLIAM SEVENTH EARL OF MENTEITH.

29th September 1629.

CHARLES R.

RIGHT trustie and right welbeloved cousin and counsellour, Wee greete yow well. Being informed that diverse our subjects feare the shortnes or generalitie of sodaine citationes before our Circuite Courts, Our pleasure is, that yow give order to our Judges thereof, and others whom it concerneth, that parties to be indyted before them have copies of their dittayes according to the tyme limited by a late ordinance of our Privie Counsell made to that purpose. And whereas they referred vnto yow the last yeare the nomination of all penall statutes fitt to be put in execution, though wee arc loath that yow cause proceede therein but in a moderat mainer; yet least impunitie

might embolden transgressors not to live in due obedienee of our laues, Our pleasure lykwyse is, that as oceasion shall requyre yow give order vnto our said Judges, and that otherwyse of yourself yow cause exeecute such of those statutes as yow shall think most agreeable to our said princelie pleasure and the laues of that our Kingdome, wherein, willing yow to signifie our royall intention vnto our Privie Counsell and our said Judges, and not doubting bot that yow will eause proceede with such moderation as our subjects may not have just eause to feare vndeserved eensure, nor yet to hope for impunity where they doe justlie deserve punishment. Wee bidde yow farewell. From our honour of Hampton-Court, the 29 of September 1629.

To our right trustie and right welbeloved eousin and eounsellour the Earle of Monteith, Lord President of our Privie Counsell of our Kingdome of Seotland.

22. The SAME to the SAME.—29th September 1629.

CHARLES R.

RIGHT trustie and right welbeloved eousin and eounsellour, Wee greete yow well. Whereas yow are willing to surrender vp vnto vs your right of all those lands that are of our propertie lying within the Earledome of Stratherne, wee have written to our Advocate to draw vp a surrender of all of them that are contained within your evidenttes, to be signed be yow, leaving yow to prosecute your right against all others for all other lands whervnto yow ean justly claime, and as yow have freelie submitted yourself vnto vs, to be disposed of as wee please, in all those lands that are of our propertie, so wee intend after due eonsideration to give yow a reasonable satisfaction for the same, and have willed our Advoeate to assist yow in all your other aetions, so farre as he ean lauffullie doe. So being to aeknowledge this amongst the rest of your good

services done vnto vs, wee bidde yow hartilic farewell. From our honour of Hamptone Court, the 29 of September 1629.

To our right trustie and right welbeloued cousin and counsellour the Earle of Monteith, Lord President of our Privie Counsell of the Kingdome of Scotland.

23. KING CHARLES I. to WILLIAM SEVENTH EARL OF MENTEITH.

17th October 1629.

CHARLES R.

RIGHT trustie and welbeloued cousin and counsellour, Wee greete yow well. Whereas our trustie and welbeloued counsellour, Sir William Alexander, our Secretarie, hath agreed with some of the heads of the cheefe clannes of the Highlands of that our Kingdome, and with some other persones, for transporting themselfes and followers to setle in New-Scotland : As wee doe verrie much approve of that course for advanceing the said plantatioun, and for disburdening that our Kingdome of that race of people, which in former times had bred so many troubles there, so, since that purpose may verrie much import the publict good and quyet thereof, wee are most willing that yow assist the same by all faire and lafull wayes : And because (as wee are informed,) diuerse are willing to contribute for their dispatch by their meanes, wee requyre yow to take the best and most faire course heirin that possiblie yow can, that a voluntarie contributioun may be made for that purpose, in such maner as yow shall think most fitt, which wee will authorise as shal be by yow thought requisite ; and that yow substitute any persones whom yow shall think expedient for the managing and collectione thairof. So wee bid you fairewell. From our honor of Hampton Court, the 17 of October 1629.

To our right trustie and right welbeloued cousin and counsellour the Earle of Monteith, President of our Privy Counsell of Scotland.

24. The SAME to the SAME.—3d November 1629.

CHARLES R.

RIGHT trusty and right welbeloued cousin and counsellour, Wee greet yow well. Hauing been petitioned at diuerse times touching those differences betweene the widow of Carron and Ballindalloch, wec wold giue eare to neither partie further then to remitt them to the ordinarie course of justice. But being informed of late that those differences are not as yet settled, wee are hereby graciouslie pleased that yow informe yourself of the true estate thereof, and, after due tryall, that yow tak such a course for setling of the same as wee were pleased to prescribe vnto our Counsell touching that purpose, and as yow shall think most fitt for the good and quiet of those parts, that wee be no more troubled with further complaintes; which recommending vnto your care wee bid yow farewell. From our Court at Whitehall, the thrid day of Nouember 1629. To our right trustie and right welbeloued cousin and counsellour the Earle of Monteith, President of our Priuie Counsell of Scotland, and our Justice Generall of that our Kingdome.

25. The SAME to the SAME.—6th November 1629.

CHARLES R.

RIGHT trusty and right welbeloued cousin and counsellour, Wee greeete yow well. Whereas wee are informed that our late royall father did purchase the lands of Marple and Trappon, and did appropriate them to the vse of our Chappell Royall, the tithes of which landes being as yet in the possessione of the Laird of Smeeton, being willing, for the better and more speedie helping of those persons who serue in that Chappell, that some present course be taken for their maintenance and ease of the tenments of those landes, Our pleasure

is, that, by the advise of the Deane of the Chappell and our Aduocat, yow vse your best and most ready endeauouris for dealing with the said Laird for buying those tithes from him; but if yow find iust cause for reducing thereof to the vse aforsaid, that yow proceed therein as yow shall think most fitt; and vpon your certifieing of vs what shalbe thought expedient to be done vpon our part, wee will accordinglie giue order for doing thereof, willing in the meane time that yow in our name require our Chanceler and Keepers of our Seales not to passe any new grante of those landes or tithes in fauouris of any person till our further pleasure be knowen therein; willing yow likewise to signifie vnto the said Deane that when any competent benefice shalbe thought fitt by the Commissioners for tithes to be appropriated to the patrimonie of his see, wee will accordinglie giue way therevnto. So wee bid yow farewell. From our Court at Whitehall, the 6 of Nouember 1629.

To our right trustie and right welbeloued cousin and counsellour the Earle of Monteith, President of our Priuie Counsell of our Kingdome of Scotland.

26. KING CHARLES I. to Sir JOHN HAMILTON of Saint Magdalens, Lord Clerk-Register.—9th November 1629.

CHARLES R.

TRUSTIE and welbeloued counsellour, Wee greete yow well. Whereas our right trustie and right welbeloued counsellour, the Earle of Monteith, President of our Priuie Counsell, is, for some important considerations knowen vnto vs, to search for some wreats amongst our euidents and rolles, whereof yow haue the charge, Our pleasure is, that yow to that purpose mak patent vnto him what records, euidents, or writts whatsoever yow haue in your custodie and charge within our Castle of Edenbrugh or elsewhere, and that yow giue vnto him such thereof as shalbe found by our Aduocate to concerne the

purpose for which wee haue granted him this licence, togidder with any extracts that they to this effect shall require ; and for your so doing these presents shall be your warrant. From our Court at Whitehall, the 9 of Nouember 1629.

To our trustie and welbeloued counsellour, Sir John Hamilton of Magdalens, Knight, our Clerk of Register in our Kingdome of Scotland.

27. KING CHARLES I. to WILLIAM SEVENTH EARL OF MENTEITH.

26th Nouember 1629.

CHARLES R.

RIGHT trustie and right welbeloued cousin and counsellour, Wee greete yow well. Whereas wee haue been dealt with for diuerse persones of that our Kingdome that they might be aduanced to titles of honor, some by a new creation, and others by being raised to a more high dignitie then they presentlie enjoy : Seing these preferments are the cheef marks of a prince's fauour, whereby both the present age and the posteritie tak notice of his iudgement and of the subjects' meritt as they find them to be conferred, wee will no way proceed in that kind but vpon due consideracioun, and therfor it is our pleasure that yow, as one whom wee speciallie trust, informe yourself, and aduertise vs of the qualitie and seruices done, or to be done, vnto vs by anie who desire that fauour, and that yow haue a care to acquaint vs who of them haue any heretable office, sherrifship, baillerie, stuartrie, or regalitie, that they first agree for the same ; for wee will not aduance them with whom wee are to plead for recouering our right to establish that which wee intend for the good of that our Kingdom. But where none of them haue any such thing to demitt vnto vs, that there may be some publict seruice done for their preferment, it is our further pleasure that yow agree with them for some reasonable number of persones to be furnished out vpon there charges towards the

plantacion of New-Scotland, at the sight of our trustie and welbeloued counsellour, Sir William Alexander, our lieutenant of that bounds, whereby he may be supplied in that greate work, and that our Aduocat hauing considered these thinges recommended vnto yow, draw vp and docat the patents of such as yow agree with, and send them vnto vs, that wee thereafter may proceed as wee think fitt. So recommending this vnto your care, wee bid yow farewell. From our Court at Whitehall, the 26 of November 1629.

To our right trustie and right welbeloued cousin and counsellour, the Earle of Monteith, President of our Priue Counsell of our Kingdome of Scotland.

28. KING CHARLES I. to JOHN EARL OF MARR, Lord Treasurer.

30th November 1629.

CHARLES R.

WHEREAS our right trustie and right welbeloued cousin and counsellour the Earle of Monteith, President of our Priuie Counsell, and our Justice Generall of that our Kingdome, hath furnished roabes for the Judges of our Circuite Courts, and hath sent out his deputies in that our seruice vpon his own charge: Our pleasure is, and wee do hereby will and require yow, that out of the first and readiest moneyes arrising due vnto vs by any fines of those Courts, yow pay vnto him or his assignes the sowme of fyue hundred pounds sterling, and that how soone the same can be levyed. And for your doing so these presents shal be vnto yow a sufficient warrant and discharge. Giuen at Whitehall, the thirty day of November 1629.

To oure right trusty and right welbeloued cousin and counsellour the Earle of Marr, oure High Treasurer of oure Kingdome of Scotland.

[Indorsed as allowed on 23d January 1630.]

29. KING CHARLES I. to WILLIAM SEVENTH EARL OF MENTEITH.

30th December 1629.

CHARLES R.

RIGHT trustie and right welbeloued cousin and counsellour, Wee greete you well. Whereas our trustie and welbeloued servant, Sir Richard Grahame, Knight, hath, by a comission from ws, apprehended and putt in ward some theeves and rebels of the borders, and being willing that justice should be executed against them ; Our pleasure is, that the tenth day of Marche nixt to come you hould ane Justice Court at Jedbrough for that effect, and that you call vnto you for your assistants the said Sir Richard, who was ane actor in the said service, and any other who may most convenientlie be had, and who is alreadie in our comission for the borders. And if no evident prooffe can be had against them, that, so farr as law will permitt, you admitt of probable and apparent circumstances and presumptions for their condigne punishment. Soe we bid you fairewell. From our Court att Whythall, the 30 of December 1629.

To our right trustie and right welbeloued cousin and counsellour the Earle of Monteith, President of our Privy Counsell and Justice Generall of that our Kingdome of Scotland.

30. The SAME to the SAME.—9th February 1630.

CHARLES R.

RIGHT trustie and right welbeloued cousin and counsellour, Wee greete you well. Whereas our trustie and welbeloued the Viscount of Drumlanerick his sone haveing, by a commission from vs, apprehended in the borders those three theues, fugitives, and rebels, William Weigin in Whisgills, and James

Weigin, his sone, and Johne Armestronge, alias Tweden, was most contempti-
 ouslie opposed in the execution of the sayd comission by a number of lewd
 persons, named in the roll here inclosed, who did resceu in a most insolent
 maner, and asisted the sayd rebels for their better evading, without respect
 to our said commission, and seditiouslie convocated others for that purpose to
 our heigh contempt, authoritie, and lawes, the like wherof was never co-
 mitted in our late deare father's nor our time : For the better preventing the
 like vntollerable and dangerous courses heréafter, wee are hereby pleased to
 requyre you that you call before you all those that are named in the said
 roll, and others who shal be delaited by the sayd Viscount his sone to have
 opposed our comission, and, after tryall of there outrageous misdemanor, that
 you take such a speedie course for their condigne punishment that others may
 by there exemple be terrified from all such detestable insurrections and con-
 vocations, and lykwise that you give order for apprehending the sayd rebels,
 and being taken, that you cause comit them to some of our saife wards, there
 to be kept till such punishment be inflicted on them as is agreable with our
 lawes provyded in the like cases. Soe wee bid you fairewell. From our
 Court att Whythall, the nynte day of Februarii 1630.

To our right trustie and right welbeloued consin and counsellour the Earle of
 Monteith, Justice Generall of that our Kingdome of Scotland.

31. ROLL of NAMES referred to in the preceding LETTER.

Johne Scotte of Sintoun.	Willie Hendersone in the Syde.
Robert Elliot in Dinlebyre.	Hobbie Hendersone thair.
Gilbert Elliot his sonne.	Symnee Henderson thair.
Willie Elliot, called Robein's Willie.	Willie Foster, called Willie of the
Francie Baetie in	Nuke.

Jokie Baetie, his sonne.	Robbie Foster of Gremay.
Lancie Airmstrang of Whythauch.	Robbie Armstrong thair.
Lancie Airmstrang his sonne.	Hobbie Rakas in Reylie.
Francie Airmstrang his brother.	Willie Whyeathauche in Ettetoun
Willie Elliot, called Blakheid.	Syde.
Hob Elliot of Thorleshoip.	Willie Rakas in Over Numbehirst.
Robert Scott of Satchellis.	Rakas his sonne.
James Scott of Quhitislaid Cops- howhotree.	Willie Airmstrang, called of Kin- month.
Willie of the Mylne.	Sandie Armestrang in Torbune.
Hobie of the Mylne his brother.	Thomas Armstrong, called Thomas of Sheillis.
Andro Patersone of Sorbietrees.	Andro Whigholme in Quhisgillis.
Christie Patersone in Manigertoun.	Francie Robisoun in the Flatt.
Christie Thomsoun in Abetshawis.	
Arthour Hay in the Reidheughe.	

32. KING CHARLES I. to WILLIAM EARL OF STRATHERN.—29th March 1630.

CHARLES R.

RIGHT trustie and right welbeloued cousin and counsellour, Wee greete yow well. Being informed that there be diverse fynes of the Circuite Courts raised of late from persones fyned within the bounds of the barronie and regalitie of Glasgow, belounging to our right trustie and right welbeloued cousin the Duike of Lenox, which being now sequestred vntill such tyme as it be decyded before the Comissioners of our Exchequer, whither the samen doe appertaine to vs, or to our said cousin, in whose estate being unwilling that any thing be changed during his absence; Our pleasure is, and

hcreby doe requyre yow to have a care to see that the fynes aforesaid be delyvered vnto our said cousin, his commissioners or agents, and that in all things concerning him yow give your best assistance, as you can lafullie doe, which wee will take as speciall good service done vnto vs. Wee bid you fairewell. From our Court at Whythall, the 29 of March 1630.

To our right trustie and right welbeloued cousin and counsellour the Earl of Stratherne, President of our Privie Counsell of our Kingdome of Scotland.

33. KING CHARLES I. to WILLIAM SEVENTH EARL OF MENTEITH.

13th April 1630.

CHARLES R.

RIGHT trustie and right welbeloued cousin and counsellour, Wee greete yow well. Whereas wee were pleased of late to give yow some instructiones touching such things as were fitt for the good of our service within that our Kingdome, and being willing to conferre with yow concerning such of them as you have alreadie proponed and sett a foote there; and of those that are intended to be prosecuted; Our pleasure is, that immediatlie after you have holden the Justice Courts in Drumfreis, yow repair vnto our Court, where our further pleasure shal be impairted vnto yow concerning the same. Soe wec bid yow fairewell. From our Court att Whythall, the thretteene day of Apryle 1630.

To our right trustie and right welbeloued cousin and counsellour the Earlc of Monteith, President of our Privie Counsell and Justice Generall of that our Kingdome of Scotland.

Instructions for the Earle of Munssette
Charles R.

1 You must comānd the Chancelor in my name, that no
motion bee made in the Conuention, but vnder the hand of the
Clarke Register, & you must comānd the Clarke Register
that he present none but cashes those he shall receaue
warranted vnder my hand, or by your aduyce

2 My pleasure is that what shall be gotten at this
tyme by Taxation be disposed for the bringin in
of the Few dewties & Superiorities.

3 That the Conuention may establishe the submission by
decrete together with the Annuite & Superiori-
ties, & that those things that ar disputable in the
Decrete, may be ratified by Acte of Conuention

4 That ye take order for the mainetaining of my
houses out of the proper rents belongin to them

5 That ye take order that the Casualties of the Crowne
pay at least, three tymes the worthe of the Seales

James the 2: day of June
1630

34. The SAME to the SAME.—25th May 1630.

CHARLES R.

RIGHT trusty and right welbeloued cousin and counsellour, Wee greete yow well. Hauing wreitten to our Deputie Treasurer to heare from yow our directiones and aduise concerning him, and being willing that yow condiscend with him vpon the best maner and conditiones as yow shall think most fitt for the present estate of our affaires and for the good of our seruice for his surrendring vnto vs of his charge of Deputie Treasurer: Our pleasure is, that yow seriouslie dealc with him to that effect, and as yow shall proceed or conclude with him to aduertise vs, that accordinglie wee may resolue what course to take therein; which speciallie recommending vnto your care, wee bid yow farewell. From our Court at Whytehall, the 25 of May 1630.

To our right trustie and right welbeloued cousin and counsellour the Earle of Monteith, President of our Prive Counsell of Scotland, and Lord Cheife Justice theirè.

35. The SAME to the SAME.—2d June 1630. [Holograph.]

INSTRUCTIONS for the EARLE OF MUNTETHE.

CHARLES R.

1. You must command the Chancelor in my name, that no motion bee made in the Conuention but vnder the hand of the Clarke Register, and you must command the Clarke Register that he present none but eather those he shall receaue warranted vnder my hand, or by your aduyce.
2. My pleasure is that what shall be gotten at this tyme by taxation be disposed for the bringin in of the few dewties and superioreties.

3. That the Conuention may establishe the submission by decreete, together with the annuitie and superioreties, and that those things that ar disputable in the decreete may be ratified by Acte of Conuention.
4. That ye take order for the mainetaining of my houses out of the proper rents belongin to them.
5. That ye take order that the caswalties of the Crowne pay at least three tymes the worthe of thc Seales.

St. James, the 2 : day of June 1630.

36. KING CHARLES I. to WILLIAM SEVENTH EARL OF MENTEITH.

18th June 1630. [Holograph.]

MONTEITHE,—My pleasure is that ye calle vpon all my seruants to show themselves reallie to bee soe at this Conuention. This is not that I eather misdoute the justness of what at this tyme shall be propounded to the Conuention in my name, or thaire reddiness in furthering my seruices ; but by acquainting them of my intentions, to incurage ther indeuors the more, and in particular, there is the Chancelor, Mar, and Hadington, that of my owen knowledge (not to doe wronge to the reste) I expect the most seruice of ; which for their better encouragment ye may lett them know when ye do communicate with them my inteutions concerning the Conuention.

St. James, the 18 : of June 1630.

For Monteithe.



Monseigne, my pleasure is that ye call upon all my
servants to show themselves ready to bee for ^{at this Conventions} this is not
that I eather misdoute, ~~and have~~ the justness of what at
this tyme shall be propounded to the Conuention in my
name, or to haue readines in furthering my seruices; but
by acquainting them of my intentions; to encourage their
indeuors the more, Es ~~in~~ in particular, there is the
Chancelor, Mar, Es^r Hadington, that of my owen
knowledge (not doe wronge to the rest) I expect the most
seruice of; which for their better incouragement ye may
let them know, when ye doe communicate with them,
my intentions concerning the Conuention.

5 James the 18. of June 1630

CR



Monrothe although those busineses, which shall at
this ~~at~~ tyme be propound in the Conuention, bee so just, as
I haue liuell cause to suspect opofition, yet it is meeve,
that at this, & all other ~~such~~ occasions, those that ar my
seruants, show themselves, reallie so to bee, in furthering
my affaires; therefore my pleasure is, that ye call upon
all my seruants, to show themselves, to bee soe at ~~at~~ this
Conuention, & in particular the Arche Bisheope of
St Andrews, whom I particularlie name to you in this
Paper because he may know I remember him as one of
~~the~~ ^{my} cheefe ~~reputable~~ [&] able ~~and~~ willing seruants, in whatso-
=euer I haue to doe; & in respect of his Calling, & that he is
the cheefe of it, in that my ancient North Kingdom
I put him ^{heere} alone. St James the 18. of June 1630

CR

37. The SAME to the SAME.—18th June 1630. [Holograph.]

MONTEITHE,—Although those businesses which shall at this tyme bee propound in the Conuention bee so just, as I haue littell cause to suspect oposition, yet it is meete that at this, and all other occasions, those that ar my seruants show themselves reallie so to bee in furthering my affaires; therefore my pleasure is, that ye call upon all my seruants to show themselves to bee soe at this Conuention, and in particular the Archebisheope of St. Andrews, whom I particularlie name to you in this paper, because he may know I remember him as one of my cheefe and able willing seruants in whatsoever I haue to doe; and in respect of his caling, and that he is the cheefe of it in that my ancient natife Kingdom, I put him heere alone.

St. James, the 18 of June 1630.

C. R.

For Monteithe.

38. The SAME to the SAME.—12th August 1630.

CHARLES R.

RIGHT trustie and right welbeloued cousin and counsellour, Wee greete yow well. Wee haue agane wreitten to the Lord Napeir that wee haue giuen full power vnto yow to deale with him for surrendring vnto vs his office of Deputie Treasurer, and that wee will exspect that he will the more willinglie condescend therein with you in regard wee haue dealt with him after so faire a maner: Therfor our pleasure is, that yow agane deale with him to that purpose, and if he will not yeeld to any faire and reasonable proposition made by you therein, wee require you to cause put him to a tryall touching anie thing that can justlie be objected against him in the execution of that office,

which course wee will further authorise (if need be,) after what maner shal be found most requisite. Wee bid yow farewell. From our Court at Tichburne, 12 August 1630.

To our right trustie and welbeloued cousin and counsellour the Earle of Monteith, President of our Priuie Counsell of Scotland, and our Justice Generall of that our Kingdome.

39. KING CHARLES I. to WILLIAM SEVENTH EARL OF MENTEITH.
12th October 1630.

CHARLES R.

INSTRUCIONES from the KING'S MAJESTIE to the Right Honorable the EARLE OF MONTEITH, Lord President of his Majestie's Priuie Counsell of Scotland.

It is his Majestie's pleasure that the said Earle giue order to his Majestie's Aduocate carefullie to aduert to his Majestie's interruption of the prescription, and that he vse his best means that nothing be omitted that may saue his Majestie's actiones from prescription.

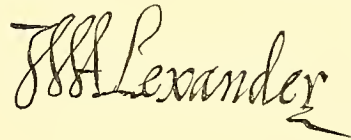
That the said Earle seek and require an accompt of such lettres and dircetiones as his Majestie hath formerlie giuen concerning the rectifieing of the abuse of Coyne.

That the said Earle giue order to his Majestie's Aduocate to try the right of Sir Mongo Morray to the landes of Huntingtour, and to report the estate thereof to his Majestic.

That the said Earle desert out of his Court of Justice Generall any dyctt concerning William Gordon of Mooresade, and one who was a seruant of his, because his Majestie hath required his Counsell to vse their best meanes to compose those differences in a frendlie maner.

That the said Earle conferre and advise with his Majestie's Chanceler and Treasurer concerning the fishing busiennesse, and that they joyne togidder in that and in euerie thing that may concerne the aduancement of his Majestie's seruice.

That the said Earle conferre and advise with the Lord Chanceler, the Archbishop of St. Androis, Treasurer, Priuie Seale, and his Majestie's Aduocat, or any three of them, whither it be fitt for the good of his Majestie's seruice to mak vse of the Commission signed for the Exchequer wherein the officeis are onely joyned with the Treasurer and Deputie-Treasurers, or if the said officers or some of them shall onely be put upon the quorum or otherwise what Commission they shall think best to be vsed therein, that one may be drawn vp accordingle for his Majestie's hand. Giuen at his Majestie's honour of Hampton-Court, the 12 of October 1630.

A handwritten signature in cursive script, appearing to read "J. Alexander". The signature is written in dark ink and is positioned to the right of the main text block.

40. The SAME to the SAME.—11th October 1630.

CHARLES R.

RIGHT trustie and welbeloued cousin and counsellour, Wee greete yow well. Having occasion at this time to conferre with yow touching some thinges concerning our seruice, wee require yow with all diligence to repair vnto our Court, where our further pleasure shal be made knowen vnto yow. Wee bid yow farewell. From our honour of Hampton Court, the 11 of October 1630.

To our right trustie and right welbeloued cousin and counsellour the Earle of Monteithe, President of our Privy Counsell within our Kingdome of Scotland.

41. LOUIS XIII., KING OF FRANCE, to the COUNT DE MONTIDE, [EARL OF MENTEITH,] thanking him for the protection he had given to the Catholics in Scotland.—21st December 1630.

MONSIEUR LE COMTE DE MONTIDE, j'ay sceu par le Marquis de Fontenay, mon ambassadeur en Angleterre, de quelle sorte vous avez receu les offices et recommandations qu'il vous a faictes en mon nom en faueur des Catholicques d'Escosse, et les preuues que vous avez commencé de leur rendre de votre protection sur les occasions qui se sont passées dont je ne puis assez louer. Vous priant de continuer en cette bonne intention, de laquelle outre la recompence qui vous est reseruée je vous tesmoigneray mon ressentiment par les preuues de ma bienueillance en tout ce qui s'offrira pour votre contentement ainsy que ledit Marquis de Fontenay vous fera scauoir plus particulièrement de ma part ; auquel me remettant je prie Dieu, Monsieur le Comte de Montide, vous auoir en sa saincte garde. Escrit à Paris le xxi^e Decembre 1630.

LOUIS.

BOUTHILLIER.

A Mons^r le Comte de Montide.

42. KING CHARLES I. to WILLIAM EARL OF MORTON.—27th February 1631.

CHARLES R.

IN reguaird wee haue been pleased to requyre our right trustie and right welbeloued cousin and counsellour the Viscount of Duplin, our Chancellour, to delyver vnto you the moneyes of any taxations togidder with the concealments thereof, of which he is Collector generall, for discharging of some speciall warrants concerning which wee did expresse our pleasure vnto you ;

Monseign I have given you dyvers instructions wherof
I expect a particular account of, & so which I must add
this one word, that is, ye must deale about the reserua-
tions for the fishing business to keepe out those places from
being reserved that I have told you of, because I foresee
that otherwise that great business wherof I have had so
great a care of, will run a hazard, So God speed your
indeavours CR

Oslands the 31 of July
1631

wee are hereby pleased to requyre you that out of the first and readiest of the last taxations granted in the moneth of August 1630, you pay vnto our right trustie and right welbeloued cousin and counsellour the Earle of Monteith, President of our Privie Counsell, the soume of eight thousand pounds sterling, togidder with the ordinarie interest, as his warrants doe beare, and that you accept of this our warrant and testifie wnder your hand to the said Earle your acceptation thereof: and thereafter that you see vs discharged of that debt so owing by vs vnto him. And for your soe doing these presents shal be your sufficient warrant and discharge. Giuen at his Majestie's Court at Whitehall, the 27 of Februar 1631.

To our right trustie and right welbeloued cousin and counsellour the Earle of Morton, Treasurer of our Kingdome of Scotland.

43. KING CHARLES I. to WILLIAM SEVENTH EARL OF MENTEITH.—31st July 1631. [Holograph except the address.]

MONTEITH,—I haue giuen you dyuers instructions wherof I expect a particular account of, and to which I must add this one word, that is, ye must deale about the reseruations for the fishing business to keepe out those places from being reserued that I haue tould you of, becaus I foresee that otherwais that great business wherof I haue had so great a care of will runn a hazard; so God speed your indeauors.

C. R.

Otlands, the 31 of July 1631.

To our right trustie and right welbeloued cousin and counsellour the Earle of Monteith, President of our Privie Counsell of our Kingdome of Scotland.

44. KING CHARLES I. to WILLIAM SEVENTH EARL OF MENTEITH.

31st July 1631.

CHARLES R.

PRIUATE INSTRUCIONES from his Majestie to the Earle of Monteith,
now Erll of Stratherne.¹

To deale with the clergie for settling of their greeuances in the mater of valuation of tithes, and to answer to euerie point of the lettre wreitten by the Archbishop of St Androis vnto his Majestie.

To haue a care that the bussinesse of the fishing may be well and timely concluded, and the commission returned before the midle of September ensueing.

To aduert to the businesse of the salt and coll.

To deale with the brugh of Edenbrough that they may buy so much of that bargaine which his Majestie hath agreed for with the Earle of Roxbrugh, or is fitting for them to haue.

That the said Earle retorne vnto our Court with the rest of the commissioners before the tenth of September ensueing. Giuen at his Majestie's Court at Oatelandes, the last day of July 1631.

45. KING CHARLES I. to WILLIAM EARL OF STRATHERN AND MENTEITH.

15th September 1631.

CHARLES R.

RIGHT trusty and right welbeloued cousin and counsellour, Wee greete yow well. Hauing at your last departure from our Court granted vnto yow no longer time of stay there, then the fiteene of this month, but knowing that it

¹ This addition is in another hand.

is requisite for the good of our seruice that yow be present at that meeting of our Counsell which is appointed to be shortlie at our brugh of Perth: Our pleasure is, that yow be present thereat, and immediatlie thereafter yow repair to our Court. Wee bid yow heartilie farewell. From our Court at Theobaldes, the 15 of September 1631.

To our right trusty and right welbeloued cousin and counsellour the Earle of Stratherne and Monteith, Lord President of our Priuie Counsell of our Kingdome of Scotland.

46. KING CHARLES I. to WILLIAM EARL OF MORTON, Treasurer, and the LORD TRAQUAIR, Treasurer-Depute.—30th November 1631.

CHARLES R.

FORSAMEKLE as wee ar informed that their is some pairt of our preceptis of aucht thowsand pund sterling grantit be ws to our trustie couseing and counsellour the Erle of Stratherne, President of our Counsell, to be payed out of the lait taxatioun grantit in the monethe of August i^m vi^c and threttie, as yeit restand auchtand vnpayet to the said Erle: Theirfoir it is our speciale pleasour that yow cause him to be payed of the said rest, furthe of the first and readiest of our said laite taxatioun, or of any vther of our rentis or casualties exprest in his preceptis: for the quhilk thir presentis shall be to yow ane sufficient warrand, and that notwithstanding of quhatsumever former command, warrand, or directioun gevin be ws to yow anent the moneyes of the said taxatioun. Gevin at Whythall, the last of November 1631.

To our rycht trustie couseingis and counsellouris the Erle of Mortoun, our Thesaurer Principall, and the Lord Traquaire, our Thesaurer Depute.

47. KING CHARLES I. to VISCOUNT DUPPLIN, Chancellor, and others, Commissioners of Exchequer in Scotland.—13th January 1632.

CHARLES R.

RIGHT trustie and right welbeloued cousin and counsellour, right trustie and welbeloued cousins and counsellours, and right trusty and welbeloued counsellours, Wee greete yow well.

Hauing signed a grant of fifteen thousand poundes sterlin money to our right trustie and right welbeloued cousin and counsellour the Earle of Stratherne, Lord President of our Priuie Counsell of that our Kingdome, in consideracion of the good and faithfull seruices done vnto vs for the good thereof, of which wee haue been pleased to tak speciall notice ; Our pleasure is, that with diligence yow exped the said grant according to the tenor thereof, and that yow mak Actes of Exchequer therevpon ; and for your so doing these presents shal be vnto yow a sufficient warrant. So wee bide you fairewell. From our Court att Whythall, the thretteen day of Januar 1632.

To our right trustie and right welbeloued cousin and counsellour, to our right trustie and right welbeloued cousins and counsellours, to our right trustie and welbeloued counsellours, and to our trustie and welbeloued counsellours, the Viscount of Duplin, Chancellour of our Kingdome of Scotland, the Earle of Morton, our Thesaurer, and to the remanent Earles, Lords, and others Commissioners of our Exchequer within our said Kingdome.

Strethearne/ Because I see, by what ye have told me, that
Oghtrie is not lyke to receive suche a sentence as his false
deserues, ~~and~~ therefore I comānd you ~~to~~ (for this, & manie other
reasons) not to bring to his tryall, but comānd him that he com
not, ~~at~~ within 50. Myles of ~~our~~ my Court, upon paine of my
heiness displeasure; for all which this is your warrant, at Darlands
the 17. day of July, 1632

Charles R.

48. KING CHARLES I. to WILLIAM EARL OF STRATHERN.

14th March 1632.

CHARLES R.

RIGHT trustie and welbeloued cousin and counsellour, Wee greeete yow weell. Though wee excuse your suddaine goeing away in regard of the occasion that moved yow therunto, yett haueing brought the busiues concerning the fishing neare vnto ane end, wee desire befor it be concluded fully to haue yow present, that wee may conferre with yow thereupon, as lykewayes vpon other affaires concerning our service, and therefor exspecting yow hear so soone as yow can convenientlie, Wee bid yow fairewell. From our Court att Newmarket, the fourteene day of Marche 1632.

To our right trustie and right welbeloued cousin and counsellour the Earle of Stratheren, President of our Privie Counsell of our Kingdome of Scotland.

49. The SAME to the SAME.—17th July 1632. [Holograph.]

STRETHERNE, Because I see by what ye haue towld me that Oghltrie is not lyke to receaue suche a sentence as his falte deserues, therefore I command yow (for this and manie other reasons,) not to bring [him] to his tryall, but command him that he com not withiu 50 myles of my Court, upon paine of my hauiest displeasure; for all which this is your warrent. At Oatlands, the 17 day of July 1632.

CHARLES R.

For Stretherne.

50. KING CHARLES I. to the COMMISSIONERS OF TEINDS.

15th August 1632. [Copy.]

COMMISSION FOR SURRENDERIS.

RIGHT, &c., Wee haue heard of the good progresse made be yow in the matters of tythes and valuationis, theirof approving both of the ordour taken by yow for drawing of the same before yourselfs, if the heretors and titularis doe not their diligence at the tymes appointed be yow, and of your cair taken for rectefeing of the reports at the instance of our Advocat, quhair the tythes are undervalued, to the prejudice of the Churchc's maintenance, and of ws in our annuitie ; and being informed of the course lykewayes taken by yow for geveing to all heretoris indifferentie the leading of their awin tythes upon suirtie for payment of the tythes valued to the titulars, they haveing submitted or not (it being anc course which in all equitie ought to be universall,) wee giue yow hartie thankis for your cair and diligence thairin, and doe will yow to proceid in that worke according to these rules alreadie begunn, till it be finished, and where the tythes be undervalued, whereby the Church and wee may suffer most : Our pleasure is (though both titular and heritour be silent,) that yow haue a speciall cair to rectefie these valuationis, and that the persuit goe on in our Advocat's name, least there might be collusion between them to our prejudice, which recommending to your cair wee bid yow fairweell. The 15 of August 1632.

Dorso—Copie of his Maiestie's letter to the Commissioners of Teindis anent the Valuations, etc.

Stretcherne, because that (by the grace of God) I mynd to
repaire to Scotland this next yeare, it necessair, amongst
other things that the Towne of E. denborough haue a well
chosen Prouost, wherfor I comand you, that ye prohibis them
^{in my name} to chuse ^{any} unconforme man to that place, as lykwaies to recom-
mend to them one of those, that I haue mentioned to you, ex-
pecting that they will haue a respect to my recomendation,
though I leaue them to there free choise. So farwell the
15: of Aug: at Berwicke 1632

Charles R

Stretcherne/ I confesse I thought that I should not have been
trubled with these two busineses anie more, for I understood
that ye undertooke them bothe, & that ^{there} needed ^{not} a warrand for
~~the first~~ ^{the first} of them under my hande: As for Carrick, he cannot believe
that ye will ~~buy~~ ^{forge} a ~~faulsh~~ message from me to him, howsoever,
it were an odde thing for me, by a warrand, to prohibit a man
to buy Land for his monie, though I confesse, it to bee verrie
fit. for a message, in this particular: Concerning Ochiltrie,
if I bee not deceaved, ye have already under my hand a
direction what to doe with him, therfor I need say no more
of ~~him~~ ^{him}; & for the First, if there neede anie warrand, this,
that I have now written, is sufficient: So for this tyme I
rest

Bagshot the 30. of Aug:
1632

Your loving frende
Charles R

51. KING CHARLES I. to WILLIAM EARL OF STRATHERN.—15th August 1632.

[Holograph.]

STRETHERNE,—Becaus that (by the grace of God) I mynd to repaire to Scotland this next yeare, it [is] necessair, amongst other things, that the toune of Edenborough haue a well chosen Prouost, therfor I command you that ye prohibit them in my name to chuse anie unconforme man to that place, as lykwaies to recommend to them one of those that I haue mentioned to you, expecting that they will haue a respect to my recommendation, though I leaue them to there free choise. So farwell. The 15th of August, at Bewlie, 1632.

CHARLES R.

To Stretherne.

52. The SAME to the SAME.—Bagshott, the 30th of August 1632.

[Holograph.]

STRETHERNE,—I confess I thought that I should not haue beene trubled with thease two businesses anie more, for I understude that ye undertooke them bothe, and that there needed not a warrand for the first of them under my hande. As for Carrik, he cannot belieue that ye will forge a message from me to him; howsoeuer, it were an odde thing for me by a warrand to prohibit a man to buy land for his monie, though I confess it to bee verie fitt for a message in this particular: concerning Ochiltrie, if I be not deceaned, ye haue alreadye under my hand a direction what to doe with him, therfor I need say no more of him; and for the first, if there neede anie warrend, this that I haue now written is sufficient. So for this tyme I rest your louing frende,

CHARLES R.

For Stretherne.

53. KING CHARLES I. to WILLIAM EARL OF STRATHERN.—27th September 1632.

CHARLES R.

RIGHT trustie and right welbeloued cousin and counsellour, We greete yow well. Whereas wee are informed that as yet there is but a small progress made in the tryall of the lamcntable death of the Viscount Melgum and others, wee hauing wwritten at scuerall times that all lawfull and speedie meanes might be vsed for bringing the tryall of that mater to light, and particulerlie for torturing of one John Meldrum, of whose guiltinesse there are some greate presumptiones proceeding (as wee are informed,) from his own confession, and seing it is enacted by our Priuie Counsell that he should be tortured, which, if it be done in timè, may much conduce to any subsequent tryall for clearing of that busieness : Our pleasure is, and wee do hereby authorise and require yow to cause torture the said Meldrum with all diligence, for which these presents shal be your warrant, and wherein yow shall do vs acceptable seruice. Wee bid yow farewell. From our honour of Hampton Court, the 27 of September 1632.

To our right trustie and right welbeloued cousin and counsellour the Earle of Strathern, President of our Priuie Counsell of Scotland.

54. The SAME to the SAME.—27th September 1632.

CHARLES R.

RIGHT trusty and right welbeloued cousin and counsellour, Wee greete yow well. Yow will perceauè by our lettre to our Counsell our intention touching a complaint made vnto vs in behalf of our right trustie and welbeloued cousin and counsellour the Marquise of Huntlie, that in the late proceedings for trying of one Tosechoch touching the death of the Viscount Melgum, delay

was made by the Justice Deputs to the hinderance of justice, wherein seing our princely care still is that all lawfull and speedie wayes may be vsed for bringing the truth of that busienesse to light, wee will exspect at your handes both in regard of your charge and trust from vs, that yow see no lawfull meanes omitted for the due and timely tryall of that complaint, and that yow will therein vse your most effectuall and readie endeauours, and certifie vs of your opinion touching the same. Wee bid yow heartily farewell. From our honour of Hampton Court, 27th September 1632.

To our right trustie and right welbeloued cousin and counsellour the Earle of Strathern, President of our Priuie Counsell of Scotland.

55. KING CHARLES I. to GEORGE VISCOUNT DUPPLIN, Chancellor, and Others.
3d October 1632.

CHARLES R.

RIGHT trusty and right welbeloued cousins and counsellours, Wee greete yow well. Being fullie resolued to repair thither, God willing, the next sommer, where wee are desirous that all things at our comming and aboade may be in such readinesse and order as may answer our expectation and care of the credite of that our ancient Kingdome, wherein conceauing that it is requisite that before our comming things be so forseene and prouided in due time as they were at the time of our late royall father his being there; Our pleasure is, that yow call to mind or informe yourselves of the wayes and meanes prescribed and taken for his receauing and intertainment, and so forsee for things that nothing necessarie and fitt be wanting at our being there, and that yow consider of such offices as are necessarlie requisite to be established during our residence, without drawing vpon vs any superfluous or vnnesessarie place or charge, and to that effect that yow mak a roll of them that are needfull,

and a list of such persones' names as yow shall think most fitt to discharge the same, that wee may mak choice of such of them as wee shall think fitt; vpon all which, hauing deliberatlie treated what is fitt to be done and provided, let vs be certified thereof with all diligence by yow, our Treasurer and President of our Priuie Counsell, whom wee will to come fullie instructed to giue vs satisfaction herein; but if yow shall find a necessitie that a Commission be giuen by vs to this purpose, wee require yow to cause our Aduocate draw such one as yow shall think requisite, and send the same to vs, with a blank for the names which wee will cause fill vp, and returne with diligence. All which wee speciallie recommend vnto your care, and bid yow farewell. From our honour of Hampton Court, 3 October 1632.

To our right trustie and right welbeloued cousins and counsellours, and to our right trustie and welbeloued counsellour, the Viscount of Duplin, our Chancellor, the Earle of Morton, our Treasurer, the Earle of Strathern, President of our Priuie Counsell, and the Lord of Traquhair, our Deputie Treasurer of our Kingdome of Scotland.

56. KING CHARLES I. to WILLIAM EARL OF STRATHERN.—9th December 1632.

CHARLES R.

WHAIRAS yow at our speciall command haue agreed with the Lord Halyruidhous for the disponing to vs of the hous and precincts off the said Lordship, haill teinds, and vthers thairto appertaining, These are thairfore to will and requyre yow, in our name, to command him that he mak no vther bargaine with any off our subjects off the same, nor no parcell thairoff, till Witsunday next, at the quilk tyme we sal give ordour for his payment of the soumes agreed and promittit to him for the same, as also if yow sal find it fitt that yow give ordour that the Commissioun of the surrenders supersaid any

medling with the teynds of the said Lordship, or kirks of the same, till the first of July next, for doing qhairoff these presents sal be to yow ane sufficient warrant. Gevin at our Palace att Whytehall, the nynt day of December 1632. To our richt truistie and weil beloued cousyn and counsalour, William Earle of Stratherne, President off our Counsall off Scotland.

57. The SAME to the SAME.—9th December 1632.

CHARLES R.

WHAIRAS we haue given warrant to our Advocatt to call to him Maisters Andro Aytoun, Thomas Nicolsoun, and Lues Stewart, Advocats, and consult with thame whidder it be fittest for our seruice, that the seruices and retours quhairby yow ar serued and retourit to vmquhile Dauid Earle off Stratherne, and vmquhile Euphame, Countes off Stratherne, sould be deleit fuirth of our registers or reducit; These ar to will and command yow to caus administer ane oath solemnelie to thame all, and to caus thame vpon thair oath delyver thair opinyouns and judgements, and sett the same down in writ vnder thair hands, and returne the same to vs, and that ye ar in our name command thame to keip the same secreit, quhairanent thir presents sal be to yow ane sufficient warrant. Gevin at our Palace at Whytehall, the nynt day of December, the zeir off God 1632.

To our richt truistie and weil beloued cousyn and counsailour William Earle of Stratherne, President off our Counsall off Scotland.

58. The SAME to the SAME.—14th December 1632.

CHARLES R.

RIGHT trusty and right welbeloued cousin and counsellour, Wee greeete yow well. Whereas wee were long since pleased to grant a Commission for

reusing the Acts of Parliament, that such of them as were considered and collected by our Commissioners appointed for that purpose, might be in readinesse to be rectified and ordered in the next Parliament, according to the intent of that Commission : Hauing at this time directed yow vnto our Kingdome of Scotland, for affaires speciallie importing the good of our seruice, wee are pleased, amongst other things, speciallie to recommend vnto yow to informe yourself of all that hath proceeded in that Commission, and to report vnto vs the true estate thereof, representing in our name to those Commissioners that they speedilie proceed to haue all things touching that Commission in readinesse at our coming thither this next spring of the yeare ; and that yow particularlie recommend to the Lordes of our Colledge of Justice for contributing their ayde at their best conveniencie in furthering that work, which wee will tak as very acceptable seruice done vnto vs, and which wee will particulerlie acknowledge at their hands whensoever occasion shall convenientlie offer to that purpose. Wee bid yow heartily farewell. From our Court at Whitehall, the 14 of December 1632.

To our right trustie and right welbeloued cousin and counsellour the Earle of Strathern, President of our Priue Counsell of our Kingdome of Scotland.

59. KING CHARLES I. to WILLIAM EARL OF STRATHERN.

21st December 1632.

CHARLES R.

RIGHT trusty and right welbeloued cousin and counsellour, Wee greete yow well. Hauing wwritten to our Aduocat to persue George Nicoll before yow or your deputies for such false and malicious calumnies which yow did heare in our own presence, Our pleasure is, that yow cause his punishment be

speedilie sentenced, as shall best accord with justice and the foulnesse of his offence, which wee will tak as good service done to vs. Wee bid yow farewell. From our Court at Whitehall, the 21 December 1632.

To our right trustie and right welbeloued cousin and counsellour the Earle of Strathern, President of our Privie Counsell of Scotland.

60. KING CHARLES I. to WILLIAM EARL OF AIRTH, President of the Privy Council of Scotland.—21st January 1633.

CHARLES R.

RIGHT trustie and richt weelbeloued cousing and counsellour, We greet yow weell. Seeing we haue commanded our Advocat to intcnd ane actione of reductione of thes services to David Erle of Stratherne, and Euphame Countes of Stratherne, we doe hcerby promise that if in the said actione we doe cviete your barronie of Kilbryd, we shall immediatly dispone the same to yow heritable, and becaus we haue in all this bussines of Stratherne, from the first to the last, found your great affectione to our service, we will tak a speciall care of the weell and standing of your hous, that vtheris heerafter may be encouraged to doe ws good service. So we bid yow heartily farcweell. From our Court at Whitehall, the 21 of Januier 1633.

To our right trustie and right welbeloued cousin and counsellour the Earle of Airth, President of our Priuie Counsell of our Kingdome of Scotland.

61. KING CHARLES I. to WILLIAM EARL OF STRATHERN.—23d February 1633.

CHARLES R.

RIGHT trusty and welbeloued cousin and counsellour, Wee greete yow well. Though wee were pleased vpon some false and malicious calumnies suggested

vnto vs by one George Nicoll, against some of our cheef officers, to giue order vnto yow as our Justice-Generall to cause his punishment be speedilie sentenced, as should best accord with justice and the fouleness of his offence, yet vpon some consideraciouns now moving vs, wee haue required our Counsell to tak the ordering of that cause before them. Therefor our pleasure is, that yow cause your deputs cease from all proceedings touching that purpose, leauing our Counsell to tak such order therein as they shall think fitt, for which these presents shal be vnto yow and your said deputs sufficient warrant and discharge. Wee bid yow fairewell. From our Court att Whythall, the 23 of Februarij 1633.

To oure right trusty and welbeloued cousin and counsellour the Earle of Stratherne, President of our Privy Counsell of our Kingdome of Scotland.

62. KING CHARLES I. to the COMMISSION anent the Earl of Airth's Process.

1st May 1633. [Copy.]

WHERAS we haif bein informed by oure trustie and weilbeloued Sir James Skene, Knycht, President of oure Colledge of Justice, that he would vndertake to prove that it was said to him that oure richt trustie and weilbeloueit cousing and counsallour the Earle of Airth, President of oure Counsell, affirmed that he should haif bein King of Scotland, and that it was said to him that he affirmed to haif better, or as guid rycht to the Croune as we ourselffis, that it mey be dewlie tryed whither these treasonable speecheis wherwith the said Earle is accused be true, or if they be bot calunnies ; it is oure pleasour, that zow, to whom these presentis ar directed, or any sex of zow, oure Chancellour, or any of the tuo Archebischopis being one, doe convein and call befoir zow the said Sir James, and caus him condiscend vpoun the names of his reporteris, and in caice they

should deny, then zow shall examine such witness as the said Sir James shall produce againes his said reporteris, and to bring them before zow, and if his authouris haue it only by the report of otheris, that zow proceed till zow haue sum who doe affirme to haue hard it immediatlie frome himself, and that zow examine all such witness as shall be produced vnto zow (they being nobilmen or men of guid qualitie and reputatioun, or such as against quhome their can be no legall exceptioun,) vpoun the said report, tyme, pleece, and other circumstances requisite, and theirafter, quhen zow haif done with the tryall, that zow send to ws the severall depositions of the said witness, everie one of them haueing signed that which is his owne ; for doeing wherof these presentis shall be zowr sufficient warrand. Givein at Whythall, the first of Maij 1633.

To oure rycht trustie and weilbeloved cowsing and counsallour George Viscount of Duplin, our Chancellour ; to the rycht reverend fatheris in God, oure trustie and weilbeloved counsallouris, Johne Archebischop of St. Androis, and Patrik Archebischop of Glasgow ; to our rycht trustie and weilbeloved cowsingis and counsallouris William Erle of Mortoun, oure Thesaurer, Thomas Erle of Hadinton, Lord Privie Seill, Johne Erle of Lauderdaill, William Viscount of Air ; to oure rycht trustie and weilbeloved counsallouris Johne Lord Traquair, oure Deputie Thesaurer ; and to oure trustie and weilbeloved counsallour Sir Johne Hay of Landis, Knycht, oure Clerk of Registre, or to any sex of zow, oure Chancellour, or one of the two Archebischopis being one.

63. The SAME to the SAME.—[1633. Copy.]

THE authouris that he hes give vp to me ar, the Lord Ramsay, the Constable of Dundie, for the saying that he should haif bein King of Scotland ; and for

the other speecheis of haueing as guid rycht to the crowne or better then my self, the Erle of Wigtoun and Sir James Maxwell of Calderwood ar named : thairfor I command zow to call for and examine them four abouenamed witht all expeditioun, and send their examinatiounes to me, witht all diligence ; nevertheles goeing on as fast as ze can to hunt this report to the seat, to the end that (if it mey be) I mey sie ane end of this bussines before I come to Scotland.

Sic subscribitur C. R.

64. KING CHARLES I. to the CHANCELLOR anent the Earl of Airth's business.
1st May 1633. [Copy.]

CHARLES R.

RIGHT trusty and weilbeloved cousin and counsellour we greit zow weil. We have sent zow heirwith a commissioun for tryall of that which is alledged against our right trustie and weilbeloved cousin and counsellour the Erle of Airth, President of our Privie Counsell, with the names of sutch persounes sealled vp to be delyvered to zow. And it is our pleasour that, haveing conveined with all possible diligence with zow the Archbischopis of Santandrewes and Glasgow, the Erles of Mortoun, Hadintoun, and Lauderdaill, the Vicount of Air, the Lord Traquair, and Sir John Hay, Clerk Registre, or ony sax of zow, zow or on of the tuo Archbischopis being annexit, and thay and zow being appoyntit by vs Commissioners for the tryall of this bussines, zow opin the Commissioun before thame and so proceed for examining of sutch witness as shall be produced to zow according to the Commissioun. And if any of the saidis Commissioners shall be vsit be the partie informer as witness, though thair do not remain so many as we have sett down for the coram, it is our pleasour nevertheless that the rest shall proceed ; and if any of the said Commissioners sal be vsit as witness, we appoynt that his depositioun vpone

oath be presentlie taken, and in case he do not depone that he hard the said Erle speak that which is alledgit in the tuo articles gevin in against him, that he be immediatlie reponed in the place of his Commissioun as gif he had not bein vsit as a witnes. And it is our pleasour lykwayis that the said Erle be allowed to mak vse of advocatis with whom he may consult and defend his caus als farr as hath bein or can be lafullie granted in the lyk cass. We bid zow fareweill. From our Court at Whythall, the first day of May 1633.

65. KING CHARLES I. to WILLIAM EARL OF AIRTH.—7th May 1633.

CHARLES R.

AIRTH,—I give zow licence, if it please zow, to retire to any of zour owne houses in the cuntrey till my comeing to Scotland, at which tyme (and efter these things ar cleared, which we houpe to be but calumnies wherewith zow ar charged,) we will not feall to have a cair of the standing of zour house, and of zour credit, and will give zow that marke of our favor which we promised to zow heirtofore. At Whythall, the 7 of May 1633.

66. KING CHARLES I. to Mr. THOMAS NICOLSON and other three Advocates to appear as Counsel for the Earle of Airth.—23d June 1633.

CHARLES R.

TRUSTIE and welbeloned, Wee greet yow well. Whereas our right trustie and right welbeloued cousin and counsellour the Earle of Airth is to compeere the morne by his Advocats for answering such obiectiones as of late are layed to his charge, wee being verie willing that he vse what lafull meanes he possible can for cleiring of himselfe: Our pleasure is, that haueing with all diligence informed yourselfe of the estate of his cause, and what he can alleadge

vpon his pairt, yow compeere at that tyme in his behalf for clearing and answering to the said obiectiones, for which these shal be your warrant. Given at our Court at Halyrudhouse, the 23 day of June 1633.

To our trustie and welbeloued Mr. Thomas Nicolsone, Mr. Roger Mouet, Gilbert Nilson, and Mr. Dauid Prymrose, Advocats.

67. KING CHARLES I. to WILLIAM SEVENTH EARL OF MENTEITH.

[*Circa* June 1633.]

CHARLES R.

RIGHT trustie and right welbeloued cousin and counsellour, Wee greete yow well. Whereas wee formerlie were pleased to conferre a title of honour vpon our trustie and welbeloued counsellour Schir William Alexander, our Principall Secretarie for Scotland, whereof the signatour wee deliuered vnto yow, but were pleased vpon some consideraciouns that the passing thereof might be delayed for a time : Our pleasure is, that yow cause exped it with all diligence, according to the tenour thereof, and for your so doing these presents shal be your warrant.

To our right trustie and right welbeloued cousin and counsellour the Earle of Monteith, President of our Privie Counsell of our Kingdome of Scotland.

68. KING CHARLES I. [to the EARL OF TRAQUAIR,] intimating his Majestie's pardon to the Earl of Airth.—14th July 1633.

C. R.

IF you find the Earle of Arthe cum to such a confession as will give us satisfaction, We be thes give yow warrand to assure him of his lyf and forfaitour.¹ Given at Seaton, the 14 of July 1633.

¹ In the original, the word "fortune" had been at first inserted, and is deleted by the King's own hand, who also substituted the word "forfaitour."

69. KING CHARLES I. to [ARCHBISHOP SPOTTISWOODE] anent the Earl of
Airth's affairs.—[*Circa* 1633. Copy.]

RIGHT reuerend father in God, and trusty and wellbeloued, Wee greete yow well. Hauing vnderstood by your report of the Earle of Airth his cautioners and creditours faire and legall proceeding for recouerie of those moneyes which they have payed and vndertaken for him, and the releef of his debts, wee are well pleased therewith ; and hauing taken to our princely consideration his distresses and their suffringes, wee haue given order to our officers to pay to him with all possible diligence those moneyes which we were formerlie pleased to grant vnto him towards the releef of his said burdens, that thereby his estate may be recouered and his cautioners and creditours freed of their reall disbursements and vndertakings for him ; but because wee conceaue that the conveniencie of our other iust affaires will not allow all to be payed at one terme, Our pleasure is, that yow tak some faire course for securing legallie his cautioners and creditours for their principall sowmes (prouiding the same inferre no present possession of his estate or any part thereof for their said sowmes,) for the space of two yeares or longer if you shall think fitt, for payment thereof, that after the expiring of that time they haue such an irredimable suretie as may inferre reall and actuall possession of his estate for their principall sowmes, at least for so much as shal happen to be vn timer payed at the said time, and that he be not further obliged for exhibition and deliuerie of his writts, then to exhibit such as may mak appear to yow and them that he is infest in the estate, and that he nor his appearand heirs cannot dispone thereof to the creditours' and cautioners' preiudice, and that during the forbearance of their principall sowmes they may not suffer be want of their due interest ; Our further pleasure is, that forthwith yow see them fullie

secured of the termely payment thereof, and if the said interest be not termly payed that he amitt the benefite of the said forbearance ; the legall performance of all which wee recommend to your care, and bid yow farewell.

70. KING CHARLES I. as to the distressed state of the EARL OF AIRTH.

[*Circa* 1634.]

CHARLES R.

HAVEING taken to our princelie consideratioun the distressed estait of the hous of Airthe, Wee ar graciously pleased to give towards the releiff of the debtis wherewith the same is presentlie burdened the sowme of six score twelf thowsand merkis Scottishe ; and dureing the forbeirance and not payment of the said sowme, or most pairt theirof, the sowme of fyue hundred pounds sterlin yearlie. And for the more ready and better releiff of the burdeins of the said hous, wee ar pleased to buy that hous neir to Halyrudhous, whiche belongeth to the Erle of Airthe, and vpon his secureing of ws theirof, to give to him the sowme of eighteine thowsand merkis Scottishe. And farder, wee ar content to buy in the Countesse of Airthe hir pensiou of fyve hundreth pund sterling ; and vpon hir and hir husband their resignatioun of the same, to give theirfore the sowme of threttie thowsand merkis Scottishe. The legall and formall performance whereof wee do recommend to Traquair. Given at

71. KING CHARLES I. authorizing a Grant for the Relief of the EARL OF AIRTH.

24th February 1634.

CHARLES R.

It is our pleasour that you caus our Advocat draw up a signator for our Royall hand, containing the soume of eight thousand pounds sterlin, to be payed out of the first and readiest of our rents, casualities, taxationes, etc., to Johne Lord

Kilpont, towards the releif of the Earle of Arthe's debtes. As alsoe that he draw up a renunciatione to be signed be the sayd Earle of Arthe of all formar pensiones, precepts, and gifts of money quhatsumevir given by us to him ; togider with a formall and legall dispositione of that hous belonging to him, and lyand nixt adjaent to our paliee of Holyrudhous. Given at Quhythall, the 24 day of Februarie 1634.

72. KING CHARLES I. [to the EARL OF KINNOUL,] WARRANT in favour of the EARL OF AIRTH for £10,000.—12th January 1635. [Copy.]

CHARLES R.

RIGHT trustie and weilbeloued, Whereas wee ware pleased to assigne towardis the payment of ten thowsand poundis sterlin, which wee did bestow vpoun the Erle of Airth, conforme to oure former warrandis gevin vnder oure hand at Hamptoun Court, the day of last bygane, the remander of the taxatiounes quhereof the late Erle of Kynnowll your father was collectour, and to the collection quhereof yow now succceid in his place ; and wee being still of the same resolutioun, Oure pleasure is, that yow mak good and thankfull payment of all such soumes as was found restand be him of the foirsaid taxatiounes to the said Erle of Airth, or to oure Treasurer or Treasurer Depute, for his vse, either of whose discharges shal be to yow a sufficient warrant : And to this effect oure pleasure lykwise is, that yow delyuer in all your aecompts of the saidis taxatiounes to oure Exchequer betwix and the 10th day of May nixttoeum. Gevin from our Court at Whitehall, the 12th day of Januar 1635 yeires.

73. KING CHARLES I. to WILLIAM EARL OF AIRTH.—28th December 1636.

CHARLES R.

RIGHT trusty and welbeloued cousiu and counsellour, Wee greet yow well. Hauing vnderstood how yow out of your affection to do vs service caused apprehend the eldest brother of Gilroy, hauing a gentleman, a neare kinsman of yours, killed in that seruice, wee giue yow thanks for the same. As heretofore yow haue found how gracious wee haue been towards yow, so if yow continue the like course as occasion offers in what may concerne the good of our seruice, it wil be the best way to recouer our good opiniou, and so we bid yow farewell. From our honour of Hampton-Court, 28 December 1636.

To our right trustie and welbeloued cousin and counsellour the Earle of Airth.

74. KING CHARLES I. to WILLIAM EARL OF MORTON, Treasurer, and Others.
7th November 1637.

CHARLES R.

QUHAIRAS be our former warrand direct to zow, We gave speciall command for payment to be maid be zow to our trusty cousing and counsallour Williame Erle of Airth of all such soumes as wes dew to ws furth of the laitt taxatiouus or conceilments thairof be our vntquhile trusty cousing and counsallour, the Erle of Kinnoull our Chaucellar, and be George now Erle of Kinnoull, his sone, collectour of the said taxatiouus at the fitting of thair accompts; and forsamikill as we haue beine pleased since syne to dischairge ane part of the saids soumes iu favouis of the said George Erle of Kinnoull extending to the soume of twell thowsand aucht hundreth pundis money of this realme; thairfoir it is our speciall pleasour that ze sie the said Erle of Airth to be payed and satisfied of the said soume of twell thowsand aucht hundreth

punds vsuall money foirsaid furth of the first and reddiest of our rents, casualities, annuities, and vthers quhatsumever dew to ws furth of the said Kingdome, for the quhilk thir presents sal be to zow ane speciall warrand. Given at Whythall, sewenth day of November 1637.

To our richt trusty cousings and counsallouris the Erle of Mortoun our Principal Thesaurer, and the Erle of Traquair our Thesaurer Deputt.

75. KING CHARLES I. to WILLIAM EARL OF AIRTH.—19th March 1639.

CHARLES R.

RIGHT trusty and welbeloued cousin, Wee greete yow well. Hauing heard how that yow haue refused to adhere to any of the courses held by the Couenanters, and that from the beginning yow haue alwise disproued the same, wee haue been pleased to tak particuler notice thereof, and for which wee giue yow hearty thankes, assuring yow that wee will not onely be carefull to protect yow, but will likewise acknowledge your affection to our seruice in a reall maner when occasion shall offer, and wee doubt not but yow will continue as yow haue begunne, and withall contribute in what lyes in your power for aduancing thereof, speciallie at this time. We bid yow farewell. From our Court at Whitehall, 19 March 1639, stilo Scotico.

To our right trusty and welbeloued cousin the Earle of Airth.

76. KING CHARLES I. to JOHN LORD KILPONT.—2d May 1639.

CHARLES R.

RIGHT trusty and welbeloued, Wee greete yow well. Haueing vnderstood how all this time yow haue been constantlie affected to the good of our seruice, by not adhering to any of the courses of the Couenanters, wee tak it

well at your handes, and giue yow hearty thankes for the same, desiring yow to continue as yow haue begunne, and to proceed for the good of our seruice according as yow shall find any occasion to offerr, and be assured that wee wil be carefull of yow, and of that which may concerne your good hereafter. Wee bid yow farewell. From our Court at Durham, the 2 of Maij 1639.

To our right trusty and welbeloued John Lord of Kinpont.

77. KING CHARLES I. to WILLIAM EARL OF AIRTH.—27th June 1639.

CHARLES R.

RIGHT trusty and welbeloued cousin and counsellour, Wee greete yow well. Whereas a bargane was made between vs and the Earle of Mar, touching his surrendering to vs of the heretable offices of the Sherrifship of Sterlinshire, of the Chamberlanrie of the Lordship of Sterling and Baillierie thereof, and of the Water of Forth, for which wee were to pay unto him fyve thousand pounds sterling out of such faiseable suits as by his procurement and charge should be brought in to our vse, according to the noate of agreement made therevpon; being now willing to reviuue that bargane, and reposing speciall trust in your affection to the good of our seruice, Our pleasure is, that yow treat with him touching his surrender of the said offices vnto vs according to our agreement, and for his surrendring likewise of his heretable keeping of our Castle of Stirlin and park thereof, with their parts, pendicles, and pertinents whatsoever. And as yow go on in these barganes and conclude therein, lett vs be aduertised, that wee may proceed therevpon as wee sall find cause. For doing of all which these presents shal be your warrant. Wee bid yow farewell. From our Court at Beruick, 27 June 1639.

To our right trusty and welbeloued cousin and counsellour the Earle of Airth.

78. The SAME to the SAME.—27th July 1639. [Holograph.]

AIRTHE,—Seing that I haue commanded all my Councell to attend and assist my Commissioner at this next ensewing Assemblie and Parliament, I particularly command you as one of that nomber to giue you[r] attendance and best assistance to him in euerie thing that may tend to the good of my seruice; requyring you lykwise, to deale with all your frends, and all others with whom ye haue trust, to giue there hartie endeours for the furtherance of the same; whereof I will take notice to eache as I shall fynde the effects answerable to my expectation; and so I rest,

Your assured frend,

Barwike, 27 July 1639.

CHARLES R.

79. The SAME to the SAME.—20th November 1639.

CHARLES R.

RIGHT trusty and welbeloued cousin and counsellour, Wee greete yow well. Being willing to heare your opinion touching some things which at this time concerne our seruice in that our kingdome, wee haue hereby thought fitt to require yow to repair with diligence to our Court, where our further pleasure shal be imparted to yow. And so wee bid yow farewell. From our Court at Whitehall, the 20th of Nouember 1639.

To our right trusty and welbeloued cosen and counsellour the Earle of Airth.

80. KING CHARLES I., LEASE to WILLIAM EARL OF AIRTH AND MENTEITH of the Lordships of Fife and Menteith.—29th October 1641.

CHARLES R.

OUR Soveraine Lord considering that his Majestie is trewlie restand aughtand to his Majestie's richt trusty cousin and counsallour Williame Erle of Airth

and Monteith, Lord Kilbryd and Kilpount, the soume of fyve thowsand pound stirling, and that in full contentatioun of so much of the principall soume of ten thowsand pound stirling containit in his Majestie's precept maid to his said traist cousin of dait the day of March 1634 zeirs and of the annual-rents of the samyne restand awand vnpayed to him, and als in full contentatioun of all such soumes of money payed and debursed be him at his Majestie's command to John Erle of Carrik, Lord Kinclevin, for purchasing fra him ane renunciatioun of his pensiou of fyve hundrethe pound stirling and of the arieragis thairof, and syklyk in full contentatioun to the said Erle of quhatsumever arierages of his awin pensiou of fyve hundrethe pound stirling restand vnpayed to him befor his resinging and surrander of the said pensioune to his Majestie ; and his Majestie thairwith remcmbring the many great and thankfull services doine and performed be his said trusty cousin and counsallour, as weill in the publik affairs of the Kingdome as in vther imployments trusted to him be his Majesty, in respect quhair of his Majestie is pleased till the said soume of fyve thowsand pound stirling be payed, not only to secur him in the zeirlye annualrent thairof, but also thairwith to give and bestow on him so much zeirlye rent as with the intres of the said soume of fyve thowsand pound stirling maks vp zeirlye the soume of sevin hundrethe pound stirling. And his Majestie vnderstanding that the frie rent of the Lordschippis of Fyff and Monteith amounts in money, vittail, and custums to the said soume of sevin hundrethe pound stirling of zeirlye rent or thairabout, thairfoir his Majestie ordains ane letter to be past vnder his Majestie's Privie Seill, setting and in tak and assedatioun letting, lykas his Majestie be thir presents setts and in tak and assedatioun lettis, to his Majestie's said traist cousin, his airs maill and assignayes, all and hail the Lordschip of Fyff and Lordschip of Monteith with the hail fewmaills, few fermes, kains, custums, and vthers dewties of the said Lordschippis for all the

dayes space and zeirs of fyue zeirs, and thairafter for als mony mae zeirs of the space and indurance foirsaid fra tyme to tyme respective to the reall payment to him and his foirsaidis of the said soume of fyve thowsand pound stirling to be payed to the said Erle altogether in ane soume at ony time it sall pleis his Majestie. After the payment quhairof thir presents sall expyr in the self ipso facto, with power to the said Erle and his foirsaidis ay and quhill the payment of the said soume of fyve thowsand pound stirling, to vplift and receive the fewmaills, fewfermes, and vthers dewties of the saids Lordschips of the crop 1^m vj^c. and fourtie ane zeirs fra the fewars, chamerlains, and vthers intromettouris thairwith and zeirlie thairafter ay and quhill the said soume of fyve thowsand pound stirling, haill and together in ane soume be reallie payed to the said Erle and his foirsaidis, and to give acquittances and dischairgis thairvpoun quhilk sal be sufficient to the receavers, payand thairfoir zeirlie the said Erle and his foirsaidis to his Majestie and his successors the soume of twentie pounds sterling in name of dewtie zeirlie at the feist of Witsonday. And that thir presents be extended with all clauss neidfull, with command to the Lords of Sessioun or Exchecker to grant and direct lettres of horning vpoun ane simple charge of ten dayes against the foirsaidis fewars, chamerlains, and vthers intromittouris foirsaidis with the saids fewmaills, fewfermes, and vthers foirsaidis, and with command to the Lords of Exchecker to allocat and allow the saids fewmaills, fewfermes, and vthers foirsaidis, to the said Erle and his foirsaidis, and to the payers thairof, zeirlie in thair Exchecker accompts, for the quhilk thir presents sal be ane sufficient warrand. Given at Halirudhouse, 29 of October 1641.

Pleis zour Sacred Majestie,—This drawin vp be zour Majestie's speciall warrand contains ane tak to the Erle of Airth and his airs of the fewmaills, fewfermes, and vthers dewties of the Lordschips of Fyff and Monteith estimat to sevin hun-

drethe pound stirling of zeirlie rent for the space of blank zeirs, and thairafter till the soume of fyve thowsand pound stirling be payed to thame. The tak dewty left blank till it be filled vp be zour Majestie, and this in satisfaction to the said Erle of the soumes of money auchtand to him or debursed at zour Majestie's command in maner aboue expressit. S. THOMAS HOPE.

81. KING CHARLES I. to the LORDS OF THE TREASURY, in favour of the Earl of Airth.—12th November 1641.

CHARLES R.

WEE haue been pleased to signe to our cosen the Earle of Airth a current tak of the Lordships of Fyfe and Monteith from fyue to fyue yeers till the somme of fyue thousand lib. sterln which wee are owing him be in one payment refunded; and because wee haue wpon our certaine knowledge of the justice of the debt, as hauing been most part of it debursed by him and aduanced wpon a knowen benefitt to ws, giuen to him this for a security in the present, and that wee intend very shortly to find a meanes for satisfying of the debt: Our speciall pleasure is that ye forthwith exped the said tak without any stop or delay, and that notwithstanding any Acts of Parliament or Exchequer or any warrants or instructions from our selfe to the contrary, which wee are heerby pleased to dispense with in this particular; and requyre you lykways so to doo wpon this our speciall warrant, which, therefore, it is our pleasure that ye cause registratt in our books of Exchequer. Gevin att our Pallace of Holyrudhows, this 12 of Nouember: 1641.

To our right trusty and wellbeloued cosens and counsellours the Lords Commissioners of our Thesaury, and to our Thesaur Depute and remanent Commissioners of our Exchequer.

Drauen by your Majestie's command,

JA. GALLOUAY.

82. KING CHARLES I. to the LORDS COMMISSIONERS of the TREASURY.

29th March 1642.

CHARLES R.

RIGHT trustie and right welbeloued cosens and counsellours, right trusty and trustie and welbeloued counsellours, and trustie and well beloued, Wee greet yow well. Being informed that there remaineth due by vs vnto our right trusty and welbeloued cosen, William Earle of Airth, certane summes of money, payable fourth of oure Exchequer there ; and wee being most willing that what is adebted vnto him either of pencion or precept be duely payed him : It is our pleasure, and wee doe hereby require yow to take some speedy course for his satisfaccion of what shal be found justly oweing him, either of pencion or any other maner of way, and that fourth of the first and readiest of oure rents, customes, and casualties whatsomever belonging vnto vs within that our kingdome, notwithstanding of any former act or warrant made or granted to the contrary, wherewith wee doe by these presents dispence. And for your soe doing (which wee will acknowledge as acceptable service done vnto vs,) these shal be vnto yow sufficient warrant. Wee bid yow farewell. From our Court at York, the 29th day of March 1642.

To our right trusty and right welbeloued cosens and counsellours, our right trusty and trusty and welbeloued counsellours, our trusty and welbeloued, the Lordes Commissioners of our Treasury, and remanent Lordes and others, Commissioners of our Exchequer of Scotland.

83. KING CHARLES I. to the LORDS OF THE TREASURY in favour of the
EARL OF AIRTH.—18th July 1642. [Copy.]

CHARLES R.

RYCHT trustie and weilbeloued cosen and counsellour, rycht trustie and weilbeloued cosins and counsellours, and rycht trustie and weilbeloued, Wee greit

yow weill. Whereas at our last being there we wer pleased to signe to the Earle of Airth a current lease from fyve to fyve yeiris of sevin hundreth pounds sterling furth of the rentis of the lordshippis of Fyffe and Monteith, redeemable vpon the payment of fyve thousand poundis sterling, which haveing bein by us done for onerous causs and vpon certane knouledge, wee did signe a speciall warrand besyidis the grant for expeding it. And being now informed that it is yet vnpast, wee have thought fit againe to will and requyre yow ather to pas it as ze have done otheris of that nature, or that ze tak some other present course for his satisfaction, wheroff therefor not doubteing, wee bid you fairweill. Given at our Court at Beaverlie, the auchtein of July 1642. Addressed to the Lords Commissioners for the Treasury and Exchequer.

84. KING CHARLES I., WARRANT in favour of WILLIAM EARL OF AIRTH for
£7000.—18th March 1643. [Copy.]

CHARLES R.

RYCHT trustie and rycht weilbeloued cousins and counsellouris, We greet yow weill. Wheras wee wer pleased at our last being in that our Kingdome of Scotland, for great and onerous causs moveing us, to grant ane take to our rycht trustie and rycht weilbeloued cowsin, William Earle of Airth, of the rents of Monteith and Fyffe, extending zeirlie to 700 lb st., redemable alwayes vpon the soume of 5000 lb st., to be payed altogidder in one soume: Lykeas we wer graciouslie pleased by sundrie letteris to recommend the payment of the said dewties and principall soume to yow, zit we, vnderstanding that nether our said grant nor precept is past or satisfied, but that the said Earle hes bein frustrat of the payment of what we so graciouslie wer pleased to grant vnto him: And now being sufficientlie informed that his creditouris pres him with all extremitie for payment of certane soumes of money ad-

Perth the 19 of Nov.

My Lord, I could not lett this bearer your
some returne to you without ~~the~~ taking this occasion
to lett you know how sensible I am of your
affection to my service, and to assure you that
there is nobody more sensible of you and
your families sufferings (for my father (of ever
blessed memorie) and my selfe) then I am: I
make no doubt but to be one day in a condition
to make you better returnes then in paper, w^{ch} is
all for the present I can doe. I desire you
to continew your affection to me, and to be ready
upon all occasions, and you may be confident
that I shall ^{ever} be

Your very loving
frind

Charles R

debted be him, we, being vnwilling that he should be distressed, have therfoir granted vnto him the soume of sevin thousand pound sterling, which we will and ordain to be payed vnto him furth of the first and readiest of the tak dewtie off our customes, great and small, and impost of wynes addebted to ws be Sir William Dick, taksman theroff: And to that effect we inhibit yow, and als requyre yow to inhibit and discharge the said Sir William Dick from issuing out or makeing payment of any pairt or pairtes off the said tak dewty efter the dait heiroff, vntill he pay first to our resaveris for the said Earle his vse the foirsaid soume altogidder, or as he shal be pleased to have it in pairtes, or els take off and frie him of his creditouris in so far as extendis to the said soume. And this we recommend seriouslie vnto yow, and expect your performance theroff, and that notwithstanding of any actis of our Exchekquer or warrandis from ws to the contrarie, either for restraint of moneyis, or any other restraint whatsumever. Wheranent by these presents we dispense, and which we ordaine to be allowed in your accomptis, yow produceing the said Earle his discharge vpon the receipt of the said soume, togidder with the discharge of the former take and soume granted vnto him. And for your so doing these presentes (being registrat in the buikes of our Exchekquer) shal be vnto yow sufficient warrand. From our Court at Oxfuird, the 18th of Marche 1643.

Addressed to the Lords Commissioners of the Treasury.

85. KING CHARLES II. to the EARL OF AIRTH. [Holograph.]

Perth, the 19 of November [1650.]

MY LORD,—I could not lett this bearer, your sone, returne to you without taking this ocasion to lett you know how sensible I am of your affection to my seruice, and to assure you that there is nobody more sensible of you and your familie's sufferings (for my father of ever blessed memorie and my selfe)

than I am : I make no doubt but to be one day in a condition to make you better returns than in paper, which is all for the present I can doe. I desire you to continev your affection to me, and to be ready vpon all occasions, and you may be confident that I shall euer be

Your very louing frind,

Pray lett your sone returne to me againe.

For the Earle of Airth.

86. KING CHARLES II., WARRANT in favour of WILLIAM EARL OF AIRTH for £7000.—Portend, 10th February 1651.

CHARLES R.

WE have sein ane warrand from our father of ever blessed memorie, to his trustie cousing William Earle off Airthe, daitted at Oxfurd the 17 of Merch 1643, for payment to him off the sowme off sevine thowsand powndis sterling money owt off ovr Exchequer off Scotland, and owt off ovr customes, small and great, in that Kingdome, and off seavine hundrethe powndis sterling zeirlie wntill the said principall sowme off seavine thowsand powndis sterling shall be payed to the said Earle altogether in one sowme, which warrand is registrat in Exchequer as the principall bearethe, which we have redd and sein, we doe heirby ratifie and approve the said warrand givine by ovr wmqull father off ever blessed memorie, to the said Earle, his aires or his assignayes, bothe for the principall sowme off seavine thowsand powndis sterling, and for seavine hundrethe powndis sterling yeirlye from the dait off the said warrand, wntill the principall sowme shall be payed altogether, and in one sowme, as the warrand bearethe, and doe heirby promise on the word off ane prince to sie

it faithfullie payed when ever we fynd occasione. Givine at Portend, the tent day off Februarij 1651, in the second yeir off owr reigne.

87. KING CHARLES II. requiring WILLIAM GRAHAM of Gartmore and PATRICK MONTEITH of Ardenbeg to guard the Passes of the Forth.—12th July 1651.

CHARLES R.

WUHAIRAS we find it most requisite for the good of our present service that ane gaird be appoynted at the passis of Newbridge vpone Forth : These are thairfoir to requyre our weelbelovit freindis, Williame Grahame of Gairtmure and Patrik Monteith off Ardinbege, to gaird and watche the passis at Newbridge vpone Forth, and to seirche, tak, and apprehend all fugitives and runaways, and seaze on thair meanes and persones ; and do hereby, for these endis, suffer and permitt thame to pas and repair home without truble or impediment, and doeth liberat and freith thame, thair persones and estaittes, of all pane and danger they may incur throw thair absence from ws or our armie ; notwithstanding of any of our actis and ordinances of Parliament or Committie of Estaittes, and proclamatiounes maid for thair attendance as hereto. And for the bettir effectuating of thair services, we authorize thame to raise thair men and tennentis for thair assistance. Gevin at our leiger at Kilsayth, the 12th day of July 1651 yeiris, and of our rigne the thrid zeir.

88. KING CHARLES II. requiring JOHN GRAHAM of Duchray and WALTER GRAHAM of Glenly to assist in apprehending Fugitives from the Army. —28th July 1651.

CHARLES R.

WHAIRAS we have granted ane warrand to William Grahame of Gartmoir and Patrick Monteith of Arnebeg for apprehending of fugitives and runaways :

Thairfoir, for their farder assistance in manageing the said service, we do heirby requyre Johnne Graheme of Deuchray and Walter Graheme of Glenny to be redye and assisting to them with thair men and followares quhen they sal be requyred by the saidis William Graheme and Patrik Monteith, or ony of them, as occasioun offeris ; and for that effect does heirby liberat and frie the saidis Johnne and Walter Grahemes of all perrill and danger that they can incur or sustene throw thair not cuming furthe as heritours, notwithstanding of any Actis or Statutes maid in the contrair ; and this to indure so long as the saidis William Graheme and Patrick Monteith is in that service, or so long as they sall think it requisite for their assistance. Gevin at our Court at Sterling, the tuentie aucht day of July 1651.

89. KING CHARLES II. relieving the Lands of Gartmore and Arnebeg from Quarterings and Cess.—30th July 1651.

CHARLES R.

WHAIRAS we have granted ane warrand to Williame Graheme of Gartmoir and Patrick Monteith of Arnebeg for apprehending of fugitives and runnawyes from our army, with the assistance of thair owne tennentis, men and followeris for that effect ; and lykwise vnderstanding that thair landis is exhausted by extraordinary quarteringis and payment of publict dewes ; thairfoir these ar requyreing all officeris and souldieris of our armye to desist and ceas from all quartering vpoun thair landis whair the samyn lyes, or any pairt thairof, and from exacting any cessments furth of the samyn : Requyring all collectours or subcollectours, or thair deputtis, [to desist] from exacting furth of thair landis of ony monethlie maintenance or ony vther publict dewes qhatsumever during the tyme of thair employment allanarlie, as they sal be answerable vpoun thair hiest perrill and hazard. Gevin at our Court at Sterling, the penult day of Julij 1651, and of our reigne the thrid zeir.

90. KING CHARLES II., WARRANT in favour of WILLIAM EARL OF AIRTH for
£500.—14th July 1662. [Copy.]

CHARLES R.

WHEREAS our royall father of ever blessed memorie, in the year 1629, was graciously pleased to give a precept vpon the Earle of Marre, then High Treasurer of our Kingdom of Scotland, for payment of five hundred pounds sterling out of the first and readiest of the fines of the Circuit Courts, to William Earle of Monteith, then President of our Privy Council, and Justice Generall of that our Kingdome, for furnishing of robes to the Judges of the said Courts, and sending out his deputies to wait on the service vpon his owne charges: And now being informed that the said sume was never paid to the said Earle, nor to any ether air or assignay of his, Our will and pleasure therefore is, and wee do hereby require yow to pay vnto William, now Earl of Airth, his grandchild, the said sume of fyve hundred pounds sterling out of the first and readiest of our rents, customes, and casualties whatsoever of that our Kingdome, for which doing these presents shal be vnto yow a sufficient warrant. Gevin at our Court at Hamptoun Court, the 14th day of July 1662, and of our reigne the 14th yeare. By His Majestie's command,

LAUDERDAILL

Addressed to the Lords Treasurers and Commissioners of the Exchequer in
Scotland.

91. KING CHARLES II., WARRANT in favour of WILLIAM EARL OF AIRTH for
£500.—2d June 1665. [Copy.]

CHARLES R.

WHEREAS our royall father (of ever blessed memory), in the yeare 1629, was graciously pleased to give a precept vpon the deceased Earle of Marr, then

High Treasurer of our Kingdome of Scotland, for payment of fyve hundreth pounds sterling, out of the first and readiest of the fynes of the Circuit Courts, to William Earle of Monteith, also deceased, then President of our Privy Councell, and Justice-Generall of that our Kingdome, for furnishing of robes to the Judges of the said Courts, and sending out his deputyes to wait on the service, vpon his oune charges : And now being informed that the said soume was never payd to the said Earle, nor to any, either air or assignee of his : and whereas, by our precept since, of the date at Hampton Court, the 14th of July 1662, wee did then require that the said soume should be payd vnto William, now Earle of Airth, his grandchilde, whereof, as wee are informed, he hath as yet received no satisfaction, Our will and pleasure therefore is, and wee do hereby againe require yow to pay to the said William, now Earle of Airth, or to any whom hee shall appointe to receive the same, the foresaid soume of fyve hundreth pounds sterling money foresaid, and that out of the first and readiest of our rents, customes, revenues, and casualities of that our kingdome. For which doing these presentes shal bee vnto you, and to the auditors of our accompts, to allow the samyn an sufficient warrant. Given at our Court at Whitehall, the 2 day of June 1665, and of our reigne the 17th year.

By his Majestie's command,

LAUDERDAILLE.

To our Treasurer-Principall or Deputy Treasurer and remanent Lords and others, Commissioners of our Exchequer of our Kingdome of Scotland.

STATE AND OFFICIAL LETTERS.

92. ALEXANDER FIRST EARL OF DUNFERMLINE, Lord Chancellor, to WILLIAM SEVENTH EARL OF MENTEITH.

From Edinburgh, 30th January 1619.

MY VERIE HONORABLE GOOD LORD,—All hairtliest commendatiounes premitted, I doubt not bot your Lordship remembers weill what cair my Lord Erle of Mar and I had in obteyning your Lordship a Commissioun aganis your cousen Dougall, whairin, as your Lordship hes werye honourablye, and according to your deutie to his sacred Maiestie our dreade soueryne, dischaired yourselfe thairin, by putting him to tryall, and ministring off justice, sua am I now to intreatte your Lordship, as ye may bothe exspect my Lord of Mar and me to be euer readie in anye your honourabill and lawfull affairis to pleasour yow, that ze will haif a speciall cair of the berar Jhone, his brother, and be a protectour to him in all his lawfull bussines, for wee ar boithe ingadged for the same; and your good Lordship may assure yourselfe giff he fynd not the frootts of your faouris and kyndnesses extendit to him, he will haife recourse to ws, wha hes promesed the same to him, in your Lordship's nayme. Bot hoping zour Lordship shall newir giffe him anye sic occasioun, and that zour Lordship shall fynd him a verye honest freind, and trew followar of yow,—I wische your Lordship all happines, and rests cuer,

Your Lordship's maist affectionat to serue yow,

DUNFERMELYNE.

The band and obligatioun of blood, which standethe betuix your Lord-

ship and me and this gentleman our freind, should mak ws haif the greater regairde and respect to him, specialye being one that deserwethe noe otherwayes of ws.

To my most honourabill good Lord, and weil beloued cousen, my Lord Erle of Menteithe.

93. THE LORDS OF THE PRIVY COUNCIL OF SCOTLAND to WILLIAM SEVENTH EARL OF MENTEITH.—12th April 1627.

AFTER our verie hairtlie comendations to your good Lordship. Wheras, for the ease of the Commissionars nominat by his Maiestie for the surrenders, it is thocht meitt that they shall attend monethlie per vices : and your Lordship is nominat for to give your attendance in the whole moneth of Junij as one of that number : These ar therfor to request your good Lordship to mak your address heir vpone the last of Maij nix to cume, to the intent that the whole moneth of Junij may be assisted with your Lordship's presens. And so resting assured of your Lordship's keiping of this dyett, we comitt yow to God. Frome Haliruid Hous, the tuelff day of Appryll 1627.

Your Lordship's verie assured good freinds,

WINTOUN.

GEO. *Cancell.*

MELROS.

MONTEITH.

ROTHES.

To our verie honnourable goode Lord the Erle of Menteith.

94. The SAME to the SAME.—19th April 1627.

AFTER our verrie hairtlie commendationis to your goode Lordship. Wheras Wedinsday the tuentie fyve of this instant is appoyntit for the nixt meitting

of the Counsaill, at whilk tyme sindrie matteris concerneing his Maiestie's service ar to be handlit, whilk will requyre the presence and aduyse of a full number of the Counsaill : These ar tharefoir to requeist and desyre your goode Lordship to keip this dyet preceislie, whilk loukeing assuredlie yow will do, we committ your Lordship to God. Frome Halyrudhous, the nyntene day of Apryll 1627.—Your Lordship's verrie assured goode frendis,

MELROS.

GEO. *Cancell.*

PA. B. OF ROSS.

J. E. MAR.

LINLITHGOW.

To our verie honorable goode Lord the Earle of Menteith.

95. JOHN SPOTTISWOODE, Archbishop of St Andrews, to WILLIAM EARL OF MENTEITH, President of the Privy Council.

Darsy, the 8 September 1628.

My service remembrit to zour Lordship. Vntil this last week I culd learn nothing of that Father Stephen of qhom zour Lordship spak vnto me; and for William Wood, I advertised zour Lordship by my Lord Advocat that he wes for certain gone into Englande, quhere it is lyk ynoughe he may be found at his brotheris house in the Strand, not farre from Courte. Now for the other; I haif learned that he wes heir in Parbrothe, and som other places, qhere he had great reverence done vnto him, and Mr. James Seytoun, preist, a sonne of the said house, did attend him as a seruant. They ar both for certain departed into Flanderis, and caryed with them a large contribution of mony from the Catholickis in this country, qhither to the Emperour and the mantenance of his warris, or to the supply of their seminary, is not known. So diligent are they in their negotiationis, and it is certain if materis be not mor strictly lookt to, ere it be longe thei will mak som busines.

In this tyme, after that miserable and vnhappie accident fallen furth at Courte, it had been necessary in my opinion that your Lordship had been there, as I haif schwen to my Lord Advocat, quiche his Maiestie culd not but haif taken wel, for the affection your Lordship wes known to carye to the nobleman and to his Maiestie's service, quiche now cannot but resaif distrust, lettis, and impedimentis, by the courses men wil preciste vnto, though I know his Maiestie wil not change in his favour to your Lordship, and suche as zow are. So muche I presum to wryt out of my love to your Lordship, and so wil rest,

Your Lordship's most assurit to serve zow,

SANCTANDREWS.

To my very honorabill good lord, my Lord the Erle of Monteith, President of His Maiestie's Privie Counsaill.

96. JOHN SPOTTISWOODE, Archbishop of St. Andrews, to WILLIAM EARL OF MENTEITH, President of the Privy Council.

St Andrews, the 17th November 1628.

MY service remembrit to your Lordship. Toucheing this busines of the Master of Oliphant, if your Lordship had known the longue continuence of his promisse with the Churche, and how in our last Synode, vpon his offer by Robert Seytoun, to communicat qhere and at qhat tyme we suld appoint, he was ordaynit to keep this tyme in Kynnoll Kirk, and a number appointed to communicat with him, qhere he sayis the actioun wold haif been privat of him self alone, your Lordship wold never haif interponed your letter for delay. This thair seek only to gain tyme, quiche I trust in God sal be nothing to thair advantage; and howbeit I know the ministrie will tak the delay in il parte, zet wold I not haif him or any of that

sort but know that your Lordship's worde is of mor credit and respect with the Kirk then his communicating is worthe. Therefore haif I written to the brethren to differe to that tyme, quiche I truste thai wil doe. I lookit when I resavit your Lordship's letter to haif had some intelligence how effairis goe, but it seemis thai are also vncertain as before. Always I rest,

Your Lordship's most assurit to serve yow

SANCTANDREWS.

To my very honorabill good lord, my Lord the Erle of Monteith, President of his Maiestie's Councell.

97. The SAME to the SAME.

St Andrews, the 23d November 1628.

MY service remembrit to your Lordship. These brethrin come for obedience to his Majesty's proclamation to exhibit the names of excommunicat Papistis and recusantis, quherof the number is so great that I suld be sory they wer known, and therefore, except your Lordship think otherwise, it wer best in my opinion, after thai ar heard, to make their relation in general of the state of thingis in these northe partis to direct them to gif the rollis to the Clerk of the Councill, til your Lordship haif occasion to vse them. The sight therof in publick wil, in my mynd, animate otheris of that profession in the south and west partis and doe no more good. Always somquhat must be done at this tyme to repressetheir insolence, otherwyse they wil grow more bold then zit thai haif been. I haif gifen them my privat advise, quiche they will relate to your Lordship, and I am perswaded your Lordship [will] mak your zeall for God and his truthe to be seen preferring Godis honour to al worldly affection. One thing I must break by this occasion to your Lordship, quiche often I haif vrged and it wil be found true, that vnlesse his Majesty haif a guard of men

to doe service in this kynd and other affairis that may occure at direction of the Counsal, there can be no execution against rebelis, specially since the great men of the country quho are in the place of Shireffis are the mantenaris of that Popische crew. And I suld wische zour Lordship to deal for the charge of this, quiche wil be som meanis to strenthen zour Lordship in his Majesty's service. I haif written in this to my Lord of Rosse, but willit him to keep it to himselfe and travel with his Majesty, that it may be done. I know it wil be refused by som, vnder pretext of chargis, but thei haif other endis that propone this, and if moderat justice be vsed, there wil be more than inoughe to be gotten off these people then wil do this busines. But I wil communicat my thotis to none in this, but to the Advocat quho I know honoris zour Lordship, and lovis to haif thingis goe wel. Thus commendinge these brethern and thair busines to zour Lordship's care, I rest,

Zour Lordship's assurit to serve zow,

SANCTANDREWS.

To my very honorabill good lord, my Lord the Earle of Menteith, President of his Maiestie's Counsell.

98. THOMAS FIRST EARL OF HADDINGTON to WILLIAM SEVENTH EARL OF MENTEITH.

Edinburgh, 24th March [1629].

MY MOST NOBLE LORD,—I acknowledge with due respect and thanks your Lordship's letter of the ellevint. Friends haue aduertised me of your Lordship's wise and religious cariage in the Marquis of Huntlic's businesse, which will be acceptable to all that loue God and the King. Ye were a forward instrument when ye were present to sie all that wes convenient concluded and prosecuted in this countrie, which wes agreeable to God's law and his

Maiestie's. It rests now to make vse of his Maiestie's blessed zeale to have the course approved and strengthened by his authoritie. Your Lordship's and my Lord Chancelar's concurrence in things concerning the estate, reioices all that are trulie affected to it, because there is much talked and feared of brutes that a number of our great men popishlie disposed intend either to goe beyond sea, if his Maiestie permit them, or to stay at or neere Court, where they may haue conveniencie to meet amongst themselues, and consult with Englishmen of their opinion vpon the meanes tending to their ends, litle to our good. Since God and the King are vpon our side, they are not to be feared, if we do our part, which may be much confirmed by information to his Maiestie by your Lordship and my Lord Chancelar, of how great moment this businesse is, which not being timelie ordered may make much ado, and now being in time prevented will be easilie suppressed. It is an exercise worthie of the care of all noblemen at Court professellie inclined to our religion.

The Counsell will, by letters and notes, informe his Maiestie and his secretaries of some other particular affaires occurring heir ; and since I know that your worthie friend Sir William Alexander will not conceale any thing of that kind from your Lordship, I forbear to trouble yow, remitting all to him.

I cannot sufficientlie expresse how great and vniuersall our people's joy is for her Maiestie's wished estate, and our assured hopes that God will blesse the royall parents and vs with the perfection of that most desired prosperitie by her. Some Commissioners vpon our side of the middle shires are informed that Sir Richard Grame intends to procure fauour to his late prisoners, which they extreamelic dislike, both for the present and the consequence, and haue entreated the Counsell to prevent it by their letter, whereof I haue thoght fit to aduertise your Lordship, for the respect I know your Lordship beares first to the publicke order, and next to the worthie men, your friends, employed on both sides. If constant reports of my Lord Chancelar's intention to come

from Court before the packet come there, had not persuaded me that my letter could not haue found him at Court, I wold haue troubled him with a letter of this subiect. If it fall otherwayes furth, I pray your Lordship to excuse my not writing to him, and to beleue that I will alwayes remaine,

Your Lordship's assured to do yow seruice,

Haddington

To my most noble good Lord the Earle of Monteith, Lord President of His Maiestie's Counsell of Scotland,—at Court.

99. THOMAS FIRST EARL OF HADDINGTON to WILLIAM SEVENTH EARL OF MENTEITH.—[April 1629.]

MY MOST NOBLE LORD,—My assured persuasion that your worthie friend, my Lord Secretarie of Scotland, will fullie informe your Lordship of all that is wretin to him of the Counsel's proceedings, makes me forbear to trouble your Lordship with repetition of that which will be more perfittie reported by him.

Your Lordship, by your care and zeale in repressing the encrease and bold profession of Poperie, encouraged others to assist yow and follow yow therein. It is conceiued by the Lords of Counsell that the Marquis of Huntlie's going to Court, after disobedience of all the charges direct aganist him, will so embolden the Papists, and affray the ministers and best affected subjects in the north, and many other parts of the countrie, that if he being often denounced rebell sall after contempt of the King and Church's lawes find countenance and fauour there, it will make many having charge in the Church and estate to become more remisse heirafter nor in former times, not without danger of derogation to both. For preventing wherof, your Lordship's place in the estate and affection to religion makes such as honour yow

to expect that ye will vse the opportunitie of your being neere to his Maiestie to inform him trulie of the importance of the occasion ; wherin, and all your other honorable intentions, I wish your Lordship all happinesse, and sall remaine,

Affectionat to do your Lordship service,

HADDINGTON.

The Vicount Drumlanrik and Sir Richard Grahame haue giuen so good beginning to the repressing of bordour outlawes, by taking a number of them on both sides, that if his Maiestie show fauour and authorise them and others well affected to his seruice, the quyetting of disorders in these parts, which some would haue made to appeere almost impossible, will be found of no great difficultie. The first tryall is made by your Lordship's particular friends ; and if your Lordship's true recommendation of their merite to his Maiestie sall procure to them his gracious thankes and encouradgement, it will moue them to persist in their begunne endeouours, and stir vp others to do the like seruice. To my much honored noble lord the Earle of Monteith, Lord President of His Maiestie's Counsell in Scotland,—at Court.

100. The SAME to the SAME.

Edinburgh, 1st April [1629.]

MY MOST HONORED NOBLE LORD,—I will reither incurre your reproof for troubling yow with idle lynes nor be blamed for vndutifull silence. This forenoone I haue nothing to write, but what will be signified by James Primrois to Sir William Alexander by a note of the proceedings in Counsell and Exchequer, which I know he will impart to your Lordship, and ease yow and me from repetition. In the afternoone we expect the great businesse betweene the Earle of Seafort and the borrowes, and betweene the Lord of Lorne and the

Hlanders and Hielandmen. In discussing wherof I wish from my heart your Lordship's presence and my Lord Chancelar's, for, as I told your Lordship at our parting, I expected much businesse and small concurrence, which I find ansuerable to my foresight.

I need not of new to reiterat my recommendation concerning the Papists and bordours, but cannot of dutie omit to tell that the action for concealed moneyes, the feare of fynes in the bypast and future Circuit Courts, and the tithes annuitie, and the Laird of Thornton's Commission, doe so affright our people, as I wish that your Lordship and other honorable and wise counsellours there may so informe his Maiestie of the circumstances, as things may be so directed and disposed that when God sall make ws happie by his wished presence heir, the people may be prepared to giue him that large supplie which his weghtie affaires require, and he grant to them that gracious pardon which is vsuall at the coronation of blessed kings. I ame certaine if your Lordship find thir pourposes fit to be imparted to my Lord Chancelar, Sir William Alexander, and other honorable counsellors of this Kingdome now at Court, ye will find an vniforme concurrence by them for proponing all that ye sall joyntlie think good to propone for his Maiestie's service and weell of this his Maiestie's and your natiue countrie. I ame frie of privat interest, and sall humblie vndergoe whatever his Maiestie, owt of his excellent wisdom, or your advices, sall be pleased to prescriue, and euer remaine,

Your Lordship's assured to do yow service,

HADINTON.

To my most honorable good Lord the Earle of Monteith, Lord President of His Maiestie's Privie Counsell in Scotland,—at Court.

101. THOMAS FIRST EARL OF HADDINGTON to WILLIAM SEVENTH EARL OF MENTEITH.

Edinburgh, 7th April [1629.]

MY MOST NOBLE GOOD LORD,—Immediatlie after I receiued by packet of the last of March his Maiestie's commandment to the Counsell and Commissioners for continouation of the Parlemt, I caused warne all of that nomber then being in towne to conueene presentlie, and finding more nor I looked for, after that order wes giuen for the businesse of Parlemt, I caused reade to the Lords that part of your Lordship's letter concerning the Countesse of Nithisdail. The Bishop of Dumblane said that the Churches part wes accomplished, and the Aduocat told that horning wes directed agains my Lady, but knew not if it wes registrat. The conclusion wes that since things were done so lauffullie vpon so good warrants, nothing rested but forbearance of farder prosecution till his Maiestie's pleasure sould be more particularlie signified by my Lord Chancelar at his returne, as your Lordship had wretin, which will be done. Nothing hes occurred since my last to your Lordship worth the paines of your reading, at least to my knowledge. If I learne farther, I sall either subioyne it to thir lynes, or desire Sir William Alexander, or Sir Archibald Acheson, whom I perceiue much affected to honour and serue yow, to report it to your Lordship.

It is rumoured heer that some great men of this countrie at Court haue such seuerall ends in particulars as make their concurrence not to be so vniforme as is wished for the publicke goode. If it be so, wherof I sould be most sorie, I will be bold to entreate your Lordship to persist in that indifferent course, ayming onlie at his Maiestie's seruice and the countrie's good, which your Lordship has practised in your actions, and professed to me by conference to be your constant resolution. My weakenesse forbids me to

promise much assistance where I can performe so litle, but all that I can sall be contributed to such ends by

Your Lordship's affectionat seruant,

HADINTON.

To my most honored good Lord the Earle of Monteith, Lord President of His Maiestie's Privie Counsell in Scotland,—at Court.

102. THOMAS FIRST EARL OF HADDINGTON to WILLIAM SEVENTH EARL OF MENTEITH.

13th April [1629.]

MY MOST HONORABLE GOOD LORD,—I wes verie glade to know, by your Lordship's letter of the fyft, your good health, and by others that your Lordship's wise, and circumspect proceedings tending to his Maiestie's honour and seruice and good of this countrie gaue both contentment to his Maiestie, and to all worthie and well affected men there, and that your Lordship's care of the dignitie of the Counsell in their lawfull procedings had closed the mouthes of such as by sinister relation could haue disgraced, at least intended to blemish, any of their actions.

I haue learned that the minesters' commissioners, to whom letters of horning were granted against the Countesse of Nithisdail vpon her excommunication, had denounced her before your Lordship's letter for superseeding execution came to my hands. But I haue aduertised James Primrois not to direct letters of caption or any other farther warrant till his Maiestie's farther pleasure be knowne.

I perceiue by your Lordship's letter that Sir Richard Graham's dealing with his prisoners hes beene well warranted, and much mistaken by the Commissioners on this syde; but I dare assure your Lordship they proceeded not owt of malice, their intention onlie being to prevent that no colour might

procure impunitie to notour fugitiues; and Sir Richard's actions tending to the quyet of the countrie will be ansuered by the Commissioners on this side with all due correspondence. Your Lordship knowes that the Vicount of Drumlanrig your cusing is generous, and having great interest in the peace of the middle shires, cannot be blamed to concurre with other well affected officers to seeke all laufull wayes to worke it. Those who haue greater place in the Commission being seldome in this Kingdome, and when they are present, having other businesse not permitting them much leiser to attend the Commission, leaves the countrie more obnoxious to receive harme, and giues the more adoe to the inferiour Commissioners, which I hope will moue your Lordship the more fauorable to excuse their too great instance in that which concerned Sir Richard Grame, the like wherof I hope sall not heirafter fall furth amongst men so well affected on both parts.

If at the meeting of the Counsell vpon the fyfteent, I learne any thing fit to be wretin, I will then and all following occasions be troublesome to your Lordship by my letters. Wishing that your speedie and happie returne may ease yow of that fascherie, and in the meantime, whereeuer your Lordship be, ye may enjoy health and contentment, I rest,

Your Lordship's affectionat seruant,

HADINTON.

To my most honorable good lord the Earle of Monteith, Lord President of His Maiestie's most honorable Privie Counsell of Scotland,—at Court.

103. The SAME to the SAME.

16 April [1629.]

MY MOST HONORABLE GOOD LORD,—My letter of the 14 might haue promised to your Lordship exemption from importunitie by me for a long time, if I had

not thought myself bound in dutie to let your Lordship know what had yesterday past in Counsell of any moment.

The Bishop of Dumblane shew to the Counsell at their preceeding meeting what preiudice had beene felt and wes feared by admitting of Papists vpon the Counsell; and others told how carefull order blessed King James had taken for preventing therof, which will be testified by the extract of ane Act made at that time sent vp with the Counsel's letter to his Maiestie to Sir William Alexander.

Yesterday we had many bussinesses in Counsell, most part for questions amongst parties of small moment. The greatest wes that betweene my Lord of Lorne and the gentlemen of the north Isles, debated by word and writ, but in such maner that the Counsell, considering the importance, thought it more fit to conclude it deliberatelie at their next meeting, nor precipitatlie at the present.

Eight dayes agoe I did sie a letter of a notable oppression done to Grant of Ballandalloch by James of Carron. I wrate of it sparinglie, not relying much vpon the incertaintie of a missiue not sent to myself; but yesterday there wes a letter exhibited in Counsell, bearing that the rebell had killed or hoghed abone thrie score plough oxen, and reft fourscore nolt, eight score sheep, and nyne or ten horses and meares from Ballandalloch and his tennents; and when he, following for recouerie of his goods, had required those throw whose bounds the goods were driven to concurre with him in their rescue, he found none. All that we could think fit to be first done wes to grant him summons agains such as had resset, supplied, or anywayes faoured the rebels in their passage, and those who being required had not assisted him in their persute. All our power will be in paper vnles your Lordship informe his Maiestie how necessare it is that powerfull noblemen and magistrats residing too long at Court be sent home to attend and execute

their charges, or substitute in their place men willing and able to obey the Counsel's commandments for his seruice ; for manie more seeke employment nor attend the timelie discharge thereof. I entreate your Lordship to excuse the freedome of

Your Lordship's seruant,

HADINTON.

To my most honorable good lord the Earle of Monteith, Lord President of His Maiestie's most honorable Privie Counsell of Scotland,—at Court.

104. THE LORDS OF THE PRIVY COUNCIL OF SCOTLAND to KING CHARLES I., complaining of the Hollanders engrossing the whole trade and fishing in the North Isles.

Halyrudhous, 28 July 1629.

MOST SACRED SOVERANE,—By the petition heerewith enclosed, whiche was preferred vnto ws by the Commissioners frome the free burrowes of this Kingdome, your Majestie will vnderstand the heaue prejudices whiche they doe susteane, and whair of the effects reacheth to the whole bodie of the estate, by reason of the frequent repaire of Hollanders to the North Iles, vnder cullour of the Erle of Seafort his intendit plantation of strangers in the Lewes, who being favoured of the said Erle, and for his interesse respected by the inhabitants, have, in prejudice of the natives, ingrossed vnto thameselfes the whole trade and fishing in these bounds. This being ane mater worthie our serious advertance, and whiche concernes your Majestie, in honnour and justice to caus obviat and repaire, we have thought good, in regarde the Erle of Seafort is now with your Majestie, agains whome the ground of this complaint cheefelie reflects, to recommend the ordourlie redresse thair of to your

Majestie's princelie care and determination, humbelie intreatting your Majestie to take suche course for remedying of this abuse in tyme comming as your Majestie's subjects may reape in peace the benefite of the countrie commodeiteis, and that strangers be debarred frome fishing in your Majestie's waters, according to your royall right and law of nations observed in the lyke cases. And so praying God to blesse your Majestie with ane long and happie raigne, we rest,

Your Majesteis most humble and obedient subjects and servitours,

DUNKELD.	SANCT ANDREWS.
PA. ABERDENE.	J. E. MAR.
PA. B. OF ROSS.	MONTEITH.
AD. B. OF DUNBLANE.	HADINTON.
CARNEGIE.	MARSCHALL.
S ^r . THOMAS HOPE.	LINLITHGOW.

To the King his most sacred and excellent Majestie.

105. THE LORDS OF THE PRIVY COUNCIL OF SCOTLAND to the NOBLEMEN and OTHERS appointed on the part of Scotland anent a Treaty as to Fishing.—21st April 1631.

AFTER our verie heartilie commendations to your good Lordships. Vpon the receipt of your Lordships' letter, and for our better informatioun anent the particulars conteanit thairintill, we imparted the same to the Provest and Bailleis of Edinburgh, desyring to be instructed be thame thereanent. Bot they, pretending this to be a commoun caus concerning the whole bodie of thair estait, refused in anie caise to meddle thairin till they wer consulted with the burrowes thereanent. Quhilk moved ws to assigne vnto thame the

twentie of this instant for that effect. This dyet being kepte be a frequent number of Commissioners from the burrowes, and we having with great instance showin vnto thame the necessitie and expediencie of your Lordships' propositioun, both for his Maiesties satisfioun and the credite and benefite of this Kingdome, they stood verie punctuallie vpon that article of your Lordships' instructionns, whairby there is a reservatioun of all fishings within fourtene myles of the land, whilk includes all loches, firthes, and bayes, and thought it needlesse to condescend vpon particulars where all was includit, bot being in end induced to give vp a particular condescendence, they tooke this day to doe the samine, and accordinglie gave in this inclosed report, whiche being considerit, and found to be of too large ane extent, we, out of our desyre to his Maiestie's contentment, and advancement of the worke, have retrinched and restricted the vniversalitie of the exceptioun to the parts sett down in this inclosed note, with allowance of ane reservation of fourteene myles off suche coasts of the Kingdome as ar weele peopled, and where the countrie people live most by fishing, without the whiche they could not possible subsist, nor zitt be able to pay thair maisters thair fermes and duties, whiche is so considerable ane point that it was found by the table that if there had bene ane bushe fishing erected in Scotland, there would have bene a reservation of all fishing within these waters for the vse and benefite of the countrie people, for it cannot be qualified that ever anie Hollander or other stranger fished in these waters. And in respect we want the consent of the burrowes to this restrictioun, and that we would be loathe to have thame hurt or prejudged in that whiche they conceave to tuiche the bodie and commouns of the countrie so neerelie, we remitt to your Lordships' consideratioun whiche of the twa designatiouns your Lordships will make the rule of your proceedings. Quhairin, resting assured that nothing will be wanting in your Lordships that may tend to the preservation of the liberteis of this

your native Kingdome, we committ zour Lordships to God. From Halyrudhous, the twentie ane day of Apryle 1631.

Your Lordships' verie assured good freinds,

A. ELPHINSTOUN.	LAUDERDAILL.
G. GORDOUNE.	DUPLIN.
J. HAMILTON.	PA. B. OF ROSS.
JAMES BAILLIE.	WIGTOUNE.
SCOTTISTARVETT.	JOHN ISLES.
	S ^r . THOMAS HOPE.

To the right noble and our verie honnourable good lords the Erle of Morton, His Maiestie's Thesaurer, the Erle of Monteith, President of His Maiestie's Counsell, and to the Noblemen and others appointed be His Maiestie for the Kingdome of Scotland anent the Treatie of the Fishing, etc.

106. WILLIAM EARL OF STRATHERN to KING CHARLES I.—*Circa* November 1632. Copy.

MOST SACRED SOVERAYNE,—I have, according to zour Maiestie's commandement signified wnto me by a letter from Mr. Mauld, used my best meanes to try if the Bischops and clergie have opposed the Commission of the Tythes since thair last returne from Court, bot I may give zour Maiestie assurance that they have done nothing in publick to the prejudice of it; and zet I was not content with this, bot I wreat to the Bischope of Sanct-Androus, and schew him what I had hard from Court, and I have sent his answer heirwith inclosed to Mr. Mauld to be schaune to zour Maiestie, and he does not only deny that anie of the clergie did oppose that Commission, bot he promises, both for himselfe and the rest of the clergie, that they sall forder and advance the wark, and punctualy keep what he promised to zour Maiestie. This is

all I canne wreat in that business wntill the tyme I have the honour to kisse your Maiestie's hand, quhich sall be with all diligence.

I thought it was not amisse to lett your Maiestie know that the Clerk of Register¹ is dangerouslie seek, and no lyfe is hoped for, and your Maiestie will be importunat with suters for his place, it being ane of the pryme places of this Kingdome, and requyres both ane habill and ane honest man.

[*Dorso*].—Copie of ane letter to his Maiestie.

107. SIR WILLIAM ALEXANDER, afterwards EARL OF STIRLING, to WILLIAM SEVENTH EARL OF MENTEITH.

Southwick, 23rd August [1628.]

MY NOBLE AND VERIE GOOD LORD,—In regard I wrote so latelie what was requisite, I mynded not to haue written now, were not this extraordinarie accident fell out, wherewith I cannot but acquaint yow.

The Duke of Bakinghame is killed this morneing at Portsmouth by one Lieutenant Feltoun, the newes whereof was brought to the King while as he was sitteing at prayers. This is so recentlie done that I cannot judge, but do leaue to your Lordship to conjecture what may follow; I am,

Your Lordship's humble seruant,

S. W. ALEXANDER.

To my noble and verie good lord my Lord Earle of Monteith, Lord President of the Priuie Councill, etc.

¹ This appears to refer to Sir John Hamilton of Magdalens, Clerk-Register, who died on the 28th November 1632. He was suc-

ceeded in that office by Mr. John Hay, then Town-Clerk of Edinburgh.

108. Sir WILLIAM ALEXANDER, afterwards EARL OF STIRLING, to WILLIAM SEVENTH EARL OF MENTEITH.

Southwick, 1st September [1628.]

MY NOBLE AND VERIE GOOD LORD,—Hauing of late remembred his Maiestie of the two letters that your Lordship wrote, and of your earnestnesse in his seruice, he was pleased to acknowledge the same by this letter which I send herewith. The Duke's death hath bred a greate change in this Court, but praised be God, I hope for the better. His Maiestie's cheife care now is to sett out his fleete, being resolued not to remoue till he see it vnder saile.

There is no seruice at this tyme that your Lordship can do more acceptable to his seruice then the furthering of the Circuite Courts, because the settleing of that is a seruice particulerlie entrusted vnto yow, at least I wish the begining of the work proue such as may make way for a further perfection the next. I haue conferred at length with your noble frend, Sir Andrew Ker, who hath so well vnderstode and obserued the passages of this tyme, that I remitt all further at this tyme, remaineing in the old maner,

Your Lordship's affectionat seruant,

S. W. ALEXANDER.

To my noble and much honoured lord my Lord Earle of Monteith, Lord President of His Maiestie's most honourable Priuie Councill.

109. The SAME to the SAME.

Hampton Court, the 27 of September [1628.]

MY NOBLE AND VERIE GOOD LORD,—I receaued your letter to his Maiestie concerneing that which you had in charge from his Maiestie for apprehendeing of Stephens and William Wod, and I sall deliuer it to his Maiestie at my first

meeteing with him. And as for that which yow wrote for preventeing of grantes out of the penall statutes and fynes of the justiciare, there is no feare of that at this tyme, a generall restraint being of all matters of monie, and I sall haue a care of it, or of anie other thing that yow recomend. Haue mynd to cause Grant and Earleshall end that which your Lordship spoke to me in there name.

I see your seruant Mr. Harrie stay long here, I dowt not but it is for some necessarie occasions, and if I knew his erands, I should hasten him bak, for either the busiennesse is not fitt to be propounded at this tyme, or might quicklie be granted or refused.

I see some difference betweene my Lord of Mar and my Lord Naper. I wish your Lordship, for both there goodes, may, after you haue considered how it is, compose the matter for both there goodes, that they may joyne frendlie, as they should do, in the seruice, but I leaue this to your own consideratioun as yow find cause.

My Lord Nithdale is laboureing for a letter to the Councell that his Ladie may not be troubled, which I think his Maiestie will grant, and your Lordship shall do well to keepe bak anie thing in that kynd. I wish rather that it may be done by priuat fauour then by a publick warrant. Be as carefull for me at home as I am for you here, that I may be made able, as I am affectionat, to serue your Lordship,

S. W. ALEXANDER.

To my noble and verie good Lord my Lord Earle of Monteith, Lord President of His Maiestie's Priuie Councell,—These.

110. Sir WILLIAM ALEXANDER, afterwards EARL OF STIRLING, to WILLIAM SEVENTH EARL OF MENTEITH.

London, 23d October [1628.]

MY NOBLE AND MUCH HONOURED LORD,—I presented your last letter concerning the course taken in vseing the Presbiteris for the valuatiouns, which his Maiestie did reade, and onlie dislyked the takeing of so long a day as the nynt of Januarie; but I remitt this to his own answer, which I haue not yet gotten. As for that monie which Stephens and Seatoun transported, adwyse with my Lord Adwocat what warrant is requisite for trying, pursuing, or apprehendeing of the persones offenders, and send it vp to me, and it sall be returned with diligence and secrecie. And as for William Wod, I heare that he is here, and I purpose to take him, if yow will send the particulers wherewith to charge him; otherwise it will be chargeable and troublesome to send him home, but I leaue this till your Lordship's advertisement.

I send your Lordship herewith his Maiestie's letter how the Judges should carrie themselves with the Lordes of Regalities in the Circuit Courtes, which his Maiestie thought more fitt to write to your Lordship then to the Councill, that your Lordship may make vse of it at your own discretioun, wherenvto his Maiestie (as the Councill did) remittis lykwise your persute in these Courtes of such penall statutes as yow think fitt to touch vpon at this tyme, wishing that it be spareinglie and circumspectlie done, that no offence be giuen thereby justlie; and the lesse be done in that kynd now, I think, will be the best, that his Maiestie may haue matter when he comes wherewith to gratifie his subjectes. Your Lordship shall heare at more lenth by Sir James Bailie from me,

Your Lordship's affectionat seruant,

S. W. ALEXANDER.

I wrote to your Lordship of before concerneing the Countesse of Nithsdale, and his Maiestie since hath willed me in his name to desyre yow to haue a care that she be not charged before the Councell till he be first acquainted therewith. Some conditionns are agreed vpon for her behaiour in the meane tyme with the Bishop of Rosse, which he will write home, and hath, to my knowledge, acted his part well. I wish this were done quyetlie, and rather by way of preuentiou then by a publick debate.

To my noble and much honoured lord my Lord Earle of Monteith, Lord President of His Maiestie's most honourabill Priue Councell.

111. The SAME to the SAME.

London, the 15 of Nouember [1628.]

MY NOBLE AND MUCH HONOURED LORD,—Since my last letter there hath beene a meeteing before the King of these Commissioners that were here present, and after all were heard, what the issue was will appeare by the letter to the Comission, whereof I send the copie herewith to your Lordship, and I think it fitt that your Lordship cause conueene the Comissioners with diligence, and hast that to a point, because it will proue verie materiall for furthering of that greate worke which yow haue laboured so much to bring vnto a good end.

I see nothing here but vexatioues and diuisionnes, euerie man workeing against another, and few or none for the publick, which is liklie to make way for more harme to the countrie then is foreseene, and the more to be pittied that (haueing so just and good a Prince) priuat spleenes and ends interrupt the vse that might be made thereof. As for myself, I sall continue to dis-

charge the trust comitted to me the best I can, without being anie waye diuerted by the partialitie of others, and shall euer proue,

Your Lordship's reallie to serue yow,

S. W. ALEXANDER.

To my noble and much honoured lord my Lord Earle of Monteith, Lord President of His Maiestie's Priuie Councill, etc.

112. Sir WILLIAM ALEXANDER, afterwards EARL OF STIRLING, to WILLIAM SEVENTH EARL OF MENTEITH.

Londoun, the 18 Nouember [1628.]

MY NOBLE AND VERIE GOOD LORD,—This last weeke there was a meeting amongst such of the Comissioners as were here, who did agree no better then yow vse to do at home. The cheif questioun was, whither there should be anie appellatioun or not from men chosen by the Presbiteries and approued by the greate Comissioun. My Lord Chancclour thought, since they may appeale from other high iudicatories, it was against reason that no apellation should be from such men as were to be subcomissioners, and therefore that they might, if they had just cause, appeal from them to the cheife Comissioun. Others desyred that no appellatioun might be at all. As for my own opinioun, I think since the subcomissioners must first be approued by the cheif Comissioun, it sall do well, haueing heard all objectiounes, to admitt none but them whom, for auoydeing of delays, they will absolutelie trust, and that the appellatiouns be onlie to his Maiestie, or to such as he or his Parliament shall appoint, who may punish them that appeale without a cause; and this kynd of appellation howsoeuer, though it were from the cheif Comissioun, when they determine cannot be barred; and yet this course wold make men warie, and wold shorten tyme, alwisc this is but my priuat opinioun vnexpressed to anic, but by my pen to your Lordship. Conferr herevpon with my

colleage, and the aduocat, but I think the determinatioun of what is vrged here will preuent.answers from home.

As to your Lordship's self in that which yow wrote last, I shall tell yow what I know, or conceaue, after two verie worthie frendes of yours had moued his Maiestie to send for yow, he had no mynd to do it, wherypon, thereafter haueing conference withe him, I found that he thought your Lordship wold be more vsefull at home to prepare for the nynt of Januarie, which yow could hardlie, if comeing here, keep, alwise to show your Lordship that this proceeded from no other cause, he remittes by me to your own considerations, according to the necessitie of his seruice and of your own conueniencie. Your Lordship will find his Maiestie's fauour here in as full measure as yow left it, and your frendes as well affected to do yow seruice, but yet I cannot encourage yow to come, because I know besydes the certaintie of charge without possibilitie of benefite at this tyme, your Lordship will find such diuisiouns here that yow can hardlie carrie yourself faire betwix parties, and the makeing yourself a partie to either will be dangerous where the doing good may be crossed, and a good mynd easielie wronged; howsoeuer if yow do come at all, make hast, and if yow wold haue me vsefull, heare my adwyce first, and no man shall concurre with yow in thinges concerneing the good of his Maiestie's seruice more affectionatlie then I, and though I hanc giuen my opinioun touching your comeing, which I dare not perswade now, yet I referre it to your own judgement whither yow will come immediatlie or in the spring. I dowt not yow will heare from others in this, but from no man that doth more truelie loue yow then

Your Lordship's affectionat to serue yow,

S. W. ALEXANDER.

The fleete, praised be God, is returned safe, and we are tormented here with daylie contestatiouns flowing from factious dispositionns, that it is a difficult thing for anie man in place how to carrie himself well.

My sone, praised be God, is returned safe, haueing left a colonie neare Canada behind him, and I am dealeing for a new setteing forth from Londoun. To my noble and verie good lord my Lord Earle of Monteith, Lord President of His Maiestie's most honourable Priuie Councell, etc.,—These.

113. SIR WILLIAM ALEXANDER, afterwards EARL OF STIRLING, to WILLIAM SEVENTH EARL OF MENTEITH.

London, the 26 of November [1628.]

MY NOBLE AND MUCH HONOURED LORD,—Imediatlie after the receite of your last letter by packet, I presented it vnto his Maiestie, who did reade it with a greate deale of contentment as he did expresse by his speache to them that were besyd him, of whome it seemed some had beene of the opinion that no conklusieue power could be granted to Comissioners at this meeteing. He is verie desyrous that yow should all hast vp that the treatie may begin. Let them that come know this, and let me know your dyet by the first occasion, that I may acquaint him therewith.

I heare that my Lord Marquesse is presentlie to part for Scotland, and his ladie is with quick chyld, to the greate contentment of them and there frendes. As for that which your Lordship wrote concerneing the busiennesse betwix my Lord Rothesse and me, that it should be diuulged by James Kininmond, it is impossible, for he neuer heard of it from me, neither do I think that he knowes yet, for I acquainted none with it before I came away saue my Lord Adwocat, and heareing from him that a treatie was requyred, I imparted it to your Lordship, it being a bysiennesse that could not be done in my absence, but by some frendes whom I trusted; but my Lord Buchan's knowledge was more liklie to come from themselves nor from anie of myne in regard of familiarities that way, and for my mynd in that I wrote it long since

to my Lord Adwoeat. If your Lordship write vp aniething about my signatour, vse Mr. Maul in the deliuerie and not myself. But I remitt all that may concerne me there to your own judgement, resting

Your Lordship's affectionat seruant,

S. W. ALEXANDER.

I haue not had a packet since Waughtoun came nyne dayes ago.

To my noble and much honoured lord my Lord Earle of Monteith, one of His Maiestie's most honourable Priuie Councill of both the Kingdomes, etc.

114. The SAME to the SAME.

London, the 2 of December [1628.]

MY NOBLE AND VERIE GOOD LORD,—I haue sundrie tymes acquainted his Maiestie with the good seruice your Lordship hath done vnto him, both in the Circuit Courtes and vtherwise, which doth continw and encrease his good opinion of yow. He is vexed with the diuisions of our cuntrymen, which hath made both parties the more distastfull vnto him, and hath made him, I think, the more loth that anie more should come vp, alwise as I wrote before, after others were refused. He was pleased, vpon a motion of myne, to be signified by my letter, to leaue your Lordship's comeing up arbitrarie to your self, accordeing to the necessitie of his seruice, or conueniencie of your own occasyons; and now the last letter that went from his Maiestie to the greate Comissionn may giue yow new matter of stay till that be answered.

Alwise your Lordship may haue occasions there which I can not forsee here for your comeing, for doing whereof your Lordship hath warrant enough by that which I wrote formerlie, yet I sall make a new tryall, but the estate of the tyme will not admitt delayes, the nynth of Januarie hastening so speedielie on. If you come, I wish, before your Lordship enter with others, that I may acquaint you with the troth of thinges as they are.

As for grantes of penall statutes or monies out of them, feare no such thing, for his Maiestie hath giuen expresse warrant to the contrarie, and I think it no fitt time to seeke benefite now till the King come home, in regard of the publick want and of the manie suters which doth make all to be refused, and though some be granted none to be payed.

As for your Lordship's pensioun, I think there may be meanes made, notwithstanding of the generall restraint, to get it, and the other Officers of State, payed by some priuat directioun, if the meanes for doing of it at home be made sure, for otherwise anie excuse at this tyme will be accepted.

I heare that a packet which went from hence the twentie four of October is lost, wherein there were three letters from his Maiestie ; one for my Lord of Linlithgow about the saltpeter makeing, one to your Lordship about your proceedinge in the Circuit Courtes, containeing thanks to yourself. I am to deale that they may be searched for, and the fault punished. I wrote at that tyme at length to the Master of Jedwart, and to manie others, more then euer I did at one tyme, who am so much tormented with continuall busiennesse that I can hardlie haue tyme to write, but sall euer continw,

Your Lordship's affectionat to serue yow,

S. W. ALEXANDER.

To my noble and verie good lord my Lord Earle of Monteith, etc.

115. Sir WILLIAM ALEXANDER, afterwards EARL OF STIRLING, to WILLIAM SEVENTH EARL OF MENTEITH.

Londoun, the 16 of December [1628.]

RIGHT HONOURABLE AND MY VERIE GOOD LORD,—I wrote so latelie to yow with my Lord of Lorne, that I intended not to haue written shortlie agane, oulie I

remember your Lordship in a letter to me of late touched something your expectation of a reward. I think yow do well deserue it, and am confident hereafter yow will gett it, but at this tyme thinges are in such a case that the verie motioun of such a thing wold make one vngracious. There is another here of whom I wrote before who hath a condition to be supplied both by the Kinge's father and himselfe to my knowledge, and yet for all the meanes that he, and we that are engaged for him, can vse, he is likelie at the most but to get the soune named now till a conuenient tyme come for payment of it.

I send your Lordship herewith his Maiestie's letter, requyreing yow to repaire vnto Court, leaueing the tyme to your own choice, as yow shall think fittest for his seruice. I haue written of this so much befor that I will write no further now, but whenever your Lordship comes I sall be readie to attend your Lordship as

Your Lordship's assured to serue yow,

S. W. ALEXANDER.

I spoke for the payment of your Lordship's pensioun, and besydes the warrant giuen, that the Officers of State, Judges, and seruants attendeing here in person may be first payed, your Lordship may be confident of anie fauour that can be requyred here or performed there in that businesse.

To my noble and verie good lord my Lord Earle of Monteith, etc.,—These.

116. The SAME to the SAME.

London, the 26 of December [1628.]

MY NOBLE AND VERIE GOOD LORD,—I shew his Maiestie your letter, and reported what seruice yow had done in the apprehendeing of Sir Johne Ogilbie,



which, as it was good in itself, was the more to be valued at this tyme, in regard of the Popish insolencies complained vpon in the north. This was verie acceptable, as I hope your Lordship will find by the effectes.

As for the two letters concerneing the tolleratioun of appellatiounes from the Sub-Comissioners to the greate Comissione till the Parliament come, and of a generall production of all titles of tythes, the first is thought will discourage the Sub-Comissioners, when they feare presentlie to be questioned; and the other will breede a generall feare, both tending to a delay; and because of vacant tyme of holidayes, and of a meeteing therevpon requyred before the King, the answer, as yow exspect, cannot come before your meeteing vpon the 8 of Januarie, neither can I as yet assure yow of the certane tyme thereof, my priuat opinioun at that tyme, that yow encourage the Sub-Comissioners as much as yow can to proceede faithfullie and resolutelie, and that all rightes of tythes may be exhibited to his Maiestie's advocat onlie, as the particuler vrgeing of his Maiestie's interest shall requyre, or the secureing of parties vpon agreement, or vpon his Maiestie's decree, haue vse of, but in this I submitt myself to your own judgement, and shall hast his Maiestie's answer.

Let me heare bak of your Lordship's resolutioun and dyet, which I will attend here, and shal euer continw,

Your Lordship, affectionatlie yours,

S. W. ALEXANDER.

My busiensesse at home are lyke to go slowlie till I come. Let me know how the Master of Jedwart is, whom I loue entirelie, and am sorrie for his sicknesse.

To my noble and verie good lord my Lord Earle of Monteith, Lord President of His Maiestie's Priuie Councill, etc.,—These.

117. SIR WILLIAM ALEXANDER, afterwards EARL OF STIRLING, to WILLIAM SEVENTH EARL OF MENTEITH.

London, the 27 of December [1628.]

MY NOBLE AND MUCH HONOURED LORD,—Though I haue not heard from yow by the two last packets, which made me beleue that yow were vpon journey, yet though I hang your letters vpon the baksyd, that yow may meet it vpon the way. It is the onlie cause of this packet, for I haue vnderstood (besydes what I conceave myself) by Sir Richard Grame that the King is discontented with your stay, and it is no wonder, seeing yow parted from him appointed to returne, and his will is that yow should hast here with diligence, because the Comissioners will meete before his going to Newmarket, which is intended imediatlie after the holidayes. Manie other thinges are considerable, which I remitt till meeteing, resting,

Your Lordship's affectionat seruant,

S. W. ALEXANDER.

To my noble and much honoured lord my Lord Earle of Monteith, etc.—
These.

118. The SAME to the SAME.

Londoun, the 19th Nouember [1629.]

MY NOBLE AND VERIE GOOD LORDE,—I wrote by [the] packet two dayes ago, which carried his M[aiestie's let]ter with that which was vp]on here to the Comissioun, rumour concerneing your tended
It is not [long since] yow began, and God hath blessed your beginning; haue patience, proceed as yow haue done, and be confident of your Master's fauour, and of the fruites of it. I am sorrie to heare that which is spoken here of my Lord Advocat's stryfe for place; because he is your Lordship's true frend and

myne, and yow should take panes to adwyse him in that, that others take not occasion to scorne as they do. I see my busiensesse of the barronets doth proceed slowlie, and such stryfe is partlie blamed; howsoever, I sall adwenter brauelie agane, and all the noble here are joyned with me, so that, praised be God, that greate work was neuer in so faire a way.

This night your Lordship's venisoun and aquauytie was praised at supper as exceeding goode, and your Lordship's health and your Ladie's went about. So referreing all further till Sir James Bailie's returne, I rest,

Your Lordship's entircle to serue you,

S. W. ALEXANDER.

To my noble and verie good lord my Lord Earle of Monteith, Lord President of His Maiestie's Priuie Councell, etc.

119. SIR WILLIAM ALEXANDER, afterwards EARL OF STIRLING, to WILLIAM SEVENTH EARL OF MENTEITH.

London, 2d December [1629.]

MY NOBLE AND MUCH HONOURED LORD,—I wrote by the last packet how acceptable your last letter was when I presented it. I haue lykwyse reade vnto his Maiestie the copie of the Comission which your Lordship sent me, and I obuiated all objectiounes liklie to be made, so that he is exceeding well satisfied therewith, dislykeing all that had suggested anie thing to the contrarie. As he willed me to write last, as I did to your Lordship, he doth desyre all the Comissioners to hast vp for endeing of it, not dowteing of your comeing because of your own conclusion with him, and of the warrant yow carried with yow. Neither did Mr. Maul nor I think it expedient to pretend a scruple, knowing well how easiclie anie man is ouerseene to stay, and with what difficultie called for. As for the lies and calumnies which were alledged to be spread against yow here, I take them rather to be contriued by obse-

quious informers at home then euer to haue beene laboured here, not that I dowlt what malice or enuie might intend, but it is known that though yow be absent your frendes here are strong enough to gainestand greater assaults; at least I neuer heard anie such thing, and I know yow were neuer more endeered in your Master's opinion then at this tyme; nothing is changed since yow went away neither concerneing Comissions, nor otherwyse. I sent home long since a warrant from me for makeing of barronets, to be filled vp as your Lordship and my Lord Adwocat thought best, whom I trust absolutelie in that to do as he pleases, and shall signe anie warrant for that effect, if yow los this. As for my own signatour, I leaue it to your self, since yow know vpon what termes yow left with the King in that: do as he directed, and no further; for though I suffer more in the opinion of the world, nor if it had neuer been motioned, yet I rather want it altogether then yow should do more then yow are warranted to do. So referreing all further to your seruant, the bearer hereof, I continw,

Your Lordship's affectionat seruant,

S. W. ALEXANDER.

The peace is concluded with Spaine.

To my noble and much honoured lord my Lord Earle of Monteith, one of His Maiestic's most honourabill Priuie Councill of both the Kingdomes, etc.

120. The SAME to the SAME.

Londoun, the 1 Januarie [1630.]

MY NOBLE AND MOST HONOURED LORD,—There is no matter of moment occurred since yow parted from hence. My Lord Napier hath deliuered his bond of Serjan Walthew to my colleege, which, as he telles me, he is to keep till his Maiestic's further direction. But I will moue that it may be deliuered vnto

yow. I haue seene it, and do think it worse then I apprehended it to be before I saw it; besydes the other grossnesse in it, the name of one person trusted is scraped out of the bodie of the band, and vpon the margin left to anie whom he will name; and to be short, if he faile to yow, it may ruine him with the rest that is layed to his charge; but as I neuer sought nor desyred his ruine, so I wish your Lordship may settle the matter, for the good of his Maiestie's seruice, to your mynd, and with his saftie.

The tyme for my sone's supplie doth draw fast vpon me. I haue not yet made vse of anie of the bandes were left with me for borrowing of monies, which are hard to be had here; and it wold proue a singuler good for me if the noblemen's bondes that are to be preferred, or the contracters' bandes with me for barronets, could secure William Gray or Thomas Chartour to ansuer the monie here in Februarie, and I wold destroy and send bak the bandes yow signed. I know your Lordship, in regard it doth import so much, will excuse my being troublesome, who exspec[t] to heare how the ribbandes proue; and, remembring my humble dutie to your ladie, shall euer proue,

Your Lordship's affectionat seruant,

S. W. ALEXANDER.

There is some jarre amongst the English courtiers, who, I wish, may take away all ours in that kynd, with the particulers whereof my Lord Traquare can acquaint yow, who, since your Lordship parted, hath beene verie frendlie and desyrous to expresse himself your frend. Let him know so much as from me, vse him as yow find cause, but trust to the tryall of tyme. Keep Sir James Bailie busie to ply my businesse.

To my noble and most honoured lord my Lord Earle of Monteith, Lord President of His Maiestic's most honourabill Priuic Councill of Scotland,—These.

121. Sir WILLIAM ALEXANDER, afterwards EARL OF STIRLING, to WILLIAM SEVENTH EARL OF MENTEITH.

Londoun, the 12 of Januarie [1630.]

MY NOBLE AND MOST HONOURED LORD,—At the readeing of the Councell's letter concerneing the apprehendeing of Papistes, I declyned the imployment that was desyred to yow for that purpose, which, howsoever it might haue proceeded from a good intentioun, was not liklie to proue good for yow, and before the letter came my Lord Gordoun had order for a comission against the northerne Papistes, which, though he be absent, may be discharged by his deputes.

As for that which I haue heard of, etc., I neuer hearken much to such rumoures, which are oftentimes deuysed, increased, or misconstructed in the deliuerie by reporters. It is liklie that he (as for the most part they do who haue least,) did what he could to haue his credite seeme greate, and if he haue neglected dutie, or hath beene ingrate, why should that which is another's fault trouble yow? I wold onlie greue to be behind with another in kyndnesse, but neuer for another's neglect that had beene obliged, and what was done then was not in hope of retribution, but for preunteing of worse, and if need be, there wantes not the meanes of a remedie.

His Maiestie doth not desyre that my Ladie Huntlie's daughters should be taken from her, nor he be restrained, but relaxed from the horne. I think his Maiestie's pleasure will be signified to my Lord Chancelor. I will auoyd as much as I can to haue your Lordship vsed that way, and yet when it comes before yow be fauourable; this is a dangerous tyme, and the safest way is to flie contestations, and to do for ones self or a frend, but as litle as they can against others. I will do my best to supplie your absence here, and must trouble yow for me at home, cheiflie for supplying my plantation, and

furthering of these things which should mak me subsist who do trust yow most, and whom yow may trust most,

Your Lordship's affectionat seruant,

S. W. ALEXANDER.

Mr. Haig his comission is signed, and I haue sent home his letters herewith, that your Lordship may cause present them to Session and Exchecker with Mr. John Hay, who knowes what I haue done for his good town. Haue a care of this enclosed note, the purpose whereof is onlie entrusted to yourself.

To my noble and much honoured lord my Lord Earle of Monteith, Lord President of his Maiestie's most honourable Priuie Councill,—These.

122. Sir WILLIAM ALEXANDER, afterwards EARL OF STIRLING, to WILLIAM SEVENTH EARL OF MENTEITH.

London, the 16th of Januar [1630.]

MY NOBLE AND MOST HONOURED LORD,—This packet to my Lord Hadintoun going in hast, by reason of the returne of a Comission for a particuler of my Lord Euandale's, made me write nothing but a short letter to my Lord Hadintoun for directing the packet; onlie I wold let yow know that where I thought my Lord Naper should presentlie haue followed yow, trusteing to that which past betwix yow, I neuer heard from him, but he gote his vnworkable bakband deliuered to my colleague, and a direction to him for a letter to the Session to sitt with them; which I [op]posed, as not fitt in itself, and no way conuenient to grace a man with a new imployment who did ly vnder such heauie aspersions as vnworthie to keep what he had, and I shew my colleague, who I heare procured it, that he wold repent the meddling in it, so

that it is likelie to stop, and howsoever a remonstrance of the troth from thence may hinder that, I thought good to adwertise yow of this, because I think we are not fairelie dealt with in this; and it is easie to be caried as we intend for his Majestie's service. All doth go well here as yow left it, and I haue no trouble but how to find monie for setting out my supplie to my sonc. Think of that as I wrote before, for it will be hard to lift the monie vpon the bandes were giuen here, and it is better to secure them from thence. Tell Sir James Bailie, if yow manage that concerneing this man as yow resolued when yow parted, thinges are better prepared then they were for him, and I am,

Your Lordship's,

S. W. ALEXANDER.

To my noble and most honoured lord my Lord Earle of Monteith, etc.—These.

123. The SAME to the SAME.

London, 21 of Januarie [1630.]

MY NOBLE AND MOST HONOURED LORD,—I wrote at length to your Lordship by my last packet some priuat adwertisements enclosed within a letter to Robert Alexander, and in cace of his absence, which I then feared, as it is falne out, to his wyf, from whom, if it be not alreadie receiued, yow may demand it; neither is there anie thing whereof I wrot then altered since. The man who promised to follow yow home, it wold seeme, seekes other wayes then by yow, and staves for the returne of some others on whom he doth rely. Nithdale is to come here shortlie. I wish, if the other will not returne, that some other were made to supplie his Maiestie's service for the tyme. So haueing nothing more concerneing yow till your account of your employment there furnish matter, I must go to my own particuler, which I confesse at this tyme doth vex me mynd much.

The tyme for supplying my sone is come on, and notwithstanding of the bandes your Lordship and others signed for me, I can lift no monie here in hast; the English marchants neuer taking Scotish securitie, and the Scotish factours not haueing monie; so that, as I wrote before and spoke with Mr. John Hay, the best were to agree with William Gray, or some such man there, vpon the lyk securitie to furnish me here, though the half of the fourtie thousand merkes were but giuen in hand, and the other half at a reasonable day; and I sall send bak the other bandes that were signed. I hope my Lord Carnegie will keep his bargain, and he that wrote prejudicialle therevnto will rather satisfie for his fault then persist further. I wish as much could be had from him and two more as might defray this supplie, which were the best way to releue our bandes.

I thank your Lordship heartielie for your care of my sone Anthonie; and though I wished, if it pleased God, that my eldest sone had been at home before the second were maried, yet I am content, if your Lordship think it fitt, that the matter be presentlie ended. But as for that they demand of me, since I haue bred him well, and putt him in a good place, it may answer all I here offred: for I am to tak no part of what he gettes, but do leaue it to themselves: neither will I be bound in anie sowme further till I releue that wherein my frendes are bound for me, and that my other sone's returne mak me know whither be my eldest or second sone; but they shall do well, if they wold end presentlie, to trust me with what I will bestow vpon my sone, which I will do when I may, and in such measure as I may; at least I will giue him more land then all his portion is able to plenish, and perchance some monie. Alwise let me entreate your Lordship to thank Mr. Kellie and his wyfe in my name, and my wyfe's, for there kyndnesse expressed in this to vs, which on our part shall haue a heartie and reall meeteing. But in this I refer myself to your Lordship, and if the matter go forward, adwyse with my Lord Adwocat, Sir James

Bailie, and Bagonie or William Murray of Duncarne, who are his neerest kinsmen there fitt for such a purpose. Yow will heare weeklie from me, and therefore I rest now,

Your Lordship's affectionat seruant,

S. W. ALEXANDER.

To my noble and most honoured lord my Lord Earle of Montcith, Lord President of His Maiestie's most Honourabill Priuie Councell,—These.

124. SIR WILLIAM ALEXANDER, afterwards EARL OF STIRLING, to WILLIAM SEVENTH EARL OF MENTEITH.

London, the 9 of Februarie [1630.]

MY NOBLE AND MOST HONOURED LORD,—After the receite of your letters from Mr. Harrie Drumond, it was resolved that, before Mr. Maul presented your surrender, I should deliuer your other letter, and make way as I did. Your Lordship's opinion and my Lord Advocate's concerneing the interruption, and Craigievar's action was approued, as lykwyse that no signatour falleing vnder his Maiestie's reuocation shall passe, vnlesse, as yow wrote, to be lyable to the reuocation, and what warrant yow craue for this may be had. I hope yow shall heare the successe of your surrender, and reward for the same, by the next packet, wherein I will do as I vse to do in that which concernes yow.

As for my own particulers, I haue no more to write then I wrote formerlie, and speciallie concerneing my sone's supplie, wherevpon his saftie or ruine doth depend, notwithstanding of the bands were left with me, there is no monie to be had here, which makes me as yet dowtfull what I may do from hence, and therefore whateuer happen, I wold the ship that is fraughted at Leith were hasted away with some twentie or threttie good fellowes, and so

much for prouisions as she may carrie, so, till your seruant returne, or that the other businesse be done, I leaue at further, resting,

Your Lordship's affectionat seruant,

S. W. ALEXANDER.

To my noble and much honoured lord my Lord Earle of Monteith, Lord President of His Maiestie's most Honourable Priuie Councill.

125. Sir WILLIAM ALEXANDER, afterwards EARL OF STIRLING, to WILLIAM SEVENTH EARL OF MENTEITH.

London, the 20 of Marche [1630.]

MY NOBLE AND MUCH HONOURED LORD,—Since my last letter, that course about the change of the Treasurer's place is fullie agreed, and approued by his Maiestie. I think that he who is to succede will, as he doth professe, neglect no meanes for entertaineing loue and frendship with yow. Alwyse I thought fitt to let your Lordship know the estate of this, which I learned here at Traquarie's comeing, and take no further notice of it nor yow think fitt.

As for that which your Lordship wrote with Thornetoun, I remitt it to the next occasion, and shall euer continw,

Your Lordship's affectionat seruant,

S. W. ALEXANDER.

If your Lordship can agree [with] my Lord Naper and Sir James Bailie for the place, now, or neuer, is the tyme. I feare his great frend hath neglected him, and he should the rather be remembered.

To my noble and much honoured lord my Lord Earle of Monteith, Lord President of His Maiestie's most Honourable Priuie Councill, etc.

126. The SAME to the SAME.

London, the 23 of Marche [1630.]

MY NOBLE AND MUCH HONOURED LORD,—Hauing written with my Lord Traquare's seruant, I intended not to haue written to yow at this tyme, if a conference with his Majestie this day had not giuen me the occasion. He is to write for yow, that he may haue your opinion in sundrie affaires, and I know will trust yow as much as anie man, and therefore come well prepared in all these things wherein yow carried instructions home, and in all things concerneing his Maiestie's seruice. This change, whereof I wrote last, may breed more, and it is fitt now to lay a foundation for the tyme to come. All here will be glade of your frendship. New frendshipes are neither to be too much trusted nor neglected, but let vs be circumspect, layeing passion asyd, and vseing judgement. I know others will write more plainelie to yow, but when we meete I will speake freele, and though I wish wariennesse, am distrustfull of nothing, but verie confident of the best.

I thank your Lordship heartielie for your care of my sone's supplie. I haue a greate debate with the Frensh, but will either preuaile, or retire with honour and proffite. Mak hast vp, and resolute hast home agane, for I haue told the King yow cannot stay. So till the next, or meeteing, restes,

Your Lordship's affectionat seruant,

S. W. ALEXANDER.

To my noble and much honoured good lord my Lord Earle of Monteith, President of His Majestie's Councell of Scotland,—These.

127. The SAME to the SAME.

London, the 3 of Apryle [1630.]

MY NOBLE AND MOST HONOURED LORD,—Nothing hath occurred since Sir

Archibald Aicheson parted, but the passing of my Lord of Mortoune's gift vpon Marre's demission haueing the gathering of the Kinge's annuitie, by his Maiestie's expresse warrant, joyned with the rest of the rentes. I find the nobleman verie generous, and bent to go faire wayes, desyreing much your Lordship's frendship and myne. We were not well dealt with by him that went out, but he hath done vs no wrong that came in, and we haue no reason to giue the first cause of discontent, but to be the more warie till thinges settle, neglecteing no dutie in the meane tyme. There are manie thinges to be talked of betwix vs at meeteing which I cannot write, but be assured that I sall both think and do for yow as for myself, who am,

Your Lordship's affectionat seruant,

S. W. ALEXANDER.

I did this day remember your seruice to my Lord Conaway, dyneing in his house, in a cupp of wyne, which was acknowledged with such exorbitant expressiounes of loue, that yow ow me much for coyneing this comission, which is satisfactorie for your last errour to him at Tibolles.

To my noble and much honoured lord my Lord Earle of Monteith, Lord President of His Maiestie's most Honourable Priuie Councill, etc.,—These.

128. Sir WILLIAM ALEXANDER, afterwards EARL OF STIRLING, to WILLIAM SEVENTH EARL OF MENTEITH.

London, the 4 of Apryle [1630.]

MY NOBLE AND MOST HONOURED LORD,—I wrote nothing in my last letter concerning your coming here, which I omitted of purpose till I should speake with his Maiestie, who had delayed the writeing for yow, which I almost suspecteing to haue proceeded from some secret cause, did presse much this

day, speakeing as liberallie as became one who loued yow. In end I found the cause of the delay was because he wold needes within two dayes write vnto yow with his own hand confirmeing what I said, and expresseing that which gaue me a greate deale of contentment. I shall be glade to see yow here before my Lord of Mortoun part, who doth desyre to enter in an entire frendship with yow, and I do think hath a noble and straight meaneing. I long till we meete, and till then whateuer chauce, think yow are here in me,

Your Lordship's affectionat seruant,

S. W. ALEXANDER.

To my noble and much honoured lord my Lord Earle of Monteith, Lord President of His Maiestie's most honourable Priuie Councill,—These.

129. The SAME to the SAME.

London, the 29th of October [1630.]

MY NOBLE AND MUCH HONOURED LORD,—Since my last packet, all that past here, which I can acquaint yow with now is this, my collogue hath taken his leaue of the King. He telles me of a letter he hath to the Exchecker about the new office of receites, which I, as yet, haue auoyded to see, because I wold not medle with it at all. If that proue well, (as I wish, if it be a good work, it may do,) he doth deserue the praise of it; and otherwise I sall be free to giue my judgement, as vntaken vp with an anticipated opinion. He hath gote a warrant for Sir Thomas Dishingtoun to transport some woll and some other few thinges, which I forgett, of no great moment, and yet not verie plausible, though, as your Lordship knowes, he was forced, out of just feares, to seek a way of his own, which we haue no reason to lyk of; yet, I can neuer learne of anie thing he hath done or spoken to your disaduantage or myne, and therefore let me adwyse your Lordship to keep faire with him in the old

maner, without communicateing secretes or trusteing rashlie, and if yow can remoue that professed malice betwix my Lord Adwocat and him, which he desyres verie much ; but as for trust and frendship, let tyme work that as the cause requyres ; and if his busiennesse be not lyked, let his rubbes rather come from them in place before yow, then from yow. His coosen, whom he sent for, hath failed in altering what was done in the Session ; so that yow may enter the Clerk Register when yow will, and go on in that purpose. He had entreated me to procure his dispatche, which I think I did sooner then he expected, I being present at it, he begane to alledge that he had been traduced, and his Maiestie replied that it was his own suspition onlie, for he had heard no such thing, so he parted promising to be a good seruant ; but yet keep generall formes with him, for though he be no good frend, it is not fitt needleslie to make him anemie. I procured, that same day, Mr. Haig a tyme to conferre and take his leaue. His last sute was to be Clerk of the Taxation. I told his Maiestie what stryfe had beene about that place, and that the best was to deferre anie right was in him vngeuen till he should see how Mr. Haige's seruice proued, and then reward him ; and thus all these three are gone without doing harme. I haue written this priuatlie, with Andrew Hay, to let yow know my mynd. I must write another not so free with my colleege. When yow haue reade and considered this letter, destroy it, and comand,

Your Lordship's seruant,

S. W. ALEXANDER.

To my noble and much honoured lord my Lord Earle of Monteith, one of his Maiestie's most honourable Priuie Councill of both Kingdomes,—
These.

130. Sir WILLIAM ALEXANDER, afterwards EARL OF STIRLING, to WILLIAM SEVENTH EARL OF MENTEITH.

Theobaldes, the 9 of Nouember [1630.]

MY NOBLE AND MUCH HONOURED LORD,—These are to recomend the League to be welcomed home by yow as one both hath beene and is desyrous faithfullie to keepe it, neither hath he expressed anie thing by word or deed prejudiciall tō my Lord Adwocat, as he hath assured me, and I beleuee it, for I find nothing to the contrarie. I could wish that dislyk betwix them to be remoued, that at lest others might not take notice of it as they do to work therevpon to both there disadvantages, and tyme might breed loue and trust as either of them found another to deserue.

I look daylie to heare from yow, and speciallie concerneing the fisheing busienesse, and do exspect yourself so shortlie that I will onlie affirme all thinges here are as well as yow left them, and so I hope yow shall find at your returne, and me,

Your Lordship's affectionat seruant,

S. W. ALEXANDER.

To my noble and much honored lord the Earle of Monteith, Lord President of the Priuie Counsell, and one of His Majestie's most honorable Priuie Counsell of both Kingdomes.

131. The SAME to the SAME.

Londoun, the 28 of December [1630.]

MY NOBLE AND MOST HONOURED LORD,—I will not wrong so principall a Bailie as not to trust him with more then with the executioun of a verball power, though he may stumble forth jointlie for simplie. Some passages expresseing

distractiounes here wherein we haue no interest, may be better deliuered by his tongue (as ill as it is,) then by my pen.

Your Lordship hath the letter about the cognisance, let me heare of it, because I will be dowtfull till I heare bak, and if it be not in your handes shall find it or another. I must trouble your Lordship with all that concernes New Scotland and my relief, the effectuateing whereof though not more willing, may mak me more able to approue myself,

Your Lordship's entierelie affectionat,

S. W. ALEXANDER.

To my noble and much honoured lord my Lord Earle of Monteith, Lord President of His Maiestie's most honourable Priuie Councill.

132. Sir WILLIAM ALEXANDER, afterwards EARL OF STIRLING, to WILLIAM SEVENTH EARL OF MENTEITH.

London, the 27 of Marche [1631.]

MY NOBLE AND MUCH HONOURED LORD,—My colleague your league comes home herewith sound and euerie way vnbroken, that is, both within himself in that which he professed to others, and from the dangers of others that sought his harme, which were sundrie and greate ones; this made me the rather stand to him, because I desyre no other fellow in office, and to countenance him I haue renewed his gift, with the adition of the makeing of Shireff Clerkes, with a prouision that it be not prejudiciall to my grantes, which he is willing anie way to secure.

Manie here professe much to yow and me, but it is good to haue a care of ourselfes, they laugh well at the diuision of officers whom they repute in regard of them of the inferiour sort, and our strength will be to keep them

together. I must entreate your Lordship to settle thinges so betwix my collogue and my Lord Advocat that till they vnderstand other better, at least all cause of publick jarres be remoued. I know your Lordship may dispose of both, and shall euer comand,

Your Lordship's affectionat seruant,

S. W. ALEXANDER.

To my noble and much honoured lord my Lord Earle of Monteith, Lord President of his Maiestie's most honourable Priuie Councell, etc.

133. The SAME to the COUNTESS OF MENTEITH.

London, the 25 of May [1631.]

MY NOBLE AND MUCH HONOURED LADIE,—These are onlie to remember my humble dutie vnto yow, and to let yow know that my Lord, your husband, is in good health, and hath gote fywe hundreth poundes sterling in pension from his Maiestie, whose respect towards him, sundrie wayes expressed, doth deserue the vttermost that his abilities can contribute to his seruice, whereof his Maiestie is verie confident, as I know he hath reason, as I hope yow will heare from my Lord at his returne, which I hope shall be shortlie, and I sall euer be,

Your Ladyship's most affectionat to serue yow,

S. W. ALEXANDER.

To my noble and much honoured ladie my Ladie Countesse of Monteith.

134. The SAME to WILLIAM SEVENTH EARL OF MENTEITH.

Portsmouth, the 16 of August [1631.]

MY NOBLE AND VERIE GOOD LORD,—I receaued your letters vpon Sunday the tenth of this instant after diner, and together with these that came from the

Councell I presented them immediatlie to his Maiestie, who reade the Councell's letter first, and did dislyke that part thereof that there should a Conuention be called to gett monie for defraying his journey to Scotland, sayeing now since he had tyme he wold find it by another meanes, and not giue his subjectes cause to distrust his comeing, as he thought they might do if the taxatioun were granted, where his onlie desyre is to be there in person for the settleing of his affaires. I finding him so disposed wold vrge no ansuer at that tyme, but wished him to conferre with my Lord Chancelor, and such others of his Councell as he thought fitt. Neither was his Maiestie pleased that the pensioners should joyne with the Officers of the State to borrow the monie which your Lordship knowes was offred him by another meanes, and he caused me write for the Treasurer Deputie to come bak from London to Court as, I think, for that purpose. I shew his Maiestie how I vnderstoode by the last packet that vpon the first meeteing of the Comissioners, the annuitie was granted to be payed this yeare, and a course intended for the valueatiounes. So haueing no further at this tyme till the next occasion, and euer I continew,

Your Lordship's affectionat seruant,

S. W. ALEXANDER.

There is a letter from his Maiestie to the Marquese of Hamiltoun and your Lordship to deale with Monievairst and his frendes for settleing that businesse with his competitours, because the Earle of Angus vndertakes that they shall haue all reasonable satisfioun.

To my noble and verie good lord my Lord Earle of Monteith, Lord President of his Maiestie's Priiue Councell, etc.

135. SIR WILLIAM ALEXANDER, afterwards EARL OF STIRLING, to WILLIAM SEVENTH EARL OF MENTEITH.

Portsmouth, the 18 of August [1631.]

RIGHT HONOURABLE AND MY VERIE GOOD LORD,—Since the writeing of my other letter I receiued your last, whereby yow challenge me of that whereof I had more reason to complaine. The troth is, your Lordship, both at your first and last being here, haueing vndertaken to deale in that businesse for me, I relyed vpon yow, yet wold not be importunat in remembring yow, because I think it enough that one know his frendes' intentioun anie way, much more from himself, wherein he may pleasure him, and your Lordship told me, a day before yow parted, that yow exspected a resolution which should haue satisfied me whateuer it had beenc; and the thing that greeued me was, that yow should haue passed the onlie thing wherein I had desyred your help so careleslie as to giue me no account thereof before yow went away. This I regraited to Archbald Cambell, when he followed yow out of town, and appearantlie Lundie, haueing heard it from him, came to excuse the matter to me out of his loue, and I was so far from speakeing of it in publick, that euen from him I couered my discontent as much as I could, and desyred him to assure yow, although it greeued me, yet it should not anie way lessen my loue to yow, and, since I who suffer haue disgested it, yow haue more reason to do it.

As for that which your Lordship hath comitted to me concerneing his Maiestie's seruice, which I presentlie receaued now at ten a'clock at night, when my packet was readie to part, I sall giue yow a good account of it by the next packet.

I was sorrie that your Lordship joyned with the rest in that letter which desyred the pensioners to joyne surties with the officers, because yow had freeilie yeilded to bind of before; but I excused it the best I could, and yow

shall do well to help it hereafter. So assuring yow that I will onlie reuenge myself of that carelesenesse of yours for me by being diligent for yow, I rest,

Your Lordship's affectionatlie bent to serue yow,

S. W. ALEXANDER.

To the right honourable and my verie good lord my Lord Earle of Monteith,
Lord President of the Councill, etc.

136. HENRY ALEXANDER, third son of Sir William Alexander, and afterwards third EARL OF STIRLING, to WILLIAM SEVENTH EARL OF MENTEITH.

Woodstock, the 22 of August 1631.

MY MOST NOBLE LORD,—According to your Lordship's direction, I deliuered your letter to his Maiestic, whiche hauing read, he signed that of Glenalmond; the other, concerning Duffus, he refused, as I perceaued he thought directlie that the Earle of Morray should surrender what right he had vnto him, bot he commanded me to draw vp this letter whiche I send you herewith for satisfieing of your Lordship. I haue lykwise sent your Lordship that letter to my Lord of Traquaire according to your command. The busines betweene Roxburghe and Buckleughe and Francis Stewart is ended, bot his Maiestic hath locked vp the decreet in his owne cabinet, whiche he will not show vnto any vntill suche tyme as the rentals be valued, for auoyding of partialitie. I haue directed this pacquet vnto your Lordship onlie because I could not convenientlie send two, according to your Lordship's command. Your seruant, Mr. Henrie Drummond, will acquaint yow with the reason of the long soumes and with the particulars heire. I rest,

Your Lordship's most humble seruitor,

HENRIE ALEXANDER.

[Secretar Alexander's letter to the Earl of Monteith. 1631.]

137. Sir THOMAS HOPE, LORD ADVOCATE, to WILLIAM SEVENTH EARL OF
MENTEITH, now EARL OF STRATHERNE.

Edinburgh, 5th November 1631.

PLEASS YOUR LORDSHIP,—The Commission mett on Weddinsday, 2d November ; butt becaus thair wes none of the clergie thair it desertit ; and immediatlie the Counsel mett, quhair ordour wes gevin for wryting to the Bischoppes, and with it letteris to charge tham to compeir befor the Counsell vpon 23 November, to ansver anent thair neglect in not attending the Commissioun, and publick intimatioun made to the haill remanent Estates of the Commissioun, burrows, gentrie, and nobilmen to attend vpon the said 23 November ; and thairfor I wische that suche thingis as zour Lordship hes to pu[tt vpon] the Commissioun may be sent down befor that [date]. The Chancellor is not zit come from St. Jonstoun, butt [he is] expectit this nycht or on Monoday.

I haif hard from France that zour Lordship's brother, the Laird of Lundy is in Angeris, and in good helth. I mett heir zesterday with the Erl of Nithisdaill, quho complenis heavilie anent the brek of the bordouris, and layis all the wytt on the frequent advocatiounis grantit for staying of the proceeding of the Commissioneris thair, quhilk he thinkis zour Lordship sould sie to.

Zour Lordship's nobill Lady and all the barnis ar in good helth, praysit be God, but her Ladyship delayis to wrytt till the Maister of Stirling tak journey, quhilk he intends to do on Twysday nixt.

I am almost faynting in langour for word from zour Lordship tuiching my sone ; but the confidence of your Lordship's fanor keipis me in lyff, quhilk I haif devotit to zour Lordship's service, and so sall live and die,

Your Lordship's humbill and faythful seruitor,

S^r THOMAS HOPE.

I humblie intreit zour Lordship to remember to send bak the renunciatioun for the Erl of Perth.

To the rycht nobill and michtie erll the Erll of Stratherne, Lord President of Counsell, and one of His Maiestie's Privie Counsel of Ingland.

138. SIR THOMAS HOPE, LORD ADVOCATE, to WILLIAM SEVENTH EARL OF MENTEITH, now EARL OF STRATHERNE.

Edinburgh, 8th November 1631.

PLEASS YOUR LORDSHIP,—I haif litill or nothing to adde to that quhilk I sent with William Ramsay, seruitor to Sir Alexander Home, on 5 November, onlie becaus the Maister of Stirling, the berar hereof, comes vp to zour Lordship, I could not send him emptie, but hes writtin thir lynes to schewe my obedience in obeying zour Lordship's commands to neglect no tyme or occasioun of wryting, and the Maister caries with him lettèris from zour nobill lady, quhairby, and from the Maister, zour Lordship may know of hir Ladyship's good helth.

The Chancellor is not zit come, but is expectit heir on Thursday, at quhilk tyme I sall present the charter of the fisching to the Counsell, and if thair allow tharoff, or addis or pares ony thing thairin, I sall acquaint your Lordship thairof with all diligence, for so I did promise to his sacred Majestie in my letter (quhairin the signator of fisching wes,) sent vp with my Lord Vicount of Stirling, and I wische that, befor the sending thairof, I may heir from zour Lordship tuiching my sone, that, vnica opera, I may both acquent his Majestie with the Counsellis judgement, and als gif humbill thanks to his sacred Majestic for the mark of his faour to my sone, and may thairwith testifie my humbill gratitude and thankfulnes to zour Lordship, be quhois



SIR THOMAS HOPE

Thomas Hope

credit and kyndnes his Majestie hes beine pleisit to prefer my sone, quhilk zour Lordship sall find alsweill bestowit as ever zour Lordship did benefit and respect vpon any of zour Lordship's freindis or servandis. And it sal be no litill prase to zour Lordship, ather in zour credit or affectioun, that zour Lordship dois prefer zour tyme about thes quho depends on zour Lordship as my Lord Chancellor did, Innerpeffer and Fotherance; and if my sone be not degenerat, he will stryff to expres his humbille service and affectioun to zour Lordship alsmuche as any of thaim to thair promover; and if this can adde anything to the fyre of my former zeill to zour Lordship's service (quhair of the world takis notice,) I will stryff to do so in that trewth and simplicite quhilk becomes me, quho am,

Zour Lordship's humbill and faythfull seruitor,

S^r. THOMAS HOPE.

To the rycht nobill and michtie erll my Lord the Erll of Stratherne, Lord President of Counsell, and one of His Majestie's Honorabill Privie Counsell of Ingland.

139. The SAME to the SAME.

Edinburgh, 10th November 1631.

PLEASS YOUR LORDSHIP,—The Chancellor come to Edinburgh vpon the 9 of November, and vpon the tent, being the Counsell dyet, I causit the signator of the fischingis with the Committe to be red in presence off Counsell, quho hes allowit tharoff, without adding or paring, and I haif writtin anc letter to his Maiestie acquainting his Maiestie thairwith, becaus I promisit so to doo, in that quhilk I sent to his Maiestie with the signators.

I did never sie zour nobill Lady so greivit and offendit as I fand hir Ladyship this efternone quhen I went to Counsell, and the caus of hir Lady-

ship's offense wes, that scho expectit from the Chancellor xxij^m merks for payment of the Erl of Perth ; and my Lord Chancellor excussis himself that he nather had so muche money of the taxationnes, nor did promise to pay it at this terme ; and albeit he had the money, zit could he not pay it without ane speciall warrand from his Maiestie, in respect of that letter, quhairby he wes ordainit to ansuer no preceptis be ressoun of his Maiestie's purpose to come to Scotland this nixt spring. And my Lady being in this sort disappointit, wes the more greivit be ressoun of the Erl of Perth his coming to toune yesternycht, quho expectis present payment of his haill moneyis, butt, with Godis grace, we sall find a way to haif the Erl of Perth contentit in his haill sounes at this terme ; onlie zour Lordship hes to sie and provyd for more certaine and assurit payment of zour Lordship's precept betuix and Witsunday, that the moneyis quhilk ar to be liftit now may be sattisfeit at the nixt terme.

I nather dar nor will speik anything concerning my sone, becaus I am persuadit of zour Lordship's cair and earnest desyr to haif it going weil ; onlie I entreit zour Lordship that, if any rub occurre, zour Lordship will lay it af till I be aduertisit ; butt I trust I sal not be putt to this strait, notwithstanding I heir that the Bischope of Sanct Androis is vrging extremlie for his Comiser, Mr. James Weymes, quho of all theis that ar namit competitors is the most vnworthy, and so hardlie reportit of quhair he lives, that it wer ane miserie and danger to that sait to haif suche a pest and fyrebrand plantit into it, and it wer better to the Sessioun or subiectis to pay the bodische quhilk is dew to the Bischope for admissioun of ane new Commissar, (if this man quho is Comiser wer promotit,) nor to suffer suche a one to haif futting in that supreme saitt. Butt I cease to insist, knawing that the rumor of his preferring to the place is but fals and forgit, and will rest vpon zour Lordship's fauor and kyndnes, for the quhilk and all vther zour Lordship's beneficencis

I acknawlege myself zour Lordship's humbill debtor and seruator, and sal sa ever remayne,

Zour Lordship's humbill and bund seruator to deith,

S^R THOMAS HOPE.

I humblie intreit zour Lordship to remember the warrand for the annuitie, quhilk I sent vp with zour Lordship, quhilk is for modefeing the samyn in inferior bollis ; becaus vpon the delay thairof, the ingathering of the annuitie is impeschit, and I haif tuichit this agane in my letter writtin to his Maiestie anent the fisching bussines.

To the rycht noble and michtie erll the Erll of Stratherne, Lord President of Counsell, and one of His Maiestie's Honorabill Privie Counsell of England.

140. SIR THOMAS HOPE, LORD ADVOCATE, to WILLIAM SEVENTH EARL OF MENTEITH, NOW EARL OF STRATHERNE.

Edinburgh, 11 November 1631.

PLEASS YOUR LORDSHIP,—I wreit zesterday the trew historie anent the 22^m merks as it past betuix zour nobill lady and my Lord Chancellor, but now the bussiness seymes to inclyne to sun better course, for my Lady in greit wisdom did try that thair wes x^m lb. to [be] payit at this terme to my Lord Chancellor be the Toun of Edinburgh for their taxatioun, quhairupon hir Ladyship went and desyrit of my Lord Chancellor that scho mycht haif that x^m lb., quhilk he wes loth to grant, and pretendit that he could not do it without consent of the Thesaurer, and then my Lady desyrit that her Ladyship mycht haif it as lent money to the nixt terme, to the quhilk the Chancellor hes aggreit, and that vpon this conditioun, that if the Thesaurer consent that it be payit to zour Lordship, the band of borowit money sal be null, and so be

this compt thair is xxx^m lb. made vp to the Erl of Perth, and thair restis behind vij^m merks, quhilk I haif movit the Erl of Perth to continew to Witsunday nixt. And so the matter of Drumond is finischt; and I wische that I may heir of the lyk good success of my sone's bussines, quhilk dois not a litill perturb my mynd till I heir thairanent from zour Lordship. But I haif so fully resolut to rest vpon zour Lordship's fauor and kyndnes that nothing is abill, (albeit the bruttis goes very crocelie,) to mak me affrayit als long as I haif zour Lordship to lean to. So, with my humbill service, I rest,

Your Lordship's humbill and faythfull seruitor,

S^r THOMAS HOPE.

I expect the Erl of Perth his renunciatioun, for all is endit in Drumond, that being sent bak.

MY LORD,—Befoir the cloising heiroy, I ressaut zour Lordship's of 30 October at this instant, and findis nothing in it that contentis me saif zour Lordship's good helth, and the grouth and incesce of zour Lordship's credit with his Maiestie, quhairoy I humblie crave the continuance, and wisches that I may find the prove thairof in my sone's particular, and if the matters go amisse, it wil be my grettest greiff that, being brocht in stage and competitoun with men in quhom zour Lordship hes not that entres, as zour Lordship hes in me, zit they sal prevail, and I be repulsit with contempt and ignominie, butt to this thair accedis anc farther, (if the report hold, that Sir John Scott cary it.) O quhat insupportabill discredit, that one quho iustlie may expect zour wrath for his follies sal be preferrit,—ane insult both vpon zour Lordship and me, quhom he hates for zour Lordship's caus. Butt, my Lord, I will neuer beleve till I sie it, that zour Lordship will suffer ather Sir John Scott or Mr. James Weymes to possesse that place, except zour Lordship be forcit be ane more

powerfull credit nor zour awin, quhilk the world will never belcive; but geving suche misfortun did require that theis sould come in lite, zit do but this for me, to gett my sone litit with thaim, and I will accompt it als muche as if he had gotten it absolutlie, and if thai cary it heir, latt the blame lye on me, and if it be caryit this way, zour Lordship reteanis zour honor, quhilk cannot eschew the misconstruction of men, if suche as ze haif ressoun to hate prevaiill, and I cannot compleine of my freindis' cair being putt to the tryell of worth quhilk is iust and ressonabill.

To the rycht nobill and michtie erll my Lord the Erl of Strathern, Lord President of Counsel, and one of His Maiestie's honorabill Privy Counsell off Ingland.

141. SIR THOMAS HOPE, LORD ADVOCATE, to WILLIAM SEVENTH EARL OF MENTEITH, NOW EARL OF STRATHERNE.

Edinburgh, 12th November 1631.

PLEASS ZOUR LORDSHIP,—I writ zesternycht, vpon the ressaitt of zour Lordship's and sum vtheris from my freindis, that postscript in the greit greif of my mynd, not being habill to indure that one of theis two mentionat in my postscript sould be preferrit to that place, and leist zour Lordship sould think that I did it raschelic, I did this day schaw my warrand (from one of greit worth, quhom I dar not distrust,) to zour nobill Lady, quho mervailis als mekill as I, and more, that one quho is zour Lordship's professit vnfreind sould haif suche liklihode to the place, as that letter writtin to me beris. Butt, my Lord, quhen I haif callit my mynd to ane satlit posture, and consideris how thingis may be caryit in the swey of Court, and thairwith ponderis both zour Lordship's honor and credit in the bussines, and my entres for my sone, I am resolut rather or zour Lordship suffer in the meanest point of zour

Lordship's honor and contentment, to quit and abdicat all entres and respect for my sone; and thairfoir, if zour Lordship find my sone's preferment to the place not faisabill, nor zit can haif him putt in lite with vtheris, I humblie request for two thingis: (1.) That zour Lordship haif ane cair of the publik, and sie the place fillit with men of good report and frie of blemishes, of quhilk sort I do think nather Mr. Ja. Weymes nor Mr. John Cant sal be fund altogither frie, but suche as the Lard of Nutoun, quha is ane gentilman of knaulege and conscience, and weill esteimit of in the countrey, or Mr. John Rollok, Comiser of Dumblane, quho is as old an practitioner as Mr. Andro Aytoun, and weill affectit to his Maiestie's seruice; (2.) That zour Lordship haif ane cair of zour Lordship's awin credit, that suche come not in quho hes kythit thamselvis factiouslie disposit againis zour Lordship, suche as Sir John Scott; but that thay be sik as may acknaulege thair preferment to come from zour Lordship; and for me, albeit I sould suffer be the repulse, zit having zour Lordship's fauor, and being persuaded, as I am fully, of zour Lordship's earnest cair to prefer my sone, I sall beir it willinglie, and hyde my disgrace the best I can, and the better that zour Lordship's ennemies dois not prevaiill to the tasche of zour Lordship's honor, nor ill men preferrit to the preiudice of the publik.

And this is my humbill and trew resolutioun in the bussines, but ever reserving the promise of zour Lordship's fauor if it can be caryit to my sone, quhilk I humblie and hartlie crave of zour Lordship, if it be possibill, as the reward of all my bygane services, and the incouragement to me to continue thairin with that hilaritie and fredome of mynd and spirit quhilk becomes ane honest and thankfull hart; and beleve me, my Lord, if zour Lordship wer sett in the middis of my hart and saw the greif and perplexitie quhilk I indure out of the feir of a repulse, zour Lordship wald travaill to redeime me from it, and be loth to suffer my spirit to ludge in suche bitternes. But I

committ all to the Lord, and dois hartlie prefer your Lordship's honor and the publik good to my partieular ; but that being preferrit, I sal never willinglie give place to any man that comes in be partieular.

And that your Lordship may haif oecasioun to insist with his Maiestie the more earnestlie for me, I haif writtin this vther, quhair of your Lordship may mak vse, if your Lordship think good, be reiding of the samyn to his Maiestie ; and quhen all is done that can be done, I rest vpon Godis prouidence and remittis the success to the Lord.

I writ in my letter of ii November anent the x^m lb. quhilk your nobill Lady is constraynit to borow from my Lord Chancellor, and becaus hir Ladyship is bund to repay it if seho dois not report the Thesaurer his discharge to the Chancellor, and your Lordship's discharge to the Thesaurer on the ressait of the soume. Thairfoir I haif sent herwith the forme of the discharge to be subscriuit be the Thesaurer to the Chancellor, and the discharge to be subscriuit be your Lordship to the Thesaurer, and siclyk, becaus the grettest scrupill made be the Chaneellor wes the warrandis gevin for preserving the moneyes of the taxatioun for his Maiestie's vse at his coming to Scotland, thairfoir I haif sent vp an warrand to be signed be his Maiestie for payment of the restis of your Lordship's preceptis of viii^m lb. stirling ; and last becaus the Erl of Perth must be secured in the od vii^m merks, thairfoir I haif sent vp a band thairof, quhilk your Lordship must subseryve and returne with diligence. My Lord, as ze wald wisehe me to live your faythfull servant in sum peice of eredit, haif an eair of this bussines for my sone, and I sall ever be,

Your Lordship's humbill and faythfull seruitor,

S^r. THOMAS HOPE.

To the rycht nobill and miehtie erll the Erl of Strathern, Lord President of Counsell, and one of His Maiestie's honorabill Privey Counsel of Ingland.

142. SIR THOMAS HOPE, LORD ADVOCATE, to WILLIAM SEVENTH EARL OF MENTEITH, now EARL OF STRATHERNE.

Edinburgh, 19th November 1631.

MY NOBILL LORD,—Pleass zour Lordship, I ressaut zour Lordship's two letteris from Mr. Hary on 17 November, and acquaint the Counsell that samyn day with his Maiestie's plesur anent the signatour of fisching, quho wold gif me no advise, but permittit me to the dewtie of obedience, according to the quhilk I haif drawin vp ane commoun signatour of the fisching of both Kingdoms, and ane Committee ansuerabill thairto, quhilkis both I haif sent heirwith to zour Lordship, and I haif, be speciall knaledge of the Counsell, designit his Maiestie King of Scotland, Ingland, and Irland, geving to Scotland the first place, at quhilk the Counsell desyris zour Lordship and remanent Commissioners to stand, and lives it to zour Lordship's consideratioun to imbrace the stil of Greit Britane, if it be vrgit be the Ingliche.

I am exciding glaid of the good success of the matter of the Commissioun of Teinds, and intreits zour Lordship humblie to send doun the warrand for the anutie quhilk is too long delayit.

Zour Lordship blames me far wryting vnto too many in my sone's bussines, but, my Lord, beleive me quhosoeuer he wes that made that report quhair of I haif inquiryt, Mr. Hary is an fals jugler and lyer ; for to that man did I not wrytt at all this two zcris bygane, except one sent by Sir Robert Gordoun, quhilk wes anent the questioun with D. A., quhairin he hes entres to ask if he wald continue, and I trust zour Lordship will not think that this wes follie to sett one brasyn face againis ane other.

Butt, my Lord, to gif zour Lordship greter satisfioun, and thairwith to insinuat the consideratioun quhilk I haif of zour Lordship's faour to my sone, I did wrytt to none befor zour Lordship went vp, but to sik as I told zour

Lordship of, and all I wreit wes to keip the bussines frie till zour Lordship's coming, and to witness this I haif zour letteris bering that thai haif aetit thair part, and that the rest lyis on zour Lordship.

I heir the bussines drawis on thrie, Sir J. Scott, Mr. John Hay, and my sone ; for Sir John Scott, he is Counsellor, he is on Exehecker, he is Direetor of the Chaneellary, and his sone is provydit to this plaee efter him, quhilk may weill content him, for he is better stockit nor vther thrie ; and, in good faith, I scareely think him worthy of the additioun of the Sessioun, (geving it wer compatibill in the persoun of ane Counsellour, as it is nott,) quho in oppin Counsell presumit to iniure zour Lordship, and, in oppin Exchekker, raillit on me for being to bussie in his Maiestie's service, quhairof I writt to Mr. Maxwell, and for his caus sparit to wrytt to his Maiestie, quhairof now I repent.

As to Mr. John Hay, he is ane worthy man, and I can gif plaee to him in all thingis, except in zour Lordship's affeetioun, quhairin I sal never cede to him quhile I breath ; and, my Lord, pardoun me to say and offend not, for quhat now I writ in the words of ane greffit and oppressit hart. I followit zour Lordship befor him, and at my entrie I followit not zour Lordship's fortoun, but zour persoun and generous vertewis, and since my entrie, I haif servit zour Lordship with simplicite of hart, paynefull labores, and almaist with implicit obedienee ; and if, during my tyme, I haif walkit vndewtifully, or hes errit in the leist point of zour commandementis, cast me of ; butt if I haif beine faythfull, and for zour caus (nixt to my saered Souerane) vndergone the malice, invy, hatred, offense, and despyt of great ones, quhairof zit I beir the markis, my Lord putt nott Mr. John Hay (quhom I think a new intrant in respect of me) in balance, vtherwais my hart will brek and burst, and the daye quhairin he sal haif power to swey zour Lordship's mynd to prefer him with disgrace or negleet to me and my sone, latt it be eomptit the last of my dayis, and lett my portioun be in gall and bitternes quhil they end,

and the Lord lay it not to your charge if ze sal be the author and causer of it ; and God send your Lordship many good and faythfull servandis, and this I wrytt with ane sad hart and watterit eyis, quhil my spirit, not abill to beir the awin greiff, exoneris the self in suche tokenis of sorow quhilk ar not worthy of my age, place, nor condition ; and I attest to your Lordship that albeit the sense of my repulse (if it sould fall out,) wald rent my hart, zit I haif no less, or rather greter, greiff for the opinioun and misconstruction quhilk the world wald haif of your Lordship, and for the heavy imputation quhilk wald lye vpon your Lordship's honor and credit, quhairin, thoeh I sould force my spirit to digest my iniurie, zit I know be the bigginings, quhilk ar already on futt, the world wald never dispense with it, but spreid rumoris and bruittis quheirof my hairt wald be exciding soroufull, for thai know my faythfull seruice and dependance on your Lordship, and I myself, out of my greit confidence, hes divulgit your Lordship's promis to me in faoures of my sone, confirmitt be your Lordship's oath, quhilk I haif beine forcit to reiterat to ane number that brocht to me reportis of Mr. John Hay his secret working, quhilk I wald not beleive, but affirmitt to be fals, and in forme of persuasion significet my assurance quhilk I had by ressoun of your Lordship's promise ; and as to Mr. John Hay, he hes vsit me very vnkyndlie, (that I say not wors,) for I impertit my purpose to him. I vsit him as ane solister for me to your nobill Lady, not to vrge for the L. of Nutoun at this tyme, quhilk hir Ladyship grantit, and quhilk Mr. John Hay reportit to me, and quhen the bruitt increseit concerning him, I posit him in my awin chamber, quhair, be his oath, he suore that he had not delt, nor wes myndit to deill, nather be himself nor na vtheris, but if his Maiestie did lay it on him, he knew nott how he could excuse himself. To quhilk I anserit, that he sould not speik so to me, for no man wold beleve that his Maiestie will vrge any, if his Maiestie be not spokin befor ; and then I cravit that if his Maiestie did vrge him, he wald vse all

lauffull and discret meanns to schift the scor quhilk he promisit to me, and quhilk he will not refuse. And thir ar the circumstances quhilk nurischis and increscis my greffe, quhilk wold not fail to absorbe me if I did not rest vpon zour Lordship's fauor, and vpon that passage of zour Lordship's last letter, quhairin zour Lordship promissis to do that quhilk becomes ane reall and faythfull freind, for I am fully persuadit of the generous and nobill sinceritie of zour trew hart, quhilk may weill be brought be importunitie for a tyme, but in end ever resoluis vpon the honor of zour promise, quhilk is ane point and center inuolabill fixit in the middis of all circumferences, quhilk no importunity or vther respect quhatsumeuer can ourcome, and heir I rest tanquam in sacra anchora, and sall never beleve nor expect the contrair, lett men say or speik quhat thai will.

Zour Lordship wryttis in zour postscript (doo not beleve every man quho callis himself a greit courtier,) quhairin I mai humblie expostulat with zour Lordship for wryting this to me, as if I had leynit to any courtier in this particular or any vther concerning me but zour Lordship's self. For as I am honest, (and I spek trewth in simplicite,) I did nather trust nor imploy any but be zour Lordship's knaulege, and thois quhom I imployit had no vther desyr from me but to keip the matter frie to zour Lordship's coming.

The Bischop of Sanctandrois wrott a letter to me exhorting me to patience and equinimitie if my sone's bussines sould not succed, and I suspect fra quhat airth that wind blowis, but I haif ansserit him be this inclosit peremptorie, quhilk I humblie intreit zour Lordship to caus be delyuerit to him.

And becaus this bussines holdis me at the quick, and I wold vse all laufull meanis to hold aff extremities, thairfoir I haif wrettin anc letter to Mr. John Hay, quhilk I haif left vnclosit, quhilk zour Lordship may reid and close and caus gif to him, and, if zour Lordship thinkis fitt, that for Mr. John his

entries, I sal gif him any contentment zour Lordship sal haif pouer to command me, vtherwais if he standis out, I crave only zour Lordship's fauor, and if he caryis it by and without zour Lordship's assistance I must beir it, butt it may be he sal not mak greit ruse of it quhen he hes gottin it, and albeit my helth be not verie good, zit I sal creip vpon my kneis to my maister to latt his Maiestic know in quhat sort he hes vsit me. But I wische from my hart that he do accommodat himself with greter respect and kyndnes to me nor to force me to such extremities, for I love and honour him, and wold earnestlie intercare his love if he wald absteine to pry vpon me at this tyme. Butt I committ all to the providence of my God quho will maynteine my lott, and gif me wisdoun and grace with strenth and courage to vndergo my statioun and charge without schame or discredit. So with my humbill seruice to zour Lordship, I rest,

Your Lordship's humbill and bund seruitor,

S^r. THOMAS HOPE.

To the rycht nobill and nichtic erll the Erll of Stratherne, Lord President off
Counsell, and one of His Maiestie's honorabill Privie Counsel of England.

143. SIR THOMAS HOPE, LORD ADVOCATE, to the COUNTESS OF STRATHERNE.

Edinburgh, 21st November 1631.

MADAME,—The runoris gois so crocelie in this matter of the Sessioun that I knaw not quhair to turne myselve, and if I beleive reportis I am miserablie gullit; for sum sayis Sir John Scot will cary it, quhilk is not possibill, if my Lord, zour husband, haif that place and power with his Maiestie quhilk I know he hes; vtheris sayis Mr. John Hay hes gottin it already, and zit he suore to me that he nather had delt for it nor wes to deill, and if his Maiestie laid on him he wald schvne it als far as he could without his Maiestie's offense,

and I am sure he is not abill to cary it, but ather by my Lord's power or connivence, and his Maiestie is not in vse to force places vpon men. But to quhilk of tham the matter inclyne, I sie nothing carvit for me but ludibrie and contempt, and quhilk greivis me more, the publick aspersioun vpon zour deir Lord and husband for deserting me, his faythfull but vnworthie servand, in a matter quhairin I had, and hes, his Lordship's solemne promise, with ane strait command not to middill nor deill with any till his Lordship's coming to Court, quhilk I obeyit and kept the bussines fair and frie till his Lordship's presence; and if now, quhen my plicht anchor is present, my sillie bark sal be schakin with the stormes of oppositioun and suffer schipwrak, with the inestimabill loss of schame and discredit, is it possibill that my Lord, in quhom I trust, can eschew the heavy censure and opinioun off the world, quho knowis my humbill and faythfull seruices? But, Madam, zour Ladyship hes commandit me not to beleve reportis, and my confidence in my Lord is sik that I had rather chose to die nor to fasten any dishonorabill blott vpon my Lord his true and nobill spirit, and, thairfoir, I will zit wait for the frutt of his Lordship's promisit love and kyndnes, quhilk wil be the more deir to me that it comes eftir thir terribill thunderis, and will both publische to the world the greitnes of my Lord's credit with his Maiestie, his wisdom in suffering his vnfrends to schut thair foole's bolt, and his cair to advance his servands, quhilk is the only meanis to mak my Lord both greit and good and hartilie beloued be his followeris, and als muche feirit be his foes. And for zour Ladyship's fauor schawin alredy to me in this perticular, quhilk dois als far exceed my merit as it dois expres zour Ladyship's kyndnes in leiving of zour worthie and nobill brother-in-law for my caus, quhilk I sall never forgett. but sal ever rest,

Your Ladyship's humbill and faythfull servitour,

S^R THOMAS HOPE.

Madame, if the brut hold, and Sir John Scott gett it, zour nobill Lord sufferis extremilie, and if Mr. John Hay, I am schamit and cassirit for euer. God send me better newis.

To the rycht nobill countess, the Countess of Streatherne.

144. SIR THOMAS HOPE, LORD ADVOCATE, to WILLIAM SEVENTH EARL OF MENTEITH, now EARL OF STRATHERNE.

Edinburgh, 7th December 1631.

PLEASS ZOUR LORDSHIP,—The Counsell hes advysit the process criminall persewit aganis the Lord Ochiltry, with the defensis and ansueris, and hes continewit thair interloquator vnto the first of Februar nixt, and in the mean tyme hes ordanit the process to be sent vp to his Maiestie, and the defensis and ansueris, to the effect his Maiestie may be acquaint thairwith, and especiallic with this allegiance that he had informatioun verball from the Lord Raa anent the thrie Erllis of Hadingtoun, Roxburgh, and Buccleugh, and that the Lord Raa and he wes never confrontit in suche pointis quhairin they wer discrepant in thair depositiounis.

The Committe anent the teindis is not muche lykit be many of the nobillmen, quho thinkis the power too greit quhilk the clergie hes in thair estates. Butt for me, if thai go on with diligence to expied the work begun, and do nott in the end, as the goat vndoo the samyn, I sal be very glaid to sie it advancit; onlie I wische that zour Lordship sould send down warrand to mak my Lord Traquhair one of tham quho ar adioynit to the Committe to attend at plesur, for he is ane officer of estait, and ane nobillman quho hes his awin greit entres, and wil tak it ill to be neglectit quhair zour Lordship hes the directioun of bussinesse.

My deir Lord, I haif long conflictit with contrair wynd and tyde in this particular of my sone's, and at the ressait of your Lordship's of dait the last of November, from my Lord Newabbay, I did think myself far of all trubillis, and to haif atteynit to my port, (quhilk, indeid, I gripp as my gretest warrand and assurance, having thairin suche expressiounis of your Lordship's fauor as my hart can wische ;) and zit I want not contrair informatiounis, quhair of sum I schew to zour nobill Lady, quhilk suggestis to me pointis of doubt quhilk I sal never questioun ; and thairfoir I do reiect all suche rokkes of offence, and castis myself simplic in zour Lordship's handis, trusting zour Lordship will mak me so happie as to possesse the frut of zour Lordship's love in this particular, quhilk hes the eyis of all men attending the event, and accordinglie carving to me for my lott ather contentment in zour Lordship's fauor, or contempt and ignominie in ane opprobrious repulse, quhilk can be no less grevous to me nor death. Butt I trust zour Lordship will keip me on lyff to zour Lordship's seruice, and be my exampill will incourage vtheris to tred the futsteppes of dewtie, obedience, and fidelitie, quhairin I haif beine ever readie to approve myself since first I had the honor to be acquaint with zour Lordship ; and I am sure zour Lordship sal never rew that ze haif putt this mark of fauour on me and my sone if God spair my dayis. Butt I sal mak the world know how far I resent zour Lordship's fauor and labour to expres my humbill thankfulnes in all the faythfull seruices that lye in the power of him quho is,

Your Lordship's humbill and bund seruitor to death,

S^r. THOMAS HOPE.

To the rycht nobill and michtie erll the Erl of Stratherne, Lord President of Counsell, and one of His Maiestie's honorabill Privey Counsell of England.

145. Sir THOMAS HOPE, LORD ADVOCATE, to the EARL OF STRATHEERNE.

Edinburgh, 22 December 1631.

PLEASS ZOUR LORDSHIP,—I ressaute from the berar, (Garthmore,) your Lordship's two letters, on of 12, the vther of 14 December, both on 20 December, and your nobill Lady hes already directit his Maiestie's letter to the Archbishop of Glasgw, quhairof we expect the ansuer with diligence, and quhen it returnis, I sal sie the teindis alsweill grantit as the landis.

As for your Lordship's expostulatioun, habes confitentem reum, vt ere iure tuo; onlie keip me from that feirfull apprehension quhilk be the preferring of my rivall, wald zit rent my hart, wer not your Lordship's former hes expellit feir, and ane letter at this tyme from my dere freind the L. of Panmure hes confirmit my confidence. It is ane eisie work to your Lordship, lyand at your feit, and far within the compass of your Lordship's power. It is a matter of no greit worth in the self, butt to me als greit as the want of his Maiestie's fauor and your Lordship's, quhilk I bescik God to avert, for I haif never, nor sal never, deserve it, and quhat I wrytt I do in the bitternes of my supposit greiff, not so mucche for myselfe (for I am persuadit my sacred Maister will never disfauor me so long as I remayne faythfull and honest, and I haif the lyk assurance of your Lordship's respect and frendship.) Butt in the opinioun of the world I sal be a cassirit, contemnit, and disgracit man, specialle now quhen the good Bischop of Murray hes addit a tinctour of his venemous tong to murther my fame, quhilk is the lyff of my lyff vnder trust, with quhom I wes loth to be reconcileit at his parting, if your Lordship's command had not takin from me my awin libertie. But behold the effectis of a Bischopis peax.

And as to that quhilk he informes againis me, it is an iniust and divilische calummie, quhilk if he prove, latt my place, my lyff, and my estate

go all at ones, (for it is too litill if it wer trew,) to expiat so foule, so odious and detestabill prevaricatioun ; and, blissit be the Lord, my former lyff and present cariage dois vindicat and frie me, als muche and more of that cryme, nor the Bischop can frie himself of symonie, quhilk is ane irregularitie more incident to him, nor is infidelity to my charge.

But I humblie crave of my sacred Souerane that his Maiestie wald be pleasit to putt the matter to tryell, and not to suffer it lye deid, with so heavy a burdine to my honest name, quhilk wes never reprochit of befoir ; and if he prove, I refuse not the doome of lose of place, lyff, and landis, latt it be as treasoun to me ; and if he sucumb, latt him be frie of all payne, except infamie.

And quhair zour Lordship desyres me to wrytt how far I went with the Erl of Merschell in that bussines, I haif set down the trew estate of my proceeding thairin, and thairwith hes sent the copie of the dispuitt before the Lords, vnder the subscriptioun of Mr. Alexander Gibsoun, Clerk of Process, by quhilk my fidelitie in impugning both the Bischoppis surreptitious clame of that patronage, and the Erl of Merschell his pretendit infestment thairoff, is cleir and manifest, quhilkis I humblie desyr zour Lordship to schaw to his Maiestie, and if thair be ane sillab vntrew of that quhilk is written, latt me suffer for it, for I wrytt to zour Lordship the trewth (in the sycht of God, quhom I feir, and quho sall approve me in the last day,) that I never ressaunit bryb from the Erl Merschell for that nor no vther caus, except ze will accompt it ane bryb to ressaue fra him or any vther nobillman the ordinary acknaulement for my travaillis, at consultatiouns, being his ordinary aduocat, as vtheris aduocattis dois, and no vtherwais. Butt to assist him againis his Maiestie's rycht I never ressaunit fra him ane halfpennie, but be the contrair, expressit in presence of his servandis, and all quho wes at the consultatioun, that I wald be as vehement aganis him and his rycht, as againis the Bischoppis

clame, quhilk I declarit in presence of the Lordes, and practisit be oppugning his infetment, as the minuttis beris.

And this I wrytt for zour Lordship's satisfioun, but not to be takin for trew or fals till the event of the Bischopis prove ather frie me or fyle me, and I agane humblie entreit his sacred Maiestie that the Bischop be putt to his prove, seing it is the slauchter and murther of that quhilk is dearer to me nor my lyff, quhilk I am sure his Maiestie will not refuse, both out of justice, and for purging his service of suche a pestilent man as the Bischope hes de-scrybit me to be. So with my humbill and faythfull service, I rest,

Your Lordship's humbill and faithfull seruitor,

S^r. THOMAS HOPE.

MY NOBILL LORD,—I sie calunnies gois ryff in thir dayis, for I haif hard my Lord Traquhair chargit with a passage als fals as the divell, for the letteris to the Counsell anent the Lord Ochiltry cam inclosit in ane paequet, quhilk cam with Mr. Hary Drumond, directit to me from my Lord Stirling, Secretar, and quhen I openit the paequet, I fand theis letteris to the Counsell thairin, but no directioun fra quhom nor for quhat end, and I went down and delyuerit the samyn out of my awin hand to my Lord Chancellor; but as I am trew, did not know the contentis till my Lord Chancellor told me.

To the rycht nobill and michtie erll the Erll of Strathern, Lord President of Counsell, and one of His Maiestie's Honorabill Privy Counsel of Ingland.

146. Sir THOMAS HOPE, LORD ADVOCATE, to the EARL OF STRATHERNE.

Edinburgh, 24th December 1631.

PLEASS YOUR LORDSHIP,—I forzett to wrytt (with Gartmoir quho partit heir zesterday) that I had causit ratifie in secret counsall the Act of Commissioun laitic made, 14 December, anent the vniversall payment of his Maiestie's

annuitie, alsweill of vnvaleuit as valeuitt teindes, quhilk wes done in Counsell vpon Twysday the 20 of December.

And now since his parting, the Exchekker satt zesterday the 23 December, quhair I haif causit of new ratifie the said Act of Commissioun anent the annuitie, sua that thair restis nothing but ordour for vplifting tharoff, quhilk I knaw the Lord Traquhair wil be cairfull ancugh notwithstanding that he is calumniat for slacknes in exacting of the annuitie, quhilk is ane fals calunnie, suche as that quhairwith the Bishop of Murray hes treschourislie brandit me.

I did also forzett in that bussines of Duffis twa passages; anc that the Erll Merschell wes willing to submitt his clame to that patronage, ane vther that the Erll of Murray pretendis also ryght to the samyn, quhair of zour Lordship must be cairfull to sie him also submit that the ryght of that patronage may be fully establischit in his Maiestie's persoun.

I dar not omitt to recommend to zour Lordship the ending of my sone's bussines, lest it be said that I am indifferent into it, as it wes ones writtin to me, for now it is mucche deirer and neirer to me then of befoir, in respect of this incident of the Bischop of Murray, his fals calunnie, and if zour Lordship sal be plesit betuix and 9 Januaur to send down the warrand for my sone, it wil be suche a refreschement and comfortt to my mynd, and suche a reall testimony of zour Lordship's fauour in so oportune a tyme, that the world sall know the frute of my seruice to zour Lordship to haif bene abundantlie rewardit, and if I leive, sall gif an answerabill testimony of gratitude and thankfulnes to latt the world knaw how mucche I resent zour Lordship's fauour, quhilk in effect hes restorit me from death to lyff. So, with most humbill seruice, I rest,

Your Lordship's humbill and bund seruitor,

S^r. THOMAS HOPE.

Ressaue this inclosit from zour Lordship's nobill Lady, quho and all zour barnis and familly ar in good helth, prasit be the Lord.

To the rycht nobill and michtie erll the Erll of Strathern, Lord President of Counsell, and one off His Maiestie's Privy Counsel of England.

147. SIR THOMAS HOPE, LORD ADVOCATE, to the EARL OF STRATHERNE.

Edinburgh, 5 Januar 1632.

PLEASS YOUR LORDSHIP,—I wes never taxt of befoir for negligence in wryting, it being my fault to wrytt too muche, and too oure manie, and if, efter zour Lordship's of last November, quhilk I keip as my cheiff jowell, I sould haif incurrit suche a follie, I wold accompt myself vnworthie of the commoun air; but the trwth is, I did wrytt two to zour Lordship in the pacquet, and becaus I had no lyking of the directer, D. A., I gaif thaim to zour nobill Lady, quho had her awin ressones of that oursycht, but sa sone as I knew the neglect, I sent a pacquet on 17 December.

I am aduertisit be all my freindis of your Lordship's serious and earnest deilling for my sone, for quhilk I aw zour Lordship humbill thanks, and I trust, in God's mercie, zour Lordship sal not find zour Lordship's fauor ill placit. But I do heir sumthing of Sir John Scott, quhairof I can not mervail aneugh, for I am sure his patroun dar not, nor cannot compair with zour Lordship in power, and for the pretext of his Maiestie's promise of the first vacand place, zour Lordship knawis it wes my humbill suit to his Maiestie thrie zeris of befoir, and if I durst I wald say that I haif deservit sumthing better nor he. Butt, my Lord, if your Lordship find the bussines go hard, rather or zour Lordship be displeasit, and I suffer in my credit, I sal be content to tak the place to myself, quhairof I am as capabill as Sir John Scott, having no impediment, but that of Counsellour, quhilk he hes also, and zour Lordship rememberis that this wes vrgit on me be his Maiestie in January

1628, and I haif greit ressoun to imbrace it, rather or the man wrong was bayth, albeit I know it will be to my loose, and his Maiestie must be informit that ever since the institutioun of the Sessioun, (quhilk is now j^c. zeris since,) the Kingis Aduocat wes ever one of the ordiner Lords of Sessioun, as it is very necessar for his Maiestie's seruiee that it be sua.

I must humblie intreit zour Lordship's fauor for an letter to the Counsell for trying of that devilisehe ealumnie of that reverend father of leis, quhilk his Maiestie in justiee eannot deny to me; for if it be true, I am vnworthy to be his Maiestie's servand or Counsellor, and if it be fals, he deservis exemplar punishment.

I writ to zour Lordship on 1 Januar, and gave tham to zour nobill Lady, quho vnder her cover hes delynerit tham to D. A., quho promisit to tak journey post heir zesterday. But he is heir zit, tarying till he gett a letter from his Maiestie to eall him vp, and if it come not befor Setterday, he will tak his hasard, quhilk may be grit aneugh, if all heehtis hold, and I haif ressoun to wische it soe, both for the good of his Maiestie's seruiee, and for the credit of the nobilmen quhom he hes wrongit. Sua, with my humbill affeetioun, I committ zour Lordship to the blessing of Godis graee, and restis,

Your Lordship's humbill and faythfull seruitor,

S^r THOMAS HOPE.

To the rycht nobill and michtie erll the Erll of Strathern, Lord President of Counsell, and one of His Maiestie's honorabill Privy Counsell of Ingland.

148. The SAME to KING CHARLES I.

Edinburgh, 28 July 1632.

MOST SACRED SOUERANE,—I haif laitlie sent particular informatioun to the Erll of Strathern of the proceedings in the Commissioun; quhairin thair is

good progress made, and ane finall closing schortlie expectit, if the titularis and heretors did not unhappilie lye out and delay the valuatiounes to thair awin hurt, and albeit thay ar mucche walknit be exacting from them of the annuitie: zitt to adde ane farther spurr to tham, it is inacted be the tabill that all the valuatiouns sal be exped and reportit from the Sub-Commissioneris betwix and the 25 of December nixt in theis partis of the countrey quhilk ar besouth Die, and betuix and the first of Merche in partis benorth Die, eftir quhilk dyettis the tabill hes declarit that thay will gif ordor to me, as zour Maiestie's Advocat, to leid the valuatiounis (quhilk sal be vnexped) before themselfis, and thairwith to rectifie suche valuatiounes as sal be fund les to the enorme hurt of zour Maiestie and the Church.

And becaus in this point anent the rectifeing of vndervaluatiounis, I feir sum oppositioun (quhairof I haif acquaint the Erl of Strathern,) thairfoir I haif drawin vp ane letter to be signed be zour Maiestie, quhilk is absolutlie necessar for the good of the seruice, and quhilk zour Maiestie wil be pleased to signe quhen the samyn sal be presentit to zour Maiestie be the Erl of Strathern.

It hes pleisit zour sacred Maiestie to putt ane mark of zour Maiestie's fauor on my sone by preferring him to ane place of Sessioun, quhilk come so opportunelie to me, as I wes in the recovering from my seiknes, that it did gif strenthe and courage both to bodie and spiritt, and thairfoir in all humilitie (as I am bund) I gif to zour sacred Maiestie all humbill thanks, and quhat additioun the Lord sal gif to my dayis, devottis the samyn to be imployed with that zeill and fidelitie to zour Maiestie's seruice as becomes ane faythfull servand so far honored and fauored be your sacred Maiestie. So humblie praying the God of all mercies to multiplie his best blessingis vpon zour Maiestie's royall persoun, kingdomes and estait, and

to grant zour Maiestie ane long, happie, and prosperous regne, I humble rest,

Your sacred Maiestie's most humbill subiect and seruator,

SIR THOMAS HOPE.

To the King his most excellent Maiestie.

149. SIR THOMAS HOPE, LORD ADVOCATE, to the EARL OF AIRTH.

Edinburgh, 19 January 1635.

PLEASE YOUR LORDSHIP,—We haif had a meiting with the Erl of Traquhair in presence of your Lordship's tenderst freindis of both sex, the Countess Merschell and the Erl of Roxburgh, and we haif ressonit vpon the doubtfull termes of his Maiestie's letter, quhairin the Erl of Traquhair gifis me greit satisfioun; and thay ar to meit with the President of the Sessioun, quho wes at Court quhen the letter wes signed, and to vrge him to the sense of the letter as he hard it debaitit and resoluit at Court. And iff zour Lordship be heir to attend zour Lordship's awin bussines ones on Mononday, I am in good opinioun that the matter sal go well. And thairfor I humble intreit zour Lordship that, all vther respectis sett asyd, zour Lordship be heir on Mononday befor tuelff, that zour Lordship may meit with zour Lordship's frendis, for vndoutidlie the matter wil be callit and disputit on Twysday; and bring with zour Lordship all thingis quhilk ar necessarie for zour Lordship's performance of that quhilk his Maiestie's letter inioynes, and namely zour Lordship's awin seisingis, and for Godis caus, latt not zour ennemeis haif occasioun to obieet zour Lordship's vnwillingness in the leist point of that quhilk is commandit in his Maiestie's letter. The matter is now brocht to a period, and on this dependis zour Lordship's worldlie peax and contentment, and thairfoir walk in it with the prudence and wisdome quhilk is native to zour

Lordship, and ansurabill to zour generous and nobill mynd. So, with my humbill seruice, I rest,

Your Lordship's humbill and bund seruitor,

S^r THOMAS HOPE.

To the rycht nobill and michtie erll my Lord the Erll of Airth.

150. SIR THOMAS HOPE, LORD ADVOCATE, to the EARL OF AIRTH.

Edinburgh, 2 July 1635.

PLEASS ZOUR LORDSHIP,—Zour Lordship's caus wes callit, and I being above brocht from Exchequer, quhair I fand the barris full of parties and procurators; and sa sone as I appered I spak my Lord President to haif all parties removit, quhilk wes done, and then I presentit zour Lordship's letter, with zour Lordship's ressons aganis the detail, quhilk efter sum contestatioun was red in presence of the hail Lords, none being present for the parties but my Lord Lorn, and it wes long debaitit to haif zour Lordship's ressones red in presence off the procuratories; but in end I prevaillit, that the samyn wes red withoutt incalling of tham; and efter reiding, I wes askit my opinioun of the way quhairin the fairest and surest way to gif zour Lordship contentment, and the cautioneris surety wes disputit, and the Erl of Traquhair did his pairt very notable, and in end the Lord Lorn and I wes removit about xi. hours, and the Lords declarit thai wald instantlie go on, but hering of the contrair parties, and the Lords wes so instant to haif the bissines closed this day, that thai directit one of the clerks to caus hold bak the klok, quhilk hes made thame sitt neir to one cfternone. But befor I removit I patt three things in surty, that the decreit sould not be the ground quhairupon the Lords sould proceid, but zour Lordship's new suspensioun, with zour awin ressonis gevin in for ane eik this day; nixt that the pryce sould be reservit till eftir the expyring of the zeris of

suspensioun; (3.) That the rentall alredy provin sould not be a grund, butt that zour Lordship sould haif tyme both of preving and impreving of the trew rentall; and I think thir be the most substantiall peices, for as to the separation of the somes it wes never refusit. Quhen the Lords skailit, quhilk wes at one eftirnone, I askit quhat wes done, and all that I could haif wes that the matter wes endit in substance, and thai haif appointit to meit the morne at vii. hours in the morning to put it in form; and quhat is the particulers zour Lordship must caus the Countess of Merschell to lerne of the Erl of Traquhair and vtheris. But so far as I conceive it is weill, and nothing changit of theis substantiall points quhilk I vrgit, and gif so be it is weill endit, blissit be God, as I beseik God to preserve zour Lordship in helth, and gif me grace to sie zow far at the end of the zeris of suspensioun. So I humble rest,

Your Lordship's humbill and bund seruitor,

S^r. THOMAS HOPE.

To the richt nobill erll my Lord the Erl of Airth.

151. SIR GEORGE HAY, VISCOUNT DUPPLIN, Lord Chancellor of Scotland,
to KING CHARLES I.

Hallirudehous, this 22 Maij [c. 1632.]

MOST SACRED SOUERRAIN,—The sufficiencie of this bearrar, and his zealous affection, without any respect but to your Maiestie's honour and profeit, command me not to truble your royall eyes with reading what he is able and will fullie and trulie relate. Only this, your Majestie sent to me a commision without your hand, whiche your Majestie may be now pleased to signe and send bak; of vther particulars concerning myself and vthers, I haue wrytten to my Lord Stirlin. Your Majestie's bountifull faoueres, multiplied

daylie vpon me, giue me subiect to rowse my decaycing spirites for aduancement of your Majestie's affaires and desyres ; wherin, if I suld faile, God will curse me, and man detest me for my ingratitude to so gracious a maister. God of his great mercye grant to your Majestie manye helthfull and happie dayes.

Your sacred Maiestie's most obliged creature,

GEORGE HAY.

To the King's most excellent Maiestie.

152. JOHN EARL OF TRAQUAIR to KING CHARLES I. [*Circa* 1633.]

COPIE of ane LETTER to HIS MAJESTIE anent AIRTHE'S Busines.

SIR,—The Erle of Airthe hes compeired before the Counsell, and according to zour Majestie's pleasure signified to me, and be zour letter to the Lord Chancellour, hes dimitted his offices and pension. The Chancellour conveined Sir Thomas Hope, zour Majestie's Advocat, togidder with Sir Lues, Advocat, Mr. Andro Aytoun, and Mr. Thomas Nicolsone, pryme advocatis in this Kingdome, and to them all togidder hes signified zour Majestie's pleasure anent the service of Stratherne for reducing and annihilating the same, and finding out some such course, as all ground for the lyke errorr may be taken away ; which busines they have taken to their serious consideratioun, and with me have had some meitingis concerning the same ; bot because of the Lord Chancellour his present indispositioun of health, we can mak no conclusion therein.

I have intimat the commissiones I had vnder zour Majestie's owne hand for hearing the accompts of Exchequer and taxatiounes to all parties haveing interest ; bot I find no such diligence vsed therin as I could wishe. If zour Majestie might be pleased as of yourself to command the Secretarie to

wryte a letter to the Chancellour, Erle of Mortoun, and myself, commanding us with all diligence to exped the comptis of our intromissiounes with any of your Majestie's rentis, casualties, taxatiounes, or moneyis quhatsumever, it wald be a gude ground for me to vrge the same, and vntill this be done, I can nather know perfytlie the trew burdenis of Exchequer, nather zet solidlie set doun the wayis to releive the same.

I have conferred at lenth with the Marquise anent his gift of the impost of the wynes, and I hope to settell with him vpon such conditiones, as I sal be answerable sal be for your Majestie's advantage. If any small difference sall be, we have concluded your Majestie sal be judge to the reasonablenes of ather of our demandis.

Your Majestie's declaratioun anent quhat sould be esteimed propertie in the mater of erectiones hes had great opposition in Exchequer, bot we sall carie it, or vtherwiys your Majestie sall know the opposeris of your Majestie's so just desyres.

The Act concerning the two of ten of all annuellis, granted to your Majestie in the last Parliament, is not so cleir as I could have wished, nather dois some of our Judges tak your Majestie's last letter so to heart as in duetie they ought; notwithstanding of all which difficulties, and the vnderhand croceing of that service be some, I am very confident that my lord Marquise his cair and dextrous cariage of that busines sall bring it to a gude and profitable conclusion. He hes had great oppositioun, and many wayes vsed to elude the Act; zet he hes broght the toun of Edinburgh, the leidaris of the rest of the burrowes, and the advocattis and memberis of the Colledge of Justice, be whois example the rest of the countrey are much reulled, to mak gude offeris; and more nor some of the specialis of our Exchequer advysed my Lord at first to ask; the particularis I remit to my Lordis owne informatioun; onlie give me leave humblie to represent my opioun to your Majestie, becaus I find him

delay to mak ane absolute conclusion with any of them till he know zour Majesteie's pleasure. I must humblie crave your Majestie's favour if be these I presume to give my opinion heirin, and humblie to advyse zour Majestie to ordaine him to accept of their offeris ; for altho' this be not the full extremitie of the Act, zet I believe he shall be able to mak a gude considerable sowme therby ; and if he had not overcome the difficulties and oppositiones maid in this busines, zour Majestie neidit not to have expected any gude of the extraordinary taxatioun heirafter.

With the nixt I hope to send a formall commissioun for the saill of the annuitie at 15 zeiris purchase, to be signed be zour Majestie, as also to let zour Majestie sje a elcir way how all the byganes of the same may be brought in within this twellmonthe.

153. WILLIAM EARL OF AIRTH to the COMMISSIONERS anent his Accusation.

Copy.

Airthe, 10 July 1633.

MY MOST HONOURABLE LORDIS,—I intendit to haue waitted vpon your Lordships this nicht at Halyroodhous, bot being so seik as I am not able to sturre, I am forced to mak thes speik for me, which is shortly this,—I will never acknowledge thes wordis in Sir James Skeene's paper, for I never spok them ; as to the equivalent, or wordis which may be drawn to that sense, I wishe to heir the wordis, and then I would goe neir (positivlie) to say iff I hade spoken them or not, and if such a slip hade been, I protest to God I should ingenuously acknowledge it.

Bot having examined myself from my infancie to this tyme, so farr as a man's memorie can instruct him, I doe not remember that any such wordis hes escaped me.

Zit, seeing his Majestie hes be examinacione of thes of good qualitie (whos names I doe not know,) collectit als much by eircumstances as that some wordis, tending to that sense, ather when I wes a chyld, or (as they mey call it,) being ather drunk or madde, hes slipt from me, I will rather submitt myself absolutly to my Master's good will and pleisour to vnderly what it shall pleis him to impose vpon me, then be tryed by any judieatorie, with this addicione, that (as I haue a soull, and wishes it to be saved,) I hade never a disloyall thought to my master, so that iff any words alledgit to be spoken in my infaneie, or as I haue said befoir, ar now by the malice of some wrested to that sense, I am confident his Majestie and your Lordships will rather think it error and lapsus lingue then mentis. This is all I can say, and, withhall, does humble submit myself to his Majestie's will and pleisour, who, I doubt not, when he shall compair my actiones and integritie with thes wordis which he hes heard now, will haue respect both to myself and to that hous of myne, which is now of aboue tuo hundreth zeires standing, without any tuiche of disloyaltie. So I rest,

Zour Lordships' most affectionat and humble seruand.

154. JOHN EARL OF TRAQUAIR TO WILLIAM EARL OF AIRTH.—15th July 1633.

Copy.

MY LORD,—Seing your Lordship hes bein pleased to intrust me with a submission to his Majestie, written and subscryved with your awne hand at Halyrudhous, the fyftein of July 1633, I, out of the confidence I have of his Majesteis graecious dispositione to merey, am so confident of the expression therof towards your Lordship, that notwithstanding of the forsayd submission, I oblische me, upon my honor, ather to proeure from his Majestie a warrand under his saered hand to assure your Lordship both of your lyf and forfaltour,

or utherwayes to raport the same bak agane to your Lordship. In witnes quherof I have subscryved thir presents at Halyrudhous, the fyftein of July 1633.

Zour Lordship's servand.

Warrand for Airthe's pardon vpon his awin acknowledgement of his error.

155. EXCERPT FROM DRAFT LETTER by JOHN EARL OF TRAQUAIR to KING CHARLES I. anent the submission of the Earl of Airth.—[July 1633.]

MOST SACRED SOVERANE,—May it pleas your Majestie to look upon this enclosed submission from the Earle of Airthe, written with his awne hand, quhairin if ther be any word amise, or any thing zit to be added upon the significatioune of your Majestie's pleasour to me, I sall discharge faithfullie quhat your Majestie sall be pleased to intrust to me; in the meantym he is reteared to the contrei, not to sture from his awne hous to your Majestie's pleasour be knawen.

If upon this submission your Majestie resolve to signifie your pleasour towards him, your Majestie wald considir upon the forme of the doome or sentence your Majestie is to pronounce against him, that the same may be sutch as in a legall way may subsist. . . .

Your Majestie's humble and obedient servant.

156. WILLIAM EARL OF AIRTH to KING CHARLES I.

Airthe, 3 Apryll 1634.

MOST SACRED SOVERAIGNE,—I doo humblie thank zour Majestie for zour care to preserve my hous from ruine, quhich the Erle of Traquair hes signified

wnto me, and to the effect that those moneys quhich, in your royall bountie, your Majestie is to bestow for releife of my depts, to wphould that hous, may doo the thing for quhich zow give it, I will treulie lett your Majestie know the case my hous stands presently intoo.

There is ane contract betuix my freinds quhow ar cationers for sum of my depts, and me, quherin, and vnder trust, I gave them securitie of all my lands for releif of those soums for quhich they ar ingadgit, nather did I think that they would tak any advantage further then there owne releife; bot they have obtained ane decreite befor the Lords of Sessione of all my lands, and ar presently taking possessione, and will denude me of all at Witsonday nixt, notwithstanding that the lands ar worth a greate deall more then thrys thos soumes for quhich they ar ingadged. I have only a regress by ane reversion at Mertimes nixt, and if I doo not pay them all there soumes at that tyme it doeth expyre, and my lands shal be irrecoverable. I have wther depts besyde for quhich I have sould on baronie of land and morgadgit ane wther, so this is the dangerous and trew estate of my hous for the present, and if your Majestie wil be gratuslie pleased to caus pay thes soumes at Witsonday and Mertimes nixt quhich I ow to thes cationers, it will zit houlde wp that hous with sum small competencie of meanes. And if this cannot be, I doo most humblie beseech your Majestie to give me leave to retire out of this kingdoome, quhere I may live and die obscurlie and not sie the fall of my hous; for in quhat place soever I shal be I will still pray for your Majestie's long and happie raigne, as becometh,

Your Majestie's most faithfull subiect and humbill servitor,

AIRTHE.

To the King his most excellent Maiestie,—Thess.

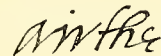
157. WILLIAM EARL OF AIRTH TO KING CHARLES I.

Edinburgh, 20th September 1639.

MOST SACRED SOVERAIGNE,—I have, according to your Majestie's comendment, attendit your Commissioner all the tyme of this Assemblie and Parliament, and I have given my advys and assistance to him quhen he did requyre it, in every thing that might conduce to your Majestie's service, and altho' I know that the Commissioner and wthers have alredie advertised your Majestie of the most materiall things that were doone in the Assemblie, and how far the Parliament hath hithertoo proceedit, zit I have presumed to send this inclosed note heirwith, quhich will lett your Majestie know the most materiall things quhich I conceive were doone thair; and I doo humblie beseeche your Majestie to reade it, for altho' it wes long in comming, becaus I would not troubill your Majestie with letters wntill I should sie in quhat maner businesss were lyke to conclude, zit I believe your Majestie shall find the most substantiall things ar vrettin in this note, and quhat is in it is treuthe. The Commissioner did not name me vpon the articles, so that I am not abill to give your Majestie such ane acounte of those things that ar doone in Parliament, as I have by that note shoven quhat wes doone in Assemblie. Zit I beleive that I have gone als neire as a man quha is made ane stranger to affairs can doo; and alltho' I am not vpon the articles, zit I doo attende and doo meite at counsell or committies for parliamentarie effaires quhensoever I am called by the Commissioner. Your Majestie commandit me to have ane watchfull eye over the actiones of ane officer of estate heir. I doubt not bot your Majestie dooth remembre of the man, and I have lookte wntoo him, altho' they have ncide of many eyes quha can weell find out his wayes. I doo only perceave this much, that the Commissioner doeth communicate to that man and wther tuo in private all

the effaires, and the remanent ar, thereafter, called too them. I have presumed to send this berar expresly, humble intreating that your Majestie wil be pleased by thrie lynes from your selfe to give me your Majestie's directiones how I shall cary my selfe in tuo particulars—first, seeing the Comissioner and moste parte of the Counsell have signed this covenante, and that I have not doone it as zit, I beseech your Majestie to commande me quhat I shall doo ; the nixt is, that I intreate your Majestie's directione if I shall friely give my opinionne, altho' wnequyred, to the Comissioner in any thing that may conduce to your Majestie's service, or if I shall be silente at this tyme. Of thes tuo I do humble intreate your Majestie's pleasour, and I desyre none to know of it, for James Livingstoun will immediatly returne the berar efter he receaves your Majestie's letter. I find that my cowsing Montros hath caried himself both faithfully, and is more willing to contribute to his wttermost in anything for your Majestie's service, then any of these Lords covenanters ; and I am confident that he will keepe quhat I promised to your Majestie in his name, quherfor I doo humble intreate your Majestie that by ane letter to him zow will take notice and give him thanks, and desyre the continowance. I wish the letter be inclosed within your Majestie's letter to me, and as I find the effects of his service to your Majestie at this Parliament, I shall ather delyver, or keipe wp, the letter. So attending your Majestie's directiones, and praying for your Majestie's long and happie raigue, I rest,

Your Majestie's most faithfull subiect and humble servitor,



For the King his most excellent Majestie,—These.

KING CHARLES I. to WILLIAM EARL OF AIRTH.—[Holograph.]

Endorsed on the preceding Letter.

26 September 1639.

To the first, I esteeme them more that does not then those that does sygne this last Couenant, though my Commissioner and most of my Councell hath done it; as for giuing your opinion, if hee aske it, yow shall do well to giue it him, otherwais not; for I suspect that the issew will not be so faire, but that he will be glad to lay the burden on other men's shoulders to ease his owen, which he may the reddilier doe, if you should eather giue him councell unasked, or being desyred, not to giue him your advyce.

C. R.

For the Earle of Airthe.—26th September 1639.

158. General GEORGE MONCK to the EARL OF AIRTH.—17th May 1654.

WHEREAS the woods of Milton and Glegait, in Aberfoyle parish, are great shelters to the rebells and mossers, and doe therby bring many inconveniencies to the country therabouts: These are to desire yow, on sight heerof, to give order for the cutting downe of the said woods with all possible expedition, that soe they may nott any longer bee a harbour or shelter for loose, idle, and desperate persons. And heerof yow are nott to fayle. Given vnder my hand and seale, att Cardrosse, the 17th day of May 1654.

-GEORGE MONCK

To the right honorable the Earle of Earth.

159. The SAME to LORD KINPOINT.

Dalkeith, 12 February 1657.

MY LORD,—Since your Lordshippe was with mee last, I received a letter from Colonel Daniell about the difference I wrote to him to take uppe betweene your Lordshippe and Duffra, by which I vnderstand that those engagements for which hee is troubled were for your familie, and that you have lately bought the comprisement, soe that, my Lord, you will deale very hardly with him in case you should nott bee willing to putt itt to some freinds to take itt vppe, and, if I may prevaile with your Lordshippe, I should perswade you to referre itt to Colonel Daniell to end the businesse, and nott to ruine the poore gentleman, who hath bin alwayes ready to engage himself and fortune for your familie, and truly if your Lordshippe will please to referre itt to Colonel Daniell to make an end of itt, I beleive you will doe much like a gentleman in itt, and I shall take itt as a favour done to,

Your Lordship's humble servant,

A handwritten signature in cursive script that reads "George Monck". The signature is written in dark ink and is positioned to the right of the typed name.

For the Right Honorable the Lord Kinpoint,—These.

FAMILY AND DOMESTIC LETTERS.

160. WILLIAM EARL OF AIRTH to his cousin, WILLIAM GRAHAME of Polder.

YII, 12 August 1646.

COUSINE,—I receaved zour letter, qher I find that zow are faithfull to me ; and be confident zow shall have ane noble meiting. I desyre zow not to sturre from that till zow hear againe from me. I ame very weill pleased with qhat ze are doing in my Lady Kinpointis bussines, and I desyre zow to eontinue it. I hade writtine more partieularlie to zow, if Patrick Menteith hade not assured me that ze was come to Kippen, which I wold not beleive. General Major Midletoune hes given ane warrand to my Lord Perth, Tullibardine, and me to keip the headis of thir eountreis, and we are to meit this Satterday at Dumblane to setle it, and imediatlie after our meiting, zow shall hear from me, for I will appoynt zour father and zow leaderis of my people. I hade not sent in this bearer at this tyme if it hade not beine with venisone to my Lord Gray. And this bussines of putting ane watch on the headis of thes coun- treis be thes noblemen and me is to prevent vtheris. I know ze will vnderstand me. So, till my nixt, I rest,

Zour loving cheif,

AIRTHE.

This is the best bussines that ever we gott done, qherin
we ow ane obligatione to my Lord Tullibardine.

For my loving eousine, William Grahame of Polder.—These.

161. SIR JOHN CAMPBELL of Glenurchy, (father of the first Earl of Breadalbane,) to his father-in-law, WILLIAM EARL OF AIRTH.

13 September 1660.

MY VERY NOBLE LORD,—I receiuit zour Lordship's lettre with all imaginable contentment, and the rather becaus I perceave thereby that zour Lordship is in hailth, and that zour Lordship hes so tender a regarde to the standing and credite of my hous, the prosperitie quhairof doth much consist (vnder God's providence) in a Christiane mutuall dewtifull observance betuix me and my eldest son, who being misled by ill advys, is lyk to occasione our joynt overthrow, if it be not prevented in tyme, which is now a speciall dewtie lyeing vpon me to effectuat. Zour Lordship's advys and concurrance in thes affairs we may not want, zour Lordship being now our only father living, and we being zour Lordship's childreine, vpon which accompt I sall intreat zour Lordship to be pleased to signifie to me at quhat tyme I sall wait vpon zour Lordship to give a trew character of all our particulars, and to resolve vpon the best remedies. I cannot expres my greiffs being tossed betuix thes tuo extremities, the vigilant care I ow to the weellbeing of the hous, and my naturall affectione towards my sone, whose singular naturall indewments merits love and respects. As for my pairt, I haif constantly adhered to thes premeditat grounds zour Lordship proposed a litle befoir my vncke Sir Coline his deceas, bot my son builds vpon other foundationes, indevoreing all he can to depryve me of my lyfrent ryt and owin all; at his optione I attended with patience for 3 or 4 zeirs expecting his resentment, bot I find now, to both our prejudicis, that I haif beine silent too long. I pich vpon zour Lordship as the speciall nobleman quho is most concerned and neirest tuiched in our affairs, and most able and fitt to sie our affairs put in a right frame, hoping

your Lordship will say so yourself. In confidence quhereof, and referring matters to your Lordship's prudent consideratione, I remane,

My noble lord, your Lordship's obedient son and most humble servant,
S^R J. C., Glenurchay.

I present my dewtifull respects and service to my Lady.

I expect your Lordship hes possiblie heired sumquhat fra Sir James, your Lordship's son, in relatione to quhat I wret to your Lordship in my former lettre.

For my very honourabill and most respected noble lord the Earle of Airth,—
Thes.

162. Sir JOHN CAMPBELL of Glenurchy to his father-in-law, WILLIAM
EARL OF AIRTH.

Mochaster, 1 January 1661.

MY NOBLE LORD,—I had no lettres from your Lordship this long tyme, tho I did expect some. Allways I cam heir of intentione to haif waited vpon your Lordship, but I heir the yce of the loch will not permitt acces, and now being desyred to goe to Edinburgh by my Lord Chancellor, quho is, and still was, my most faythfull and constant freind, quho vpon that accompt hes vnder-takin to sie the affairs of my estait reduced to a better frame, all my designs of the layeing the best fundations for that work by your Lordship's advyce ar prevented, since I cannot goe speik your Lordship, for ther ar many circumstances to be advysed and resolved, and I find much prejudice in many of my son's actions, tho' otherwayes in his deportments he caries himself very worthily. I am convinced that the payeing of debt, provisiones to my childreine, with competent allowance for my family and my sons, are to be takin to consideratione in the first place, and the mischeivous burdeine of

Chalmerlans takin aff,—this was my grandfather, Sir Duncan's, admonitione to me, and I could never heir nor know of any gentleman in the Highlands quho's prudence in the metter of governement of his estait was more extolled then his. Since I may not contract so many particulars within the narrow limits of a missive letter, nor yet haif the happines at this tyme to conferr with zour Lordship, it appeirs to be nixt best that zour Lordship communicat zour mynd to Gartmore, and desyre him to cary the same to Edinburgh within thrie or four dayes, quhair I sall attend him ; for I find him worthie of that trust, both in relatione to his interest in my son, respects to ws both, and to the gude of our hous. I haif writtin to him also by this bearar, and expects he will not refuse this trouble for so gude ane end. On thing farder I must begg of zour Lordship, which is, that zour Lordship will owne your awin advys, that I sould give to Sir Archibald Campbell at the tyme of my vncl, Sir Coline's, being in his deathbed my bond of 16 or 20000 merk to move my said vncl to subscryve to all thes provisions contained in that long band ; quhilk provisions wer resolved vpon be zour Lordship and myself in zour Lordship's hous befoir they wer proponed to Sir Archibald. If which had not beine perfyted befoir my vncl's death, it is evident that our hous had perished long since, evin tho' the tymes had beine paceable. I haif the principall minut of that transactione in my companie, quhilk will cleir this point, for I am traduced by my vnfreinds as if my giving that bond had only proceeded vnadvysedly of myself, quhilk maks me now to intreat this metter of zour Lordship, for ther ar none living except zour Lordship and I that wer accessarie to that transactione or to the grounds vpon which we walked then ; and altho thes great revolutions quhilk have interveined have altered the state almost of all affairs, yet at that tyme ther was a necessitie to tak thes coursis, and as metters stand at the present tyme, the standing of our family is not a litle furthered therby. Zour Lordship

may be pleased to wryte heirof to my Lord Chancellor, to myself, or to my sone, for my vindicatione, for it greivs me to susteine blame for my weell doeing or undeservedly. So referring the premissis to zour Lordship's wyse consideratione, I remane,

Zour Lordship's most obleidged son and assurit servant,

S^R J. C., Glenurchay.

I hope my Lady (to quhom I present my humble service and dewtie) will not only excuse my not wryting to her Ladyship, bot also be a sollicitrix for her motherless oyes, my doghters, of which thrie are now mariageable, and lyk to be so long enough, if my son haif power to do, as he hes doone, to their prejudice. For my most respected noble lord the Earle of Airth,—Thes.

163. WILLIAM SECOND EARL OF AIRTH to his cousin, the LAIRD OF GARTMORE.

London, last September 1662.

DEAR COUSEING,—I received yours on the twentie nyynth of this instant. I give yow hearty thankis for your cair and vigillency in all my affaires in that countrey. I hope a litill tyme shall dissapoynt many of their expectatiounes, qhich I will not vent till I have it in hand, at least ane warrand for it, qhich is the equivalent. I am sory that my grandmother, my Lady Airth, should put any stope in my bussines at all, qhich I hope tyme will amend. I received twenty tuo pound sterling from Ronnald, qhich, truely, hes only payed qhat I wes owing to Sir William Clerk and Mr. Heyne, except only thre pound ten shillings that I keiped to myselve, qhich will scarcely gaine me till yow send more. Sir, yow may calculat the rent of Droumond, and yow sall find that ther restis to me of this yeiris duty eight hundreth merk, or therby, besidis the six hundreth poundis that is dew to yow and my sisteris localitic, and besidis that thre hundredth merks, with the few, takdewetic, and

vncarrage of this yeir, ther will, I say, besidis all this eight hundreth merkis aforsaid be yit resting to me, so that I pray yow let some of the readiest of it, with quhat can be gottin of John Droumond's herzeld, (Ronald wrytes to me that they offered him tuo hundreth merkis,) quich if yow, couseing, can gett more from them, if not, send that same and other herzeldis, or any other things that can be had, that the mony therof may be sent presently to me ; for, truly, I am owing to Phititiane's heir twelve pound sterling, and above, besidis quhat I borrowed from M^{rs} Hewes, Mr. Allane, and Mr. Ewing, quich, in all, will amount to fyve and twentie pound sterling, quich, truly, I am ashamed to stay in the toune, and they dayly seekeing moneyes from me. Therefore I will goe out this week to the countrey, and stay ane fortnyght ther, till yow send me moneyes to pay them, quich I hope, couseing, ye will delay no tyme therin. I most confess it is the wrong tyme to goe to the countrey, qhen I should attend his Maiestie's pleasur, in my affairis. I pray yow keip this secreet to yourselfe. His Maiestie promised to my Lord Marshall and me that he would give me ane considerdable soume out of the fynes of Scotland qhen my Lord Comissioner comes wp, bot he will not dispose of any of them till then. I have wryttin to my Lady Marshall, my grandmother, that her Ladiship wreat to my Lord Middeltoune in my favouris for that effect, for I know his Lordship will obey hir commands therin. Keip this also to your selfe. M[y Ladie] Airth, my grandmother, hes sent me wp ane mutuall contract [betuix] me and hir, qherin ther is many particulars containes, quich I [will consider] weill befoir I subscriyve. I will hardly doe it at such [a distance]. I pray yow, deir couseing, continow in acting in any thing [concerning] my weill, honnour, and credit in all my affairis in Monteat, and [], or anyqher else in Scotland that I am concerned, as ye love [me. Excuse] me at my sister Elizabeth, her handis, for not wreatting to her [before this] tyme ; bot I will wreat surly to her with the nixt. I pray [yow]

acquaint me with all the affairis of my countrey. So hop[ing yow will] send me so much money as will satisfie those persones that I [am owing] to heir. For the Exchequer, I cannot expect any thing out of it in heast, becaus the Thesaurers and Theassurer Deput ar heir. I rest,

Your very loving couseing to serve yow,

AIRTHE.

For the Laird of Gairtmoir,—These.

164. WILLIAM SECOND EARL OF AIRTH to his cousin, the LAIRD OF GARTMORE.

London, the 13th of November 1662.

VERY LOVING COUSEING,—I have wryttin severall tymes to yow, bot nevir received any answer. Bot my man Ronnald wryt something to me concerneing the rent of Droumond, that yow had takin band from them for all the rent thereof for this yeir, so that thej would not ackknowledge me nor any warrandis I sent home to my servantes there, that there myght be some of the rentis sent wp to me, qhich I hope ye will deale more justly, and take nothing bot qhat is your dew, qhich ye know is six hundred pound Scottis, qhich I am most willing ye sould have. Bot yow know the restis of the rent is dew to me, especially since I gave bond to my Lady Marshall for that effect. Therfor I hope and expect that so soone as this comes to your hands, ye will send me all the moneyes ye can gett, ether from the tennentes or by the herzeldis, or any other maner of way, and send it wp to me with all possible hast. Truely I am in verie great need of it, and it may be the tyme may come that one good turne may meet ane other. I have wryttin to Bochaplle by reasoune he medled with the last yeiris rent of Monteath; concerneing Duglass and the Muschettes, that he also this yeir gett ane discharge from them for all termes preceeding, else not to suffer them to take

wp the rent, which I hope, couseing, yow wil be assisting in every thing that tendis for my honnour and good, qhich is expected by,

Your most affectionat couseing,

AIRTHE.

For the Laird of Gairtmoir,—These.

165. The SAME to the SAME.

London, the 14th April 1663.

WORTHIE COUSEING,—With much adoe, doe I dictat these lynes to yow, for I am lying bedfast, very seek, and weak of a violent and strong ague. I took it wpon the fyft of this moneth. It misseth only one day, and I take it the nixt, constantly. It hes shaken me so allready, that allmost I cannot stand wpon my feit, and the Lord knowes qhen it will leave me, and the great God of heavin and earth knowes that I have bot few freindis hear; bot of His mercy I hope He will provyd for me. The Lord sall be my witnes I have not twentie shillings money at present, nether doe I know qher to get any. Therefore I humbly beseech yow, dear couscing, not to fail me this tyme, to caus the tennantis of Drymen to advance that tuentie pound sterline that I wreat for long agoe; be it les or more, I intreat yow send some. If I wer one my feet, I would les cair. It is long agoe since Ronnald wreat to me that William Droumond would send me wp that tuo hundreth merkis for his brother's herzeld. I sent him warrand to fit in the soume of Middle Gartfarrance, and I beleive he hes receiued it long agoe. Therfor I intreat yow ageine to send me some money as soone as ye can; if ye doe not befreind me therein, I have bot few freinds, and how knowes bot the Lord may raise me wp yet from this low conditioun that I am in; and assure yourself that yow and yours sall never repent of qhat ye have done to me qhen the Lord sall

bleſs me with thoſe things that is convenient for me, quich I patiently wait for; it wes a great trouble to me to ſay this much. I am ever,

Your moſt affectionate and obleidged couſeing,

AIRTHE.

I know not his Maſtjie's anſwer yit in my deſires to the King, quich the Queen Mother hes promiſed to gett poſitivly, quich I expect dayly; and although I lie in this condition, yit I have ſome ſtrangeris (I thanke God,) that does for me, quich I will give yow account, qhenever I get it.

For my worthie and loveing couſeing, the Laird of Gairtmoir,—Theſe.

166. WILLIAM SECOND EARL OF AIRTH to the LADY ELIZABETH GRAHAME,
his ſiſter.

Edinburgh, 12 October 1663.

DEAR SISTER,—Altho' I reatt an anſyre to that letter yow ſent me anent that buſſines with Gartmoir, yett I am deſyred of neu againe by Maſter Thomas Mitchall to reatt this, by reaſon that Gartmoir cumes north himſelf to putt ſum cloſe in itt, and I beleve he is the bearer of this letter, wheras I reatt befor that I reffarred itt altogether to your ouen will to doe in itt as itt plaiſeth you; for you knou I have no portion to give you att all, ſo that he that had formalie a deſyre for you wold have takin as you ar, bot you knou I left that alſo to your ouen uill, as I doe in this; and if I had or toock anj engadgment of you, as to that of Gartmoir, be uhat itt will, I frely pas from itt, for I doe not mind any ſuch thing. Therfor, if yor ouen inclinations be for itt, as I reat befor, in God's name doe itt. I willingly conſent to your ouen inclination therin. I can ſay no mor bot that I am,

Your moſt affectionatt brother and ſervant,

AIRTHE.

For Ladie Elizabeth Grahame,—Theſe.

167. WILLIAM EIGHTH EARL OF MENTEITH to DAVID SECOND
EARL OF WEMYSS.

Yle, Monteith, 18 November 1667.

RIGHT HONORABLE,—The multitud of affaires does mak me neglect my deutie unto my noble freinds: for I am uarpt in a laberinth of almost a never ending trwble; and it is not the least that I cannot, so soon as my soull and heart desirs and reallie wishes, [make] your Lordship payment and satisfaction. My Lord, doe not, I beseech you, misconstruct my honest, though weak, intentions; for there's no man under heaven, nor living on the face of the wholl earth, that I uold gladlier pay and content then your Lordship, that I might hav one a discharg from your Lordship. And for my procurment, ther is no uey in the wordle that I sall leave untryed, ether by selling, woodsett, or borrouing, untill your Lordship be pyed.

I doe not knou hou it's uith the east of Scotland; but I am sure our contrey got never a uorse year, for making of monyes then this is. For although all the ky and horses in Monteith uar driven to the market cross, they culd not advanc, tho' ther lives lay on it, fyve hunder mark Scots: and uhat I sal doe this year, the Lord knoues, for I knou not. Both myself, land, uoods, ky and horses, I lay all befor your Lordship, doe as it seemeth good in your eyes; for on everie syde I am perplext by to pressing credidors, and in conscenc this terme of Martimis they uil get no monyes tho' they should tak my life. But I conseff your Lordship to be the most ingenuous and noble, and best to me of all my credidors. My Lord, I uil not multiplie discourse; but, on my faith, it's too reall a truth, uhat I have ureatten, uich I am most sorie for; but yet I hop to get your Lordship sum monyes near Candelemis, tho' not so much as I exspected at Lambas last. With this I humbly desire

to present my most humble servie to your noble, speciall good ladie, so I am ever,

Your Lordshipp's unchangable and obedient devoted servant,

MENTEITH.

My Lord, be pleased to accept this small present from me, your servant.

For the Right Honorable the Earell off Weeymes,—This present.

168. [JOHN GRAHAME of Claverhouse, afterwards VISCOUNT OF DUNDEE, to WILLIAM EIGHTH EARL OF MENTEITH.—*Circa* 1679.]

MY DEAR LORD,—Since I partied with you, I waited on my Lord Montrose at Sterling, and from thence to Comernad, and so to his owen house. I told him all that had passed betuixt your Lordship and me; he seemes to be very well satisfied, and assures me that he will com to Edinbourg when ever I shall advertise him. I would apoint no daye till I akquainted your Lordship with it. So, my Lord, if you contineu your resolution in it, I shall wait for your comands with this bearer. My Lord, as your friend and servant, I doe tak the liberty to give you on advise, which is that ther can be nothing so advantageous for you as to setle your affaires, and establish your successor in tyme, for it can doe you no prejudice if you com to have any childring of your owen body, and will be much for your quyet and confort if yoe have non; for who ever you mak choyse of will be in place of a sonne. You knou that Julius Cæsar had no need to regrait the want of isseu, having adopted Augustus, for he kneu certainly that he had secured to himself a thankfull and usefull friend, as well as a wyse successor, neither of which he could have promised himself by having childring; for nobody knous whether they begit wyse men

or fooles, beside that the tays of gratitud and friendship ar stronger in generous mynds then those of natur. My Lord, I may, without being suspected of self interest, offer some raisons to reneu to you the advantage of that resolution you have taken in my faveurs. First, that there is nobody of my estat out of your nam would confound there family in yours, and nobody in the nam is able to give you those conditions, nor bring in to you so considerable an interest, beside that I will easier obtine your cusin german then any other, which brings in a great interest, and contineus your family in the right lyne. And then, my Lord, I may say without vanity that I will doe your family no dishonor, seing there is nobody you could mak choyse of has toyld so much for honor as I have don, thogh it has been my misfortun to atteen but a small shear. And then, my Lord, for my respect and gratitud to your Lordship, you will have no raison to dout of it, if you consider with what a francness and easiness I lieve with all my friends. But, my Lord, after all this, if thes raisons cannot perswad you that it is your interest to pitch on me, and if you can think on any body that can be mor proper to restor your family, and contribut mor to your confort and satisfaction, mak frankly choyse of him, for without that you can never think of geating any thing don for your famly: it will be for your honor that the world see you never had thoughts of alienating your family, then they will look no mor upon you as the last of so noble a race, but will consider you raither as the restorer then the ruiner, and your family raither as rysing than falling; which, as it will be the joy of our friends and relations, so it will be the confusion of our enimys. I am, my dearest Lord,

Your most humble and most faithfull servant,

J. GRAHAME.

169. JOHN GRAHAME OF CLAVERHOUSE, afterwards VISCOUNT OF DUNDEE, to
WILLIAM EIGHTH EARL OF MENTEITH.

MY DEAR LORD,—I have delayed so long to give a return to your kynd letter, expecting that my man should return from Yrland, that I myght have given your Lordship ane accompt of the state of my affaires, but nou that I begin to despair of his coming, as I doe of the succes of that voyage, I would not loose this occasion of assuring your Lordship of my respects. I have received letters from my Lord Montros, who gives me ill neus, that ane Yrish gentleman has caryed away the Lady, but it is not certain, thogh it be too probable. Houever, my Lord, it shall never alter the course of our friendship, for if, my Lord, either in history or romance, either in natur or the fancy man ther be any stronger names or rairer exemples of friendship then these your Lordship does me the honor to name in your kynd and generous letter, I am resolved not onlly to equall them, but surpass them, in the sinserite and firmnes of the friendship I have resolved for your Lordship. But, my Lord, seing it will, I hop, be mor easy for me to prove it by good dieds in tyme to com, then by fyne words to express it at present, I shall referr myself to tyme and occasion, by which your Lordship will be fully informed to what hight I am, my dear Lord, your Lordship's most faithfull and most obedient servant,

Dumfries, February the 14, [16]79.

A handwritten signature in cursive script, reading "Grahame". The letters are dark and fluid, with a large initial 'G'.

My Lord, I hop to hear from you, and knou if you hear any thing of what my Lord Montros wryts to me.

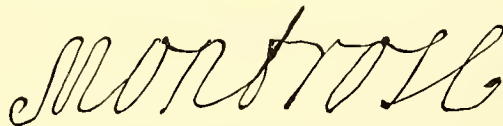
For the Right Honorable the Earle of Menteith.

170. JAMES THIRD MARQUIS OF MONTROSE to [WILLIAM EIGHTH EARL OF
MENTEITH.]

Mugduck, 30 May [16]79.

MY LORD,—I would haue sent the dog this day, but I waited for the letters by the last packet, which were some thing late a coming. I send your Lordship here inclosed the journals of Parliament, which contain all the news the Court affords, for ought I know. I met with Claverhous to day, who is sent with his troop, and a troop of dragoons, to guard some arms and ammunition transported to this country. The fanaticks in Clidsdale were yesterday so insolent, that a party of them, reported to be about three score hors, entred Rugland, burnt the Declaration and Oaths of Alegiance and Supremacy in the bon-fire there, and then put it out, intending the like at Glasgow, but being advertised that Clauerhous' troop was there, desisted from that interprise, and dispersed, hauing been pursued by a party of that troop till midnight, tho' in vain. Claverhous tells me he would haue waited on your Lordship at this time, if he were not so strictly oblig'd to attend his charge, but promises to be with you about pouting-time, at which time you may also expect to be waited on by, my Lord,

Your Lordship's most affectionate cousin and most humble servant,



For your Lordship.

171. JAMES THIRD MARQUIS OF MONTROSE to [WILLIAM EIGHTH EARL OF MENTEITH.]

From the Camp at the Muirhead, 19th June [16]79.

MY LORD,—I motion'd your desire in Counsel before I receiued your letter, and it was judg'd so reasonable, that your commission had been granted, had the Lords not thought that, by reason of your indisposition, you would haue been unfit for that command, but now I do not question your Lordship will haue your orders for it. I haue forwarded your letter to General Dalzel, who has hitherto only a particular command in our army, but the Duke of Monmouth is General in Chief, and reaches the army this day. I haue been abroad all night, which makes me very drowzy, and therefor I beg your Lordship's pardon that I cannot at present insist upon other particulars, hauing only so much time as to write myself,

Your Lordship's most affectionate cousin and most humble servant,

MONTROSE.

For the Earl of Monteith.

172. Sir JAMES GRAHAM, third son of William seventh Earl of Menteith, to his nephew, WILLIAM EIGHTH EARL OF MENTEITH.

London, October the 25th 1679.

MY MUCH HONORED AND DEAR LORD,—Yours of the 25th of July came to my hands the 20th of this instant, and I am overjoyed to hear that yow are perfectlie recouered of your distemper, and that yow are in very good health, and I pray God to continow yow so many years. As for the pain of the gowt it is troublesome, but I hope not dangerous. I should haue bein hartily glad of the honour of your company in Irland, and I doe assure

yow non leiuing should haue bein weeleomer to my house then yow. Yow mention in your letter a toaken that yow wer pleased to send me for Irland of six Glaseheyll cheisses. I doe returne yow my hartie thanks for it, and I hope the nation shall haue credit by them, for I mean to outvy all Irland. My Lord, these are to giue yow notice that his Royall Heighnes parts from hence for Scotland one Munday nixt, and, as I presum, intends to keep his Court ther at Hollyroodhouse; my humble advyee to your Lordship is, that you will render your humble dutie and service to his Heighnes, for they say he is very kynd to our name. The bearer heirop, Leiutenant Collonell Grahame, our cossen, and grandchylde to old Sir Riehard Grahame, I beseech yow make much of him, and shew him all the fauour and kyndnes that lyes in your power; he is one of the Duke's bedehamber, and keeper of his priue purse. He is the fittest person, as I conceiue, to make your adresses to his Royall Highnes; he is a very honest gentleman, and one that loues and honours your family. My wyff, my sister Menteith, and my girle presents yow with their humble service, and Nelly, my daughter, tells me that she will ask your eonsent in her mariage. Shoe is very ill at present of a greiuous eould, and my wyff with a fitt of the ston, or ellis shoe had wreatin to your Lordship. I am become old and creasie, and so canot promise myselff the honour and happines in seing yow in Scotland. I wish your Lordship many happy dayes, and shall euer, whilst I haue being, subsrybe myselff

Your Lordship's most truly affectionat vnekle and humble servant,

JA. GRAHAM.

I shall desyr yow to lett me know wher I shall adresse my letters to yow in Edinburgh, wherby I may keep eorrespondencie with yow. I intend to stay heir this winter. If yow please direct your letters to the signe of the Blew Boar, at Mr. Gumleye's house, ouer against St. Clement's

Church, in the Strand, London. I beg the fauour to send the inclosed to my daughter.

To the Right Honorable the Earle of Monteith, in Scotland,—Thes.

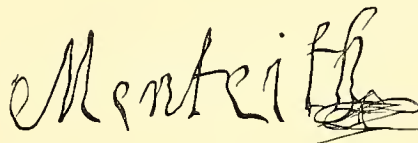
173. WILLIAM EARL OF MENTEITH to his uncle, Sir JAMES GRAHAM,
at London.

Edinburgh, November 18, 1679.

MUCH HONOURED AND DEAR WNKELLE,—Being informed that yow, your Lady and daughter ar come over to England, I thought it most convenient to wreat those few lynes to yow, that seeing ye was not pleased to accept of the Laird of Claverhows to match with that young lady your daughter, I have now weell grounded and serious thoughts of a very honourable and noble persone in this kingdome, which as I truly suppose may take effect to all our contents and satisfaction beyownd any persone that ever yeet was named to hir, and I am shure may be a match to the greatest lady in the Isle of Britane, but because of the distance of place, that I can not communicat my thoughts in this concernment of so noble and honourable a persone without I hade the liberty from himselfe, I dare nor will not name him at present; and because affairs of this importance cannot be conveniently done unless all partys wer personally present, I doe therfor most earnestly and humbly intreat the favour and kyndnes from yow that ye would be pleased to honour me and the rest of your freends in Scotland with your presence hear with your noble lady and daughter, as soon as possiblely ye can with conveniency doe it, for the present satlement of my family and the disposing of Mrs. Helenar, your daughter, to a very noble and eminent persone that I shall propose to match with hir in marrage, which by the next after that I receav your ansuer of this I hope I shall give yow a better accompt therof, and who that noble young

persone is cal'd, so nothing needs deferr your coming hear, for it is in your way homward to Irland, and if ye think it necessary, I shall geet yow a protection from the Councell hear that no man can reach yow or any thing that belongs to yow for any debt at any person's instance quhatsomeever for four or five months tyme, which ashure yourselfe shall be procured from the Councell before ye set of from London, or yourselfe may procure a protection from the King there. I have no mor to wreat at present, but only ye would impairt this to my Lady which I have refered wholly to your letter, to whom I present my very humble service and respects, and to Mrs. Helinar, your daughter. I earnestly desyre the ansuer of this by the first post after it comes to your hands. I bid yow hartily farveell, and I am, ever as it becomes, dearest unkell,

Your most affectionat nephew and very faithfull servant,



SIR,—I crave yow and my Lady pardone that I have mad use of ane other hand. These for Sir James Grahame, at London.

174. The SAME to [JAMES THIRD MARQUIS OF MONTROSE.]

Yle, 4 January 1680.

MY DEIREST LORD,—I received the enclosed, and indeed I hav neid to hav serious thoughts on it, which I most confess can not be doon at distanc, a mater of so great concern as it is. I hop your Lordship will not be offended nor angrie with me that I delay only for aught or nyn dayes tym to stay in this contry, wher I hav got a perfytt recoverie of my health to admiration. I bliss

the great God of heaven and earth for his goodness to me, so for that litle tyme I hop your Lordship will pardon me, your faithfull servant; for befor the 15 instant I sall, God willing, surly attend your commands at Edinburgh, for I'll ryd quickly theron. I'll not wreat no affair bot only this, that I am exceeding sorie that I cannot get on bout of thir rebels befor I go from this. Your Lordship may surly expect my beeing at Edinburgh befor the 15 of this mounth, for I'll leav all things whatsomevir to attend for the advancment of your Lordship's honor and intrest, and any thing that can contribut to giv you reposs and content, which surpasses all earthigly enjoyments. I wold fain mak my letter speak the thoughts of my mind, bot that I hold it nether saff nor convenient to doe it at distanc an affair of so great concern of the noblest and the most generous freind that's amonst men, for soe is your Lordship uhos intrest I hold deirrer then the life of

Your Lordship's truly affectionat and most obedient servant,

MENTEITH.

MY LORD,—Only one thing mor I hav to say. Iff ther be any forces raised and levied for his Majestie's servie heir in Scotland, I hop your Lordship will be humbly pleased to speak to his Royal Heighness, that I may get sun command of foot, that I may try what I can doe in all uhat concerns both his Majestie's and his Royall Heighness' intrest, for ther is nothing on earth that I lov so weell as to be in a just war for my King and Prince, tho' I uas never so fortunat to be in any plac to sho myself what is in me, tho' verie mein, yet I assuir your Lordship I wold cordially doe with a most uiling meind to be witness to your Lordship's most heiroick actions, tho' heirtofor ye hav denyed me this honor, bot I hop ye will mak amends, if I dare say, for a fault uich indeed in no other thing your Lordship did never disoblidg me, bot only in hindring me to attend yow in the last exspedition, bot I hop

a little tym may produce a furdre bout wherby your Lordship sall be uaited on with all the desyre imaginable by, right honorable,

Your Lordship's ever faithfull and devoted servant,

MENTEITH.

I hav not styet your servant bot till this day at nyn houres.

175. JAMES THIRD MARQUIS OF MONTROSE to [WILLIAM EIGHTH EARL OF MENTEITH.]

Edinburgh, 20th January 1680.

MY LORD,—The very next morning after I receiued yours of the 12th by the bearer, I went and communicated what it enjoin'd to General Dalziel. His advice was that I should acquaint the Duke with the affair, which I likewise did. His Highnes was extremely pleased with your forwardnes to suppress those seditious and disorderly meetings, and commanded me to detain the bearer till the General, who was gone that day to the countrey, should return, which I did. His Excellence came but last night to town, and this morning I went to wait on him. At first he seem'd willing to grant your Lordship's desire, but haning, after further deliberation, found that he was not sufficiently empowered to giue such commissions of himself, judg'd fit to protract the busines till Thursday next, when in Counsel he promises to represent it to the board, and press earnestly their determination in it. I question not the result will proue to your Lordship's satisfaction, and yow may prosecute the design with more security, being prop'd by so great an authority. I will not fail to advertise you by an express of all that may relate to that affair. In the mean time, I remain, with the wonted respect, my Lord,

Your Lordship's most affectionate cousin and most humble servant,

MONTROSE.

For your Lordship.

176. WILLIAM EIGHTH EARL OF MENTEITH to JAMES THIRD MARQUIS OF
MONTROSE.

Yle Menteith, 27 Maij 1680.

MY LORD,—I received a long letter from my unkle, Sir James Graham, his Ladie, to me, shouing that your Lordship from the verie first, that you never intended to marie my cusing germain, and that my Lord Chancelor's daughter is the person that's pitched upon, and that they had not seen your Lordship bot tuyse this mounth, wich as it seems to them ye declin the bussiness, altho' my unkle and his Ladie thought it in a maner ended, and to tak away all excusses that after might follou, they resolved to mak up that four hunder and fyftie pund starling a year by selling that uich uold losse them three tymes als much by the doing of it, bot they choyse rather to doe so then suffer the inconveniences of sham and dishonor; and that your Lordship was pleased that the signatur to the King to pass it, without ever as so much acquainting Sir James that your Lordship was to doe suche a thing, which, uhen my unkle hard he went to Windsor, and sought for you, my Lord, both in toun and Court, to knou the certantie if your Lordship intended to marie his daughter, that he uold goe along uith you for the passing of it, bot he could not feind your Lordship, wherfor he uent to the King, and asket his Majestie if he had seen such a signatur. The King said Yes, bot he would not pass it; for, said his Majestie, the honor is in it; uhereupon Sir James told the King that it uas upon exspectation of a match betuixt your Lordship and my cusing, his daughter, uich if that was doon the King's Majestie uold doe all that was desyred; and yet, my dear Lord, I feind that all along in my Ladie's leter to me shee does not trust manie persons uold her belive strange things of your Lordship, uich I am verie confident that ther is no person in the wored shee hes a more singular respect then for you, my Lord. Therfor

seeing that my unkle, Sir James, and his Ladie is so resolved to mak up that four hunder and fyftie pund stirling yearly to your Lordship, I truly exspect you will not mak a further delay in going on to put a closs to the match, and that all the uoreld may see that your Lordship hes been all alongs such a noble person of tru worth and honor, that you aluays scorn'd to doe anj un-worthie action, bot to perform that uich your Lordship had so solemnlie engaged to me upon your word of honor, to marie Sir James' daughter; for the great God of heaven and earth knous that it was my first proposall to your Lordship, that if ye should marie that young ladie, my cusing, ye should get my esteat to help her fortun, if I wanted heirs meale of my owen bodie, only that the tuo famjhies should never be in on, bot that the houses of Montros and Menteith might be preserved by this honorable way, and in uhat maner your Lordship so nobly, keindly, embraced me for that proposition, and at that tym most solemnje engaged, upon your Lordship's faith and uoord of honor, to marie my cusing, uich you, my Lord, did afteruards manye hunder tymes confirme the samyn by manyie protestations of the reallitie of your Lordship's intentions that uay, uich I did everie day reneu to you untill I had gotten all firm assurrances that on man culd give to another, uhen I afteruards gav your Lordship that disposition uich is betuixt us. My Lord, it is to tru that I had bot tuo letters sine your Lordship uent to London, and ther was not scare on uord in them concerning my cusing, bot verie litle or nothing worth of moment, uich in ureitting so often to your Lordship, abov 18 letters, and all concerning the maraig betuixt your Lordship and her, that I never received no ansyre from your Lordship, uich indced mak me begin to grou jealous of the realitie of your Lordship's intentions that uay, and I pray God that I hav no reason to complein, for if I had stayed and not subscryved that disposition, it had gon on farr mor esle then it's likly to doe nou. Bot I uill not lay no hold on no reports untill I heir from your Lordship's

self whither or uot you intend to marie Sir James' daughter or not, and efter that I feind that your Lordship uill not chang your faithfull promiss to me, uich ye engaded to perform by all that's good and holly, afteruards, uheu I hop fully to see so noble a person as your Lordship doe so honorable ane action, then the world uill see that your uords and actions is all on; bot if alluays, as God forbid it should fall out, that you, my Lord, uold not marie my cusing, I fear the consequenc uold fall ve[ry] il for both our persons and famjlies, uich I trust, by God's mercie, that I sall never see nor heir the lik, bot, for my ouen part, the world hes seen that I have doon honorable and sincerly from the first to the last, tho' indeed yet I hav not found anything from your Lordship nether suittable to my dealing, nor yet your manje promisses to me. Bot the great God, that knoues the secrets of all harts, he only knoues uhat I have doone in reall effect to your Lordship, so I hop a reall and sincere performance of all the things your Lordship faithfull promised me, and mor espissalie to marie Sir James Graham's daughter, uich, till I knou from yourself the truth or untruth of all thos things that is reported, I uill never beliv them, and till I heir furder, I will suspend my iudgment, and God Almighty direct your Lordship aright in all your uays to doe that uich is honorable and just, altho' all the world should say the contrair, till I knou the truth therof from yourself, I uill not beliv it. So exspected your Lordship's full and reall ansyre, uich is earnestly looked dayly for by

Your Lordship's most affectiouat cusing aud faithfull servant,

MENTEITH.

My Lord, this seall is my ouen, and I am exceediug sorrie ye do not ansyre non of my letters, tho' I hav writteu 18 leters sine ye went from Leith.

Thes for my Lord Marquis of Moutros, at Court, Inland.

177. [JOHN GRAHAME of Claverhouse, afterwards VISCOUNT OF DUNDEE, to
WILLIAM EIGHTH EARL OF MENTEITH.]

London, July the 3 [c. 1680].

MY LORD,—Whatever wher the motives obliged your Lordship to cheange your resolutiones to me, yet I shall never forgate the obligations that I have to you for the good desseins you once had for me, both befor my Lord Montrose cam in the play and after, in your indewering to mak me nixt in the tayly, especially in so generous a way as to doe it without so much as latting me knou it. All the return I am able to mak is to offer you, in that franc and sincere way that I am known to deal with all the world, all the service that I am capable of, wer it with the hazard or even loss of my lyfe and fortun. Nor can I doe less without ingratitude, considering what a generous and disinterested friendship I have found in your Lordship. And your Lordship will doe me, I hop, the justice to aknowledge that I have shouen all the respect to your Lordship and my Lord Montrose in your second resolutions that can be imagined. I never enquyred at your Lordship nor him the reason of the cheange ; nor did I complain of hard usadge. Thogh really, my Lord, I must bygue your Lordship's pardon, to say that it was extreamly grievous to me to be turned out of that business, after your Lordship and my Lord Montrose had ingadged me in it, and had wryten to Yrland in my favours, and the thing that troubled me most was that I feared your Lordship had mor estim for my Lord Montrose then me, for you could have no other motive, for I am seur you have mor sense then to think the offers he made you mor advantagious for the standing of your family then those we wer on, for he would have certenly mad up his owen, and I would have brought in all myn to yours, and been perfaitly yours. Sir James and I together would have boght in all the lands ever belonged to your predecessors, of which you would have been as

much maister as of those you ar nou in possession ; and I am sorry to see so much trust in your Lordship to my Lord Montrose so ill rewarded. If you had contineued your resolutions to me, your Lordship would not [have] been thus in denger to have your estate rent from your family ; my Lord Montrose would not have loosed his reputation, as I am sorry to see he has don ; Sir James would not have had so sensible an afront put upon them, if they had not refused me, and I would have been by your Lordship's faveur this day as hapy as I could wish. But, my Lord, we must all submit to the pleaseur of God Almighty without murmuring, knowing that evry body will have there lote. My Lord, fearing I may be misrepresented to your Lordship, I think it my deuty to acquaint your Lordship with my cariadge since I cam hither in relation to those affaires. So soon as I cam, I told Sir James hou much he was obliged to you, and hou siucer your desseins wer for the standing of your family ; withall I told him that my Lord Montrose was certainly ingadged to you to mary his dochter, but that from good hands I had raison to suspect he had no dessein to perform it ; and indeed my Lord Montrose seemed to mak no adress there at all in the begining, but hearing that I went somtymes there, he feared that I might gate ane interest with the father, for the dochter never apeared, so observent they wer to my Lord Montrose, and he thoght that if I should com to mak any friendship there, that when he cam to be discovered I might com to be acceptable, and that your Lordship might turn the cheass upon him. Wherfor he went there, and entred in terms to amuse them till I should be gon, for then I was thinking evry day of going away, and had been gon, had I not fallen seek. He contineued thus, making them formall wisits, and talking of the terms, till the tyme that your signature should pass, but when it cam to the King's hand it was stoped, upon the account of the title, conform to the preperative of my Lord Caitness. My Lord Montrose, who, during all this tyme had never told me any thing of these

affaires, nor almost had never spok to me, by Drumeller and others, leat me know that our differences proceeded from mistakes, and that if we mate we might com to understand on another, upon which I went to him. After I had satisfied him of som things he complained of, he told me that the title was stoped, and asked me if I had no hand in it; for he thought it could be no other way, seing Sir James concured. I assured him I had not medled in it, as befor God I had not. So he told me he would setle the title on me, if I would assist him in the passing of it. I told him that I had never any mynd for the title out of the blood. He answered me, I might have Sir James' dochter and all. So I asked him hou that could be. He told me he had no dessein there, and that to secur me the mor, he had given comission to speak to my Lady Rothes about her dochter, and she had receaved it kyndly. I asked hou he would com of,—he said upon ther not performing the terms, and offered to serve me in it, which I refused, and would not concur. He thought to mak me serve him in his desseins, and brak me with Sir James and his Laidy; for he waint and insinuated to them as if I had a dessein upon their dochter, and was carying it on under hand. So soon as I heard this, I went and told my Lady Graham all. My Lord Montrose came there nixt day and denied it. Houever, they went to Windsor and secured the signature, but it was alrady don. They have not used me as I deserved at ther hands, but my dessein is not to complain of them, and they had raison to trust intierly on whom your Lordship had so strongly recomended. After all cam to all that Sir James offered to perform all the conditions my Lord Montrose requyred, he knew not what to say, and so, being asheamed of his cariadge, went away without taking lieve of them, which was to finish his triks with contemp. This is, my Lord, in as feu words as I can, the most substantiall pairt of that story. My Lord Montrose and som of his friends indevored to ruin that yong laidy's reputation to gate an excuse for his cariadge, and

brought in my name. But I mad them quikly quyt those desseins, for there was no shadew of ground for it. And I must say that she has suffered a great deall for to complay with your Lordship's desseins, but could not doe less considering the good things you had desseined for her, and treuly, my Lord, if you ken her, you would think she deserved all, and would think strange my Lord Montrose should have neglected her. My Lord, I know you want not the best advise of the nation, yet I think it not amiss to tell you that it is the opinion of evry body that you may recouer your estate, and that you oght to com and make your case knouen to the King and Deuk. Your family is as considerable as Caitnes or Maklen, in whose standing they concern themselves highly. My Lord, you would by this means recover your affaires ; you would see your cusing ; and you and Sir James would understand on another, and tak right mesures for the standing of your family. If you lat your title stand in the airs male, your family must of necessity perish, seing in all apearance you will outlieve Sir James, and then it would com to the nixt brother, who has nether airs nor estate, so that your only way will be to transfer the title to that young laidy, and gate the father and mother to give you the disposing of her. The Deuk assure me that if my Lord Montrose would have maryed her, the title should have passed, as being in the blood, and that it may be don for any body who shall mary her with your consent. My Lord, if I thocht your Lordship wer to com up, I would wait to doe you service ; for your oncle is old and infirm. My Lord, I hop you will pardon this long letter, seing it is concerning a business touches you so neer, and that of a long tym I have not had the hapiness to intertain your Lordship. Tyme will shoe your Lordship who deserves best your friendship. My Lord, things fly very high here ; the indytments apear frequently against the honest Deuk, and I am feared things must brake out. I am sorry for it ; but I knou you, impatient of the desyr of doing great things, will rejoyse at

this. Assure yourself, if ever there be baricades in Glascow again, you shall not want a call; and, my Lord, I bespeak an employment under you, which is to be your lieutenant general, and I will assure you we will make the world talk of us. And therefore provide me treues, as you promised, and a good blue bonnet, and I will assure you there shall be no truer trustier than myn. My Lord, dispend not for this disappointment, but show resolution in all you do. When my affairs go wrong, I remember that saying of Loucan, *Tam mala Pompeii quam prospera mundus adoret*. On has occasion to show there vigour after a wrong state to make a nimble recovery. You have done nothing amiss, but trusted too much to honor, and thought all the world held it as sacred as you do. My dear Lord, I hope you will do me the honor to let me hear from you, for if there be nothing for your service here I will be in Scotland immediately, for now I am pretty well recovered. I know my Lord Montrose will endeavor to misrepresent me to your Lordship, but I hope he has forfeited his credit with you, and anything he says to you now is certainly to abuse you. My Lord, I have both at home and abroad sustained the character of an honest and frank man, and defy the world to reproach me of anything. So, my Lord, as I have never failed in my respect to your Lordship, I hope you will continue that friendship for me which I have so much ambitioned. When I have the honor to see you, I will say more of my inclination to serve you. I will beg the favour of a line with the first post. I am, my Lord,

Your Lordship's most faithful and humble servant,

J. GRAHAME.

Excuse this scribbling, for I am in haste, going to Windsor, though I write two sheets.

178. JOHN GRAHAME of Claverhouse, afterwards VISCOUNT OF DUNDEE, to
WILLIAM EIGHTH EARL OF MENTEITH.

London, July the 8 [1680.]

MY LORD,—I knou not if myn came to your Lordship's hands, wherin I gave you a full account of all that has passed here concerning your Lordship's affairs, and I hop you will give faith too it. All I dessein is to inform your Lordship, so that you may not be abused by those who desseins ill betuixt you and your oncle, apurpose to ruin your family. I will bear them that testimony, that they have gone so great a lenth to complay with your Lordship's desseins, that they have don things far belou there quality for to oblige my Lord Montrose, and the yong lady cannot be but sensible of the affront that is don her by this neglect, after your Lordship had procured her consent, and her father and mother made so great advances. But they regrait nothing, as they say, seing they have had ocasion to testify there respects to your Lordship, and to shoe the world hou great a desyr they had to preserve your ancient family. Speaking with the Deuk the other day concerning the Maclen's business, which is nou settled, I took ocasion to tell the Deuk that your Lordship's case was very hard, and mad him understand a litle the business, as far as could be don without wronging my Lord Montrose' reputation too much, which I should be unwilling to doe, whatever he doe by me. The Deuk sheuk his head, and said it was not ryght. I said nothing, seing I had no comission, and that it was only by way of discours. My Lord, I owe you all the good offices ar in my pouer, and if you will employ your friends, I doute not to see you again maister of your owen affaires, which is the thing [in] the world I wish most. I am going, for oght I knou, to Duunkerck with the envoyes to see the Court of France. I am only to be

away aight days, so your Lordship may lay your comands on me. I am,
my Lord,

Your Lordship's most humble servant,

J. GRAHAME.

For the Earle of Mentieth, at Edinbourg.

179. The SAME to the SAME.

London, August the 24 [1680.]

MY LORD,—I was very glaid at the recait of yours to hear that you wer in good health, and am very sensible of the kynd expressions of your Lordship's friendship, which I shall by all meens indevor to deserve. I was surprysed at the reeding of your Lordship's letter to hear that my affaires went ill in Scotland, and had been mor alarumed had I not by the same post had a lyn from on who has the direction of all my affaires, who asseured me they wer never in better order, both the affaires of my estate and troupe, only ther was a stop in the passing my signatur of the forfitur, and I stayed here a purpos for to secur it, which nou, I think, I have don, tho' I never had raison to fear it, notwithstanding all oposition I had, and the King and Deuk, my friends. My Lord, I hop your Lordship did not mistak the dessein of my letter to you, which was only to inform you of my cariage, least I might be misrepresented to you, and to offer you my service in the recoverie of your affaires, being informed that you was resolved to put yourself in your owen place. This I owed to your friendship, and to the good wishes I have for the standing of your ancient family. But, as I have always been, I shall be still far from pressing you anything in favours of myself. I think you will not tak in ill pairt that I wish you not to suffer so noble a family to fall, in the standing of which I know you have so much concern, as that I believe you mak it your

only care, your honor and memory being inseparably attached to it, but the way to doe it I leave to yourself, as the only propre judge; whatever way you doe it, I shall assure you of my weak indeavors. Your uncle and laedy think strange you never wryt for them. They say they have never don any thing to disoblidge you, and really, my Lord, they have got a great slight put upon them by complying with your deseirs, nether is it fit to loose them, for I have heard my Lady say that if her dochter dayed, she had resolved to leave to recover your family the best pairt of her estate. I am, with all the sincerity imaginable, my Lord,

Your Lordship's most humble servant,

J. GRAHAME.

My Lord, your cousin has been seek these ten days of the small poks, but in all appearance will recover, tho' she has tham mighty ill. I will have the honor to see your Lordship shortly.

180. JOHN DUKE OF ROTHES, Chancellor of Scotland, to WILLIAM EIGHTH
EARL OF MENTEITH.

Edinburgh, 2d September 1680.

MY LORD,—Wee receaved your letters of the eleventh and twelfth of August last, with the information inclosed therin, and by them wee find that your Lordship hes taken great care and beene at extraordinarie paines in searching for conventicles, and apprehending rebels and vther disorderlie persones who frequented the same, wherin yow having given a signall instance of your zeale in his Majestie's service, wee have represented the same to his Majestie, and wee doe returne yow our heartie thanks. As for Arthur Dougall, before your letter came to our hands, hee was, by order of a Committee of Councill, sett at libertie, vpon caution to appeare before the Councill the first Councill day

of November next. And now, vpon the receipt of your letter, wee have ordored his cautioner to bee charged vpon his band to present him, and it is appoynted that in tyme coming no persones apprehended by yow bee liberate vntill yow bee acquainted therwith. As for Harie Dow of Polder, wee doe impower yow to sett him at libertie, vpon caution to appeare before the Councill; and ordor is given to the Magistrates of Stirling and vther burghes to receave into their prisones such persones as shall be presented by yow, or any having your warrand. Ane extract of which ordor is here inclosed. And in your prosecution of his Majestie's service, your Lordship may expect all due encouragement from ws. Signed be warrand, and in name of the Councill, by

My Lord, your Lordship's humble servant,

ROTHES, *Cancell, I.P.D.*

Since the wryting of this letter, vpon a petitione given in by Harie Dow, representing that hee is prisoner in the Tolbuith of Stirling, the Councill has ordored the Magistrates to sett him at libertie, vpon caution, vnder the paine of 2000 merkes, to compeir before the Councill the first Thursday of November next.

For the Earle of Monteith,—These.

181. WILLIAM EIGHTH EARL OF MENTEITH TO JAMES THIRD MARQUIS OF
MONTROSE.

Ill, Junij 27, 1681.

MY LORD,—One Munday and Twuesday last Drumakill and Arnpryer came to me heir in the Isle, where there was mead a sad and heaivj complent be Drumakill that your Lordship head takin a right to all the superioratyes of the most of ther name from the Lord Napper, which Drumakill said that the

disposition to him of these rights was fullye drawn betuixt him and the Lord Napper's factoures befor your Lordship cam in plea, but Arnpryer ansvred that my Lord Napper himself head given a promise to your Lordship when yow was at London, that if he sould these superioraties to anye person, he wold give the first offer to you ; the reswlt that Drumakill, Arnpryer, and I concluded wpon that I should wreat, which is this to your Lordship, that wheras Drumakill holds a rowme called the Mose, which he holds feu of your Lordship, this is his desyre, that he might requit of that holding of the Mose, and tak that roume holden of the Kinge, and that your qwiting of his hold of the one, he wold tak the roume and landes off Baliconachi, holdn of your Lordship, so by this meins you, my Lord, are still Drumakill's superiour, so that for maney and waigthy reasounes, I doe presume to counsell your Lordship not to disoblidg Drumakill in this his humble requist, which, in my judgment, is a rasonall desyr for your Lordship's intrest of those pearts, and, indeid, he professes a great deall of kyndnes and service to yow. You are pleas'd to wreet that Laney hes employed the Lord Cardross to bring your Lordship to ane acomoudatione conserning Buchanan's bussiness ; what yow mean therby I cannot wnderstand, but this I know, that I head rether your Lordship head neuer put hand nor midled with these landes, if yow heave a mynd to qwit them so qvicklye, for the Lord Cardross hes sold the landes off Strogertner to Robert Stewart, the treterous son of that erwell murderer of my faither, who was his Lord and master. Cardross hes onley don this that he might be the mor powerfull to oposse the name of Grahame heiraway, and refused to sell these landes to so noble a person as the Earle of Perth, who is a good neighbour and a noble freind to all the name of Grahame. Cardross hes lykwise most falslye broken his promise to Patreck Grahame, Buchopell son, after he head given his hand and faith to him that he wold sell him the landes of Bochopell, and that he wold doe nothing therin till the twelt of

Junij, imeadlye after Patreck was gone, he sold Bochopell to one Hygins, a great fanactick and trustj of Cardross. All these things he hes done against the hous of Monteith, and when he is so wnjust to us, he will newer be true to the noble and anchent familye of the house of Montrose. But your Lordship is wyse anwgh to consider all things, and doe in them as it pleases you; but I conceaw'd that it could not subsist with our relatione and freindship, but to acqvant your Lordship with all these things, tho' possablie you mak me a streanger to your affears, yet yow shall not be so with myn, for in spyt of fate, I resolw allwayes to continwe,

Your Lordship's ewer affectionat cousune and faithfull servand,

MENTEITH.

For the Marquiss of Montross.

182. WILLIAM EIGHTH EARL OF MENTEITH to JAMES THIRD MARQUIS OF
MONTROSE.

Ille, 27 of Junij 1681.

MY DEIR LORD,—Your generous actings and noble endeours for the standing and good of my family, does windicat to the world your Lordship's honnour and repwtatione from these fals and wnjust aspersions that sum unworthy and seditius persones, tho' they be of no mein qualatie, uold mak all men beliwe that your Lordship's intensions wer to build wp your own feamilie on the rwins of min, as it is too oftn wreitn to me by their malicious letters, to put a jealousye betwixt your Lordship's freindship and myn, which they shall be newer able to doe, for I still perswad myself mor and mor off your candid ingnwatie and faire and plean dealing of your Lordship's reall intensions, that my famalye may flourish in my own persone, and if it ware the Lord's will that I had sons to succid in my esteat and fortowne, which manye persones

wold gladly mak me belive that your Lordship wold heave it otherwyse. Be this freedoome your Lordship may perseawe that I doe not giue credit nor beliife neither to thair words nor wreatings; and as your Lordship hes begune happalie to effectwat a spidye and right course and method for the reliving of the pressing dets of my pouer tho' ancient feamalie, for, indeid, I wanted so noble a freind as your Lordship to procure from the King's Majestie sumthing of what was owing to my grandfather and father by the Kinge, till the great God reased w^p your Lordship, the onley pearson and instrument to deall with his Royall Highnes and otheris great persons in asisting yow to get from the King's Majestie sum considerable sume of money for the reliefe of my fortowne, which I pray God it be quicklie donne, seing your Lordship hes put hand wnto it, which now I begine to heave good hops for the desyred and wished for peryod, in paying off these creditors off my esteat that thought to mak thair owne gean of it, which I trust shall be otherwyse. My Lord, the continouanc of this gutish howmer in both my hands, feete, and knies is so styfe that I am not able either to ryd or goe any way off, as is too weill knoune to all that sies me, which is note a fewe sies and knowes that I am extremlye onable to goe to Edinburgh, which I greatlie feare that I cannot com to the enshowing Parliment, which, indeed, it griues my mynd excid- inglie, for all that is in my power whill I heave a being to the outmost perrall and heasard of my lyfe and fortowne, with a full asurance that I will stand by and adheir wnto the royall intrest as my predisessoris did befor me, as I hop the King's most sacrad Majestie nor His Royall Highnes will not question nor dout of my loyaltie; and if your Lordship thinck it fitting that I wreet a leter to his Royall Highnes that I cannot atend the Parliment by reasone of my iniblatie of bodie, by the nixt I will wreet on for both, as your Lordship thincks requisit; but if I be beter in health then now I am agan the siting of the Parliment, then I will seurlie be thair, which I hwmblye intreat your

Lordship be pleas'd to inqvyre for sume Earl's robs for me, because our oune was destroy'd in the Ein[g]lish tyme, and if I be able and anye wyse in health I will not feall to come, but if otherwyse, the lawfulness of my excuse will plead my pardone at His Hyghnes' handes. My Lord, be pleased to present my werye humble servise to my speciall good Ladey, to whom I heave sent sume chiries, to kiss hir fair handis, who blushes that they are not worthe to present themselves to so vertious and excelent a Ladey; so uth my good wishes and prayeris for you both and all your conserns, I humblie creawe liwe to subscribe myself, and remans alwys, my deir Lord,

Your Lordship's still affectionat cousine and most obediand servant,

MENTEITH.

I cannot hold the pen with my ouen hand steadie, elis I had written with it to your Lordship. Let me know when my Ladie will lay in, that I may send the best things that our feilds afourd.

For the Marquis of Montrose.

183. WILLIAM EIGHTH EARL OF MENTEITH TO JAMES THIRD MARQUIS OF
MONTROSE.

III, Jun the 27, 1681.

MY DEIR LORD,—After cerious consideration with myself, I thinck most fiting and proper for me that I com to Edinburgh, God willing, agane the siting of the Parliment the twenti awght of the nixt month. In ceass that I showld stay from the Parliment, his Royall Hyghnes might tak exceptiones, and be offended at me if I ware not at the doune sitting thairoff, and possablie might doe me much hearne in that bussines your Lordship hes in hand conserning my affaer with the King. Therfor I am fullie resolved to be at Edinburgh agane the twenty of Jwllay at fardast, wherfor I humblie intreat your Lord-

ship to prowid and get the lene from sume Earle thair robs, fite mantle, and wellwat coats, and all things that belongs to Parliment robs. I will heave four footmen in liwra. Ther is no doubt but ther is sewerall Earles that will not ryd the Parliment. Therfor be humblye pleased to get the lene of to me of sume Earle's robes onley for a day to ryde in the Parliment, and they shall be cearefulie kept be me that none of them be spoylt, for all the robs that belonged to my grandfather was destroyed in the Einglish tyme. The last tyme when I reid the Parliment, I ceared the Secepter, and I head the lene of the deces'd Earle of Lowdian's robes, but it may be that this Earle will reid himself. I hop your Lordship will get the lene of robs to me from sume Earle or other, as also the lene of a peacable horse, because I am werie wnable in both my foot and both my handes as yet. I thought good to acqwant your Lordship of this beforhand in a letter by itself. Hoping to receive tuo lynes of ane answer of returne thairto from your Lordship, I pray let me know iff his Hyghnes will be woiceroy at this Parliment, or who it is that will represent the King. I expect all the news from your Lordship, but on no termes doe not keip the bearar heirof, who is my gardner; he must surlie be at hom agan Thursdays night, so not willing to give farder trouble, I remaine wncheangable, my deir Lord,

Your Lordship's most affectionat cousine and faithfull servant,

MENTEITH.

Thesse for my Lord Marquis of Montross.

184. WILLIAM EIGHTH EARL OF MENTEITH to Colonel GRAHAM, brother to the Viscount Preston.

At the Yle of Menteith, 4 July 1681.

MUCH HONNOURED COUSING,—I doe think myself verie much obleiged to Sir Richard Graham, youre brother, who is now Lord Viscount Prestowne, and to

yourself. All your house being lineallie descended of Alexander Earle of Menteith, who was ealdest sone to Earle Malice, his father, my predecessors ; and I and my familie of Menteith are verie much honnoured to have so many noble and brave gentlemen descended of our familie, which I pray the Lord to increass them more and more, that they may be many such as you are. I have subscriuit what you did send me—the Borbrife, and did fill in with my own hand day and place, and the witness' names, subscribing to my subscriptione, quhich be pleast to receive here incloset, with my verie humble service to my Lord Prestoune, your brother, and yourself. I intend to be in Edinburgh the nixt weik myself, at quich tyme I'll wait upon you, noble Sir. I do always resolve to continue, honoured Sir,

Your most affectionate cusin and humble servant,

MENTEITH.

For my much honnoured cousing, Corronell Graham, Keeper of the Privouie Purse to His Royall Highness at Court, Edinburgh.

185. ISABELLA, wife of Sir James Graham, to WILLIAM EIGHTH EARL OF MENTEITH.

London, July 15th [16]81.

MY LORD,—Your Lordship was pleased to propound for the better standing of your antient famely (in the name and blood) a match betwixte Cleauerhouse and my daughter, and, by your Lordship's advise to him, he has preste it so much that I haue complied soe farr with your Lordship's desires as to waue the propositiones of two matchis, that the worste of them has two thousand pounds a yeare besides a troope of horse and a faire prospecte of many thousandes more, till such time as I heare what is your Lordship's pleasuer concerning the settlement of the honour of your ancesters, and the recouering

of such landes as formerly belonged to them, for except your Lordship be very willing to assist as farr as you cann with conueniencie in those two pertecuelers you cannot blame me to decline all thoughtes of matching her in Scotland, wheare she would be a daly spectator of the rueines of that noble famely she came from ; my designes in matchin her there being onely to helpe to regane the ould estate to the honouer, and both to be setled, failling your Lordship and your heares male, on her after her father and her ishue in the blood and name. I desire your Lordship's answer to these pertecuelores, and that it may be poesatiue, soe that I may knowe howe to dispose of my daughter, and setle myselfe. If I heare noe answer from your Lordship, I may conclud that you doe not rellish these propositiones. Howener, I shall allwayes remane, my Lord, your Lordship's most faithfull and most humble seruante,

ISA. GRAHAME.

Sir James, my sister, and daughter has ther humble seruis to your Lordship. These—For the Right Honorable the Earle of Munteith, Edinbrough.

186. JOHN GRAHAME OF CLAVERHOUSE, afterwards VISCOUNT OF DUNDEE, to
[WILLIAM EIGHTH EARL OF MENTEITH.]

London, October the 1, [1681.]

MY DEAR LORD,—In enswer to what your Lordship was pleased to wryt me, concerning the information a certain person gave you, that I should have given ill caracters and said things of your Lordship to my Lord Duk of Lauderelle that I am ashamed to repeat, I shall vindicat myself in feu words. My Lord, I swear befor God Almighty, and renonces all right to His blissings, if ever directly or indirectly I ever gave good or bad caracters of your Lordship to my Lord Lauderdell, or ever cam upon your person or affaires with him. And to shou you hou clear I am of it, I give upon my salva-

tion, which I believe you doe me the justice to think I would not doe for the world if I wer not absolutly inocent. You shall have both on soull and body, for I am ready to spend my blood in revenge of so base and couerdly an injury as that was to forge upon dessein of interest so untreu and improbable storys; and heir I declair that certain person ane infamous layer, and humbly bigues your Lordship to shou him this letter, wherin I tell him, if he dars owen it, he will late me knou his name. But no man that is capable of the baseness to invent such lays can have the couradge to sustain them. My Lord, this story is dessein'd to wrong your reputation. They mak me say the storys which they would gladly make you believe the world thinks. But believe no such thing, for your reputation is as intyr here as ever, and the world is perswaded of your ability in affairs, and knous you not to be chan[ge]-able, that you ar fixt to the interest and standing of your family as you ar to honor and honesty. I should have had raison to think you as they say, if such storys as those could have made any impressiones upon you. I hop you doe not part so easily with your friends, nor alters upon so slight grounds your measures, and I rejoyce to see how generously you have used me in it. You will be pleased that you have don so when you see my inocency deserves it. My Lord, the world does you justice here. Every body says you did nothing but upon very just and honorable grounds, and that if people has delt unhandsomly with you they ar seur you ar sensible of it, and will in your owen tyme and way resent it, and your friends oght to confyd and refer all to your owen conduct, since by experience they see that from nothing you have recovered your esteat by your industry and activity, which shall hender me from having the least thoght that you can tak wrong meseurs. When I have the honor to see you at Mentieth, I hop to intertain you of other things than that certain person did. I will reather study to gain you friends then rob you of the frankest you have, for without vanity I pretend to that title,

and doubts not to deserve it. I rejoice to hear by the letter you wryt to my Laidy Grahame you have nou taken my trade of my hand, that you ar becom the terror of the godly. I begin to think it tyme for me set a work again, for I am emouls of your reputation, not by what I have heard by any relationes cam from the Counsell, but what I had from people came from Scotland, who gave me particular account of all, which maks me think that there is no such care taken to inform the King, or to perswad him to recompense your services as certain person maks you believe. But, my Lord, comfort yourself with the satisfaction you have to doe well, and that if you be not rewarded it is nether your falt nor the King's, since you doe good things, and he is ready to reward them wer he acquainted with them. My dear Lord, Labe has made me in love with the Yles of Mentieth. He says the greatest things in the world of it. There is nothing in the world I long so much for as to see you there. It shall be the first place I goe to when I com to Scotland. Labe tells me of all your kyndness to him, for which I return your Lordship a thousand thanks. I had forgot to justify myself as to all other persons of quality here, and I swear frely upon my salvation I never spok to any of you but as I ought to doe, with all the respect and estim imaginable. I always laid the saddle on the right horse, and if you dout, which I think you will not, after what I have said, I will gate your uncle Sir James to justify me, who will bear me witness how often he has heard me doc you justice, confirming him in the good opinion he has of you, both as to your capacity in affaires and sincer desseins for the good of your family. Far from being reproached for speaking ill of you, I expected thanks for the good things I said of you and your family. Tyme will mak you knou whou ar treu friends and who ar not. You shall be seur to fynd me, as I say I am, my dearest Lord,

Your Lordship's most obedient and most humble servant,

J. GRAHAME.

187. JOHN GRAHAME OF CLAVERHOUSE, afterwards VISCOUNT OF DUNDEE, to
WILLIAM EIGHTH EARL OF MENTEITH.

London, October the 1 [1681].

MY DEAR LORD,—I thocht fit to wryt this apairt, and not to put it in the other letter, dessein[ing] your Lordship should sho it to evry body for my vindication. My Lord, I am infinitely sensible of your Lordship's kyndness to me in wryting so kyndly to my Lady Graham and her dochter, especially when people had been representing me so foolly to you. I have not dared to present them, because that in my Laidy's letter you wished us much joy, and that we might live happy together, which looked as if you thocht it a thing as good as don. I am seur my Laidy, of the heumeur I knou her to be, would have gon mad that you should think a business that concerned her so neerly concluded before it was ever proposed to her; and in the dochter's you was pleased to tell her of my affections to her, and what I have suffered for her; this is very galant and oblidging, but I am afeared they would have misconstrued it, and it might doe me prejudice; and then in both, my Lord, you wer pleased to take pains to shoe them almost clearly they had nothing to expect of you, and teuk from them all hopes which they had, by desyring them to requyr no mor but your consent. Indeed I think it not propre your Lordship should ingadge yourself at all. They would be glade to knou that you only had a resolution to recover your business, they would leave the reast to your owen goodness; and for my[self] I declair I shall never press your Lordship in any thing but what you have a mynd to, and I will assure you I need nothing to perswad me to take that yong laidy. I would take her in her smoak. My dear Lord, be yet so good as to wryt neu letters to the same purpose, holding out those things which [if] it wer to anybody els might be very

well said, and, if you please, when you say you give them your advyse to the match, tell them that they will not repent it, and that doing it at your desyr you will doe us any kyndness you can, and look on us as persons under your protection, and indevor to see us thrive, which oblidges you to nothing, and yet incuradges them. Sir James and his Laidy say when they goe to Conelton, their neu purchase, that they will com to Scotland, or if they be not able to goe so far, they wil meet you about Carlil, or any other place you would doe them the honor to com toe, raiter then goe bak to Yrland without having had the hapiness to see you, since you have the goodness to say you would have seen them or nou had they stayed in Yrland. I really believe if you would invyt them they would com and see you a purpose. I will be in impatiance till I have those letters. I bygue your Lordship not to grudge at the truble I give you to wryt tuye. I hope you shall not have occasion to regrait any thing you doe for me, and in doing this you doe me the greatest favour I can recaive of any mortall, so I hop, my Lord, you will think it worth the whyll to oblige a friend of yours at so high a rait, for tho' you never doe mor for me, I will be eternelly yours, and by geating me that yong laidy you mak me happy, and without you I ean never doe it, so I am in your reverence, and yet looks not on my fate as mor desperat for that. For the love of God wryt kyndly of me to them, and promise them kyndness, but I never shall suffer them to think of any engadgements from you. Long may you lieve to enjoy your. esteat, whill I have the occasion to acquyt myself of so many and so considerable obligations I owe you.—I am, my dearest Lord,

Your Lordship's most faithfull, most oblidged, and most humble servant,

J. GRAHAME.

My Lord, Sir James, his Laidy, Madam Coxdeall, and your fair cusing kisses most kyndly your hands, and desyrs me to present to you there humble service.

188. JOHN GRAHAME of Claverhouse, afterwards VISCOUNT OF DUNDEE, to
WILLIAM EIGHTH EARL OF MENTEITH.

Edinbourg, December the 11, 1681.

MY DEAR LORD,—I was longing extreamly to hear from you, impatient for to know the good newes of your perfait recovery, and am exceedingly overjoyed with it now. I have been looking for an occasion to wryt to you these five or six days bypast to give you account how my Lord Montrose is using you. He has boght an infetment from Mr. Riven upon the barony of Drumond, and has given for it a thousand pounds sterling; but I am informed that it is not good for much, because my Lord Readfoord has the right in his person; this you ought to know better then I. My Lord, you see by this and many other things, hon prejudiciall it is for you not to com to som settlement in your affairs, ether on way or other, and in the mean tyme my aidge slips away, and I loose other occasions, as I suppose the young laidy also does. And now I am very glaid to see your Lordship pressing it. For my pairt, I shall be wanting in nothing that can contribut to your Lordship's satisfaction or the standing of your noble family. Your Lordship's letter I shall send fordward, and perswad them by all the motives I can to undertake this jorny your Lordship proposes. But I fear they ar alraidy gon out of England, and will be unwilling to cross the seas so soon again. However, if they be in Yrland, I shall propose that they com to my house in Galoua, and there they shall need no protection, for I am in good hopes not only to comand the forces there, but be Scherif of Galoua. My Laidy Graham is a very cuning weoman, and certenly will wryt bak that she will be unwilling to com so far upon uncertentys; yet she did propose, a mater of four moneths agoe, to meet your Lordship in sum pairt of England. I shall send ane express for Yrland so soon as I goe in to Galoua, which will be within ten days or a fourtnight.

If your Lordship would wryt to this purpose directly to my Laidy, they would take it much more kyndly, and be far the readier to comply with your deseirs. The raison why I know so litle of them is that I was ashamed to wryt, not knowing what to say, seing your Lordship was not resolved after all I had promised to them on your behalf. I am perswaded that we may bring it yet to a hapie close, if your Lordship doe your pairt, of which I shall not doubt. I am, my dearest Lord,

Your Lordship's most humble and most obliged servant,

J. GRAHAME.

MY LORD,—It is no mater whither the Yle be prepared or not, I am seur they [would] raither be in it as it is, and welcom to your Lordship then in any palace in Christandoom, and I hop we will be all [very] merry about the hall fyr. My humble service to Mr. Archibald and James and his laidy, and most particularly to the verteus gentlwomen, yo . . .

For the Earle of Mentiethe.

189. JOHN GRAHAME of Claverhouse, afterwards VISCOUNT OF DUNDEE, to
WILLIAM EIGHTH EARL OF MENTEITH.

Neuton of Galouay, February the 17, 1682.

MY DEAR LORD,—Tho' I have nothing to say that is worthy your noticing, yet I would [not] neglect any oportunity of asseuring you of my respects. Befor it be long, I will may be have som thing to say that you will not be displeased with. So fair you well. I am in great heast ; their is a water rysing betwixt me and the other half of my pairty, so I must decamp. I am, my Lord,

Your most faithfull servant,

J. GRAHAME.

For the Earle of Mentieth, to be left at Mr. Coline Makenzy, brother to my Lord Advocat.

190. The SAME to the SAME.

Neutoun of Galouay, March the 1, 1682.

MY DEAR LORD,—If you be gon from Edinbourg befor this com to your hands, I knou not what to say ; but if you be stil their, I must tell you it is most necessary wee meet. If you could com to the Bille, which is aighteen mylle from Edinbourg, I should be seur to meet you there. My brother will see you, and lait him know your measeurs, that he may advertise me. I have had on in Yrland whom I shall bring alongs [with] me, and you shall knou all. Send no body to Yrland, but take no newe measeurs till I see you, for I have thought s[uch wi]ll [be be]st for . . . family to doe in the circumstances you ar in. So fair you well, my dearest Lord. Your humble servant, J. GRAHAME.

191. [JOHN MASTER OF STAIR] to WILLIAM, EIGHTH EARL OF MENTEITH.

Edenburgh, Aprill 25, 1684.

MY LORD,—The Marquis of Montross is no mor the object of your resentment bot rather the subject of your greif. Yow hav had three freinds who medled with yow too too close, bot I think yow shall see all ther graves. This must alter your measurs : to go to Court at present, wher my Lord Marquis will be freshly regretted by every body, can do yow no good ; nor is that affair ripe at present. For the other proccesses, this will calm them, that I do not doubt yow will get fair play ; it's weill the declarations ar still in your oun hands. I think ye had as good com hom privatly, and in Menteith yow will find no disturbanc. I shall never believ yow hav bein so ill advysed as to [have] entred into another mariage till this was dissolved, if it be possible. I must say it's hard to determin whither yow hav bein more industrious to preserv or destroy yourself ; only I am convinet they do not thriv that medle with yow.

My dear Lord, adieu.

Seal—On a saltire, nine maseles.

192. WILLIAM EIGHTH EARL OF MENTEITH to Mr. JOHN SMART, writer,
Edinburgh.

Sterling, 17 March, 1687.

SIR,—I have wreatten to my wyfe with this bearer, beseeching her for her oun honor and both our advantadges to come home as speedilie as possiblie shee can, and, for farder incouradgeing her theirto, have sent heir inclosed to yow the tua doubles of the contract and bond for six hundered merkes for her apparrell and other nécessars yearlie, all subscriyved by me and witnesses here, to be subscriyved by her at Edinburgh, yourself and any other yow think fitt being witnesses theirto. Lett her dowble of the contract be delivered to her by yow, and receive my double from her ; hereby impouring yow for that effect, and declaring the same to be as valid as if I had done the same myself, and if shee be satisfied therwith, and content to come home, you may keipe up the bond, and not deliver it to her ; bot if she will not come home unles shee get the bond alsoe, let her have the same ; bot sie that neither contract nor bond be given her unles she condescend to come home, which I desyre may be in coatch, and that yow advance ane hundered merkes for defrayeing the expence of her journey ; taik her receipt thairof, and I shall ordor the Tanners shortlie to repay yow. I dowbt not bot yow will sie her to coatch, and then, and not till then, deliver both papers and money, quhich I judge the suirest way. I exspect your cairfulnes and paines in this affair, and that yow keipe my double of the contract, if subscriyved by my wyfe, till I send ane suirer hand for it, and if shee condescend not to come home, and the papers be not subscriyved and delivered, let this and the inclosed papers be returned to me with this same bearer. I rest,

Your assured and faithfull frind to serve yow,

M[ENTEITH.]

For John Smart, wreater in Edinburgh.



M E N T E I T H C H A R T E R S .

1. CHARTER by KING WILLIAM THE LION to WILLIAM NOBLE, of lands in Kenpunt and Heuestune.—28th May [*circa* 1200].

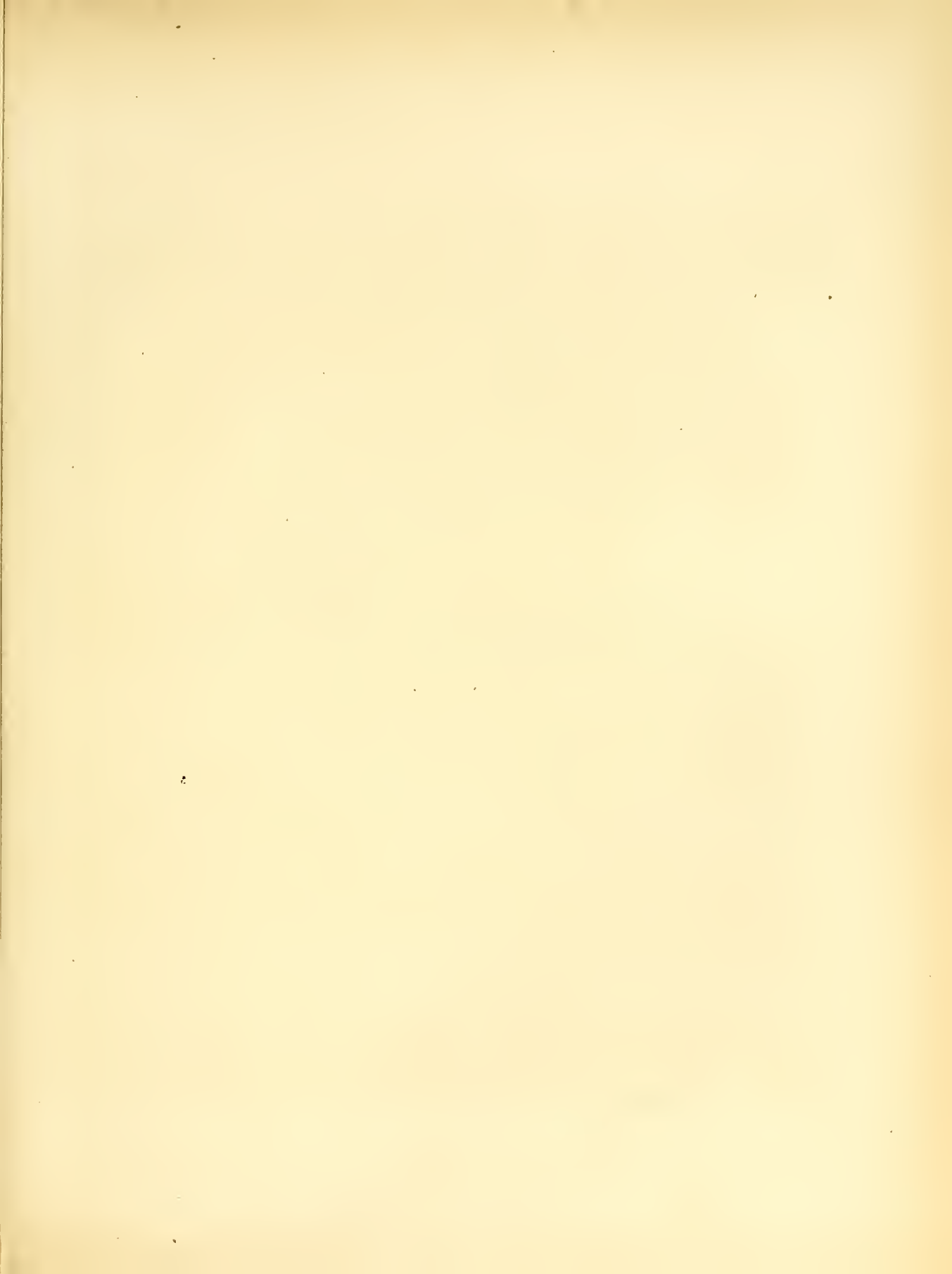
WILLELMUS Dei gracia rex Scottorum, omnibus probis hominibus tocius terre sue, clericis et laicis, salutem : Sciant presentes et futuri me concessisse, et hac carta mea confirmasse Willelmo Nobili illas duas carrucatas terre et duas bouatas in Kenpunt quas Henricus de Bohon comes Hereforde ei dedit ; et preterea, totam terram illam in Heuestune quam Geroudus tenuit, quam predictus Henricus de Bohon comes Hereforde dedit predicto Willelmo Nobili : Tenendas sibi et heredibus suis de predicto Henrico et heredibus suis ita libere et quiete, plenarie et honorifice, sicut carta predicti Henrici testatur : Saluo seruicio meo : Testibus, Oliuero capellano meo, Willelmo de Boscho clerico meo, Thoma de Colcuille, Alexandro vicecomite de Clacmannan, Ricardo filio Hugonis, Herberto de Camera : Apud Clacmannan, xxviii die Maii.

2. CHARTER by RALPH NOBLE, knight, son of WILLIAM NOBLE, to SIR DAVID OF GRAHAM and his spouse, AGNES, of lands in Kenpunt.—[*Circa* 1245.]¹

OMNIBUS Christi fidelibus hoc scriptum visuris uel auditoris, Radulphus Nobilis miles, filius Willelmi Nobilis, salutem : Nouerit vniuersitas vestra me dedisse et concessisse, et hac presenti carta mea confirmasse domino [David de Graham et Agneti sponse sue], pro homagio et seruicio suo, quamdam terram

¹ The original Charter has been very much injured, and portions of it are quite illegible.

in territorio de Kentpunt, scilicet, totam medietatem domini mei de Kentpunt, sine aliquo retinemento, scilicet, illam terram quam Patricius senescallus et de Kentpunt et Adam Brun de Kentpunt, et Hugo prepositus de Eliston, et Willelmus Beste et Johannes frater eius, de Kentpunt, et Henricus prepositus de Hilifiston me [heredes meos et omnes alios] ex parte mea, cum omnibus libertatibus suis et aisiamentis : Tenendam et habendam dicto Dauid et Agneti si dictus Dauid in fata decedat, dicta Angnes illam terram toto tempore uite sue pacifice possidebit, et in pacifica possessione sine aliqua contradictione, quamdiu uixerit, remanebit, et post eorum assignati eis iure hereditario in dicta terra succedent : Quare uolo et concedo, pro me et heredibus meis, quod dictus Dauid et Angnes uxor sua, et eorum heredes uel assignati, habeant et possideant predictam medietatem domini de Kentpunt, ut prescriptum est, cum suis pertinentiis, libertatibus et aisiamentis, et cum omnibus aliis aisiamentis et communibus, tam in defensis aisiamentis quam aisiamentis integre [et honorifice], in terris cultis et non cultis, in pratis et pascuis, in stangnis et molendinis, in boscis et aquis, in viuariis et petariis, et in omnibus aliis aisiamentis ad villam de Kentpunt Preterea, uolo et concedo, et hac presenti carta mea confirmo, pro me et heredibus meis, quod heredes dicti Dauid uel assignati omnino quieti sint in perpetuum de omni warda et releuio ; et ad legitimam etatem non peruenerint, duo de propinrioribus amicis et de fidelioribus dictorum heredum uel assignatorum dictam terram cum fructibus suis et exitibus fiant icc possunt sine aliqua contradictione mea uel heredum meorum, ad custodiendum ad opus dictorum heredum uel assignatorum facientes annos quod omnia bona, exitus et fructus dicte terre salue custodiantur ad opus ad ea contradictione : Saluis custodibus sumptibus racionabilibus, quibus inde fece-



is sicut. Hinc vultis vna me dedisse et concessisse et hac plena carta mea confirmasse
ma de Kenpune sine aliquo retinemento sicut illa etiam qui p[re]sent[is] senescall[us]

frater eius de Kenpune et hic p[ro]p[ri]e de Gylfston me
sine aliqua condicione quindm iure remanebit

et Angu uxore sua et eorum heredes ut assignata habeant
is alimentis et communib[us] cum indelensil d[omi]ne p[ro]p[ri]e

assignati omnino quieti sint in p[ro]p[ri]e de om[n]i Warda et et ei
heredes ut assignatorum decimam annu[m] cu[m] fructib[us] suis et exitib[us]

ad assignatorum la.
ad assignatorum la.
ad assignatorum la.
ad assignatorum la.
ad assignatorum la.

et Angu et heredib[us]
de Burdo duo
om[n]i de Brade. Hen[ri]c[us] fra[ter] eius Rad de Clere et

et
per motu.
si
mo
in
mod
et

que ma med re
sui ut sui assignata ce
et heredes sui ut sui assignati
m
Suo vero Rad

duo
Suo vero Rad

Omnes xpi fideles hoc scripta visum ut auctoritate Thom. Esobit filius. Dni R ad Esobit Esato Esouas me spouca
uel uoluntate mea z de bona uoluntate Dni R ad pns mei z R ad Esobit meoz conceffisse z hac

pre senta edra mea confir- Dno Dauid de Grafa z Agnera sponse sue z eoz heredibz ut assigntis quod posint
si uoluerint tras cu pe as de me z heredibz meos tenent iure hereditario in libeston tene si ad op eoz

uidit expedire de Dno Boby Comite de Berford z heredibz suis sine aliquo ditione mea uel h erede
meoz. Et ego p me z fidelit concessi z hac carta mea confirmau q si illi hoc uidit eis expedire. Ali

gentes curam precabz nris z paratombz adhibebim. quod Dns dnt humfridus de Doby com de Berford z heredes sui
osentantur quod dicta Dauid z Agnes sponfa sua z eoz heredes ut assignati dicat dnt. habent z pacifice possident

z tenent de dno comite z heredibz suis si uoluerint. Et ad hoc fidelit z sine fraude precabz z labore parauit
sumptibz dicta Dauid p me z heredibz meis taces sacrosanctis. Surau. Et hoc de Dns R ad Esobit pat me z R ad Esobit

lib p me fidei z parare presertim est taces sacrosanctas iurament. qui sigilla sua bona cu sigillo meo
ad testificandi q fide de diligente curam adhibebit ad o ma precepta pcuranda z psequenda p sem

Dignas c 71 no Rogo Alce de Henboel D A - Duo Robe de ins in u
de Salma hore R ad de Clare Ric de Esobit Wlto de Salms Et alius.



runt ad commodum et honorem [dictorum] meis in perpetuum, dicto Dauid et heredibus suis uel suis assignatis pro araturis et omnibus que ma mea re in Flat tres acras, et in Wecherig et in Schortrig tres acras, et in Brockf tres acras, et in Hardrig vnam [acram] heredes sui uel sui assignati te[nebunt] et habebunt iure hereditario inperpetuum, de me et heredibus meis, per seruicium predictum, et cum omnibus l[ibertatibus] Dauid et heredes sui uel sui assignati homagium facient mihi et heredibus meis pro dicta terra et seruicium quantum pertinet ad sextam decimam [partem vnus militis] aliis que de dicta terra [requiri] poterint, et seruicium predictum facient [in dicta terra prout] Ego uero Radulphus predictam medietatem dominici de Kentpunt dictis sex decima is in omnibus Dauid et Angneti et heredibus [warantizabimus], acquietabimus, et defendemus in perpetuum : In cuius rei testimonium presenti scripto sigillum meum apposui ; his testibus, de Burdon, domino de Douglas, domino [Andrea] de Douglas fratre eius, domino Alexandro de Dalmahoe, Thoma de Kynros, tunc clerico domini Regis, Thoma de Brade, Henrico fratre eius, Radulpho de Clere, [Ricardo] de Nodrif, [Willelmo] de Selmis, Ada filio [domini de] Pomferiston, Ricardo Clerico, et aliis.

3. CHARTER by THOMAS NOBLE, son of SIR RALPH NOBLE, to SIR DAVID OF GRAHAM and spouse, of tenure of lands in Ileuiston, from HUMPHREY EARL OF HEREFORD.—[30th January 1255.]

OMNIBUS Christi fidelibus hoc scriptum visuris uel auditoris, Thomas Nobilis, filius domini Radulphi Nobilis, salutem : Noueritis me, spontanea uoluntate

mea, et de bona uoluntate domini Radulphi patris mei, et Radulphi fratris mei, et aliorum amicorum meorum, concessisse, et hac presenti carta mea confirmasse domino Dauid de Graham et Agneti sponse sue, et eorum heredibus uel assignatis, quod possint, si uoluer[int, terras cum pertinentiis qu]as de me et heredibus meis tenent iure hereditario in Iliveston tenere, si ad opus eorum uiderint expedire, de domino [Humfrido de] Bovn comite de Herford et heredibus suis, sine aliqua contradictione mea uel heredum meorum : Et ego pro me et [heredibus meis] fideliter concessi, et hac carta mea confirmaui, quod, si illi hoc uiderint eis expedire, diligentem curam precibus nostris et rogationibus adhibebimus, quod dictus dominus Humfridus de Bohyn comes de Herford et heredes sui consentiant quod dicti Dauid et Agnes sponsa sua et eorum heredes uel assignati dictas terras habeant et pacifice possideant et teneant de dicto comite et heredibus suis, si uoluerint : Et ad hoc fideliter et sine fraude precibus et labore procurandum sumptibus dicti Dauid, pro me et heredibus meis, tactis sacrosanctis, iurauit ; et hoc idem dominus Radulphus Nobilis pater meus, et Radulphus Nobilis frater meus, facere et procurare, [sicut] prescriptum est, tactis sacrosanctis, iurauerunt ; qui sigilla sua, vna cum sigillo meo, ad testificandum quod fide[liter et sine frau]de diligentem curam adhibebunt ad omnia prescripta procuranda et perficienda, presenti [carte mee apposuerunt : Testibus], domino Rogero, abbate de Neubotil, [domino Alexandro Quieth,] domino Johanne de Vallibus, [domino Willelmo de] Duglas, [Alexandro] de Dalmahoe, Radulpho de Clere, Ricardo de Nodrif, Willelmo de Selmis, et aliis.

4. RESIGNATION by RALPH NOBLE, son of SIR RALPH NOBLE, in favour of THOMAS NOBLE, his brother, of lands in Yliuistoun.—[30th January 1255.]

OMNIBUS Christi fidelibus hoc scriptum visuris uel auditoris, Radulfus Nobilis, filius domini Radulfi Nobilis, salutem : Noueritis [me,] anno [Salutis] mil-

lesimo [ducentesimo quinquagesimo quinto, die Sabbati proxima post conuersionem Sancti Pauli, per consilium et assensum domini Radulfi, patris mei, dedisse, et per fustum et baculum quietum clamasse Thome, fratri meo, omnes terras quas habui in villa de Yliuestoun de dono domini Radulfi, patris mei, vna [cum omni] meo [clameo quod] habui uel habere potui in dictis terris cum pertinentiis; ita scilicet, quod nec ego nec heredes mei, nec aliquis alius ex [parte nostra, ius vel clameum] uel saisinam, nec aliquod aliud in dictis terris cum pertinentiis possimus de cetero uendicare uel postulare . . . tangentes me uel comodum meum uel heredes meos uel comodum eorum quoad dictam teram de Yliuestoun . . . de cetero volo et concedo, pro me et heredibus meis, et omnibus aliis aliquod ius uel clameum in dictis terris ex parte nostra postulantibus, quod nullum robur firmitatis optineant, [sed] in perpetuum teneantur irritate et inanes: Et volo . . . et concedo, pro me et heredibus meis, quantum in nobis est, quod donacio illa quam Thomas frater meus dicto die per cartam suam fecit [domino Dauid de Graham et] Agneti sponse sue, et eorum heredibus uel assignatis, . . . Ita quod nec ego nec heredes mei, nec aliquis [ex parte nostra,] . . . contradicere in aliquo ualeant. . . . omnia prescripta fideliter obseruanda, pro me et heredibus meis, et omnibus [aliis] . . . dictis terris ex parte nostra uelint uendicare, tactis sacrosanctis, iuravi: Et ad maiorem securitatem dicti Thome fratris [mei, et dictorum] domini Dauid et Agnetis sponse sue, et heredum suorum uel assignatorum, presenti scripto sigillum meum, vna cum sigillis domini Radulphi [patris mei], domini Willelmi de Duglas et domini Andree [de Duglas apposui; his testibus], domini Rogero, abbate de Neubotil, domini Alexandro Ouieth, domini [Johanne] de Vallibus, domini Willielmo de Duglas, domini [Alexandro] de Dalmahoie, . . . [de Sel]mis et aliis.

5. CHARTER OF CONFIRMATION by WALTER COMYN, EARL OF MENTEITH, of a gift by SIR ALEXANDER DE STIRLING to the monks of Arbroath of half a stone of wax yearly.—*Circa* 1240.¹

OMNIBUS hoc scriptum visuris uel audituris, Valterus Cummin comes de Meneteth, salutem. Noueritis me concessisse et confirmasse donum quod dominus Alexander de Striuilyn, miles, et fidelis meus, contulit monachis de Aberbrothoc, prout continetur in carta sua subscripta quam dictis monachis contulit:—OMNIBUS has literas uisuris uel audituris, Alexander de Striuilyn, salutem in Domino. Nouerit uniuersitas uestra me, pro salute anime mee et anime bone memorie Ermengardis, filie domini mei Regis Alexandri, et antecessorum et heredum meorum, dedisse et concessisse et hac carta mea confirmasse Deo et ecclesie Sancti Thome martiris de Aberbrothoc, et monachis ibidem Deo seruientibus et seruituris, in puram et perpetuam elemosinam, singulis annis ad luminare predictae ecclesie, de me et heredibus meis, dimidiam petram cere, ad nundinas de Monros percipiendam per manum propositi mei qui pro tempore fuerit in uilla Laurencii, quam mihi dedit dominus meus Valterus comes de Meneteth. Quare uolo ut predicti monachi predictam dimidiam petram cere de mc et heredibus meis in prefato loco, sicut supradictum est, libere et quiete teneant et possideant, sicut aliquam elemosinam in toto regno Scocie ab aliquo libcrius et quietius tenent et possident; hiis testibus, domino Henrico de Striuelin, filio comitis Dauid, Michaele de Stratum, Nycholao de Inuerpefer, Rogerio de Balkathin, Hugone Marscallo, et multis aliis.

¹ Registrum Vetus de Aberbrothoc, p. 265.



Omnes hoc scriptum videri vel audiri. Nos Johannes Rufellus et Isabella sponsa eius Comitissa de Benetech
etiam in dno. Hanc vnde nos dicitur esse et hoc pona dicitur in firmasse. Dno. Hugoni de
Wynnecham et Hedibus suis ut eius assignatas et ducio suo et fedelitate. Quoniam libtas de rationabilibus excessus in dno
de Winesf. ex occidendi. pre de for. Teneas et habendas. Dato dno. 10. et Hedibus suis ut eius assignatas de nob. et Hedibus
suis libere que placere placere et honorifice adto sciam illam inqum meius libus queis tenuim et tene de uim. reddende
inde annuata dicit dno. 10. ut hedes sui ut eius assignata nob. et Hedibus suis et omni ducio quocumque ex tunc seculam
et demada que de dicta dicit aliquo modo exigi potunt. Annuata dno. 10. nulum seim ad festum sa. facit ut ex
dendros. Saluo in dno. Regi somfero dno. dicit de pancia. et calia nobis et Hedibus suis Annuata aduocato
ecclesie de Winesf. 10. 10. et Hedibus suis ut eius assignatas dicit etiam in pancia
suis et omnes homines et famulas et dno. ducio. Parvialim Aquicellim et in pancia dicitur et ad meliore huius
rei securitate facienda pancia dicitur in dno. 10. 10. et Hedibus suis ut eius assignatas dicit etiam in pancia
10. comita de Winesf. Dno. Alexand. comiti de Winesf. Dno. 10. 10. comiti de mdr. Dno. 10. cum sit tuc ita
Dno. Galuudie. Dno. 10. de macesio. 10. Richard. archidiaconus sa. Andree. Et alius.



6. CHARTER by Sir JOHN RUSSELL and ISABELLA COUNTESS OF MENTEITH
his spouse, to Sir HUGH OF ABYRNETHINE, of lands in Aberfoyle.—
[*Circa* 1260.]¹

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 seruicio suo et feoditate, viginti libratas terre racionabiliter extensas in territorio de Abirful, ex occidentali parte de Fort: Tendas 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, quiecius, tenuimus et tenere debuimus : Reddendo inde annuatim dictus dominus Hugo, uel heredes sui uel sui assignati, nobis et heredibus nostris, pro omni seruicio, consuetudine, exaccione 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 seruicio 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 seruicio warentizabimus, 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[alisio] comite de Stratherine, domino Alexandro Cumine, comite de Buchane, domino W[illelmo] comite de Mar, domino J[ohanne] Cumine tunc iusticiario Galuuidie, domino W[illelmo] de Montefixo, et Magistro W[illelmo] Wishard, archidiacono Sancti Andree et aliis.

¹ Original in the Douglas Charter-chest.

7. *INSPEXIMUS* by KING HENRY THE THIRD, dated 20th September 1261, of an Agreement between MAURICE EARL OF MENTEITH and MAURICE, younger, his brother.—[6th December] 1213.¹

REX, omnibus, etc. : Noveritis nos, anno ab Incarnatione Domini m^o cc^o sexagesimo primo, vicesimo die Septembris, inspexisse cartam Alexandri filii regis Scocie, comitis Gilberti de Strathern, comitis Malcolmi de Fif, et Wilelmi de Bosco cancellarii, sigillis suis signatam, non abolitam, non cancellatam, nec in aliqua sui parte viciatam, sub hac forma : Hec est amicabile conventio facta apud Edinburch, anno ab Incarnacione Dominica m^o cc^o xiii^o, die Sancti Nicholai, inter Mauricium comitem de Manenthe et Mauricium juniorem fratrem ejus de loquela, que fuit inter eos de comitatu de Manethe, quem Mauricius junior petebat sicut jus et hereditatem suam ; scilicet, predictus Mauricius comes, per fustum et baculum, resignavit in manu domini Regis Willelmi comitatum de Manenthe, et dominus rex eundem comitatum reddidit Mauricio juniore sicut jus suum ; Mauricius autem senior tenebit in vita sua per balliam domini regis duas villas, scilicet, Mnyline et Radenoche et Tum et Cattlyne et Brathuli et Cambuswelhe, quas terras Mauricius junior accomodavit domino regi ad opus Mauricii senioris in vita sua, ita quod, Mauricio seniore decedente, terre ille sine contradictione redeant ad Mauricium juniorem : Idem vero Mauricius junior eadem die tradidit fratri suo Mauricio seniori ad maritandas filias suas, Savelime, sicut iidem duo fratres eam tenuerunt predicto die, et Mestryn et Kenelton et Stradlochem, ita quod ille filie et earum heredes qui de illis venient tenebunt illas quatuor terras Mauricio juniore. Et ut hec amicabile conventio facta firmiter futuris temporibus teneatur, probi homines domini regis utrique parti hujus cyrographi sigilla sua apposuerunt. Hii autem hinc presentes fuerunt, dominus Alexander filius domini regis, comes

¹ Patent Rolls, Record Office, London.

Gilbertus de Stratherne, comes Malcomus de Fife, Willelmus de Boscho, cancellarius, Philippus de Mubray, Ingelramus de Balliolo, Walterus de Lindeseia, Rogerus de Mortemer, Alexander vicecomes de Strivelin, Hervius de Kinross, David Marescallus, Malcolmus de Ketenes, Henricus de Brade, Henricus de Roskelyn, Laurencius de Abernethe, Hugo de Gurley, Ricardus Revel, Walterus Comyn, Robertus de Sincler, Malcolmus senescallus comitis de Straderne, Willelmus de Duneglas, Archibaldus de Duneglas, Ricardus Anglim. In cujus etc., teste Rege, apud Windesorum, die et anno supradictis.

8. INSPEXIMUS by KING HENRY THE THIRD, dated 20th September 1261, of a Charter by KING WILLIAM THE LION confirming the foresaid agreement. —7th December [1213].¹

REX, omnibus presentes literas inspecturis, salutem in Domino. Noveritis nos anno ab Incarnacione Domini m^occ^olx^o primo, vicesimo die Septembris, inspexisse cartam Willielmi Regis Scotie, sigillo suo signatam, non abolitam, non cancellatam, nec in aliqua sui parte viciatam, sub hac forma :— WILLIELMUS Dei gratia rex Scotie, omnibus probis hominibus tocius terre sue, clericis et laicis, salutem : Sciant presentes et futuri me concessisse et hac carta mea confirmasse conventionem factam apud Edinburghe in plena curia mea, inter Mauricium seniore de Manethe, et Mauricium juniorem, fratrem ejus, de comitatu de Manethe, quem Mauricius junior petebat sicut jus suum et hereditatem, et quem Mauricius senior resignavit in manu mea, et quem reddidi Mauricio juniore sicut jus suum. Quare volo, et firmiter precipio, quatenus predicta conventio inter eos inde facta firmiter et inviolabiliter teneatur, sicut facta fuit in plena curia mea, et sicut cyrographum inter eos inde factum testatur ; salvo servitio meo : Testibus, Alexandro filio meo, Comite Malcolm de Fife, Wilielmo de Boscho cancellario, Comite Gilberto de

¹ Patent Rolls, Record Office, London.

Stradherne, Philippo de Mubray, Rogero de Mortemer, Alexandro vicecomite de Strivelyn, Waltero de Lindeseia, Herveio de Kinros, Harveio Marescallo. Apud Edinburghe, septimo die Decembris, etc. Teste Rege, apud Windesorum, die et anno supradictis.

9. CHARTER by WALTER STEWART, EARL OF MENTEITH, renewing and confirming a grant by DUGGALL, son of SYFYN', to the Monastery of Paisley, of the church of Kilcolmanel in Kintyre.—[19th January] 1262.¹

OMNIBUS Christi fidelibus hoc presens scriptum visuris vel auditoris, Walterus Senescallus, comes de Menthet, salutem in Domino sempiternam. Noverit universitas vestra me, caritatis intuitu, pro salute animarum antecessorum meorum in monasterio de Passelet sepulorum, concessisse et hac presenti carta confirmasse Deo et Sancto Jacobo et Sancto Mirino predicti loci, et monachis ibidem Deo servientibus et imperpetuum servituris, donationem quam Duggallus filius Syfyn' predictis monachis fecit et carta sua confirmavit, priusquam terram suam de Schyphinche mihi contulit, super ecclesia Sancti Colmaneli infra predictam terram sita, cum una nummata terre ad predictam ecclesiam spectante, cum capella juxta castrum de Schyphinche. Quare volo et pro me et heredibus meis concedo quod dicti monachi predictam ecclesiam cum omnibus pertinentiis, libertatibus et aisiamenis suis, in liberam puram et perpetuam elemosinam imperpetuum teneant, habeant et possideant, adeo libere, quiete et pacifice, sicut aliquam aliam ecclesiam de dono baronis vel militis liberius et quietius tenent et possident. In cujus rei testimonium huic presenti scripto sigillum meum duxi apponendum : Hiis testibus, dominis Fynleio de Stragrif, Johanne de Irschyn, militibus, Duggallo filio Sewen', Murchardo filio Malemur, Johanne Portar, Dunslene fratre Murchardi, Reginaldo

¹ Registrum Monasterii de Passelet, p. 121.

Rex Dei gratia Rex Beatus omnibus nobis hominibus totius terre sue salutem. Scitis nos concessisse et hanc scriptam carta nostra
conscriptam donationem illam quidem Walterus Constabularius Comes de cymerach fecit Gilbeyro filio Gilbeyri de Bientegrano in
hinc de consensu et voluntate huius sponse sue commississe de medietate ville de Wyoculch cum pertinentiis scilicet de
illa medietate que dicitur in premissis villis Wyoculch et de Wyoculch cum pertinentiis scilicet de Wyoculch et hinc de
hinc de petras Walterus Comitis et uxoris sponse sue et eorum hereditas in feodo et hereditate per petras sponse sue et cum
omnibus iustis pertinentiis suis libertatibus et appendenciis ad predictam medietatem ville de Wyoculch pertinentibus Ado filio
et quicquid plenius et honorifice sicut carta predicta Walterus Comitis videm Gilbeyro exinde concessit plenius iure restitit. Salvo
Buntio iure. **W**ilhelmus Colbari Comitis et filii Albano Hofis et filii de Wyoculch. **E**usebius de Wyoculch. **D**ominus malde le cler
et alibi de Wyoculch apud Wyoculch in predicto die Augusti Anno regni nostri nonagesimo

clerico, et aliis multis. Datum apud parcum de Irschyn, die Jovis proxima post festum Sancti Illarii, anno gratie millesimo ducesimo sexagesimo secundo.

10. CONFIRMATION by KING ALEXANDER THE THIRD, of a gift by WALTER STEWART, EARL OF MENTEITH, to GILBERT, son of GILBERT OF GLENKERNY, knight, of the half of Broculy.—14th August [1267].¹

ALEXANDER Dei gracia Rex Scottorum, omnibus probis hominibus tocius terre sue, salutem : Sciatis nos concessisse, et hac presenti carta nostra confirmasse donationem illam quam Walterus Senescalli, comes de Meneteth, fecit Gilberto filio Gilberti de Glenkerny, militi, de consensu et voluntate Marie sponse sue, comitisse de Meneteth, de medietate ville de Broculy cum pertinenciis, videlicet, illa medietate que iacet in parte orientali uersus marchias de Eglysdissentyne : Tenenda et habenda eidem Gilberto et heredibus suis, de predictis Waltero comite et Maria sponsa sua, et eorum heredibus, in feodo et hereditate, per rectas diuisas suas, et cum omnibus iustis pertinenciis suis, libertatibus et aysiamentis ad predictam medietatem ville de Broculy pertinentibus, adeo libere et quiete, plenarie et honorifice, sicut carta predicti Walteri Comitis eidem Gilberto exinde confecta plenius iuste testatur ; saluo seruitio nostro : Testibus, Colbano comite de Fife, Alano Hostiario, Hugone de Abirni-thyn, Eustachio de Turribus, Reginaldo le Chene, et Alexandro de Morauia ; apud Obeyne, quarto decimo die Augusti, anno regni nostri nono decimo.

11. RETOUR OF INQUEST made by WALTER STEWART, EARL OF MENTEITH, as Sheriff of Dumbarton, declaring MARY, ELLEN, and FORVELETH, daughters of the late FINLAY of Campsie, to be the lawful heirs of the deceased DUGGALL, brother of MALDOVEN EARL OF LENNOX.—[15th May] 1271.²

OMNIBUS Christi fidelibus presens scriptum visuris vel auditoris, Walterus Senescallus, comes de Menthet, salutem in Domino sempiternam. Noverit

¹ Original Charter at Castle Grant.

² Registrum Monasterii de Passelet, p. 191.

universitas vestra me mandatum domini mei Alexandri Dei gratia illustris Regis Scotie recepisse, in hec verba :—ALEXANDER Dei gratia Rex Scotie, Waltero comiti de Menthet, dilecto et fideli suo vicecomiti et ballivis suis de Dunbretan, salutem. Mandamus vobis et precipimus quatinus per probos et fideles homines patrie diligenter et fideliter inquiri faciatis si Maria sponsa Johannis de Wardroba, et Elena sponsa Bernardi de Erth, ac Forveleth sponsa Norrini de Monorgund, filie quondam Finlai de Camsi, sint legitime et vere heredes quondam Dufgalli, fratris Maldoveni comitis de Levenax ; et dictam inquisitionem diligenter factam et in scriptis redactam, sub sigillo vestro et sigillis eorum qui dicte inquisitioni faciende intererint, ad capellam nostram mitti faciatis, et hoc breve. Teste meipso, apud Kyncelewyn, xxiiii die Aprilis, anno regni nostri xx secundo.—HUIUS igitur auctoritate mandati, per sacramenta dominorum Hugonis Flandrensis, Alexandri de Dunhon, Roberti de Culchon, militum, Gilberti filii Absolonis, Duncani filii Ameledy, Malcolmi de Drumman, Malmor dicti Juvenis, Gilmychel Mac Hedolf, Ade dicti Juvenis, Duncani filii Gilerist, Thome filii Somerledy, Newyn Mac Kessan, Maldoveni Mac Dawy, Hectoris Mac Souhyn, Ewgenii aurifabri, super premissis diligentem feci inquisitionem : Per quorum sacramenta ad sancta Dei evangelia corporaliter prestita, veraciter didici et compertus sum predictas mulieres veras et legitimas heredes esse prenominati Dufgalli, per lineam consanguinitatis descendendo ex parte Malcolmi, fratris predicti Dufgalli et avi predictarum mulierum ; et ipsum Dufgallum uxorem desponsatam minime habuisse. Et ne dicta inquisitio per me facta ceca oblivione depereat, gratia majoris testimonii, tam ego quam predicti milites, neenon et Duncanus filius Ameledy et Malcolmus de Drumman, presens scriptum sigillorum nostrorum appositione roboravimus. Acta apud Dumbertan, die Veneris proxima ante festum Sancti Dunstani archiepiscopi, anni gratie millesimi ducentesimi septuagesimi primi ; hiis testibus, domino Johanne de Herchyn milite,

domino Adam capellano castrī de Dumbertan, Gilpatrik Mac Molbrid, Ricardo de Dunnydover, Nicholaio filio Germani, Wdardo dicto Selyman, Wilelmo de Cragbayth, Clemente de Dumbertan, Waltero de Orreis, Hyngelramo de Monte Acuto, et aliis multis.

12. BOND by PATRICK EARL OF DUNBAR, WALTER STEWART, EARL OF MENTEITH, ROBERT BRUCE, their sons, and other noblemen, to adhere to the party of Richard de Burgh, Earl of Ulster, and Sir Thomas of Clare.—Turnberry Castle, [20th September] 1286.¹

OMNIBUS hominibus hoc scriptum visuris vel audituris, Patricius comes de Dunbar, Patricius, Johannes et Alexander, filii ejus, Walterus Senescallus, comes de Menethe, Alexander et Johannes, filii ejus, Robertus de Bruse, dominus vallis Anandiæ, et Robertus de Brus comes de Carryke, ac Ricardus de Brus, filii ejus, Jacobus Senescallus Scotiæ et Johannes frater ejus, Eneus filius Dovenaldi et Alexander filius ejus legitimus, æternam in Domino salutem.

Noverit universitas vestra nos per præsens scriptum nostrum nos obligasse et fideliter promississe, ac promissum nostrum corporali sacramento, tactis sacrosanctis evangeliis, et per fidei nostræ dationem vallasse, quod nos cum tota potentia nostra indeficienter adhærebimus nobilibus viris, domino Ricardo de Burgo comiti Ultoniæ, et domino Thomæ de Clare, in omnibus negotiis suis, et cum eis atque complicibus suis fideliter stabimus contra omnes eis adversantes; salva fide domini regis Angliæ, et salva fide illius qui regnum Scotiæ, ratione sanguinis felicis recordationis domini Alexandri regis Scotiæ, qui ultimo obiit, adipiscetur et optinebit secundum antiquas consuetudines hæcenus in regno Scotiæ approbatas et usitatas.

Et si contingat aliquem nostrum contra præsentem obligationem nostram,

¹ Historical Documents, Scotland, vol. i. p. 22.

et contra præsens promissum nostrum in aliquo venire (quod absit), volumus et concedimus pro nobis omnibus et pro singulis nostrum, quod dicti nobiles, comes Ultoniæ, et Thomas de Clare, cum omnibus suis complicibus et confœderatis, super illum currant ad ipsum et omnia bona sua destruenda, nisi ab errore suo resiliet, et ad condignam venerit satisfactionem secundum visum et considerationem dictorum nobilium, comitis Ultoniæ, et Thomæ de Clare, et eorundem complicium ac confœderatorum. In cujus rei testimonium præsentī scripto sigilla nostra fecimus apponi.

Datum apud Turnebyry in Carryke, die Veneris in vigilia Beati Mathæi Apostoli, anno gratiæ ducesimo octogesimo sexto.

13. CHARTER by WALTER STEWART, EARL OF MENTEITH, to the MONASTERY OF KILWINNING, of the church of Kylmachornat, in Knapdale, with chapels and lands belonging thereto.—[*Circa* 1290.]¹

SCIANT presentes et futuri quod ego Walterus Sen[escalli], comes de Menetheht, dedi, concessi, et hac presenti carta mea confirmavi Deo et monasterio Sancte Marie et Sancti Wynnini de Kylwynin in Cunningham, et monachis ibidem Deo servientibus et perpetuo servituris, ecclesiam de Kylmachornat in Knapdale, cum capellis Sancte Marie in Cuapro et Sancti Michaelis in Inwerlaxo, et cum tribus denariatis terre in Riventos eidem ecclesie de Kylmachornat annexis, et cum omnimodis aliis commoditatibus ad dictam ecclesiam cum capellis suis de iure pertinentibus, vel futuris temporibus quocumque modo pertinere valentibus, in puram et perpetuam elemosinam, divine caritatis intuitu, et pro salute anime mee et domine Marie quondam sponse mee, comitis de Menetheht, et animabus omnium antecessorum meorum et successorum. Ego vero Walterus et heredes mei ecclesiam predictam de

¹ Theiner's *Vetera Monumenta*, No. DIV. p. 258.

Kylmachornat cum omnibus predictis pertinentiis suis et libertatibus, predictis monasterio et monachis, contra omnes homines et feminas imperpetuum garantizabimus et defendemus. In cuius rei testimonium presenti carte sigillum meum apposui; hiis testibus, dominis Johanne Senescalli, Johanne de Soulis, Audrea Kras, Ingerramo de Henka Wille, Reginaldo de Crauford, militibus, Alexandro de Menetheht et Johanne, filiis meis, magistro Gilberto de Templeton et multis aliis.

14. GRANT by KING EDWARD THE FIRST to WILLIAM COMYN of the Keepership of the Forest of Traquair and Selkirk.—15th January 1291-2.¹

REX et superior dominus regni Scotie omnibus ad quos, etc., salutem. Sciatis quod commisimus dilecto et fideli nostro Willielmo filio Johannis Comyn, custodiam foreste de Trequer et Selechirche cum pertinentiis, habendam quamdiu nobis placuerit, eodem modo quo Simon Fraser nuper defunctus custodiam illam habuit in vita sua, ita quod bene et fideliter se habeat in custodia predicta. In cujus, etc.

Teste Rege, apud Westmonasterium, xv die Januarii.

Et mandatum est custodibus ejusdem regni quod custodiam predictam predicto Willielmo liberent tenendam in forma predicta. In cujus, etc.

Teste ut supra.

15. MANDATE by KING EDWARD THE FIRST to JOHN BALIOL, King of Scots, to release ISABELLA COMYN, widow of William Comyn, from her oath not to marry without Baliol's consent.—5th January 1292-3.²

REX dilecto et fideli suo Johanni, eadem gratia regi Scotorum illustri, salutem. Cum maritagium Isabelle Comyn, relicte Willelmi Comyn, quod accidit dum

¹ Rotuli Scotiæ, vol. i. p. 7.

² *Ibid.* p. 16.

regnum Scotie ut ipsius superior dominus tenebamus, dilecto et fideli nostro Edmundo de Hastings dedissemus, vos, sicut accepimus subsequenter, juramentum extorsistis ab ea quod sine voluntate vestra et licentia se non nubet. Attendentes autem juramentum hujusmodi in prejudicium superioritatis nostri domini esse factum, serenitati vestre mandamus, rogantes quatinus quod in nostri prejudicium in hac parte esse dinoscitur attemptatum facientes celeriter revocari, predictam Isabellam a predicti juramenti vinculo quietetis, et quantum in vobis est faciatis penitus esse quietam.

Teste Rege, apud Novum Castrum super Tynam, v die Januarii.

16. GRANT by KING EDWARD THE FIRST of England to ALEXANDER EARL OF MENTEITH of the custody of the lands belonging to Alexander of Argyll, and his son John.—10th September 1296.¹

REX omnibus ad quos, etc., salutem. Sciatis quod assignavimus dilectum et fidelem nostrum Alexandrum comitem de Meneteth ad capiendum in manum nostram castra et fortalitia, insulas, et omnes terras et tenementa Alexandri de Ergeyl cum omnibus suis pertinentiis, tam per terram quam per mare, et ad castra, fortalitia, insulas, terras et tenementa illa cum suis pertinentiis quibuscunque, custodienda quamdiu nobis placuerit, ita quod castra, fortalitia, insulas, terras et tenementa predicta de exitibus eorundem custodiat, et illud quod de exitibus illis ultra custodiam illam remanserit, eidem Alexandro ad sustentationem suam, uxoris et familie sue, faciat liberari, donec aliud inde duxerimus ordinandum. Assignavimus etiam eundem comitem ad capiendum in manum nostram castra et fortalitia, et omnes terras et tenementa Johannis filii predicti Alexandri primogeniti, qui nondum ad pacem nostram venit, et

¹ Rotuli Scotiæ, vol. i. p. 31.

ad ea salvo custodienda quamdiu nobis placuerit, ita quod de exitibus inde provenientes ultra custodiam illam nobis respondeat ad scaccariam nostram apud Berewycum. In eujus, etc.

Teste Rege, apud Berewycum, x die Septembris.

17. CHARTER by ALAN EARL OF MENTEITH to SIR WALTER OF THE AKYNHEWYDE, knight, of the land of Thome.—[*Circa* 1305.]¹

SCIANT presentes et futuri quod ego Alanus comes de Menteth, filius domini Alexandri comitis de Menteth, dedi, concessi, et hac presenti carta mea confirmavi domino Waltero de le Akynhewyde, militi, pro homagio et seruicio suo, totam terram de Thome in Menteth, cum omnibus rectis diuisis suis: Tenendam et habendam dicto domino Waltero, et heredibus suis vel assignatis, de me et heredibus meis, libere, quiete, plenarie, pacifice et honorifice, in bosco et plano, in pratis, pascuis et pasturis, in aquis et molendinis, in piscariis et viuariis et cum omnibus aliis commoditatibus, libertatibus et aysiamenis ad dictam terram pertinentibus vel aliquo tempore de jure pertinere valentibus: Faciendo inde forinsecum seruicium domini Regis quantum pertinet ad dictam terram, pro omni alio seculari seruicio, consuetudine, exaccione et demanda: Ego vero Alanus et heredes mei dictam terram de Thome cum omnibus pertinenciis suis, diuisis, et libertatibus, vt predictum est, dicto domino Waltero, et heredibus suis vel assignatis, contra omnes homines et feminas in perpetuum warantizabimus, acquietabimus et defendemus; hiis testibus, domino Jacobo Senescallo Scocie, domino Malisio comite de Stratherne, domino Alexandro de Abyrnythin, domino Johanne de Menteth, militibus, domino Mauricio priore de Insula Sancti Colmoci, Malcolmo de Rwrsthy et Johanne . . . et multis aliis.

¹ Original in Gleneagles Charter-chest.

18. RELAXATION by JOHN OF BARCLAY, LORD OF CRAWFORD, to MALISE OF MENTETH, of the feu-farm of Tulymadich and Cragis.—[11th June] 1309.¹

OMNIBUS Christi fidelibus ad quos presentes litere peruenerint, Johannes de Berclay dominus de Crauford, salutem. Noueritis me, ex conuentione facta, relaxasse et diminuissc Malisio de Meneth de octo marcis in [quibus] dictus Malisius michi et heredibus meis hereditarie tenetur, ut patet in carta confecta inter me et die[tum] Malisium de terris de Tulymadich et le Cragis, nisi tantummodo quod idem Malisius bona fide . . . terris annuis poterit leuare dum dicte terre de Tulymadich et de le Cragis se extende . . . ad integram assedationem octo marcarum, et ex tunc idem Malisius reddet illas octo marcas . . . ut patet in carta sua originali de predictis terris: Preterea et si contingat, quod absit, quod dicte terre per . . . Anglicanum destruantur, predictus Malisius uel heredes sui uel sui assignati michi et heredibus meis uel [assigna]tis de predicta feodifirma integra non tenebuntur nisi quatenus de dictis terris pacifice percipere pot . . . patet in dicta carta: In cuius rei testimonium, presentibus sigillum meum apposui. Datum apud Aberden, die . . . Barnabe Apostoli, anno Domini m^occc^o nono.

19. CHARTER by KING ROBERT THE BRUCE to WALTER FLEMING, witnessed by SIR JOHN OF MENTETH.—20th March [1315].²

ROBERTUS Dei gracia Rex Scottorum, omnibus probis hominibus tocius terre sue, salutem: Sciatis nos dedisse, concessisse, et hac presenti carta nostra confirmasse Waltero Fleming, filio Wilelmi Fleming de Barruchan, militis, dilecto et fideli nostro, pro homagio et seruicio suo, medietatem molendini de

¹ Original at Castle Forbes.

² Original Charter at Halyburton.

Kettenes, terciam partem terre de Peteur, vnam bracinam cum pomerio in villa de Kettenes, vnam quatuor acris terre in terra dominicali eiusdem ville extentis et ad eandem bracinam assignatis, vnum cotagium in occidentali parte ville de Kettenes, vnum fabrile in eadem villa, et viginti tres solidos argenti annuatim percipiendos in molendino baronie de Essy : Tenenda et habenda predicto Waltero et heredibus suis de nobis et heredibus nostris, in feodo et hereditate, per omnes rectas metas et diuisas suas, libere, quiete, plenarie, pacifice et honorifice, cum omnibus libertatibus, commoditatibus, aisiamentis, consuetudinibus et iustis pertinenciis suis debitis et consuetis : Faciendo inde nobis et heredibus nostris dictus Walterus et heredes sui octauam partem seruicii vnus militis in exercitu nostro, et Scoticum seruicium debitum et consuetum ; vna cum proparte vnus secte ipsum contingente de baronia de Kettenes faciente ad curiam vicecomitatus nostri de Forfar. In cuius rei testimonium presenti carte nostre sigillum nostrum precepimus apponi ; testibus, Bernardo abbate de Abirbrothoc, cancellario nostro, Johanne de Menetheth, Alexandro Fraser, Gilberto de Haia constabulario Scocie, et Roberto de Keth, marescallo Scocie, militibus : Apud Abirbrothoc, vicesimo die Marcii, anno regni nostri nono.

20. CHARTER by MURDACH EARL OF MENTEITH to Sir WALTER OF MENTEITH, of the lands of Thom and Lanarkynys, and fishing in the Teith.—
[Circa 1330.]

SCIANT presentes et futuri, nos, Mordacum comitem de Menetheth, filium domini Alexandri comitis quondam de Menetheth, dedisse, concessisse, et hac presenti carta nostra confirmasse domino Waltero de Menetheth, filio domini Johannis de Menetheth, et heredibus suis et assignatis, totam terram de Thom, in comitatu nostro de Menetheth, cum omnibus suis pertinenciis et

rectis diuisis ; videlicet, incipiendo ab aqua de Theth, secundum quod marchia ville de Dune se extendit, vsque ad marchiam terre de Conulath, cum quatuor marcatis terre in Conulath perprieus iacentibus, ad terram de Thom ex parte australi, cum omnibus [et] singulis terris de tribus Lanarkynys in Menetheth, cum iustis suis pertinenciis et rectis diuisis, et sic transeundo per marchiam de Seskentuly, Bucopill, et Thorri, vsque aquam de Theth ex parte occidentali, et descendendo per dictam aquam vsque marchiam predictae ville de Dune : Tenendam et habendam eidem domino Waltero, heredibus suis seu assignatis, de nobis et heredibus nostris, in perpetuum in feodo et hereditate, sine aliquo retenemento ; cum omnibus suis libertatibus, rectitudinibus, et aysiamentis ad dictas terras spectantibus, vel aliquo modo de iure spectare valentibus ; et cum piscaria aque de Theth, quatenus predictae terre de Thom et de Lanarkynys se extendunt, adeo libere, quiete, plenarie, pacifice, honorifice et integre, sicut aliquae terre in regno Scocie ab aliquo comite vel barone tenentur vel possidentur, liberius, quocius, per cartam vel per scriptum fuerint collate, concesse, vel infeodate, in bosco et plano, in pratis et pascuis, pasturis, in moris, marisiis, in viis et semitis, in stagnis et aquis, in molendinis et multuris, in piscariis et viuariis, in venacionibus et aeriis, in merchetis et blodwytis, et in omnibus aliis aysiamentis, tam nominatis quam non nominatis, vt predictum est, ad easdem terras spectantibus, vel quocunque modo de iure spectare valentibus : Faciendo inde dictus dominus Walterus et heredes sui vel assignati forinsecum seruicium domini regis quantum ad dictas terras pertinet, et nobis et heredibus nostris tres sectas, ad tria placita capitalia nostra de Menetheth, pro omni alio seruicio seculari, consuetudine, exaccione, vel demanda, que de predictis terris exigi poterunt vel peti. Nos vero et heredes nostri predictas omnes et singulas terras, vt predictum est, eidem domino Waltero et heredibus suis seu assignatis, contra omnes homines et feminas warantizabimus, acquietabimus, et in perpetuum defendemus. In

Beneficentia vestra nos dedisse concessisse et hac presentia carta vestra confirmasse Gilbertus de Drogheda per homagium
vostri iuramentum committit vestra de genecth per omnes terras metas suas et diuisas et cum omnibus iuris suis pa-
redicatis in presentibus libere quiete plenarie et honorifice. In bosco et plano. pratis et pasuis. moris et mare-
ratiaribus et cum omnibus aliis libere. Commoditatibus et appurtenantibus cum noiaas quod noiaas ad
et heredes sui seu assignati forinsecum seruicium domini regis quam ad dictam dimiditatem ville panco.
vicitudine. exactione et demanda. que per uos vel heredes vestros de dicto Gilbertus vel heredibus suis seu assigna-
tionem suam in facta decedere quod absit. Volumus et concedimus quod predicta Margareta sponsa sua totam
partem teneat et possideat. Et si contingat dictam Gilbertam omne herede masculo de corpore suo legitime po-
tius Glene filie predicta Gilberta et heredibus suis masculo de corpore suo legitime partem seu partem totam partem
libere et plenarie sicut presentis carta vestra in se portat et testatur. Et si contingat predictam Glene sine he-
re plenarie sicut forinsecum teneat et possideat. et quod per decessum predicta Elizabeth si conuenerit eam sine herede
suo Johanne si heredem masculum de eorum corpore non habeat partem/anabilla soror predicta Johanne sepedita
pe suo heredem masculum non habeat volumus et concedimus quod predicta dimiditatem ville de burthoppill ad partem
no Comtes de genecth et heredes sui totam partem dimiditatem ville de burthoppill cum suis pertinentiis
homines et feminas paranturibus. accipiantur et presentibus defendentur. In cuius rei testimonium persona
indro de genecth presentibus vestris. Johes de genecth. Duo Walter de genecth. Galcolmo de Drogheda Gilbertus

cuius rei testimonium presenti scripto sigillum nostrum apposuimus ; hiis testibus, dominis Johanne de Menetheth, Malisio de Stratherne, Willelmo de Monte Fixo, militibus, dompno Cristino priore de Insula Sancti Colmoci, Alexandro de Menetheth, Guilberto de Drummond, Malcolmo de Drummond, et multis aliis.

21. CHARTER by MURDACH EARL OF MENTEITH to GILBERT OF DRUMMOND, of the western half of the town of Buchchoppill, in the Earldom of Menteith.—[*Circa* 1330.]¹

OMNIBUS hoc scriptum visuris vel audituris, Murdacus comes de Meneteth, salutem eternam in Domino : Nouerit vniuersitas vestra nos dedisse, concessisse et hac presenti carta nostra confirmasse Gilberto de Drommund pro homagio suo et seruitio totam occidentalem dimidietatem ville de Buchchoppill, propinquius terre de Busby adiacentem, infra comitatum nostrum de Meneteth, per omnes rectas metas suas et diuisas, et cum omnibus iustis suis pertinenciis : Tenendam et habendam eidem Gilberto et heredibus suis ac assignatis de nobis et heredibus nostris in feodo et hereditate in perpetuum, libere, quiete, plenarie et honorifice, in bosco et plano, pratis et pascuis, moris et maresiis, viis et semitis, aquis et stangnis, molendinis et multuris ac bracinis, piscariis et viuariis, in venacionibus et aucupacionibus, et cum omnibus aliis libertatibus, commoditatibus et aysiamenis, tam nominatis quam non nominatis, ad dictam dimidietatem ville spectantibus uel de iure seu titulo in posterum spectare valentibus : Faciendo inde ipse et heredes sui seu assignati forinsecum seruicium domini Regis quantum ad dictam dimidietatem ville pertinet, et tres sectas curie ad tria placita nostra capitalia de Meneteth per annum, pro alio omni seruicio seculari, consuetudine, exactione

¹ Original in Blair Drummond Charter-chest.

et demanda, que per nos uel heredes nostros de dicto Gilberto uel heredibus suis seu assignatis pro dicta dimidietate ville exigi poterunt seu demandari : Et si contingat dictum Gilbertum ante Matildem sponsam suam in fata decedere, quod absit, volumus et concedimus quod predicta Matildis sponsa sua totam predictam dimidietatem ville de Buchchopill cum suis pertinenciis in omnibus pro tempore vite sue libere et pacifice teneat et possideat : Et si contingat dictum Gilbertum sine herede masculo de corpore suo legitime procreato, quod absit, in fata decedere post decessum dicte Matildis, damus et concedimus per presentes, pro nobis et heredibus nostris, Elene filie predicti Gilberti et heredibus suis masculis de corpore suo legitime procreatis seu procreandis totam prenominatam dimidietatem ville de Buchcoppill cum pertinenciis, in omnibus et per omnia, vt superius prescriptum est, adeo libere et plenarie sicut presens carta nostra in se proportat et testatur : Et si contingat predictam Elenam sine herede masculo de corpore suo procreato in fata decedere, volumus quod Elysabeth soror predicte Helene predictam terram libere, plenarie, sub eadem forma teneat et possideat : Et quod post decessum predicte Elysabeth, si contingat eam sine herede masculo decedere, Johanna soror predicte Elysabeth sepredictam terram sub forma predicta habeat : Et quod post decessum Johanne, si heredem masculum de suo corpore non habeat procreatum, Anabilla soror predicte Johanne sepredicta terra in eadem forma, in omnibus et per omnia, gaudeat : Si vero contingat predictam Anabillam post decessum suum de corpore suo heredem masculum non habere, volumus et concedimus quod predicta dimidietas ville de Buchchoppill ad predictum Gilbertum de Drommund et ad heredes suos integraliter rcuertatur, prout in carta sua plenius continetur. Nos vero Murdacus comes de Meneteth et heredes nostri totam predictam dimidietatem ville de Buchchopill cum suis pertinenciis, in omnibus et per omnia, predicto Gilberto de Drommund et heredibus suis seu assignatis, vt prescriptum est, contra omnes homines et feminas varantizabi-

mus, acquietabimus in perpetuum et defeudemus. In cuius rei testimonium presenti scripto sigillum nostrum apposuimus; hiis testibus, domino Mauricio Dei gratia Dunblanensi episcopo, domino Alexandro de Meneteth fratre nostro, Johanne de Menteth, domino Waltero de Menteth, Malcolmo de Drommund, Gillecrist filio Doueualdi, Anacolo filio Symouis, et multis aliis.

22. CHARTER by MURDACH EARL OF MENTEITH to ROBERT OF LOGI, of the lands of Easter Broculli in Menteith. [*Circa* 1330.]¹

OMNIBUS hoc preseus scriptum visuris vel audituris, Murdacus comes de Meneteth, eternam in Domino salutem: Nouerit universitas vestra me dedisse, concessisse et hac presenti carta mea confirmasse Roberto de Logi, filio quondam Malisii de Logi, pro homagio et servicio suo, totam terram de Estir Broculli in Menetethe cum pertinenciis, per omnes suas rectas divisas et marchias: Teuendam et habendam sibi et heredibus suis de me et heredibus meis, in feodo et hereditate, in bosco et plano, in pascuis et pratis, in terris et aquis, in viis et semitis, in molendinis, piscariis, venacionibus et aucupationibus, et omnibus aliis libertatibus, commoditatibus, et aysiamenis, tam non nominatis quam nominatis, ad dictam terram pertinentibus seu aliquo jure pertinere valentibus, libere, quiete, plenarie, honorifice et in pace: Faciendo inde forinsecum servicium domini Regis quantum ad dictam terram pertinet, et tres sectas quolibet auno, ipse et heredes sui mihi et heredibus meis, ad tria placita capitalia comitatus de Menetethe, pro omni alio seculari servicio, consuetudine, exaccione vel demauda, que de dicta terra per me et heredes meos in posterum exigi poterunt

¹ From a copy made by the late Mr. George Charter-chest. The original charter is not Smythe of Methven, in the Logiealmond there.

vel requiri. Ego vero predictus Murdacus et heredes mei predictam terram cum pertinenciis, ut plenius . . . predicto Roberto et heredibus suis contra omnes homines et feminas warrantizabimus, acquietabimus in perpetuum et defendemus. In cuius rei testimonium hanc cartam sigilli mei inpressione roboravi; hiis testibus, dominis Johanne de Menetethe, Willelmo de Montefixo, Waltero de Menetethe, militibus, Johanne de Moravia de Drumsergart, Gilberto de Drummad, Malcolmo de Drummad, et multis aliis.

Seal on white wax, but much defaced.¹

23. CHARTER by JOHANNA OF MENTEITH, COUNTESS OF STRATHERN, to JOHN, son of WALTER, of the lands of Gellow, in the barony of Cortachy.—
[*Circa* 1330.]²

OMNIBUS hanc cartam visuris vel audituris, Johanna de Menteth comitissa de Stratheerne, salutem in Domino sempiternam : Sciatis nos dedisse, concessisse, et hac presenti carta nostra imperpetuum confirmasse, a nobis et heredibus nostris, dilecto seruo nostro et fideli Johanni filio Walteri, et heredibus suis quibuscunque, totam terram nostram de Gellow in baronia de Kortachy, infra vicecomitatum de Forfare, cum omnibus suis pertinenciis, pro suo fideli seruicio nobis impenso et in futurum impendendo : Tenendam et habendam terram premissam dicto Johanni et heredibus suis, in feodo et hereditate, de nobis et heredibus nostris imperpetuum, cum omnibus suis pertinenciis vniuersis et singulis, per omnes rectas metas suas, diuisas et antiquas, in moris, marresiis, stangnis, pascuis, pasturis, viis, semitis, siluis,

¹ Note by Mr. Smythe on his Transcript. Charter-chest. No seals are now appended

² Original Charter in the Earl of Airlie's to the charter : only three tags for them.

aquis, molendinis, brasinis, carnificiis, petariis, turbariis, venacionibus, aucupacionibus, boscis et planis, et cum omnibus aliis libertatibus, comoditatibus, et aysiamenis quibuscunque, tam sub terra quam supra terram, tam nominatis quam non nominatis, nomine albe firme, dictam terram tangentibus, vel quouismodo infuturum tangere valentibus, ita libere, quiete, bene, plenarie, et pacifice, sicut aliqua terra in modo albe firme, infra regnum Scocie, alicui liberius, quiecuis, melius, plenarius, ac pacificencius conceditur ac datur, saluo tamen forinceo seruicio domini nostri regis quantum inde debetur : Reddendo inde idem Johannes et heredes sui, annuatim, ad festum Pentecostes, nobis et heredibus nostris, ad manerium nostrum de Kortachy, vnum denarium argenti, nomine albe firme, si petatur, pro omnibus aliis oneribus, exaccionibus et demandis, que et quas de nobis et heredibus nostris, a dicto Johanne et heredibus suis, de dicta terra aqualiter exigi poterint vel requiri : Et nos vero Johanna de Menteth, comitissa premissa, pro nobis et heredibus nostris quibuscunque, dictam terram de Gellow cum omnibus suis pertinenciis, in omnibus et per omnia, sicut dictum est, dicto Johanni filio Walteri et heredibus suis, imperpetuum, contra omnes homines et feminas presentes et futuros, warantizabimus, acquietabimus et defendemus : In cuius rei testimonium sigillum nostrum presenti carte nostre est appensum, vna cum sigillis dominorum Lamberti, rectoris de Lundy, et Willelmi de Rettreff, perpetui vicarii ecclesie de Owterhous ; hiis testibus, dominis Rogero de Mortuomare, et Roberto de Ramsay, militibus, Waltero de Ogilby, vicecomite de Forfare, Henrico de Lyttoun, et multis aliis.¹

¹ In Robertson's Index of Missing Charters of the reign of King Robert I. appears— "Carta quam Malisius Comes de Stratherne fecit Johanne, filie quondam Joannis de Menteith militis, sponse eiusdem comitis, of the lands of Cartachie in vicecomitatu de Forfar."

N.D. This charter, it appears from the same Index, was duly confirmed by King Robert, by a Charter of Confirmation, "to Jean Monteith of the lands of Cartachie in sheriffdom of Forfar, Glenlitherne, Dalkeith, half of Urwkell, in earldom of Stratherne." N.D.

24. NOTARIAL INSTRUMENT narrating the proceedings of the Marriage betrothal between BERTOLD OF LOEN and PHILIPPA OF MOUBRAY.—London, 30th October 1343.¹

IN DEI nomine amen. Per presens publicum instrumentum cunctis appareat euidenter, quod anno ab Incarnacione Domini, secundum cursum et computationem ecclesie Anglicane, millesimo trescentesimo quadragesimo tercio, indictione duodecima, die penultimo mensis Octobris, pontificatus sanctissimi in Christo patris, et domini nostri, domini Clementis diuina prouidencia Pape sexti, anno secundo, in ecclesia parochiali beate Marie Magdalene, in Milkstrete, London, in mei notarii publici infrascripti et testium subscriptorum presencia, personaliter constitutus discretus vir, magister Johannes Feuere, asserens se procuratorem circumscripti viri, Bertoldi de Lon Coloniensis diocesis, ac nobilis mulieris Philippe de Moubray, quesiuuit a discretis viris dominis Johanne dicto de Ponte, London, et Johanne de Euesham, presbytris, in eadem ecclesia tunc presentibus, ac diligenter peciit ab eisdem, an sciebant, vel aliquis eorum sciebat, de aliquo contractu matrimoniali inuito aliquo tempore inter prefatos Bertoldum et Philippam : Et dictus dominus Johannes de Ponte dixit expresse quod vidit, audiuit, et personaliter interfuit, quando dictus Bertoldus, in domo Johannis de Weston in Temsestrete ciuis et draperi, London, die Mercurii contingente octauo die post festum Sancti Johannis Baptiste, anno Domini millesimo trescentesimo tricesimo octauo, matrimonium cum dicta Philippa contraxit, per hec verba : Ego Bertoldus de Lon accipio te Philippam de Moubray in vxorem meam tenendam totis temporibus vite mee, et ad hoc do tibi fidem meam : Dixit eciam dictus dominus Johannes de Ponte, quod vidit, audiuit, et interfuit, quando dicta Philippa statim respondebat eidem Bertoldo, per hec verba : Et ego Philippa de Moubray accipio te Bertoldum

¹ Original in H. M. General Register House, Edinburgh.

de Lon in virum meum tenendum ad totum tempus vite mee, et ad hoc do tibi fidem meam. Et prefatus dominus Johannes de Euesham, presbiter, dixit expresse coram prefato magistro Johanne, procuratore vt premittitur dictorum Bertoldi et Philippe, quod dicta Philippa grauiter infirmata, non habens spem vite sue, fatebatur coram eodem domino Johanne tunc habente curam anime ipsius Philippe, ad conscienciam suam exonerandam, quod ipsa Philippa non habuit ius ad Thomam de Westoun, maritum suum pretensum, quia cum dicto Bertoldo de Lon matrimonium primitus precontraxit: Dixit et idem dominus Johannes de Euesham, quod ipse tunc iniunxit eidem Philippe pro salute anime sue, quod dictum Thomam de Westoun maritum suum sic pretensum omnino dimitteret, et dicto Bertoldo tanquam viro suo legitimo adhereret. Acta sunt hec, prout supra scribuntur, sub anno, indictione, die, mense, loco et pontificatu predictis; presentibus, discretis viris Johanne de Boemia et Adam dicto le Hanberger, ac aliis multis testibus ad premissa vocatis specialiter et rogatis.

Et ego Thomas Hamund de Asshewell, clericus Lincolnensis diocesis, publicus apostolica auctoritate notarius, predictis omnibus et singulis in dicta ecclesia beate Maria Magdalene, sic vt premittitur, habitis, factis, et confessatis, vna cum dictis testibus personaliter interfui [etc., *in forma communi*].¹

[Dorso :] Instrument tane at London anno 1343, anent the marriage of Philippa de Moubray and Bertold de Lone.

¹ There is also in H. M. General Register House another notarial instrument, unfortunately mutilated, narrating that, on 18th December 1343, at the parish church of All Hallows in the Ropery [Omnium Sanctorum ad Fenum], London, there were read letters from the Archdeacon of London, addressed to the rector of said church, com-

manding him, in reference to the cause matrimonial, proceeding between Bertold de Lon on the one part, and Thomas of Weston and Philippa de Moubray, otherwise called of Gyse [alias dictam de Gyse], on the other part, to declare the contract of marriage between the said Thomas and Philippa to be null and void, and the contract of marriage

25. DISPOSITION by JOHN OF MENETETH, Sheriff of Clackmannan, to JOHN MERCER, burgess of Perth, of the ward and relief of the lands of SIR WILLIAM OF MURRAY of Tullibardine.—[31st May] 1352.¹

PATEAT vniuersis per presentes, nos Johannem de Meneteth, vicecomitem de Clacmanane, prorsus et libere vendidisse Johanni Mercer, burgensi de Perth, totum ius et clameum quod habuimus vel habere poterimus in wardis seu releuiis terrarum quondam domini Willelmi de Morauia, domini de Tolibardy, datis et concessis nobis per dominum Willelmum comitem de Sotheyrland et dominam Johannam comitissam, sponsam suam, comitissam, videlicet, de Stratheryn, vna cum iure quod habuimus in annuo redditu de Pytwer et Aldy, per Cristianam More, sponsam quondam Reginaldi More, pro quadam summa pecunie nobis integraliter persoluta pre manibus: In cuius rei securitatem obligamus nos et heredes nostros ad warrantandum predicto Johanni Mercer, et heredibus suis aut assignatis, predictam wardam seu releuium contra prefatum comitem de Sotheyrland et comitissam de Stratheryn, sponsam suam legitimam. In cuius rei testimonium presentibus sigillum nostrum est appensum, vna cum sigillo Walteri Olifant, in euidencius testimonium. Datum apud Perth, die Jouis proximo post festum Penthecostes, anno Domini M.ccc. quinquagesimo secundo.

between the said Bertold and Philippa to be lawful, and, after thirty days from the date of the admonition, to procure their marriage in the face of the church, that the said Bertold and Philippa may adhere to each other as husband and wife; which declaration was duly made in said church, in presence of John called clerk of London, Thomas Frend, John called of Chamber, John of Beme, Tyde-

mann Rotes, Ingelbert of Lenepe, of the dioceses of Norwich, St. Andrews, Prague, and Cologne. And on the same day the said rector went to the house of the said Philippa, situated within the above parish, in a certain vennel [venella] called Prestones rente, and informed her of the above proceedings.

¹ Original in the Athole Charter-chest.

26. CHARTER by JOHN OF MENTEITH to GILLESPIE CAMPBELL of Lochow, of his lands in Knapdale.—[29th November] 1353.¹

SCIANT presentes et futuri, quod ego Johannes de Menthet, dominus de Cnappodol et de Aran, dedi, concessi, et in hac presenti carta mea confirmaui fidei consanguineo meo Gilleasbeg Cambel, domino de Lochowo, et heredibus suis ac assignatis, de me et heredibus meis, totas terras subscriptas in Cnappodol; videlicet, denariatam terre de Ardnanno, Ervergy, Ariluyg et Arierech, quadrantem de Bercorari, denariatam de Leachnaban, Drumlynd et de Craglyne, quadrantem terre de Obinhan, denariatam de Bealalach, denariatam de Conardari, obulatam de Dunan, denariatam de Glencagiduburgilli et Arigeargagge, denariatam de Lagan, obulatam de Achagna clochi, denariatam de Kyllmychel et de Cragnavyach, obulatam de Lergnahunsend propinquiorem terre de Kyllmychel, denariatam de Drumnaherwege et de Metnach, tres quadrantes de Achagnadarach, obulatam de Achagnagarthi, tres quadrantes terre de Braclach, obulatam de Kyllalduburscalan, obulatam de Atichuan, denariatam de Ynwerneill, Breanorlyng et de Cororlynge, per suas rectas metas antiquas et ex vtraque parte diuisas: Tenendas et habendas dicto Gilleasbeg Cambel, de me et heredibus meis, sibi et heredibus, in feudo et hereditate, vnacum varda et releuio earundem terrarum, quossiens ad nos uel heredes nostros contigerint varda uel releuium earundem peruenire, adeo libere, quiete, plenarie, pacifice et honorifice, in boscis, in planis, in pratis, in pascuis, in moris, in moressiis, in viis, in semitis, in aquis, in stagnis, in venacionibus, in piscacionibus, in molendinis, in siluis, in montibus, et cum omnibus aliis pertinenciis, libertatibus ac ayssiamentis, ad dictas [terras] spectantibus vel de iure

¹ Original Charter at The Binns.

spectare valentibus in futurum : Si vero contingat quod fur aut fures, latro uel latrones, in terris supradictis fuerint atachiati propter furtum, eidem Gilleasbeg, heredibus suis ac assignatis, concedimus liberam potestatem vendendi ac dimittendi ipsos, prout sibi placuerit ; preterquam quod si ad mortem fuerint iudicatus aut iudicati ad batibulum et curiam nostram suspendendi reducantur : Reddendo inde nobis et heredibus nostris vnum denarium sterlingorum in festo Sancti Martini annuatim persoluendum, si dictus Gilleasbeg uel heredes sui per nos aut heredes nostros ad hoc fuerint requisiti, pro omni seruicio seculari et demanda : Ego vero prefatus Johannes de Menthet et heredes mei predictas terras dicto Gilleasbeg Cambel et heredibus suis ac assignatis, contra omnes homines et feminas varantizabimus, aquietabimus et defendemus : In cuius rei testimonium sigillum nostrum est appensum : Datum apud Castrum Suffin (Swaine), in vig[iliis] Sancti Andree Apostoli, anno Domini m^occc^o quinquagesimo tercio.¹

¹ In addition to the above charter, there is entered in the Duke of Argyll's inventory of the title-deeds of Knapdale the following two charters by John of Menteith, Lord of Knapdale :—

Charter be John of Monteeth, Lord of Knapdaill and Arran, in favors of Archibald Campbell, Lord of Lochaw, his aires and assigneyes, off that penny land within which Castel Swine is situat, the lands of Apenad, the 2d land of Danna called Barmore, the three penny land of Ulva, the lands of Dal-lehelicha, Stroud Oure, and the lands of Dreissag in Knapdaill, with the ward and releiff of the said lands as they shall hapen to fall to the said John of Monteeth and

his aires : To be holden for payment of a paire of whyt gloves at Martimass in winter yearly, if the same shall be asked : With power also to the said Archibald Campbell and his aires of selling and dismissing of theiffs as they please ; and if they be condemned to death, with power to cause hang them wpon ane gallows. Which charter is without date.

Charter be John Lord of Monteeth to Sir Archibald Campbell of Lochaw and his aires, of the said Robert [John] his lauds in Knapdaill and Arran, with the keeping of Swine Castell and pertinents theroff, which John Lord of Monteeth did more fully dispone to Archibald Lord of Lochow. Which charter is lykewayes without date.

27. DISPENSATION by POPE INNOCENT THE SIXTH for the marriage of THOMAS EARL OF MAR and LADY MARGARET, daughter of the late JOHN GRAHAM, EARL OF MENTEITH.—29th May [1354].

VENERABILI fratri, [Johanni] Episcopo Aberdonensi, salutem, etc. Petitio pro parte dilecti filii nobilis viri, Thome comitis de Mar, et dilecte in Christo filie nobilis mulieris Margarete, nate quondam Johannis comitis de Menetoth, nuper nobis exhibita, continebat quod ipsi olim ignorantes aliquid impedimentum existere inter eos quominus ipsi possent licite invicem matrimonialiter copulari, matrimonium per verba de presenti in facie ecclesie, nemine se opponente, publice invicem contraxerunt, illudque carnali copula consummarunt; et quod postmodum ad eorum pervenit notitiam quod ipsi in quarto sunt consanguinitatis gradu coniuncti, propter quod ipsi nequeunt in sic contracto matrimonio remanere, dispensacione super hoc apostolica non obtenta; quare nobis pro parte ipsorum Thome et Margarete extitit humiliter supplicatum, ut eis super hoc de oportune dispensationis beneficio providere de benignitate apostolica dignaremur: Nos itaque, qui animarum salutem querimus, singulorum ipsorum Thome et Margarete supplicationibus inclinati, fraternitati tue de qua in Domino fiduciam obtinemus, ex certis causis ex parte ipsorum Thome et Margarete nobis expositis, per apostolica scripta comittimus et mandamus, quatenus si est ita cum eisdem Thoma et Margareta, ut, impedimento quod ex dicta consanguinitate provenit non obstante, in dicto matrimonio remanere licite ualeant, auctoritate nostra dispenses, prolem susceptam et suscipiendam ex huiusmodi matrimonio legitimam nunciando. Datum apud Villamnouam, Auinionensis dioecesis, III. kal. Junii, anno secundo.¹

¹ From the Register of Miscellaneous Letters of Pope Innocent VI. at Rome.

28. CHARTER by KING DAVID THE SECOND restoring the barony of Stragartnay to SIR JOHN OF MENTEITH, knight.—5th April [1359].

DAVID Dei gracia Rex Scottorum, omnibus probis hominibus tocius terre sue, salutem: Sciatis quod cum nos alias per suggestionem quorundam terras de Strongartnay cum pertinenciis, tunc infra vicecomitatum de Perth, nunc autem infra vicecomitatum de Striuelyn, a Johanne de Meneteth, milite, consanguineo nostro, tunc plenam et pacificam earundem terrarum possessionem habente, in nostris manibus recepimus, et quondam Johannem de Loghy infeodauimus nostris literis in eisdem: Reminiscetes memoriter, per nostrum consilium uerius informati, quod venerande memorie dominus pater noster easdem terras cum pertinenciis, tanquam ipsum ex forisfacto quondam Johannis de Loghy militis, patris eiusdem quondam Johannis de Loghy, contingentes, dedit hereditarie et concessit, ac carta sua quam vidimus confirmauit in liberam baroniam quondam Johanni de Meneteth, militi, patri predicti Johannis de Meneteth et Elene de Marr sponse eiusdem, nepti sue, coniunctim, et heredibus eorundem, tanquam in puro ac libero maritagio, prout in carta predicta plenius continetur; ipsique in dicta baronia obierunt vestiti legitime et saisiti: Vniuersitati vestre tenore presencium volumus esse notum quod nos dicto Johanni de Meneteth, militi, consanguineo nostro, eundem statum predictae baronie de Strongartnay cum pertinenciis concedimus per presentes secundum tenorem dicte carte, et ad talem possessionem omnino restauramus eum et plane admittimus, quem statum qualemque possessionem habuit ante tempus donacionis nostre dicto quondam Johanni de Loghy inde facte; non obstante donacione huiusmodi, nec dicto Johanni de Meneteth, militi, aut suis heredibus preiudicium aliquod valente facere in futurum; cum ipsam eciam inter ceteras donaciones nostras alias factas in pleno parlamento nostro post deliberationem nostram ab Anglia primo tento reuocauerimus, et tenore

presencium specialiter reuocamus; presertim considerato similiter, quod predictum Johannem de Meneteth, militem, a statu et possessione terre sue recuperate de iure nequaquam potuimus iuste deiicere, nisi recompensacione debita alibi sibi facta: In cuius rei testimonium has literas nostras dicto Johanni de Meneteth pro se et suis heredibus fieri fecimus patentes; apud Dundee, in consilio nostro tento ibidem, quinto die Aprilis, anno regni nostri vicesimo nono.

29. AGREEMENT between JOHN OF DRUMMOND and JOHN and ALEXANDER MENTEITH, after the slaughter of WALTER, MALCOLM, and WILLIAM MENTEITH.—17th May 1360.

ANNO ab Incarnacione Domini millesimo trecentesimo sexagesimo, die Dominico, decimo septimo die mensis Maii, super ripam aque de Forth iuxta Striuelyn, in presencia dominorum Roberti de Erskyn et Hugonis de Eglyntoun, iusticiariorum Scocie, et domini Patricii de Grame ac aliorum plurium nobilium et proborum, inter Johannem de Dromud ex parte vna, et Johannem de Meneteth et Alexandrum de Meneteth, fratres quondam Walteri de Meneteth ex altera, omnibus inimicitiis hinc inde et dissensionibus sopitis, finaliter fuit reformata concordia per hunc modum, videlicet: Quod pro emendis occisionum dicti quondam Walteri de Meneteth, et Malcolmi ac Willelmi fratrum eiusdem, et hominum ac adherentium eorundem cum eis vel alibi vbicumque, per dictum Johannem de Dromud, homines seu adherentes suos, interfectorum; necnon pro omnibus feloniis, transgressionibus et dampnis, per ipsum Johannem de Dromud, Mauricium fratrem suum, et Walterum de Morauia, ac per quoscumque alios homines et adherentes eiusdem Johannis de Dromud, vsque in diem confectionis presencium, predictis fratribus omnibus et singulis, et parentibus, amicis, hominibus ac adherentibus eorundem

qualitercumque perpetratis seu illatis, finaliter emendandis ;—idem Johannes de Dromud, pro se et suis heredibus, dedit, concessit, et facta infeodacione per cartam confirmavit Alexandro de Meneteth supradicto et heredibus suis totam terram suam de Rosnef cum pertinenciis, infra comitatum de Leuenax, cum clausula warrantie, prout in ipsa carta plenius continetur : Et concessit expresse ex hoc pacto quod, licet in eadem carta fiat mencio de homagio et seruicio secundum communem cartarum tenorem, dictus tamen Alexander non tenebitur, pro tempore vite sue, sicut nec sui successores in posterum, ad seruicium aliquod preter homagium atque sectam. Concessit quoque similiter idem Johannes de Dromud, quod in casu quo dictus Alexander maluerit verum et propinquiorem heredem dicti quondam Walteri fratris sui sibi in dicta hereditate succedere, quam propriam prolem suam, licet eam habuerit de se legitime procreatam, ipsum heredem dicti quondam Walteri ad successionem hereditariam dicte terre tanquam heredem assignatum dicti Alexandri in hoc casu admittet, et ex nunc prout ex tunc, pro se suisque heredibus, dicto casu contingente, admittit et acceptat pariter per presentes. Insuper et dictus Johannes de Dromud in ampliacionem emendacionis omnium premissorum, que propter bonum concordie sedari summe desiderat, pro se et heredibus suis, necnon pro Mauricio fratre suo et pro Waltero de Morauia predictis, ac pro quibuscumque aliis hominibus, parentibus, amicis et adherentibus suis, quos restringere potest et tenetur, omnem animorum rancorem et motionem, ac omnimodam actionem et sectam quas habuerunt dicto die vel habere potuerunt aut habere vnquam poterunt in futurum, erga dictos fratres, heredes, parentes, amicos, homines et adherentes suos, pro quibuscumque transgressionibus, feloniis, dampnis et iniuriis, sibi et suis prenominatis illatis seu commissis in personis vel bonis, occulte vel publice, penitus et manifeste remisit : Obligando se firmiter, fide data, quod dicti fratres et heredes sui, ac heredes dicti quondam Walteri, necnon omnes et singuli parentes, amici, homines et adherentes

corundem aut eiusdem quondam Walteri, quos ipsi fratres possunt astringere et tenentur, ab ipso Johanne de Dromud, heredibus suis, necnon ab omnibus prenominatis suis parentibus, amicis, hominibus et adherentibus, ac ab omni procuracione sui seu suorum puplica vel occulta, pro quacumque feloniam, transgressionem seu malefacto usque in dictum diem quomodolibet perpetratis, quos scilicet idem Johannes potest astringere et tenetur, quieti erunt in perpetuum et indempnes. Etiam dictus Johannes de Dromud concessit et manucepit quod Ghillaspic et Kessanus dicti M^oGhillecharrik, Dounaldus filius Gilberti, Duncanus filius Negelli, et omnes alii qui fuerunt ad interfectionem Bricii procuratoris, erunt specialiter pro dicta interfectione ac pro quibuscumque aliis transgressionibus qualitercumque hucusque perpetratis, a dicto Johanne de Dromud, Mauricio fratre suo, et Waltero de Morauia, ac ab omnibus et singulis hominibus et adherentibus suis, quos ipse potest et tenetur astringere, indempnes et quieti, nec procurabunt eis, publice vel occulte, malum, molestiam seu grauamen: Sed si aliqui alii de parentela voluerint eos prosequi pro morte dicti Bricii, in forma iuris, licitum erit eis, sed dictus Johannes, frater suus predictus, aut Walterus de Morauia, huiusmodi prosecutores, si qui fuerint, clam uel palam, in hoc non manutenebunt in aliquo nec fouebunt. Similiter et Finlaus filius Ay pro aliquo hucusque commisso indempnis erit a dicto Johanne de Dromud, Mauricio fratre suo, et Waltero de Morauia, ac aliis suis hominibus, occulte vel publice, quos ipse potest astringere in hoc casu. E conuerso dicti fratres, Johannes et Alexander de Meneteth, pro se et suis heredibus, ac pro heredibus dicti quondam Walteri, dictis Johanni de Dromud, Mauricio fratri suo et Waltero de Morauia, ac omnibus et singulis aliis parentibus, amicis, hominibus, et adherentibus eiusdem Johannis de Dromud, omnem rancorem et motionem animorum suorum, ac omnem actionem et sectam quas contra ipsos vel ipsorum aliquem habuerunt, vel habere poterunt aut poterunt in futurum, causa interfectionum dictorum fratrum suorum,

seu causa aliarum quarumcumque transgressionum, feloniarum, iniuriarum vel dampnorum, vsque in eundem diem confectionis presencium qualitercumque perpetratarum, clam vel palam, manifeste et corditer in perpetuum remiserunt : Obligando se similiter vice uersa, quod dictus Johannes de Dromud, et Mauricius frater eius, ac Walterus de Morauia, necnon omnes et singuli alii parentes, amici, homines et adherentes eiusdem Johannis, quos ipse potest et tenetur astringere, a dictis fratribus Johanne et Alexandro et heredibus suis ac heredibus dicti quondam Walteri, ac ab omnibus et singulis aliis parentibus, amicis, hominibus et adherentibus eorundem, quos ipsi possunt astringere et tenentur ; atque ab omni perpetracione siue occulta vel puplica pro predictis interfectionibus, ac pro quibuscumque aliis transgressionibus, felonis siue dampnis, usque in dictum diem qualitercumque patris, indempnes erunt penitus in perpetuum et quieti. Preterea Walterus de Buchanane, nepos dicti quondam Walteri, pro se et suis heredibus, hominibus et adherentibus vniuersis, dicto Johanni de Dromud et suis prenominatis, consimilium remissionum, securitatum, indempnitatum et conuencionum pacta et federa, quemadmodum et dicti fratres, sui auunculi, astringit firmiter et federat fideliter per presentes. Excipiuntur tamen precise a dictorum fratrum conuencione et obligacione premissa, Ghillaspic Cambel et Colinus filius suus cum hominibus eorundem, quos ad dictam securitatem seruandam predicti fratres nequeunt alligare : Verum tamen ipsi duo fratres et dictus Walterus nepos eorundem per hoc pactum se obligant, quod in casu quo predicti Ghillaspic et Colinus vel eorum alter insurrexerint vel insurrexerit contra dictum Johannem de Dromud et suos, et in eorum grauamen, ipsum Johannem insecuti fuerint vel fuerit insecutus, ipsi cum tota sua potentia exurgent continuo cum dicto Johanne in sui defensionem contra eos vel eum tanquam contra suscitatos seu suscitatore hostilitatis principaliter iam sopite ; et hoc facient tocies quociens contigerit ita esse. Igitur presentem reformationem concordie iidem

fratres et Walterus nepos eorum predictus, pro se et suis heredibus, laudantes, ratificantes et per omnia confirmantes, se et suos heredes obligant eandem seruare fideliter, et in nullo vnquam contrauenire aut dicere seu procurare, occulte uel publice, promittunt firmiter bona fide. Obligati sunt etiam dicti fratres, ac nepos eorum predictus, quod statim cum verus et propinquior heres dicti quondam Walteri ad legitimam etatem peruenerit, quod se de iure valeat obligare, suas literas sub sigillo suo omnino consimiles presentibus eundem heredem facient suis propriis laboribus et expensis, dicto Johanni de Dromud et suis heredibus reddi et libere liberari : Sic, scilicet, literas intelligendo consimiles, quod consimiles remissiones, obligationes, securitates et federa faciat et recipiat dictus heres tunc temporis ; et quantumuis varientur tunc forsitan nomina loci, temporis, uel aliquarum personarum, ipse tamen litere faciende literarum presencium tenorem habeant et sapiant intellectum. Si vero dicti fratres Johannes et Alexander et dictus nepos suus, appropinquato tempore, hoc fieri non fecerint, eo ipso tota predicta terra de Rosnef, cum pertinenciis ad dictum Johannem de Dromud et heredes suos irremissibiliter reuertetur ; etiam et dicti Johannes et Alexander ac Walterus erunt ex tunc in posterum in statu quo fuerunt ante compositionem presentis tractatus. Ceterum si quauis temeritate, seu maligni spem versutia suggerente, quod absit, forte contigerit aliquem predictorum Johannis, Alexandri et Walteri, presentem reformationem concordie eatenus infringere, vt mortem inferat aut inferri procuret persone dicti Johannis de Dromud aut Mauricio fratri suo, vel dicto Waltero de Morauia, siue alicui heredum, parentum, hominum uel adherentium dicti Johannis, propter aliquam causam uel motionem exortam ante diem confectionis presencium ; ille qui tante perfidie auctor uel fautor extiterit ex predictis, hoc statim probato per discussionem fidelium, semper erit in posterum in omni curia et communione proborum infamis, reprobus et periurus, ac ab omni honore armorum et militis depriuat. Similiter et

quicumque ex predictis Johanne et Alexandro fratribus ac Waltero, qui dicta probacione facta non insurgat continuo cum dicto Johanne de Dromud et parte sua contra alium eorundem huius tractatus facti concorditer ac fidei proprie infractorem totis viribus, eodem nomine censebitur, eademque animadversione plectetur. Et specialiter cum hoc, si dictus Alexander in hoc casu defectum fecerit, ex hoc ipsa terra de Rosnef cum pertinenciis ad dictum Johannem de Dromud et suos heredes in perpetuum reuertetur. Idcirco finaliter, vt huiusmodi ignominiosa opprobria tamque periculosa grauamina que ex infractione presentis concordie in tot personarum poterunt excitari excidia deuentur, et maxime ne vsque ad vnus eiusdemque generis exterminium discrimina intestina procedant, ambe partes predictae dictorum proborum salubri frete concilio, semoto omni sinistre suspicionis et simulacionis scrupulo, in naturalis consanguinitatis affectum sese corditer amplectentes, mutue dilectionis federa futuris sincerius duratura temporibus in solide mentis constancia hilariter astrinxerunt ad inuicem, quam si non inualuisset vnquam dissensio inter ipsas. Et ad premissa ergo omnia ac singula facienda fideliter et firmiter obseruanda, quatenus tangunt et tangere possunt personas memoratas singulatim, dicti Johannes et Alexander de Meneteth, ac Walterus de Buchanane pro parte vna, et dicti Johannes de Dromud, Mauricius de Dromud et Walterus de Morauia pro altera, tactis sacrosanctis euangeliis, corporalia prestiterunt personaliter iuramenta. Insuper dominus senescallus Scocie, comes de Strathern, pro se et suis heredibus, tanquam principalis parentele vtriusque partis predictae, ac domini comites de Douglas et de Anegus, ac dominus Johannes de Meneteth dominus de Arane, dictis Johanni de Dromud et Mauricio fratri suo ac Waltero de Morauia, et eorum parentibus, hominibus et adherentibus quibuscumque, omnem motionem et rancorem animorum suorum erga eos conceptum pro morte quondam Walteri, Malcolmi et Willelmi de Meneteth, predictorum consanguineorum suorum,

ac omnem sectam et actionem quas erga eos ob hoc habuerunt uel habere potuerunt seu poterunt in futurum, totaliter ad dictorum fratrum instanciam et propter bonum concordie remiserunt. Et presentem tractatum concordie, in omnibus et singulis suis punctis et articulis hinc inde initis, concessis et affirmatis, ipsi pro se et suis heredibus laudabilem, acceptum atque perutilem decernentes, et quatenus in eis est uel esse poterit confirmantes, manuceperunt firmiter, et fide data efficaciter promiserunt pro se, scilicet, quilibet singulatin, quod si contigerit presentem reformationem concordie in aliquo in ipso tractatu expresso per alteram dictarum partium contra alteram infringi, quod absit, hoc statim probato, ipsi cum sua potentia consurgent et consilio cum parte ista cui infractio facta fuerit contra illam. Et in huius rei testimonium, ac in maiorem evidenciam omnium premissorum, hiis literis duplicibus in pari forma omnino confectis, videlicet, vni monumento pro qualibet parte predicta, prefati domini sua sigilla fecerunt apponi: Monumento vero seu literis penes dictum Johannem de Dromud remanentibus, dicti Johannes et Alexander de Meneteth, ac Walterus de Buchanane, sua apposuerunt sigilla in testimonium premissorum: Illi quidem monumento seu literis penes dictos fratres Johannem et Alexandrum de Meneteth remanentibus, Johannes de Dromud, Mauricius frater ejus, et Walterus de Morauia, sigilla sua apposuerunt in testimonium eorundem. Vltius etiam extitit concordatum, quamuis non sit expressum superius in loco magis competenti, quod in casu quo dictus Johannes de Meneteth, uel dictus Walterus nepos suus, pro aliqua causa uel motione exorta usque presens, dicto Johanni de Dromud, uel Mauricio fratri suo, siue dicto Waltero de Morauia, aut alicui heredum, hominum, parentum uel adherencium eorundem, mortem intulerit quauis maligna suggestionem, quod absit; seu in casu quo non insurrexerit cum eisdem contra illum ex ipsis qui tantum facinus perpetraverit, prout continetur magis clare superius in clausula; ceterum statim hoc facto et probato,

vt ibidem dicitur, dicta terra de Rosnef ad dictum Johannem de Dromud et heredes suos pure et in perpetuum reuertetur, quemadmodum fieri pro facto Alexandri de Meneteth in prefata clausula dictum fuit. Et ad magis manifestam atque auctenticam noticiam omnium et singulorum punctorum et articulorum contentorum in presenti tractatu, et ad perpetuam persistenciam eorundem, eedem partes predictae subscriptionem, attestacionem et signum publici tabellionis subscripti presentibus literis duplicibus tanquam indentatis, vni pari earundem, videlicet, penes alterutram dictarum partium remanenti, fecerunt et requisierunt ibidem inseri et inscribi, vna cum sigillis dictorum dominorum atque suis. Acta et data, anno, die et loco predictis.

30. CHARTER OF CONFIRMATION by KING DAVID THE SECOND to JOHN DRUMMOND of Concrag, of the lands of Aberfoil.—12th November [1361].¹

DAVID 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 illam et concessionem, quam Margareta de Morauia comitissa de Meneteth fecit et concessit dilecto et fideli nostro Johanni de Dromynd de Concrag, de terra de Abirfwll cum pertinenciis, infra comitatum de Meneteth : Tenenda et habenda predicto Johanni et proli inter ipsum et dictam comitissam procreate, ac heredibus eiusdem prolis, et assignatis, cum omnibus libertatibus, commoditatibus, aysiamenis, et iustis pertinenciis 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 carta predictae comitisse eidem Johanni exinde facta in se plenius iuste continet et porportat : Saluo

¹ Original Charter at Drummond Castle.

servicio nostro: In cuius rei testimonium presenti carte confirmacionis nostre sigillum nostrum precepimus apponi: Testibus, venerabilibus in Christo patribus, Willelmo episcopo Sancti Andree, et Patricio episcopo Brechynensi, cancellario nostro, Roberto Senescallo Scocie, comite de Stratheme, nepote nostro, Waltero Moygne et Waltero de Halyburtoun, militibus; apud Sconam, duodecimo die Nouembris, anno regni nostri tricesimo secundo.

31. CHARTER by KING DAVID THE SECOND to BARTHOLOMEW OF LOEN, knight, and PHILIPPA OF MOWBRAY, his spouse, of the barony of Barnebugale, on the resignation of JOHN GRAHAM, EARL OF MENTEITH, and MARIA, his spouse.—6th January [1361].

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 Bartholomeo de Loen, militi, pro homagio et fideli servicio suo nobis impenso et impendendo, ac nostre dilecte consanguinee Philippe de Movbray sponse sue, totam baroniam de Barnebugale cum pertinenciis, infra vicecomitatum de Edynbwrgh in constabularia de Lynlithcu; quam baroniam cum pertinenciis, Johannes de Grahame, comes de Meneteth, et Maria sponsa sua, non vi aut metu ducti, nec errore lapsi, sed mera et spontanea voluntate sua, nobis apud Perth, in consilio nostro ibidem tento, tercio die mensis Maij, anno regni nostri decimo septimo, pure et simpliciter per fustum et baculum sursum reddiderunt, ac totum ius et clameum quod in dicta baronia cum pertinenciis habuerunt et habere potuerunt in futurum, pro se et heredibus suis, omnino quietum clamauerunt et in perpetuum resignârunt, pro acquietancia et remissione a nobis petita et optenta de duobus millibus marcarum sterlingorum bonorum et legalium in

quibus supradicti Johannes et Maria racione maritaggi et releuii nobis strictius tenebantur: Tenendam et habendam eisdem Bartholomeo et Philipe sponse sue, heredibusque eorum et assignatis, de nobis et heredibus nostris, in feodo et hereditate, per omnes rectas metas et diuisas suas, in boscis et planis, vijs et semitis, aquis, stagnis, molendinis, multuris et eorum sequelis, in aucupacionibus, venacionibus et piscariis, vna cum seruicijs libere tenencium dicte baronie, et cum omnibus alijs et singulis libertatibus, commoditatibus, aysiamentis et iustis pertinenciis quibuscunque ad dictam baroniam cum pertinenciis pertinentibus, seu quoquo modo iuste spectare valentibus in futurum, adeo libere et quiete, plenarie, integre, et honorifice, in omnibus et per omnia, sicut predicti Johannes et Maria aut aliqui alii heredum de Movbray aliquo tempore dictam baroniam cum pertinenciis quociens tenuerunt seu honorabilius possederunt: Reddendo nobis et heredibus nostris ipsi Bartholomeus et Philippa, eorumque heredes et assignati, seruicium vnius sagittarii siue architenentis, cum et quando super hoc fuerint requisiti, pro omni alio seruicio seculari, exactione seu demanda: Et si contingat, quod absit, aliquem vel aliquam heredum vel assignatorum Johannis et Marie supradictorum, aliquo tempore in futurum huiusmodi eorum renunciacionem siue presentem nostram donacionem contradicere, aut ad huius eneruacionem aliquid attemptare, volumus quod, ante omnem litis ingressum per eum vel eam, cuiuscunque condicionis existat, Bartholomeo et Philippe predictis eorumve heredibus aut assignatis plenarie et integraliter satisfiat de duobus millibus marcarum supradictis: Et ad huiusmodi satisfactionem firmiter fiendam, sine nostra vel heredum nostrorum licencia liceat eisdem comitatum de Meneteth ac omnia bona in eodem reperta distringere, et ad vsus proprios applicare, donec de duobus millibus marcarum supradictis plenarie fuerit satisfactum, prout in pacto inter nos et eosdem facto et expressato, comitatus predictus strictius ad hoc extitit obligatus: In cuius rei testimonium presenti carte

nostre sigillum nostrum precepimus apponi; testibus, venerabilibus in Christo patribus, Willelmo episcopo Sanctiandree, et Patricio episcopo Brechynensi, cancellario nostro, Roberto Senescallo Scocie, comite de Stratherne, nepote nostro, Patricio comite Marchie et Moraue, Archibaldo de Douglas, et Johanne Heryce, militibus; apud Abirbrothock, sexto die Januarii, anno regni nostri tricesimo secundo.

32. CHARTER by ROBERT THE STEWARD OF SCOTLAND and EARL OF STRATHERN to MAURICE OF DRUMMOND, of the lands of Drommane and Tulychravin. —*Circa 1362.*¹

OMNIBUS hanc cartam visuris vel audituris, Robertus Senescallus Scocie ac comes de Stratherne, salutem in Domino sempiternam. Noueritis nos dedisse, concessisse et hac presenti carta nostra confirmasse Mauricio de Drommunth, consanguineo nostro, dominicales terras nostras de Drommane et de Tulychravin cum pertinenciis, infra comitatum de Stratherne: Tenendas et habendas eidem Mauricio, heredibus suis et assignatis, de nobis et heredibus nostris, in feodo et hereditate imperpetuum, libere, quiete, plenarie et in pace, per omnes antiquas rectas metas et diuisas suas, videlicet, in boscis, planis, aquis, stagnis, viis, semitis, moris, maresiis, pratis, pascuis, venacionibus, aucupacionibus et piscacionibus, multuris, molendinis et eorum sequelis, fabrinis, bracinis et ceteris huiusmodi officinis, et cum omnimodis aliis libertatibus, commoditatibus, aysiamentis et iustis pertinenciis, tam non nominatis quam nominatis, in omnibus et per omnia, tam sub terra quam supra terram, ad dictas terras cum pertinenciis spectantibus seu quoquo modo spectare valentibus in futurum: Reddendo inde nobis et heredibus nostris dictus Mauricius, heredes sui et assignati, vnum par calcarium deauratorum

¹ Original Charter at Drummond Castle.

nomine albe firme, tantum si petatur, annuatim, pro omnimodo seruicio seculari, exactione seu demanda, que de dictis terris cum pertinenciis per nos seu heredes nostros quoquo modo exigi poterunt vel requiri: Nos vero Robertus Senescallus Scocie ac comes de Stratherne et heredes nostri dictas terras cum pertinenciis prenominato Mauricio, heredibus suis [et] assignatis, contra omnes homines et feminas warrantizabimus, acquietabimus et imperpetuum defendemus. In cuius rei testimonium presenti carte nostre apponi fecimus sigillum nostrum, apud Methfen; testibus, dominis Johanne Senescalli, fratre nostro, Hugone de Eglintun, Thoma del Fauside, militibus, Waltero Olifaunt, Johanne de Roos et Hugone de Roos et multis aliis.

33. LETTER OF BAILIERY by ROBERT STEWARD OF SCOTLAND and EARL OF STRATHERN, with consent of his eldest son, JOHN STEWART, EARL OF CARRICK, to ALLAN OF LAUDER, over his lands in Berwickshire, to which ROBERT STEWART, LORD OF MENTEITH, is a witness.—16th October 1369.

OMNIBUS hoc scriptum visuris vel auditoris, Robertus Senescallus Scocie, comes de Stratherne et baro baronie de Renfrew, salutem in Domino sempiternam: Noueritis nos de consensu dilecti primogeniti nostri et heredis, Johannis Senescalli, comitis de Carryke, fecisse, constituisse et per presentes ordinasse dilectum nostrum et fidelem Alanum de Lawedir, tenentem nostrum de Whytslide, ballium nostrum de omnibus terris et tenandriis subscriptis, videlicet, de Byrkynsyde, Ligeardwod, Morystoun, Whytslide et Auldynstoun cum pertinenciis, que de nobis tenentur, in capite, infra viccomitatum de Berwico-super-Twedam: Dantes eidem Alano et heredibus suis, tenentibus nostris de Whytslide, pro nobis et heredibus nostris, baronibus de Renfrew,

nostram plenariam potestatem curias nomine nostro de tenandriis predictis tenendi, quum sibi placuerit, et in quo loco infra dominium nostrum predictum, excessus puniendi, homines infra dictas terras manentes quociens opus fuerit ad libertates nostras replegiandi, forisfacturas et escaetas, wardas cum maritagiis et releuia cum contigerint, nomine nostro recognoscendi, terras assedandi, firmas et ann[u]os redditus leuandi, et pro eisdem ad libitum suum disponendi, ac omnia alia et singula faciendi que ad officium veri balliui de iure vel consuetudine pertinere dinoscuntur: Ratum et gratum habentes et habituros pro nobis et heredibus nostris imperpetuum quicquid predictus Alanus et heredes sui in dicto officio nomine nostri et heredum nostrorum duxerit vel duxerint faciendum, ac si mandatum exigat speciale. In cuius rei testimonium, sigillum nostrum, vna cum sigillo dilecti primogeniti nostri et heredis predicti, presenti scripto fecimus apponi, apud villam de Perth, sextodecimo die mensis Octobris, anno Domini millesimo tricentesimo sexagesimo nono; hiis testibus, Roberto Senescalli, domino de Menteth, filio nostro karissimo, dominis Johanne Senescalli fratre nostro, Johanne de Danyelstoun, Johanne de Lindesay de Cragy, Johanne de Lyl et Adam de Foulertoun, militibus, Johanne Walas de Ricartoun, Johanne de Maxwel, Roberto de Howstoun, et multis aliis.

34. INDENTURE between SIR ROBERT STEWART, EARL OF MENTEITH, and
ISABELLA COUNTESS OF FIFE.—30th March 1371.

HEC indentura testatur quod apud Perth, penultimo die mensis Marcii anno Domini millesimo ccc^{mo} septuagesimo primo, ita conuentum est et concordatum inter nobilem virum, dominum Robertum Senescalli comitem de Meneteth, ex parte vna, et nobilem dominam, dominam Isabellam comitissam de Fyff, ex parte altera; videlicet, quod idem dominus comes, quem dicta domina

comitissa suum verum et legitimum heredem apparentem recognoscit, tam per talliacionem factam per bone memorie dominum Duncanum comitem de Fyff, patrem dicte domine comitisse, domino quondam Alano comiti de Meneteth, auo domine Margarete, sponse dicti domini Roberti nunc comitis eiusdem, quam per talliacionem per ipsam dominam Isabellam comitissam de Fyff et quondam Walterum Senescalli, fratrem dicti domini Roberti comitis de Meneteth, maritum suum, factam comiti supradicto, totam suam diligenciam et omnes vires suas fideliter apponet ad recuperandum eidem comitisse comitatum de Fyff, quem ipsa vi et metu ducta alias resignauit : Et tam in hoc quam in omnibus aliis que ipsam dominam comitissam concernunt, idem comes ipsam iuuabit et fortificabit, et se eidem tanquam matri sue amicabilem et tenerum exhibebit : Ac dicto comitatu recuperato et possessione dicti comitatus eidem comitisse adepta, statim ipsa dictum comitatum resignabit in manu domini regis, ad infeodandum ipsum dominum comitem de eodem ; qui statum et saysinam feodi dicti comitatus incontinenti recipiet, ducatumque et dominium hominum dicti comitatus habebit, vardas, releuia, maritagia, escaetas, et singula alia que ad comitem de Fyff pertinere debentur, percipiet, cum contingent : Curie vero dicti comitatus per senescallum tenebuntur, quarum exitus contingentes de hominibus inhabitantibus terras de quibus ipsa comitissa firmas recipiet, hec habebit ; idem vero comes de omnibus aliis tenentibus et forinsecis recipiet et habebit : Et sciendum est quod dicta domina comitissa liberum tenementum terrarum dicti comitatus existencium extra terciam partem dominam Mariam comitissam de Fyff, matrem dicte domine Isabelle contingentem, libere habebit, pro toto tempore vite sue, in assedacione et firmarum leuacione, cum aueragiis et cariagiis et ceteris minutis seruiciis debitis et consuetis ; sic quod dicta domina comitissa et predicta mater sua omnes illas terras habeant, quas die sue resignacionis in earum possessionibus habuerunt et in suis rentalibus nominatas ; saluis dicte

matri sue illis terris que post resignacionem suam predictam sibi fuerunt in terciam legitime assignate : Et si contingat dictum dominum comitem aliquas terras alienatas ante resignacionem per dictam dominam comitissam vi et metu factam, ut predicatur, infra dictum comitatum vel extra aliqualiter recuperare, omnes illas terras idem dominus comes penitus habebit, de quibus dicta domina comitissa liberum tenementum non habebit, nec firmas percipiet aliquas de eisdem, nec dicte matri sue tertia fiet inde : Et dicta domina Maria comitissa mortua, idem comes totam terciam partem dicti comitatus habebit, de qua dicta domina Isabella comitissa liberum tenementum non habebit, nec se de eadem aliqualiter intromittet : Concordatum est eciam quod dictus dominus comes turrin de Falcland, cum foresta eiusdem, infra suam custodiam habebit, et constabularius ibidem per ipsum ordinabitur et remouebitur, ut ei placeat ; infra quam turrin dicta domina comitissa moram trahet, cum voluerit ; que si et quando de dicto constabulario con-
questa fuerit, per ipsum dominum comitem, vel ipso cum premunitus fuerit accedere non valente, per dominum Alexandrum de Lindesay, cognicio fiet, et idem constabularius, si deliquerit, vel remouebitur, vel alias punietur, prout delicti qualitas postulabit : Preterea, tota villa de Faleland iuxta turrin predictam eidem domino comiti assedabitur, pro tanta firma pro quanta assedatur die confectionis presentis indenture, sic quod cum ibidem aduenerit, hospicium pro se et equis suis ibidem habeat, et aliis terris non noceat ipsius domine comitisse : Et ad hec omnia hinc inde fideliter obseruanda vtraque pars se per suum iuramentum corporaliter prestitum firmiter obligauit : In quorum omnium testimonium partibus huius indenture hinc inde remanentibus sigilla predicti domini comitis et predictae domine comitisse altrinsecus apponuntur, vna cum signo et subscriptione notarii hic subscripti : Acta [et] data, loco, die et anno supradictis ; hiis testibus, cum publico notario, videlicet, probis viris, dominis Hugone de Eglintoun, Roberto Senescalli, vicecomite

de Perth, militibus ; domino Stephano archidiacono ecclesie Brechinensis, Mauricio de Drommunde, Thoma Sibald, testibus ad premissa vocatis.

TRANSLATION.

35. INDENTURE between SIR ROBERT STEWART, EARL OF MENTEITH, and ISABELLA COUNTESS OF FIFE.—30th March 1371.

THIS indenture bears witness that, at Perth, on the penult day of the month of March in the year of our Lord one thousand three hundred and seventy-one, it was accorded and agreed between a noble man, Sir Robert Stewart, Earl of Menteith, on the one part, and a noble dame, Dame Isabella, Countess of Fife, on the other part, as follows : namely, that the said Sir Earl, whom the said Dame Countess recognises as her true and lawful heir-apparent, as well by the entail made by Sir Duncan, Earl of Fife, of good memory, father of the said Dame Countess, in favour of the late Sir Alan, Earl of Menteith, grandfather of Dame Margaret, spouse of the said Sir Robert, now Earl of the same, as by the entail made by the said Dame Isabella, Countess of Fife, and the late Walter Stewart, brother of the said Sir Robert, Earl of Menteith, her husband, in favour of the above-said Earl, shall faithfully apply all his diligence and all his influence for recovering to the said Countess the Earldom of Fife, which she, induced by force and fear, formerly resigned : And in this, as in all other matters that concern the said Dame Countess, the said Earl shall assist and support her, and show himself loving and gentle to her as if she were his mother : And upon the said earldom being recovered, and possession of the said earldom obtained by the said Countess, she shall immediately resign the said earldom into the hands of our lord the king for infetting the said Sir Earl therein ; who shall forthwith receive state and sasine of the fee of the said earldom, and shall have the leadership

and lordship of the men of the said earldom ; and shall uplift, when they occur, the wards, reliefs, marriages, escheats, and all others which ought to belong to the Earl of Fife : But the courts of the said earldom shall be held by the steward ; and the said Countess shall have the issues arising from the inhabitants of the lands of which she shall receive the maills : But the said Earl shall receive and have them from all other tenants and strangers : And be it known that the said Dame Countess shall freely have, during her whole lifetime, the frank-tenement of the lands of the said earldom not included in the third part belonging to Dame Mary, Countess of Fife, mother of the said Dame Isabella, in tack and uplifting of the fermes, with arriages and carriages and other minor services used and wont ; so that the said Dame Countess and her foresaid mother shall have all those lands which they had in their possession, and specified in their rentals, on the day of her resignation ; reserving to her said mother those lands which were lawfully assigned to her in terce, after her foresaid resignation : And if it happen that the said Sir Earl in any way recover any lands alienated before the resignation made by the said Dame Countess through force and fear as aforesaid, within or without the said earldom, the said Sir Earl shall wholly possess all those lands, and the said Dame Countess shall not have the frank-tenement thereof nor receive any fermes of the same, nor shall terce accrue therefrom to her said mother : And on the death of the said Dame Mary, Countess, the said Earl shall possess the whole third part of the said earldom ; and the said Dame Isabella, Countess, shall not have the frank-tenement thereof, nor in any way intromit with the same : It is also agreed that the said Sir Earl shall have in his keeping the tower of Falkland, with the forest thereof ; and the constable there shall be appointed and removed by him at his pleasure ; and within that tower the said Dame Countess shall stay when she shall wish to do so : And if at any time she shall have made a complaint respect-

ing the said constable, an inquiry shall be made by the said Sir Earl, or (if he shall be unable to come when warned) by Sir Alexander of Lindsay ; and the said constable, if he be in fault, shall either be removed or otherwise punished, as the nature of the offence shall require : Moreover, the whole town of Falkland near the tower foresaid, shall be set in tack to the said Sir Earl for as much maill as it is set for on the day of the making of the present indenture ; so that when he shall come there, he may have lodging for himself and his horses there, and not injure the other lands of the said Dame Countess. And for all these conditions being faithfully observed on both sides, both parties have strictly bound themselves by their oath personally given. In witness of all which, the seals of the foresaid Sir Earl and of the foresaid Dame Countess are appended interchangeably to the copies of this indenture remaining with both parties, together with the sign and subscription of the notary here subscribed. Done and given, place, day, and year above mentioned, in presence of these witnesses, along with the notary public, namely, honourable men, Sir Hugh of Eglintoun, Sir Robert Stewart, sheriff of Perth, knights, Sir Stephen, archdeacon of the church of Brechin, Maurice of Drummond, and Thomas Sibald, witnesses called to the premises.

36. OBLIGATION by SIR PATRICK OF GRAHAM, son of SIR DAVID GRAHAM of Dundaff, to support a Chaplain for the Church of Dumbarton.—10th February 1372.¹

OMNIBUS ad quorum noticiam presentes litere peruenerint, Patricius de Graym, filius et heres domini Dauid de Graym, militis, domini de Doundaff, salutem in Domino sempiternam : Nouerit vniuersitas vestra me teneri et per presentes firmiter obligari ad inueniendum et sustentandum vnum capellanum sufficientem, cum omnibus necessariis ornamentis ad eum spectantibus, diuina in

¹ Original Charter in Dumbarton Charter-chest.

ecclesia parochiali de Donbrethan, apud altare sancte crucis, pro anima Ysabelle Flemyng quondam domine de Dalnotty, et animabus parentum suorum, ac ipsius prolis, necnon et omnium fidelium defunctorum perpetuo celebraturum; propter quod onus subeundum predicta Ysabella mihi dedit et concessit hereditarie terras infrascriptas, videlicet, terram de Kyllemonethdam et Kyllerman, Ysabelle Flemyng adiacentes, in comitatu de Leuenax, quas ex donacione et concessione hereditarie predictae Ysabelle Flemyng habui et possedi, prout habeo et possideo pro dicto onere, ut premittitur, subeundo: Et si contingat, quod absit, me vel heredes meos aut assignatos seu successores quoscunque predictum capellanum non inuenire modo et forma quibus ut supra, obligo me, heredes meos et successores aut assignatos quoscunque, in viginti libris sterlingorum, nomine pene, fabricae maioris ecclesiae Glasguensis et luminari magni altaris eiusdem ecclesiae per aequales portiones soluendis et diuidendis, quociens tociens me vel heredes meos aut assignatos siue successores quoscunque de facto in dicto pacto siue conuencione contigerit deficere, principali conuencione siue pacto nihilominus in suo robore permanente, nisi predictae terre per communem guerram fuerint destructe; qua cessante, dictus dominus Patricius non soluet dicto capellano nisi quantum de dictis terris receperit, quousque dicta terra sit sufficiens in redditibus ad inueniendum vnum capellanum sufficientem: Obligo me, heredes meos et successores quoscunque, in omnibus et per omnia, ad inueniendum et sustentandum capellanum predictum, prout in hac litera superius continetur; subiciens me, heredes meos et successores, quantum ad premissa inuiolabiliter de cetero obseruanda, jurisdictioni et coercioni domini episcopi Glasguensis qui pro tempore fuerit, vel ipsius officiali, aut, sede vacante vel episcopo in remotis agente, decanis capituli predictae ecclesiae Glasguensis. In cuius rei testimonium parti huiusmodi conuencionis penes dictam Ysabellam Flemyng remanenti sigillum predicti domini Patricii, vna cum sigillo officialitatis curie Glasguensis, in robor

et testimonium omnium premissorum, presentibus sunt appensa ; parti vero penes predictum dominum Patricium de Graym remanenti sigillum predictæ Ysabelle Flemyng, vna cum sigillo officialitatis curie Glasguensis, in robor et testimonium omnium premissorum, presentibus sunt appensa. Datum apud Glasguam, decimo die mensis Februarii, anno Domini millesimo ccc^{mo} septuagesimo secundo.

37. INDENTURE between ROBERT STEWART, EARL OF FIFE AND MENTEITH, and MARGARET his Wife, and SIR BERTOLD DE LOEN and PHILIPPA MOUBRAY his Wife, as to the marriage of David de Loen and Janet Stewart.—
20th July 1372.¹

HEC Indentura testatur quod apud Edenburgh, vicesimo die mensis Julii, anno Domini millesimo tricentesimo septuagesimo secundo, inter nobilem dominum et potentem dominum Robertum Senescalli, comitem de Fife et de Menteth, nobilem dominam, dominam Margaretam sponsam suam, ex parte vna, et nobilem virum dominum Bertoldum de Loen, militem, dominum Barnebugall, dominam Philippam de Movbray sponsam suam, ex parte altera, super maritagio contrahendo inter Daud, filium et heredem dictorum Bertoldi et Philippe, ac Jonetam Senescalli, filiam dicti domini Roberti Senescalli, comitis de Fife et de Menteth, et domine Margarete sponse sue, in forma que sequitur extitit concordatum : Videlicet, quod dictus Daud ipsam Jonetam per Dei graciam ducet in vxorem, et dicti Bertoldus et Philippa, tam diu vixerint, ministrabunt et facient ministrari dictis Daud et Joneta de omnibus necessariis ita quod honeste sustententur : Et si forte dicti Daud et Joneta coniunctim matrimonio legitime, post decessum dictorum Bertoldi et Philippe, superstites extiterint, dicti Daud et Joneta eorumque alter diucius viuens, et heredes inter ipsos legitime procreandi, tota et integra hereditate dictos

¹ Original in H. M. General Register House, Edinburgh.

Bertoldum et Philippam sponsam suam ratione dicte sponse contingente hereditarie congaudebunt; ita semper quod ipsis Daud et Joneta ac suis heredibus predictis forte deficientibus, tota ipsa hereditas ad ipsius Philippe heredes legitimos plene et integre reuertatur: Preterea si contingat quod, matrimonio inter ipsos Daud et Jonetam in facie ecclesie completo, viuentibus ipsis Bertoldo et Philippa, dictus Daud diem clauserit extremum, assignabuntur, et statim mortuo dicto Daud, fient dicte Jonete quadraginta librate sterlingorum terre cum pertinentiis, infra baroniam de Barnebugall, ad sustentacionem ipsius Jonete pro toto tempore vite sue: Insuper quod si Bertoldus, Philippa et Daud diem clauserint extremum, et dicta Joneta completo matrimonio ut prefertur superuixerit, ipsa Joneta post mortem ipsorum totam hereditatem ipsos Bertoldum et Philippam contingentem pro toto tempore vite sue possidebit, et ipsa Joneta defuncta, statim dicta hereditas totalis ad heredes dicte Philippe reuertetur. Item concordatum extitit inter predictos dominum Robertum Senescalli, comitem de Fife et de Menteth, et Bertoldum, quod dictus dominus Robertus comes cum totis suis consilio et auxilio iuuabit ipsum Bertoldum, et laborabit ad faciendum eundem Bertoldum recuperare omnes terras hereditarias, quas ipse Bertoldus, ratione sue sponse predictae, iure hereditario infra regnum Scocie vindicare voluerit vbicunque. Et ad hec omnia et singula tenenda, firmiter obseruanda, et omnia fideliter perimplenda, prefate partes sese obligauerunt ad inuicem bona fide modo quo potuerunt meliori. In quorum testimonium, parti huius scripti per modum indenture facti, penes prefatos Bertoldum et Philippam remanenti, sigilla dicatorum domini Roberti Senescalli, comitis de Fife et de Menteth, et domine Margarete sponse sue, sunt appensa; parti uero penes eosdem dominum Robertum Senescalli comitem et Margaretam sponsam suam remanenti, sigilla predictorum domini Bertoldi et domine Philippe sponse sue apponuntur, loco, die et anno supradictis.

38. BOND OF MAINTENANCE by ROBERT STEWART, EARL OF FIFE AND MENTEITH, in favour of SIR BERTOLD OF LOEN, knight.—25th November 1375.¹

OMNIBUS has literas visuris vel audituris, Robertus Senescalli comes de Fyfe et de Meneteth, salutem in Domino: Nouerit vniuersitas vestra quod fideliter promittimus et bona fide obligamus nos, cum toto nostro consilio et auxilio, ad adiuuandum dominum Bertoldum de Loen, militem, ad laborandum et faciendum eundem Bertoldum recuperare omnes terras hereditarias quas ipse Bertoldus racione domine Philippe de Movbray, sponse sue, iure hereditario infra regnum Scocie vindicare voluerit vbicunque; ac eciam eundem Bertoldum in omnibus suis iustis possessionibus adiuuabimus et manutenebimus contra omnes homines, excepto domino nostro Rege, et exceptis dominis fratribus nostris, ac dominis Comite de Dowglas, Jacobo filio suo, Archebaldo de Dowglas, militibus, et causa nostra propria. In cuius rei testimonium, presentibus sigillum nostrum fecimus apponi; apud castrum de Striuelyne, vicesimo quinto die mensis Nouembris, anno Domini millesimo trecentesimo septuagesimo quinto.

39. INDENTURE by ANDREW MERCER, lord of Mekyllhour, between ROBERT EARL OF FIFE and MENTEITH and JOHN OF LOGY as to the lands of Logy and Stragartnay.—[15th May] 1385.²

TYL al that thir lettrys herys or seys, Androw Mercer, Lorde of Mekyllhour, gretyng in God ay lestand: Tyl yhur vniuersite be wyttyn, that my redoutyt lorde, Syr Robart Stewart, Eryl of Fyfe and Menteth, and Jon of Logy, squyer, the sune and the ayre of Syr Jon of Logy, knyght, of thair fre wyl, nane beand present bot we thre before nemnyt, put in myne ordenans al the debate and

¹ Original Bond in H. M. General Register House, Edinburgh.

² Original Indenture in Logiealmond Charter-chest.

Thy al pat yu' lettye hors or seys andross m^o lord of anythom
Robart Stewart Eryl of ffyfe and ayenteth and Jon of logy knyght ye
bot the thre before nemmyt put in myne ordenans al ye debate and y
h^o ebyr pat I ordaynt and detymyt vany to do ye forsayde s^r Robart
pat pat fuldehald sekr ferme and stabyl and ye ilke forsayde command
myt in ye p^{re}ns of myne excellent p^{re}nce Robart thill ye grace of
p^{re}nce Crisene of amirese and thom of Raxe and in ye tyme pat I p^{re}
par of to gyf Judgement be ye recorde of my t^hinge I made bodely fay
and Jon of ran fre assent as is before whytyn I abysyt and Gmbethohel
pelandyr yhamand vany endful and tender fienschepe for suth detymyt
ordaynt vany to cele and vad atolth for sondry doct^r I ordaynt ye forsayd
of logy and of stragartnay before whytyn and thross Gtu of bodely fayth
detymnagon and ordenans of ye cause before whytyn ye forsayde s^r Robart
and Gp gese whytyn staf and styk to ye forsayde Jon ye landys be fore non
to ye forsayde Jon and ye forsayde Jon to gyf his w^olth to ye forsayde s^r
letly to halde ferme and stabyl al thying vad detymyt ordaynt and
sayde nathing vad agayne sayand and q^uhen al ye ebes d^umo as
nand to ye q^uhyll askyng I ye forsayde Andrew for suth answert ya
nonday neste before whytynsonday ye vher of hom lorde d^rtholksand
of myne ordenans fully detymt be t^hene ye forsayde s^r Robart an
al men I mak knalbyn thross yeis p^{re}nt lettye endemyt beand my
in whytynsyng of al thying in it cotenyt d^rwelland whytyn ye forsayde
of ye endemyt in whytynsyng of al thying in it cotenyt d^rwelland
and to ye whytyn of ye q^uhyll al and sondry in yu' endemyt lettye



being in god ay lestand tyl yhm^o Omisite le Wyrtyn yat my redempt^r lord de s^r
er and ye dyce of s^r Jon of logy knyght of yam^o s^r the chyl name beand p^rsent
gnesforn yat wes be etlene yam for ye landys of logy and of Stjagartnay and
and Jon faythfully hebe s^rekend yam handys in myne bodely makand grude fayth
de apou yo cans before Wyrtyn ye forsayde s^r Robert and Jon remilept and afer
red kyng of Scotland and his eldste s^rme Jon Eycl of Carryke/ ayast Jmckane
forsayde Androth assenyt to ifayne yo cause before Wyrtyn in myne ordenans and
it rythelystly to dome/ and I ye forsayde Androth Juge be etlene ye forsayde s^r Robert
lafund eo to mesur and rythelystlynes cosydeyand to lete mykyl yl p^rach and grete
yam fully tyl laorde esty ye tenu^r of etane endentys and obligacions ye q^rthyl I
s^r Robert s^rchly to delyver and yam p^rently up to gyf to ye forsayde Jon al ye landys
t ye forsayde s^r Robert and Jon wes oblyste lilly to fulfyl and treibly to halde my
t for such thyns etu of ye forsayde obligacion rytht yam p^rently s^rchly delyver
nt q^rthyn yat wes dome J ordynyt ye forsayde s^r Robert to gyf his q^rthyl
Robert beand to yam bath in etu of folk abt as is wyonest in yam endentys
and ye q^rthyl q^rabthys yam gese bodely ukano tyl othyr afermand as is before
before Wyrtyn ye forsayde Jon askyt me wes yat ye collucyon of myne orde
s^rchfastly yha And at al yo before Wyrtyn wes yno dome in dede on yo
ye hundyr s^rmfcor and s^rys beand my ful and playne dechnyngon and ye ende
Jon of ye cause before sayde at yam p^rnt in myne ordenans as is befor Wyrtyn tyl
layne and ful endyt dome as is before Wyrtyn ye ta parte of yo endentur
s^r Robert of my delyngans as ful endyt dome vnder my Cele/ ye toy p^re
Wyth ye forsayde Jon of my delyngans as ful endyt dome vnder my Cele
concomyt tyl alle p^rte of ye forsayde endentis I have p^rnt my Cele

the questyoun that wes betwene thaim for the landys of Logy and Stragartnay; and hwevyr that I ordaynyt and determynyt thaim to do, the forsayde Syr Robart and Jon faythfully heht, strekand thair handys in myne, bodely makand gude fayth that thai sulde halde sekir, ferme, and stabyl; and this ilke forsayde cunand made apon this cause before wrytyn, the forsayde Syr Robart and Jon reuuleyt and afermit, in the presens of myne excellent Prynce, Robart thrw the grace of God Kyng of Scotland, and his eldest sune Jon Eryl of Carryke, Maystir Dunckane Petyte, Ersdene of Murrefe, and Thomas of Rate; and in the tyme that I the forsayde Androw assentyt to resayue this cause before wrytyn in myne ordenans, and thairof to gyf ingement be the recorde of my twuge, I made bodely fayth it ryhtwysly to deme; and I the forsayde Androw iuge betwene the forsayde Syr Robart and Jon, of thair fre assent, as is before wrytyn, I avysyt and vmbethoht, hafand ee to mesur and rychtwysenes, consyderand to lete mykyl yl scath and grete selandyr, yharnand thair endeful and tendyr frenschepe, forsuth determynyt thaim fully tyl acorde eftyr the tenur of certane endentarys and obligacions, the qwyk I ordaynyt thaim to sele; and tharatowr for syndry dows, I ordaynyt the forsayde Syr Robart frely to delyvyr and than presently vp to gyf to the forsayde Jon al the landys of Logy and of Stragartnay before wrytyn, and throw vertu of bodely fayth at the forsayde Syr Robart and Jon wes oblyste lelly to fulfyl and trewly to halde my determinacyon and ordenans of the cause before wrytyn, the forsayde Syr Robart forsuth, throw vertu of the forsayde obligacyon rycht than presently frely delyueryt and vpgefe, wyth staf and styk, to the forsayde Jon the landys before nemnyt; qwhen that wes done, I ordaynyt the forsayde Syr Robart to gyf his trowth to the forsayde Jon, and the forsayde Jon to gyf his trowth to the forsayde Syr Robart, beand to thaim baith in vertu of sylk aht as is wytnest in thair endenturys, lelly to halde ferme and stabyl al thyng thar determynyt,

ordaynyt and dune ; the qwhylk trowthys thai gefe bodely ilkane tyl othyr, afermand as is before sayde, nathyng thair agayne sayand : And qwhen al this wes dune, as is before wrytyn, the forsayde Jon askyt me wes that the conclucyon of myne ordenans ; to the qwhylk askyng, I, the forsayde Androw, forsuth answeryt that suthfastly yha : And at al this before wrytyn wes thus dune in dede on Mononday neste before Whyssonday, the yher of hour Lorde a thowsand thre hundyr fourscor and fyve, beand my ful and playne determynacyon, and the ende of myne ordenans fullylly demyt betwene the forsayde Syr Robart and Jon, of the cause before sayde at thai put in myne ordenans, as is befor wrytyn, tyl al men I mak knawyn throw theis present lettrys endentyt, beand my playne and ful endyt dome, as is before wrytyn : the ta parte of this endentur in wytnesyng of al thyng in it contenyt dwelland wyth the forsayde Syr Robart, of my delyuerans as ful endyt dome vndyr my sele ; the tother parte of this endenture in wytnesyng of al thyng in it contenyt dwelland wyth the forsayde Jon, of my delyuerans as ful endyt dome vndyr my sele : And to the wytnes of the qlkylkis, al and syndry in thir endentyt lettrys contenyt, tyl ilk parte of the forsayde endenturis I hafe put my sele.

40. CHARTER by PATRICK OF GRAHAME, Lord of Kincardine, to PATRICK OF GRAHAME, his son, of Kinpunt and Yilefisten.—[*Circa* 1389.]

OMNIBUS hanc cartam visuris uel audituris, Patricius de Grahame, dominus de Kyncardyn, salutem in Domino sempiternam : Nouerit vniuersitas uestra me, cum consensu et assensu filii mei et heredis, domini Wilelmi de Grahame, militis, dedisse, concessisse, et hac presenti carta mea confirmasse dilecto filio meo Patricio de Grahame, cum Eufemia vxore mea procreato, omnes terras meas de Kynpunt et Yilefiston cum pertinenciis, in Laudonia, infra vicecomi-

tatum de Edynburgh, in constabularia de Lynlithcu : Tenendas et habendas eidem Patricio de Grahame filio meo, et heredibus masculis de corpore suo legitime procreandis, libere, quiete, plenarie, integre, pacifice, honorifice atque bene, in moris, maresiis, stagnis, aquis, viis, semitis, venationibus, aucupationibus, molendinis, fabrilibus et brassinis ac eorum sequelis, curiis et earum eschaetis, necnon cum omnibus aliis et singulis commoditatibus, libertatibus et aysiametis ac iustis pertinenciis quibuscunque ad dictas terras de Kynpunt et Yilefistoun spectantibus, seu aliquo modo spectare valentibus in futurum, tam sub terra quam supra terram. Et si contingat ipsum Patricium sine herede masculo de corpore suo legitime procreando decedere, volo et concedo quod Robertus filius meus cum dicta Eufemia vxore mea procreatus, frater eiusdem Patricii, predictas terras de Kynpunt et Yilefistoun cum pertinenciis habeat et possideat sibi et heredibus de corpore suo masculis legitime procreandis. Et si contingat ipsum Robertum fortuito casu sine herede masculo de corpore suo procreando mori, volo et concedo quod Dauid de Grahame filius meus, frater predictorum Patricii et Roberti cum predicta Eufemia vxore mea procreatus, sibi et heredibus masculis de corpore suo legitime procreandis predictas terras de Kynpunt et Yilefistoun cum pertinentiis habeat et possideat hereditarie. Et si contingat, quod absit, ipsum Dauid sine herede masculo de corpore suo legitime procreando decedere, volo et concedo quod dicte terre de Kynpunt et Yilefistoun cum pertinentiis ad Alexandrum de Grahame filium meum et dicte Eufemie, fratremque dictorum Patricii, Roberti et Dauid, et ad heredes masculos de corpore suo legitime procreandos, veniant et descendant : Ipso autem Alexandro et dictis heredibus suis masculis de corpore suo, ut prefertur, legitime procreandis deficientibus, quod absit, volo et concedo quod prenominate terre de Kynpunt et Yilefistoun cum pertinentiis ad quemcunque masculum inter me et dictam Eufemiam vxorem meam procreatum seu procreandum, videlicet, deficiendo de viro siue herede masculo

procreato de corpore suo, ad alium fratrem et heredem legitime de corpore suo procreandum ; illis autem, quod absit, omnibus deficientibus, ad heredes meos veros et legitimos quoseunque. Faciendo tamen filii mei prenominati et eorum heredes masculi seruicium domini nostri Regis quantum pertinet ad predictas terras de Kynpunt et Yilefistoun cum pertinentiis, et reddendo annuatim michi et heredibus meis in capella beati Petri de Kynpunt, ad festum Sancti Petri quod dicitur Ad Uincla, vnũ denarium argenti si petatur, nomine albe firme tantum, pro wardis, releuiis, maritagiiis, sectis curiarum et quibuscunque aliis petitionibus ac oneribus et demandis que per me uel aliquem heredum meorum infuturum exigi uel demandari poterunt quoquo modo. Ego vero predictus Patricius et heredes mei predictas terras de Kynpunt et Yilefistoun cum pertinentiis predictis filiis meis et eorum heredibus masculis, ut predictur, pro predicta alba firma michi et heredibus meis annuatim persoluenda, contra omnes homines et feminas warantizabimus, acquietabimus, et imperpetuum defendemus. In cuius rei testimonium sigillum meum presenti carte est appensum ; his testibus, reuerendis in Christo patribus, dominis Matheo Glasguensi et Johanne Dunkeldensi episcopis, nobili et potenti viro ac domino, domino Roberto comite de Fyff et de Meneteth, egregiis viris, dominis Dauid de Lyndesay domino de Glenesk, Thoma de Haya domino de Erole, constabulario Scotie, Thoma de Erskyne domino eiusdem, et Malcolmo Flemyng domino de Cwmernauld, militibus, consanguineis nostris carissimis, ac multis aliis.

41. CHARTER by KING ROBERT THE SECOND, confirming the preceding Charter,
No. 40.—26th January [1389].

ROBERTUS Dei gratia Rex Scottorum, omnibus probis hominibus totius terre sue, clericis et laicis, salutem : Sciatis nos cartam dilecti consanguinei nostri Patricii de Grahame, militis, 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 uel audituris Patricius de Grahame, dominus de Kyncardyne, etc. [No. 40, *supra*.]

QUAM QUIDEM cartam, donacionemque et concessionem in eadem contentas, in omnibus punctis suis et articulis, condicionibus et modis ac circumstanciis suis quibuscunque, forma pariter et effectu, in omnibus et per omnia, approbamus, ratificamus, et pro nobis et successoribus 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 Johanne cancellario nostro Sanctiandree et Dunkeldensis ecclesiarum episcopis, Johanne primogenito nostro de Carrie, senescallo Scocie, Roberto de Fif et de Meneteth, filio nostro dilecto, Archebaldo de Douglas domino Galwydie, consanguineo nostro, comitibus, Jacobo de Douglas domino de Dalketh, fratre nostro dilecto, et Thoma de Erskyne consanguineo nostro, militibus. Apud Monros, vicesimo sexto die Januarii, anno regni nostri octodecimo.

42. LETTER by ROBERT EARL OF FIFE AND MENTEITH to the indwellers of Stragartnay, to obey JOHN OF LOGY as their lawful Lord.—22d March 1390.

ROBERTUS comes de Fyf et de Meneteth, omnibus terras de Stragartnay inhabitantibus ac omnibus quorum interest, salutem : Licet alias vobis dedimus in mandatis, ad non obediendum dilecto consanguineo nostro Johanni de Logy, domino vestro, tamen consideratis ad plenum clameo et iure dicti Johannis, et pro se determinatis de eisdem terris de Stragartnay, cum pertinenciis, vobis precipimus et mandamus quatenus de presenti dicto

Johanni, et de cetero, tanquam vero domino et legitimo dictarum terrarum de Strogartnay respondeatis, pareatis et intendatis: Et hoc sub pena que competit non omittatis: In cuius rei testimonium preesentibus sigillum nostrum precepius apponi, apud Perth, vicesimo secundo die mensis Marci, anno Domini millesimo trecentesimo nonagesimo.

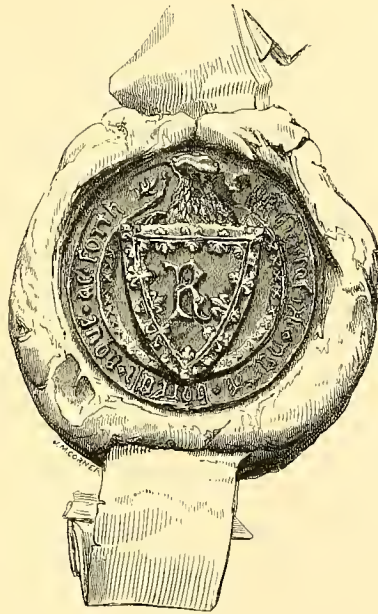
43. CERTIFICATION by MURDACH STEWART, Justiciar north of the Forth, that two men from Logy had been transferred to the jurisdiction of the Court of the regality of Logy.—20th May 1392.

OMNIBUS has litteras visuris vel auditoris, Murdacus Senescalli, dominus de Apthane, justiciarius ex parte boreali aque de Forth, salutem: Sciatis quod in pleno itinere iusticiarie per nos tento vicesimo die mensis Maii anno Domini millesimo trecentesimo nonagesimo secundo, apud Perth in pretorio eiusdem burgi, duo homines indictati et arestati per coronatorem erant intrati sic nominati, videlicet, Donaldus Schethsoun et Neuen Donaldsoun, quosquidem homines Johannes de Logy dominus eiusdem clamabat esse suos et habitantes in terris suis de Logy predictis; et tunc personaliter monstrans vnam cartam bone memorie Daud quondam regis Scottorum illustris sub suo magno sigillo, et super eandem cartam vnam confirmationem recolende memorie quondam Roberti regis Scottorum illustris sigillo ipsius magno sigillatam, quamquidem cartam et confirmationem veraciter per Willelmum de Camera, clericum nostrum dicti itineris justiciarie de verbo in verbum perlecte fuerant, sic incipientes in modis et formis que sequuntur:—ROBERTUS Dei gracia Rex Scottorum, omnibus probis hominibus tocius terre sue, clericis et laicis, salutem: Sciatis nos cartam recolende memorie quondam domini Daud Regis Scottorum, auunculi et predecessoris nostri, de mandato nostro visam, inspectam, lectam et diligenter examinatam, non rasam, non abolitam,

non cancellatam nec in aliqua sui parte viciatam, intellexisse ad plenum sub hac forma :—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 Logy, filio et heredi quondam Johannis de Logy, militis, pro suo fideli seruicio nobis impenso, totas et integras terras nostras de Logy cum pertinenciis infra vicecomitatum de Perth ; quasquidem terras cum pertinenciis, nepos noster carissimus Robertus Senescallus Scocie, comes de Stratherne, nobis per fustum et baculum coram pluribus fidedignis, in castro de Edynburgh, vicinimo die mensis Julii, anno Domini millesimo trecentesimo sexagesimo septimo, sursum reddidit, pureque, sponte et simpliciter resignauit, ac omne ius et clameum que habet vel habuit vel habere potuit in dictis terris cum pertinenciis, pro se et heredibus suis vel assignatis, omnino quiete clamauit in perpetuum : Tenendas et habendas predictas terras cum pertinenciis predicto Johanni, heredibus suis et assignatis, de nobis et heredibus nostris, in feodo et hereditate, in libera baronia pro perpetuo, sine aliquo retinemento, libere, quiete, plenarie, integre, honorifice, bene et in pace, per omnes rectas metas et diuisas suas, in longitudinem et latitudinem, cum homagiis et seruiciis libere tenentium, cum bondis et bondagiis, natiuis et eorum sequelis, cum omnibus aliis libertatibus, commoditatibus et aysiamentis et omnibus pertinenciis suis, tam non nominatis quam nominatis, tam sub terra quam supra terram, ad dictas terras de Logy pertinentibus, vel aliquo modo iure aut titulo pertinere valentibus, in pratis, pascuis et pasturis, in moris, marresiis, viis, semitis, aquis, stagnis, molendinis, multuris, bracinis, fabrinis et eorum sequelis, aucupacionibus, venacionibus, piscariis, siluis et siluariis, cum curiis et eschaetis, cum tholl et theame, sok et sak, pitt, galovs, et infan-gantheff, et cum omnibus aliis libertatibus, commoditatibus et aysiamentis, ac iustis pertinenciis quibuscunque, ad dictas terras cum pertinenciis spectan-

tibus seu spectare valentibus quomodolibet in futurum : concessimus eciam eidem Johanni, heredibus suis et assignatis, vt habeant et possideant totas predictas terras de Logy cum pertinenciis, vt prescriptum est, in liberam regalitatem : Reddendo inde annuatim nobis et heredibus nostris dictus Johannes, heredes sui et assignati, apud manerium suum de Logy vnum denarium argenti ad festum Sancti Johannis Baptiste, nomine albe firme, si petatur tantum, pro wardis, releuiis, maritagiiis, sectis curiarum, consuetudinibus, exaccionibus et demandis, ac omnibus aliis seruiciis secularibus quibuscunque, que de dictis terris cum pertinenciis aliquo modo in futurum exigi poterunt seu requiri : In cuius rei testimonium presenti carte nostre sigillum nostrum fecimus apponi : Testibus, venerabilibus in Christo patribus Willelmo episcopo Sancti Andree, Alexandro episcopo Aberdonensi, et Patricio episcopo Brechinensi, cancellario nostro, Roberto Senescallo Scoecie, comite de Stratherne, nepote nostro, Patricio comite de Marchia et Morauia, Willelmo comite de Douglas, Roberto de Erskyne, Waltero de Halyburtoun et Willelmo de Dysshyngtoun, militibus, apud Edynburgh, vicesimo sexto die mensis Julii anno regni nostri tricesimo nono : 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 precepimus apponi sigillum : Testibus, venerabilibus in Christo patribus, Valtero et Johanne, cancellario nostro, Sanctiandree et Dunkeldensis ecclesiarum episcopis, Johanne primogenito nostro de Carryk, senescallo Scoecie, Roberto de Fif et de Monteth, Jacobo de Douglas, filiis nostris dilectis, comitibus, Archebaldo de Douglas et Thoma de Erskyne, consanguineis nostris, militibus ; apud Kylwynin, sexto die Octobris, anno

regni nostri decimo septimo. QUIBUS vero in prefato itinere ad auditum nostri et tocius curie perlectis, dictus Johannes plegium quendam extendebat, quod virtute dicte carte debuit prefatos homines suos habere ad plegium ad curiam suam regalitatis de Logy; quoquidem plegio per nos recepto, et ipso extra curiam remoto, diligenter consiliata et curia ausata plene declarauerunt in nostri presencia, ut predicitur, vt dictus Johannes prefatos suos homines extra prefatam curiam itineris iusticiarie ad curiam suam regalitatis de Logy habere debuit, et tunc eosdem extra curiam iusticiarie ad libertatem et regalitatem predicti Johannis virtute carte sue predicte deliberare fecimus in instanti: Et quod acta et facta sic fuerant, sigillo nostro officii nostri iusticiarie supradicti testificamus, anno, mense et loco supradictis.



44. CHARTER by ROBERT DUKE OF ALBANY, EARL OF FIFE AND MENTEITH, to WILLIAM OLIFAUNTE, of the lands of Treyeneterrafe of Kippen, in the Earldom of Menteith.—[*Circa* 1399.]

OMNIBUS hanc cartam visuris vel audituris, Robertus dux Albanie, comes de Fyfe and de Menteth, salutem in Domino sempiternam : Noueritis nos dedisse, concessisse, et hac presenti carta nostra confirmasse dilecto nostro Willelmo Olifaunte, filio Walteri Olifaunte de Kelly, militis, pro suo fideli seruicio nobis impenso et imposterum impendendo, omnes terras nostras de Treyeneterrafe de Kyppen, in comitatu nostro de Menteth infra vicecomitatum de Perth ; que fuerunt dicti Walteri, et quas ipse, non vi aut metu ductus, nec errore lapsus, sed sua mera et spontanea voluntate, in presentia diuersorum apud Falklande, per fustem et baculum nobis sursum reddidit, ac totum ius et clameum que in dictis terris cum pertinenciis habuit vel habere potuit, pro se et heredibus suis, pure et simpliciter resignauit : Tenendas et habendas omnes terras predictas cum omnibus suis pertinenciis predicto Willelmo 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 aquis et stanguis, venacionibus, aucupacionibus, et piscationibus, molendinis, multuris et eorum sequelis, cum curiis, eschaetis et curiarum exitibus, ac cum omnibus aliis libertatibus, commoditatibus, aysiamentis ac iustis pertinenciis suis quibuscunque, tam non nominatis quam nominatis, tam prope quam procul, tam sub terra quam supra terram, in omnibus et per omnia, adeo libere et quiete, plenarie, integre et honorifice, bene et in pace, sicut dictus Walterus prefatas terras cum pertinenciis, ante resignacionem suam predictam nobis inde factam, liberius, plenius et honorificencius tenuit seu possedit quoquo modo : Faciendo inde annuatim nobis et heredibus nostris predictus Willelmus et heredes sui tale seruicium

sicut dictus Walterus pater eius vel sui predecessores nobis et predecessoribus nostris ante resignationem predictam facere sunt consueti, pro omni alio seruicio seculari, exaccione seu demanda, que de dictis terris cum pertinentiis per nos vel heredes nostros aliquialiter exigi poterunt vel requiri : In cuius rei testimonium presenti carte nostre sigillum nostrum fecimus apponi, apud Falklande ; hiis testibus, Georgeo de Lesley consanguineo nostro, et Ricardo Cumyne, militibus, Dauid de Lummsden, Michaele de Narne, et Ay Johnesoun, scutiferis, cum multis aliis.

45. CHARTER by EUFAMIA COUNTESS PALATINE OF STRATHERN, confirming a Charter by her father, DAVID EARL PALATINE OF STRATHERN and EARL OF CAITHNESS, to Sir ROBERT STEWART, knight, of Buchanedy, Ladegrene, and Corp, in the earldom of Strathern.—2d March 1400.

EUFAMIA Senescalli, comitissa palatina de Stratheryn, vniuersis ad quos presentes littere peruenerint, salutem in Domino sempiternam : Sciatis nos inspexisse et veraciter intellexisse cartam recolende memorie domini Dauid comitis palatini de Stratheryn et comitis Cathanie, genitoris et predecessoris nostri, factam dilecto et fideli nostro consanguineo domino Roberto Senescalli, militi, non abolitam, non rasam, non cancellatam, nec in aliqua sui parte vitiatam, in hec uerba :—OMNIBUS hanc cartam visuris uel auditoris, Dauid comes palatinus de Stratheryn et comes Cathanie, salutem in Domino sempiternam : Sciatis nos dedisse, concessisse et hac presenti carta nostra imperpetuum confirmasse dilecto et fideli consanguineo nostro domino Roberto Senescalli, militi, pro homagio et seruicio suo nobis impenso et impendendo, omnes et singulas terras nostras de Buchanedy, Ladegrene et Corp cum pertinentiis, jacentes in dicto comitatu nostro de Stratheryn infra vicecomitatum de Perth : Tenendas et habendas eidem domino Roberto et heredibus suis de nobis et heredibus nostris in feodo et hereditate imperpetuum, libere,

quiete, bene, pacifice et honorifice, per omnes et singulas rectas metas et diuisas suas, vna cum omnibus et singulis libertatibus, commoditatibus et aysiamentis ac iustis pertinentiis quibuscunque ad easdem terras spectantibus aut de iure et consuetudine spectare ualentibus quomodolibet in futurum : Faciendo inde domino nostro Regi ac nobis et heredibus nostris dictus dominus Robertus et heredes sui seruicia de ipsis terris debita et consueta tantum, pro omnibus et singulis seruiciis secularibus, exactionibus et demandis, que de dictis terris cum pertinentiis per quemcunque exigi poterunt aut requiri. Nos vero Daud comes palatinus prescriptus et heredes nostri omnes et singulas terras predictas cum suis pertinentiis dicto domino Roberto et heredibus suis contra omnes homines et feminas warantisabimus, acquietabimus et imperpetuum defendemus. In cuius rei testimonium sigillum nostrum presenti carte nostre iussimus apponendum ; his testibus, dilectis consanguineis nostris magistro Thoma Mercer, archidiacono Glasguensi, necnon domino Andrea Mercer, milite, et Roberto Barbar armigero ac aliis. QUAM QUIDEM cartam, donacionemque et concessionem in ea contentas, in omnibus suis punctis et articulis modis et condicionibus ac circumstantiis quibuscunque, forma pariter et effectum, in omnibus et per omnia, nos pro nobis et heredibus nostris approbamus, ratificamus et presenti carta nostra imperpetuum confirmamus : In cuius rei testimonium sigillum nostrum presenti carte nostre est appensum. Apud Perth, secundo die Marci, anno Domini millesimo quadringentesimo.

46. CHARTER by ROBERT OF MENTEITH of Rusky to MARGARET, daughter of Duncan Earl of Lennox, of the liferent of Ardewnane, etc.—29th March 1403.

OMNIBUS hanc cartam visuris vel audituris, Robertus de Mentethe, dominus de Rusky, eternam in Domino salutem : Nouerit vniversitas vestra me dedisse,

concessisse, et hac presenti carta mea confirmasse carissime et dilectissime mee, Margarete filie reuerendi domini, domini Duncani comitis de Leuenax, nomine dotis, pro toto tempore vite sue, totas terras meas de Ardewnane, de Strathachi et de Ardmernak, cum omnibus libertatibus, comoditatibus, aysiamentis, et emolumentis quibuscunque, prout in indenturis meis inde dicte Margarete confectis plene proportatur : Tenendas et habendas totas dictas terras meas cum pertinentiis dicte Margarete, pro toto tempore vite sue, dotis nomine, ut prescriptum est, adeo libere et quiete, in omnibus et per omnia, sicut ego dictus Robertus dictas terras habeo vel possideo, et sicut aliquae terre alicui mulieri dotis nomine infra regnum Scocie liberius et quietius dari possunt vel concedi. In cuius rei testimonium sigillum meum presenti carte mee est appensum, apud Inchemoryne, vicesimo nono die mensis Marcii, anno gratie millesimo quadringentesimo tercio; hiis testibus, Dugallo Ochonnyng, Waltero de Meneteth, dominis Roberto Lang, Johanne de Rosnethe, et Andrea de Rosnethe, capellanis, cum multis aliis.

Seal appended—A bend chequé between six cross-crosslets fiché. Legend—
“S. Roberti de Menteth.”

47. CHARTER by ROBERT DUKE OF ALBANY, EARL OF FIFE AND MENTEITH, Governor of Scotland, dated 15th December 1412, confirming Charter by PATRICK EARL OF STRATHERN to EUPHEMIA OF LINDSAY.—6th December 1406.

ROBERTUS dux Albanie, comes de Fife et de Menteth ac regni Scotiae gubernator, omnibus probis hominibus totius regni predicti, clericis et laicis, salutem : Sciatis nos quandam cartam dilecti consanguinei nostri Patricii de Grahame comitis de Stratherne factam et concessam, cum consensu et assensu Eufamiae

sponsæ suæ, dilectæ consanguineæ nostræ Eufamiæ de Lindesay, filie quondam Alexandri de Lindesay de Glenesk militis, de vno annuo redditu quinque librarum vsualis monetæ leuandarum annuatim et percipiendarum ad duos anni terminos Pentecostes et Sancti Martini in hyeme per equales portiones de duabus villis suis de Kinkell, jacentibus infra vicecomitatum de Perth, de mandato nostro visam, lectam, inspectam et diligenter examinatum, non rasam, non abolitam, non cancellatam, nec in aliqua sui parte vitiatam, intellexisse ad plenum in hec verba:—OMNIBUS hanc cartam visuris vel auditoris, Patricius de Grahame comes de Stratherne, salutem in Domino sempiternam: Nouerit vniversitas vestra nos non vi ductos, nec errore lapsos, sed mera et spontanea voluntate nostra ad hec vndeque pensata, cum consensu et assensu Eufamiæ vxoris nostræ, dedisse, concessisse et hac presenti carta nostra confirmasse carissimæ consanguineæ nostræ Ewfamiæ de Lindesay, filie nobilis viri domini Alexandri de Lindesay militis, quondam domini de Glenesk, quendam annum redditum quinque librarum vsualis monetæ Scotiæ de villis nostris duabus de Kinkell, jacentibus infra vicecomitatum de Perth, ad vsuales terminos certos, videlicet, Pentecostes et Sancti Mertini in yeme annuatim percipiendarum, ita quod utræque villæ antedictæ annuatim pro eodem annuo redditu soluendo predictæ Eufamiæ de Lindesay conjunctim et diuisim onerentur: Tenendum et habendum dictum annum redditum quinque librarum prefatæ Eufamiæ nostræ consanguineæ pro toto tempore vitæ suæ, ita libere, quiete, honorifice, bene et in pace, sicut nos dictus Patricius et nostri predicesores predicto annuo redditu retroactis temporibus gauisi sumus, seu nos et heredes nostri gaudere poterimus quomodolibet in futurum, vel aliquis annuus redditus datur vel conceditur in toto regno Scotiæ: Ceterum volumus et tenore presentium concedimus quod predicto annuo redditu per pretactam Eufamiam vel ejus certum deputatum petito aliquo anno durante tempore vitæ et non acquisito, eadem Eufamia et ejus certus deputatus ad distringendas

predictas villas, tanquam nos, conjunctim et diuisim, pro eodem annuo redditu prefatæ Eufamiæ annuatim soluendo, liberum habeant recursum sine aliquo retinemento seu strepitu judiciali : Et ad quæ omnia et singula premissa in hac carta fideliter obseruanda et perimplenda, prelibata Eufamia uxor nostra, tactis sacrosanctis evangeliiis, iuramentum prestitit corporale : Et nos Patricius comes predictus et heredes nostri eundem annum redditum quinque librarum persolueudarum, ut premittitur, prefatæ Eufamiæ consanguineæ nostræ pro toto tempore vitæ suæ, warantizabimus, acquietabimus et contra omnes mortales defendemus : In cuius rei testimonium sigillum nostrum presentibus est appensum ; apud Perth, sexto die mensis Decembris, anno Domini millesimo quadringentesimo sexto. QUAMQUIDEM cartam, donationem et concessionem in eadem contentas, in omnibus punctis suis et articulis, conditionibus et modis ac circumstantiis quibuscunque, in omnibus et per omnia, approbamus, ratificamus et autoritate officii nostri gubernationis regni predicti confirmamus durante tempore antedicto : Saluo domino nostro regi et heredibus suis de predictis duabus villis cum pertinentiis seruitio debito et consueto : In cuius rei testimonium presentibus pro toto tempore vitæ dictæ Eufamiæ duraturis magnum sigillum officii nostri apponi precepimus : Apud Perth, decimoquinto die Decembris, anno Domini millesimo quadringentesimo duodecimo, et gubernationis nostræ septimo.

Hæc est vera copia principalis cartæ suprascriptæ contentæ in registro supremi domini nostri, 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 Regri.

48. CHARTER by PATRICK EARL PALATINE OF STRATHERN, confirming a Charter by DAVID STEWART, EARL PALATINE OF STRATHERN, to MAURICE OF DROMUND, of the office of Steward of Strathearn.—14th February 1408.¹

OMNIBUS hoc scriptum visuris vel auditoris, Patricius comes palatinus de Stratherne, eternam in Domino salutem. Sciatis nos vidisse, inspexisse et diligenter examinasse quamdam cartam quondam domini David comitis palatini de Stratherne, factam quondam Mauricio de Dromund, de officio senescallatus comitatus de Stratherne, non rasam, non abolitam, non viciatam, nec in aliqua sui parte suspectam, sed omni vicio et suspicione carentem, cuius tenor sequitur in hec uerba:—OMNIBUS hanc cartam visuris uel auditoris, David Senescallus, comes palatinus de Stratherne, salutem in Domino sempiternam. Noueritis nos dedisse, concessisse, et hac presenti cartra nostra confirmasse dilecto consanguineo nostro Mauricio de Dromunde, pro suo fideli seruicio nobis impenso et impendendo, officium senescallatus nostri comitatus de Stratherne: Tenendum et habendum eidem Mauricio, heredibus suis et assignatis, dictum officium cum pertinentiis, feodis et consuetudinibus debitis et consuetis, ad dictum officium spectantibus seu quoquo modo in futurum spectare valentibus, de nobis et heredibus nostris, in feodo et hereditate imperpetuum, libere, quiete, honorifice, plenarie et in pace: Reddendo inde nobis annuatim et heredibus nostris dictus Mauricius et heredes sui uel assignati vnum sufficientem bouem ad festum Sancti Martini in hieme, si petatur, pro omnimodo seruicio, exactione seu demanda, que de dicto officio per nos aut heredes nostros quomodolibet exigi poterunt uel requiri: Nos vero David Senescallus Scocie, comes de Stratherne et

¹ Original Charter at Drummond Castle.

heredes [nostri] ac assignati dictum officium senescallatus cum pertinenciis prenominato Mauricio, heredibus suis et assignatis, contra omnes homines et feminas warrantizabimus, acquietabimus et imperpetuum defendemus. In cuius rei testimonium presenti carte nostre sigillum nostrum, apud Concrag, fecimus apponi: Testibus, nobilibus viris, Waltero de Morauia, Hugone de Ross, Thoma de Comry, Daud de Cochrane, et Johanne de Cochrane, ac diuersis aliis. QUAM vero cartam, cum omnibus suis punctis, clausulis et articulis, modis, condicionibus ac circumstanciis vniuersis, forma pariter et effectum, in omnibus et per omnia, prout in eadem carta plenius continentur, cum consensu et assensu dilecte consortis nostre Eufamie comitisse de Stratherne, nos pro nobis et heredibus nostris approbamus, ratificamus et tenore presentis scripti nostri imperpetuum confirmamus. In cuius rei testimonium presenti scripto nostro sigillum nostrum apponi fecimus; apud Perth, decimo quarto die mensis Februarii anno Domini millesimo cccc^{mo} octauo.

49. INDENTURE between ROBERT DUKE OF ALBANY, EARL OF FIFE AND MENTEITH, Governor of Scotland, and ARCHIBALD, FOURTH EARL OF DOUGLAS, for mutual concord and assistance.—Inverkeithing, 20th June 1409.¹

THIS indenture, made at Innyrkethin, the twenty day of the moneth of June, the yhere of grace a thousand four hundreth 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

¹ Original in H. M. General Register House, Edinburgh.

Anandirdale, on the tothir parte, proportis in the self and beris witnes, that thai willand, on aythir part, that full frendschip 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 beforsaide, til the saide Duc of Albany, gouuernour of Scotland, that he sal be til him in all his causis lele counselour, and with al his wit and [all] 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, gouuernour 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 beforsaide, befor ande agaynis al dedlik 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 acordit, 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 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: Ande 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 ande 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 quha 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 tha 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
sonnis 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
sal suppouel othir be thaim self, or be ane of thair tva eldest sonnys, with al
thair gudely power, to ger sic rebellious, 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 manere 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 engrevit 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 nane 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 touchand evin falowschip ande estate, sal expire fra thinefurthe, bot that all kindnes and frendschip 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 gouernit eftir the counsel ande the ordinance 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 sikkirnes 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 gifin thair bodily athis apoun 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 entirchangeabli ar to put, the day, yhere ande place forsaide.¹

¹ Only a portion of the tag of the seal now remains attached to the writ.

50. INDENTURE between ROBERT STEWART, DUKE OF ALBANY, EARL OF FIFE AND MENTEITH, and SIR ARCHIBALD, EARL OF DOUGLAS, etc., for the marriage of the son of the former, JOHN EARL OF BUCHAN, with ELIZABETH, daughter of the Earl of Douglas.—21st July 1410.

THIS indenture, made at Perth, the ane and twenty day of the munetht of Jule, the yere of grace a thousand iiij^e and ten, betwekis ane excellent and a mychty prince, Robert Duc of Albanie, Erle of Fyff and of Mentetht, and gouuernonre of Scotland, and a noble lord his sone, Jone Stewart, Erle of Bouchane and Chavmerlan of Scotland, on the ta parte, and a richt worschippful and mychty lord, Sir Archebald Erle of Donglas, lord of Galway and of Anandirdale, on the tuthire parte, proportis in itself, and beris witnes that it is fully accordit betwekis thaim in fourme and manere eftirfollowand; that is to say, that, with the grace of God, the said Jone Erle of Bouchane sal mary and haf to wif Elisabeth of Douglas, the douchtir of the said Erle of Douglas, and the said parties sal send til oure hally fadire the Pape message with al gudly haist for the purchesse of the said mariage to be fulfillit: For the qwhilk mariage the said Erle of Donglas sal gif heritably, befor the fulfilling of the forsaid mariage, twa hundreth markis worth of land in to proprete and demain, with the tenandries of tha ilke, gif ony bee; that is to say, al the landis of the Stewartoun with the appertenencis, and al the landis of Ormysheucht with the appertenencis, lyand in the baronry off Cunyngaham, within the schirrefdome of Are, to the fornemyt Jon Erle of Bouchane and Elisabeth of Douglas, and to the langere lifand of thaime, and to the lauchfnl haire for to be gottin betwekis thaime; and thai failyand, as God forbeid, to the lanchfnl haire male of the forsaid Erle of Bouchane of his body to be gottin; the qwhilkis al failyand, as God forbeid, than the said landis to retourn

again to the forsaid Erle of Douglas and his lauchful haire, qwhat euer thai be : Alswa it is accordit, that gif it swa be that the forsaid landis of the Stewartoun and of Ormysheucht extendis noucht to twa hundreth mark of ferme be yere, the forsaid Erle of Douglas oblis him be this endenture that he sal gif als mekil land til the said Erle of Bouchane and Elisabeth of Douglas, in swilk fourme and condiscion of tailye as he is oblist to gif the said landis of the Stewartoun and Ormisheuch, the qwhilkis landis sal ly in swilk connable place as the forsaid lord the Duc haldis him content of, swa that the condiscion befor made of the said twa hundreth markis worth of land sal be halely fulfillit befor the fulfilling of the said mariage, withoutin fraude or gile : Alswa it is accordit, that qwhen the forsaid purches commis in Scotland for the said mariage fulfilling, that the said Erle of Douglas sal mak, befor the fulfilling of it, fre re[sign]acion of the said landis of the Stewartoun with the appertencencis, and of Ormysheuch with the appertenencis, and of the landis that he sal gif in the fulfilling of the said twa hondreth [mar]kis worth of land in to the oure lordis handis, the said oure lordis gifand thaim to the said Erle of Bouchane and Elisabeth of Douglas, til remain with thaim [in s]wilk fourme of tailye as is befor writtin in thire endenturis : Alswa gif it happynnis the said Erle of Douglas throuch Goddis will to discesse of this lif befor [the Cont]esse of Douglas that now is his wif, and the samyn Contesse til clame and joise hir jointfeftment, the qwhilk scho has in the said landis of Stewartoun [and Ormysh]euch, with the appertenance, the said Erle of Douglas oblis him, his hairis and his assignais, to pay ilke yere, als lange as the said Contesse joisis the said [joint]feftment, to the said Jon Erle of Bouchane and Elisabeth of Douglas and thair haire, eftire the condiscioun of thire endenturis, als mekil annuel rent in the mone [of Scotland] to be raisit of his four baronies, that is to say, Bothvile, Strathawane, Drumsargart, and Curmannok, as the ferme of the said landis of the Stewartoun and

[Ormysheu]ch extendis to at the fulfilling of this said mariage : Alswa it is accordit, that gif the said Erle of Douglas procuris his said wif til quiteleme [hir sai]d jointfeftment of the forsaid landis of Stewarton and Ormysheuch, with lettre of witnessing thareof, to the forsaid Erle of Bouchane and Elisabeth of Douglas [and thair h]airis, as is beforsaid, than the forsaid Erle of Douglas sall be quit of his oblisng that he has made in thir endenturis of his foure baronries beforsaid : Alswa [it is accor]dit that the said Erle of Bouchane sal gif in dowry, befor the fulfilling of the said mariage, to the said Elisabeth of Douglas for hir liffetime, twa hundreth markis worth of land of fre rent be yere, lyand in connable and esy place, with chartire, witnes, and lef of the oure lord : To the fulfilling and the keping of al and sindry the forsaid thingis, but fraude and gile, or ony vnresounable delay, the forsaidis Erls of Douglas and Bouchane, apou the hally ewangilles, has gifin thair bodely athis. In witnessing of the qwhilk thingis, to the party of thire endenturis remaynand with the said Erle of Douglas the forsaid lord the gouernour and his forsaid son the Erle of Bouchane has gert set thair seeles, and to the party remaynand with the forsaid lord gouernour and his son of Bouchane the forsaid Erle of Douglas has gert set his seel, the day, yere and place beforesaid.¹

51. CHARTER by EUFAMIA, COUNTESS PALATINE OF STRATHERN, to ALEXANDER THE GRAME, of the lands of Calandermore and Calanderbeg.—13th July 1414.

EUFAMIA comitissa palatina de Stratherne, omnibus hanc cartam visuris uel auditoris, salutem in Domino : Sciatis nos in nostra pura et legitima

¹ Only the tag now remains.

viduitate constituta, dedisse, concessisse, necnon et hac presenti carta nostra imperpetuum confirmasse dilecto fratri nostro Alexandro le Grame, filio Willelmi le Grame domini, pro suo bono et fideli seruicio nobis impenso et impendendo, omnes et singulas [terras] nostras de Calandermore et Calanderbeg cum pertinenciis, iacentes infra comitatum de Stratherne predictum : Tenendas et habendas omnes et singulas predictas terras cum pertinenciis predicto Alexandro, heredibus suis et suis successoribus, de nobis et heredibus nostris ac nostris successoribus, in feodo et hereditate imperpetuum, libere, quiete, bene et in pace, per omnes rectas metas et diuisas suas, cum curiis et curiarum exitibus, et eschaetis, in aquis, stagnis, siluis, moris, et marresiis, pratis, pascuis et pasturis, molendinis, multuris et eorum sequelis, brasinis, pistrinis et fabrinis, cum aucupacionibus, venacionibus et piscacionibus, ac omnibus aliis libertatibus, commoditatibus et aisiamentis ac iustis pertinenciis quibuscunque ad dictas terras spectantibus seu iuste spectare [valentibus] quomodolibet in futurum. Reddendo inde annuatim dictus Alexander, heredes sui et sui successores, nobis et heredibus nostris et nostris successoribus, homagium, seruicium, wardam et reliuium, ac tres sectas ad tria placita nostra capitalia infra Stratherne tenenda tantum, pro omni alio seruicio seculari, exaccione seu demanda, que de dictis terris cum pertinenciis aliquo modo exigi poterunt uel requiri. Nos vero dicta Eufamia, heredes nostri ac nostri successores, omnes et singulas predictas terras cum pertinenciis, prenominato Alexandro, heredibus suis et suis successoribus, 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 sigillum nostrum est appensum, apud Perth, decimo tercio die mensis Julii, anno Domini millesimo cccc^{mo} decimo quarto.



ROBERTUS

Dux Albane comes de fife & de Menteth ac
et laias Salutem Scias nos dedisse concessisse et hac presentia car
et integris terris baronie de Colly cum pertinentiis iacentes infra
fillorch hereditarie. Et quas idem Willms frater non vi aut metu duc
culum ac per suas leas parentes sub sigillo suo coram subscriptas te
terris cum pertinentiis habuit vel habere poterit pro se & heredib
me predicta cum tenandis & libertatibus seruicis ac ceteris pertem
heredibus suis in unam integram & liberam baroniam in feodo & l
singulis libertatibus comoditatibus et auxiliis ac iustis pertemen
in futurum. Ideo libe & quiete plenarie integre & honorifice bene et
baroniam cum pertinentiis ante dictam resignacionem nobis inde
regni & heredibus suis dictus Willms de haia nepos noster & heredes
Presenti carta nra magni sigillum officij nri apponi precepimus
comite Richame filio nro. Alexandro de granie filio domini de g
Andree de hall. rectoris de liston secretarius nro apud fallilande
Et gubernacionis nre nono.

Regni Scotiae gubernator **D**ominibus probis hominibus totius regni praesens Clericus
mea confirmasse carissimo nepoti meo Willmo de haia de Grole constabulario Scotiae totas
comitatum de limcardin. Quaequidem terre cum pertinentiis fuerint Willm fraser de
et nec errore lapsus. Et mera et spontanea voluntate sua in manus meas per fustem et ba
meus in sum reddidit pureque simpliciter resignauit. de totum ius et clameum. que in dais
suis omnino quit clamant imperpetuum. Tenend et habend totas et integras terras hanc
iacus quibuscuq; praesens Willmo de haia nepoti meo et heredibus suis de domino meo rege et
reditate imperpetuum per omnes rectas metas suas antiquas et diuisas. Cum omnibus et
e quibuscuq; ad dcam baroniam spectantibus seu iure spectare ualentibus quomodolibet
pace in omnibus et per omnia Sicut idem Willmo fraser aut predecessores sui dicta
actam liberius tenuit seu possedit tenuerunt seu possederunt. faciendo inde domino meo
in seruicia de dca baronia cum pertinentiis debita et consueta In cuius rei testimonium
testibus Reuerendo in xpo pte. Gilberto ep. Aberdonen canallario Scot Johanne Steuart
me Thoma Zuffane Willmo de portubnie Willmo de Cochran. David Dallindase et
uawodecimo die mensis may Anno domini millesimo. quadringentesimo quinquagesimo

52. CHARTER by ROBERT DUKE OF ALBANY, Governor of Scotland, to WILLIAM DE HAY OF ERROL, Constable of Scotland, of the lands of the barony of Cowie.—14th May 1415.¹

ROBERTUS DUX ALBANIE, comes de Fife et de Menteth, ac regni Scocie gubernator, omnibus probis hominibus tocius regni predicti, clericis et laicis, salutem. Sciatis nos dedisse, concessisse, et hac presenti carta nostra confirmasse carissimo nepoti nostro, Willelmo de Haia de Erole, constabulario Scocie, totas et integras terras baronie de Colly cum pertinenciis, iacentes infra vicecomitatum de Kincardin: Quequidem terre cum pertinenciis fuerunt Willelmi Frasere de Fillorth hereditarie, et quas idem Willelmus Frasere, non vi aut metu ductus, nec errore lapsus, sed mera et spontanea voluntate sua, in manus nostras, per fustem et baculum ac per suas literas patentes sub sigillo suo, coram subscriptis testibus, sursum reddidit, pureque simpliciter resignavit, ac totum ius et clameum que in dictis terris cum pertinenciis habuit vel habere poterit, pro se et heredibus suis, omnino quitumclamavit imperpetuum: Tenendas et habendas totas et integras terras baronie predictae, cum tenandiis et liberetenencium scruciis ac ceteris pertinenciis quibuscunque, predicto Willelmo de Haia, nepoti nostro, et heredibus suis, de domino nostro Rege et heredibus suis, in vnam integram et liberam baroniam, in feodo et hereditate imperpetuum, per omnes rectas metas suas antiquas et diuisas; cum omnibus et singulis libertatibus, comoditatibus et aisiametis ac iustis pertinenciis quibuscunque, ad dictam baroniam spectantibus seu iuste spectare ualentibus quomodolibet in futurum, adeo libere et quiete, plenarie, integre et honorifice, bene et in pace, in omnibus et per omnia, sicut idem Willelmus Frasere aut predecessores sui dictam baroniam cum pertinenciis, ante dictam resignacionem nobis inde

¹ Original Charter at Philorth.

factam, liberius tenuit seu possedit, tenuerunt seu possederunt : Faciendo inde domino nostro Regi et heredibus suis dictus Willelmus de Haia, nepos noster, et heredes sui, seruicia de dicta baronia cum pertinenciis debita et consueta : In cuius rei testimonium presenti carte nostre magnum sigillum officii nostri apponi precepimus ; testibus, reuerendo in Christo patre Gilberto episcopo Aberdonensi, cancellario Scocie, Johanne Steuart comite Buchanie, filio nostro, Alexandro de Grame filio domini de Grame, Thoma Brisbane, Willelmo de Portduvine, Willelmo de Cochrane, Dauid Dallirdase, et Andrea de Hawie, rectore de Listoun, secretario nostro ; apud Falklande, quarto decimo die mensis Maii, anno Domini millesimo quadringentesimo quinto-deccimo, et gubernacionis nostre nono.

53. PRECEPT by MURDACH DUKE OF ALBANY, EARL OF FIFE AND MENTEITH, for a charter to WILLIAM LORD OF GRAHAME, knight, of the barony of Dundaff and the superiority of Kynpont, etc.—8th January 1421.

MURDACUS DUX ALBANIE, comes de Fife et de Menteth ac regni Scocie gubernator, reuerendo in Christo patri domino Wilelmo episcopo Glasguensi, cancellario Scocie, salutem : Sciatis quod concessimus carissimo consanguineo nostro Wilclmo domino de Grahame omnes et singulas terras baronie de Dundaf cum pertinenciis, iacentes infra vicecomitatum de Striuelyne ; necnon superioritatem omnium terrarum de Kynpont, de Elotstoun, de Cliftoun, et de Poumfraystoun cum pertinenciis, in constabulario de Linlithqu infra vicecomitatum de Edinburgh iacencium : Quequidem terre et superioritas dictarum terrarum cum pertinenciis fuerunt predicti domini de Grahame hereditarie, et quas idem dominus, non vi aut metu ductus, nec errore lapsus, set mera et spontanea voluntate [sua ? in manus nostras, coram testibus subscriptis, per fustum et baculum personaliter sursum reddidit pureque simpliciter resignauit ;

ac totum ius et clameum que in dictis terris et superioritate cum pertinentiis habuit vel habere poterit, pro se et heredibus suis, omnino quittum clamavit imperpetuum : Tenendas et habendas totas et integras prenominate terras de Dundaf cum pertinentiis, vna cum prefata superioritate antedictarum terrarum de Kynpont, de Elotstoun, de Cliftoun et de Poumfraistoun cum pertinentiis, predicto consanguineo nostro domino de Grahame, ac Patricio de Grahame filio et heredi quondam Alexandri de Grahame, filii et heredis predicti domini de Grahame, et heredibus suis masculis de corpore suo legitime procreandis ; quibus forte deficientibus, Alexandro de Grahame, secundo filio dicti quondam Alexandri, et heredibus suis masculis de corpore suo legitime procreandis ; quibus deficientibus, Johanni de Grahame, filio predicti Wilelmi de Grahame, ac heredibus suis masculis de corpore suo legitime procreandis ; quibus deficientibus, Roberto de Grahame, filio eiusdem Wilelmi domini de Grahame, ex carissima consanguinea nostra, Mariota comitissa Angusie, sponsa sua secunda genito, et heredibus suis masculis de corpore suo legitime procreandis ; quibus deficientibus, Patricio de Grahame, secundo filio suo de predicta sponsa sua genito, et heredibus suis masculis de corpore suo legitime procreandis ; quibus deficientibus, Wilelmo de Grahame, tercio filio suo de prefata sponsa sua genito et heredibus suis masculis de corpore suo legitime procreandis ; quibus forte deficientibus, Henrico de Grahame quarto filio suo de predicta sponsa sua genito, et heredibus suis masculis de corpore suo legitime procreandis ; quibus deficientibus, Waltero de Grahame, quinto filio suo de prefata sponsa sua genito, et heredibus suis masculis de corpore suo legitime procreandis ; quibus omnibus, quod absit, deficientibus, veris, legitimis, et propinquioribus heredibus masculis predicti Wilelmi domini de Grahame, cognomen et arma de le Grahame gerentibus quibuscunque, libere reuertendas, de domino nostro rege et heredibus suis, in feodo et hereditate imperpetuum ; per omnes rectas metas suas antiquas et diuisas, cum omnibus et singulis libertatibus, com-

moditatibus, et aisiamentis ac iustis pertinenciis quibuscunque ad predictas terras et superioritatem 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 prefatus consanguineus noster, dominus de Grahame, aut aliquis predecessorum suorum prenomintas terras et superioritatem cum pertinenciis de domino nostro rege aut predecessoribus suis, ante dictam resignacionem nobis inde factam, liberius tenuit seu possedit, tenuerunt vel possederunt : Faciendo prefatus Wilelmus dominus de Grahame ac heredes supradicti talliati predicto domino nostro regi et heredibus suis de predictis terris et superioritate cum pertinenciis seruicia debita et consueta : saluis tamen predictae consanguinee nostre Mariote comitisse Angusie sponse prefati domini de Grahame iuncta sua infeodacione, ac racionabili sua tercia parte predictarum terrarum cum pertinenciis, cum contigerit : Quare mandamus vobis et precipimus quatenus cartam d[e]bite factam] sub magno sigillo nostro, in forma capelle nostre, debite prefato Wilelmo domino de Grahame ac heredibus suis superius talliatis fieri faciatis super concessionem antedictam. Datum sub sigillo nostro secreto ; hiis testibus, carissimo filio nostro Waltero Steuart de Fife, de Menteth et de Leuenax, Roberto domino de Erskine, Vmfrido de Conyngham de Vchtermachane, milite, Malcolmno Flemyng de Bigar, Alexandro de Levingstoun de le Kalendar, et Alano de Ottirburne, secretario nostro ; apud Striuelyne, mensis Januarii die viii^o, anno Domini m^{mo} cccc^{mo} vicesimo primo, et gubernacionis nostre secundo.

54. CHARTER by MURDACH DUKE OF ALBANY, EARL OF FIFE AND MENTEITH, Governor of Scotland, to WILLIAM LORD OF GRAHAME, knight, of the barony of Dundaf, the superiority of Kynpunt, etc.—8th January 1421.

MURDACUS DUX ALBANIE, comes de Fife et de Menteith, ac gubernator regni Scocie, omnibus probis hominibus totius regni predicti, clericis et laicis.

salutem : Sciatis nos dedisse, concessisse, et hac presenti carta nostra confirmasse carissimo consanguineo nostro Wilelmo domino de Grahame, militi, omnes et singulas terras baronie de Dundaf cum pertinenciis, iacentes infra vicecomitatum de Stryuelyne ; necnon superioritatem omnium terrarum de Kynpunt, de Elotstoun, de Clyftoun, et de Ponfraistoun cum pertinenciis, in constabularia de Linlithgw infra vicecomitatum de Edinburgh iacentium : Quequidem terre et superioritas dictarum terrarum cum pertinenciis fuerunt predicti domini de Grahame hereditarie, et quas idem dominus, non ui aut metu ductus, nec errore lapsus, set mera et spontanea voluntate sua, in manus nostras coram testibus subscriptis per fustum et baculum personaliter sursum reddidit, pureque simpliciter resignauit, ac totum ius et clameum que in dictis terris et superioritate cum pertinenciis habuit vel habere poterit, pro se et heredibus suis omnino quittum clamauit imperpetuum : Tenendas et habendas totas et integras prenominate terras de Dundaf cum pertinenciis, vna cum prefata superioritate antedictarum terrarum de Kynpunt, de Elotstoun, de Clyftoun et de Ponfraistoun cum pertinenciis, predicto consanguineo nostro domino de Grahame, ac Patricio de Grahame filio et heredi quondam Alexandri de Grahame, filii et heredis predicti domini de Grahame, et heredibus suis masculis de corpore suo legitime procreandis ; quibus forte deficientibus, Alexandro de Grabame, secundo filio dicti quondam Alexandri, et heredibus suis masculis de corpore suo legitime procreandis ; quibus deficientibus, Johanni de Grahame, filio predicti Wilelmi domini de Grahame, ac heredibus suis masculis de corpore suo legitime procreandis ; quibus deficientibus, Roberto de Grahame, filio eiusdem Wilelmi domini de Grahame ex carissima consanguinea nostra Mariota comitissa Angusie sponsa sua secunda genito, et heredibus suis masculis de corpore suo legitime procreandis ; quibus deficientibus, Patricio de Grahame, secundo filio suo de predicta sponsa sua genito, et heredibus suis masculis de corpore suo legitime procreandis ; quibus deficien-

tibus, Wilelmo de Grahame tercio filio suo de prefata sponsa sua genito, et heredibus suis masculis de corpore suo legitime procreandis; quibus forte deficientibus, Henrico de Grahame quarto filio suo de predicta sponsa sua genito, et heredibus suis masculis de corpore suo legitime procreandis; quibus deficientibus, Waltero de Grahame quinto filio suo de prefata sponsa sua genito, et heredibus suis masculis de corpore suo legitime procreandis; quibus omnibus, quod absit, deficientibus, ueris, legitimis et propinquieribus heredibus masculis predicti Wilelmi domini de Grahame, cognomen et arma de le Grahame gerentibus quibuscunque, libere reuertendas, de domino nostro rege et heredibus suis in feodo et hereditate imperpetuum, per omnes rectas metas suas antiquas et diuisas, cum omnibus et singulis libertatibus, commoditatibus, et aisiametis ac iustis pertinenciis quibuscunque ad predictas terras et superioritatem cum pertinenciis spectantibus, seu iuste spectare ualentibus quomodolibet in futurum; adeo libere et quiete, plenarie, integre, et honorifice, bene et in pace, in omnibus et per omnia, sicut prefatus consanguineus noster, dominus de Grahame, aut aliquis predecessorum suorum prenomatas terras et superioritatem cum pertinenciis de domino nostro rege aut predecessoribus suis, ante dictam resignacionem nobis inde factam, liberius tenuit seu possedit, tenuerunt uel possederunt: Faciendo prefatus Wilelmus dominus de Grahame ac heredes supradicti talliati domino nostro regi et heredibus suis de predictis terris et superioritate cum pertinenciis seruicia debita et consueta: saluis tamen predictae consanguinee nostre Mariote comitisse Angusie, sponse prefati domini de Grahame, iuncta sua infeodacione, ac racionabili sua tercia parte predictarum terrarum cum pertinenciis, cum contigerit. In cuius rei testimonium, presenti carte nostre magnum sigillum officii nostri apponi precepimus; testibus, reuerendo in Christo patre, Wilelmo episcopo Glasguensi, cancellario Scocie, carissimo filio nostro Waltero Stewart de Fyfe, de Menteth et de Leuenax, Roberto domino de Erskyne, Vmfredo de

Conyngham, militibus, et Alano de Ottirburne, seeretario nostro ; apud Strieulyne, octauo die mensis Januarii, anno Domini millesimo quadringentesimo vicesimo primo, et gubernacionis nostre secundo.

55. CHARTER by JOHN STEUART, EARL OF BUCHAN, CONSTABLE OF FRANCE, to MURDACH DUKE OF ALBANY, EARL OF FIFE AND MENTEITH, of the lands of Dripps and others.—28th January 1423.¹

OMNIBUS hanc cartam visuris vel audituris, Johannes Steuart comes Buehanie, constabularius Francie ac camerarius Scocie, salutem in Domino sempiternam : Sciatis nos dedisse, concessisse et hae presenti carta nostra imperpetuum confirmasse serenissimo principi, domino Murdaeo duei Albanie, comiti de Fife et de Menteth, ac regni Scocie gubernatori, domino ac fratri meo metuendo, totas et integras terras nostras de Drippis, de Bad, de Cambusdreny et de Westwod cum pertinenciis, iacentes in baronia de Kyneardyn infra vicecomitatum de Perth: Tenendas et habendas dictas terras eum pertinenciis dicto domino Murdaeo, heredibus suis et suis assignatis, de barone de Kyneardyn et successoribus suis, in feodo et hereditate imperpetuum, per omnes rectas metas suas antiquas et diuisas, in boscis et planis, moris, marresiis, viis, semitis, aquis, stagnis, pratis, paseuis et pasturis, molendinis, multuris et eorum sequelis, aucupaionibus, venaeionibus et piscaionibus, eum fabrinis et brasinis, eum euriis, eschaetis et euriarum exitibus, bondis, bondagiis, natiuis et eorum sequelis, et cum omnibus aliis et singulis libertatibus, commoditatibus et asiamentis ac iustis pertinenciis quibuscunque, tam non nominatis quam nominatis, tam sub terra quam supra terram, tam procul quam prope, ad dictas terras eum pertinenciis spectantibus seu iuste spectare

¹ Original Charter in H. M. General Register House, Edinburgh.

valentibus quomodolibet in futurum, adeo libere et quiete, plenarie, integre et honorifice, bene et in pace, in omnibus et per omnia, sicut nos aut aliquis predecessorum nostrorum dictas terras cum pertinenciis de dicto barone de Kyncardyn aut predecessoribus suis tenuimus aut possedimus aliquo tempore retroacto : Faciendo dicto baroni de Kyncardyn et successoribus suis predictus dominus Murdacus, heredes sui vel sui assignati, seruicia de predictis terris cum pertinenciis debita et consueta : Et nos vero dictus Johannes et heredes nostri totas et integras terras predictas cum pertinenciis predicto domino Murdaco, heredibus suis et suis assignatis, contra omnes mortales warantizabimus, acquietabimus et imperpetuum defendemus. In cuius rei testimonium presenti carte nostre sigillum nostrum apponi fecimus, apud Striuelyne, vicesimo octauo die mensis Ianuarii, anno Domini millesimo quadringentesimo vicesimo tercio ; hiis testibus, Roberto de Conynghame de Kylmauris, Archebaldo de Conynghame de Achynbowy, Magistro Johanne Steuart rectore de Flisk, Johanne de Lummysdene vicecomite de Fife, consanguineis nostris dilectis, Johanne Wricht constabulario de Faueland, Willelmo de Cadyhou burgensi de Aberdene, Thoma de Douglas, Alexandro Gulde, burgensibus de Striuelyne, et Alano de Ottyrburne, secretario predicti domini nostri gubernatoris, cum multis aliis.

56. PRECEPT OF SASINE by WALTER EARL OF ATHOLE AND CAITHNESS, as tutor of Malise Earl of Strathern, for infefting PATRICK OF GRAHAME in the lordship of Kincardine.—10th November 1424.

WALTERUS comes Atholie et Cathanie, ac tutor legitimus nobilis Malisei comitis palatini de Stratherne, Alexandro Loutfute, maro de Stratherne, salutem : Quia per inquisitionem de mandato nostro coram nobis factam et ad capellam dicti comitis retornatam, compertum est quod Alexander de

Grahame, pater quondam Patricii de Grahame, latoris presentium, obiit vestitus et saisitus vt de feodo de dominio de Kincardin, videlicet, de Kincardin, Foswell, Clone, Koule, et de tercia parte de Nethir Prony et Ouer Prony cum pertinenciis, et de Westir Bardrale et Calandermore et Calanderbeg cum pertinenciis, in regalitate antedicta de Stratherne, ad pacem et fidem domini regis et comitis antedicti ; et dictus Patricius est legitimus et propinquior heres eiusdem quondam patris sui de cisdem terris cum pertinenciis, et est legitime etatis ; et predictae terre cum pertinenciis tenentur in capite de prefato comite, videlicet, Kincardin, Foswel, Clone, Koule, et tercia parte de Nethir Prony et Westir Bardrale in alba firma, et Ca[lan]dermore et Calanderbeg in warda et releuio : Vobis igitur precipimus et mandamus quatenus, cum idem Patricius comiti de Stratherne fecerit quod de iure debeat, saisinam hereditariam sibi vel suo certo attornato de predictis terris cum pertinenciis iuste habere faciatis, saluo iure cuiuslibet ; et hoc non omittatis. Datum sub sigillo nostro, apud Methfen, nomine tutorio, x^{mo} die mensis Nouembris, anno Domini millesimo cccc^{mo} vicesimo quarto.

57. CHARTER by KING JAMES THE FIRST to MALISE EARL OF MENTEITH, erecting the lands of Craynis and others into the Earldom of Menteith. —6th September, 22d of King's reign [1427].

JACOBUS Dei gratia rex Scotorum, omnibus probis hominibus totius terre sue, clericis et laicis, salutem : Sciatis nos dedisse, concessisse et hac presenti carta nostra confirmasse dilecto consanguinco nostro Malizeo comiti de Meneteth omnes et singulas terras subscriptas, videlicet, terras de Craynis Estir, Craynis Wester, Craguthy Estir, Craguthi Westir, terras de Glasswerde, terras de Drumlaen, terras de Ladarde, terras de Blareboyane, terras de Gartnerthynach, terras de Blareruscanys, terras Foreste de Baith, le Sidis de Lochcon, terras de

Blaretuchane et de Marduffy, terras de Culyngarth et de Frisefleware, terras de Rose cum le Cragmuk, terras de Inchere, terras de Gartinhagil Bobfresle, terras de Bouento, terras de Downans et Baleth, terras de Tereochane, terras de Drumboy, terras de Crancafy, terras de Achray, terras de Glassel et Cravaneculy, terras de Savnach, terras de Brigend, terras de Lonanys et Garquhat, terras de Drumanust, terras de Schanghil, terras de Ernetly et de Monybrachys, terras de Gartmulne et de Ernomul, terras de Ernecomy, terras de Achmore, cum le Porte et le Insche cum pertinenciis, iacentes infra vicecomitatum de Perth : Quas quidem terras cum pertinenciis in liberum comitatum de Menteth constituimus, ordinamus et de nouo erigimus ; ceteras autem terras que de dicto comitatu ante hanc nostram concessionem ab antiquo fuerant, et que in presenti carta nostra non continentur, per expressum nobis et successoribus nostris [inperpe]tuum tenore presencium reseruamus : Tenendas et habendas omnes et singulas prenominatas terras cum pertinenciis prefato Malizeo et heredibus suis masculis de corpore suo legitime procreatis seu procreandis, quibus forte deficientibus, nobis et successoribus nostris libere reuertendas, de nobis et heredibus nostris, in liberum comitatum de Menteth, in feodo et hereditate imperpetuum, per omnes rectas metas suas antiquas et diuisas, in boscis, planis, moris, marresiis, viis, semitis, aquis, stagnis, pratis, pascuis et pasturis, molendinis, multuris et eorum sequelis, aucupacionibus, venacionibus et piscacionibus, cum fabrilibus et bracinis, petariis, turbariis et carbonariis, cum curiis, eschaetis et curiarum exitibus, cum furca et fossa, sok, sak, thol, theme, infangandtheif et outfangandtheif, bondis, bondagiis, natiuis et eorum sequelis, ac cum omnibus aliis et singulis libertatibus, comoditatibus et aisiamentis ac iustis pertinenciis suis quibuscunque, tam non nominatis quam nominatis, tam sub terra quam supra terram, ad prenominatas terras cum pertinentiis spectantibus, seu iuste spectare valentibus quomodolibet in futurum, libere, quiete, bene et in pace : Faciendo nobis et heredibus nostris

dictus Malizeus et heredes sui masculi de corpore suo legitime procreati seu procreandi tres sectas curie annuatim ad tria placita capitalia apud Perth tenenda, ac wardam, releuium et maritagium, cum contigerint, pro predictis terris cum pertinenciis, vna cum seruitiis debitis et consuetis: In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus: Testibus, reuerendo in Christo patre Johanne episcopo Glasguensi, cancellario nostro, Johanne Forestarii, camerario nostro, Waltero de Ogilvy, thesaurario nostro, Roberto de Laweder, iusticiario nostro ex parte australi aque de Forth, militibus, et magistro Wilelmo de Foulis preposito de Bothuile, custode priuati sigilli nostri; apud Edinburgh, sexto die mensis Septembris, anno regni nostri vicesimo secundo.

58. CHARTER by MALISE GRAHAM, EARL OF MENTEITH and LORD OF KINPUNT, to JAMES LORD HAMILTON and EUPHEMIA his spouse, of the lands of Illieston, in the Constabulary of Linlithgow.—17th December 1453.¹

OMNIBUS hanc cartam visuris vel auditoris, Maliseus comes de Monteth ac dominus de Kynpunt, salutem in Domino sempiternam. Noueritis nos dedisse, concessisse, et hac presenti carta nostra confirmasse dilecto consanguineo nostro et affini, Jacobo domino le Hammylton, militi, et Eufamie sponse sue, sorori nostre carissime, pro suis seruicio et auxilio nobis gratanter factis, omnes et singulas terras nostras de Elastone, jacentes in dominio nostro de Kynpunt, in constabularia de Lynlythqw, et infra vicecomitatum de Edynburgh: Tenendas et habendas totas et integras terras predictas cum pertinenciis predictis Jacobo et Eufamie et eorum alteri diucius viuenti, et heredibus suis masculis inter ipsos legittime procreatis seu procreandis, quibus forte deficientibus, veris legitimis et propinquioribus heredibus

¹ Original in Duke of Hamilton's Charter-chest.

prefati Jacobi, seu eius assignatis, de nobis et heredibus nostris, in feodo et hereditate imperpetuum, per omnes rectas metas suas antiquas et diuisas, prout jacent in longitudine et latitudine, in moris, marrasiis, petariis, turbariis, carbonariis, cuniculariis, columbariis, lapide et calce, genestis et bruariis, in boscis, planis, pratis, pascuis et pasturis, viis, semitis, siluis, aquis, stagnis, riuolis, molendinis, multuris et eorum sequelis, cum communi pastura, aucupacionibus, venacionibus, et piscacionibus, fabrinis, brasinis, herezeldis, bludwetis, eschaetis, et marchetis mulierum, cum curiis et earum exitibus, vna cum libero introitu et exitu, ac etiam cum omnibus aliis et singulis libertatibus, commoditatibus et aysiametis ac iustis suis pertinenciis quibuscunque, tam non nominatis quam nominatis, tam subtus terra quam supra terram, procul et prope, ad dictas terras cum pertinenciis spectantibus, seu iuste spectare valentibus quomodolibet in futurum, libere, quiete, plenarie, honorifice, bene et in pace, in omnibus et per omnia, sine aliquo retinemento nostri aut heredum nostrorum: Reddendo inde annuatim dicti Jacobus et Eufamia et eorum alter diucius viuens, et heredes masculi inter ipsos legitime procreati seu procreandi; quibus forte deficientibus, veri legitimi et propinquiores heredes prefati Jacobi, vel eius assignati, nobis et heredibus nostris, apud principale mesuagium predictarum terrarum de Elastone, ad festum Penthecostes, vnum denarium monete Scocie uomine albe firme, si petatur tantum, pro omni seruicio seculari, exactione seu demanda, que per nos vel heredes nostros de dictis terris exigi poterunt quomodolibet vel requiri. Et nos vero prefatus Maliseus et heredes nostri omnes et singulas predictas terras de Elastone cum pertinenciis prefatis Jacobo et Eufamie et eorum alteri diucius viuenti, et heredibus suis masculis inter ipsos legitime procreatis seu procreandis; quibus forte deficientibus, veris legitimis et propinquioribus heredibus dicti Jacobi, et eius assignatis, contra omnes mortales warantizabimus, acquietabimus et imperpetuum defendemus. In cuius rei

testimonium huic presenti carte sigillum nostrum apponi fecimus; apud castrum de Bothuile, decimo septimo die mensis Decembris, anno Domini millesimo quadringentesimo quinquagesimo tercio; coram hiis testibus, Roberto Grahame de Inchemachlyn, magistro Willelmo Bane, notario publico, dominis Patricio Grahame, Georgio Grahame, Thoma Smyth, presbyteris, Waltero Grahame, Patricio Weddale, scutiferis, et Andrea Carryg, cum multis aliis.



59. CHARTER by KING JAMES THE THIRD erecting Port in Menteith into a Burgh of barony in favour of MALISE EARL OF MENTEITH.—8th February 1466.

JACOBUS Dei gracia Rex Scotorum, omnibus probis hominibus suis ad quos presentes litere peruenerint, salutem: Sciatis quod pro singulari fauore quem gerimus erga dilectum consanguineum nostrum Malizeum comitem de Menteith, et pro prouidencia nobis et ligiis in summitate de Menteith tempore venacionum et aliis temporibus facienda, fecimus et per presentes facimus villam de Porte in Menteith infra vicecomitatum nostrum de Perth jacentem liberum burgum in baronia: Tenendam et habendam pefatam villam de Porte dicto Malizeo et successoribus suis ac inhabitantibus eandem perpetuis futuris temporibus, in merum et liberum burgum in baronia, cum vniuersis et singulis

libertatibus, preuilegiis, proficuis, commoditatibus et asiamentis, ac justis pertinenciis quibuscumque, tam non nominatis quam nominatis, ad burgum in baronia spectantibus, seu quouismodo juste spectare valentibus in futurum, et adeo libere, quiete, plenarie, integre, honorifice, bene et in pace, in omnibus et per omnia, sicut aliquis burgus in baronia in regno nostro, quibuscumque retroactis temporibus, liberius infeodatur : Quare vniuersis et singulis quorum interest vel interesse poterit stricte precipimus et mandamus ne quis in contrarium predictæ nostre concessionis aliquatenus deuenire presumat, sub omni pena que competere poterit in hac parte : In cuius rei testimonium presentibus magnum sigillum nostrum apponi precepimus, apud Edinburgh, octauo die mensis Februarii, anno Domini millesimo quadringentesimo sexagesimo sexto, et regni nostri septimo.

60. NOTARIAL TRANSMPT, made 10th May 1467, of the RETOUR of SERVICE of WILLIAM LORD THE GRAHAM as heir of his father, PATRICK LORD GRAHAM, in Kynpont and Carloury.—2d May 1467.

IN DEI nomine amen : Per hoc presens publicum instrumentum cunctis pateat euidenter quod anno ab Incarnacione eiusdem millesimo quadringentesimo sexagesimo septimo, indictione decima quinta, et mensis Maii die decima, pontificatus sanctissimi in Christo patris et domini nostri, domini Pauli diuina prouidentia pape secundi, anno tercio, transsumpta et copiata sunt hec de quadam litera originali retornatus sub sigillo Alexandri Hathwy deputati vicecomitis de Linlithgw, et quinque aliis sigillis quorundam baronum et liberetenencium vicecomitatus de Linlithgw existencium, super deseruicionem breuis inquisitionis capelle regie impetrati per Wilelmum dominum le Grahame super terris de Kynpont et Carloury cum pertinenciis, jacentibus infra dictum vicecomitatum, non rasa, non cancellata, nec in aliqua sui parte

suspecta, sed omni prorsus vicio et suspicione carente, tenorem qui sequitur continente :—INQUISICIO facta apud burgum de Linlithqw, in pretorio eiusdem, coram prouido viro Alexandro Hathwy, deputato vicecomitis eiusdem, secundo die mensis Maii, anno Domini millesimo quadringentesimo sexagesimo septimo, per hos subscriptos, videlicet, Archibaldum de Newtoun de eodem, Wilelmum Douglas de Authornden, Johannem Cornale de Ballinherd, Jacobum Tennande de Lynhous, Alanum Malevile, Michaellem de Hammiltoune de Lochous, Thomam Cornele, Walterum Paywele, Matheum de Hammiltoune, Patricium Cornele, Alanum Broon, Andream Hoge, Johannem Patounsoun, Andream Patounsoun, Johannem Kers, Robertum Beg et Alanum Parkle. Qui iurati dicunt quod quondam Patricius dominus Grahame, pater Wilelmi domini le Grahame, latoris presentium, obiit vltimo vestitus et sasitus ut de feodo, ad pacem et fidem supremi domini nostri regis, de terris de Kynpont cum pertinentiis, et de Carloury cum pertinentiis, jacentibus infra vicecomitatum de Linlithqw; et quod dictus Wilelmus dominus Grahame est legitimus et propinquior heres eiusdem quondam Patricii patris sui de dictis terris cum pertinentiis; et quod est legitime etatis; et quod dicte terre de Kynpont cum pertinentiis valent nunc per annum quadraginta marcis et tempore pacis valuerunt viginti libris, et dicte terre de Carloury cum pertinentiis valent nunc per annum decem marcis et tantum tempore pacis; et quod dicte terre de Kynpont cum pertinentiis tenentur in capite de supremo domino nostro rege in alba firma, reddendo annuatim vnum denarium argenti in festo natiuitatis Domini nostri Jhesu Christi, super solum dictarum terrarum, nomine albe firme, si petatur; et dicte terre de Carloury tenentur in capite de domino preceptore de Torfichin, ordinis Sancti Johannis de Jherusalem, in alba firma, reddendo dicto domino preceptori nouem solidos vsualis monete Scocie ad festa Pasche et beati Michaelis Archangeli per equales portiones, nomine albe firme; et dicte terre de Kynpont cum pertinentiis sunt in mani-

bus domini nostri Regis legitime per seipsum, causa mortis dicti quondam Patricii, prefato herede ius suum non prosequente a tempore quinque ebdomodarum ultimo elapsarum; et dicte terre de Carloury sunt in manibus dicti preceptoris ex dicta causa per idem tempus. In cuius rei testimonium sigillum dicti deputati vicecomitis, vna cum sigillis quorundam super dicta inquisitione existentium, breui regio incluso, presentibus est appensum, anno, die et loco predicto. SUPER quo transsumpto nobilis vir Robertus Douglas publice a me notario publico subscripto fieri petiit presens publicum instrumentum. Acta erant hec, apud Edinburgh, hora quasi tertia post meridiem, anno, die, mense et pontificatu, quibus supra; presentibus ibidem, venerabili viro magistro Alexandro Morame, direttore cancellarie, Wilelmo Douglas, Lanceloto Murray, Patricio Murray, et multis aliis testibus ad premissa vocatis specialiter et rogatis.

Et ego Johannes Tailliefer Sanctiandree diocesis, publicus auctoritate imperiali notarius, predicte litere retornati perlectioni [*etc. in communi forma*].

61. GRANT by KING JAMES THE THIRD to JAMES OF MENTEITH of the lands of Rednok, for the killing of the King's rebel, Patrick Stewart.—18th December 1473.¹

JAMES, be the grace of God, King of Scoitis, to all and sindrie oure liegis and subditis quham it effeiris, quhais knaulage thir oure lettres salcum, greting: Wit ye that forsamekill as we gaif and grantit of before to oure louet James of Menteithe, and his aeris heretably, in feufferme, the landis of Rednok, extendand yerly to ten pundis, liand in Menteithe, within oure schirefdome of

¹ Original Grant at Grahamston Grange, Rednok.

Perth, for the slauchtir of vmquhile oure rebell Patrik Stewart, for ten poundis yerly to be pait to ws and oure successouris in feufferme : The quhilk donacioun, gift, and feufferme, for ws and oure successouris we appreve, ratifyis, and confermes for euermare be thir oure lettres : Certifyand and declarand to al and sindrie oure liegis forsaide, and vtheris oure officiaris quhame it effeiris, that in ony reuocatioun made be ws in tyme bigane, we reuokit nocht oure saide gift and donacioun made to the saide James becaus of the thankfull laubouris that he made to the empleasure of ws, in the slauchtir of oure said rebell. Bot oure wil and entent is that the saide James and his aeris bruke and joiss the saide landis heretablie in feufferme, efter the tennour of the charteris and eidentis made of thame to him and his aeris of before, nochtwithstanding ony reuocatioune made be ws in tyme bigane and to cum : Gevin vnder oure priue sele at Edinburghe, the aughtene day of December, the zere of God a thousande four hundrethe sevinty and thre zeris, and of oure regne the fourtene zere.

[Privy Seal appended.]

62. SASINE of ALEXANDER GRAHAME, EARL OF MENTEITH, as heir of his grandfather, EARL MALISE, in the Earldom of Menteith.—6th May 1493.

IN DEI nomine Amen: Per hoc presens publicum instrumentum cunctis pateat euidenter et sit notum omnibus quod anno Dominice Incarnationis millesimo quadringentesimo nonogesimo tercio, die vero mensis Maij sexto, indictione vndecima, pontificatus sanctissimi in Christo patris ac domini, domini Alexandri divina prouidentia pape sexti anno primo, et regni supremi domini nostri Jacobi quarti Scotorum regis illustrissimi anno quinto, in mej

notarij publici testiumque infrascriptorum presencia personaliter constitutus honestus vir Michael Dwne, balliuus deputatus nobilis viri Villelmi domini Rothven vicecomitis de Perth, per literas patentes ipsius Villelmj sub eius sigillo sigillatas, assensas et publicatas, quarum literarum tenor sequitur in hec uerba :—VILZAME lord Rothven, sherref of Perth, to Andro Rothven, Michel Dwne, Thomas Chessome, Johne Bennat, and Vilzame Dene, conjunctlic and scueralie, maris of the said sherrefdome, greting : Forsamekle as thar is presentit to me ane bref of sesing of our souerane lordis chapel, be Alexander Erl of Menteth, to gif him heritable stat and possession to hymself or his actornay, of the Erldome of Menteth with the pertinens, quhilkis vmquhile Malice, Erle of Menteth, the said Alexander's grantschyr, deit last vestit and sesit as of fe, at the fatht and pece of our souerane lord the King : Quharfor I charge yow, in our souerane lordis behalf and myn, that yhe pace incontinent, and that yhe gif heritable stat and possession of the said erldome, with the pertinens, to the said Alexander or his attornais, safand ilk mannis rycht ; takand securite of the payment of sex hundreth merkis, for the malis of the said erldome, beand in the Kingis handis the space of thre yheris, in falt of recoueryng of sesing, and of twa hundreth merkis for the relew of the said erldome, and this yhe do, wnder the charge that efter may folow : The quhilk to do, to yow, and ilkane of yow, coniunctlie and seueralic, I commyt my fule power be thir my lettres, writin wnder the sele of my office at Perth, the first day of May, the yher of Gode ane thousand four hundreth nynte and thre yheris : QUIBUSQUIDEM literis publicatis et lectis, prefatus Michael accessit ad ripam lacus de Inchmahomok prope le Coldone supra solum terrarum de Porth, et ibidem statum sasinam et possessionem realem actualem et corporalem prefati comitatus de Menteth cum pertinenciis nobili viro Alexandro Grahame, comiti de Menteth prenotato, per terre et lapidis traditionem, ut moris est in talibus vestiri ; necnon eundem Alexandrum in possessionem pre-

dicti comitatus de Menteth cum pertinenciis prefatus Michael auctoritate sui officii induxit et vestiuit cum effectu : Super quibus omnibus et singulis prefatis, prefatus Alexander a me notario publico et coram testibus subscriptis sibi fieri petiit publicum instrumentum, vnum aut plura, publicum seu publica. Acta erant hec apud litus lacus de Inehmahomok inter prescriptum lacum et le Coldone, hora quasi duodecima in meridie vel eocirca, sub anno, die, mense, indicione, pontificatu et regno quibus supra : Presentibus ibidem honorabilibus viris, Alexandro Stewart de Garthwele, Roberto Nory de Tarbert, Johanne Knox de Erumanwel, Patricio Bochannen de Ballowin, Thoma Knox, Normando M'Fersoune de Drumgy, Johanne Galbrath et Macolmo Squyar testibus, cum multis aliis per me vocatis specialiter et rogatis.

Et ego Valterus Nory, presbyter Brechinensis diocesis, auctoritatibus imperiali regaliq[ue] notarius, quia premissis omnibus et singulis [*etc. in forma communi*].

63. BOND between KING JAMES THE FOURTH and ALEXANDER EARL OF MENTEITH and others, for the suppression of crimes.—27th May 1501. [Contemporary Copy.]

AT Perte, the xxvii dai of May, the yer of God anc thousand fyff hundretht and ane yer, it is apponttit, agreit, and concordit betuex the Kingis Henes and Jhone Erl of Athell, Wilyhame Erle of Arrell, Wilyame Lord Grahame, Alexander Erl of Menteitht, Jhone Lord Drummund, Wilyame Lord Rwan, Jhone Lord Olyphant, Schyr Wilyame of Murray, Robert the Maynzeis of the Weym, Archbald Edmanston of Duntreth, James Herring, James Herring of Tullyboill, Schyr Jhone of Rattra of that Ilke, Wmfra Murrai of Abyrcarny, Neil Stewart, Alexander Robertson, Mungcreil (Moncreif) of that Ilke,

Duncan Stewart, Neillis sone, Andro Cardenel Lard of Foss, in maner and form as efftir followis ; that is to say, that al the said personis sal, for tham selff, thair landis, malingis, steddngis, rowmys, bailzereis, and office quhatsumeuer, in tym to cum, be bunddyn and oblyste, and be this present vrit binddis and oblisses thame and ilk ane of thame, for thair landis, maillingis, steiddingis, rowmys, bailzeis, and office, to our said souerand lord, that thai sal in al tymys to cum induring the lyfftyme of thame or ony ane of thaim, and the lyff of oure said souerand lord, keip al maner off personis duelland and ramanand apon thar propir landis, malingis, stedis, rowmys, bailzeis, and office quhatsumeuer fra al maner of cryim efftir followand ; that is to say, common thyfft, common raset of thifft, common gret oppression, common raset of rabellis and slauchterris ; and gyf ony personis or person ramanand or duelland apon thair said landis, mailingis, rowmys, steiddingis, bailzereis, or office, commyttis ony of the said crymis, thai and ilkane off thaim, for thair said bowndis, sall entir personis or person to the kingis justice aire of Perth, to vnderly the law for the sammyn, or gyff thai be fugitiui and passis vthow thair bonddis, sall hald thaim furtht sai that tha sall mak na rasidens within thaim withtoute that thai bring thaim to the kingis law ; and failzeand, as God forbeid it do, at yhe bring thaim nocht, nor ilkane of tham, within thair said boundis the kingis lawis, or gyff thai be fugitiui, to put tham furtht or hald thaim furtht off thair said boundis, thai sall pai to the Kingis Henes for ilke persone landit xl lib., for ilke gentilman vulandit x lib., for ilke common v lib. : Alssua gyff the said personis beis fugitiui and passis vthow thair boundis, be the quhilke thai ma nocht entir thaim to the kingis lawis, thai and ilkane of thaim for thair boundis forsaid sall dewyce and schaw to the Kingis Henes the four halff aboute, and to the ramanand of the personis bonddin with thaim in thair bandis, quhar that person or personis is passit to and ramanis, swa that he or thai sall nocht

remain in name of thair boundis : Alsua the said personis sall rasawe nane vderris personis of vthir landis within thair boundis that ar fugitywe fra the kingis lawis ; and gyff ony sic persone cumis withtin ony of the said boundis and ramanis the space off xl dais, the person in quhais boundis he ramanis in the said xl dais salbe haldin to mak anssuar for hym, and as he sall for his awyn propir men and tennandis, and wnder the samyn panis : Alsua the said personis sall thoil na herschippis cum nor gang throw thaim nor thar boundis, bot thai sall stop thaim or be deforsit with starkar na thar self, as salbe noterly knawin to the kingis henes, and all the hail cuntre ; and mairatour, gyf thai be ony fre tennandis within ony of the saidis lordis boundis quhilkis rafus or vil rafus to bynd thaim to raleiff thar lord or masterris or thar tennandis, maillingis and rowmys of this band maid to the kingis henes, and to keip thaim skaithles at his handis for the sammyn of thar rowmys, the kingis henes beyn varnit within x dais efftir this band that thai refussit to bind as said is, than and in that cais the kingis henes sall owder caus tha personis refussand to bynd to thar lord and master to raleiff hym of that band of thar rowmys, or ellis sall discharge that lord of his band in that part quhilk is rafusit. In vitnes of the quhilk thing the said lordis and barronis has ilkane of thaim be thaim self subscrivit this write with thar handis, dai, yer, and place abon vrityn.

JHONE ERL OF ATHOLL.

JHONE OF RATHRA.

WILZAME LORD GRAHAME.

JAMES HERRING of Clwny.

JHONE LORD OLLIPHANT.

ANDRO CARDENY of Fos.

ALEXANDER ERL OF MENTFEITH.

ALEXANDER ROBERTSON of Strowan.

JHONE LORD DRUMMUND.

WMFRA MURRAY of Oggilby.

WILZHAME LORD ROWAN.

NEIL STEWART of Fortergil.

WILZAM OF MURRAY of Tulibardin.

JHONE OF MUNCREF of the sammyn.

64. BOND betwixt ALEXANDER GRAHAME, EARL OF MENTEITH, and JAMES EARL OF ARRAN, for mutual defence.—20th November 1503.¹

THIR Indentures, maid at Edynburgh, the xx day of Nouember, the yeir of God j^mv^c and thre yeiris, betuix richt noble and mychti lordis, James Erle of Arane, Lord Hammyltoun, etc., on the ta part, and Alexander Erle of Menteth on the tother part, in manere forme and effect as efter folowis; that is to say, that the said James Erle of Arane, etc., sall stand in afauld band of kyndenes to the said Alexander Erle of Menteith, in the supple manteinance and defens of him, his kyn and freyndis, in all and sindry thair leiffull and honest querelis, and to tak his part quhen he requiris him. And in like wis the said Alexander Erle of Menteith sall stand in afauld band of kyndenes to the said James Erle of Arane, etc., in the supple, manteinance and defens of him, his kyn and freyndis, in all and sindry thair leiffull and honest querelis, and to tak his part quhen he requiris him. And for the obseruyng and keping heirof, the said James Erle of Arane, etc., is bundin and oblist, be the faith and treuth of his body, the grete aith suorne, the haly euangelis tuichit, and nocht to cum in the contrair heirof in tyme to cum vndre the pane of infame, periure and inhabilite. And in lyke wis for the obseruyng and keping hereof, the said Alexander Erle of Menteith is bundin and oblist, be the faith and treuth of his body, the grete aith suorne, the haly euangelis tuichit, and nocht to cum in contrair heirof in tyme to cum vndre the pane of infame, periure and inhabilite. In witnes heirof to the part of this indenture remanand with the said Alexander Erle of Menteith, the said James Erle of Arane, etc., has affixt his propre sele, togidder with his subscriptioun manuale, befor thir witnes, William Erle of Montross, Lord Grahame, etc., William Murray of Tolibardin, Walter

¹ Original in Duke of Hamilton's Charter-chest.

Forester of the Torwod, knyechtis, Johne of Knok, son and apperand air to Veltre Knok of Cragans, David Murray of Megoure, David Murray of Dowlary and Patrick Grahame, with vytheris diuers, place, day and yeir forsaid.

65. OBLIGATION by ALEXANDER EARL OF MENTEITH to WILLIAM EARL OF MONTROSE as to the lands of Kynpunt and Elastoun.—14th February 1508.

BE IT KEND till all men be thir present lettres, me, Alexander Erle of Menteth, to be bundin and oblist, and be thir present lettres and the faith and treuth in my body, lelelie and treulie bindis and oblissis me to ane nobill and mighty lord, Williame Erle of Montros, Lord Graym, etc., that forsakme kelle as the said Lord Erle is bundin to me be his lettre obligatour to warrand, acquiet and defend to me, myne airis and assignais, the landis of Kynpvnt and Elastoun, with thair pertinence, liand within the sherefdome of Linlithgw, fra recognitioun and all process of forfatour to be led be our souerane lord apone the saidis landis of Kynpvnt and Elastoun, quhilk I hald in free blanch ferme, be charter and sesing of the said Lord Erle of Montros, and to do and fulfill vther thingis to me anent the securite of the saidis landis, betuix the day of the dait of thir presents and the feist of Witsunday nixt to cum eftir the dait of the samyn, like as at mair lenth is specifyit and contenit in the lettre obligatour maid and gevin to me be the said Erle of Montros thairapone. Neuirtheles I am and standis content that

gif the said Lord Erle of Montros saufis and defendis the saidis landis of Kynpunt and Elastoun fra our souerane lordis forfatour and recognitioun maid thairapone, be his avne auld infestmentis and eidentis quhilkis he has to shaw thairapone, quharethrou I and myn airis may peceablie brouk and jois the saidis landis in fre blanchferme, as I and my predecessouris has done of befor eftir the forme of my charteris and eidentis maid thairapone, in that cace I sall desir nocht of the said Lord Erle of Montros anent my securite in the saidis landis, bot alanerly the decreit and deliuerance of the Lordis of Counsale to be gevin thairapon, and the said Lord Grahamis confirmacioun in competent dew forme, vnder his sele, apone my charteris and infestmentis, quhilkis I haue of the saidis landis confirmand the samyn in fre blanchferme, siclike as thai ar hald of befor eftir the forme of the said infestmentis; or yit gif sa beis that the saidis landis beis appropriat and forfat to our said souerane lord be resone of the said recognitioun, and that the said Lord Erle of Montros compone with our souerane lordis thesaurar, and makis compositioun for ane new infestment, in that cace the said Erle of Montros sall infest me, the said Alexander, heretable in the forsaid landis of Kinpunt and Elastoun with thair pertinent, to be haldin of him and his airis in fre blanchferme, eftir the form of my said auld infestmentis, apone the quhilk chartir and new infestment swa to be maid and gevin to me be the said Erle of Montros, he sall gett and deliuer to me our souerane lordis chartir of confirmatioun in the mair forme vnder the gret sele, apone his expensis, betuix the day of the dait of thir presents and the said feist of Witsunday nixt immediatt thairefter followand. The quhilkis thingis abonewrittin beand kept and fulfillit in forme and effect foirsaid, as said is, I sall incontinent thaireftir geif and deliuer to the said Erle of Montros his said lettre obligatour quhilk he has gevin to me in parchment, vnder his sele, apone the warrandis and securite of the said landis; and failzeing that I deliuer nocht the said

lettre obligatour, the premissis beand fulfillit as said is, in that cace I, for me and myne airis, cassis and adnullis the said lettre obligatour, and frely quitlemis and dischargis the said Erle of Montros, his airis, executouris and assignais, of the said obligatioun, and of all pontis contenit thairintill, and will for me, myne airis and assignais, that the forsaid obligatioun thaireftir to be of nane avale, strenth, force, nor effect be na maner of way in tyme to cum, but cauillatioun, fraud, or gile. In witnes of the quhilk thing to thir present lettres my sele is affixt at Edinburgh, the xiiij day of Februar, the yeir of God ane thousand five hundreth and aucht yeris, befor thir witnes, Walter Buchquhanane of that Ilk, Ewir Campbell of Stronquhir, George Grayme bruther to the said Erle of Montros, and Malice Grayme, with vthers diuers; and for the mair witnessing I haue subscriuit this obligatioun with my hand befor thir witnes, Walter Forester of the Torwod, Niniane Bonar of Kelty, knychtis, Henry Grayme and Maister Robert Grayme, with vther diuers.

ALEXR. ERLI OF MENTEHEI.

66. CHARTER by ALEXANDER EARL OF MENTEITH to JOHN COLQUHOUN of Luss, knight, of the lands of the Two Craance and Cragwichte.—13th July 1512.¹

OMNIBUS hanc cartam visuris vel audituris, Alexander comes de Menteth, salutem in Domino sempiternam: Noueritis nos dedisse, concessisse, vendidisse, ac titulo vendicionis alienasse, et hac presenti carta nostra confirmasse, necnon dare, concedere, vendere, alienare, et hac presenti carta nostra confirmare nobili viro ac dilecto consanguineo nostro Johanni Culquhoun de Luss, militi, omnes et singulas terras nostras de duabus Craance,

¹ Original Charter at Rossdhu.

extendentes annuatim ad decem libratas terrarum antiqui extentus, cum pertinenciis, necnon omnes et singulas terras nostras de Cragwchte, extendentes annuatim ad quinque libratas terrarum antiqui extentus cum pertinenciis, iacentes in comitatu nostro de Menteth, infra vicecomitatum de Perth, pro quadam certa summa pecunie nobis per dictum Johannem Culquhoun de Luss premanibus gratanter et integre persoluta in pecunia numerata, et in vsum nostrum totaliter conuersa ; de quaquidem summa pecunie tenemus nos bene contentos ac plenarie et integre persolutos, et dictum Johannem Culquhoun de Luss, heredes suos, executores et assignatos, quittos inde clamamus, tenore presentis c arte nostre imperpetuum : Tenendas et habendas omnes et singulas predictas terras de duabus Craance, necnon omnes et singulas terras de Cragwchte, extendentes vt supra, cum earundem pertinenciis, dicto Johanni Culquhoun de Luss, militi, heredibus suis et assignatis de nobis et heredibus nostris in feodo et hereditate imperpetuum, per omnes rectas metas suas antiquas et diuisas . . . ac cum omnibus aliis et singulis libertatibus, commoditatibus, proficuis et asiamentis ac iustis suis pertinenciis quibuscunque . . . ad predictas terras cum pertinenciis spectantibus, seu iuste spectare valentibus quomodolibet in futurum, libere . . . sine aliquo retinemento, reuocacione, aut obstaculo aliquali : Reddendo inde annuatim dictus Johannes Culquhoun de Luss, miles, heredes sui et assignati, nobis et heredibus nostris, vnum denarium vsualis monete Scocie ad festum penthecostes, super solum dictarum terrarum de Craance, nomine albe firme, si petatur tantum, pro omni alio onere, exaccione, questione, demanda, seu seruicio seculari, que de predictis terris cum pertinenciis per quoscunque iuste exigere poterunt quomodolibet vel requiri. Et nos vero dictus Alexander comes de Menteth et heredes nostri omnes et singulas predictas terras de duabus Craance, necnon omnes et singulas terras de Cragwchte, extendentes vt supra, cum earundem pertinenciis, dicto Johanni Culquhoun de Luss,

heredibus suis et assignatis, adeo libere et quiete, in omnibus et per omnia vt supradictum est, contra omnes mortales warantizabimus, acquietabimus et imperpetuum defendemus : In cuius rei testimonium sigillum nostrum huic presenti carte nostre est appensum apud Rosdow, decimo tercio die mensis Julii anno Domini millesimo quingentesimo duodecimo ; coram hiis testibus, magistro Jacobo Culquhoun vicario de Dunlop, Willelmo Grame, Murdaco Stewart, Vmfrido Layng, et Roberto Watson notario, cum diuersis aliis.

67. PRECEPT OF SASINE by WILLIAM EARL OF MENTEITH to infest JAMES EARL OF ARRAN in the lands of Ilieston.—14th May 1539.¹

WILLELMUS, Comes de Menteith, dominus de Kinpont ac superior terrarum de Elastoun subscriptarum, dilectis nostris Roberto Valcar ac eorum cuilibet coniunctim et diuisim balliuis nostris in hac parte specialiter constitutis, salutem. Quia per inquisitionem de mandato supremi domini nostri regis et ad capellam suam regiam retornatam per vicecomitem factam de Linlithqw compertum est quod quondam nobilis et potens Jacobus Aranie Comes ac dominus Hammiltoun, pater nobilis et potentis Jacobi, Comitis Aranie domini Hammiltoun, moderni latoris presencium, obiit vltimo uestitus et sasitus ut de feodo ad pacem et fidem supremi domini nostri regis de totis et integris terris de Elastoun cum suis pertinenciis, jacentibus nunc in dominio nostro de Kynpont et infra vicecomitatum de Linlithqw, que olim jacuerunt in dicto dominio infra constabulariam de Linlithqw et vicecomitatum de Edinburgh ; et quod dictus Jacobus, Comes Aranie, est legitimus et propinquior heres eiusdem quondam Jacobi, Comitis Aranie, patris sui, de dictis terris cum suis pertinenciis ; et quod est legitime etatis ; et quod de

¹ Original in Duke of Hamilton's Charter-chest.

nobis tenentur in capite prout in precepto supremi domini nostri regis nobis sasinam prefato comiti desuper dare mandante directo plenius continetur; VOBIS igitur et vestrum cuilibet coniunctim et diuisim balliuis nostris in hac parte antedictis precipimus et mandamus quatenus prefato Jacobo, Comiti Aranie, vel suo certo actornato latori presencium, sasinam hereditariam ac realem, actualem et corporalem possessionem totarum et integrarum predicatarum terrarum de Elastoun cum suis singulis pertinenciis secundum tenorem dicti precepti regie nobis ut premittitur directi, iuste tradatis et deliberetis, seu alter vestrum tradat et deliberet, et sine dilatione, saluo jure cuiuslibet; et hoc nullo modo omittatis. Ad quod faciendum vobis et vestrum cuilibet coniunctim et diuisim balliuis nostris in hac parte antedictis nostram omnimodam et irreuocabilem tenore presencium committimus potestatem. In cuius rei testimonium presentibus sigillum nostrum est appensum vnacum nostra subscriptione manuali, apud Edinburgh decimo quarto die mensis Maij, anno Domini millesimo quingentesimo trigesimonono, coram hiis testibus domino Andrea Alexander, capellano, Roberto Grahame, Valtero Awchyll, barone, Alexandro Drummond, Roberto Jhonson, et magistro Johanne Hammyltoun notario publico.¹



16th May 1539

¹ There is an Instrument of Sasine written on the back of this Precept, showing that infetment of the lands of Illeston was duly

given to James Earl of Arran. It is dated 16th May 1539.

68. COMMISSION by QUEEN MARY to JOHN EARL OF MENTEITH, to administer justice within Menteith.—16th August 1554.

MARIA Dei gracia Regina Scotorum omnibus probis hominibus suis ad quos presentes litere pervenerint salutem. Noueritis quod fecimus, constituimus, et ordinauimus ac tenore presentium facimus, constituimus, et ordinamus dilectum nostrum consanguineum Johannem comitem de Menteith, nostrum iusticiarium in hac parte, infra bondas nostri senescallatus et comitatus de Menteith, dantes concedentes et committentes illi nostram plenariam potestatem ac mandatum speciale, omnes et singulas personas, de furto, hujusmodi reptione, incendio lie sornyng, et manifesta rapina delatas, seu delatandas intra dictas bondas commorantes vel predicta crimina infra easdem committentes, capiendi, apprehendendi, et eas in firmantia ac captiuitate quousque justificari possint ponendi: necnon pro earum justificatione pro eisdem curiam seu curias nostre iusticiarie infra dictas bondas, apud quamcunque partem siue locum ipsarum, prout illi magis expedire videbitur statuendi, inchoandi, affirmandi, tenendi, ac quoties opus fuerit continuandi, sectas vocari faciendi, absentes ameriandi, transgressores puniendi, exitus ameriamenta et eschaetas dictarum curiarum petendi, leuandi, exigendi seu excitandi, et pro eisdem si necessum fuerit namandi et distringendi, atque eas nostro vsui importandi, memoratas personas pro prenominatis criminibus in iudicio vocandi, per iudicamentum ipsas accusandi, illasque ad cognitionem assise ponendi pro eisdem atque iusticiam super eis secundum declarationem dicte assise legibus hujus regni nostri consuetudini conforme iusticiam ministrandi seu faciendi, ad hunc quoque effectum deputatos sub eo in dicto officio unum vel plures, cum clericis, seriandis, iudicatoribus omnibusque aliis membris et dictarum curiarum officariis necessariis

faciendi, creandi, substituendi, ordinandi et iurari causandi, pro quibus respondere tenebitur assisam vnā vel assisas probarum et militarium personarum prescripti comitatus et senescallatus et quatuor senescallatum seu vicecomitatum eidem propinquius adiacentium minime suspectarum, veritatem melius cognoscentium ad sufficientem numerum personarum sub pena quadraginta librarum de qualibet persona non comparente, ad comparendum coram eis, quibuscunque diebus aut locis per eum vel eius deputatos affixis siue affigendis ad accedendum, super assisa dictarum personarum pro memoratis criminibus summonendi, premuniendi, eligendi, et iurari etiam causandi, et generaliter omnia alia et singula faciendi, gerendi, exercendi et vtendi que in premissis et circa ea necessaria fuerint, seu quomodolibet oportuna, ratum et gratum habentes et habituri totum et quicquid dictus noster iusticiarius in hac parte, sui deputati et officarij et ministri in premissis rite duxerit seu duxerint faciendum: Quare vniuersis et singulis quorum interest, vel interesse poterit, stricte precipimus et mandamus quatenus prelibato nostro consanguineo ac iusticiario nostro in hac parte, suisque deputatis et officariis in omnibus et singulis premissa tangentibus, prompte respondeant, pareant et intendant, sub omni pena que competere poterit in hac parte: Prouiso semper quod dictus noster consanguineus comes prescriptus nequaquam vllam personam ad cognitionem vnius assise ponat absque nostre iusticie clerico, vel suo deputato, ad videndum quod iusticia omnino ministretur ad huiusmodi presenti: presentibus pro spacio trium mensium proximo post datam earundem et vltius nostra durante voluntate dumtaxat duraturis. Datum sub testimonio nostri magni sigilli, apud Edinburgh decimo sexto die mensis Augusti, anno Domini millesimo quingentesimo quinquagesimo quarto, et regni nostri duodecimo.

Per signaturam, manu Marie regine dotarie ac regni regentis subscriptam.

69. LETTERS OF ADMISSION AND COLLATION by JOHN WYNRAM, Superintendent of Fife, etc., in favour of MALISE GRAHAME, presentee to the vicarage of Aberfoyle.—St. Andrews, 10th July 1573.

MAISTER JOHANE WYNRAM, superintendent of Stratherne and Monteith, to Allexander Fargy, Michaelle Leirmonth, or to ony vthir minister within my jurisdiction, grace, mercy and peax frome our Lord Jesus: Wit ye that our souerane lordis lettiris, giwin vndir his heines previe seall, with advise and consent of ane nobill and mychtie lord, James Erle of Mortoun, Lord Dalkeith, Regent to his heines realme and legis, wes directit to me, presentand to me Malice Grahame to the vicarage of Abirfull, lyand within the diocie of Dumblane, now vaicand, in his hienes handis, throw Henry Seittoune last vicar thairrof, hes nocht comperit in presens of me, now his ordinar, to haif giwin his assent, and to haif subscriyvit the articlis of religioun conteanit in the Actis of Perliament, and to haif giwin his aitht for acknowleging of his hienes auctorite, and for nocht bringing of ane testimoniall in writt thairypoun, and nocht reading baith the said testimoniall and confessioun, and of new making of the said aith oppinlie on sum Sunday, in tyme of sermone or publict prearis in the parroche kirk, quhair the said vicarage lyes, within the space mentionat in his hienes Act of Perliament maid thairant, etc.: Requyring me to try and examinat the qualificatioun of the said Malice Grahame, and gif I fand him abill to vse the office of ane reader within the kirk of God, to resae and admitt him to the said vicarage, to resae the confessioun of his faith, his aith of fidelitie to his hienes, and dew obedience to his ordinar, etc. Quhilkis thingis I haif done and pervsit, and findis the said Malice sufficientlie qualifeit to vse and accercies the office of ane reader in the kirk of God, and thairfor has admittit him, and be the tennour heirof admittis him to the said vicarage of Abirfull, and to all that

pertenis thairvnto ; requyring yow thairfor to pas with the foirsaid Malice to the kirk of Abirfuill, and thair put him in possessioun of the said vicarage be putting in his hand and exhibitioun of the buik of God callit the Bible, and placing of him in the pulpot thairof ; and thaireftir pas to the manse pertenening to the said vicarage, and thair in lyk maner gif him possessioun of the samin be inclucioun of him in the principall house thairof, as ye will ansuer to me thairvpoun. Attour we dissyre the lordis of our souerane lordis cessioun, at the sicht of his hienes presentatioun and of this our admission, to grant thair lettiris of formes [four] formes to caus the said Malice be ansuerit and obeyit of all fructis, dewiteis and emoliaments pertening of law and consuetude to the said vicarage, provyding alwayis that the said Malice sal be subiact and obedient to the ordinance of the General Kirk of this realme ; and in caice it sal happin him to be provydit to ony vthir benefice within the kirk of God, or for gud caussis to be transportit to ony vthir place, than this provision to be of na awaill, force, nor effect, bot the said vicarage to be disponit to sum vthir qualifeit persone be the just patrone thairof. In witnes of the quhilk thing to thir my lettiris of admissioun and collatioun, subseryvit with my hand, my seall of office is to hungin.¹ At Sanctandrews, the tent day of Julii 1573.

M. JHONNE WYNRAM,
Superintendent of Straithern.

70. MUTUAL BOND OF FRIENDSHIP between JOHN EARL OF MENTEITH and MALCOLM MACPHARLANE, fiar of Gartavertane.—6th March 1597.

AT the Downance, the sext day off Marche, the yeir of God 1^m v^c fourscoir and seventene yeris, It is appouintuat, aggreit, bandit and finalie endit, betuix ane nobill and potent lorde, Johne Erle off Mentethyt, on that ane

¹ The seal is still appended, but much defaced. On a shield a ram passant. The legend appears to be S. Superintendentis de Fyfe.

pairt, and Malcome M^cPharland, fear of Gartauartane, on that vther pairt, in maner, forme and effect as eftir followis : That is to say, forsamekill as the said nobill lorde hes becum bound and obleist, and be the tennour heirof bindis and obleissis him and his airis to manteine and defende the said Malcum M^cPharland and his airis, and to tak plane pairt with him in all his honorabill and lesum adois aganis all persoun or personis quhatsumeuir, the Kingis, my lordis cheiff, his lordship's awin howss with the name of Grahme alanerlie exceptit : For the quhilk caussis forsaid the said Malcum M^cPharland and his airis hes becum bound and obleist, and be the tennour heirof bindis and obleissis himselff and his airis, be the faithe and trouthe of his body, to tak plane pairt with the said nobill lorde and his airis in all the said nobill lordis lesum adois quhatsumeuir, and to giff his leill and trew seruice to the said nobill lorde and his airis, in manteineing and defending off his lordship and howss in ryssing, assisting and fortefeing the said nobill lorde, be himselff, his airis and all that he may command and mak off the surname of M^cPharland, to the said nobill lordis vse and honour aganis all personis quhatsumeuir, the Kingis Maiestie, the Douik Lennox, and the said Malcum's cheiff exceptit alanerlie ; and that the said Malcum nor his airis, nor na vtheris of that surname as he may mak or commande, sal nather knawe, wit, se, nor heir, prive or onprive, ony hurt or skathe to the said nobill lorde, his airis or howss, of thair persoun, body, gudis and geir, bot he and his forsaidis sall forsie and manefest the same to the said nobill lorde so far as they knawe or get intelligence off at thair powaris, and that thair salbe nather theft or oppressioun downin to the said nobill lorde nor his countray, in selling or takin away heirscheipis or guidis, bot that the said Malcome and his foirsaidis sall trauell deligentlie be thair moyane, fortificatioun and assistance, to bring hame the same againe at thair poware ; and that the said Malcome sal aryess his force and poware at all

tymes to the said nobill lorde, as his lordship hes to do aganis all personis quhatsumeir, the forsaidis except: And in cace the said Malcome or his forsaidis beis found or tryit ontrew or disobedient in the premissis in leill and trew seruice, or vtherwayis, the said nobill lorde to be frie as this band nor contract haid newir being maid, and the same to tak na effect heirefter; and for the mair vereficatioun, keeping and observing off the premissis, baythe the saidis pairties in taking of thair consent, hes subscriuit the same, yeir, day and place forsaidis, as als the said nobill lorde bindis and obleissis him, his airis and seruandis, to asseist the said Malcome in cace he haue to do in like maner, befoir thir vitnes, Williame Grahme of Duchray, Thome Grahame, and Johne Henrysone.

J. G. E. MUNTETH.

Williame Grahame of Douchray as wittnes.

Thomas Grahame, witnes.

Johne Henrysone, vitnes.

71. COMMISSION by KING JAMES THE SIXTH, appointing WILLIAM EARL OF MENTEITH Justice within his Earldom.—15th February 1621.

JAMES R.

JAMES, be the graice of God King of Greit Britane, France and Ireland, Defendair of the faith, to all and sindrie oure leigeis and subiectis quhome it effeiris, to quhose knowledge thir our lettrez sall come, greitting: Forsamekle as the crymes of thift, ressett of thift and pykrie ar become to be most frequent and commoun within the boundis of the erledome of Monteithe, perteneing heretable to oure right traist counsigne Williame Erle of Monteith, the committaris of the quhilkis crymes takes the greattair bauldnes to contenow thairintill becaus no persones are authorized nor cled with oure power and commissioun to tak ordour for repressing of the saidis crymeis,

pvnisching of the committaris thairof, and reteneing and keiping of the inhabitantis within the saidis boundis, vnder oure obedyence; and we, vnderstanding the goode and worthie dispositioun of oure said cousigne the Erle of Menteith to do ws seruice, and his goode inclinacioun to justice, and to suppres and pvnische all offensis committit within his boundis: Thairfoir we haue maid and constitute, and be the tennour heiroyf makis and constitutes oure said cousigne and his bailleis, for whome he sal be haldin to ansuer, oure Justiceis in that pairt within oure said cousigne his hail boundis of the erldome of Menteithe, to the effect vnderwreittin, giveand, grantand and committand vnto thame oure full power and commissioun, expres bidding and charge, to pas, searche, seik, tak and committ to waird all and sindrie persones inhabitantis within the saidis boundis, being oure said cousigne his awne remoueabill tennentis, who are suspect and dilait of the crymes abone wreittin, or ony of thame, quhairuir thay may be apprehendit, and to putt, hold, keepe and deteene thame in sure firmance and captiuitie, ay and quhill justice be ministratt vpoun thame, conforme to the lawis of oure realme; and for this effect justice courtis, ane or mae, within the boundis abone specifeit, to sett, begin, affix, hold and contenow, suittis to mak be callit, absentis to amerchiat, vnlawis, amerchiamentis and escheittis of the saidis courtis to ask, lift and rais, and for the same, gif neid beis, to poynd and distrenzie, and in the same courte or courtis the saidis remoueabill tennentis to call be dittay, to accuse, and thame to the knowlege of ane assyse to putt, and as thay sall be fund to be culpable or innocent of the saidis crymes, to caus justice be ministratt vpoun thame for the same, conforme to the lawis of our realme, assyssid neidfull for this effect, ilk persone vnder the paine of fourtie pundis, to summond, warne, cheese, elect and caus be sworne, clarkis, seriandis, dempstaris, and all vtheris officiaris and memberis of courtē neidfull to mak, creat, substitute and ordane, for whome our said justice salbe

haldin to ansuer; the escheatis of the persones who salbe convict and execute to the deade, or who sal become in will or be fugitiue for the saidis crymeis, to intromett with and vplift, and for the same, gif neid beis, to poynd and distrenzie, the ane halff thairof to oure vse to imbring, and compt thairof in oure exchekker to mak, and the vther halff to oure said justice his awne vse, for his lawbouris, to apply; and generallie all and sindrie other thingis to do, exerce and vse quhilkis for executioun of this oure commissioun are requisite and necessair, ferme and stable halding and for to hald all and quhatsumeuir thing salbe laughfullie done heirin; chargeing heirfoir yow, oure leigeis and subiectis, to reuerence, acknowledge and obey, concure, fortifie and assist oure saidis justiceis in all thingis tending to the executioun of this our commissioun, as ye and ilk ane of yow will ansuer vpoun your obedyence at your heighest charge and perrell, and this oure commissioun for the space of ane yeir allanerlie, but reuocatioun, to indure. Givin vnder oure signet at Edinburgh, the fyftene day Februir, and of oure regnis the auchtene and fiftie four yeiris, 1621.

GEORGE HAY.

AL. CANCELL^s.

S. G. MURRAY.

MELROS.

KILSAYTH.

LAUDERDAILL.

[Indorsed :] Apud Edinburgh, decimo quinto February 1621.

Red, past, and allowit in Counsell.

J. PRYMROIS.

72. RESIGNATION by ADAM BISHOP OF DUNBLANE, in favour of WILLIAM EARL OF MENTEITH, of the Patronage of the Church of Aberfoyle.—
17th September 1622.

BE IT KEND till all men be thir present lettres, ws, Adame bischop of Dunblane, Forsamekle as we, having deiplic considerit the great necessitie

quhilk that desolat congregatioun of Aberfule presentlie hes of ane pastor, quhair neuer in no manis memorie leving thair wes ony resident minister to preatche the word of God, nor minister his holie sacramentis, quhairthrow the maist pairt of the paroschinneris thairof remanes in great blindnes and ignorance; and seing now the richt noble erle, William Erle of Monteathe, Lord Kilbryd and Kilpunt, heretour of the said hail parochin of Aberfule, for the weill of the saules of his awin people, vassellis, tennentis, and vtheris parochineris, is content, of his awin frie motive will, and out of his awin present rent, to provyde ane competent stipend to ane minister for serving the cure at the said kirk of Aberfule in all tyme cuming, and to mak the glebe and manse voyde and red of the present possessoris thairof, and to that effect hes, at the dait of thir presentis, be contract and appointment, obleist him and his airis thairto, as thairin is at lenth contenit: Thairfoir, in recompence to the said noble erle, and for his farder incurradgment in this godlie and religious work, witt ye ws, for the caussis foirsaidis, and diuers vtheris wechtie cawssis and consideratiounis moving ws thairto, to haue dissolved, lyk as we be thir presentis dissolves, in all tyme cuming, fra oure said bischoprick of Dumblane, the patronage of the said kirk of Abirfule, personage and viccarage thairof, that the same and richt thairof may be established for euer be the lawis of this realme, in the persone of the said William Erle of Monteathe, his airis maill and successoris, and thairfore hes maid, constitute and ordanit, and be the tennour herof makis, constitutis and ordanes

and ilk ane of thaim, coniunctlie and seuerallie, oure verie lauchfull, vndoubtit and irrevocabill procuratouris actouris, factouris, erand beraris and speciall messengeris to the effect vnderwrittin, geveand, granttand and committand to thaim and ilk ane of thaim, coniunctlie and seuerallie, as said is, oure full, frie, plane power, generall and speciall command, expres bidding and charge, for us and in our name, to

compeir befoir oure richt heiche, michtie, and illustre prince and soverane lord, James, be the grace of God King of Great Britane, France and Ireland, Defender of the faithe, or befoir the Lordis of his hienes privie counsall of this kingdome of Scotland, havand power and commissioun of his hienes during his absence furthe of this realme, to ressaue and accept resignatioun of landis and vtheris within the samyn, and grant infeftmentis thairvpoun, and thair with all humilitie and decencie requisite, genibus flexis, frielie, according to the lawis of this kingdome, to surrender and vpgiff in his Maiestie's handis, or his saidis commissionaris, oure immediat superiouris thairof, all and hail the said patronage of the said kirk of Aberfule, personage and vicarage thairof, in speciall favouris and for new and heritabill infeftment, to be gevin bak agane of the samyn to the said noble erle, his airis maill and successouris foresaidis : Lykas we, be thir presentis, for the caussis abone writtin, frelie surrenderis and vpgiffis fra oure said bishopruck, in all tyme cuming, all and hail the said patronage, personage and vicarage, of the said kirk of Aberfule, in speciall fauouris, and for new and heretabill infeftment, to be gevin bak agane of the samyn to the said noble erle, his airis maill and successouris foresaidis, as is befoir contenit ; actis, instrumentis and documentis thairvpoun to ask, lift and raise, as neid beis, and generallie all and sindrie vther thingis necessar and requisite in the premissis to do and vse that to the office of procuratorie in sic caissis of law or consuetude of this realme necessar is knawin to appertene, or that we mycht do thairin our selfis gif we war personalie present ; firme and stable, etc., frelie, quyetlie, etc., but ony reuocatioun, etc. : And we obleis us and our successouris to iterat and renewe thir presentis als oft and in sic sure forme and maner as the said noble erle or his foresaidis sall devyse, chuse and think expedient, be the sicht and advyse of men of law and judgment : And for the mair securitie we ar content, and consent that thir presentis be insert and registrat in the bookis

of Counsell and Sessioun, and that lettres and executoriallis as effeiris be direct heirvpoun ; and for registering heirof, constitutis coniunctlie and seuerallie, our lauchfull procuratouris, promittens de rato : In witness of the quhilk thing, writtin be Johnne Robene, notar in Stirling, we haue subseryvit thir presentis with our handis at Logie, the sevintene day of September, the yeir of God 1^m vi^c twenty and tua yeiris, befor thir witnessis, Mr. John Rollock, Commissar of Dumblane, Thomas Craingelt of that ilk, Mr. Harye Schaw, minister at Logye, and the said John Robene.

Mr. Johne Rollok, witnes.

AD. B. OF DUNBLANE.

M. Henry Schaw, witnes.

T. Craingelt of y^t ilk, witnes.

Jo. Robene, witnes.

73. PATENT under the Great Seal of King Charles the First creating WILLIAM EARL OF MENTEITH EARL OF STRATHERNE AND MENTEITH.—Oatlands, 31st July 1631.¹

CAROLUS, Dei gratia Magne Britannie Francie et Hibernie Rex, fideique Defensor, omnibus probis hominibus suis ad quos presentes litere pervenerint, salutem : Sciatis quia nos animo nostro recolentes quod predilectus noster consanguineus et consiliarius, Willielmus comes Taichie lie Menteth, preses nostri secreti consilii deseruitus et retornatus existit indubitatus heres sanguinis quondam Davidis comitis de Stratherne sui proavi proavie patris filii legitimi quondam Roberti Regis secundi nostri predicesoris felicis memorie cuiquidem quondam Davidi comiti de Stratherne et heredibus suis, dictus quondam Rex Robertus secundus ejus pater, per

¹ Registrum Magui Sigilli, Lib. liii. No. 48.

duas diuersas cartas, vnam earundem de data apud Edinburgum, decimo nono die mensis Junii et anno regni sui primo; ac alteram earundem de data apud Perthum, tertio die mensis Julii dicto que anno regni sui primo, disposuit comitatum de Stratherne, cum omnibus annexis et pertinentiis ejusdem: et quamvis prefatus Willielmus comes Taichie tanquam heres predictus ad predictum comitatum de Stratherne, jus bonum haberet, memoratus tamen comes, ex humili respectu quem erga sacrosanctam nostram personam gerit per literas suas renunciationis de data vigesimo die mensis Januarii anno Domini millesimo sexcentesimo trigesimo, ac registratas in generali registro, secundo die mensis Martii proxime sequentis, renunciavit omne jus et titulum quem ad dictum comitatum de Stratherne habere potuit in fauorem nostrum et successorum nostrorum; reseruatis dicto Willielmo comiti Taichie terris et baronia de Kilbryde, aliisque in dicta renunciatione mentionatis, cum hac expressa prouisione quod dicta renunciatio non sit prejudicio dicto comiti suisque predictis, de eorum jure et dignitate sanguinis ad ipsum tanquam heredem linee prefati quondam Davidis comitis de Stratherne pertinentibus, prout dicta renunciatio in se latius proportat: Et nos magnopere volentes quatenus prefatus Willielmus comes Taichie, heredes sui masculi et successores in jure et titulo comitatus Iernie lie Stratherne gaudeant, succedant, et fruantur predicto titulo, loco et dignitate iis debito per dictas cartas et infeofamenta per dictum quondam regem Robertum secundum concessas memorato quondam Davidi comiti de Stratherne, ejus filio, suisque heredibus ejusdem comitatus de Stratherne, in quantum ad titulum, locum, et precedentiam iis tanquam comitibus debitum attinet; igitur ratificavimus, approbauimus, tenoreque presentium pro nobis et successoribus nostris ratificamus et approbamus prefatum titulum, honorem, dignitatem, et locum comitis prefato Willielmo comiti Taichie suisque predictis debitum virtute dictarum cartarum per

dictum quondam regem Robertum secundum concessarum prefato quondam Davidi comiti de Stratherne suisque heredibus : Ac volumus et concedimus quod prefatus Willielmus comes Taichie heredesque sui masculi et tallie dicti comitatus Taichie, Comites Iernie et Taichie lie Stratherne et Menteth omni tempore affuturo appellentur et vocentur ; et quod gaudeant, fruantur, et possideant prefatum titulum et dignitatem comitum Iernie et Taichie, in omnibus publicis comitiis, conventibus et parliamentis, omnibusque aliis conventionum locis, cum iisdem privilegiis, libertatibus, gradibus et locis prefato quondam Davidi comiti de Stratherne suisque heredibus per dictum quondam regem Robertum secundum ejus patrem concessis, et cum precedentia et prioritate ante quascunque alias personas factas et creatas comites post datam dictarum cartarum et earum alterius, omnesque alios qui antiquiora infeofamenta, literas patentes et documenta pro eorum titulo et dignitate comitatus, anteriora dictis cartis per dictum quondam regem Robertum secundum predicto quondam Davidi comiti de Stratherne concessis producere nequeant. In cujus rei testimonium presentibus magnum sigillum nostrum apponi precepimus, apud aulam nostram de Oatlandis, vltimo die mensis Julii anno Domini millesimo sexcentesimo trigesimo primo, et anno regni nostri septimo.

Per signaturam manu supremi Domini nostri Regis suprascriptam, necnon manibus quorundam dominorum Scaccarii Commissionariorum subscriptam.

CHARTERS OF THE PRIORY OF INCHMAHOME.

74. LETTERS by WILLIAM BISHOP OF GLASGOW, and GEOFFREY BISHOP OF DUNKELD, permitting WALTER COMYN, EARL OF MENTEITH, to build a house of Augustinian Canons at Inchmahome, etc.—1st July 1238.

UNIVERSIS Christi fidelibus hoc scriptum visuris vel audituris, Willielmus et Galfridus Dei gratia Glasguensis et Dunkeldensis Episcopi, eternam in Domino salutem: Mandatum Domini Pape in hec verba suscepimus: Gregorius episcopus seruus seruorum Dei, venerabilibus fratribus Glasguensi et Dunkeldensi episcopis salutem et apostolicam benedictionem: Venerabilis frater noster episcopus Dunblanensis in nostra proposuit presentia constitutus, quod cum olim ecclesia Dunblanensis per centum [decem] annos et amplius vacauisset, fere omnia bona ejus fuerint a personis secularibus occupata, et licet processu temporis fuissent in ea plures episcopi instituti, per simplicitatem tamen et incuriam eorundem non solum revocata non fuerunt taliter occupata, verum etiam reliquie que occupantium manus effugerunt alienate sunt fere penitus et consumpte, propter quod nullus ydoneus induci poterat ad onus hujusmodi assumendum, pene per decem annos eadem ecclesia interim pastoris solatio destituta; Cumque nos postmodum intellecto miserabili statu ejus, venerabilibus fratribus nostris Sanctiandree et Brechinensi episcopis ac tibi frater Dunkeldensis provisionem ipsius duximus committendam Tu et iidem episcopi sperantes dictam ecclesiam per jamdictum episcopum posse de lacu miserie respirare, ipsum eidem ecclesie prefecistis, quam supradictus episcopus invenit adeo desolatam quod non repperit ubi posset caput suum in cathedrali ecclesia

reclinare: Nullum collegium erat ibi, sed in ipsa ecclesia discooperta quidam capellanus ruralis divina officia celebrabat; ipsius quoque episcopi redditus sunt adeo tenues et exiles quod vix per dimidium anni potest exinde congrue sustentari; quia vero instantia nostra quotidiana est omnium ecclesiarum sollicitudo continua, fraternitati vestre per apostolica scripta mandamus, quatenus ad eandem ecclesiam personaliter accedentes, si rem inveneritis ita esse, quartam partem decimarum omnium ecclesiarum parochialium Dunblanensis diocesis faciatis, si absque gravi scandalo fieri poterit, prefato episcopo assignari, ut ipse de vestro et bonorum virorum consilio, reservata sibi de ipsis pro sustentatione sua congrua portione, decano et canonicis quos ibidem per vos institui voluimus et mandamus, assignet; alioquin assignata ipsi episcopo quarta decimarum omnium ecclesiarum ejusdem diocesis que a personis secularibus detinentur, sedem episcopalem ad monasterium sancti Joannis canonicorum regularium predictae diocesis transferatis, eligendi episcopos cum ecclesia ipsa vacaverit canonicis ipsis imposterum potestate concessa; contradictores si qui fuerint et rebelles per censuram ecclesiasticam, appellatione postposita, compescendo: Datum Viterbii tertio idus Junii pontificatus nostri anno undecimo. Hujus igitur auctoritate mandati, cum tam dictus episcopus Dunblanensis quam Valterus Cumyng comes de Menteth in nostra presentia essent constituti, post altercationes, ordinationi nostre se subjecerunt super omnibus contentionibus et querelis inter ipsos motis, vel que aliquo tempore poterint super infrascriptis moveri, et super reformatione status ecclesie Dunblanensis, nos habito vero virorum prudentium consilio, in hunc modum inter eos ordinavimus, videlicet, Quod dictus episcopus Dunblanensis nomine ecclesie sue, pro se et successoribus suis omnibus renunciaret omni juri quod episcopi vel antecessores sui nomine ecclesie Dunblanensis habuerunt, vel habere potuerunt vel poterint in terris vel denariis receptis de terris, et in canis omnibus

ecclesie, et denariis annuatim ab ecclesiis comitatus de Menteth, in quibus dictus comes jus obtinet patronatus nomine pensionis, perceptis, ut dicebat dictus episcopus, et omnibus querelis, exactionibus, vel demandis inter eos motis, vel que aliquo tempore ab ipso vel antecessoribus suis contra dictum comitem vel antecessores suos moveri poterant vel poterunt supra predictis: Ordinavimus etiam quod licitum sit dicto comiti et successoribus suis, domum virorum religiosorum ordinis Sancti Augustini in insula de Inchmaquhomok construere, sine impedimento vel contradictione dicti episcopi vel successorum suorum: Assignavimus etiam ex collatione dicti comitis, et de voluntate et assensu dicti episcopi, in puram et perpetuam elimosinam illis viris religiosis in dicta insula Deo servientibus, ecclesias de Lanyn et de dicta insula, cum omnibus libertatibus et aisiamentis ad dictas ecclesias pertinentibus, salvis episcopalibus dicto episcopo et successoribus suis; et sciendum est quod non licebit dicto episcopo vel successoribus suis in dictis duabus ecclesiis perpetuos vicarios facere, sed honesti capellani episcopo presententur, qui ipsi de cura animarum et de spiritualibus et episcopalibus respondeant: Ordinavimus insuper ut dictus comes, pro se et successoribus suis, concedat et assignet ecclesiam de Kippen ad perpetuum canonicatum in ecclesia Dunblanensi, salvo sibi et successoribus suis omnibus in perpetuum jure presentandi ad dictum canonicatum, quotiescunque vacare contigerit; ordinavimus similiter ut idem comes, pro se et successoribus suis, cedat eidem episcopo et successoribus suis, quicquid juris habuit in ecclesia de Callendar. Ut autem hec ordinatio nostra rata et inconcussa permaneat, huic scripto sigilla nostra unacum sigillo dicti episcopi Dunblanensis apposuimus, his testibus existentibus in consilio, apud Perth, anno gracie millesimo ducentesimo tricesimo octavo, in octavis Sancti Joannis Baptiste, scilicet, G. episcopo Aberdonensi; de Aberbrothoc, et de Scone, et de Cambuskenneth, et de Inchaffray, abbatibus; Magistro Petro de Ramsay

Magistro M. archidiacono Glasguensi, Magistro W. decano Glasguensi, et multis aliis.¹

75. LEASE by ANDREW, PRIOR OF INCHMAHOME, to ANDREW STEWART and ELIZABETH MAISTERTOUN his Wife, of the lands of Drumlanikloch. —16th April 1526.²

BE IT KEND till all men be thir present lettres, ws, Andro, be the permissioun of God prior of Inchemahomo, with full consent and assent of all our conuent cheptourlie gadderit, to haif sett and for maill lattin, and be thir oure present lettres settis and to maill lattis, to our lowit seruitour Andro Stewart and Elezabetht Maistertoun his spous, and to the langer levar of thaim twa, and to thair executouris and assignais, sua thai be of na greter reputacioun nor degre na thaim self, and thair subtenentis ane or maa, all and sindry oure landis of Drumlannikloch, togidder with twenty schillyngis wortht of oure landis of Arnielerycht, with thare pertinence, liande within our barony of Cardross and sherefdom of Pertht, for all the dais and termes of nyntene yeris, fullely to be compleit and all togidder outrovne, nixt and immediat folowand the dait of thir present lettres; the entra of the saidis Andro and

¹ In an old paper, entitled "Ane Inventor of sum of my vrettis quhich doth ly in ane chartour kist within the Ile of Ilantullo," partly holograph of William, seventh Earl of Menteith, and signed by him, dated about 1622, the following is the first entry:—“(1.) Item, ane apointment betuix Walter Cumming, Erle of Monteith, and the bishops of Dunkell and Dunblane, be the direction of the Pope, quhair the said Earle gies libertie to the churchmen to build ane abbasie within his Ile of Inchmahome, of the dait 1238.” This undoubtedly refers to the writ of 1st July 1238. In “Notes Historical and De-

scriptive on the Priory of Inchmahome,” 4to, Ediuburgh, 1815, the author, Mr. W. Macgregor Stirling, states that he had obtained the document of 1238 through the late Mr. Thomas Thomson, Deputy-Clerk-Register of Scotland; but the original writ cannot now be traced either in the General Register House or in any other repository. The present print is made from a copy in the Cartulary of Inchaffray, and a copy in Mr. Macgregor Stirling’s “Priory of Inchmahome.”

² Original in H. M. General Register House, Edinburgh.

Elezabetht his spouse, thare executouris, and assignais, and subtenentis aue or ma, as said is, in and to the tak and assedatioun of all and sindry the forsaid landis of Drumlanniklocht, togidder with the twenty schillingis wortht of land of Arniclerycht, with thare pertinens, sal be at the fest of Vitsonday, nixt and immediat foloande the dait of thir presentis, and fra thin furtht till indur, and to be brukit, and joisit, be the saidis Andro, Elezabetht his spous, and the langer levare of thaim twa, coniunctlie and seueralie, thair executouris, assignais, and subtenentis aue or ma, as said is, on to the ische and full complet ende of the saidis nyntene yeris, as the saidis landis and maling lyis in lentht and breid, be all rycht merchis auld and diuisit, in housis, biggingis, feildis, pasturis, and lesouris, with commone pastur, fre ische and entre, and with all other and sindry fredomes, commoditeis, asiamentis, prophetis, and rychtuis pertinens thareto pertenand, or rychtuislie sal be knawin to per- teyne be ony maner of way in tyme to cum, frelie, quietlie, weil, and in pace, but ony impediment, obstakle, or reuocatioun quhatsumeuir: The saydis Andro and Elezabetht his spous, and the langer levare of thaim twa, coniunctlie and seueralie, and thare executouris and assignais, and subtenentis aue or ma, as saidis is, payand herfor yerlie ilk yer, of mail to ws and oure successouris, factouris, and intromittouris, the sovme of fyfty schillingis gud and vsuall mony of Scotland, at twa vsuall termes in the yer, videlicet, Vitsonday and Mertimes in wynter, be equal portionis, with auriagis, cariagis, and all other deviteis and dewseruice aucht and wonth for all oder chargis heirop quhatsumeuer: Ande we forsutht the said Andro, prior, and our conuent and our successouris, the said tak and assedatioun of all and sindry the saidis landis of Drumlanniklocht, togidder with the twenty schillingis land of Arniclerycht, with thare pertinens, for all and sindry the dais and termes of nyntene yeris, to the saidis Andro Stewart, Elezabetht Maistertoun his spous, and to the langer levare of thaim twa, coniunctlie and seueralie,

thare executouris and assignais, swa that thai be of na gretter degre nor reputacioun na thareselfis, and thare subtenentis ane or ma, aganis all deidly, sall warrand, acquiet and defend, all fraud, gile, cauillatioun and evill ingyne remowit and excludit: In witnes of the quhilk thing, to thir oure present lettres of assedatioun we haif affixit and hungyn the commone sele of oure cheptour, togidder with the subscriptionis of oure handis, at Inchemahomo, the sextene day of the moneth of April, in the yere of Gode ane thousand fife hundretht twenty and sex yeris, befor thir vitnes, Georgis Stewart, Johne Nicholouse, Watte Yonge, Patrik Moresoune, and Johne Pangye, with oderis diuerse, etc.

ANDREW PRIOR OF INCHEMAHOMO.

DENE JAMES THOMSOUN, *ad idem*.

DENE JAMES BAD, sub-prior *ad idem*.

DENE THOMAS MAKCLELLANE.

DENE JOHNE HUTOUN, *ad idem*.

DENE ADAM CRISTESON.

DENE DUNCANE PRYNGYLL.

DENE JAMIS BRADFUT.

DENE JHON YONGMAN.

DENE JHONE MONT.¹

DENE ADAM PEBLIS, *ad idem*.

76. DISCHARGE by QUEEN MARY and by the EARL OF ARRAN, her Tutor and Governor, and the LORDS OF THE PRIVY COUNCIL, to JOHN LORD ERSKINE and ALEXANDER LORD LIVINGSTONE, guardians of her person. —Lethington, 20th July [1548].²

MARIE, be the grace of God, Quene of Scottis, to all and sindry oure legis and subiectis and wtherris to quhome thir our present letteris sall to cum, greting: Forsamekill as in oure Perliament haldin in oure abbay of Hadingtone, the sevyn day of the moneth of Julii instant, it wos be the Quenis grace, oure derrest moder, our traist and derrest cusing, James Erle of

¹ The seal is still attached, though a portion of it has been broken off.

² Original Discharge in Lord Elphinstone's Charter-chest.

Arrane, Lord Hammiltoun, etc., oure tutour, protectour and gouvernour of oure realme, and the thre estatis of the samyn, awisit, ordinit, consentit, appoyntit, and concludit oure mariage to be contractit with the Dolphyne of France, as is at lenth contentit in the acte maid thairvpone ; and sic lik our said derrest moder, our tutour and governour foirsaid, and Lordis of our Counsall, hes thocht expedient and necessar that we be transportit to our derrest broder the maist Cristiane King of France, and to remane with hym in his realme quhair he thinkis expedient; and als knawing and vnderstanding the leile, trew, anefald, and deligent seruice done to ws in all tymes bigane be oure cusingis and counsalouris Jhone Lord Erskyne and Alexander Lord Lewingstoun, specialie in the faithfull keping of oure persone, hes dewisit and ordinit thame to depart furtht of oure Castell of Dunbritane, and pass with ws to the partis of France. And albeid att oure saidis cusingis, Jhone Lord Erskyne and Alexander Lord Levingstoun, wer off befoir, in the moneth of September last bypast, sone eftir the feild of Pynkyne Clewiche, quhen we wer transportit furtht of oure Castell of Streviling to the Ile of Inchemaquhomo be our said derrest moder, oure tutour and gouvernour and Lordis of our Counsall beyng than in the said Ile, dischargit and exonerit of all forder keping of ws, and of the actis and ordinance maid thairvpone of befoir for the evident perrell than apperand, and wther necessar causis considerit be thame, quhilk discharge we, oure said derrest moder, tutour and gouvernour, and Lordis foirsaid, ratifeis and approvis be thir presentis ; and als nochtwithstanding that oure said cusingis hes maid gud, trew, and faythful seruice in the diligent keping of oure persone sen the said discharge vnto this day : Heirfor, and for wther ressonabill causis and considerationis moving ws, our said derrest moder, tutour and gouvernour, and Lordis foirsaid, witht consent, assent, awys and auctorite of thame, be the tenour of thir our letteris, exoneris and dischargis oure saidis cusingis of all obliga-

tionis, actis, contractis and ordinance quhatsumewir, quhairthrow that thai or ather of thame wer bund and oblist ony maner of way to haife kepitt ws, and of all maner of actioun that may fallow thairvpon, or be imput to thame or ather of thame, thair airis or successouris thairthrow; and for the mair securite of our saidis cusingis, commandis and ordinis thir oure letteris to be registrat in oure bukis of Counsall, and discernis that thai sall haife the effect and strentht of act and decret of the sam. Gevin vnder oure prevey sele, and subscrivit be our said derrest moder, tutoure and gouernour, and Lordis of our Counsall foirsaidis, at Lethingtoun, the twenty day of Julii, and of our regne the sext zeir, etc.

JAMES G.

JHONE, Bischop of Dunkeld.	ARD. OF ANGUS.	GEORGE L. HOME.
WILLIAM, Bischop of Aberdeen.	A. ERL OF ERGYLE.	HENRY LORD METHUEN.
PATRICK, Bischop of Moraye, etc.	M . . . ELL ROSS.	WILLIAM LORD RUTH- UIN, prewe seill.
JHONE, Bischop of Brechin.	dator of Dun-	JHON L. BORTHWICK.
GEORGE, Bishop of Orknay.	fermlyn.	DUNKELD, thesaurarius.
D. DE CUPRO.		

77. LEASE by JOHN, COMMENDATOR AND THE CONVENT OF INCHMAHOME, to ALEXANDER MENTETH in Polmonthmyln and his SONS, of the lands of Lochend, in the shire of Perth.—29th July 1548.¹

BE it kend till all men be thir present lettres, vs, Johne Commendatour of Inchmahomo and convent of the samyn, cheptourlie gaderit, our vtilite and proffitt befor seine, to haue set and in assedatioun lattin, and be thir presentis settis and in assedatioun lattis, to our louittis Alexander Mentetht in Polmonthmyln, Villiame Mentetht, Henry Mentetht, Archbald Mentetht,

¹ Original Lease in Cardross Charter-chest.

and Alexander Menteth, his sonnys, the langer lewar of thame, thair aris, assignais, and subtenentis, ane or ma respectiue, all and hale our landis and steding callit the Lochende, extending to fourty schilling wortht in our rentale of land of ald extent, quhilk the said Alexander presentlie hes of vs and occupiis be his subtenent Lucas Keir, lyand in our lordschip of Cardross, within the scherefdom of Pertht, for all the dais, space, and termes of nyntein yeris nixt and immediatlie to be compleit eftir the said Alexander and personis foresaidis enteres heirto, quhilk salbe at the day of the dait of thir presentis, and fra thynfurtht to be peciabile breukit, set, vsit, or disponit be the said Alexander and personis foirsadis, thair aris or assignais respectiue, as said is, vnto the compleit end of the said nyntene yeris, with houssis, bigingis, yardis, toftis, croftis, infeildis, outfeildis, mvriss, mossis, medois, petis, and turvis, commoun pastuir, fre ische and entray, and with all and sindrie otheris fredomes, asiamentis, proffitiss, and commoditeis pertenin to the said sted and landis, or that rychtuislie ma pertene ony maner of way, and witht power to input and output subtenentis and laboraris vndir thaim, ane or ma, als oft as thai sall think expedient and proffitable, frelie, quietlie, wele, and in pace, but ony obstakle or impedymnt quhatsumeuir: Payand heirfoir yeirlye, the said Alexander Menteth, Villiame, Henry, Archbald, and Alexander, his sonnys, thair aris, assignais, or subtenentis, ane or ma respectiue, during the said space of nyntene yeris, to vs, our successouris or chamerlanis for the tyme, the sovin of fourty-thre schillings and four pennis vsuall mony of Scotland, at tua vsuall termes in the yeir, Witsunday and Mertymes in wintir, be evinlie portiones allanerlie, with areage, careage, and doseruice vsit and wont, sic as the said Alexander and his subtenents hes pait in tymes bipast alanerlie, for all other doseruice, exactioun, questioun, or demand that ma be askit of the saidis landis during the said space ony maner of way; and we forsutht, the saidis Commendatour and convent,

bindis and oblis vs and our successouris this present tak and assedatioun in all pointis, as is aboue writin, to the saidis Alexander Mentetht, William, Henry, Archbald, and Alexander, his sonnys, thair aris, assignais, or subtenentis, ane or ma respectiue, during the said space of nynteine yeris, aganis all deidlie sall varrand, acquiet, and defend: In witnes heirof to thir our present lettres of assedatioun, subscriuit witht our awin handis, our commoun sele is to hungin at Inchmahomo, the xxix day of Julij, the yeir of God j^mv^c fowrty and aucht yeris.

JHONE COMMENDATOUR OF INCHMAHOMO.

DENE JAMES BRADFUT, sub-prior.

DENE JHONE HUTEN, *ad idem*.

DENE JAMES BAD, *ad idem*.

DENE JOHEN YONGAR, *ad idem*.

DENE ADAM PEBLIS, *ad idem*.

DENE THOMAS M'LELLEN, *ad idem*.

DENE ADAM CRISTESONE, *ad idem*.

DENE JHONNE MONT, *ad idem*.

78. BULL by POPE PAUL FOURTH conferring the Priory of Inchmahome upon DAVID ERSKINE.—10th January 1555.¹

PAULUS Episcopus, seruus seruorum Dei, venerabilibus fratribus Feltrensi et Orchadensi ac Dumblanensi Episcopis, salutem et apostolicam benedictionem: Vite ac morum honestas aliaque laudabilia probitatis et virtutum merita, super quibus dilectus filius Dauid Erskin, clericus Sanctiandree diocesis, apud nos fidedigno commendatur testimonio, nos inducunt vt illa sibi fauorabiliter concedamus que suis commoditatibus fore conspicimus

¹ Original in the Charter-chest of the Earl of Mar and Kellie.

opportuna : Cum itaque prioratus monasterii, per priorem gubernari soliti, insule Sancti Colmocii de Inchmahomo, ordinis Sancti Augustini, canonicorum regularium Dumblanensis diocesis, quem dilectus filius Johannes Erskin clericus ex concessione seu dispensatione apostolica, in commendam ad vitam nuper obtinebat, commenda huiusmodi, ex eo quod dictus Johannes illi hodie per dilectum filium Joannem Row, clericum dicte Dumblanensis diocesis, procuratorem suum ad hoc ab eo specialiter constitutum, in manibus nostris sponte et libere cessit, nosque cessionem ipsam duximus admittendam, cessante, adhuc eo quo ante illam vacabat modo, vacauerit et vacet ad presens : Nos eidem Daudi, asserenti dudum secum, vt non obstante defectu natalium quem patitur ex soluto de nobili genere procreato genitus et soluta, clericali caractere insigniri et ad omnes etiam sacros et presbyteratus ordines promoueri posset, apostolica auctoritate dispensatum, ac se dispensationis huiusmodi vigore dicto caractere rite insignitum fuisse, vt commodius sustentari valeat de alicuius subuentionis auxilio prouidere ; ac premissorum meritorum suorum intuitu, consideratione etiam charissime in Christo filie nostre, Marie Scotorum Regine illustris, nobis super hoc per suas litteras humiliter supplicantis gratiam facere specialem, eumque a quibusuis excommunicationis, suspensionis et interdicti, aliisque ecclesiasticis sententiis, censuris et penis, a iure vel ab homine, quauis occasione vel causa latis, si quibus quomodolibet innodatus existit, ad effectum presentium dumtaxat consequendum, harum serie absoluentes et absolutum fore censentes : Necnon verum et vltimum eiusdem Prioratus vacationis modum, etiam si ex illo queuis generalis reseruatio etiam in corpore iuris clausa resultet, presentibus pro expresso habentes : Fraternitati vestre per apostolica scripta mandamus, quatenus vos, vel duo aut vnus vestrum, per vos vel alium seu alios, Prioratum predictum, cuius ac illi forsan annexorum fructus, redditus et proventus, super quibus certa pensio annua illorum medietatem

constituens dilecto filio Andree Ballou ipsius monasterii canonico illam annuatim percipienti, dicta auctoritate, vt ipse Dauid etiam asserit, reseruata existit, octuaginta librarum sterlingorum secundum communem estimationem valorem annuum, vt idem Dauid similiter asserit, non excedunt,—quouismodo et ex cuiuscunque persona, seu per liberam resignationem cuiusuis de illo extra Romanam Curiam etiam coram notario publico et testibus sponte factam, aut constitutionem felicis recordationis Johannis Pape XXII. predecessoris nostri que incipit Execrabilis, vel assecutionem alterius beneficii ecclesiastici ordinaria auctoritate collati, vacet; etiam si tanto tempore vacauerit quod eius collatio iuxta Lateranensis statuta [consilii ad sedem]¹ apostolicam legitime deuoluta, ipseque Prioratus dispensationi apostolice specialiter vel ex eo quia conuentualis est vt prefertur generaliter reseruatus existat, et ad illum consueuerit quis per electionem assumi eique cura etiam iurisdictionalis immineat auimarum, super eo quoque inter aliquos lis, cuius statum presentibus haberi volumus pro expresso, peudeat indecisa, dummodo tempore date presentium non sit in eo alicui specialiter ius quesitum; cum annexis huiusmodi ac omnibus iuribus et pertinentiis suis, prefato Dauidi per eum quoad vixerit, etiam vnacum omnibus et singulis compatibilibus beneficiis ecclesiasticis que in titulum et commendam ac alias obtinere, necnon pensionibus annuis super quibusuis fructibus redditibus et prouentibus ecclesiasticis sibi assignandis, quas percipere illum in futurum ex quibusuis concessionibus et dispensationibus apostolicis contigerit, tenendum, regendum et gubernandum; ita quod liceat sibi, debitis et consuetis ipsius Prioratus supportatis oneribus, de residuis illius fructibus redditibus et prouentibus disponere et ordinare, sicut illum in titulum pro tempore obtinentes de illis disponere et ordinare potuerunt seu etiam

¹ The Original is injured here and in other places: the blanks have been supplied from this Bull as quoted in the Instrument of Process following, No. 81, *infra*.

debuerunt, alienatione tamen quorumcunque illius bonorum immobilium et preciosorum mobilium sibi penitus interdicta, commendare auctoritate nostra curetis; inducentes eum, recepto prius ab eo nostro et Romane ecclesie nomine fidelitatis debite solito iuramento, iuxta formam quam sub bulla nostra mittimus introclusam, vel procuratorem suum eius nomine, in corporalem possessionem Prioratus et annexorum, iuriumque et pertinentiarum predictorum, et defendentes inductum amoto exinde quolibet illicito detentore; ac facientes Dauidem vel pro eo procuratorem predictum ad Prioratum huiusmodi vt est moris admitti; sibi que de illius ac dictorum annexorum fructibus, redditibus, prouentibus, iuribus et obuentionibus vniuersis, integre responderi; contradictores eadem auctoritate nostra appellatione postposita compescendo: Non obstantibus pie memorie Bonifacii pape VIII. etiam predecessoris nostri et aliis apostolicis constitutionibus, ac monasterii et ordinis premissorum iuramento, confirmatione apostolica vel quauis firmitate alia roboratis, statutis et consuetudinibus contrariis quibuscunque: Aut si aliqui super prouisionibus seu commendis sibi faciendis de Prioratibus huiusmodi speciales, vel aliis beneficiis ecclesiasticis in illis partibus generales dicte sedis vel Legatorum eius litteras impetrarint, etiam si per eas ad inhibitionem, reseruationem et decretum, vel alias quomodolibet sit processum, quibus omnibus dictum Dauidem in assecutione dicti Prioratus volumus anteferri, sed nullum per hoc eis quoad assecutionem Prioratum aut beneficiorum aliorum preiudicium generari: Seu si pro tempore existenti Episcopo Dunblanensi et dilectis filiis conuentui dicti monasterii vel quibusuis aliis, communiter vel diuisim, ab eadem sit sede indultum, quod ad receptionem vel prouisionem alicuius minime teneantur, et ad id compelli aut quod interdicti, suspendi vel excommunicari non possint: Quodque de Prioratibus huiusmodi, vel aliis beneficiis ecclesiasticis, ad eorum collationem, prouisionem, presentationem, electionem, seu quamuis aliam dispositionem

coniunctim vel separatim spectantibus, nulli valeat prouideri seu commenda fieri, per litteras apostolicas non facientes plenam et expressam ac de verbo ad verbum de indulto huiusmodi mentionem, et qualibet alia dicte sedis indulgentia generali vel speciali cuiuscunque tenoris existat, per quam presentibus non expressam vel totaliter non insertam effectus huiusmodi gracie impediri valeat quomodolibet vel differri; et de qua cuiusque toto tenore habenda sit in nostris litteris mentio specialis: Nos enim cum eodem Dauide vt Prioratum predictum, si sibi vigore presentium commendetur, recipere et in huiusmodi commendam quoad uixerit vt prefertur retinere libere et licite valeat, defectu premissis ac Pictauiensis Concilii et quibusuis aliis constitutionibus et ordinationibus apostolicis, necnon statutis et consuetudinibus prefatis vt prefertur roboratis, ceterisque contrariis nequaquam obstantibus, eadem auctoritate apostolica tenore presentium de specialis dono gratie dispensamus: Prouiso quod ipse Prioratus debitis propterea non fraudetur obsequiis, et animarum cura in eo si qua illi immineat nullatenus negligatur, sed eius congrue supportentur onera antedicta: Et insuper exnunc irritum decernimus et inane si secus super hiis a quoquam quauis auctoritate scienter vel ignoranter contigerit attemptari. Datum Rome, apud Sanctum Petrum, anno Incarnationis Dominice millesimo quingentesimo quinquagesimo quinto, quarto Idus Ianuarii, pontificatus nostri anno primo.

79. FORM OF OATH to be taken by DAVID ERSKINE as Prior of the Monastery of Inchmahome.¹—[1556.]

FORMA IURAMENTI.

Ego, Daud Erskin, perpetuus commendatarius Prioratus monasterii per Priorem gubernari soliti, Insule Sancti Colmocii de Inchmahomo, ordinis

¹ Original in the Charter-chest of the Earl of Mar and Kellie.

Sancti Augustini, Canonicorum regularium Dumblanensis diocesis, ab hac hora inantea fidelis et obediens ero Beato Petro sancteque apostolice Romane ecclesie, et domino nostro domino Paulo Pape III[.] suisque successoribus canonice intransibus; non ero in consilio, consensu, tractatu vel facto, vt vitam aut membrum perdant; seu quod contra alicuius eorum personam, vel in ipsorum aut ecclesie eiusdem siue sedis apostolice, auctoritatis, honoris, priuilegiorum, iurium vel apostolicorum statutorum, ordinationum, reservationum, dispensationum, seu mandatorum derogationem, vel preiudicium, machinationes aut conspirationes fiant: Et sic ac quotiens aliquos horum tractari sciuerō, id pro posse ne fiat impediam, et quanto citius commode potero, eidem domino nostro vel alteri per quem ad ipsius noticiam peruenire possit, significabo: Consilium vero quod michi per se aut nuntios seu literas credituri sunt, ad eorum damnum me sciente, nemini pandam: Papatum Romanum et regalia Sancti Petri ad retinendum et defendendum contra omnem hominem adiutor eis ero auctoritatem, honorem, priuilegia ac iura quantum in me fuerit potius adaugere et promouere, statuta, ordinationes, dispensationes et mandata huiusmodi obseruare ac eis intendere curabo: Legatos sedis eiusdem honorifice tractabo, et in suis necessitatibus adiuuabo: Hereticos, scismaticos, et qui alicui ex domino nostro successoribusque prefatis rebelles fuerint, pro viribus, persequar et impugnabo: Possessiones vero ad prioratum huiusmodi pertinentes non vendam, neque donabo neque impignorabo, nec de nouo infeudabo, vel aliquo modo alienabo, etiam cum consensu conuentus dicti monasterii, inconsulto Romano Pontifice. Sic me Deus adiuuet et hec sancta Dei euangelia.

80. BULL of POPE PAUL FOURTH, permitting DAVID ERSKINE to hold *in commendam* the Monastery of Dryburgh, while retaining his office of Prior of Inchmahome.—17th July 1556.¹

PAULUS Episcopus, servus servorum Dei, dilecto filio Davidi Erskin, clerico Sancte Andree diocesis, salutem et apostolicam benedictionem: Romani Pontificis providentia circumspecta, ecclesiis et monasteriis singulis, que vacationis incommoda deplorare noscuntur, vt gubernatorum vtilium fulciantur presidio prospicit diligenter; ac personis ecclesiasticis quibuslibet, vt in suis opportunitatibus congruum suscipiant releuamen de subuentionis auxilio, prout decens est, prouidet opportuno: Sane monasterio Beate Marie Virginis de Dryburgh, Premonstratensis ordinis, Sanctiandree diocesis, quod dilectus filius Johannes Erskin clericus, ex concessione et seu dispensatione apostolica, in commendam nuper obtinebat, commenda huiusmodi, ex eo quod dictus Johannes illi hodie in manibus nostris sponte et libere cessit, nosque cessionem ipsam duximus admittendam, cessante, adhuc eo quo ante illam vacabat modo vacante: Nos verum et vltimum dicti monasterii vacationis modum, etiam si ex illo queuis generalis reseruatio etiam in corpore iuris clausa resultet, presentibus pro expresso habentes; ac tam eidem monasterio de gubernatore vtili et idoneo per quem circumspecte regi et salubriter dirigi possit, quam tibi in vigesimo quarto vel circa tue etatis anno constituto, pro quo charissima in Christo filia nostra Maria Scotorum Regina Illustris per suas literas nobis super hoc humiliter supplicauit, vt commodius sustentari valeas de alicuius subuentionis auxilio prouidere volentes, monasterium predictum sic vacans cum omnibus iuribus et pertinentiis suis tibi, per te quoad uixeris, etiam vnacum prioratu conuentuali Sancti Colmocii de Inchmahomo, ordinis Sancti Augustini,

¹ Original in the Charter-chest of the Earl of Mar and Kellie.

Dumblanensis diocesis, ad quem consuevit quis per electionem assumi cuique cura imminet animarum, ac quem ex concessione et seu dispensatione apostolica in commendam inter alia, ac omnibus et singulis aliis beneficiis ecclesiasticis compatilibus, secularibus et quorumvis ordinum regularibus, que ex quibusvis aliis concessionibus et dispensationibus apostolicis, in titulum et etiam commendam ac alias obtines et imposterum obtinebis; necnon pensionibus annuis tibi super quibusvis fructibus, redditibus, et prouentibus ecclesiasticis assignatis et assignandis, quas ex similibus dispensationibus percipis et percipies in futurum, tenendum, regendum et gubernandum de fratrum nostrorum consilio, apostolica auctoritate commendamus: Curam, regimen et administrationem ipsius monasterii, super cuius mense abbatialis fructibus, redditibus et prouentibus, pensio annua sexaginta septem librarum sterlingorum, centum et sexaginta septem ducatos auri de camera cum dimidio alterius similis ducati constituentium, certe persone ecclesiastice illam annuatim percipienti dicta auctoritate reseruata existit, tibi in spiritualibus et temporalibus plenarie committendo: firma spe fiduciaque conceptis, quod dirigente Domino actus tuos, prefatum monasterium per tue diligentie laudabile studium regetur vtiliter et prospere dirigetur, ac grata in eisdem spiritualibus et temporalibus suscipiet incrementa: Volumus autem quod propter huiusmodi commendam in dicto monasterio diuinus cultus, ac solitus canonicorum et ministrorum numerus nullatenus minuat, sed eius ac dilectorum filiorum illius conuentus congrue supportentur onera consueta: Quodque tu, oneribus huiusmodi debite supportatis, necnon quarta si abbatialis separata et seorsum a conuentuali, si vero communis inibi mensa fuerit, tertia parte omnium et singulorum fructuum, reddituum et prouentuum prefati monasterii, in restaurationem illius fabrice aut ornamentorum emptionem vel fulcimentum, seu pauperum alimoniam, prout maior exegerit et suaserit necessitas, omnibus et singulis aliis deductis oneribus annis

singulis impartita, de residuis fructibus, redditibus et prouentibus monasterii huiusmodi disponere et ordinare libere et licite valeas, sicuti eiusdem monasterii abbates qui pro tempore fuerunt de illis disponere et ordinare potuerunt seu etiam debuerunt; alienatione tamen quoruncunque illius bonorum immobilium et preciosorum mobilium tibi penitus interdicta: Ac quod antequam regimini et administrationi prefatis te in aliquo immisceas, in manibus venerabilium fratrum nostrorum Archiepiscopi Glasguensis et Episcopi Dunkeldensis ac dilecti filii officialis Parisiensis, aut duorum vel vnus eorum, fidelitatis debite solitum prestes iuramentum, iuxta formam quam sub bulla nostra mittimus introclusam: Quibus et eorum cuilibet per alias nostras litteras mandamus vt ipsi, vel duo aut vnus eorum, a te nostro et Romane ecclesie nomine huiusmodi recipiant seu recipiat iuramentum: Quocirca discretioni tue per apostolica scripta mandamus, quatenus curam, regimen et administrationem predicta sic per te vel alium seu alios gerere et exercere studeas solícite, fideliter et prudenter, quod monasterium ipsum gubernatori prouido et fructuoso administratori gaudeat se commissum; tuque, preter eterne retributionis premium, nostram et apostolice sedis benedictionem et gratiam exinde vberius consequi merearis. Datum Rome, apud Sanctum Petrum, anno incarnationis Dominice millesimo quingentesimo quinquagesimo sexto, sexto decimo kalendas Augusti, pontificatus nostri anno secundo.

81. INSTRUMENT OF PROCESS following upon the Bull by POPE PAUL FOURTH in favour of DAVID ERSKINE, of the Priory of Inchmahome.—5th December 1556.¹

REUERENDO in Christo patri et domino, domino Dei et Apostolice sedis gracia Episcopo Dumblanensi pro tempore existenti, eiusque in spiritualibus et

¹ Original in the Charter-chest of the Earl of Mar and Kellie.

temporalibus vicario seu officiali generali, omnibusque aliis et singulis quorum interest, intererit aut interesse, quosque infrascriptum tangit seu tangere poterit negotium quomodolibet in futurum, quibuscunque nominibus censeantur et quacunque prefulgeant dignitate, THOMAS CAMPEGIUS eadem gracia Episcopus Feltrensis, iudex et executor ad infrascripta, vna cum quibusdam aliis nostris in hac parte collegis, a sede apostolica specialiter deputatus, salutem in Domino, et nostris huiusmodi imo uerius apostolicis firmiter obedire mandatis: Literas sanctissimi in Christo patris et domini nostri, domini Pauli diuina prouidentia Pape quarti, eius vera bulla plumbea in forma rigorosa, cum cordula canapis more Romane curie impendente, bullatas, sanas siquidem et integras, non viciatas non cancellatas, nec in aliqua sui parte suspectas, sed omni prorsus vitio et suspicione carentes, vt in eis prima facie apparebat, nobis pro parte venerabilis viri domini Dauid Erskin, clerici Sancti Andree diocesis principalis, in subinsertis literis apostolicis, coram notario publico, Archiuii Romane Curie scriptore, et testibus infrascriptis nominati, presentatas nos cum ea qua decuit reuerentia recepimus, huiusmodi sub tenore:--PAULUS Episcopus, [etc. as in No. 78, *supra*]. Post quarumquidem literarum apostolicarum presentationem et receptionem nobis et per nos vt premititur factas, fuimus pro parte dicti domini Dauid Erskin principalis in preinsertis literis apostolicis principaliter nominati, debita cum instantia requisiti, quatenus ad executionem dictarum literarum apostolicarum et contentorum in eisdem procedere dignaremur, iuxta traditam seu directam per eas a sede prefata nobis formam: Nos igitur, Thomas Campegius Episcopus Feltrensis, iudex et executor prefatus, attendentes requisitionem huiusmodi fore iustam et rationi consonam, volentesque mandatum apostolicum nobis in hac parte directum reuerenter exequi vt tenemur; ideoque, auctoritate apostolica nobis commissa et qua fungimur in hac parte, prioratum monasterii per priorem gubernari soliti, insule Sancti

Colmocii de Inchmahomo, ordinis Sancti Augustini canonicorum regularium Dumblanensis diocesis, de quo in preinsertis literis apostolicis fit mentio, vacantem, nobis non constito quod tempore date literarum apostolicarum esset in dicto prioratu alicui specialiter ius quesitum, eidem domino Dauidi principali cum omnibus juribus et pertinentiis suis commendauimus, et de illo etiam commendari mandauimus eum, prout tenore presentium etiam commendamus et de illo etiam commendari mandamus per presentes; ipsumque dominum Dauidem principalem in et ad corporalem realem et actualement possessionem vel quasi prioratus iuriumque et pertinentiarum predictorum posuimus et induximus, ponimusque et inducimus, ac inuestimus de eodem presentium per tenorem: Que omnia et singula, necnon prefatas literas apostolicas, huncque nostrum processum ac omnia et singula in eis contenta, vobis omnibus et singulis supradictis et vestrum cuiuslibet intimamus, insinuamus et notificamus, ac ad vestram et vestrum cuiuslibet notitiam deducimus et deduci volumus per presentes: Vosque nihilominus et vestrum quemlibet tenore presentium requirimus et monemus, primo, secundo, tertio et peremptorio termino, communiter vel diuisim, ac vobis et vestrum cuiuslibet insolidum, in virtute sancte obedientie, et sub infrascriptis sententiis penis districte precipiendo mandamus, quatenus infra sex dierum spatium post presentationem seu notificationem presentium ac requisitionem vobis seu alteri vestrum factas, et postquam pro parte dicti domini Dauidis principalis vigore presentium super hoc fueritis requisiti, seu alter vestrum fuerit requisitus, immediate sequentes;—quorum sex dierum duos pro primo, duos pro secundo, et reliquos duos dies vobis omnibus et singulis supradictis pro tertio et peremptorio termino ac monitione canonica assignamus;—eundem dominum Dauidem principalem in et ad corporalem realem et actualement possessionem prioratus, iuriumque et pertinentiarum predictorum, ponatis et inducatis, et defendatis inductum, amoto exinde quolibet illicito detentore,

quem nos in quantum possumus auctoritate et tenore premissis amouemus et denunciamus amotum; ac eundem dominum principalem vel procuratorem suum predictum ad prioratum huiusmodi, ut est moris, admittatis; sibi que de illius ac dictorum annexorum fructibus, redditibus, proventibus, iuribus et obventionibus vniuersis integre respondeatis, et faciatis ab aliis, quantum in vobis est vel fuerit, plenarie et integre responderi: Quod si forte premissa omnia et singula non adimpleueritis, seu distuleritis contumaciter adimplere, mandatisque et monitionibus nostris huiusmodi imo uerius apostolicis non parueritis, realiter et cum effectu, nos in vos omnes et singulos supra-dictos, qui culpabiles fueritis in premissis, et generaliter in contradictores quoslibet et rebelles ac impediens ipsum dominum principalem aut ipsum impediens dantes auxilium, consilium vel fauorem, publice vel occulte, directe vel indirecte, quouis quesito colore vel ingenio, cuiuscunque dignitatis, status, gradus, ordinis vel conditionis existant, exnunc prout extunc, et extunc prout exnunc, predicta sex dierum canonica monitione premissa, excommunicationis in capitula vero conuentus et collegia in his forsitan delinquentia, suspensionis a diuinis, et in ipsorum delinquentium et rebellium ecclesias, monasteria et capellas, interdicti ecclesiastici sententias ferimus in his scriptis, et etiam promulgamus: Vobis vero reuerendo patre domino Episcopo Dumblanensi duntaxat excepto, cui, ob reuerentiam vestre pontificalis dignitatis, deferimus in hac parte, si contra premissa vel premissorum aliqua feceritis seu fieri mandaueritis per vos vel submissas personas, publice vel occulte, directe vel indirecte, quouis quesito colore vel ingenio, exnunc prout extunc, et e contra predicta sex dierum canonica monitione premissa, ingressum ecclesiasticum interdicimus in his scriptis; si vero huiusmodi interdictum per alios sex dies prefatos sex immediate sequentes sustinueritis, vos in eisdem scriptis simili canonica monitione premissa suspendimus a diuinis; verum si prefatas interdicti et suspensionis sententias, per alios sex dies prefatas duo-

decim immediate sequentes, animo quod absit sustinueritis indurato, vos exnunc prout extunc, et e conuerso, huiusmodi canonica monitione premissa in his scriptis excommunicationis sententia auctoritate apostolica supradicta innodamus: Ceterum cum ad executionem premissorum vltius faciendam nequeamus quoad presens personaliter interesse, pluribus aliis arduis in Romana curia legitime prepediti negotiis, vniuersis et singulis dominis abbatibus, prioribus, prepositis, decanis, archidiaconis, ceterisque viris ecclesiasticis, in quibuscunque dignitatibus, gradibus vel officiis constitutis, notariisque et tabellionibus publicis quibuscunque, per ciuitatem et diocesim Dumblanensem ac alias vbilibet constitutis, et eorum cuilibet, insolidum super vltiori executione dicti mandati apostolici atque nostri facienda, auctoritate apostolica supradicta, tenore presentium plenarie committimus vices nostras, donec eas ad nos specialiter et expresse duxerimus reuocandas; quos nos etiam et eorum quemlibet insolidum eisdem auctoritate et tenore requirimus, primo, secundo, tertio et peremptorie, communiter vel diuisim; eisque nihilominus et eorum cuilibet in virtute sancte obedientie et sub excommunicationis pena, quam in eos et eorum quemlibet, nisi fecerint que mandamus, ferimus in his scriptis, districte precipiendo [et] mandando, quatenus infra sex dies post presentationem seu notificationem presentium et requisitionem eis seu eorum alteri factas, immediate sequentes, quos sex dies ipsis et eorum cuilibet, pro omni dilatione terminoque peremptorio ac monitione canonica assignamus—ita tamen quod in his exequendis alter alterum non expectet, nec vnus pro alio seu per alium se excuset,—ad vos omnes et singulos supradictos quibus huiusmodi noster processus dirigitur, necnon ad ecclesias personasque et loca alia, de quibus vbi, quando et quotiens expediens fuerit, personaliter accedant seu alter eorum accedat; et prefatas literas apostolicas huncque nostrum processum ac omnia et singula in eis contenta, vobis omnibus et singulis supradictis, communiter vel diuisim, legant, intiment, insinuent et fideliter publicare procurent; ac

eundem dominum Danidem Erskin principalem, vel procuratorem suum pro eo, in corporalem realem et actualem possessionem prioratus et annexorum, iuriumque et pertinentiarum predictorum, ponant et inducant; et defendant inductum, amoto exinde quolibet illicito detentore; sibique vel procuratori suo predicto de illius ac annexorum predictorum fructibus, redditibus, prouentibus, iuribus et obuentionibus vniuersis integre prout ad eos communiter vel diuisim pertinent respondeant et quilibet ipsorum respondeat seu responderi faciat: Et generaliter omnia alia et singula nobis in hac parte commissa plenarie exequantur iuxta earundem literarum continentiam et tenorem: Ita tamen quod dicti subdelegati nostri vel quicumque alius siue alii nihil in preiudicium dicti domini principalis vel procuratoris sui valeant attemptare quomodolibet in premissis, nec in processibus per nos habitis aut sententiis latis absoluendo vel suspendendo aliquid immutare: In ceteris autem que dicto domino principali vel procuratori suo in premissis nocere possent, prefatis subdelegatis nostris et quibuscunque aliis potestatem omnimodam denegamus: Et si contingat nos super premissis in aliquo procedere, de quo nobis potestatem omnimodam reseruamus, non intendimus propterea commissionem nostram in aliquo reuocare nisi de reuocatione ipsa specialem et expressam fecerimus mentionem: Per processum autem nostrum nolumus nec intendimus nostris in aliquo preiudicare collegis, quominus ipsi vel eorum alter, seruato tamen hoc nostro processu, in huiusmodi negotio procedere valeant, prout eis vel eorum alteri visum fuerit expedire: Prefatas quoque literas apostolicas et hunc nostrum processum volumus penes dictum dominum Dauidem vel procuratorem suum remanere, et non per vos seu quemcunque alium ipsis inuitis et contra eorum voluntatem quomodolibet detineri: Contrarium vero facientes prefatis nostris sententiis, prout in his scriptis per nos late sunt dicta monitione canonica premissa, ipso facto, volumus subiacere: Mandamus tamen copiam fieri de premissis eam peten-

tibus et habere debentibus, petentium quidem sumptibus et expensis : Absolutionem vero omnium et singulorum qui prefatas nostras sententias vel earum aliquam incurrerint siue incurrerit quoquomodo nobis vel superiori nostro tantummodo reseruamus. In quorum omnium et singulorum fidem et testimonium premissorum presentes literas siue hoc presens publicum processus instrumentum exinde fieri et per notarium publicum archiuii Romane curie scriptorem infrascriptum subscribi et publicari mandauimus, sigillique dicti archiuii iussimus et fecimus appensione communiri. Datum Rome in palatio apostolico et camera dicti archiuii, sub anno a natiuitate Domini millesimo quingentesimo quinquagesimo sexto, die quinta mensis Decembris, pontificatus sanctissimi in Christo patris et domini nostri, domini Pauli diuina prouidentia Pape quarti anno eius secundo : presentibus ibidem discretis uiris, dominis Didaco de Auila et Joanne Vignodi, dicti archiuii scriptoribus, testibus ad premissa vocatis specialiter atque rogatis.

Et quia ego Joannes de Auila archiuii Romane curie scriptor premissis interfui, ideo hunc processum subscripsi et publicaui, in fidem premissorum rogatus et requisitus.

82. CHARTER by DAVID COMMENDATOR OF INCHMAHOME to JOHN LORD ERSKINE, of the lands of Boirland.—8th August 1562.

OMNIBUS HANC cartam visuris vel audituris Daud permissione diuina Commendatarius perpetuus monasterii de Inchemahomo et eiusdem loci conuentus, salutem in domino sempiternam. Quia prouidi principes in parliamentis suis bono reipublice prouiso statuerunt et decreuerunt, regum, prelatorum, ac temporalium comitum, et baronum, ceterorumque subditorum terras hereditarie possidentium in emphiteosim seu feodifirmam absque rentalium

¹ Original in the Charter-chest of the Earl of Mar and Kellie.

diminutione assedandas fore, Idque maxime ob policiam et honestatem reipublice steriliumque terrarum commodam culturam, necnon arcendorum abegiorum causa isque accedit canonum non violanda autoritas, necnon verenda nostrorum predecessorum consuetudo quibus reipublice optime ac sapienter perspectum est, Nos semper reipublice et regno deberi prodesse his solido iudicio maturoque consilio preuisis, eorumque auctoritatem amplexi certas terras nostras subscriptas in emphiteosim locare statuimus; Noueritis igitur nos vnanimi consensu et assensu ad hoc capitulariter congregatorum diligentibus tractatibus et maturis deliberationibus prehabitis, in euidentem, vtilitatem dicti nostri monasterii et augmentationem rentalis eiusdem, necnon pro certis pecuniarum summis et aliis gratitudinibus et benemeritis, nobis per predilectum nostrum Joannem dominum de Erskin gratanter persolutis et multipliciter impensis, dedisse, concessisse, assedasse, arrendasse, locasse et ad feodifirmam seu emphiteosim perpetuam hereditarie dimisisse, et hac presenti carta nostra confirmasse, necnon tenore presentium dare, concedere, assedare, arrendare, locare, et ad feodifirmam seu emphiteosim perpetuam hereditarie dimittere, et hac presenti carta nostra confirmare predicto Joanni domino Erskin et heredibus suis masculis, quibus deficientibus, heredibus suis et assignatis quibuscunque, Totas et integras terras nostras de Boirland, vulgo nuncupatas terras dominicales de Cardros, extendentes ad decem mercatas terrarum antiqui extentus, cum omnibus et singulis suis pertinentiis, jacentes infra vicecomitatum de Perth, extendentes annuatim in antiquo nostro rentali ad summam decem mercarum monete Scotie: Tenendas et habendas totas et integras prefatas terras de Boirland, cum singulis suis pertinentiis, predicto Johanni domino Erskin et heredibus suis masculis prescriptis, quibus deficientibus, heredibus suis seu assignatis antedictis, de nobis et successoribus nostris in feodifirma seu emphiteosi ac hereditate, imperpetuum, per omnes rectas metas

suas . . . Reddendo inde annuatim dictus Joannes dominus Erskin heredes sui seu assignati prescripti, nobis et successoribus nostris camerariis seu factoribus pro tempore existentibus, summam decem mercarum vsualis monete regni Scotie tanquam firmam feodifirme pro predictis terris cum singulis suis pertinentiis prius solui debitam et consuetam, et in dicto nostro rentali contentam vt supra, necnon summam quinque mercarum monete prescripte in augmentationem nostri rentalis eiusdem annuatim, ad duos anni terminos consuetos, festa, videlicet, penthcostes et Sancti Martini in Hyeme per equales medias portiones nomine feodifirme, necnon heredes dicti domini de Erskin antedicti duplicando dictam feodifirmam primo anno cuiuslibet heredis introitus ad prenominatas terras cum suis pertinentiis, prout vsus est feodifirme, tantum pro omni alio onere, exactione, questione, demanda seu seruitio seculari, que de prefatis terris nostris de Boirland cum suis pertinentiis per quoscunque iuste exigi poterunt quomodolibet vel requiri; Et nos vero [etc. Clause of warrandice in common form]. Insuper dilectis nostris Jacobo Erskine de Litol Sauchquhy ac vestrum cuiuslibet coniunctim et diuisim balliuis nostris in hac parte specialiter constitutis salutem, vobis precipimus et firmiter mandamus quatenus visis presentibus indilate statum saisinam hereditariam pariter et possessionem corporalem, actualem et realem, totarum et integrarum prefatarum terrarum de Boirland, vulgo nuncupatarum terras dominicales de Cardros, extendentium ad decem mercatas terrarum antiqui extentus cum singulis suis pertinentiis, vt predictur iacentium, predicto Joanni domino Erskin, vel eius certo actornato latori presentium, per terre et lapidis fundi earundem, vt moris est, traditionem secundum tenorem carte nostre feodifirme prescripte iuste deliberetis et habere faciatis sine dilatione, ad quod faciendum vobis et vestrum cuiuslibet coniunctim et diuisim balliuis nostris in hac parte antedictis nostram plenariam et irreuocabilem tenore presentium com-

mittimus potestatem. In cuius rei testimonium presentibus, manibus nostris subscriptis, sigillum commune capituli dicti nostri monasterii est appensum apud idem monasterium, octauo die mensis Augusti, anno domini millesimo quingentesimo sexagesimo secundo, coram hiis testibus Joanne Craigingelt de eodem Joanne Cunynghame de Drumquhassill, Jacobo Erskine de Littill Sauchquhy, Joanne Graheme de Ballindorrane, domino Andrea Heygie, et Jacobo Oswald notario publico, cum diuersis aliis.

DOMINUS JACOBUS BRADFUT,
Subprior.

DAVID, Commendatarius de
Inchmahomo.

DOMINUS WELLEMUS STERLENG.

DOMPNUS THOMAS M^cLELLEN.

Apud Edinburgh, xxvi^{to} Marcii anno etc. l [x] quinto. Producta coram
dominis commissariis. A. HAY.



83. CHARTER by DAVID COMMENDATOR OF INCHMAHOME to JOHN LORD ERSKINE, of the office of bailie of the barony of Cardross, etc.—8th August 1562.¹

OMNIBUS hanc cartam visuris vel audituris, David permissione diuina commendatarius perpetuus prioratus de Inchemahomok et conuentus eiusdem, salutem in Domino sempiternam. Noueritis nos vnacum consensu et asseusu ad hoc capitulariter congregatorum, diligentibus tractatibus et maturis deliberationibus prehabitis, in nostram euidentem vtilitatem, defensionemque nostram nostrorumque preuilegiorum, iurium, terrarum et possessionum nobis incumbentium, dedisse, concessisse et hac presenti carta nostra confirmasse, necnou dare, concedere et hac presenti carta nostra confirmare uobili et potenti domino Joanni domino Erskine et heredibus suis masculis et assignatis quibuscunque, totum et integrum officium balliatus baronie nostre de Cairdros ac omnium et singularum aliarum terrarum et possessionuum nostrarum nobis et dicto nostro prioratui spectantium cum suis pertinentiis, vbicumque infra regnum Scotie existunt: Cum potestate dicto domino suisque heredibus et assignatis prescriptis, curias balliatus dicte nostre baronie ac omium et singularum aliarum terrarum nostrarum et possessionum antedictarum, tenentibus earundem et omnibus aliis quorum interest intereritve affigeudi, assignandi, inchoandi, affirmandi, tenendi, et quoties opus fuerit coutinuandi et prolongandi. . . . Ratum, gratum [etc.] Pro executioe et deseruitione officii balliatus predicti dedimus, concessimus et assignamus, tenoreque presentium damus, concedimus et assignamus dicto nobili domino suisque heredibus et assignatis prescriptis, nostris balliuis antedictis, omnes et singulas firmas feudifirme et deuorias totarum et integrarum terrarum nostrarum infrascriptarum cum pertinentiis in dicta

¹ Original in the Charter-chest of the Earl of Mar and Kellie.

nostra baronia iacentium, videlicet, terrarum de Arnepriour, terrarum de Cardene, terrarum de Kepe, terrarum de Westir Poldoir, terrarum de Eistir Poldoir, terrarum de Gartcledeny cum molendino de Arnepriour, terrarum de Arnevicar, terrarum de Gartours Vuir et Nethir, terrarum de Lochend, molendinum de Cardrus, terrarum de Ardincleriche, terrarum de Drummannikloche, terrarum de Blairsessenoch, terrarum de Ballingrew, terrarum de Hornahic, terrarum de lie waird de Guddy, cum astricta multura omnium et singularum prefatarum terrarum, cum omnibus et singulis earundem pertinentiis, ac terrarum de Boirland vulgo nuncupatarum terras dominicales de Cardros extendentium ad decem mercatas terrarum antiqui extentus cum singulis suis pertinentiis (quequidem omnes terre prescripte, cum molendinis, astricta multura et pertinentiis, annuatim in nostro antiquo rentali, firmis, gressumis et aliis diuoriis earundem insimul computatis, extendunt ad summam sexaginta quinque librarum nouem solidorum et quatuor denariorum monete Scotie) in eorum feodo, pro dicti officii balliatus executione per ipsos annuatim leuandas, intromittendas et percipiendas ad terminos solutionis earundem; et desuper ad eorum libitum voluntatis et vsus suos proprios omnibus temporibus affuturis disponendi, et pro eisdem si opus fuerit namandi et distringendi: Quodquidem officium balliatus cum feodo et diuoriis fuit Jacobi Erskine de Littill Sauchy, fratris germani quondam nobilis domini Joannis domini Erskine vltimi defuncti, per prius hereditarie; et quod idem Jacobus, non vi aut metu ductus, nec errore lapsus, compulsus aut coactus, sed sua mera, pura, libera et spontanea voluntate, in manibus nostris tanquam in manibus domini sui superioris earundem, apud Cardruss sursum reddidit pureque et simpliciter resignauit, ac totum ius et clameum . . . in fauorem dicti nobilis domini Joannis domini Erskine suorumque heredum et assignatorum prescriptorum omnino quitumelamauit imperpetuum: Tenendum et habendum totum et integrum

prefatum officium balliatus baronie nostre et [de] Cardros ac omnium et singularum aliarum terrarum nostrarum et possessionum nobis et dicto nostro prioratu spectantium cum suis pertinentiis, vbicunq; infra regnum Scotie existunt, cum omnibus et singulis preuilegiis, amerciamentis et escaetis dictarum curiarum, ac cum dictis feodis et deuoriis eiusdem officii balliatus de firmis feudifirme et deuoriis terrarum respectiue predictarum annuatim leuandis et percipiendis et in suos proprios vsus disponendis, ac si opus fuerit pro huiusmodi namandi et distringendi, prelibato nobili domino Joanni domino Erskine suisque heredibus masculis et assignatis quibuscunq; de nobis et successoribus nostris, in feodo et hereditate imperpetuum; cum vniuersis et singulis libertatibus . . . Faciendo et prestando inde annuatim dictus Joannes dominus Erskine sui que heredes masculi et assignati nobis et nostris successoribus debita et seruitia in tentione curiarum dicte baronie aliarumque terrarum et possessionum nostrarum predictarum, et administratione iusticie in huiusmodi curiis, tenentibus et inhabitatoribus earundem et aliis quorum interest aut intererit, toties quoties opus fuerit secundum iuris formam, tantum, pro omni alio onere . . . Et nos vero et successores nostri totum et integrum prefatum officium balliatus baronie et terrarum nostrarum prescriptarum, cum omnibus et singulis priuilegiis amerciamentis et escaetis dictarum curiarum, ac cum dictis feodis et diuoriis eiusdem officii balliatus de firmis feudifirme et deuoriis terrarum respectiue predictarum annuatim leuandis et percipiendis et in suos proprios vsus disponendis, ac si opus fuerit pro huiusmodi namandi et distringendi, prelibato Joanni domino Erskine suisque heredibus masculis et assignatis quibuscunq;, in omnibus et per omnia, forma pariter et effectum, ut premissum est, contra omnes mortales warantizabimus, acquietabimus et imperpetuum defendemus: Et ideo vobis Joanni Cragingelt de eodem, Christofero Murray, vestrumque cui libet, coniunctim et diuisim, balliuis nostris in hac parte specialiter constitutis,

firmiter precipimus et mandamus quatenus uisis presentibus indilate statum, sasinam hereditariam, pariter et possessionem corporalem, actualem, et realem totius et integri dicti officii balliatus baronie nostre de Cardros ac omnium et singularum terrarum nostrarum et possessionum nobis et nostro prioratui spectantium cum suis pertinentiis, vbicunque infra regnum Scotie existunt, cum omnibus et singulis priuilegiis, amerciamentis et escaetis dictarum curiarum, ac cum dictis feodis et deuoriis eiusdem officii balliatus de firmis feudifirme et deuoriis terrarum respectiue predictarum annuatim leuandis et percipiendis, et in suos proprios vsus applicandi et disponendi, ac si opus fuerit namandi et distringendi, prelibato nobili domino Joanni domino Erskine vel suo certo actornato, latori presentium, secundum formam et tenorem antescripte nostre carte, iuste haberi faciatis et deliberetis; et hoc nullo modo omittatis; ad quod faciendum vobis et vestrum cuilibet, coniunctim et diuisim, nostram plenariam et irreuocabilem tenore presentium committimus potestatem. In cuius rei testimonium, presentibus manibus nostris propriis subscriptis sigillum commune capituli dicti nostri monasterii de Inchmahomo est appensum, apud idem monasterium, octauo die mensis Augusti, anno Domini millesimo quingentesimo sexagesimo secundo, coram his testibus, Joanne Cunyngame de Drunquhassill, Jacobo Erskin de Litill Saquhye, Joanne Graham de Ballindorrane, domino Andrea Hagye, et Jacobo Osvald notario publico, cum diuersis aliis.

DOMINUS JACOBUS BRADFUT,
subprior.

DAUID, Commendatarius de Inchmahomo.
DENE THOMAS M^cLELLEN, *ad idem*.

Apud Edinburgh, xxvj^{to} Marcii, anno etc. lx quinto. Producta coram
dominis commissariis.

A. HAY.

84. INSTRUMENT OF SASINE of the bailiary of the barony of Cardross, etc., in favour of JOHN LORD ERSKINE.—18th August 1562.¹

IN DEI NOMINE amen. Per hoc presens publicum instrumentum cunctis pateat euidenter et sit notum, quod anno incarnationis dominice millesimo quingentesimo sexagesimo secundo, mensis vero Augusti die decimo octauo, et regni excellentissime principis Marie Dei gratia Scotorum illustrissime anno vigesimo primo, in mei notarii publici et testium subscriptorum presentia personaliter constitutus nobilis et potens Dominus Johannes Dominus Erskyn, ad terras et baroniam de Cardros accessit et ibidem quandam cartam per Dauidem commendatarium de Inchmahomo et conuentum eiusdem factam dicto Johanni Domino de Erskyn heredibus suis masculis et assignatis, de officio balliatus baronie de Cardros ac omnium aliarum et singularum terrarum et possessionum dicto monasterio spectantium cum pertinentiis, vbicunque infra regnum Scotie existunt, Johanni Cragingelt de eodem balliuo in hac parte dicti commendatarii et conuentus specialiter constituto presentauit, cum precepto sasine in fine dicte carte inserto prout in dicta carta latius continetur, cuius precepti tenor sequitur: Et ideo vobis Johanni Cragingelt de eodem Cristofero Murray vestrumque cuilibet coniunctim et diuisim, balliuis nostris in hac parte specialiter constitutis, firmiter precipimus et mandamus quatenus visis presentibus indilate statum, sasinam hereditariam, pariter et possessionem corporalem, actualem, et realem totius et integri dicti officii balliatus baronie nostre de Cardros, ac omnium et singularum terrarum nostrarum et possessionum nobis et nostro prioratui spectantium cum suis pertinentiis, vbicunque infra regnum Scotie existunt, cum omnibus et singulis preuilegiis, amerciamentis et eschaetis dictarum terrarum, ac cum dictis feodis et deuoriis eiusdem officii balliatus de firmis feudifirme, et deuoriis terrarum respectiue predictarum annuatim leuandis et precipiendis, et in suos proprios

¹ Original in the Charter-chest of the Earl of Mar and Kellie.

vsus applicandi et disponendi ac si opus fuerit namandi et distringendi prelibato nobili domino Johanni domino Erskyn, vel suo certo actornato latori presentium, secundum formam et tenorem antescripte carte iuste haberi faciatis et deliberetis, et hoc nullo modo omittatis, ad quod faciendum vobis et vestrum cuilibet coniunctim et diuisim nostram plenariam et irreuocabilem tenore presentium committimus potestatem : In cuius rei testimonium presentibus manibus nostris subscriptis sigillum commune capituli dicti nostri monasterii de Inchmahomo est appensum, apud idem monasterium, octauo die mensis Augusti anno Domini millesimo quingentesimo sexagesimo secundo, coram hiis testibus Johanne Cvninghame de Drumquhaissill, Jacobo Erskyn de Litill Sauchtquhy, Johanne Graheme de Ballindorrane, domino Andrea Hegy, et Jacobo Oswald notario publico, cum diuersis aliis. Quequidem carta cum precepto sasine in eadem inserto perlecta, dictus Johannes Cragingelt de eodem virtute sui officii, sasinam dicti officii balliatus et feodi predicti dicto Johanni domino Erskyn per deliberationem vnus fusti et denarii ab fundo dictarum terrarum, secundum formam et tenorem dicte carte contulit et deliberavit, realiter et cum effectum, super quibus premissis omnibus et singulis, dictus Johannes dominus Erskyn a me notario publico subscripto sibi fieri petiit publicum seu publica instrumentum, seu instrumenta vnum siue plura. Acta erant hec super fundo dicte baronie hora secunda post meridiem vel eocirca, sub anno, mense, die, indictione quibus supra ; presentibus ibidem Johanne Cvninghame de Drumquhaissill, Jacobo Erskyn de Litill Sauchtquhy, Roberto Cragingelt, Domino Andrea Hegy, et Jacobo Oswald notario publico, cum diuersis aliis testibus ad premissa vocatis pariter et requisitis.

Et ego vero Johannes Graheme Dumblanensis diocesis publicus sacra apostolica auctoritate notarius. Quia, etc.

Apud Edinburgh, xxvi^{to} Marcii anno etc. lxxv^{to}. Producta coram dominis commissariis.

A. HAY.

85. CONFIRMATION by DAVID COMMENDATOR OF INCHMAHOME, of a Charter, dated 5th October 1560, by ALEXANDER ERSKINE of Cangloir, to his brother, JOHN LORD ERSKINE, of the lands of Arnprior, etc., in exchange for the half of Cambusbarron, etc.—12th August 1562.¹

OMNIBUS hanc cartam visuris vel audituris, David permissione diuina commendatarius perpetuus monasterii de Inchmahome et eiusdem loci conuentus, salutem in omnium Salvatore. Sciatis nos, quandam cartam venditionis et alienationis factam per dilectum nostrum Alexandrum Erskine de Cangloir nobili et potenti domino ac predilecto nostro Joanni domino de Erskine, et heredibus suis masculis de corpore suo legitime procreatis seu procreandis, quibus deficientibus heredibus suis masculis quibuscunque, super omnibus et singulis terris et molendinis de Arnepriour et Cardros subscriptis, cum tenentibus, tenandis et libere tenentium seruitiis earundem et pertinentiis, iacentibus in baronia de Cardros, infra vicecomitatum de Perth, tenendis de nobis et successoribus nostris in feodifirma et hereditate imperpetuum, per nos visam, lectam, inspectam et diligenter examinatam, sanam, integram, non rasam, non cancellatam, nec in aliqua sui parte suspectam, ad plenum intellexisse sub hac forma:—OMNIBUS hanc cartam visuris vel audituris, Alexander Erskine de Cangloir ac dominus feudifirmarius terrarum subscriptarum, salutem in Domino sempiternam. Noueritis me, vtilitate et commodo meis in hac parte vndique preuisis, pensatis et ad plenum intellectis, libere vendidisse, alienasse et hac presenti carta mea confirmasse, tenoreque eiusdem vendere, alienare et hac presenti carta mea confirmare nobili et potenti domino Joanni domino Erskine, meo fratri germano, et heredibus suis masculis de corpore suo legitime procreatis seu procreandis, quibus deficientibus veris legitimis et propinquioribus

¹ Original in the Charter-chest of the Earl of Mar and Kellie.

heredibus suis masculis quibuscunque, totas et integras terras meas subscriptas, videlicet, terras de Arnepriour, terras de Gardene, terras de Kepe, terras de Westir Poldoir, terras de Eistir Poldoir, terras de Gartcledyny, cum molendino de Arnepriour, terras de Arnevicar, terras de Gartours Vuir et Nethir, terras de Lochend, molendinum de Cairdros, terras de Ardinclericht, terras de Drummankloche, terras de Blairsessenocht, terras de Ballingrew, terras de Hornahaic, terras de lie Waird de Gudy, cum astricta multura omnium et singularum prefatarum terrarum, cum tenentibus, tenandriis, et libere tenentium seruitiis omnium et singularum earundem, omnibus et singulis suis pertinentiis, iacentes infra vicecomitatum de Perth, pro tota et integra dimedietate terrarum de Cambusbarroun cum pertinentiis iacentium infra vicecomitatum de Striuling, et hospitio siue tenemento dicti domini, ante et retro, cum horto et pertinentiis, iacenti infra dictum burgum de Striuling, prout in eidentiis eiusdem limitatur, mihi hereditarie per eundem nobilem dominum dotatis et concessis; ac etiam pro summis duarum mille librarum vsualis monete regni Scotie, mihi etiam per prefatum nobilem dominum persolutis et in vsus meos totaliter conuersis, de quibusquidem summis teneo me bene contentum, ac totaliter et integre persolutum, dictumque nobilem dominum et omnes alios interesse habentes exinde quitumclamo, et exonero presentis carte mee per tenorem imperpetuum: Tenendas et habendas totas et integras prenominatas terras cum molendinis predictis et astricta multura omnium et singularum prefatarum terrarum, cum tenentibus, tenandriis, et libere tenentium seruitiis earundem et singulis suis pertinentiis, dicto nobili domino Joanni domino Erskine et heredibus suis masculis prescriptis a me et heredibus meis, de commendatario siue priore de Inchmahomo et conuentu eiusdem et eorum successoribus, in feodifirma siue emphiteosi et hereditate imperpetuum, per omnes rectas metas suas . . . Reddendo inde annuatim prefatus nobilis dominus Joannes

dominus Erskine et heredes sui masculi prescripti prefatis commendatario siue priori et conuentui, et eorum successoribus, firmas, proficua et diurias eiisdem ante presentem alienacionem debitis et consuetis, prout in carta mea super predictis terris, molendinis cum astricta multura dictarum terrarum, cum tenentibus, tenandriis et libere tenentium seruitiis earundem per eosdem confecta plenius et latius continetur, tantum pro omni alio onere, . . . Et ego vero sepefatus Alexander Erskine de Cangnoir, heredes mei et assignati, totas et integras prefatas terras de Arnepriour, terras de Gardene . . . memorato nobili et potenti domino Joanni domino Erskine et heredibus suis masculis suprascriptis, in omnibus et per omnia, forma pariter et effectu, ut premissum est, contra omnes mortales warantizabimus, acquietabimus et imperpetuum defendemus. In cuius rei testimonium sigillum meum proprium, presentibus manu mea propria subscriptis, est appensum, apud Edinburgh, quinto die mensis Octobris, anno Domini millesimo quingentesimo sexagesimo; coram his testibus, David Erskine commendatario de Dryburgh, Arthuro Erskine de Blakgrange, magistro Adamo Erskine rectore de Campsye, Jacobo Erskine de Litilsauchquhy, Archbaldo Haldane, Dnucano Cunynghame, domino Andrea Hegie vicario de Falkirk, et Joanne Graheme de Ballindorrane clerico vicecomitatus de Striuiling, cum diuersis aliis. QUAMQUIDEM cartam ac venditionem et alienacionem in eadem contentas, in omnibus suis punctis, conditionibus, articulis et modis ac circumstantiis suis quibuscunque, in omnibus et per omnia, forma pariter et effectu, approbamus, ratificamus, ac pro nobis et successoribus nostris pro perpetuo, vt premissum est, confirmamus, saluis nobis et successoribus nostris iuribus et seruitiis de dictis terris cum pertinentiis ante presentem nostram confirmationem debitis et consuetis. In cuius rei testimonium huic presenti carte nostre manibus nostris subscriptis sigillum commune dicti nostri monasterii est appensum; apud dictum monasterium duodecimo die mensis Augusti, anno Domini millesimo quingentesimo

teindis and emolimentis of the saidis abbayis : And to the effect that he may be the mair surlie ansuerit, payit and obeyit thairof, we haif gevin, grantit and assignit, and be the tennour heirof gevis, grantis and assignis to the said nobill lord, for all the dayis of his lyve, all and syndrie the fruttis, rentis, teindschavis, teindis, emolimentis, and vtheris fruttis, proffettis and dewiteis of the kirkis and landis efter mentionate, pertening to the saidis abbayis of Dryburgh and Inchemahomo ; that is to say, the fruttis of the kirkis of Gulane, Chyndilkirk, Pencaitland, pertenyng to our said abbay of Dryburgh, and the fruttis of the kirk of Lunthrethen pertening to oure said abbay of Inchemahomo, and all and syndrie the teind schaves of the landis of Bordland, liand within the baronie of Cardros, alsua pertening to oure said abbay of Inchemahomo : With power to the said noble lord to lift, intromet and vptak all and syndrie the fruttis, rentis, teindis, teindschaves and emolimentis of the foirsaidis kirkis and landis, be himself and at his awne handis, or be his factouris in his name, during all the dayis of his lyvetyme, in all and be all thingis, as we oureself mycht do or hes done in ony tymes bygane. In witnes quhairof to thir present letteris of assignatioun, subscrivit with oure handis, the commoun seillis of oure saidis abbayis ar to hungin, at the Castell of Edinburghe, the last day of December, the yer of God ane thowsand fyve hundreth and sexte twa yeiris, befoir thir witnessis, Allexander Hwme, Dauid Nicholl, Duncane Narne, and Mr. Jhonne Menteth.

JAMES BRAIDFUT, Subprior of
Inchemahomo.

ROBART ANDERSONE, Subprior of
Driburch.

PATRYK PURWAS.

ANDRO CROSONOPE.

JHONE SYMSONE.

DAUID, Commendatar off Dry-
bruch and Inchemahomo.

MUNGO VYLSONE.

JHONE RUDIRFURD.

WILLEAM WILSONE.

ROBERT MYLL.

JAMES JAMESONE.

87. LEASE by DAVID [ERSKINE], COMMENDATOR OF INCHMAHOMIE, to JAMES SEITTOUN of Tullibody, and JOHN SEITTOUN his Son, of the Teindsheaves of the Kirk of Lanye.—1583.¹

BE IT KEND till all men be thir present letteris, ws, Dauid, be the permissioun of God commendatour of the pryorie of Inchemahomok and convent thairoff, the weill, wtilitie and proffeitt of ws and our successouris alwyis foirseine and consideritt, with matur deliberatioun had thairwpon, to haue sett and for meill lettin, as be the tennour heirof settis and for meill lettis to our weilbelouittis James Seittoun of Tullibody, and Johne Seittoun his sone, the langest lewar of thame tua, successiue during all the dayis of thair lyftymes, and efter thair deceis to the airis, assignais, and subtennentis of the said Johne, for the spaice of nynteine yeiris nixt thairefter, all and sindrie the teindschewis, fruttis, renttis, proffeittis, emolumentis and dewitteis of all and hail our parsonage of oure parroche kirk of Lanye, with the pertinentis, lyand within the dyocie of Dunblaine and shirrefdome of Peirth, pertening to ws as ane parte of the patrimonie of our said pryorie: Qahilkis teyndis the said James and his predicessouris hes possessit and had of auld in tak and assedatioun of our predicessouris and ws, the said James entrie thairto to be and begin at the day and daitt heirof, and fra thinfurth the saidis teyndschewis, fruttis, renttis, proffeittis, emolumentis and dewitteis of our said parsonage, with the pertinentis, to be peciably bruikit, jossit, collectit, gadderit, sett, wssit and disponit be the said James and Johne his sone, the langest lewar of thame tua, during thair lyftymes successiue, and be the spaice of nynteine yeiris nixt efter thair deceiss, be the said Johne, his airis, assignais and subtennentis foirsaidis, with all and sindry proffeittis, commoditteis, priuilegis and rychteous pertinentis pertening thairto, or that

¹ Original in the Charter-chest of the Earl of Mar and Kellie.

richteouslie is knawin to aperteine thairto ; with power to thame to call the intromettouris and dettouris of the saidis teindschewis, proffeittis and emolumentis foirsaidis yeirly sa oft as neid beis ; and to put inhibitionis to the parrochinaris thairoff as they sall think expedient, lykas we mycht do our selffis, frielie, quietlie, weill and in peax, but reuocatioun, impediment or agane calling quhatsumewir : Peyand thairfor yeirly during the said spaice the said James and Johne his sone, his airis and assignais foirsaidis, to ws, our successouris, commendatouris of our said priory of Inchemahomo, our factouris and chalmerlanes in our name, the sowme of four scoir merkis money of this realme, at tua termes in the yeir, videlicet, Candilnes callit the Purificatioun of our Lady, and natiuitie of Sanct Johne the Baptist callit Midsummer, be equal portionis allanerly : And we forsuith with consent foirsaid, and our successouris, sall warrand, acquiet, and defend this our tak and assedatioun to the saidis James Seittoun and Johne Seittoun his sone. . . . [etc]. In witnes of the quhilk thing to thir presentis subscriuit with our handis, the commoun seill of the said abbay is affixt, at Cardrus, the day off , the yeir of God j^mv^c four scoir and thrie yeiris, befor thir witnessis, Mr. Richert Halden, subdeane of Dunkell, Dauid Halden, brother german to John Halden of Glenhegeis, Dauid Home, Robert Freland, and Johne Moreson, our seruandis.

DENE WELLEM STERUILING *ad idem.*

DAUID Commendatar off Inchemahomo.

DENE JOHN BAXTER *ad idem.*

JAMES BRADFUT *ad idem.*

88. LEASE by DAVID COMMENDATOR OF INCHMAHOME to MICHAEL ELPHINSTONE of the Teindsheaves of Gartincaber, etc.—20th April 1587.¹

BE IT KEND till all men be thir present letteris, ws, Dauid Commendatoure of the abbay of Inchemahomo and convent thairof togidder convenit, for certane

¹ Original in the Charter-chest of the Earl of Mar and Kellie.

sowines of money, gratitudes, guid deidis and pleasouris thankfullie payit and done to ws be oure weilbelouit cousing, Michaell Elphingstoun, seruitoure domestik to oure souerane lord, quhairof we hald ws weill content and satisfeit, tending grittumlie to the defence of the patrimony of oure said abbay, and for diuers vtheris ressonabill caussis and consideratiounis moving ws, the vtilitie and proffitt of ws and oure successouris alwyse at lenth foresene and considerit, eftir gude aduisement and deliberatioun had heiranent, to haue sett and in tak and assedatioun lettin, and be the tennour heirof settis and in tak and assedatioun lettis to the said Michaell Elphingstoun, his airis and assignais, ane or ma, all and sindrie the teindscheves off all and haill the landis of Gartincabir, Wester Spittiltoun, Murdochstoun, Ballintoun, and McCorranestoun, with all and sindrie thair pairtis, pendiclis, annexis, connexis, and pertinentis quhatsumeuir, lyand in the parochine of Kilmadok, within the stewartrie of Menteith and schirrefdome of Perth, for all the space, dayis, yeiris, and termes of the said Michaellis lyftyme, and eftir his deceis to his airis and assignais for all the space, dayes, yeiris, and termes of nynetene yeiris ; the said Michaellis entrie thairto beand and begynnand at the feist of Lambmes nixtocum, the yeir of God j^mv^c fourescoir sevin yeiris, sua that this present tak sall indure for all the dayes of the said Michaellis lyftyme, and eftir his deceis, for the said haill space of nynetene yeiris but rapture or brek of termes ; and all and sindrie the teindscheves of the saidis haill landis respectiue foirsaidis with thair pertinentis, to be peceable collectit, gadderit, led, intromettit with, vsit and disponit vpoun be the said Michaell and his foirsaidis during his said lyftyme ; and eftir his deceis during the said space of nynetene yeiris : With full pouer to thame to rais, vse, and caus execute yeirlie inhibitionis vpoun the heritouris, tennentis, occupyaris and possessouris of the foirsaidis landis, that nane of thame leid nor intromet with the teindscheves thairof during

the spaces respectiue foirsaidis, intent and persew all actioun competent thairanent, vptak, intromet with and dispone vpoun quhatsumeuir commoditie and proffit may result thairthrow; with frie ische and entrie, and with all and sindrie vtheris commoditeis, fredomes, proffittis, esementis and richteous pertinentis quhatsumeuir pertening thairto, frelie, quietlie, weill and in peax, but ony reuocatioun, obstakle, impediment or aganecalling quhatsumeuir: Payand thairfore yeirlie, the said Michaell Elphingstoun, his airis and assignais, to ws and oure successouris, oure chalmerlanis and factouris in oure name, during the spaces respectiue foirsaidis, the sowme of nyne pundis sex schilling aucht pennyis vsuall money of this realme, at tua termes in the yeir, Witsonday and Martimes in winter, be equall portiounis allanerlie: And we forsuith, the saidis Dauid Commendatare of Inchemahomo, convent thairof, and oure successouris of the said abbay, this present tak and assedatioun to the said Michaell Elphingstoun, his airis and assignais, of all and sindrie the saidis teindscheves of all and haille the saidis landis of Gartincabir, Wester Spitteltoun, Murdochstoun, Ballintone, and McCorranestoun, with all and sindrie partis, pendiclis, annexis, connexis, and pertinentis quhatsumeuir, lyand as said is, during the spaces respectiue foirsaidis, in all and be all thingis, as is abonewrittin, aganis all deidlie, but fraude or gyle, sall warrand, acquiet and defend. In witnes of the quhilk thing, to thir present letteris of tak subscriuit with oure handis the commoun seill of the cheptoure of oure said abbay is appendit, at Cardaruss, the tuentie day of Aprylle, the yeir of God .j^mv^o foure scoir sevin yeiris; befoir thir witnessis, Johne Carmichell, William Fargy, James Wre, and Johne Cars, my serwitouris.

J. Carmichaell, witness.

Villiam Fargy, witness.

DAUID, Commendatar off Inchemahomo.

DENE JAMES BREDFUT.

DENE WELLEM STERLENG.

89. RENTAL of the FEU-DUTIES of INCHMAHOMIE.—October 1646.

Informatioun off the Few-meallis payed out off the temporal landis off the
Priorie of Inchemahummoe.

In the first, the landis off Arnepriour and mylne thairoff, and landis of Kept,
pertening to Johue Buchannane of Arnepriour, and in wodsett to
William Buchannane, payes yeirlic of few-meallis xv lib. iij š. x đ.

The landis of Eister Garden, ix lib. vj š. viij đ.

The landis of Blarecesnoche and Owire and Nethire Garturris, . . . vij lib.

The landis off Lochend, 1 š. The landis off Westire Poldure, . . . xl š.

The landis off Eister Poldure, xxxviij š.

The landis off Arnewiccare, iiij lib. viij š. xi đ.

The litill wairde off Gwiddie, xxij š. iiij đ.

The landis of Clerktoune, xlvj š. viij đ. The kirklandis of Lanye, xxx š.

[Memorandum.]—To trye how the kirklandis of Lanye ar haldin, and to
whom they pay thair few-dewtie. The Erle of Perth and Laird of Lanye.

The landis off Gartledenye *alias* Hiltoun. The landis off Arnecleriche.

The landis callit Horniehaicke and the Bordland, x lib.

The landis of Ballingrew, xliij š. iiij đ. The landis of Drummannikloche.

The mylne of Cardrose.

The monasterie and precincte, with the yairdis and the Priouris medowe,
fewit to the Erll off Monteythe, xx š.

Ane tenement off land in the toun off Striuiling and yarde callit the Priouris
manse.

The loche off Inchemahummoe and fischeing thairoff.

The landis off Armawaek. The kirklandis off the Porte.

The kirklandis off Lintreathen. The kirklandis off Kilmadock.

Ane house and yarde and rude off land in Dumbartane. The land in Row.

APPENDIX

OF

MISCELLANEOUS PAPERS AND CORRESPONDENCE.

I.—PAPERS RELATING TO QUEEN MARGARET AS LIFERENTRIX OF THE LORDSHIP OF MENTEITH, THE CASTLE OF DOUNE, ETC.¹

90. OBLIGATION by WILLIAM EDMONSTONE of Duntreath and others, to MARGARET, QUEEN OF SCOTS, for the safe keeping of Doune Castle, etc.—Dunblane, 29th September 1520.

BE IT KENND till all men be thir present lettres, ws, Williame Edmonstoun of Duntreth, Johnne of Striueling of the Kere, knycht, George Schaw of the Knokhill, and Recharde Lekky of that Ilk, to be bundin and oblist, and be thir our present lettres, and the faith and treuth in oure bodijs, lelelie and treulie bindis and oblistis ws and ilk ane of ws, coniunctlie and seueralie, oure airis, executouris, and assignais, to ane richt excellent, hie, and nichtj princes, Margaret, be the grace of God, Quene of Scottis, for the sikker and sure keping of the Castell and place of Doune in Menteth, quhilkis pertenis now to hir hienes be resoun of coniunct fie, furth of the handis of all vthir handis, and to be reddy at all tymes to ressaue hir hienes, oure souerane lord hir derest sone the Kingis grace, in the said castell and place at hir plesour, hir hienes or the Kingis grace makand thare expensis the tyme of thare being thare: Enduring all the tyme and space that the said Williame

¹ The Originals of these Papers are in the Charter-chest of the Earl of Moray at Donibristle.

or Archibald Edmonstoun his brother, quhilkis has takkis of the said castell and place, cum to thare perfite age of xxj zeris, and also that nane man of grete autorite nor gret clan haue na autorite of the keping of the said castell vnder thame, nor zit sall ressaue na trespassouris nor brokin men in the said place, and also sall mak hir hienes and hir chaumerlanis of hir lordeschip of Menteth, within all boundis of the Stewartry of the samyne, to be reddely ansuerit, pait, and obeit of all males, fermes, gressumys, mertis, mert siluer, irne, and all vthir dieweteis quhatsumeuer that pertenis or suld pertene to hir hienes, within all the boundis of the said lordschip and stewartry, of all termes to cum, and also of all restis bigane, gif sa beis that Walter Buquhannan falzeis in the inbringing of the samyne, and gif mister be, that we sall pund and distrenze for hir saidis males and dieweteis, and mak the samyne to be inbrocht to hir hienes to the castell of Striueling, sua that hir hienes sall want na payment enduring the space and tyme forsaid; and gif it sall happin the said Wilzam Edmonstoun or Archibauld his brothir, quhilkis for the tyme happinnis to haue the keping of the said place, to falze in the keping of the samyne, or to falze in the payment and inbringing of hir hienes males, fermes, mert siluer, and dieutez of hir said lordschip, the landis beand strenzeable, in that caise it salbe lefull to hir hienes to dispone apone hir said castell and keping thareof as scho thinkis expedient, nochtwithstanding ony takkis that thai happin to haue for the tyme to outryn of the sammyne; and also gif it sall happin hir hienes to want payment of her males, fermes, and dieuteis as said is, in that caise it salbe lesum to hir hienes to send and prise of our reddiest landis and gudis to the avale and quantite of the sovmes or restis that happinnis to rest vn-pait for the tyme, and to the observing and keping of all and sindry the premissis, we and ilk ane of ws bindis and oblisys ws, our ayris, executouris, and assignais, coniunctlie and seueraly, to the said excellent and mychtij princes the Quenis grace, in the

sikkerest stile and forme of obligacion but fraude or gile, and consentis and ordanis this band, contracte, and oblising, to be actit in forme of act in the officialis bukis of Dunblane, for the observing of the sammyne, vnder the panis of cursing. In witnes hereof we, the forsaidis lardis, has affixit our selis with our handis writtis, at the Dunblane, the xxix day of September, the zere of God j^mv^c and tuentj zeris.

WILLZEM EDMONSTOUN of Duntreith.

JHONE STRIUELING of ye Keir.

GEORG SCHAW of the Knokhill, w^t
my hand at ye pen.

RECHART LYKKE of y^t Ilk.¹

91. CHARGE by MARGARET, QUEEN OF SCOTS, to WILLIAM EDMONSTONE of Duntreath, to receive her within the Castle of Doune, with his refusal. —Stirling, 4th July 1525.

REGINA.

Thomas Robeson, forsamekle as I purpois to pas and reman certane space within my place and castell of Downe, tharefore I charge ye, incontinent this my precept sene, to pas to William Edmonstoun of Duntretht, kepar of my said castell, to mak it rady for ressauyng of me at this tyme, efter the forme of his band maid to me thareapone, and vnder the payns contenit tharein, committand to ye my full power thareto, bringand this precept agane with his answer. Subscriuit with my hand at Sterling, the ferd day of Julij, the zere of God j^mv^c and twenty fyve zeris.

MARGARET R.

The ferd day of July, the zere of God j^mv^c and xxv zeris, I, Thomas Robeson past at the command of this my souerane lady the Quenis gracis

¹ The seals of Edmonstone, Stirling, and Shaw are still affixed, in fair preservation.

precept, within writtyn, to William Edmonston of Duntreth, kepar of the castell of Downe, and desyrit him to mak it rady for ressauyng of the Quenis grace at this tyme, efter the forme of his band maid to hir grace thareapone, and vnder the panis contenit in the samyne. And the said William gaif me answer, sayand he wald ressaif himself and hir gentillwomen, bot he wald nocht ressaif hir seruandis, and I declarit to him agane that hir grace wald nocht cum thar without hir seruandis effering till hir estait. And this I did befor thir witnes, Sir Thomas Zoungman, Chalmerlain of Menteth, Jhone Edmonston, and Archibald Edmonston, with vtheris diuerss; and for the mair securite I haif affixit to my signet to this my indorsing, day and zere forsaid.

92. DECREE by the LORDS OF COUNCIL against WILLIAM EDMONSTONE of Duntreath, to deliver up Doune Castle to the Queen within forty-eight hours.—Edinburgh, 11th July 1527. [Extract.]

At Edinburgh, the xj day of Julii, the zere of God j^mv^c and xxvij zeris. The Lordis of Counsale vndirwrittin, that is to say, reuerend faderis in God, George Bischop of Dunkeld, Gawyne Bischop of Abirdene, David Bischop of Galloway, noble and mychtie lordis, [George] Erle of Huntlie, Gilbert Erle of Cassillis, Archibald Douglas thesaurare, Maister Thomas Erskin secretare, James Coluile of Vchiltre comptrollare, Maister Adam Ottirburn of Auldhame, and Nichole Craufurd of Oxingang, justice clerk, anent our souerane lordis lettrez rasis at the instance of the Quenis grace aganis William Edmonstoun of Duntreith, that quhar he intromettis with hir castell and place of Dove in Menteith, pertening to hir in coniunct fie, and will nocht suffir hir and hir seruandis to intromet with the samyn, and als anent the charge gevin to the said William Edmonstoun and all vtheris withhaldaris of the said place and castell, to deliuer the samin to the Quenis grace, or hir factouris, within

xlviij houris nixt efter thai war chargit tharto, vndir the pane of rebellioun and putting of thaim to the horne, or ellis to compeir befor the Lordis of Counsale the thrid day nixt tharefter, to schaw ane resonable cause quhy thai suld nocht do the samyn, as at mair lenth is contenit in the saidis lettrez : The Quenis grace being personaly present, and the said William Edmonstoun lauchfully summond to this actioun, oft tmez callit and nocht comperit, the Lordis of Counsale decernis our souerane lordis lettrez to be direct simpliciter, aganis the said William Edmonstoun and all vtheris, withhaldaris of the said castell of Dovne in Menteith, to deliuer the samin to the Quenis grace, or hir factouris, within xlvij houris nixt efter thai be chargit, vnder the pane of rebellioun, becaus thai war chargit of befor to deliuer the samyn to the Quenis grace, or hir factouris, within xlvij houris efter thare charge, vnder the said pane of rebellioun, or ellis to compere befor the saidis Lordis and schaw ane resonable caus quhy thai suld nocht do the samyne ; with certificatioun to thaim and thai failzeit, the Lordis wald decerne lettrez simpliciter aganis thame in the said matter, according to justice, and comperit nocht to the effect forsaid, and lettrez to be direct heirapone as efferis. Extractum de libro actorum per me Gavinum episcopum Aberdonensem, clericum rotulorum registri ac consilii supremi domini nostri regis, sub meis signo et subscriptione manualibus.

GAWINUS DUNBAR.

93. WARRANT by KING JAMES THE FIFTH to WILLIAM EDMONSTONE of Duntreath, to deliver up Doune Castle to the Queen.—20th August 1527.

REX.

Weilbelouit freynd, we grete zou weil. And forsamekill as our derrest moder the Quene hes optenit ane decreit of the Lordis of our Counsale, with our

vtheris lettres thairupoun in diuerse formes, echargeing zou and the withhaldaris of our eastell of Dovne in Menteith to deliuer the samyn to our said derrest moder, or hir faetouris, vnder diuerse panis speefyt in our saidis vtheris lettres, as the samin beris, quhilkis ze haue eontempnandlie dissobeyit, quhair of we merwell greitlie: Oure will is heirfor, and we echarge zou stratelie, and eommandis ze deliuer the said house and eastell to our said derrest moder, or hir faetouris, within xxiiij houris nixt eftir the sieht heirof, eftir the forme of the said deereit and our vtheris lettres past thairupoun, eertifying zou and ze failze thairin, that we will cum in propir persoune and tak our said house fra zou to zour displeour; and certify ws of zour ansuer heirin agane with this berar in writ, that we may remember thairone, as ze will ansuer to ws thairupoune at zour vter echarge. Subscriuit with our hand and vnder our signete, at Edinburgh, the xx day of August, and of our regnne the xiiij zere.

JAMES R.

To our weilbelouit freynd, William Edmonstoun of Duntreiff, etc.

The xxiiij day of August, the zere of God j^mv^c xxvij zeris, I, Alexander Carmaig, messingere, passit at the eommand of the Quenis graee with this our souerane lordis patent lettre within writtin, to the eastell zett of Dovne in Menteith, and thare I presentit the samin to Willeam Edmonston of Duntreiff, personaly apprehendit, quhilk ressaut the said lettre and ane eopy of the samin, and quhen I desirit his ansuer in wryte, he said he wald obey the Kingis graee in all thingis, and bere his ansuer to his graee himself. And this I did befor thir witnes, Maleome Kynross, Robert [Marrnoeh?], Donald Donaldson, and Edward Spittale, burges of Striueling and notar public; and for mare securite herof, I haue affixt my signet, day, zere, moneth, and plaee forsaid.

94. SENTENCE of the LORDS OF COUNCIL, refusing to liberate WILLIAM EDMONSTONE of Duntreath from the decree of horning.—Edinburgh, 28th August 1527. [Extract.]

AT EDINBURGH, the xxvij day of August, the zeire of God j^mv^c and xxvij zeiris, the Lordis, be sentence interlocutour, decernis that Williame Edmonstoune of Duntreith suld nocht be relaxit fra the horne, nor haue place to persew the summondis raisit be him for retractatioune of ane decrete optenit be the Quenys grace aganis him, vnto the tyme the said Williame had obtemperit and obeyt the effect of the said decrete. Extractum de libro actorum per me Gavinum Episcopum Aberdonensem, clericum rotulorum registri ac consilii supremi domini nostri Regis, sub meis signo et subscriptione manualibus.

GAWINUS DUNBAR.

95. LETTERS by KING JAMES THE FIFTH, recalling the letters of release granted to WILLIAM EDMONSTONE of Duntreath, and again denouncing him rebel.—Falkland, 20th October 1527.

JAMES, be the grace of God, King of Scottis, to oure louittis messingeris, greting. Forsamekill as throw circumwentioun and wrang informatioun maid to ws, we laitly gaiff our vtheris lettres to relax William Edmonstoun fra the proceis of oure horne, led on him for non deliuerance to our derrest moder the Quene of hir hous and castell of Dohne in Menteith, quhilkis letteris of relaxatioun we be thir presentis annullis and dischargeis, and will that the samyn haue na forthir strenth nor effect in tyme to cum, because that thai ar cinisterlie purchest be wrang informatioun, as said is, and will that the first lettres purchest be our said derrest moder, be quhilk the said William wes procest to our horne, haue strenth and effect ay and quhile the samyn be ordourly reducit, nochtwithstanding ony

privat lettres purchest or to be purchest at ws in the contrare, because the saidis lettres, purchest be our derrest moder, ar past apoun ane decrete of the Lordis of our Counsale, declareing that our mynd is nocht to stoip sic lettres nor proces that passis be justice; and geiff we gaif ony lettres in sic stoppin of justice, thai ar purchest be wrang informatioun, as said is. Oure will is herefor, and we charge zow straitlie, and commandis that ze, and ilkane of zow, incontinent thir our lettres be zow sene, pas and mak publicatioun and intimatioun to the said William of thir our lettres of suspentioun and declaratioun of the saidis vtheris lettres, cinisterlie purchest be him as said is, to be of nane force nor awaile in tyme cumin; and attour, that ze of new denunce him our rebell and putt him agane to our horn at all placis neidfull, eftir the forme of the saidis first lettres purchest be our said derrest moder, quhilkis lettres we will that ze of new execute ay and quhill he obey the charge tharof, or that he ourdourlie reduce the samyn as said is, and that ze charge all and syndrie our legeis, be oppin proclamatioun at our borrowis of Perth, Striueling, Dunbertan, and Linlithqw, that nane of thame assist, fortyfy, mayanteine, nor intercommone with the said William sa lang as he remanis at our horne, the quhilk to do we committ power to zow, and ilkane of zow, be thir our lettres be zow deulie execute and indorsat, to be deliuerit agane to our said derrest moder. Subscriuit with our hand, and gevin vnder our signet, at Faulkland, the xx day of October, and of our regune the xv zere.

JAMES R.

96. COMMISSION by MARGARET, QUEEN OF SCOTLAND, to JAMES STEWART, brother of Andrew, Lord Avandale, to be Captain of Doune Castle and Steward of Menteith.—1527.

MARGARET, be the grace of God, Quene of Scotland, coniunct fear of the landis and lordschip of Menteith, to all and sindry quham it efferis, and quhais

knowlege thir our lettres salcum, greting. Wit ze ws, of perfyte and mature deliberacioune, for oure awin wele and singuler proffite, and for the commone wele of oure said lordschip, till haue maid, constitut, and ordinit, and be the tennour herof makis, constitutis, and ordinis oure traist familiare seruitour James Steward, bruther germane vnto oure cousing Androw Lord Avyndale, oure Steward of oure said lordschip of Menteith, and Capitane of oure castell of Dovne within the samyn, for all and sindry the dais and termis of our lifyme, the entres of the said James in and to the said officis of stewardry and capitany salbe at the feist of Witsunday nixt and immediat following the date herof; to be brukit and josit be the said James Steward during oure lifyme, as said is, with all and sindry proffitis, commoditeis, fredomes, asiamentis, and richtuus pertinentis pertenying and liand thairto be vse and wont, quhilkis William Edmonstoune of Duntreth, last Stewart and Capitane of oure said lordschip and castell, haid and josit for the said stewardry and capitany, and in all sort and maner as he brukit the samyn. And attoure, we committ to our said seruitour James Steward, oure full power to substitut and deput vnder him in the said office of stewardry, ane or maa of smallare power and degree than him self for exerceing of that office, for quham he salbe haldin till ansuer till ws; and richt sua till imput and output in oure said castell of Dovne, constabillis and vtheris necessaris officiaris for sure keping of the samyn till oure vtilite, for quham siclyke he salbe haldin till ansuer, and till obserue and kepe our said castell till oure behufe, and the samyn to be redy till ws at all tymmes quhen we sall charge [him]. And ferder, because we haue gret confidence and traist in oure said seruitour James Steward, we committ vnto him, be thir presentis, oure full power of chavmerlanrye within oure said lordschip, with strynth to substitute vnder him in that office quhat personis he sall thinke expedient for his help and oure vtilite and proffit, to lift, raise, vptak, and inbring all and sindry oure malis, fermis, gressomes, and

dewiteis of the samyn zerlie and termlic during our lyf tyme, as said is, and, gif neid beis, to poynd and distrenze therfore as efferis; ferme and stable haldand and for to hald all and quhatsumeuir thing, oure said seruitour James Stewart, be him self or his substitutis and deputis forsaid, in oure name in the premissis ledis to be done, in vsing of his officis of stewardry, capitanry, and chavmerlanrye abonexpremit. In faith and witnes of the quhilk thing to th[ir o]jure present lettres, subscriuit with oure hand, [oure] prop[ir sele] is affixt, at the day of the zere of God j^mv^c xxvij zeris.

MARGARET R.¹

97. INSTRUMENT narrating proceedings in the Court of the Stewartry of Mentieith, declaring the expiry of tack to WILLIAM EDMONSTONE of Duntreath, and appointment of JAMES STEWART Captain of the Castle. —Doun Castle, 6th August 1528.

IN Dei nomine, amen. Per hoc presens publicum instrumentum cunctis pateat euidenter et sit notum, quod anno Dominice incarnationis millesimo quingentesimo vigesimo octauo, mensis vero Augusti die sexta, indicione prima, Pontificatus sanctissimi in Christo patris, et domini, nostri domini Clementis diuina prouidencia Pape septimi, anno quinto. In mei notarii publici et testium infrascriptorum presencia, personaliter constitutus honorabilis vir Robertus Callendar de Manere, balliuus serenissime et excellentissime principisse Margarete, Regine Scoeie, ac nobilis et generosi viri Henrici Steward, eius sponsi, per eosdem in hac parte specialiter ordinatus in actione et causa coram ipso balliuo, pro parte dicte excellentissime principisse suique sponsi prefati, contra et aduersus Willelmum Edmonstoun de Duntreth, mature, auisatus de assessorum suorum, communicato consilio, pro tribunali sedens,

¹ A portion only of seal now remains.

prope castrum de Down in Menteith in curia legitime affirmata, suum decretum pronunciauit et promulgauit in nostra Scotica et wlgari, cuius series seu tenor, vnacum titulo prefate curie, de verbo ad verbum sequitur, et est talis :—Curia excellentissime principisse Margarete, Regine Scoeie, et nobilis viri Henrici Steward, eius sponsi, tenta apud Down in Menteith, per honorabilem virum Robertum Callendar de Maner, eorum ballium in hac parte specialiter constitutum, sexto die mensis Augusti anno Domini millesimo quingentesimo vicesimo octauo, curia affirmata et sectis vocatis. The quhilk day, in the actioun and caus persewit be the Quenis grace and hir spous, aganis William Edmenstoun of Duntreith, to produce his lettir of tak of the capitanrye and keping of the castell of Down in Menteith, and of certane landis liand within the lordschip of Menteith, pertenyng to hir grace in lifrent, alleget maid be hir to the said William, and to here the samyn declarit expirit, extinct, and to be of nane avale, and the samyn to be frelie vsit, set, and disponit be hir grace in tyme to cum ; becaus the said William band and oblist him that he suld resau the Quenis grace within hir said castell, als oft as he suld happin to be requirit thareto within the terme of the said tak, and falzeing tharof the samyn to be expirit ; and the said William beand lauchfully requirit to ressaue hir within hir said castell in tyme of gret neid and mister, scho beand desolat of vtheris hir howsis, refusit to ressaue hir tharin, and for vtheris diuers causis, as at mare lynth is contenit in the summondis and precept direct in the said mater. The Quenis grace and hir said spouse, with thare aduocat, Maister Robert Galbraith, personaly present, and the said William Edmenstoun beand personaly and lauchfully summond and arrestit to this actioun, oftymmes callit and nocht comperit, lauchfull tyme of the day biddin, the richtis, ressouns, and allegatiouns for the Quenis grace beand herd, sene, vnderstand, and tharwith ryplie avisit, the forsaid balze, with avise of his assessouris, decretis, deliueris, and pronuncis

that the tak maid be the Quenis grace to the forsaid William Edmenstoun of the capitanry and keping of hir castle of Down in Menteith, and of all vtheris hir landis quhilkis ar specifeit in the samyn, is extinct, exspirit, and forfalt to the Quenis grace, to be frelie disponit tharupone during hir lifytyme; becaus the said William band and oblist him that he suld ressaue the Quenis grace within hir forsaid castell als oft as it suld happin him to be requirit tharto, and thare to remane apoun hir expensis, and als to inbring to hir grace and hir chavmerlan all malis, fermis, and vthiris dewiteis of all and hale hir landis of Menteith zerlie, and siclyk of the restis awand, and falzeing tharof, the said tak to be exspirit, and hir said castell and landis to be frelie disponit at hir plesour, nochtwithstanding the samyn, as at mare lynth is contenit in his lettres obligatouris vnder his sele and subscriptioun, productit, schewin, and red in jugement, and the said William refusit to ressaue hir grace within hir said castell, he beand lauchfully requirit tharto; and als hes falzeit in the paying of the malis of the landis of Cultintogill, Brokland, Balmoris, Myltoun, Calzebuchquhalze, the bra of Cammys and the warde of Gwdy, liand within the said lordschip of Menteith, occupeit be the said William; and in the inbringing of the malis of the landis of Duchray occupeit be George Buchquhannan of that Ilk, Corryquhrumby occupeit be Duncane Walterstoun, Buchquhoppill and Ballinton occupeit be Walter Buchquhannane, Blargarre occupeit be Robert Steward, Buchquhoppill occupeit be Archibald Edmenstoun, liand within the said lordschip, extending in the hale to tua hundreth fourty aucht li or tharby, as wes clerlie and sufficientlie previt before the said balze in jugement, and ordinis preceptis to be direct tharupone as efferis. Post cuiusquidam decreti suprainserti pronunciazionem et promulgacionem, comparuit in iudicio quidam Johannes Edmenstoun in Cammysmore commorans, et protestabatur solemniter, nomine et ex parte vt asseruit prefati Willelmi Edmenstoun de Duntreith, in huiusmodi decreto principaliter nominati, quod

quicquid factum fuerat per predictum balliuum contra dictum Willelmum Edmenstoun, eidem non cedat aliquo modo in preiudicium; et, ex aduerso, comparens circumspectus vir, Magister Robertus Galbrath, procurator seu prelocutor prelibate serenissime principisse sui que sponsi antedicti, tunc personaliter presencium, et eo nomine obtulit se promptum et placatum predictum Johannein Edmenstoun, seu alium quemcunque, ad defendendum supratactam accionem pro dicto Willelmo Edmenstoun de Duntreith admittere, ostenso primitus per eosdem sufficiente mandato vel inuenta cautione de rato, vt moris est, et vltterius obtulit idem Magister Robertus, procurator seu prelocutor antedictus, et eo nomine, in presencia prefate serenissime principisse sui que sponsi predicti hoc idem mandancium et affirmancium, se assouerare sepefatum Willelmum Edmenstoun, seu quemcunque alium eius nomine, ad comparandum pro defensione supradicte actionis, et ad proponendum et allegandum omnes suas legitimas defensiones quibus vti vellent, pronunciacione et promulgacione suprainserti decreti in aliquo, non obstantibus, ita quod huiusmodi allegaciones et defensiones, sic propositae et allegatae pro parte ipsius Willelmi Edmenstoun, vt exposuit, idem Magister Robertus eundem haberent locum tantamque vim et effectum, acsi in inicio Curie et ante pronunciacionem suprainserti decreti fuissent propositae et allegatae: Et protestatus est solenniter ipse magister procuratorio nomine quo supra, quod prefatus Willelmus Edmenstoun imposterum allegare non poterit quin ipse sui que amici, vel alii quicunque suo nomine, pro huiusmodi actionis defensione et tuicione, cum secura et firma asseuerancia prefate illustrissime domine regine sui que sponsi antedicti, ac alias cum omni beniuolencia, secundum formam et exigenciam juris admitti videbantur: Quibus peractis, honorabilis vir Jacobus Steward, frater germanus prefati nobilis et generosi viri Henrici Steward, quamdam cartam pergamino scriptam, magno sigillo serenissimi domini nostri Regis sigil-

latam, de data apud Edinburgh decimoquarto die mensis Julij, anno Domini millesimo quingentesimo vigesimo octauo, ac sue serenitatis regni anno decimoquinto, eidem Jacobo Steward confectam per prefatum serenissimum dominum nostrum Regem modernum, cum expressis consensu et assensu prefate illustrissime domine nostre regine, de [et] super custodia et capitania dicti castri de Down, vnacum officio senescallatus de Menteith, pro toto tempore vite ipsius Jacobi, prout in huiusmodi carta per me, notarium subscriptum, lecta et intellecta, latius continetur : Quamquidem cartam sua serenitas ad se gratanter recepit per humilem exhibicionem predicti Jacobi Steward, ea qua decuit reuerencia, ad manus sue serenitatis desuper factam, eandemque cartam, cum expressis consensu et assensu dicti sui sponsi, tunc presentis et consencientis in omnibus suis punctis et articulis, sua serenitas ratificauit et approbavit, prout per hoc presens publicum instrumentum ratificat et approbat, volens et decernens huiusmodi cartam tantorum vigoris et roboris esse, eundemque per omnia effectum sortiri debere, acsi ipsa eadem carta post suprainserti decreti pronunciacionem et promulgacionem confecta esset et concessa ; Insuper, ipsa serenissima domina Regina, cum consensu et assensu prefati sui sponsi, dictum Jacobum Steward, capitaneum et senescallum antedictum, in et ad huiusmodi capitaniam necnon senescallatus officium, secundum vim, formam, effectum et continentiam prefate sue carte desuper concessa, realiter et cum effectu intrauit et recipi fecit, ac eciam in facie publica predictae curie sua serenitas solemniter mandauit omnes libere tenentes aliosque inhabitantes terrarum et dominii de Menteith, ad prompte parendum et obediendum eidem Jacobo Steward, tanquam vero et indubitato capitaneo predicti castri de Down ac senescallo de Menteith antedicto, suisque deputatis, et nulli alteri, pro toto tempore vite ipsius Jacobi, in omnibus et per omnia, secundum vim et continentiam sepefate sue carte desuper, vt prefertur, concessa et confecta : Super quibus omnibus et singulis

predicti Magister Robertus Galbraith, procurator seu prelocutor antedictus, et eo nomine, ac eciam Jacobus Steward pro se, a me, notario publico subscripto, sibi fieri hincinde vnum vel plura publicum seu publica mutuo petierunt instrumentum aut instrumenta. Acta fuerunt hec prope castrum de Down, in publica facie predictae curie, hora vndecima antemeridicm, vel eocirca sub anno, die, mense et pontificatu quibus supra, presentibus ibidem, nobilibus et generosis viris et dominis Jacobo comite Morauie, Andrea domino Avindale, Archibaldo Campbell magistro de Ergile, Johanne Struiling de Keyre, milite, Andrea Galbraith de Culcreucht, et domino Waltero Steward vicario de Abirnethy, cum multis aliis testibus ad premissa vocatis pariterque rogatis.

Et ego Alexander Turing artium magister, Abirdonensis diocesis presbiter
[etc. in forma communi].

98. COMMISSION by KING JAMES THE FIFTH to JAMES STEWART, Captain of Doune Castle, as Steward of the lordship of Menteith.—8th August 1528.

JACOBUS, Dei gracia, Rex Scotorum, omnibus probis hominibus suis ad quos presentes litere peruenerint, salutem. Sciatis quia dilectus noster Jacobus Stewart, per ipsius supplicationem consilii nostri dominis porrectam, exposuit quod habet per nostras donacionem et assedacionem, cum consensu carissime matris nostre regine, capitaniam siue custodiam castri nostri de Dovne in Menteith, cum certis aliis terris, vna cum officio senescallatus nostri de Menteith, prout in sua litera assedacionis sibi sub nostro magno sigillo desuper confecta plenius continetur. Nos igitur, ex dictorum dominorum deliberacione, commisimus, prout tenore presencium committimus, dicto Jacobo nostram plenariam potestatem et mandatum speciale, officio senescallatus nostri de

Menteith antedicto, secundum tenorem, formam et effectum dictarum nostrarum literarum assedacionis et donacionis vtendi, ac officarios et ministros ad dictum officium necessarios creandi, deputandi, ordinandi et jurari faciendi, pro quibus respondere tenebitur, et generaliter omnia alia et singula faciendi, gerendi et exercendi, que in premissis et circa ea necessaria fuerint seu quomodolibet oportuna. Ratum et gratum habentes et habituri totum et quicquid dictus Jacobus, senescallus noster de Menteith antedictus, sui ve deputati et officarii ac ministri, in vsu et exercicione dicti officii rite duxerit seu duxerint faciendum. Datum sub testimonio magni sigilli nostri apud Striuling, octavo die mensis Augusti, anno Domini millesimo quingentesimo vicesimo octauo, et regni nostri decimoquinto.

99. COMMISSION by MARGARET, QUEEN OF SCOTLAND, with consent of HENRY, LORD METHVEN, her husband, to JAMES STEWART his brother, to be Captain of Doune Castle, and Steward and Chamberlain of Menteith.—
1st September 1528.

MARGARET, be the grace of God, Quene of Scotland, coniunct fear of the landis and lordschip of Menteith, to all and syndry quhome it efferis, quhais knowlege thir oure lettres sal cum, greting. Wit ze ws, witht perfit and mature deliberacioun, for oure awin wele and singulare proffett, and for the commone weill of oure said lordschip, witht express consent and assent of oure derrest spouse, Henry Steward of Methven, to haue maid, constitut, and ordanit, and be the tennour of thir presentis makis, constitutis, and ordinis oure traist familiare seruitour, James Steward, brothir german to oure said derrest spouse, oure Stewart of oure said lordschip of Menteith, and capitane of oure castell of Down within the samyn, for all and sindry the days and termes of oure lifyme, the entres of the said James in and to the saidis offices of stewardry

and capitany salbe at the making herof, to be broukit and josit be the said James during oure lifytyme as said is, witht certane landis vnder writtin pertenynge to the capitaury and keping of oure said castell, that is to say, ten mark land of auld extent of Estir Frew, five mark land of auld extent of Myddle Frew, five mark land of auld extent of Wester Ergady, aucht pound, six shillingis, aucht penne land of auld extent of Drumcamsy and Bellekeraucht, five pound land of auld extent of the Kerss of Cammyss, witht the myln and cruvis of Down, and fisching of lowis and stankis of Lugnok, Lochbanaquhare and Gudy, witht all thair pertinentis, and witht all and syndry vtheris proffettis, commoditeis, fredomes, asiamentis and rychtuus pertiuents, pertenuyg and liand thairto, be wse and wount, quhilkis William Edmenstou of Duntreth, last stewart and capitane of oure said lordschip and castell, had and josit for the said stewartry and capitany, and in all sort and maner as he broukit the samyn. And attoure, we commit to oure said seruitour James Steward oure full power to substitut and deput vnder him in the said office of stewardry ane or maa of smallare degre than him self, and of smallare power, for excersing of that office, for quhame he salbe haldin to ansuer till ws, and rychtsua to imput and output in oure said castell of Down constabillis and vtheris officiaris necessaris for sure keping of the samyn to oure vtilitie and proffet, for quham siclik he salbe haldin to ansuer, and to obserue and kepe treulie oure said castell to the behalf of ws and oure said derrest spouse, and the samyn to be reddy to ws and oure said spouse at all tymmes quhen we sall charge. And ferder, because we have gret confidens and traist in the said James oure seruitour, witht express avise and consent of our said derrest spouse we commit vnto the said James be thir presentis oure full power of chavmerlanry within the said lordschip, witht strynth to substitut vnder him iu that office sic personis as he sall think expedient for his help and our vtilite and proffet, to lift, raise, vptak and

inbring all and syndry our malis, fermes, gressomes and dewiteis of the samyn zerly and termly during our lifyme as said is, and gif neid beis to pyynd and distringze tharefor as efferis; firme and stable halding and for to hald all and quhatsumeir thing, oure said seruitour James Steward and capitane forsaid, be him self and his substitutis and deputis forsaid, in oure name in the premissis ledis to be done, in vsing of his officis of stewardry, capitanry, and chavmerlanry abone expremit. In faith and witness of the quhilk thing, to thir oure present lettres, subscruit witht oure hand and witht the hand of oure said derrest spouse, in takyning of his consent to the samyn, oure propre sele is affixt, at Striuiling, the first day of September, the zere of God j^mv^c twenty and aucht zeris.

MARGARET R.

HENRY, LORD METHWEN.

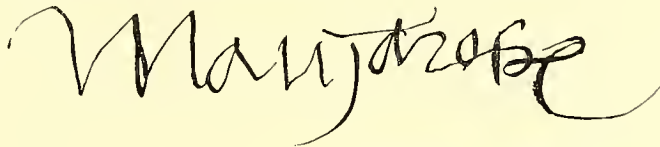
100. GRANT by MARGARET, QUEEN OF SCOTLAND, and HENRY, LORD METHVEN, her Spouse, in favour of JAMES STEWART, of the Captaincy of Doune Castle, with the Stewartry, etc., of Menteith.—Stirling, 8th September 1528.

BE IT KEND till all men be thir present letteris, ws, Margarete, be the grace of God, Qwene of Scotland, coniunct fear of the landis and lordschip of Menteth, liand within the sherefdome of Perth, weill and ripelie avisit for oure avn singular proffit and commoun weill, justice and polecy to be had within our said lordschip, with express consent and assent of oure derrest spous, Henry Lord Methven, to haue maid, constitute, and ordanit, and be thir present lettres makkis, constitutis, and ordanis oure richt traist and familiar seruitoure, James Stewart, bruther germane to oure said derrest spous, our stewart of oure said lordschip of Menteth, and capitane of our castell of

Dovne, liand within the boundis of the samyn, and als to haue gevin and grantit, and be the tennour heirof gevis and grantis to him all and sindry the landis vnderwritin, in his fee, for vsing and exerceing of the saidis offices of stewartry and capitanry for all the dais and termes of oure lifytyme, quhilkis landis Williame Edmonstoun, oure stewart of Menteth and capitane of Dovne for the tyme, had and broukit in his fe of befoir; that is to say, ten mark land of ald extent of Estir Frew, five mark land of ald extent of Myddill Frew, five mark land of ald extent of Westir Argade, aucht pund, sex schilling aucht penny worth of land of ald extent of Drumcamse and Ballikeroch, five pund land of ald extent of the Kerse of Cammys, with the myll and cruvis of Dovne, and fischeing of the lowis and stankis of Lugnok, Lochbanachar, and Gude, with all and sindry thair pertinentis, liand within the lordschip and sherefdomes foirsaidis, the entere of the said James in and to the saidis officis of stewartry of oure said lordschip of Menteth and capitanry of oure said castell of Dovne, and to the foirnemmit landis and fischeingis, with all thair pertinentis, to begin the day of the dait of thir present lettres, and thaireftir to indure and peciablly to be broukit, joisit, vsit, and exercit induring oure lifytyme, siclike and als frelie in all and be all thingis as ony vthiris capitanis or stewartis had and broukit the saidis officis of befoir; with power to the said James to mak deputis vnder him, constabillis and keiparis of the said castell, and deputis in the said office of stewartry [of] Menteth, ane or ma, sic as he thinkis expedient, and thame to remoif, change, input and output, als oft as he plesis, for quham he salbe haldin to ansuer, and with power to him and his deputis in the said office of stewartry, ane or ma stewart courtis of the saidis landis and within the boundis of the said office to set, begyn, afferme, hald and continew als oft as neid beis, sutis to mak be callit, absentes to amerciat, trespassouris to pvnis, vnlawis, amerciamentis, and eschetis of the saidis courtis to ask, lift, raise,

and for the samin, gif neid be, to poynd and distrenze, clerkis, scriandis, dempstaris, and all vthiris officiaris and membris of court neidfull to the said office and vsing thairof to mak, creat, substitute and ordand, for quham he sall inlikewise be haldin to ansuer; and als we haue maid, constitute, and ordanit, and be thir present lettres makkis, constitutis, and ordanis the said James and his substitutis, quhilkis we gif him power to mak, and for quham he salbe haldin to ansuer, oure verray lauchfull and irrenocabill chalmerlanis of all and sindry oure saidis landis and lordschip of Menteth, for all the dais and termes of oure lifyme, gevand, grantand, and committand to oure saidis chalmerlanis oure full, fre, and plane power, speciall mandment, express bidding and charge, for ws and in oure name, the males, firmes, grassumes, proffitis and dewiteis of oure saidis landis and lordschip, to gadder, ressaue, ask, lift, raise and intromet, and the samin to ws to inbring, and gif neid be to poynd and distrenze thairfor, and generalie all and sindry vthiris thingis to do, exerce, and vse that to the office of stewartry, capitanry, and chalmerlanery in sic caisis as is abone writtin of law or consuetude ar knawin to pertene. For vsing and exerceing of the quhilkis offices of chalmerlanery we gif, grantis, and assignis to the said James be the tennoure of thir presentis, siclike feis and dewiteis as Sir Thomas Zoungman, chapellane, now our chalmerlane of the said lordschip, hes and gettis thairof; and als we gif, grantis, and assignis to the said James all males, grassumes, and dewiteis of oure landis of the milltoun of Dovne, quhilkis oure seruitrice Cristiane Raa now hes and broukis of ws for all the dais and termes of oure lifyme, eftir the deces of the said Cristiane, and the said James and his substitutis sall cntir to the vsing and exerceing of the said office of chalmerlanery of oure said lordschip the day of the dait of thir presentis; ferme and stabill haldand and for to hald all and quhatsum-euir thingis the said James, be himself, his deputis, seruandis, constabulis, and substitutis in the saidis officis of stewartry, capitanry, and chalmerlanery

lauchfullie ledis to be done. In witness of the quhilk thing, to thir present lettres subscriuit with oure hand oure seill is to hungin, togidder with the seill and subscripcioun of oure said derrest spous, in takin of his consent and assent to the premissis, at Striueling, the aucht day of September, the zere of God ane thowsand five hundreth and twenty aucht zeris, befor thir witnes, Sir Walter Stewart, Robert Kalendare of Manyre, James Dog, Sir Williame Alexander, and Andro Stewart in Culrosschire, with vthiris diuerss.



HENRY, LORD METHVEN.

101. INSTRUMENT OF AGREEMENT between JAMES STEWART, Captain of Doune Castle, and WILLIAM EDMONSTONE of Duntreath.—23d September 1528.

IN Dei nomine, amen. Per hoc presens publicum instrumentum cunctis pateat euidenter et sit notum, quod anno Dominice Incarnacionis Millesimo quingentesimo vigesimo octauo, mensis vero Septembris die vigesima tertia, indiccione prima, pontificatus sanctissimi in Christo patris et domini nostri domini Clementis, diuina prouidencia Pape septimi, anno quinto, in serenissime et illustrissime principisse ac domine Margarete, Dei gracia, Scocie Regine meique notarii publici ac testium infrascriptorum presencia, personaliter constituti honorabiles viri, Jacobus Steward, Capitaneus de Down in Menteith, et Willelmus Edmenstoun de Duntreth, post factam et finitam concordiam inter prefatam serenissimam dominam Reginam, ac nobilem et generosum virum dominum Henricum Steward, dominum de Methvene, sue serenitatis carissimum coniugem, ab vna, et predictum Willelmum Edmenstoun ab altera

partibus, communicantes et colloquentes pro perpetua amicitia inter ipsos Jacobum Steward et Willelmum Edmenstoun habenda et tenenda; Idem Jacobus palam exposuit quod ipse Jacobus quamdam literam assedacionis certarum terrarum, quas idem Willelmus prius in assedacione habuit, infra Senescallatum de Menteith jacentium, per predictam serenissimam dominam Reginam sub sue serenitatis sigillo et subscriptione, necnon sub manuali subscriptione prefati sui coniugis, pro toto tempore vite ipsius Jacobi, desuper confectam, ac etiam vnam cartam concessionis et donacionis custodie castri de Down, cum certis terris eidem pertinentibus et in huiusmodi carta specificatis, vnam officio Senescallatus de Menteith, per supremum dominum nostrum regem modernum, cum expressis consensu et assensu prelibate serenissime domine Regine, sub magno sigillo regio, etiam pro toto tempore vite ipsius Jacobi Steward donatam et concessam, habet et possidet, in quibus idem Jacobus Steward benivolenciam et ratihabicionem prefati Willelmi Edmenstoun, qui huiusmodi terras, cum custodia castri et officio Senescallatus supraspecificatis, pro toto tempore vite sue prius habuit, instanter et amicaliter peciit. Quiquidam Willelmus Edmenstoun, ex deliberato animo ac suo proprio moto, vt apparuit, assedaciones terrarum, vna cum custodia castri de Down et officio Senescallatus de Menteith, in fanorem dicti Jacobi Steward, vt prefertur, donatas et concessas, affirmavit dicendo se esse bene contentum et placatum de eisdem. Vltorius idem Willelmus dictum Jacobum, tanquam specialem sibi amicum, ad manus humaniter recepit, amicitiam et fidem sibi Jacobo promittendo; Viceversa, ipse Jacobus dicto Willelmo legalitatem et amicitiam similiter promisit pro viribus hincinde mutuo duraturas. Super quibus omnibus et singulis prefatus Jacobus Steward, capitaneus antedictus, a me notario publico subscripto, sibi fieri peciit vnum seu plura publicum vel publica instrumentum aut instrumenta. Acta fuerunt hec infra predictum castrum de Down, hora septima post meridiem, vel eocirca, sub anno, die,

mense, indictione et pontificatu quibus supra, presentibus ibidem honorabilibus et discretis viris, Domino Waltero Steward, elimosinario predicte Domine Regine, Domino Thoma Zoungman, vicario de Pett, Dunblanensis diocesis, Johanne Edmenstoun, seniore, Bartholomeo Balfoure et Jacobo Dog, juniore, testibus ad premissa vocatis pariterque rogatis.

Et ego Alexander Turing, artium magister Abirdonensis diocesis, presbyter sacra apostolica auctoritate notarius publicus, etc. [*in forma communi*].

102. PRECEPT by MARGARET, QUEEN OF SCOTLAND, to summon WILLIAM EDMONSTONE of Duntreath, and other tenants, to her Bailie Court at Edinburgh.—[Edinburgh], 12th March 1529.

REGINA.

MARGARET, be the grace of God, [Quene] of Scotland, till our luffit Walter Dog, our mayr of fe within our lordschip of Menteth: Forsamekill as for certen materis we hef ado presen[t]ly wythin our said lordschip, this precept sein, ze sall pas til all paris kirkis wythin zour office and bowndis thairof, and in our name and behalf, and in the name of our darrest spous, Henry Lord of Methwen, and thair warin and charg all and sindry our tenentis, fewaris, and all vtheris heffand landis of ws in assedacion, wythin all the bowndis forsaid, till compeyr befor ws, our sp[ow]s or our balzeis, in our court to be haldin in Edinburgh, in the Tolbwtht of the sammin, vpon Setterday, the nynt day of Apryll nixt to cum; and atour, ze sall pas to Williem Edmeston of Duntreth, and personally warin the said Williem, or at his dwelling place within Mentethe, of Cammes Wallace, till compeyr befor ws or our balzeis the said day and place, and this ze do be opin proclamation at all the placis forsaidis, as ze will ansuer to ws thairvpon. Subscryuit wyth

our hand, togither wyth the subscripcion of our darrest spowis forsaid, and vnder our singnet the xii day of Merche, in the zeir of God m^ov^cxxix zeris.¹

MARGARET R. HENRY, LORD METHVEN.

103. PRECEPT OF REMOVING, directed by MARGARET, QUEEN OF SCOTLAND, against WILLIAM EDMONSTONE of Duntreath, and other tenants of her lands of Menteith.—Edinburgh, 12th March 1529.

MERGRET, Quene of Scotland, to oure louittis, Walter Dog, Androw Doin, oure officiaris in that part, coniunctlie and seueralie, specialie constitute, greting. We, with auisse and consent of oure derrest spous, Henry, Lord of Methven, chargis zow that incontinent this our precept sene, ze pas to the landis and housis of the Miltoun of Cammus, the Bra of Cammus, the Ward of Gudy, the Newtoun of Doun, Ballemorist, Cailzeboquhailze, Brokland, Cultentogill, Brigend, Wester Dowar, Grodicht, Achinherd, and the mark land of Glenman, liand in the lordschip of Menteth, within the sherefdome of Perth, pertenyng till ws in coniunct fee, and thair warn William Edmanstoun of Duntreth, and all vtheris intromettouris with our saidis landis or ony part thairof, to remoif thame and thair gudis thairfra at the nixt term of Witsonday, to be set, vsit, and disponit be ws, our chalmerlanis and factouris, with certification and thai do in the contraire, thai salbe haldin and repute violent possessouris, and to refund and pay till ws the profitis that we mycht haue of the saidis landis and thai war occupyit with our awin gudis, and this one na wyse ze laif one done, committand to zow, coniunctlie and seueralie, our full power thairto. Gevin vnder our signet, and subscriuit with our hand and with our said derrest spous, at Edinburgh, the xij day of Marche, the zere of God j^mv^c and twenty nyne zeris.²

MARGARET R. HENRY, LORD METHUEN.

¹ Two executions are indorsed, dated 20th and summons made in terms of the precept. and 21st March 1529, certifying proclamation ² The Queen's signet is still impressed.

104. DECREE OF THE LORDS OF COUNCIL, acquitting JAMES STEWART, Captain of Doune, from the Summons raised against him by WILLIAM EDMONSTONE of Duntreath.—Perth, 6th December 1530. [Extract.]

AT PERTH, the vj day of December, the zere of God j^mv^c and xxx zeris, the Lordis of Consale vnderwrittin, that is to say, ane maist reuerend and reuerend faderis in God, Gawyne Archibishop of Glasgw, Chancelar, Gawyne Bischop of Abirdene, Alexander Bischop of Murray, James Bischop of Ross, noble and mychtie Lordis, Williame Erle of Monthros, venerable faderis in God, Jhone Abbot of Jedburgh, Jhone Priour of Pettynweme, Patrik Lord Gray, Jhone Lord Forbes, Laurence Lord Oliphant, Alexander Lord Levingstoun, Williame Lord Ruthven, and Maister Richert Bothuile, Channoun of Glasgw, anent the summondis rasit at the instance of William Edmonstoun of Duntreith and James Edmonstoun, aganis James Steuart, capitane of Doune, and Bartilmo Balfour, for the wrangous, violent, and maisterfull spoliacioun, be thaim self, thair seruandis and complicis, in thair names, of thair causing, command, assistance and ratihabicioun, away takin and withholding fra the saidis William Edmonstoun and James Edmonstoun, in the moneth of Merche last bipast, of thir gudis pertening to thaim as thair awn propir gudis, and than being in thare possessioun, upon the landis vnderwrittin, that is to say, fra the saidis William Edmonstoun, out of the landis of Myltoun of Cammis of ij chaldir of aitis, and furth of the landis of Neutoun of Dovne xxiiij bollis of aitis, price of the boll with the fodir, x s.; and fra the said James Edmonstoun furth of the landis of the Bray of Cammis

Indorsed on the Precept are three executions 1529, they had passed to various places, and by the messengers above designed, certifying warned the tenants in terms of the precept. that on the 3d, 5th, and 6th days of April

of thre chalderis of aitis, price forsaid, as at mair lenth is contenit in the said summondis; the saidis James Steuart and William Edmonstoun beand personaly present, and the saidis James Edmonstoun comperand be the said William, and the said Bartilmo be Henry Lord Methven thair procuratoris, the Lordis of Counsale assolzeis the saidis James Steuart and Bartilmo Balfour fra the peticioun of the saidis William Edmonstoun and James Edmonstoun, and fra the said summondis as it is now libellit, and decernis them quyte thairof in tyme to cum, and lettrez to be direct heirapon. Extractum de libro actorum per me dominum Alexandrum Scott, deputatum reuerendi in Christo patris et domini Gavini episcopi Abirdonensis, clerici rotulorum registri ac consilii supremi Domini nostri Regis, sub meis signo et subscriptione manualibus.

ALEXANDER SCOTT.

105. AGREEMENT between JAMES STEWART, Captain of Doune, etc., and WILLIAM EDMONSTONE of Duntreath, settling the matters in dispute betwixt them, of date 9th November 1531.—[Extract dated Edinburgh, 1st February 1531.]

AT Edinburgh, the first day of Februar, the zeir of God j^mv^cxxxj zeris, in presens of the Lordis of Consell vndirwritin, that is to say, ane maist reuerand father in God, Gawane Archebishope of Glasgw, Chancelar, ane noble and mychty lord, Johne Erle of Leuenox, ane venerable father in God, James Abbot of Dryburgh, Robert Lord Levingstoun, Henry Lord Methven, Andro Lord Avandail, Maister George Lokhart, Provest of Creehtoun, comperit James Stewart, Stewart of Mentcitht, on that ane part, and William Edmestoun of Duntretht on that vther part, and gaif in this appointment

vndirwrittin, subscriuit with thair handis, and desirit the sam to be registrat in the bukis of Consell, and to haif the strenth and effect of the Lordis decrete; the quhilk desire the said Lordis thocht ressonable, and thairfor ordanis the sam to be insart in the bukis of Consell, and to haif the strenth and effect of thair decrete in tyme to cum, and ordanis lettres be direct to command and charge, compell and distrenze bayth the saidis parteis, for the fulfilling thairof in all pointtis as efferis, of the quhilk the tenour followis:—At Edinburgh, the x day of Nouember, the zere of God j^mv^cxxxj zcris, it is appointit and concordit betuix honorable men, that is to say, James Stewart of Menteitht, on that ane part, and William Edmenstoun of Duntretht, on that vther part, in maner, forme, and effect as efter followis; that is to say, for eschewing of pley, cost, and expenssis of baytht the saidis parteis anent the clame and rycht of the Stewartry of Menteitht and captaneschip of Dovne in Menteitht, clamit be the said James to pertene to hym heretable in fewferme, and clamit be the said William to pertene to hym be ressoun of gift, tak, and asse-datioun induring the lifytyme of our souerane lady the Quenis hienes, and for amite and kyndnes to be had amangis the saidis parteis in tyme to cum, it is finale aggreit betuix the saidis parteis of thair fre motive willis, oncompellit or coactit, that the said James Stewart sall, betuix the dait herof and the feist of the Natiuite, callit Zuile, nixt thereafter followand, resigne in our souerane lordis the Kingis handis thir landis vnderwrittin; that is to say, all and haile the five pundis worth of land of the Bray of Cambus, the five lib. worth of land of the Mylton of Cambus, with the mylne of the samin, the tane half of the landis of Brokland Estir, extending to five merkis wortht of land quhilk Ewin Mackvaa now occupiis, four merkis wortht of land callit Balle-morist, fourty shillingis wortht of land of Calzeboquhalze, the xl s. wortht of land of the Ward of Gudy, extending in the haile to xx^{ti} pundis worth of land of ald extent, with ther pertinentis, liand within the stewartre

of Menteytht and sherefdome of Perth, in fauouris of the said William Edmestoun of Duntretht, his airis and assignayis, and sall optene and get to the said William ane signatour apoun the donatioun and gift of the foimamyt landis, to be gevin to him, his airis and assignayis, heretablic in fewferme, with the consent of our souerane lady the Quenis grace, life-rentar of the saidis landis, in the best forme the said William can devise, be men of vnderstanding, sic ovircom expenssis to be maid be the said William therapone. For the quhilk resignacioun and infestment to be to the said William, his airis and assignais, in the foirnemmit xx lib. wortht of lande, the said William sall renunce, quietclame, discharge, and ourgeve, for him, his airis and assignais, to the said James Stewart, his airis and assignais, all rycht, clame, titill of rycht, properte and possessioun and kindnes quhilk he or thai hes, had, or may haif in and to the Stewartre of Menteyth, captaneship of the castell of the sam, and thir landis vnderwritin pertening thairto; that is to say, the Castell of Dovne in Menteytht, the manis of the samyn callit Drumcampse and Calkerauche, the Kers of Cammis, the Newtown of Dovne, the Wester Argade, the x li. land of Frewis, the landis of Cultintogill, the Wester Brig and the landis of Grodeth, Dowart, Auchinhard, and the merkland of Glenmany, with the myll of Dovne, the erwis and fisching thairof, and keping of the forests and all vther landis, outsettis, stedis, proffittis quhatsumevir, als wele nocht nemmyt as nemmit, except the said twenty pund land abone expremit, incontinent efter the said William obtene the said signatour apoun the said resignacioun befor the Lordis of Consell, and als sall caus Archibald Edmeston his brother in lik maner renunce his rycht, kindnes, and clame for him, his airis and assignais, of the samin befor the Lordis of Consell, at the samin tyme as is abone expremyt; and the said William and Archibald sall neuer mak persute nor clame thairto, nor molest, inquit, nor tribill the said James, his airis, assignais,

subtenentis, nor factouris in the peceable broukin of the said stewartre, captaneschip, and landis pertaining thairto, except before expremit exceptit : Alsua it is apontit that the said William, with his kin, freindis, allia, men, tenentes, and seruandis, sall tak ane vprycht plane part with Henry, Lord Methven, the said James his brother, in all and syndry thair actiouns, caussis, querelles, lefull and honest, movit or to be movit, aganis quhatsumevir persone or personis, his allegance to our souerane lord the King, our lady the Quenis grace, and his ourlord alanerlie exceptit ; and in lik maner the said James sall caus the said lord his brouder and himself, with thair kyn, freindis, allia, tenentes, and seruandis, to tak ane vprycht plane part with the said William in all and syndry his actions, causis, and querellis, lefull and honest, movit or to be movit, aganis quhatsumeuer person or personis, thair allegians to our souerane lord the Quenis grace alanerlie exceptit. And attour, the said William, with his freindis, allia, tennentes, sall pas with the said lord and James, and remane with thaim, or ony ane of thame, in tyme of were, thai doand to the said William siklik as vther frendis will do to hym thairfor ; and mairatour, the said James, his airis, assignais, factouris, nor seruandis, sall mak na impediment, stop, nor distrubulans to the said William, his airis, assignais, factouris, nor tennentes, in the peceable bruikin and occupying of the said xx li. land, nor clame no maner of rycht nor titill thairto be na maner of way in tyme cuning : And als the said James sall optene and get of our said souerane lady the Quenis hienes and Henry, Lord Methven, hir spous, ane letter of quietclame and discharge vnder thair hande writtis, dischargeand the said William Edmestoun, his airis, executouris, and assignais, pleges, and souertes of all soymes of money, fermes, males, proffittis, dewites, gersums, mertis siluir, that hir hienes may ask or clame at him or thaim be ony maner of way before the dait herof, be ressoun of contractis, bandis, actis, decretis, souerte, or ony maner of way quhatsumevir, and in the best and

sickerest forme can be devisit, and this acquittance to be deliuerit to the said William at the ourgevin and renuneiaeioun of his ryeht of the premissis. Item, the said William Edmestoun, at the request of the said James Stewart sall geif his letter of quietelame and discharge to Patrik Stewart in Glenbukky, of all gudis and sovmes of money that he hes recouerit apoun him befor the Lordis of our souerane lordis Consell, the said Patrik gevand to the said William, James Edmestoun his evsing, and thair parttakaris, ane letter of quietelame and discharge of all gudis quhatsumevir takin by thaim fra him befor the dait of thir presentis, and gif the said William or ony otheris that he may latt invadis the said James Stewart in his persoun, his kyn, freindis, and seruandis, and molestis thaim in broukin the forsaid stewartre and captanere, and landis pertenaund thairto, except the said xx li. land, than in that caise the said William faythfullie bindis and oblissis him to resigne and ourgeve the saidis landis agane in the handis of our said souerane lord in fauour of the said James Stewart, for his heretable infestment to be had thairintill, the fault beand notourlie knawin be the law; and in like maner the said James faythfullie bindis and oblissis him nocht [to] invaid the said William in his persoun, kyn, freindis, nor seruandis, nor molest thaim in the broukin the said xx li. land be na maner of way in tyme to cum. And als ilk ane of the saidis parteis sall releif otheris, at the handis of quhatsumeuier thair tennentes and freindis that hes sustenit ony dampnage throucht the persute and materis of deid betuix thaim, throw thair causing, assestans or ratihabitoun in ony maner of way befor the dait herof, and that the said William hes maid na assignais to haue entres anent the premissis be ony mauer of way, except his ryeht now maid to the said James, quhilkis he sall warand: And quhilkis of the forsaid parteis that failzeis heirintill sall content and pay to the party abidand heirat and fulfilland the samin, the sovme of tua thowsand pundis Scottis in the burgh of Edinburgh, within xx dayis

nixt efter the brek of this contract and appointment, or ony pointt or part thairof, contrare the tennour and effect abonewrittin be maid knawin, but ony langar delay, cauillatioun, fraude, or gyle : And to the observing, keping, and fulfilling of this present contract and appointment, and euery point and part thairof, lelely and trewlic to be obseruit and fulfillit in maner as said is, athir party ar bundin, oblist, and suorne, ilkane to otheris, be the faithtis and trewthis in thare bodeis, the Euangelis tuichit, and sall consent that the samin be registerit in the bukis of our souerane lordis Counsell, havand the strentht of ane decrete and act thairof, with lettres executorialis to be decernit thair apone but mair proces, and this contract to be extendit with all clausis necessar concernyng the premissis, as men of law and vnderstanding can devise anent the sicker infestment to be maid to the said William, his airis and assignais, in the said xx ii. land, and renunciatioun of his rycht and clame to the said stewartre, captaneschip, and landis pertenant thairto, as said is, to the said James Stewart. In witnes herof, baytlt the saidis parteis hes subscriuit this contract with thair handis, at day, zeir, and place forsaid, before thir witnes, Maister Johne Dingwall, prothnotar apostolik, provest of the Trinite Collage beside Edinburgh; William Scot, sone and apperand air to William Scott of Balwery, knyecht; Sir Thomas Zongman, Maister James Fogo, Andro Edmestoun, Sir Thomas Rannaldston, Johne Stewart, Johne Maknell, Maister William Meldrum, and Alexander Maknell, publicc notaris, with vtheris diuers. Extractum de libro actorum per me Gavinum episcopum Abirdonensem, clericum rotulorum registri ac consilii supremi domini nostri Regis, sub meis signo et subscriptione manualibus.¹

GAVINUS DUNBAR.

¹ A Memorandum appended to the original Extract states that the date of William Edmonstone's sasine was 8th February 1531.

106. CONSENT to the foregoing Agreement by ARCHIBALD EDMONSTONE, brother of William Edmonstone of Duntreath.—Edinburgh, 9th February 1531. [Extract.]

AT EDINBURGH, the nynt day of Februar, the zeir of God j^m[v^c] xxxj zeiris, in presens of the Lordis of Counsale vnderwritin, that is to say, ane maist reuerend and reuerend faderis in God, Gawyne Archebischop of Glasgw, Chancelar, George Bischop of Dunkeld, Henrie Bischop of Galloway, James Bischop of Ros, venerable faderis in God, Robert Abbot of Kynlos, Alexander Abbot of Cambuskynneth, Walter Lord Sanct Jhonis, Schirs Thomas Erskyne of Haltoun, William Scott of Balwerie, knychtis, Schir Johne Dingwell, Provest of the Trinite College, Maister Rechert Bothuile, persoun of Askirk, Maister Henrie Quhit, dene of Breichin, Maister Adam Ottirburn of Auldhame, Thomas Scott of Petgorno, Maister James Lawsoun, and Maister Francis Boithuile, burgessis of Edinburgh, comperit Archibald Edmestoun, brothir to Williame Edmestoun of Duntreyth, and thair, according to the band, appunctuament, and finale aggreance made betuix the said Williame and James Stewart, capitane of Dovne, and to all the punctis and articulis contenit thairin, hes realie gevin our all rychtis and kyndnes that he hes or had to the office of stewartrie, capitaneschip, landis, takkis, stedingis contenit in the said contract and appunctuament, in fauour of the said James, to be broikit be him in tyme cuming, efter the forme of the said decret; apone the quhilk the said James Stewart askit instrumentis. *Extractum de libro actorum per me Magistrum Jacobum Makgill de Nethir Rankelour, clericum rotulorum registri et consilii supremi domini nostri Regis, et regine, sub meis signo et subscriptione manualibus.*

JACOBUS MAKGILL.

107. COMMISSION by ARCHIBALD, FIFTH EARL OF ARGYLL, to JOHN GRAHAM, FOURTH EARL OF MENTEITH, and JAMES STEWART, Steward of Menteith, as his Deputies in the earldom and lordship of Menteith, for the pursuit of the Clangregor, etc.—26th March 1564.

BE IT KEND till all men be thir present lettres, ws, Archibald, Erle of Ergill, Lord Campbell in Lorne, etc., havand full commissioun and power of oure souerane lady to conuocat and assemble hir Gracis leigis duelland within the boundis of the sherefdomes of Ergill, Torbart, Dumbartane, but the stewartrie, erldome, and haill cuntrie of Menteyth, the landis and cuntries of Breidalben, Bouchquhidder, and samekle of the sherefdom of Striueling as lyis be west Buchquhin, or ony part of the saidis cuntries, sa oft and that quhatsumever place or places as we sall think expedient, for sercheng, taking, and apprehending of the Clengregour rebellis and malefactouris, quhairver thai can be apprehendit within the boundis foirsaidis, or forthir as occatioun sall occur, as at mair lenth is contenit in oure souerane ladyis commissioun grantit to ws thairvpoun, of the dait, at Perth, the xvij day of Merche, the zeir of God j^mv^elxiii zeiris, to haue maid, constitute, and ordanit, and be the tennour heirof makis, constitutis, and ordanis oure weilbelouittis counsing and brothir, Johne, Erle of Menteyth, and James, Commendatare of Sanct Come, Stewart of Menteyth, oure deputis in that part, coniunctlie and seueralie, gevand, grantand, and committand to oure saidis deputis and ilk ane of thame, coniunctlie and seueralie, our full power to direct chargis and commandimentis to the inhabitaris of the stewartrie, erldome, and haill cuntrie of Menteyth, als wele of landis partening to the Lairdis of Glennegyis, Merchistoun, and vtheris within the boundis thairof annexit to the sherefdomes of Dumbartane or Perth, and of Bouchquhidder, or ony part within the saidis cuntries, to quhatsumevir parsones or parsonis the saidis landis

partenis, to convene the inhabitaris thairof sa oft and that quhatsumever places as thai sall think expedient, for sercheng of the Clengregour and thair resistaris, rebellis and malefactouris, quhairver thai may be apprehendit within the boundis foirsaidis, and forthir as occatioun shall occur, to be brocht to the Justice or his deputis to be punist for thair demeritis, and falzeing thairof, to parsew thame vntill thai be expellit furtht of the saidis boundis ; and in caise thai or ony of thame recist or pas to strenthis and keip the samin, that oure saidis deputis and thair cumpanyis raise fyre and vse all kynd of hostilitie aganis the saidis rebellis, for thair apprehending. Quhairfore we command and charge all and sindrie our souerane ladyis leigis, on hir Gracis name and ouris, duelland within the boundis foirsaidis, to reddelie ansuer, attend, and obey to oure saidis deputis in that part, to pas foirdwart with thame or ony of thame, for sercheng and apprehending of the saidis rebellis, thair assistaris and resettaris, and to vse thair directioun as sall be thocht maist conuenient to the effect foirsaid : Certefing the parsonis sua to be warnit be oure saidis deputis, or thame havand thair poweris within the boundis foirsaidis, and nocht passand fordwart to the freyis, or quhan the saidis rebellis resortis within thair saidis boundis, and schawis nocht thair reddy seruice and exact deligence in thair behalfis to the contentatioun of oure saidis deputis or ony of thame, at thai sall be reput and haldin as plane parttakaris and assistaris with the saidis rebellis in thair rebelloun, and salbe callit and parsewit thairfore at particulare diettis, and punist for the samin, conforme to the lawis of this realme. And forthir gevis all power to oure saidis deputis, or ony of thame, to the effect abonewrittin, als frelie as we haue of oure souerane lady in all poyntis. Be thir presentis, subscriuit with oure hand, oure signet is affixit, at Striueling, the xxvj day of Merche, the zeir of God j^mv^clxiiiij zeiris.

A. E. ERGILL.

108. DISCHARGE by MARY, QUEEN OF SCOTS, to JAMES STEWART, Steward of Menteith, of the rents of certain of the lands of the Stewartry, and of the overdue thirds of the benefice of St. Colme.—9th April 1567.

REGINA.

Ws, in part of recompensatioun of the expensis maid be our louit familiare seruitour, James Stewart of Downe, knycht, our Steward of Menteyth, in our seruice and particulare effairis within the partis of France, and als in reperrelling of our castell of Down in Menteyth and the necessaris thairof, to haue gevin, grantit, assignit, and disponit, and be the tennour heirof gevis, grantis, assignis, and disponis to the said James the few mailis and fermes of the landis of Coldochis, Kep, Ardfinlay, miln and miln landis of Cessintully pertening to Paule Dog, the few mailis of Dewchray, the sex mark land of Maccorenstoun, the sex mark land of Boghall, the tua mark land of Maccristoun, the twa mark land of Westerbrigend, the sax mark land of Achinhard, the foure mark land of Portnellen, Dulater, and Terndown, pertening to the Lard of Burley, with thair pertenantis, all lyand within our lordschip of Menteyth and Stewartrie thairof, pertening to ws as ane part of the patrimony of our crowne, of the termes and zeiris of God j^mv^{cl}x, lxj, lxij, lxiiij, lxv, lxvj, and of the Witsounday terme in the lxvij zeiris, and remittis, dischargis, and renuncis to the said James, and all actioun and cause that we or our successouris hes, had, or ony wyse may haue, ask, clame, or intent be ws, oure aduocatis or comptrollaris in oure name, aganis him, his airis or assignais, thairfore in ony tymes cuming, and all comptis and payment to be maid be him, his airis or assignais thairof to ws, oure successouris or comptrollaris, and chalmerlanis in oure name, in ony tymes cuming, and also dischargis oure saidis comptrollaris, aduocatis, chalmerlanis, and vtheris oure officiaris quhatsumever of all asking, craving, poynding, and distrenzeing of the said James,

his airis or assignais, his or thair gudis and geir, for the saidis few mailis and fermes of the landis and miln foirsaidis, of the zeiris and termes abone specifyit, dischargeing thame thairof and of thair offices in that part for euer. And als we command and chargis the auditouris of oure chekker and of the said James comptis, to defalk and allow to him the saidis few mailis and fermes of the landis foirsaidis in his comptis, this our writting being productit and registrat as efferis for the said James werrand and discharge. And attour, we be thir presentis remittis, dischergis, and forgevis to the said James the thrid of his benefice of Sanctcolmis Inche of all zeiris and termes bigane restand vnpayit befor the day of the dait heirof, and siclyke of all zeiris and termes to cum during oure will, and ay and quhill we revoik and discharge the samin in speciale. Be thir presentis, subscriuit be ws at Edinburgh, the ix day of April, the zeir of God I^mv^clxvij zeiris, and of oure regne the xxv zeir.

MARIE R.

109. MISSIVE LETTER by KING JAMES THE SIXTH and JOHN, EARL OF MAR, Regent, to warn JAMES STEWART, Captain of Doune Castle, to produce Duncan Makalester before the Regent and Privy Council, under pain of rebellion.—25th December 1571.

JAMES, be the grace of God, King of Scottis, to oure louittis
 messingeris, oure Shereffis in that part, coniunctlie
 and seueralie, specialie constitute, greting. Oure will is, and for certane
 ressonable caussis and considerationis moving ws and oure richt traist
 cousing, Johnne, Erle of Mar, Lord Erskin, Regent to ws, oure realme and
 liegis, and we charge zow straitlie, and commandis, that incontinent thir
 oure lettres sene, ze pas, and in oure name and auctoritie command and
 charge Sir James Stewart of Down, knycht, our Stewart of Menteith, to

enter and present Duncan Makalestir, takin and in the handes of oure said Stewart, for recent murther and vtheris odious crymes committit be him, befor oure said Regent and Lordis of oure Secreit Counsale at Striuling, or quhair it sal happin thame to be for the tyme, vpoun the secund day nixt efter oure said Stewart be chargeit be zow thairto, to the effect that the said Duncane may be examinat, and inquirit vpoun certane poyntis tending to the commoun weill and obedience of oure realme, and gif oure said Stewart failzeis thairin, the said secund day being bipast, that ze incontinent thairefter denunce him oure rebell, and put him to oure horne, and eschaet and inbring all his movable guidis to oure vse for his contemptioun, as ze will ansuer to ws thairupoun. The quhilk to do we commit to zow coniunctlie and seueralie oure full power be thir our lettres, deliuering thame be zow dewlie execute and indorsate agane to the berair. Gevin vnder oure signet, and subscriuit be oure said cousing and Regent, at Striuling, the xxv day of December, and of oure reign the fift zeir, 1571.

JHON, REGENT.

110. WARRANT by KING JAMES THE SIXTH and JOHN, EARL OF MAR, Regent, to JAMES STEWART, Captain of Doune Castle, for committing to ward Sir Walter Scott of Branxholme.—26th February 1571-2.

REX.

CAPITAINE, constable, and kepars of our castell of Doun in Menteith, we greit zow weill. It is our will, and with auise and consent of our richt traist cousing, Johnne, Erle of Mar, Lo1d Erskin, Regent to ws, our realme and liegis, we charge zow that incontinent efter the sicht heirof ze resaue in ward within our said castell Sir Walter Scott of Branxhelme, knycht, thair to remane vpoun his awin expensis ay and quhill he be fred and releuit be ws

and our said regent in our name, as ze will ansuer to ws thairupoun, kepand thir presentis for zour warrand. Subscriuit be our said cousing and Regent, at Leyth, the xxvj day of Februar, and of our reign the fyft zeir, 1571.

JHON, REGENT.

111. WARRANT by KING JAMES THE SIXTH and JOHN, EARL OF MAR, Regent, to JAMES STEWART, Captain of Doune Castle, dispensing with the warding of Sir Walter Scott of Branxholme in the Castle, and committing him to Rossyth Castle.—3d March 1571.

REX.

WE, be the tennour heirop, with auise and consent of our richt traist cousing, Johnne, Erle of Mar, Lord Erskin, Regent to ws, our realme and liegis, dispensis with the ward appointed to Sir Walter Scott of Branxhelme, knyght, to enter within our castell of Doun in Menteith, betuix and this present thrid day of Marche, transferrand his said ward to be within the castell and fortalice of Rossyth, within the quhilk we will him to enter betuix and the fyft day of Marche instant at nycht, admittand his remaning within the said castell and fortalice of Rossythe als lauchfull in all respectis as gif the said Sir Walter had enterit within the space before appointit in our said castell of Doun in Menteith; prouiding alwayes that his souirteis stand oblist for him as afoir for his entering and not eschaping, and that this our dispensatioun on na wyse preiuge the band and obligatioun of his saidis cautionaris, bot the samyn to stand in effect as of before. Geven vnder our signet, and subscriuit be our said cousing and Regent, at Leith, the thrid day of Marche, and of our reign the fyft zeir, 1571.

JHON, REGENT.

112. WARRANT by JOHN, EARL OF MAR, Regent, to the CAPTAIN OF DOUNE CASTLE, to liberate James Kincaid, elder of that Ilk, warded in the Castle.—1571.

CAPITANE, constable, and keiparis of the castell of Dovne in Menteith, ze sall incontinent eftir the sicht heirof releif, freith, and put to libertie our louit James Kincaid, elder of that Ilk, furth of the said castell, quhairin he is detenit at our command captiue be zow, to pas in ony part of this realme at his plesour; takand alwais sufficient caution and souertie of him for his entre agane to zow the said Capitane, vpoun fyftene dayis warning, ze being chargit be ws to that effect, keipand thir presentis for zour warrand. Subscriuit with our hand at the day of 1571.

JHON, REGENT.

113. WARRANT by KING JAMES THE SIXTH to the CAPTAIN of DOUNE CASTLE, to liberate Sir Walter Scott of Branxholm.—Stirling, 7th July 1572.

REX.

CAPITAINE, constable, and keparis of our castell of Doun in Menteyth, it is our will, and we command zow, with auise and consent of our richt traist cousing, Johnne, Erle of Mar, Lord Erskine, Regent to ws, our realme and liegis, that incontinent efter the sicht heirof, ze lett to libertie and fredome furth of our said castell Schir Walter Scott of Branxhelme, knycht, and suffer him depart hame at his plesour; as alsua ressaue agane the said Schir Walter within the said castell, quhen he sall offer himself thairto, as ze will ansuer to ws thair-upoun, keband this write for zour warrand. Subscriuit be our said cousing and Regent, at Striueling, the vij day of July, and of our reign the fyft zeir, 1572.

JHON, REGENT.

114. LETTERS by KING JAMES THE SIXTH to the STEWART OF MENTEITH, to compel the tenants of the lordship to carry slates from the Hewch in Menteith to Stirling Castle, for making the same water-tight, etc.—
Dalkeith, 24th July 1574.

JAMES, be the grace of God, King of Scottis, to oure Stewart of Menteith and his deputies, greting : Forsamekle as our richt traist cousing, James, Erll of Mortoun, Lord of Dalkeith, Regent to ws, oure realme and liegis, directit to zow his effectuus missiue lettrez to caus our tennentis within oure Stewartrie of Menteith transport sum skailze fra the Hewch in Menteith to our castell of Striueling, for beating and making of the same wattertight, according to the quhilk, albeit ze haue chargeit oure saidis tennentis, zit as we ar informit thay haue contempnandlie dissobeyit, to the great hinder and stay of the beating of our said castell, quhair oure awin persoun remanis, and evill exemple of vtheris to commit the like attemptat heirefter : Our will is heirfore, and we charge zow straitlie and commandis that, incontinent thir oure lettrez sene, ze caus and compell all and sindrie our tenentis within oure said Stewartrie of Menteith, ilkane for thair awin partes, according to the quantitie of our landis possessit and occupiit be thame, according to the stent row to be maid be zow thairaneut, to cary the said skailze fra the Hewch to oure said castell of Striueling, within xlvij houris nixt efter they be chargeit be zow thairto, vnder the pane of xx s. for ilk horse that beis absent or that transportis not the full nowmer be zow appointit, and gif thay failze thairin, that ze incontinent thairefter arreist, apprise, compell, poind, and distrinze the reddiest guidis and geir of the persoun dissobeyand, to the avale and quantitie of the said sowme of xx s. for ilk horse that beis absent, or that deliueris not the skailze at the place and within the space be zow appointit ; and with the

money sua to be vplifted be zow, we will zow to fee vtheris horse, and thairwith to caus transport the said skailze, sa as thair be na delay nor inlaik thairin, as ze will ansuer vpoun zour obedience at zoure vttermaist charge and perrell; the quhilk to do we commit to zow, coniunctlie and seueralie, our full pouer be thir our lettrez, delinering thame be zow dewly execute and indorsat agane to the berar. Gevin vnder oure signet, and subscriuit be our said cousing and Regent, at Dalkeith, the xxiiij day of Julij, and of our reigne the sevint zeir, 1574.

JAMES, REGENT.

115. MISSIVE by KING JAMES THE SIXTH to the FEUARS AND TENANTS OF THE LORDSHIP OF MENTEITH, to withhold the rents, etc., until a Chamberlain was appointed.—29th May 1575.

JAMES, be the grace of God, King of Scottis, to our louittis, Thomas Wallace, messinger, messingeris, oure Shereffis in that pairt, coniunctlie and seueralie, speciale constitute, greting. Forsamekle as it is vnderstand to ws and oure richt traist cousing, James, Erll of Mortoun, Lord of Dalkeith, Regent to ws, oure realme and liegis, that the compt of oure lordschip of Menteith, being a parte of the propirtie of oure croun, hes restit and lyne ower vnmaid or enterit in the rollis of oure Chekker of a lang tyme bigane, during the quhilk diuerse personis hes intromettit with and vptakin the maist pairt of the mailles, fermes, and deviteis of oure saidis landis and lordschip, without any sufficient commissioun, makand na compt thairof, and vther pairt hes still bene retenit in the handis of the tennentis and fewaris of the ground, to the greit hurt and preiudice of ws and oure progenitouris; and now we, and oure said Regent in oure name, being of will and mynd to reduce and bring agane oure saidis landis and lordschip of Menteyth in vse

of payment, compt, and reknyng zeirlie, with the remanent of oure propirtie in oure Chekker, hes thoct convenient that the mailles, fermes, and dewiteis thairof salbe arrestit in the fewaris and tennentis handis, ay and quhill it be sene and considerit quha and how mony clamis richt and enteres thairto, or pouer of chalmerlanrie, or to ony pairt of the same, and that othir the present commissionis and titillis being found valable, be allowit and admittit, or then new commissioun and directioun grantit to that effect. Oure will is heirfore, and with auisse of oure said cousing and Regent, we charge zow that incontinent thir our lettres sene, ze pas, and in oure name and auctorite fense and arreist all and sindry the mailles, fermes, proffitis, and dewiteis of oure saidis landis and lordschip of Menteyth, and vtheris land adiacent thairto, and quhilk hes bene in vse to be intromettit and comptit thairwith in tyme bigane, of the terme of Witsonday last bipast, in this instant zeir of God j^mv^e thre scoir fiftene zeiris, and siclyk zeirlie and termelie in tyme cuming, to remane vnder arreistment in the handis of the fewaris, tennentis, and possessouris, vniintromettit with be ony persoun or personis, ay and quhill the personis clamand rycht to the saidis mailles, fermes, and dewteis, or power of chalmerlanrie to the same or ony pairt thairof, present their titillis and commissionis befor ws and oure said Regent, to be sene and considerit gif the same be sufficient and allowable or not, to the effect that thairvpoun certane ordour and directioun may be sett out, and gevin towart the vptaking of the mailles, fermes, proffitis, and dewiteis of the saidis landis and lordschip of the said terme of Witsonday bipast and in tyme cuming, to oure maist proffite and commoditie, and how the same salbe maid compt of zeirlie in oure Chekker; and that ze in oure name and auctoritie command and charge all and sindry oure fewaris, tennentis, and possessoris of oure saidis landis, to retene and keip thair saidis mailles, fermes, proffitis, and dewiteis of the terme of Witsonday foirsaid and in tyme cuming in thair awin handis, and on

nawyse deliuer the same to ony persoun or personis not having thair richt and power allowit, or newlie grauntit be ws and oure said Regent, efter the dait heirop, vnder the pane of payment of the same ouer agane: Certefeing thame and thay do in the contrair, thay salbe compellit to mak double payment thairof according to iustice, as ze will ansuer to ws thairvpoun. The quhilk to do we commit to zow, coniunctlie and seueralie, oure full power be thir oure lettres, deliuering thame be zow deulie execute and indorsate agane to the beirare. Gevin vnder oure signet, and subscriuit be oure said cousing and Regent, at Halyrud Hous, the xxix day of May, and of oure reignne the aucht zeir, 1575.

JAMES, REGENT.

116. WARRANT by KING JAMES THE SIXTH, for committing John Livingstone, younger of Donypace, into ward within the Castle of Doune. —Dalkeith, 21st December 1577.

REX.

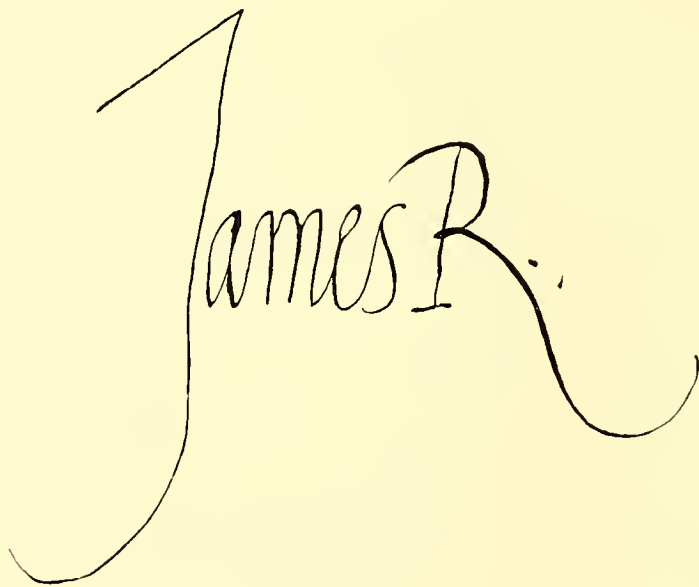
CAPITANE, constabill, and keparis of the castell of Downe in Menteith, it is our will, and with auise of our rycht traist cousing, James, Erl of Mortoun, Lord of Dalkeyth, Regent to ws, our realme and lieges, we command zow that incontinent eftir the sicht heirop, ze ressaue Johnne Levingstoun, zoungar of Donypace, in ward within our said castell, and thairin keip him suirlye, vpoun his awin expenss, ay and quhill he be releuit be ws and our said Regent, as ze will ansuer thairupoun, kepand thir presentis for zour warrand. Gevin under our signet, and subscriuit be our said cousing and Regent, at Halyruidhous, the xxi day of December, and of our regne the ellevint zeir, 1577.

JAMES, REGENT.

117. ORDER by KING JAMES THE SIXTH for the liberation of Archibald Stewart, Provost of Edinburgh, from Doune Castle.—Stirling, 14th August 1578.

REX.

CAPITANE and kepares of oure castell of Downe in Menteith, we greit zow weill. It is oure will, and we command zow that incontinent efter the sicht heirof ze lett oure lout, Archebald Stewart, prouest of oure burgh of Edinburgh, to libertie furth of oure said castell, and this present salbe zoure warrand. Subscriuit with oure hand at oure castell of Striueling, the fouretene day of August 1578.

A large, elegant handwritten signature in black ink, reading "James R.". The letter "J" is particularly large and stylized, with a long vertical stroke that curves at the bottom. The "R" is also large and features a prominent, sweeping tail that extends to the right.

118. WARRANT by KING JAMES THE SIXTH to the CAPTAIN OF DOUNE CASTLE, to receive in ward Will Elliot, a Borderer.—Stirling, 25th April 1579.

REX.

CAPITANE, constable, and keparis of oure castell of Doun in Menteyth, we greit zow hertlie weill. Being moved with the mony and oft supplicationis of our nobilitie, baronis, and gentlemen heirtofoir burdynnit with the keping of the plegeis and brokin men retenit for the gude rule on the bordouris, we haue at last concludit that sa mony as ar zit in handes salbe destributit and keptit in our awin houssis, and in this distributioun we haue appointit thrie for zow, to be keptit in that our castell of Doun in Menteith: Quhairfoir it is our will, and we command zow that incontinent efter the sicht heirof ye ressaue Will Ellott, sone to the eldare Tod, being ane of the saidis thrie, fra Laurence Lord Oliphant, or sic as sall present him vnto zow in his name, and keip him suirle vpoun his awin expensis, ay and quhill he be fred and releuit be ws, as ze will ansuer to ws thairupoun, keband thir presentis for zour warrand. Gevin vnder our signet, and subscryuit with our hand, at our castell of Striuling, the xxv day of Aprile, and of our reigne the twelft zeir, 1579.

JAMES R.

Leuinax.

C. E. Eryll.

A. Hay.

119. WARRANT by KING JAMES THE SIXTH for committing John Forrest, burgess of Linlithgow, to ward in the Castle of Doune.—Stirling, 24th August 1579.

REX.

CAPITANE, constable, and kepars of our castell of Doun in Menteyth, we greit zow weill. It is our will, and with auisse of the Lordis of our Secrete

Counsale, we charge zow that ze ressaue in ward within our said castell, Johnne Forest, burges of Linlythgw, and keip him suirlye, vnsuffering ony to haif speche or acces to him without speciall warrand or commissioun of ws, and that vpoun his awin expensis, as ze will ansuer to ws thairupoun. Subscriuit with our hand at our castell of Strineling, the xxiiij day of August, and of our reign the xiiij zeir, 1579.

JAMES R.

Leuinax.

A. Cambuskyneth.

120. WARRANT by KING JAMES THE SIXTH for transferring John Elliot (a Borderer) from Doune Castle to the Tolbooth of Edinburgh.—Holyroodhouse, 19th November 1579.

REX.

CAPITANE, constabill, and keparis of our castell of Downe in Menteith, ze sall incontinent eftir the sicht [heirof] present and deliuer Johnne Elliot, sone to eldar Will, presentlie being in ward within our said castell, to the Prouest or Baillies of our burgh of Edinburgh, to be kept within thair tolbuith in tyme cuming according to our vther lettre, quhilk ze sall alsua deliuer to thame to that effect, as ze will ansuer to ws, kepannd thir presentis for zour warrand. Subscriuit with our hand at Haliruidhous, the xix day of Nouember, the zeir of God j^mv^elxxix zeris.

JAMES R.

Montroiss.

Bwchane.

121. ORDER by KING JAMES THE SIXTH to the CAPTAIN OF DOUNE, to set Hob Elliot, a Borderer, at liberty.—Holyroodhouse, 24th December 1579.

REX.

CAPITANE, constabill, and keparis of our castell of Downe in Menteith, it is oure will, and we command zow, that incontinent eftir the sicht heirof, ze put

to thair grit hurt and scaith, and sua ar vnable to withstand the attemptatis and iniurious interpryses of the saidis wickit personis. We haif thairfoir takin, and be thir our lettres takkis the saidis Duncane Stewart and Johnne Galbraith, and all and sindrie thair landis, levingis, rentis, possessionis, rowmes, heritagis, takkis, stedingis, maillis, teyndis, mylnis, biggingis, fischeingis, cornis, cattell, medowis, zairdis, orchardis, wyif, bairnis, kyn, freindis, men, tennentis, and seruandis, and all and sindrie thair gudis, movable and vnmovable, quhatsumeur, quahaireuir thai be within our realme, vnder our special protectioun, supplie, manteanance, saufgaird, and defence, to be vnhurt, vnharmit, vntroublit, or ony wyis molestit, be quhatsumeur persone or personis, within our realme. Oure will is heirfore, and we charge zow straitlie, and commandis that incontinent thir our lettres sene, ze pas to the mercat croces of our burrowis of Striueling and vthiris placeis neidfull, and thair, be oppin proclamatioun, in our name and auctorite, mak publicatioun of the premissis, commanding and chargeing all and sindry our liegis and subdittis that nane of thame tak vpoun hand to do or attempt ony thing tending to the violatioun of thir our lettres of protectioun, supplie, manteanance, and saufgaird, as thai and ilkane of thame will ansuer to ws vpoun thair obedience at thair vttermest charge and perrell, and vndir all hiest pane, cryme, charge, and offence that thai may commit and intrin aganis our Majestie in that behalf, as ze will ansuer to ws thairvpoun. The quhilk to do we commit to zow, coniunctlie and seueralie, our full power be thir our lettres, deliuering thame be zow deulie execute and indorsate agane to the berer. Gevin vnder our signet, and subscriuit with our hand, at our Palice of Halyrudehous, the xxij day of September, and of oure regne the xiiij zeir, 1580.

JAMES R.

Anguss.

C. E. Eryll.

123. WARRANT by KING JAMES THE SIXTH committing Laurence, Lord Oliphant, to ward in the Castle of Doune.—Holyroodhouse, 6th December 1580.

REX.

CAPITANE, constabill, and keparis of our castell of Downe in Menteith, it is oure will, and we command zow that incontinent eftir the sicht heirof ze ressaue in ward within our said castell, Laurence, Lord Oliphant, thairin to remane, and ane myle about the samyn, vpoun his awin expensis, ay and quhill he be fred be ws with auise of oure Counsale, as ze will ansuer to ws thairupoun, keband thir presentis for zour warrand. Subscriuit with our hand at Haliruidhous, the sext day of December, the zeir of God j^mv^c four scoir zeris.

Lenox.

Robert Stewart.

124. LETTERS by KING JAMES THE SIXTH discharging Malcolm Beg M^cFarlane from keeping of the Forest of Glenfinlas.—Holyroodhouse, 7th December 1580.

JAMES, be the grace of God, King of Scottis, to our louittis Thomas Wallace, messenger messengeris, our Schireffis in that pairt, coniunctlie and seueralie, speciallie constitute, greting: Forsamekill as it is vnderstand to ws and the Lordis of our Secreite Counsall that laitlie, vpoun the day of November last bypast, Malcum beg M^cFarlan in Lettir, vpoun sinister and wrang informatioun maid to ws, pruilie obtenit our vther letter, subscriwit with our hand without the advise of our Counsall, gewand and grantand to him the custodie and keping of our wod and forrest of Glenfinglas, with the deir being thairin, for aue certane space, as the samin at lenth proportis; and seing the samin, as we ar suirle informit, hes tendit and tendis altogidder to our greit hurt and lesioun, as alsua vnderstanding our traist cousing and counsallour, Sir James Stewart of Downe, knycht, and his predecessouris, ar and hes bein heretable infest in fewferme and heretage in the kepping of the said wod and forest, and hes bein in continewall possessioun thairof to this hour; and willing that our said traist cousing and counsallour be on na wyis hurt nor preiugeit in his richt and place of the said wod, bot rather forfeit and assistit thairin for his better and surer preseruatioun of the samin: Oure will is heirfoir, and we charge zow straitlie, and commandis, that incontinent thir our lettres sene ze pas, and in our name and auctoritie command and charge the said Malcum beg M^cfarlan, Andro M^cfarlan of that Ilk, and all vtheris pretendit keparis of our said wod and forest, to desist and ceis from all farther occupatioun, melling, keping, cutting, or intrometting with our said wod and forest, or ony pairt thairof, within xxiiij houris nixt efter thay be chargit be zow thairto, vnder the pane of rebellious and putting of thame to

our horne ; and gif thay failze thairin, the saidis xxiiij houris being bypast, that ze incontinent thairefter denunce the disobeyaris our rebellis, and put thame to our horne, and escheit and inbring all thair movabill gudes to our vse for thair contemptioun : And sielyk, that ze in our name and auctoritie pas to the mercat croces of our burrowis of Striuiling, Perth, parroche kirkis of Port, Kilmadok, and vtheris places neidfull, and thair, be oppin proclamatioun, inhibite, command, and charge all and sindrie our liegis and subditis quhome it effeiris, that thay nor nane of thame tak vpoun hand to do nor attempt ony thing in contrare the tennour of thir our lettres, nor to ansuer, obey, or acknowlege ony vther forester or kepar of our said wod nor our said traist cousing heretable fewar foirsaid, and his deputtis, under all hiest pane and charge that efter may follow ; certefeing thame and thay do in the contrare, thay salbe callit and puneist thairfoir with all rigour, as accordis of the law, conforme to iustice, as ze will ansuer to ws thairvpoun ; the quhilk to do we committ to zow, coniunctlie and seueralie, our full power be thir our lettres, deliuering thame be zow deulie execute and indorsate agane to the berar. Gevin vnder our signet, and subscriyvit with our hand at Halyrudehous, the vij day of December, and of our reignne the xiiij zeir, 1580. JAMES R.

Lenox.

C. E. Eryll.

125. ACCOUNT of Repairs on DOUNE CASTLE.—13th August 1581.

The Compt of the Reparatioune of the place of Downe, maid at the same be the ayce of Schir Robert Drummound of Carnok, knycht, his Maiesteis maister of wark, agrear withe all the warkmen, and subschryuit withe his hand, at the said place of Downe, the xiiij daye of August, the zeir of God ane thousand fyve hundreth four score ane zeiris.

In primis, to William Gibe, the quariour, dueland in Streueling, at the maister of warkis command, for the wyning of aucht score peice of

- allering in the Craig of Knokhill and Burnebank, for euerie peice
 wyunning xl d., extending to the sowm, xxvj li. xiiij s. iiij d.
- Item, for bringing hame of the said stanis, the quarrell being four myllis, for
 the hame bringing of euerie stane xl d., extending to the sowm foirsaid,
 xxvj li. xiiij s. iiij d.
- Item, for beiring of thame out of the quarrell, v li.
- Item, for broching of thame in the quarrell, that the hors mycht bring thame
 easier hame, for euerie peice vj d., extending to the sowm, vj li.
- Item, for viij chalder lyme, pryce of the chalder xxij s., extending to the
 sowm of ix li. xij s.
- Item, for thre hundreth laid of sand, pryce of led, wyunning, and leiding xij d.,
 extending, xvij li.
- Item, for the bot fraucht that brocht vp the lyme, vj li.
- Item, for the menis expensis that brocht the lyme, iij li.
- Item, gevin to Michell Ewing, maister measoune, quhais contract wes maid
 be the maister of wark, for the making of the grait tour of Downe
 wattirticht, and vther warkis quhilk is to be seen concerning the said
 tour heid, extending to the sowm of siluer, j^e li.
- Item, mair to the said Mychell four bollis malt, pryce of the boll viij merkis,
 quhilk extendis to xxj li. vj s. viij d.
- Item, mair, four bollis meill, pryce of the boll iiij li., extending, xvj li.
- Item, to xij seruandis to thair drink siluer, vj li.
- Item, to the wrychtis for sawing and vpputting of schaffalding, iiij li.
- Item, for the wyunning of ane thousand skailze, bownteyth and all, iiij li.
- Item, for fourte menis mait that led the skailze out of the Hiland xiiij myllis,
 to thair waxis, iiij li.
- Item, to the wrychtis for sawing of the lathe, and graithing of the rest of the
 tymmer to the tour heid, for the space of x dayis, extending, x li.

Item, for vij^c naillis, pryce of the hundreth v s., extending, xxxv s.

Item, for iiij pwnsiounes to be trie nailiis, euerie pwnsioune viij s., extending,
 xxxij s.

Item, for ane man to mak thame, viij dayis, euerie daye v s., summa, xl s.

Item, to Makquarren, sklaitter, for the theiking of tourheid, vj lib. xiiij s. iiij d.

Summa of the haill expenssis of the reparatioune of the tour heid,
 ij^cij^{xx}xvij lib. vj s.

Item, for rausing of sax score treis of the best tymmer of the wod of Down,
 quhilk extendis to xl d. the piece, summa, xx lib.

Item, for the hame leiding of thame to the place, with feit men and hors, prys
 of euerie trie xl d., summa xx lib.

The Compt of zour Maiesteis wod dyk, for biging thairof, quhilk
 extendis to four hundreth rud and thre score, quhilk is of thiknes
 in the grund v elnes, and of heicht thre elnes, of breid in the
 heid thre quarteris and ane half.

Item, four men to euerie rud biging, to euerie man xx d. the rud, extendis,
 vj s. viiiij d.

Item, the four hundreth rud biging, and four extendis, to the sowme of
 ij^c merkis ij merkis.

126. WARRANT BY KING JAMES THE SIXTH, committing Gilbert Dick, an
 Edinburgh Bailie, to ward in Doune Castle.—Stirling, 11th April
 1582.

REX.

CAPITANE, constable, and keiparis of our castell of Downe, we grete zou wele :
 It is our will, and we command zou, that incontinent eftir the sicht heirof ze

ressaue in ward within our said castell, Gilbert Dik, ane of the baillies of Edinburgh, thairin to remane vpoun his awin expensis ay and quhill he be fred and releuit be ws, as ze will ansuer to ws thairvpoun, keipand thir presentis for zour warrand. Subscriuit with our hand, at our castell of Striuling, the xj day of Aprile, and of our regnne the fifteint zeir, 1582.

JAMES R.

Lennox. Craufurd.

127. WARRANT BY KING JAMES THE SIXTH to JAMES STEWART, LORD DOUNE, for warding William Erskine, Commendator of Paisley, in the Castle of Doune.—Holyroodhouse, 3d December 1583.

REX.

JAMES, Lord of Dowin, we greit zou weill : Forsamekle as William Erskin, Commendatair of Paislay, is, at our commandiment, enterit in waird within the castell of Dowin, in Menteith, pertenyng to zou heretably, quhairin we mynd not that ze salbe subiect to keip any prisoneris or wardouris at zour perrell, and thairfore ze sall lett the said commendatair remane in fre waird within the said castell at his awin chargeis, and vpoun his awin dangier, in caise he sal happin to eschapp, quhilk sall na wyse be imput to zow for ony offence, dischargeing zow of the same for euir, be thir presentis, subscriuit with our hand at Halyruidhous, the thrid day of December, and of our reigne the xvij zeir, 1583.

JAMES R.

Rothes. J. L. Ogilvy.

128. WARRANT BY KING JAMES THE SIXTH to LORD DOUNE, Steward of Menteith, to compel the feuars of the lordship to repair the park wall of Doune.—Holyroodhouse, 20th May 1584.

REN.

STEUART OF MENTEYTH and your deputis, we greit zow weil : Forsamekle as it is vnderstand to ws and the Lordis of our Secretit Counsall that thair is ane greit part of our park dyk of Downe rwynous and fallin down to the ground, and will nocht fail to decay mair and mair to the apperand greit wraik and truble of our zoung growth within the samin, giff the samin be nocht preventit : And vnderstanding alsua that the fewaris of the said Stewartrie hes euir in all tymes bypast bene accustomit and in vse to big and beit ane part and quantitie of the said park dyk, quhen the samin wes decayit or fallin down, ewerie ane according to the mark landis thay possessit ; it is our will thairfore, and we command zow, that efter the sycht heirof ze caus and compell the fewaris and vtheris personis within our said Stewartrie that hes bene accustomit and in vse of before, to beit, big, and repair sic quantitie of our said park dyk now fallin down and decayit as thay haiff bene in vse to do of before, and to enter to the work thairof betuix the dait of thir presentis and the last day of Maij, and end and perfytt the samin betuix that and the last day of October nixt to cum, but funder delay ; and failzeing thairof, that ze vptak xij s and iiij d off ewerie mark land within the said Stewartrie fra the personis addattit to big vp the said park dyk, and employ the samin to that vse and effect, and giff neid beis that ze be your selffis and your officiaris poind, and distreinze the personis disobeyandis reddiest guidis and geir, for the said sowme of xij s and iiij d of ewerie mark land as is foresaid ; the quhilk to do I commit to zow my full plane power to pass, poind, and dis-

treinze thairfore as ze will ansuer to ws thairvpoun, kepaud thir presentis for zour warrand. Subscryuit with our hand at Haliruidhouse, the twenty day of Maij, and of our regnne the sevintene zeir, 1584.

JAMES R.

S. J. C., Comptrollar.¹

Sir Robert Meluill.

129. WARRANT by KING JAMES THE SIXTH, committing David Graham of Fintry to ward in the Castle of Doune.—Holyrood Palace, 20th May 1591.

RIGHT trest cousigne, we greit zou weil : It is our will, and we command zow, incontinent eftir the sicht heirof, ze ressaue Dauid Grahame off Fentra within our castell of Doun in wairde, and that ze kaip and detene him thair-intill honestlie, vpoun his awin expensis during oure will, as ze will ansuer to ws, vpoun zour obedience, perell, and dangeir, and thir presentis sall be zour varrand. Subscriuit with our hand, at our Palice of Haliruidhous, the xx of May 1591.

JAMES R.

J. T. Cancellarius.²

S. R. C. Secretarius.³

¹ Sir James Campbell of Ardkinglass.

² Sir John Maitland, Lord Thirlestane.

³ Sir Richard Cockburn of Clerkington.

II.—SIX JACOBITE LETTERS AT BLAIR-DRUMMOND.

130. KING JAMES THE EIGHTH (as claiming to be) to WILLIAM, MARQUIS OF TULLIBARDINE, afterwards called DUKE OF ATHOLE, concerning the proceedings of the King's supporters in Britain.

Rome, April 29, 1720.

It was a most sensible satisfaction to me to hear that you and your worthy companions were arrived in France after all the dangers and troubles you have gone thro' on my account. In the beggining of the year I writ a letter to your self and another to Clanranold and Lochiel, hoping they might then find you in France, so I shall not writ at present anew to them, but desire you will say to them all that is kind and gratefull in my name, as well as to Glenderule and to your brother in the first place, who is I suppose with you. I am truly concerned my circumstances do not allow me to send you such a supply as I could wish, but I have order'd General Dillon to giue you, and the gentlemen with you, what I am ashamed to name, desireing you to look at the good will and not at the gift, which is but too suitable to my present circumstances, tho' by farr inferior to your meritts.

Since the letter I writ to you in January affaires are much altered. I directed you then to go to Spain, but now I must retract that order, haueing reason to fear that it might be a journey in uain, that Kings circumstances not alloweing him to prouide for more of my subjects at this time, tho' his good will for me be allwayes the same, and the Duke of Ormonde, and with all regard and kindness at his court. After this you will not, I am sure, doubt of the satisfaction it would be to me to haue you near my person, but besides that I haue not realy wherewithall to pay the expences of so great a

journey, the affaires of Europe seem to be in a sort of a crisis, and in so odd a situation, that, till they haue taken some settled form, I should be loath to bring any who may be truely usefull on occasion into so remote a country. I think therefore that both you and your companions cannot do better then to repose yourselues for some time some where in France, where your usuall prudence will make you unnoticed, and where my orders and directions can allwayes reach you.

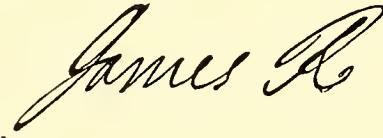
It is fitteing you should be informed that since my return into this country I haue receiued a great deal of uneasiness from seueral discontents and complaints, for which I could never find any solid foundation ; but uhateuer were the motiues of such proceedeings, it is certain my interest could not but suffer by them, since not only my own personal character was not spared, but euen a letter of mine uas falsified, and I made to write what I am not so much as capable of thinking. Such as wish me well cannot, it is true, be long imposed on by these stories, and it may be you may neuer here of them, but least you should, I was glad to preuent you on the subject, that you might be the better able to giue me on such occasions new proofes of that zeal and affection of which I haue already receiued so many proofes. If you come to Paris, General Dillon can inform you fully of such matters.

You will, I am sure, be sorry to find the Duke of Mar still in confinement. He hath had also his share in malicious reports and stories, but his character is too well established for such things to make any impression on men of sense, or who are acquainted with him. I cannot but hope the approcheing peace will restore him his liberty, the want I haue of him and my just kindness for him making me earnestly uish for his company and assistance again. In the meantime dureing his absence, your namesake, Mr. James Murray, acts in business.

Tho' our present situation be farr from agreable, yet wee haue not, I think,

the least reason to dispond. On the contrary, the present situation of Europe doth in some measure afford a pleaseing prospect for the future. It is with courage and patience wee must expect better dayes without letteing any disappointment slacken our endeauours in the support and pursuit of a just cause; and by being true to my sincere friends, and their being so to me, wee cannot fail at last, with God's blesseing, of getteing the better of all our enemies, whether secret or declared ones.

As for your own particular, I can assure you my confidence in your singular zeal and affection for me is such as they merit, and the deep sense I haue of them uill euer make me look upon you, and behaue towards you with that peculiar distinction and kindness you so justly deserue.



You uill, I am sure, be glad to know that the Queen is with child, and in perfect good health, as well as myself.

131. THE SAME TO THE SAME, thanking him for constancy and zeal in his service.

Rome, May 23, 1720.

THIS is only to couer the enclosed letters, which I desire you will deleuir, and which I send you open for your preuius perusall. Glenderrels letter to me required a more particular answer, and I was not long of haueing an occasion of expresseing myself in suitable terms in fauour of such as haue more particularly distinguished themselues in my seruice, and who deserue at

least good, and I am sure sincere words, till I can giue them better encouragement, not less necessary for my interest than their reuard. I look ou you to be in a particular manner of that number, and as one uho uill in all conjunctures loose no opportunity of promoteing the good of my seruice, and shall at all times be desirous to shew you that you haue in me a gratefull friend as well as a just and a good master.

JAMES R.

132. LORD GEORGE MURRAY, fifth son of John, first Duke of Athole, to his brother WILLIAM, called DUKE OF ATHOLE, with iustructions to meet Prince Charles, and to make Blair his headquarters.

Perth, 9 September 1745, Mouday, 10 fornoon.

DEAR BROTHER,—The Prince certainly marches tomorow, and for Gods sake, cause as many of the men as possible march for Dumblane, so to be there tomorow, being Teusday, or early on Wedensday. If you could be your self at Tullibardine to confer with His Royall Higness tomorow about midday, it would be of infinite consequence for the good of the cause; but if you cannot be there so soon, the Prince will leave his directions for you iu writeing, which will be to this efect:—He being to push forward with the utmost expedition, you are to act with a seperat body, and to quarter at Blair Castle. The Higlanders that his Hyghess is posetive will join you from the North and West, with the remender of your own men that you cannot get sent off with Lord Naim, etc., will soou be as stronger body then that which he crosses the Forth with. I reccon Strickland goes up to you. Your bagage and servant will be this day at Tullibardine. If you come there you will order it to Blair, and I have horse and cartes, etc., at your command. Perhaps you may soon be in a condition to come down and take up your

quarters here, especially if you hear that Cope imbarks for Leith. 100 bolls meall goes up to Dunkeld this moment; money, meall, etc., will be apointed for you as far as posible, but the particulars you will know at Tullibardine. Adieu.

Yours,

GEORGE MURRAY.

Pray keep Mr. N. Macglashen with you for despatches.

To His Grace the Duke of Atholl, at Blair Castle.

133. PRINCE CHARLES-EDWARD to WILLIAM, called DUKE OF ATHOLE, to hasten with all his men to him at Edinburgh.

Holyroodhouse, the 11 Octobre 1745.

MURRAY writ to you yesterday to press you in my name to com up with the utmost expedition with all your men. Dispatch now is so necessary by the favourable accounts I have got from England, that makes me repeat this to you in the strongest manner. As I intend to part next week for England, you wont fail to be here so as to go along with me; at the same time write to hesten those who are behind you, and to follow without wating for one another.

Adieu
Charles. P. R.

For the Duke of Athole.

134. WILLIAM, called DUKE OF ATHOLE, to PRINCE CHARLES-EDWARD.

Reply. [Draft.]

Dunkeld, 15 October 1745.

SIR,—Your Royal Highness gracious letter of the 11 instant, with express orders to immediatly join you with all the men I have been raising, according to orders under Secretary Murray's cover, came not to my hands till this evening. The letters being taken, but luckily retaken, occasioned the delay. The convoy under Captain Browns care, with arms, ammunition, etc., for your Royal Highness from his most Christian Majesty, arrived here last night. After the utmost endeavours it will be to-morrow night before all the men nessesary for bringing them up to your army can be got together; next morning I shall march them from hence with the utmost diligence can possibly advance the earnest desire I have of soon being able in person to receive your Royal Highness commands, and fully to let you know that nothing has been omitted could be useful towards the speedy advancing of King and country's service, being ever with the utmost attachment and zeal,

SIR,

Your Royal Highness most dutiful and most obedient subject and servant.

135. PRINCE CHARLES-EDWARD to WILLIAM, called DUKE OF ATHOLE,
pressing him to come at once to his assistance.

Bannockburn, January the 28th, 1746.

HAVING received repeated intelligence that the ennemy are again preparing to march towards us, this is to require of you to hasten up all the men you can possibly send me without a moments loss of time, for the thing presses, and will in all appearance decide the fate of Scotland.

Your sincere friend,

CHARLES, P. R.

For the Duke of Athol.

III.—CHARTERS AND MISCELLANEOUS PAPERS.

136. LETTER from WILLIAM FRASER, Bishop of St. Andrews, to KING EDWARD THE FIRST, regarding a rumour of the death of Queen Margaret, the Maid of Norway.—7th October 1290.

EXCELLENTISSIMO Principi et Domino reuerentissimo Domino Edwardo Dei gracia Regi Anglie, Domino Ybernie, et Duci Aquitanie illustrissimo, suis deuotus capellanus W. permissione diuina ecclesie Sancti Andree in Scocia minister humilis, salutem et felices ad vota successus, cum incremento glorie et honoris. Sicut in presencia vestra nuper extitit ordinatum, conuenerunt nuncii vestri, et nuncii Scocie qui fuerant vobis missi, necnon et aliqui proceres regni Scocie, apud Perth, dominica proxima post festum Beati Michaelis Archangeli, ad audiendum responsum vestrum super hiis que petita et tractata fuerunt per nuncios Scocie coram vobis: Quo responso vestro audito et intellecto, fideles proceres, et quedam pars communitatis regni Scocie, celcitudini vestre immensas referebant graciaram actiones. Predicti vero nuncii vestri et nos deinde versus partes Orcadie, ad tractandum cum nunciis Norwagie et ad recipiendum dominam nostram Reginam, gressus nostros aripere disposuimus, et ad hoc parauimus iter nostrum. Set insonuit in populo dolorosus rumor, quod dicta Domina nostra debuit esse mortua; propter quod regnum Scocie est turbatum, et communitas disperata. Audito eciam et publicato rumore predicto, Dominus Robertus de Brus, qui prius non intendebat venire ad congregacionem prenominatam, cum magna potencia, ad interpellacionem quorundam, ibidem venit; set quid intendit facere, vel qualiter operari adhuc ignoramus. Set Comites tamen de Marre et Atholie iam eorum exercitum demandarunt, et quidam alii magnates terre trahunt se

ad partem suam; et idcirco timetur de gerra communi et magna strage hominum, nisi Altissimus, per industriam et ministerium vestrum, festinum remedium apponat. Domini Episcopus Dunelmensis, Comes Warrennie, et nos audiimus postmodum quod Domina nostra predicta conualuit de infirmitate sua, set adhuc est debilis; et idcirco inter nos ordinauimus prope partes de Perth moram trahere, quousque per milites qui sunt in Orchadium missi, de statu ipsius Domine nostre (utinam prospero et felici!) certitudinem habeamus. Et si de ipsa optatos habuerimus rumores, quos de die in diem expectamus, ad partes illas, prout ordinatum est, parati erimus proficisci, ad perficiendum, pro posse nostro, negocium memoratum. Si Dominus Johannes de Balliolo venerit ad presenciam vestram, consulimus quod cum ipso tractare curetis, ita quod in omni euentu honor vester et commodum conseruentur. Si vero contingat Dominam nostram predictam ab hac luce migrasse (quod absit), dignetur, si placet vestre Excellencie, versus Marchiam, ad consolationem populi Scoticani, et ut effusioni sanguinis parcatur, appropinquare; ita quod fideles regni suum possunt sacramentum conseruare illesum, et illum perficere in regem qui de iure debeat hereditare; dum tamen ille vestro consilio voluerit aderere. Valeat Excellencia vestra per tempora diuturna, prosperum et felicem.

Datum apud Locris, die Sabati, in crastino Sancte Fidis Virginis, anno Domini M^oCC^o. nonogesimo.

Dorso: Domino Edwardo, Dei gracia Regi Anglie, Domino Ybernie, et Duci Aquitanie illustri, per Episcopum Sancti Andree in Scotia.¹

¹ Royal Letters, Public Record Office, London, No. 1302.

137. CONFIRMATION by JOHN, EARL OF CARRICK, ROBERT, EARL OF FIFE AND MENTEITH, and ALEXANDER, LORD OF BADENOCH, of a grant by their Father, KING ROBERT THE SECOND, to JOHN LYON, of the Thanage of Glamis.—7th January 1373.¹

VNIUERSIS ad quorum noticiam presentes litere peruenerint, Johannes, illustris Regis Scotie primogenitus, Comes de Carrik, Senescallus Scotie, Robertus, Comes de Fyff et de Meneteth, et Alexander dominus de Badynach, eiusdem domini Regis filii, eternam in Domino salutem. Cum idem dominus pater noster, consideratis et attentis laudabili serucio et fideli ac continuis laboribus Johannis Lyovne, clerici sui, hucusque sibi impensis et impendendis, inantea eidem Johanni per cartam suam concesserit terras Thanagij de Glannys, cum pertinenciis, infra vicecomitatum de Forfar, nos, considerantes laudabilia serucia et labores huiusmodi, ac merita ipsius persone, quoque nobis et nostrum cuilibet fidelissimus seruitor quociens requisitus fuerat semper extitit, prout adhuc existit, prefatas donacionem et concessionem eidem Johanni, sic factas per dictum dominum patrem nostrum, de dictis terris ipsius thanagij, cum pertinenciis, ratas, stabiles, atque firmas, pro nobis et nostrum quolibet habemus et habebimus in futurum; ac ipsas, pro nobis et nostris heredibus, ratificamus, approbamus et per presentes nostras literas in perpetuum confirmamus, secundum tenorem carte dicti domini patris nostri quam inde habet: Promittentes pro nobis et nostrum quolibet ac pro nostris heredibus, quod dictas donacionem et concessionem ac cartam dicti domini patris nostri inde confectam, sic per nos confirmatas, ratificatas et approbatas, ut premititur, nullis vnquam futuris temporibus impugnabimus, reuocabimus, aut contra ipsas veniemus in aliquo, communiter vel diuisim, ad quemcunque statum, seu dignitatem, eciam regiam, contigerit nos vel aliquem nostrum

¹ Original at Glamis Castle.

assumi, per quamcunque generalem seu specialem reuocacionem uel aliam ordinacionem de terris dominicis aut aliis inantea faciendam, quibusquidem reuocacioni et ordinacioni, si que forte in futurum facte fuerint, quoad dictas donacionem et concessionem nullo tempore consenciemus aut consenciet aliquis nostrum, sed potius ipsam donacionem et concessionem nos et quilibet nostrum de nouo renouabimus, ratificabimus et confirmabimus, renouabitque ratificabit et eciam confirmabit, quociens opus fuerit, et super hoc per dictum Johannem uel heredes suos fuerimus requisiti uel aliquis nostrum fuerit requisitus, omnibus modis et formis ac condicionibus, quibus iuxta tenorem carte dicti domini patris nostri dicto Johanni vel heredibus suis uidebitur expedire. Et si forte aliquis ipsum Johannem vel heredes suos nitatur super hoc iudicialiter vel alias impugnare, eundem Johannem et heredes suos, contra omnes sic eos impugnare seu inquietare volentes, manutenebimus et pro nostris viribus in omnibus defendemus. In cuius rei testimonium sigilla nostra presentibus literis sunt appensa, apud Edynburgh, die septimo mensis Januarij, anno Domini millesimo ccc^{mo} septuagesimo tercio, regni uero dicti domini regis patris nostri tercio.¹

138. LETTERS-PATENT by KING ROBERT THE SECOND, remitting any irregularities connected with the marriage of his daughter Johanna de Keith and John Lyon of Glamis.—10th May 1378.²

ROBERTUS, Dei gracia Rex Scottorum, omnibus probis hominibus tocius terre sue ad quos presentes litere peruenerint, salutem. Nouerit vniuersitas uestra quod cum inter dilectos filium Johannem Lyoune, Camerarium Scocie,

¹ Only the seal of Robert Stewart now remains attached to the document. It is in good preservation, and has been reproduced

as the centre of the heraldic device on the back board of both volumes of this work.

² Original at Glamis Castle.

et Johannam de Keth, filiam nostros, de nostri et carissimorum filiorum nostrorum Johannis primogeniti nostri de Carryk, Senescalli Scocie, Roberti de Fyff et de Meneteth, comitum, Alexaudri Senescalli domini de Badenach, et aliorum amicorum et propinquorum consensu et assensu, matrimonium in facie ecclesie fuerit, nobis presentibus, solempniter celebratum; Si inter eosdem Johannem et Johannam ante dictam solempuizacionem, matrimonij actus aliqui interuenerint, puta matrimonium occulte contractum, sollicitacio, carnalis copula, huiusmodi copule carnalis tunc vel aliquo tempore ante matrimonium per illam aut aliquem alium, aut aliam, pretensa excusacio, aut aliquid huiusmodi quod nobis posset reputari ad displicenciam, vel eis, aut eorum alicui, ad perfidiam, infamie notam, seu periculum crimiuis publici vel priuati, Nos, huiusmodi actus preuios tanquam preparatorios ad matrimonium, matrimonium concomitantes, et ipsi matrimouio concordantes, intelligentes, vobis tenore presencium significamus quod erga neutrum eorum, occasione huiusmodi actuum, displicenciam retinemus. Ymmo, si ex huiusmodi actibus, occasione aliqua, iniuria vel displicencia queuis oriri in aliis sit solita, illam et illas penitus remittimus, volentes expresse quod neutri eorum siut imputabiles, puta ad perfidiam, infamiam seu culpam aliquam crimiuis publici vel priuati; Quare tenore presencium firmiter prohibemus ne quis eis, aut eorum alicui, occasione premissa, in iudicio vel extra, actus predictos preuios, aut alios quosque huiusmodi similes, imputet, ad culpam, infamiam, perfidiam aut huiusmodi aliquid, seu eos aut eorum aliquem exprobet, irritet vel infamet de eisdem, sub pena omnium que erga nos amitti poterunt quoquomodo. Et hoc in fide et fidelitate quibus nobis tenetur nullus attemptare presumat. In cuius rei testimonium has literas nostras, pro toto tempore vite dictorum Johannis et Johanne duraturas, sibi fieri fecimus patentes. Apud Dundounald decimo die Maij, anno regni uestri octauo.

139. CHARTER by ROBERT, DUKE OF ALBANY, etc., and Governor of Scotland, to MALCOLM FLEMING of Biggar, and ELIZABETH STEWART his wife, daughter of the Duke, of the Barony of Biggar, etc.—28th June 1413.¹

ROBERTUS, Dux Albanie, Comes de Fife et de Menteth ac Gubernator regni Scocie, omnibus probis hominibus tocius regni predicti clericis et laicis, salutem. Sciatis nos dedisse, concessisse et hac presenti carta nostra confirmasse dilecto filio nostro Malcolmo Flemyng de Bigare et Elizabeth Stewart filie nostre, sponse sue, ac eorum diucius uiuenti, totas et integras terras baronie de Bigare, cum pertinenciis, iacentes infra vicecomitatum de Lanark, vnacum toto et integro annuo reddito debito et exeunte de terris de le Kers, cum pertinenciis, pertinentibus Abbati et Conuentui Monasterii Sancte Crucis de Edinburgh, infra vicecomitatum de Striuelyne; Quequidem terre, cum dicto annuo reddito, cum pertinenciis, fuerunt dicti Malcolmi hereditarie, et quas terras, cum eodem annuo reddito, cum pertinenciis, idem Malcolmus, non ui aut metu ductus nec errore lapsus, sed mera et spontanea voluntate sua, in manus nostras, coram testibus subscriptis, in capella beate Marie Uirginis, iuxta pontem de Tay, per fustem et baculum personaliter sursum reddidit, pureque simpliciter resignauit, ac totum ius et clameum que in predictis terris et annuo reddito, cum pertinenciis, habuit uel habere poterit, pro se et heredibus suis omnino quitteclamauit imperpetuum; Tenendas et habendas ac percipiendas totas et integras predictas terras, vnacum dicto annuo reddito, cum pertinenciis, dicto Malcolmo et Elizabeth filie nostre, sponse sue, et eorum diucius uiuenti, ac heredibus masculis inter ipsos legitime procreatis uel procreandis, quibus forte deficientibus, veris legitimis et propinquioribus heredibus pcefati Malcolmi quibuscunque libere reuertendas, de domino nostro rege et heredibus suis, in feodo et

¹ Diplomata Scotiæ, No. lxii.

hereditate imperpetuum, per omnes rectas metas suas antiquas et diuisas, cum omnibus et singulis libertatibus, commoditatibus, et aisiamentis ac iustis pertinenciis quibuscunque ad predictas terras, et annum redditum, cum pertinenciis, spectantibus, seu iuste spectare ualentibus quomodolibet in futurum, adeo libere et quiete, plenarie, integre et honorifice, bene et in pace, in omnibus et per omnia, sicut prefatus Malcolmus predictas terras dicte baronie, vnacum dicto annuo redditu, cum pertinenciis, de domino nostro rege et heredibus suis, ante dictam resignacionem nobis inde factam, liberius tenuit seu possedit; faciendo domino nostro rege et heredibus suis predictus Malcolmus et Elizabeth, sponsa sua, et eorum diucius uiuens, ac heredes masculi inter ipsos legitime procreati seu procreandi, quibus forte deficientibus, veri legitimi et propinquiores heredes predicti Malcolmi quicunque, de predictis terris dicte baronie et annuo redditu cum pertinenciis, seruuicia debita et consueta. In cuius rei testimonium presenti carte nostre magnum sigillum officii nostri apponi precepimus; Testibus, reuerendis in Christo patribus, Gilberto Episcopo Aberdonense, Cancellario Scocie, Waltero Episcopo Brechinense, Johanne Abbate Sancte Crucis de Edinburgh, Johanne Comite Buchanie, filio nostro, Roberto de Maxwel de Caldorewod, et Johanne Forstare de Corstorfyn, militibus, necnon Andrea de Hawic, rectore de Listoun, secretario nostro, apud Perth, vicesimo octauo die mensis Junii, anno Domino millesimo quadingentesimo decimo tercio, et gubernacionis nostre octauo.

140. BOND OF MANRENT by WILLIAM CHALMER of Drumlochic to DAVID,
LORD DRUMMOND.—5th December 1558. [Copy.]

BE IT KEND till all men be thir present lettres, me, Williamc Chalmer of Drumlochic, that forsamekle as aue noble and nichty lord, Dauid, Lord

Drummond, and certane vtheris, principalis of the four brancheis, and maist speciall and nerrest of the kin and freindis of ymquhile George Drummond of Leidcreif and Williame Drummond his sone, for thame selfis and remanent kin and freindis of the saidis ymquhile George and Williame, has remittit and forgevin to me thair slauchteris, and gevin and deliuerit to me thair lettres of slains thairvpoun; and that I am oblist, be vertew of ane contract, to gif the said noble Lord my band of manrent, as the saidis contract and lettir of slains deliuerit to me mair fullelie proportis: Thairfore to be bundin and oblist, and be thir present lettres bindis and oblistis me and my airis in trew and anfauld band of manrent to the said noble and mychty Lord, as chief to the saidis ymquhile George and Williame his sone, and the saidis Lordis airis, and sall tak thair trew and anfauld part in all and sindry thair actiouns and caussis, and ride and gang with thame thairin vpoun thair expenssis, quhen thay require me or my airis thereto, aganis all and sindry personis, oure souerane lady and the auctorite of this realme alanerlie exceptit; and heirto I bind and oblist me and my airis to the said noble and mighty Lord and his airis, in the straitast forme and sicker stile of band of manrent that can be deuisit, na remeid nor exceptioun of law to be proponit nor allegit in the contrair. In witness of the quhilk thing, to thir present lettres and band of manrent, subscriuit with my hand, my seill is hinging. At Edinburgh, the fift day of December, the zeir of God ane thousand five hundreth fiftie aucht zeiris, befor thir witnessis, Andro Rollok of Duncrub, James Rollok his sone, Johnne Grahame of Geruok, Maister Johnne Spens of Condy, and Laurence Spens his brother, with vtheris.

WILZAM CHALMIR of Drumlochye.

141. PRECEPT by KING JAMES THE SEVENTH to JAMES, EARL OF PERTH, Chancellor, and the LORDS OF THE TREASURY IN SCOTLAND, for payment of £100 sterling to JOHN GRAHAM of Duchray, and for remission of his Feu-duties.—25th October 1686.¹

JAMES R.

RIGHT trusty and right welbeloved cousins and councellers, right trusty and entirely beloved cousin and councellor, and right trusty and welbeloved cousins and councellers, wee greet you well. Whereas wee are resolved out of our royall bounty, in consideration of the loyalty, services, and sufferings of John Graham of Deuchrie, to bestow upon him a yearly pension of five hundred merks Scotts money as a small supply from us towards his future subsistance; and also in consideration that the summe of one hundred pounds sterline was granted to him by our deceased royall brother of ever blessed memory, whereof (as he informes us) there was not any payment ever made unto him: It is now our will and pleasure, that you cause the said pension to be duly paid unto him hereafter, conforme to our gift therof granted unto him, bearing the same date with these presents. And whereas also (as a further mark of our royall favour and bounty to him) wee are graciously resolved to discharge him of the few duties of his lands held immediatly of us for this crope and year of God 1686, and for all years preceding, which are not paid since the last discharge granted unto him by our said deceased royall brother, bearing date at Whitehall, the 8th day of November 1671: It is now our will and pleasure, and wee doe hereby authorise and require you to give or cause to be given unto the said John Graham, such sufficient and valide acquittances and discharges of his said few duties for the crop and year of God 1686, and of all crops and years preceding, which remaine unpaid since the last

¹ The originals of this Precept and the two following are amongst the Scotch Treasury Papers.

discharge aforesaid, as are usuall in the like cases, and which will effectually serve for his full exoneration of the same. For all which, this shall be to you and all others respectively who may be therein any way concerned, a sufficient warrant. And so wee bid you heartily farewell. Given at our Court at Whitehall, the 25th day of October 1686, and of our reigne the 2d year.

By his Majesties command,

MORRAY.

142. PRECEPT by KING JAMES THE SEVENTH to JAMES, EARL OF PERTH, Chancellor, and the LORDS OF THE TREASURY IN SCOTLAND, to pay GEORGE DRUMMOND of Blair the fifth part of the royal duties uplifted by him on behalf of the King, and also the fifth part of all compositions.—10th November 1687.

JAMES R.

RIGHT trusty, etc., wee greet you well. Having by our commission, dated the 16th day of Aprile 1686, granted power unto George Drummond of Blair to pursue for and uplift all wards and non-entries, simple and taxt, with the releifes thereof, which are fallen due to us or our dearest royall brother (of ever blessed memory), of all yeares and termes bygone since the first day of August 1674, by the decease in that time of any of our vassalls holding their lands off us or our dearest royall brother aforesaid, as Kings, Princes, or Stewards of Scotland, in simple or taxt ward, with the availles, marriages, simple and taxt, of all lands holden off us in simple or taxt ward, or few, cum maritagis, fallen due as aforesaid, and in time coming, during our royall pleasure; by which commission wee did allow unto the said George Drummond a fifth part of what he should recover and compt for by vertue thereof, for his paines in uplifting the said casualities, which fifth part wee did appoint to be allowed unto him in the first end thereof, together with his necessary charges in recovering the same. And by our new com-

mission to him, bearing date the 8th day of this instant, wee have not only ratified the former commission, but also impowered him to receive the non-entries of all lands holden off us in blench or few ferme, with the non-entries of all annualrents fallen due to us since the said first day of August 1674, and in time coming, during our royall pleasure, which formerly he received as having commission from our right trusty and right welbeloved cousin and councillor, James, Earle of Perth, our Chancellor, to whom wee did assigne the same untill he shall be paid of the summe of eight thousand pounds sterline, granting hereby unto the said George Drummond the same allowance for recovery thereof as is contained in the first commission. And considering the good and faithfull service done to us by the said George Drummond in discovering and pursuing for the said casualties (whereof formerly small benefite did arise to us), and which by his industry is encreased to more than wee could reasonably have expected, severalls, by his discovery and diligence, being obleidged to present gifts of the said casualties which otherwise would have lyen latent (as they have been heretofore), to be com-poned by you, the compositiones whereof he receives without any allowance from the parties : Wee, to take off all scruples that may hereafter arise as to our intention of allowing unto the said George Drummond a fifth part of the said compositiones, have now thought fit to order and allow unto him a just fifth part of the same, as well as of what shall otherwayes be received by him either from the vassalls or other intromitters with the said casualties. Requiring you in the accompts that are to be fitted by the said George Drummond, to allow unto him, in the first end thereof, the fifth part of the said compositiones received, or to be received by him from time to time, as well as of what otherwayes shall be received by him of the said casualties, together with his necessary charges aforesaid, the remainder being alwayes allowed unto the said Earle of Perth, our Chancellor, untill he shall be paid

of the said summe of eight thousand pounds sterline, free of all expences, conforme to the gift thereof granted by us unto him. For all which, this shall be to you, and all others respectively who may be therein any way concerned, a sufficient warrant. And so wee bid you heartily farewell. Given at our Court at Whitehall, the 10th day of November 1687, and of our reigne the 3d year.

By his Majesties command,

MELFORT.

143. PRECEPT by KING JAMES THE SEVENTH to JAMES, EARL OF PERTH, and the LORDS OF THE TREASURY IN SCOTLAND, for payment of an annual salary of £100 to SIR HUGH PATERSON of Bannockburn, and GEORGE DRUMMOND of Blair, Keepers of the Signet.—17th July 1688.

JAMES R.

RIGHT trusty, etc., wee greet you well. Whereas a good while agoe wee have taken into our consideration the paines and charges that Sir Hugh Paterson of Bannockburn and George Drummond of Blair (keepers of our Signett there under our Secretaries of State) have been and still are at, about their receiving the black box thrice every week, and as often sending the same; and wee being fully satisfied with their care and diligence in that matter, and being resolved to bestow a constant yearly allowance hereafter upon them for the same: It is now our will and pleasure, and wee doe hereby authorise and require you, out of the first and readiest of our rents, revenues, customes, and casualties whatsoever of that our ancient kingdome, to pay, or cause to be paid yearly to the said Sir Hugh Paterson and George Drummond, the summe of one hundred pounds sterline money, to be equally divided betwixt them, and to be paid at two termes every year, Whitsunday and Mertimes, by equall portions; whereof the first termes payment is to be at Mertimes next ensuing the date of these presents,

and so forth to continue, yearly and termely thereafter during our royall pleasure, which yearly allowance of one hundred pounds sterline wee doe hereby authorise and require you to adde to the list of fees formerly granted by us to our servants there, and to be constantly paid at the same times, and in the same manner as our said servants are usually paid of the respective allowances granted by us as aforesaid unto them. And in regard it is long since wee were graciously pleased to settle the foresaid yearly allowance of one hundred pounds sterline upon the said Sir Hugh Paterson and George Drummond: It is now our further will and pleasure, and wee doe also hereby authorise and require you presently to pay, or cause to be paid, unto them, the summe of fifty pounds money foresaid, as an halfe years allowance from us unto them preceding the terme of Whitsunday last past in this present year of God. For all which, these presents (together with their respective receipts for what shall be paid unto them from time to time) shall be to you, and all others respectively who may be therein any way concerned, particularly to the Lords Auditors of your accompts for allowing the same, a sufficient warrant. And so wee bid you heartily farewell. Given at our Court at Whitehall, the 17th day of July 1688, and of our reigne the 4th year.

By his Majesties command,

MELFORT.

144. JOHN GRAHAM of Claverhouse, VISCOUNT DUNDEE, to LORD STRATHNAVER, giving him an account of King James's affairs.¹

Struan, July 15, 1689.

MY LORD,—Your Lordships, dated the 3, I received on the 13, and would have returned answer befor nou, had I not been called sudenly to Enverlochic to give orders anent the forces, armes, and amunition sent from Yrland.

¹ Original at Dunrobin. This letter was written fourteen days before the battle of Killiecrankie, where Dundee was killed.

My Lord, I am extreamly sensible of the obligation I have to you for offering your indevors for me, and giving me advice in the desperat estate you thoght our affaires wer in. I am perswaded it flouse from your sincer goodness and concern for me and myn, and in return, I assure your Lordship I have had no less concern for you, and was thinking of making the lyk adress to you, but delayed it till things should appear mor clear to you. I am sorry your Lordship should be so far abused as to think that there is any shadou of appearance of stability, in this newe structure of goverment these men have framed to themselves. They made you, I dout not, believe that Darie was relieved 3 weeks agoe, by printed accounts, and I can assure you it never was, and nou is taken. They told you the English fleet and Dutch wer mesters at sea. I knou for certain the French is, and in the Chanel. In testimony wherof they have defeated our Scots fleet, for as they came alongst, they fell on the tuo frigats, killed the captains, and seised the ships, and brought the men prisoners to Mull. They tell you Shomberg is going to Yrland to carry the war thither. I assure you the King has landed a considerable body of forces here, and will land himself amongst our friends in the West, whom I am sorry for, very soon. So, my Lord, having given you a clear and treu prospect of affaires, which I am feared, amongst your folks, you are not used with, I leave you to judge if I or you, your family or myn, be most in denger. However, I acknowledge frankly, I am no less oblidge to your Lordship, seing you made me offer of your asistance in a time you thoght I needed it. Wherein I can serve your Lordship or family at any time you think convenient you may freely imploy me, for as far as mey deuty will allow me in the circumstances we stand, I will study your well, as becoms, my Lord,

Your most humble servant,

DUNDIE.

From my Lord Stranaver.

Envernes, 19 Julij 1689.

This is one ansuer to a letter writen bij my Lord Stranever to the Vicount of Dundie at mij desyer, deatet the 3 of July, wichs I saw and aproved of.

T. LEVINGSTONE. 1689.

145. JAMES DRUMMOND to his Father, GEORGE DRUMMOND, first of Blair-Drummond, during his travels on the Continent.¹

Venise, $\frac{2}{1}$ $\frac{5}{3}$ March 1695.

DEAR FATHER,—I received last night a letter from Mr. Wallace, very much to my satisfaction, but such as I litle expected after the severe ones I had seen from your self. But I am glade you have thought fitt to consider the thing again, and if not to change your sentiments altogether, yet so fare as to allow me some months in Italy, nou I am come this lenth. I acknouledge its more then I deserved, after haveing come without your consent. But I am hopefull to behave so as you shall have no reason to repent you of your condescending to me on this occasion. As to my returning to Utrecht against September, I were unworthy of the goodnes you have for me if I obeyed it not. My Lord Perth can doe me that justice as to tell you that whenever I received your letter I resolved to leave his Lordship, only I waited for credit from my brother, and my Lord had actually left me here, but that the wayes were so badde he could not travel, and so return'd from Padoua hither to pass the holy week, and after that he takes journey for Rome through a part of Lombardy, and at last by Loretto. My Lord does not design to goe to Naples dureing the time I'le be with him, so I will be obleidged to make that journey alone, and that will cost me a litle money; and except that and what I'le pay to a master of the language, and one of

¹ Original at Blair-Drummond.

antiquities and history, while I am at Rome, my extraordinarys will be very small while I stay, and when I come away be assured I'll take the nearest way home. So if you can allow me a litle in consideration of this, I axe no more till I be to come away. Dear father, besides the naturall tye of a sone to a father, I have had as many others from your care and goodnes to me as perhaps ever any had. But this I reckon beyond any of them, and shall by God's grace behave myself henceforth as worthy of it, only be so good as wrytte to me once again your self, and tell me your will, and then see if I doe not follou it as you desire. There's one thing, I most begge you not to put your self in any paine about my religion, and be perswaded that neither traveling with my Lord Perth, nor in Italy, will make me other then I am, that is, as much averse from the superstition of Popery as from the fanaticism and narrowness of Whigry. I begge a line from you by the first post; and I am,

Your most obleidged affectionat sone,
J. DRUMMOND.

My Lord and Lady are well, and shou me all possible kindnes.

For the Laird of Blair-Drummond, at his lodgeings, Edinbrough, Scotland.

146. ROB ROY to JOHN, FIRST EARL OF BREADALBANE, recommending his nephew for a gift of four trees.¹

Portnellan, November 12th, 1707.

MY LORD,—I long to see your Lordship, and I presume to tell your Lordship that I have the honour to have come of your Lordship's family, and shall keep my dependency suitable to the samine, of which I told your Lordship when I parted with your Lordship last; and what I sayed to your Lordship or ever promised shall be kept while I live. My nephew is to see your Lordship, whom I hope will be capable to serve your Lordship, and will do

¹ This Letter and the three following Letters are in the Breadalbane Charter-chest.

it tho' I were in my grave. He is a young man, so, my Lord, give him your advice. He is begging his house, and I hope your Lordship will give him a precept for the four trees your Lordship promised him the last time I was there. I beg pardon for the subscribeing; and I am,

My Lord,

Your Lordship's servant,

RO : CAMPBELL.

To Right Honourable the Earle of Braedalbine.

147. THE SAME to THE SAME, requesting his interposition in a quarrel between Clansmen.

Att Portnellan, 4th September 1711.

MY LORD,—I doubt not but your Lordship has heard of this pley that was betuixt John Campbell in Innerardoran and Glenfallochs bairns, and I hope your Lordship will be att the pains as to bind them both to the peace, for quhen they cast out before, Lochdochard and I made them to give bonds under the paine of a thousand merk that they should not medle with one another in tymes comeing, and the transgressor was to forfeit the thousand merk, or any part thereof, as your Lordship would think fit; and I am enformed that Glenfalloch and Mr. Robert Stewart in Killine came to Gregor M^cOuile and persuaded him to give wp the bonds, to the end that they might be destroyed, quhich was done immediatly, and I am fulily persuaded that Gregor M^cOuile would never give up the bond if he were not advised by the minister to doe it. I beg pardone for this trouble; and I am,

My Lord,

Your Lordships servant,

RO : CAMPBELL.

To the Right Honourable the Earle of Breadalbine.

148. THE SAME to THE SAME, in further reference to the quarrel.

Att Corrycheyrich, 15th September 1711.

MY LORD,—After parting with your Lordship, I meet with young Glenfalloch, and after some discourse that past betuixt him and me, he told me that the bond that Gregor M^cOuile gave was in Lochdochards custody undestroyed, and if it be soe, it looks very ill fard. Itt looked nothing lyke fair dealling to Glenfalloch and the minister to come upon the Sabbath day to Gregor M^cOuils house, when his sone was from home, and to tell him that all was destroyed, and to keep up ther oun, as I said before. Houever, I hope your Lordship will call for the bond from Lochdochard. I am lykewise hopefull your Lordship will lose no tyme in setling this affair. I would be content to know what answer my Lord Drummond has sent to your Lordship. I beg pardone for this trouble; and I am, My Lord,

Your Lordships servant,

Ro : CAMPBELL.

To the Right Honourable the Earle of Breadalbine.

149. LETTER from ROB ROY to a Co-ARBITER,¹ whose name is wanting in the letter, relative to a dispute about a cow.²

At Portnellan, 24th June 1711.

SIR,—Archibald M^cIntyr was here, who was telling me that the cowe that was betuixt him and Duncan Ban is submitted to you and me, and were to meet against Thursday nixt, in order to take it away. Its impossible for me to meet against the said tyme. However, I am sure we will agree it against our first meeting. This is all, with my service to your bedfellow, safe that I am,

Yours as formerly,

Ro : CAMPBELL.

¹ Address torn off.

² Original *penes* John Graham, Esq. of Glenny.

Sine

Archibald McIntyre was
here who was telling us of the road of way
between him & Dundee for it submitted to
you and me & was to meet at Thurday
next in order to take it away for
myself. He was to meet at Thurday
next Monday for he was well agree
it was our first meeting this is about
my friends before God please God

the particular of your former
James [unclear] R. Campbell

150. TESTAMENT-DATIVE of ROB ROY, who died in December 1734, given up by his widow, MARY M'GREGOR or CAMPBELL. The Confirmation is dated 6th February 1735.¹

The Testament Dative and Inventory of the goods, gear, cattle, household plenishing, and others which pertained to the deceast Robert Roy Campbell in Innerlochlarig-beg, within the parish of Balquhidder and commissariot of Dunblane, the time of decease which was in the moneth of December last, faithfully made and given up by Mary M'Grigor, *alias* Campbell, the defunct's spouse, only executrix dative decerned as creditrix to her said deceased husband, for payment and satisfaction to her of the sum of four hundred and thirty-six pounds, ten shilling and four pennies Scots money, expended and debursed by her on the defunct's funerals, and for masters rents and servants fees, and for medicaments and other necessaries furnished during his sickness, conform to a particular accompt and several instructions thereof produced, whereon she made faith, as use is ; as also for payment of the expences of confirmation hereof by decret of the Commissary principal of the said Commissariot, as the samen, of the date of these presents, in itself more fully bears.

There were pertaining and belonging to the said defunct the time of his decease foirsaid, the goods, gear, and others aftermentioned, of the values after express'd, according as the samen were valued in virtue of the said Commissarys warrant, vizt. :—Imprimis, two tydie cows, at eight pound Scots per piece ; inde, sixteen pound. Item, two yeald kine, estimate at six pound Scots per piece ; inde, twelve pound. Item, two old kine with a stirk,

¹ Commissariot of Dunblane, Testaments, vol. 19. The grave of Rob Roy is in the churchyard of Balquhidder.

151. JEAN CARRE, Wife of James Drummond, second of Blair-Drummond, to her eldest Son GEORGE on his marriage.

Blair-Drummond, 13th May 1738.

DEAR GEORGE,—I have been so distress'd with ill health for some time past, that it has kep't me from expressing my satisfaction (in writting) of the affair you have in hand, and believe me when I tell you it gives me the greatest joy that you are going, as the world calls it, to settle, so much to your father and uncles inclinations, and at the same time so much your own choice and to your taste. I think so great a piece of good fortune, that it ought to make me bear misfortunes that has happen'd me before, not only with the greater patience, but even to forget them. Pray make my compliments in the best manner to the lady that is your mistress, and when the ceremony of your marriage is over, let me hear directly from you, and no sooner. I have great hopes that the lady will answer in every particular the fair and good character she has by every body that knows her, and as she is an honour to your family, that she will likewise be a blessing.

I have just now heard that your good acquaintance Lord Primrose has married a great fortune. If it is so, I wish him joy with all my heart. I can't say your friend and companion, John Renton, has managed his matrimonial scheme quite so well as might have been expected. It wou'd seem he made proposals to the lady before his father was acquainted, and he stands obstinately out against the match. I know not what time may produce, but however it goes, he has neither done himself nor the lady a favour in the way he has managed matters. Give my affectionate service to your uncle, whom all of us are under the greatest tyes of gratitude to. Wishing that health and happiness may ever atend you, I am,

Your affectionat mother,

JEAN CARRE.

To George Drummond, Esqr.

152. COMMISSION by PRINCE CHARLES-EDWARD, when he was in possession of the Palace of Holyrood, to MICHAEL BROWN, as Lieutenant-Colonel in the Regiment of Foot commanded by William, Duke of Athole.¹

Holyrood Palace, 31st October 1745.

CHARLES, P. R.

CHARLES, Prince of Wales, etc., Regent of Scotland, England, France, and Ireland, and the dominions thereunto belonging, to Michael Brown, Esquire, greeting. We, reposeing especial trust and confidence in your courage, loyalty, and good conduct, do hereby constitute and appoint you to be lieutenant-collonel of his Majesties forces in the regiment of foot commanded by our right trusty and well-beloved cousin, William, Duke of Atholl, and to take your rank in the army as such from the date hereof. You are therefor carefully and dilligently to discharge the duty and trust of lieutenant-collonel aforsaid, by doing and performing every thing which belongs thereto. And we hereby require all and every the officers and soldiers of our forces to observe and obey you as a lieutenant-collonel, and yourself to observe and follow all such orders, directions, and commands as you shall from time to time receive from us, our Commander-in-chief for the time being, or any other your superior officer, according to the rules and discipline of war, in pursuance of the trust hereby reposed in you. Given at our Palace of Holyrood House, the thirty-first day of October 1745.

C., P. R.

¹ Original at Blair-Drummond.

ARMORIAL SEALS.

THE exact cognisance borne by the ancient Earls of Menteith has hitherto been a wholly obscure point of heraldry. The earliest seal preserved, as used by any possessor of that earldom, namely, that of Isabella, Countess of Menteith, attached to a grant made by her in 1260 (see *ante*, p. 213 of this vol.), contains no shield nor any trace of armorial bearings. There was, therefore, no clue, or at least but a doubtful surmise, as to the true armorial cognisance of the ancient earldom of Menteith, until the present writer was led to investigate the subject, and to come to the conclusion, fully stated in the Introduction to this work, that the seal of Sir Edmund Hastings, attached to the letter written in 1301 by the barons of England to Pope Boniface VIII., represented the original armorial bearings of the Earls, part of whose territory he for the time possessed through his marriage with the heiress. This seal had hitherto been accounted and described as a purely Drummond seal.

As the arms of the ancient Earls of Menteith have no place in any work on heraldry, it is impossible now to state accurately what were the tinctures borne on their shields. The tinctures of the armorial bearings carried by the family of Drummond, vassals of the ancient earldom of Menteith, who assumed the "bars wavy" as their cognisance, are, *or* three bars wavy *gules*. But whether these were the true tinctures borne by the ancient Lords of the earldom, or whether there was any change as a token of vassalage or otherwise, cannot now be known. As already stated in the Introduction, the seal of Sir Edmund Hastings exists now only in an imperfect condition, and no conclusions can be drawn from its present appearance. In 1624 and 1629, however, when the seal was perfect, careful drawings of it were made by Heralds of the College of Arms, London; and judging from the engravings of these drawings, the tinctures were then assumed to be *argent*, three bars wavy *azure*, but this may be merely conjectural. Sir Harris Nicolas describes the seal simply as a shield charged with barry of six wavy, with an imperfect legend.

The following references are to seals now existing, the owners of which were more or less connected with the earldom of Menteith :—

1. SEAL OF ISABELLA, COUNTESS OF MENTEITH.—This seal, which is much mutilated, is oval in shape, and represents, as usual with the seals of heiresses at that period, simply a figure, apparently a female, in long flowing robes. The legend is very imperfect. [. . Isabellae . . de . . . tei .] *Vide* page 213 of this volume. The seal of Walter Comyn, Earl of Menteith, is not known to exist. Sir James Balfour, Lyon, mentions that he bore the garbs *gules*, instead of *or*, as usual.

2. SEAL OF JOHN COMYN, SON OF THE EARL OF BUCHAN.—A shield bearing three garbs, with a label of three points. S' Ioh'is Comin. Fil. Com. de Buchan.¹ No. 12, p. 464, *postea*.

3. THE SEAL OF SIR JOHN COMYN, PRESUMED NEPHEW OF WALTER COMYN, EARL OF MENTEITH.—The same arms as the preceding, without the label. "S' Domi[ni Joann]is Cvmin." No. 13, p. 464, *postea*.

4. SEAL OF ALEXANDER COMYN, LORD OF BUCHAN, 1292.—He was younger brother of Walter Comyn, Earl of Menteith. An eagle displayed, bearing on its breast a shield charged with three garbs. On the dexter and sinister sides of the eagle's head appear two figures, resembling three small balls or pearls arranged triangularly. "S' Alexandri Cumyn d. Bvc'."² No. 14, p. 464, *postea*.

5. SEAL OF WALTER STEWART, EARL OF MENTEITH, 1292.—A shield bearing a fess chequé, with a label of five points as a difference. Above the shield is a crescent. On each side of the shield appear three projections resembling eagles' feet. "S' Walteri Senescalli Comt' de Menetet."³ No. 1, p. 461, *postea*.

¹ Detached seal in Public Record Office, London.

² Appended to Deed of Homage to Edward First, in Her Majesty's Public Record Office,

London.

³ Original appended to Deed of Homage to Edward First, 1292, in Her Majesty's Public Record Office, London.

Although Walter Stewart obtained the dignity of Earl of Menteith, it appears from this seal that he did not take the arms of the ancient earldom, but retained his own paternal coat of the fess chequé.

6. SEAL OF ALEXANDER [MENTEITH], SIXTH EARL OF MENTEITH, son of the preceding, *circa* 1296.—An eagle displayed, bearing on its breast a shield charged with three bars wavy, surmounted by a fess chequé. A label of five points. “S’ Alexandri Comitis de Meneteth.”¹ No. 2, p. 461, *postea*.

This shield has hitherto been described as bearing a “shield charged with a fess invecked surmounted by another [fess] chequé; but there is good reason, as stated in the Introduction to this work, for believing this to be erroneous. The peculiar blazoning is explained by presuming that the so-called “fess invecked” is really the three bars wavy, the arms of Earl Alexander’s mother as heiress of Menteith, while the surmounting fess is the well-known arms of the Stewarts, inherited from his father. The seals of the subsequent Earls of Menteith have not been discovered. If such seals had been found, they would probably have contained the bars wavy in some form. It will be seen that the two Dukes of Albany, who were Earls of Menteith in their own right, did not bear the bars wavy in any of their armorial seals which remain.

7. SEAL OF SIR JOHN MENTEITH, brother of the preceding, and younger son of Walter Stewart and Mary, Countess of Menteith, *circa* 1297.—A double-headed eagle displayed, bearing on its breast a shield charged with a fess chequé, surmounted by a bend. A label in chief, of six points, three of which are visible. “Sigill’ Iohannis de Menetet.”² As the seal is engraved, the bend appears as if charged with a crescent; but this is uncertain, the original showing merely an inequality on the wax. No. 3, p. 461, *postea*.

8. SEAL OF SIR EDMUND HASTINGS, LORD OF ENCHIMCHELMOK [Inchmahome], husband of Isabella Comyn, daughter of Walter Comyn, Earl, and Isabella, Countess

¹ Appended to Deed of Homage, 1296, in Public Record Office, London.

² Detached seal in Public Record Office, London.

of Menteith, appended to the letter addressed to Pope Boniface VIII. in 1301 by the barons of England, preserved in duplicate in the Public Record Office, London.—The smaller of the two engravings here given is from drawings taken in 1624 and 1629, when the seal was perfect, by members of the College of Arms, London. It shows a shield bearing three bars wavy, with a branch of foliage on either side of the shield, and a lizard on the top. “S. Edmvardi Hasting Comitatu Menetei.” No. 4, p. 461, *postea*.

The second of the two engravings is from the late Mr. Henry Drummond's History of Noble British Families, the original seal in the public Record Office, London, having been compared with the engraving of it in his work. This engraving shows the later condition of the original seal. No. 5, p. 462, *postea*.

9. SEAL OF ROBERT STEWART, EARL OF FIFE AND MENTEITH, afterwards DUKE OF ALBANY. 1373.—A shield bearing a fess chequé. A mollet of five points in the dexter chief. The shield in centre of tracery. “S. Roberti Senescalli.” Appended to a charter by John, Earl of Carrick, and his two brothers, confirming a grant to Sir John Lyon of the Thanage of Glamis, 7th January 1373, in the Glamis Charter-chest. [Represented in the centre of the heraldic device on the back boards of both volumes of this work.]

10. THE SAME, 1403.—Couché. Quarterly: first and fourth, a lion rampant, for the earldom of Fife; second and third, a fess chequé, with a label of five points in chief. Crest, issuing from a wreath chequé on the top of a close helmet with mantling, a boar's head and neck between two trees. Supporters; two lions sejant gardant, coué. The background ornamented with foliage. “S' Roberti Ducis Albanie Comitatus de ffyf et de Mentech.”¹ No. 8, p. 463, *postea*.

Albany carried the arms of Fife, but not of Menteith, so far as appears from those seals of his which have been discovered.

11. THE SAME, AS GOVERNOR OF SCOTLAND, 1413.—His great seal,² appended to a charter granted by him to Malcolm Fleming of Biggar and

¹ Appended to a charter to the Abbey of Melrose, 1403.—Melros Charters.

² This seal has hitherto been somewhat overlooked. The drawing in this work has

Elizabeth Stewart, the Governor's daughter, of the lands of Biggar, dated at Perth, 28th June 1413.

The design of the seal is similar to that of a great seal used by the Duke's father, King Robert the Second, as appended to a charter dated in 1386.¹ The obverse represents the Governor seated on a throne beneath a Gothic canopy, ornamented in a style similar to, but less richly than, that in his father's seal, with the addition of a lion sejant affronté on each side of the feet of the Governor, who carries a sword in place of a sceptre. His robes are similar to those depicted in the royal seals. On his head is a closed cap, with five jewels, or what at that period passed as a ducal coronet. At each side of the throne appear embattled buttresses, the niche in that on the dexter side containing a shield bearing the arms of Scotland, supported by a harpy-like figure with human face, wings, and eagle-like claws, which is called by the present Lyon King a "grotesque animal." The buttress on the sinister side of the throne contains a similar figure supporting a shield bearing the Governor's arms, quarterly: first and fourth a lion rampant, armed and langued, for the earldom of Fife; second and third, a fess chequé, for Stewart, with a label, in chief, of three points. Above the battlements on each side is a man leaning over. The legend is in Gothic, not in Roman characters as usual in great seals. "Sigillum Roberti Ducis Albanie Gubernatoris Scocie." [This seal is shown on a lithograph between pp. 238 and 239 of vol. i. of this work.]

12. THE REVERSE OF THE LAST.—The design of this also resembles that on the seal of King Robert the Second, above referred to, with the variation of foliage springing from the foreground on which the horse is galloping. The armour of the equestrian figure is wholly of plate. The jupon is worn close over the hauberk, is without fringe, and is embroidered with a lion rampant, armed and langued, for the earldom of Fife. The lion of Scotland, with the double tressure, is borne on the shield carried by the horseman. The helmet is close

been made from that given in Anderson's "Diplomata Scotiæ" as a groundwork, compared with and corrected from fragments of

several seals in the General Register House, Edinburgh.

¹ Melros Charters.

fitting, with perforations for admission of air. The top is peculiar, not being rounded or peaked, but somewhat flat, with a projecting front. It is surmounted by a lion statant gardant. The caparisons of the horse are ornamented with the lion of Scotland, embroidered on flank and rear, while the housings on the neck show the blazoning of Fife. [Lithographed as above.]

13. SEAL OF MURDACH STEWART, EARL OF FIFE AND MENTEITH, AND SECOND DUKE OF ALBANY, SON OF THE PRECEDING. 1392.—A small seal used by him when acting as Justiciar north of the Forth. A shield bearing a double tressure, flory and counter flory, supported by a figure (imperfect) like an eagle. An R. in the centre of the shield. "S . . . parte boreali aque de Forth."¹ No. 9, p. 463, *postea*.

The seal of Murdach, Duke of Albany, Earl of Fife and Menteith, is similar to that of his father, No. 10, *supra*, excepting the legend.

14. GREAT SEAL OF MURDACH AS GOVERNOR OF SCOTLAND.—In every detail, except the words of the legend, the same as Nos. 11 and 12 preceding. "[Sigillum] Murdaci Ducis Albanie Guber[natoris Scoc]ie." Appended to a commission to Ambassadors to treat with the English King as to liberation of King James the First, 19th August 1423.²

15. SEAL OF MALISE GRAHAM, FIRST EARL OF MENTEITH. 1453.—A shield charged with a chequé for Stewart, surmounted by a fess (intended for a chief), charged with three escallop shells, for Graham. The shield surrounded with light tracery. "Sigillum [Malisei] Comit. de Menteth." Appended to a charter by him granting to James, Lord Hamilton, and Eufamia his spouse, the lands of Illieston, in the county of Linlithgow. 17th December 1453.³ No. 6, p. 462, *postea*.

¹ Appended to a certification by him as Justiciar, dated 20th May 1392.—Grandtully Charter-chest.

² *Diplomata Scotiæ*, No. lxiv.

³ Duke of Hamilton's Charter-chest.

16. SEAL OF WILLIAM GRAHAM, THIRD EARL OF MENTEITH. 1539.—Quarterly: first, three escallop shells in fess (intended for a chief), for Graham; second and third, two chevrons, for Strathern; fourth, a fess chequé, for Stewart. “S. Vilelmi Comitiss de Meteht.” Appended to a precept of sasine for infetting James, Earl of Arran, in the lands of Illieston. 14th May 1539.¹ No. 7, p. 462, *postea*.

17. SEAL OF JOHN GRAHAM, FOURTH EARL OF MENTEITH. 1551.—“Quarterly; first and fourth, three escallop shells for Graham; second and third per fess, in the first two chevrons for Strathern; the second chequé no doubt meant for the Stewart fess; slight foliage surrounds the shield. ‘S’ Johannis Grahem Comitiss de Menteith.’” This description of the seal is given in Laing’s “Ancient Scottish Seals,” and it is said to be appended to a sasine of the lands of Drumlaw, etc., in favour of Mariota Campbell, daughter of John Campbell of Glenurquhlay, 2d November 1551. Breadalbane Charters.

18. SEAL OF WILLIAM GRAHAM, SEVENTH EARL OF MENTEITH, EARL OF STRATHERN, AND FIRST EARL OF AIRTH. 1622.—Quarterly: first and fourth, on a chief three escallop shells, for Graham; second and third, a fess chequé, for Stewart, in chief a chevron for Strathern. Crest, on a helmet with mantlings and collared, above an Earl’s coronet, an eagle’s head. Supporters two lions rampant, armed and langued. Motto, on a ribbon issuing from behind the crest, “RIGHT & REASOVN.” “S’ Willelmi Comitiss de Monteath Domi’ Kilbryd et Kilpovnt.”² No. 10, p. 463, *postea*.

19. SEAL OF WILLIAM GRAHAM, EIGHTH AND LAST EARL OF MENTEITH, AND SECOND AND LAST EARL OF AIRTH, GRANDSON OF THE PRECEDING. 1663.—Is described in Laing’s “Ancient Scottish Seals” as a “very well executed signet.” The shield contains the same quarterings as the previous seal No. 18. “Above the shield a coronet, and around it the initials W^E M. (William, Earl of Menteith).”

¹ Duke of Hamilton’s Charter-chest.

² Detached seal.

20. SEAL OF THE SAME. 1679.—Quarterly as before. Above the shield is a coronet, but the initials are omitted. The chevron in the second and third quarters is very deep, resembling “a chevron transposed,” and has a curious mark, giving it the appearance of the letter A. Affixed to letters by the Earl to his uncle, Sir James Graham, in the Duke of Montrose’s Charter-chest at Buchanan.

21. SEAL OF SIR JAMES GRAHAM, SECOND SON OF THE SEVENTH EARL OF MENTEITH. 1679.—Quarterly, precisely the same as his father’s, the coronet being omitted. The crest, above a knight’s helmet with mantlings, an eagle’s head.

22. SEAL OF JOHN GRAHAME OF CLAVERHOUSE, afterwards VISCOUNT OF DUNDEE. 1681.—Within a double tressure, flory and counter flory, a chief, indented, charged with three escallop shells. Crest, over a knight’s helmet with mantlings, a phoenix rising out of flames. Affixed to letters to William, eighth Earl of Menteith, in Charter-chest at Buchanan.

23. SEAL OF THE PRIORY OF INCHMAHOME. 1562.—A round seal, with a good design of the Virgin sitting, with the infant Jesus on her left arm, and holding a lily in her right hand. She is surrounded with an aureole of a trefoil form and foliage. The infant holds in the left hand a ball or orb, while the right hand is upraised in the attitude of benediction. In the lower part of the seal is the figure of a bishop, perhaps St. Colmocus, in pontifical vestments, his right hand bestowing a benediction, and the left holding the crozier. “S’ Comvne de Insula Santi Colmoci.” Appended to charter by David Erskine, Commendator of Inchmahome, to John, Lord Erskine, of the lands of Boirland, 8th August 1562. No. 11, p. 464, *postea*.

ARMORIAL SEALS OF EARLS OF MENTEITH.



No. 1.



No. 2.

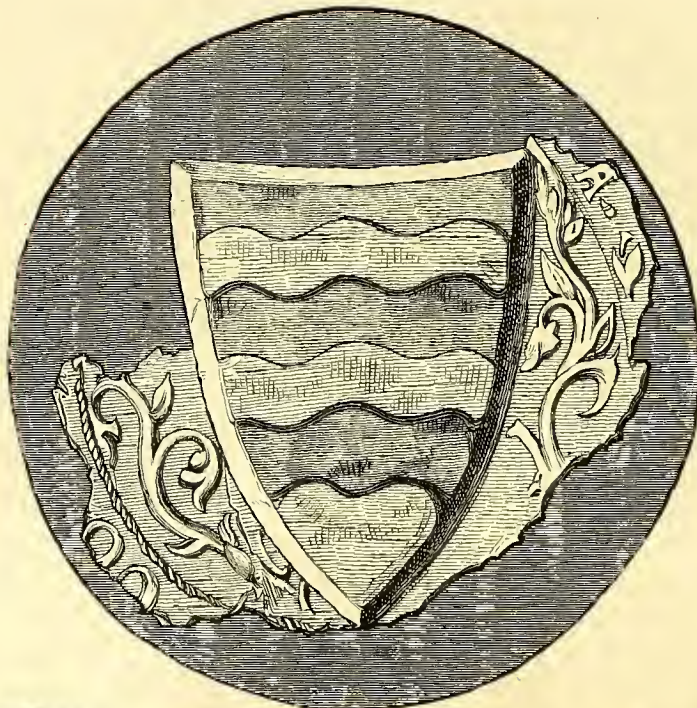


No. 3.



No. 4.

1. Walter Stewart, fifth Earl of Menteith, 1292.
2. Alexander his son, sixth Earl of Menteith, 1296.
3. Sir John Menteith, younger son of fifth Earl, *circa* 1297.
4. Sir Edmund Hastings' seal of the earldom of Menteith, 1301.



No. 5.



No. 6.



No. 7.

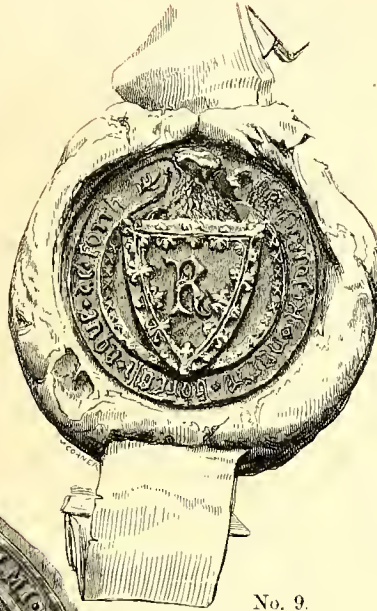
5. Sir Edmund Hastings' seal, 1301. Present condition.

6. Malise Graham, first Earl of Menteith, 1453.

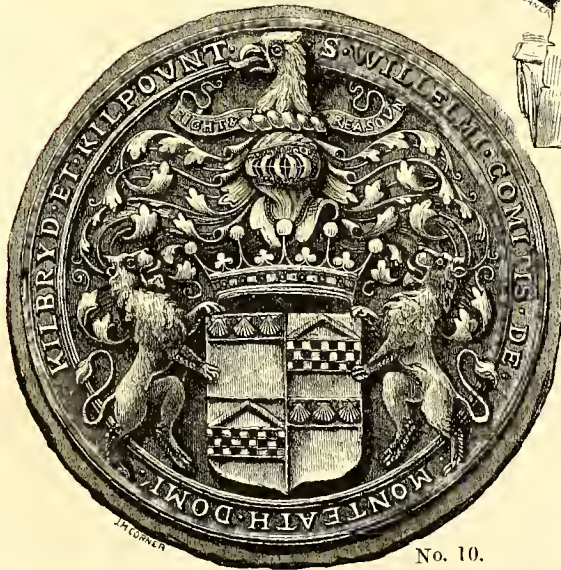
7. William Graham, third Earl of Menteith, 1539.



No. 8.



No. 9.



No. 10.

8. Robert, Duke of Albany, Earl of Fife and Menteith, 1403.
9. Murdach his son, as Justiciar north of Forth.
10. William Graham, seventh Earl of Menteith, Earl of Strathern, and first Earl of Airth, 1622.



No. 11.



No. 12.



No. 13.



No. 14.

11. Common Seal of the Priory of Inchmahome (founded 1238), 1562.
12. John Comyn, son of the Earl of Buchan.
13. Sir John Comyn.
14. Alexander Comyn, Lord of Buchan, 1292.

SIGNATURES OF EARLS OF MENTEITH.

Malise Earl of menteith.

No. 1.

Alexander
Earl of Menteith

No. 2.

William Earl of Menteith

No. 3.

William Earl of
Menteith

No. 4.

Menteith

No. 5.

Airth

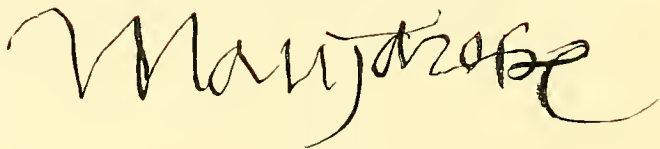
No. 6.

Menteith

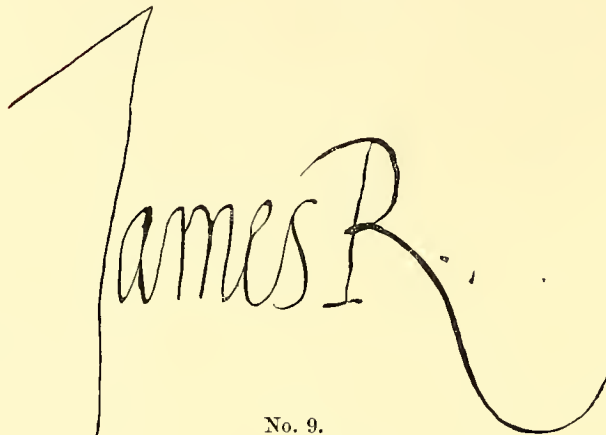
No. 7.

- | | |
|--|-------------------------------------|
| 1. Malise Graham, first Earl of Menteith,
1453. | 4. William, fifth Earl, 1571. |
| 2. Alexander, second Earl, 1503. | 5. William, seventh Earl, 1618. |
| 3. William, third Earl, 1539. | 6. The same as Earl of Airth, 1639. |
| | 7. William, eighth Earl, 1679. |

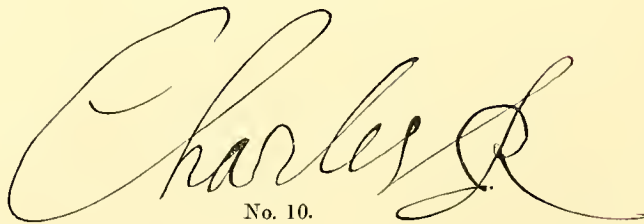
SIGNATURES OF SOVEREIGNS AND ROYAL
PERSONAGES.



No. 8.



No. 9.



No. 10.



No. 11.



No. 12.

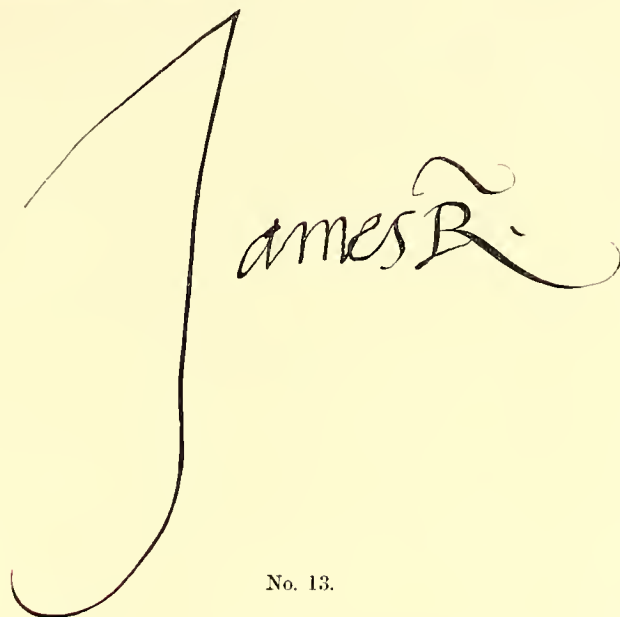
8. Margaret, Queen of Scotland, widow of
James IV., 1528.

9. King James the Sixth, 1578.

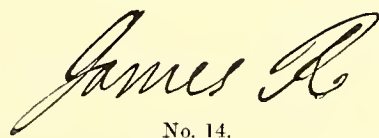
10. King Charles the First, 1627.

11. The same (initials), 1630.

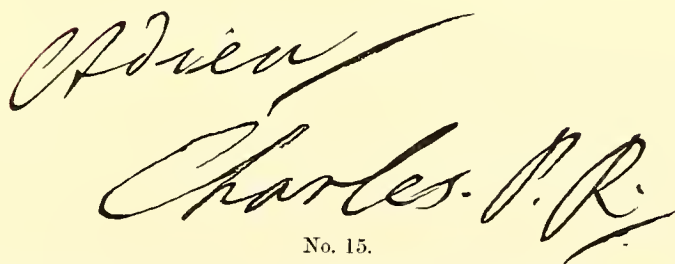
12. King Charles the Second, 1650.

A large, elegant handwritten signature in black ink. It begins with a tall, thin vertical stroke that curves slightly to the left at the top and right at the bottom. To the right of this stroke, the word "James" is written in a cursive hand, followed by a large, decorative capital "R" that has a long, sweeping tail extending to the right.

No. 13.

A handwritten signature in black ink, written in a cursive hand. It starts with a large, decorative capital "J" that curves to the left at the top and right at the bottom. The word "James" is written in a cursive hand, followed by a large, decorative capital "R" that has a long, sweeping tail extending to the right.

No. 14.

A handwritten signature in black ink, written in a cursive hand. It starts with a large, decorative capital "C" that curves to the left at the top and right at the bottom. The word "Charles" is written in a cursive hand, followed by a large, decorative capital "E" that has a long, sweeping tail extending to the right.

No. 15.

13. King James the Sixth, 1580.

14. King James the Eighth (the Pretender), 1720.

15. Prince Charles-Edward, 1745.

MISCELLANEOUS SIGNATURES.

Haddington

No. 16.

W Alexander

No. 17.

George Monck

No. 18.

Grahame

No. 19.

Montrose

No. 20.

16. Thomas, first Earl of Haddington,
1629.

17. Sir William Alexander, first Earl of
Stirling, 1630.

18. General George Monck, 1657.

19. John Grahame of Claverhouse, 1679.

20. James, third Marquis of Montrose,
1679.

INDEX

OF PERSONS.

- ABERDEEN, Alexander, bishop of, II. 268.
- Gavin Dunbar, bishop of, II. 372, 373, 375, 393, 394, 399.
- Gilbert Greenlaw, bishop of, I. 166, 193, 199; II. 286, 437.
- Gilbert de Stryuelin, bishop of, II. 328.
- John Rait, bishop of, I. 122; II. 237.
- Patrick Forbes, bishop of, II. 88.
- Richard de Potton, bishop of, I. 39.
- William, bishop of, II. 333.
- Abernethy (Abyrnethine), Sir Alexander of, I. 79, 85, 444; II. 223.
- Sir Hugh of, I. 37, 40; II. 213, 217.
- Laurence of, II. 215.
- Sir William, sixth of Saltoun, I. 238.
- Lady Maria Stewart, his wife, I. 238.
- William and Patrick, their sons, I. 238.
- Aboyne, William, Lord of, I. 19.
- Absolon, II. 218.
- Gilbert, his son, II. 218.
- Acheson (Achisone), Sir Archibald, of Glen-carny, Secretary of State, I. 351, 353, 354, 369; II. 2, 8, 13, 19, 83, 114, 115, 117-119.
- Airth, William, first Earl of, I. xxi, xxxiv, lxxi, 322, 361-394, 396; II. 49, 50-68, 71, 147-150, 152-158, 160-164, 459, 460. *See also* Menteith.
- Lady Agnes Gray, Countess of, his wife. *See* Menteith.
- William, second Earl of, I. xxi, xxii, 389, 390, 406; II. 71, 72, 159, 164-168, 459, 460. *See also* Menteith.
- Anne Hewes, Countess of, his first wife. *See* Menteith.
- Katherine Bruce, Countess of, his second wife. *See* Menteith.
- Akinhead (Akynhewyde), Sir Walter of, I. 91, 512; II. 223.
- Alan, son of the Earl, I. 40.
- Albany, Alexander, Duke of, I. lxiii, 281.

- Albany, Prince Arthur, Duke of, I. 281.
- Prince Charles, afterwards King Charles the First, Duke of, I. 281.
- Prince Charles, afterwards King Charles the Second, Duke of, I. 281.
- Prince Charles Edward, Count of, I. 282.
- Charlotte Stuart, his daughter, styled Duchess of, I. 282.
- Frederick, Duke of, I. 282.
- Henry Lord Darnley, Duke of, I. lxiii, 281.
- Prince James, Duke of, I. 282.
- John, Duke of, I. lxii-lxiv, 281.
- Murdach, second Duke of, I. xviii, xx, lxxvii, 11, 130, 161, 173, 180, 184, 185, 188, 194, 197, 208, 212-214, 220-223, 226, 236; *Memoir*, 239-280; 281, 283-285, 288, 289, 291, 472, 476-479, 481, 482, 497, 505, 518; II. 266, 269, 286, 288, 291, 292, 455, 458.
- Isabella, Countess of Lennox, Duchess of, his wife, I. 161, 239, 241, 242, 272, 277, 278, 280, 477, 478.
- Their children—
- Robert, of Fife, I. 211, 246, 278, 279.
- Sir Walter of Lennox, I. 211, 261-263, 269, 271-276, 278-280, 477; II. 280, 288, 290.
- Sir James, I. 273, 274, 277-280, 481.
- Alexander of Kinlevin, I. 265, 266, 270-278, 280, 477.
- Lady Isabella, wife of Sir Walter Buchanan of that Ilk, I. 280.
- Albany, Robert Stewart, first Duke of, Earl of Fife and Menteith, and Governor of Scotland, I. xx, xxiv, xxxii, l, lvii, lxxv, lxxvii, lxxviii, lxxxii, lxxxii, 11, 91, 115-130; *Memoir*, 131-238; 239-246, 250, 253-259, 261, 262, 279, 283-288, 291, 472, 476-478, 497, 519; II. 250-256, 258-262, 264, 265, 268, 270-273, 275, 277-283, 285, 286, 433, 435-437, 455-458.
- Lady Margaret Graham, Countess of Fife and Menteith, his first wife. *See* Menteith.
- Lady Muriella Keith, Duchess of, his second wife, I. 130, 147, 200, 224, 236, 278.
- His children—
- Murdach, Duke of Albany.
- John. *See* Buchan, Earl of.
- Andrew, I. 236, 237.
- Sir Robert, I. 219, 237, 291.
- Lady Janet, wife of David de Loen, I. lxxxii, 130, 140, 237; II. 258, 259.
- Lady Maria, wife of Sir William Abernethy of Saltoun, I. 238.
- Lady Margaret, wife of John Swinton of Swinton, I. 238.
- Lady Isabel, wife of Alexander Leslie, Earl of Ross, I. 210, 217, 238.
- Lady Marjory, wife of Sir Duncan Campbell of Lochaw, I. 238.
- Lady Elizabeth, wife of Sir Malcolm Fleming of Cumbernauld, I. 191, 238; II. 436, 437, 457.

- Albany and York, Edward Augustus, Duke of, I. 282.
- Albemarle, George Monck, Duke of, I. 389, 411. *See* Monck.
- Alexander the First, King of Scotland, I. 1-3.
- the Second, King of Scotland, I. lxxiv, lxxv, lxxviii, 7-10, 13-20, 22, 23, 44, 60, 61, 64, 289; II. 209, 212, 214, 215.
- Queen Joanna, his wife, I. 14, 44.
- Ermengarde, his daughter, II. 212.
- Princesses Margaret and Isabella, his sisters, I. 14.
- the Third, King of Scotland, I. xlii, 11, 21, 23, 25-27, 29-33, 38, 39, 41-43, 46-48, 52, 61, 62, 64, 65, 67-69, 77, 119, 289, 474; II. 217-219.
- Princess Margaret of England, his first wife, I. 24-27, 30, 33, 47, 61, 62, 64, 65, 67-70, 77.
- Prince Alexander, their son, I. 68, 77.
- Princess Margaret, their daughter, I. 47, 68.
- Joleta, daughter of the Count de Dreux, second wife of King Alexander the Third, I. 69.
- Alexander the Fourth, Pope, I. 29.
- the Sixth, Pope, II. 301.
- Alexander, Andrew, chaplain, II. 312.
- Antony, son of Sir William of Menstrie, II. 110.
- Charles, brother of Henry, Earl of Stirling, I. 315.
- Alexander, Henry, son of Sir William of Menstrie. *See* Stirling, Earl of.
- John, son of William, Earl of Stirling, I. 315.
- Agnes Graham, his wife, I. 315.
- Robert, II. 109.
- William, Lord, son of William, first Earl of Stirling, I. 315.
- Katharine, Jean, and Margaret, his daughters, I. 315.
- Sir William, of Menstrie, Secretary of State, I. xxiii, xxxiv, xxxv, 340, 358; II. 4, 13, 15, 18, 22, 26, 35, 54, 79-83, 86, 91-122. *See also* Stirling, Earl of.
- Sir William, a priest, II. 389.
- Allan, Mr., II. 165.
- Allardice, Sir George, of Allardice, I. 428, 430.
- Sir John, of Allardice, I. 406, 432.
- Lady Mary Graham, his wife, I. xxii, 406, 432.
- Robert Barclay, of Ury and Allardice, I. xxii, 432.
- Margaret Barclay, his daughter, I. xxii, 406, 432.
- Alnwick, abbot of, I. 171.
- Ameledy, II. 218.
- Duncan, his son, II. 218.
- Auacol, son of Simon, II. 229.
- Anderson, Dr., author of *Life of Smollett*, 522.
- Robert, subprior of Dryburgh, II. 363.
- Anglim, Richard, II. 215.

- Angus, Archibald, sixth Earl of, I. lxii, 20, 502; II. 333.
- Queen Margaret, widow of King James the Fourth, his wife, I. lxii.
- Archibald, eighth Earl of, I. 539, 541; II. 416.
- George Douglas, first Earl of, I. 175, 176, 180.
- Princess Mary (Mariota) Stewart, his wife, afterwards wife of William, first Lord of Graham, I. 175, 231; II. 287-290.
- Lady Margaret Stewart, Countess of, I. 124, 147, 154.
- Thomas Stewart, Earl of, I. 112, 124, 147, 148; II. 244.
- William Douglas, second Earl of, I. 263, 266, 272, 273.
- William Douglas, eleventh Earl of, afterwards Marquis of Douglas, II. 120.
- Applegirth, family of (Jardines), I. xxvii.
- Arbroath (Aberbrothoc), Bernard, abbot of, I. 450, 517; II. 225.
- abbot of, II. 238.
- monks of, II. 212.
- Ard, Alexander de P, I. 347.
- Ardkinglass, Laird of, I. 388. *See also* Campbell.
- Ardrossan, Lord of, I. 285. *See also* Montgomery.
- Argent, Adam of, I. 144.
- Argyll (Ergyyl, Ergile, Ergill, Ergyle), Alexander of, I. 73, 83, 86, 451; II. 222.
- John, his son, I. 86; II. 222.
- Archibald, second Earl of, I. 524.
- Argyll, Archibald, fourth Earl of, I. 311, 312, 316, 502, 523; II. 333, 383.
- Lady Margaret Graham, Countess of, his wife, I. 311, 316, 523.
- Archibald, fifth Earl of, II. 401, 402.
- Archibald, seventh Earl of, I. 338, 492.
- Archibald, Marquis of, I. 338, 388, 398, 401, 402.
- Colin, first Earl of, I. 114, 238.
- Colin, third Earl of, I. liv.
- Colin, sixth Earl of, I. 311, 312, 316, 490, 539; II. 413, 415, 416, 419.
- George Douglas, present Duke of, I. 113, 311; II. 236.
- John of, I. 439.
- John, second Duke of, I. lxxiii.
- family of, I. 109, 113, 219.
- Armstrong, Francie, brother to Lancie of Whithaugh, II. 29.
- *alias* Tweden, John, II. 28.
- Lancie, of Whithaugh, II. 29.
- Lancie, his son, II. 29.
- Robbie, in Gremay, II. 29.
- Sandie, in Torburne, II. 29.
- Thomas, called Thomas of Sheillis, II. 29.
- Willie, called of Kinmonth, II. 29.
- Arnot, John of, of Lochrig, I. 226.
- Arnprior, John Buchanan of, and of Gartartan, "King of Kippen," I. 525, 526.
- Laird of, I. lxxiv; II. 191, 192.
- Arran (Arrane), James, Lord Hamilton, first Earl of, I. 306; II. 306, 311.

- Arran, James, second Earl of, afterwards Duke of Chatelherault and Governor of Scotland, I. 310, 318, 502; II. 311, 312, 331-333, 459.
- James, third Earl of, I. 319.
- James Stewart, Earl of, I. 545.
- Countess of, I. lxx.
- Arundel and Surrey, Thomas, Earl of, I. xlv.
- Ashley, Antony, Lord, I. 410.
- Atheling, Prince Edgar, I. liii.
- Agatha, his mother, I. liii.
- Margaret and Christina, his sisters, I. liii.
- Athelstane (Adelstane), King, I. 151.
- Mald, his wife, I. 151.
- Athole (Athell, Atholl), Adomar of, I. 22.
- Anne, Duchess of, I. xxxi, xxxii.
- David, Earl of Carrick and, I. 163. *See also* Rothesay.
- George-Augustus-Frederick-John, sixth Duke of, I. xxxii.
- Henry, Earl of, I. 55.
- John, first Duke of, I. lxxiii; II. 428.
- John de Strabolgie, Earl of, I. 79-81, 513, 514; II. 431.
- Countess of, his wife, I. 81.
- John Campbell, Earl of, I. 456.
- Joanna Menteith, Countess of, his wife, I. 456.
- John Stewart, first Earl of, II. 303, 305.
- John Stewart, fourth Earl of, I. 490, 539.
- Patrick, of Galloway, Earl of, I. 19.
- William, called Duke of, II. 425-430, 452.
- Athole and Caithness, Walter, Earl of, I. 223, 263, 266, 290, 292; II. 292.
- Augustus, Casar, I. 422; II. 170.
- Anila, Didacus de, II. 349.
- John de, II. 349.
- Auldbar, Laird of, I. 547.
- Avandale, Andrew, first Lord, I. lx, 280.
- Andrew, third Lord, I. 481, 482; II. 376, 377, 383, 394.
- Awchyll, Walter, II. 312.
- Ay, I. 111; II. 241.
- Finlay, his son (Mackay), I. 111; II. 241.
- Ayr, William, Viscount of, I. 345, 367, 371, 372; II. 51, 52.
- Bailies of, I. 224.
- Aytoun (Ayton), Andrew, advocate, I. 359, 363, 379; II. 47, 130, 150.
- John, of Kinaldie, I. 428.
- Margaret Bruce, his wife, I. 428.
- Professor, I. lxxxii.

B

- BAD, James, subprior of Inchmahome, I. 312; II. 331, 335.
- Badenoch, Alexander Stewart, Lord of, I. 145, 146; II. 433, 435. *See also* Buchan.
- John Comyn, Lord of, I. 16.
- Baillie, Sir James, of Lochend, II. 90, 94, 104, 106, 109, 111, 112.
- Balcarres, Countess of, I. lxx.

- Balfour (Balfoure), Bartholomew (Bartilmo), II.
 391, 393, 394.
 — George, I. 331.
 — James, of Boghall, I. 485.
 — James, of M'Canestoun, I. 485.
 — Sir James, Lyon King-of-Arms, I. 502 ;
 II. 454.
 — William, of Buchopill, I. 300.
 — of Burleigh, I. 420.
 Balgonie, II. 111. *See also* Leslie.
 Baliol, Sir Alexander, of Cavers, I. 450.
 — Edward, King, I. 98, 108.
 — Ingelram de, I. 15 ; II. 215.
 — John de, I. 26.
 — John, King of Scotland, I. xlii, 21, 52-54,
 69, 72-74, 79, 81, 82, 85, 88, 436 ; II.
 221, 432.
 — Marjorie, his sister, I. 21.
 Balkathin, Roger of, II. 212.
 Ballangeich (Ballochgeich), goodman of, I. 526.
 Ballindalloch, Laird of, II. 23. *See also* Grant.
 Ballou, Andrew, canon of Inchmahome, II.
 337.
 Balmerino, John of Hailes, Abbot of, I. 199,
 223, 267.
 — Abbot of, I. 68.
 Balnamoon, Laird of, I. 372. *See also* Carnegie.
 Ban, Duncan, II. 448.
 Bane, William, notary-public, II. 297.
 Banquo, Thane of Lochaber, I. lv, 476.
 Barbar, Robert, II. 272.
 Harbour, Sir John, archdeacon of Aberdeen, I.
 145.
 Barclay (Berkeley), Hugh of, I. 40.
 — John of, Laird of Crawford, II. 224.
 Bard, Margaret ly, I. 519.
 Bardolf, Daun, I. 44.
 — Lord, I. 188, 189.
 Barrow, Thomas, I. 494, 495.
 Bathock, Patrick, I. 544.
 Baxter, John, II. 365.
 Beattie (Baetie), Francie, II. 28.
 — Jokie, son to Willie Foster, II. 29.
 Beaufort, Queen Joanna, I. 266, 268, 269,
 291.
 Beaumont (Bowmont), Dame Alice, I. 170.
 Beck, Anthony, Bishop of Durham, I. 441 ; II.
 432.
 Bedford, Duke of, I. 44, 45.
 — Duke of, brother of King Henry the Fifth,
 I. 227.
 Beg, Robert, II. 299.
 Bell, Jok, of Alby, I. 490.
 — Will, his son, I. 490.
 Bellenden, John, Historian, I. 74.
 Benedict the Thirteenth, Pope, I. 228.
 Bennat, John, II. 302.
 Bertram (Bartram), Sir John, I. 249, 251.
 Berwick, keeper of castle of, I. 248.
 Beste, John, II. 208.
 — William, his brother, II. 208.
 Beth, Comes, I. 2.
 Bevercote, William of, I. 58.
 Biggar, Walter of, Chamberlain of Scotland, I.
 133.
 — Malcolm Fleming, Lord of. *See* Fleming.

- Billings, R. W., author of *Antiquities of Scotland*, I. 496.
- Bisset, Sir Walter, I. 19.
- Blackader, John, of Tulliallan, I. 313.
 — Margaret Haccarsoun, his wife, I. 313.
 — Sir John, of Tulliallan, I. 330.
 — Lady Christian Graham, his wife, I. 330.
- Blackenay, General, Governor of Stirling Castle, I. 492.
- Blair, Peter, II. 6.
- Blanche Castle, in Spain, Countess of, I. lxx.
- Boece, Hector, Historian, I. 74, 176.
- Bogle, Mary, niece of the "Beggart Earl" of Menteith, I. 432.
- Bohemia (Boemia), John of, II. 233, 234.
- Bois, Sir Thomas du, I. 442, 445.
- Bonar, Sir Ninian, of Kelty, II. 309.
- Boniface the Eighth, Pope, I. xliii, 57, 58 ; II. 453, 456.
- Bontine, William Cuningham, of Arloch and Gartmore, I. 432.
- Borthwick, George, Archdeacon of Glasgow, I. 267.
 — John, Lord, II. 333.
 — Sir William of, first Lord, I. 220, 264.
 — William of, younger, second Lord, I. 195, 232.
- Boscho, William de, II. 207, 214, 215.
- Bothwell (Bothuile), Hepburn, Earl of, I. 20.
 — Sir Andrew Moray of, I. 118-120.
 — James, Earl of, I. 20, 527.
 — Sir John Moray, Lord of, I. xx, 116-121.
 — Francis, burghess of Edinburgh, II. 400.
- Bothwell, Francis Stewart, Earl of, I. 20.
 — Patrick, Earl of, I. 304.
 — Richard, canon of Glasgow, and parson of Ashkirk, II. 393, 400.
- Bouthillier, a French Statesman, II. 36.
- Bower, Walter, Historian, I. 150, 191, 230, 232, 233, 260, 274, 448, 451.
- Boyamond (Bagimont), de Vicce, I. 512.
- Boyd, Sir Robert, I. 94, 514.
 — Thomas, Lord of Kilmarnock, I. 264.
 — Thomas, younger of Kilmarnock, I. 269.
- Boyle, John, of Caleburn, I. 226.
- Brade, Henry of, II. 215.
 — Thomas of, II. 209.
 — Henry, his brother, II. 209.
- Bradfute, James, subprior of Inchmahome, II. 331, 335, 352, 356, 362, 363, 365, 367.
- Bradshaw, John, Windsor Herald, I. xliii, xlv.
- Breadalbane, John, first Earl of, I. 393 ; II. 161, 164, 446-448.
- Brechin, Sir David, I. 453.
 — Gregory, bishop of, II. 326.
 — John, bishop of, II. 333.
 — Patrick, bishop of, II. 247, 249, 268.
 — Stephen, archdean of, II. 254, 256.
 — Walter Forrester, bishop of, I. 195 ; II. 437.
 — Walter Stewart, Lord of, I. 166. *See also* Athole and Caithness, Walter, Earl of.
- Bretaigne, Sir John of, I. 449.
- Brice (Drummond), the procurator, I. 111 ; II. 241.
- Brienne, John de, second husband of Queen Mary de Couci, I. 32.

- Brisbane (Birsbane), John, of Bishoptoun, I. 539.
 — Thomas, II. 286.
- Brown (Brun), Adam, of Kentpunt, II. 208.
 — Alan, II. 299.
 — Lieutenant-Colonel, II. 430, 452.
- Bruce (Bruse), Alexander, son of Thomas of Blairhall, I. 428.
 — Sir Alexander, of Broomhall, I. 417.
 — Lady Christian, wife of Gratney, Earl of Mar, I. lxxx, 128.
 — Mrs. Cumming, I. 34, 49, 50.
 — Edward, brother of King Robert the First, I. 452, 515.
 — John, of Airth, I. 348.
 — Mr., of Airth, I. 387.
 — Katharine, Countess of Menteith. *See* Menteith.
 — Margaret, her sister, I. 428. *See also* Aytoun.
 — Laurence, of Coulmalindy, younger, II. 6.
 — Alexander, his brother, II. 6.
 — Marjory, wife of Walter, High Steward, I. 128.
 — Robert, I. 99.
 — Robert de, Lord of Annandale, competitor for the Crown of Scotland, I. xlii, 69, 70, 72, 73, 78, 79, 436; II. 219, 431.
 — Robert de, sixth Lord of Annandale and Earl of Carrick, I. 81, 436; II. 219.
 — Robert the. *See* King Robert the First.
 — Thomas, of Blairhall, I. 414.
 — Thomas, afterwards seventh Earl of Kin-cardine, I. 417.
- Bruce, family of, I. 132, 387.
- Buccleuch (Buccleugh, Buckleughe), Walter Francis, Duke of, I. xxxvi.
 — Walter, first Earl of, I. 20; II. 122, 138.
- Buchan, Alexander Comyn, third Earl of, I. 31, 32, 37, 39-41; II. 213.
 — Alexander Stewart, Earl of, I. 200.
 — David, Earl of, I. 549.
 — George Dunbar, Earl of, I. 291.
 — James Erskine, Earl of, I. 392, 549; II. 98.
 — John Comyn, Earl of, I. 58, 515.
 — Isabella, Countess of, his wife, I. 58, 92.
 — John Stewart, Earl of, I. 130, 146, 200, 209, 211, 217, 219, 221, 223, 226, 229, 230, 236, 237, 245, 246, 266; II. 281-283, 286, 291, 292, 437.
 — Lady Elizabeth of Douglas, Countess of, his wife, I. 211, 221, 236; II. 281-283.
 — Robert, Earl of, I. 534, 539; II. 414, 417.
 — William Comyn, first Earl of, I. 11, 12, 15, 16, 18, 51.
 — Countess of, his wife, I. 11.
 — William Comyn, second Earl of, I. 32.
- Buchanan (Bochannen, Buchanane, Buchannane, Buchquhannane, Buquhannan), George, the Historian, I. xxxiii, lxxi, 74, 280, 522, 523, 533, 538.
 — Patrick and Alexander, his brothers, I. 522.
 — George, of that Ilk, I. 322; II. 380.
 — George, of Buchanan, I. 321, 327, 539.
 — Dean Gilbert, I. 520.
 — Janet, heiress of Patrick of Lany, I. 317.

- Buchanan, John, of Arnprior, II. 368.
 — John, of Arnprior, "King of Kippen,"
 I. 525, 526.
 — John, of Buchanan, I. 322.
 — Lady Mary Graham, his wife, I. 322, 323.
 — John, of Gartavertane, I. 316.
 — John, brother of Patrick of Leny, I. 303.
 — Lady, I. 303.
 — Laird of, I. 303 ; II. 192.
 — Margaret, countess of Menteith, I. 302-
 308. *See also* Menteith, Earls of.
 — Patrick, of Ballowin, II. 303.
 — Patrick, of Leny, I. 303, 317.
 — Robert of Leuy, his brother, I. 303, 308,
 520.
 — Marion Graham, his wife, I. 303, 308.
 — Robert, of Leny, I. 302, 303.
 — Robert, I. 312.
 — Agnes Norie, his wife, I. 312.
 — Walter of, I. 111-113 ; II. 242-245.
 — Sir Walter, of that ilk, I. 279, 280.
 — Lady Isabella Stewart, his wife, I. 280.
 — Walter, of that ilk, I. 295, 296, 307 ;
 II. 309, 370.
 — Walter, II. 380.
 — William, II. 368.
 — of Auchmar, I. 525.
 — of Lany, I. 303.
 Buchanans of Cambusmore, I. 471.
 Buchople (Bochaple), William Graham of, II.
 166, 192. *See also* Graham.
 Buckingham, Duke of, II. 91, 92.
 Bugge, Edmund, I. 212-214, 216.
 Burgh, Sir Richard de, Earl of Ulster, I. 70,
 452 ; II. 219, 220.
 Burley, Laird of, II. 403.
 Burnett, George, Lyon King-of-Arms, I. lxxvii-
 lxxxii ; II. 457.
 Burns, Robert, the Poet, I. lxxii.
 Burt, Captain, I. 311.
 Burton, John, clerk, I. 251.
 — John Hill, Historian, I. 435.
 Busby, John of, Canon of Moray, I. 194, 221.
 Byset, Sir Hugh, I. 439.

C

- CADYHOU, William of, burgess of Aberdeen,
 II. 292.
 Cæsar, Augustus, I. 422 ; II. 170.
 — Julius, II. 170.
 Caithness, David, Earl of, and Earl of
 Strathern, II. 271, 272.
 — George, fourth Earl of, I. 320.
 — Walter Stewart, Earl of Athole and. *See*
 Athole.
 — Lord, II. 184, 186.
 Calder, James Sandilands, Lord of, I. 264.
 Calderwood, David, Historian, I. 486.
 — Laird of, I. 368, 372, 373 ; II. 52. *See*
also Maxwell, Sir John.
 Callendar, Robert, of Maner, II. 378, 379, 389.
 Cambuskenneth, Adam Erskine, commendator
 of, I. 527, 536-539, 541, 551 ; II. 414.
 — Alexander, abbot of, II. 400.

- Cambuskenneth, Henry, abbot of, I. 520.
 — John Erskine, commendator of, I. 524, 525.
 — Patrick, abbot of, I. 267; II. 328.
- Camerons, The, I. 492.
- Campbell (Cambel, Cambell), Alexander, of Ardoch, I. 306.
 — Donald, his son, I. 306.
 — Sir Archibald, II. 163.
 — Archibald, minister of North Knapdale, I. xlix.
 — Archibald, II. 121.
 — Sir Colin, of Aberuchill, I. 387.
 — Colin (of Ardbeith), I. 314, 315, 329.
 — Janet Graham, his wife, I. 314, 329.
 — Colin, of Balquhan, afterwards sixth Earl of Argyll, II. 362.
 — Sir Colin, of Glenorchy, I. 350; II. 161, 163.
 — Sir Colin, of Lochow, I. 1, 111, 114; II. 242.
 — Colin, of Lundie, I. 330-333.
 — Mary Campbell, Countess Dowager of Menteith, his wife, I. 328-333.
 — Duncan, of Glenorchy, I. 498.
 — Sir Duncan, of Glenorchy, I. 298, 300, 329, 335; II. 163.
 — Sir Duncan, of Lochaw, afterwards Lord Campbell, I. 219, 238.
 — Lady Marjory Stewart, his wife, I. 219, 238.
 — Ewir, of Stronquhir, II. 309.
 — Gillespie (Archibald), of Lochow, I. xlix, 1, 111, 114; II. 235, 236, 242.
- Campbell, Sir James, of Ardkinglas, II. 424.
 — Sir James, of Lawers, II. 18.
 — Sir John, of Glenorchy, I. 498; II. 459.
 — Mariota, his daughter, I. 498; II. 459.
 — Sir John, of Glenorchy, I. 390, 393; II. 161-164.
 — Lady Mary Graham, his wife, I. 393.
 — John, in Innerardoran, II. 447.
 — John, of Inverardoch, I. 487.
 — John, son of Sir Nigel, I. 456.
 — Lady Margaret, wife of John, Lord Erskine, I. 524.
 — Sir Nigel, I. 452, 456, 514.
 — Lady Mary Bruce, his wife, I. 456.
 — Robert. *See* Macgregor, Rob Roy.
 — Mary, his wife. *See* Macgregor.
 — Thomas, I. 437.
 — of Ardkinglas, I. 388.
 — family of, I. 109, 111, 113.
- Campegio, Thomas, bishop of Feltre, II. 344.
- Campsie, Finlay of, I. 67; II. 217, 218.
 — Mary, Elen, and Forveleth, his daughters, I. 67; II. 217, 218.
- Cant, John, II. 130.
- Canterbury, Lanfranc, archbishop of, I. 24.
 — Thomas Fitz-Alan, archbishop of, I. 201, 202.
- Cardeny (Cardenel), Andrew, Laird of Foss, II. 304, 305.
- Cardross, David, Lord, I. 552.
 — Henry Erskine, fiar of, I. 547, 548, 552.
 — Henry Erskine, third Lord, I. 406, 426-428, 430; II. 192, 193.

- Carlisle, Earl of, I. 340.
- Carmaig, Alexander, messenger, II. 374.
- Carmichael, John, II. 367.
- Carnegie (Carnegy), David, Lord, afterwards first Earl of Southesk, I. 373 ; II. 88, 110.
- Laird of Balnamoon, I. 372.
- Carrick, David, Earl of, afterwards Duke of Rothesay, I. 149, 162-164, 167, 168, 243.
- John, Earl of, afterwards King Robert the Third, I. 132, 141, 142, 145, 146, 149, 150, 154, 155, 157, 158 ; II. 250, 261, 265, 268, 433, 435, 456.
- John Stewart, Earl of, I. 345, 390, 391 ; II. 15, 43, 62.
- Robert de Bruce, Earl of, II. 219. *See also* Bruce.
- Carron, Grant of, widow of, II. 23.
- Carryg, Andrew, II. 297.
- Cars, John, II. 367.
- Carse or Kerse, Menteiths of, Pedigree, I. 460.
- Cassillis, Gilbert, second Earl of, II. 372.
- Gilbert, third Earl of, I. 502.
- Cawdor (Caldor), Donald, Sheriff of Nairn, I. 217.
- William, thane of, I. 452.
- Chalmers (Chalmer, de Camera), George, author of "Caledonia," I. 24, 34.
- Herbert, II. 207.
- John, of Gadgirth, I. 226.
- William, custumar of Aberdeen, I. 163.
- William, of Drumlochic, II. 437, 438.
- William, II. 266.
- Chambers, John, called of, II. 234.
- John of the, I. 179.
- Chancellor, William, an English esquire, I. 247-250.
- Charles the First, King, I. xviii, xx, xxiii, xxxiii, xxxiv, lxxvii, lxxi, 281, 337-363, 366-386, 396, 397, 399, 401, 402, 408, 410 ; II. 1-68, 71, 73-158, 323-325.
- Queen Henrietta Maria, his wife, I. 367, 411 ; II. 79, 168.
- the Second, I. lxxi, 281, 386-388, 405, 406, 409-413, 418, 420, 423-427 ; II. 67-72, 165, 168, 177, 178, 180, 184, 186, 189-191, 194-196, 200, 439, 440.
- Charles the Sixth, King of France, I. 149, 196, 200, 201, 229, 230, 236.
- the Seventh, I. 279.
- Charles-Edward, Prince, I. lxxi, lxxii, 282, 472, 492, 493, 495 ; II. 428-430, 452.
- Charlotte Stuart, Duchess of Albany, his daughter, I. 282.
- Chartour, Thomas, II. 106.
- Chatelherault, James, Duke of, Governor of Scotland, I. 318, 319. *See also* Arran.
- Chaworth, Sir Thomas, I. 267.
- Cheyne (Chen), Reginald le, I. 40 ; II. 217.
- Chisholm (Chessome), Thomas, II. 302.
- Clackmannan, Alexander, Sheriff of, II. 207.
- Clangregor, The, I. 486 ; II. 401, 402.
- Clanranald, II. 425.
- Clare, Sir Thomas de, brother of Gilbert, Earl of Gloucester, I. 70 ; II. 219, 220.
- Claverhouse. *See* Graham, John, of Claverhouse.
- Clayton, Sir William, I. 254.

- Clement the Fifth, Pope, I. 517.
 — the Sixth, I. 117, 118, 121, 122; II. 232.
 — the Seventh, II. 378, 389.
- Clere, Ralph de, II. 209, 210.
- Clerk, Sir William, II. 164.
- Clifford, Lord of, I. 517.
- Cochrane, John of, II. 277.
 — William of, II. 286.
- Cockburn, Sir Richard, of Clerkington, II. 424.
 — Sir William of, I. 198, 284.
- Coke, Secretary, I. 340.
- Coldingham, Prior of, I. 543.
- Colmoc or Colman, St., I. xli, xlii, 507; II. 460.
- Colquhonn (Culchon, Culquhonn), Alexander, of Camstradden, I. 322.
 — Anne Graham, his wife, I. 322.
 — Archibald, Lord Advocate, I. xxviii.
 — Sir James, of Luss, I. 516.
 — James, Vicar of Dunlop, II. 311.
 — Sir John, of Luss, I. 307; II. 309, 310.
 — Sir Robert of, II. 218.
- Colville (Colenile), Alexander, justice-depute, II. 6.
 — James, of Easter Wemyss, I. 539.
 — James, of Vehiltre, comptroller, II. 372.
 — Thomas de, II. 207.
- Comry, Thomas of, II. 277.
- Comyn (Cumine, Cuming, Cnmyng), Alexander, Lord of Buchan, II. 454. *See also* Buchan, Earl of.
 — Henry, son of Walter, Earl of Menteith, I. 35.
- Comyn, Lady Isabella, I. xix, xlii, xliii, xlvi, 35-37, 46-59, 76, 93; II. 221, 222, 455.
 — William, Lord of Kirkintilloch, her first husband, I. xliii, 35, 37, 46-51, 53; II. 221.
 — Sir Edmund Hastings, her second husband, I. 52-59, 76, 93; II. 453, 455, 456.
 — Sir John, Justiciar of Galloway, younger brother of Walter, Earl of Menteith, I. 21, 31, 35, 37, 40, 46, 47, 49, 50; II. 213, 221, 454.
 — John, called the Black Comyn, I. 19, 21, 49, 50; II. 454.
 — Marjorie Baliol, his wife, I. 21.
 — Sir John, Lord of Galloway, called the Red Comyn, I. 16, 20, 21, 92, 441, 442, 445-449.
 — John, of Kilbride, I. 436, 437.
 — Dame Marjory, sister to Dame Alice Beaumont, I. 170.
 — Richard, grandnephew of William the Chancellor, I. 11, 12.
 — Sir Richard, II. 271.
 — Robert de, Earl of Northumberland, I. 11.
 — Walter, Earl of Menteith. *See* Menteith.
 — William, Chancellor of King David the First, I. 11.
 — William, Earl of Buchan, I. 11-13, 15, 16, 51.
 — (Cwm-in), William, the King's door-keeper, I. 12.

- Comyn (Cwm-in), William, his son, I. 12.
 — (Cwm-in), Richard and Walter, his grandsons, I. 12.
 — Sir William, of Inveralochy, I. lxii-lxiv.
 — Lord of Strathbogie, I. II.
 — family of, I. xix, xxxii, xliii, 11, 21, 27-32, 59, 61, 62, 68, 92, 514.
 Congregation, Lords of the, I. 319, 320.
 Conway, Earl of, I. 392, 425 ; II. 114.
 Cope, Sir John, II. 429.
 Cornton (Corntoune), John of, chaplain to the Duke of Albany, I. 178.
 — John de, rector of Eglisbam, I. 265.
 Cornwall (Cornale, Cornele), John, of Ballinherd, II. 299.
 — Patrick, II. 299.
 — Peter, of Ballinhard, I. 324.
 — Thomas, II. 299.
 Couci, Mary de, Queen of King Alexander the Second, I. 32.
 — John de Brienne, her second husband, I. 32.
 Coul, King, I. 175.
 Coupar, D., abbot of, II. 333.
 Coxdeall, Madam, II. 202.
 Cragbayth, William of, II. 219.
 Craggyn, Thomas de, I. 67.
 Cragingelt (Craingelt), John, of that Ilk, II. 352, 355, 357, 358, 362.
 — John, minister of Aberfoyle, I. 337.
 — Robert, II. 358.
 — Thomas, of that Ilk, II. 323.
 Craigievar, Laird of, II. 111.
 Cranstoun (Cranistoun), John, Lord, I. 381.
 Crawford (Cranford, Craufurd), Alexander Lindsay, Earl of, I. 223, 263, 272. *See also* Lindsay.
 — David, first Earl of, I. 146, 166, 186, 193 ; II. 264.
 — David, tenth Earl of, II. 422.
 — James, seventh Earl of, I. xxii.
 — Sir James Lindsay, Lord of, I. 145.
 — Ludovic, Earl of, I. 393.
 — Nichol, of Oxingang, Justice-Clerk, II. 372.
 — Sir Reginald of, II. 221.
 — George, Historian, I. 193, 280.
 — Countess of, I. lxx.
 Crichton, Edward, Lord of Sanquhar, I. 324, 327.
 — Lady Margaret Douglas, his wife, I. 324.
 — William, of Crichton, I. 272.
 Cristeson (Cristesone), Adam, II. 331, 335.
 Cromlix, Lord, I. lxx.
 Cromwell, Oliver, Protector of England, I. liv, lxxi, 388, 408.
 — Sir Ralph, I. 267.
 Crosnope, Andrew, II. 363.
 Culen, King, I. lxxiv, lxxv.
 Cuuningham (Conyngham, Couyughame, Cuningame, Cunyngham, Coningghame), Allan, Poet, I. 22.
 — Sir Alexander, of Polmais, I. 306.
 — Archibald of, of Auchinbowie, I. 227 ; II. 292.
 — Archibald of, Sheriff of Stirling, I. 265.
 — Duncan, II. 361.

- Cunningham, Henry of, I. 226.
 — Sir Humphrey, of Vchtermachane, II. 288, 291.
 — John, of Drumquhassil, I. 538; II. 352, 356, 358.
 — Robert, of Kilmaurs, I. 272, 273; II. 292.
 — William, of Kilmaurs, I. 227.
 — Sir Winfred, of Auchtermachane, I. 226.
- D
- DACRE, Thomas, Lord, I. 480.
 Dallirdase, David, II. 286.
 Dalmahoy, Sir Alexander of, II. 209-211.
 Dalrymple, Sir James, I. 2, 3.
 Dalzell (Dalzel, Dalziel), General, II. 174, 179.
 — Sir Robert, I. 351, 353-355.
 Daniel, Colonel, II. 159.
 Danielstoun, Sir John of, Sheriff of Perth, I. 519; II. 251.
 Darnley, Henry, Lord, I. 281, 485, 486, 527.
 David, Earl, II. 212.
 — Henry of Stirling, his son, II. 212.
 David the First, King of Scotland, I. xli, xlix, 1-3, 5, 11, 34, 151, 155.
 — the Second, I. xli, lii, lxix, lxxix, lxxx, 22, 98, 105-109, 114, 117, 119, 120, 124, 127, 132-136, 138, 139, 148, 199, 270, 455, 456, 518, 519; II. 238, 246, 247, 266, 267.
 Joanna of England, his first wife, I. 118.
 Margaret Drummond or Logie, his second wife, I. lii, lxix, lxx.
- Davidson, Robert, custumar of Aberdeen, I. 163.
 — Mr Robert, I. 387.
 Dene, William, II. 302.
 Dennistoun, Walter of, bishop of St. Andrews, I. 183.
 Descheles, Alexander, I. 195.
 Dick (Dik), Gilbert, bailie of Edinburgh, II. 421, 422.
 — Sir William, I. 67.
 Dillon, General, II. 425, 426.
 Dingwall, John, provost of Trinity College, Edinburgh, II. 399, 400.
 Dishington (Dysschyngtoun), Sir Thomas, II. 115.
 — Sir William of, II. 268.
 Disney, John, I. 414.
 Dobynsoun, William, I. 226.
 Doig (Dog), James, II. 389, 391.
 — Paul, II. 403.
 — Walter, mair of Menteith, II. 391, 392.
 Doin, Andrew, II. 392.
 Donald, son of Gilbert, I. 111; II. 241.
 Donaldson, Donald, II. 374.
 — Neuen, II. 266.
 — called "King of the moors," I. 526.
 Dorchester, Viscount, I. 340.
 Dorset, Earl of, I. 249, 340.
 Dougal (Dugall), Arthur, I. 420; II. 190.
 — Sir, chaplain to King James the First, I. 258.
 Douglas (Duneglas), Sir Andrew of, II. 209, 211.

- Douglas, Archibald of, II. 215.
- Archibald, Lord of Galloway, third Earl of, I. 135, 140, 150, 158, 166, 170, 175, 236 ; II. 249, 260, 265, 268.
- Archibald, fourth Earl of, I. lxxxii, 132, 156-158, 168, 173-177, 179, 180, 184, 188, 191, 198, 206, 208, 210-214, 221-223, 227, 232, 235, 236, 244, 263, 264, 285 ; II. 277-283.
- Lady Margaret Stewart, Countess of, his wife, I. 157, 175 ; II. 282, 283.
- Archibald, fifth Earl of, I. 211, 272, 273, 294 ; II. 280.
- Enfamia Graham, Countess of, his wife, I. 294.
- Sir Archibald, treasurer to King James the Fifth, II. 372.
- Elizabeth of, wife of Sir Alexander Forbes, I. 266.
- Lady Elizabeth, daughter of Archibald, fourth Earl of, I. 211, 221, 236 ; II. 281-283.
- Sir James, I. 454.
- James, second Earl of, I. 140, 150, 152, 153 ; II. 260, 268.
- James of, of Balveny, afterwards seventh Earl of, I. 209, 232, 265, 267.
- James, second son of Archibald, fourth Earl of, I. 191, 211, 263 ; II. 280.
- Sir James of, Lord of Dalkeith, I. 166, 173, 175, 176, 285 ; II. 265.
- Princess Elizabeth, his wife, I. 175.
- Sir James, of Drumlanrig, I. 324, 327.
- Douglas, James, ninth Earl of, I. 293, 294.
- Lady Margaret, Countess of Menteith. *See* Menteith.
- Lady Mary. *See* Rothesay.
- Robert, I. 495 ; II. 300.
- Thomas of, burgess of Stirling, II. 292.
- William of, II. 215.
- William, II. 300.
- Sir William of, II. 210, 211.
- Sir William, I. 86.
- Sir William, knight of Liddesdale, I. 106.
- William, first Earl of, I. 104, 112, 140, 143, 148 ; II. 240, 260, 268.
- Sir William, of Drumlanrig, I. 195, 223, 227, 259.
- Sir William, of Hawick, I. 324.
- William, of Logtoun, I. 219.
- William, of Hawthornden, II. 299.
- William, of Lochleven, I. 489, 534, 539.
- Honse of, I. 20, 135, 175.
- Doune (Doun, Dowin, Downe), Andrew of, I. 120.
- James Stewart, first Lord, I. 487, 488, 491, 542 ; II. 421-424. *See also* Stewart, Sir James.
- Muriella of, I. 120.
- Dow, Harrie, of Polder, II. 191.
- Drumakill, Laird of, II. 191, 192.
- Drumbaie, Laird of, I. xxxix.
- Drumelzier (Drumeller), Laird of, II. 185.

- Drumlanrig, William, Viscount of, I. 345 ; II. 27, 28, 81, 85.
 — his son, II. 27, 28.
- Drummond (Drommunde, Drommunth, Dromud, Dromynd, Droumond, Drummad, Drumman, Drummund), Alexander, II. 312.
- Annabella, wife of King Robert the Third, I. lii, 124, 171, 172.
- Brice, the Procurator, I. 111 ; II. 241.
- David, second Lord, I. liv, lxi-lxv, 310 ; II. 437, 438.
- Margaret Stewart, his wife, I. lxiii.
- of Drummondernoeh, I. 404.
- George, of Blair, or of Blair-Drummond, II. 440-443, 445, 446.
- George, of Ledcreif, II. 438.
- George Stirling Home, of Blair-Drummond. *See* Home-Drummond.
- Gilbert, of Boquhapple, I. xl, xli, lxix, 98 ; II. 227, 228, 230.
- Matilda, his wife, I. xl ; II. 228.
- Elen, Elizabeth, Johanna, Anabilla, their daughters, I. xl ; II. 228.
- Harry, II. 111, 122, 132, 142.
- Henry Home, of Blair-Drummond. *See* Home-Drummond.
- Henry, author of History of the Drummond Family, I. xl, xli, xlv, xlvi, xlvi, xlvi, lii, lv-lviii, lxx ; II. 456.
- James, I. 306.
- James, of Blair-Drummond, II. 445, 446, 451.
- Drummond : Jean Carre, his wife, II. 451.
- George, their son, II. 451.
- Lady Jane Grey, his wife, II. 451.
- James, Lord, afterwards first Earl of Perth, I. lxvi.
- John, of Concraig, I. xx, xxiii, xxv, xli-xlii, lxvii, 109-113, 115, 116, 120, 124-127 ; II. 239-246.
- Lady Mary of Montifex, his first wife, I. 124.
- Lady Margaret Graham, his second wife, I. xx, xlii. *See also* Menteith, Margaret, Countess of.
- Sir John, of Concraig, I. 290.
- John, of Drongy, I. 314.
- Matilda Graham, his wife, I. 314.
- John, of Innerpeffray, I. lxiii.
- Margaret, Lady Gordon, his wife, I. lxiii.
- John, first Lord, I. lviii, lx-lxv, lxviii, lxix, 298, 520, 521 ; II. 303, 305.
- Margaret, his eldest daughter, I. lxi, lxiii.
- Lilius and Sybilla, also his daughters, I. lxi.
- John of, I. 295, 296.
- Marion, Countess of Menteith, his wife, I. 295.
- John, dean of Dunblane, and parson of Kinnonl, I. lxii.
- John, taken prisoner at the battle of Dumbar, I. 55.
- Sir John, I. 400.

- Drummond, John, II. 165.
 — Lord, II. 448.
 — Malcolm of, or Malcolm Beg, I. lvi, lvii, lxix; II. 218.
 — Gilbert, his brother, I. lvii.
 — Sir Malcolm, I. xl-xlii, 124; II. 227, 229, 230.
 — Sir Malcolm, Lord of Mar, I. lxx, 160.
 — Lady Isabel Douglas, his wife, I. 160.
 — Malcolm, I. 297.
 — Margaret, or Logie, Queen, wife of King David the Second, I. lii, lxix, lxx.
 — Maurice, reputed Prince of Hungary, I. li-lviii, lxvii, lxviii, lxx.
 — Agatha, his mother, I. lv.
 — Maurice of, brother of John of Coneraig, I. lviii, lix, lxiv, 110, 112, 113; II. 239-245, 249, 250, 254, 256.
 — Maurice of, I. 290; II. 276, 277. ✓
 — Maurice, of Coneraig, I. lxix.
 — Patrick, Lord, I. lxv, lxvi.
 — Raynold, II. 450.
 — Sir Robert, of Carnock, II. 419.
 — Walter, brother of John, first Lord, I. lxii.
 — William, son of George of Ledereif, II. 438.
 — William, of Hawthornden, I. 354.
 — William, first Viscount of Strathallan, I. lii.
 — William, II. 167.
 — Baron, I. lxx.
 — Laird of, I. lviii, 161.
- Drummond, family of, I. xxvi, xl-xlii, li, lii, lv, lviii, lix, lxvii, lxix, lxx, 56, 109, 113, 116, 124, 456, 509; II. 453.
 Drummonds of Blair-Drummond, I. xxiii, xxvi, Pedigree, 467.
 — of Boghall and Fordew, Pedigree, I. 470.
 Drumquhassill, Laird of, I. 538. *See also* Cunningham.
 Dryburgh (Drybruch), David Erskine, commendator of, I. lxxvi, Memoir, 528-547; II. 341-344, 361-363.
 — Henry Erskine, commendator of, I. 546-549.
 — James, Abbot of, II. 394.
 — John Erskine, commendator of, I. 524; II. 341. *See also* Erskine, John, Lord.
 — William, commendator of, I. 544.
 Duffgal (Dufgal), son of Syfyn, I. 62; II. 216.
 Duffra, II. 159. *See also* Graham, John, of Duchray.
 Dumbarton, Adam, chaplain of the Castle of, II. 219.
 — Clement of, II. 219.
 Dun (Dwne), Michael, II. 302, 303.
 Dunbar, George, Earl of, I. 285. *See also* March.
 — George, his son, I. 215, 223, 232, 246.
 — Patrick, also his son, I. 215.
 — James of, I. 264.
 — Patrick, sixth Earl of, I. 9, 22, 60.
 — Patrick, eighth Earl of, I. 79, 81, 436; II. 219.
 — John and Alexander, his sons, II. 219.

- Dunbar, Patrick, ninth Earl of, II. 219.
 — Sir Patrick, of Bele, I. 220, 267.
- Dunblane, Adam Bellenden, bishop of, I. 336 ;
 II. 83, 86, 88, 320-323.
 — Clement, bishop of, I. 29, 34 ; II. 326-329.
 — Gilbert, dean of, I. 258.
 — Maurice, bishop of, I. 103, 104 ; II. 229.
 — Walter, bishop of, I. 125, 128.
 — William de Boscho, bishop of, I. 511.
 — William Chisholm, bishop of, II. 335, 343,
 346.
 — William Stephen, bishop of, I. 266.
- Duncan, son of Gilcrist, II. 218.
 — son of Nigel, I. 111 ; II. 241.
- Duncrub, Laird of, I. 350. *See also* Rollo.
- Dundas, James, of Dundas, I. 224.
 — William, son of Dundas of Kincavel,
 I. 387.
- Dundee, John, Viscount of, I. xxiii, xxxvi-
 xxxix ; II. 443-445. *See also* Grahame,
 John, of Claverhouse.
 — Constable of. *See* Serymgeour, Sir John.
- Duneglas, Archibald of, II. 215. *See also*
 Douglas.
 — William of, II. 215.
- Dunfermline (Dunfermelyn, Dunfermling),
 Alexander, first Earl of, Chancellor,
 II. 73, 320.
 — George, commendator of, II. 333.
 — James, abbot of, I. 277.
 — Matthew, abbot of, I. 39.
 — Robert, abbot of, I. 25.
 — Robert Pitcairn, commendator of, II. 415.
- Dunglass, II. 166. *See also* Ruthven.
- Dunhon, Alexander of, knight, II. 218.
- Dunkeld, Geoffrey, bishop of, I. 24 ; II. 326-329.
 — George Crichton, bishop of, II. 372, 400.
 — Gilbert, bishop of, I. lxxv.
 — James Nicholson, bishop of, II. 88.
 — John of, I. 195.
 — John Hamilton, bishop of, II. 333.
 — John Peebles, bishop of, II. 264, 265, 268.
 — Richard de Inverkeithing, bishop of, I. 28.
 — Robert Crichton, bishop of, II. 343.
 — Robert de Cairny, bishop of, I. 193, 263,
 266.
 — Richard Halden, subdean of, I. 544 ; II.
 365.
- Dunnydouer, Richard of, II. 219.
- Dunslene, brother of Murchard, II. 216.
- Duastan, St., archbishop, I. 67 ; II. 218.
- Dupplin, George, Viscount, Lord Chancellor,
 I. 338, 350, 358, 363, 364, 367, 368,
 371, 372 ; II. 19, 20, 31, 32, 35, 36, 40,
 45, 46, 50-52, 74, 75, 79, 82, 83, 90, 96
 107, 120, 123-127, 131, 142, 149-151,
 320.
- Durham (Durhame), Antony de Beck, bishop
 of, I. 441 ; II. 432.
 — Thomas, bishop of, I. 199, 201, 202, 223,
 267.
 — Mr. James, I. 356.
- Durie, Lord (Alexander Gibson), I. 363.
- Durward (Dorward, Hostiarius), Alan, I. 23, 25,
 27, 29, 31, 32, 39, 40, 61, 62 ; II. 217.
 — his wife, I. 25.

E

- EARLESHALL, Laird of, II. 93.
- Edgar, King of Scotland, I. 64.
- Edmonstone (Edmanstone, Edmenstoun, Edmestoun, Edmonstoun), Andrew, II. 399.
- Archibald, of Duntreath, I. 284; II. 303.
- Archibald, I. 486; II. 372, 380.
- Sir C., I. xxviii.
- James, of Ballintone, I. 485.
- James, brother of Sir William of Duntreath, I. 485.
- James, of Duntreath, I. 539.
- James, cousin of William of Duntreath, II. 393, 394, 398.
- John, in Cammysmore, II. 380, 381.
- John, II. 372.
- John, elder, II. 391.
- Sir William of, Lord of Cullodene, I. 278.
- Sir William, of Duntreath, his son, I. 278, 280, 481.
- Matilda Stewart, his wife, I. 278, 280, 481.
- Sir William, of Duntreath, keeper of Doune Castle, I. 481.
- William, of Duntreath, his son, keeper of Doune Castle, I. 481-485; II. 369-381, 385, 387, 389-400.
- Archibald, also his son, I. 481, 484; II. 370, 396, 400.
- Edmonstones of Newton, I. 471
- Edward the First, King of England, I. xlii, xliii, 21, 49, 52-59, 70, 72-76, 78-88, 90-94, 433, 435-450, 452, 512-515; II. 221-223, 431, 432, 454.
- the Second, I. 58, 59, 70, 71, 78, 87, 88, 91, 92, 439, 440, 450-454, 517.
- the Third, I. 22, 84, 100, 101, 105, 108, 109, 143, 518.
- the Fourth, I. 479.
- Effingham, Countess of, I. lxx.
- Eglinton (Eglintoun, Egliutun, Eglyntoun), Alexander, Earl of, I. 345.
- Sir Hugh of, I. 109; II. 239, 250, 253, 256.
- Hugh, third Earl of, I. 327, 489, 540.
- Hugh, fourth Earl of, I. 489.
- Countess of, I. lxx.
- Elcho, David, Lord, I. 397.
- Eliston, Hugh, provost of. *See* Illieston.
- Elizabeth, Queen, I. 319, 532, 533.
- Elliot (Ellot), Archibald, *alias* Archie Kene, I. 488, 489.
- Hob, of Thorleshoip, II. 29.
- Hob, called Vicar's Hob, II. 414, 415.
- John, son of elder Will, II. 414.
- Robert, in Dinlebyre, II. 28.
- Gilbert, his son, II. 28.
- Robert, or Clement Hob, in Gorrumberry, I. 488.
- Will, son to the elder Tod, II. 413.
- Willie, called Blakheid, II. 29.
- Willie, called Robin's Willie, II. 28.
- Ellis, Sir Henry, I. xlvi.

- Elphinstone (Elphingstoun, Elphinstoun), Alexander, fourth Lord, II. 90.
- Sir George, of Blythswood, Justice-Clerk, II. 6.
- George, I. 331.
- James, I. 331.
- Sir J., I. 358.
- Michael, servitor to King James the Sixth, I. 545 ; II. 365-367.
- Baroness, I. lxx.
- family of, I. 387.
- Eneus (Angus), Lord of the Isles. *See* Isles.
- England, Thomas Moubray, Earl of Nottingham, Earl Marshal of, I. 155, 156.
- Thomas of Arundel, Chancellor of, I. 205.
- Eric, King of Norway, I. 68, 70.
- Princess Margaret of Scotland, his wife, I. 68.
- Erinton, Richard, I. 480.
- Errol, William Hay, Lord of, I. 264.
- William, Earl of, II. 303.
- Countess of, I. lxx.
- Erskine (Erskin, Erskyne), Adam, commendator of Cambuskenneth. *See* Cambuskenneth.
- Adam, rector of Campsie, II. 361.
- Sir Alexander, of Cangnoir or Gogar, I. 530, 534, 536-539 ; II. 359-361.
- Alexander, son of John, second Earl of Mar, I. 552.
- Arthur, of Blackgrange, II. 361.
- David, of Cardross, I. 548.
- David, clerk to the signet, I. 518, 522.
- Erskine, David, commendator of Inchmahome and Dryburgh. *See* Inchmahome.
- David, Lord Cardross, I. 552.
- Elizabeth, wife of Robert Graham of Gartmore, I. 312-314.
- Admiral Elphinstone, I. 45, 504.
- Sir George, I. 335.
- Henry, son of John, second Earl of Mar, I. 406, 426-428, 546-549.
- James, of Balgony, II. 362.
- James, of Cardross, I. 509.
- James, son of David, commendator of Inchmahome, I. 546.
- James, of Little Sanchy, I. 530, 539 ; II. 351, 352, 354, 356, 358, 361.
- John, fourth Lord, I. 502, 503, 524, 530 ; II. 331-333, 354.
- Lady Margaret Campbell, his wife, I. 524.
- John, Lord, afterwards Earl of Mar, I. xxxiii, 524-531 ; II. 349-363, 460. *See also* Inchmahome and Dryburgh, commendator of.
- John, I. 539.
- Lord, I. 303, 345.
- Lady Margaret, wife of Sir James Graham, I. 392.
- Ralph, in Dryburgh, I. 545.
- Robert, fiar of Dun, I. 539.
- Sir Robert, I. 261, 262, 264, 279, 293 ; II. 288, 290.
- Janet, his daughter, I. 261, 262, 279, 280.
- Sir Robert, I. 109, 142 ; II. 239, 268.

- Erskiue, Robert, Master of, prior of Iuchmahome,
I. xxxiii, 522-524, 527, 528.
— Thomas, of Linlathen, I. 549.
— Thomas, Lord, I. 297.
— Isobel, his daughter, I. 297.
— Sir Tbosas, Lord of that Ilk, I. 159, 160,
166, 285 ; II. 264, 265, 268.
— Janet Keith, his wife, I. 160.
— Thomas, master of, I. 527.
— Sir Thomas, of Haltoun, Secretary of State,
II. 372, 400.
— William, commendator of Paisley, I. 491 ;
II. 422.
- Erth, Bernard of, II. 218.
— Elen, his wife, II. 218.
- Ener (Yuer), Sir Ralph, I. 206, 254.
- Evandale, Lord, II. 108.
- Everwyk, Thomas de, I. 108. *See also* York.
- Evesham, John of, a priest, I. 138, 139 ; II.
232, 233.
- Ewen the goldsmith, II. 218.
- Ewing, Mr., II. 165.
— Michael, master mason, II. 420.
- Exeter, Walter of, I. 57.
- F
- FAITH, St., the Virgin, II. 432.
- Falkland, Viscount, I. 340.
- Fargy, Alexander, a minister, II. 315.
— William, II. 367.
- Fasselane, Walter of, Earl of Lennox, I. 110.
- Fauconberge, Sir Walter, I. 249, 251.
- Fauside, Sir Thomas of, II. 250.
- Feltoun, Lieutenant, II. 91.
- Feltre, Thomas Campegio, bishop of, II. 335, 344.
- Fergushill, Robert of, of that Ilk, I. 226.
- Ferrar, William, I. 97.
- Feuere, John, I. 138 ; II. 232.
- Fife (Fif, Fiff, Fyff), Colban, Earl of, II. 217.
— Duncan, tenth Earl of, I. 92, 136 ; II.
252, 254.
Isabella, his daughter, Countess of Buchan,
I. 92.
— Duncan, eleventh Earl of, I. 91, 108.
— Malcolm, seventh Earl of, I. 8, 9, 15 ;
II. 214, 215.
— Malcolm, eighth Earl of, I. 27, 40 ; II. 213.
— Mary, Countess of, II. 252, 253, 255.
— Robert Stewart of. *See* Stewart.
— Walter Stewart, Lord of, I. 132, 133, 136,
137 ; II. 252.
— Isabella, Countess of, his wife, I. xxxii,
lxxvii, 91, 132, 136, 137, 157 ; II. 251-256.
- Fife and Menteith, Robert Stewart, Earl of.
See Albany.
— Lady Margaret Graham, Countess of, his
first wife. *See* Menteith.
— Lady Muriella Keith, Countess of, his
second wife, I. 130.
- Fillan, St., I. 181, 182.
- Finlay, son of Ay, I. 111 ; II. 241.
— bishop of Lismore, I. 273.
- Fintry, Laird of, I. 329. *See also* Graham.
- Fisher, Johu, of Tayenrouyoch, II. 450.

- Fitzalan, Brian, Edward the First's Governor of Scotland, I. 87.
- Fitzgerald, Colin, I. 65.
- Flanders, Lady Margaret of, daughter-in-law of King Alexander the Third, I. 69.
- Fleance, son of Banquo, thane of Lochaber, I. Iv.
- Fleming (Flandrensis, Flemyng), Alexander, of Monneis, II. 6.
- Sir David, I. 184, 186, 188-191.
- Sir Hugh, II. 218.
- Isabella, Lady of Dalnottyr, II. 257, 258.
- John, Lord, afterwards third Earl of Wigton, I. 373.
- Sir Malcolm of, Lord of Biggar and Cumbernauld, I. 191, 238, 264, 269 ; II. 264, 288, 436, 437, 456.
- Lady Elizabeth Stewart, his wife, I. 191, 238 ; II. 436, 437, 457.
- Sir William, of Barruchan, II. 224.
- Walter, his son, II. 224, 225.
- Baroness, I. lxx.
- Fogo, James, II. 399.
- Fontenay, Marquis de, French Ambassador to England, II. 36.
- Forbes, Sir Alexander, I. 266.
- Elizabeth of Douglas, his wife, I. 266.
- John, Lord, II. 393.
- Fordun, John de, Historian, I. 18, 22, 23, 26, 38, 74, 100, 168, 189, 222, 227, 230, 232.
- Forrest, John, burgess of Linlithgow, II. 413, 414.
- Forrester (Forester, Forster), Sir Adam, I. 146, 166.
- Alexander, of Garden, I. 539.
- Forrester, Sir George, afterwards Lord, of Corstorphine, I. 345, 381, 391.
- Sir John, of Corstorphine, chamberlain, I. 146, 199, 223 ; II. 295, 437.
- Marion, wife of Sir Harry Schaw, I. 305, 306.
- Walter, of the Torwood, II. 307, 309.
- Mr. Walter, I. 166.
- Forsyth, Malcolm, I. 143.
- Forth, Marquis of, I. lxx.
- Foster, Robbie, of Gremay, II. 28.
- Willie, called Willie of the Nuke, II. 28.
- Fotherance, George Haliburton, Lord, II. 125.
- Fotheringham, Henry of, I. 519.
- Foulis, William, provost of Bothwell, II. 295.
- Fournivalle, Lord, I. 170.
- France, Charles the Sixth, King of, I. 149, 196, 200, 201, 229, 236.
- Charles the Seventh, King of, I. 279.
- Francis the First, King of, I. 318.
- Francis, Dauphin of, husband of Mary, Queen of Scots, II. 332.
- Henry the Second, King of, II. 332.
- Louis the Ninth, King of, I. 61.
- Louis the Eleventh, King of, I. 270.
- Margaret, his wife, daughter of King James the First of Scotland, I. 270.
- Louis the Thirteenth, King of, II. 36.
- Louis the Fifteenth, King of, II. 430.
- Philip the Fourth, King of, surnamed the Fair, I. 73, 83, 90, 98, 451.
- Frances, William, of Stane, I. 225, 226.
- Fraser (Frasere), Sir Alexander, I. 99, 100 ; II. 225.

Fraser, Alexander, of Knock, I. 226.
 — Hugh, Lord, of Kinnell, I. 239.
 — Sir Simon, I. 441, 442, 445, 446.
 — Simon, II. 221.
 — William, bishop of St. Andrews, I. 72 ;
 II. 431, 432.
 — William, Deputy Keeper of Records, I.
 xxiii, xxv, xxxvii, lxxvi, 283, 504 ; II. 453.
 — William, of Philorth, II. 285.
 Frederick Lewis, Prince of Wales, I. 282.
 Freland, Robert, II. 365.
 Frend, Thomas, II. 234.
 Fullarton (Fullartoun), Sir Adam of, II. 251.
 — David, II. 16.

G

GALBRAITH (Galbrath), Andrew, of Culereucht,
 II. 383.
 — James, of Kilcowich, I. 539.
 — John, *alias* John Dow M'Kewin, II. 415, 416.
 — John, II. 303.
 — Robert, II. 379, 381, 383.
 Gale, Thomas, I. 411.
 Galloway, Alexander, first Earl of, I. 391.
 — David, bishop of, II. 372.
 — Henry, bishop of, II. 400.
 — Sir James, Master of Requests to King
 Charles the First, II. 64.
 Garlies, Alexander, Lord, I. 391, 393.
 — Lady Margaret Graham, his wife, I. 391,
 393.
 Garnett, T., M.D., I. 496.
 Gartmore, Laird of. *See* Graham, Robert and
 William.
 Gaunstede, Symon, a director of the English
 Chancery, I. 202.
 Gaunt, John of, Duke of Lancaster, I. 268.
 — Lady Katherine, his wife, I. 268.
 George the First, King of England, I. lxxiv.
 — the Second, I. 282, 492.
 — the Third, I. 282.
 German, II. 219.
 Nicholas, his son, II. 219.
 Geroud, in Illieston, II. 207.
 Gibbounsoun, John, I. 226.
 Gibe, William, quarrier, II. 419.
 Gibson, Alexander, Clerk Register, I. 386 ; II.
 141.
 — Alexander, clerk to Privy Council, I. 421.
 Gilaverianus, farmer of the Cumbraes, I. 67.
 Gilbert, I. 111.
 — son of Absolon, II. 218.
 Gilchrist, son of Dovenald, II. 229.
 Gilerist, II. 218.
 Duncan, his son, II. 218.
 Gilderoy (Gilroy), I. 382.
 — John Dow Roy Macgregor, brother of, I.
 382, 383, 396 ; II. 58.
 Glanvil, Ranulph de, I. 2.
 Glasgow, Gavin, archbishop of, II. 393, 394,
 400.
 — James Bethuue, archbishop of, II. 343.
 — George Borthwick, archdeacon of, I. 267.
 — Patrick Houston, canon of, I. 267.

- Glasgow, James Law, archbishop of, II. 140.
 — Jocelin, bishop of, I. 4, 5.
 — John, bishop of, II. 295.
 — M., archdean of, II. 329.
 — Matthew Glendonig, bishop of, I. 166 ;
 II. 264.
 — Patrick Lindsay, archbishop of, I. 367,
 371, 372 ; II. 50-52.
 — Robert Wishart, bishop of, I. 92.
 — W., dean of, II. 329.
 — William de Boudington, bishop of, I. 17,
 28, 29 ; II. 326-328.
 — William Lauder, bishop of, I. 199, 223,
 263, 265, 267 ; II. 286, 290.
 Gledstanes, John, of that ilk, I. 181.
 Glencairn, Alexander, first Earl of, I. lx.
 — Alexander, fifth Earl of, I. 533.
 — William, ninth Earl of, Chancellor, I. 389 ;
 II. 162, 164.
 — William, fourth Earl of, I. 313.
 — William, sixth Earl of, I. 540.
 Glenderule, Laird of, II. 425, 427.
 Gleneagles, Laird of, I. 350 ; II. 401.
 Glenfalloch, Laird of, II. 447.
 — — younger, II. 448.
 Glenkerny, Gilbert of, II. 217.
 — Gilbert, his son, II. 217.
 Glenorchy, Laird of, I. 350. *See also* Camp-
 bell.
 Gloucester, Gilbert de Clare, Earl of, I. 70,
 436.
 — Thomas de Clare, his brother, I. 70.
 — Humphrey, Duke of, I. 266.
 Gloucester, Earl of, I. 62.
 Gordon (Gordoune), George, Lord, afterwards
 second Marquis of Huntly, II. 90, 107.
 — Gilbert, of Gartay, I. 320.
 — Isabel Sinclair, his wife, I. 320.
 — Margaret, Lady, daughter of King James
 Fourth and Margaret Drummond, I. lxi,
 lxiii.
 — Sir Robert, II. 132.
 — William, of Mooresade, II. 34.
 Govane, John, Prior of the Preaching Friars of
 Glasgow, I. 278.
 Gowrie, William, first Earl of, I. 541.
 Graham (Graeme, Grahame, Grahem, Gram,
 Grame, Graym), Agnes, daughter of
 Robert Graham of Gartmore, I. 315.
 — Alexander, son of William, Lord of
 Graham, II. 283, 284, 286, 287, 289,
 292.
 — Alexander, grandson of William, Lord of
 Graham, II. 287, 289.
 — Andrew, or Gray, I. 393.
 — Andrew, son of William, third Earl of
 Menteith, I. 311, 317.
 — Andrew, I. 316.
 — Anne, daughter of John Graham of Red-
 noch, I. 322.
 — Lady Anne, daughter of William, seventh
 Earl of Menteith, I. 393, 394.
 — Archibald, son of William, seventh Earl of
 Menteith, I. 393, 394.
 — Janet Johnston, his wife, I. 393.
 — John, their son, I. 393.

- Graham, Catharine, daughter of John, Lord Kilpont, I. 406.
- Sellick, her husband, I. 406.
- Lady Christian, daughter of John, fourth Earl of Menteith, I. 322.
- Lady Christian, daughter of John, sixth Earl, I. 330.
- Colonel, brother of Richard, Viscount Preston, II. 175, 196, 197.
- Sir David, I. 442, 445, 446.
- Sir David of, I. 27, 40, 289, 290; II. 207-211.
- Agnes, his wife, II. 207-211.
- Sir David of, Lord of Dundaff, II. 256.
- David, of Fintry, II. 424.
- Duncan, I. 419.
- Lady Elizabeth, daughter of John, Lord Kilpont, I. 406, 430, 432.
- Lady Eufamia, wife of Archibald, fifth Earl of Douglas, I. 294.
- Lady Euphame, wife of Sir William Stewart of Dalswinton, I. 301.
- George, of Boquhaple, I. 301.
- George, a priest, II. 297.
- George, brother of William, Earl of Montrose, II. 309.
- George, tutor of Menteith, I. 319-321, 328.
- George, son of William, fifth Earl of Menteith, I. 327, 334.
- Grissel Stirling, his wife, I. 327, 334.
- John, their son, I. 327, 334.
- George, I. 356.
- Gilbert, in Rednoch, I. 334.
- Graham, Gilbert, son of William, third Earl of Menteith, I. 312-314, 316, 325, 326.
- Gilbert, I. 326.
- Henry, son of Patrick, Lord Kilpont, I. 297, 307, 308, 523.
- Henry, son of William, Lord of Graham, II. 287, 290.
- Henry, II. 309.
- James, of Airth, advocate, I. 387.
- James, a notary, II. 362.
- James, of Orchil, I. 430.
- James, of Rednoch, I. 321, 322.
- Sir James, son of William, seventh Earl of Menteith, I. 391-394, 421-427; II. 162, 174-177, 180-186, 188, 190, 197, 198, 200, 202, 460.
- Dame Margaret Erskine, his first wife, I. 392.
- Marian, their daughter, I. 392.
- Isabella, his second wife, I. 392, 423, 425, 426; II. 175-177, 180, 181, 186, 188, 190, 197, 198, 200-204.
- Helen or Eleanor, their daughter, I. xxiii, xxxvi, 392, 421-423, 425, 427; II. 172, 175-177, 180-182, 184-186, 188, 190, 197, 198, 201-203.
- John, of Ballindoran, I. 324; II. 352, 356, 358, 361, 362.
- John, of Catter, I. 409.
- John, of Claverhouse, afterwards Viscount of Dundee, I. xxiii, xxxvi, xxxvii, lxxxii, 392, 407, 419, 421-423, 425, 426; II. 170-173, 176, 183-190, 197-205, 443-445, 460.

- Graham, John, of Duchray, I. 322, 409; II. 70, 159, 439.
- Marian Graham, his wife, I. 322.
- John, of Fintry, tutor of Menteith, I. 328, 329.
- John, of Garuock (Geruok), I. 485; II. 438.
- Sir John, of Gartmore, I. xxii, 428, 430.
- John, of Gartur, I. 308, 509.
- Matilda Graham, his wife, I. 509.
- Sir John, of Kilbride, I. 299.
- John, of Kilbride, I. 302.
- John, son of Malise, first Earl of Menteith, I. 297-299, 302.
- John, Lord Kilpont. *See* Kilpont.
- Sir John, ninth Earl of Menteith, I. xx. *See also* Menteith.
- John, a notary, II. 358.
- John, of Polder, afterwards of Gartmore, I. 337.
- John, of Rednoch, I. 322, 387.
- John, son of William, Lord of Graham, II. 287, 289.
- of Killearn, I. lxxiii.
- Malise. *See* Menteith, Earls of.
- Malise, I. 312; II. 309.
- Malise, reader at Aberfoyle, I. 321; II. 315, 316.
- Lady Margaret, daughter of William, seventh Earl of Menteith, I. 393.
- Margaret, natural daughter of William, eighth Earl of, I. 393, 429.
- Margaret, Countess of Argyll, I. 311, 316.
- Graham, Margaret, Countess of Menteith. *See* Menteith.
- Mariou, wife of Robert Buchanan of Leny, I. 303, 308.
- Lady Mary, daughter of John, Lord Kilpont, I. 406, 432.
- Lady Mary, daughter of John, fourth Earl of Menteith, I. 322, 323.
- Lady Mary, daughter of William, seventh Earl of Menteith, I. 393.
- Mr., of Duchray, I. 480.
- Mr., of Gartmore, I. xxii, xxiii.
- Matilda, wife of John Drummond of Drongy, I. 314.
- Sir Patrick, of Kincardine, killed at the battle of Dunbar, I. 104.
- Sir Patrick of, I. 97.
- Sir Patrick of, Lord of Dundaff and Kincardine, I. 109, 144, 155, 166, 258, 290; II. 239, 256-258, 262-265.
- Eufemia Stewart, his wife, II. 262, 263.
- Sir Patrick of, his son. *See* Patrick, Earl of Strathern.
- Sir Robert, also his son, I. 272, 293, 350; II. 263.
- David and Alexander, also his sons, II. 263.
- Patrick of, son of William, Lord of Graham, II. 287, 289.
- Patrick, Lord, II. 287, 289, 292, 293, 298-300.
- Patrick, II. 307.
- Patrick, a priest, II. 297.

- Graham, Patrick, son of the Laird of Buchople,
II. 192, 193.
- Sir Richard, II. 27, 79, 81, 84, 85, 103, 175.
- Robert, of Gartmore, son of William,
third Earl of Menteith, I. 311-314, 317,
325, 326; II. 362.
- Elizabeth Erskine, his wife, I. 312, 314.
- Robert, of Gartmore, son of William of
Gartmore, I. 314, 315, 329; II. 140, 142.
- Robert, of Inchemachlyn, II. 297.
- Robert, son of William, Lord of Graham,
I. 231; II. 287, 289.
- Robert, in Shennochil, I. 428.
- Robert, II. 309, 312.
- Thomas, of Boquhapple, I. 301, 307.
- Christina Oliphant, his wife, I. 301.
- Thomas, of Boquhapple, his grandson, I. 301.
- Thomas, I. 309; II. 318.
- Walter, son of Alexander, second Earl of
Menteith, I. 308.
- Walter, fiar of Duchray, I. 321.
- Walter, of Gallingad, I. 431.
- Walter, of Gartur, I. 392.
- Marion, his wife, I. 392.
- Walter, of Glenny, I. 388; II. 70.
- Walter, of Lochtoun, son of Malise, Earl
of Menteith, I. 298-301, 304, 305, 307,
309, 310, 334.
- Marjory Campbell, his wife, I. 300.
- Walter of, son of William, Lord of Graham,
II. 287, 290.
- Walter, son of William, third Earl of
Menteith, I. 314, 316.
- Grahám, Walter, II. 297.
- William, the "Beggan Earl of Menteith,"
I. xxi, 430-432.
- William, of Boquhapple, I. 301, 334, 409;
II. 166, 192.
- Margaret Stirling, his wife, I. 301.
- William, of Duchray, I. 337; II. 318.
- Sir William, of Gartmore (formerly of
Polder), I. xxi, 315, 388, 406, 409, 411,
430; II. 69, 70, 160, 163-168.
- Lady Elizabeth Graham, his wife, I. xxi,
406, 411, 430, 432; II. 165, 168.
- Mary, their daughter, I. 430.
- Sir William, of Kincardie, first Lord of,
I. 193, 195, 203, 223, 231, 246, 258, 264,
285, 289, 290; II. 262, 284, 286-290.
- Mariota, Countess of Angus, his wife,
I. 231; II. 287-290.
- William of, his son, II. 287, 290.
- William, second Lord, II. 298-300.
- William, third Lord, I. 303; II. 303, 305.
- William, of Gartavertane, afterwards of
Gartmore, I. 313-315, 326.
- Janet Graham, Lady Gartmore, his wife,
I. 314, 329.
- William, son of Walter of Gallingad, I. 431.
- Mary Hodge, his wife, I. 431.
- James and William, their sons, I. 431.
- William, II. 311.
- family of, I. 104, 289, 315, 403, 404.
- Grahams of Boquhapple, I. 300, 301.
- Claverhouse, I. 289.
- Gartur, I. 308.

- Grahams of Menteith, I. 289.
 — Montrose, I. 289.
 — Netherby, I. 299.
 — Rednoch, I. 320.
 — in Shannochiel, I. 308.
 Grandison, Viscount, I. 340.
 Grant, Laird of, II. 93.
 — of Ballindalloch, II. 23, 86.
 — James, of Carron, II. 86.
 — of Carron, widow of, II. 23.
 Gray, Lady Agnes, Countess of Menteith. *See*
 Menteith, William, seventh Earl of.
 — Andrew, of Foulis, I. 272.
 — Andrew, eighth Lord, I. 338 ; II. 1, 160.
 — Patrick, Master of, his son, I. 338 ; II. 1.
 — Patrick, fourth Lord, II. 393.
 — Patrick, seventh Lord, I. 332.
 — William, I. 430 ; II. 106, 110.
 Green, William, I. 496.
 Greenlaw, John, captain of Cocklaws, I. 181, 182.
 Gregory the Ninth, Pope, I. 33, 34, 507.
 — the Tenth, Pope, I. 512.
 Grey, Lord le, of Codnor (Godenoy), admiral,
 I. 192.
 — Richard, Lord of, warden of the East
 Marches, I. 250-252, 255-257.
 Griffin, Prince of Wales, I. 31.
 Grose, Captain, author of *Antiquities of Scot-*
 land, I. lxxv, 496.
 Growder, John, in Glassinscid, I. 401.
 Gueldres, Arnold, Duke of, I. 480.
 — Mary, his daughter, wife of King James
 the Second, I. 480.
 Gulde, Alexander, burgess of Stirling, II. 292.
 Gumleye, Mr., II. 175.
 Gundolf, baron of Podiebradie, I. lv.
 Gurley, Hugh of, II. 215.
- ## H
- HACKSTOUN of Rathillet, I. 420.
 Haco, King of Norway, I. 64-66.
 Haddin, Joseph, of Myretoun, I. 336.
 Haddington (Hadingtoun, Hadinton), Thomas,
 first Earl of, I. xxxiv, 66, 340, 346, 367,
 371, 372 ; II. 32, 35, 51, 52, 74, 75, 78-
 88, 108, 138, 320.
 Hagye (Hegy), Andrew, vicar of Falkirk, II.
 352, 356, 358, 361.
 Haig, Mr., II. 108, 116.
 Hailes, John of, Abbot of Balmerino, I. 199, 223,
 267.
 — Lord, I. xxxii, 30, 48, 67, 74, 83, 84, 137, 434.
 Haldane (Halden), Archibald, II. 361.
 — John, of Gleneagles, I. 520.
 — John, of Glenhegeis, II. 365.
 — David, his brother, II. 365.
 — Margaret, wife of David Erskine, Com-
 mendator of Inchmahome, I. 546, 547.
 — Richard, sub-dean of Dunkeld, I. 544 ;
 II. 365.
 — William, boatman, I. 307.
 Haliburton (Halyburton), Sir Henry, I. 447.
 — Ralph, a squire, I. 447.
 — Sir Walter of, II. 247, 268.

- Haliburton, Walter, Lord of Dirleton, I. 210, 238.
- Lady Isabella Stewart, Dowager Countess of Ross, his wife, I. 210, 238.
- Walter of, husband of Lady Mary Douglas, Dowager Duchess of Rothesay, I. 210, 232, 272.
- Lady Mary Douglas, his wife, I. 210. *See also* Rothesay.
- Halkertoun, Laird of [Falconer], I. 335.
- Hall, Nicholas of the, I. 178.
- Hamilton (Hammiltoune, Hammylton), James, Lord of Cadzow, first Lord, I. 264, 293, 294; II. 295, 296, 458.
- Lady Euphemia Graham, his wife, I. 294; II. 295, 296, 458.
- James, second Lord, Earl of Arran, I. 306.
- James, third Marquis of, II. 90, 120.
- Sir John, of Magdalens, Clerk-Register, I. 342; II. 24, 25, 31, 91, 275.
- John, notary, II. 312.
- Mary, Marchioness of, I. 373.
- Matthew, II. 299.
- Michael of, of Lochous, II. 299.
- Hamund, Thomas, of Asshewell, II. 233.
- Hanberger, Adam, called the, II. 233.
- Harbottell (Harbotil), Robert, I. 249, 251.
- Harding, Robert, a friar, I. 228.
- Harvey, William, I. 411.
- Hastings, Sir Edmund, Lord of Inchmahome, I. xix, xlii-xlviii, li, 52-59, 76, 93, 94, 96; II. 222, 453, 455, 456.
- Hastings: Lady Isabella Comyn, his wife. *See* Menteith.
- Henry of, I. 54.
- Ada, his wife, I. 54.
- Henry, their son, I. 54.
- Sir John, baron of Abergavenny, competitor for the Crown of Scotland, I. xix, xlii, 53, 54, 57, 93, 94, 96.
- family of, I. xxxii, 55.
- Hathway (Hathwy), Alexander, Sheriff-depute of Linlithgow, II. 298, 299.
- Havdein, Sir Bernard of, I. 258.
- Haveringe, Sir John of, Sheriff of Nottingham and Derby, I. 437.
- Hawick (Hawyll), Andrew of, rector of Listoun, I. 246; II. 286, 437.
- Robert of, I. 209.
- Hay, Sir Alexander, of Easter Kennet, II. 352, 356, 358, 413.
- Andrew, II. 116.
- Arthur, in the Reidhugh, II. 29.
- Father, the Historian, I. 531.
- Sir George, chancellor of Scotland. *See* Duppliu, Viscount, and Kinnoul, Earl of.
- Sir Gilbert of, I. 32.
- Sir Gilbert of, Constable of Scotland, II. 225.
- John, afterwards Sir John, of Lands, Clerk Register, I. 367, 369, 371, 372; II. 51, 52, 91, 108, 110, 133-136, 138.
- Mr. William, of Dunse Castle, I. xxvi.
- Mary, his daughter, first wife of George Home-Drummond of Blair-Drummond, I. xxvi.

- Hay, Robert, of Linplum, I. xxvi.
 — Kalitza, his daughter, second wife of George Home-Drummond of Blair-Drummond, I. xxvi.
 — Sir Thomas of, Lord of Errol, I. 166 ; II. 264.
 — Thomas, of Yester, I. 272.
 — William, Lord of Errol, Constable of Scotland, I. 264, 272, 273 ; II. 285, 286.
 — Sir William, of Lochorwart, I. 220.
- Head, Earl, I. 2.
- Henderson, Hobbie, in the Syde, II. 28.
 — Symnee, in the Syde, II. 28.
 — Willie, in the Syde, II. 28.
- Henka Wille, Sir Ingerram of, II. 221.
- Henrietta Maria, Queen of King Charles the First, I. 367, 411 ; II. 79, 168.
- Henrison (Henryson), James, advocate, I. 305.
 — John, II. 318.
 — John, gardener at Doune Castle, I. 479.
- Henry the Third, King of England, I. 7-9, 13, 14, 19, 20, 24-33, 38, 43, 44, 46, 61, 62, 68 ; II. 214-216.
 Princess Isabella, his sister, I. 14, 44.
 Princess Joanna (Joan), his sister, I. 14, 44.
 Princess Margaret, his daughter, I. 24.
 — the Fourth, King of England, I. 167, 168, 170, 171, 178, 180, 182, 184-191, 193-196, 200-208, 210, 212-216, 244, 246.
 Prince John of Lancaster, his son, I. 202, 206, 207, 212-214, 217.
- Henry the Fifth, King of England, I. 197-199, 220-223, 227, 229, 230, 245-257, 263, 266, 284-288.
 — the Sixth, King of England, I. 266, 293 ; II. 458.
 — the Eighth, King of England, I. 480.
- Hepburn, Adam, of Hailes, I. 272.
 — Sir Patrick, of Hailes, I. 180.
- Herald, Rothesay, King-of-Arms, I. 185.
- Herchyn, Sir John of, II. 218.
- Hereford, Henry de Bohun, Earl of, II. 207.
 — Humphrey de Bohun, Earl of, II. 209, 210.
- Heriot, Agnes, I. 522.
 — James, I. 522.
- Herries (Heryce), Herbert, of Terregles, I. 272, 273.
 — Sir John, II. 249.
- Herring (Hering), James, of Cluny, II. 303, 305.
 — James, of Tullyboill, II. 303.
 — John, Constable of the Bass, I. 269.
- Hertford, Robert, I. 15.
- Hervey, Baroness (a Drummond), I. lxx.
- Hewes, Anna, first wife of William Graham, eighth Earl of Menteith. *See* Menteith.
 — Mrs., II. 165.
- Heyne, Mr., II. 164.
- Highlanders, The, I. 134 ; II. 82.
- Hilifiston. *See* Illieston.
- Hod, Robert, I. 14.
 — Matilda, his wife, I. 14.
- Hodge, James, of Gladsmuir, I. 431.
 — Mary Graham, his wife, I. 431.
 — Mary, their daughter, I. 431.

- Hoge, Andrew, II. 299.
- Holland, Earl of, I. 340.
- Holm, Master Richard, canon of York, I. 216, 254.
- Holyrood, abbot of, I. 166 ; II. 436.
- John, abbot of, II. 437.
- Holyroodhouse, John, Lord, II. 46.
- Home (Hume), Alexander, of Lundies, II. 362.
- Alexauder, of Manderston, I. 543, 544.
- George, his sou, I. 543, 544.
- Sir Alexander, II. 124.
- Alexander, II. 363.
- David, of Argaty, I. 543.
- Patrick, his nephew, I. 543.
- David, of the Law, I. 543.
- David, II. 365.
- George, Lord, II. 333.
- George, of Wedderburn, I. 491, 543.
- Henry, of Kames. *See* Kames, Lord.
- Mrs. Jean, I. 528.
- John, called the "Huntar," I. 543, 544.
- John, author of "Douglas," I. 493-495.
- John, of the Law, called Black John, I. 544.
- Patrick, I. 487.
- Homes of Kames, I. xxvi.
- Home-Drummond, George Stirling, of Blair-Drummond, I. xxiii-xxvi, xxviii, xxxi.
- Mary Hay, his first wife, I. xxvi.
- Kalitza Hay, his second wife, I. xxvi.
- Henry, of Blair-Drummond, I. xxiv, xxvi-xxxii.
- Home-Drummond : Christian Moray, his wife, I. xxvii, xxviii, xxxii.
- Homil, John, I. 226.
- Hope, Sir Thomas, Lord Advocate, I. xxiii, xxxiv, xxxv, 341-345, 349, 355, 357, 359, 361, 363-365, 377, 379, 382 ; II. 15, 19-21, 24, 26, 34, 35, 42, 47-49, 56, 64, 75, 76, 78, 83, 88, 90, 94, 97-99, 102, 103, 105, 110, 111, 116, 117, 119, 123-150.
- Sir John, his son, II. 124-126, 128-140, 143, 144, 146.
- Sir Thomas, of Kerse, also his son, I. 387.
- Hopetoun, Earl of, I. xxxv.
- Horton, William de, monk of St. Albans, I. 33.
- Houston (Howstoun), Patrick, canon of Glasgow, I. 267.
- Robert of, II. 251.
- Hull (Hulle), John, I. 247-250.
- Hungary, Andrew, King of, I. lv.
- Agmunda, his wife, I. lv.
- George, their son, I. lv.
- Hunsdon, Lord, Governor of Berwick, I. 533.
- Huntingdon (Hunteindun), David, Earl of, I. 54.
- Ada, his daughter, I. 54.
- John, doctor in theology and dean of Lancaster, I. 254.
- Huntly, George, fourth Earl of, II. 372.
- George, fifth Earl of, I. 532.
- George, first Marquis of, I. 44, 78, 80, 358.

Huntly, Henrietta, Marchioness of, his wife,
II. 107.
Hutton (Hutoun), General, I. 518.
— John, II. 331, 335.
Hygins, II. 193.
Hyndford, Countess of, I. lxx.

I

- ILLIESTON (Eliston, Hilifiston), Henry, provost
of, II. 208.
— Hugh, provost of, II. 208.
Inchaffray, Abbot of, I. 513; II. 328.
— Baron, I. lxx.
Inchmahome, Adam, prior of, I. 512.
— Andrew, prior of, I. 521, 522; II. 329-
331.
— Christin, prior of, I. 517-519; II. 227.
— David, prior of, I. 520, 521.
— David Erskine, commendator of, I. lxxvi,
522, 527; Memoir, 528-547; II. 335-
356, 359-367, 460.
Margaret Haldane, his wife, I. 546, 547.
— Henry Erskine, commendator of, I. 546-
549.
— Henry Stewart, commendator of, I. 542.
— John Erskine, commendator of, I. 524-
528; II. 333-336, 341. *See also* Erskine,
Lord.
— Malcolm, parson of, I. 511.
— Maurice, prior of, I. 512, 513, 516; II.
223.
- Inchmahome, Robert, Master of Erskine, com-
mendator of, I. xxxiii, 522-524.
— monks of, II. 328.
Innerkeithing, Richard de, bishop of Dunkeld,
and Chancellor of Scotland, I. 28.
Innermeath, John Stewart, Lord of. *See*
Lorn.
Innerpeffer (Inuerpefer), Andrew Fletcher, Lord,
I. 381; II. 125.
— Nicholas of, II. 212.
Innerpeffray, Sir Malcolm of, I. 513, 515.
Innes, Cosmo, advocate, I. lxxvi.
Innocent the Fourth, Pope, I. 24, 25.
— the Sixth, Pope, I. 115, 121, 125, 128;
II. 237.
Inverness, John of, chancellor of the church of
Moray, I. 119.
Irschyn, Sir John of, II. 216.
Irvine, Alexander, of Drum, I. 272.
Isles, Alexander, Lord of the, Earl of Ross,
I. 219.
— Alexander, son of Angus, son of Donald,
Lord of the, I. 66; II. 219.
— Donald (Dovenald), Lord of the, I. 66;
II. 219.
— Angus, his son, Lord of the, I. 66; II.
219.
— Donald, Lord of the, I. 217-219, 228.
Margaret Leslie, his wife, I. 217.
— John, Lord of the, I. 134.
Lady Margaret Stewart, his wife, I. 134.
— John, bishop of the, II. 90.
— Lords of, I. l.

J

- JACKSON, John, I. 411.
- James the First, King of Scotland, I. xviii, xx, lxxi, lxxxii, 132, 188, 190-199, 201, 210, 219-221, 223, 224, 231, 236, 237, 243, 245, 246, 258-281, 283-288, 291-293, 342, 350, 362, 478, 497; II. 275, 278, 285, 286, 293-295, 436, 458.
- Joanna Beaufort, his Queen, I. 266, 268, 269, 291.
- the Second, I. lix, 233, 278, 281, 293, 352, 354, 479, 480.
- Mary of Gueldres, his Queen, I. 480.
- the Third, I. lix, lx, lxxviii, 280, 294-296, 303, 304, 479, 480, 505; II. 297-301.
- Margaret of Denmark, his Queen, I. 480.
- the Fourth, I. lx, lxii, lxiv, lxxviii, lxix, lxxi, 277, 295, 298-300, 303, 304, 306, 350, 479, 480, 493, 498; II. 301-305.
- Margaret, his Queen, I. lxii, lxxi, 480-484, 493; II. 369-397.
- the Fifth, I. lxi-lxv, lxxi, 281, 306, 310, 316, 471, 480, 482-484, 523-525; II. 369, 373-376, 381-384, 394, 397, 400.
- the Sixth, I. lxxv, lxxi, 281, 293, 313, 314, 320, 321, 324-326, 328, 329, 334, 335, 342, 350, 474, 481, 487, 489, 490, 492, 523-527, 532-552; II. 4, 13, 23, 86, 101, 315, 317-320, 322, 404-419, 421-424.
- James, Duke of York, afterwards King James the Seventh, I. 282, 427; II. 175, 178, 179, 186, 188, 189, 194-197, 439-444.
- James, son of James, Duke of York, claiming to be King James the Eighth, II. 425-428, 430, 452.
- his Queen, II. 427.
- Jamieson (Jamesone), James, II. 363.
- Dr. John, I. 434.
- Jardine, Rev. Dr., minister at Edinburgh, I. xxvii.
- Jedburgh (Jedwart), John, abbot of, II. 393.
- abbots of, I. 29.
- Master of, II. 100, 102.
- Joanna, first Queen of King David the Second of Scotland, I. 118.
- John, King of England, I. 13, 44.
- John the Twenty-second, Pope, I. 102-104; II. 337.
- Johnson (Johnesone), Ay, II. 271.
- Bernard, shipmaster, I. 192.
- Robert, II. 312.
- Richard, I. 178, 179.
- Johnstoun, Sir Archibald, of Waristoun, I. xxxv.
- Julius Cæsar, I. 422.

K

- KALENDAR, Robert. *See* Callendar.
- Kames, Henry Home, Lord, I. xxiii, xxiv, xxvii, xxx.
- Agatha Drummond of Blair-Drummond, his wife, I. xxiii.
- Keir, Lucas, II. 334.
- Laird of. *See* Stirling.

- Keith (Keth), Sir John, son of Sir William Keith, Marischal of Scotland, I. lxxxii, 145.
- Lady Jean Stewart, his wife, I. lxxxii, 145, 146; II. 434, 435.
- Robert, their son, I. 145.
- Lady Mary. *See* John, Lord Kilpont.
- Lady Muriella. *See* Robert, Duke of Albany.
- Sir Robert of, II. 225.
- Sir Robert of, Marischal, I. 264.
- Sir William of, Marischal, I. lxxxii, 145, 147, 166, 221, 224, 237.
- Kellie, Alexander Erskine, first Earl of, I. 530.
- Mr., II. 110.
- Kennedy, John, of Dunure, I. 137.
- Ker (Kerr), Sir Andrew, II. 92.
- Andrew, architect, I. 491.
- Sir James, of Crelinghall, I. 345.
- John, burgess of Lanark, I. 264, 265.
- Earl of, I. lxx.
- Kers, John, II. 299.
- Kerse, Menteiths of, Pedigrce, I. 460.
- Kersewell, Robert, I. 437.
- Ketenes, Malcolm of, II. 215.
- Kilmaurs, Alexander, Lord, I. lx.
- Lord, I. 345.
- Kilpont, Alexander, Lord, eldest son of Malise Graham, first Earl of Menteith, I. 296, 302.
- John, Lord, second son of Earl Malise, I. 296, 297, 302, 304.
- Margaret Muschet, his wife, I. 296, 297, 304.
- Kilpont, Patrick, Lord, third son of Earl Malise, I. 297, 302.
- Isobel Erskine, his wife, I. 297.
- John, Lord, I. xvii, xxi, xxxiv, 382-385, 391, 394, Memoir, 395-406; 407, 408, 412, 419; II. 56, 59, 60, 192, 194.
- Lady Mary Keith, his wife, I. 395, 396, 406-408; II. 160.
- Their children—
- William, Lord, II. 159. *See also* Menteith.
- Mary, wife of Sir John Allardice of Allardice, I. 406. *See also* Allardice.
- Elizabeth, wife of Sir William Graham of Gartmore, I. 406; II. 165, 168. *See also* Graham.
- Catharine, wife of — Sellick, I. 406.
- Kilsyth, Lord (Sir William Livingstone), II. 320.
- Kinbuck, Patrick of, I. 181.
- Kincaid, James, elder of that Ilk, II. 407.
- Kincardine (Kyncardyn), Alexander, seventh Earl of, I. 417.
- Baron of, II. 291, 292.
- Kinclaven, Baroness (a Drummond), I. lxx.
- Kininmond, James, II. 98.
- Kinloss, Robert, abbot of, II. 400.
- Kinnoull (Kynnowll), George, first Earl of, Chancellor, I. 367, 377, 379; II. 57, 58. *See also* Dupplin.
- George, second Earl of, II. 57, 58.
- Countess of, I. lxx.
- Kinross (Kynross), Hervey of, II. 215, 216.
- Malcolm, II. 374.

Kinross, Thomas of, II. 209.
 Kirk, James, minister of Aberfoyle, I. 337.
 Kirkpatrick, Roger of, I. 22.
 Knox (Knok), John, of Erumanwel, II. 303.
 — Thomas, II. 303.
 — Uchtred, of Cragans, II. 307.
 — John of, his son, II. 307.
 Kras, Sir Andrew, II. 221.
 Kyle, John, Lord of, I. 134. *See also* Carrick,
 John, Earl of.

L

LABE, tutor of John Graham of Claverhouse,
 I. xxxvi, xxxix ; II. 200.
 Lachlane, Adam, I. 226.
 Laing, Henry, author of "Ancient Scottish
 Seals," II. 459.
 Lancaster, John of Gaunt, Duke of, I. 164,
 268.
 — Sir John of, son of King Henry the
 Fourth, I. 212-214, 217.
 — Master John Hunteindun, Dean of, I. 254.
 Lanercost, Chronicler of, I. 448.
 Lang, Robert, chaplain, II. 273.
 Langmuir, John of, of that Ilk, I. 226.
 Langtoft the Historian, I. 444.
 Langtone, Walter de, keeper of King Edward
 the First's wardrobe, I. 78, 80.
 Lauder (Lawder, Lawedir), Alan of, constable
 of Tantallon Castle, I. 153 ; II. 250, 251.
 — Sir Robert, I. 267, 269, 279 ; II. 295.
 Lauder, Sir Robert, senior, I. 453.
 Lauderdale, John, Earl of, I. 367, 371, 372 ;
 II. 51, 52, 90, 320.
 — John, Duke of, I. 420 ; II. 71, 72, 198.
 Lawson, James, burghess of Edinburgh, II. 400.
 Layng, Humphrey, II. 311.
 Lecky (Lekky), Richard, of that Ilk, II. 369,
 371.
 — Walter, of Lecky, I. 326.
 Leicester King-of-Arms, I. 207.
 Leirmonth, Michael, minister, II. 315.
 Lenepe, Ingelbert of, II. 234.
 Lennox (Lenox, Leuinax, Levenax), Alwin,
 second Earl of, I. 5.
 — Eva, Countess of, his wife, I. 5.
 — Gilchrist, their son, I. 5.
 — Duncan, Earl of, I. lvii, 161, 241-243,
 271-275, 277, 278, 280 ; II. 272, 273.
 — Margaret, his daughter, I. 242 ; II. 272,
 273.
 — Elizabeth, his daughter, I. 242.
 — Esme, first Duke of, I. 541, 548, 549 ;
 II. 413, 414, 417, 419, 422.
 — Isabella, Countess of. *See* Albany Mur-
 dach, Duke of.
 — James, fourth Duke of, II. 29.
 — John, Earl of, II. 394.
 — John of, I. 178, 179.
 — Ludovick, second Duke of, II. 317.
 — Malcolm, Earl of, I. 452, 516.
 — Maldouen, third Earl of, I. lvii, 5, 14, 16,
 35, 67 ; II. 217, 218.
 — Duffgall, his brother, I. 67 ; II. 217, 218.

- Lennox, Malcolm, his brother, II. 218.
 — Matthew, Earl of, Regent, I. 486, 527, 532.
 — Walter of Fasselane, Earl of, I. 110, 241.
 — Walter Stewart of the. *See* Alhany.
 — Earls of, I. xix, 15.
 — judge, coronator, Tosheagor, Toshachdaroch of, etc., I. lvii.
 Leny (Lany, Lanye), Alan and Margaret of, I. lxxiv, lxxv.
 — Gillespie of, I. lxxv.
 — Gillespie Moir of, I. lxxv.
 — Robert of, Provost of St. Andrews, I. 194-197, 245.
 — Laird of, II. 192, 368.
 Lesley the Historian, I. 74.
 Leslie (Lesly), Alexander, Earl of Ross. *See* Ross.
 — General, I. 401.
 — Sir George of, II. 271.
 — Walter, Lord of Ross, I. 477.
 Letham, Robert, I. 437.
 Lethington, Secretary, I. 319.
 Lindsay, Sir Alexander, of Glenesk, I. 290 ; II. 253, 256, 274.
 — Eufamia of, his daughter, I. 290 ; II. 274, 275.
 — Alexander, second Earl of Crawford, I. 223, 263, 272. *See also* Crawford.
 — Sir Alexander, I. 445, 446, 451.
 — D., of Edzell, I. 539.
 — Sir David, Lord of Glenesk, first Earl of Crawford, I. 146, 166, 186, 193 ; II. 264.
 Lindsay, Sir David, of the Mount, I. 1, 276.
 — Henry, I. 393.
 — Sir James, Lord of Crawford, I. 145.
 — Sir John, of Cragy, II. 251.
 — Patrick, Lord, of the Byres, I. 324, 539.
 — Walter of, II. 215, 216.
 — Sir William, of Rossie, I. 172.
 — Euphemia, his sister, I. 172.
 Linlithgow, Alexander, second Earl of, I. 348, 349 ; II. 75, 88, 100.
 Lismore, Finlay, bishop of, I. 273.
 Livingstone (Levingstoun), Alexander, Lord, I. 502, 503 ; II. 331-333, 393, 394.
 — Alexander, of Kalendare, I. 226 ; II. 288.
 — James, of Beill, I. 385.
 — James, II. 157.
 — John, younger of Dunipace, I. 489, 490 ; II. 411.
 — Sir John, I. 166.
 — John, I. 539.
 — Sir Thomas, II. 445.
 — Sir William, of Kilsyth, I. 322.
 — Lady Christian Graham, his wife, I. 322.
 — Sir William, of Kilsyth, their son, II. 320.
 — William, Lord, I. 489.
 — Baroness, I. lxx.
 Llewellyn, son of Griffin, Prince of Wales, I. 11, 31.
 Lochar, David of, I. 40.
 Lochdochard, Laird of, II. 447, 448.
 Lochiel, Laird of, II. 425.
 Lockhart (Locarde, Lokhart), George, provost of Crichton, II. 394.

- Lockhart, John, of the Bar, I. 226.
- Loen, Bertold or Bartholomew of, I. 105, 138-140, 237; II. 232-234, 247, 248, 258-260.
- Philippa of Moubray, his wife, I. 105, 138-140, 237; II. 232-234, 247, 248, 258-260.
- David of, their son, I. lxxxii, 130, 140, 237; II. 258, 259.
- Lady Janet Stewart, his wife, I. lxxxii, 130, 140, 237; II. 258, 259.
- Logan, Sir Walter of, I. 514.
- Logie (Logi, Logy), Sir John of, I. lxxx, 148, 455; II. 238, 260, 267.
- John of, his son, I. 148, 149, 240, 455; II. 238, 260-262, 265-269.
- Malise of, II. 220.
- or Drummond, Margaret, Queen of King David the Second, I. lxx, 148.
- Robert of, I. 98; II. 229, 230.
- London, John, called clerk of, II. 234.
- archdeacon of, I. 139.
- bishop of, I. 201, 202.
- constable of Tower of, I. 247.
- Lorn and Innermeath, John Stewart, Lord of, I. 194, 203, 246.
- Robert Stewart, Lord of, I. 264.
- Lorne (Lorn), Archibald, Lord, afterwards Marquis of Argyll, I. 338; II. 15, 19, 20, 81, 86, 100, 148.
- John of, I. 515.
- Robert of, I. 232.
- Lords of, I. 1.
- Lothian (Lowdian), Robert, fourth Earl of, I. 418; II. 196.
- William, third Earl of, I. 418; II. 196.
- archdean of, I. 166.
- Loudoun, John, first Earl of, I. 381, 384, 385, 390.
- Louis the Ninth, King of France, I. 61.
- the Eleventh, I. 270.
- Margaret, his wife, daughter of King James the First of Scotland, I. 270.
- the Thirteenth, II. 36.
- the Fifteenth, II. 430.
- Loutfute, Alexander, mair of Strathern, II. 292.
- Lucan (Loucan), author of "Pharsalia," II. 187.
- Lumley, Patrick of, chamberlain-depute south of the Forth, I. 146.
- Lumsden (Lummisden), David of, II. 271.
- John of, Sheriff of Fife, I. 265; II. 292.
- Lundie (Lundy), Laird of, II. 121, 123.
- Lambert, rector of, II. 231.
- Luss, Sir John of, I. 516.
- Maldouen, deau of, I. 35.
- Gillemore, his son, I. 35.
- Lyle (Lyl), Sir John of, II. 251.
- Lyon (Lyoun), Sir John, of Glamis, I. lxxxii, 145, 146; II. 433-435, 456.
- Lady Jean Stewart, his wife, I. lxxxii, 145, 146; II. 434, 435.
- John, chaplain to King James the First, I. 284-286.
- Lyttoun, Henry of, II. 231.

M

- MACAULAY (Makawlay, M'Awlay), Alexander,
of Erngahill, I. 312.
— Walter, of Gartmore, I. 312.
— Lord, I. xxxvii, lxxxii.
- Macheth, I. 476.
- M'Clorg, smith at Minnigaff, I. xxxix.
- MacDauby, Maldouen, II. 218.
- Macdonald, Alexander, I. 400.
— Mr., of Glenco, I. 492, 493.
- Macdonalds of Ardnamurchan, I. 404.
— of Glencoe, I. 404.
- Macduff, Thane, I. 147.
— Clan, I. 147.
- M'Farlane (MacPharlane), Alexander, in Corect-
let, II. 450.
— Andrew, of that Ilk, II. 418, 419.
— Malcolm heg, in Lettir, II. 418, 419.
— Malcolm, fiar of Gartavertane, I. 330 ;
II. 316-318.
- M'Gillecharrik, Gillespie, I. 111 ; II. 241.
— Kessan, I. 111 ; II. 241.
- MacGlashen, N., II. 429.
- Macgregor, Gilderoy, I. 382.
— John Dow Roy, his brother, I. 382, 383,
396.
— Rob Roy, or Campbell, I. lxxii-lxxiv ; II.
446-450.
— Mary, his wife, I. lxxiv ; II. 449, 450.
— Mr., of Glengyle, I. 492.
- Macgregors, The, I. 404, 485, 492.
- MacHedolf, Gilmychel, II. 218.
- M'Intire, Archihald, II. 448.
- Mackenzie, Colin, brother of Sir George Mac-
kenzie, Lord Advocate, II. 204.
- MacKessan, Newyn, II. 218.
- M'Kewin, John Dow, *alias* John Galhraith, II.
415, 416.
- Mackvaa, Ewin, II. 395.
- MacLean, II. 186, 188.
- M'Lellan, Thomas, II. 331, 335, 352, 356, 362.
— Mr., I. xxxix.
- Macleod, John, Lord, I. 492, 493.
- MacMolbrid, Gilpatrik, II. 219.
- MacNare, Macpherson Neil, I. 296.
- M'Ouille, Gregor, II. 447, 448.
- Macpherson (MacPersoune), editor of Wyntoun's
Chronicle, I. 48.
— author of Geographical Illustrations of
Scottish History, I. 164.
— Norman, of Drumgy, II. 303.
- Macquary in France, Countess of, I. lxx.
- MacSouhyn, Hector, II. 218.
- MacSwine, Dugall, I. 62, 63 ; II. 216.
- Macvicar, Neil, I. 495.
— Minister of St. Cuthbert's, I. 495.
- M'William, Gillescop, baron of Badenoch, I. 15.
- M'Willie, Robert, I. 543.
- Maderty, John, second Lord, I. 350.
— Baron, I. lxx.
- Madeth, Earl, I. 2, 3.
- Maistertoun, Elizabeth, wife of Andrew Stewart,
II. 329, 330.
— William of, I. 257.
- Makalester, Duncan, II. 404, 405.

- MakGill, James, of Nether Rankelour, Clerk Register, II. 400.
- Maknell, Alexander, II. 399.
— John, II. 399.
- Makquarren, slater, II. 421.
- Malcolm Canmore, King of Scotland, I. li, liii, liv, lvii, lviii, lxxvii, 63, 476.
Queen Margaret, his wife, I. li, liii, lv-lvii, 235.
- Malcolm the Fourth, King of Scotland, I. 3, 4.
- Malcolm, David, author of History of the Drummonds, I. lii, lv, lvi.
- Malemur, II. 216.
- Maldouen, dean of Luss, I. 35.
Gillemore, his son, I. 35.
- Malis, Earl, I. 2.
- Malmor, called Young, II. 218.
- Manners, Robert of, I. 32.
- Mar (Marr, Marre), Alexander Stewart, Earl of, and Garioch, I. 193, 208, 218, 223, 259-262, 266, 291.
— Donald, Earl of, Regent, I. lxxx, 98, 99.
— Donald, tenth Earl of, II. 431.
— Elene of, wife of Sir John Menteith, *secundus*, I. lxxviii-lxxx, 454; II. 238.
— Gratney, Earl of, I. lxxviii, lxxx, 128, 454.
— Lady Christian Bruce, his wife, I. lxxx, 128.
— James, second Earl of Douglas and, I. 152. *See also* Douglas.
— John Erskine, Earl of, Regent, I. xxxiii, 325, 489, 527, 528, 532, 533, 535, 537, 552; II. 404-407.
— Annabella Murray, Countess of, his wife, I. 533, 536, 540, 552.
- Mar, John Erskine, second Earl of, Lord Treasurer, I. lxxi, lxxvi, 334-336, 338, 342, 384, 523, 533, 536-541, 543, 545-552; II. 15, 16, 26, 32, 71, 73, 75, 88, 93, 114.
— Lady Mary Stewart, Countess of, his second wife, I. 548, 549, 552.
— John Erskine, third Earl of, I. 549; II. 60.
— John, Earl of, called Duke of, II. 426.
— Thomas, thirteenth Earl of, I. 116-130; II. 237.
— Margaret Graham, Countess of Menteith, his wife, I. 116-130; II. 237.
— Malcolm Drummond, Lord of, I. lxx, 160.
— Lady Isabel Douglas, his wife, I. 160.
— William, Earl of, I. 25, 26, 31, 32, 37, 39-41; II. 213.
— Countess of, I. lxx.
- Mar and Angus, Lady Margaret Stewart, Countess of, I. 124, 147, 154.
- Mar and Kellie, Walter-Henry, Earl of, I. lxxvi.
- March, Alexander Stewart, Earl of, I. 281.
— George Dunbar, Earl of, I. 170-173, 179-181, 210, 215, 223, 246, 255, 267, 272, 273, 291.
— his daughter, I. 170, 172.
— George, his son, Earl of, I. 223, 246, 291.
— Patrick, Earl of, I. 449.
— Earls of, I. 291.
— and Moray, Patrick, Earl of, I. 98; II. 249, 268.

- Margaret, the Maid of Norway, II. 431, 432.
- Marischal (Marschall, Marshall, Merschell),
David the, II. 215.
- George, eighth Earl, II. 165.
- Hugh the, II. 212.
- Hervey the, II. 216.
- William, sixth Earl, I. 395; II. 88, 141, 143.
- Mary, Countess, his wife, I. 382, 395,
406, 409; II. 147, 149, 165, 166.
- William, seventh Earl, I. 406.
- Countess of, I. lxx.
- Marnoch, Robert, II. 374.
- Martin the Fifth, Pope, I. 228, 279.
- Mary, Queen of Scots, I. xxxiii, lxxi, 20, 281,
312, 316, 318, 320, 322-324, 476, 480,
485, 486, 502-504, 510, 527, 532, 534,
535; II. 313, 314, 331-333, 336, 341,
357, 401-404.
- Mary of Guise, Queen Regent, I. lxxv, 318, 319,
502, 524; II. 314, 331-333.
- Maule (Maul, Mauld), Mr., II. 90, 99, 104, 111.
See also Panmure.
- Maunsell, John, provost of Beverley, I. 62.
- Maxwell (Maxuell), Aymer de, I. 31.
- Herbert, of Carlaverock, I. 272.
- Sir James, of Calderwood, I. 368, 372,
373; II. 52.
- James, of Innerwick, I. 351, 354.
- Sir John, of Pollok, I. 377.
- John of, II. 251.
- Mr., I. 354; II. 133.
- Sir Robert, Lord of Calderwood, I. 195-
197, 245, 246; II. 437.
- Maxwell, William, advocate, I. 377.
- Meadowbank, Alexander Maconochie, Lord,
I. xxviii.
- Meldrum, John, II. 44.
- William, II. 399.
- Melfort, John, Earl of, II. 442, 443.
- Dukes of, I. lxx.
- Melgund, John, Viscount, II. 44.
- Melrose, Thomas, Earl of, II. 74, 75, 320. *See*
also Haddington.
- abbot of, I. 29.
- monks of, I. 151.
- Melville (Meluill, Maleville), Alan, II. 299.
- Sir Robert, II. 424.
- MENTEITH, EARLS OF—
- GILCHRIST, first Earl of, I. xviii, Memoir, 4-6.
- Eva, his daughter, I. 5.
- MURETHACH or MURDACH second Earl of,
I. xviii, xli, 3, 5, Memoir, 6; 7.
- MAURICE, senior, called Earl of, Memoir,
I. 7-9; 38; II. 214, 215.
- MAURICE, junior, third Earl of, I. xviii,
xix, lxxviii, Memoir, 7-10; 14, 16, 38,
60, 433; II. 214, 215.
- LADY ISABELLA, Countess of, I. xix, xlii,
xlili, lxxviii, 7, 8, 10, Memoir, 11-45; 46,
47, 49, 50, 60, 76; II. 213, 453-455.
- WALTER COMYN, her first husband, fourth
Earl of, I. xix, xlii, lxxv, lxxviii, 8-10,
Memoir, 11-35; 36, 37, 40, 44, 46, 49,
50, 60, 61, 474, 476, 497, 507; II. 212,
215, 326-329, 454, 455.
- Henry, his son, I. 35.

- MENTEITH: Sir John Russell, second husband of Countess Isabella, I. xix, Memoir, 36-45; 46, 47, 49, 50; II. 213.
- Lady Isabella Comyn, daughter of Countess Isabella and Walter Comyn, Earl of Menteith, I. xix, xlii, xliii, xlvi, 35-37, Memoir, 46-59; 93; II. 221, 222, 455.
- William Comyn, Lord of Kirkintilloch, her first husband, I. xliii, 35, 37, Memoir, 46-51; 53, 76; II. 221.
- Sir Edmund Hastings, Lord of Inchmahome, her second husband, I. xix, Memoir, 52-59; 76, 93, 94, 96; II. 453, 455, 456.
- MARY, Countess of, I. xix, xxiii, xliii, li, 10, 34, 35, 37, 39, 41, 46, 47, 49, 53, Memoir, 60-76; 77, 110, 433, 477, 509; II. 217, 220, 455.
- WALTER STEWART, her husband, fifth Earl of, I. xix, xxiii, li, 10, 11, 13, 34, 35, 37-39, 41, 43, 44, 46-48, 53, Memoir, 60-76; 77, 78, 82-84, 88, 433, 436, 474, 477, 509; II. 216-220, 454, 455.
- ALEXANDER, sixth Earl of, I. xix, xx, xl, li, 53, 74-76, Memoir, 77-89; 90, 91, 95, 96, 433, 435, 436, 518; II. 219, 221-223, 225, 455.
- Lady Matilda, his wife, I. 75, 77-89.
- Sir John, his brother. *See* Menteith.
- Alexander, son of Alexander, sixth Earl of, I. 89; II. 229.
- Peter, also his son, I. 85, 89-91.
- MENTEITH, ALAN, seventh Earl of, I. xx, l, 53, 59, 85, 88, 89, Memoir, 90-94; 95, 98, 102, 136, 512, 515; II. 223, 252, 254.
- MURDACH, his brother, eighth Earl of, I. xix, xl, lxix, 49, 89, 91, 94, Memoir, 95-101; 102, 104, 138, 453, 518; II. 225-230.
- Alice, Countess of, his wife, Memoir, I. 95-101.
- LADY MARY, Countess of, I. xx, l, lxvii, 94-98, 101, Memoir, 102-115; 116, 120, 124, 127, 138; II. 247, 248.
- SIR JOHN GRAHAM, her husband, ninth Earl of, I. xx, lxxvii, 84, 94, Memoir, 102-115; 116, 118, 138; II. 237, 247, 248.
- LADY MARGARET GRAHAM, Countess of, I. xx, lxxvii, lxxx, 91, 114, Memoir, 116-130; 133, 136, 138, 140, 147, 224, 236, 237, 239, 519; II. 237, 246, 252, 254, 258, 259.
- Sir John Moray, Lord of Bothwell, her first husband, I. xx, lxxx, 116-121, 128, 129.
- Thomas, thirteenth Earl of Mar, her second husband, I. 116, 121-124, 128; II. 237.
- Sir John Drummond of Concraig, her third husband, I. 115, 116, 120, 124-127, 129; II. 239-246.
- SIR ROBERT STEWART, tenth Earl of, and Earl of Fife, her fourth husband. *See* Albany.

- MENTEITH, MURDACH, eleventh Earl of. *See*
Albany.
- MENTEITH, GRAHAM EARLS OF—
- MALISE, first Earl of, I. xviii, 281, Memoir,
289-301; 302-304, 342, 344, 350, 360,
362, 432, 478, 497, 498; II. 197, 293-
297, 301, 302, 458.
- Marion, Countess of, his wife, I. 295, 296.
Anne Vere, or Jane Rochford, said to have
been his wife, I. 295.
- His children:—
- Alexander, Lord Kilpont, I. 296, 302.
- John, Lord Kilpont, I. 296, 297, 302,
304.
- Margaret Mnschet, his wife, I. 296, 297,
304.
- Patrick, Lord Kilpont, I. 297, 302.
- Isobel Erskine, his wife, I. 297.
- Alexander, their son, second Earl,
infra.
- Henry, their son, I. 297-299, 307,
308, 523.
- John, I. 297-299, 302, 498.
- Walter, of Lochtoun, I. 297-301, 304,
307, 309, 310, 334, 498.
- Marjory Campbell, his wife, I. 300.
- Lady Enphame, wife of Sir William
Stewart of Dalswinton, I. 301.
- ALEXANDER, second Earl of, I. 293, 296,
298-301, Memoir, 302-308; 309, 334,
523; II. 197, 301-311.
- Margaret Buchanan, Countess of, his wife,
I. 302-308.
- Their children—
- William, third Earl, *infra*.
- Walter, I. 308.
- Marion, wife of Robert Buchanan of
Leny, I. 303, 308.
- MENTEITH, WILLIAM, third Earl of, I. 300,
305, 308, Memoir, 309-316; 317, 328,
523; II. 311, 312, 459.
- Margaret Moubray, Countess of, his wife,
I. 309-316.
- Their children—
- John, fourth Earl, *infra*.
- Andrew, I. 311, 317.
- Robert, of Gartmore, I. 311-314, 317,
325, 326.
- Elizabeth Erskine, his wife, I. 312-314.
- Gilbert, I. 312-314, 316, 325, 326.
- Walter, I. 314, 316.
- Margaret, wife of Archibald, fourth
Earl of Argyll, I. 316, 523.
- JOHN, fourth Earl of, I. 311-313, Memoir,
317-322; 323, 498; II. 313, 314, 362,
401, 402, 459.
- Marion Seton, Countess of, his wife,
I. 317-322, 323.
- Their children—
- William, fifth Earl, *infra*.
- George, tutor of Menteith, I. 319-321,
328.
- Mary, wife of John Buchanan, of Bu-
chanan, I. 322.
- Christian, wife of Sir William Living-
stone, of Kilsyth, I. 322.

- MENTEITH, WILLIAM, fifth Earl of, I. 314, 320, 321, Memoir, 323-327; 328, 329, 498.
- Margaret Douglas, Countess of, his wife, I. 323-327, 329.
- Their children—
- John, sixth Earl, *infra*.
- George, I. 327.
- Grissel Stirling, his wife, I. 327.
- JOHN, sixth Earl of, I. 321, 327, Memoir, 328-330; 331, 332; II. 316-318.
- Mary Campbell, Countess of, his wife, I. 328-333.
- Their children—
- William, seventh Earl, *infra*.
- Christian, I. 330.
- WILLIAM, seventh Earl of, Earl of Strathern, and first Earl of Airth, I. xviii, xx, xxii, xxiii, xxxiii, xxxiv, lxvi-lxviii, 289, 292, 301, 306, 322, 327, 330, Memoir, 331-394; 395, 396, 407-410, 412, 418, 419, 498; II. 1-68, 71-164, 174, 194, 318-325, 329, 368, 459, 460.
- Lady Agnes Gray, Countess of, his wife, I. lxvi, lxvii, 331, 332, 348, 368, 380, 388, 390, 391, 395; II. 56, 119, 123-127, 131, 134, 136-140, 144, 145, 162, 164, 165.
- Their children—
- John, Lord Kilpont. *See* Kilpont.
- Sir James. *See* Graham.
- Archibald, I. 393, 394.
- Lady Mary, I. 393.
- Lady Margaret, I. 391, 393.
- Lady Ann, I. 393, 394.
- Robert, Patrick, Charles, and Jane, I. 394.
- MENTEITH, WILLIAM, eighth Earl of, I. xxi, xxiii, xxxvi, lxvii, 389, 390, 392, 393, 396, 405, 406, Memoir, 407-432; 497, 499-501, 510; II. 71, 72, 159, 164-206, 459, 460. *See also* Airth.
- Anne Hewes, Countess of, his first wife, I. 407, 413, 414.
- Katherine Bruce, Countess of, his second wife, I. 407, 413-417, 428, 429, 499-501; II. 206.
- Margaret, his natural daughter, I. 429.
- Earls of, I. xvii, xix, xx, xxxii, xxxiii, xl, xlviii, l, li, lxix, 1, 75, 281, 289, 290, 308, 331, 457-459, 464-466, 471, 477, 497, 498, 502, 505, 509, 510; II. 453, 455.
- Countess of, I. 303.
- Menteith (Meneteth, Menetheth, Mentetht, Monteith, Monteth), Alexander of, II. 227.
- Alexander, son of Sir Walter, I. 456.
- Alexander, in Polmonthtmyln, I. 525; II. 333-335.
- William, Henry, Archibald, and Alexander, his sons, I. 525; II. 333-335.
- Sir Alexander of, brother of Murdach, eighth Earl of, II. 229.
- David, I. 521.
- James of, of Rednoch (Rednok), II. 300, 301.
- John of, Sheriff of Clackmannan, I. 109-113, 455, 456; II. 234, 239-245.

- Menteith, Sir Alexander of, his brother, I. lxxvii, 109-113, 115 ; II. 239-246.
- Walter of, their brother, I. lxxvii, 109, 110-112 ; II. 239-244, 518.
- Malcolm and William, also their brothers, I. lxxvii, 110, 112 ; II. 239, 244.
- Sir John, brother of Alexander, sixth Earl of Menteith, I. lxxv, lxxviii, lxxix, 76, 77, 94-96, 98, 102, Memoir, 433-456 ; 506 ; II. 219, 221, 223-225, 455, 505, 518.
- Joanna, his daughter, I. 454, 456. *See also* Strathern.
- Sir Walter of, his son, I. 91, 95, 98, 455 ; II. 225, 226, 229, 230.
- Sir John of, also his son, I. lxxix, 124, 148, 454, 455 ; II. 227, 229, 230, 238, 239.
- Lady Elene of Mar, wife of Sir John Menteith *secundus*, I. lxxviii-lxxx, 148, 455 ; II. 238.
- John of, their son, Lord of Knapdale and Arran, I. xlix, lxxix, 112, 455, 456 ; II. 235, 236, 238, 239, 244.
- John, II. 363.
- Malise of, II. 224.
- Patrick, of Ardinbeg, I. 406 ; II. 69, 70.
- Patrick, canon of Inchmahome, I. 521.
- Patrick, II. 160.
- Robert, of Rusky, I. 242 ; II. 272, 273.
- Margaret, daughter of Duncan, Earl of Lennox, his wife, I. 242.
- Robert, I. 296.
- Menteith, Walter of, II. 273.
- Walter of, of Petmacaldore, I. 143.
- William, of West Kerse, I. 489, 490.
- family of, I. xxiii, xxxii, xl, xlii, lxxvii, 56, 104, 105, 109-113, 116, 124, 138, 456.
- Menteiths of Carsè or Kerse, I. l, 454, Pedigree, 460.
- of Rusky, I. 460.
- Menzies (Meyners, Maynzeis), Alexander of, I. 144.
- Sir Alexander of, I. 440, 441.
- Janet of, I. 478.
- Robert the, of the Weem, II. 303.
- Mercer, Andrew, Lord of Mekylhour, I. 148 ; II. 260-262.
- Sir Andrew, II. 272.
- John, burgess of Perth, I. 456 ; II. 234.
- Thomas, archdean of Glasgow, II. 272.
- Merchiston, Laird of, II. 401. *See also* Napier.
- Methven (Methwen), Henry, Lord, I. lxxi, 481-484 ; II. 333, 378, 379, 381, 382, 384-389, 391, 392, 394, 397.
- Margaret, Queen-Dowager, his wife, I. lxxii, lxxi, 480-484, 493 ; II. 369-397.
- Middleton, Major-General, afterwards Earl of, II. 160, 165.
- Milton, the poet, I. xlix.
- Mitchell (Mitchall), Thomas, miuister of Kilmaronock, I. 416 ; II. 168.
- Mitford (Miteford), Sir John, I. 206.
- Monck, General George, I. lxxi, 389, 408, 411 ; II. 158, 159.
- Moncreif, John, of that Ilk, II. 303, 305.

- Monfode, Finlay, of that Ilk, I. 226.
 Monievaird, Laird of. *See* Toshach.
 Monmouth, James, Duke of, II. 174.
 — Duchess of, I. 412.
 Monorgund, Norrin of, II. 218.
 — Forveleth, his wife, II. 218.
 Mont, John, II. 331, 335.
 Montague (Mont Acute), Hyngelram, II. 219.
 Montifex (Montefixo), Sir William de, I. 124 ;
 II. 213, 227, 230.
 — Mary of, his daughter, I. 124.
 Montgomery (Montgomeri), Hugh, Lord, I.
 373.
 — John of, of Ardrossan, I. 226, 272, 273,
 285.
 Montrose (Monthros, Montroiss, Montross),
 James, first Duke of, I. lxxii-lxxiv.
 — James, fourth Duke of, I. xxii, xxiii, 503,
 504.
 — James, fifth Duke of, I. xxxvi, 336, 430 ;
 II. 460.
 — Caroline Agnes, Duchess-Dowager of,
 I. 503.
 — James, first Marquis of, I. xvii, xxi, xxxvii,
 350, 385, 397, 398, 400, 401, 405.
 — James, third Marquis of, I. xxii, xxxvi,
 lxxvii, 392, 406, 407, 417-420, 422-427 ;
 II. 170, 172-174, 177-184, 186-188, 191-
 196, 203, 205.
 — Christian, Marchioness of, his wife, I. 430 ;
 II. 195.
 — James, fourth Marquis, afterwards Duke
 of, I. xxii, lxxvii.
 Montrose, John, third Earl of, I. 325, 328, 427,
 430, 539 ; II. 414.
 — John, fourth Earl of, I. 338.
 — William, first Earl of, I. 303, 306 ; II.
 306-309.
 — William, second Earl of, II. 393.
 — Countess of, I. lxx.
 Moray (Murray, De Moravia), Archibald George
 Stuart, present Earl of, and Lord Doune,
 I. lxxv, 491, 496.
 — Alexander Stewart, bishop of, I. lxiii ; II.
 393.
 Lady Margaret Stewart, Lady Gordon,
 his wife, I. lxi, lxiii.
 Margaret, their daughter, I. lxiii.
 — Alexander, fourth Earl of, II. 440.
 — Alexander of, II. 217.
 — Sir Andrew, of Bothwell, Regent, I. 118-
 120, 128, 133.
 — Lady Christian Bruce, his wife, I. 128.
 — Andrew, bishop of, I. 14, 16.
 — Sir Andrew, of Tullibardine, I. 98.
 — Colonel Charles, of Abercairny, I. xxvii.
 — Anna Stirling, his wife, I. xxvii.
 — Christian, their daughter, I. xxvii,
 xxviii.
 — Charles Stirling Home-Drummond, of
 Blair-Drummond and Abercairny, I.
 xxvi, xxvii, xxxi.
 — Christopher, II. 355, 357, 362.
 — David, of Dowlary, II. 307.
 — David, of Gask, I. 272.
 — David, of Megoure, II. 307.

- Moray, Lord Edward, son of John, first Duke of Athole, I. lxxiii.
- Freskin of, I. 40.
- Lord George, II. 428, 429.
- Sir Gideon, of Elibank, comptroller, II. 320.
- Henry Leighton, bishop of, I. 263.
- Humphrey, of Abercairny (Ogilby), II. 303, 305.
- James, Earl of, brother of King James the Fifth, II. 383.
- James Stewart, Earl of, Regent, I. 324, 488, 489, 532.
- James, second Earl of, II. 18, 122, 143.
- James, Lord Doune, Earl of, I. 491.
- Lady Elizabeth Stewart, Countess of, his wife, I. 491.
- Mr. James, II. 426.
- John Guthrie, bishop of, II. 140-143.
- John Innes, bishop of, I. 225.
- John Pilmore, bishop of, I. 117, 118.
- Sir John, Lord of Bothwell, husband of Lady Margaret Graham, Countess of Menteith, I. xx, lxxx, 116, 121, 128, 129.
- Sir John of Busby, canon of, I. 194, 221.
- John of, of Drumsergart, II. 230.
- John Dunbar, Earl of, I. 146.
- John, of Touchadam, I. 539.
- Lancelot, II. 300.
- Sir Maurice, Earl of Strathern, I. 456.
- Sir Mungo, of Blebo, I. 393.
- Lady Anne Graham, his wife, I. 393.
- Sir Mungo, II. 34.
- Moray, Patrick, bishop of, II. 333.
- Patrick, II. 300.
- Randolph, Earl of, son of the Regent, I. 99, 100.
- Robert, of Abercairny, I. 539.
- Secretary, II. 430.
- Thomas, of Bothwell, I. 121.
- Thomas Dunbar, third Earl of, I. 166, 180, 225, 263.
- Sir Thomas Randolph, Earl of, Regent, I. 98, 451-453.
- Walter of, I. 94, 515.
- Walter of, I. 110, 112, 113; II. 239-245, 277.
- Walter, of Tullibardine, I. 456, 519.
- William, of Duncarne, II. 111.
- Sir William, of Tullibardine, I. 539; II. 303, 305, 306.
- William of, Lord of Tullibardine, II. 234.
- William Spynie, bishop of, I. 240.
- Morays of Abercairny, I. xxvi.
- of Bothwell, I. 119.
- Moresoune, John, II. 365.
- Patrick, II. 331.
- Morham (Morame), Alexander, director of Chancery, II. 300.
- Mortimer (Mortuo Mari), Roger of, II. 215, 216.
- Sir Roger of, II. 231.
- Morton (Mortoun), James, Earl of, Regent, I. lxxv, 314, 326, 486, 489, 533-535, 540, 541; II. 315, 408-411.

- Morton, William, Earl of, Treasurer, I. 345, 346, 358, 363, 365-367, 371, 372, 377; II. 35-37, 39, 40, 46, 51, 52, 58, 59, 90, 114, 115, 127, 131, 151.
- Moubray (Mounbray, Mubray), Alexander, I. 97.
 — Sir John, I. 442, 447, 449.
 — John, of Barnbougle, I. 309.
 — Margaret, his daughter. *See* Menteith, William, third Earl of.
 — Philip of, I. 97; II. 215, 216.
 — Philippa of, wife of Bertold de Loen, I. 105, 138-140, 237; II. 232-234, 247, 248, 258-260.
 — Roger of, of Barnbugale and Dalmeny, I. 97, 105, 138.
 — family of, I. 138.
- Mowat (Mouet), James, Sheriff-Clerk of Berwickshire, II. 4.
 — Roger, advocate, I. 374; II. 54.
- Moyne, Sir Walter, II. 247.
- Murchard, son of Malemur, II. 216.
- Mure (More), Sir Adam, of Rowallan, I. 132.
 — Elizabeth, wife of King Robert the Second, I. 115, 127, 128, 132, 133.
 — Reginald, I. 97; II. 234.
 — Christiana, his wife, II. 234.
 — family of, of Rowallan, I. 128.
- Murehead, Sir William, I. 184.
- Muschet, George, I. 416.
 — Margaret, wife of John, Lord Kilpont, I. 296, 297, 304.
 — James, of Tolgart, I. 304.
 — Laird of, I. 487.
- Muschets, II. 166.
- Mylne (Myll), Robert, II. 363.
 — Willie of the, II. 29.
 — Hobie of the, his brother, II. 29.

N

- NAIRN (Narne), Alexander, keeper of Doune Castle, I. 481.
 — Duncan, II. 363.
 — Michael of, II. 271.
 — Lord, II. 428.
- Napier (Naper, Napper), Archibald, first Lord, I. xxxiv, 345; II. 16, 33, 93, 105, 108, 112.
 — Archibald, third Lord, II. 191, 192.
 — John, of Merchiston, I. 434.
 — Laird of Merchiston, II. 401.
 — Mark, author of "Memoirs of Dundee," I. xxxvi-xxxix, 399, 434, 435, 438.
- Neven, Duncan, schoolmaster at Dunblane, I. 545.
- Neville, John of, warden of the West Marches of England, I. 255-257.
 — Sir Richard, also warden, I. 267.
- New, John, II. 6.
- Newabbey, Lord, II. 139. *See also* Spottiswoode, Sir Robert.
- Newbattle, Roger, abbot of, II. 210, 211.
- Newcastle, Mayor of, I. 247, 249.
 — Sir Robert Umfraville, sheriff of, I. 247, 249, 250.

- Newton, Archibald of, of that Ilk, II. 299.
 — William, of Newton, I. 488.
 — Laird of, II. 130, 134.
- Nichol, David, II. 363.
- Nicholas, son of German, II. 219.
 — Edward, I. 411.
- Nicholson, John, II. 331.
- Nicol, George, II. 48, 50.
- Nicolas, Sir Harris, I. xviii, xlvi, xlvii, 57, 58, 293, 345, 362, 394; II. 453.
 — Pontius, provost of the church of Mont Cenis, I. 38, 41, 42.
- Nicolson, Thomas, advocate, I. xxxv, 359, 364, 374, 379; II. 47, 53, 54, 150.
- Nigel, I. 111.
- Nilson, Gilbert, advocate, I. 374; II. 54.
- Nithsdale, Robert, first Earl of, II. 93, 109, 123.
 — Elizabeth, Countess of, his wife, II. 83, 84, 93, 95.
- Noble, William, II. 207.
 — Sir Ralph, his son, I. 289; II. 207, 209-211.
 — Ralph, son of Sir Ralph, II. 210.
 — Thomas, son of Sir Ralph, I. 289; II. 209-211.
- Nodrif, Richard of, II. 209, 210.
- Norie, John, of Boquhaple, I. 312.
 — Robert, Laird of Boquhaple and Drongy, I. 310-312.
 — Agnes, his daughter, I. 312.
 — Robert, of Tarbert, II. 303.
 — Walter, II. 303.
- Normaville, John, I. 209.
- Northumberland, Henry Percy, first Earl of, I. 152, 156, 179-182, 188-190, 199, 223, 244, 246, 248, 251, 253, 254.
 — Henry Percy, second Earl of, I. 188, 190, 219, 222, 223, 246-248, 250-257, 267, 269.
 — Robert de Comyn, Earl of, I. 11.
 — Sheriff of, I. 247, 249, 251.
- Norway, Eric, King of, I. 68, 70.
 — Margaret, Queen of, his wife, I. 68.
 — Haco, King of, I. 64-66.
 — Margaret the Maiden of, I. 49, 68-72, 77, 78, 436.
- Norwegians, The, I. 64, 65.

O

- OCHILTREE, James Stewart, Lord, I. xxxiv; II. 41, 43, 138, 142.
- Ochonnyng, Dngal, II. 273.
- Ogilvie (Ogilbie, Ogilby), Alexander, of Vehterhouse, Sheriff of Angus, I. 195, 218, 264.
 — James, Lord, II. 422.
 — Sir John, of Craig, II. 9, 101.
 — George, his brother, II. 9.
 — Patrick, of Grandoun, I. 264.
 — Patrick, of Ochterhous, Sheriff of Angus, I. 272, 273.
 — Walter of, Sheriff of Forfar, II. 231.
 — Sir Walter of, I. 199, 223, 272; II. 295.
- Oldcastle, Sir John, I. 227.

- Oliphant (Olifant, Olifaunte, Olliphant, Olyphant), Allan, I. 531.
- Cristina, wife of Thomas Graham of Boquhaple, I. 301.
- John, Lord, II. 303, 305.
- John, advocate, I. 356.
- John, sheriff-clerk of Edinburgh, I. 356.
- Laurence, third Lord, II. 393.
- Laurence, fourth Lord, I. 490, 491; II. 413, 417.
- Patrick, Master of, II. 76.
- Walter, II. 234, 250.
- Sir Walter, of Kelly, II. 270, 271.
- William, his son, II. 270, 271.
- William, of Gask, II. 6.
- Baroness, I. lxx.
- Oliver, chaplain to King William the Lion, II. 207.
- Orkney (Orkney), George, bishop of, II. 333.
- Robert, bishop of, II. 335.
- Henry Sinclair, Earl of, I. 173, 194.
- William, Earl of, I. 263.
- Orkney and Caithness, Earls of, I. 1.
- Ormiston, Lord, II. lxxiii.
- Ormond, Duke of, II. 425.
- Orreis, Walter de, II. 219.
- Oswald (Oswald), James, notary public, II. 352, 356, 358, 362.
- Otterburn (Ottirburne), Adam, of Auldham, II. 372, 400.
- Alan, secretary to Murdach, Duke of Albany, I. 265, 266, 272; II. 288, 291, 292.
- Oviot (Ouieth), Sir Alexander, I. 40; II. 210, 211.
- Oxford, Earl of, I. 295.
- Anne Vere, his daughter, I. 295.

P

- PAISLEY (Paislay), William Erskine, commendator of, I. 491; II. 422.
- monks of, II. 216.
- Palmer, G., Attorney-General of England, I. 411.
- Pangye, John, II. 331.
- Panmure, Patrick, first Earl of, I. 140, 406; II. 90, 99, 104, 111.
- Lady Mary Erskine, Countess of, his wife, I. 406, 409.
- Paris, Matthew, the Historian, I. 30.
- Parkle, Alan, II. 299.
- Paterson, Andrew, of Sorbietrees, II. 29.
- Christie, in Mangertoun, II. 29.
- Sir Hugh, of Bannockburn, II. 442, 443.
- Patrick the Steward, II. 208.
- Pattounsoun, Andrew, II. 299.
- John, II. 299.
- Paul the Fourth, Pope, I. 528; II. 335, 340-344, 349.
- Paulan, I. 151.
- Paywele, Walter, II. 299.
- Peebles (Peblis), Adam, II. 331, 335.
- Robert of, Chancellor of King Robert the Bruce, I. 98.

- Peel, Sir Robert, I. xxx.
- Pembroke, Sir Aymer de Valence, Earl of, I. 92-94, 440, 441, 450, 514, 515.
- Percy, Henry. *See* Northumberland, Earls of.
 — Henry of, I. 85.
 — Sir Henry (Hotspur), I. 179-182, 188, 244, 247.
- Perth, James, fourth Earl of, II. 192, 439-443, 445, 446.
 — Countess of, his wife, II. 446.
 — John, second Earl of, I. lxvi, lxxviii, 347, 350; II. 124, 126, 128, 131, 160, 368.
 — Dukes of, I. lxx.
- Petyte, Duncan, archdean of Moray, II. 261.
- Philip the Fourth, King of France, I. 73, 83, 90, 95, 451.
 — the Sixth, King of France, I. 105.
- Pinkerton the Historian, I. 164, 165, 173, 231, 276.
- Pittenweem (Pettynweme), John, prior of, II. 393.
- Pollox, John de, I. 517.
- Pomferiston, Adam, son of the Laird of, II. 209.
- Pompey the Great, II. 187.
- Ponte, John de, a priest, I. 132, 138; II. 232, 233.
- Portduvine, William of, II. 286.
- Porter (Portar), John, I. 178, 179, 221, 246; II. 216.
- Preston, Richard, Viscount, II. 196, 197.
- Primrose (Prymrose), David, advocate, I. 374; II. 54.
- Primrose, James, clerk to the Privy Council, I. 373; II. 81, 84, 320.
 — Lord, II. 451.
- Pringle (Pryngyll), Duncan, II. 331.
- Pudsay, Ralph, I. 253.
- Purves (Purwas), Patrick, II. 363.

Q

- QUEENSBERRY, William, first Duke of, I. xxxvii.
- Quhit, Henry, dean of Brechin. *See* White.
- Quincey, Roger de, I. 22.

R

- RADULPH, the son of William, I. 59.
- Rae (Ra), Christian, II. 388.
 — Thomas, I. 187.
 — Sir William, Lord Advocate of Scotland, I. xxviii.
- Rait (Rate), John, bishop of Aberdeen, I. 122.
 — Thomas of, II. 261.
- Rakas, Hobbie, in Reylie, II. 29.
 — Willie, in Over Numbieirst, II. 29.
 — his son, II. 29.
- Ramorgny, Sir John, I. 166, 172, 174.
- Ramsay, Alexander, of Colluthy, I. 265.
 — Henry of, his son, I. 265.
 — Alexander, of Dalhousie, I. 272.
 — Mr., of Ochtertyre, I. lxxii, 523.

- Ramsay, Peter of, II. 328.
 — Sir Robert of, II. 231.
 — Sir William, of Colluthy, I. 144.
 — William, Lord, afterwards first Earl of Dalhousie, I. 368, 372, 373; II. 51.
 — William, II. 124.
- Randolph, Thomas, Earl of Moray. *See* Moray.
- Rannaldston, Sir Thomas, II. 399.
- Ratray (Rattra, Rettreff), Sir John of, of that Ilk, II. 303, 305.
 — William of, vicar of Owterhous, II. 231.
- Rawdon, Sir George, I. 425.
 — Captain, I. 392, 425.
 — Helen Graham, his wife, I. 392, 425, 427.
- Reade, Colonel, governor of Stirling, I. 408.
- Readfoord, Sir James Foulis, Lord, II. 203.
- Reay, Donald, Lord, II. 138.
- Redmayne, Sir Richard, I. 216.
- Reginald the clerk, II. 216.
- Reid, John, of Aikenheid, I. 538.
- Renton, John, II. 451.
- Revel, Richard, II. 215.
- Rewell, Stephen, I. 411.
- Richard the First, King of England, I. 12, 44.
 Queen Berengaria, his wife, I. 44.
 — the Second, I. 143, 150, 156, 201, 228, 268.
 — prisoner, supposed to be, I. 227-229.
- Richard the clerk, II. 209.
- Richard, son of Hugh, II. 207.
- Richmond, Earl of, Guardian of Scotland under King Edward the Second, I. 450.
- Riddell, John, author of "Remarks on Scotch Peerage Law," I. xlviiii, lxix, lxx, lxxviii, 8, 9, 378.
- Rizzio, David, I. 486.
- Robene, John, notary, II. 323.
- Robert the First, King, I. xxxiii, lxxi, lxxix, lxxx, 21, 53, 58, 59, 91-94, 96-98, 102, 104, 138, 148, 150, 175, 224, 449, 451-454, 456, 513-517; II. 224, 231.
 — the Second, I. xx, xxi, lxvii, lxxvii, lxxviii, lxxxi, 22, 104, 110, 112-115, 127, 128, 132-134, 136-138, 141-147, 149-157, 161, 175, 204, 209, 245, 270, 342-344, 347, 351-354, 519; II. 260, 261, 264, 266, 323-325, 433-435, 457.
 Queen Elizabeth More, his first wife, I. 115, 132, 133.
 Lady Euphemia Ross, his second wife, I. xxi, 350, 353.
 Prince David, his son, I. xx. *See also* Strathern.
 Princess Jean, his daughter. *See* Lyon, Sir John, of Glamis.
 — the Third, I. lii, 124, 132, 157-159, 161-172, 174-179, 181, 183, 184, 186-188, 190-194, 196, 201, 220, 228, 229, 232, 233, 239, 240-244, 246, 270, 359-361.
 Annabella Drummond, Queen, his wife, I. lii, 124, 164, 171, 172.
 Princess Elizabeth and Princess Mary, their daughters, I. 175.
- Robertson, Alexander, of Strowan, II. 303, 305.

- Robertson, E. W., author of "Scotland under her Early Kings," I. 30, 34.
 — James, I. 356.
- Robison (Robeson), Francie, in the Flatt, II. 29.
 — Thomas, messenger, II. 371.
- Rochford, Jane, I. 295.
- Rollo (Rollok), Andrew, of Duncrub, II. 438.
 — James, his son, II. 438.
 — Laird of Duncrub, I. 350.
 — John, commissary of Dunblane, I. 258, 356 ; II. 130, 323.
 — Baroness, I. lxx.
- Roscklin, Henry of, II. 215.
- Rose, Sir William, of Kilravock, I. lxxx, 120.
 — Muriella of Doune, his wife, I. lxxx, 120.
 — Andrew, their son, I. 120.
- Rosneath (Rosnethe), Andrew of, II. 273.
 — John of, II. 273.
- Ross (Ros, Roos), Alexander Leslie, Earl of, I. 166, 217, 238.
 — Lady Isabella Stewart, his wife, I. 210, 217, 238.
 — Euphemia, Countess of, their daughter, I. 217, 219, 237.
 — Hugh of, II. 250, 277.
 — James, bishop of, II. 393, 400.
 — James, Duke of, I. 479.
 — James, Lord, of Melville, I. 337, 345.
 — John of, II. 250.
 — John Stewart, Earl of Buchan and. *See* Buchan.
 — M., II. 333.
- Ross, Patrick, bishop of, II. 19, 20, 75, 78, 88, 90, 95.
 — Robert de, I. 26, 30, 62.
 — Robert, of Tarbart, I. 226.
 — Walter Leslie, Lord of, I. 478.
 — William, Earl of, I. 31.
 — William, Earl of, his son, I. 79-81.
 — Countess of, his wife, I. 81.
- Rotermont, Nicholas, shipmaster, I. 192.
- Rotes, Tydeman, II. 234.
- Rothery, Earl, I. 2.
- Rothes, Andrew, fifth Earl of, I. 540 ; II. 422.
 — John, Duke of, I. 389 ; II. 180, 190, 191.
 — Lady Anne Lindsay, Duchess of, his wife, II. 185.
 Lady Christian, his daughter, II. 180, 185.
 — George, third Earl of, I. 502.
 — John, fifth Earl of, II. 74, 98.
 — Countess of, I. lxx.
- Rothesay, David, Duke of, Prince of Scotland, I. 132, 149, 155, 162-179, 183, 188, 210, 225, 232, 236, 243, 259, 265, 275. *See also* Carriek.
 — Lady Mary Douglas, Duchess of, his wife, I. 170, 175, 210. [Misprinted Marjory on pp. 170, 175.]
 — Herald, King-of-Arms, I. 185, 193.
- Row, John, clerk of Dunblane, II. 336.
- Roxburgh (Roxbrugh), Robert, Earl of, I. 382 ; II. 38, 122, 138, 147.
 — Dukes and Countesses of, I. lxx.
- Rukby, Richard, I. 189.
- Rupert, King of the Romans, I. 193.

Rusky, William de, I. 518.
 — Menteiths of, I. 455, (Pedigree) 460.
 Russell, Lord Edward, I. 45.
 — Sir John, I. xix, Memoir, 36-45; 46, 47, 49, 50; II. 213.
 — Isabella, his wife. *See* Menteith, Countess of.
 — Robert, his brother, I. 40.
 — John, I. 44, 45.
 — Robert, his father, I. 44, 45.
 — family of, I. 44, 45.
 Rutherford (Rudirfurd), John, II. 363.
 Ruthven (Riven, Rothven, Rwan), Andrew, II. 302.
 — Sir John, I. 388.
 — Mr., II. 203.
 — William, first Lord, II. 302, 303, 305.
 — William, Master of, I. 480.
 — William, his son, second Lord, II. 333, 393.
 — William, fourth Lord, I. 324, 490, 539.
 — Sir William, of Dunglas, I. 387; II. 166.
 Rwthly, Malcolm of, II. 223.

S

ST. ANDREWS, Abel, archdeacon of, I. 29.
 — David Bernham, bishop of, I. 24, 28; II. 326.
 — Gamehn, bishop of, I. 28, 29, 32, 39.
 — Gilbert, prior of, I. 6.
 — Henry Wardlaw, bishop of, I. 186, 188, 189, 223, 263, 266, 269.
 — James Sharp, archbishop of, I. 420.
 — John Hamilton, archbishop of, I. 485.
 St. Andrews, John Spottiswoode, archbishop of, I. 367, 372; II. 33, 35, 38, 50-52, 75-78, 88, 90, 126, 135.
 — Walter of Dennistoun, bishop of, I. 183.
 — Walter Trail, bishop of, I. 164, 166, 167, 183; II. 265, 268.
 — William Fraser, bishop of, II. 431, 432.
 — William Lambertson, bishop of, I. 453.
 — William Landell, bishop of, II. 247, 249, 268.
 — William Malvoisin, bishop of, I. 9.
 — Culdees of, I. 6.
 St. Colm's Inch, Walter Bower, abbot of, I. 232. *See also* Bower.
 St. Colmoc's Isle, priors of. *See* Inchmahome.
 St. John, Walter, Lord of, II. 400.
 St. Serf's Inch, Wyntoun the Historian, prior of, I. 233. *See also* Wyntoun.
 Sandilands, Isobel, Lady of Gardane, I. 313.
 — James, Lord of Calder, I. 264.
 — Patrick, I. 295.
 Schethsoun, Donald, II. 266.
 Schomberg, General, afterwards Marshall, II. 444.
 Scone, abbot of, I. 24; II. 328.
 Scott (Scot), Alexander, depute Clerk-Register, II. 394.
 — Alexander, the poet, I. 524.
 — Gilbert, I. 195.
 — James, of Quhitslaid, II. 29.
 — Sir John, of Scotstarvett, I. 349, 351-355, 363, 366, 367, 369; II. 90, 128, 130, 133, 136, 138, 144.

- Scott, John, of Sintoun, II. 28.
 — Sir Michael, of Balwearie, I. 71.
 — Robert, of Satchells, II. 29.
 — Thomas, of Petgorno, II. 400.
 — Sir Walter, the novelist, I. xvii, xxxvii, xxxix, lxxii, lxxiii, 174, 399, 433, 471, 472, 493, 496.
 — Sir Walter, of Branhholm, I. 489; II. 405-407.
 — Walter of, younger of Tnschelaw, I. 488, 489.
 — Sir William, of Balwery, II. 399, 400.
 — William, his son, II. 399.
- Scrymgeour, Sir John, of Dudhope, Constable of Dundee, I. 368, 372; II. 51.
- Seaforth (Scafort), Colin, first Earl of, I. 349; II. 19, 20, 81, 87.
 — Kenneth, fourth Earl of, I. 426.
- Selkirk, John, I. 173.
- Sellar, William, in the Greenyairds, I. 306.
- Selmis, William of, II. 209-211.
- Selyman, Udard called, II. 219.
- Serle, William, I. 229.
- Seton (Seittoun), Sir Alexander, afterwards Lord of Gordon, I. 191, 272.
 — George, first Lord, I. 236.
 — George, fourth Lord, I. 320. *See also* John, fifth Lord.
 — Margaret Stewart, his wife, I. 236.
 — Henry, vicar of Aberfoyle, II. 315.
 — James, of Tullibody, I. 544; II. 364, 365.
 — John, his son, I. 544; II. 364, 365.
 — James, a priest, II. 75, 94.
- Seton, John, fifth Lord, misprinted for George, fourth Lord, I. 320.
 — Elizabeth Hay, his wife, I. 320.
 — Marion, Countess of Menteith. *See* Menteith, John, fourth Earl of.
 — Robert, II. 76.
- Sharpe, Charles Kirkpatrick, I. xxxvi.
- Shaw (Schaw), Alexander, of Cambusmore, I. 486.
 — Agnes, his wife, I. 486.
 — Andrew, of Knockhill, I. 485.
 — George, of the Knockhill, II. 369, 371.
 — Sir Harry, I. 305, 306.
 — Marion Forrester, his wife, I. 305, 306.
 — David, his son, I. 305.
 — Harry, minister at Logy, II. 323.
 — William, of Knockhill, I. 485, 487.
- Short, Jack, I. 447.
- Sibbald (Sibald), Sir Robert, author of History of Fife, I. 136, 137.
 — Thomas, II. 254, 256.
- Sigismund the Emperor, I. 228.
- Sinclair (Sincler), Henry, Earl of Orkney. *See* Orkney.
 — Isabel, wife of Gilbert Gordon of Gartay, I. 320.
 — John, I. 195.
 — Oliver, of Whitekirk, I. 488.
 — Robert of, II. 215.
- Skene (Skeene), Sir James, President of the College of Justice, I. 351, 353, 354, 356-358, 367-369, 371-375; II. 50, 51, 152.
 — W. F., author of "Celtic Scotland," I. 507.

- Smart, John, writer, I. 416 ; II. 206.
- Smeaton, Laird of, II. 23.
- Smyth, Thomas, a priest, II. 297.
- Smythe, George, of Methven, II. 229, 230.
- Smythetun, Gilbert of, I. 26.
- Emma, his daughter, I. 26.
- Somerledy, Thomas, son of, II. 218.
- Somerset, John, Earl of, I. 266.
- Soulis, Sir John of, I. 442, 445, 446 ; II. 221.
- Sir William of, I. 97, 148, 453.
- family of, I. 20.
- Southampton, Thomas, Earl of, I. 410.
- Spain, Philip the Fifth, King of, II. 425.
- Spens, John, of Condy, II. 438.
- Laurence, his brother, II. 438.
- Spere, Gilbert, I. 226.
- Spittal (Spittale), Edward, burghess of Stirling, II. 374.
- Robert, I. 493.
- Spottiswoode, John, archbishop of St. Andrews, I. 380 ; II. 55, 75-78.
- Mr., of Spottiswoode, I. lxxvi.
- Sir Robert, Lord Newabbey, President of the Court of Session, II. 139, 147, 148.
- Squyar, Malcolm, II. 303.
- Stair, John, Master of, I. 427 ; II. 205.
- Stanhope, Charles, Comptroller - General of Posts, I. 341.
- Stephen, Father, II. 75, 92, 93.
- Stewart (Stenart, Steward, Stuart), Alexander, of Avandale, I. lx.
- Alexander, fourth High Steward of Scotland, I. 26, 32, 37, 60, 62, 65, 67.
- Stewart, Alexander, Lord of Badenoch, I. 145, 146. *See also* Buchan.
- Sir Alexander, of Darnley, I. 242.
- Alexander, of Garthwele, II. 303.
- Alexander, in Glenbukkies, II. 415.
- Alexander, of Kinclavin, son of Murdach, Duke of Albany, I. 265, 266, 270, 280.
- Sir Alexander, Earl of Mar. *See* Mar.
- Alexander, bishop of Moray, I. lxxiii.
- Lady Margaret Stewart, Lady Gordon, his wife, I. lxxiii.
- Alexander, grandson of Duke Murdach, I. 280.
- Alexander, of Schutingleis, I. 491.
- Andrew, Lord Avandale, I. 280.
- Andrew, in Ballwhidder, I. 401.
- Andrew, in Culrossshire, II. 389.
- Andrew, second son of Robert, Duke of Albany, I. 236, 237.
- Andrew, I. 521 ; II. 329-331.
- Elizabeth Maistertoun, his wife, I. 521 ; II. 329, 330.
- Andrew Godfrey, Hon. and Rev., I. 280.
- Archibald, provost of Edinburgh, I. 490 ; II. 412.
- Arthur, grandson of Duke Murdach, I. 280.
- David, of Rosseyth, I. 272.
- Donald, the Hammerer, tutor of Appin, I. 310, 311.
- Donald, Lieutenant-Colonel, I. 472.
- Duncan, author of History of the Stewarts, I. 78, 94, 280.

- Stewart, Duncan, son of Alexander in Glenbukkie, II. 415, 416.
- Duncan, son of Neil, II. 304.
- Duncan M'Robert, in Ballwhidder, I. 401.
- Francis, II. 122.
- Lady Elizabeth, daughter of James, Earl of Moray, Regent, I. 491.
- Lady Elizabeth, daughter of Robert, Duke of Albany, I. 238 ; II. 436, 437, 457.
- Euphemia, wife of Patrick Graham, Lord of Kincardine, II. 262, 263.
- Mr. George Drummond, I. xxviii.
- George, II. 331.
- Henry, Lord Methven. *See* Methven.
- Henry, son of James, Lord Doune, I. 487, 542.
- Lady Isabel, daughter of Robert, Duke of Albany, I. 210, 217, 238.
- Lady Isabella, daughter of Murdach, Duke of Albany, I. 280.
- Sir James, of Beath, captain of Doune Castle, I. 482-485 ; II. 376-390, 393-400.
- Sir James, of Doune, commendator of St. Colm, I. 485-488, 490 ; II. 401-409, 411-419. *See also* Doune, Lord.
- Sir James, his son, afterwards Earl of Moray, I. 491.
- Sir James, called More, son of Murdach, Duke of Albany, I. 272-274, 277, 278, 280, 481.
- Matilda, his daughter, I. 280, 481.
- Stewart, James, called Beg, grandson of Duke Murdach, I. 278, 280.
- James, of Ardvoirlich, I. xxi, 385, 397-406.
- Henry, his son, I. 400.
- Robert, also his son, I. 401, 405, 406.
- Sir James, I. 345 ; II. 15.
- Sir James, of Goodtrees, I. lxxxii.
- Sir James, fifth High Steward of Scotland, I. 70, 442, 445 ; II. 219, 223.
- Lady Janet, daughter of Robert, Duke of Albany, I. 130, 140, 237 ; II. 258, 259.
- Princess Jean or Johanna, daughter of King Robert the Second. *See* Lyon, Sir John, of Glamis.
- John, Earl of Buchan. *See* Buchan.
- John, of Cardine, I. 272.
- John, of Dundonald, called the Red, I. 272, 273.
- John dhu Mhor, I. 399.
- Johu, Lord of Lorn and Innermeath. *See* Lorn.
- Sir John, son of Sir Alexander Stewart of Darnley, I. 242.
- Elizabeth, his wife, daughter of Duncan, Earl of Lennox, I. 242.
- Sir John, brother of James, Steward of Scotland, II. 219, 221.
- Sir John, brother of Robert, Steward of Scotland, II. 250, 251.
- John, Earl of Carrick, son of Robert, Steward of Scotland, II. 250. *See also* King Robert the Third.

- Stewart, John, rector of Flisk, II. 292.
- John, II. 399.
- Sir Lewis, of Kirkhill, advocate, I. 359, 363, 379, 385 ; II. 47, 150.
- Lady Margaret, Countess of Mar and Angus, I. 124, 147, 154.
- Margaret, Lady Gordon, daughter of King James the Fourth and Margaret Drummond, I. lxi, lxiii.
- Margaret, her daughter, wife of David, second Lord Drummond, I. lxiii.
- Lady Margaret, daughter of John, Earl of Buchan, I. 236.
- Lady Margaret, daughter of Robert, Duke of Albany, I. 238.
- Lady Margaret, daughter of Robert, Earl of Strathern, I. 134.
- Lady Maria, daughter of Robert, Duke of Albany, I. 238.
- Mariot, Countess of Angus, II. 287, 288. *See also* Angus.
- Lady Marjory, daughter of Robert, Duke of Albany, I. 238.
- Lady Mary, Countess of Mar, I. 548, 549.
- Matilda, wife of William of Edmonstone, I. 278, 280.
- Mr., of Balloch, I. 493, 496.
- Sir Murdach. *See* Albany and Menteith.
- Murdach, grandson of Murdach, Duke of Albany, I. 280.
- Murdach, II. 311.
- Neil, of Fortergill, II. 303, 305.
- Stewart, Patrick, II. 300, 301.
- Patrick, in Glenbucky, I. 484 ; II. 398.
- Robert, High Steward of Scotland, Earl of Strathern. *See* Robert the Second, King ; *and also* Strathern.
- Sir Robert, Duke of Albany. *See* Albany and Menteith.
- Robert, son of Robert, Duke of Albany, I. 219, 237, 290.
- Robert, of Fife, son of Murdach, Duke of Albany, I. 211, 246, 278, 279 ; II. 280.
- Sir Robert, second son of King Robert the Third, I. 162, 243.
- Robert, grandson of Duke Murdach, I. 280.
- Robert, Lord of Lorn, I. 238, 264.
- Lady Margaret Stewart, his wife. I. 238.
- Sir Robert, of Schanbothy, I. 137, 257, 258.
- Robert, Earl of Buchan. *See* Buchan.
- Robert, in Blairgarry, II. 380.
- Robert, of Ardvourlich, I. 399, 401, 403 ; II. 192.
- Mr. Robert, in Killin, II. 447, 448.
- Sir Robert, Sheriff of Perth, II. 253, 256.
- Thomas, Earl of Angus. *See* Angus.
- Thomas, archdeacon of St. Andrews, I. 183.
- Sir Thomas, son of Alexander, Earl of Mar and Garioch, I. 260-262.
- Walter, son of Alan, first High Steward, I. lv, lxxv.
- Walter, third High Steward, I. 60.
- Walter, sixth High Steward, I. 128.
- Lady Marjory Bruce, his wife, I. 128.

- Stewart, Walter, fifth Earl of Menteith. *See* Menteith.
- Walter, Lord of Fife, son of Robert the High Steward, I. 132, 133, 136, 137; II. 252, 254.
- Walter, Earl of Athole and Caithness. *See* Athole.
- Sir Walter, of Lennox, Fife, and Menteith, son of Murdach, Duke of Albany, I. 211, 261-263, 269, 271-276, 279, 280; II. 280, 288, 290.
- . . . Campbell, said to be his wife, I. 280.
- Walter, of Morphie, grandson of Murdach, Duke of Albany, I. 278, 280.
- Walter, vicar of Abernethy, II. 383, 389, 391.
- Walter, in Glenfinglas, I. 401.
- Sir William, I. 147, 166.
- Sir William, of Dalswinton, I. 301.
- Lady Euphame Graham, his wife, I. 301.
- William, brother of Sir James Stewart of Beath, I. 485.
- William, of Baldoran, I. 295.
- family of, I. xix, xxxii, lv, 62, 65, 116, 132, 175, 214.
- Stewarts of Appin, I. 310, 311, 492, 493.
- of Ardvoirlich, I. 279, 280, 403.
- of Boquhidder and Strogartnay, I. 334.
- of Doune, I. 488.
- of Traquair, I. 491.
- Stirling (Sterleng, Sterniling, Striuelin, Striueling, Strivelin, Strivelyn, Striuling, Striulyn), Sir Alexander of, II. 212.
- Stirling, Alexander, Sheriff of, II. 215, 216.
- Alexander, of Auchyll, I. 393, 429.
- Margaret Graham, his wife, I. 393, 429.
- Sir Archibald, of Keir, I. 481.
- Charles Graham, of Craigharnet, I. 308.
- Sir George, Laird of Keir, I. 350, 388.
- Lieutenant-General Graham, of Rednoch, I. 504.
- Henry, of Ardoch, I. 327.
- Grissel, his daughter, I. 327, 334.
- Henry, Earl of, I. 315; II. 122.
- Sir Henry of, son of Earl David, II. 212.
- Sir James, of Keir, I. 302, 303, 317, 481.
- James, of Auchyll, I. 321.
- John, his brother, I. 321.
- Sir John, of the Keir, II. 369, 371, 383.
- Sir John, I. 418.
- Margaret, wife of William Graham, fiar of Boquhaple, I. 301.
- William, first Earl of, Secretary of State, I. xxiii, xxxiv, 315, 358; II. 124, 142, 149. *See also* Alexander.
- William, Master of, his son, II. 123, 124.
- Rev. William Macgregor, I. 498, 499; II. 329.
- William, minister of Aberfoyle, I. 336.
- William Moray, of Ardoch and Abercairnry, I. xxv, 25.
- Sir William, fourth Baronet of Ardoch, I. xxvii.
- William, II. 352, 362, 365, 367.
- family of Ardoch, I. xxvi.

- Stirling-Maxwell, Sir William, of Keir, I. xxiv, xxix.
- Stobhall, Baron of, I. lxx.
- Strachan, Sir Alexander, of Thornton, II. 16, 82, 112.
- Stragrif, Sir Finlay of, II. 216.
- Strathallan, William Drummond, first Viscount of, I. lii, liv-lvi, lxxvii, lxxviii.
- William, fourth Viscount of, I. 492.
- Viscounts of, I. lxx.
- Strathern (Straderne, Stratherine, Stratheryn), David, Earl Palatine of, and Earl of Caithness, I. xx, 290, 291, 342-347, 351-354, 357-361, 363-365, 369; II. 47, 49, 271, 272, 276, 323-325.
- Gilbert, Earl of, I. 8; II. 214, 215.
- Joanna of Menteith, Countess of, I. lxxix, 454, 456; II. 230, 231.
- Malcolm, Steward of the Earl of, II. 215.
- Malise, fifth Earl of, I. 39-41; II. 213.
- Malise, sixth Earl of, I. lxxix, 88, 93, 94.
- Malise, seventh Earl of, I. lxxx, 456, 512-515; II. 223, 227, 231.
- Malise Graham, Earl Palatine of, I. xviii, 281, 289-291, 350, 357, 360, 365, 478; II. 292, 293. *See also* Menteith.
- Sir Maurice Moray, Earl of, I. 456.
- Patrick Graham, Earl of, I. 155, 290, 342, 357, 360, 365; II. 262-264, 273-277.
- Eufamia, Countess Palatine of, his wife, I. 290, 291, 342, 359-361, 363-365; II. 47, 49, 271, 273-275, 277, 283, 284.
- Strathern, Robert, Steward of Scotland, Earl of, afterwards King Robert the Second, I. xx, lviii, 104, 112, 114, 115, 128, 130, 132, 134, 136, 519; II. 244, 247, 249, 250, 267, 268. *See also* Robert the Second, King.
- Walter Stewart, Earl of. *See* Athole and Caithness, Earl of.
- Earls of, I. xix.
- family of, I. 104.
- Strathern and Menteith, William, Earl of, I. xx, lxvi, lxxvii, 395; II. 29, 30, 38-41, 43-50, 90, 123-146, 323-325, 459, 460. *See also* Menteith.
- Strathmore, Claude Bowes-Lyon, Earl of, I. lxxxi.
- Strathnaver, Lord, II. 443-445.
- Stratum, Michael of, II. 212.
- Strickland, II. 428.
- Sully, Sir Henry de, I. 453.
- Surrey, Earl of, I. 80.
- Sutherland (Sotheyrland), John, tenth Earl of, I. 320.
- Marion Seton, Countess of Menteith, his wife, I. 320.
- William, fourth Earl of, I. 456; II. 234.
- Joanna, Countess of Strathern, his wife, I. 454, 456; II. 234.
- Countess of, I. lxx.
- Swinton (Swyntone), Sir John of, I. 160.
- John, of that ilk, I. 238.
- Lady Margaret Stewart, his wife, I. 238.
- John of, his son, I. 238, 279.

Syfyne (Sewyn, Suffin), I. 62, 438, 439 ; II. 216.
 Dugall (Dufgall), his son, I. 62, 63 ; II. 216.
 John, also his son, a Lord of Argyll, I.
 438, 439.
 Symsonne, John, II. 363.

T

TAILLIEFER, John, notary-public, II. 300.
 Tantallon Castle, keeper of. *See* Lauder.
 Templeton, Gilbert of, II. 221.
 Tennant (Tennande), James, of Lynhouse, II. 299.
 Thirlestane, Sir Johu Maitland, first Lord, II.
 424.
 Thomson, Christie, in Abetshawis, II. 29.
 — James, I. 523 ; II. 331.
 — Thomas, deputy Clerk-Register, II. 329.
 Thornton, Laird of. *See* Strachan.
 Tong, Robert de, receiver of the King's victuals,
 I. 100, 101.
 Torphichen, preceptor of, II. 299, 300.
 Toshach (Toschoch, Tossach), II. 44.
 — David, of Monivaird, II. 6, 120.
 — John, I. 358.
 Towers (de Turribus), Eustace of, II. 217.
 — Sir George, of Inverleith, I. 345.
 Trail, Walter, bishop of St. Andrews, I. 164,
 166, 167.
 Traquair (Traquaire, Traquare, Traquhair), John,
 first Earl of, Treasurer, I. xxxiv, 363-367,
 370, 372, 375-379, 381, 382, 385 ; II. 39,
 46, 51, 52, 54, 56, 59, 106, 112, 113,
 122, 138, 142, 143, 147-154, 156-158.

Trumbull, W., I. 340.
 Tullibardine, Patrick, Earl of, I. 349, 350 ; II.
 160.
 — William, Marquis of, called Duke of
 Athole, II. 425-430.
 — Countess of, I. lxx.
 Tulloch (Tulach), Sir Walter of, I. 146, 163,
 239.
 Turing, Alexander, II. 383, 391.
 Tytler, Patrick Fraser, Historian, I. 27, 28,
 188, 189, 200, 231, 233, 293, 434, 516.

U

ULSTER, Sir Richard de Burgh, Earl of, I. 70 ;
 II. 219, 220.
 Umfraville (Umfrevil), Sir Ingelram de, I. 446.
 — Sir Robert, Sheriff of Newcastle, I. 206,
 247, 248, 250, 251.
 Urbau the Fourth, Pope, I. 38, 39, 43.

V

VALENCE, Sir Aymer de, I. 440, 441, 450, 514,
 515.
 Vaux (de Vallibus), Sir John de, II. 210, 211.
 Victoria, Queen, I. xxxi, lxxii.
 Vienne, John de, Admiral of France, I. 149,
 150.
 Vignodi, John, II. 349.
 Vincent, Augustus, Wiudsor Herald, I. xliii,
 xlv.

W

- WALES, Griffin, Prince of, I. 31.
 Walker (Valcar), Robert, II. 311.
 Walkinshaw, John, of Barrowfield, I. 282.
 — Clementine Marie Sophie, his daughter,
 I. 282.
 Wallace (Walas, Waleys), John, of Ricartoun,
 II. 251.
 — Thomas, messenger, II. 415, 418.
 — Mr., II. 445.
 — Sir William, I. lxxv, lxxviii, lxxix, 21,
 56, 76, 86-88, 109, 433-435, 438, 440-
 450, 452.
 Walledgh, John, I. 411.
 Walsingham the Historian, I. 100, 189, 190,
 227, 448.
 Walterstoun, Duncan, II. 380.
 Walthew, Serjeant, II. 105.
 Warde, Thomas, of Trumpington, I. 229.
 Wardlaw, Sir Henry, of Pitreavie, II. 16.
 — Henry, bishop of St. Andrews, I. 186,
 188, 223, 263, 266, 269.
 Wardrobe, John of, II. 218.
 — Mary, his wife, II. 218.
 Warkworth Castle, keeper of, I. 247.
 — constable of, I. 249, 250.
 Warrenne, Earl of, II. 432.
 Waterton, Robert, I. 267.
 Watson (filius Walteri), John, II. 230, 231.
 — Robert, II. 311.
 Watts, W. H., I. 496.
 Waughton, Laird of, II. 99.
 Weddale, Henry of, I. 178, 179.
 — Patrick, II. 297.
 Weem, Lady, I. 328.
 Weigin, William, in Whisgills, II. 27.
 — James, his son, II. 28.
 Welles, John of, I. 195.
 Welsh, John, I. xxxviii.
 Wemyss (Weeymes, Weymes), Sir David, of
 Wemyss, I. 71, 97.
 — David, second Earl of, I. 413; II. 169, 170.
 — Lady Margaret Leslie, Countess of, his
 wife, I. 412; II. 170.
 — James, commissary of St. Andrews, II.
 126, 128, 130.
 — John, first Earl of, I. 345, 390.
 — John of, I. 195.
 Westmorland, Ralph Neville, Earl of, I. 170,
 171, 199, 202, 206, 223, 250-253, 255,
 256, 267.
 — John of Neville, his son, I. 255-257.
 — Ralph, also his son, I. 256.
 Weston, John of, I. 139; II. 232.
 — Thomas of, I. 138, 139; II. 233.
 — Philippa of Moubray, his alleged wife,
 I. 138, 139; II. 233. *See also* Loen and
 Moubray.
 Whigholm, Andrew, in Quhisgills, II. 29.
 White (Quhit), Henry, Dean of Brechin, II. 400.
 Whyeathauche, Willie, in Ettletoun Syde, II.
 29.
 Wigton (Wigtoun, Wigtown), John, second Earl
 of, I. 345, 368, 372, 373; II. 52, 90.
 William the Conqueror, I. 11.

- William the Lion, King of Scotland, I. xxxii, xlix, 2-9, 12, 13, 16, 38, 54, 55 ; II. 207, 214, 215.
- Rufus, King of England, I. 24.
- son of John, I. 264.
- Willoughby, Baroness, I. lxx.
- Wilson (Vylsone), Mungo, II. 363.
- William, II. 363.
- author of "Memorials of Edinburgh," I. 236.
- Wimbleton, Viscount, I. 340.
- Winter, Admiral, I. 320.
- Winton (Wintoun), George, second Earl of, I. 345 ; II. 74.
- Countess of, I. lxx.
- Wiseman, John, I. 437.
- Wishart (Wishard), Bishop, author of Commentaries on the Wars of Montrose, I. 398-400, 403.
- Jo., I. 383.
- Robert, bishop of Glasgow, I. 92.
- William, archdean of St. Andrews, II. 213.
- Witherspoon, John, President of Princeton College, New Jersey, I. 494.
- Wodham, John, archdeacon of the East Riding, I. 267.
- Wood, William, II. 75, 92, 94.
- Worcester (Wygorn), Philip, bishop of, I. 267.
- Wre, James, II. 367.
- Wright (Wricht), John, constable of Falkland Castle, I. 173, 265 ; II. 292.
- his son, I. 265.
- Wright, John, in Dunblane, I. 312.
- Wychingham, Galfrid of, Mayor of London, I. 108.
- Wygorn, Philip, bishop of. *See* Worcester.
- Wynram, John, Superintendent of Fife, II. 315, 316.
- Wyntoun, Andrew, Historian, I. 12, 28, 48, 100, 107, 151, 189, 191, 233, 448.
- Wytherington (Wodryngton), Sir John, I. 248-251.

Y

- YDIL, William, I. 179.
- Yester, John, Lord, I. 320.
- York (Everwyk), archbishop of, I. 23.
- James, Duke of, afterwards King James the Seventh, I. xxxvii, xxxviii.
- Sir Thomas de, I. 108.
- Yorkists, The, I. 293.
- Young (Yonge), Adam, called, II. 218.
- John, of Linlithgow, I. 143.
- Malmor, called, II. 218.
- Peter, preceptor to King James the Sixth, I. 533, 538.
- Youngman (Yongman or Yongar), John, canon of Inchmahome, I. 523 ; II. 331, 335.
- Sir Thomas, chamberlain of Menteith and vicar of Pett, I. 483 ; II. 372, 388, 391, 399.
- Yuer, Sir Ralph de. *See* Euer.

INDEX

OF PLACES.

ABERBERLEDENE, I. 514.

Abercairny, lands of, I. xxvii, xxxi, xxxii.

Aberdeen (Aberden), burgh of, I. 15, 81, 135,
142, 145, 157, 184, 218, 243, 244, 258,
268, 494, 515 ; II. 224.

— cathedral church of, I. 147.

— diocese of, I. 121 ; II. 383, 391.

— shire of, I. lvi, 55, 225, 260, 261.

Aberfoyle (Aberfule, Abirfuill, Abirful, Abir-
fwll), I. 411, 505, 510.

— church of, I. 295, 309, 321, 336 ; II. 213,
316, 320-323.

— glebe and manse of, I. 337 ; II. 321.

— kirktoon of, I. 299, 300, 309, 498.

— lands of, I. 97, 120, 127 ; II. 246.

— lands in territory of, I. 37 ; II. 213.

— Miltoun of, I. 299, 300, 309, 498.

— parish of, I. xvii, lxxi, 307, 336, 337, 388,
389, 418, 480 ; II. 158, 321.

— vicarage of, II. 315, 316.

Aboyne (Obeyne), II. 217.

Aboyne, barony of, I. 237.

— castle of, I. 19.

Achagnaclochi, halfpenny land of, II. 235.

Achagnadarach, three farthing land of, II. 235.

Achagnagarthi, halfpenny land of, II. 235.

Achindon (Auchindon), parish of, I. lviii.

Achinherd (Auchinhard), II. 392, 396, 403.

Achray, lands of, II. 294. *See also* Lochtoon,
lands of.

— loch of, or Lochtoon (Lochcon), I. 293,
299, 498, 504.

Achynrosse, lands of, I. 144.

Airth, II. 152, 154.

— earldom of, I. xviii, 358, 362.

— house of, I. 379, 388.

— lands and barony of, I. 348, 362, 387,
407, 408, 423.

— Pow of, I. 348.

Airth and Menteith, earldom of, I. 406.

Albany, country of, I. 165, 230.

Aldie (Aldy), lands of, II. 234.

- Aldmonros, lands of, I. 231.
 Allan, river, I. xlix.
 Alloa, I. 337.
 — moor of, I. 526.
 Alnwick, I. liv.
 America, I. 504.
 Angers, II. 123.
 Angus, shire of, I. 55, 218, 515 ; II. 18.
 Annandale, I. xxvii, 441.
 — lordship of, I. 210.
 Annetis, lands of, I. 487.
 Apenad, lands of, II. 236.
 Arbroath (Abirbrothoc), burgh of, II. 225, 249.
 — church of St. Thomas the Martyr of, I. 16 ;
 II. 212.
 — monastery of, I. 10, 13, 14, 517.
 Ard, Loch, I. xvii, 388, 477, 505.
 — Duke's Isle, or Dundoehil, in, I. 505.
 — St. Malloch's Isle, in, I. 505.
 Ardbeg, lands of, I. 322.
 Ardewnane, lands of, II. 272, 273.
 Ardfinlay, II. 403.
 Ardinclerich (Arniclerycht), lands of, I. 521,
 529, 530 ; II. 329, 330, 354, 360, 368.
 Ardmernak, lands of, II. 273.
 Ardnanno, penny land of, II. 235.
 Ardoch, I. 473.
 — estate of, I. xxv, xxvii, xxxi, xxxii.
 — water of, I. 473, 481.
 Ardule, lands of, I. 322.
 Ardvoirlich, house of, I. 404.
 Argaty (Argade, Argades, Ergady), I. 543.
 — lands of, I. 487.
 Argaty, Wester, II. 385, 387, 396.
 Argyle, diocese of, I. 63.
 — shire of, I. xlix, l, lvii, 2, 4, 64, 316, 335,
 505 ; II. 401.
 Arierech, penny land of, II. 235.
 Arigeargage, penny land of, II. 235.
 Ariluyg, penny land of, II. 235.
 Armawaek, lands of, II. 368.
 Arnbeg (Ardiubeg, Arnebeg), lands of, I. 523,
 533 ; II. 70.
 Arnele (Arnelle), I. 147, 157.
 Arnevicar, lands of, I. 529, 530 ; II. 354, 360, 368.
 Arnprior (Arnepriour), lands of, I. lxxiv, 525,
 526, 529, 530 ; II. 354, 359-361, 368.
 — mansion-house of, I. 525, 526.
 — mill of, I. 529, 530 ; II. 354, 360, 368.
 Arran, I. xlix, l, 455 ; II. 236.
 Arrochar, lands of, I. 5.
 Arrochbeg, lands of, I. 322.
 Arrochdaill, lands of, I. 322.
 Artrelly, lands of, I. 119.
 Athole, district of, I. 125.
 — earldom of, I. 55.
 Atichuan, halfpenny land of, II. 235.
 Auchedunereith, lands of, I. 322.
 Auchinlawick, lands of, I. 487.
 Auchmar (Achmore, Auchmor, Auchmere), or
 Gardenycht, lands of, I. 297, 302, 307,
 334, 525 ; II. 294.
 Auchterarder (Ochterarder), lands of, I. lxiii,
 lxiv, 15, 99.
 Auchterhouse (Owterhus), church of, II. 231.
 Auchtermuthil, lands of, I. lxvi.

Auchyll (Achyll), I. 388.
 Auldynstoun, lands of, II. 250.
 Avach, barony of, I. lxxx, 120.
 Avignon, I. 104, 118, 122, 123, 127, 129 ; II. 237.
 Ayre (Aire), "Barns" of, I. 438.
 — burgh of, I. 66, 225.
 — castle of, I. 66.
 — port of, I. 474.
 — shire of, I. 64, 66, 67, 128, 157, 221, 226, 227 ; II. 281.

B

BAD, lands of, I. 315 ; II. 291.
 Badenoch (Badenach), district of, I. 16, 471.
 — lands of, I. 15, 16, 35, 50, 51, 262.
 — lordship of, I. 16, 50.
 Baith, forest of, II. 293.
 Baleth, lands of, I. 299 ; II. 294.
 Baliconachi, lands of, II. 192.
 Ballangeich (Ballochgeich), path of, I. 526.
 — quarry, I. 473.
 Ballemorist (Balmoris), lands of, II. 380, 392, 395.
 Ballikeroch (Bellekeraucht), lands of, II. 385, 387.
 Ballingrew, lands of, I. 529, 530 ; II. 354, 360, 368.
 Ballintoun (Ballinton), lands of, I. 545 ; II. 366, 367, 380.
 Balmerino, abbey of, I. 16, 17.
 — lands of, I. 16.
 Balnadornok, lands of, I. 301.
 Balnageth, lands of, I. 144.
 Balneferry, lands of, I. 144.
 Balquhidder (Boquhidder, Bouchquhidder, Bawhidder), I. lxxiv, 334 ; II. 401.
 — churchyard of, II. 449.
 — parish of, II. 449.
 Balylogan, lands of, I. 278.
 Bamborough (Bamberghe) Castle, I. 251.
 Bandarroch Hill, I. 504, 505.
 Banff, burgh of, I. 81.
 — shire of, I. lvi, 97, 225, 260, 261, 264.
 Banks, The, lands of, I. 521.
 Bannockburn, I. xx, 59, 94, 96, 295, 452, 513, 517 ; II. 430.
 Bardrale, Wester, II. 293.
 Barmore, two penny land of Danna called, II. 236.
 Barnbongle (Barnebugale), barony of, I. 97, 104, 105, 138-140 ; II. 247, 248, 259.
 Barton-upon-Humber, port of, I. 143.
 Bass, The, I. 191, 269.
 Bealalach, penny land of, II. 235.
 Beaton's Mill, near Bannockburn, I. 295.
 Beaverlie, II. 66.
 Belford, I. 15.
 Ben-Ledi, I. 505.
 Ben-Lomond, I. 504.
 Ben-Venue, I. 504.
 Beracorari, farthing land of, II. 235.
 Bergaveny, castle of, I. 93.
 Bernes, lands of, I. 104.
 Bernicemore, lands of, I. 114.

- Berwick-on-Tweed, borough of, I. 57-60, 73, 78, 79, 83, 84, 86, 87, 100, 101, 108, 189, 215, 217, 222, 227, 246, 247, 251, 255, 256, 319, 320, 440, 454, 492, 512, 533, 543, 544; II. 60, 61, 223.
 — castle of, I. 58, 248, 250-252, 255.
 — port of, I. 59.
 — shire of, I. xxvi, xxvii, 70, 210, 215; II. 4, 250.
 Bewlie, II. 43.
 Biggar, lands and barony of, II. 436, 437, 457.
 Bille, II. 205.
 Bishop Thorp, I. 453, 454.
 Blackness, castle of, I. lxii, 490, 491.
 — port of, I. 192.
 Blair, castle of, II. 428, 429.
 — lands of, I. 322.
 Blairathole, I. 397.
 Blair-Drummond, I. xxiii, xxv, 472; II. 425, 451.
 — house of, I. xxiv, xxv.
 — moss, I. xxiii, xxiv, xxx.
 Blairgarry (Blargarre), lands of, I. 301; II. 380.
 Blairhoyle, I. 506.
 Blairquhope (Blarequhopill), lands of, I. 300, 301, 334.
 Blairsessenoch (Blarecesnoche), lands of, I. 529, 530; II. 354, 360, 368.
 Blanrowar, lands of, I. lxiv, lxv.
 Blarbuyok (Blayrwick), lands of, I. 498.
 Blareboyane, lands of, II. 293.
 Blareholich, lands of, I. 300.
 Blareuarow, lands of, I. lix.
 Blareruscany, lands of, II. 293.
 Blarerusskanmore, lands of, I. 300, 301, 334.
 Blaretuchau, lands of, II. 294.
 Bofressely (Bobfresle), lands of, I. 299, 300; II. 294.
 Boghall, lands of, II. 403.
 Bondigiston, lands of, I. 104.
 Bonhill, I. xxi.
 — church of, I. 432.
 — parish of, I. 432.
 Bonyuty (Boneute, Bonento), lands of, I. 299, 300; II. 294.
 Boquhaple (Buchople, Buchapil, Bucopill, Buchchoppill, Buchquhoppill), Bra of, I. 300.
 — chapel of, I. xli.
 — lands and barony of, I. xl, xli, lxix, 301, 310, 311, 317, 329, 332, 336; II. 192, 193, 226-228, 380.
 — Easter, lands of, I. 312.
 — Wester, lands of, I. 98, 301, 311, 312, 317, 325.
 Boquhaple-Balfour, lands of, I. 301.
 Boquhaple-Nory, Wester, lands of, I. 312.
 Borders, I. 13, 27, 59, 62, 92, 100, 105, 106, 149, 150, 156, 164, 167, 247.
 Bordland (Boirland), or Mains of Cardross, I. 529, 531; II. 349-352, 354, 363, 368, 460.
 Bothkennar, lands of, I. 141.
 Bothwell (Bothvile), I. 439.
 — barony of, I. 304; II. 282.

Bothwell Castle, I. 20, 294 ; II. 297.
 — lordship of, I. 20.
 Boulogne, I. 156.
 Brachwall, castle and lands of, I. 347.
 Brackland, I. 505.
 Braclach, three farthing land of, II. 235.
 Brauchlie (Brathuli, Broculi, Broccoli), lands
 of, I. 8, 359, 360 ; II. 214.
 — town of, II. 217.
 — Easter, lands of, I. 98 ; II. 229, 230.
 Breadalbane, I. lvii ; II. 401.
 Breanorlyng, penny land of, II. 235.
 Brechin, burgh of, I. 83.
 — archdeanery of, I. 528, 535.
 — diocese of, II. 303.
 Bridgidie, St., in Cunningham, chapel of, I. 226.
 Brig, Wester, II. 396.
 Brigend, lands of, II. 294.
 — Easter, of Doune, II. 415.
 — Wester, II. 403.
 Brigham, I. 49, 70, 71, 78, 210.
 — £40 land in, I. 210.
 Brokland, lands of, II. 380, 392.
 — Easter, II. 395.
 Brothertown, lands of, I. 55.
 Buchan, I. 181, 515.
 — earldom, I. 200, 237, 291, 292, 549.
 Buchanan, I. xviii, xxii, xxiii, xxxvi, xxxvii,
 390 ; II. 460.
 — barony of, I. 322.
 Buchanty (Buchanedy), hill of, I. 397, 400.
 — lands of, II. 271.
 Buchliven, I. 98.

Buchquhin, II. 401.
 Burnebank, II. 420.
 Busby, lands of, II. 227.
 Bute (Buth), Isle of, I. 163, 164, 188, 439.
 — shire of, I. xlix ; II. 401.
 Byrkynsyde, lands of, II. 250.

C

CADZOW, I. 17.
 — lordship of, I. 18.
 Caithness, earldom of, I. 347.
 Calais, I. 108.
 Calanderbeg, lands of, II. 283, 284, 293.
 Calandermore, lands of, II. 283, 284, 293.
 Calder, castle of, I. 162.
 — moor, I. 168.
 Caledonia, I. 510.
 Caledrath, I. 514.
 Calfhill, I. 222, 246.
 Calgart, lands of, I. 299, 498.
 Calkerauche, lands of, II. 396.
 Callander, I. 493.
 — church of, I. 34 ; II. 328.
 — parish of, I. xvii, 479.
 Calquhollet, lands of, I. 521.
 Calzebuchqualze (Calzeboqhalze, Cailzeboqu-
 hailze), lands of, II. 380, 392, 395.
 Calzemuk, lands of, I. 301.
 Cambrun, lands of, I. 6.
 Cambus (Cammys, Cammes, Cammus), Bra of,
 II. 380, 392, 393, 395.

- Cambus, Kerss of, II. 385, 387, 396.
 — Miltoun of, II. 392, 393, 395.
 — Wallace, II. 391.
 Cambusbarroun, half lands of, I. 530 ; II. 359-361.
 Cambusdreuy, lands of, II. 291.
 Cambuskenneth, abbey of, I. lxxvi, 10, 75, 78, 88, 115, 507, 524, 525, 527, 548-552.
 — church of, I. 29, 511.
 — place of, I. 550.
 Cambusmore, lands of, I. 498 ; II. 380.
 Cambuswelhe, lands of, I. 8 ; II. 214.
 Canada, II. 98.
 Canterbury, I. 56.
 Cardene, lands of, I. 529 ; II. 354. *See* Garden.
 Cardross, I. lxxi, 389, 504, 510, 522, 544, 545 ; II. 158, 354, 365, 367.
 — house of, I. 547, 550, 551.
 — lauds and barony of, I. xli, 521, 529-531, 544, 546, 548-551 ; II. 329, 353-359, 363.
 — lordship of, I. lxxvi, 525, 546, 548-552 ; II. 334.
 — mains of, or Boirland, I. 529 ; II. 349-352, 354.
 — mill of, I. 529, 530 ; II. 354, 359, 360, 368.
 — parish of, I. lvii.
 Cargill, lands and barony of, I. lxiii.
 Carlaverock Castle, I. 57, 272, 478.
 — Murdach's Tower in, I. 272, 478.
 Carlisle (Carlil), I. 56, 57, 108, 152, 254, 255 ; II. 202.
 Carloury, lands of, II. 298-300.
 Carrick, I. 70 ; II. 220.
 — earldom of, I. 221.
 Cassillie, lands of, I. 322.
 Cath-leine-Mushet, I. 98.
 Cattlyne, lands of, I. 8 ; II. 214.
 Causewayhead Quarry, I. 473.
 Causlie, parish of, I. lvii.
 Cawdor, thanage of, I. 452.
 Cessintuly (Seskentuly), II. 226.
 — Bray of, I. 301.
 — mill of, II. 403.
 Chaunelkirk (Chyndilkirk), church of, I. 531 ; II. 363.
 Chapellaroch, I. xli, lxvi.
 Clackmannan, I. 10, 16, 441 ; II. 207.
 — shire of, I. 219, 221, 316.
 Clerktoun, lands of, II. 368.
 Cliftoun, lands of, II. 286-290.
 Cluny (Clone), I. 15, 81.
 — lands of, I. 277 ; II. 293.
 Clyde, Firth of, I. 64, 65, 164.
 Clydesdale, I. 118 ; II. 173.
 Cockburnspath (Colbrandspath), I. 354.
 — fortalice of, I. 215.
 Cockermouth, I. 150.
 Cocklaws, castle of, I. 181, 182.
 Coilachlerig, I. 404.
 Coilmore, I. 403.
 Coldochis, lands of, II. 403.
 Coldon (Coldone, Cowden), hill of, I. 504.
 — lands of, I. 303 ; II. 302, 303.
 Coldstream, I. 70.

- Collace, I. 385, 397, 400.
 — kirk of, I. xxi, 401.
 Collatis, the two, I. 521.
 Cologne, diocese of, II. 232, 234.
 Conardari, penny land of, II. 235.
 Coneraig, II. 277.
 — lands of, I. lxix.
 Conelton, II. 202.
 Conulath, lands of, II. 226.
 Corfe Castle, in Dorsetshire, I. 44.
 Cororlynge, penny land of, II. 235.
 Corp, lands of, II. 271.
 Correikmore, lands of, I. 114.
 Correntie, lands of, I. 114.
 Corrycheyrich, II. 448.
 Corryquhrumby, lands of, II. 380.
 Corstorphine, lands of, I. 391.
 Cortachy (Kortachy), lands and barony of,
 I. 456 ; II. 230, 231.
 — manor place of, II. 231.
 Corteorplay, lands of, I. 322.
 Coryvreckan, Gulf of, I. xlix.
 Coule (Koule), lands of, I. 157 ; II. 293.
 Cowal, barony of, I. 114.
 — district of, I. xlix, l, 2, 5, 114.
 — lands in, I. l.
 Cowie (Colly), barony of, II. 285.
 Cragis, lands of, II. 224.
 Craglyne, penny land of, II. 235.
 Cragmuk, lands of, II. 294.
 Cragnavyach, penny land of, II. 235.
 Cragroth (Cragorth), lands of, I. 159, 224.
 Craguthi, Easter and Wester, II. 293.
 Cragwehte, lands of, I. 297, 302, 307 ; II. 309
 311.
 Cragy (Craggy), lands of, I. 137, 257.
 Cragyn, church of, I. 67.
 Craighall, I. xxxv.
 Craigroyston, I. lxxiv.
 Cramond, Bridge of, I. lxxiii.
 Crancafy, lands of, II. 294.
 Crantulliche, lands of, I. 310.
 Cravaneculy, lands of, II. 294.
 Crawford Moor, II. 4.
 Craynis (Craance, Cranisbeg, Cranysmore),
 Easter and Wester, lands of, I. 297,
 299, 307 ; II. 293, 309-311.
 Crieff, wood of, I. 513.
 Croy, lands of, I. 119.
 Cuapro, chapel of St. Mary in, II. 220.
 Culbaky, lands of, I. 258. *See also* Kulbak.
 Culbrynny, lands of, I. 264.
 Cullen, I. 81.
 Culpoty, lands of, I. 264.
 Culross, burgh of, I. 173.
 Cultintogill, lands of, II. 380, 392, 396.
 Cultrach, lands of, I. 16.
 Culyngarth, lands of, II. 294.
 Cumberland, I. 150, 441.
 Cumberuauld (Comernad), II. 170.
 Cumbraes, I. 67.
 Cumlacht, I. 98.
 Cunningham, II. 220.
 — barony of, I. 221, 226 ; II. 281.
 Cupar, I. 162.
 Curmannok, barony of, II. 282.

D

- DAIRSIE (Darsy), II. 75.
- Dalechelicha, lands of, II. 236.
- Daleth, lands of, I. 300.
- Dalkeith, I. 269 ; II. 159, 408, 409, 411.
— in earldom of Strathern, lands of, II. 231.
- Dallenane, lands of, I. 408.
- Dalmeny, barony of, I. 97.
- Dalnotty, II. 257.
- Dalquhinze, lands of, I. lxiii.
- Dalswinton, castle of, I. 20-22.
- Danna, two penny land of, called Barmore, II. 236.
- Dantzic, city of, I. 192.
- Deanstoun, I. 472, 480.
- Dec, the river, II. 146.
- Derry (Darie), II. 444.
- Dingwall, I. 217.
— castle of, I. 218.
- Dirltoun, I. 354.
- Discheratoyre, lands of, I. 300, 301, 334.
- Dog Isle, I. 501.
- Dolarie, church of, I. 523.
- Dollar (Dolar), forest of, I. 17.
— lands of, I. 17.
- Donibristle, I. 496.
- Dorsetshire, I. 44, 45.
- Douay, Scotch college at, I. 393.
- Doone (Dune, Doune, Down of Menteith), town of, I. 471, 472, 476-478, 494, 505 ; II. 226.
- Doone, castle of, I. xviii, xxiv, lxxi, lxxii, lxxv, 117, 181, 182, 220, 221, 272 ; history of, 471-496 ; 497 ; II. 369-424.
— Queen Mary's room in, I. 476, 480.
— St. Fillan's chapels at, I. 182, 487.
— lordship of, I. 487.
— feu lands of, I. 485.
— mill of, II. 385, 387, 396.
— milltoun of, I. 483 ; II. 388.
— newtoun of, I. 531 ; II. 392, 393, 396.
— parish of, I. 476, 477.
— wood of, II. 421.
- Dowart (Dowar), lands of, II. 396.
— Wester, II. 392.
- Dowglengyle, lands of, I. 322.
- Downans (Downance), I. 330 ; II. 316.
— lands of, I. 299, 300, 327, 333, 408 ; II. 294.
- Dressaig, lands of, II. 236.
- Dripps, lands of, II. 291.
- Drogheda, I. 425.
- Drongary, lands of, I. 98.
- Drongy, lands of, I. 300, 310, 317, 325, 329, 332, 333.
- Drum of Kippen, lands of, I. 523, 533.
- Drumanust, lands of, II. 294.
- Drumboy, lands of, II. 294.
- Drumcamsy (Drumcamse, Drumcampse), lands of, II. 385, 387, 396.
- Drumcross, lands of, I. 104.
- Drumlannikloch (Drummannikloche), lands of, I. 521, 529, 530 ; II. 329, 330, 354, 360, 368.

- Drumlairig, I. xxxviii, xxxix.
 Drumlaw, lands of, II. 459.
 Drumlayme (Drumlaame), lands of, I. 498.
 Drumlean (Drumlaeu), lauds of, I. 336, 389 ;
 II. 293.
 Drumlynd, penny land of, II. 235.
 Drummen, Drommane, or Drymen, in the
 earldom of Strathern, lands of, I. lviii,
 lix, lxiv-lxvi ; II. 249.
 Drummond, Droumond, or Drymen, in the
 parish of Drymen and lordship of Men-
 teith, castle or fortalice of, I. lxi, lxvi,
 389.
 — lands and barony of, I. xli, lvi, lviii, lix-
 lxi, lxiv-lxix, 347, 348, 395, 406, 409,
 414, 427 ; II. 128, 164, 166, 167, 203.
 — lordship of, I. lix-lxi, lxiii.
 — messuage or manor place of, I. lxi, lxvi,
 lxvii.
 — parish of, I. liv, lvii, lxvi, 388, 505.
 Drummond or Drummen, lands and barony of
 (united), I. lxiv, lxv.
 Drummond castle, I. liv, lviii, lxix.
 Drumnacaistal or Drumwhastle, I. lxi.
 Drumnaherwege, penny land of, II. 235.
 Drums, lands of, I. 547.
 Drumsargart, barony of, II. 282.
 Drunkie, Loch, I. 504.
 Dryburgh, monastery or abbey of, I. lxxvi, 524,
 527-532, 535, 542, 544-546, 548-550 ;
 II. 341-343, 362, 363.
 Duchray (Dewchray), lands of, I. lx ; II. 380,
 403.
 Duchray, water of, I. 510.
 Duffus, II. 122, 143.
 Dulater, II. 403.
 Dull, I. 125.
 — abthanery of, I. 157, 259.
 Dumbarton (Donbrethan, Dumbartane, Dum-
 bertan, Dunbretane, Dunbritane), burgh
 of, I. 67, 273, 274, 280, 420, 443, 453 ;
 II. 218, 368, 376.
 — castle of, I. 114, 183, 275, 279, 318, 435,
 443, 447, 449, 450 ; II. 219, 332.
 — parish church of, II. 256, 257.
 — shire of, I. liv, lvi, lvii, lxvii, 67, 70,
 124, 161, 242, 384, 432, 443, 447, 449,
 450, 487 ; II. 218, 401.
 Dumfries (Drumfries), burgh of, I. xxxviii, 21,
 22, 222 ; II. 30, 172.
 — church of the Franciscans in, I. 21, 92.
 Dun, manor of, I. 55.
 Dunan, halfpenny land of, II. 235.
 Dunbar, I. xlii, 55, 74, 75, 80-82, 84, 104, 155,
 436, 437.
 — castle of, I. 79-81, 171, 210, 272,
 478.
 Duublane (Dumblane, Dunblaine), I. lxxii, 128,
 129, 336, 471, 476, 483, 484, 492, 493,
 545 ; II. 160, 369, 371, 428. *364.*
 — cathedral church of, I. 34, 125, 126 ; II.
 326-328.
 — diocese of, I. 34, 118, 125, 128, 129, 507,
 511, 544 ; II. 315, 321, 327, 336, 340,
 342, 345, 347, 358, 364, 391, 449.
 — parish of, I. xvii, 505.

- Dundaff, lands and barony of, II. 286-290.
 Dundas, tower at, I. 224.
 Dundee, I, 83, 144, 157, 179, 237, 258, 268,
 422, 516, 519; II. 239.
 — lands in, I. 55.
 Dundochill, Isle of, I. 505.
 Dundonald, I. 137, 146, 157; II. 435.
 Dundurn, I. 403.
 Dunfermline, I. liii, 2, 83, 88, 91, 99, 145, 156,
 157, 257.
 — abbey of, I. 15, 17, 27, 230, 257.
 — church of, I. 2, 3, 9.
 Dunglass, II. 166.
 Dunkeld, I. 144; II. 429, 430.
 Dunkirk, II. 188.
 Dunlop, lands of, I. 221.
 Dunstaffnage, castle of, I. 516.
 Duntreath, lands of, I. 278, 280.
 Dupplin Moor, I. 99, 100.
 Durham, I. xx, 106, 109, 124, 211, 269, 291,
 456; II. 60.
 — castle of, I. 212.
 Dysfer, lands of, I. 157.
- E
- EDINBURGH, *passim*.
 — Castle, I. 18, 26, 27, 61, 62, 81, 149, 168,
 209, 232, 269, 272, 486, 527, 530, 532,
 537; II. 24, 267, 363.
 — Cross of, I. 543.
 — Friars' Church of, I. 179.
- Edinburgh, High School, I. xxvii.
 — Monastery of the Sacred Cross of, II. 436.
 See also Holyrood.
 — New Academy, I. xxiv.
 — Parliament House, II. 7.
 — Register House, I. lxxxi, lxxxii, 283, 284;
 II. 233, 329, 457.
 — St. Cuthbert's Church in, I. 495.
 — St. Giles' Church in, I. 225, 235, 236; II. 11.
 — — Albany pillar in, I. 235.
 — Tolbooth of, II. 391, 414.
 — University of, I. 493.
 — shire of, I. 55, 97, 294; II. 247, 263, 286,
 289, 295, 311.
- Edinham, I. 22.
 Eglysdissentyne, II. 217.
 Egypt, I. 61.
 Elastoun. *See* Illieston.
 Elgin, burgh of, I. 81-85, 119, 146.
 — cathedral church of, I. 119, 225.
 — shire of, I. lvi.
 Ellantallo. *See* Talla.
 Elliotstoun, lands of, II. 286-290.
 Ely, diocese of, I. 39.
 Enchimeholmok, for Inchmahome, I. xlvii.
 Ergady, Wester, lands of, II. 385. *See also*
 Argaty.
 Erigane, lands of, I. 487.
 Ernehome (Ernecomy), lands of, I. 309; II. 294.
 Ernetly, lands of, II. 294.
 Ernomul, lands of, II. 294.
 Ervergy, penny land of, II. 235.
 Essy, barony of, II. 225.

F

- FAITHLEY, lands of, I. 478.
- Falkirk, I. 88, 494.
- Falkland (Falcland), manor of, I. 186, 246.
 — tower and castle of, I. 173, 176, 215, 265, 272, 477; II. 253, 255, 256, 286.
 — town of, I. 177, 181, 197, 224, 231; II. 253, 256, 270, 271, 375, 376.
- Farningdun, I. 26.
- Fast Castle, I. 215.
- Fife, earldom of, I. lxxvii, 91, 116, 130, 131, 137, 232, 277, 278, 291, 292, 519; II. 252-255, 456-458.
 — lordship of, I. 386; II. 61-64, 66.
 — shire of, I. 71, 97, 99, 136, 138, 144, 233, 257, 265, 518.
- Finlarich, parish of, I. lvii.
- Fintry, hill of, I. 510.
- Finwick in the Lennox, parish of, I. lvii.
- Flamborough Head, I. 188.
- Flanders, I. 87, 89-91, 187; II. 75.
- Flat, lands of, II. 209.
- Flodden, I. 303, 481.
- Foidow, I. lxiii.
- Forbes, barony of, I. 266.
- Fordale, lands of, I. 258.
- Forfar, burgh of, I. 14, 19, 81.
 — shire of, I. lvi, 53, 239; II. 225, 230, 231, 433.
- Forres, I. 17, 146.
- Forth, Firth of, I. liii, 163, 164, 181, 184, 192, 408, 486, 495.
- Forth (Fort), river, I. xxx, xlvi, xlix, lxxii, 109, 239, 240, 244, 307, 441, 444, 472, 477, 492, 509, 510; II. 60, 69, 213, 239, 266, 428, 458.
- Foswell, lands of, II. 293.
- Fotheringay Castle, I. 437.
- Foulis, I. 513.
- France, I. xxiv, xliii, 11, 27, 54, 56, 73, 74, 84, 90, 105, 108, 172, 182, 188-190, 197, 200, 227, 229, 230, 236, 237, 253, 259, 266, 270, 279, 281, 318, 335, 409, 436-438, 450, 451, 541; II. 123, 188, 318, 322, 323, 332, 403, 425, 426, 452.
- Freden, lands of, I. lix.
- Frendraught, lands of, I. 264.
- Frews (Frew, Frewis), Ford of, I. lxxii, 492.
 — lands of, II. 396.
 — Easter, II. 385, 387.
 — Middle, II. 385, 387.
- Frisefleware, lands of, II. 294.

G

- GALLOWAY, I. 20, 515; II. 203.
- Garden (Gardene, Cardene), lands of, I. 529, 530; II. 354, 360, 361.
 — Easter, II. 368.
- Gardenyacht or Auchmore, lands of, I. 307. *See also* Auchmar.
- Gareloch, the, I. lvii.
- Garioch, I. 218.
 — lordship of, I. 160.

- Garioch, lands of Mar and, I. 160, 260, 261.
- Garquhat (Garhat), lauds of, I. 299 ; II. 294.
- Gartartan (Gartauartane, Gartavertane), lands of, I. 316, 525, 544.
- Lindsay, lands of, I. 314-316.
- Wester, lands of, I. 314, 315.
- Gartcarne, lands of, I. 299.
- Gartcedeny or Hiltoun, lands of, I. 529, 530 ; II. 354, 360, 368.
- Gartfarin, lands of, I. 322.
- Gartfarrance, Middle, lands of, II. 167.
- Garthgunnock, lands of, I. 209.
- Garthreny, lands of, I. 334.
- Gartincaber, lands of, I. 545 ; II. 365-367.
- Gartinhagil, lands of, II. 294.
- Gartinsalze, lands of, I. 300.
- Gartlochrame, lands of, I. 300.
- Gartlonanbeg (Garlonanbeg, Gartlamanbeg), I. 299, 300, 334.
- Gartlonanmore, I. 334.
- Gartmore, I. 408, 417, 429, 510.
- barony of, I. 316, 510.
- house, I. 510.
- lands of, I. xxiii, 312, 313, 315, 316, 325, 326, 431 ; II. 70.
- Gartmulzie (Gartmoulzie, Gartmulne), lands of, I. 297, 498 ; II. 294.
- Gartnerthynach, lands of, II. 293.
- Gartphorie, lands of, I. 322.
- Gartrenich, lands of, I. 326.
- Garturs (Gartours, Garturris), Over and Nether, I. 529, 530 ; II. 254, 360, 368.
- Gaske comitis, lands of, I. lix.
- Gellow, lands of, II. 230, 231.
- Gerpot, lands of, I. 137, 257.
- Gilmertoun, lands of, I. 97, 333.
- Gilp, Loch, I. 218.
- Glamis, Castle, I. lxxxi.
- thanage of, I. 145 ; II. 433, 456.
- Glaschyle (Glascheyll), lands of, I. 310, 414 ; II. 175.
- Glasgow, I. 4, 5, 114, 147, 151, 313, 324, 433, 435, 439, 448 ; II. 173, 187, 257, 258.
- barony and regality of, II. 29.
- church of St. Kentigern in, I. 4, 5 ; II. 257.
- Glashulrie, half lands of, I. 498.
- Glaskatre, lands of, I. 299.
- Glassel, lands of, II. 294.
- Glassford, lands of, I. 300, 301, 334.
- Glasswerde, lands of, II. 293.
- Glegait (Gleshart), woods of, II. 158.
- Glenalmond, I. 397 ; II. 122.
- Glencagiduburgilli, penny land of, II. 235.
- Glencoyth, I. lxiii.
- Glendochart, I. 404.
- barony of, I. 143.
- Glenfinlas, forest of, I. 479 ; II. 415, 416, 418, 419.
- mountains of, I. 505.
- Glenfruin, I. 492.
- Glenlechnarne (Glenlitherner, Glenlithorne), lands of, I. lix, lxiv, lxv ; II. 231.
- Glenmauy (Glenman), lands of, II. 392, 396.
- Glenmoriston (Glamoriestoun), II. 17.
- Glentiarken, I. 403.

Grampians, the, I. xxv, 506.
 Greenock, II. 4.
 Greenwich, II. 13, 15, 16.
 Grodicht (Grodeth), II. 392, 396.
 Guddy (Gude, Gudy, Gwdy), ward of, I. 529,
 530; II. 354, 360, 368, 380, 392, 395.
 — Loch of, II. 385, 387.
 Gulane, kirk of, I. 531; II. 363.
 Gyrechat, lands of, I. 300.

H

HADDINGTON (Hadingtone), I. 19, 155, 198, 269.
 — Abbey of, II. 331.
 — hospital of St. Lawrence, near, I. 265.
 Halidon Hill, I. 100.
 Hamilton, I. 319.
 Hampton Court, I. 340, 354; II. 21, 22, 35,
 44-46, 57, 58, 71, 72, 92.
 Hardrig, lands of, II. 209.
 Harlaw, I. 218.
 Hassington, lands in, I. 60.
 Haudenstauk, I. 164, 204, 205, 215, 216.
 Hebrides or Western Isles, I. 63-65.
 Helmsdale, I. 320.
 Hermitage Castle, I. 20.
 Hewch in Menteith, II. 408.
 Highlands, The, I. 167, 399, 477, 478; II. 22,
 163, 420.
 Hiltoun or Gartcledeny, lands of, II. 368.
 Holy Island (Halyeland), I. 187.
 Holy Land, the, I. 512.

Holyrood, Holyroodhouse, (Haliruid, Halirude-
 hous, Halyrood, Halyrud, Halyrude,
 Halyruid, Hollyrood, Holyrudhous), I.
 239, 326, 343, 344, 348, 371, 372, 374,
 376, 378, 380, 381, 391, 417, 431, 486,
 501, 535, 540; II. 54, 56, 57, 63, 64, 74,
 75, 87, 90, 149, 152-154, 175, 411, 414-
 419, 422-424, 429, 452.
 — Abbey, I. 14, 15, 22, 151, 486; II. 436.
 — Chapel-Royal, II. 7, 23, 24.
 — lordship of, II. 46.
 Homildon Hill, I. 180, 181, 238, 244.
 Hornhaugh (Hornahic, Horniehaicke), lands of,
 I. 525, 529, 530; II. 354, 360, 368.
 Houghton Tower, I. 335.
 Hungary, I. liii, lvi.
 Huntingtower (Huntingtour), lands of, II. 34.

I

ILLIESTON (Elastoun, Hilifiston, Pleuestune,
 Yilefisten), lands of, I. 155, 289, 294,
 306, 310, 317, 328; II. 207-211, 262-264,
 295, 296, 307-309, 311, 312, 458, 459.
 — town of, II. 211.
 Inchaffray, church of, I. 15.
 — priory of, I. 507.
 Inchedrewir, lands of, I. 264.
 Inchic, lands of, I. 334.
 Inchmahome (Inchmaquhomok, Inchemacolmoc,
 Inchimchelmok, Enchimeholmok), I.
 xlvi, lxxi, 58, 94, 301, 307, 308.

- Inchmahome, church of, I. 499; II. 328, 455.
 — fortalice of, I. 542. *See also* Talla.
 — Isle or Isles of, I. 33, 297, 307, 318, 497, 498, 502, 503, 507, 511, 516, 517, 519, 523; II. 326, 328, 329, 332, 336, 339, 345.
 — Loch of, I. 297, 303, 309, 498; II. 302, 303, 368. *See also* Menteith, Lake of.
 — Priory of, I. xxiii, xxv, xxxii, xxxiii, xli, xlii, lxxv, lxxvi, 11, 33, 34, 75, 115, 307, 308, 312, 316, 398, 497, 502, 504; II. 460.
 — — history of, I. 507-552.
 — — charters of, II. 326-368.
 — — Queen Mary's bedroom in, I. 510.
 — — prior's meadow in, II. 368.
 Inchmurdach, I. 133.
 Inchmurrin (Inchemoryne), I. 161, 241; II. 273.
 — Castle, I. 277, 278.
 Inchrie (Inchere), lands of, I. 299, 300, 498; II. 294.
 Inchtulloch (Inchtolloche, Inchtalla, Illintuleich, Ilantullo), I. 297, 318, 325, 391, 497, 498. *See also* Talla.
 Innerbervie, lands in, I. 55.
 Innerlochlarig-beg, II. 449.
 Innerpeffrey, lands of, I. lxiii.
 — provostry or chaplainry of, I. lxiii.
 Innersnaid (Innersnait), II. 450.
 Innerwick, castle of, I. 182.
 Insch, lands of, II. 294.
 Inverardoch, I. 487.
 Inverkeithing (Innyrkethin), II. 277.
 — parish church of, I. 224.
 Inverlochry (Inverlochrie), II. 443.
 Inverlussa (Inwerlaxo), church of St. Michael in, I. 63; II. 220.
 Inverness, burgh of, I. 145, 239; II. 445.
 — castle of, I. 218.
 — shire of, I. lvi, 144, 240, 260, 261, 347.
 Invertrossach, I. lxxii.
 Ireland, I. 253, 273, 278, 280, 392, 421, 422, 427, 452, 507, 515, 541; II. 132, 172, 174, 175, 177, 183, 202, 203, 205, 318, 322, 323, 443, 444, 452.
 Irongray, parish of, I. xxxviii.
 Irschyn, park of, II. 217.
 Irvine, burgh of, I. 225-227.
 Islay, island of, I. 496.
 Italy, I. xxiv; II. 445, 446.
- J
- JARGARW, Great and Little, lands of, I. 147.
 Jedburgh (Jedbrough), I. 20, 31, 81, 152; II. 27.
 — abbey of, I. 507, 508.
 — castle of, I. 208, 209.
 Jedwood Forest, I. 31.
 Jura, island of, I. xlix.
- K
- KATRINE, Loch, I. xvii, lxxii, 311, 504.
 Keanlochkilmun, lands of, I. 114.
 Kedeslatt, lands of, I. 63.

- Keir, I. 396, 472.
- Kelso, I. 164, 204, 205, 215, 216.
— abbey of, I. 216.
- Kenelton, lands of, I. 8 ; II. 214.
- Kenmor, Isle of, I. 514.
- Kepe (Kep), lands of, I. 529, 530 ; II. 354, 360, 368, 403.
- Kernis, lands of, I. 6.
- Kerrera, island of, I. 64.
- Kers, lands of, II. 436.
- Kettesen, lands and barony of, II. 225.
- Kilbride (Kilbryd, Kilbryde), castle of, I. 387, 505.
— lands and barony of, I. 296, 297, 299, 300, 302-306, 309, 310, 317, 318, 325, 329, 332, 343, 361, 387, 395, 396, 408 ; II. 49, 324.
— mill of, I. 329, 332.
— place of, I. 329.
- Kilcolmanel in Kintyre, church of, I. 63 ; II. 216.
- Kilglassin, lands of, I. 6.
- Killayne, lands of, I. 120.
- Killearn, parish of, I. 522.
- Killiecrankie, II. 443.
- Killin, lands of, II. 447.
- Kilmadoek (Kilmadok), church of, I. 507, 520 ; II. 419.
— kirklands of, II. 368.
— parish of, I. xvii, 476, 477, 505, 545 ; II. 366.
— vicarage of, I. 336.
- Kilmaronock, parish of, I. 278.
- Kilmun, lands and barony of, I. 1, 114.
- Kilpont (Kenpunt, Kentpunt, Kinpont, Kynpont, Kynpunt), lands and barony of, I. 155, 289, 290, 298, 303, 306, 310, 317, 325, 328, 329, 332, 333, 385, 395, 396, 428, 430 ; II. 207-209, 262-264, 286-290, 298-300, 307-309.
— lordship of, I. 294, 333 ; II. 295, 311.
— St. Peter's chapel of, II. 264.
— town of, II. 208.
- Kilsyth, II. 69.
- Kilwinning (Kylwynin), I. 151 ; II. 268.
— church and monastery of, I. 62, 63, 75 ; II. 220.
- Kincardine in Menteith, I. xxvi.
— church of, I. xxvi, 511.
— lands and barony of, II. 291, 293.
— lordship of, II. 292, 293.
— parish of, I. xvii.
- Kincardine O'Neil, I. 16, 66, 83.
- Kincardineshire, I. 55, 406, 432 ; II. 285, 438.
- Kinclaven (Kynclwyn), I. 81 ; II. 218.
- Kindrocht, I. 144.
- Kingask, lands of, I. 6.
- Kinghorn, I. 52, 69, 99, 265.
- Kingoldrum, lands of, I. 55.
- Kingston-upon-Hull, I. 253.
- Kingston Russell, in Dorsetshire, I. 44.
- Kinkell, town of, II. 274.
- Kinloss, church of, I. 15.
- Kinnakelle, lands of, I. 6.
- Kinninis, lands of, I. 6.
- Kinnoull (Kinnowl, Kynnoull), church of, I. lxii ; II. 76.

Kinross, I. 15, 29.
 — shire of, I. 233.
 Kintail, fort at, I. 65.
 — lands of, I. 65.
 Kintore, I. 145.
 Kintyre, district of, I. xlix, 1, 2, 5, 44, 63; II. 216.
 — lands of, I. 132.
 Kippen (Kyppen), I. 34, 473, 510; II. 160, 270.
 — church of, I. 34, 75, 78, 509; II. 328.
 — parish of, I. xvii, lvii.
 Kirkcudbright, I. xxxvii.
 Kirkwall, I. 65.
 Knapdale (Cnappodol), I. xlix, 1, 63, 439; II. 220.
 — chapels of St. Charmaig and St. Mary in, I. 63.
 — lands in, I. 73, 439, 455; II. 235, 236.
 — North, I. xlix.
 Kuoekhill, Craig of, II. 420.
 Kortachy. *See* Cortachy.
 Kulbak, lands of, I. 137. *See also* Culbak.
 Kyle, lands of, I. 134.
 Kyllalduburscalan, halfpenny land of, II. 335.
 Kylemonethdam, lands of, II. 257.
 Kyllerman, lands of, II. 257.
 Kylmachornat in Knapdale church of, II. 220, 221.
 Kyllmaychel, penny land of, II. 235.

L

LADARDE, lands of, II. 293.
 Ladegrene, lands of, II. 271.
 Lagan, penny land of, II. 235.
 Lamanbrid, lands of, I. 14.
 Lanark, burgh of, I. 265.
 — shire of, I. 282; II. 436.
 — Wester, lands of, I. 545.
 Lanarkins (Lanarkynys), lands of, I. 518; II. 225, 226.
 Landrich (Lendrick), Castle, I. 472, 505.
 Lanercost, I. 53.
 Langhirdmanstone Moor, I. 191.
 Langside, I. 324, 486.
 Largs, I. 65, 68.
 Lauriston (Villa Laurencii), near Montrose, II. 212.
 Leachenaban, penny land of, II. 235.
 Leckie House, I. lxxii.
 Leeropt, parish of, I. xvii.
 Leith (Leyth), I. 319, 324, 325, 533; II. 111, 182, 406, 429.
 Lennox (Lenenax), The, I. xxi, liv, lvi-lix, lxxvii, 56, 347, 396, 516.
 — earldom of, I. lvii, 110, 144, 161, 241-243, 277, 278, 450, 452; II. 240, 257.
 — lordship of, I. 161, 242.
 — thanedom of I. lviii.
 Leny (Lany, Lanye, Lanyn), church of, I. 507, 520, 544; II. 328, 364.
 — kirklands of, II. 368.
 — lands of, I. lxxiv, lxxv, 317, 520.

- Leny, parish of, I. xvii.
 Lergnahunseud, halfpenny land of, II. 235.
 Lethberdschelis, lands of, I. 144.
 Lethin, lands of, I. 6.
 Lethingtoun or Lennox Love, I. 503 ; II. 331, 333.
 Lenchars (Loeris), I. 72, 257 ; II. 432.
 — barony of, I. 137, 144.
 — castle of, I. 144, 477.
 — lands of, I. 265.
 Leven, river, I. 14.
 Lewis, island of, II. 87.
 Liddesdale, I. 20, 441.
 Ligeardwood, lands of, II. 250.
 Lincoln, I. 57.
 — diocese of, II. 233.
 — shire of, I. 143.
 Lindores Abbey, I. 173, 264.
 Linlithgow, burgh of, I. 26, 81, 143, 151, 152, 155, 157, 162, 183, 232, 275, 318, 440 ; II. 299, 376.
 — constabulary of, I. 144, 294 ; II. 247, 263, 286, 289, 295, 298, 299, 311.
 — shire of, I. 289, 328 ; II. 298, 299, 307, 311, 458.
 Liutrathen (Lintreathen, Lintrethin, Luntrethen), kirk of, I. 531 ; II. 363.
 — kirklands of, II. 368.
 Llantullo, isle of, II. 329. *See* Talla.
 Lochard, I. 388, 477, 505. *See also* Ard, Loch.
 Lochbanaquhare, II. 385, 387.
 Lochbren, I. 452.
 Lochend, House of, at Lake of Menteith, I. 45, 504.
 — lands of, I. 525, 529, 530 ; II. 333, 334, 354, 360, 368.
 Lochfield, lands of, I. 521.
 Lochleven, I. 233, 324.
 — St. Serf's Inch in, I. 233.
 Lochlomond, I. 161, 241, 277.
 Lochlong, I. 64.
 Lochmaben, castle of, I. 210.
 Lochtoun, lake of. *See* Achray, Loch.
 — lands of, I. 300, 309.
 Logie (Logy), II. 323.
 — lands of, I. 148, 149 ; II. 260, 261, 266-269.
 — manor place of, II. 268.
 — parish of, I. xvii.
 — regality of, I. 240 ; II. 266-269.
 Logierait, barony of, I. 147.
 Lombardy, II. 445.
 Lonanys, lands of, II. 294.
 London, I. xxxviii, 33, 44, 74, 80, 83, 90, 108, 138, 139, 179, 188, 202, 263, 268, 287, 319, 339, 340, 390, 391, 406, 409, 411, 412, 423, 424, 426, 447-449 ; II. 94-96, 98-101, 103-105, 107-109, 111-115, 117-120, 164, 166, 167, 174, 177, 181, 183, 188, 189, 192, 197, 198, 201, 232, 233.
 — Alexandra Hotel, Hyde Park Corner, I. xxiv.
 — All Hallows in the Ropery, church of, I. 139 ; II. 233.
 — British Museum, I. 185.
 — Bridge, I. 108, 446.

- London, College of Arms, I. xlv ; II. 453, 456.
 — Milkstreet (Milkstrete) in, I. 138 ; II. 232.
 — Port of, I. 143.
 — Prestones Rente, II. 234.
 — Public Record Office, London, I. xliii, 57, 76, 438 ; II. 456.
 — St. Clement's Church in the Strand, II. 176.
 — St. James's, II. 32.
 — St. Mary Magdalen's, I. 138 ; II. 232, 233.
 — St. Paul's, I. 87.
 — The Strand, II. 75.
 — Thames Street (Temsestrete) in, I. 139 ; II. 232.
 — Theobalds, II. 17, 19, 20, 39, 114, 117.
 — Tower of, I. 74, 80-83, 90, 108, 188, 244, 247, 248.
 Loretto, II. 445.
 Lorn, sheriffdom of, I. 73.
 Lothian, II. 262.
 — East, I. 182, 503.
 Lowlands, The, I. 477, 478.
 Lubnaig, Loch, I. 504.
 Lngnok, Loch of, II. 385, 387.
 Luss, church of, I. 453.
 — lands of, I. 35.
- M**
- M'CORRANESTOUN (Maccorenstoun), lands of, I. 545 ; II. 366, 367, 403.
 Maccristoun, lands of, II. 403.
 Madeira, island of, I. liv.
- Mar, district of, I. 218.
 — earldom of, I. 123, 160, 292.
 — and Garioch, lands of, I. 160, 260, 261.
 March, earldom of, I. 291.
 Marches, The, I. 141, 170, 181, 186, 202, 204-206, 241, 256, 542 ; II. 432.
 — East, of England, I. 207, 217.
 Marduffy, lands of, II. 294.
 Markinch, I. 83.
 Marple, lands of, II. 23.
 Mathelaw, I. 144.
 Maybole, parish of, I. 137.
 Mearns, shire of, I. 218.
 Melrose, I. 167, 168, 269.
 — abbey church of, I. 15, 17, 22, 26, 60, 155, 489, 508.
 Menstrie, lands of, I. 219.
 Menteith (Manenthe, Menetethe, Menetheth, Menteithe, Menteth, Menteythe, Mentieth, Monteathe, Monteith), district of, I. xvii, xviii, xxiii, xxiv, xxvii, xl-xlii, xlix, li, lxxviii-lxxii, lxxiv, 91, 220, 272, 294, 310, 311, 321, 334, 382, 396, 413, 416, 419, 471, 477, 478, 480, 488, 491, 505, 510, 516, 525, 542 ; II. 165, 169, 199, 205, 223, 226, 229, 297, 300, 391, 401, 408.
 — earldom of, I. xvii-xxiii, xxv, xxxii, xxxiii, xl, xlii, xliii, xlvi-li, lix, lxxi, lxxviii, 1, 2, 4-10, 17, 34-43, 46-48, 53, 59, 60, 68, 76, 79, 82, 85, 86, 89-91, 93-98, 101, 102, 105, 109, 114-117, 120, 121, 124, 127, 129, 131, 134-136,

- 277, 278, 281, 289, 291-293, 296-299, 301-305, 307-311, 317, 318, 320, 321, 323-334, 362, 383, 390, 407, 408, 414, 423-428, 430, 453, 455, 471, 476-478, 480, 497, 498, 518 ; II. 166, 214, 215, 225-227, 246, 248, 270, 293-295, 301-303, 310, 313, 314, 318-320, 323-325, 328, 401, 453-456.
- Menteith, forest of, I. 480.
- Isle of (Yll, Yle-Menteith), I. xxxvi, 414-419, 426, 430, 497, 500 ; II. 160, 169, 177, 180, 191, 193, 195, 196, 200, 204.
- Easter Isle, I. 415, 429.
- lake of, I. xxii, xxiii, xlii, lxxi, lxxii, 33, 45, 75, 311, 318, 398, 471, 477, 497, 501, 504, 505, 508.
- lands and barony of, I. 47-49, 134, 310 ; II. 380, 382.
- lordship of, I. lx, lxiv-lxvii, lxxi, 348, 386, 480, 481, 483, 485 ; II. 61-64, 66, 369, 370, 376, 377, 379, 380, 382-388, 391, 392, 401, 403, 409, 410, 423.
- messnage or chemys of earldom, I. 47, 48.
- stewartry of, I. 292, 300, 312, 315, 316, 318, 480-482, 484, 485, 487, 523, 544, 545 ; II. 313, 314, 366, 370, 378, 390, 395, 396, 401, 403, 408, 423.
- Mertoun, mains of, I. 545.
- Mestryn (Mestrym), I. 8 ; II. 214.
- Methlick, parish church of St. Devenick of, I. 143.
- Methven (Methfen), I. 53, 144, 151 ; II. 250, 293.
- wood of, I. 92.
- Metnach, penny land of, II. 235.
- Midlothian, I. 143.
- Milton (Myltoun), lands of, II. 380.
- woods of, I. 389 ; II. 158.
- Minigaff, I. xxxix.
- Mochaster, II. 162.
- Monbrechy (Monvrachy, Monybrachys), lands of, I. 297, 498 ; II. 294.
- Mondowie, lands of, I. 322, 387, 393.
- Montrose (Monros), I. 81, 155, 258 ; II. 212, 265.
- estates of, I. lxvii.
- Moray, church of, I. 119.
- diocese of, I. 118.
- lands of the bishopric of, I. 225.
- shire of, I. 82.
- Morystoun, lands of, II. 250.
- Mose, a farm, II. 192.
- Moss, house of, I. 522.
- Moulin (Mouline, Muyline,) church of, I. 9.
- town of, I. 8 ; II. 214.
- Mugdock, II. 173.
- Muirhead, II. 174.
- Muirhouse, I. 506.
- Muithlaw, parish of, I. lvii.
- Mull, Island of, II. 444.
- Mullen, lands of, I. 297, 498.
- Mundolo, lands of, I. 144.
- Murdach's Ford, I. 476, 477.

Murdochstoun, lands of, I. 545 ; II. 366,
367.
Musselburgh, I. 15.
Mutbil, I. 514.

N

NAIRN, castle of, I. 217.
—— shire of, I. 217.
Naples, II. 445.
Neische's Island, I. 403.
Nesbit Moor, I. 180, 181.
Newbattle, abbey of, I. 14, 26, 69, 81.
Newbridge upon Forth, II. 69.
Newcastle-on-Tyne, I. 20, 24, 59, 73, 108, 180,
247, 249, 251, 255, 256, 453, 479 ; II.
222.
Newmarket, II. 41, 103.
Newton of Galloway, II. 204, 205.
Neylande, La, I. 91.
Norfolk, sbire of, I. 143.
Norham, I. 32, 72, 73, 78.
Normandy, I. 12, 219.
North Berwick, I. 153, 190, 269, 278, 478.
—— barony of, I. 152, 153.
—— castle of, I. 153.
North Isles, II. 19, 87.
Northumberland, I. 11, 20, 244, 247, 249,
251.
—— earldom of, I. 246.
Norway, I. 63, 64, 68, 71 ; II. 431.
Norwich, diocese of, II. 234.

Nottingham, castle of, I. 437.
Nova Scotia, I. xxxv ; II. 13, 14, 22, 26,
118.
Nydie, town of, I. 172.

O

OATLANDS, I. 348 ; II. 37, 38, 41, 323, 325.
Obeyne. *See* Aboyne.
Obinham, farthing land of, II. 235.
Ochterarder, forty merk lauds of, I. lxiv. *See*
also Auchterarder.
Ochertyre, I. lxxii, 472.
Oneil (Onele), lands of, I. 157.
Orkney Islands, I. 65, 72 ; II. 15, 431.
Ormisbeuch (Ormysheuch), lands of, I. 221 ; II.
281-283.
Otterburn, I. 152, 155.
Owterbous, church of, II. 231. *See also* Auch-
terhouse.
Oxford, I. xxvii ; II. 67, 68.
—— Christ Church, I. xxiv.

P

PADUA (Padoua), II. 445.
Paisley, I. 62, 67.
—— abbey, church, and monastery of, I. 10, 14,
44, 62, 63, 67, 75 ; II. 216.
Parbroth, II. 75.
Paris, II. 36, 426.

- Pencaitland, kirk of, I. 531 ; II. 363.
 Penrith, town of, I. 222.
 Pentland Firth, I. 64.
 Perth, burgh of, I. xxix, 10, 22, 81, 83, 92, 94,
 99, 105, 134, 138, 142, 144, 145, 157,
 165, 179, 183, 189, 192-194, 204, 208,
 209, 211, 228, 230, 240, 243, 258, 260,
 261, 265, 268, 270, 272, 275, 287, 318,
 319, 324, 397, 418, 493, 515 ; II. 39, 67,
 234, 247, 251, 254, 266, 272, 275, 277,
 281, 284, 295, 303, 304, 324, 328, 376,
 393, 401, 419, 428, 431, 432, 437, 457.
 — shire of, I. xvii, xxiv-xxviii, xxxii, lvi,
 lvii, lxiv, lxxv, 55, 125, 143, 147, 157,
 297, 299, 304, 306, 388, 396, 408, 487,
 498, 510, 518, 521, 525, 529, 544, 545,
 548 ; II. 238, 267, 270, 271, 274, 291,
 294, 297, 301-304, 310, 329, 333, 334,
 350, 359, 360, 364, 366, 386, 392, 396,
 401.
 Petcur, lands of, II. 225.
 Petkennin, lands of, I. 6.
 Petquhonderty, lands of, I. 317.
 Petsporgin, lands of, I. 6.
 Pinkie Cleuch (Pynkyne Clewiche), I. 502,
 503, 524, 527 ; II. 332.
 Pitfure, lands of, I. 120.
 Polder (Poldoir, Poldure), Easter and Wester,
 I. 529, 530 ; II. 354, 360, 368.
 Polmont mill (Polmonthmyln), II. 333.
 Pontefract, I. 227.
 — castle, I. 228, 293.
 Port Ernochome (Erachame), lands of, I. 297, 498.
 Port (Porth), in Menteith, I. xvii, 294, 480, 505,
 506, 548 ; II. 294, 297, 298, 302.
 — church of, I. xlii, 393, 507, 523 ; II. 419.
 — kirklands of, II. 368.
 — lands of, I. 303.
 — parish of, I. xvii, 308, 336, 388, 421, 428,
 505, 510, 544.
 Portend, I. lxxi, 412, 415, 501, 504 ; II. 68, 69.
 — lands of, I. 393.
 — Gallows Hill, near, I. 501.
 Portnellan (Portnellen), II. 446-448.
 — lands of, I. 322 ; II. 403.
 Portpatrick, II. 4.
 Portsmouth, I. 74 ; II. 91, 119, 121.
 Poumfraystoun, lands of, II. 286-290.
 Prague, diocese of, II. 234.
 Prestonpans, I. 495.
 Princeton College, New Jersey, America, I. 494.
 Prony, Over and Nether, II. 293.
 Prussia, I. 192.
 Pytwer, lands of, II. 234.
- Q
- QUEENSFERRY, I. liii.
- R
- RACHRIN, Isle of, I. 515.
 Redesdale, I. 79.
 Redgorton, church of, I. 15.

Redhall, barony of, I. 143, 241.
 Rednoch (Rednok, Radenoche), I. 7, 393; II. 214.
 — barony of, I. 428.
 — town and lands of, I. 8, 322, 487; II. 214, 300, 301.
 — Easter, I. 321, 322.
 Renfrew, barony of, II. 250.
 — shire of, I. 491.
 Rest, Isle of, I. xix, 34, 508, 517. *See also* Inchmahome.
 Riventos, three penny land in, I. 63; II. 220.
 Robroyston, I. 433.
 Rome, I. 23, 29, 42, 43, 121, 122, 217; II. 344, 347, 349, 425, 427, 445, 446.
 — St. Peter's, II. 339, 343.
 — The Vatican, I. 122.
 Rose, lands of, II. 294.
 Rosneath (Rosnef), lands of, I. lxxvii, lxxviii, 110-115, 124; II. 240, 243, 244, 246.
 — parish of, I. lvii.
 Ross, earldom of, I. 218, 219.
 — shire of, I. lvi.
 — ward of, I. 217.
 Rossdhu (Rosdow), I. 307, 516; II. 311.
 Rosyth (Rossythe), barony of, I. 224.
 — castle of, I. 489; II. 406.
 Rothesay, castle of, I. 163, 164, 188.
 — town of, I. 164, 183.
 Rothiemay, lands and barony of, I. 97.
 Rothiemurchus, Doune of, I. 471.
 Row, II. 368.

Roxburgh, I. 68, 81.
 — castle, I. 27, 149, 227.
 Royston, I. 336.
 Rusky (Ruskie), I. 102.
 — Islet of, I. 506.
 — lands of, I. 518.
 — Loch, I. 504, 506.
 — Tower, I. 505, 506.
 Rutherglen (Ruglen), II. 173.

S

ST. ALBANS, I. 32.
 — abbey of, I. 217.
 St. Andrews, I. 17, 27, 73, 83, 110, 137, 172, 173, 183, 187, 189, 269, 443, 451, 478; II. 76, 77, 316, 431, 432.
 — castle of, I. 172, 176, 188, 272.
 — diocese of, I. 28, 29; II. 234, 300, 341, 344.
 — University of, I. 217, 228.
 St. Bridgidie, in barony of Cunningham, chapel of, I. 226.
 St. Charmag in Knapdale, church of, I. 63.
 St. Colm's Inch, I. 486; II. 403, 404.
 St. Colmanel in Kintyre, church of, I. 44.
 St. Colmoc's Isle. *See* Inchmahome.
 St. Colnmba, chapel of, near Skipnish, I. 63.
 St. David's in Wales, I. xlviij, 58.
 St. Fillan's, I. 403.
 St. John, lordship of, II. 14.
 St. Johnstoun, I. 514, 515; II. 123. *See also* Perth.

- St. Kentigern, church of, in Glasgow, I. 4, 5.
- St. Malloch Isle, I. 505.
- St. Margaret's Hope, near Queensferry, I. liii.
- St. Mary and St. Wynnin, in Kilwinning, monastery of, I. 63.
- St. Michael, in Inverlussa, chapel of, I. 63.
- St. Serf's Inch, in Lochleven, I. 233.
- Salisbury, I. 71.
- Samchalze, lands of, I. 296.
- Sandwich, I. 438.
- Sauchie, or Sauchie Burn, I. lxxviii, 295.
- Savelime, lands of, I. 8 ; II. 214.
- Sawnocht (Savnach), lands of, I. 299, 498 ; II. 294.
- Scarba, island of, I. xlix.
- Schanghai, lands of, II. 294.
- Schortrig, lands of, II. 209.
- Scone, I. lxxv, 2, 4, 9, 10, 15, 17, 23, 25, 47, 48, 68, 77, 92, 96, 120, 134, 136, 137, 142, 151, 159, 163, 169, 269, 513 ; II. 247.
- abbey and church of, I. 2, 4, 15, 22, 159, 164, 507.
- moorhill of, I. 4.
- Scottish Sea, or Firth of Forth, I. 181.
- Seaton, II. 54.
- Selkirk (Selechirche), I. 13, 14, 22.
- Selkirk and Traquair, Forest of, I. 49 ; II. 221.
- Seringapatam, I. 429.
- Seskentyly, II. 226. *See also* Cessintuly.
- Shrewsbury, I. 182, 188, 244.
- Skipnish (Schypinche), castle of, I. 63 ; II. 216.
- lands of, I. 63 ; II. 216.
- Slurgarton, lands of, I. 523, 533.
- Smythetun, lands of, I. 27.
- Southampton, I. 222.
- Southwick, II. 8, 91, 92.
- Spain, II. 105, 425.
- Spey, river, I. 164.
- Spittal, lands of, I. 316.
- Spittaltouns (Spittiltoun), I. 521.
- Wester, I. 545 ; II. 366, 367.
- Stewarton (Stewartoun), lands of, I. 221 ; II. 281-283.
- Stirling, burgh of, I. 17, 26, 62, 69, 81, 83, 87, 109, 140, 144, 147, 161, 187, 219, 225, 229, 230, 243, 264, 273, 279, 280, 294, 296, 306, 318, 319, 324, 388, 420, 421, 471, 477, 483, 486, 492, 493, 505, 520, 525, 526, 532, 536, 540 ; II. 70, 170, 191, 206, 239, 288, 291, 292, 360, 368, 371, 376, 384, 386, 389, 402, 405, 407, 416, 419, 421, 422.
- Blackfriars' Church in, I. 274, 477.
- bridge of, I. 209.
- castle of, I. lxxiii, lxxi, lxxii, 30, 141, 142, 224, 259, 274, 441, 443-445, 447, 477, 489, 526, 533, 534, 536-539, 541, 542 ; II. 60, 260, 332, 370, 408, 412-414.
- Castle Hill, Gowling Hill, or Heading Hill, I. 274, 472.
- chapel of St. Michael in, I. 224.
- Prior's manse, II. 368.

- Stirling, parish church of, I. 225, 309.
 — shire of, I. xvii, xxiv, xxvi-xxix, lvi, lvii, lx, lxiii-lxvi, lxix, 53, 55, 141, 161, 209, 221, 242, 280, 295, 308, 310, 322, 348, 384, 408, 510, 530; II. 60, 238, 286, 289, 360, 361, 401, 436.
 — Vale of, I. xxv.
 Stobhall, I. lx.
 Strabravne, lands of, I. 157.
 Stradlochlem, lands of, I. 8; II. 214.
 Stranraer, I. xxxviii.
 Stratford Awe or Avon, I. 283, 285.
 Strathachie in Cowal, I. 1; II. 273.
 Strathawane, barony of, II. 282.
 Strathern (Stratherne, Stratheryn), district of, I. xxvii, lxv, lxx, 99, 513.
 — earldom of, I. xviii, xx, xxxiii, l, lviii, lxvi, 34, 127, 129, 134, 281, 290-294, 305, 342-345, 347, 349-354, 358-361, 363, 364, 366-369, 375-379, 478; II. 21, 150, 231, 249, 271, 276, 284, 323-325, 459.
 — regality of, II. 293.
 — stewardry of, I. lxiv, 290, 325.
 Strathgartney, (Stragartnay, Stragartney, Strongartnay, Strogertuer), I. 311, 334.
 — lands and barony of, I. lxxix, lxxx, 148, 406, 455, 482; II. 192, 238, 260, 261, 265, 266.
 Strathowne, lands of, I. 262.
 Strathspey, I. 471.
 Strathtyrum, town of, I. 172.
 Strathurde (Strathorde), I. 442.
 — barony of, I. 157.
 Strathyre, I. 487.
 Stronecluchane, lands of, I. 322.
 Stronnahunseon, lands of, I. 114.
 Stronvonag, lands of, I. 114.
 Stroud Oure, lands of, II. 236.
 Strnan, II. 443.
 Strnben, lands of, I. 258.
 Suffolk, county of, I. 55, 143.
 Sutherland, I. 320.
 Swaine Castle, II. 236.
- T
- TALLA (Inchtulloche, etc.), Isle of, I. xxii, 333, 497, 501, 502; II. 329. *See also* Inchtulloch.
 — castle, I. 117, 390, 497-505.
 — Queen Mary's bower at, I. 502.
 Tantallon, castle of, I. 152-155, 272, 277, 478.
 Tarbert (Torbart), shire of, II. 401.
 Tarres, lands of, I. 144.
 Tarvays, lands of, I. 17.
 Tay, bridge of, I. 179, II. 436.
 — St. Mary's chapel, near the Bridge of, II. 436.
 — Firth of, I. 179.
 — island of, I. 157.
 — loch of, I. 157.
 — river, I. xxxviii, 218.

Teith (Theth, Gaelic, "Taiche"), water of,
I. xviii, xlvi, xlix, lxxii, 181, 471-474,
477, 480, 481, 487, 493, 518; II. 225, 226.

— bridge of, I. 493.

Tereochane, lands of, II. 294.

Terndown, lands of, II. 403.

Teviotdale, I. 181.

Thome (Tum), in Menteith, lands of, I. 8, 91,
98, 512, 518; II. 214, 223, 225, 226.

Thomlag (Tomaclag), or Wester Gartavertane,
lands of, I. 315, 316.

Thorp, I. 453.

Tichbourne, II. 34.

Tillicoultry, barony of, I. 221.

Tippermuir, I. xxi, 397, 400.

Tobanareal, I. 311.

Torry (Thorri), I. 472; II. 226.

— Wester, lands of, I. 301.

Touchfraser, lands of, I. 221, 237.

Trabuyage, lands of, I. 221.

Trappon, lands of, II. 23.

Traquair, I. 4, 13, 17.

Traquair and Selkirk, Forest of, I. 49; II. 221.

Treyenerrafe of Kippen, lands of, II. 270.

Tristirum, lands of, I. 6.

Trossachs, The, I. xvii.

Tulliallan, I. 495.

— lands of, I. 313.

Tullibardine, II. 428, 429.

— lands of, I. 519.

Tulychravin, lands of, I. lviii, lix, lxiv, lxxv;
II. 249.

Tulumadich, lands of, II. 224.

Turnberry (Turnebyry) Castle, I. 70, 78, 81,
436; II. 219, 220.

Tweed, river, I. 252, 256, 543.

Tweeddale, I. 5.

Twefer, lands of, I. 157.

Tynedale, I. 79.

U

ULVA, three penny land of, II. 236.

Unschennoches, lands of, I. 428.

Urquhart (Urchat, Urquart, Wrquhart), castle
of, I. 347.

— lands and barony of, I. 262, 347, 353-355,
359-361.

— lordship of, I. 352.

Urwkell, lands of, II. 231.

Utrecht, II. 445.

V

VENICE, II. 445.

Vennachar, Loch, I. 504.

Verneuil, I. 219, 236, 237.

Villa Nova, in the diocese of Avignon, I. 123;
II. 237.

Viterbo, II. 327.

W

WAFRALANDIS, lands of, I. 264.

Wales, I. xlvi, 31, 58, 168.

Warkworth Castle, I. 247, 249-251.

Wecherig, lands of, II. 209.

Westerbrigend, lands of, II. 403.

Wester Row, lands of, I. 531.

Western Isles, I. 63-65, 228, 438 ; II. 19.

Westminster, I. xliii, 90, 180, 185, 214, 249,
254, 449, 450 ; II. 221.

Westwod, lands of, II. 291.

Whitehall, I. 351, 410 ; II. 2-6, 9-12, 23-28,
30, 31, 37, 39, 40, 47-51, 53, 57, 59, 61,
72, 439, 440, 442, 443.

Whytslide, lands of, II. 250.

Winchelsea, I. 91, 437.

Windsor, I. 7, 38 ; II. 180, 185, 187, 215, 216.

Wisbeach, Castle of, I. xliii. 56.

Woodstock, II. 122.

Y

YILEFISTEN, lands of. *See* Illieston.

Yll or Yle-Menteith. *See* Menteith, Isle of.

Ylyntullo, I. 391, 497, 498. *See also* Talla.

Ynwerneill, penny land of, II. 235.

York, I. 9, 13, 18, 25, 38, 44, 47, 48, 57, 108,
189, 267, 454, 532 ; II. 65.

Z

ZETLAND, II. 15.

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